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115/23/37

Your file: 115/23/37

Our file: 3/88/1

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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
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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

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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.

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End Message