

# New Zealand Ministry of Foreign Affairs and Trade Manatū Aorere

Official Diplomatic Reporting
Relating to
"United Nations Peacekeeping Rwanda"

Volume 2 of 5 2 May – 31 May 1994

# New Zealand Ministry of Foreign Affairs and Trade

# Official Diplomatic Reporting Relating to

"United Nations Peacekeeping Rwanda"

To mark the 20th Anniversary of the Rwanda Genocide on 7 April 2014, the New Zealand Ministry of Foreign Affairs and Trade is making public its diplomatic reporting for the period March, April, May, June, and July 1994. This material includes the reporting from the New Zealand Ambassador to the UN in New York, who was President of the Security Council in April 1994. It also includes reporting from other New Zealand posts. These files contain the cables sent between Wellington and New York – a record of the unfolding disaster in Rwanda and New Zealand's work to challenge the Security Council to respond to the genocide and protect innocent civilians, and the obstruction which it encountered from many of the major powers over this period.

This folder contains the

Ministry of Foreign Affairs and Trade's

official files from 2 May to 31 May 1994

Volume 2 of 5

Routine

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Immediate

Your ( le: 115/23/37 Our file: 3/88/1 20:06 (5135) 700/NYK/00000/00000 \$673.37 FROM: NEW YORK C04400/NYK 02-May-1994 TO: WELLINGTON WGTN UNSC Immediate CC: BEIJING BONN Routine BRUSSELS CANBERRA Routine

GENEVA LONDON MOSCOW PARIS

TOKYO

Defence

(MEA, UNC, ISAC, HRU, LGL, EUR, DP3, DSP1)

HARARE

MADRID

OTTAWA

SANTIAGO

WASHINGTON

(DSP3, EAB)

DEFENCE HONZDF

(DSIA, OPS, DDI)

DEFENCE MOD

(GENTLES)

Subject

TO:

MFAT

SECURITY COUNCIL: RWANDA

#### Summary

- Sec-Gen has proposed that Council reconsider its decision to down-size UNAMIR and instead consider taking or authorising more forceful action to restore order;
- Council members see Sec-Gen's letter as driven, at least in part, by desire to avoid political responsibility for what is happening in Rwanda;
- RPF has circulated statement declaring its dissatisfaction with Sec-Gen's Special Rep and arguing that time for UN intervention is past;
- Council will hold initial discussion of Sec-Gen's letter tomorrow, 3 May;
- Meanwhile Tanzania has announced that Government and RPF have agreed to meet in Arusha tomorrow.

#### Action

Comments on New Zealand's response to Sec-Gen's letter

#### Report

As reported in our separate message, Sec-Gen sprang a

surprise on Council members last Friday evening by circulating, without prior warning, his letter (faxed separately) requesting Council to reexamine its decision in Res 912 reducing the UNAMIR force level and limiting its mandate, and proposing that Council consider taking or authorising more forceful action to restore order in Rwanda.

- Nigerians intend to open discussion at informals tomorrow afternoon on how Council should respond to the letter. There was a preliminary exchange today, however, at a lunch meeting of the non-permanent members of the Council hosted by Gambari. In introducing the subject, Gambari referred to announcement from Tanzania that there was to be a meeting of the Government and the RPF tomorrow at Arusha where OAU Sec-Gen, Salim, would also be in attendance. He also noted that the Sec-Gen had been in contact with OAU President, Mubarak, to explore what the OAU and the UN might be able to do.
- 3 Preliminary comments by others confirmed a degree of irritation with the Sec-Gen over what is seen by most Council members as partly an exercise in blame shifting. As was demonstrated at the Minister's meeting with the Sec-Gen last week, Boutros Ghali is taking the line that the Council erred when it down-sized UNAMIR ten days ago and is conveniently ignoring the fact that the Council was acting on the only realistic option he put before it. That said, Council members recognise that the gravity of the situation is such that they must respond promptly to the Sec-Gen's letter.
- 4 Gambari wants the OAU to take the lead in formulating the international response. From his remarks today, it appears that he would be happy to contemplate either an expanded UNAMIR with a more vigorous mandate or the establishment of an OAU force along the lines of the West African force (ECOMOG) in Liberia which would operate in support of UNAMIR and would be funded through a UN operated trust fund.
- It was clear from Gambari's remarks that he would support whatever outcome would be more likely to be readily agreed. His comments suggested that he doubted it would be possible to secure support in the Council (ie from the US) to funding an expanded operation from assessed contributions. But he indicated he would be happy to contemplate an operation run by the OAU, provided it was funded externally. He emphasised that the OAU had no capacity itself to fund the operation, and recalled the funding difficulties that had been encountered with the expanded force for Liberia when Zimbabwe had declined to provide the battalion it had promised because it would not be paid the fee it was after.
- 6 We expressed some doubts as to the wisdom of a Desert Storm type authorisation to States to take "all necessary measures" to restore peace to Rwanda, and Brazilians and Argentines questioned the appropriateness of intervention by Rwanda's neighbouring States. In response, Gambari

acknowledged that any African force would have to be under the OAU umbrella and should have a clear relationship with UNAMIR if it was not part of it. He also volunteered that Uganda would be precluded from participation given Musaveni's clear links with the RPF (though another member of the Nigerian Mission told us privately that they had had reports of a 30,000 force being assembled in Uganda) and that Zaire was probably ruled out as well since it had shown a "preference" for one side (the Government) even if it had not actually taken sides.

- 7 Gambari said that given the above and Burundi's situation, Tanzania and Kenya were the obvious countries of the region to take the lead, though he also said that there would be a need for involvement of countries of north, west and southern Africa as well. At this, Bizimana, the Rwandan PR, intervened to argue that forceful action by Tanzania would be inconsistent with its role as facilitator of the Arusha agreement. Bizimana went on to advise Gambari that he would be sending him a letter today with a formal request from the Rwanda Government seeking increased UN assistance.
- 8 No reference was made at the lunch to the latest position of the RPF who sent a statement to all Council members over the weekend in response to the Sec-Gen's letter. Statement (see accompanying fax) expresses publicly comment RPF made to us as President last Friday about their dissipation with Special Rep Booh-Booh and goes on to argue that there is no need for forceful UN intervention and that such intervention would be seen as an attempt to protect the Rwandan Government.
- 9 Tomorrow's discussion of the Sec-Gen's letter is bound to be only a preliminary exchange in a debate that is likely to preoccupy the Council for all of this week. Few Council members will be ready to offer definitive proposals; most will want to gauge the general feeling in the Council and will want the Sec-Gen to provide more detailed recommendations before taking firm positions. They will also want to know what is happening at the new talks that are supposed to be getting underway in Arusha tomorrow.

#### Comment

10 It is far from clear at this stage how close the speculation at today's lunch is to reality. Much of what Gambari said was based on the hope that the US (and Japan) would be persuaded to contribute to intervention in Rwanda, perhaps through funding for an OAU force rather than through a UN operation funded through the peacekeeping budget. A quick check with the US Mission this afternoon, however, revealed that notwithstanding some speculation in the weekend press that the US might be prepared to support regional intervention to stop the bloodshed, the Mission is not expecting to be instructed to advocate or support such an approach. They advised that Washington's focus remains on the situation of the refugees and on following up the

measures proposed in paras 6-8 and 14(b)-(d) of the weekend's Presidential statement.

- It is not clear at this stage how seriously the RPF statement should be taken. RPF were clearly angered at extent that Rwandan PR was able to influence the discussions on the Presidential statement last Friday. Unless they are suddenly able to take control of the rest of the country, we doubt that they would directly oppose international intervention through or in coordination with the UN, provided they are persuaded that their view point will be accommodated. Their confidence in the UNAMIR Force Commander should help to bring them to accept an expanded presence; but Booh-Booh's replacement may be part of their asking price. We do not, however, consider that their statement should dictate the Council's response any more that should the position of the Rwandan Government.
- 12 We consider that New Zealand should indicate a willingness to contemplate expanded international action to restore peace to Rwanda, provided that realistic and achievable goals for such action can be set. As a first step, therefore, the Sec-Gen should be asked to provide more detailed recommendations for the Council to consider.
- 13 On the mechanics of possible intervention, we think we should to express a preference for any expanded international action to be undertaken by the UN itself; ie through an expanded UNAMIR. Only this way would the international community be able to keep proper control of the operation, both in terms of setting its objectives and in controlling its personnel. This should not mean that we are opposed to regional action by the OAU in conjunction with the UN if there are problems in securing agreement for the UN itself to act, but this would be a second best option. The least good option would be for the Council simply to authorise States to intervene as they saw appropriate. Given the tensions in the region, such action could well result in the problems spreading to neighbouring countries rather than alleviating the situation in Rwanda.

End Message

NYPM File: 3/88/1

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NEW ZEALAND MISSION TO THE UNITED NATIONS, NEW YORK

Fax: (212) 758-0827

Teleph .a: (212) 826-1960

2 May 1994

TO:

WELLINGTON WGTN UNSC

PRECEDENCE: IMMEDIATE PRECEDENCE: IMMEDIATE

SFAT (MEA, UNC, LGL, HRU, EUR, DP3, DSP1, EAB) Page 1 of: 14 leopied to unse, MEA, UNE, LGL, HRU, EUR, DSPT

SECURITY COUNCIL: RWANDA

Our accompanying messages refer.

Following are: 2

- Presidential statement as adopted in early hours of Saturday, (a) 30 April;
- draft resolution we tabled in course of negotiations on (d) statement;
- Sec-Gen's letter of 29 April suggesting more forceful action is (C) required;
- statement of President Mwinyi of Tanzania announcing that the Government and the RPF are to meet in Arush tomorrow, 3 May, and endorsing Sec-Gen's call for a review of Res 912. (d)

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## Security Council

Distr. GENERAL

S/PRST/1994/21 30 April 1994

ORIGINAL: ENGLISH

### STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 3371st meeting of the Security Council, held on 30 April 1994, in connection with the Council's consideration of the item entitled "The situation concerning Rwanda", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council is appalled at continuing reports of the slaughter of innocent civilians in Kigali and other parts of Rwanda, and reported preparations for further massacres. It endorses the concern expressed by the Central Organ for Conflict Prevention, Management and Resolution of the Organization of African Unity (OAU) that the massacres and wanton killings have continued unabated in a systematic manner in Rwanda. It recalls that such killings have already been condemned by the Security Council in its resolution 912 (1994) of 21 April 1994.

"Attacks on defenceless civilians have occurred throughout the country, especially in areas under the control of members or supporters of the armed forces of the interim Government of Rwanda. The Security Council demands that the interim Government of Rwanda and the Rwandese Patriotic Front take effective measures to prevent any attacks on civilians in areas under their control. It calls on the leadership of both parties to condemn publicly such attacks and to commit themselves to ensuring that persons who instigate or participate in such attacks are prosecuted and punished.

"The Security Council condemns all these breaches of international humanitarian law in Rwanda, particularly those perpetrated against the civilian population, and recalls that persons who instigate or participate in such acts are individually responsible. In this context, the Security Council recalls that the killing of members of an ethnic group with the intention of destroying such a group in whole or in part constitutes a crime punishable under international law.

"The Security Council reiterates the demand in its resolution 912 (1994) for an immediate cease-fire and cessation of hostilities between the forces of the interim Government of Rwanda and the Rwandese Patriotic Front. It commends the efforts by the Special Representative of the Secretary-General and the Force Commander of the United Nations Assistance S/PRST/1994/21 English Page 2

Mission for Rwanda (UNAMIR) to mediate such an outcome, and requests them to continue their efforts in liaison with countries of the region and the OAU. It also commends the courage and determination of UNAMIR personnel in affording protection to civilians who sought refuge with UNAMIR.

"The Security Council welcomes the efforts that have been made by countries of the region, with the assistance of the Organization of African Unity, to bring about an end to the fighting and the killings in Rwanda. It also commends the efforts of States, United Nations agencies, and non-governmental organizations to provide emergency humanitarian assistance to the suffering people of Rwanda.

"The Security Council is deeply concerned at the situation of the many thousands of refugees and displaced persons who have been forced to flee the fighting and killings in Rwanda.

"The Security Council calls on all States to assist the Office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian and relief agencies operating in the area in meeting the urgent humanitarian needs in Rwanda and its bordering States. The Council calls on States bordering Rwanda, working with the OAU, to provide appropriate protection to refugees and to facilitate transfer of goods and supplies to meet the needs of the displaced persons within Rwanda.

"The Security Council calls on all Rwandan parties to guarantee the protection of displaced persons and refugees in Rwanda and refugees outside Rwanda and to ensure safe passage for humanitarian assistance.

"The Security Council underlines the urgent need for coordinated international action to help bring peace to Rwanda and to alleviate the suffering of the Rwandan people. It requests the Secretary-General, in consultation with the Secretary-General of the OAU and countries of the region, to take appropriate measures to ensure that international efforts to assist the situation in Rwanda are carried out in an effective and coordinated manner, and to ensure that all relevant parties are kept fully informed.

"The Security Council emphasizes the importance of Kigali airport for the provision of international relief efforts to Rwanda, as well as for the requirements of UNAMIR. It calls on the parties to allow the airport to be kept open at all times for such purposes.

"The Security Council stresses the importance of ensuring that the situation in Rwanda does not affect adversely the security and stability of neighbouring countries.

"The Security Council warns that the situation in Rwanda would be further seriously aggravated if either of the parties were to have access to additional arms. It appeals to all States to refrain from providing arms or any military assistance to the parties to the conflict. It states its willingness in principle to consider promptly the application of an arms embargo to Rwanda.

S/PRST/1994/21 English Page 3

"The Security Council reaffirms its commitment to preserving the unity and territorial integrity of Rwanda. It reiterates its conviction that the Arusha Peace Agreement remains the only viable framework for the resolution of the Rwanda conflict and serves as the basis for peace, national unity and reconciliation in the country. It calls again on the parties to renew their commitment to this Agreement.

"The Security Council requests the Secretary-General:

- "(a) in consultation with the Secretary-General of the OAU, to report further on action which may be undertaken with a view to assisting in the restoration of law and order in Rwanda and in providing security for displaced persons;
- "(b) to work with UNHCR, the OAU and countries of the region to take such preventive diplomatic steps as may be necessary to prevent the spread of violence and atrocities to neighbouring countries;
- "(c) to explore urgently ways of extending humanitarian relief assistance to refugees and displaced persons;
- "(d) to consult UNHCR on measures to provide humanitarian assistance to those displaced persons congregated along the borders with Tanzania, Uganda, Zaire and Burundi;
- "(e) to bring to its attention any information that he might receive concerning arms flows into Rwanda, and to consult the countries of the region and the OAU about the practical implementation of an arms embargo on Rwanda; and
- "(f) to make proposals for investigation of the reports of serious violations of international humanitarian law during the conflict.

"The Security Council states its intention to consider urgently the letter of the Secretary-General dated 29 April 1994 (S/1994/518) and further recommendations that the Secretary-General may provide."

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#### **Security Council**

Distr. GENERAL

S/1994/522 29 April 1994

ORIGINAL: ENGLISH

#### New Zealand: draft resolution

#### The Security Council,

Reaffirming all its previous resolutions on the situation in Rwanda, in particular its resolution 912 (1994) of 21 April 1994, by which it condemned the ongoing violence in Rwanda and demanded an immediate end to the mindless violence and carnage which are engulfing Rwanda,

Appalled at continuing reports of the slaughter of innocent civilians in Kigali and other parts of Rwanda, and reported preparations for further massacres,

Endorsing the concern expressed by the Central Organ for Conflict Prevention, Management and Resolution of the Organization of African Unity (OAU) that the massacres and wanton killings have continued unabated in a systematic manner in Rwanda,

Recalling that such killings have already been condemned by the Security Council in its resolution 912 (1994) of 21 April 1994,

- Takes note that although attacks on defenceless civilians may have been perpetrated by all parties, in the main they appear to have occurred in areas under the control of members or supporters of the armed forces of the interim Government of Rwanda;
- Recalls that the killing of the members of an ethnic group with the intention of destroying such a group in whole or in part constitutes genocide and is a crime punishable under international law;
- Condemns all breaches of international humanitarian law, particularly those perpetrated against the civilian population, and recalls that persons who instigate or participate in such acts are individually responsible;
- Demands that the interim Government of Rwanda and the Rwandese Patriotic Front take effective measures to prevent any attacks on civilians in areas under their control;

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S/1994/522 Englis Page 2

- 5. <u>Calls</u> on the leadership of both parties to condemn publicly such attacks and to commit themselves to ensuring that persons who instigate or participate in such attacks are prosecuted and punished;
- 6. Reiterates the demand in its resolution 912 (1994) for an immediate cease-fire and cessation of hostilities between the forces of the interim Government of Rwanda and the Rwandese Patriotic Front;
- 7. Commends the efforts by the Special Representative of the Secretary-General and the Force Commander of the United Nations Assistance Mission for Rwanda (UNAMIR) to mediate such an outcome, requests them to continue their efforts in liaison with countries of the region and the OAU and also commends the courage and determination of UNAMIR personnel in affording protection to civilians who sought refuge with UNAMIR;
- 8. Welcomes the efforts that have been made by countries of the region, with the assistance of the OAU, to bring about an end to the fighting and the killings in Rwanda and commends the efforts of States, United Nations agencies, and non-governmental organizations to provide emergency humanitarian assistance to the suffering people of Rwanda;
- 9. Expresses deep concern at the situation of the many thousands of refugees and displaced persons who have been forced to flee the fighting and killings in Rwanda;
- 10. <u>Calls</u> on all States to assist the United Nations High Commissioner For Refugees (UNHCR) and other humanitarian and relief agencies operating in the area in meeting the urgent humanitarian needs in Rwanda and its bordering States and <u>calls</u> on States bordering Rwanda, working with the OAU, to provide appropriate protection to refugees and to facilitate transfer of goods and supplies to meet the needs of the displaced persons within Rwanda;
- 11. Calls on all Rwandan parties to guarantee the protection of displaced persons and refugees in Rwanda and to ensure safe passage for humanitarian assistance;
- 12. <u>Determines</u> that there is an urgent need for coordinated international action to help bring peace to Rwanda and to alleviate the suffering of the Rwandan people and <u>requests</u> the Secretary-General, in consultation with the Secretary-General of the OAU and countries of the region, to take appropriate measures to ensure that international efforts to assist the situation in Rwanda are carried out in an effective and coordinated manner, and to ensure that all relevant parties are kept fully informed;
- 13. Emphasizes the importance of Kigali airport for the provision of international relief efforts to Rwanda, as well as for the requirements of UNAMIR and calls on the parties to allow the airport to be kept open at all times for such purposes;
- 14. Stresses the importance of ensuring that the situation in Rwanda does not affect adversely the security and stability of neighbouring countries;

- 15. Warns that the situation i. ...wanda would be further seriously aggravated if either of the parties are to have access to additional arms, appeals to all states to refrain from providing arms or any military assistance to the parties to the conflict, and expresses its willingness in principle to consider promptly the application of a arms embargo to Rwanda;
- 16. Reaffirms its commitment to reserving the unity and territorial integrity of Rwanda, reiterates its conviction that the Arusha Peace Agreement remains the only viable framework for the resolution of the Rwanda conflict and serves as the basis for peace, nation unity and reconciliation in the country and calls again on the parties to remains the integrity and reconciliation in the country and calls again on the parties to remain their commitment to this Agreement;

## 17. Requests the Secretary-General:

- (a) In consultation with the Schretary-General of the OAU, to report further on action which may be undertonen with a view to assisting in the restoration of law and order in Rwans and in providing security for displaced persons;
- (b) To work with UNHCR, the OAU and countries of the region to take such preventive diplomatic steps as may be lecessary to prevent the spread of violence and atrocities to neighbouring countries;
- (c) Urgently to explore ways of extending humanitarian relief assistance to refugees and displaced persons;
- (d) To consult UNHCR on measures to provide humanitarian assistance to those displaced persons congregated along the borders with Tanzania, Uganda, Zaire and Burundi;
- (e) To bring to its attention and information that he might receive concerning arms flows into Rwanda, and to consult the countries of the region and the OAU about the practical implementation of an arms embargo on Rwanda; and
- (f) To make proposals for invest gation of the reports of serious violations of international humanitarian law during the conflict;
- 18. <u>Decides</u> to consider urgently the letter of the Secretary-General dated 29 April 1994 (S/1994/518) and further recommendations the Secretary-General may provide.

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### **Security Council**

Distr. GENERAL

s/1994/518 29 April 1994

ORIGINAL: ENGLISH

LETTER DATED 29 APRIL 1994 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I regret to have to inform you that the Force Commander of the United Nations Assistance Mission for Rwanda (UNAMIR) has reported a further deterioration of the situation in Kigali and other parts of Rwanda.

The capital city is effectively divided into sectors controlled by the Rwanda Government Forces (RGF) and the Rwandese Patriotic Front (RPF) respectively, with frequent exchanges of artillery and mortar fire between the two sides. UNAMIR reports strong evidence of preparations for further massacres of civilians in the city and there are several large concentrations of civilians who fear for their lives but enjoy little effective protection. Massacres continue on a large scale in the countryside, especially in the south.

A new complication is that in recent days both sides have begun to express lack of confidence in UNAMIR's impartiality and this is affecting their cooperation with my Special Representative and the Force Commander.

These developments raise serious questions about the viability of the revised mandate which the Security Council gave to UNAMIR by resolution 912 on 21 April 1994. In particular, it has become clear that that mandate does not give UNAMIR the power to take effective action to halt the continuing massacres. At best it can provide limited protection to small groups of threatened persons in the city of Kigali and it would be unable to save them if a new wave of massacres were to start. According to some estimates, as many as 200,000 people may have died during the last three weeks. This humanitarian catastrophe is rightly a matter of growing anguish in Africa and the rest of the world and demands urgent action by the international community.

In considering what action should be taken, it has to be recognized that the disastrous incident of 6 April which cause the deaths of the Presidents of Rwanda and Burundi has had two consequences which require different responses from the international community. First, that incident sparked a resumption of fighting between the Rwanda Government Forces (RGF) and the Rwandese Patriotic Front (RPF). Secondly, it reawakened deep-rooted ethnic hatreds, which have plagued Rwanda in the past and which have again led to massacres of innocent civilians on a massive scale.

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The revised mandate which the Security Council gave to UNAMIR in resolution 912 on 21 April is an adequate response to the first of these consequences. My Special Representative and the Force Commander have been making strenuous efforts to help the parties agree to a cease-fire and a return to implementation of the Arusha Accord. Those efforts have not yet succeeded but the present mandate and strength of UNAMIR are sufficient for them to continue.

The events of the last few days have confirmed, however, that UNAMIR's revised mandate is not one which enables it to bring the massacres under control. Some of these have been the work of uncontrolled military personnel but most of them have been perpetrated by armed groups of civilians taking advantage of the complete breakdown of law and order in Kigali and many other parts of Rwanda. It has become clear that the horrors for which they are responsible can be ended only if law and order is restored, a task which is far beyond UNAMIR's present capacity.

In these circumstances, I urge the Security Council to re-examine the decisions which it took in resolution 912 and to consider again what action, including forceful action, it could take, or could authorize Member States to take, in order to restore law and order and end the massacres. In making this recommendation, I am of course aware that such action would require a commitment of human and material resources on a scale which Member States have so far proved reluctant to contemplate. But I am convinced that the scale of human suffering in Rwanda and its implications for the stability of neighbouring countries leave the Security Council with no alternative but to examine this possibility.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

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(Signed) Boutros BOUTROS-GHALI

# TALKING NOTES BY H.E. PRESIDENT ALI MASSAN HWINYI. TO THE GROUP OF ANBASSADORS AND HIGH CONXISSIONERS OF THE NEMBERS OF UN SECURITY COUNCIL AND OBSERVERS TO EVANDA PEACE TALKS STATE HOUSE MAY 1. 1994

Your Excellensies,

I wish to thank you most sincerely for attending this meeting at a short notice and on weekend.

- I have called you nere this morning to express our grave concern and to exchange views on what to do concerning the continuing massacres in Ewanda.
- 3. The last three weeks have been particularly tragic for Rwanda and the sub-region. As you know, the plane crash that resulted in the deaths of the Presidents Rabyarimana of Rwanda and Mtayamira of Burundi set off a torrent of wanton massacres of innecent civilians.
- 4. Rwanda has since been bleeding and the region and Africa as a whole have been tormented by cries of innocent orphans, babies, women, the elderly and the helpless in general.

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- 5. The last few days have withered a human chain of refugees crossing into Tanzania. As the counting continues, Tanzania expects to be home of about 500,000 new refugees from Ewanda, let alone a similar number my country has received from Burundi. It is a human tragedy of highest magnitude, it is an affront to humanity.
- 6. Yet at the height of the conflict in Rwanda and in the face of horrors of massacras, and as if the tragedy was of no concern to the international community, the UN Security Council passed Resolution 512, down-grading the size of the UNAMIR from 2500 to 270. This was one of the most unfortunate decisions by the UN Security Council and stands in sharp contrast to the Face Keeping efforts of the UN alsewhere.
- 7. Your Excellencies, amid all these disappointments from the UN, the countries of the region have continued to search for peace in Ewanda. As you know, last week we tried to arrange for peace talks in Arusha. These talks could not take place as the Representatives of the Interim Government of Ewanda had failed to show up. The ETF Representative also was not ready to negotiate.
- a. However, after tireless consultations with neighbouring states and the parties to the conflict in Rwanda, I am happy to announce that both the Interim Government of Rwanda and the RFF have agreed to attend peace talks in Arusha next Tuesday.

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- 9. I wish to ask for your support at this crucial hour of tragedy in Rwands.
- 10. Tanzania believes that failure to implement the Arusha Peace Agreement eigned in Arusha last year is what has led Awanda to the present tragedy.

#### 11. Tanzania strongly believes that:

- the tragedy in Rwanda has once again demonstrated that traditional UN PeaceReeping methods have outlived their utility. Where the vary survival of humanity is at stake, where the outbreak and level of violence reaches enormous proportions to threaten the very fabric of human civilization and where ethnic conflicts might threaten international peace, the UN must be able to act promptly and decisively, including the possibility or stopping are flow into Rwanda;
- We must have cease firs in Kwanda as soon as possible.
- 3) Hassacras must stop and any type of athnic cleansing in Rwanda must stop. Tanzania calls upon the UN to take firm action to stop senseless killings.

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- 4) Tanzania Wishes to express full support for the statement issued by the OAU Secretary General Dr. Salim, calling for the UN to take firmer action on Rwanda and to increase the size of the peace keeping forms in that ceuntry.
- 5) We also strongly support the most resent request of the UN-Secretary General to the UN Security Council calling for a review of Resolution \$12, which downsised the UN force in Rwands, and we find the statement of the President of Security Council in this regard most encouraging.
- 6) Tensenia wishes to draw the attention of the UN and the International Community at large on the urganay of the situation in Rwands and the obligation of the International Community:
  - (a) To arrange for emergency relief for internally displace persons in Rvanda;
  - (b) To provide assistance to refugees who have crossed into Tenzania. This country alone is unable to handle this human tragedy.

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12. Your Excellencies, the human family of Mations must not only condemn the tragedy in Rwanda, It must also seek to change the situation in such a way that a more peaceful and dignified Rwands emerges. That new Rwanda, in which everyone can live in peace swaits us. That Rwands and the subregion beckens to us. It is a resolution of the conflict we must strive to achieve.

I wish to thank you.

#### CONFIDENTIAL.

115/23/37

Your file:

115/23/37

Our file:

3/88/1

17:49 (	43950)	700/NYK/00000/00000	\$478.40
FROM:	NEW YORK	C04395/NYK	02-May-1994
TO:	WELLINGTON	WGTN UNSC	Immediate
cc:	BEIJING	BONN	Routine
	BRUSSELS	CANBERRA	Routine
	GENEVA	HARARE	Routine
	LONDON	MADRID	Routine
	MOSCOW	OTTAWA	Routine
	PARIS	SANTIAGO	Routine
	TOKYO	WASHINGTON	Routine
MFAT	AT (MEA, UNC, HRU, LGL, EUR, DP3, ISAC, DSP1) (DSP3, EAB)		

Subject

JECURITY COUNCIL: RWANDA

Thanks your U48378 (not to all).

#### Summary

- Our draft Presidential statement welcomed by many Council members
- Agreement on text held up by Rwanda, working through the NAM, opposing references to genocide and to primary responsibility of Government forces for killings
- Threatened impasse was broken by NZ tabling draft resolution for voting on Saturday, 30 April
- Statement finally read at formal session commencing around lam, 30 April
- Council members chose not to consider until this week Sec-Gen's letter, circulated on Friday, calling on Council to reexamine decisions on UNAMIR and suggesting more forceful action to restore order

#### Action

Information

#### Report

First round of discussions on Friday, 29 April, showed widespread support for draft Presidential statement we had prepared. A number of countries (Argentina, Spain, Brazil) indicated willingness to adopt unchanged, while others (UK,

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- US) w e content to suggest only minor modifications.
- Rwanda and France sought to amend opening paras to remove assertion that Government forces were responsible for the bulk of the killings. NAM gave oblique support for Rwanda with Nigeria (Gambari) as NAM coordinator arguing for use of language from latest OAU communique which did not attribute responsibility between Government and RPF. Rwanda and China also sought to amend reference to genocide, with latter clearly worried that general formulation might be read as applicable beyond Rwanda (ie Tibet).
- 3 UK gave some comfort to NAM with Hannay arguing that attribution of blame might endanger UNAMIR and complicate the initiation of a peace process. Czech Republic and US, however, insisted that statement reflect the situation as it had been reported to Council; ie that killings were principally by Government forces. They rejected language which sought to equate RPF with Government, noting that they had no information suggesting RPF were killing unarmed sivilians. Czechs also insisted on retention of reference to genocide.
- In the early afternoon, we produced a redraft which was taken up when consultations resumed in the evening. Redraft included language from OAU communique but also retained, in gentler terms, references to government responsibility and genocide. Discussions focussed on these issues, though members also agreed to incorporate a number of proposals from Washington concerning the situation of the refugees, particularly those that had been trapped at the borders by Government soldiers. At this stage the discussion became more difficult with Rwanda, Nigeria (now represented by DPR Ayewah) and China holding out for removal of language they found objectionable.
- Discussions adjourned again in the mid-evening to enable us to prepare a further revision incorporating the US proposals as well as Hannay's ideas for restructuring the cext. During the break, the Non-NAM convened to consider objectives and tactics. There was a consensus among the five that Rwandan/NAM attempts to remove all references critical to government had to be resisted and that some form of reference to genocide had also to be retained. Non-NAM were united in view that credibility of Council and UN as a whole would be dealt a serious blow if Council refused to acknowledge magnitude of the events in Rwanda and allowed presence of Rwanda on Council to allow Government to evade direct statement of its responsibility.
- 6 Redraft we tabled retained sentence on Government responsibility but placed in brackets the sentence on genocide and a compromise offered by Spain referring in more traditional language to breaches of international humanitarian law and individual responsibility for such. Nigerians, clearly under pressure from Rwanda, and Chinese,

hopin to solve its problems on genocide by making common cause with the NAM, then sought to argue that the Spanish sentence should be accepted as the alternative for both the sentence on genocide and that on Government responsibility. French, who had not played a major part after the initial exchanges, chimed in in discreet support.

- 7 By then it was clear that NAM and Chinese thought they could carry the day if they continued to obstruct agreement. It was also clear that the other non-NAM had few ideas about how to proceed. Accordingly, we, speaking as New Zealand, announced that we would be tabling a draft resolution which would be put in blue at 2358hrs that night and voted at 2358hrs the following night, if there was no agreement on the statement beforehand. Shortly afterwards we circulated text of draft we had prepared. Draft simply put into resolution form the text of the latest draft of the statement, including contested formulations on Government responsibility and genocide.
- 3 Our announcement and subsequent circulation of the draft had the desired effect. NAM and French appreciated difficulty they would face if forced to vote on issues of responsibility for the killings and genocide. The appearance of our text in blue at 2358hrs as promised (the result of some heavy pressure on the Secretariat behind the scenes) helped to sustain progress towards an acceptable consensus.
- 9 By this stage the negotiations were focussed on a Hannay proposal to restructure and reformulate the second and third paras. This included an Argentine idea to delete the specific word "genocide" but retain the description of the crime from the Genocide Convention. A small adjustment we suggested helped the Chinese off the hook on which they had hung themselves. But the Czechs rejected Hannay's proposal to divide and reformulate the sentence on responsibility ("Attacks on defenceless civilians have occurred throughout the country. Many have occurred in areas under the control of members or supporters of the armed forces of the interim Government of Rwanda.").
  - 10 Kovanda's preparedness to block consensus on the point gave us room to propose that the sentences be rejoined in a way that preserved a more appropriate reflection of the Government's responsibility ("...throughout the country, especially in areas under the control..."). On that basis, the statement was agreed and read out in formal session just prior to lam.
  - 11 Discussion on the statement threatened to be derailed completely earlier in the evening when the Secretariat circulated, without prior warning to the Presidency, a letter from the Sec-Gen advising that things had become much worse on the ground and asking the Council to reexamine its decision to reduce the UNAMIR force level and mandate and "to consider again what action, including forceful action, it

coul take, or could authorise Member States to take, to restore law and order and end the massacres." It was quickly agreed, however, first, that the issues raised in the letter were of such a magnitude that they could not be responded to that night, and, secondly, that the Council should persevere with its efforts to agree on a more general statement that night which would note the letter but would not attempt to address its substance.

11 Comments on Sec-Gen's letter follow in a separate message. Our accompanying fax (Wellington only) contains the Presidential statement as adopted, the draft resolution we tabled, and the Sec-Gen's letter.

#### Comments

- 12 We can take some satisfaction from the statement that was eventually agreed to on Friday night. But what took place during the negotiations was an illustration of the negative side of the NAM at work. It was disappointing that the other NAM members felt obliged for reasons of NAM solidarity to protect the Rwandan Government, even in the face of reliable evidence (Human Rights Watch, Medicines Sans Frontieres) of the deliberate killings of many thousands of civilians by Government forces. Had we not been prepared to push things with the threat of a vote on the issue, the Council would have had to choose between a politically anodyne misleading statement or no action at all. Either would have been bad for the UN's credibility.
- 13 Part of the problem came down to personalities; Gambari's absence on Friday evening was keenly felt. As one of his own delegation acknowledged to us once it was all over, Gambari would not have allowed NAM unity to constrain him in the way Ayewah did. As events proved, most of the NAM were prepared to accept a reasonable statement but for political reasons had to be pushed into that outcome.
- 14 As far as we can judge, there has been no negative fall-out from the role we played on Friday. Nigeria (Ayewah) and Oman both made a point of coming to us after the adoption of the statement to thank us for the role we played. At a meeting of Non-Permanent-Ten and at our bilateral this afternoon, Gambari also made a point of thanking New Zealand for its "even-handed and fair-minded" conduct of the Presidency last month and for our efforts at ensuring that African issues, "particularly Rwanda" were given appropriate attention by the Council.

#### End Message

#### CONFIDENTIAL

Your ( le: 3/88/1

Our file: 115/23/37

20:33	5151)	20105700.76	700/MEA/00000/00000	\$222.14
FROM:	WELLING'	TON	C22766/WN1	03-May-1994
TO:	NEW YOR	К	DEFENCE	Immediate
cc:	WGTN UND BONN CANBERR HARARE MADRID OTTAWA SANTIAGO WASHING	A O	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO	Routine Routine Routine Routine Routine Routine Routine Routine Routine
MFAT	(MEA, UNC, ISAC, HRU, Lo (DSP3, EAB)		AC, HRU, LGL, EUR, DP3, DSP1)	
P/S MF/ DEFENCE DEFENCE	HQNZDF	(DSIA, OPS, (GENTLES)	DDI)	

#### Subject

U48618: SECURITY COUNCIL: RWANDA

Your C04400.

- 2 The following points should guide your participation in the preliminary discussion:
- the Council response to the new situation in Rwanda needs to be considered from first principles - this is not a matter of ad hoc changes to the existing UNAMIR mandate or configuration;
- we would be willing to contemplate international action to help the parties restore peace in Rwanda - provided realistic achievable objectives and time-frame can be set;
- fundamental to UN involvement will be a commitment by the two parties to seek a settlement. Tomorrow's meeting in Arusha will provide an important steer;
- we are not opposed to regional solutions to regional problems.

  But we are hesitant about such operations appearing to be in the name of the UN (eg Liberia, Georgia) without direct UN supervision;
- if the OAU cannot carry out the task itself, our preference would be for an operation under UN command and control, rather than attempting to establish some sort of dual

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Page 2

UN/OAU command structure. (We agree with your comments and recall concerns about the neutrality of ECOMOG in Liberia);

- we agree worst outcome, and one which New Zealand could not support, would be for the Council to authorise states to intervene as they saw fit;
- also agree that, as a first step, more detailed recommendations from the Sec-Gen would be welcome.

End Message

#### CONFIDENTIAL

115/23/37

3/88/1

Your ile: 115/23/37 Our file:

21:45 (5149)		700/NYK/00000/00000	\$851.36	
FROM:	NEW YORK	C04408/NYK	03-May-1994	
TO:	WELLINGTON	WGTN UNSC	Immediate	
cc:	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO DEFENCE	BONN CANBERRA HARARE MADRID OTTAWA SANTIAGO WASHINGTON	Routine Routine Routine Routine Routine Routine Routine Routine Routine	
MFAT	(MEA, UNC, ISAC, HRU, LGL, EUR, DP3, DSP1, EAB)			

P/S MFA

DEFENCE HONZDF

(DSIA, OPS, DDI)

DEFENCE MOD

(GENTLES)

Subject

SECURITY COUNCIL: RWANDA

Your U48618.

#### Summary

- Fighting in Kigali is intensifying and both sides are seeking to consolidate their positions in the countryside
- No official report available on what if anything happened at Arusha today, but French cite press reports that RPF failed to show
- Sec-Gen has written to African countries seeking indications of readiness to participate in a "regional effort" to restore law and order in Rwanda
- Preliminary exchanges in Council reveal little disposition to contemplate a forceful intervention by an international force
- Nature of UN response likely to be shaped by what comes out of Arusha and the position of the OAU

#### Action

For information only

Report

#### Situation up-date

Discussion at informals today began with briefing by Secretariat (Gharekhan). Fighting between the RPF and "interim government" has intensified in Kigali. Both sides are now shelling each other and the Holy Family Church where a large number of displaced persons are gathered was shelled with 12 dead and 113 wounded. The RPF is now moving southwest of Kigali and is also concentrating troops around Biumba in the north. "Interim government" is concentrating its forces around the airport and in Gitarama. It seems they may also be moving troops to the lake area. Both sides are actively conducting recruiting drives.

- 2 UNAMIR remains at 452 personnel (all ranks) with 160 at the airport. No more withdrawals are planned and the force is "not in any direct danger so far". The Force Commander is continuing his efforts in liaising with the military leaders trying to arrange humanitarian assistance and to stop the massacres. UNAMIR has been allowed (when shelling permitted) to visit some sites in Kigali were displaced persons are congregated, including the hospital. The ICRC has also been able to distribute some food and medical supplies to displaced persons. Gharekhan also noted that UNAMIR has set up a Board of Enquiry to investigate the killing of the 10 Belgian peacekeepers.
- 3 Gharekhan said that UNOMUR force on Uganda-Rwanda border has been requested to verify allegations of massive movement of troops crossing the border from Uganda to Rwanda. There is no confirmation of such allegations so far.
- 4 On the humanitarian side, the UN is putting together a balanced and comprehensive plan for cross border relief activities. Areas under RPF control in the north have already been visited and ways to visit areas under the "interim government" control are being investigated. Some food has been distributed in these areas. A coordinated plan is needed. ICRC is planning to distribute food to some 100,000 people in RPF areas. The UN will be looked at to distribute food to another 100,000 needy.
- 5 Gharekhan noted that "interim government" now wants international aid to be distributed but security and protection of aid workers remains the major issue. He noted, however, that the Minister of Defence of the "interim government" had given an assurance of security for all those involved in providing humanitarian assistance.
- 6 As a result of the Council's statement adopted early Saturday morning, the Dept of Humanitarian Affairs has initiated action to cooperate and consult with UNHCR and is pursuing contacts with the "interim government" as regards a number of aid initiatives.

#### Arusha talks

7 Gharekhan advised that Special Rep Booh-Booh has gone to Arusha to participate in talks convened by Tanzania today (3 May) involving OAU Sec-Gen and both RPF and "interim government" sides. He said he had no report available on the talks. In subsequent discussion, however, France (Merimee) referred to press reports they had heard indicating that RPF has refused to participate on the grounds that they will not meet with representatives of the "interim government" and will only talk to the government's military commanders. (We understand from the Canadians that UNAMIR holds out little hope for success at the talks. Canadian information also suggests that there is little direct communication between the "interim government" and the army command which has lost control of troops in the field.)

#### Council Discussion of Sec-Gen's Letters

- 8 A further letter from the Sec-Gen (3 May) was distributed noting that he had been in touch with the OAU and a number of African states which have contributed UN peacekeepers requesting them to consider how they could "assist in the restoration of law and order in Rwanda", and in particular whether they could contribute troops to a "regional effort to this end". Discussion of this and earlier letter of 29 April was, as expected, preliminary and revealed uncertainty about what action, if any, the Council might take.
- 9 France (Merimee) expressed a desire to act "as swiftly as possible" to support the efforts of regional states to renew the political dialogue between the parties and to stop the massacres. "Intervention" was now essential to do this but it was also "essential" to have the agreement of the parties. Merimee identified the 3 clear options: unilateral intervention by neighbouring states which is "not realistic" and which would be counterproductive; OAU action which France supported but which would not be able to be activated quickly enough (the OAU Central Organ on Conflict Resolution cannot meet till at least after its next meeting scheduled for South Africa next Tuesday); UN action. On ancillary matters, Merimee said France is "not hostile" to the idea of an arms embargo and did not believe UNAMIR should be further reduced.
- 10 US (Albright) expressed deep distress about the situation and said that senior policy makers in Washington had spent the weekend canvassing options for international action. She noted that senior Administration officials are going to the region to assess the situation. She also noted that the US agreed with the "analysis" in the Sec-Gen's 29 April letter. For their part the US believes the OAU, in cooperation with the UN, should direct its attention to providing security for refugees on both sides of the borders (ie both inside and outside Rwanda); they agreed States should support OAU materially; and were very concerned about the humanitarian situation. The US was putting together elements for a draft resolution (including language on an arms embargo) and will

present the Council with some wording. US also raised possibility of a Council fact-finding mission to Rwanda, an idea we first raised as President last week.

- 11 UK (Hannay) said the OAU has a key role and they agreed it would need additional resources. He did not think the Council should do anything which could "cut across" what Tanzania and the OAU are presently doing seeking negotiations between the two parties. The UK was "less convinced" than France that countries bordering Rwanda should be ruled out since some of them had the capacity to help and would be able to do so quicker than anyone else. Significantly, Hannay cautioned against using words such as "forceful" or "intervention" in the context of international involvement in Rwanda and noted that the language of the Sec-Gen's 29 April letter had already had unfortunate consequences (ie the RPF statement). Like Merimee, he stressed that the agreement of the parties was crucial.
- 13 We spoke along the lines of your message, noting that Council would need to go back to first principles when considering prospect of expanded UN presence. Picking up Hannay's remarks, however, we noted that, while we understood reluctance to consider forceful intervention in Rwanda, that was precisely what Sec-Gen is proposing and Council should not, given the way it has been presented, rule it out without considering the issue. We stressed that whatever the form of the UN's involvement, Council would need much more specific recommendations before it could make a proper decision.
- 14. Russians, Spanish, Chinese all supported the development of specific proposals by the Sec- Gen in cooperation with the OAU, Russians referring specifically to an Article 53 operation (Chapter VIII regional operation). Nigeria in its national capacity noted that Council needed information on the Arusha talks, the responses the Sec-Gen may have got to his approach to African troop contributing countries for troops and what would be the RPF position "if the reality of an OAU/UN presence was proposed focussing on humanitarian relief and law and order". Nigeria believed that some kind of outside presence was needed and the key was OAU/UN cooperation. A very clear mandate would be required. They also supported an arms embargo and a fact finding team to Rwanda.
- 15 Oman, Brazil and Pakistan also made brief comments. Oman stressed that force must be a last resort and said the Council must continue to press for a ceasefire. Brazil emphasised the importance of consent. Pakistan said the debate had helped to clarify their thinking on an issue they were finding very difficult to grapple with.
- 16 In his summary, Gambari noted that it was agreed that there should not be any emphasis on any UN/OAU action being forceful or an intervention. It was agreed that the President would have a substantive discussion with the Sec-

Gen (necessarily by phone as SecGen has left for Europe and then South Africa) reporting the nature of today's consultations and encouraging him to continue his efforts, and to advise Tanzania and the OAU also. Gambari was also encouraged to maintain a regular dialogue with both sides (ie the RPF and Rwanda PR) to maintain balance and to keep both fully informed. It was also agreed President should speak to the press along these lines.

17 Although Rwanda has been included on agenda for tomorrow afternoon's consultations, Nigerians do not expect a substantive discussion. They expect that more time will be needed to assess events in Arusha and responses to the Sec-Gen's latest letter.

#### Comment

- 18 The discussion today showed that despite the gravity of the situation in Rwanda and the demands in the press, and by ngos and the public that the Council "do something" to stop the carnage, there is no appetite in the Council for forceful intervention. In that sense, the situation in Rwanda is reaping the rewards of what went wrong in Somalia.
- 18 The positive side of insisting that any involvement be with the consent of the parties is that this may help to bring the RPF to a more cooperative attitude towards the UN. The down side is that if events continue on as they have for the past few weeks, then short of a military victory by one side or the other, the parties will continue to fight it out, the population will continue to suffer appallingly and the UN will be able to do little about it.

#### End Message

NEW ZEALAND MISSION TO THE UNITED NATIONS, NEW YORK

(212) 826-1960

Fax: (212) 758-0827

Date:

3 May 1994

TO:

WELLINGTON

No. 255/

PRECEDENCE: IMMEDIATE

WGTN UNSC /

PRECEDENCE: IMMEDIATE

SFAT (MEA, UNC, LGL, HRU, EUR, DP3, DSP1, EAB) Page 1 of: 2 UNSC MEA, LINC, LGL, HRY, EUR, DSPT

SECURITY COUNCIL: RWANDA

Our accompanying message refers.

Following SecGen's letter of 3 May.

7/2

#### 3 May 1994

Dear Mr. President,

I have the honour to refer to the statement issued by the President of the Security Council on 30 April 1994 in which the Council, inter alia, requested me, in consultation with the Secretary-General of the Organization of African Unity (OAU), "to report further on action which may be undertaken with a view to assisting in the restoration of law and order in Rwanda and in providing security for displaced persons".

On 30 April, before leaving on my official tour abroad, I personally spoke to His Excellency President Hosni Mubarak, Chairman in Office of the OAU, about the matter. I have also addressed messages to him as well as to the Secretary-General of the OAU and leaders of a number of African countries who have contributed troops to existing or previous UN military operations, requesting them to consider in what way they could assist in the restoration of law and order in Rwanda and, in particular, whether they could contribute troops to a regional effort to this end. I have conveyed to them that I would be prepared to make appropriate recommendations to the Security Council in the light of their responses in order that the United Nations may examine in what way the Organization can help the efforts of the countries of the region.

I would be grateful if you would bring this matter to the attention of the members of the Security Council.

Please accept, Mr. President, the assurances of my highest consideration.

Boutros Boutros-Ghali

Bouter Souther Che

His Excellency Prof. Ibrahim A. Gambari President of the Security Council New York

#### CONFIDENTIAL

Youy 'ile: 3/88/1

Our file: 115/23/37

20:33		700/MEA/00000/00000		Willberg 9227.14 Forsyth
				Ward
FROM:	WELLINGTON	U48618	03 May 1994	Rider : Hughes
TO:	NEW YORK	DEFENCE	IMMEDIATE	Kember McMaster
CC:	WGTN UNSC BONN CANBERRA HARARE MADRID OTTAWA SANTIAGO WASHINGTON	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO	ROUTINE ROUTINE ROUTINE ROUTINE ROUTINE ROUTINE ROUTINE ROUTINE ROUTINE	Foster  McCormick  Rush  Tyne  Dalton  Watson

MFAT (MEA, UNC, ISAC, HRU, LGL, EUR, DP3, DSP1, DSP3, EAB) P/S MFA

DEFENCE HQNZDF (DSIA, OPS, DDI) DEFENCE MOD (GENTLES)

#### SECURITY COUNCIL : RWANDA

Your C04400.

- 2 The following points should guide your participation in the preliminary discussion:
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- we would be willing to contemplate international action to help the parties restore peace in Rwanda provided realistic achievable objectives and time-frame can be set;
- fundamental to UN involvement will be a commitment by the two parties to seek a settlement. Tomorrow's meeting in Arusha will provide an important steer;
- we are not opposed to regional solutions to regional problems. But

#### Ų48618

- we f hesitant about such operations appearing to be in the name of the UN (eg Liberia, Georgia) without direct UN supervision;
- if the OAU cannot carry out the task itself, our preference would be for an operation under UN command and control, rather than attempting to establish some sort of dual UN/OAU command structure. (We agree with your comments and recall concerns about the neutrality of ECOMOG in Liberia);
- we agree worst outcome, and one which New Zealand could not support, would be for the Council to authorise states to intervene as they saw fit;
- also agree that, as a first step, more detailed recommendations from the Sec-Gen would be welcome.

CONFIDENTIAL

Your / 'le: 3/88/1

Our file: 115/23/37

20:33 (5151)			700/MEA/00000/00000	\$222.14	
FROM:	WELLING	TON	C22766/WN1	03-May-1994	
TO:	NEW YOR	К	DEFENCE	Immediate	
CC:	WGTN UNBONN CANBERR HARARE MADRID OTTAWA SANTIAGE WASHING	A O	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO	Routine Routine Routine Routine Routine Routine Routine Routine Routine	
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P/S MFA DEFENCE DEFENCE		(DSIA, OPS, DI (GENTLES)	DI)		

#### Subject

U48618: SECURITY COUNCIL: RWANDA

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- also agree that, as a first step, more detailed recommendations from the Sec-Gen would be welcome.

End Message

115/23/37

Your fale:

115/23/37

Our file:

3/88/1

19:47 (	5165)		700/NYK/00000/00000	\$559.13
FROM:	NEW YORK	τ	C04413/NYK	04-May-1994
TO:	WELLINGT	ON	WGTN UNSC	Immediate
cc:	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO DEFENCE	3	BONN CANBERRA HARARE MADRID OTTAWA SANTIAGO WASHINGTON	Routine Routine Routine Routine Routine Routine Routine Routine Routine
MFAT		(MEA, UNC, IS	AC, HRU, LGL, EUR, DP3, DSP1, EA	В)
P/S MFA DEFENCE DEFENCE	HQNZDF	(DSIA, OPS, (GENTLES)	DDI)	

#### Subject

SECURITY COUNCIL: RWANDA

#### Summary

- "Proximity talks" in Arusha continuing.
- "Interim government" prefers UN "intervention force" (to assist its military position).
- RPF opposes this but could support an expanded UNAMIR focussing on provision of humanitarian assistance and security to displaced persons.

# Action

For information only.

#### Report

- 2 Council received a further briefing on Rwanda today from the secretariat (De Soto). A battle for the northern town of Ruhangan (?) in the north west continues. The situation in Kigali is tense and alternates between periods of calm and sporadic fighting. The Hotel Collines had come under particular fire. The airport had also been fired at with 4 Ghanains wounded by indirect fire. Three had been evacuated to Nairobi and the Force Commander had complained to both sides about this.
- 3 UNAMIR made an attempt yesterday to relocate a number of

displaced persons sheltering at the Hotel Collines to a safer place. Although they had received an undertaking as to security, a militia force intercepted the UNAMIR convoy and all 64 civilians were hauled out and their luggage looted. After 4 hours of negotiations UNAMIR was allowed to return 62 civilians to the Hotel. Five civilians were wounded in this incident.

- 4 A large camp of displaced persons had been identified in Rumangana (?) town in the north east (en route to Tanzania). UNHCR had launched an urgent appeal in respect of some 250,000 displaced persons now in Tanzania crowded into makeshift camps and overwhelming the resources of the Tanzania government. These people had no shelter from recent rains.
- The RPF has taken up positions along the border between Tanzania and Rwanda. ICRC had suspended an effort it made to resupply as a result of being shelled and had reported yesterday that 21 orphans and 13 Rwandese ICRC staff had been massacred in an orphanage in Butare. These children had been transferred from an orphanage in Kigali at the beginning of the month. ICRC had also reported the successful evacuation of 350 orphans and 25 adults from Gisenyi in the north. (This had been possible by the dedication of local authorities and an escort by the "interim government" forces.

#### Arusha Talks

- 6 Secretariat also provided information about the Arusha talks held yesterday and information about the talks provided by the Tanzanian PR was also circulated (our IFF to Wgtn only refers). (At least this time both sides showed up). In essence, the RPF was willing to sign a generally caste unilateral ceasefire agreement which could then be initialed by Tanzania and the OAU. The details would then be worked out between the military leaders of both sides. The RPF would not however either talk directly with or enter into an agreement with the "interim government" (representing in its view those responsible for the massacres).
- 7 The "interim government" for its part, insists on an agreement between both sides and as a precondition, each side withdrawing to the military positions occupied before 6 April. Both sides however reaffirmed their commitment to a ceasefire and to mandating their respective military commands to working out the details. Tanzania and the OAU Sec Gen were conducting proximity talks to try to get some compromise on the way forward. (Our IFF to Wgtn only contains report from Tanzania on Arusha talks).
- 8 The President (Gambari) noted that in the absence of the Sec Gen overseas, he had spoken with the secretariat (Riza, Annan and Gen Baril) about the Council's discussions yesterday and was trying to contact the President of Tanzania and OAU Sec Gen as requested. He had also spoken to both the

RPF and Rwandan reps in New York.

#### Mandate

- 9 In a letter of 3 May the RPF has expressed its "strong opposition to the proposed deployment of a UN force to restore...law and order in Rwanda," (our IFF to Wgtn only refers). We understand from the RPF rep here that although they are opposed to an "intervention force" they would not necessarily be opposed to an expanded UNAMIR which was mandated to assist in providing humanitarian aid and security to displaced persons and refugees.
- 10 As you will see from the Tanzanian report, the "interim government" prefers an "intervention force" no doubt because it is currently losing ground to the RPF and would like the UN to help it reconsolidate the ground lost, or at least maintain its present military position. Another problem is that the "interim government" wishes to agree to the "composition" of the force and we know that it would like to be choosy in this regard.
- 11 Gambari noted also that the Sec Gen had written to 20 African Heads of Government requesting troop contributions and was awaiting their replies before making any specific proposals to the Council. Gambari also noted that there was something of a "chicken and egg" situation in that some countries like Nigeria (which are seriously considering the Sec Gen's request) would like to know what the troops would be doing and what would be their mandate before giving a firm commitment.
- 12 Only delegations to speak were Pakistan and Djibouti, the latter to note that the NAM was considering elements for a draft resolution expanding UNAMIR and its mandate. We expect the Council to come back to the item tomorrow.

End Message

Your le: 115/23/37 Our file: 3/88/1 /15/27/37

22:23 (	5187)		700/NYK/00000/00000	\$304.98
FROM:	NEW YORK	ξ	C04422/NYK	05-May-1994
TO:	WELLINGT	юи	WGTN UNSC	Immediate
cc:	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO DEFENCE	;	BONN CANBERRA HARARE MADRID OTTAWA SANTIAGO WASHINGTON	Routine Routine Routine Routine Routine Routine Routine Routine Routine
MFAT		(MEA, UNC, ISAC,	HRU, LGL, EUR, DP3, DSP1, EAR	3)
P/S MFA DEFENCE DEFENCE	HQNZDF	(DSIA, OPS, DDI) (GENTLES)		

Subject

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SECURITY COUNCIL: RWANDA

RPF rep called today to brief us on their perspective of the present call for an intervention force in Rwanda. RPF estimate that they control some 2/3 of the country. They claim that massacres have ceased in those areas and that life is gradually beginning to retun to more normal conditions. They maintain that they have been successful in restoring law and order to the areas they control and that contacts with international assistance organisations has been made and that operations are resuming in these areas.

- 2 RPF's argue that there are not significant numbers of people in danger in Rwanda right now. In areas controlled by the "interim government" all those endangered have now been either killed or have fled. RPF's concern put to us was that if the UN interposed itself as a peace enforcement operation between the two parties, RPF would be obliged to conserve the intervention force. Their judgement is that the RPF are not committed to power sharing with the Tutsi's or with cohabiting, in peace, with them over the longer term. The real problem in Rwanda therefore related to the continuing existence of a dictatorship and not to two ethnic groups simply not being able to get along together. The RPF objective was to get the remnants of the former government out of power and it would oppose any measures the UN might take which were inconsistent with this.
- 3 RPF recognised that if they were to achieve a military victory, then some would legitimately wonder whether they

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would simply replace the exisiting regime with another military dictatorship. In response to this the RPF was willing to commit itself to implementing the framework of the power sharing arrangements envisaged under the Arusha Peace Agreement, ie the composition of Cabinet, constitution of parliament and the timing of elections. They were not/not seeking to "imposing themselves on the people of Rwanda".

6 RPF recognised however the difficulty of essentially asking the UN to endorse the continuation of warfare between the two parties. They were not opposed to a UN force to help with humanitarian assistance or protecting civilians and are open to discussing how the UN could help people at risk.

End Message

115/23/37

Your (le: 115/23/37 Our file: 3/88/1

22:21 (	5185)		700/NYK/00000/00000	\$851.36
FROM:	NEW YORK	τ	C04421/NYK	05-May-1994
TO:	WELLINGT	CON	WGTN UNSC	Immediate
cc:	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO DEFENCE	3	BONN CANBERRA HARARE MADRID OTTAWA SANTIAGO WASHINGTON	Routine Routine Routine Routine Routine Routine Routine Routine Routine
MFAT		(MEA, UNC, ISAC,	HRU, LGL, EUR, DP3, DSP1, EA	AB)
P/S MFA DEFENCE	HQNZDF	(DSIA, OPS, DDI)		

DEFENCE MOD

(GENTLES)

Subject

SECURITY COUNCIL: RWANDA

#### Summary

- Fighting continues to intensify in Kigali; UNAMIR is deliberately targetted
- Displaced persons inside country estimated at 1.2 million; refugees outside of order of 300,000
- Arusha proximity talks break down over RPF refusal sign unilateral ceasefire undertaking
- OAU rules out intervention force and says increased international presence should be under UN, through an expanded UNAMIR
- Security Council still divided over whether forceful action can be contemplated; Secretariat indicates some form of Chapter VII action is likely to be needed
- Council comes back to propsal we made last week to ask SecGen to prepare more detailed working paper for UN action
- There is support, following council call for legal investigation of atrocites, for Ayala Lasso and Human rights Commission to make some recommendations Council could build on

 President (Nigeria) requests our help in formulating a draft resolution that might respond to such a working paper; we are giving Gambari some ideas to consider

#### Action

Information

#### Report

Discussion at informals this afternoon began with briefing by Secretariat (Gharekhan).

#### Situation Update

There was major combat yesterday in Kigali in areas between the stadium, the airport and UNAMIR HQ. It is clear that the RPF is trying to consolidate its gains in the city while the Government forces are resisting. Twice yesterday, shells came close to UNAMIR HQ, causing slight damage but no injuries. UNAMIR personnel at the airport came under fire for the third day in a row. The UN aircraft delivering supplies came under heavy machine gun fire and had to leave. UNAMIR Force Commander now believes the force is being directly targetted, but considers the motivation for this action to be unclear.

The humanitarian situation remains grave. The ICRC managed to get some supplies into the eastern part of the country near the Tanzanian border yesterday. Dept of Humanitarian Affairs estimates the total number of displaced persons inside Rwanda to be of the order of 1.2 million. UNHCR estimates refugees outside as follows: Tanzania - 250,000, Burundi - 40,000, Uganda - 5,500, Zaire - 8,300. UNHCR estimates that US\$48.5 million will be required to meet the needs of the refugees over the next 3 months; it is to launch an urgent appeal shortly.

#### Arusha talks

- Gharekhan reported that the Arusha talks, at which Tanzania met separately with Government and RPF representatives, had ended at 11pm last night without agreement on a ceasefire or a communique. The Government delegation had been willing to sign a unilateral undertaking for a ceasefire but the RPF had refused to do so. According to Gharekhan, the RPF had castigated the international community for standing by while the butchery was going on and had said that the UN SecGen, his Special Rep, the OAU SecGen and the Tanzanian facilitator had all lost their impartiality. The RPF had also accused Tanzania of allowing arms destined for the Government to transit its territory.
- 4 The Council President (Gambari) circulated a more dispassionate account (see accompanying fax) of the Arusha talks provided by the Tanzanian Mission which ascribed the

RPF refusal to sign the unilateral ceasefire to its concern that such action, when coupled with similar action by the Government, would be taken as signifying its agreement to negotiate with the Government.

#### OAU says UN action through UNAMIR is necessary

Secretariat circulated a letter (also in fax) from OAU SecGen, Salim, responding to the approach from the UN SecGen for OAU assistance in restoring order to Rwanda. Salim notes that the protection of the population and the delivery of humanitarian assistance can be accomplished most effectively if undertaken "within the context of the United Nations and not otherwise" and notes that he has made the same point to US Assistant Secretary of State, Shattuck. Salim also says that such action should be undertaken through an expanded UNAMIR with an adjusted mandate.

#### Council discussion

- Gambari led off the discussion by reporting that he had met with the New York African Group today to brief them on developments and urge positive responses to the SecGen's approaches for assistance. He said that there was a general desire to help but many had made the point that they could not make firm recommendations to their Governments until they had a better idea of what was envisaged. Gambari then urged Council members to be ready to go beyond talking lest the Council become a laughing stock internationally. He suggested that he write to the SecGen asking for a more elaborated game plan on what action the UN might take in Rwanda. (This in fact picks up an idea we made from the Presidency last week.) He also urged delegations to table drafts of any resolutions that might be under preparation so that discussion could be more focussed.
- 7 Gambari's first proposal was widely supported, with all agreeing that the Council need a much more fleshed out proposal than the SecGen's letter of 29 April, even if any such proposal was only a working draft and without commitment as to the Council's position on it.
- 8 The US (Walker) agreed that action was needed and referred to the visit of Shattuck to the region (see fax for joint statement by Shattuck and Salim), to the initiative of the UN Special Rep for Human Rights, Ayala Lasso, to investigate the atrocities, and the efforts of the UNHCR to assist the refugees at the border. He agreed that the proposed letter to the SecGen would help clarify thinking on the crucial issue of the mandate but disagreed with the idea of beginning to consider the text of any resolution without having more information on the concrete issue of availability of personnel and equipment.
- 9 We welcomed the moves taken by Ayala Lasso and the Human Rights Commission as evidence of mutually reinforcing steps

residential statement. Noting that the buck stopped with the Council, we said that the SecGen had pointed out in broad terms what was needed; now it was for the Council to take action. But first, it needed a concept of operations from the SecGen for the Council to consider. We pointed out, however, that it was unrealistic to expect the SecGen to prepare more detailed ideas elaborating his letter of 29 April unless he had some indication of Council thinking. We also noted that any expanded operation which would extend into the countryside would necessarily entail at least as much risk for UNAMIR personnel as they were currently experiencing in Kigali. Accordingly, appropriate provision would have to be made for the use of force for their security.

- 10 France (Merimee) agreed that provision for the use of force would be necessary but said that the focus of any expanded international effort had to be on humanitarian assistance. He suggested that we could borrow an idea first used in Iraq to establish corridors for the delivery of aid to the people in need. Merimee went on to argue that there was little point in expending effort on the political negotiations front since the position of the RPF made it plain that there was no prospect of a ceasefire in the immediate future. Instead, the diplomatic effort should be on obtaining assurances from the parties that they will permit the delivery of humanitarian aid and will not attack the providers.
- 11 UK (Hannay) expressed caution. Full scale peace enforcement a la Somalia would be unlikely to be acceptable to the Council. Picking up Merimee's ideas, Hannay suggested that the focus had to be on humanitarian relief, though he took issue with the notion that the efforts at political reconciliation could be put on the back burner since the agreement of the parties would be needed for an expanded operation.
- 12 We picked up Hannay's remarks and agreed that while the Council was unlikely to sanction a full scale peace enforcement force, there were still real issues of security to be considered. Even people working at the borders would need protection. If the operations extended into the interior, which we considered they should, that would be even more the case. Gharekhan subsequently endorsed our comments noting that the current size and mandate of UNAMIR would be quite inadequate for providing security for the delivery of humanitarian aid. He also noted that the SecGen's letter had spoken of "forceful action" not enforcement. The SecGen's point had been that UN personnel would have to be able to protect themselves. He forbore from suggesting "what Chapter of the Charter" the expanded operation might be under, but his intention was clear. He told us privately that the Secretariat agreed 100% with the line we had taken in the debate.

- 13 Nigeria (Gambari) expressed concern that measures such as an arms embargo, aid to the refugees at the border and even the establishment of humanitarian corridors would not deal with the central issue the massacres of innocent people. He also took issue at Walker's remarks, endorsed by Hannay, that people should not begin discussing draft resolutions, noting that until there was a specific proposal on the table, discussion would continue to be unfocussed.
- 14 As President, Gambari summed up by advising that he would prepare the draft of a letter to the SecGen which Council members could consider tomorrow and urged members with drafting ideas to put them on the table. He listed as obvious elements for a resolution the demand for a ceasefire, undertakings from the parties to respect UN personnel, measures to stop the massacres, measures to provide humanitarian assistance, an arms embargo, reinvigoration of the Arusha Agreement.
- 15 Gharekhan followed on with his own suggestion. Noting that the SecGen did need guidance from the Council he suggested that the Council take its steer from an extract in Salim's letter to Boutros Ghali "What is needed is to build on what is on the ground, with an adjusted mandate to cope with the expanded tasks of providing security to the displaced persons where needed and delivering humanitarian assistance." Gambari thanked Gharekhan for his "wise words". Whether he follows them up is another matter. That kind of mandate would fall short of what Gambari considers is necessary.

#### Comment

- 16 Today's discussion was very useful in moving the Council forward. A more detailed proposal from the SecGen will enable the Council to take some more informed decisions. In the meantime, it was necessary to make the P3 recognise that it would not be adequate to contemplate action limited to assistance to the border areas and that insistence on consent as a prerequisite (by which they mean Chapter VI action) would not address the very real issue that any operation in Government territory would almost certainly have to be conducted without consent if only because of the chaotic command and control situation within Government forces. No commander in his right mind would rely on any consent given and would need Chapter VII backing because of the real risk in any operation in the countryside.
- 17 The NAM, who are also clearly of the view that Chapter VII is essential, are trying to come up with some ideas for a resolution. They are hamstrung, however, with Rwanda in their midst and, with Nigeria absent because of its role as President, are seriously lacking in intellectual firepower. We are working on some ideas to give them and to feed into Gambari, who asked us for some help this evening.

	CONFIDENTIAL	
C04421/NYK		Page 6
End Message		

"Your file: 115/23/37 Our file: 3/88/1 19:4 (44186)700/NYK/00000/00000 \$559.13 FROM: NEW YORK C04413/NYK 04-May-1994 TO: WELLINGTON WGTN UNSC Immediate CC: BEIJING BONN Routine BRUSSELS CANBERRA Routine GENEVA HARARE Routine LONDON MADRID Routine MOSCOW OTTAWA Routine PARIS SANTIAGO Routine TOKYO WASHINGTON Routine DEFENCE Routine MFAT (MEA, UNC, ISAC, HRU, LGL, EUR, DP3, DSP1, EAB) P/S MFA Willberg DEFENCE HQNZDF (DSIA, OPS, DDI) Forsyth DEFENCE MOD (GENTLES) Ward Ride: Subject Hughes SECURITY COUNCIL: RWANDA Kember McMaster

#### Summary

- "Proximity talks" in Arusha continuing.
- "Interim government" prefers UN "intervention force" assist its military position).
- RPF opposes this but could support an expanded UNAMIR focussing on provision of humanitarian assistance and security to displaced persons.

#### Action

For information only.

#### Report

- 2 Council received a further briefing on Rwanda today from the secretariat (De Soto). A battle for the northern town of Ruhangan (?) in the north west continues. The situation in Kigali is tense and alternates between periods of calm and sporadic fighting. The Hotel Collines had come under particular fire. The airport had also been fired at with 4 Ghanains wounded by indirect fire. Three had been evacuated to Nairobi and the Force Commander had complained to both sides about this.
- 3 UNAMIR made an attempt yesterday to relocate a number of

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Foster McCormick

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Watson

- disproced persons sheltering at the Hotel Collines to a safer place. Although they had received an undertaking as to security, a militia force intercepted the UNAMIR convoy and all 64 civilians were hauled out and their luggage looted. After 4 hours of negotiations UNAMIR was allowed to return 62 civilians to the Hotel. Five civilians were wounded in this incident.
- 4 A large camp of displaced persons had been identified in Rumangana (?) town in the north east (en route to Tanzania). UNHCR had launched an urgent appeal in respect of some 250,000 displaced persons now in Tanzania crowded into makeshift camps and overwhelming the resources of the Tanzania government. These people had no shelter from recent rains.
- The RPF has taken up positions along the border between Tanzania and Rwanda. ICRC had suspended an effort it made to resupply as a result of being shelled and had reported yesterday that 21 orphans and 13 Rwandese ICRC staff had been massacred in an orphanage in Butare. These children had been transferred from an orphanage in Kigali at the beginning of the month. ICRC had also reported the successful evacuation of 350 orphans and 25 adults from Gisenyi in the north. (This had been possible by the dedication of local authorities and an escort by the "interim government" forces.

#### Arusha Talks

- Secretariat also provided information about the Arusha talks held yesterday and information about the talks provided by the Tanzanian PR was also circulated (our IFF to Wgtn only refers). (At least this time both sides showed up). In essence, the RPF was willing to sign a generally caste unilateral ceasefire agreement which could then be initialed by Tanzania and the OAU. The details would then be worked out between the military leaders of both sides. The RPF would not however either talk directly with or enter into an agreement with the "interim government" (representing in its view those responsible for the massacres).
- 7 The "interim government" for its part, insists on an agreement between both sides and as a precondition, each side withdrawing to the military positions occupied before 6 April. Both sides however reaffirmed their commitment to a ceasefire and to mandating their respective military commands to working out the details. Tanzania and the OAU Sec Gen were conducting proximity talks to try to get some compromise on the way forward. (Our IFF to Wgtn only contains report from Tanzania on Arusha talks).
- 8 The President (Gambari) noted that in the absence of the Sec Gen overseas, he had spoken with the secretariat (Riza, Annan and Gen Baril) about the Council's discussions yesterday and was trying to contact the President of Tanzania and OAU Sec Gen as requested. He had also spoken to both the

RPF ( 1 Rwandan reps in New York.

#### Mandate

- 9 In a letter of 3 May the RPF has expressed its "strong opposition to the proposed deployment of a UN force to restore...law and order in Rwanda," (our IFF to Wgtn only refers). We understand from the RPF rep here that although they are opposed to an "intervention force" they would not necessarily be opposed to an expanded UNAMIR which was mandated to assist in providing humanitarian aid and security to displaced persons and refugees.
- 10 As you will see from the Tanzanian report, the "interim government" prefers an "intervention force" no doubt because it is currently losing ground to the RPF and would like the UN to help it reconsolidate the ground lost, or at least maintain its present military position. Another problem is that the "interim government" wishes to agree to the "composition" of the force and we know that it would like to be choosy in this regard.
- 11 Gambari noted also that the Sec Gen had written to 20 African Heads of Government requesting troop contributions and was awaiting their replies before making any specific proposals to the Council. Gambari also noted that there was something of a "chicken and egg" situation in that some countries like Nigeria (which are seriously considering the Sec Gen's request) would like to know what the troops would be doing and what would be their mandate before giving a firm commitment.
- 12 Only delegations to speak were Pakistan and Djibouti, the latter to note that the NAM was considering elements for a draft resolution expanding UNAMIR and its mandate. We expect the Council to come back to the item tomorrow.

End Message

Your ! le: 914/3/3

Our file:

29/1/1 \$230.23 700/GVA/00000/00000

FROM:

19:38 (5194)

GENEVA

C00598/GV1

06-May-1994

TO:

WELLINGTON

WGTN UNSC

Priority

CC:

NEW YORK PARIS

WASHINGTON

LONDON OTTAWA

Priority Routine Routine

MFAT

(HRU, UNC, MEA, ISAC, LGL, EUR, DP3, DSP1, EAB)

Subject

HUMAN RIGHTS RWANDA:

Your C22967 and New York's C04417 refer.

#### SUMMARY

In the following message we report on a call by the Permanent Representative on the High Commissioner for Human Rights (HCHR) and respond to questions posed in reftel.

#### ACTION REQUIRED

Information.

#### REPORT

Bisley and Fearnley called this afternoon on the High Commissioner for Human Rights and raised the inter-linkages between UNSC consideration of the situation in Rwanda and any action which might be taken by the UN's human rights bodies and mechanisms. They voiced your support for HCHR's initiative, including his decision to visit the region and his call for a special session of CHR, noted that there were opportunities for UNSC and CHR actions to be mutually reinforcing, highlighted relevant elements of the UNSC statement of 30 April and ren over the ideas sutlined in statement of 30 April and ran over the ideas outlined in your para 4.

Lasso said the call was fortuitous. He had held a press conference earlier in the day, at which he set out a plan of his intended actions (his office is sending us a text, which we shall fax to you on receipt). He hoped that his statement might precipitate a decision by a member or members of the CHR to request a special session. He had suggested that the session might appoint a Special Rapporteur for Rwanda and possibly establish a mandate for a permanent human rights presence, either in the region or in Rwanda itself.

Lasso mentioned that he had received indications that a

cease-fire had been agreed between Government and RPF forces this morning (06 May), to come into force on Saturday 07 May. He wanted to ensure that his words and actions in no way jeopardized any emerging improvement in the situation. Explicit reference at this stage to pursuing the punishment of members of either the government or RPF forces responsible for international crimes would, in his view, only serve to alienate those he was seeking to influence.

We said we entirely understood that he might want to be cautious about the way in which he spoke about the issue of punishment at this juncture, but suggested that the Special Rapporteur, if one was appointed, could in fact carry out a range of tasks, which could include investigation of human rights abuses. Lasso agreed, and added that he had referred to the question obliquely, through his references to the human rights obligations Rwanda had accepted.

Lasso thanked us for our call and said he very much appreciated any opportunity to pursue a strategy which linked in with what the Security Council was doing.

On the procedure for convening a special session, as flagged in our C00590, a member (or members) of CHR must request it. On receipt of a request, the Secretariat would circulate it to all members of CHR. The written support of a simple majority of the Commission is required. In theory a session could be convened within a week of receipt of a request. However, we note that Lasso himself believed that time was needed for the necessary ground work to be laid and suggested that 24 May would, in his view, be the earliest suitable date. This would follow immediately on his return to Geneva (23 May).

Those we have spoken to in WEOG accept that any request should come from the region, and if such a request is forthcoming, no-one would want to be seen to be standing aside from it. The US is the most enthusiastic supporter we have come across. Spiegel (USPR) is worried about African reluctance to initiate a request, and the possibility that the US may be blamed if it seems inactive here by comparison with Bosnia. We said we thought that it was highly desirable that at least one African should be associated with the request, perhaps as part of a wider group. He agreed.

As of this afternoon, no request has been received by the Secretariat. We understand that when the idea was first considered by Africa group, the response was muted. Subsequently, Nigeria has become an enthusiastic supporter and we understand that other members of Africa group are now more open to the proposal, but are waiting for Cameroon (for the reasons set out in our C00590) to take a lead. Cameroon is awaiting instructions.

We shall report again as further information comes to hand.

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Your file: 115/

115/23/37

Our file:

3/88/1

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FROM:	NEW YORK	C04417/NYK		05-May-1994
TO:	GENEVA	WELLINGTON	. Willberg Forsyth	heriority
cc:	LONDON PARIS	OTTAWA WASHINGTON	Ward Rider Hughes	Routine Routine
MFAT	(MEA, UNC,	HRU, ISAC, LGL, EUR, DP3	DSamber AB McMaster	)——
Subject SECURITY	COUNCIL: RWANDA:	HUMAN RIGHTS	Foster McCormick Rush Tyne Dalton	NEA, was
Your COO	590 to Wgtn		Watson	Tought druft

2 From our perspective it would be good for some thoughts to be fed to the High Commissioner for Human Rights before he leaves for Rwanda (7-11 May). Looking at what constructive action the human rights community can take, there would seem to be real value in taking up some of the ideas expressed by the Security Council in its statement of 30 April. (Our CO4395 refers). (In case Geneva does not have it, our IFF contains the text of the Presidential Statement.)

Although some difficulties with pursuing the human rights dimension of the Rwanda situation in the Council would not be unexpected (ie given the traditional opposition from China), it seems reasonable that the Council and the Human Rights Commissioner (and Commission) should be dovetailing their work together on Rwanda as far as possible.

- In this context, the special meeting of the Human Rights Commission called for by the Commissioner is welcome. Given the nature of the problem in Rwanda this would appear from our perspective to be an appropriate minimum step in the UN context. It would be good to have confirmation that such a meeting is being convened and to know the possible timeframe for it. It seems to us that it would probably be appropriate to consider making a significant input by way of national statement.
- 5 The High Commissioner and Human Rights Commission could pick up on the work already done in the Security Council by responding to the idea of an appropriate tribunal being convened to prosecute war crimes/genocide which has taken place. It could for example commend the statement by the Council and ask the Sec Gen to put together a detailed proposal for such a body which could be established, if need be.

C04417/NYK

20:22 **2**212 758 0827

NZ MISSION NY →→→ UNSC

NYPM File: 3/88/1

NEW ZEALAND MISSION TO THE UNITED NATIONS, NEW YORK

Telephone:

Fax: (212) 758-0827

Date:

6 May 1994

TO:

WELLINGTON WGTN UNSC

PRECEDENCE: PRIORITY PRECEDENCE: PRIORITY

SFAT (MEA, UNC, LGL, HRU, EUR, DP3, DSP1, EAB) LD: Page 1 of: 11

SECURITY COUNCIL: RWANDA

Our accompanying message refers.

2 Following are:

letter from Council President to SecGen as agreed at informals (a)

(b) NAM draft resolution;

draft ideas we prepared at request of Council President; (c)

RPF letter on NAM preparation of a Council resolution; (d)

points agreed at meeting of African Group yesterday on nature (e) of international involvement in Rwanda.

2/11

6 May 1994

Dear Mr. Secretary-General,

The members of the Security Council have considered your two letters of 29 April 1994 (S/1994/518) and 3 May 1994 (S/1994/530) on the situation in Rwanda.

The members of the Council commend you, your Special Representative, the Force Commander and the personnel of the United Nations Assistance Mission in Rwanda (UNAMIR) for the exemplary manner in which you have all continued to carry out your respective tasks, under very difficult circumstances.

The members of the Council have agreed that in view of the unabated hostilities and killings, urgent and effective means of action be considered. In order to do so, they have asked me to request you to provide in the first instance indicative contingency planning with regard to the delivery of humanitarian assistance as well as support to the displaced persons in Rwanda.

The Council may, at a later stage and as situation develops, request from you a further indication as to what would be required in terms of logistics and financial implications of an expanded United Nations or international presence in Rwanda and/or neighbouring countries capable of assisting the parties in Rwanda, monitoring of a cease-fire and contributing to the resumption of the peace process under the Arusha Peace Agreement.

The members of the Council do not expect at this stage any firm or definitive recommendations from your office, since, as we understand, consultations with regard to future United Nations courses of action are on-going.

Please accept, Mr. Secretary-General, the assurances of my highest considerations.

Prof. Ibrahim A. Gambari President of the Security Council

His Excellency Mr. Boutros Boutros-Ghali Secretary-General

# RWANDA

# The Security Council,

Reaffirming all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR),

Recalling its resolution 909 (1994) of 5 April 1994, which extended the mandate of UNAMIR until 29 July 1994 with a six-week review provision,

Recalling also its statement of 7 April 1994 (S/PRST/1994/16) which, inter alia, reaffirmed its commitment to the Arusha Peace Agreement and urged all parties to implement it fully,

Shocked at the tragic incident that resulted in the deaths of the Presidents of Rwanda and Burundi on 6 April 1994,

Appalled at the ensuing large-scale violence in Rwanda, which has resulted in the death of thousands of innocent civilians, including women and children, the internal displacement of a significant number of the Rwandese population, including those who sought refuge with UNAMIR, and the massive exodus of refugees to neighbouring countries, particularly Tanzania.

Having considered the letter of the Secretary General dated 29 April 1994 (S/1994/518),

Recalling also its latest statement of 30 April 1994 (S/PRST/1994/21), which inter alia: underlined the urgent need for coordinated international action to help bring peace in Rwanda, and to alleviate the suffering of the Rwanda people,

Recognizing that the people of Rwanda bear ultimate responsibility for national reconciliation and reconstruction of their own country,

Determining that the scale of human tragedy caused by the conflict in Rwanda, constitutes a threat to international peace and security;

4/1)

.2.

- 1. Recognizing the unique character of the present situation in Rwanda, and mindful of its alarming, complex and extraordinary nature, requiring an immediate and exceptional response;
- 2. Notes, with grave concern, outrage and indignation, that the massacres and wanton killings have continued unabated, in a systematic manner, in Rwanda;
- 3. Strongly urges all parties to the conflict to immediately cease hostilities and agree to a cease fire, and commence political dialogue;
- 4. Gravely alarmed by the magnitude of displaced persons starving to tenth Rwanda chaos, and by the tide of refugees incessantly pouring into neighbouring countries, fleeing massacres and civil war, and facing starvation, thirst, and insecurity;
- 5. <u>Stresses</u> its commitment to preserving the unity and territorial integrity of Rwanda;
- 6. Stresses also its conviction that the Arusha Peace Agreement remains the only viable framework for the resolution of the Rwanda conflict;
- 7. Endorses the recommendation of the Secretary General contained in his letter of 29 April 1994 (S/1994/518) for the Council to re-examine the decision it took under resolution 912 and consider again what action, including forceful action, it could take or could authorize Member States to take in order to restore law and order and end massacres in Rwanda;

5/1)

.3.

# Acting under Chapter VII of the Charter of the United Nations,

- 8. <u>Authorizes</u> the Secretary General, using all necessary means, to restore as soon as possible, law and order in Rwanda, and to establish a secure environment for humanitarian relief operations;
- 9. <u>Calls upon</u> Member States which are in a position to do so to provide military forces and to make additional contributions, in cash or in kind, in accordance with paragraph 8 above; and <u>requests</u> the Secretary General to establish a fund through which the contributions, where appropriate, could be channelled to the States or operations concerned;
- 10. <u>Calls upon</u> all States, international organizations and non-governmental organizations to contribute to the efforts of humanitarian assistance to the people of Rwanda;
- 11. Appeals to all States to refrain from providing arms or any military assistance to the parties to the conflict, and states its willingness in principle to consider promptly the application of an arms embargo to Rwanda and in this context requests the Secretary General to bring to its attention any information that he might receive concerning arms flows into Rwanda, and to consult the countries of the region and the OAU about the practical implementation of an arms embargo on Rwanda;
- 12. Requests all States, in particular those in the region, to provide appropriate support for the actions undertaken by States, nationally or through regional agencies or arrangement, pursuant to this resolution;
- 13. Invites the Secretary General and his Special Representative in coordination with OAU and countries in the region, to continue their efforts to achieve a political settlement in Rwanda within the framework of Arusha Peace Agreement;
  - 14. Decides to remain actively seized of the matter.

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The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR) and its resolution 912 of 21 April by which it adjusted the mandate of UNAMIR,

Recalling also its statement of 7 April 1994 (S/PRST/1994/16) and its statement of 30 April 1994 (S/PRST/1994/24)

Reaffirming its condemnation of the ongoing violence in Rwanda and demanding an immediate end to the mindless violence and carnage which have engulfed Rwanda,

Noting that the situation in Rwanda constitutes a humanitarian crisis for the people of Rwanda and the people of neighbouring states on an unprecedented scale;

Welcoming cooperation with the OAU and with leaders of the region especially the facilitator to the Arusha peace process,

Expressing once again its grave alarm at continuing reports of widespread and flagrant violations of international humanitarian law occurring in Rwanda,

Mindful of its abhorrence of the crime of genocide punishable under international law,

Determining that the situation in Rwanda constitutes a threat to international peace and security in the region,

- Decides that UNAMIR's mandate under Resolution 912 (1994) shall be adjusted as follows:
  - To act as an intermediary between the parties in (a) an attempt to secure their agreement to a cease-fire; and
  - monitor observance of any cease-fire (b) agreement; and
  - To assist in the resumption of humanitarian (c) relief operations; and
  - (d) To monitor and report on developments in Rwanda;
- Acting under Chapter VII of the Charter of the United Nations, decides that UNAMIR's mandate shall also include the following responsibilities:

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- To contribute to the security of Rwandan civilians, in particular displaced persons and (a) refugees; and
- To establish weapons-secure areas in locations (b) to be designated by the Secretary General for the purpose of offering protection to concentrations of endangered civilians, in particular displaced persons and refugees; and
- To assist in the protection and facilitation of (c) humanitarian relief operations; and
- To use force as necessary to establish, maintain and protect weapons-secure areas, and in self (d) defence or for the protection of UNAMIR and other United Nations or humanitarian personnel;
- To report to the extent feasible evidence of (e) crimes punishable under international law;
- Authorises an expansion of the UNAMIR force level to [ ] and urges the deployment of that force in the shortest possible time;
- 4. Requests the Secretary General to provide by [ ] May a concept of operations to fulfil the mandate set out in this resolution;
- Encourages the Secretary General to accelerate his efforts, in conjunction with the Secretary General of the OAU to obtain commitments from OAU member states for the necessary personnel to accomplish the urgent deployment of the expanded UNAMIR;
- Requests member states to offer urgently the Secretary General logistical support capability for deployment of the UNAMIR expansion;
- 7. Requests the Secretary General, bearing in mind any recommendations from the United Nations High Commissioner for Human Rights, the United Nations Human Rights Commission and relevant international organisations, to report, not later than 31 July 1994, on possible options for international prosecution of persons responsible for serious violations of international humanitarian law committed in Rwanda since 1 April 1994;
- 8. Welcomes the continued efforts by the Secretary-General to help promote and facilitate dialogue continued efforts by between all parties concerned;

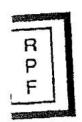
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- 9. <u>Commends</u> the efforts of States, United Nations agencies and non-governmental organisations which have provided humanitarian and other assistance, encourages them to continue and increase such assistance, and again urges others to provide such assistance;
- 10. Commends in particular the efforts of the Organisation of African Unity and its agencies, as well as those of the Tanzanian Facilitator, in providing diplomatic, political, humanitarian support for the implementation of the relevant resolutions of the Council





# FRONT PATRIOTIQUE RWANDAIS RWANDESE PATRIOTIC FRONT



6 May 1994

H.E. Ambassador Ibrahim A. Gambari President UN Security Council New York

Dear Mr. President,

Re: CONSULTATIONS ON THE PROPOSED DEPLOYMENT OF A UN FORCE IN RWANDA

The Rwandese Patriotic Front has learnt that the process of preparing a draft resolution on the above force to be tabled before the Security Council is already underway. The draft resolution, we understand, is being prepared by the caucus of Non Aligned Movement.

As a party to the Arusha Peace Agreement, the Rwandese Patriotic Front is an interest party in the matter under consideration and is rightfully entitled to be consulted on all issues relating to the proposed deployment of the UN force.

As your Excellency will recall, even the deployment of UNAMIR in Rwanda was authorized by the Security Council at the joint request of the Rwandese Patriotic Front and the then government of Rwanda.

We are also of the view that the successful implementation of any resolution which the UN Security Council may pass will definitely require the consent and smooth cooperation of the Rwandese Patriotic Front.

We write to your Excellence to express our very grave concern that the Rwandese Patriotic Front is not being adequately consulted during the preparation of the proposed draft resolution. We find the oversight or deliberate effort to exclude us from the process of preparing the draft resolution all the more alarming because Rwanda is now represented in the organs of the United Nations, including the Security Council, by an Ambassador who, by his own admission, represents the self-styled provisional government of Rwanda. We believe that if the representative of that clique that has seized power in manner contrary to the provisions of our national Constitution and the Arusha Peace Agreement and is responsible for the atrocities which have been committed in Rwanda is accorded the opportunity to be heard, we too should be given the opportunity to give our opinions on the situation in Rwanda and the proposed UN force by all those who are currently debating and dealing with these issues.

-2-

We regret that the Rwandese Patriotic Front shall not in future be responsible for the failure to implement any resolution which the Security Council may pass if a decision on the proposed UN force is made solely on the basis of consultations with only one of the parties to the conflict in Rwanda.

We call upon your Excellency to intervene and use your good offices to ensure that we are consulted throughout the whole process of considering issues relating to the proposed deployment of the UN force in Rwanda and that we are given ample time to communicate whatever proposals interested parties may have to our leaders in Rwanda and to seek our leaders' instructions on those proposals before the UN Security Council makes a decision.

For: The Political Bureau of the Rwandese Patriotic Front

Claude Dusaidi

Durain -

Gerald Gahima

CC: UN Secretary-General
All members of the UN Security Council
Chairman, NAM Caucus
Chairman, Africa Group
OAU Secretary-General

NT BY ILN NYK HO

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# MEETING OF THE AFRICAN GROUP

#### 5 KAY 1994

# CONCLUSIONS OF THE CHAIRHAN

- The Group expresses its high appreciation for the step taken by the 1. President of the Security Council,
- The Group also expresses its appreciation of the efforts made at the 2. Security Council level to amend the previous decision on Rwanda (resolution 912 (1994)).
- The Group approves the proposal to expand the United Mations Assistance 3. Hission for Rwands with an appropriate mandate.
- The members of the Group undertake to bring before their respective 4. Governments the matter of providing troops within the framework of the United Nations Assistance Mission for Rwanda.
- The Group insists that this operation should have an international 5. character, that the force established should include also troops from non-African countries, and that its constitution should follow the customary procedures of United Nations peace-keeping.
- The Group stresses that this force must be financed through the United 6. Nations peace-keeping operations budget.
- The Group requests the Security Council to take emergency humanitarian 7. measures to assist the Rwandese refugees and other displaced persons.

115/23/37

Your file: 115/23/37 Our file: 3/88/1

20:14 (	5196)	700/NYK/00000/00000	\$584.46
FROM:	NEW YORK	C04428/NYK	06-May-1994
TO:	WELLINGTON	WGTN UNSC	Priority
cc:	BEIJING	BONN	Routine
	BRUSSELS	CANBERRA	Routine
	GENEVA	HARARE	Routine
	LONDON	MADRID	Routine
	MOSCOW	OTTAWA	Routine
	PARIS	SANTIAGO	Routine
	TOKYO	WASHINGTON	Routine
	DEFENCE		Routine

MFAT

(MEA, UNC, ISAC, HRU, LGL, EUR, DP3, DSP1, EAB)

P/S MFA

DEFENCE HQNZDF

(DSIA, OPS, DDI)

DEFENCE MOD

(GENTLES)

Subject

SECURITY COUNCIL: RWANDA

#### SUMMARY

- Fighting continues in Kigali though with somewhat reduced intensity.
- Council agrees text of letter to SecGen requesting contingency planning for expanded UNAMIR.
- Texts of possible draft resolutions are, at request of President, circulated by NAM and NZ.
- RPF complains publicly at NAM draft resolution but confides to us privately that it is prepared to consider UN humanitarian operation.

#### ACTION

For information.

#### REPORT

Discussion at informals this afternoon began with briefing by Secretariat (de Soto).

#### Situation Update

2 Shelling continued late yesterday in Kigali with shells landing close to the Milles Collines Hotel, the Ministry of Defence and the UNAMIR headquarters. UNAMIR assesses that there was no significant change in the respective positions of the Government and the RPF. Fighting has continued today, though at a less intense level.

- 3 Outside the city, there was heavy fighting late yesterday around the airport. The RPF made some gains in controlling the road running between the city and the airport. However, a significant portion of the road close to the airport remains under Government control. Fighting has also continued in Ruhungeri in the north west where Government forces continue to resist RPF efforts to take control.
- 4 Referring to CNN reports that a ceasefire had been agreed, de Soto repeated the information of yesterday that the Government had signed a unilateral undertaking but the RPF had not. As far as the Secretariat is aware, there is no ceasefire in effect.

#### Letter to SecGen

- 5 As agreed yesterday, the President circulated a draft of the letter to the SecGen asking for contingency plans for an expanded UNAMIR operation. Draft envisaged a two stage action: immediate action for the delivery of humanitarian relief and for the protection of displaced persons (in line with the letter from the OAU SecGen), and a subsequent phase looking to longer term arrangements premised on "assisting the parties" in restoring law and order and monitoring the ceasefire.
- 6 There was general agreement on the language of the first phase. Problems arose over the second phase. The NAM sought the inclusion of language which would remove references to "assisting the parties" and would thus contemplate possible enforcement action to impose a ceasefire. The Americans said they could not accept at this stage any language which contemplated possible chapter VII action. The eventual compromise was more at the American end of the spectrum. (See accompanying fax for text of letter as eventually agreed.)

#### Draft Resolutions

- 7 A NAM draft of a possible resolution was on the table at the beginning of consultations. (See accompanying fax.) As you will see, draft is very woolly and has curious notion of authorising the SecGen rather than member States to use all necessary means to restore law and order in Rwanda. What is clear, however, is that the NAM, including Rwanda, would like forceful UN intervention.
- 8 Gambari, who is not happy with the NAM draft, asked us if we would put our thinking on paper and make it available to Council members. Accordingly, we circulated text of draft resolution we had prepared following Gambari's invitation

yesterday to help in putting forward ideas. Text of our draft also in accompanying fax.

9 There was no substantive discussion of either draft. We emphasised that ours was not a NZ proposal but was simply put forward as ideas for consideration.

#### RPF Position on UN Involvement

- 10 The RPF has circulated a letter (see accompanying fax) to the President complaining that the NAM are preparing a draft resolution without consulting them. Their particular complaint of course is that the NAM includes a representative of the Rwandese Government. In fact, the import of their letter is less threatening than statements they made to us last week when we were President when they threatened to have nothing to do with the Council if we did not throw the Rwandese representative off.
- 11 We met with the RPF representative after this evening's discussions. He told us that he had been meeting with the Secretariat about the nature of possible UN involvement and had indicated to them that the RPF would not oppose a humanitarian relief operation, but it would not accept an enforcement operation as contemplated by the NAM.

#### Comment

- 12 Discussion next week will focus on a possible resolution. Much will depend on the SecGen's response to the Council's letter. There could be a continuing tension between the NAM preference for a possible enforcement operation and the US allergy to contemplating the UN imposing its will on the parties. The draft ideas we prepared may help to build some common ground. It envisages use of Chapter VII, but it does so in the context of ensuring protection for UN and humanitarian relief personnel. We think the Americans will have to accept that this form of protection will be a basic requirement for any operations undertaken in the interior.
- 13 The ball is now in the President's court. Gambari said he would attempt to combine elements of the two drafts over the next few days with a view to having a single draft before the Council at about the same time that the SecGen's response to the letter should be available. In fact, with Gambari going to South Africa this weekend for the Presidential inauguration there is unlikely to be any substantive discussion of the draft resolution or the SecGen's contingency plan until mid/late next week.

#### End Message

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→→→ UNSC

NYPM File: 3/88/1

NEW ZEALAND MISSION TO THE UNITED NATIONS, NEW YORK

Telephone: (212) 826-1960 Fax: (212) 758-0827

Date:

LD:

6 May 1994

TO:

WELLINGTON

WGTN UNSC ~

No.

PRECEDENCE: IMMEDIATE

PRECEDENCE: IMMEDIATE

SFAT (MEA, UNC, LGL, HRU, EUR, DP3, DSP1, EAB) Page 1 of: 11

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#### SECURITY COUNCIL: RWANDA

Our accompanying message refers.

Following is SecGen's nonpaper on how an expanded UNAMIR might be constituted.

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#### AIDE-MEMOIRE

#### RWANDA

- 1. The attached non-paper is in response to the letter addressed to the Secretary-General on 6 May 1994 by the President of the Security Council. The paper outlines a possible mandate and force structure for an expanded UNAMIR, capable of providing support for displaced persons and assisting in the delivery of humanitarian assistance to those in need.
- 2. UNAMIR has broached the possibility of such an operation to both parties, but further elaboration might be required and explicit commitments obtained to pre-empt possible difficulties.
- The members of the Council should be aware that the fighting in and around Kigali has intensified. UNAMIR HQs and the Airport have been hit, and humanitarian assistance flights have been halted. One UNAMIR soldier has been killed by mortar fire today. The Force Commander again has stressed that UNAMIR cannot continue to cope with the situation indefinitely with its current resources.

9 May 1994

9 May 1994

#### Rwanda

- 1. UNAMIR's ultimate objective in Rwanda, as provided in its mandate approved by the Security Council under resolution 872 (1993), is to facilitate the implementation of the Arusha Peace Agreement. This process tragically broke down on 6 April 1994, and all attempts to put it back on track have so far been unsuccessful. The first step in bringing the parties back to the Arusha peace process is to address the humanitarian crisis, and to assist in re-establishing a stable and secure environment in the country. It is hoped that this will ease the tension between the warring factions and possibly lead to a ceasefire.
- At present, the situation in Rwanda remains extremely 2. serious. Indeed, more than 1.5 million civilians have been displaced or have sought refuge in neighbouring countries. Combat between Rwandese Government Forces (RGF) and the Rwandese Patriotic Front (RPF) continues. The RGF controls the west and southwestern parts of Rwanda, while the RPF is in control of the northern and eastern parts of the country, as well as areas in the southeast. The capital city is divided between the RGF and RPF. The front line is, however, fluid and changing as military actions continue. Militia and other unruly elements continue to operate, although less frequently than at the beginning of the conflict, killing and terrorizing innocent civilians. Moreover, although both the RGF and RPF have separately expressed their readiness to enter into a ceasefire, the fighting has so far continued unabated.
- 3. Given the security situation, it has not been possible to access accurately the humanitarian situation. It is estimated that at least 1.2 million people have been internally displaced and are in need of assistance. Rwanda is also suffering from a serious drought with an estimated 1.5 million people in need of

- 2 -

food assistance. The current refugee population in neighbouring countries (Tanzania, Burundi, Uganda and Zaire) is estimated at more than 300,000. In addition, approximately 80,000 refugees from Burundi are in Rwanda. DHA in cooperation with UNAMIR and the operational organizations of the United Nations system has established a Rwanda Emergency Office in Nairobi and fielding an Advance Humanitarian Team in Kigali which has also visited other parts of the country. However, humanitarian operations in Rwanda have been severely limited by problems of access and security.

It is imperative that a further deterioration of this 4. catastrophic situation is prevented and that the basic humanitarian needs of the huge numbers of Rwandese civilians who have been displaced or otherwise affected by the fighting be addressed. It is also essential that the issue of their safety be addressed on an urgent basis. The Security Council may therefore wish to consider the amendment of UNAMIR's mandate to include support to those in need and assistance in the provision of humanitarian aid. UNAMIR's efforts would be coordinated with those of the humanitarian agencies operating in Rwanda or engaged in assisting Rwandese refugees in neighbouring countries, including UNHCR. (For convenience, the mission as it would function under this amended mandate is referred to as UNAMIR-A.)

#### Mandate

The mandate of UNAMIR-A would be to support displaced persons and other groups in Rwanda who have been affected by the hostilities, and to assist in the provision of assistance by humanitarian agencies.

#### Assumptions

This concept of operations for UNAMIR-A is based on the following assumptions:

- In accordance with resolution 912 (1994), all mediation a. efforts would be continued with the objective of reaching a ceasefire agreement and restoring the peace
- At the time of deployment of UNAMIR-A an agreed ceaseb. fire would not be in place.
- The revised mandate of UNAMIR-A would not envisage C. enforcement actions.
- Because of the need to stabilize the security situation d. in Rwanda as quickly as possible, deployment of UNAMIR-A would have to be rapidly effected.
- Kigali airport, which is critical to the deployment and e. sustainment of the mission, would be established as a "neutral zone" with the consent of the parties. Security Council should, therefore, call on the parties to declare Kigali airport a "neutral zone" under the exclusive control of the United Nations.
- Lines of communication through neighbouring countries f. would remain open and available to support UNAMIR-A throughout the mandate of the mission.
- It is expected that UNAMIR-A would undertake its tasks g. for a period of four months from the date of initial deployment, on the understanding that UNAMIR's mandate would be reviewed by the Council as necessary and, in particular, following an agreement on a ceasefire.

### Concept of Operations

The task of UNAMIR-A under an expanded mandate would be to provide support and ensure safety for displaced and other affected persons and for the safe delivery of humanitarian assistance. UNAMIR-A would depend primarily on deterrence to carry out its tasks and would resort to force only in selfdefence.

- 4 -

- a. <u>Humanitarian Assistance</u>: UNAMIR-A would assist humanitarian agencies in their programmes for distribution of relief supplies and other forms of assistance.
- b. <u>Deterrent Measures</u>: Military units would be deployed to areas where displaced and other affected persons are concentrated and where humanitarian relief assistance would be delivered. These areas would be patrolled and monitored by UNAMIR-A, in conjunction with authorized security forces.
- c. UNAMIR-A may be required to enter into self-defensive actions against persons or groups who threaten these areas and the means of delivery and distribution of humanitarian relief supplies and other assistance.
- 8. In order to execute its mandate, UNAMIR-A must be comprised of a strong, highly mobile force, capable of self-defence. The size of the force would be determined also by the size and terrain of the area of operation which is land-locked, difficult and mountainous with very limited infrastructure. With these criteria, it is estimated that a minimum viable force of approximately 5,500 troops (including five infantry battalions) would be required.
- 9. The composition of the force would be as follows:
  - a. <u>Five battalions</u> (approx. 4000 personnel) two of which are mechanized and three of which are motorized with one mechanized company in each.
  - b. A force support battalion (approx. 721 personnel) providing logistic, maintenance, medical service, and including an engineer company capable of undertaking



- 5 -

tasks such as: demining; bomb disposal; road, bridge and other infrastructure repair.

- c. <u>A helicopter squadron</u> (approx. 110 personnel) consisting of:
  - (1) a troop/support flight with a minimum 1/2 company lift possibly based on 8 x Bell 212 type helicopters. Medical evacuation, logistic support and night vision capability would be required.
  - (2) Recce/armed flight of up to 8 light helicopters with light armament and night operations capability.
  - d. A force headquarters (approx. 219 personnel) which includes a supporting military signals/communication squadron. This would be built around the nucleus of the present headquarters and would continue to operate in Kigali.
- e. A military police force (approx. 50 personnel) of a small company for internal force security.
- f. A military observer group of 320 officers to conduct the humanitarian security monitoring and to provide liaison and escort duties throughout the country and also along the border areas.
- g. A force of 90 UNCIVPOL deployed in a similar fashion to the UNMOs but dedicated to maintaining liaison with the local civilian authorities on matters relating to public security.
- 10. The deployment of the force would be conducted in three phases. "D-Day" referred to below is the date on which the



- 6 -

Security Council resolution is adopted authorizing the expanded mandate of UNAMIR-A.

Phase 1 (D-Day + 7): The Ghanian battalion would be brought to its full strength of 800 personnel and equipped with APCs. This unit would ensure the protection of Kigali International Airport, the Amahoro complex where 4,000 displaced persons are presently housed and would also act as the Force Reserve.

Phase 2 (D-Day + 14): Deployment of two battalions (one mechanized and one motorized), some advance elements of the support battalion and all of the Force HQ and signal squadron. These troops would be deployed in the Kigali Sector and in Prefectures where the security situation is of greatest concern and where there is the highest concentration of displaced persons.

Phase 3 (D-Day + 31): Induction of the rest of the force support battalion and two other infantry battalions. The rest of the support battalion would establish logistic and engineer advance bases in the Ruhengeri, Byumba and Butare Prefectures in order to better serve the field force. The two infantry battalions would be deployed principally in the Western and Northern portions of the country in order to provide the necessary support and assistance to people in need in these areas.

#### Tasks

- The Tasks of the UNAMIR-A force would be the following : 11.
  - a. Security

- 7 -

- (1) Assure safe conditions for displaced and others persons in need, including refugees (mostly from Burundi) who have sought asylum in Rwanda
- Provide security to humanitarian assistance (2) activities
- (3) Provide escort to convoys
- (4) Provide security to UN installations
- Assure control of vital geographic features (5)
- Monitor border crossing points as operationally (6) required
- Monitor deployment of the parties in conflict in (7)order to assure effective conduct of UNAMIR-A operations.

#### b. Humanitarian Assistance

- Assist in the establishment and maintenance of (1) secure areas for the safe support of those in need (2)
- Establish access to those in need
- Provide support for the provision of food, water, (3)medical services, shelter and other relief those in need
- (4) Provide assistance with demining
- (5) Provide assistance for the rehabilitation of essential facilities and services

#### C. Liaison

- Strengthen liaison between UNAMIR-A and all parties
- (2) Support liaison arrangements with humanitarian agencies

## Logistic Support

The deployment and logistic support of a force of 5500 would be an ambitious undertaking. Rwanda is a land-locked country



- 8 -

with only one major airport (Kigali). Land movement between seaports (Mombassa, Dar-es-Salaam) and Rwanda requires several days in the best of conditions. It is therefore essential to deploy self-sufficient military contingents capable of operating independently, while logistic support is put in place by the United Nations. The concept of operations calls for the first three units to be moved by air, requiring military and commercial strategic airlift, i.e., up to 10 passenger flights and 40 cargo flights (C5A aircrafts). The remainder of the force and its material would be transported by sea and air as soon as technically possible.

#### Command and Control

13. UNAMIR-A would be headed by the Special Representative of the Secretary-General who would have overall authority for all the activities of the mission. As regards the military component of the mission, the present UNAMIR Force Headquarters would be expanded as indicated in para 8.d above and would remain located in Kigali. Battalions would be deployed to designated regions or sectors with assigned responsibilities for the tasks described earlier. Battalion commanders would act as Sector Commanders within their assigned regions under the direction of the Force Commander. The military signal unit would establish communications between the Force Headquarters, Battalion Headquarters and other designated sites as necessary.

#### Conclusion

14. The prospects of success in achieving the aims of UNAMIR-A depend upon the earliest deployment of the proposed force. The longer the delay in the deployment of the force from the time of a Security Council decision, the greater the prospect of the mission not achieving its purpose in operational terms. The most

- 9 -

rapid deployment would be achieved with the deployment of two formed infantry brigades with their integral logistic support.

- If formed brigades cannot be made available it would be 15. necessary to draw on the recent UN Stand-by arrangements. However, specific contributions for this particular mission must still be negotiated. It is estimated that this process would require one to two months. Simultaneously with Stand-by arrangements, the traditional method of requesting government military forces would be used. Experience shows that it would take at least two to three months to achieve full deployment of forces. If forces are accepted without adequate equipment, experience shows that a further delay of several months would be incurred in providing the necessary equipment for those forces. However, these delays could be significantly decreased if Member States agree to make the necessary arrangements on a bilateral basis to provide the troops, equipment and air lift required for the mission.
- 16. The UNAMIR Force Commander has had discussions with both the RGF and RPF on the concept of operations and general deployment plan described above and has encountered no strong objections so far. He intends to have further discussions with the parties to avoid possible misunderstanding and difficulties.
- 16. In considering the elements outlines above, its should be kept in mind that resolution 912 (1994) stressed that the Arusha Peace Agreement remains central to the peace process. Accordingly, the Special Representative of the Secretary-General will continue his efforts, in cooperation with the Organization of the African Unity (OAU) and regional leaders, to end the fighting and to conclude an effective cease-fire agreement to be monitored by UNAMIR, in order to build confidence and facilitate progress on other aspects of the peace process in accordance with the Arusha agreements.

#### CONFIDENTIAL

115/23/37

You file:

Our file: 161/1/1

18:18 (	(5206)		700/WSH/00000/00000	\$319.63
FROM:	WASHING	CON	C02854/WSH	09-May-1994
TO:	WELLINGT WGTN UNS		NEW YORK	Priority Priority
cc:	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS	3	BONN CANBERRA HARARE MADRID OTTAWA TOKYO	Routine Routine Routine Routine Routine Routine
TO:	Defence			Priority
MFAT		(MEA, UNC, ISAC, (DSP1, EAB)	HRU, LGL, EUR, AMER, DP3)	
P/S MFA DEFENCE DEFENCE	HQNZDF	(DSIA, OPS, DDI) (GENTLES)		

Subject

U04178: SECURITY COUNCIL: RWANDA

New York's C04428. Bonn's C01463.

#### Summary

2 US is moving towards support for a DR on Rwanda employing "Chapter VI plus" - i.e. authorisation to use force in protection of UN personnel and humanitarian relief operations. The US is concerned that the mandate must be acceptable to the parties, and is working its way through the logistical difficulties of an expanded relief effort.

#### Action

3 For information.

#### Report

4 We met on 9 May with Ambassador Robert Flatten (US Ambassador in Rwanda until November 1993, now Special Assistant in State's Office of Central African Affairs) and also spoke to IO (Zelle) about the DRs on Rwanda currently under discussion in NY.

#### Situation Report

5 Flatten opened by running over the latest reports from

Kigali, most of which will be familiar to you. He made the point that the RPF had resumed a determined offensive against the Airport (and as you know one UN flight was turned back to Nairobi). The earlier "lull" around Kigali had reflected RPF concentration around Ruhengeri (45 m N). The RPF is also driving on Bugesera and Kazenze (15 m SE). Flatten commented that Gen Dallaire, with whom he was in frequent telephone contact, had spent most of the weekend in ceasefire negotiations with the two sides. While both were saying publicly that they wanted one, neither was prepared to pay any price at all to get one - both wanted "ironclad guarantees" that it would work to their advantage. Dallaire's impression had been that the parties were "not serious" in their negotiations.

Flatten added that recent media reports that the killing in Kigali had been systematic and well planned in advance by Hutu elements appeared to be accurate. (Copies by bag to Wgtn, Bonn's para 7 also refers.) The rapidity of the response to the Presidential asassination, the cordoning off of the city, and the systematic decimation of Tutsi neighbourhoods (with lists of wealthy Tutsi's now "all dead"), all indicated a carefully planned attack. What the US did not know was whether this was a contingency plan ignited by the asassination, or whether the President's aircraft had been shot down by radical Hutus looking for a bloodletting. There was probably know way we would ever know, he commented.

#### US Policy

- Flatten commented (pse protect) that the NZ DR was "a good one" and that he hoped US policy would come out very close to it. The US was coming towards general agreement that UNAMIR needed the authority to use force in defense of its own personnel and those of UN-supported relief efforts. However the emerging US position (supported, Flatten said, by Dallaire himself) was that this could be achieved through an augmented "Chapter VI plus" mandate. Crucially, whatever was agreed would have to be acceptable to both parties in Rwanda. The US was "not going to authorise one soldier to fight his way in". The RPF would not accept a Chapter VII mandate, he thought.
- These comments were backed up separately by IO. Zelle commented that the US "would not support a massive expansion" of UNAMIR designed to "pacify" the country. But it was actively looking a "more restrictive options".
- 9 Flatten noted that senior US officials were meeting this afternoon to look at the logistics of an expanded relief operation into Rwanda. Supply lines from Uganda, Tanzania and Burundi were being examined.
- 10 Comment: There continues to be extensive media coverage here about the Rwanda issue. The Washington Post on 8 May reported officials as saying that the Administration was doubling US aid (to \$15 million), sending Assistant Secretary

C02854/WSH

Page 3

of State for Human Rights Shattuck and Amb Rawson to Rwanda to try to negotiate a ceasefire, and was going to press further for an international arms embargo (which they concede will make little practical difference). The tenor of the reported remarks has, over the last few days, been somewhat more sanguine to the possibility of concrete action to alleviate the situation than Administration comment of a week or so ago. We expect US policy to develop further over the course of this week.

End Message

#### CONFIDENTIAL

115/23/37

You file: 115/23/37 Our file: 161/1/1

13:53	(5204)		700/BON/00000/00000	\$403.56
FROM:	BONN		C01463/BON	09-May-1994
TO:	WELLINGT	ON	WGTN UNSC	Routine
cc:	NEW YORK PARIS MOSCOW HARARE BEIJING	:	LONDON BRUSSELS WASHINGTON TOKYO DEFENCE	Routine Routine Routine Routine Routine
MFAT		(MEA, UNC, IS	AC, HRU, EUR, EAB, DSP1)	
DEFENCI DEFENCI	45 45 45 45 5 5 5 5 5 5 5 5 5 5 5 5 5 5	(DSIA, OPS, (GENTLES)	DDI)	

Subject

SECURITY COUNCIL: RWANDA

#### Summary

German Foreign Ministry adopts a cautious approach to further UN involvement in Rwanda. The OAU should continue its efforts. Both sides in the conflict are so heavily armed that peacekeeping would be impossible and peacemaking would require an enormous commitment of forces.

#### Action

For information.

#### Report

We called today on Wienand, who has special responsibility for Rwanda in the section of the German Foreign Ministry dealing with Central Africa. He invited his colleague Puppe, who had been a member of the German Embassy in Kigali until its staff were withdrawn last month, to join us for the discussion.

2 Puppe said that virtually all foreign missions in Kigali, which had numbered around ten, had ceased operating as a result of the heavy fighting going on in the capital. Although there had been no specific threats against the German Embassy, Europeans generally felt at risk because of the unpopularity of Belgium as the former colonial power in Rwanda. A rumour had circulated, for instance, that Belgians had been responsible for the shooting down of the Presidential aircraft, and a number of long-time Belgian residents of Rwanda had been murdered. French people had also been killed because they were thought to be Belgian, and

<u>C01463/BON</u> Page 2

Germans needed to take care not to display their flag because of its similarity to the Belgian flag. Wienand noted that up until World War I, Germany had been the colonial power in Rwanda. As in other colonial situations, Germans could feel some sense of gratitude that the loss of their colonies in World War I had absolved them of future responsibility for coping with post-colonial problems of the kind that had flared up in Rwanda.

- Nevertheless Germany was making an effort to help, and an initial contribution of DM2 million had been announced in humanitarian relief. (We informed them of the announcement of New Zealand's contribution). The prospects of getting relief supplies to the capital were grim, as noted in Ottawa's C01806. It had become virtually impossible to fly into Kigali. The refugees who had fled to neighbouring countries were somewhat easier to reach, but their situation was not much better, located as most of them were in some of the poorest desert areas of Tanzania. Water was a problem at the moment, but if the rains came, mud would make the roads impassable.
- We asked how Germany viewed the relative roles of the UN, the OAU and the EU in attempts to mediate in the conflict between the interim government and the RPF. Wienand replied that Germany was worried about the UN's role. While Dallaire was doing a good job, he was stuck between two rival armies, both armed with heavy weapons, and both intent on continuing to fight. There was accordingly no peace to keep, and peacemaking would require forces beyond those which UN members were likely to want to provide. Somalia was an example fresh in the minds of the world community, as of course was Bosnia. The UN could not afford another "failure", coming hard on the heels of its experience in these two countries.
- 5 As for the OAU, it was feeling its way towards a greater involvement in mediating conflicts on the African continent, but the discussions among the parties which it had initiated did not seem to have produced any results so far. Tanzania deserved credit for its efforts, while other neighbouring states, such as Zaire and Burundi, had links to one side or the other which would rule them out of an honest broker role.
- The European Union was, once again, placed in a rather awkward position as a result of diverging approaches among its own members towards a particular problem. France and Belgium, as previous colonial powers in Africa, tended to have certain biases, France towards the Hutu, Belgium towards the Tutsi, and these gave rise to certain difficulties in reaching a common position, although both countries were trying hard to work together in the CFSP context. Wienand commented that not so long ago, France or Belgium would despatch armed forces to former colonies in Africa without much hesitation to sort out conflicts which arose. Those days were gone. African nations no longer accepted an

ongoing policeman role of this kind, and former colonial powers also hesitated to commit forces to intervene between heavily armed parties to an African conflict.

7 On the basis of her two years in Kigali, Puppe commented that in addition to tribal rivalries, the control of limited resources in Rwanda played a part in the conflict. The country had 7.5 million people in a very small land area. In rural areas, family sizes of 14-16 were normal. Prices for Rwanda's main export, coffee, were low. She also said that as far as the widespread massacres were concerned, there was an organised dimension to it. Each side had lists of people to be killed. The methodical aspect of events immediately after the shooting down of the Presidential aircraft had led her to believe that this action too had been planned.

#### Comment

8 It was useful to obtain an on-the-ground assessment from someone who had served in Kigali. German familiarity with conditions there no doubt reinforces their cautious approach to the possibility of international intervention in this conflict.

End Message

#### CONFIDENTIAL.

115/23/37

Your f.e: 115/23/37

Our file: 3/88/1

20:13 (5224)			700/NYK/00000/00000	\$444.72
FROM:	NEW YOR	K	C04443/NYK	10-May-1994
TO:	WELLING	FON	WGTN UNSC	Immediate
cc:	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO DEFENCE	5	BONN CANBERRA HARARE MADRID OTTAWA SANTIAGO WASHINGTON	Routine Routine Routine Routine Routine Routine Routine Routine Routine
MFAT	(MEA, UNC, ISAC, HRU, LGL, EUR, DP3, DSP)		HRU, LGL, EUR, DP3, DSP1, EA	AB)
P/S MFA DEFENCE DEFENCE	HQNZDF	(DSIA, OPS, DDI) (GENTLES)		

Subject

SECURITY COUNCIL: RWANDA

#### Summary

- SecGen's non-paper on an expanded UNAMIR has been handed to Presidency but has not yet been made available to all Council members
- Nigerians are preparing draft of resolution to implement the non-paper; they say draft will follow closely the ideas we circulated to Council last week

#### Action

Preliminary comments, if you wish, on SecGen's non-paper

#### Report

SecGen sent Nigerian Presidency yesterday the non-paper prepared by the Secretariat in response to the Council's request last week for an indication of how an expanded UNAMIR might look. Nigerians have not sent it on to other Council members, although some have obtained copies informally. Nigerians seem to want to hold on to the paper until Gambari is back from South Africa (tomorrow morning).

2 Nigerians gave us a copy of the non-paper in confidence this afternoon (see accompanying fax). The paper envisages a force of at least 5,500 with an expanded mandate to "support" displaced persons and others affected by the hostilities and to assist in providing humanitarian assistance. Specific tasks envisaged (para 11) are consistent with those suggested in the informal draft resolution we circulated last week to Council members at the request of the President.

- 3 The major difference from our draft in terms of concepts is that SecGen does not envisage invocation of Chapter VII powers. As you will be aware, such reference would be difficult for the Americans to accept. It would also be problematic for the RPF who fear that a Chapter VII operation could be the thin end of a wedge by which the Council would purport to takeover Rwanda and require them to give up territory they have seized.
- However, even though Chapter VII is not invoked, Mission is predicated on the assumption that there is no agreed ceasefire in place. Non-paper also envisages the expanded UNAMIR having to take "self defensive" actions against persons or groups who threaten areas where displaced persons are gathered or who threaten the distribution of humanitarian relief supplies. In reality, therefore, the amount of force which it is envisaged UNAMIR might use is virtually identical to that suggested in our draft. One issue we will want to pursue with the Secretariat is whether it is really feasible to assign such powers and functions to the force without invoking Chapter VII.
- 5 One encouraging feature of the SecGen's non-paper is that it envisages a fairly rapid deployment of the expanded force: UNAMIR would be brought up to 800 personnel within seven days of a decision by the Council; the force would be expanded by a further two battalions (approx 1600 personnel) within 14 days of the decision; the full force would be deployed within a month of the decision.
- 6 Nigerians advise that they are preparing a draft resolution to give effect to the non-paper. They have told us that they are relying heavily on the draft ideas we circulated, although without including reference to Chapter VII.
- 7 Informal consultations are scheduled for tomorrow afternoon. It is conceivable that there will be a first round of discussions on the SecGen's non-paper at that time, although a number of Council members will only have received it in the morning. More thorough discussions of the non-paper and of the draft resolution, which we expect to receive tomorrow, will take place on Thursday, 12 May. The Nigerians would like the resolution to be adopted by the end of the week, though that may be overly optimistic.

End Message

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#### CONFIDENTIAL

115/23/37

Your le: 3/88/1 Our file: 522/1/1

19:45 (5231)			700/MEA/00000/00000	\$249.91
FROM:	WELLINGT	ON	C23162/WN1	11-May-1994
TO:	NEW YORK			Immediate
cc:	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO WGTN UNS		BONN CANBERRA HARARE MADRID OTTAWA SANTIAGO WASHINGTON DEFENCE	Routine Routine Routine Routine Routine Routine Routine Routine Routine
MFAT		(MEA, UNC, ISA	AC, HRU, LGL, EUR, DP3, DSP1, EAB)	
P/S MFA DEFENCE DEFENCE		(DSIA, OPS, (GENTLES)	DDI)	

#### Subject

U49301: SECURITY COUNCIL: RWANDA

Your C04443 and fax 2591 (page 3 unfortunately missing - grateful you repeat).

- 2 As you note (para 2), concept of operations is broadly consistent with the ideas in the informal draft you circulated last week. Non-paper should form a useful basis to take Council consideration further.
- 3 We will want to look more closely at the non-paper and may have additional comments tomorrow. Our initial thoughts and queries follow:
- We agree it would be necessary to explore further the feasibility of assigning tasks and functions as proposed in the non-paper without providing Chapter VII cover. We appreciate that the US could find it difficult to accept such a reference. However, given assumption that UNAMIR-A will be operating in the absence of a negotiated ceasefire and is expected to take "self-defensive" actions (para 7c of non-paper), it is at present difficult to see how it could do so without invoking Chapter VII.
- One of the central elements of the non-paper is that Kigali airport can be established as a neutral zone with the "consent of the parties" (para 6 e). We accept that this is a precondition in terms of logistic support for any proposed operation. However, how likely is such consent to be forthcoming, particularly given the RPF's recent heavy

military commitment to taking the airport?

- The proposal that UNAMIR-A "would depend primarily on deterrence to carry out its tasks and would resort to force only in self-defence" (para 7) needs to be investigated very carefully. The events following Belgian attempts to protect the Prime Minister are instructive in this regard. Para 7 implies that the rules of engagement could be interpreted in such a way as to make Chapter VII authority unnecessary. The Council would need to satisfy itself that a very robust alternative existed, and conceivably approve some form of words to this effect.
- Given the kind of operation under discussion is there scope for addressing US concerns about invoking Chapter VII, and reassuring the RPF that UN intentions are limited primarily to humanitarian relief/refugee protection and not full scale intervention and disarmament (a la Somalia)?
- We wonder where the 5,500 plus troops (para 9) for UNAMIR-A would come from. The non-paper provides no clues (aside from the premise that the Ghanaian battalion would be brought to its full strength). Have there been any indications from the discussions conducted by the US and by regional countries and the OAU as to which countries might make forces available?

End Message

ISSION NY --- UN

111/23/37



NYPM File: 3/88/1

## New Zealand Mission to the United Nations New York

Telephone: (212) 826-1960 Fax: (212) 758-0827

Date: 11 May 1994

Page 1 of 15

To: WELLINGTON

No: 2597

PRECEDENCE: MMEDIATE

LD: SFAT (MEA UNC, ISAC HRU, LGL, EUR, DP3 DSP3, EAR)

SUBJECT: Secrety Camail: Ruranda.

IPT refers.

Copy of Bresidential draft resolution follows together with US talling paints to Cancil meety taught and

and Oxfam letter to N2 Perm Rep.

The Security Council,

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Reaffirming all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR), its resolution 909 (1994) of 5 April 1994 which extended the mandate of UNAMIR until 29 July, 1994, and its resolution 912 (1994) of 21 April 1994 by which it adjusted the mandate of UNAMIR;

^^

Recalling its statement of 7 April 1994 (S/PRST/1994/16) which inter alia, reaffirmed the importance of the Arusha Peace Agreement to the peaceful resolution of the conflict in Rwanda, and the necessity for all parties to re-commit themselves to its full implementation:

- 12

Recalling also its statement of 30 April 1994 (S/PRST/1994/24) by which it strongly condemned the ongoing violence in Rwanda and demanded an immediate end to the mindless carnage;

102

Concerned that the situation in Rwanda which has resulted in the death of thousands of innocent civilians, including women and children, the internal displacement of a significant number of the Rwandan population, and the massive exodus of refugees to neighbouring countries, constitutes a humanitarian crisis of enormous proportion;

. . . . .

Expressing once again its alarm at continuing reports of widespread and flagrant violations of international humanitarian law in Rwanda;

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Mindful of its abhorrence of the crime of genocide punishable under international law;

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Underlining the urgent need for coordinated international action to help restore peace in Rwanda, and alleviate the suffering of the Rwandan people, and in this connection welcoming cooperation between the United Nations and the Organisation of African Unity (OAU) as well as with leaders of the region, especially the facilitator of the Arusha peace process;

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Having considered the letters of the Secretary-General dated 29 April 1994 (S/1994/518), and 3 May 1994 (S/1994/530);

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Determining that the situation in Rwanda constitutes a threat to international peace and security in the region;

Recognizing that the people of Rwanda bear ultimate responsibility for national new expression and reconstruction of their own country;

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- 1. Strongly urges all parties to the conflict to immediately cease hostilities and agree to a cease-fire;
- 2. Reaffirms its commitment to preserve the unity and territorial integrity of Rwanda; ofu must!
- 3. Stresses its conviction that the Arusha Peace Agreement constitutes a viable framework for the resolution of the conflict in Rwanda, and in this connection urges all parties to commence political dialogue;
- 4. Decides that UNAMIR's mandate under resolution 912 (1994) shall be adjusted as follows:
  - (a) To act as intermediary between the parties in an attempt to secure their agreement to a cease-fire;
  - (b) To monitor observance of any cease-fire agreement;
  - (c) To assist in advancing the peace process within the framework of the Arusha Peace Agreement;
  - (d) To monitor and report on developments in Rwanda;
- 5. Also decides that UNAMIR's mandate shall also include the following responsibilities:
  - (a) Security
    - (1) Assure safe conditions for displaced and other persons in need, including refugees (mostly from Burundi) who have sought asylum in Rwanda;
    - (2) Provide security to humanitarian assistance activities;
    - (3) Provide escort to convoys;
    - (4) Provide security to UN installations;
    - (5) Assure control of vital geographic features;

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As per 11-545 para 11-545

- (6) Monitor border crossing points as operationally required:
- (7) Monitor deployment of the parties in conflict in order to ensure effective conduct of UNAMIR-A operations.

## (b) Humanitarian Assistance

- Assist in the establishment and maintenance of secure areas for the safe support of those in need;
- (2) Establish access to those in need;
- (3) Provide support for the provision of food, water, medical services, shelter and other relief to those in need;
- (4) Provide assistance with demining;
- (5) Provide assistance for the rehabilitation of essential facilities and services.

### (c) Liaison

- (1) Strengthen liaison between UNAMIR-A and all parties;
- Support liaison arrangements with humanitarian agencies;
- (3) Assist in the collation of information relating to violations of international humanitarian law.
- 6. Authorizes an expansion of the UNAMIR force level to 5500 troops and urges the MZ deployment of that force in the shortest possible time;
- 7. Encourages the Secretary-General to accelerate his efforts, in conjunction with the Secretary-General of the Organisation of African Unity to obtain commitments from the Organisation of African Unity member States and other members of the United Nations

5/15

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for the necessary personnel to accomplish the urgent deployment of the expanded UNAMIR;

8. Requests member States to offer the Secretary-General urgently, logistical support capability for quick deployment of the UNAMIR expanded force level and its support in the field;

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9. <u>Commends</u> the efforts of States, United Nations agencies and non-governmental organisations which have provided humanitarian and other assistance, encourages them to continue and increase such assistance, and <u>urges</u> others to provide such assistance;

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10. Also commends the efforts of the Organisation of African Unity and its agencies, as well as those of the Tanzanian Facilitator, in providing diplomatic, political, humanitarian support for the implementation of the relevant resolutions of the Council;

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11. Calls upon all States to refrain from providing arms or any military assistance to the parties in conflict, and states its willingness to consider promptly the application of an arms embargo on Rwanda and decides that all States shall immediately take measures with a view to prohibiting the supply of arms and related materiel to any of the parties in Rwanda; that all States shall prevent the sale or supply to Rwanda by their nationals or from their territories or using their flag vessels or aircrafts, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts;

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- 12. Further calls upon all States, and international organisations, to act strictly in accordance with the provisions of the present resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any license or permit granted prior to the date of the adoption of this resolution;
- 13. Requests the Secretary-General to bring to its attention any information that he might receive concerning arms flow into Rwanda;
- 14. Also requests the Secretary-General to present a report, not later than 31 July 1994, on possible options for international prosecution of persons responsible for genocide or other serious violations of international humanitarian law committed in Rwanda since the outbreak of current hostilities;

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15. <u>Invites</u> the Secretary-General and his Special Representative, in coordination with the Organisation of African Unity and countries in the region, to continue their efforts to achieve a political settlement in Rwanda within the framework of the Arusha Peace

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Agreement;

16. Decides to remain actively seized of the matter;

Delivered by Amb Albright 1- 4 11/5/94

TALKING POINTS

7/6

- -- We remain extremely concerned about the on-going tragedy in Rwanda. This is a problem that demands immediate international action.
- -- The United States wants to play a constructive role in alleviating the suffering in Rwanda and supporting efforts to achieve a lasting political solution.
- -- There have been a number of proposed responses to this tragedy. We would like to explore these ideas further, here in the Council, as well as with representatives of concerned African states.
- -- We have already taken some important steps. We will continue to support the diplomatic efforts now underway by the UN, OAU, the Tanzanian government and regional leaders to reach a ceasefire and return to the Arusha peace process. We want to consider how to support the UN effort to work with the OAU to ensure the safety of displaced persons on both sides of the border.
- -- We are committed to provide humanitarian relief, to implement an arms embargo and to have the UN Human Rights Commission fully investigate the situation in Rwanda.
- -- In addition, there may be another vitally important humanitarian mission that the UN and/or OAU could perform.
- -- We would be interested in exploring the possibility of creating a protective zone along the Rwandan border with an international force to provide security to populations, where refugees and displaced persons are in the most immediate danger.
- Such a mission could not only provide security for the protective zone and the distribution of humanitarian assistance but could also assist in refugee repatriation and serve in a preventive capacity to deter the spread of violence to Burundi. The operation would require robust rules of engagement.

- 2 -

- This mission may require fewer troops and be less complex logistically than some other proposals now being discussed.
- It would, however, need the active support of neighboring countries, such as Burundi and Tanzania, and the assent of the Rwandan parties.
- In considering the actual humanitarian/peacekeeping mission in Rwanda, we must be mindful not to upset the delicate political balance that presently exists in Burundi.
- We must also work together to define clearly achievable objectives and an end-state such as resettlement of the displaced persons and refugees and/or a sunset provision requiring reconsideration of the operation in six months to preclude the mission becoming an open-ended one.
- If capable troops were available and the mission considered viable, the U.S. would fully support the operation politically and diplomatically and endeavor to help by providing financial resources, some lift, equipment and humanitarian assistance, upon agreement of a clear concept of operations.
- We would expect to be joined in this effort by other concerned nations.

(If asked what direct support U.S. could provide:

- -- If the mission were mounted independently by the OAU or by a collection of concerned states with the blessing of the UN Security Council, the U.S. would offer some assistance on a voluntary basis.
- -- If the mission were funded through UN assessments, the U.S. would seek the normal reimbursement for contributions of equipment or services.)
- -- At the same time, we have serious reservations about proposals to establish a large peace enforcement mission, which would operate throughout Rwanda with a mandate to end the fighting, restore law and order and pacify the population.
- -- While we have not definitively ruled in or out any particular response, in our view, there are several problems with this approach:

sof senglished.

- 3 -

- Neither the UN nor the OAU have demonstrated a capability to mount large-scale peace enforcement missions with success.
- This mission would be particularly complex, perhaps even more so than Somalia.
- It remains very unclear whether the parties to the conflict would use force to oppose such a mission.
- Thus far, it is unclear that any country has committed to send troops, and it appears unlikely that there will be sufficient pledges to mount the large force required.
- Logistically, it would be difficult to stage a sizeable force out of Kigali, because all movement of troops and supplies would have to be done through an airport at the epicenter of a civil war.
- It is unclear precisely what the peace enforcement mission would be or when it would end.
- Finally, the chances of success appear slim.
- -- The SYG's indicative contingency planning falls between these two approchaes. However, we believe that many of the problems we just laid out would also bedevil the SYG's proposed mission - particularly the logistical and recruitment aspects.
- -- Again, let me say that we hope we can work together to try to craft a viable diplomatic solution and provide relief to the hundreds of thousands who are suffering as a result of this tragic conflict.

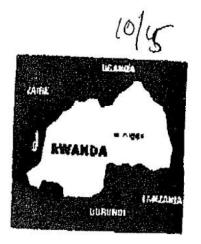
#20102

# UNHCR UPDATE

## on RWANDA

UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Public Information Section P.O. Box 2500 - 1211 General 2 Depot Tel. (41 22) 739 85 02 - Face (41 22) 739 84, 49



10 May 1994

## UNHCR NEEDS \$56.7 MILLION FOR RWANDESE AND BURUNDI REFUGEES

The United Nations High Commissioner for Refugees made an urgent appeal Tuesday for \$56.7 million to aid some 860,000 refugees who fled ethnic violence in Rwanda and Burundi. The funds would cover a three-month period through July 15.

Much of the appeal focuses on Tanzania, where about 250,000 Rwandese refugees converged over a 24-hour period two weeks ago in the largest and swiftest exodus UNHCB has ever seen Between 400 and 1,500 refugees, most traveling in small groups, continue to arrive daily in Tanzania.

Relief workers have warned of a refugee catastrophe unless enough food, clean water, shelter and sanitation services are provided to the Rwandese refugees packed into the Benaco camp in Tanzania, about 18 kilometers from the Rwandese border. Children comprise half of the population at Benaco, which is about an hour's drive from the town of Ngara. The children are most vulnerable to outbreaks of dysentery, measles and cholera in the midst of the rainy season.

Another 47,000 Rwandese refugees are in Burundi, 10,000 in Zaire and 8,000 in Uganda.

The executes from Rwanda began after an April it plane exact in the capital Kigali killed the presidents of Burundi and Rwanda and triggered widespread ethnic clashes.

In addition to the Rwandese refugees, UNHCR is assisting 785,000 Runnedi refugees who have returned to Burundi. These are people who escaped, mostly to Rwanda, after similar ethnic violence engulfed Burundi in October. About 80,000 Burundi refugees remain in Rwanda, 60,000 in Tanzania and 100,000 in Zaire.

The fighting in Rwanda also forced some 20,000 Zairean refugees to flee back to their homeland. The Zaireans, who had fled civil strife in their own country, had been in Rwanda for several years.

(more)

• .

The World Food Program on Tuesday made its third food distribution since the Rwandese swarmed into Tanzania April 28-29. The three-day food ration was increased from 1,300 to 1,900 kilocalories. WFP said it has enough food in central Africa to feed the refugees.

UNHCR has been airlifting medicine, jerrycans, blankets, kitchen sets and shelter materials since the fighting in Rwanda broke out. Chartered planes land in Mwanza, Tanzania, and the supplies are then ferried by truck to Ngara — a two-day trip. UNHCR desperately needs more trucks to keep the convoys going to Ngara, an area so remote it presents tremendous difficulties to reach during the current rainy season.

Major agencies participating in UNHCR's assistance programs in central Africa are Médecins Sans Frontières from France, Spain, Belgium, the Netherlands and Switzerland, Oxfam, CARE, Caritas, ICRC, IFRC, Médecins du Monde, Medair, and Pharmaciens Sans Frontières, International Rescue Committee, Concern and Action internationale contre la faim.

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# HUMAN RIGHTS WATCH,

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Roland Algrent Robert L. Berastein Julius L. Chambers Misheel Clough Roberta Cohen Carol Contion Alison L. Desharges Adries W. DeWind Thomas M. Frenck Cail M. Carnan Jack Creenberg Alice H. Henkin Robert Joile Richard A. Joseph Thomas Karts Russell Kars Stephen L Kass John A. Marrum Cay McDougell Vincent McCee Tani Marillan Barrington Parker, Ill James C N Paul Roben Prinkel Norman Radlich Randall Robinson Sidney S. Roedeltcher Artetide R. Zolbera David S. Tatel Howard P. Yenable Cloude & Welch. Jr.

For Immediate Release May 11, 1994

For Further Information Alison DesForges (202) 871-6592 Susan Osnos (212) 972-8400 Holly Burkhalter (202) 371-6592

REPRESENTATIVES OF RWANDA'S GENOCIDAL GOVERNMENT EXPECTED IN NEW YORK; MILITIA GROUPS ORDERED TO HALT THE SLAUGHTER DURING KIGALI VISIT BY UN HIGH COMMISSIONER FOR HUMAN RIGHTS

Human Rights Watch/Africa has learned that the National Committee of the MRND Youth Wing (Interahamwe) has ordered militia groups to stop killing Tutsi and members of opposition political parties. In a communique broadcast May 9 over the national Radio Rwanda and the private Radio des Milles Collines, leaders of the Interahamwe said that ending the killings would be "their contribution to the new government," referring to the regime created by the Rwandan military forces in early April. The leaders also directed their members to assist in scopping killings by others, presumably the militia belonging to the allied Coalition pour la Defense de la Republique (CDR) party. On May 10 the number of civilians killed by the militia appeared to diminish somewhat.

The decision to halt the slaughter of Tursi and political opponents was taken 48 hours before the anticipated arrival of Jose Ayala Lasso, the United Nations High Commissioner for Human Rights, in the national capital of Kigali. Mr. Ayala Lasso has undertaken a fact-finding investigation to Rwanda and Burundi as his first mission in the newlycreated post devoted to protecting human rights.

The self-proclaimed government of Rwanda is apparently concerned about the impression that would be made upon Mr. Ayala Lasso and world public opinion if the widespread killings continued during his visit. The regime, which is seeking to win international acceptance, has sent abroad teams of representatives to make the rounds of European, African and North American capitals. Belgium has refused them visas, denying them access to the European Union, and the United States has withheld permission for them to visit Washington, D.C., although it cannot prohibit them from visiting the United Nations in New York.

HUMAN: KENNETH ROTH, Executive Director - CYNTHIA BROWN, Program Director - HOLLY), BURKHALTER, Advocacy Director - IRIGHTS: GARA LAMARCHE, Associate Director - JUAN E. MENDEZ, General Countail - SUSAN OSNOS, Communications Director - WATCH: ROBERT L. EERNSTEIN, Chair - ADRIAN W. DEWIND, Vice Chair - ROBERT L. EERNSTEIN, Chair - ADRIAN W. DEWIND, Vice Chair - Human Rights of the Program of the Engineering and programs rights in Affice, the America, Aris, the Middle Case, and among the Engineering the Melinals accords

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The Foreign Minister of the rump government, Jerome Bicamumpaka, is expected in New York on May 12. He may be accompanied by Jean Bosco Barayagwiza, leader of the CDR party whose militia is responsible for many of the killings. Bicamumpaka and Barayagwiza were received by a number of officials in Paris, including Bruno Delaye, chief advisor on African affairs for French President François Mitterand. Mitterand has been a long-time backer of the government of the late President Juvenal Habyarimana. Other representatives of the self-appointed government have been received in Egypt.

The privately-owned radio station, Radio des Milles Collines (RTLM) has been used to incite Rwandans to kill Tutsi, members of the political opposition and human rights activists. On May 4, the United Nations peacekeeping force attempted to evacuate 62 of the several hundred civilians stranded in a Kigali hotel. Although in possession of a safe-conduct signed by the Commander-in-Chief of the Rwandan army that was supposed to protect it, the convoy was attacked by militia ordered into the streets by Radio des Milles Collines. Directed to prevent passage of the convoy, the militia wounded nine of the civilians and forced them to return to the hotel. The Rwandan government has reportedly sought to trade the civilians for Rwandan army officers captured by the Rwandan Patriotic Front (RPF).

At the time of a previous massacre of Tutsi in March 1992, the national Radio Rwanda also encouraged Hutu to attack Tutsi. The director of the radio at that time, Ferdinand Nahimana, who holds a doctorate in history from the University of Paris, resigned in the face of intense criticism of his role by local and international human rights groups. More recently, Nahimana has served as head of the Radio des Milles

The private station is owned and operated by intimates of former President Habyarimana. A major stockholder and Chairman of the board is Felicien Kabuga, an important businessman whose son is married to a daughter of Habyarimana., Among other stockholders are Alphonse Ntivamunda, a son-in-law of Habyarimana; Andre Ntarugira, Minister of Postal Services and Communication; Tarcisse Renzaho, prefect (governor) of the province of Kigali city; and Jean-Bosco Barayagwiza, the head of the

In a separate development, the Rwandan ambassador in Washington has sent Rwandans resident in the United States details on how to make contributions to the Rwandan armed forces, should they be so inclined. The account to which they are to send money is at the Riggs National Bank in Washington, D.C.

Human Rights Watch/Africa commends the U.S. and Belgium for their decisions to refuse visas to representatives of the self-proclaimed government, and deplores the decision of France and Egypt to grant hearings to representatives of a government engaged in genocide. Human Rights Waich/Africa urges the United States to take the lead in encouraging other nations to refuse diplomatic courtesies to those who try to justify the unjustifiable killings of some 200,000 unarmed civilians. They should refuse visas to these representatives and should also refuse to meet with them at the United

: YS :

Nations.

Human Rights Watch/Africa calls on President Clinton to encourage other heads of state to follow the example set by a White House press release April 22, drawing attention to the identities of those with the power to stop the killing, such 25: Colonel Bagosora, the military officer in charge during the first days of the massacre; General Augustin Bizimungu, Commander in Chief of the Rwandan Armed Forces; and Captain Pascal Simbikangwa, who is reportedly directing the killing of the Tutsi by the militias.

Human Rights Watch/Africa calls on the international donor community, whose assistance is vital to the existence of any Rwandan government, to issue a clear, firm, public statement that no regime built upon the bodies of 200,000 civilians will ever receive international assistance, either through bilateral aid or through a multinational entity. The donors have taken joint action in the past, such as when they pressed successfully for the signing of the August peace accords ending the war between the Rwandan government and the RPF. They must once more act together, promptly and unequivocally, to halt the slaughter.

Human Rights Watch/Africa urges the United States to play a leading role in getting more U.N. troops sent to Rwanda to protect civilian lives and to assist in the distribution of humanitarian aid. Once the decision is made to send these soldiers, the U.S. must assist in transporting the troops and their needed materiel as quickly as possible to Rwanda.



## URGENT - BY FAX

HE Ambassador Mr Terence Christopher-O'Brien The Permanent Representative of New Zealand to the United Nations

FAX:

0101 212 758 0827

11 May 1994

United Kingdom & Ireland

274 Banbury Road Oxford QX2 7DZ Tol: (0965) 311211

Fax: (0865) 31241.7.... Telex: 83610 OXFAM G Direct Tel: (0865) 31.7473.6..

We understand that the Security Council will consider a resolution drafted by you on Rwanda tonight. We very much welcome this initiative. We hope the resolution will increase the mandate and strength of UNAMIR. We believe it is vital that UNAMIR has

a mandate and capacity to protect civilians by establishing secure areas in Kigali, and in the north, south and west of Rwanda, as well as protect the delivery of relief. Some examples of areas that should be protected include Cyangugu, Gitarama, Kabgayi and Gisenyi, all of which have pockets of civilians threatened by militias.

As part of increasing UNAMIR's mandate we believe the UNSC should invoke chapter VII of the UN charter. This would ensure the UN troops have the means to do the job properly and send a very clear message to those committing atrocities that the UN means business.

In addition we believe UN human rights monitors should form part of a UNAMIR force to monitor, bear witness and respond to human rights abuses.

Given the organcy of the situation we hope your resolution will set a deadline for the dispatch of extra troops, including an advance party in the next few days.

If there is anything we can do to support your efforts please let me know.

David Bryer Director

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Honorary Difficers: Mary Charry Chair; Michael Gibbs Vice Chair; John Richards Hon Treasurer; Keta Xirxiand Hon Secretary. Director: David Bryon

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#### -CONFIDENTIAL

115/23/37

Your (le:

115/23/37

Our file:

3/88/1

20:50 (5236)		700/NYK/00000/00000	\$660.79
FROM: NEW YORK	ζ	C04446/NYK	11-May-1994
TO: WELLING	PON	WGTN UNSC	Immediate
CC: BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO DEFENCE	3	BONN CANBERRA HARARE MADRID OTTAWA SANTIAGO WASHINGTON	Routine Routine Routine Routine Routine Routine Routine Routine Routine
MFAT (MEA, UNC, ISAC		HRU, LGL, EUR, DP3, DSP1, EA	AB)
P/S MFA DEFENCE HQNZDF DEFENCE MOD	(DSIA, OPS, DDI) (GENTLES)		

Subject

SECURITY COUNCIL: RWANDA

Thanks your U49301.

#### Summary

- Most council members were generally supportive of approach in Sec-Gen's non-paper, though a number sought clarification about likelihood of parties agreeing to an expanded mission of the kind proposed and in particular to establishing Kigali airport as a neutral zone.
- We and French also raised questions about feasibility of conducting operations under Chapter VI.
- US remains reluctant to contemplate any expanded operation within Rwanda of peace enforcement nature and has proposed instead establishing a UN presence along the borders to secure "protective zones".
- Nigerians have circulated draft resolution based principally on NZ draft but including ideas from NAM text and incorporating revised mandate as proposed in SecGen's non-paper.

#### Action

For comment on draft resolution.

#### Report

- At informals tonight, members gave preliminary reactions to the SecGen's non-paper. Most, including UK, France, China and non-NAM, were broadly supportive of the approach. A number raised questions, however, about the assumptions on which the expanded UNAMIR was premised.
- 2 We and a number of others noted that the operation appeared to depend on the establishment of Kigali airport as a neutral zone when, in fact, the airport was currently one of the prize military targets being fought over by the two parties. Accordingly, clarification was sought from the Secretariat as to how likely it would be that parties would agree to establishing such a neutral zone and indeed as to whether they were likely to accept an expanded operation of the kind proposed.
- 3 We and the French also sought clarification about the feasibility of operating under Chapter VI alone. The French said they were open minded on this issue but considered that there needed to be some assurance that the force would have the necessary powers to carry out the mandate and particularly with regard to the protection of displaced persons. We reiterated this point and went on to note that the issue was also important in the context of any deployment in areas where government militias were operating, given tenuous nature of government control over these forces.
- A Spain, Czech Republic and we also noted that it would be important to make some provision for the investigation into human rights abuses. UK and France stressed that the first priority had to be humanitarian relief and UK suggested that human rights issues (and issues relating to the political process, ie Arusha Peace Process) might better be left to a later stage least they complicate the process of getting the parties to agree to the deployment of an expanded force.
- 5 On the other hand, Nigeria said that they considered that the expanded force should deal with humanitarian, security and political issues and should also, at some point, make provision for investigation into human rights abuses. Brazil stressed the importance of a political framework particularly based on the Arusha peace agreement.
- 6 The US took a markedly different approach. They said that they would not support a full enforcement operation. They considered that the most profitable approach was one focussed on providing assistance to the displaced persons congregated on the borders. They noted that SecGen proposal fell somewhere between these two options but had some of the disadvantages of the enforcement option. Text of Mrs Albright's speaking notes is in accompanying fax.
- 7 No other delegation gave explicit support to US approach, although Russians came close in some of their remarks. We know from conversations with RPF that they would prefer this

limited approach, principally because it would leave them free to continue to make military advances. Their perspective is that there is no danger to the civilian population in areas under their control so there is no need for widespread UN deployment in these areas.

- 8 Secretariat sought to answer some of the questions raised in the debate. Baril (Military Adviser) stressed the strategic significance of Kigali and said that this was undoubtedly the best place to locate and focus an expanded operation. On the other hand, he acknowledged the difficulties of concentrating an expanded force in what is still a war zone and said that the UN needed control of Kigali airport. He suggested the Security Council might pressure the parties to agree to the establishment of the airport as a neutral zone. At the same time, he said that UNAMIR was currently exploring other possibilities for establishing alternative supply routes, including use of alternative airfields in both government and RPF held areas. The most promising of these for technical and logistical reasons was resupplying from Uganda in the north.
- 9 In response to our queries about Chapter VI and the rules of engagement, Baril said that a fundamental principle of any chapter VI operation was the minimum use of force. On the other hand, the rules of engagement provided that UN forces always had the right to act in self defence and this concept of self defence included acting in defense of a mandate. Accordingly, if the Council were to give the expanded force a mandate to protect displaced persons, then UN soldiers would be acting in self defence if they had to use force to protect such persons. (It may be that Secretariat is tailoring its advice to meet the political fact that Chapter VII is unacceptable to the US and perhaps some others since Baril's advice does not square with what happened to the Belgian peacekeepers who took no action before being killed when "protecting" the Prime Minister.)
- 10 Presidency circulated a draft resolution which it described as a synthesis of the drafts prepared last week by the NAM and NZ but picking up ideas from the SecGen's non-paper. In fact, draft is based heavily on NZ draft (as Nigerians emphasised to us again today in private) but contains some of the less objectionable elements of the NAM draft in order to assuage sensitivities in that quarter. Draft also picks up completely para 11 of the SecGen's non-paper as the description of the revised mandate, with one important addition in section C relating to human rights.
- 11 Gambari proposed that further discussion of the SecGen's non-paper and a preliminary exchange on the draft resolution should be held at informals tomorrow (12 May) and that a working group on the resolution should be established on Friday 13 May.
- 12 Secretariat gave a further briefing on the situation on

the ground. Although there had been a relative lull in fighting over the weekend it had intensified earlier this week. There had been fierce exchange of mortar and artillery fire in the north and north-eastern sections of Kigali. The market and city section had been shelled causing panic among civilians, 40 of whom were killed including three local journalists. The area around UNAMIR headquarters had also been shelled and the TV station controlled by the "interim government" damaged. "Interim government forces" may be holding their position in the city although there are also some indications that the RPF is gaining ground. Both parties were consolidating their forces in Kigali.

- 13 Unfortunately one UNAMIR soldier (Ghanan) was killed on Monday as a result of shelling of the stadium where UNAMIR is protecting civilians. Fighting continues in other areas of Rwanda and reported massacres by militia groups in government held areas continues. Despite calls for a ceasefire, RPF and "interim government" have not agreed to end hostilities and the force commanders intensive efforts in this regard have been fruitless.
- 14 Special Rep returned to Kigali on 8 May. Human Rights Commissioner (Lasso) arrived in Rwanda earlier this week and has been briefed by the Special Rep and is travelling to meet the RPF commander in Byumba. He will have meetings with the "interim government" tomorrow (12 May).

End Message

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Your ['le: 3/88/1

Our file: 522/1/1

20:50 (	(5241)		700/MEA/00000/00000	\$296.18
FROM:	WELLINGT	PON	C23246/WN1	12-May-1994
TO:	NEW YORK	ζ		Immediate
cc:	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO WGTN UNS		BONN CANBERRA HARARE MADRID OTTAWA SANTIAGO WASHINGTON DEFENCE	Routine Routine Routine Routine Routine Routine Routine Routine Routine
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P/S MFA DEFENCE DEFENCE	HQNZDF	(DSIA, OPS, (GENTLES)	DDI)	

Subject

U49438: SECURITY COUNCIL: RWANDA

Your C04446 and fax 2597.

#### Summary

2 Our concerns with the draft resolution are directed primarily towards the new elements not contained in the NZ draft.

# Action

3 For information and use in informals as appropriate. Your continued full reporting will enable us to keep the Minister closely informed.

# Comment

#### Draft Resolution

- 4 Preambular section: our only suggestion would be to change reference to regional leaders in pp 7 to "regional countries".
- 5 Op 1: we particularly welcome the prominent call for a ceasefire as a priority.
- 6 We agree that description of Arusha Peace Agreement as a "framework" (op 3 et al) is appropriate.

- Like you we have some concerns relating to the proposed new mandate (eg the open-endedness of op 4 (c) and op 5). There appears to be some blurring of the mandate away from its immediate humanitarian assistance focus. It is unclear how (without Chapter VII authority) UN forces should "assure control of vital geographic features" (op 5 (a) (5)), or precisely how UN troops should conduct operations to effect the goal of establishing "secure areas" (op 5 (a) (1) and (b) (1)). What happens for instance if, as one might expect, such areas act as a magnet for further refugees and there are attacks on those seeking to enter these areas but not yet within the defined zones? How should the UN forces on the ground respond? What is missing from the concept of operations is a definition of what areas UNAMIR-A would protect or what the US paper calls "protective zones". Also what the US means by "robust rules of engagement" would need to be teased out.
- Arms embargo: the language of op 11, backed up by the terms of op 12, is drawn very much from earlier cases of imposing sanctions under Chapter VII except that Chapter VII is not invoked. As they stand ops 11-13 are non-binding. Can the Council in fact "decide that all States shall immediately take measures" to impose an arms embargo on Rwanda without invoking Chapter VII? To avoid confusion (and to ensure that the necessary domestic legal action is triggered in member states) it seems to us that op 11 should specify that the Council is acting under Chapter VII in that respect. Alternatively, ops 11-13 could be drawn out into a separate section under specific Chapter VII authority. If Chapter VII action is not in fact intended, then it would be better to avoid the word "decides" and the mandatory tone of the following phrases.

#### US Talking Points

8 The US ideas clearly need to be explored further and accommodated. We note that PR Albright's comments are pitched in opposition to a "large peace enforcement mission" that would "operate throughout Rwanda with a mandate to end the fighting restore law and order and pacify the population." No-one is, however, suggesting such a mandate at this stage.

## Sec-Gen's Non-Paper

9 Three key points emerged in our discussion with Defence. First a ceasefire must be seen as a priority. Second, if there is consensus that a UNAMIR-A type operation should be deployed, then it is difficult to see how it could work effectively without Chapter VII authority or clearly defined rules of engagement. (It is not so much a question of advocating a Chapter VII operation as of recognising what is required to enable the sort of operation envisaged to be effective). Third, the agreement of in particular the RPF as well as the interim government would be an important factor in determining the despatch of a UN force to Rwanda. We assume

C23246/WN1

Page 3

that the Council is consulting extensively with the RPF. The US talking points refer to need for the "assent of the Rwandan parties" for a mission.

We note the Sec-Gen is still emphasising the strategic significance of Kigali Airport. For the reasons outlined in our C23162 we continue to believe that any operation seeking to operate from the vitally important airport will require the consent of the warring parties. If the parties do not agree, a very large, mobile force including helicopters and armoured vehicles would be required to secure the airport and its environs (up to 20 kilometres). That seems hardly realistic in the circumstances. If Kigali were not available, the idea of a border relief operation based in and operating through neighbouring countries, as proposed by the US would change the concept of operations and force/personnel requirements.

End Message

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Our file: 3/88/1

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FROM:	NEW YOR	Κ	C04452/NYK	12-May-1994
TO:	WELLING	TON	WGTN UNSC	Immediate
cc:	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO DEFENCE	5	BONN CANBERRA HARARE MADRID OTTAWA SANTIAGO WASHINGTON	Routine Routine Routine Routine Routine Routine Routine Routine Routine
MFAT		(MEA, UNC, ISAC,	HRU, LGL, EUR, DP3, DSP3, EA	AB)
P/S MFA DEFENCE DEFENCE	HQNZDF	(DSIA, OPS, DDI) (GENTLES)		

Subject

SECURITY COUNCIL: RWANDA

Your C23246

#### Summary

- With some Council members preferring NZ draft resolution, both Presidential draft and NZ drafts are on the table
- Working group is meeting now after informals for detailed consideration
- Adoption of resolution tomorrow is a possibility
- Secretariat reports intense fighting continues in Kigali (as of Wed)
- "Foreign Minister" of Rwanda is in NY and seeks call on us. US and UK delegations refuse to meet with him. Canadians advise they declined approach for visit to Ottawa and US and Belgium refused visa applications.

# Action

- Confirmation that we may vote for a resolution tomorrow
- Confirmation we should not/not meet with so called Foreign Minister of Rwanda.

#### Report

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- Secretariat (Gharekhan) reported on the situation on the ground saying that intensive fighting continued in Kigali yesterday. The Hotel Milles Collines also came under attack from unidentified source. Movements of UNOMUR (existing UN force established on Uganda side of border) had been restricted in some places by Ugandan army. (This will impact on its ability to effectively monitor whether there is any flow of arms to Rwanda (RPF) from Uganda). Our IFF contains copy of Gharekhan's speaking notes.
- 3 As to the availability of troops for an expanded UNAMIR, Gharekhan said that OAU Sec Gen had advised that he had received offers of troops from "4 African countries" and mentioned Tanzania, Ghana and Nigeria in this regard. Fourth country was not identified because it's decision was not yet firm.
- 4 The President (Gambari) reported briefly on his meetings with RGF "Foreign Minister" and the RPF. Although both supported an expanded UNAMIR, the government preferred a bigger operation to cover the whole of Rwanda and which would interpose itself between the parties. The RPF wanted a smaller force with a more limited mandate.
- 5 Oman opened discussion with what is becoming something of a precondition for them relating to the need to have a cease-fire before the Council acts, saying it is inappropriate for the UN to help if the parties do not "help themselves by agreeing to a cease-fire". Although the Russians conceded there were some answers needed in this context, the line was most strongly countered by Czech, noting that the existence of a cease-fire was irrelevant to the mandate under discussion. The majority clearly accepted that a ceasefire could not be made a precondition.
- France expressed a preference for the NZ draft but minus those elements which are not immediately related to providing humanitarian assistance (ie human rights etc). They proposed that the focus of discussion be the NZ draft although if necessary without the reference to Chapter VII. As regards the arms embargo, (like us) they indicated that they were either in favour of actually establishing such an embargo (and setting up the required Council Committee to monitor it) or leaving the issue where it currently lies with the 30 April Presidential statement (ie not the contradictory provision proposed in the Presidential draft).
- 7 UK noted they would not press it, but felt that the resolution should confine itself to expressing a simple mandate relating to humanitarian protection only. Second they favoured leaving flexibility to the Force Commander and secretariat as to whether, under the changing circumstances, the force was Kigali centered or border centered (ie focussed either inside-out, or outside-in). It was unwise to "saddle" UNAMIR with a particular style, though they understood that

the preferred technical option was to center in Kigali.

- 8 UK noted UNOSOM I had illustrated the problems with becoming focussed solely on Mogadishu port, which resulted in the Council "getting stuck for months" on that issue. UK favoured setting a force limit "of up to []" in number which would also allow some flexibility for deployment of less than that number. Lastly, UK stressed need for at least some preliminary costings on which the Council could act. (To satisfy this concern, Gharekhan noted that secretariat would be presenting a brief report tomorrow).
- 9 US confined itself to asking alot of (good) questions but which are difficult to answer yet. How many troops are available? What skills do they have? What equipment do they bring? How quickly could they be deployed? What countries would provide logistical support etc? (We know from the Canadians that secretariat has approached both US and Spain asking for them to join the present sole effort by Canada in flying regularly into Kigali to resupply UNAMIR.)
- 10 China exhibited its traditional reluctance to contemplate using the words "Chapter VII" operations but interestingly accepted that an expanded UNAMIR, focussed on humanitarian assistance, would need "sufficiently strong rules of engagement". It accepted that UNAMIR could not be expected to have the complete cooperation of the parties and might need to use force but this did not mean that it should not use every effort to gain voluntary cooperation.
- 11 For our part, we focussed on 4 issues: the scope of the mandate, the concept of operations, the quantum of force required and the arms embargo. On the mandate, we said France that the framework for the operation should be humanitarian not peace-enforcement and that this meant there was a focus on two tasks, protection of civilians and protection of humanitarian assistance operations. On the concept of operations, we noted the two approaches, either "outside-in" or "inside-out" and that this was essentially a technical question (on which some flexibility could be displayed).
- 12 As regards the quantum of the force required we put the view that stating whether the operation was subject to either a Chapter VI or Chapter VII mandate was not the real issue. What is really important is to be very explicit that the operation has the right degree of authority to use force to carry out its mandate and that this is reflected in the rules of engagement. On the arms embargo we agreed with French position as above.
- 13 President summed up the discussion by noting that there was general agreement to focus on a humanitarian mandate and to contemplate a phased deployment (ie so that it was not held up till the entire force was in place), that there was a flexible concept of operations and that the arms embargo be

implemented. For Nigeria, it was also important, he noted, to place the expanded mandate in a political context (ie Arusha).

14 Working Group then convened and is meeting now.

#### Comment

- 15 If it would take many days to negotiate an omnibus resolution dealing with all possible issues, then on balance it would be preferable to move rapidly ahead at this stage and secure an expanded force. We could return to the other issues as a matter of priority in the context of a report from the Human Rights Commissioner and the special session of the Commission.
- 16 We do not discount possibility that Council may finalise a resolution tomorrow. It is pleasing that there is much support for the NZ draft.

#### "Foreign Minister" of Rwanda Visits

- 17 The "Foreign Minister" of "interim government" of Rwanda (Jerome Bicamumpaka) is in New York and has sought a call on us. UK and US delegations have declined to meet with him, even at junior levels. Canadians advise that they have reports from their embassies about his recent visits to Bonn and to Paris which indicate that he is engaged solely in a propaganda exercise aimed at promoting extremist Hutu views. Canadian view is that he is not interested in serious discussion of the problems and on this basis they indicated to the Rwandan Ambassador in Ottawa that a visit would not be welcome. They put it to him that he would be better off seriously negotiating a cease-fire and not travelling overseas to enlist political support.
- 18 We are not entirely clear how the "Ministerial" appointment has been made, but Canadians emphasise that constitutionally it is the Arusha Peace Accord which provides the legitimacy for any such appointments and since this has clearly not been applied, the appointment is not constitutional. We know also that Belgium and US have refused visas for purpose of visits to Brussels and Washington respectively. By contrast some likeminded members of the Council (Spain, Czech) and some others, France and of course the President, are seeing him.
- 19 We would propose that we do not meet Minister given the circumstances of continued reports of massacres in "government" held areas. Grateful your views.

#### End Message

# CONFIDENTIAL

Your ('le: 115/23/37

Our file: 3/88/1

22:18	(5254)		700/NYK/00000/00000	\$766.84
FROM:	NEW YOR	к	C04457/NYK	13-May-1994
TO:	WELLING'	ron	WGTN UNSC	Immediate
cc:	EC POSTS CANBERRS MOSCOW SANTIAGO WASHINGS DEFENCE	A O	BEIJING HARARE OTTAWA TOKYO GENEVA	Routine Routine Routine Routine Routine Routine
MFAT		(MEA, UNC, ISAC,	HRU, LGL, EUR, DSP1, EAB)	
P/S MFA DEFENCI DEFENCI	HQNZDF	(DSIA,OPS,DDI) (GENTLES)		

Subject

SECURITY COUNCIL: RWANDA

- Vote on resolution delayed until early next week in light of US lack of instructions
- Advance copy of Sec Gens formal report appears with recommendations relating to tasks and with preliminary costings (\$115 m for six month operation)
- Working group continued its consideration of draft resolution and Council prepared clean text with only a small point remaining in square brackets
- Resolution will include arms embargo despite Rwanda's sole opposition
- NZ insisted on clear and robust recognition that UNAMIR will probably need to use force to protect civilians and humanitarian deliveries
- Firm message given to so-called Foreign Minister of Rwanda who tried to sell us a pack of lies about responsibilities for massacres

#### Action

For information

#### Report

At conclusion of extensive negotiations on text of draft resolution US indicated that although it has no major

problems with the text as it now stands, they have broader difficulties needing solution about the concept of operations. Accordingly, it was not possible to proceed to consider the text formally today and it is not clear when US will be in a position to vote, possibly not till Tuesday. We cannot rule out that they will come back with amendments on Monday. Their main concern is of an operational nature ie they question UN military judgement about operating through Kigali. They are, however, prepared to assist with logistic support.

- An advance copy of the Sec Gen's formal report appeared this afternoon, based in large part on the earlier "non-paper". The expanded concept of operations proposes equal attention being given to establishing access to sites where displaced persons are concentrated to assure their protection, as to the needs of displaced persons in the interior of the country. This leaves the question of whether the operation is Kigali centered, or border centered for the force and the secretariat to decide.
- Although the parties are expected to establish Kigali airport as a "neutral zone" under UN exclusive control, if continued fighting prevents this however, UNAMIR would use secondary airstrips within the country. Sec Gen's report also noted that the rules of engagement, while not envisaging enforcement action, would have to contemplate UNAMIR II taking action against persons or groups threatening protected sites and the means of humanitarian delivery.
- 5 Sec Gen estimates cost at \$115m for six months although mandate is governed by Res 909 and expires on 29 July.
- 6 Working group continued its consideration of the text this morning and this afternoon. Council discussion followed which focused on issues relating to the degree of force required, the nature of the mandate (ie focussed only on safe areas or more broadly on providing protection to civilians throughout Rwanda), arms embargo and the question of investigation into human rights abuses and war crimes.
- The expanded UNAMIR will be a new type of UN creature, (ie neither peace enforcement nor traditional peacekeeping). There was strong opposition to putting it under Chapter VII. However we pressed our position that the use of that language was not the issue, but that it was important to avoid the situation witnessed time and again in the Bosnia context where UNPROFOR was effectively hampered by a single Serb policeman, (or even by civilians sitting in the road in front of a convoy). In Rwanda, the UN would face a serious credibility problem if it were again to be relegated to standing by and watching atrocities while being prevented from providing effective protection to civilians at risk. There was widespread support for this position.
- 8 We sought reassurance from the secretariat that this time

the UN force would seriously carry out its mandate. Otherwise what the Council was doing was making a political gesture only. Op 3 now reflects an acknowledgment that UNAMIR might be required to "take action" when civilians are threatened. The US, Spain and the NAM were particularly supportive of our concerns. Only the UK and China seemed hesitant.

- 9 Only Rwanda opposed the application of an arms embargo. President proposed therefore that it would be open for them to make an EOV on this issue and square brackets were removed.
- 10 On human rights abuses and war crimes, although it may have been alright to go along with no mention of these in the context of a slimmed down resolution dealing only with the mandate, it became apparent today that in fact this was the only issue which would be slimmed. Accordingly, although with some opposition, this issue was kept alive and included in the text.

# Situation Update

- 11 Secretariat gave us some information about the situation on the ground (which due to lateness of hour was not conveyed to the Council). The situation in Kigali remains tense and although there was a lull in the fighting on Thursday afternoon, intensive fighting restarted today (Fri) with heavy small arms fire and occasional mortar fire. There is no major change in the dispositions of the parties.
- 12 UNAMIR has sent a team to investigate a report that 88 students were massacred in the southern town of Gikongoro. Another report related to 7 killed in the presence of the Red Cross in a town 2 kms south of Gitarama (where the interim government is headquartered). Dr Bernard Kouchner (close friend of President Mitterrand and Former Minister of Health and Humanitarian Action of France, also ex-President of Medicines sans Frontiers) arrived in Kigali yesterday and is meeting with the interim government with a view to seeking to arrange the evacuation of displaced persons from Kigali. He had already met with the RPF commander who agreed to cooperate with all humanitarian activities of international organisations.\

## Meeting with so-called Foreign Minister

13 We met with so-called Foreign Minister of Rwanda, Bicamumpaka. He gave us a long and distorted account of events, basically stating that the problems started only after the RPF invaded and attacked from the north after the President's death. The RPF is the aggressor he claimed and the UN should provide a force to interpose itself between the parties. His most outrageous comments related however to the question of war crimes. The Rwanda government, he said, was prepared to investigate what had or had not gone on (by individual soldiers) but only after a cease-fire had been

agreea.

- 14 He categorically denied that the army was involved in any systematic killing proposing that it was impossible for it to be involved in the killing people at the same time as it was fighting a war with the RPF. In 8 provinces under its control, he said peace had been established and there had been no more killings. He went on to say that there were no NGO groups left in Rwanda and that therefore their information could be entirely discounted.
- 15 As to the question of the legitimacy of the government he said that the Arusha Accord made no provision for a successor to the President and that since the broad based transitional government (envisaged under Arusha to include the RPF and be established some months before the proposed elections) had not been set up at the time of the President's death it was necessary to establish a government which could negotiate with the RPF for the purposes of then proceeding to establish such a broad based transitional government.
- 14 We made it quite clear that we met with him as we met with any faction, or group of factions, in a conflict and that our meeting did not imply any sort of legitimacy in our view. To the contrary our view was that there is currently no legitimate government in Rwanda. We urged him to personally denounce war crimes by personnel supporting his factions and to exercise authority over those perpetuating them. We were very tough regarding his establishment of a precondition to exercising any control over the war criminals that a ceasefire be in place. We indicated that those who acquiesced in these activities and who had a responsibility to seek their halt could themselves be held responsible for war crimes.

#### Comment

15 The meeting was a sad one. Bicamumpaka probably believes that the RPF is in fact the aggressor and that this legitimised any "inter-ethnic killings" which "individuals" may be perpetrating in revenge. He just did not see that the evidence from some clearly credible sources, UNAMIR, ICRC etc pointed in the direction that there was a well organised and systematic attempt to eliminate Tutsie's which began immediately after the President's death. At that stage of course, all but one battalion of the RPF (confined to barracks in Kigali under UNAMIR control), was up in the north on the other side of the demilitarised zone patrolled by UNAMIR.

#### End Message

15/23/37



# MINISTER OF FOREIGN AFFAIRS AND TRADE

May 13, 1994

NZ pushes for humanitarian operation in Rwanda

New Zealand proposals form the basis of a resolution before the Security Council to approve a humanitarian relief operation in Rwanda, Foreign Minister Don McKinnon said.

"The proposal before the Security Council is for a UN force of around 5,500 whose task would be to protect the civilian population and provide security for relief operations.

"Regional African countries are expected to make up much of the new force," Mr McKinnon said.

The original UN Assistance Mission in Rwanda was reduced in April because of the danger to personnel and the fact that it could no longer do the task it was sent to do.

"A small presence was maintained as an intermediary between the parties, in efforts to get a ceasefire. Countries like Tanzania have also worked hard to achieve this.

"A strengthened UN operation will continue crucial efforts to get a ceasefire, and at the same time provide the protection desperately needed for the civilian population," Mr McKinnon said.

Since President Habyarimana's plane was shot down last month, Rwanda has tumbled into chaos and genocidal killing.

Mr Rider

Estimates put the number of deaths as high as 200,000. Another 1.2 million people have fled their homes, and refugees have poured into neighbouring countries.

The UN High Commissioner for Refugees, major aid donors and international non-governmental organisations are helping. Last week New Zealand gave emergency assistance of \$300,000.

Inquiries: Claire Ramsay Press secretary 04 471 9848 (W)

NYPM File: 3/88/1 15/2

NEW ZEALAND MISSION TO THE UNITED NATIONS, NEW YORK

Telephone: (212) 826-1960 (212) 758-0827

Date:

13 May 1994

TO:

WELLINGTON WGTN UNSC

PRECEDENCE: PRIORITY PRECEDENCE: PRIORITY

LD:

SFAT (MEA, UNC, LGL, HRU, EUR, DP3, DSP1, EAR) Page 1 of: 15

#### SECURITY COUNCIL: RWANDA

Our accompanying message refers.

Following are: 2

- SecGen's report on the expansion of UNAMIR; (a)
- (b) text of resolution reflecting the discussions in the working group today and those that followed in the subsequent informal consultations.
- SecGen's report envisages establishment of a UNAMIR II. As you will see in the draft resolution, however, Council prefers simply to expand the existing operation rather than to establish a new one. This avoids need to renegotiate political aspects of the mandate, which would be contentious, by simply adding humanitarian functions to the mandate set out in Res 912.
- Two versions of the resolution will come out in blue later tonight: one with words "as appropriate" retained in Op4(a) as sought by the British, and one with those words omitted - as sought by the Russians. Difference reflects British concern, which we share, that safe areas not be the sole tool for extending protection to Rwandans at risk, as against strong Russian preference to put establishment of such areas at the forefront of the performance of the humanitarian mandate.

#### I. INTRODUCTION

- 1. The present report is submitted in response to the letter of the President of the Security Council of 6 May 1994 (S/1994/546), requesting me to provide indicative contingency planning with regard to the delivery of humanitarian assistance as well as support to displaced persons in Rwanda.
- It will be recalled that the resumption of the civil conflict following the 2. tragic events of 6 April 1994, and the ensuing violence and massacres, created a situation that called into question the ability of the United Nations Assistance Mission for Rwanda (UNAMIR) to carry out its mandate under Security Council resolution 872 (1993) of 5 October 1993. Hence, with Council resolution 912 (1994), adopted on 21 April 1994, the Security Council authorized the adjustment of UNAMIR's mandate (a) to act as an intermediary between the parties in an attempt to secure their agreement to a cease-fire; (b) to assist in the resumption of humanitarian relief operations to the extent feasible; and (c) to monitor and report on developments in Rwanda, including the safety and security of the civilians who sought refuge with UNAMIR. In compliance with resolution 912 (1994), the force was sharply reduced, and now stands at 444, all ranks, in Rwands, and 179 military observers at Nairobi pending repatriation or redeployment to the Mission. Reductions to the authorized level have been suspended pending the outcome of the ongoing consideration by the Council.
- 3. The situation in Rwanda remains highly unstable and insecure, with widespread violence. Combat between the Rwandese government forces and the Rwandese Patriotic Front (RPF) continues, even though both the Rwandese government forces and RPF have separately expressed their readiness to enter into a cease-fire. The Rwandese government forces controls the west and south-western parts of Rwanda, while RPF is in control of the northern and eastern parts of the country, as well as areas in the south-east. The capital, Kigali, is divided between the Rwandese government forces and RPF, but the front line is fluid and changing as military actions continue. The Rwandese government forces continue to control the airport but hostilities in its vicinity interrupt its operations from time to time. Armed militia and other unruly elements continue to operate, although less frequently than at the beginning of the conflict, killing and terrorizing innocent civilians. It is estimated that nearly 2 million persons have been displaced, seeking safer places within Kigali, in

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various regions of the country and in border areas in neighbouring countries, principally the United Republic of Tanzania. Under these conditions, a major humanitarian crisis has developed.

#### II. POLITICAL ASPECTS

4. In accordance with resolution 912 (1994), and in support of the efforts of the Organization of African Unity (OAU), the United Republic of Tanzania, in its capacity as the facilitator of the Arusha peace process, and other interested parties, my Special Representative, Mr. Jacques-Roger Booh-Booh, and the UNAMIR force Commander, Major-General Romeo Dallaire, have undertaken, both inside Rwanda and at Arusha, all possible efforts since the resumption of the conflict to bring about a cease-fire agreement between the parties. Unfortunately, their efforts have been of no avail, but they are determined to persevere. Obviously, a cease-fire agreement is the first step in establishing a stable and secure environment in the country, thus allowing the organized, coordinated and secure delivery of humanitarian assistance and the reactivation of the Arusha peace process. In the prevailing conditions, however, it is essential that the United Nations consider what measures it can take even before a cease-fire is achieved.

#### III. HUMANITARIAN ASPECTS

- Given the pace of developments and the security situation, it has not been possible to assess accurately the humanitarian situation in Rwanda. However, early reports indicate that there are 250,000 displaced persons in the north, 65,000 in the east, and 1,200,000 in the south and south-west. Although there are some concentrations, the internally displaced appear to be widely scattered. At Kigali itself, some 30,000 displaced persons have taken refuge in public places and religious sanctuaries, where they are running out of food, water and basic medical supplies. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that 80,000 of the original 272,000 refugees from Burundi have remained in Rwanda. This situation is complicated by the fact that, prior to the war, some 1.2 million drought-affected people in the south who required emergency food assistance had been identified. In neighbouring countries, the Rwandese refugee population is estimated at more than 300,000, and UNHCR reports that as many as 1,500 refugees continue to arrive daily in the United Republic of Tanzania. It is most important that the basic humanitarian needs of these populations are met as soon as possible.
- 6. The Department of Humanitarian Affairs of the Secretariat has established the United Nations Rwanda Emergency Office (UNREO), in collaboration with the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), UNHCR, the World Food Programme (WFP), the World Health Organization (WHO) and the Food and Agriculture Organization of the United Nations (FAO). The office, temporarily located at Nairobi, has overall responsibility for coordinating humanitarian relief activities, including the prepositioning of relief supplies. Close coordination with the non-governmental organizations (NGOs), other international organizations and bilateral donors concerned is an essential part of the work of the office. An advance humanitarian assistance team has been positioned at Kigali to work with UNAMIR in carrying out

humanitarian operations and to advise in the expansion of activities where the situation permits. Other sub-offices in Rwanda or neighbouring countries are envisaged. A "flash" appeal covering immediate emergency assistance needs totalling about S16 million was issued on 25 April 1994.

- 7. In spite of the difficulties, limited emergancy operations have been initiated. For example, medical and nutritional supplies from UNICEF have been distributed in Kigali. WFP has been able to deliver more than 500 tons of food in the north and 840 tons in the south. Currently, three NGOs are active in Rwanda. Médecins sans Frontières is active in the north and Médecins du Monde is active in the south. The International Committee of the Red Cross (ICRC) has remained without interruption in Rwanda, focusing on emergency medical care and carrying out food deliveries in the north and south and in Kigali. UNAMIR has assisted in the delivery of food and other relief supplies to displaced persons in the Kigali area and has provided security for the activities of the advance team and NGOs. UNHCR is responding to the needs of refugees in neighbouring countries.
- 8. The United Nations humanitarian organizations, in consultation with UNAMIR and ICRC, have agreed on the following principles, which should serve as the basis for humanitarian operations in Rwanda:
- (a) Ensuring the security of relief staff (both national and international), the beneficiaries of relief assistance and of the relief materials themselves;
- (b) Joint identification by the responsible authorities and the respective United Nations humanitarian organizations of distribution sites;
- (c) Clear identification of interlocutors from the side of the authorities for the humanitarian aid organizations to liaise with regarding humanitarian operations, both at a central level as well as at the field level;
- (d) Acceptance by the responsible authorities of the monitoring and reporting responsibilities of the United Nations organizations regarding the distribution and use of relief materials;
- (e) An understanding that aid should be provided based on need, regardless of race, ethnic group, religion or political affiliation.
- 9. These principles have been submitted to the Rwandese government forces and RPF authorities for approval. The Rwandese government forces have formally notified the Humanitarian Coordinator of its agreement. RPF has also agreed to these principles.
- 10. While it is too early to present fully developed operational plans for the distribution of humanitarian assistance in Rwanda, the basic effort will be to respond to the urgent needs of all affected persons in all parts of the country whenever conditions so permit. With the consent of appropriate authorities in neighbouring countries, it is envisaged that extensive cross-border operations will be utilized to transport relief supplies. The detailed operational plans will take into account the need to avoid, as far as possible, further

displacement of the population. The objective will be to deliver assistance to the distressed in their existing locations, provided that these sites can be made secure.

#### IV. CONCEPT OF OPERATIONS

- 11. In his letter of 6 May 1994 (S/1994/546), the President of the Security Council informed me that, in view of the unabated hostilities and killings taking place in Rwanda, urgent and effective means of action must be considered. This would require that the Council decide upon an expanded mandate under which UNAMIR would support and provide safe conditions for displaced persons and other groups in Rwanda who have been affected by the hostilities or are otherwise in need, and assist in the provision of assistance by humanitarian organizations. The efforts of UNAMIR in this regard would be coordinated with those of the humanitarian organizations operating in Rwanda and/or engaged in assisting Rwandese refugees in neighbouring countries. The mission, as it would function under this amended mandate, is referred to herein as UNAMIR II.
- 12. UNAMIR II would provide security assistance to humanitarian organizations in their programmes for distribution of relief supplies. UNAMIR II would establish access to sites where displaced and other affected persons are concentrated and could assure their protection. Such protected sites would include areas inside Rwanda along the border with neighbouring States where refugees and displaced persons are concentrated. All protected sites would be patrolled and monitored by UNAMIR II, in cooperation with the local authorities wherever possible. At the same time, UNAMIR II would devote equal attention to the needs of displaced persons in the interior of the country and would provide escorts to relief convoys and security to United Nations installations there.
- 13. UNAMIR II would monitor border crossing points as operationally required, as well as the deployment of the parties in conflict, in order to assure the effective conduct of UNAMIR II operations.
- 14. Rigali airport is the most practical point of entry into the country and is therefore important for the induction of personnel, equipment and humanitarian relief goods. The parties would be expected to establish the airport as a "neutral zone" under the exclusive control of the United Nations before commencement of the deployment of the expanded force. However, if continued fighting prevents this, UNAMIR II would use other points of entry and resupply, such as secondary airstrips within the country. In addition, UNAMIR II would establish lines of communication, deployment and supply routes by land through neighbouring countries, particularly for the resupply of those protected sites located on Rwanda's borders.

# A. Rules of engagement

15. UNAMIR II's rules of engagement do not envisage enforcement action. The Mission would depend primarily on deterrence to carry out its tasks. However, UNAMIR II may be required to take action in self-defence against persons or groups who threaten protected sites and populations and the means of delivery and distribution of humanitarian relief.

#### B. Force structure

- 16. In order to execute its mandate, UNAMIR II must be composed of a credible, well-armed and highly mobile force. The size of the force is determined also by the size and terrain of the area of operation, which is land-locked, difficult and mountainous with very limited infrastructure. With these criteria, it is estimated that a minimum viable force of approximately 5,500 troops, including 5 infantry battalions, will be required to carry out the tasks described above. Readjustment of the size of the force may be necessary as the situation evolves.
- 17. The composition of the force would therefore include:
- (a) A force headquarters of approximately 219 personnel, built around the nucleus of the present headquarters, would include a supporting military signals/communication squadron. The force headquarters would continue to operate at Kigali;
- (b) Five battalions (approximately 4,000 personnel) comprising two mechanized battalions and three motorized battalions, each of which would have a mechanized company;
- (c) A force support battalion of approximately 721 personnel, which would provide logistical, maintenance, and medical service, and would include an engineer company capable of undertaking tasks such as mining clearance, bomb disposal and the rehabilitation of essential roads, bridges and the other infrastructure, as required by UNAMIR II to carry out its mandate;
- (d) A helicopter squadron of approximately 110 personnel and 16 helicopters;
- (e) A military police force of approximately 50 personnel would provide internal force security;
- (f) A military observer group of 320 officers would conduct the humanitarian security monitoring, liaison and escort-duty tasks throughout the area of operation, including at the border areas if necessary;
- (g) A force of 90 United Nations civilian police would be deployed in a similar fashion to the military observers, but would be dedicated to maintaining liaison with the local civilian authorities on matters relating to public security.



# C. Deployment schedule

- 18. The deployment of UNAMIR II would be conducted in three phases, subject to the timely availability of the necessary troops, equipment and airlift. "D-Day" is the date on which the Security Council resolution would be adopted authorizing the expanded mandate of UNAMIR II.
- 19. Phase 1 (D-Day + 7). The Ghanaian battalion would be brought to its full strength of 800 personnel and equipped with armoured personnel carriers. This unit would ensure the protection of Kigali International Airport, as well as other sites in the city, where thousands of displaced persons have sought refuge under UNAMIR protection. This battalion would also subsequently act as the force reserve.
- 20. Phase 2 (D-Day + 14). Deployment of two battalions (one mechanized and one motorized), some advance elements of the support battalion and all of the force headquarters and signal squadron. These troops would be deployed where the security situation is of greatest concern and where there is the highest concentration of displaced persons, including at border areas if necessary.
- 21. Phase 3 (D-Day + 31). Induction of the rest of the force support battalion and two other infantry battalions. The rest of the support battalion would establish logistic and engineer advance bases in the Ruhengeri, Byumba and Butare prefectures in order better to serve the field force. The two infantry battalions would be deployed to certain specific areas of the country in order to provide the necessary support and assistance to people in need in these areas and provide security arrangements to humanitarian assistance programmes.

#### D. Logistics

- 22. The deployment and logistical support of a force of 5,500 under the schedule described above is a difficult undertaking. In addition, Rwanda is a land-locked country with only one major airport (Rigali) and three secondary airports. Land movement between regional seaports (Mombasa, Dar es Salaam) and Rwanda requires several days in the best of conditions. It is therefore essential to deploy self-sufficient military contingents capable of operating independently, while logistical support is put in place by the United Nations. The concept of operations calls for the first three units to be moved by air, requiring military and commercial strategic airlift, that is, up to 10 passenger flights and 40 cargo flights (C-5A aircraft). The remainder of the force and its material would be transported by sea and air as soon as technically possible.
- 23. Because of the need to stabilize the security situation in Rwanda as quickly as possible, deployment of UNAMIR II will have to be carried out rapidly. The longer the delay in the deployment of the force from the time of a Security Council decision, the greater the prospect of the mission not achieving its purpose in operational terms.

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24. The most rapid deployment would be achieved with two formed infantry brigades with their integral logistical support. If formed brigades cannot be made available, it would be necessary to draw on the recent United Nations stand-by arrangements, but specific contributions for this Mission must still be negotiated. It is estimated that this process would require one to two months. Simultaneously with stand-by arrangements, the traditional method of requesting Governments for military forces would be used. Experience shows that it would take at least two to three months to achieve full deployment of forces. If forces are accepted without adequate equipment, experience shows that a further delay of several months would be incurred in providing the necessary equipment for those forces. It is therefore essential that Member States agree to make arrangements on a bilateral basis to provide the troops, equipment and airlift required for UNAMIR II.

#### E. Command and control

25. UNAMIR II would be headed by the Special Representative of the Secretary-General, who would have overall authority for all the activities of the Mission. The military component of the Mission would be commanded by the Force Commander. The present UNAMIR force headquarters would be expanded as indicated in paragraph 17 (a) above and would remain located at Kigali. Battalions would be deployed to designated regions or sectors in accordance with the modus operandidescribed in paragraphs 19 to 21 above. Battalion commanders would act as sector commanders within their assigned regions, under the direction of the Force Commander. The military signal unit would establish communications between the force headquarters, battalion headquarters and other designated units as necessary.

#### V. FINANCIAL ASPECTS

26. The cost associated with the deployment of the force described above would be approximately \$115 million for a six-month period (see annex). It would be my recommendation to the General Assembly that the costs would be considered an expense of the Organization in accordance with Article 17, paragraph 2, of the Charter of the United Nations and the assessments would be levied on Member States and be credited to the UNAMIR special account.

#### VI. OBSERVATIONS

27. The solution to the crisis in Rwanda must, in my judgement, be found through implementation of the Arusha agreement, which both sides say that they accept. For this to be achieved, it is clearly necessary that a cease-fire be agreed and put into effect at the earliest possible date. I have instructed my Special Representative and the Force Commander to continue to give the highest priority to the pursuit of both objectives. The Security Council may wish to issue another urgent call for the parties to agree to a cease-fire and, even before it comes into effect, to accept the designation of Kigali airport as a neutral zone under the exclusive control of the United Nations.

- 28. Heanwhile, there is an urgent requirement for the United Nations to increase its efforts to address the desperate humanitarian crisis created by the conflict. I welcome the idea that protected sites should be established close to Rwanda's borders with Burundi and the United Republic of Tanzania in order to facilitate the provision of relief to displaced persons who are already present in those areas. But I believe that it is essential that any such initiative should be matched by action to assist persons in need in the interior of Rwanda. These outnumber, by a factor of five, the displaced persons who are in the border areas or have already crossed into neighbouring countries. To concentrate the international community's efforts on the latter would be to address only a small part of the problem. Moreover, there would be a risk that protected sites in the border areas would act as a magnet to people in need in the interior of the country and would therefore increase even further the number of displaced persons.
  - 29. Expanded humanitarian operations, both in the border areas and in the interior, would also clearly be facilitated by a cease-fire, which would contribute immeasurably to the effective and secure distribution of relief supplies. However, if a cease-fire is not in place by the time the expanded force is deployed, my Special Representative and the Force Commander will continue to pursue this objective as the force is being put in place. I met with my Special Representative in Paris today and encouraged him to continue his efforts with a view to achieving a cease-fire agreement as soon as possible.
  - 30. As noted above, should UNAMIR II need to initiate deployment and resupply through neighbouring States, the Mission would require the active support of those States. UNAMIR II would also require the cooperation and support of the Rwandese parties. In this connection, I should like to note that my Special Representative and the Force Commander have presented the concept outlined herein to both the Rwandese government forces and RPF. I am encouraged by their initial positive responses. I have asked my Special Representative and the Force Commander to obtain confirmation from both parties of their support to this operation without preconditions.
  - 31. The world community has witnessed with horror and disbelief the slaughter and suffering of innocent civilians in Rwanda. While the chances for a lasting peace are fundamentally in the hands of the political and military leaders of the country, the international community cannot ignore the atrocious effects of this conflict on innocent civilians. I therefore recommend to the Security this conflict on innocent civilians. I therefore recommend to the Security Council that it approve the phased expansion of UNAMIR, as described above, to enable the Mission immediately to help alleviate the humanitarian crisis in enable the Mission immediately to help alleviate the humanitarian crisis in Rwanda. The mandate for UNAMIR II should be for a period of six months from the date of initial deployment, on the understanding that it would be reviewed by the Council as necessary and, in particular, following an agreement on a cease-fire.
  - 32. In concluding, I must again emphasize that in order for UNAMIR II to attain its objective, there can be no delay in its deployment.

33. I would like to express my deep gratitude to my Special Representative, the UNAMIR Force Commander, and all UNAMIR personnel, for their outstanding performance in the pursuance of UNAMIR's mandate under the extremely dangerous conditions in Rwanda.

# Annex

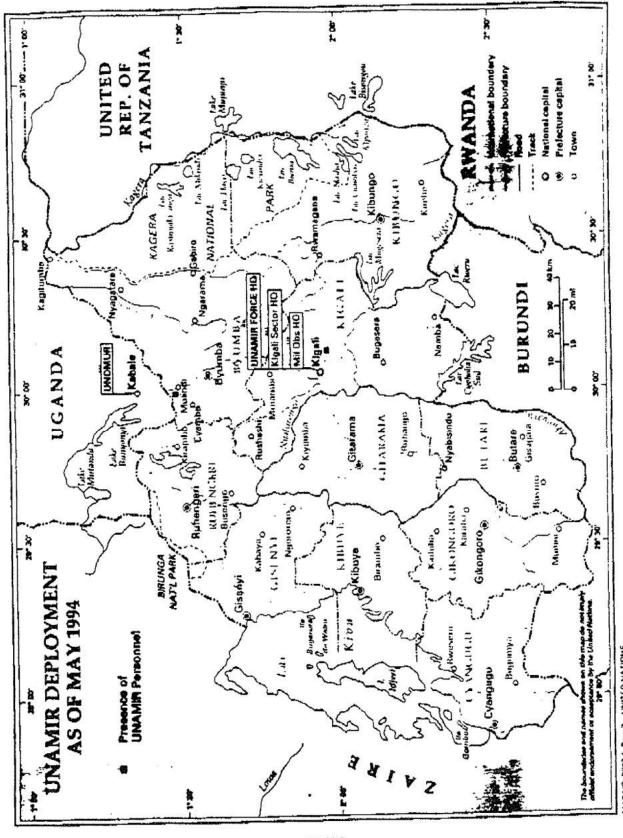
# United Nations Assistance Mission for Rwanda

# Summary cost estimate for the deployment of approximately 5,500 troops for a six-month period

# (In thousands of United States dollars)

		Amount
1.	Military personnel costs	60 100
2.	Civilian personnel costs	11 100
з.	Premises/accommodation	1 300
4.	Infrastructure repairs	700
5.	Transport operations	6 000
6.	Air operations	8 600
7.	Naval operations	-
8.	Communications	3 100
9.	Other equipment	4 500
10.	Supplies and services	4 500
11.	Election-related supplies and services	11.
12.	Public information programmes	300
13.	Training programmes	877
14.	Mine-clearing programmes	500
15.	Assistance for disarmament and demobilization	**
16.	Air and surface freight	12 000
17.	Integrated Management Information System	-
18.	Support account for peace-keeping operations	800
19.	Staff assessment	1 500
	Total	115 000

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MAP NO 3607 I Rev Z UNITEO NATIONS

PROVISIONAL |S S/1994/571 13 may 1994 ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Reaffirming all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR), its resolution 909 (1994) of 5 April 1994 which extended the mandate of UNAMIR until 29 July 1994, and its resolution 912 (1994) of 21 April 1994 by which it adjusted the mandate of UNAMIR,

Recalling the statements made by the President of the Council on 7 April 1994 (S/PRST/1994/16) and 30 April 1994 (S/PRST/1994/21),

Having considered the report of the Secretary-General dated 13 May 1994 (S/1994/45).

Reaffirming its resolution 868 (1993) of 29 September 1993 on the security of United Nations operations.

Strongly condemning the ongoing violence in Rwanda and particularly condemning the very numerous killings of civilians which have taken place in Rwanda and the impunity with which armed individuals have been able to operate and continue operating therein,

Stressing the importance of the Arusha Peace Agreement to the peaceful resolution of the conflict in Rwanda and the necessity for all parties to recommit themselves to its full implementation,

OF ANG Commending the efforts of the Organization of African Unity (OAU) and its agencies (as well as these of the Tanzanian Facilitator) in providing diplomatic, political and humanitarian support for the implementation of the relevant resolutions of the Council

Deeply concerned that the situation in Rwanda, which has resulted in the death of tens of thousands of innocent civilians, including women and children, the internal displacement of a significant percentage of the Rwandan population, and the massive exodus of refugees to neighbouring countries, constitutes a humanitarian crisis of enormous proportions,

Expressing once again its alarm at continuing reports of systematic, widespread and flagrant violations of international humanitarian law in Rwanda, as well as other violations of the rights to life and property,

Recalling in this context that the killing of members of an ethnic group with the intention of destroying such a group, in whole or in part, constitutes a crime punishable under international law,

Urging all parties to cease forthwith any incitement, especially through the mass media, to violence or ethnic hatred,

1..

by the conflict and concerned -2- that the continuation of the situation of Rwanda constitutes a threat to peace and security in the region,

Recalling also that it had requested the Secretary-General to make proposals for the investigation of reports of serious violations of international humanitarian law during the conflict,

Underlining the urgent need for coordinated international action to alleviate the suffering of the Rwandan people and to help restore peace in Rwanda, and in this connection welcoming cooperation between the United Nations and the countries of the region, especially the facilitator of the Arusha peace process,

Reaffirming its commitment to the unity and territorial integrity of Rwanda,

Recognizing that the people of Rwanda bear ultimate responsibility for national reconciliation and reconstruction of their country,

(Determing the the cityation in Ayanda constitutes a threat to international peace and security in the region,

- Demands that all parties to the conflict immediately cease hostilities, agree to a cease-fire, and bring an end to the mindless violence and carnage engulfing Rwanda;
- Decides to expand UNAMIR's mandate under resolution 912 (1994) to include the following additional responsibilities, within the limits of the resources available to it:
- To contribute to the security and protection of civilians in Rwanda, land to this end to participate in the carablishment and maintenance of secure bumanitarian areas. for the purpose of offering protection to concentrations of civilians at risk in particular displaced persons and refugees a and civilians at risk in Rwanda, including through the establishment and maintenance (as appropriate b) to provide security and support for the distribution of relief of secure

Reughites that hay be returned to take action in Still defence humanitaria and in accure areas and fee the protection of United Nations and other humanitagian personnel and the take the protection of United Nations and other humanitagian personnel or the means of delivery and distribution of humanitarian relief

- Authorizes in this context an expansion of the UNAMIR force level up to 5,500 troops;
- Urges the Secretary-General to commence the deployment of the expanded force, in phases as appropriate, in the shortest possible time;
- Encourages the Secretary-General to accelerate his efforts, in conjunction with the Secretary-General of OAU, to obtain from Member States the necessary personnel to enable deployment of the expanded UNAMIR to proceed urgently;
- Invites Member States to respond promptly to the Secretary-General's requests for logistical support capability for rapid deployment of the UNAMIR expanded force level and its support in the field;

against persons or groups who threaten protected sites and populations,

T(bis) Strongly urges all parties in Rwanda to cooperate fully with UNAMIR in the implementation of its mandate and in particular in ensuring the unimpeded delivery of humanitarian assistance;

- [8. Invites the Secretary-General to astablish a voluntary fund through which the contributions, where appropriate dould be changelled to the States or operations concerned;]
- 9. <u>Commends</u> the efforts of States, United Nations agencies and non-governmental organizations which have provided humanitarian and other assistance, <u>encourages</u> them to continue and increase such assistance, and <u>urges</u> others to provide such assistance;

**X**B.

<u>Determining</u> that the situation in Rwanda constitutes a threat to intermational peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

- 10. Decides that all States shall prevent the sale or supply to Rwanda by their nationals or from their territories or using their flag vessels or aircraft of arms and related material of all types, including weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts;
- 11. <u>Decides also</u> to establish, in accordance with rule 28 of the provisional rules of procedure of the Security Council, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations.
- (a) to seek from all States information regarding the action taken by them concerning the effective implementation of the embargo imposed by paragraph 10 above;
- (b) to consider any information brought to its attention by States concerning violations of the embargo, and in that context to make recommendations to the Council on ways of increasing the effectiveness of the embargo;
- (c) to rescommend appropriate measures in response to violations of the embargo imposed by paragraph 10 above and provide information on a regular basis to the Secretary-General for general distribution to Member States;
- 12. Calls upon all States, including States not members of the United Nations, and international organizations, to act strictly in accordance with the provisions of the present resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of the adoption of this resolution;

1...

# CONFIDENTIAL

115/23/37

Your / le:

Our file:

17:28 (	5251)	700/UNS/00000/00000	\$262.25
FROM:	WELLINGTON	C23286/WN1	13-May-1994
TO:	NEW YORK	WGTN UNSC	Immediate
cc:	EC POSTS CANBERRA WASHINGTON SANTIAGO GENEVA DEFENCE	BEIJING OTTAWA MOSCOW TOKYO HARARE	Routine Routine Routine Routine Routine Routine
MFAT	(UNC, MEA, I	SAC, HRU, LGL, EUR, DSP3, EAB)	
P/S MFA DEFENCE DEFENCE	HQNZDF (DSIA, OPS	, DDI)	

Subject

U49512: SECURITY COUNCIL: RWANDA

Your C04452.

#### Instruction

If a vote is taken tomorrow you should vote in favour and make EOV. You may meet so-called Foreign Minister of Rwanda and deliver firm message.

#### Report

- 2 Minister confirms you should vote in favour of resolution establishing expanded UNAMIR or new operation to protect civilian population and provide security for relief operations. Elements for EOV follow separately.
- We can understand why countries like Canada, Belgium and US have refused visas to the purported Rwandan Foreign Minister to conduct propoganda tours. However, since we have been on the Council we have been reluctant to cut ourselves off from parties to a dispute or spokespersons for a particular cause. While the US and UK have declined to see Bicamumpaka, we note that others including France, Spain and the President are seeing him.
- 4 Minister's view is that you may see Bicamumpaka and use opportunity to give him a firm message drawing as appropriate on following points:
- your meeting with him carries no implications for our view of the legality of his appointment;

My Refler

- New Zealand deplores the fighting that has engulfed Rwanda since President Habyarimana's plane was downed;
- we hold the armed forces and supporters of the interim government of Rwanda primarily responsible for the genocidal killings that have followed;
- we call on him and the remaining leadership of the interim government to publicly condemn such attacks and commit themselves to bring a stop to it;
- we urge his authorities to respond positively to the endeavours of the Sec-Gen's Special Representative and the Tanzanian Government to bring about a ceasefire and restore law and order;
- we urge the interim government's full cooperation with the UN and international relief agencies as the try to cope with the humanitarian crisis Rwanda faces;
- we expect the full cooperation of the interim government and armed forces of Rwanda with UNAMIR's Force Commander and the personnel remaining in Rwanda. We expect the same in respect of any expanded operation authorised by the Security Council;
- we expect his authorities to guarantee the freedom of movement and safety of UN military and humanitarian personnel in Rwanda.

#### <u>End Message</u>

Your file:

Our file:

17:28		Willberg 262.25		
FROM:	WELLINGTON	U49512	13 May 1994	Forsyth CAC Ward
				Rider Hughas
ro:	NEW YORK	WGTN UNSC	IMMEDIATE	Kembor
CC:	EC POSTS	BEIJING	ROUTINE	McMoster Co
	CANBERRA	OTTAWA	ROUTINE	TOUCH.
	WASHINGTON	MOSCOW	ROUTINE	McCormick AA
	SANTIAGO	TOKYO	ROUTINE	Rush
	GENEVA	HARARE	ROUTINE	Tyne
	DEFENCE		ROUTINE	Dalton
				Watson
TAT	(UNC, MEA, ISAC	, HRU, LGL, EUR,	DSP3, EAB)	
P/S MFA				
DEFENCE DEFENCE	E HQNZDF (DSIA, O E MOD	PS, DDI)		

SECURITY COUNCIL : RWANDA

Your C04452.

Instruction

If a vote is taken tomorrow you should vote in favour and make EOV. You may meet so-called Foreign Minister of Rwanda and deliver firm message.

#### Report

- Minister confirms you should vote in favour of resolution establishing expanded UNAMIR or new operation to protect civilian population and provide security for relief operations. Elements for EOV follow separately.
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- 4 Minister's view is that you may see Bicamumpaka and use opportunity to give him a firm message drawing as appropriate on following points:
- your meeting with him carries no implications for our view of the legality of his appointment;
- New Zealand deplores the fighting that has engulfed Rwanda since President Habyarimana's plane was downed;
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- we urge his authorities to respond positively to the endeavours of the Sec-Gen's Special Representative and the Tanzanian Government to bring about a ceasefire and restore law and order;
- we urge the interim government's full cooperation with the UN and international relief agencies as the try to cope with the humanitarian crisis Rwanda faces;
- we expect the full cooperation of the interim government and armed forces of Rwanda with UNAMIR's Force Commander and the personnel remaining in Rwanda. We expect the same in respect of any expanded operation authorised by the Security Council;
- we expect his authorities to guarantee the freedom of movement and safety of UN military and humanitarian personnel in Rwanda.

# CONFIDENTIAL

115/23/37

Your ( le: 115/23/37

Our file: 3/88/1

19:18 (5285)			700/NYK/00000/00000	\$965.77
FROM:	NEW YORK		C04469/NYK	18-May-1994
TO:	WELLINGT	ON	WGTN UNSC	Priority
cc:	BEIJING		BONN	Routine
	BRUSSELS		CANBERRA	Routine
	GENEVA		HARARE	Routine
	LONDON		MADRID	Routine
	MOSCOW		OTTAWA	Routine
	PARIS		SANTIAGO	Routine
	TOKYO		WASHINGTON	Routine
	DEFENCE			Routine
MFAT		(MEA, UNC, ISAC,	HRU, LGL, EUR, DP3, DSP1, EA	AB)
P/S MFA				
DEFENCE	HQNZDF	(DSIA, OPS, DDI)		
DEFENCE	MOD	(GENTLES)		

Subject

SECURITY COUNCIL: RWANDA

Our fax 2619.

#### Summary

- Council action on Rwanda shackled by US insistence on limiting expansion of UNAMIR to putting back some of those taken out in April
- New Zealand disappointment at US approach made clear in informal consultations and in formal Council session
- New Zealand also delivers strong public rebuke to Rwandan
   "Foreign Minister" for racist and tendentious remarks
- The arguments over the resolution are a telling demonstration of the need we have been pushing for an institution at less than the level of the full Council to thrash out the tactics of giving effect to Council policy

#### Action

Information

#### Report

We have already advised you by phone and fax of the events leading to the adoption in the early hours of Tuesday morning of Res 918 on the expansion of the UN presence in Rwanda.

Mrydd of

Following for the record and for repeat addressees is a summary of the background to and implications of the resolution.

- Last Friday (13 May) Council members had virtually agreed the text of a draft resolution providing for the expansion of the UN mission (UNAMIR) up to a level of 5,500. The US delegation had reserved its position on the text and had made clear Washington's preference for an operation focussed on the borders and working inwards (the "outside in" approach) as distinct from the UN's suggested "inside out" approach centred on Kigali but it had acquiesed in finalising the text indicating that its remaining concerns might be met in a general discussion of the SecGen's report.
- In essence, the US considered the Secretariat approach to be too ambitious, too risky and too uncertain, given continued hostilities, especially around Kigali airport which all recognised as being at the heart of the UN strategy. For its part, the UN (and most other Council members) considered that the US approach could amount to a cosmetic operation which ignored the plight of the people most at risk in the interior of Rwanda and focussed on people not in real danger.
- 4 On the morning of Monday (13 May), a large team from Washington interrogated the Secretariat about the concept of operations in the SecGen's report and about the responses received to the SecGen's approaches to African countries for troops for an expanded UNAMIR. As we understand it, most of the US questions were directed to securing answers to the various factors identified in PD26, the recently signed Presidential directive on the US approach to UN peacekeeping operations.
- 5 On Monday afternoon, the US (Inderfurth) advised the Council that the US had fundamental reservations about the approach in the SecGen's report, on which the draft resolution of the preceding Friday had been premised. He submitted a number of amendments to make the draft resolution accord with the US view of how the operation should be focussed.
- 6 There were two key aspects to the US amendments. The first was to require that the expanded operation be explicitly tied to the consent of the warring factions the Rwandese Government Forces (RGF) and the Rwandese Patriotic Front (RPF). The second requirement was to limit the expansion of UNAMIR to the first phase of reintroducing the (50 odd) military observers who had been evacuated to Nairobi but not repatriated, and to bringing the Ghanain battalion back to full strength (with the addition of some armoured personnel carriers (APCs)). Deployments of the subsequent phases would be not authorised without a further report by the SecGen in two weeks time and a further decision by the Council.

- 7 Inderfurth explained the first proposal in terms of bringing the operation into conformity with one of the essential elements in PD 26. As for the second, he argued that this would give the UN and the US time to obtain further information about which of the outside in or inside out approaches was the more feasible. He invited the Secretariat to confirm that consent was "vital" to the viability of the operation and that the deferral of the deployment of the main part of the expanded force as proposed by the US would not make any difference in real terms to the speed at which troops would get to Rwanda given the slow pace of replies to the SecGen's requests approaches. Gharekhan declined to offer confirmation on either point.
- 8 We led the opposition to both US amendments. On the issue of consent, we noted that as envisaged UNAMIR was not a traditional peacekeeping operation where, short of Chapter VII action, consent was a basic requirement. The whole concept of operations was based on the assumption that there was no ceasefire in place. The point of UN involvement was not to maintain a peace between the parties but to provide protection and assistance to civilians at risk. In the circumstances prevailing in Rwanda, where innocent civilians were being slaughtered, it would be unacceptable to give either of the parties a veto over UN action. Therefore, we resisted vigorously the US proposal to tie the mandate and/or the continuation of the operation to the consent of the parties.
- 9 We received strong support on this point from France, Argentina, Spain, the Czech Republic and Djibouti, and, albeit in muted tones, from the UK. The US eventually dropped its proposed amendment to the operative part of the resolution and settled for a preambular para proposed by the UK which stressed the importance attached to the support and cooperation of the parties but did not make the operation contingent on either.
- 10 The second US demand was even more problematic. We pointed out that the effect of the proposal would be effectively to limit the resolution to putting back some of the people who had been taken out in April after the Belgians pulled out (when the US had tried to close the operation down entirely). In terms of public presentation, this risked the UN being a laughing stock. In operational terms, the requirement for further reports and decisions in order to ensure the feasability of operation was likely to be self defeating. Troop contributors would be unlikely to commit themselves when the Council itself was so indecisive. The NAM shared our reservations.
- 11 The informals were adjourned to enable consultations on how to bridge the gap. The resulting corridor discussions confirmed that the US would not shift on the need for second decision point for deployment after the first phase. After an hour's standoff with the NAM, they were willing to fudge

the point a bit by providing that the next deployment would follow a report by the SecGen and "further review and action, as required, by the Council." This was enough to satisfy the NAM. We took exception, however, to the various factors which the report would be required to address (cooperation of the parties, progress towards a ceasefire, availability of resources and duration of the mandate) and proposed their removal so as not to give so public a signal of the Council's reluctance to give assistance to Rwanda. When the US refused to budge, we reserved our position.

- In the ensuing two hours before the vote (while the amended text was being translated), we gave serious consideration to abstaining on the resolution. Following consultations with the Minister and the Ministry, and given the NAM decision to vote yes (on the basis that something is better than nothing), we decided to support the text. Additional considerations were the possible impact that absence of NZ support might have on countries such as Australia and Canada, which are considering Secretariat requests for troops for the expanded force, and the danger that an abstention might be misconstrued as support for the Rwandan "Foreign Minister" who showed up to argue against the arms embargo contained in the resolution (see below). We made plain, however, our distaste with what had happened in our EOV which was the second made after the adoption of the resolution.
- Adoption of the resolution was delayed a further hour when the odious Rwandan "Foreign Minister" turned up to demand that he be allowed to vote against Part B of the resolution imposing the mandatory arms embargo. When advised that such a procedure would be inconsistent with Rwanda's notional cosponsorship of a "Presidential" text, he said he would then vote against the resolution as a whole. Such a public rejection of the resolution by one of the parties was clearly undesirable. Further informals resulted in the presidential designation of the resolution being withdrawn and agreement to vote separately on Part B and then on the rest of the resolution (along similar lines to the vote on Res 904 on the Hebron massacre). Somewhat to the surprise of the P4, and reflecting real anger at the US position the only countries ready to cosponsor the resolution were the P4, Spain and the Czech Republic.
- 14 Part B was adopted 14-1(Rwanda)-0; the remainder of the resolution was adopted 15-0-0. Following the Hebron formula, the President then sought and received confirmation (by silence) that the resolution as a whole had been adopted as Res 918 (1994).
- 15 All Council members made EOVs: Rwanda, Oman, Pakistan, Djibouti, China and Russia spoke before the vote; France, NZ, UK, US, Brazil, Spain, Argentina, Czech Rep and Nigeria spoke afterwards. With the exception of Rwanda, the statements were brief.

- 16 The Rwandan "Foreign Minister" gave a tendentious and racist 15 page diatribe to the effect that the recent killings were the understandable consequence of four centuries of oppression of the Hutus by the "haughty" Tutsi overlords, and went on to argue that in any event the real culprits in the killing of the President and the subsequent slaughter were the RPF.
- 17 Forewarned by the French, we and the UK had agreed beforehand that we should not let such remarks pass unchallenged. Although the UK, Spain and Argentina also criticised the "Foreign Minister's" statement, we were the first to do so and were the most direct. We were also the most critical of the content of the resolution. We understand that some of our remarks were later carried by the BBC and CNN. We have received many congratulations from a range of UN members on what we said to the "Foreign Minister" and on what we said about the substance of the resolution.

### Comment

- 18 All in all, the events of Monday night left a bad taste in the mouth. As a number of delegates and Secretariat members commented, it was not a good start to the despatch of a UN mission to what is undoubtedly one of the most desperate situations that has confronted the UN, even including Somalia. The shackles that the US, by threatening to use its veto, successfully placed on the operation are particularly regrettable in that light.
- 19 At a technical level we agree with many of the concerns that the US has raised and would naturally be inclined to be supportive were the situation not so desperate and were we not convinced that the motivation for the US approach has little to do with Rwanda and everything to do with the Administration's battle with Congress over peacekeeping. It was to be expected that there would be heavy pressure to apply the rule of PD26 to the proposal to expand UNAMIR since this is the first "peacekeeping" decision to be taken since its adoption. But as even the US has frequently acknowledged, the proposed expanded UNAMIR is not a traditional peacekeeping operation and it makes little sense to apply the traditional peacekeeping criteria on which PD26 is based.
- We agree that there is a clear need to establish a more detailed concept of operations and to whether inside out or outside in is the way to go. There is also a need to ascertain whether there will be resources available to do the job. But that does not mean the Council has to condition its political decision to establish what is a very modest force by requiring further reports and further decisions. Moreover, the process of technical elaboration of strategy is not something that can be done adequately by the Council at the level of Ambassadors. Nor can it be left for the

powerful Council members to work it things out privately with the Secretariat as the Permanent Members like to do. As we hinted in our EOV, and pointed out more directly to Inderfurth and Albright privately, the events of Monday are a clear demonstration of the need for an institutionalised forum for such technical discussions on how to give effect to the political decisions of the Council.

21 General Sanderson, the former Commander of the UN force in Cambodia (UNTAC), made an interesting remark at a lunch yesterday hosted in his honour by Richard Butler. Commenting on the discussion on the events of the night before, he said he was rather depressed to hear that the United States wanted the Security Council to engage so much in what were matters of tactics when they should be focussing on strategy. USG Goulding made an even more telling comment about the SecGen's attitude to Rwanda. He said the SecGen considered that the world would be in ferment if 200,000 people had been killed in a month in Europe; he was not about to let the Council turn away from Rwanda just because the problems there were hard.

NYPM File:

→→→ UNSC

NEW ZEALAND MISSION TO THE UNITED NATIONS, NEW YORK

Telephone: (212) 826-1960

Fax: (212) 758-0827

Date:

17 May 1994

TO:

WELLINGTON

WGTN UNSC

PRECEDENCE:

IMMEDIATE

LD:

SFAT (MEA, LGL, UNC, ISAC, DSP3)

Page 1 of:

Subject: SECURITY COUNCIL: RWANDA

Attached is text of Resolution 918 which was adopted in the early hours of Tuesday, 17 May.

LGL will note that arms embargo comes into immediate effect.

As you will see the US has essentially gutted the resolution. The Secretary General can only deploy the remaining UNMOS in Nairobi (about 50 men - and what use are unarmed UNMOS anyway?) and the balance of the Ghanaians (about 100 - who have returned to Accra). In reality the expansion is a fiction. There is nothing to contribute at all to the fundamental concern about civilians at risk in the interior of the country. Any further deployments are hostage to a reporting procedure and further decisions.

The New Zealand EOV (which is also attached) contains a strong denunciation of what has happened.

As you know we seriously considered abstaining but, after a discussion with the Minister and in light of the fact that the NAM decided to vote in favour (on the basis that 10 percent of a cake is better than none) and we would have been in the odious company of the Rwandan apologist for the "interim government" who turned up to speak, in the end we cast our vote in support.

African delegations (both in Council and out) who were present in the Chamber were strongly supportive of our statement. Also, Canada and Australia were particularly pleased.

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## Security Council

PROVISIONAL

→→→ UNSC

(Rwanda voted No)

S/1994/571 16 May 1994

SR 918 (1994)
Parts A+C adopted 15-0-0
Port 8 9depted 14-1-0

ORIGINAL: ENGLISH

### Draft resolution

The Security Council,

Reaffirming all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR), its resolution 909 (1994) of 5 April 1994 which extended the mandate of UNAMIR until 29 July 1994, and its resolution 912 (1994) of 21 April 1994 by which it adjusted the mandate of UNAMIR,

Recalling the statements made by the President of the Council on 7 April 1994 (S/PRST/1994/16) and 30 April 1994 (S/PRST/1994/21),

Having considered the report of the Secretary-General dated 13 May 1994 (\$/1994/565),

Reaffirming its resolution 868 (1993) of 29 September 1993 on the security of United Nations operations,

Strongly condemning the ongoing violence in Rwanda and particularly condemning the very numerous killings of civilians which have taken place in Rwanda and the impunity with which armed individuals have been able to operate and continue operating therein,

Stressing the importance of the Arusha Peace Agreement to the peaceful resolution of the conflict in Rwanda and the necessity for all parties to recommit themselves to its full implementation,

Commending the efforts of the Organization of African Unity (OAU) and its organs, as well as the efforts of the Tanzanian Facilitator, in providing diplomatic, political, humanitarian support for the implementation of the relevant resolutions of the Council,

Deeply concerned that the situation in Rwanda, which has resulted in the death of many thousands of innocent civilians, including women and children, the

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S/1 4/571 English Page 2

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internal displacement of a significant percentage of the Rwandam population, and the massive exodus of refugees to neighbouring countries, constitutes a humanitarian crisis of enormous proportions,

Expressing once again its alarm at continuing reports of systematic, widespread and flagrant violations of international humanitarian law in Rwanda, as well as other violations of the rights to life and property,

Recalling in this context that the killing of members of an ethnic group with the intention of destroying such a group in whole or in part constitutes a crime punishable under international law,

Strongly urging all parties to cease forthwith any incitement, especially through the mass media, to violence or ethnic hatred,

Recalling also its request to the Secretary-General to collect information on the responsibility for the tragic incident that resulted in the death of the Presidents of Rwanda and Burundi;

Recalling also that it had requested the Secretary-General to make proposals for the investigation of reports of serious violations of international humanitarian law during the conflict,

Underlining the urgent need for coordinated international action to alleviate the suffering of the Rwandan people and to help restore peace in Rwanda, and in this connection welcoming cooperation between the United Nations and the OAU as well as with countries of the region, especially the facilitator of the Arusha peace process,

Desiring in this context to expand the mandate of UNAMIR for humanitarian purposes, and stressing the importance it attaches to the support and cooperation of the parties for the successful implementation of all aspects of that mandate,

Reaffirming its commitment to the unity and territorial integrity of Rwanda,

Recognizing that the people of Rwanda bear ultimate responsibility for national reconciliation and reconstruction of their country,

Deeply disturbed by the magnitude of the human suffering caused by the conflict and concerned that the continuation of the situation in Rwanda constitutes a threat to peace and security in the region,

A.

 Demands that all parties to the conflict immediately cease hostilities, agree to a cease-fire, and bring an end to the mindless violence and carnage engulfing Rwanda;

S/1994/571 English Page 3

- Welcomes the report of the Secretary-General dated 13 May 1994 (S/1994/565);
- 3. <u>Decides</u> to expand UNAMIR's mandate under resolution 912 (1994) to include the following additional responsibilities within the limits of the resources available to it:
- (a) To contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance, where feasible, of secure humanitarian areas;
- (b) To provide security and support for the distribution of relief supplies and humanitarian relief operations;
- 4. Recognizes that UNAMIR may be required to take action in self-defence against persons or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief;
- Authorizes in this context an expansion of the UNAMIR force level up to 5,500 troops;
- 6. Requests the Secretary-General, as recommended in his report, and as a first phase, immediately to redeploy to Rwanda the UNAMIR military observers currently in Nairobi and to bring up to full strength the elements of the mechanized infantry battalion currently in Rwanda;
- 7. Further requests the Secretary-General to report as soon as possible on the next phase of UNAMIR's mission including, inter alia, on the cooperation of the parties, progress towards a cease-fire, availability of resources and the proposed duration of the mandate for further review by the Council and describes action, as required, by the Council;
- 8. Encourages the Secretary-General to accelerate his efforts, in conjunction with the Secretary-General of OAU, to obtain from Member States the necessary personnel to enable deployment of the expanded UNAMIR to proceed urgently;
- 9. <u>Invites Member States</u> to respond promptly to the Secretary-General's request for the resources required, including logistical support capability for rapid deployment of the UNAMIR expanded force level and its support in the field;
- 10. Strongly urges all parties in Rwanda to cooperate fully with UNAMIR in the implementation of its mandate and in particular in ensuring its freedom of movement and the unimpeded delivery of humanitarian assistance, and <u>further Calls upon</u> them to treat Kigali sirport as a neutral zone under the control of UNAMIR;
- 11. <u>Demands</u> that all parties in Rwanda strictly respect the persons and premises of the United Nations and other organizations serving in Rwanda, and

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S/2094/571 English Page 4

refrain from any acts of intimidation or violence against personnel engaged in humanitarian and peace-keeping work;

12. <u>Commends</u> the efforts of States, United Nations agencies and non-governmental organizations which have provided humanitarian and other assistance, <u>encourages</u> them to continue and increase such assistance, and <u>urges</u> others to provide such assistance;

B.

Determining that the situation in Rwanda constitutes a threat to peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

- 13. <u>Decides</u> that all States shall prevent the sale or supply to Rwanda by their nationals or from their territories or using their flag vessels or aircraft of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts;
- 14. Decides also to establish, in accordance with rule 28 of the provisional rules of procedure of the Security Council, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:
- (a) To seek from all States information regarding the action taken by them concerning the effective implementation of the embargo imposed by paragraph 13 above;
- (b) To consider any information brought to its attention by States concerning violations of the embargo, and in that context to make recommendations to the Council on ways of increasing the effectiveness of the embargo;
- (c) To recommend appropriate measures in response to violations of the embargo imposed by paragraph 13 above and provide information on a regular basis to the Secretary-General for general distribution to Member States;
- 15. Calls upon all States, including States not Members of the United Nations, and international organizations, to act strictly in accordance with the provisions of the present resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of the adoption of this resolution;
- 16. <u>Decides</u> that the provisions set forth in paragraphs 13 and 15 above do not apply to activities related to UNAMIR and UNOMUR;

S/1994/571 Engliah Page 5

17. Requests the Secretary-General to provide all necessary assistance to the Committee and to make the necessary arrangements in the Secretariat for this purpose;

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- 18. Requests the Secretary-General to present a report as soon as possible on the investigation of serious violations of international humanitarian law committed in Rwanda during the conflict;
- 19. Invites the Secretary-General and his Special Representative, in coordination with the Organization of African Unity and countries in the region, to continue their efforts to achieve a political settlement in Rwanda within the framework of the Arusha Peace Agreement;
- 20. Decides to keep the situation in Rwanda under constant review and requests the Secretary-General to report further, including on the humanitarian situation, within five weeks of the adoption of this resolution and again in good time before the expiration of the current mandate of UNAMIR;
  - 21. Decides to remain actively seized of the matter.

### EXPLANATION OF VOTE ON RWANDA

# **DELIVERED BY** MR COLIN KEATING NEW ZEALAND PERMANENT REPRESENTATIVE

17 MAY 1994

AS DELIVERED

( )

### Explanation of Vote on Rwanda

The first speaker in our debate should not have spoken. I say this for two reasons.

First, because he does not represent a State. He has no legitimacy and is merely the mouth piece of a faction. He should not have been seated in a privileged position at this table.

Secondly, he has given us a shameful distortion of the truth.

Mr President, My delegation has voted in favour of Resolution 918. But I cannot conceal my delegation's disappointment that this resolution only approves a very modest first phase of the expanded United Nations presence which we believe is essential in Rwanda.

To be true there are some very important and positive elements in this resolution.

It contains a commitment to go back to Rwanda with a new mandate to protect civilians at risk and provide security for humanitarian relief operations.

It also signals quite clearly that the UN presence should be sufficiently robust and that force will be used if necessary against those who threaten protected sites and populations.

It imposes a mandatory arms embargo on Rwanda and it requests a report as soon as possible on the investigation of war crimes and genocide committed in Rwanda over the past 4 weeks.

But this resolution stops short of what is really necessary. My delegation proposed a draft resolution 10 days ago which envisaged all of the elements in this text but which contained, in addition, one further key element the commitment of the Council to an operation that would make a start at the task of protecting civilians at risk at various locations in the interior of Rwanda.

Mr President, No-one can seriously expect the United Nations to provide support for every civilian at risk in Rwanda. Even if the force were fully deployed as we would like it will take time and it will be difficult to cover all of the country. We all know that any operation can only do what is possible within available resources.

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But, in our view, there is no need for the Council to condition its agreement by a requirement for further reports and further review.

New Zealand would be the first to agree that there needs to be a detailed hands on process of interaction between the Council and the Secretariat to update and fine tune the operational concept as the planning is finalised in the period prior to deployment. Indeed we would like to see institutional arrangements within the Council for a more hands on approach to all of the complex operations supervised by the Council.

But there was no need in this case to condition the deployment as has been done in operative paragraph 6.

We urge that the Secretary General's report under operative paragraph 6 be submitted as quickly as possible.

We urge that the second phase deployment of the expanded UNAMIR also be undertaken as quickly as possible.

The burden now falls on the Council to make this work and we will be looking to all members of the Council to live up to the expectations that have been created.

### CONFIDENTIAL

(15/23/37 C

Your/Tile:

115/23/37

Our file:

3/88/1

15225)		700/NYK/000	00/0000		\$965.77
NEW YORK	ζ.	C04469/NYK			18-May-1994
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Subject

SECURITY COUNCIL: RWANDA

Our fax 2619.

### Summary

- Council action on Rwanda shackled by US insistence on limiting expansion of UNAMIR to putting back some of those taken out in April
- New Zealand disappointment at US approach made clear in informal consultations and in formal Council session
- New Zealand also delivers strong public rebuke to Rwandan
   "Foreign Minister" for racist and tendentious remarks
- The arguments over the resolution are a telling demonstration of the need we have been pushing for an institution at less than the level of the full Council to thrash out the tactics of giving effect to Council policy

### Action

Information

### Report

We have already advised you by phone and fax of the events leading to the adoption in the early hours of Tuesday morning of Res 918 on the expansion of the UN presence in Rwanda.

Following for the record and for repeat addressees is a summary of the background to and implications of the resolution.

- Last Friday (13 May) Council members had virtually agreed the text of a draft resolution providing for the expansion of the UN mission (UNAMIR) up to a level of 5,500. The US delegation had reserved its position on the text and had made clear Washington's preference for an operation focussed on the borders and working inwards (the "outside in" approach) as distinct from the UN's suggested "inside out" approach centred on Kigali but it had acquiesed in finalising the text indicating that its remaining concerns might be met in a general discussion of the SecGen's report.
- In essence, the US considered the Secretariat approach to be too ambitious, too risky and too uncertain, given continued hostilities, especially around Kigali airport which all recognised as being at the heart of the UN strategy. For its part, the UN (and most other Council members) considered that the US approach could amount to a cosmetic operation which ignored the plight of the people most at risk in the interior of Rwanda and focussed on people not in real danger.
- 4 On the morning of Monday (13 May), a large team from Washington interrogated the Secretariat about the concept of operations in the SecGen's report and about the responses received to the SecGen's approaches to African countries for troops for an expanded UNAMIR. As we understand it, most of the US questions were directed to securing answers to the various factors identified in PD26, the recently signed Presidential directive on the US approach to UN peacekeeping operations.
- 5 On Monday afternoon, the US (Inderfurth) advised the Council that the US had fundamental reservations about the approach in the SecGen's report, on which the draft resolution of the preceding Friday had been premised. He submitted a number of amendments to make the draft resolution accord with the US view of how the operation should be focussed.
- 6 There were two key aspects to the US amendments. The first was to require that the expanded operation be explicitly tied to the consent of the warring factions the Rwandese Government Forces (RGF) and the Rwandese Patriotic Front (RPF). The second requirement was to limit the expansion of UNAMIR to the first phase of reintroducing the (50 odd) military observers who had been evacuated to Nairobi but not repatriated, and to bringing the Ghanain battalion back to full strength (with the addition of some armoured personnel carriers (APCs)). Deployments of the subsequent phases would be not authorised without a further report by the SecGen in two weeks time and a further decision by the Council.

- 7 Inderfurth explained the first proposal in terms of bringing the operation into conformity with one of the essential elements in PD 26. As for the second, he argued that this would give the UN and the US time to obtain further information about which of the outside in or inside out approaches was the more feasible. He invited the Secretariat to confirm that consent was "vital" to the viability of the operation and that the deferral of the deployment of the main part of the expanded force as proposed by the US would not make any difference in real terms to the speed at which troops would get to Rwanda given the slow pace of replies to the SecGen's requests approaches. Gharekhan declined to offer confirmation on either point.
- 8 We led the opposition to both US amendments. On the issue of consent, we noted that as envisaged UNAMIR was not a traditional peacekeeping operation where, short of Chapter VII action, consent was a basic requirement. The whole concept of operations was based on the assumption that there was no ceasefire in place. The point of UN involvement was not to maintain a peace between the parties but to provide protection and assistance to civilians at risk. In the circumstances prevailing in Rwanda, where innocent civilians were being slaughtered, it would be unacceptable to give either of the parties a veto over UN action. Therefore, we resisted vigorously the US proposal to tie the mandate and/or the continuation of the operation to the consent of the parties.
- 9 We received strong support on this point from France, Argentina, Spain, the Czech Republic and Djibouti, and, albeit in muted tones, from the UK. The US eventually dropped its proposed amendment to the operative part of the resolution and settled for a preambular para proposed by the UK which stressed the importance attached to the support and cooperation of the parties but did not make the operation contingent on either.
- 10 The second US demand was even more problematic. We pointed out that the effect of the proposal would be effectively to limit the resolution to putting back some of the people who had been taken out in April after the Belgians pulled out (when the US had tried to close the operation down entirely). In terms of public presentation, this risked the UN being a laughing stock. In operational terms, the requirement for further reports and decisions in order to ensure the feasability of operation was likely to be self defeating. Troop contributors would be unlikely to commit themselves when the Council itself was so indecisive. The NAM shared our reservations.
- 11 The informals were adjourned to enable consultations on how to bridge the gap. The resulting corridor discussions confirmed that the US would not shift on the need for second decision point for deployment after the first phase. After an hour's standoff with the NAM, they were willing to fudge

the point a bit by providing that the next deployment would follow a report by the SecGen and "further review and action, as required, by the Council." This was enough to satisfy the NAM. We took exception, however, to the various factors which the report would be required to address (cooperation of the parties, progress towards a ceasefire, availability of resources and duration of the mandate) and proposed their removal so as not to give so public a signal of the Council's reluctance to give assistance to Rwanda. When the US refused to budge, we reserved our position.

- In the ensuing two hours before the vote (while the amended text was being translated), we gave serious consideration to abstaining on the resolution. Following consultations with the Minister and the Ministry, and given the NAM decision to vote yes (on the basis that something is better than nothing), we decided to support the text. Additional considerations were the possible impact that absence of NZ support might have on countries such as Australia and Canada, which are considering Secretariat requests for troops for the expanded force, and the danger that an abstention might be misconstrued as support for the Rwandan "Foreign Minister" who showed up to argue against the arms embargo contained in the resolution (see below). made plain, however, our distaste with what had happened in our EOV which was the second made after the adoption of the resolution.
- Adoption of the resolution was delayed a further hour when the odious Rwandan "Foreign Minister" turned up to demand that he be allowed to vote against Part B of the resolution imposing the mandatory arms embargo. When advised that such a procedure would be inconsistent with Rwanda's notional cosponsorship of a "Presidential" text, he said he would then vote against the resolution as a whole. public rejection of the resolution by one of the parties was clearly undesirable. Further informals resulted in the presidential designation of the resolution being withdrawn and agreement to vote separately on Part B and then on the rest of the resolution (along similar lines to the vote on Res 904 on the Hebron massacre). Somewhat to the surprise of the P4, and reflecting real anger at the US position the only countries ready to cosponsor the resolution were the P4, Spain and the Czech Republic.
- 14 Part B was adopted 14-1(Rwanda)-0; the remainder of the resolution was adopted 15-0-0. Following the Hebron formula, the President then sought and received confirmation (by silence) that the resolution as a whole had been adopted as Res 918 (1994).
- 15 All Council members made EOVs: Rwanda, Oman, Pakistan, Djibouti, China and Russia spoke before the vote; France, NZ, UK, US, Brazil, Spain, Argentina, Czech Rep and Nigeria spoke afterwards. With the exception of Rwanda, the statements were brief.

- 16 The Rwandan "Foreign Minister" gave a tendentious and racist 15 page diatribe to the effect that the recent killings were the understandable consequence of four centuries of oppression of the Hutus by the "haughty" Tutsi overlords, and went on to argue that in any event the real culprits in the killing of the President and the subsequent slaughter were the RPF.
- 17 Forewarned by the French, we and the UK had agreed beforehand that we should not let such remarks pass unchallenged. Although the UK, Spain and Argentina also criticised the "Foreign Minister's" statement, we were the first to do so and were the most direct. We were also the most critical of the content of the resolution. We understand that some of our remarks were later carried by the BBC and CNN. We have received many congratulations from a range of UN members on what we said to the "Foreign Minister" and on what we said about the substance of the resolution.

### Comment

- 18 All in all, the events of Monday night left a bad taste in the mouth. As a number of delegates and Secretariat members commented, it was not a good start to the despatch of a UN mission to what is undoubtedly one of the most desperate situations that has confronted the UN, even including Somalia. The shackles that the US, by threatening to use its veto, successfully placed on the operation are particularly regrettable in that light.
- 19 At a technical level we agree with many of the concerns that the US has raised and would naturally be inclined to be supportive were the situation not so desperate and were we not convinced that the motivation for the US approach has little to do with Rwanda and everything to do with the Administration's battle with Congress over peacekeeping. It was to be expected that there would be heavy pressure to apply the rule of PD26 to the proposal to expand UNAMIR since this is the first "peacekeeping" decision to be taken since its adoption. But as even the US has frequently acknowledged, the proposed expanded UNAMIR is not a traditional peacekeeping operation and it makes little sense to apply the traditional peacekeeping criteria on which PD26 is based.
- We agree that there is a clear need to establish a more detailed concept of operations and to whether inside out or outside in is the way to go. There is also a need to ascertain whether there will be resources available to do the job. But that does not mean the Council has to condition its political decision to establish what is a very modest force by requiring further reports and further decisions. Moreover, the process of technical elaboration of strategy is not something that can be done adequately by the Council at the level of Ambassadors. Nor can it be left for the

powerful Council members to work it things out privately with the Secretariat as the Permanent Members like to do. As we hinted in our EOV, and pointed out more directly to Inderfurth and Albright privately, the events of Monday are a clear demonstration of the need for an institutionalised forum for such technical discussions on how to give effect to the political decisions of the Council.

21 General Sanderson, the former Commander of the UN force in Cambodia (UNTAC), made an interesting remark at a lunch yesterday hosted in his honour by Richard Butler. Commenting on the discussion on the events of the night before, he said he was rather depressed to hear that the United States wanted the Security Council to engage so much in what were matters of tactics when they should be focussing on strategy. USG Goulding made an even more telling comment about the SecGen's attitude to Rwanda. He said the SecGen considered that the world would be in ferment if 200,000 people had been killed in a month in Europe; he was not about to let the Council turn away from Rwanda just because the problems there were hard.

### CONFIDENTIAL

115/23/37

Your file:

Our file:

3/88/1

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Subject

RWANDA: POSSIBLE NEW ZEALAND LOGISTICS CONTRIBUTION TO UNAMIR

### Summary

- The UN urgently needs logistics support to mount the expanded force in Rwanda
- An offer of a New Zealand C130 to operate as part of the aerial supply line from Nairobi to Rwanda would be an invaluable contribution to a UN operation and a country in desperate need

### Action

Consideration of and advice on whether New Zealand is prepared to offer the UN this kind of assistance.

### Report

As you will appreciate, one of the major problems facing the UN in mounting and sustaining the expanded UNAMIR force called for in Res 918 will be logistical support. An immediate problem is likely to be in getting African troops (eg from Ghana and Zimbabwe) from their home bases to Rwanda. Even more important will be the longer term task of sustaining the force in the field.

The landlocked nature of Rwanda and the terrain of the interior as well as that of neighbouring countries mean that much of the expanded force and its supplies will have to be flown in, preferably to Kigali airport. If Kigali airport is not available, then the UN plans to fly into a couple of grass strip runways in other parts of the country.

- 3 we understand that the UN is hoping that the United States will assist with the first task of getting troops and equipment to Rwanda in the same way it ferried the expanded ECOMOG forces to Liberia (though the current American caution to the whole concept of the expanded force has cast some doubt on that score). The UN are currently exploring the options for securing heavy airlift capacity for the longer term supply operation.
- At present, the supply load is falling exclusively on the aircraft that the Canadians have made available to UNAMIR, but that single plane will have to be reinforced when the expanded force is put into the field. Because of the distances and quantities involved, as well as the possibility that unsealed strips may have to be used, Hercules C130s are the aircraft of choice.
- 5 It occurs to us that one extremely valuable contribution that New Zealand might be able to make the Rwanda operation without putting New Zealand lives unduly at risk, and which would not detract from or complicate a possible NZ contribution to Bosnia, would be for New Zealand to make available to the UN an RNZAF C130 and crew for a defined period. The principal task would be to operate the Nairobi-Kigali supply route, but it might also be that the UN would ask that the aircraft also be used to ferry African troops to Rwanda.
- 6 We have not discussed this idea with the Secretariat. But we know from the comments they have made to us about the difficulties of securing the necessary logistic support capability and from remarks by other delegations that an indication of possible New Zealand assistance in this area would be highly welcomed.
- Obviously, we would need to obtain more details about how the supply operation is envisaged before New Zealand could commit itself to such an undertaking. But it would be difficult to do that without raising hopes across the road. We therefore need to find out from you whether the idea is feasible and attractive to you.
- 8 We think a New Zealand contribution to the Rwanda operation would be a very appropriate contribution to a particularly needy UN operation and to a country and people desperately in need of international assistance. It would also be a concrete demonstration to the UN and to African countries of the comments made by the Minister to the Secretary-General last month about the importance of giving African issues equal importance with those in Europe. It might also be useful in domestic terms, particularly if, as seems increasingly likely, Australia were to offer troops and equipment for the expanded UNAMIR.
- 9 By coincidence, the Argentine Ambassador told us yesterday that Argentina is also considering providing a

Here les for the Nairobi-Kigali supply run. However, he added that it would be difficult for them to give a positive response because that were already making make 4 C130s available to UNPROFOR to do a similar supply run from Brindisi to Zagreb. He pricked up his ears when we noted that we were on the point of suggesting to you that New Zealand might offer something precisely along those lines. He said that one option might be for New Zealand and Argentina to share the load by, for example, doing three months each.

10 If Ministers and Defence were interested in a New Zealand offer of a Hercules, our preference would be to make it available for say six months in order to maximise the value of the offer. On the other hand, and bearing in mind the commitments on the RNZAF C130s once the Antarctic season gets under way later in the year, it occurs to us that a shared operation with Argentina might have some attractions if New Zealand were to do the first three months.

Your (ile: 913/2/2

Our file:

3/88/1

20:16	(5298)	700/NYK/00000/00000	\$85.20
FROM:	NEW YORK	C04480/NYK	19-May-1994
TO:	WELLINGTON	WGTN UNSC	Immediate
CC:	GENEVA		Routine
MFAT	(HRU, MEA,	UNC, LGL, DSP3, DSP1)	

Subject

CHR: SPECIAL SESSION ON RWANDA

Geneva's C00623, your U49836, Geneva's C00628 and fax 364, your U49948.

2 We would like to offer a few general comments on some of the issues likely to be canvassed by the CHR and to suggest how they might be taken up in the Cameroon/Canada/Nigeria paper.

### Genocide

3 While the word "genocide" was not included in the Presidential statement of 30 April or in Res 918, at our insistence both documents (last sentence of para 3 of the statement, Pp 10 of the resolution) contain language from the Genocide Convention which describes the crime even if the word itself is not used. We think the Commission should do no less. If the Commission were to take the same approach and recall that such actions are a crime under international law but not specifically link the thought to what has happened in Rwanda, then the British objections about the Commission not being a judicial body fall away.

### Responsibility

As you note, the most that the Council was able to do was the painfully negotiated first sentence in para 2 of the 30 April statement. Something along the same lines would be good, but we do not think it worth pushing to go much further, given evident African sensitivities. As you will be aware, the latest media stories out of Rwanda/Tanzania and, we understand, recent reports from UNHCR, suggest that the RPF may not be as blameless as they have claimed. (We should note that the RPF vigorously deny these reports and tell us they have invited the UNHCR to visit the areas where RFP killings are alleged to have taken place to see for themselves.)

### Investigations

Gwed ola

- 5 Point (f) of the last para of the 30 April statement asked the SecGen to make proposals for the investigation of serious (human rights) abuses during the conflict. Op 18 of Res 918, though phrased a little differently, in effect repeats the same request. The report sought from the SecGen is essentially procedural: ie to advise on how such investigations might be carried out. The Council was not expecting the SecGen to carry out such an investigation directly. The terminology of the request (investigation of serious violations of international humanitarian law) is standard Council-speak to get around Chinese objections to the Council becoming involved in human rights issues.
- It follows that it would not be an adequate response for the CHR simply to commend the Council's actions in this regard. Unlike the Council, the CHR is an appropriate body to call directly for an investigation into human rights abuses and to set in place procedures for such an investigation to be carried out. It is therefore, in our view, essential that the CHR not only commend the Council's request to the SecGen but add to it as outlined below.

### Prosecution of offences

- Clearly it will be necessary to delay actual consideration of a mechanism for establishing a tribunal until after the report called for in Op 18 of Res 918 is available. The same argument was made to us when we tried to hold on to the original language of Op 18 which sought a report on prosecution mechanisms rather than repeating the request in the 30 April statement. And we understand your caution in the light of the problems over the Yugoslavia tribunal. But, we think it would be wrong for the Commission not to begin to tackle the issue now.
- As noted above, the SecGen's report under Op 18 will not establish responsibility; it will only address how investigations might be carried out. The consequences of waiting for that report would be that the SecGen would have no guidance of the sort that the CHR as an appropriate human rights advisory body could make, thereby increasing the risk that he might opt for a very cautious recommendation that we should wait (for years?) until the investigations themselves have been concluded. But, whatever the reports say, there can be no doubt that massive abuses of human rights have been committed. It is not a case of having to determine whether there were crimes of sufficient magnitude committed to warrant prosecution. The only questions are who should be prosecuted and how.
- 9 We think it dangerous to use the problems of the Yugoslavia tribunal to argue against considering similar mechanisms for Rwanda. On the one hand, the situations are totally different; on the other, accusations of double standards would certainly be made.

### Cameroon/Canada/Nigeria paper

- 10 The above points might be taken up in the paper as follows:
- (a) Insert a new point 3 bis along the lines of Pp 10 of Res 918;
- (b) Insert a new point 4 bis noting the request contained in Op 18 of Res 918 and stressing the need for effective investigation and prosecution of persons responsible for grave human rights abuses;
- (c) Insert a new point 4 ter calling on the appropriate United Nations bodies to give urgent consideration to the establishment of mechanisms for the prosecution of persons responsible for committing such abuses.

### CONFIDENTIAL

115/23/37

Your (le: 115/23/37 Our file: 3/88/1

17:45 (	(5317)		700/NYK/00000/00000	\$304.98
FROM:	NEW YORK	ζ	C04484/NYK	20-May-1994
TO:	WELLINGT	CON	WGTN UNSC	Immediate
cc:	BEIJING		BONN	Routine
	BRUSSELS	3	CANBERRA	Routine
	GENEVA		HARARE	Routine
	LONDON		MADRID	Routine
	MOSCOW		OTTAWA	Routine
	PARIS		SANTIAGO	Routine
	TOKYO		WASHINGTON	Routine
	DEFENCE			Routine
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DEFENCE	HQNZDF	(DSIA, OPS, DDI)		

Subject

DEFENCE MOD

SECURITY COUNCIL: RWANDA

(GENTLES)

We have suggested to Gambari that it is important to find a way to break the current deadlock with the Americans quickly. If the Security Council simply sits back and waits for a revised report from the Secretary General there is every likelihood of the situation degenerating badly.

- 2 We therefore suggested to Gambari that he should, as President, convene a small working group involving the key members of the Council along with the Secretariat with a view to trying to hammer out a generally acceptable operational concept. Gambari agreed and said that he would try to put together a first such meeting early next week.
- We had the opportunity today to discuss this issue also with Doug Bennett, the Assistant Secretary of State for International Organisations in the US State Department, who was in New York today (20 May). We outlined our thinking to him and he was very agreeable to the approach we had envisaged. He said that Washington also had become anxious that the current standoff could degenerate into another US versus Boutros Ghali slanging match. He therefore welcomed our initiative.

∛our f( e: 115/23/37 Our file: 3/88/1

19:31 (5332)			700/NYK/00000/00000	\$495.55
FROM:	NEW YOR	<	C04489/NYK	23-May-1994
TO:	WELLINGT	CON	WGTN UNSC	Priority
cc:	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO DEFENCE	3	BONN CANBERRA HARARE MADRID OTTAWA SANTIAGO WASHINGTON	Routine Routine Routine Routine Routine Routine Routine Routine Routine
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P/S MFA DEFENCE DEFENCE	HQNZDF	(DSIA, OPS, DDI) (GENTLES)		

Subject

SECURITY COUNCIL: RWANDA

### Summary

- gives indication of. likely African contributions to expanded UNAMIR
- Secretariat provides briefing on state of UN talks in  ${\tt Rwanda}$  with the RPF and the government
- RPF continue to take confrontational position towards the

### Action

Information

### Report

President began discussion at informal consultations today (23 May) with an account of his discussions today on Rwanda with the African Group, particularly concerning responses to the SecGen's requests for troops. Gambari said Senegal had written to the SecGen to offer 800 troops. Ethiopia was also about to put its offer (unspecified) in writing. Ghana had already agreed to bring its battalion back up to full strength. Nigeria would confirm its offer "very soon". When asked for a total picture of likely African offers, Gambari said that offers were expected from Zimbabwe, Tanzania, Ghana, Nigeria, Namibia, Gambia, Senegal, Ethiopia and Congo.

- 2 Secretariat (Gharekhan) then gave a brief update about visit to Rwanda of ASG Riza and Military Adviser Baril, and on the situation on the ground.
- Riza and Baril had flown over the weekend to Uganda and had driven into Rwanda to Mulindi, the RPF headquarters where they had had talks with the RPF leadership. They had intended to go on by road to Kigali to meet with the "government" but the RPF had refused to agree. They had, therefore returned to Uganda. They hope to fly tomorrow from Entebbe to Kigali. Gharekhan described the objectives of their talks as being to try to "firm up" a ceasefire or cessation of hostilities and to work out modalities for deploying the expanded UNAMIR.
- 4 Both the RPF and the government forces had agreed to suspend hostilities in Kigali during Riza's visit. The truce had held all day today and the city had been very quiet. This was in marked contrast to the situation of the previous three days when there had been heavy shelling.
- 5 Gharekhan confirmed press reports that the RPF had taken Kigali airport and the adjacent military camp. The RPF had also secured the surrounding area so the airport was completely under RPF control. The Ghanaian company of UNAMIR soldiers was still at the airport and one UN relief flight had used the airport today.
- 6 Gharekhan said he hoped to receive a report from Riza tomorrow. He noted that the RPF was "not happy" that Riza was to talk to the Government, since this might imply UN recognition.
- We asked Gharekhan privately whether the RPF takeover of the airport made things better or worse for UNAMIR. He said "better". He noted that although he had not said so in the official briefing (because things could change), the RPF had in fact secured a sufficient perimeter around the airport to take the airport out of range of the government forces' guns. He also said that UNAMIR had not had to evacuate the airport while the RPF took over; the fighting had in fact tapered off as the government withdrew.

### Comment

8 While the RPF takeover of the airport may make things better for UNAMIR on a day to day basis, it may not make things markedly better when it comes to deployment of the expanded UNAMIR. The RPF representative told us today that the RPF would let the UN use the airport but it would not let them take over as is implicit in the SecGen's concept of a neutral zone. That may not matter if the RPF is able to secure Kigali so that the airport does not again become the object of fighting. But, if the government forces are able to regroup and go back on the offensive, continued fighting

around the airport could make the operational concept of a mission centred on Kigali unfeasible.

- 9 Gharekhan's comments about the RPF attitude to the Riza talks were borne out in the latest RPF communique (see accompanying fax, Wellington only). RPF unhappiness at having to deal with the people responsible for ordering the ethnic massacres is understandable. But their confrontational attitude towards the UN, particularly the SecGen's Special Rep, in troubling. We and other have urged the RPF rep here to soft peddle. We have also passed on our understanding that the SecGen's assignment of Booh-Booh to Nairobi is to save his (and the SecGen's) face. He is effectively out of the loop now and it is our understanding he will not be replaced when his current term expires in June.
- 10 We expect to see the RPF deputy Commander when he comes to New York later this week. We will be urging him to take a more conciliatory line towards the UN in order to enable the deployment of the expanded UNAMIR as early as possible.

NYPM File:

NEW ZEALAND MISSION TO THE UNITED NATIONS, NEW YORK

Fax: (212) 758-0827 (212) 826-1960 Telephone:

Date:

25 May 1994

TO:

WELLINGTON

No.

PRECEDENCE: IMMEDIATE

WGTN UNSC

No.

LD:

SFAT (MEA, UNC, HRU, LGL, DP3, DPS3, EAB) Page 1 of: & P/S MFAT

UNSC, MEH, WAS HXU, IGC, DSP3 Subject: SECURITY COUNCIL: RWANDA

Ward/Wong telecon refers.

We responded positively to urgent RPF approach to us for help in gaining access for First Vice-Chairman of RPF visiting UN headquarters today to UN facilities to hold a press conference. As you know this is only available to member states but it is common practice for states to lend their support to such requests for other groups and individuals. In our opening remarks we said that "New Zealand as a member of the Security Council had taken the view that it would meet equally with all parties to all conflicts being considered by the Security Council and consistent with this view believed that access to the UN buildings and to the UN press core should be equally available to all delegations, including the RPF".

We then introduced Patrick Mazimhaka as "First Vice-Chairman of RPF responsible for external relations for three years during which time he represented the RPF in negotiation of the Arusha Peace Agreement from July 1992 - August 1993. He is now one of two Vice-Chairmen and is responsible for political affairs including programmes relating to youth, women, education and party building. He left Rwanda on 13 May and while in Washington yesterday briefed the State Department, Congress and the National Security Council. Today he met with the UN Secretary General and various Ambassadors."

Copy of Mazimhaka's statement follows together with a record of the questions and answers which followed. We draw your attention to our response to one question directed to us about any possibility of New Zealand involvement in UNAMIR II.

the Bughes.

Only 3 African countries have responded to the call for participation in UNAMIR II, Europe appears to be totally ignoring Rwanda, is there a disparity?

Answer (RPF)

Only one European country participated in UNAMIR I and the events which transpired were entirely the responsibility of the UN command at that time in our view. RPF has heard that Italy may participate but this has yet to be confirmed. As to double standards, the Europeans plead that they are overcommitted in Bosnia and if this is true then there are no double standards.

### Question

RPF has said it wishes to see a force deployed as soon as possible, and it will cooperate with the Secretary General to this end. Is the RPF prepared to see 5,500 troops deployed, some to Kigali, and to see the airport under neutral control?

### Answer (RPF)

5,500 is on the high side, some argue that that many is needed to protect the force itself but one can't push that argument too far. RPF is prepared to have troops in Kigali given there are still pockets of civilians there needing protection. As to Kigali airport, the proposal to make it neutral is too late, RPF had initially made this proposal and asked for UN control but the government forces rejected it and used the airport as a base for launching attacks against RPF. The sovereignty of the airport is not important but its usability by the UN is.

### Question

RPF has said it controls more than half the country, is this true?

Answer (RPF)

Yes, RPF is in effective control of more than half.

Question

Is the RPF winning territory?

Answer (RPF)

RPF objective is not to win territory but to engage in an operation to rescue civilians behind the government lines. This is why the RPF does not favour a cease-fire which would leave the government forces free to resume killing civilians.

Are the killings planned?

Answer (RPF)

It is our contention that they were. RPF pointed out for over a year that preparations were under way and militia were being armed for this purpose.

Question

The Secretary General has moved his Special Representative Booh Booh to Nairobi, does this still constitute a problem and what are the specific RPF charges against him?

Answer (RPF)

RPF is giving the Secretary General the opportunity to deal with this matter and won't go into the specific charges but RPF (and others in opposition in Rwanda) did not find he performed well.

Question

France has offered to equip Senegal and the RPF has refused, why?

Answer (RPF)

RPF has had a very stormy relationship with France during this conflict and the less involvement France has in it the better. RPF needs to be sure that the equipment France provides would not be used to harm RPF.

Question

What kind of equipment specifically?

Answer (RPF)

A nuclear bomb. (Laughter). Actually, equipment which would carry detectors going beyond the operation of the UN, beyond the range of UN operations.

Question

The Secretary General said today that "I failed to bring troops to Rwanda", what should he be doing to rally support for UNAMIR II?

Answer (RPF)

Three countries have expressed a willingness to supply troops already. The deployment of the force is not contingent on a ceasefire or on any negotiations in Rwanda between the parties and could be deployed quite quickly.

Are the radio broadcasts continuing and are the massacres continuing?

Answer (RPF)

They are both still going on but the massacres are on a reduced scale because there are frankly less people available to be killed. The government militia is killing as many as it can find.

Question

Some say the Security Council is waiting for a military victory, perhaps by the RPF, won't it just mean things would be turned around and the Hutu would become the victims?

Answer (RPF)

RPF will not resort to genocide, it is not the flip side of the coin and is not politically on the same wave. RPF is not a Tutsi organisation but would begin to implement the Arusha Peace Agreement with the other parties.

Question

How long will it take the UN to deploy?

Answer (RPF)

We don't expect right away but sending the present mission to Kigali now is an indication the Secretary General is working very hard to deploy.

Question

New Zealand has been very active, would it consider sending troops?

Answer (NZ, Wong)

No: formal request has been made of New Zealand. If one were made it would be given serious consideration in the same way that all requests from the UN are for contributions to peacekeeping forces. New Zealand participates in many peacekeeping forces around the world, eg Mozambique and the middle east. We are responding to the first two weeks of our Presidency and the events of Gorazde and have on Monday announced we will be sending 240 troops to Bosnia. This is a big thing for a small country with a small defence force.

The Secretary General used the word genocide today, how would you describe it?

Answer (RPF)

If you don't use the word genocide, what word then? Up to 40% have been killed, this is a total devastation for Tutsi. Yes I would use the term genocide and think it is even very mild, perhaps there is another word we can use.

Question

Is this the worst atrocity in human history?

Answer (RPF)

Yes

Question

Is Uganda still sending arms?

Answer (RPF)

The UN has funded an operation to monitor the border for the past two years, during that time there has been not one report of arms crossings. RPF does not know where diplomats get there information but we should ask the Secretary General for a report about the situation.

Question

Could any force have stopped the killing?

Answer (RPF)

Possibly in the early stages.



# RONT PATRIOTIQUE RWANDAIS RWANDESE PATRIOTIC FRONT



Statement by Patrick Mazimhaka,
Vice-Chairman of the Rwandese Patriotic Front (RPF)
at the United Nations
Wednesday, 25 May, 1994

Ladies and Gentlemen, thank you for coming to this Press Conference on Rwanda. My name is Patrick Mazimhaka, and I am the Vice-Chairman of the Rwandese Patriotic Front.

I would like to express my great appreciation for your interest in the human tragedy which has been unfolding in Rwanda since April 6, 1994.

The Government of Rwanda and the Rwandese Patriotic Front concluded a peace agreement, in Arusha, Tanzania, on August 4, 1993, the implementation of which was scheduled to begin at the end of December 1993, after the full deployment of the UN Assistance Mission to Rwanda (UNAMIR). This was not to be. For three months the President of Rwanda and his party blocked all efforts, both national and international, to put transitional institutions of government in place. It was obvious that they had a hidden agenda and the RPF drew the attention of the international community, including all western countries represented in Kigali, to the disturbing development. The UN mission investigated and found evidence to support our claims that militia were being trained, armed and deployed across the country contrary to the letter and spirit of the Arusha Peace Agreement.

On April 6, 1994 a classical coup d'etat took place in which the presidents of Rwanda and Burundi died together with close aides. The same evening, after a meeting of military leaders chaired by Colo. Bagosora, the Rwandese Army, the presidential guard and MRND-CDR militias erected barricades, attacked and killed leaders of political parties and other prominent personalities who were perceived not to share the same political views as the coup makers. The following day they announced a new government consisting of Hutu extremists form dissident factions of some parties - people who were no longer acceptable in their professed parties.

Ladies and Gentlemen, it soon became clear that parallel to political killings there was an elaborate, country-wide plan to exterminate the Tutsis. Tutsi homes were attacked and whole families killed in the most brutal manner. Thanks to international television you have seen the macabre pictures coming out of Rwanda. Most non-governmental organizations in Rwanda estimate that 500,000 Tutsis have been killed. Let me point out that even this conservative figure represents 40 % of the Tutsi population in Rwanda.

Ladies and Gentlemen, civilised society is shocked by the sight of dead children, mutilated babies; bodies of children, men and women floating down river Kagera and wonder how our society could reach such a level of barbarism. There is an answer. After 34 years of political military dictatorship, the Rwandan typically obeys authority. What you see is a response to incessant exhortations to the people to kill the so-called enemies of the state. These calls are made by people in power and they are repeated over and over again through the MRND-CDR radio station RTLM and the national radio. The typical content of such hate messages runs like this:

"kill Tutsis, cut them up, and throw them in River Nyabarongo as the quickest means of getting them back to Ethiopia where they [supposedly] came from".

"this time let us (Hutus) avoid the mistakes of 1959. Don't spare even the children. That way they will not come back"

We contend that if the authorities wished to put an end to the genocide they would do so merely by sending messages to that effect over the same radio stations.

Ladies and Gentlemen, premeditated extermination of a people is nothing but GENOCIDE and that is what the present Rwandese Army, Government and MRND-CDR are doing to the Tutsis. The Rwandesc Patriotic Front and governments which were witnesses to the Rwanda peace process bear responsibility for failing to prevent the genocide but let us not be guilty of failing to punish the perpetrators. Your governments are signatory to the Geneva convention on Genocide and we beg you to urge your governments to assume their leadership role in this regard.

When the forces opposed to the Arusha Peace Agreement threw our country into chaos, the initial reaction of RPF was to find ways of restoring law and order without resorting to military confrontation. The commander of RPF forces, Maj. Gen. Paul Kagame, sent a message to the Rwandan Army High Command, through the UNAMIR force commander, requesting the Government army to refrain from and to attempt to stop the militias form killing innocent civilians. They responded rather by attacking our single battalion stationed in Kigali. The RPF battalion commander had to request permission to defend his troops and the RPF officials in Kigali. The UNAMIR force commander after consultation with the U.N. Security Council granted the permission. On April 10, 1994 our forces started a general military campaign with the following objectives;

To reinforce our battalion in Kigali, 1.

To rescue the Rwandese population which was by then under general attack, 2.

To contribute to restoration of law and order. 3.

Through our operations law and order has been re-established in half of the country and we have been able to rescue and give security to hundreds of thousands of people most of whom would have died.

I must re-iterate that the RPF is committed to the democratization process and the principles of rule of law and power-sharing as enshrined in the Arusha Peace Agreement. Our priorities therefore are:

- To restore law and order,
- 2. To put in place a broad-based transitional government,
- To seek urgent assistance for the displaced persons,
- 4. To initiate a program of rehabilitation and reconstruction of our devastated country.

The broad-based transitional institutions, however, shall not include political parties, organizations and individuals who have participated in or instigated the genocide and other political killings.

We have asked the UN Secretary General to deploy a force in the shortest time possible to protect innocent civilians and assist in the distribution of humanitarian aid. We have assured him of our cooperation.

The envoy of the Secretary General who is currently in Rwanda should concentrate on discussing the modalities of such a deployment with military leaders of the RPF and RGF.

Mr Riza should prevail on the Rwanda government forces to take concrete measures to stop killing innocent people, disarm the Militia and immediately stop Radio broadcasts inciting people to kill their fellow citizens, as a prolude to the deployment of the humanitarian force.

Talks with the so-called interim government will not contribute to obtaining a ceasefire and subsequently a peaceful solution. That bunch of murderers are puppets of the Rwanda Army which holds the actual power. The UN should endeavor to promote a dialogue between the RPF and RGF in order to end this tragedy.

### CONFIDENTIAL.

115/23/37

Your le: 115/23/37 Our file: 3/88/1

21:10 (	(5389)	700/NYK/00000/00000	\$393.89
FROM:	NEW YORK	C04513/NYK	27-May-1994
TO:	WELLINGTON	WGTN UNSC	Priority
cc:	BEIJING	воии	Routine
	BRUSSELS	CANBERRA	Routine
	GENEVA	HARARE	Routine
	LONDON	MADRID	Routine
	MOSCOW	OTTAWA	Routine
	PARIS	SANTIAGO	Routine
	TOKYO	WASHINGTON	Routine
	DEFENCE		Routine

MFAT

(MEA, UNC, ISAC, HRU, LGL, EUR, DP3, DSP1, EAB)

P/S MFA

DEFENCE HQNZDF

(DSIA, OPS, DDI)

DEFENCE MOD

(GENTLES)

Subject

SECURITY COUNCIL: RWANDA

### Summary

- RPF and "government" scheduled to begin cease-fire talks under UNAMIR auspices on Monday (30 May)
- military situation remains tense and fighting continues
- Secretariat is still seeking equipment and airlift capabilities which would enable the deployment of extra Ghanaians now, and subsequently the expanded UNAMIR II

### Action

For information

### Report

2 Secretariat (Gharekhan) gave a briefing on the situation in Rwanda at informals today. The visit by Asst-Secretary General Riza and General Baril had now concluded and they would be returning to NY on Monday. Riza had had talks with RPF in Malindi twice and "government" twice as well. The main outcome of which was that both parties had now agreed to meet under UNAMIR auspices on Monday 30 May to discuss a possible cease-fire agreement. UNAMIR has prepared a draft which would include points relating to the control of militia groups, protection of civilians, cessation of inflamatory broadcasts and the question of Kigali airport being a neutral

C04517 NYK

zone.

- 3 The Sec Gen had firm commitments of troops from Ethiopia, Ghana and Senegal but was still engaged in seeking the necessary equipment. Offers of airlift capacity in order that they can be deployed would be critical. They are "reasonably hopeful" APCs can be sorted out for the Ghanaians which are to constitute the first "phase" of the deployment of the expanded UNAMIR. (In fact the Americans have told us that they are now willing to make APCs available for the Ghanaians.)
- 4 As regards the situation on the ground, Gharekhan noted that it was hoped that humanitarian flights could resume on Sunday. A Canadian military repair team had been flown in to Kigali airport to assess damage. The military situation remained "tense and volatile". The "truce" adopted during Riza's visit was observed "more in the breach".
- 5 Two UNAMIR reconnassant teams had been sent out of Kigali to review the military situation. Fighting had resumed in the north (in two places) and the RPF was consolidating its position at Kigali airport and at other places in Kigali. The militia ("government" supporters) had been observed abandoning checkpoints to Gendarmes and moving south.
- 6 UNAMIR had been successful in obtaining the release of 480 displaced persons (from the Hotel and the stadium) and of these some had left for areas behind "government" lines and some for areas behind RPF line 7. With Riza and Baril returning to New York on Monday, we can expect a fuller briefing and possibly the report envisaged in res 918 (para 7) early next week.

### CONFIDENTIAL

Your file: 115/23/37

Our file: 3/88/1

22:22 (	5408)		700/NYK/00000/00000	\$520.88
FROM:	NEW YORK	ζ	C04529/NYK	31-May-1994
TO:	WELLINGT	FON	WGTN UNSC	Priority
cc:	BEIJING BRUSSELS GENEVA LONDON MOSCOW PARIS TOKYO DEFENCE	3	BONN CANBERRA HARARE MADRID OTTAWA SANTIAGO WASHINGTON	Routine Routine Routine Routine Routine Routine Routine Routine Routine
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P/S MFA DEFENCE DEFENCE	HQNZDF	(DSIA, OPS, DDI) (GENTLES)		e <sup>t</sup>

Subject

SECURITY COUNCIL: RWANDA

### Summary

- First face to face cease-fire talks held Monday under UNAMIR's auspices
- RPF reportedly making some advances
- 1 UNAMIR officer killed by mortar bomb while UNAMIR continues to evacuate civilians
- further massacres reported

### Action

For information

### Report

- Secretariat (Gharekhan) gave Council a briefing on Rwanda at informals this afternoon. Under Secretary General Riza and Gen Baril, Sec Gen's military advisor, returned from Rwanda last night (Mon) and are presently preparing their report to the Sec Gen. On the basis of that the Sec Gen will then report to the Council in the "near future" as envisaged in res 918.
- The first meeting of the ceasefire talks, agreed to by both sides, was held at UNAMIR HQ (under UNAMIR's auspices)

- yesterday. The talks were chaired by the Deputy Force Commander. This was the first time the parties had met face to face since the events of 6 April sparking the present conflict. There was a preliminary exchange of views at the meeting and the Deputy Force Commander had given each side a draft containing elements for a cease-fire agreement. The next meeting is scheduled for Thursday 2 June.
- 4 At the talks the RPF had reiterated its position that the "government" must desist from inciting further massacres of Tutsi. Gharekhan reported that it "appeared" that the "government" was toning down its earlier statements and may now be requesting its supporters to be "more tolerant of Tutsi".
- 5 UNAMIR continued its efforts to evacuate people caught between the lines and had evacuated 246 people from the Hotel Mille Collines and 290 from the stadium in Kigali yesterday. The situation in Kigali was tense and there was exchange of heavy artillery fire yesterday. Some "government forces" had been seen moving south but there was "no significant changes" in positions. The militia was still maintaining roadblocks in "government" held areas. The RPF advances continued and they had been reported as having taken control of some portions of important roads to Gitarama and Butare. Otherwise there was no change in the positions in other parts of the country.
- One UNAMIR officer, a Senegalese, had been killed today (Tues) at 11.15am local time when the vehicle he was travelling in between the Hotel Mille Collines and UNAMIR HQ was hit by a mortar bomb. UNAMIR was trying to arrange an investigation.
- 7 Finally, Gharekhan reported that 500 civilians had been massacred on Sat in a monastery where they had taken refuge. UNAMIR was trying to organise an investigation into this event.
- 8 The Czech Republic queried how this latest piece of information squared with the news that the "government" appeared to have toned down its incitement to massacre Tutsi and asked how many people in total had sought refuge in one monastery, saying they had heard that it be a very large number (30,000) which was in imminent danger. The Holy See is engaged in diplomatic efforts to secure their safety (see their letter by fax). The Secretariat was unable to add any further information or to confirm that it was the massacre took place at the same monastery. There may be further information on this score tomorrow.
- 9 The US Mission told us they had had a preliminary discussion today with Annan, Riza and Baril about implementation of the revised UNAMIR mandate. They told us that some adjustment to the proposed UN concept of operations is likely. Rather than channelling the entire UN effort

through Kigali on an "inside out" approach, the thinking now is that UNAMIR should operate from a couple of fronts. One would be Kigali focussed but would not extend significantly beyond the city. The other would be launched from the border with Burundi and would head inland. The exact plan of operation, however, has still to be worked out. But what is clear is that the UN does not want to stay on the borders or to establish safe areas.

- 10 The Mission told us that a high level team is coming up from Washington tomorrow to discuss the matter further. The Mission's comments indicated that they at least see merit in the Secretariat's ideas but are not confident that the Pentagon can be shifted from its insistence on a plan focussed on the borders.
- 11 The US Mission also told us that the Secretgariat now want to implement phases 1 and 2 together, given the delays in implementing phase 1. They mentioned that the US APCs will not be available to UNAMIR for about a month because of the time it will take to get them out of mothballs in Germany. Meanwhile, the Secretariat has approached South Africa for 20+ APCs and is reasonably hopeful of a positive response.
- 12 Apparently the Secretariat is planning to finalise its next report to the Council by the end of this week. Accordingly we want to try and set up a working level discussion between the Secretariat and a range of Council members to ensure we are not again presented with US/Secretariat views over which we have had little input.