

Ref RWANDA
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UNCLASSIFIED
MEMORANDUM

June 14, 1994

TO: Ambassador Albright
THRU: Ambassador Gnehm
FROM: POL - Robert T. Grey
SUBJECT: Security Council Informals on Rwanda, Tuesday, June 14, 11:00 am

SUMMARY

The Spanish have circulated a draft resolution asking the SYG to set up a Commission of Experts to analyse information on violations of the Genocide Convention and other international humanitarian law. Washington will have a meeting at 2 pm this afternoon to work out an official position on this question. We have no reaction at this time. It is a complicated subject which, on the face of it, looks inviting but may have ramifications which need to be carefully thought through.

TALKING POINTS

- o The crisis in Rwanda has an unmistakable human rights dimension which cannot be ignored. The U.S. was one of the first to send a delegation to the region, headed by our Assistant Secretary of State for Human Rights and Humanitarian Affairs, John Shattuck, to look into this aspect of the tragedy.
- o Some action will need to be taken to bring the perpetrators of the acts of genocide to justice, in the absence of a functioning internal judicial system in Rwanda. We thank the Spanish delegation for coming to grips with this problem and presenting the draft now before us.
- o At this point in time, however, my government has not yet thoroughly examined the various options, and the precedents and ramifications which may result. Many factors need to be considered, including the forthcoming recommendations of the Special Rapporteur appointed by the UN Human Rights Commission and the need to maintain UNAMIR's strict neutrality.
- o We hope to have a firm position on this question, and a detailed reaction to the Spanish draft, by tomorrow.

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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/94/21) 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 definite culpability,

Expressing once again its gravest concern at the continuing reports indicating that systematic, widespread and flagrant violations of international humanitarian law, including acts of genocide, have been committed in Rwanda,

1. 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 2 below;

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 breaches of the Convention on Genocide and other grave violations of international humanitarian law committed in the territory of Rwanda;

3. Also requests the Secretary-General to report to the Council on the establishment of the Commission of Experts;

4. Further requests the Secretary-General to report to the Council on the conclusions of the Commission of Experts and to take account of these conclusions in any recommendations for further appropriate steps in order to ensure that persons responsible for such acts are brought to justice;

5. Decides to remain actively seized of the matter.