

NEW ZEALAND MISSION TO THE UNITED NATIONS, NEW YORK

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Date: 24 June 1994

115/23/37

TO: WELLINGTON /  
WGTM UNSC

No.  
No.

2847

PRECEDENCE: PRIORITY  
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LD: SFAT (MEA, UNC, LGL, HRU, BUR, DP3, DSP3, EAB)

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*Copied to UNSC, MEA, UNK*

SECURITY COUNCIL: RWANDA

Our accompanying message refers.

2 Following is latest draft of Spanish resolution on t:  
Commission of experts on Rwanda.

23 June 1994  
14:00 hrs

DRAFT RESOLUTION

The Security Council,

Reaffirming all its previous resolutions on the situation in Rwanda,

Recalling the statement by the President of the Security Council of 30 April 1994 (S/PRST/1994/21) in which the Security Council inter alia condemned all breaches of international humanitarian law in Rwanda, particularly those perpetrated against the civilian population, and recalled that persons who instigate or participate in such acts are individually responsible,

Recalling also the requests it addressed to the Secretary-General in the statement by the President of the Security Council of 30 April 1994 and in Resolution 918 (1994), concerning the investigation of serious violations of international humanitarian law committed in Rwanda during the conflict,

Having considered the report of the Secretary-General of 31 May 1994 (S/1994/640), in which he noted that massacres and killings have continued in a systematic manner throughout Rwanda and also noted that only a proper investigation can establish the facts and enable the determination of responsibility,

Welcoming the visit to Rwanda and to the region by the United Nations High Commissioner for Human Rights and noting the appointment, pursuant to resolution S-3/1 of 25 May 1994 adopted by the United Nations Commission on Human Rights, of a Special Rapporteur for Rwanda,

Expressing once again its gravest concern at the continuing reports indicating that systematic, widespread and flagrant violations of international humanitarian law, including acts of genocide, have been committed in Rwanda,

Affirming that all persons who commit (authorize or instigate) serious violations of international humanitarian law are individually responsible for those violations,

Noting the importance of the effective application of international humanitarian law in the fulfillment of the Security Council's primary responsibility under the Charter of the United Nations to maintain international peace and security,

1. Requests the Secretary-General to establish, as a matter of urgency, an impartial Commission of experts to examine and analyse the information submitted pursuant to the present resolution, together with such further information as the Commission of Experts may obtain through its own investigations or efforts, or of other persons or bodies, with a view to providing the Secretary-General with its conclusions on the evidence of possible acts of genocide and other grave violations of international humanitarian law committed in the territory of Rwanda, and recommendations in this regard;

2. Calls upon States and, as appropriate, international humanitarian organizations to collate substantiated information in their possession or submitted to them relating to grave violations of international humanitarian law, including breaches of the Convention on the Prevention and Punishment of the Crime of Genocide, being committed in the territory of Rwanda, and requests States, relevant United Nations bodies, and relevant organizations to make this information available within thirty days of the adoption of the present resolution and as appropriate thereafter,

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and to provide other appropriate assistance to the Commission of Experts referred to in paragraph 1;

3. Requests the Secretary-General to report to the Council on the establishment of the Commission of Experts, and to report also within [ninety] days from the establishment of the Commission of Experts, on its conclusions, so that the Security Council might take account of them in any recommendations for possible further appropriate steps to ensure that persons responsible for such acts are brought to justice;

4. Also requests the Secretary-General and as appropriate the High Commissioner for Human Rights to ensure that adequate coordination and cooperation is maintained between the work of the Commission of Experts and that of the Special Rapporteur for Rwanda;

5. Urges all concerned fully to cooperate with the Commission of Experts in the accomplishment of its mandate, including complying with requests for assistance and access by Commission members and expert staff in pursuing investigations;

6. Decides to remain actively seized of the matter.