

115/23/37

Your file #: 115/23/37

Our file: 3/88/1

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FROM:	NEW YORK	C04569/NYK	06-Jun-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, DSP3, EAB)

P/S MFA
 DEFENCE HQNZDF (DSIA, OPS, DDI)
 DEFENCE MOD (GENTLES)

Subject
 SECURITY COUNCIL: RWANDA

Our C04456, paras 5-7.

Summary

Council takes up SecGen's report on Rwanda tomorrow, 7 June.

US has prepared draft resolution and sought our comments but has tabled the draft before we had an opportunity to react.

Draft may well be taken up in a working group tomorrow afternoon.

Action

Comments on US draft and our comments thereon.

Report

2 To our surprise, no discussion on the SecGen's report on Rwanda was scheduled or held on Friday (3 June) or today (6 June). At our request, however, Rwanda is on the agenda for tomorrow morning's informal consultations. The SecGen's report will be the focus of the discussion, but the US also wants to have their draft resolution before Council members at the same time.

3 US Mission sent us a draft of the resolution late on Friday night (3 June) which, they cautioned, had not received

final clearance from Washington. A further revision followed at midday today (6 June), which had Washington's approval.

4 We told the US on two separate occasions today that we wanted very much to avoid a divisive discussion in the Council on the resolution and urged them to give us an opportunity to provide them with our comments and talk them through before they tabled their draft. We prepared a set of comments which we faxed to the US Mission this afternoon. We then learned that, subject to a few relatively minor changes made as a result of a discussion in the P5, the US had already sent in their draft to the Secretariat for circulation to Council members.

5 The Mission were a little apologetic about proceeding in this fashion, but said that it would not have been politic vis a vis their relations with Washington to have sought to incorporate substantive changes in the text before they tabled it. They understand, however, that we have some serious concerns about their draft. (Indeed, the Mission itself is reasonably sympathetic to the points we have raised with them.) They said it would be easier to persuade Washington to make changes after a discussion in the full Council.

6 The US draft and our comments thereon follow by separate fax. Our comments essentially fall into three categories: the references to genocide, the mandate, and legal issues relating to attacks on UN personnel.

7 On genocide, the US has said that they are not opposed to including such references but do not want to put them forward in a draft that they propose lest they complicate their life with the Chinese unnecessarily in the leadup to the discussion on DPRK sanctions. The mandate (OPs 2-7) are the critical ones. Our differences with the Americans are not fundamental but we think we need to avoid any suggestion that the mandate is conditional on progress by the parties or even by UNAMIR. Language adopted from resolutions on Liberia and Somalia is not appropriate. The US proposal for OP17 regarding the application of the Geneva Conventions to UNAMIR personnel who might be detained is most unfortunate, particularly as we are trying to sort out this issue in the context of the negotiation of the Convention on Safety of UN Personnel.

8 We might also have quibbled with the drafting of the US operative paragraphs 14 and 15 on human rights which are unnecessarily specific. We did not consider, however, that we should take the lead on that aspect of the draft.

9 We know from talking to the Canadians that they very much share our views on the draft. The British also have a number of concerns similar to our own.

10 Since the US draft is on the table, delegations will make

preliminary comments on it in tomorrow mornings informal consultations. We would also expect that a working group will be established to consider the draft, perhaps as early as tomorrow afternoon.

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End Message