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RWANDA

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**CONFIDENTIAL  
MEMORANDUM**

June 21, 1994

**TO:** Ambassador Albright  
**THRU:** Ambassador Graham  
**FROM:** POL - Robert Grey  
**SUBJECT:** Security Council informals on Rwanda (Spanish Draft),  
Tuesday, June 21, 3:30 pm

**SUMMARY**

In addition to the major Rwanda issue of the French initiative, the Council is also supposed to take up, once again, the Spanish draft on a Commission of Experts. After we got the Spanish to include all of Washington's amendments, they sent us one more last-minute change. We will speak to the Spanish about it, but they may not have time to prepare another revised draft. It is not a controversial amendment, and you should have no trouble if you propose it.

Also, you should ask for clarification of the request, in operative paragraph 7, for contributions of funds. Is the Commission to be funded from the regular budget of the UN, or does this mean phrase mean that a Trust Fund will be established to pay for the Commission?

**Addition to op 5:**

"Urges all concerned fully to cooperate with the Commission of Experts in the accomplishment of its mandate, including complying with requests for assistance and access by Commission members and expert staff in pursuing investigations;"

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DEPT OF STATE APPEALS REVIEW PANEL (ARP)

FOIA/PA  
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Mandatory Review

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Exemptions

ARP Action Com

Date 06/21/94

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17 June 1994  
18:00 hrsDRAFT RESOLUTION  
(Spain)

The Security Council.

Reaffirming all its previous resolutions on the situation in Rwanda,

Recalling the statement by the President of the Security Council of 30 April 1994 (S/PRST/1994/21) in which the Security Council inter alia condemned all breaches of international humanitarian law in Rwanda, particularly those perpetrated against the civilian population, and recalled that persons who instigate or participate in such acts are individually responsible,

Recalling also the requests it addressed to the Secretary-General, in the statement by the President of the Security Council of 30 April 1994 and in Resolution 918 (1994), concerning the investigation of serious violations of international humanitarian law committed in Rwanda during the conflict,

Having considered the report of the Secretary-General of 31 May 1994 (S/1994/640), in which he noted that massacres and killings have continued in a systematic manner throughout Rwanda and also noted that only a proper investigation can establish the facts and enable the determination of responsibility,

Noting the appointment, pursuant to resolution S-3/1 of 25 May 1994, adopted by the United Nations Commission on Human Rights, of a Special Rapporteur for Rwanda,

Expressing once again its gravest concern at the continuing reports indicating that systematic, widespread and flagrant

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violations of international humanitarian law, including acts of genocide, have been committed in Rwanda.

Noting also the importance of the application of international humanitarian law in the fulfilment of the Security Council's primary responsibility under the Charter of the United Nations to maintain international peace and security,

1. Affirms that all persons who commit, authorize or instigate violations of international humanitarian law are individually responsible for those violations;
2. Requests the Secretary-General to establish, as a matter of urgency, an impartial Commission of Experts to examine and analyse the information submitted pursuant to the present resolution, together with such further information as the Commission of Experts may obtain through its own investigations or efforts, of other persons or bodies, with a view to providing the Secretary-General with its conclusions on the evidence of possible breaches of the Convention on Genocide and other grave violations of international humanitarian law committed in the territory of Rwanda, and recommendations in this regard;
3. Calls upon States and, as appropriate, international humanitarian organizations to collate substantiated information in their possession or submitted to them relating to grave violations of international humanitarian law, including breaches of the Convention on the Prevention and Punishment of the Crime of Genocide, being committed in the territory of Rwanda, and requests States, relevant United Nations bodies, and relevant organizations to make this information available within thirty days of the adoption of the present resolution and as appropriate thereafter, and to provide other appropriate assistance to the Commission of Experts referred to in paragraph 1;

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4. Requests the Secretary-General to report to the Council on the establishment of the Commission of Experts, and further requests the Secretary-General to report to the Council, within [ninety] days from the establishment of the Commission of Experts, on the conclusions of the Commission of Experts, so that the Security Council might take account of these conclusions in any recommendations for possible further appropriate steps in order to ensure that persons responsible for such acts are brought to justice;
5. Requests the Special Rapporteur appointed by the United Nations Commission on Human Rights to investigate the human rights situation in Rwanda to coordinate his efforts with those of the Commission of Experts;
6. Urges all concerned fully to cooperate with the Commission of Experts in the accomplishment of its mandate;
7. Urges also states and inter-governmental and non-governmental organizations to contribute funds, equipment and services to the Commission of Experts, including the offer of expert personnel;
8. Decides to remain actively seized of the matter.

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