

115/23/37

05/06/94 20:22 212 758 0827

NZ MISSION NY

UNSC

001

NYPM File: 3/88/1

NEW ZEALAND MISSION TO THE UNITED NATIONS, NEW YORK
Telephone: (212) 826-1960

Fax: (212) 758-0827

Date: 6 May 1994

TO: WELLINGTON
WGTM UNSC ✓

No. ~~2581~~
No. 2581

PRECEDENCE: PRIORITY
PRECEDENCE: PRIORITY

LD: SFAT (MEA, UNC, LGL, HRU, EUR, DP3, DSP1, EAB) Page 1 of: 11
looped to UNSC, MEA, UNC, LGL, HRU, EUR, DSP1

SECURITY COUNCIL: RWANDA

Our accompanying message refers.

2 Following are:

- (a) letter from Council President to SecGen as agreed at informals today;
- (b) NAM draft resolution;
- (c) draft ideas we prepared at request of Council President;
- (d) RPF letter on NAM preparation of a Council resolution;
- (e) points agreed at meeting of African Group yesterday on nature of international involvement in Rwanda.

2/11

6 May 1994

Dear Mr. Secretary-General,

The members of the Security Council have considered your two letters of 29 April 1994 (S/1994/518) and 3 May 1994 (S/1994/530) on the situation in Rwanda.

The members of the Council commend you, your Special Representative, the Force Commander and the personnel of the United Nations Assistance Mission in Rwanda (UNAMIR) for the exemplary manner in which you have all continued to carry out your respective tasks, under very difficult circumstances.

The members of the Council have agreed that in view of the unabated hostilities and killings, urgent and effective means of action be considered. In order to do so, they have asked me to request you to provide in the first instance indicative contingency planning with regard to the delivery of humanitarian assistance as well as support to the displaced persons in Rwanda.

The Council may, at a later stage and as situation develops, request from you a further indication as to what would be required in terms of logistics and financial implications of an expanded United Nations or international presence in Rwanda and/or neighbouring countries capable of assisting the parties in Rwanda, monitoring of a cease-fire and contributing to the resumption of the peace process under the Arusha Peace Agreement.

The members of the Council do not expect at this stage any firm or definitive recommendations from your office, since, as we understand, consultations with regard to future United Nations courses of action are on-going.

Please accept, Mr. Secretary-General, the assurances of my highest considerations.

Prof. Ibrahim A. Gambari
President of the Security Council

His Excellency
Mr. Boutros Boutros-Ghali
Secretary-General

~~###~~
NAM

3/11

R W A N D A

The Security Council,

Reaffirming all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR),

Recalling its resolution 909 (1994) of 5 April 1994, which extended the mandate of UNAMIR until 29 July 1994 with a six-week review provision,

Recalling also its statement of 7 April 1994 (S/PRST/1994/16) which, inter alia, reaffirmed its commitment to the Arusha Peace Agreement and urged all parties to implement it fully,

Shocked at the tragic incident that resulted in the deaths of the Presidents of Rwanda and Burundi on 6 April 1994,

Appalled at the ensuing large-scale violence in Rwanda, which has resulted in the death of thousands of innocent civilians, including women and children, the internal displacement of a significant number of the Rwandese population, including those who sought refuge with UNAMIR, and the massive exodus of refugees to neighbouring countries, particularly Tanzania,

Having considered the letter of the Secretary General dated 29 April 1994 (S/1994/518),

Recalling also its latest statement of 30 April 1994 (S/PRST/1994/21), which inter alia: underlined the urgent need for coordinated international action to help bring peace in Rwanda, and to alleviate the suffering of the Rwanda people,

Recognizing that the people of Rwanda bear ultimate responsibility for national reconciliation and reconstruction of their own country,

Determining that the scale of human tragedy caused by the conflict in Rwanda, constitutes a threat to international peace and security;

4(1)

.2.

1. Recognizing^{es} the unique character of the present situation in Rwanda, and mindful of its alarming, complex and extraordinary nature, requiring an immediate and exceptional response;
2. Notes, with grave concern, outrage and indignation, that the massacres and wanton killings have continued unabated, in a systematic manner, in Rwanda;
3. Strongly urges all parties to the conflict to immediately cease hostilities and agree to a cease fire, and commence political dialogue;
4. Gravely alarmed by the magnitude of displaced persons ⁱⁿ ~~staying in~~ Rwanda ~~in~~ chaos, and by the tide of refugees incessantly pouring into neighbouring countries, fleeing massacres and civil war, and facing starvation, thirst, and insecurity;
5. Stresses its commitment to preserving the unity and territorial integrity of Rwanda;
6. Stresses also its conviction that the Arusha Peace Agreement remains the only viable framework for the resolution of the Rwanda conflict;
7. Endorses the recommendation of the Secretary General contained in his letter of 29 April 1994 (S/1994/518) for the Council to re-examine the decision it took under resolution 912 and consider again what action, including forceful action, it could take or could authorize Member States to take in order to restore law and order and end massacres in Rwanda;

.3.

Acting under Chapter VII of the Charter of the United Nations,

8. Authorizes the Secretary General, using all necessary means, to restore as soon as possible, law and order in Rwanda, and to establish a secure environment for humanitarian relief operations;

9. Calls upon Member States which are in a position to do so to provide military forces and to make additional contributions, in cash or in kind, in accordance with paragraph 8 above; and requests the Secretary General to establish a fund through which the contributions, where appropriate, could be channelled to the States or operations concerned;

10. Calls upon all States, international organizations and non-governmental organizations to contribute to the efforts of humanitarian assistance to the people of Rwanda;

11. Appeals to all States to refrain from providing arms or any military assistance to the parties to the conflict, and states its willingness in principle to consider promptly the application of an arms embargo to Rwanda and in this context requests the Secretary General to bring to its attention any information that he might receive concerning arms flows into Rwanda, and to consult the countries of the region and the OAU about the practical implementation of an arms embargo on Rwanda;

12. Requests all States, in particular those in the region, to provide appropriate support for the actions undertaken by States, nationally or through regional agencies or arrangement, pursuant to this resolution;

13. Invites the Secretary General and his Special Representative in coordination with OAU and countries in the region, to continue their efforts to achieve a political settlement in Rwanda within the framework of Arusha Peace Agreement;

14. Decides to remain actively seized of the matter.

NZ 6/11

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR) and its resolution 912 of 21 April by which it adjusted the mandate of UNAMIR,

Recalling also its statement of 7 April 1994 (S/PRST/1994/16) and its statement of 30 April 1994 (S/PRST/1994/24)

Reaffirming its condemnation of the ongoing violence in Rwanda and demanding an immediate end to the mindless violence and carnage which have engulfed Rwanda,

Noting that the situation in Rwanda constitutes a humanitarian crisis for the people of Rwanda and the people of neighbouring states on an unprecedented scale;

Welcoming cooperation with the OAU and with leaders of the region especially the facilitator to the Arusha peace process,

Expressing once again its grave alarm at continuing reports of widespread and flagrant violations of international humanitarian law occurring in Rwanda,

Mindful of its abhorrence of the crime of genocide punishable under international law,

Determining that the situation in Rwanda constitutes a threat to international peace and security in the region,

1. Decides that UNAMIR's mandate under Resolution 912 (1994) shall be adjusted as follows:

- (a) To act as an intermediary between the parties in an attempt to secure their agreement to a cease-fire; and
- (b) To monitor observance of any cease-fire agreement; and
- (c) To assist in the resumption of humanitarian relief operations; and
- (d) To monitor and report on developments in Rwanda;

2. Acting under Chapter VII of the Charter of the United Nations, decides that UNAMIR's mandate shall also include the following responsibilities:

2

- (a) To contribute to the security of Rwandan civilians, in particular displaced persons and refugees; and
 - (b) To establish weapons-secure areas in locations to be designated by the Secretary General for the purpose of offering protection to concentrations of endangered civilians, in particular displaced persons and refugees; and
 - (c) To assist in the protection and facilitation of humanitarian relief operations; and
 - (d) To use force as necessary to establish, maintain and protect weapons-secure areas, and in self defence or for the protection of UNAMIR and other United Nations or humanitarian personnel; and
 - (e) To report to the extent feasible evidence of crimes punishable under international law;
3. Authorises an expansion of the UNAMIR force level to [] and urges the deployment of that force in the shortest possible time;
4. Requests the Secretary General to provide by [] May a concept of operations to fulfil the mandate set out in this resolution;
5. Encourages the Secretary General to accelerate his efforts, in conjunction with the Secretary General of the OAU to obtain commitments from OAU member states for the necessary personnel to accomplish the urgent deployment of the expanded UNAMIR;
6. Requests member states to offer urgently the Secretary General logistical support capability for deployment of the UNAMIR expansion;
7. Requests the Secretary General, bearing in mind any recommendations from the United Nations High Commissioner for Human Rights, the United Nations Human Rights Commission and relevant international organisations, to report, not later than 31 July 1994, on possible options for international prosecution of persons responsible for serious violations of international humanitarian law committed in Rwanda since 1 April 1994;
8. Welcomes the continued efforts by the Secretary-General to help promote and facilitate dialogue between all parties concerned;

8/11

9. Commends the efforts of States, United Nations agencies and non-governmental organisations which have provided humanitarian and other assistance, encourages them to continue and increase such assistance, and again urges others to provide such assistance;

10. Commends in particular the efforts of the Organisation of African Unity and its agencies, as well as those of the Tanzanian Facilitator, in providing diplomatic, political, humanitarian support for the implementation of the relevant resolutions of the Council



FRONT PATRIOTIQUE RWANDAIS
RWANDESE PATRIOTIC FRONT



6 May 1994

H.E. Ambassador Ibrahim A. Gambari
President
UN Security Council
New York

Dear Mr. President,

Re: CONSULTATIONS ON THE PROPOSED DEPLOYMENT OF A UN FORCE IN RWANDA

The Rwandese Patriotic Front has learnt that the process of preparing a draft resolution on the above force to be tabled before the Security Council is already underway. The draft resolution, we understand, is being prepared by the caucus of Non Aligned Movement.

As a party to the Arusha Peace Agreement, the Rwandese Patriotic Front is an interest party in the matter under consideration and is rightfully entitled to be consulted on all issues relating to the proposed deployment of the UN force.

As your Excellency will recall, even the deployment of UNAMIR in Rwanda was authorized by the Security Council at the joint request of the Rwandese Patriotic Front and the then government of Rwanda.

We are also of the view that the successful implementation of any resolution which the UN Security Council may pass will definitely require the consent and smooth cooperation of the Rwandese Patriotic Front.

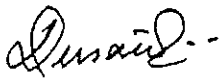
We write to your Excellence to express our very grave concern that the Rwandese Patriotic Front is not being adequately consulted during the preparation of the proposed draft resolution. We find the oversight or deliberate effort to exclude us from the process of preparing the draft resolution all the more alarming because Rwanda is now represented in the organs of the United Nations, including the Security Council, by an Ambassador who, by his own admission, represents the self-styled provisional government of Rwanda. We believe that if the representative of that clique that has seized power in manner contrary to the provisions of our national Constitution and the Arusha Peace Agreement and is responsible for the atrocities which have been committed in Rwanda is accorded the opportunity to be heard, we too should be given the opportunity to give our opinions on the situation in Rwanda and the proposed UN force by all those who are currently debating and dealing with these issues.

-2-

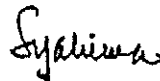
We regret that the Rwandese Patriotic Front shall not in future be responsible for the failure to implement any resolution which the Security Council may pass if a decision on the proposed UN force is made solely on the basis of consultations with only one of the parties to the conflict in Rwanda.

We call upon your Excellency to intervene and use your good offices to ensure that we are consulted throughout the whole process of considering issues relating to the proposed deployment of the UN force in Rwanda and that we are given ample time to communicate whatever proposals interested parties may have to our leaders in Rwanda and to seek our leaders' instructions on those proposals before the UN Security Council makes a decision.

For: The Political Bureau of the Rwandese Patriotic Front



Claude Dusaidi



Gerald Gahima

CC: UN Secretary-General
All members of the UN Security Council
Chairman, NAM Caucus
Chairman, Africa Group
OAU Secretary-General

11/11

MEETING OF THE AFRICAN GROUP

5 MAY 1994

CONCLUSIONS OF THE CHAIRMAN

1. The Group expresses its high appreciation for the step taken by the President of the Security Council.
2. The Group also expresses its appreciation of the efforts made at the Security Council level to amend the previous decision on Rwanda (resolution 912 (1994)).
3. The Group approves the proposal to expand the United Nations Assistance Mission for Rwanda with an appropriate mandate.
4. The members of the Group undertake to bring before their respective Governments the matter of providing troops within the framework of the United Nations Assistance Mission for Rwanda.
5. The Group insists that this operation should have an international character, that the force established should include also troops from non-African countries, and that its constitution should follow the customary procedures of United Nations peace-keeping.
6. The Group stresses that this force must be financed through the United Nations peace-keeping operations budget.
7. The Group requests the Security Council to take emergency humanitarian measures to assist the Rwandese refugees and other displaced persons.