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NEW ZEALAND MISSION TO THE UNITED NATIONS, NEW YORK

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Date: 3 July 1994

TO: WELLINGTON No. }  
 WGTN UNSC No. } u/n  
 DEFENCE No. x }

PRECEDENCE: IMMEDIATE  
 PRECEDENCE: IMMEDIATE  
 PRECEDENCE: ROUTINE

LD: SFAT (MEA, UNC, LGL, EUR, ISAC, DSP3, EAB)  
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Spiced to UNSC, MEA, UNC

SECURITY COUNCIL: RWANDA

Following is a letter from the French PR to the SecGen which was circulated to Council members yesterday (Saturday). Also enclosed is the covering letter from the SecGen and the draft reply prepared by the Pakistani Presidency.

2 You will see that the French are saying that as a result of increased fighting outside Kigali, the South-West of Rwanda is experiencing an influx of large numbers of people fleeing the fighting, and could soon become the scene of an "uncontrollable" humanitarian situation which could see renewed ethnic killings and could aggravate the situation in Burundi. They go on to say that unless a ceasefire is put in place immediately, France will have either to withdraw or to set up a secure humanitarian zone to protect the civilian population.

3 The letter says that the zone "would need to be sufficiently large, taking account of the number of persons involved, and contiguous, in order to stabilise the population in the area and facilitate the channelling of humanitarian relief." (The area then described as comprising the zone is truly large; by our reckoning it comprises about half of the territory still held by the RPF. We have sketched out on the enclosed map our guess of the extent of the proposed area. We are unclear, however, as the eastern boundary of the proposed zone as we have not been able to locate "the N'Daba Col".)

4 The French letter argues that the establishment of such a zone is authorised on the basis of Resolutions 925 and 929.

Comment

5 The French have grounds for arguing that they have authority to establish secure humanitarian zones on the basis of Resolutions 925 and 929. Op 4(a) of Res 925, like Op 3(a) of Res 918, specifically envisages the establishment of such zones as being part of the expanded UNAMIR mandate. Op 3 of Res 929 in turn specifically authorises the French force to use "all necessary means" to achieve the objectives of Op 4 (a) & (b) of Res 925. That said, and as you will well recall, when the idea of setting up such zones was debated in the lead up to Res 918, it was never

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intended that such zones would be large areas of the kind now proposed by the French. That, and the likelihood of complaints from the RPF may be the reason for the French seeking further authority from the Council.

6 This morning's New York Times quotes the interim government's "Foreign Minister" as requesting the French to take up a position between the government and RPF forces. A French spokesperson is cited in response as noting that France does not recognise the legitimacy of the "government" and that the French force would not be acting as an inter-position force. (Indeed, that would be directly contrary to the understanding recorded in Pp 6 of Res 929.)

7 Given the size of the proposed zone, and notwithstanding the arguments of humanitarian need, however, it could be argued that what the French are proposing is that their forces take up a position between the government and the RPF under a different guise. The RPF will almost certainly see things that way. If a zone of that size were established, and given the continuing advances of the RPF, especially outside Kigali, it must be very likely that the government forces in the south of the country would soon retreat to the safety of the zone. (Those in the north seem to be under less pressure as the government still has its traditional stronghold of Gisenyi to fall back to.) If that were to happen, and the Council endorsed the French proposal for the zone, the government would be able to claim the protection of the French forces and UN sanction of the protected zone.

8 Because of the current Independence Day long weekend, the Presidency has decided to deal with the matter by circulating a proposed reply to the SecGen's letter forwarding the French letter on a "no objection" basis rather than convening informal consultations. They have also set the deadline for responding to the draft at 1pm on Tuesday, 5 July, and have provided for an opportunity for discussion by scheduling informal consultations for 11.30am on Tuesday. It would not be surprising, however, if there is pressure for earlier action.

9 We understand from the Pakistanis that the SecGen supports the French proposal, just as he supported the French intervention in Rwanda, although his covering letter to the President simply asks that the French letter be brought to the attention of Council members. We also understand that the French would like the Council to welcome the French proposal. We are told, however, that others in the Council are reluctant to go that far, and some have even questioned whether any reply should be sent to the SecGen's letter. Accordingly, the draft prepared by the Presidency simply takes up the language of the SecGen's letter and says that the SecGen's letter has been brought to the attention of Council members.

10 Because of the holiday weekend, we have been unable so far to raise people in other Missions to gauge their reactions to the matter, but we will keep trying. Given the possibility that the French will press for action tomorrow in spite of the President's timeframe, we should be grateful for overnight guidance on the position we should take. We will be clearing our Comms early tomorrow afternoon; van Bohemen can be reached earlier at home or on the mobile phone.

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Translated from French

Permanent Mission of France to the  
United Nations  
Ambassador  
Permanent Representative

1 July 1994

Sir,

Acting on instructions received this morning I wish to inform you of the very grave concern of the French authorities at the deterioration in the situation in Rwanda and the risk of a further humanitarian drama in that country.

In recent days fighting has intensified outside the capital and is spreading to the south in the region of Butare, not far from the border with Burundi, as well as, it is reported, to the west in the direction of Kibuye. French contingents, in place in the region in implementation of Security Council resolution 929 (1994), have already conducted reconnaissance operations in Butare. They have observed the influx of tens of thousands fleeing the fighting, adding to several hundred thousand displaced persons in that part of the country. The continued fighting is creating a situation in south-west Rwanda that, in humanitarian terms, will quickly become completely uncontrollable. If steps are not taken to remedy the situation, that entire area of the country will be the scene of major disorders, with the movement of hundreds of thousands of persons fleeing in desperation and the risk of the physical elimination of minorities in the area, as has already occurred during April and May. There is reason to fear that those persons will seek refuge in neighbouring countries, particularly Burundi, aggravating a situation the precariousness of which you are already well aware.

France considers it its responsibility to alert the international community, through you, to the situation, which demands, as called for by the United Nations and OAU, an immediate cease-fire. A stop to the fighting offers the only genuinely effective means of stabilizing the humanitarian situation and opening the way to a resumption of talks with the assistance of the countries of the region with a view to reaching a political settlement on the basis of the Arusha agreements, from which those responsible for the massacres and, in particular, acts of genocide must, of course, be excluded.

If a cease-fire cannot be brought about immediately, France will be faced with the following choices:

To withdraw from Rwandan territory, while striving through ad hoc actions, which would be extremely difficult and limited, to save human life; or

His Excellency Boutros Boutros-Chali  
Secretary-General of the United Nations

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mh

To organize, based on Security Council resolutions 925 (1994) and 929 (1994), a secure humanitarian zone where the population would be protected from the fighting and its dramatic consequences in Rwanda. The France-Senegalese forces would seek to ensure, within their mandate, that no activity threatening the security of the population in question were carried out within or from the zone. The zone would need to be centred on the region where the humanitarian problems are most acute, and would need to be sufficiently large, taking account of the number of persons involved, and contiguous, in order to stabilize the population in the area and facilitate the channelling of humanitarian relief.

On the basis of information in our possession, the zone would include the districts of Cyangugu, Gikongoro and the southern half of Kibuye, including the Kibuye-Gitarama sector, as far as the N'Daba col.

It is the view of France that, on the basis of resolutions 925 (1994) and 929 (1994), it is authorized to organize such a secure humanitarian zone. Nevertheless, it is the wish of France that, through you, the United Nations should indicate its support for the establishment of such a zone.

I wish once again to draw your attention to the urgent nature of the situation and to emphasize that France, if it is unable to establish a secure humanitarian zone with the support of the international community, will have no choice other than to withdraw very rapidly from Rwandan territory.

I should be obliged if you would have this letter circulated to the members of the Security Council.

Accept, Sir, the assurances of my highest consideration.

Jean-Bernard MERIHEE

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Translated from French

The Secretary-General

2 July 1994

Sir,

I transmit herewith a letter from the French Government informing me of its intention to establish a humanitarian protection zone in south-west Rwanda pursuant to Security Council resolution 929 (1994).

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

Accept, Sir, the assurances of my highest consideration.

(Signed) Boutros-Boutros GHALI

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His Excellency  
Jamsheed K. A. Marker  
President of the Security Council

Draft

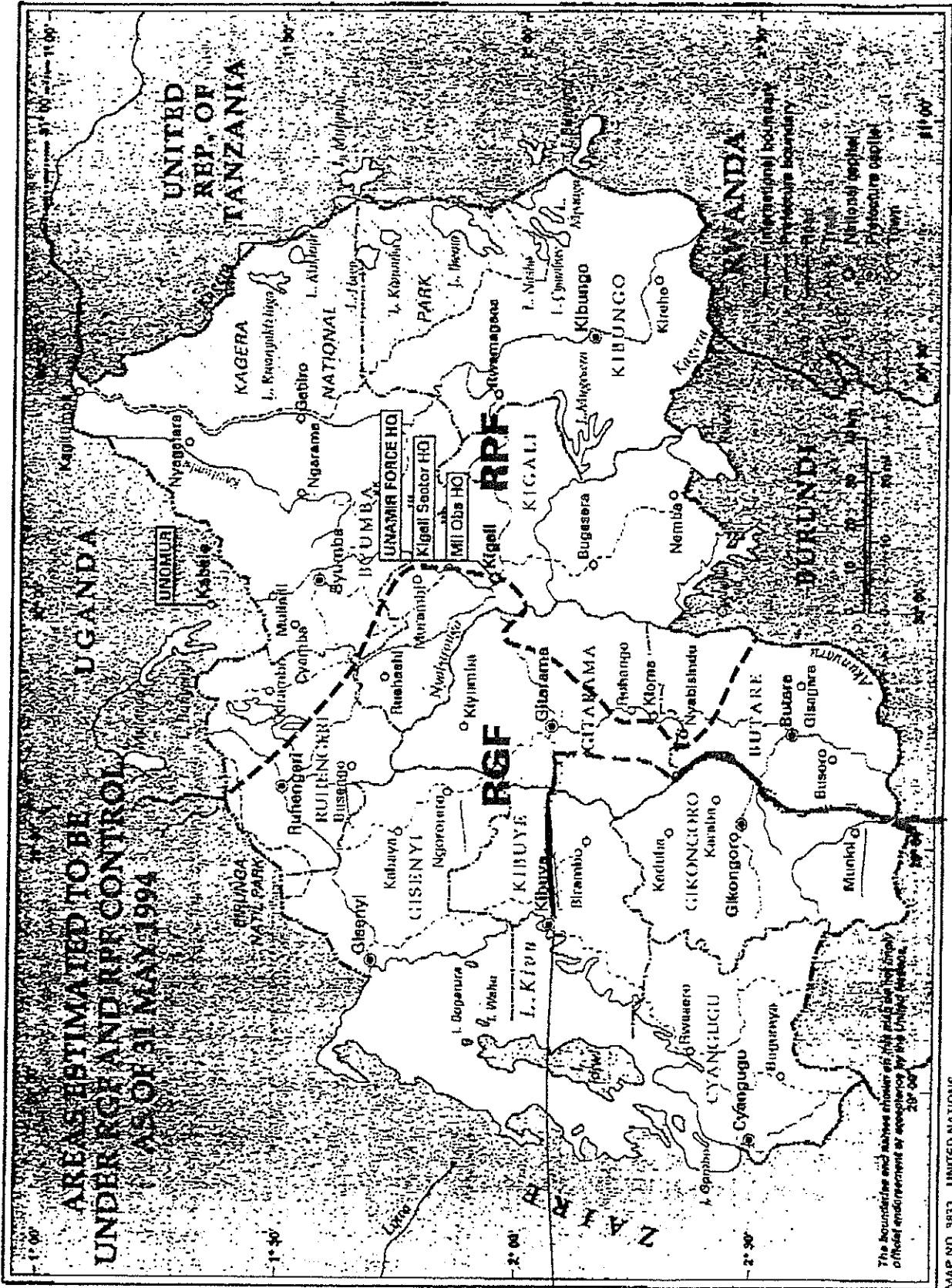
Dear Mr. Secretary-General,

I have the honour to inform you that your letter dated 2 July 1994 transmitting a communication from the Government of France concerning its intention to establish a humanitarian protection zone in south-west Rwanda pursuant to Security Council resolution 929 (1994), has been brought to the attention of the members of the Security Council.

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

Jamsheed K. A. Marker  
President of the Security Council

His Excellency  
Mr. Boutros Boutros-Ghali  
Secretary-General



Extent of Proposed Zone

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