

115/23/37

Your file: 115/23/37

Our file: 3/88/1

19:39 (5786)	700/NYK/00000/00000	\$724.20
--------------	---------------------	----------

FROM:	NEW YORK	C04710/NYK	05-Jul-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, LGL, ISAC, HRU, EUR, DP3, DSP3)
(DSP1, EAB)

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

Subject

SECURITY COUNCIL: RWANDA

Your U53223, U53304 and van Bohemen/Ward telecons.

Summary

- Informals scheduled for this morning were postponed until tomorrow morning (6 July)
- China, Nigeria, Brazil, Pakistan and New Zealand agree that it would be preferable if no reply were sent to SecGen's letter and exchange views on what might be said at tomorrow's informals
- SecGen, through his spokesperson, endorses the French action (but senior Secretariat personnel are extremely concerned at the implications for UNAMIR)
- There is high interest among other delegations and the media on the positions of other Council members, particularly those who abstained on Res 929

Action

Information only

Report

As it happened, the informals that had been scheduled for

this morning to hear a briefing from Gordon-Somers, the Special Rep on Liberia, were cancelled, and, in the absence of a specific request, the Pakistanis were reluctant to convene a meeting just to discuss Rwanda. They proposed to settle the terms of the President's reply to the SecGen today and to have a more general discussion tomorrow's informals.

2 We told the Pakistanis that our strong preference was for there to be an opportunity for Council members to discuss the French establishment of the "humanitarian" zone before any Council response went out, since the response would inevitably be closely scrutinised by the media for what it revealed of Council members' views on the French actions. However, we also said we would not delay finalisation of the letter if we were alone in our views.

3 The Nigerians (Gambari) subsequently told us they were very concerned about the French actions and were not happy with the Marker draft as in their view it conveyed the sense of Council acquiescence in the French actions. Gambari was also very unhappy that Council members would not have the opportunity to discuss the matter before the letter went out. He subsequently put these views to Marker. Meanwhile, the Brazilians confirmed that they too had reservations about the draft for reasons identical to Gambari's, but were not prepared to take a lead in putting forward amendments. As things turned out, they did not have to as the Chinese were already busy on that score. The Chinese were keen to secure the deletion of the clause describing the content of the French letter ("concerning its intention to establish a humanitarian protection zone in the south-west of Rwanda pursuant to Security Council resolution 929(1994)"). This proposal reflects the standard Chinese position that they do not like to refer in consensus documents to resolutions on which they abstained.

4 In the course of the morning, the French also called us in response to "rumours" that some countries had difficulties with the proposed letter. They confirmed that they were no longer looking for Council endorsement of their actions because they were confident of their legal position under Res 925 and 929 and because the SecGen would shortly himself be endorsing their actions (see below). This would be sufficient to indicate "United Nations support. Accordingly, they could accept the amendment proposed by the Chinese.

5 We told the French that we could go along with the text as drafted by Marker; our concern related to the timing of the letter in the context of today's cancelled consultations. Their response was that they were quite prepared to discuss the issue at informals this afternoon, but that Marker wanted to clear away the remainder of his bilateral consultations. Subsequently, Gambari called back to advise that the President had agreed to put the letter on hold pending discussions he (Gambari) was to convene in the afternoon of the five countries that had abstained on Res 929.

6 During the course of the usual midday press briefing, the SecGen's spokesperson, Sills, noted that the SecGen had "endorsed" the French decision to set up the humanitarian zone in south-west Rwanda. There was no written text of the statement. Notwithstanding this announcement, senior peacekeeping officials remain deeply concerned at the implications of what has happened for UNAMIR. Last night's late night phone call from ASG Riza (please protect) is a graphic demonstration of this.

7 At the afternoon discussions of the "929 five", Gambari said he wanted views in particular on the French claim that their actions were justified under Res 925 and 929 and on the likely consequences of those actions for UNAMIR. As far as the letter was concerned, he could go along with the shorter version proposed by the Chinese. However, when the Pakistanis then noted that, following the SecGen's midday endorsement of the French actions, the French could even do without a letter, the Chinese (Li) intervened strongly to press for the no letter option. He was endorsed by Brazil (Sardenberg) who considered that this option kept alive the issue of the relationship between the French actions and UNAMIR, whereas adoption of the letter would amount to acquiescence in the French letter.

8 We noted that our instructions, given at the point that the French appeared still to be seeking Council endorsement of their actions, were to accept the letter as initially drafted. However, the representations made in Wellington last night, and as now confirmed by the Pakistanis, suggested that the French were no longer pressing for a letter. Accordingly, we could also go along with the no letter option or at least with holding off any response until after tomorrow morning's informals. Gambari, visibly shaken by the news of the SecGen's midday announcement, concurred. It was agreed that this position would be conveyed to Marker.

9 There was little discussion of the specific points mentioned by Gambari. However, we took the opportunity to note, as we had done earlier to the French, that we had not understood the references to the establishment of "secure humanitarian areas" in Op 4 (a) of Res 925, and endorsed in Res 929, as contemplating setting aside such large tracts of the country. We also noted that we were aware that, notwithstanding Boutros Ghali's views, senior Secretariat members were extremely concerned at the implications for UNAMIR of the French actions. Sardenberg endorsed our comments and said that they were especially concerned at the implications of the third to last para of the French letter which threatened precipitate French withdrawal if they do not get international support for the zone.

10 Gambari urged all members of the "929 five" to voice their reservations about the French actions at tomorrow's informals, and suggested that the group be ready to caucus

beforehand if necessary. Privately, he noted to us that the SecGen's actions were further evidence of the man's disdain for the Council, especially its non-permanent members, and commented that if the "smaller" countries were not prepared to stand up for principle when the Permanent Members engaged in this kind of intervention, then the value of the UN itself would be called into question.

11 Given the twists and turns of the day, we were not able to make contact with many of the other Council members who supported Res 929 to see where they were at. As far as we can tell, however, while there is a great deal of skepticism at French actions and motivations, there is little disposition among the other nine to challenge the French openly. Not surprisingly, these members have been looking to the "929 five" to take the lead, as have non Council members and the media.

12 We have received a number of enquiries today from the media and other Missions on what if any position we would be taking. In response we have recalled New Zealand's initial hesitations about the French intervention and noted that recent developments have tended to underscore our concerns. It was evident that there is close interest in our position and how that will play out in the Council. A number of commentators evinced considerable cynicism at the French actions and the likely Council response. Radio New Zealand's Judy Lessing volunteered the opinion that unless those who abstained on Res 929 make clear their reservations with the latest French actions, "you will all be tarred with the same brush".

13 As you would expect, the RPF is keeping up its strong opposition to French actions. Our accompanying fax contains its latest press release.

14 We understand that Merimee intends to brief the Council on the French action at tomorrow morning's informals. Gambari will almost certainly lead off the ensuing discussion. We have the points in your U53223 and U53304 to draw on for our own intervention.

End Message