

115/23/37

Your file: 3/88/1

Our file: 701/19/1/3/7

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| 17:22 (5541) | 700/LGL/00000/00000 | \$249.91 |
| FROM: WELLINGTON | C24445/WN1 | 13-Jun-1994 |
| TO: NEW YORK | WGTN UNSC | Immediate |
| CC: BEIJING | BONN | Routine |
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MFAT (LGL, MEA, UNC, ISAC, HRU, EUR, DP3, DSP3, EAB)

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

Subject

U51656: SECURITY COUNCIL: RWANDA

Your C04600 and accompanying fax refer.

Commission of Experts

2 The call for establishment of a Commission of Experts on Rwanda represents a natural follow-on from the requests addressed to the SecGen in the Presidential statement of 30 April 1994 and SR 918 (1994).

3 We have only one substantive point to make on the Spanish draft resolution: we recommend the deletion of "grave" from OPs 1 and 2, where it is currently used to qualify "violations of international humanitarian law". In our view, the Commission should not be required to draw a distinction between violations of ihl and grave violations of ihl. It appears that the word "grave" may be a hang-over from Res 780 on which the Spanish draft is largely based. (That resolution referred to "violations of international humanitarian law, including grave breaches of the Geneva Conventions...")

4 Once the Commission of Experts on Rwanda is established, the next obvious question will be the establishment of a tribunal. While we share the US/UK concerns about the difficulties associated with getting the Yugoslav war crimes tribunal up and running, we agree fully with your para 7 that the UN must be seen to be treating Rwanda with the same degree of seriousness with which it treated Yugoslavia.

Exclusion of Rwanda from Security Council

5 We look forward to your further reporting based on P5 and other consultations on this issue.

End Message