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FROM: NEW YORK C04469/NYK 18-May-1994

TO: WELLINGTON WGTN UNSC Priority

CC: BEIJING BONN
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Willberg	<input checked="" type="checkbox"/>
Forsyth	<input type="checkbox"/>
Ward	<input type="checkbox"/>
Rider	<input type="checkbox"/>
Hughes	<input checked="" type="checkbox"/>
Kember	<input type="checkbox"/>
McMaster	<input type="checkbox"/>
Foster	<input type="checkbox"/>
McCormick	<input type="checkbox"/>
Rush	<input type="checkbox"/>
Dalton	<input type="checkbox"/>
Watson	<input type="checkbox"/>

MFAT (MEA, UNC, ISAC, HRU, LGL, EUR, DP3 and DSP1, EAB)

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

Subject
 SECURITY COUNCIL: RWANDA

Our fax 2619.

Summary

- Council action on Rwanda shackled by US insistence on limiting expansion of UNAMIR to putting back some of those taken out in April
- New Zealand disappointment at US approach made clear in informal consultations and in formal Council session
- New Zealand also delivers strong public rebuke to Rwandan "Foreign Minister" for racist and tendentious remarks
- The arguments over the resolution are a telling demonstration of the need we have been pushing for an institution at less than the level of the full Council to thrash out the tactics of giving effect to Council policy

Action

Information

Report

We have already advised you by phone and fax of the events leading to the adoption in the early hours of Tuesday morning of Res 918 on the expansion of the UN presence in Rwanda.

Following for the record and for repeat addressees is a summary of the background to and implications of the resolution.

2 Last Friday (13 May) Council members had virtually agreed the text of a draft resolution providing for the expansion of the UN mission (UNAMIR) up to a level of 5,500. The US delegation had reserved its position on the text and had made clear Washington's preference for an operation focussed on the borders and working inwards (the "outside in" approach) as distinct from the UN's suggested "inside out" approach centred on Kigali but it had acquiesced in finalising the text indicating that its remaining concerns might be met in a general discussion of the SecGen's report.

3 In essence, the US considered the Secretariat approach to be too ambitious, too risky and too uncertain, given continued hostilities, especially around Kigali airport which all recognised as being at the heart of the UN strategy. For its part, the UN (and most other Council members) considered that the US approach could amount to a cosmetic operation which ignored the plight of the people most at risk in the interior of Rwanda and focussed on people not in real danger.

4 On the morning of Monday (13 May), a large team from Washington interrogated the Secretariat about the concept of operations in the SecGen's report and about the responses received to the SecGen's approaches to African countries for troops for an expanded UNAMIR. As we understand it, most of the US questions were directed to securing answers to the various factors identified in PD26, the recently signed Presidential directive on the US approach to UN peacekeeping operations.

5 On Monday afternoon, the US (Inderfurth) advised the Council that the US had fundamental reservations about the approach in the SecGen's report, on which the draft resolution of the preceding Friday had been premised. He submitted a number of amendments to make the draft resolution accord with the US view of how the operation should be focussed.

6 There were two key aspects to the US amendments. The first was to require that the expanded operation be explicitly tied to the consent of the warring factions - the Rwandese Government Forces (RGF) and the Rwandese Patriotic Front (RPF). The second requirement was to limit the expansion of UNAMIR to the first phase of reintroducing the (50 odd) military observers who had been evacuated to Nairobi but not repatriated, and to bringing the Ghanain battalion back to full strength (with the addition of some armoured personnel carriers (APCs)). Deployments of the subsequent phases would be not authorised without a further report by the SecGen in two weeks time and a further decision by the Council.

7 Underfurth explained the first proposal in terms of bringing the operation into conformity with one of the essential elements in PD 26. As for the second, he argued that this would give the UN and the US time to obtain further information about which of the outside in or inside out approaches was the more feasible. He invited the Secretariat to confirm that consent was "vital" to the viability of the operation and that the deferral of the deployment of the main part of the expanded force as proposed by the US would not make any difference in real terms to the speed at which troops would get to Rwanda given the slow pace of replies to the SecGen's requests approaches. Gharekhan declined to offer confirmation on either point.

8 We led the opposition to both US amendments. On the issue of consent, we noted that as envisaged UNAMIR was not a traditional peacekeeping operation where, short of Chapter VII action, consent was a basic requirement. The whole concept of operations was based on the assumption that there was no ceasefire in place. The point of UN involvement was not to maintain a peace between the parties but to provide protection and assistance to civilians at risk. In the circumstances prevailing in Rwanda, where innocent civilians were being slaughtered, it would be unacceptable to give either of the parties a veto over UN action. Therefore, we resisted vigorously the US proposal to tie the mandate and/or the continuation of the operation to the consent of the parties.

9 We received strong support on this point from France, Argentina, Spain, the Czech Republic and Djibouti, and, albeit in muted tones, from the UK. The US eventually dropped its proposed amendment to the operative part of the resolution and settled for a preambular para proposed by the UK which stressed the importance attached to the support and cooperation of the parties but did not make the operation contingent on either.

10 The second US demand was even more problematic. We pointed out that the effect of the proposal would be effectively to limit the resolution to putting back some of the people who had been taken out in April after the Belgians pulled out (when the US had tried to close the operation down entirely). In terms of public presentation, this risked the UN being a laughing stock. In operational terms, the requirement for further reports and decisions in order to ensure the feasibility of operation was likely to be self defeating. Troop contributors would be unlikely to commit themselves when the Council itself was so indecisive. The NAM shared our reservations.

11 The informals were adjourned to enable consultations on how to bridge the gap. The resulting corridor discussions confirmed that the US would not shift on the need for second decision point for deployment after the first phase. After an hour's standoff with the NAM, they were willing to fudge

the point a bit by providing that the next deployment would follow a report by the SecGen and "further review and action, as required, by the Council." This was enough to satisfy the NAM. We took exception, however, to the various factors which the report would be required to address (cooperation of the parties, progress towards a ceasefire, availability of resources and duration of the mandate) and proposed their removal so as not to give so public a signal of the Council's reluctance to give assistance to Rwanda. When the US refused to budge, we reserved our position.

12 In the ensuing two hours before the vote (while the amended text was being translated), we gave serious consideration to abstaining on the resolution. Following consultations with the Minister and the Ministry, and given the NAM decision to vote yes (on the basis that something is better than nothing), we decided to support the text. Additional considerations were the possible impact that absence of NZ support might have on countries such as Australia and Canada, which are considering Secretariat requests for troops for the expanded force, and the danger that an abstention might be misconstrued as support for the Rwandan "Foreign Minister" who showed up to argue against the arms embargo contained in the resolution (see below). We made plain, however, our distaste with what had happened in our EOV which was the second made after the adoption of the resolution.

13 Adoption of the resolution was delayed a further hour when the odious Rwandan "Foreign Minister" turned up to demand that he be allowed to vote against Part B of the resolution imposing the mandatory arms embargo. When advised that such a procedure would be inconsistent with Rwanda's notional cosponsorship of a "Presidential" text, he said he would then vote against the resolution as a whole. Such a public rejection of the resolution by one of the parties was clearly undesirable. Further informals resulted in the presidential designation of the resolution being withdrawn and agreement to vote separately on Part B and then on the rest of the resolution (along similar lines to the vote on Res 904 on the Hebron massacre). Somewhat to the surprise of the P4, and reflecting real anger at the US position the only countries ready to cosponsor the resolution were the P4, Spain and the Czech Republic.

14 Part B was adopted 14-1(Rwanda)-0; the remainder of the resolution was adopted 15-0-0. Following the Hebron formula, the President then sought and received confirmation (by silence) that the resolution as a whole had been adopted as Res 918 (1994).

15 All Council members made EOVs: Rwanda, Oman, Pakistan, Djibouti, China and Russia spoke before the vote; France, NZ, UK, US, Brazil, Spain, Argentina, Czech Rep and Nigeria spoke afterwards. With the exception of Rwanda, the statements were brief.

16 The Rwandan "Foreign Minister" gave a tendentious and racist 15 page diatribe to the effect that the recent killings were the understandable consequence of four centuries of oppression of the Hutus by the "haughty" Tutsi overlords, and went on to argue that in any event the real culprits in the killing of the President and the subsequent slaughter were the RPF.

17 Forewarned by the French, we and the UK had agreed beforehand that we should not let such remarks pass unchallenged. Although the UK, Spain and Argentina also criticised the "Foreign Minister's" statement, we were the first to do so and were the most direct. We were also the most critical of the content of the resolution. We understand that some of our remarks were later carried by the BBC and CNN. We have received many congratulations from a range of UN members on what we said to the "Foreign Minister" and on what we said about the substance of the resolution.

Comment

18 All in all, the events of Monday night left a bad taste in the mouth. As a number of delegates and Secretariat members commented, it was not a good start to the despatch of a UN mission to what is undoubtedly one of the most desperate situations that has confronted the UN, even including Somalia. The shackles that the US, by threatening to use its veto, successfully placed on the operation are particularly regrettable in that light.

19 At a technical level we agree with many of the concerns that the US has raised and would naturally be inclined to be supportive were the situation not so desperate and were we not convinced that the motivation for the US approach has little to do with Rwanda and everything to do with the Administration's battle with Congress over peacekeeping. It was to be expected that there would be heavy pressure to apply the rule of PD26 to the proposal to expand UNAMIR since this is the first "peacekeeping" decision to be taken since its adoption. But as even the US has frequently acknowledged, the proposed expanded UNAMIR is not a traditional peacekeeping operation and it makes little sense to apply the traditional peacekeeping criteria on which PD26 is based.

20 We agree that there is a clear need to establish a more detailed concept of operations and to whether inside out or outside in is the way to go. There is also a need to ascertain whether there will be resources available to do the job. But that does not mean the Council has to condition its political decision to establish what is a very modest force by requiring further reports and further decisions. Moreover, the process of technical elaboration of strategy is not something that can be done adequately by the Council at the level of Ambassadors. Nor can it be left for the

powerful Council members to work it things out privately with the Secretariat as the Permanent Members like to do. As we hinted in our EOV, and pointed out more directly to Inderfurth and Albright privately, the events of Monday are a clear demonstration of the need for an institutionalised forum for such technical discussions on how to give effect to the political decisions of the Council.

21 General Sanderson, the former Commander of the UN force in Cambodia (UNTAC), made an interesting remark at a lunch yesterday hosted in his honour by Richard Butler. Commenting on the discussion on the events of the night before, he said he was rather depressed to hear that the United States wanted the Security Council to engage so much in what were matters of tactics when they should be focussing on strategy. USG Goulding made an even more telling comment about the SecGen's attitude to Rwanda. He said the SecGen considered that the world would be in ferment if 200,000 people had been killed in a month in Europe; he was not about to let the Council turn away from Rwanda just because the problems there were hard.

End Message