

115/23/37

Your file: 115/23/37

Our file: 3/88/1

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Subject

SECURITY COUNCIL: RWANDA: COMMISSION OF EXPERTS

Over the course of the past couple of days we have joined the Spanish in discussing various suggestions for amendments put forward, particularly by the P3, to the draft resolution establishing a Commission of Experts to investigate human rights violations in Rwanda. Various adjustments were made, none particularly significant. One of the main concerns was to try to avoid undue overlap between the Commission of Experts and the Special Rapporteur appointed pursuant to the CHR resolution.

2 Spain circulated the revised text in the informal consultations this evening. (Text in our accompanying fax - Wellington and Geneva only.) France had a minor quibble with the final part of PP5 but was able to claim satisfaction with the small adjustment proposed by Pakistan. It was helpful that in the course of his intervention Pakistan indicated support for the proposal, and welcome that the UK and US announced their readiness to cosponsor the draft. After some cajoling we were also able to persuade Nigeria (Gambari) to speak positively about the draft.

3 As expected, the Chinese raised the most substantive problems and, after making another speech about the Council needing to keep out of areas in which it was not competent, Li sought the deletion of references to the Special Rapporteur in PP6, OP1 and OP3. He did not press the point too hard, especially after the Nigerian intervention, but later sought the Nigerians' assistance in making at least

some adjustments to those aspects of the text. At Nigeria's request, we made an effort to come up with language that gives the Chinese something, but the Spanish resisted. As Barnuevo correctly pointed out, if China abstains on its own, there is no harm to the adoption of the resolution given its well known position on human rights issues.

4 Rwanda also sought an amendment - namely a new preambular para referring to the investigation called for in Res 918 into the causes of the air crash leading to the deaths of the Presidents of Rwanda and Burundi. Spain resisted what would be an unnecessary distraction to the work of the Commission. Again, if Rwanda were to abstain, that would not cause the cosponsors any heartache.

5 The Spanish have asked that the text be put in blue this evening and are hopeful that it may be adopted tomorrow, 30 June. Whether this happens will largely depend on the pressure of more urgent business (Georgia, Haiti, Angola). In any event, there now seems a good chance the resolution will be adopted by the end of the week.

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End Message