

## **The International Response to Conflict and Genocide: Lessons from the Rwanda Experience**

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# **The International Response to Conflict and Genocide: Lessons from the Rwanda Experience**

## **Study 2**

# **Early Warning and Conflict Management**

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**Joint Evaluation of Emergency Assistance to Rwanda**

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# Preface

Within a period of three months in 1994, an estimated five to eight hundred thousand people were killed as a result of civil war and genocide in Rwanda. Large numbers were physically and psychologically afflicted for life through maiming, rape and other trauma; over two million fled to neighbouring countries and maybe half as many became internally displaced within Rwanda. This human suffering was and is incomprehensible. The agony and legacy of the violence create continuing suffering, economic loss and tension both inside Rwanda and in the Great Lakes Region.

For several years preceding the massive violence of 1994, the international community contributed to efforts to find a peaceful solution to escalating conflict and provided substantial assistance to alleviate the human suffering. During the nine months of the emergency in 1994, April to December, international assistance for emergency relief to Rwandese refugees and displaced persons is estimated to have cost in the order of US\$ 1.4 billion, of which about one-third was spent in Rwanda and two-thirds in asylum countries. This accounted for over 20% of all official emergency assistance, which in turn has accounted for an increasing share, reaching over 10% in 1994, of overall international aid.

This growth reflects the worldwide proliferation in recent years of so-called complex emergencies. These tend to have multiple causes, but are essentially political in nature and entail violent conflict. They typically include a breakdown of legitimate institutions and governance, widespread suffering and massive population displacements, and they often involve and require a range of responses from the international community, including intense diplomacy and conflict resolution efforts, UN policing actions, and the provision of multilateral and bilateral humanitarian assistance by official and private agencies. A complex emergency tends to be very dynamic, characterized by rapid changes that are difficult to predict. Thus complex issues are raised regarding the timing, nature and scale of response. The Rwanda complex emergency shares all these characteristics and more.

Although some evaluations of international assistance for complex emergencies have been carried out, experience from the planning and execution of large-scale aid for relief, rehabilitation and reconstruction has not been extensively documented and assessed. Recognizing both the magnitude of the Rwanda emergency and the implications of complex disasters for constricted aid budgets, the Danish Ministry of Foreign Affairs, through its development cooperation wing, Danida, proposed a Joint Evaluation of Emergency Assistance to Rwanda.

This initiative resulted in the launching of an unprecedented multinational, multi-donor evaluation effort, with the formation of a Steering Committee at a consultative meeting of international agencies and NGOs held in Copenhagen in November 1994. This Committee<sup>1</sup> is composed of representatives from 19 OECD-member bilateral donor agencies, plus the European Union and the Development Assistance Committee (DAC) of the OECD; nine multilateral agencies and UN units; the two components of the International Red Cross and Red Crescent Movement (ICRC and IFRC); and five international NGO organizations

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<sup>1</sup> Australia, Austria, Belgium, Canada, Denmark, Finland, Germany, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, United Kingdom, United States of America, Commission of the EU, OECD/DAC, IOM, UN/DHA, UNDP, UNHCR, UNICEF, WFP, WHO, IBRD, ICRC, IFRC, ICVA, Doctors of the World, INTERACTION, Steering Committee for Humanitarian Response, VOICE. Several other countries supported the evaluation, but did not participate actively. France suspended its participation in the Steering Committee in December 1995. The cost of the evaluation has been met by voluntary contributions from members of the Steering Committee.

## **Objective of the Evaluation<sup>2</sup>**

The main objective of the evaluation is to draw lessons from the Rwanda experience relevant for future complex emergencies as well as for current operations in Rwanda and the region, such as early warning and conflict management, preparation for and provision of emergency assistance, and the transition from relief to rehabilitation and development.

In view of the diversity of the issues to be evaluated, four separate evaluation studies were contracted to institutions and individuals with requisite qualifications in the fields of (i) emergency assistance planning and management; (ii) repatriation and rehabilitation of refugees; (iii) history and political economy of Rwanda and the surrounding region; (iv) institution and capacity building in development; (v) conflict and political analysis; and/or (vi) socio-cultural and gender aspects. Institutions and individuals were also selected for their proven ability to perform high-quality, analytical and objective evaluative research.

The institutions and principal individuals responsible for the four reports are listed below. Space precludes listing all team members for each study, which ranged from four persons for Study I to 21 for Study III; in all, 52 consultants and researchers participated. Complete identification of the study teams may be found in each study report. Several of the studies commissioned sub-studies that are also identified in the respective study report.

### **Study I: Historical Perspective: Some Explanatory Factors**

The Nordic Africa Institute (Uppsala, Sweden)  
Tor Sellström and Lennart Wohlgemuth.

### **Study II: Early Warning and Conflict Management**

Chr. Michelsen Institute (Bergen, Norway)  
York University (Toronto, Canada)  
Howard Adelman and Astri Suhrke.

### **Study III: Humanitarian Aid and Effects**

Overseas Development Institute (London, United Kingdom)  
John Borton, Emery Brusset and Alistair Hallam.

### **Study IV: Rebuilding Post-Genocide Rwanda**

Center for Development Information and Evaluation,  
US Agency for International Development; Development Alternatives, Inc.;  
Refugee Policy Group (Washington, DC, USA)  
Krishna Kumar and David Tardif-Douglin.

Evaluation oversight was performed by the Steering Committee (which held four meetings between December 1994 and December 1995), and by a Management Group, comprised of one lead bilateral agency for each study: Study I: Claes Bennedich, Sida, Sweden; Study II: Jarle Hårstad, Ministry of Foreign Affairs, Norway; Study III: Johnny Morris, ODA, United Kingdom; and Study IV: Krishna Kumar, USAID/CDIE, USA; and Niels Dabelstein, Danida, Denmark, as chair. The evaluation teams were responsible to the Management Group and the Steering Committee for guidance regarding

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<sup>2</sup> See Appendix I of the Synthesis report for the full Terms of Reference.

such issues as terms of reference and operational matters, including time frames and budget constraints, and they were obliged to give full and fair consideration to substantive comments from both groups. The responsibility for the content of final reports is solely that of the teams.

The approach taken to this evaluation has reflected two concerns:

- to try, through involving experienced outsiders, to examine as objectively and critically as possible an experience about which it is impossible for any person with humane values not to be deeply affected;
- to engage leading Africans in a critical review of the analysis, findings and recommendations while they were still in draft.

For this last reason, a panel of distinguished experts from Africa has provided a critique of the report through participation in two panel discussions with the authors of the reports and selected resource persons. The panel comprised: Reverend Jos, Chipenda, General Secretary, All-Africa Conference of Churches, Kenya; Dr. Adama Djeng, President, International Commission of Jurists, Switzerland; Professor Joseph Ki-zerbo, Member of Parliament, Republic of Burkina Faso; and Dr. Salim A. Salim, Secretary General, Organization of African Unity, Ethiopia. Also, Mr. Gideon Kayinamura, Ambassador of Rwanda to the UK; Ms. Julie Ngiriye, Ambassador of Burundi to Denmark; and Ms. Victoria Mwakasege, Counsellor, Embassy of Tanzania, Stockholm, made significant contributions through their participation in the December 1995 Steering Committee Meeting.

While the Steering Committee is particularly grateful to these African participants for contributing their wisdom and keen insights at one stage of the evaluation process, it is also acutely aware of the fact that African researchers and institutions were not, with the exception of selected sub-studies, involved in its execution. However, the Steering Committee is committed to disseminate the evaluation widely among African leaders and organizations and anxious that they participate fully in discussions about the evaluation's recommendations.

The following resource persons have commented on drafts at various stages and/or participated in panels or workshops: Mary B. Anderson, Consultant, USA; Hanne Christensen, Independent Bureau for Humanitarian Issues, France; John Eriksson, Consultant, USA; Professor Andr, Guichaoua, Universit, des Sciences at Technologies de Lille, France; Sven Hamrell, Dag Hammarskjöld Foundation, Sweden; Larry Minear, Humanitarianism and War Project, Brown University, USA; Professor Rodolfo Stavenhagen, Colegio de Mexico, Mexico; and Stein Villumstad, Norwegian Church Aid, Norway.

The Synthesis Report was prepared by John Eriksson, with contributions from the authors of the four study reports and assistance from Hanne Christensen and Stein Villumstad in the preparation of findings and recommendations.

This evaluation was initiated on the premise that in spite of the complexity and chaos that characterize Rwanda's experience, it would be possible to identify applicable lessons to be learned by the international community in attempting to respond to future complex emergencies and in its continuing attempt to help Rwanda rebuild its society. The international teams who have produced this evaluation believe they have identified such lessons. It will be up to the governmental and non-governmental leaders of the international community for whom this evaluation has been prepared to apply the lessons.

*Niels Dabelstein*

Chairman of the Steering Committee for  
Joint Evaluation of Emergency Assistance to Rwanda

# Executive Summary

Using the techniques of critical policy analysis, this report examines the effectiveness of early warning and conflict management of the Rwanda conflict. The study begins with the refugee problem prior to 1990 and ends with the genocide of 500-800,000 persons, mainly belonging to the minority Tutsi community, in the second quarter of 1994. Security issues related to the subsequent formation of refugee camps are also examined.

Once the civil war broke out in 1990, increasingly there were warnings, supported by evidence, that large-scale civilian massacres might occur. Nevertheless, virtually no-one anticipated genocide on the scale that took place. Preparations to deal with the contingency of massive violence that targeted civilians were inadequate.

By failing to deal with the festering refugee problem prior to 1990, both the Rwandese and the Ugandan governments set the stage for future conflict. The build-up of tension leading to the 1990 invasion by the Rwandese Patriotic Front (RPF) was inadequately monitored. Once the civil war started, however, it triggered an intense and effective diplomatic process that eventually secured a peace agreement. The process was initiated and led by the Organization of African Unity (OAU) and the regional states, particularly Tanzania, and received considerable international attention and support. The United Nations assumed formal responsibility for overseeing the implementation of the consequent Arusha Accords, but failed to make adequate use of the OAU and local African states in this regard. As a consequence, there was a disjuncture between the mediation and implementation phase, which contributed to undermining the Accords. Throughout, insufficient attention was paid to the warnings from human rights organizations and other sources that extremist forces linked to the regime were progressively organizing and arming themselves to derail the peace process and massacre the minority group.

The UN force mandated to oversee the implementation of the peace agreement (UNAMIR) was structured and financed to satisfy a cost-conscious United States increasingly unwilling to support UN peacekeeping. The force was inadequately supported and slowly deployed, despite warnings that speed was essential to maintain the momentum of the peace process. The operation had no flexibility to respond to changing circumstances such as those caused by the crisis in neighboring Burundi in October 1993. Unequivocal warnings reached the United Nations in January 1994 regarding a planned coup, an assault on the UN forces to drive them out, provocations to resume the civil war, and even detailed plans for genocide. The cable was placed in a separate Black File, designed to draw attention to its content, and circulated to several departments in the UN Secretariat. However, senior officials in the Secretariat questioned the validity of the information and made no contingency plans for worse-case scenarios. Similar intelligence failures were evident on the state level, particularly in France and Belgium, both of which had a considerable capacity for overt and covert information gathering in Rwanda at the time. Generally, the UN Secretariat interpreted UNAMIR's mandate and terms of engagement narrowly, and on several occasions denied the Force Commander permission to search and seize arms caches. When developments in early 1994 further eroded the peace accords, the Secretary-General and the Security Council threatened to withdraw the UN force, hence strengthening the hands of the extremists.

When the crisis came to a head on 6 April, there was an absence of leadership at UN headquarters in New York. The Secretary-General misread the nature of the conflict. The killing of 10 Belgians created a political surge in the Security Council to withdraw, although this was not recommended by UNAMIR's Force Commander or African countries contributing troops.

Once the direction and magnitude of the genocide became undeniable, the UN reversed itself and accepted an obligation to protect civilians. However, the realization of this peacekeeping mission (UNAMIR II) was hampered by the unwillingness of key Council members to pay for or provide troops, and to match African troops with equipment in an expeditious manner. The force was deployed only after the genocide and the civil war had ended. The French Operation Turquoise was deployed with great speed and efficiency, but the political decision to intervene was only taken two and a half months after the genocide commenced and when the civil war was almost over. The intervention stemmed the mass outflows of refugees in the south-west, but in some respects was compromised by France's close relations with the former regime.

When massive numbers of refugees, retreating government forces, and the assumed perpetrators of the genocide crossed into Zaire and Tanzania in April-July 1994, the UN High Commissioner for Refugees (UNHCR) warned the UN in New York about the attendant security problems. The Secretariat took the unprecedented step of examining the issue in a peacekeeping context, but the Security Council provided no support. The problem fell back into the hands of UNHCR, which resorted to a novel and reasonably effective solution to police the refugee camps. The arrangement did not and could not deal with the broader security threats posed by the existence of militarized communities in exile, and these were left to fester. The large concentrations of internally displaced persons in south-west Rwanda presented a domestic version of similar problems. These came to a head in the operation when the Kibeho camp was closed in April 1995 with a large loss of life. Nevertheless, the efforts and planning that went into the coordination of UN agencies, NGOs and the Rwandese government were clearly steps in the right direction.

The report attempts to explain why the signals that were sent were not attended to or not translated into effective conflict management.

Failures of early warning are attributable to many factors. To briefly summarize:

- As a universal membership organization, the UN is poorly suited to collect and flag information about human rights violations and certainly genocide in member states;
- Failure in both the UN system and the NGO community to link human rights reports to dynamic analyses of social conflict;
- An internal predisposition on the part of a number of the key actors to deny the possibility of genocide because facing the consequences might have required them to alter their courses of action;
- The mesmerization with the success of Arusha and the failure of Somalia, which together cast long shadows and distorted an objective analysis of Rwanda;
- The vast quantity of noise from other crises that preoccupied world leaders;
- The confusion between genocide as a legal term referring primarily to an intent, and the popular association of genocide with massive murder in the order of hundreds of thousands;
- Finally, the general desensitization that has emerged to mass slaughters, and the incredulity that a massive genocide might actually occur.

The media, with some exceptions, played an irresponsible role in their reporting on Rwanda. The overall failure of the media to report accurately and adequately on a crime against humanity significantly contributed to international disinterest in the genocide, and hence to the inadequate response.

Conflict management, however, is a function of capacity, interest and commitment as well as information. In the Rwanda case, the relevant actors knew at a critical stage that the situation was unstable and dangerous. Yet the sustained and careful attention so necessary to successful conflict management was lacking. Admittedly, some individual or collective actors did the most with the least under difficult or adverse circumstances. Human rights NGOs monitored the situation

throughout. Tanzania struggled to turn the Arusha process into effective preventive diplomacy. UNAMIR I tried to function proactively despite tight reins prior to 6 April, and many remaining units - along with ICRC - bravely sought to save civilians once the killings started. This could not compensate, however, for the overall failure of the international community to prevent, mitigate or stop the genocide. When the crisis struck, and it later became clear that a massive genocide was unfolding, there was still no effective international action.

In one sense, this inaction can be seen as a propensity of states to be guided by narrow self-interest rather than moral obligations to uphold international norms of justice. However, this propensity has historically varied over time and place. In this case, it was allowed significant play because of a structural mismatch between responsibilities of institutions and interests in the contemporary world.

Revitalized by the end of the Cold War, the United Nations in the 1990s rapidly expanded its peacekeeping operations. Rwanda was added to the list in October 1993. The framework for peacekeeping, however, was set by the distribution of power in the Security Council, which represented the world as it was half a century ago. Except for France, the major powers on the Council were uninterested in a small Central African country that was marginal to their economic or political concerns, and peripheral to international strategic rivalries. By their power of veto and finances, the Permanent Five controlled the peacekeeping and enforcement operations of the UN. The only state with a demonstrated ability to energize the Council in a crisis – the United States – was haunted by the memories of Somalia and determined not to get involved in another African conflict. Washington was also preoccupied with crises elsewhere, especially in Bosnia and Haiti. Hence, a principal lesson from the Rwanda conflict is that in a world of multiple crises, even major disasters in a seemingly peripheral state may fall victim to neglect.

As the major Western states were uninterested in Rwanda, and the regional states were unable or unwilling to maintain a sustained presence, France was left to define a large part of the policy field. The result was to magnify the consequences – negative as well as positive – of unilateralism.

The consequence of these cumulative fault lines in the international system was a genocide of immense proportions.

The report ends with a number of suggested recommendations that follow from the analysis and are consistent with the principles of humanitarian realism.

# Acknowledgements

We would like to acknowledge a number of individuals without whose assistance this report could not have been completed. First, the members of the inter-governmental committees supervising the study were always supportive and understanding without trying to influence the outcome. Second, we wish to thank the other teams involved in the study. It was recognized from the beginning that the teams had overlapping areas to cover and we found that the teams openly and willingly shared information and materials. We are particularly grateful to the leaders of Study III, with whom we had the greatest overlap. Third, this study has depended on the contributions of numerous persons and agencies. Several academics and scholars in effect became members of an expanded team: their research is listed in the bibliography and acknowledged in the text. A much larger group of academics and other observers gave valuable comments and some read parts of the draft report. A large number of officials in Africa, Europe and North America gave of their valuable time, taken from already overburdened schedules, to provide information, analysis, interpretations and explanations, and patiently subjected themselves to being questioned. Many shared documentation to ensure factual accuracy. Their agencies and organizations are listed in the Appendix.

Workshops to test out ideas and receive critical feedback were held at the Centre for Refugee Studies, York University in Toronto, and the New School for Social Research in New York. An international conference on Conflict Resolution in Africa organized by the Chr. Michelsen Institute in Bergen helped to crystallize some of the conclusions.

We would also like to thank the Chr. Michelsen Institute and the Center for Refugee Studies at York University for providing institutional and intellectual support. The graduate and post-graduate students at the Center for Refugee Studies made a singularly valuable contribution by assisting with data collection and index preparations.

Finally, and not least of all, we would like to thank our spouses and children, who had to put up with an intense travel schedule and our absence even when physically present as we struggled dispassionately to dissect a human catastrophe.

Bergen and Toronto  
December 1995  
A.S., H.A.

## Introduction

# Analytical Framework

### Subject matter

This report examines the effectiveness of international monitoring and management of the Rwanda conflict, which culminated in genocide of half a million to one million persons in the second quarter of 1994. The report has two distinct yet closely related foci: (i) the existence and effectiveness of early warning mechanisms anticipating escalations in violent conflict and mass murder; (ii) the nature and appropriateness of the responses of significant international actors towards the evolving conflict.<sup>1</sup> Since the 1990 invasion marked the opening of the conflict cycle that culminated in genocide, the study begins with the factors leading up to the invasion of October 1990 and ends in early 1995. Within this time frame, different phases of the conflict are identified and studied in varying degrees of depth. In the period after August 1994, consideration is given only to conflict management issues concerning internally displaced persons and refugees. Given the constraints of this study, early warning relating to providing humanitarian assistance is a peripheral rather than central focus.

### Process

Data collection for the study commenced at the beginning of 1995 and has been carried out by Howard Adelman (York University, Toronto) and Astri Suhrke (Chr.Michelsen Institute, Bergen), with the assistance of research associates working on assigned topics. These included: Agnes Callamard, Shally B. Gachuruzi, Peik Johansson, Bruce Jones, Kate Halvorsen, Steven Livingston and Todd Eachus, Ogenga Otunnu, Gérard Prunier, Turid Lægreid and Amare Tekle. The research is based on secondary resources (books and articles by academics and journalists, media studies, reports, etc.) as well as considerable primary data collected through interviews and document searches in the UN system (New York and Geneva), the NGO community, and visits to relevant national capitals in Europe and North America (Paris, Rome, Brussels, London, Washington and Ottawa), and in Africa (Nairobi, Kigali, Kampala, and Dar-es-Salaam). Some of the most valuable documentation was made available for exclusive use of this study. Nevertheless, documents have limitations: a great deal of communication and key parts of the decision-making in this case were not recorded. As for interviews, personal recollections of participants always pose difficulties with respect even to basic facts; there is a need for caution, given the propensity to rewrite history in the reconstruction of memory. This difficulty was compounded by the traumatic nature of events in Rwanda and controversies about international responses and responsibilities. With these constraints, we have tried to provide coherence in reconciling the various perspectives on the crisis.

If the report does not adequately reflect the position of some parties, one reason is that documentation and personnel were not available. Most of the persons interviewed have been identified only by their institution (see Appendix), but some insisted on complete anonymity.

Although the research responsibility was initially divided according to issues – Adelman taking primary responsibility for early warning and Suhrke for conflict management – the final product is the responsibility of both. The dialectic of reaching a consensus on virtually all issues was a discipline in itself.

## Premises

This study falls outside the bounds of evaluation in a conventional sense. To address the questions posed by the terms of reference required two tasks: sorting out the cause-and-effect relationships of complex historical developments and assessing their consequences, not only in relation to formal stated goals but equally in relation to higher standards of conflict management and international norms. In these respects, the study follows in the tradition of critical policy analysis. There is a recognition of competing goals, of unintended, unforeseen or indirect consequences, yet a presumption of some choice and consequent responsibility by the actors concerned.

The report is based on some general premises concerning the interpretation of a complex social conflict. The first premise is that historical actors, in comparison to the critical analysts of those acts, interpret events and their significance from very different perspectives. Though both base their assessments on inadequate information and communication, analysis of a conflict “from within”, while it is evolving, differs significantly from ex post facto analysis. The analyst is in some respects better positioned to understand and interpret what occurred. In retrospect, the equivalent of early warning data may be interpreted differently and “more correctly” in light of what actually happened; signals that at the time were ambiguous may now seem compelling, and additional information may be available. The analyst may be constrained by lack of access to information sources but can view the issues from several perspectives. Herein also lies the danger of misrepresenting the ability of historical actors to interpret signals correctly within their own situational context. A related distinction lies in the set of filters that screen incoming information; the range of action that policy-makers consider realistic will influence the attention paid to information, how they interpret it, and to whom it is communicated. In a feed-back mechanism, this in turn influences the formulation of policy options.

Early warning is the collection, analysis and communication of the relevant evidence and conclusions to policy-makers to enable them to make strategic choices.<sup>2</sup> Unlike traditional intelligence, which also collects and analyzes information and communicates the results, the object of early warning is not primarily security for one’s self or one’s country, but the security of another; in early warning, the security is not self-directed. The other party or parties are not presumed to be adversaries, as is the case with intelligence analysis.

Human rights monitoring also involves the collection of information, analysis of that information and communicating the results. But the prime audience is the public, even though human rights reports are addressed to leaders. For human rights reports do not facilitate the decision-making of those leaders, but rather serve as a superego, a haunting conscience for people in power. Like early warning, it is other- rather than self-directed.

Early warning can be concerned with military conflicts, military coups, impending humanitarian disasters, such as starvation and flows of refugees, slaughters, and, at the extreme, genocide. In the Rwanda case, all of these were involved at different stages.

The spontaneous slaughter of one group by another, usually as a result of inter-ethnic strife, is not generally referred to as genocide. Genocide must be the result of deliberate policies of the political elite intent on wiping out the other group. According to the 1948 Convention, the “intent to destroy” is an essential requirement for identifying genocide.<sup>3</sup> Thus, understanding the political process that leads to the genocide is critical. The decision of a political elite to foster or permit genocide to occur may be the result of their implicit consent rather than explicit orders. In the Rwandese case, no such subtle distinctions between implicit and explicit policies are necessary. The genocide was actively promoted by political and military leaders, and there were apparently concrete plans to kill at least all the Tutsi in Kigali. Once the killing commenced, there is a debate on whether the leaders continued to manage the genocide until the end, or once the frenzy of killing started and – given the organization in place – it acquired an additional momentum of its own.

However, there need be no debate on whether the use of the term “genocide” is appropriate.

According to the 1948 Convention, intent to destroy a group “in whole or in part” constitutes genocide, and the term was applied to describe even relatively small slaughters (300–2,000) in the 1990–93 period. In the public mind, by contrast, the term “genocide” is used only when substantial proportions of a group are slaughtered. What happened after 6 April 1994 meets both the legal and the popular meanings of the term.

According to what standards do we assess the anticipation of violent conflict? Were there relevant structures for collecting and analyzing signals, and, if so, did these function in an efficient, accurate and timely manner? What were the relevant structures? Who has – or should have – responsibility for collecting and analyzing information and translating that analysis into options for action? The assumption is that the responsibility for collecting and analyzing information flows from the responsibility for action. That is, actors who played a role in the Rwandese conflict had an obligation commensurate with their responsibilities to obtain and assess data about the evolving violence. In each case, the overriding consideration must be whether the system(s) caught and processed available information that at the time reasonably could be said to indicate that an event – an invasion, an escalation of the conflict, genocide – was a possibility, likely, or already under way.

In the ideal state, early warning serves prevention. In reality, preventive measures are among the most difficult of all policies to formulate and carry out. The next best, as it were, is to focus on conflict management. Here, the general criteria identified by the terms of reference are “containment and de-escalation”. We see these as being derived from an ethical standard which holds that the international community should have attempted to reduce violence in Rwanda in general, and prevent genocide in particular. Given this premise, a specific response has to be assessed not only in relation to its formal goals (e.g. of UNAMIR I); the question must also be asked whether the formal mandate was appropriate in relation to a higher standard of conflict reduction extant in the international community.

A number of generally recognized international norms for assessing conduct appropriate to conflict reduction are relevant in the Rwanda case. The obligation exists for the parties to the conflict to attempt to settle their differences by peaceful means, utilizing when ever possible the appropriate international organization to which they belong. In refugee matters, countries of origin are obliged to allow their nationals the right to be repatriated.<sup>4</sup> States are not to permit invasions of other states from their territories.<sup>5</sup> There is an obligation not to intervene in the internal affairs of sovereign states except in cases of genocide. These norms are not always compatible, either in principle or in practice, nor were they in the Rwanda case. For instance, norms affirming the right of refugees to return, and norms against using military force from outside the country to enforce that right seemed to be at odds in practice. No similar incompatibility existed between the general strictures against intervention, on the one hand, and the explicit legal right and associated moral obligation to intervene to stop the mass slaughter of civilians according to the Genocide Convention.

If the first task of evaluation is to identify appropriate standards, a second is to assign causative responsibility for decisions and their consequences. Different degrees of responsibility may be assigned to different actors, and responsibility may vary over time. In the Rwandese case, that meant, in the first instance, the Rwandese parties to the conflict. It also meant, however, that the regional and European states most closely involved in the development of the conflict triggered by the October 1990 invasion (especially Uganda and France as the principal associates of the major Rwandese protagonists) bore significant responsibility. Third, regional actors (especially Tanzania and the OAU) were moved by self-interest and formal obligations, and, in fact, played an active and sustained mediating role in the pre-1994 period. Fourth, there were actors (other states, the Catholic Church, NGOs) that chose to become involved for various reasons; they also had commitments and responsibilities that varied with the extent of their involvement. Fifth, the UN and its agencies became involved in a major way as the crisis in Rwanda threatened regional peace and security. Finally, the media had a potentially important role, particularly in the development of public awareness and public policy.

As for responsibility in the normative sense of obligation to act, the premise of this report is that

the principal though not exclusive responsibility for anticipating and managing conflict lies with the parties themselves and their principal associates. In particular, insofar as the principals are responsible for the development of the conflict, they have both a political/moral obligation and some actual capacity for regulating it. Beyond that, international organizations have formal obligations to assist in conflict management. In cases of genocide, those obligations are much greater and apply to the members as well as the organizations.

It must not be forgotten that those most responsible were the perpetrators of the crimes. They have been identified as extremists. In this context, extremists are presumed to have possessed two essential characteristics. First, their actions were determined by an ideological view of the world – in their case, the definition of Rwanda as a Hutu nation. Second, they regarded others who did not fit into this definition and who threatened its realization as legitimate targets for murder.

Information gathering, analysis and communication, as well as the actions based on this, must not be assessed only according to norms and attributed to agents based on their respective responsibilities. These assessments must take into consideration the limitations at work. For example, a system cannot be faulted for a failure at early warning if the information available was small, inconsequential, of doubtful value, or ambiguous. Further, not all conditions within Rwanda that led up to and accounted for the genocide were equally amenable to change. While there are various theories about how and why the genocide occurred, most distinguish between structural factors and situational variables. Structural factors, such as demographic density and the shortage of land, can create a context conducive to social violence, but policy can only alter that context in the long run and only with uncertain outcomes. Situational variables that had a triggering or accelerating effect, such as arming militias or scaling down UNAMIR, were subject to more immediate control through internal as well as external influences.

The same distinction between situational and structural variables is also applicable to those charged with interpreting and responding to the crisis. A realistic assessment of the international response to the Rwandese catastrophe must recognize the structural restraints of the existing international system based largely on competitive nation-states. Current capacity at state, regional (OAU) and international (UN) levels to identify and respond to conflicts of the kind that occurred in Rwanda constitute structural constraints on action. The broader foreign policy interests of the major powers provided the context within which specific policies towards Rwanda were formulated, both prior to and during the 1994 violence, and represented structural constraints of a different kind. Nevertheless, within these limitations, options were available; these constitute the focus of this report. Structural problems (e.g. on the UN level) will be dealt with only insofar as they affected the Rwanda case.<sup>6</sup>

The conclusions and associated recommendations are situation-specific. As such, they are not necessarily relevant for warning or management of the conflict in Rwanda as it is currently evolving, but rather to a set of circumstances and actions that have generic applicability.

## **Time frame for analysis**

As recognized in the terms of reference, the period preceding the genocide is relevant for an understanding of the signals emitted about the evolving conflict, and efforts to contain it through diplomacy and military force. This report is organized around five phases of the conflict; these are similar to those suggested in the terms of reference, but adjusted after closer examination of the historical material.

**Phase I** covers the refugee problem in Uganda prior to October 1990. Chapter 1 examines how the refugee issues became a source of renewed violence, given the failure of the Rwandese government to permit return, the unwillingness of Uganda to accord full rights of settlement, and whether there were early warnings of the invasion itself.

**Phase II** includes the period from the October 1990 invasion until the signing of the Arusha

Peace Agreement in August 1993. This period was characterized by an interlinked process of civil war, civil violence and preventive diplomacy. The organized violence against unarmed civilians in this phase constituted a kind of early warning to the effect that worse might be in store. Simultaneously, the intense diplomatic activity resulted in a peace agreement between the government of Rwanda (GoR) and the rebel Rwandese Patriotic Front (RPF). The political democratization within Rwanda during this period was related to the dynamic of conflict and its management.

**Phase III** focuses on the planning, authorization, and deployment of UNAMIR from mid-1993 until 6 April 1994, and its activities in early warning and conflict management against the backdrop of the progressive unravelling of the Arusha peace accords.

**Phase IV** covers the two weeks from 6 April until 21 April 1994. The immediate aftermath of the death of Rwanda's President in a suspicious plane crash – when it soon became evident that large-scale and targeted killings were under way – marks a distinct phase in terms of the international response. The report focuses on the information available that genocide was immanent and had, in fact, begun, and the corresponding responses, particularly as they relate to the question of what role UNAMIR should play. The dynamic interaction of the management of the genocide and the management of the conflict – or rather, the failure to distinguish between the two – is a central concern. The analysis focuses on the decision-making process in the UN over the future of UNAMIR, efforts by UNAMIR to carry out relevant parts of its mandate in the new situation, and the eventual decision by the Security Council to scale down the force, leaving only a symbolic military presence.

**Phase V** focuses on the subsequent decision to reverse withdrawal and re-engage the UN to protect civilians. The study assesses the efficacy of this process and its general impact on both the conflict on the ground and the violence against civilians. In this phase, another effort at retroactive conflict management was undertaken, i.e. the UN-authorized French Opération Turquoise. This section of the report relies on historical rather than sociological analysis, which would require micro-level assessments in the field.

**Phase VI** examines the issue of the security of the internally displaced within Rwanda and the establishment of militarized refugee communities in neighboring countries. This affected the security of the refugees and led to a massacre of several thousand persons at the Kibeho camp inside Rwanda. There were also wider implications in terms of conflict management. Social and political elements of the defeated regime who were responsible for the genocide regrouped to consolidate their power in exile. Thus, one element in a renewed cycle of conflict was formed.

## Chapter 1

# The Festering Refugee Problem

The invasion that triggered the disaster in Rwanda was itself the culmination of previous strife of a type frequently seen in Africa: victims or losers in a conflict seek refuge in a neighboring country, which then becomes a base for invading the homeland. In this case, Tutsi who were the principal victims of political violence in Rwanda in the decolonization period (1959–1963) fled to the surrounding countries, with large numbers settling in southern Uganda. The conflict that sparked the original outflow, however, was not resolved but acquired an additional refugee dimension.

The norms for regulating problems of this kind were in place. With reference to African legal instruments and other international law, the OAU and UNHCR had appealed to African states to prevent refugee problems from generating renewed strife by following accepted principles of state responsibility towards refugees: The country of origin must allow them full and free right of return; failing this, receiving countries should facilitate settlement and integration. The OAU had attempted to regulate problems associated with militant refugee communities in its 1969 Convention on Refugee Problems in Africa (1969), more generally in the African Charter on Human and People's Rights (1981) and also in the Charter of the OAU itself (1963). All instruments unequivocally prohibit the use of the territory of one state for subversive activities against another. The 1969 Convention specifically addresses this obligation to refugee communities and to the receiving state by imposing restrictions on both.<sup>7</sup>

The specific refugee problems in the Great Lakes Region had long been recognized by UNHCR. In the early 1960s, the agency extended its protection to Rwandese refugees in Uganda, including some 80,000 who were receiving UNHCR assistance. UNHCR also facilitated joint talks between Rwanda and Uganda to solve the crisis that arose when some 35,000 Rwandese refugees were expelled from south-western Uganda in 1982–83.

The refugee problem seemed intractable. In essence, it stemmed from unwillingness of the Ugandan government to accord the refugees full rights of settlement, while the Rwandese government for its part denied them the right of return.<sup>8</sup> Caught between the two denials, the refugee community predictably generated a militant movement.

International instruments governing host country treatment of refugees lay down certain principles designed to facilitate the integration of refugees in the host countries, but leave the states concerned with considerable freedom of action.<sup>9</sup> While a signatory to the relevant instruments, Uganda did not have a clear policy of integration. Municipal law regulating refugees (the 1964 Control of Aliens Act) was restrictive and subjective, giving the relevant ministers great discretionary power over the status, movement and property of refugees (Khiddu-Makubuyu 1993, 1994). The subjective nature of the law reflected the actual experience of the Rwandese refugee community in Uganda. Conditions varied according to the political climate, and, as such, gave little security for either the present or the future. Few availed themselves of the opportunity to acquire Ugandan citizenship. Legal formalities were no guarantee of security, as illustrated in the 1982–83 “chasing” when Banyarwanda of both Rwandese and Ugandan citizenship were attacked. More important, Ugandan citizenship would have terminated their right to return – and for that reason was the optimal solution mainly for the Rwandese government. Many refugees nevertheless found sufficient security, educational opportunities and mobility in Uganda to enable the second generation to become a comparatively advanced community. That relative success made them a

target for local grievances on many issues, including land ownership and positions in the government.

The intermittent invitations to return issued by the Rwandese government during the First Republic (1962–73) had been dismissed by the refugees as propaganda or a trap. During the Second Republic, the Habyarimana government changed course and, citing overpopulation, consistently and unequivocally denied the refugees the right to return. This was graphically demonstrated in 1982–83 when refugees chased out of Uganda were stopped at the border by Rwandese government forces and became stranded under very difficult conditions. Not until 1986 did President Habyarimana suggest the possibility of return, and then on an individual and conditional basis.

In the refugee community, the militants of the early 1960s had by the 1980s been replaced by a second generation. A new political movement was formed in 1979 as the Rwandese Alliance for National Unity, and evolved into the Rwandese Patriotic Front, which crossed the border in October 1990. Key RPF leaders had earlier been in the Ugandan National Resistance Army (NRA), and were alongside Museveni when he ousted Uganda's President Obote in 1986 and seized power. They continued to hold senior positions in the Ugandan army.<sup>10</sup> A series of events within Uganda and Rwanda in 1989–90, however, apparently convinced the RPF leadership that the time to move had come, and that the Habyarimana regime could be replaced by a political system in which the RPF would have its proper place and enable the refugees to return (Otunnu 1995).

Habyarimana seized the initiative on the refugee issue, whether to score a propaganda victory or genuinely seeking to settle the issue (Watson 1991, Erny 1994, Guichaoua 1995). He reiterated a limited offer of conditional return and, in 1989, established a Commission on Rwandese Refugees in Uganda. A Rwandese-Ugandan interministerial committee on refugees was also revived and, in cooperation with OAU and UNHCR, developed a plan for UNHCR to survey Rwandese refugee settlements in Uganda in the fall of 1990, so as to assess the demand for repatriation and prepare the modalities of return. Whether Habyarimana's moves were sincere, or much too modest, or simply a public relations exercise, it turned out to be too little too late. On October 1, the RPF launched the invasion and thereby radically transformed the situation of the refugees.

It has later been suggested that a portion of the refugee population, including its more prosperous and well-established members, might have been more interested in the formal right to return and the right to visit freely, than in permanent repatriation.<sup>11</sup> The views of the refugees themselves were not put directly to the interministerial committee, which had no representatives from the refugee communities.<sup>12</sup> Nor were the preferences of the refugees themselves well identified in the preliminary and poorly designed survey conducted by UNHCR in mid-1990.<sup>13</sup> Hence, the existence of possibly diverse views that would suggest a compromise solution was left unexplored.

The issue of return must be also be considered in a broader political context. The demand of the RPF was not simply to return, but to change the political regime in the homeland. Indeed, the refugee issue appeared as only point no.5 on their 8-point political program (Reyntjens 1994, p.200). Nevertheless, had the Habyarimana regime formally recognized the right of return, this might have given symbolic satisfaction to many, even in the absence of political reforms. Equally important, it would have undermined the position of the militants in the RPF.

In retrospect, a possible window of opportunity to deal with the refugee question can be discerned around 1989 and in early 1990. Habyarimana was making some conciliatory moves, and the invasion that locked the conflict onto a new course was still in the future. There was no doubt about the significance of the issue, both from a humanitarian perspective and for conflict management. States and international organizations are fully aware that, if left unattended, refugee problems of this kind spell further conflict. Moreover, international norms are in place that provide suitable guidance for action. That more pressure was not brought to bear on Rwanda and Uganda in this case to implement their obligations reflected conditions that were to recur in later phases of the conflict – limited regional capacity and limited international interest. The OAU had the right

norms in place, but had no mechanism to enforce them. That was also the case with UNHCR. Western countries, which had significant potential leverage, were preoccupied with events in Europe and the disintegrating Soviet Union, and seemed largely indifferent. The same applies to Uganda's involvement in permitting and, apparently, supporting the RPF invasion in various ways.

Recognizing that RPF's decision to return from Uganda by armed force constituted a violation of international law, President Museveni immediately disavowed any Ugandan responsibility or foreknowledge of the event.<sup>14</sup> The official view in Kampala was that this was a purely internal Rwandese affair, which consequently did not warrant international response. There is strong evidence, however, that Museveni indeed knew about the RPF's offensive and at least did nothing to prevent it.<sup>15</sup> Museveni clearly stood to gain from a successful return. He would be rid of a troublesome refugee issue and, at best, have close friends and erstwhile clients in a position of power in a neighboring state.

Quite possibly, Habyarimana anticipated the invasion on the basis of a series of signals<sup>16</sup>: the visible movement towards the border of Tutsi soldiers and officers in the Ugandan army; an abortive invasion that had been attempted in 1989; the sudden slaughter in refugee areas of 1,200 cattle to make provisions of smoked meat in July 1990; the fact that the training of Rwandese military refugees on ranches in the Mbarrara border region was raised at the same time in the Ugandan parliament; furtive fund-raising among Tutsi throughout the region; and endless reports in Uganda about military mobilization by Tutsi in the NRA. This intelligence was available to Habyarimana; it was certainly available to diplomats and other observers in the region.<sup>17</sup>

## Chapter 2

# Civil War, Civil Violence and the International Response

**(1 October 1990 – 4 August 1993)**

The RPF invasion on the night of 1 October 1990 set off a series of responses, including regional and international military intervention, major shifts in the internal politics of Rwanda, and high-level diplomacy. During this phase, diplomacy vied with military assistance, human rights concerns and development aid in a disconcerting tension that allowed opponents of the peace process to develop strength even as the latter moved forward. The war resumed, and so did reprisal killings of civilians in an early indication of what was to come. This “second track” of violence – civil violence as distinct from civil war – ran parallel to the peace negotiations as the extremists organized and consolidated.

### 2.1. Track I: civil war and the response

#### 2.1.1. From invasion to negotiations

Both France and Zaire sent troops to aid the government of Rwanda at the time of the invasion. Belgian units were also flown in, but only to protect their nationals, and they were soon withdrawn. With the French backstopping the Rwandese army in Kigali and “advising” on the handling of heavy artillery, and with Zairian paratroopers fighting alongside Rwandese troops, the RPF invasion was soon halted. The RPF regrouped in preparation for a long struggle.

The invasion triggered an extraordinary diplomatic activity that demonstrated the vitality of international mediatory structures (Jones 1995). Just two weeks after the invasion, Tanzania called a regional meeting of Heads of State of Rwanda, Uganda and Tanzania to discuss the situation. Realizing that a renewed conflict in Rwanda would at the very least cause a large inflow of refugees, Tanzania remained actively involved and became host as well as “facilitator” for the consequent peace talks. The OAU Secretariat was also active in recognition of the organization’s principle that African states had a primary responsibility to solve regional conflicts. As a Tanzanian, the Secretary-General, Salim A. Salim, coordinated closely with Tanzanian mediation efforts. Soon other levels were informed or engaged – the (informal) Summit of Great Lakes Region Heads of State, the European Union and more peripherally the UN. Also the governments of Belgium, France and the United States at various times helped to move the process forward. The Belgian government was visibly involved within days of the invasion, when a troika of top ministers – the Prime Minister, the Foreign Minister and the Minister of Defense – toured the region to promote reconciliation and presented the case to the European Union for support.

A positive communique was issued from the first summit in Tanzania, marking an exemplary transition from war to diplomacy only two weeks after the invasion. Yet the initial success of regional diplomacy was short-lived. A formal cease-fire signed at N’Sele on 29 March 1991 lasted only to mid-April when fighting resumed. The first deployment of an OAU-sponsored Military Observer Team (MOT), as had been agreed to in October-November 1990, was a failure. The only states to contribute observers were Zaire, Burundi, and Uganda. Since none of them was considered neutral by one or the other Rwandese party, the force became inoperative. The Rwandese government insisted on prior clearance for every movement of the military observers, a

demand that greatly diminished their ability to monitor cease-fire violations. A second cease-fire agreement (26 October 1991 at Gbadolite, Zaire) called for a revised monitoring force, to consist of military observers from neutral countries. However, the African Neutral Military Observers Group (NMOG) did not become operational until mid-1992.<sup>18</sup>

The limits of regional diplomacy were revealed when also the second cease-fire broke down in early 1992. It required a push from major powers – The United States and France – to move the conflicting parties to the negotiation table. Also the European Union, Canada, Switzerland, the Catholic Church and others weighed in. Eventually, this resulted, in the summer of 1992, in the launching of the Arusha talks towards a comprehensive peace settlement.

Both Uganda and later France pursued a dual policy of supporting their respective Rwandese partners, yet encouraging negotiations. In keeping with international conventions, Uganda formally denied it was supporting a rebel army – a claim maintained even after the RPF seized power in 1994. In fact, Uganda served as a rear base for the invasion, enabling the Front to regroup, recruit and mobilize among the refugee community, and evidently to funnel weapons and supplies to the RPF-controlled area inside Rwanda. At the same time, once the invasion was a fact but did not bring RPF a speedy victory, Uganda cooperated to get negotiations started. The fact that Uganda held the chair of the OAU at the time also suggested cooperative diplomacy. President Museveni agreed at the regional summit in mid-October 1990 to work with his Tanzanian counterpart, Ali Hassan Mwinyi, to persuade the RPF to accept a cease-fire. He further promised to explore the possibility for an African force to be deployed between the combatants once the cease-fire took hold.

### **2.1.2. France's dual policy**

During the invasion and in its immediate aftermath, French policy was decided at the level of the President. The first response was to send “a few boys to help old man Habyarimana”, as the head of Africa Unit in the Presidential palace said at the time (Prunier 1995). France had previously done the same for other allies in Francophone Africa and had paratroopers stationed in the region for that purpose. In Rwanda's case, the determination to assist was sharpened by the fact that the rebels had come from and in some respects were part of Anglophone Africa. The social origins and platform of the RPF also made the Front leaders anathema in some French conservative and army circles where the pejorative term “Khmer Noir” was used, a label projecting the horrors of Cambodia's Khmer Rouge onto an African context.

As the military weakness of the government was revealed, however, the Africa Unit in the Elysée Palace and the Military Assistance Office in the Ministry of Cooperation embarked on a policy to rapidly build up the Forces Armées Rwandaise (FAR).<sup>19</sup> With French technical and military assistance, including credits for arms purchases, Rwanda's tiny army tripled from 1990 to 1991 and by the time of the peace agreement (mid-1993) had at least 30,000 men. The French military assistance unit in Kigali (DAMI) provided training and operational guidance under the 1975 military assistance agreement, as amended in August 1992. Numerically, the French were not a major presence. Some 40 *coopérants militaires* were gradually increased to 100. The size of the paratroop detachment, Force *Noroît*, first sent in October 1990, varied according to the rhythm of the war. After the first cease-fire in 1991, the force was reduced to about half (168 men), but increased after the RPF offensives in 1992 and 1993 to reach a peak of some 700. According to French authorities, Force *Noroît* had a strictly defensive mission, including defense of expatriates and securing the airport, and was deployed in and around Kigali. French government spokesmen have consistently and categorically denied reports to the effect that the paratroopers occasionally participated in the war.<sup>20</sup> The French Ministry of Foreign Affairs, moreover, has taken pains to point out that the force also had humanitarian functions in addition to its military duties, including vaccinating civilians and distributing food to displaced persons.<sup>21</sup> Granted that the French military presence was both small and had a restricted mission, the effects nevertheless had strategic and political significance. By taking on a major role in training the rapidly growing Rwandese army, and by sending in paratroopers every time the RPF launched an offensive, the French government clearly signalled that it stood by the Habyarimana regime. This was the interpretation within Rwanda as well, which contrasted with the hostile attitude shown by many regime supporters

towards Belgium, precisely because Brussels decided to abort its 1990 intervention rather than turn it into a long-term military presence on the French pattern.

The role played by the Elysée Palace and the Ministry of Cooperation was increasingly questioned by the Ministry of Foreign Affairs, which around mid-1991 recognized a compelling logic of negotiation in a situation it characterized as follows: the RPF might win militarily but not politically, while the government could not win militarily, though it might command the numbers to win politically (Callamard 1995). According to this logic, France could best salvage its interests in Rwanda by promoting a negotiated settlement on terms favorable to the Habyarimana regime. In October 1991, the director of the Africa bureau in the Ministry of Foreign Affairs attempted to bring representatives from the Rwandese government and the Front together in Paris.<sup>22</sup> The efforts did not bear fruit until late spring 1992, when the two parties agreed in Paris on 8 June to open formal peace talks.

By giving military assistance to the Habyarimana regime in time of war, France followed customary alliance politics, rather than the neutral international practice of not supplying arms to belligerents during war, as observed in this case by Belgium. At the time there was no international arms embargo on Rwanda. The three formal cease-fire agreements signed in 1991–92 prohibited the “infiltration of ... war material to the area occupied by each party”<sup>23</sup>, but all had been violated by one or the other Rwandese party and hence lost much of their contractual force. Until the signing of the Arusha agreement, therefore, France could argue – as indeed it did – that it exercised the common right of sovereign states to give military aid to a friendly government facing a rebel force. French authorities did not deny selling arms or giving credits to the Habyarimana regime for purchasing weapons elsewhere, but refused to comment on reports of particular transactions.<sup>24</sup>

From this point onwards, and especially as the situation deteriorated in 1994, French policy was shaped by competitive interplay among domestic institutional actors, which had different interests and perspectives. The result was a dual policy that supported negotiations but simultaneously built up the Rwandese armed forces and embraced the regime politically. The policy helped to move negotiations forward at the inter-state level, while at the same time provided political space and resources for the regime to consolidate, and – indirectly – for the Hutu extremist fringe to develop.

### **2.1.3. The beginning of democratization**

The RPF invasion had a transformative impact on Rwandese politics by giving significant momentum to a process of democratization that had started previously, but so cautiously it was hardly noticed. Responding to demands for democratization expressed at the Franco-African summit in La Baule in 1990 and elsewhere, Habyarimana had started to liberalize the political system in 1989–90. The RPF brought the process decisively forward by making radical demands for power-sharing, backed by the force of an invading army. Foreign donors added to the pressures by emphasizing that democratization with a multi-party system was necessary to end the war, and also desirable in itself. Noticing the trend and sensing that the regime was yielding, the domestic opposition became more insistent. Habyarimana responded first by forming a token coalition government. As pressures visibly mounted throughout the spring of 1992, he agreed to a second coalition that had significant representation from the newly formed opposition parties.

The formation of the second coalition government in April 1992 had significant and contradictory consequences. The timing was in some respects not auspicious for democratization – the country was at war, the economy was deteriorating, and ethnicity was re-emerging as a polarizing dimension. In part, multipartisme became a cloak for particularist interests, encouraged ethnic mobilization and fed political fiefdoms that usurped the civil administration, as a disillusioned former minister wrote from exile (Gasana 1995:231-2). Ultimately more significant was the effect on Hutu extremism. The combined pressures for peace negotiations and democratization provided a double-bored attack on the existing power-holders. When political forces later polarized, the extreme Hutu fringe translated this into an absolute struggle with only final solutions. In 1991 and early 1992, however, the most visible political forces were: a “presidential tendency” that was conservative, had a regional base in the north-west, was inclined to defend Hutu supremacy, and

relied on a strong party, the militia, the army, and Habyarimana to preserve its power; a second “moderate tendency” composed of various newly formed political parties that sought to replace the Second Republic by non-violent means and institute a vaguely formulated plural political system; and a third, radical force represented by the RPF that aimed to establish a new order, ideologically defined as political pluralism based on a social structure that denied the legitimacy of ethnicity in political mobilization, but suspected by its enemies to entail “une inversion hégémonique en faveur de l’ethnie minoritaire tutsi” (Gasana 1995:224).

The formation of a coalition government that included the “moderate tendency” had a salutary effect on the peace negotiations. The first act of the Foreign Minister of the new coalition – a member of the opposition party, Mouvement démocratique républicain – was to call for political talks with the RPF. This call was picked up by inter-state diplomatic mechanisms and, after intercession by the United States, France and the Vatican, led to the Arusha talks in the summer of 1992. Having included his domestic opponents in the government, Habyarimana permitted them to lead the negotiations at Arusha.

#### **2.1.4. The Arusha period**

The Arusha process – as it came to be called after the resort area in Tanzania where the peace talks were formally launched on 12 July 1992 – was pursued at a very high level in the region, drawing in heads of state and foreign ministers. The core negotiations on a future peace agreement had participant-observer delegations from five African states (Burundi, Zaire, Senegal, Uganda and Tanzania with its “facilitation” team), four Western countries (France, Belgium, Germany and the United States), and the OAU. The UN was brought in at the invitation of the OAU, and UNHCR attended as observer. Britain, Canada, the Netherlands and the European Union – important members of the Western donor community in the region – closely monitored the process from their local embassies. Nigeria was represented at the Arusha-linked Joint Political Military Committee (see below).

Formally acting as a “facilitator”, the Tanzanian government undertook a sustained and skilful mediating effort that was critical in bringing about the final agreement.<sup>25</sup> The OAU had earlier organized a military observer group to monitor successive cease-fires, and maintained a high-level presence at the negotiations, with either a senior political officer or Secretary-General Salim himself representing the Organization. For Salim, the Arusha process was a challenge to demonstrate that the OAU could make a critical contribution to conflict resolution in Africa. To this end, Salim had just established a new OAU Conflict Resolution Mechanism that would deal with internal as well as inter-state conflict. Formal approval was expected at the Cairo OAU Summit meeting in 1993. Given the traditional OAU sensitivities on internal affairs, it would be gratifying to have a freshly mediated peace agreement to put before the Summit.

The Arusha process represented a multi-pronged strategy of conflict resolution. A preliminary phase was designed to obtain a cease-fire. The earlier N’Sele and Gbadolite cease-fire agreements were amended to form the basis of the Arusha cease-fire, announced on 12 July 1992. All cease-fires were violated, but the process permitted continuous communication and led to the establishment of a monitoring machinery. In particular, the Arusha process implemented a mechanism agreed to in earlier negotiations: a Joint Political Military Committee (JPMC) ran parallel to the Arusha talks and provided an escape valve that allowed all parties to discuss violations of the cease-fire without derailing the broader negotiations. The negotiations on substantive issues of the conflict, which started in mid-1992, covered the rule of law, the establishment of transitional institutions, the repatriation of refugees and resettlement of the internally displaced, and the integration of the two armed forces into one integrated national army.

The central problem lay elsewhere. Given the starting point of an authoritarian regime, it was evident that any progress in the talks would require significant concessions from the government. The existing power-holders had already tasted loss when reluctantly agreeing to a coalition government. This was nothing, however, in comparison with the radical changes spelled out in the full Arusha accords. In effect, the Accords represented a veritable coup d’état for the RPF and the internal opposition, as a close observer later noted (Reyntjens 1994).

The Accords moved Rwanda from a presidential to a parliamentary system of politics. Most of the power of the Presidency would be transferred to a Council of Ministers. Habyarimana – who was to occupy the Presidency during the transition period prior to elections – was left with a ceremonial position. During the transition period, seats in the Council of Ministers of a Broad-based Transitional Government (BBTG) would be divided between the government and the internal opposition parties as well as the RPF. The ruling party (MRND) was left with only 5 out of 19 portfolios, and most were politically insignificant. The regime also would lose power in local administrative structures and the judicial branch. The distribution of portfolios agreed to at Arusha accentuated the dramatic nature of the change. Ideologically and politically, the BBTG represented a frontal attack on the power base erected by the Habyarimana government during twenty years of ruling the country – a denial of authoritarian rule, of “Hutu power”, and especially north-western-based Hutu power, which was the regional constituency and political backbone of the regime. The terms of the Agreement signalled a pluralist state and a civil society, and the idea of a people united by a common Rwandese nationality rather than divided along narrow lines into Hutu versus Tutsi.<sup>26</sup>

Significantly, the hardliners who surrounded Habyarimana – senior ministers in the MRND party, senior military figures in the armed forces and the Presidential Guard, and members of the newly formed Coalition pour la défense de la république (CDR) – were denied power in the transitional institutions. In spite of advice to the RPF from Western states that it would be a better tactic to coopt the extremists than exclude them, the CDR was not included in the power-sharing formula of the BBTG, nor allocated seats in the transitional Assembly. Habyarimana had demanded that the CDR be represented; the RPF, correctly noting that the CDR was both extreme and a non-party, was absolutely opposed and prevailed. The extremists responded by openly threatening to bring about “an apocalypse”, as their spokesman, Col. Bagosora, declared during a session at Arusha when the power-sharing protocol was negotiated.

The losses incurred by the existing power-holders in the political sphere were paralleled, and thus sharpened, by equivalent losses in military matters. Hoping to secure at least continued control over the armed forces, the government opened the bid in negotiations on integration of the armed forces by offering the RPF a mere 20% share of the joint army. The Front rejected this outright, and the government was eventually forced to accept a much modified scheme that split positions in the joint command 50–50, not only at the high command level but all the way down to field commanders, and narrowly favored the government in a 60–40 distribution of troops. Observing the trend, a Western diplomat cabled home that the agreement had moved negotiations ahead of the consensus and risked repudiation by forces in Kigali. He was to be proved correct. Related military issues were also hard to accept for the army. Over 20,000 government troops would be demobilized, more than twice the figure for the RPF.<sup>27</sup> While the government soldiers had demonstrated little enthusiasm for fighting, especially during the 1993-RPF offensive, demobilization seemed even less attractive.

That the Arusha agreement produced such profound changes – which were registered as defeats by the government and especially by hardliners in Kigali – can be attributed largely to the balance of power between the Rwandese parties. The RPF negotiating team was extraordinarily strong, with discipline, preparedness and commitment in stark contrast to the fractionalized, ill-disciplined, and ineffective government team. Reflecting the divisions at home, the Kigali delegation was composed of some Habyarimana allies, but led by opposition party members, and obstructed by recognized members of extremist factions, which also were at Arusha. Equally, if not more important, negotiations on the military issues were conducted at a time when the military position of the government deteriorated sharply.

In February 1993, the RPF had launched a major offensive to break Habyarimana’s opposition to the power-sharing formula of the BBTG protocol, and to protest the massacre of 300 Tutsi in Bugogwe. The offensive shocked Kigali and threw the government forces into disarray. Rebel troops fought to within 23 km of the capital, despite the fact that France sent a small contingent of paratroopers to reinforce government troops. The Front’s victories clearly showed their military

superiority; anticipation of success on the battlefield was possibly a factor in the RPF's decision to undertake the offensive on the eve of the scheduled talks on military matters at Arusha.

The Arusha process has been commonly referred to as preventive diplomacy and judged against the catastrophic violence that followed. Held against this standard, it is clear that the process failed. But the main objective at Arusha was not to prevent a clearly perceived future calamity.<sup>28</sup> More conventionally, the aim was to end a war and construct a post-war peace agreement that reflected a situation short of total victory or absolute defeat. This required a formula for immediate power-sharing as well as agreement on a broad range of issues: the nature of the future political process, rules for demobilization and integration of the respective armies, and a system to facilitate the return of refugees and internally displaced persons. Similar agreements had recently been negotiated to end wars in Central America (El Salvador and Nicaragua), in Southern Africa (Namibia and Mozambique) and in South-east Asia (Cambodia). These, if any, were the models. The closer the Arusha process came to end the war and to define the protocols that would structure future politics, the closer – most participants believed – they had come to achieve peace. In this calculus, the primary criterion for success was to obtain the signatures of both parties on a peace agreement.

The final agreement dealt comprehensively with all the issues related to ending the war and opening up the political system. As such, it was a “perfect” agreement, as some observers claimed at the time. Yet the accords evidently did not rest on a new-found political consensus created by defeat, exhaustion or the emergence of new political forces. At the time, some Arusha observers suspected that the RPF was using the accords merely as a convenient way-station while preparing for a coup. As for the government, Habyarimana had repeatedly announced his unwillingness to sign, and disinclination to uphold, this “piece of paper”, as he disparagingly referred to the accords in November 1992. Instead, the accords formalized what André Guichaoua has called *une paix militaire*.<sup>29</sup> The Accords were a victor's agreement. The RPF had extracted major concessions at the negotiation table by means of military strength. However, the Front had demonstrated its potential military superiority rather than inflicting an actual defeat on the government forces. The latter fell back but were not beaten. The coercive apparatus of the regime not only remained intact, but – in the logic of an armed peace – was strengthened. The difficult side-negotiations on the modalities of providing security for the RPF members in the transitional government further underlined the point.

In this situation, one aspect of the peace agreement appears as a critical weakness. The Arusha process did not deal with the losers to the agreement. The extremists were not co-opted into the political process, nor neutralized by other means. They remained in a position to wreck the entire edifice.

The exclusion of the extremist CDR from the transitional government has become a major issue in subsequent evaluations of the strength and weaknesses of the Arusha Accords. Clearly, the mantra of the Namibia negotiators in 1988 – “in this negotiation, there will be no losers” – was not invoked at Arusha. Whether the alternative South Africa-style solution would have worked in the end remains conjectural, and opinions were divided at the time. Most observers at Arusha concluded it was unwise to exclude a major force in Rwandese politics, as this faction would have no stake in the successful implementation of the Accords. Other diplomats in Kigali shared the RPF assessment that the extremists were not interested in sharing power but bent on destroying the new political order that was drawn up. In this view, a speedy implementation of the agreement seemed the best means to control its violent opponents.

The party with most immediate leverage on the RPF was Uganda's President Museveni. Apparently he tried but failed to sway his erstwhile allies on both the CDR issue and the military protocol. During the course of the civil war, Museveni evidently had lost some of his influence over the RPF. The Front's repeated successes on the battlefield gave it a stronger basis for autonomous action. A second factor was Museveni's decision to distance himself formally from any involvement in the civil war, and, in particular, deny that arms were crossing the border in violation of international norms. During the Front's February 1992 offensive, Museveni wrote to

the Security Council inviting the UN to deploy observers along the Uganda-Rwanda border to verify that Uganda did not aid the offensive<sup>30</sup>. This request, which resulted in the establishment of the UN Observer Mission Uganda-Rwanda (UNOMUR)(Res.846(1993)), was seen as a betrayal by some factions in the RPF.

### **2.1.5. The UN and the OAU: structural disjuncture**

Since early 1993, OAU Secretary-General Salim A. Salim had pursued the idea of strengthening the small group of military observers fielded by African states in Rwanda through the OAU (NMOG). The RPF offensive and resultant cease-fire in March 1993 had expanded the buffer zone to be monitored. The OAU Secretariat felt that a rapid response was necessary to stabilize the cease-fire and pave the way for a larger international presence as the prospects for a full peace agreement drew near (Tekle 1995). The present NMOG of only 50 men could not effectively monitor even the smaller buffer zone, but OAU was unable to raise funds for a larger force.<sup>31</sup> Turning to the UN for assistance in March 1993, Salim twice pursued the matter in letters to the UN Secretary-General, personally presented the case to Security Council members and presented a detailed proposal to a special envoy of Boutros-Ghali who visited Addis Ababa. His goals were modest: the maximum option was for an OAU force of 500 men at an estimated cost of US\$2.5 million per month. After preliminary discussions with the Security Council, the response of Boutros-Ghali was that the request for UN logistics and financing “could only be entertained if the operations were under UN command and control.”<sup>32</sup> This went against the OAU’s wishes to develop a field presence so as to complement its mediatory efforts in Arusha, and demonstrate that African states indeed took an active part in solving African problems.

Finances were not the only issue. The larger question concerned the role of the respective organizations in an eventual peace-keeping force in Rwanda. Since late 1992 the French Ambassador to the UN had started to lobby the Security Council for a post-war UN military presence in Rwanda. In early 1993 – and especially when the RPF offensive in February pushed Rwandese government forces back – French efforts had become so insistent that it was “a standing joke in the Council”, according to one ambassador present. From a French perspective, such a force would at best check the RPF’s advance and provide a breathing space for the government both by positioning itself between the two belligerents and by monitoring the border between Uganda and Rwanda. At the same time, a UN force would be an answer to increasingly insistent demands from the RPF that French forces withdraw, as had been stipulated already in the 1991 N’Sele agreement. With a UN force in Rwanda and a French veto on UN peacekeeping operations in the Security Council, Paris could still exercise some influence after its own troops were gone.

The government of Rwanda, which had been elected to the Security Council, was generally ineffective, but on this issue vigorously supported France. The OAU was, with some reason, regarded as partisan towards the RPF and at any rate unable effectively to monitor or maintain the military status quo. By the same logic, and because France was promoting a UN force, the RPF wanted an OAU command.

Travelling to Dar-es-Salaam for a summit meeting on 5–7 March 1993, Salim nevertheless obtained approval from both the Rwandese parties to move ahead with an expanded OAU monitoring force. Two days later, the initiative was effectively upstaged in the UN Security Council. France introduced a resolution proposing a UN peacekeeping force for Rwanda, operating “in conjunction with” the OAU. (S/25400(1993)). Non-aligned members of the Security Council and some European states cautioned that French efforts might be viewed as an attempt by Paris to salvage its influence in Rwanda and warned against sidelining the OAU. While the language of the resolution subsequently was softened, the signals given to OAU became clearer as every effort by Salim to increase even the monitoring function of NMOG slightly, was rebuffed.<sup>33</sup> Boutros-Ghali sided with his own organization, despite formal deference to the importance of regional initiatives in conflict resolution. Apart from insisting on UN command and control, he added that any discussion of UN assistance would have to await the outcome of the Arusha talks. In the meantime, plans for a UN peacekeeping force went forward.<sup>34</sup>

In face of these discouraging messages, OAU abandoned efforts to play a significant role in the

monitoring and implementation of the Arusha peace agreement. The development raises important questions concerning the appropriate working relationship between the UN and the OAU and, in this case, its impact on subsequent events in Rwanda. OAU admittedly had limited experience in peacekeeping and had problems fielding even a small military observer group. It was wholly dependent upon the UN to provide logistics and finance. Yet it was effectively discouraged by the UN and key Security Council members from taking a larger role. This is particularly ironic given the demonstrated inefficiency of the UN to deploy and develop the peacekeeping operation it had so aggressively sought (see chapter 3).<sup>35</sup> When the crisis later erupted, on 6 April 1994, it was the European battalion of UNAMIR that withdrew and crippled the future options of the force; the African battalion stayed. The political instinct among the veto-wielding members of the Security Council was to abandon the mission. *Prima facie*, there is no reason to think that the OAU would have performed worse.

## **2.2. Track II: civil violence and human rights conditionality**

The extremists in Kigali had a different vision of the peace process. As the Arusha process laid the groundwork for a virtual political revolution in Rwanda – the framework of a “new order”, as it was said in Arusha – the Hutu extremists planned their own bloody, reactionary vision of change. In retrospect, that much has become clear. But at the time, what did donor countries and the international community more generally know about the extremists?

### **2.2.1. Early warnings**

The political scene in Kigali in 1992–93 was admittedly complex, and a flurry of rumors and propaganda further complicated the picture. Key questions remain unclear even today, including the relationship between Habyarimana and the extremists. Was he a master or a victim of the hardliners, and if he moved from one role to another, when did this happen? Outside analysts also had to decipher the meaning of the new civil society that developed. The print media multiplied across the political spectrum. So did NGOs and various political movements. The difficulty of distinguishing rumours from facts and “hard” information from rumours was exacerbated by diffusion of propaganda that all sides resorted to as a weapon of war and political competition in this period.

Yet there was considerable and growing evidence of Hutu extremism. Human rights violations were documented by human rights organizations and concerned activists. The French had a military mission in Kigali, and the small foreign diplomatic corps observed the scene, reported home, and, for the most part, shared information with each other. An informal grouping of ambassadors from the United States, Belgium, Germany, France and the Vatican – also known as The Five Musketeers – met frequently.

It was well known at the time that the combined peace and democratization process faced strong opposition. Already in July 1991, a French intelligence assessment identified three critical circles of power in relation to the peace process (not to be confused with the three political tendencies discussed above), starting with the inner circle formed by the President’s in-laws and associates, an outer circle of relatively more moderate members of the military and the cabinet, and, lastly, an amorphous grouping of younger officers and intellectuals willing to entertain change. Since the objective of the first circle was to retain power, any form of imposed negotiation would provoke their resistance. The analysis found its way to other donor states and was soon amplified by pointed statements and actions by the hardliners.

By late 1992 and especially in early 1993, a much more comprehensive body of evidence was available and repeatedly discussed in the diplomatic community in Kigali. Killings of Tutsi were more frequent, and there was increasing information about death squads as well as the existence of a Network Zero around the President, which reportedly was plotting to exterminate regime opponents and circulated death lists. The report of the International Commission of Inquiry on Human Rights in early 1993 was widely circulated (FIDH 1993). The Belgian government, for one, took it so seriously that it temporarily recalled its Ambassador from Kigali. The report documented the involvement of the government in what was described as systematic killings

directed against the Tutsi, and estimated that about 2,000 persons had been murdered in the 1990–92 period. Briefing reporters on its finding, the Commission used the term “genocide” to describe the killings. This claim was retracted in their official report published in March because of fear that such a designation would be considered hysterical.<sup>36</sup> It was, however, upheld in a report by the UN Commission on Human Rights a few months later (see below).

The diffusion of hate propaganda in Rwanda was also noted as an indicator of increasing tension and mounting “Hutu power”. However, interpretations of the message differed. As with the notorious *Radio et télévision libre milles collines* (RTL) – founded soon after the signing of the peace agreement – the hate media in this period were so explicit and literal that some diplomats, both Western and African, afterwards said they tended to dismiss it.<sup>37</sup> Similar reactions were entertained even by the RPF, as a leading Front member later recalled: “What they said was so stupid; we did not take it seriously enough.”

There were other telling pieces of evidence. At least two revealing government documents were leaked to the diplomatic community and circulated in Kigali. One was an internal report from a senior military officers’ commission entitled “Definition and Identification of the Enemy” (21 September 1992). The report listed as enemies not only those Tutsi inside and outside Rwanda who supported the RPF, but also members of mixed marriages and moderate Hutu who opposed the hardliners within the government. The other was a letter from the (opposition member) Prime Minister to the Defense Minister, dated 25 March 1993. The Prime Minister gave details of illegal distribution of weapons to civilians and called for immediate action to stop it.

By this time, links between the civil violence and the peace process became more explicit. At every important juncture and setback for the government, Tutsi were murdered. Clearly discernable in retrospect (see Figure I: A Pattern of Violence), the coincidence between killings of Tutsi and the rhythm of negotiations in Arusha was also recognized at the time by several Kigali-based diplomats and variously interpreted. “We read the killings as a political negotiating tactic”, one analyst later said. Others saw the violence more radically as an attempt to derail the entire peace process.

Simultaneously, diplomats in Kigali noticed that the extremist opposition to the Arusha talks was gaining strength. During the talks on power-sharing, Habyarimana was oscillating between moderates in his own delegation and the hardliners at home. The talks were halted in September, but when they resumed the Foreign Minister, Boniface Ngulinzira, was negotiating without the authority of the President, as an observer delegation noted at the time. Habyarimana soon made the point publicly by calling the accords merely “a piece of paper” in his famous 15 November speech. At Arusha, as noted, the CDR representative predicted “an apocalypse” when the power-sharing protocol was finalized. The message carried added significance since it was delivered by Col. Bagosora, the person widely believed to be behind the work of the death squads, including the Kibuye massacres in August 1992.

Signs clearly pointed to the consolidation of the power of the Hutu supremacists – through the formation of what amounted to para-statal organizations. The CDR was formed in March 1992, bringing together military and political extremists from circles inside and connected to the Presidential Palace. The party militias (the *interahamwe* and *impuzamugambi*) were also formed at this time with direct support from the CDR, the ruling government party, and the Presidential Guard. Both operated openly, and diplomats in Kigali readily recognized both as instruments of the ruling party. Yet their precise function was open to various interpretations. Some observers accepted at face value that the militias were formed to defend the country against the invading RPF troops, according to the doctrine of village self-defense. Subsequent intelligence information suggested that up until possibly late 1993, this was indeed their main purpose. In a cable from Kigali to New York dated 11 January 1994 – later to become known as *The Black File* – the UN force commander in Rwanda relayed a statement from a high-level government informant as saying that the “principal aim of *interahamwe* in the past was to protect Kigali from RPF”. With a peace agreement in place and the arrival of a UN peacekeeping force to help implement it, the militias started planning for the extermination of Tutsi (see chapter 3).

## Figure I: A pattern of violence

### Track I: Civil war and peace talks

#### Events in 1990

October 1:  
RPF invasion

October 4–5:  
An “attack” on Kigali

#### Events in 1991

January:  
RPF raid on Ruhengeri prison

#### Events in 1992

March 14:  
Habyarimana agrees to coalition govt.,  
to negotiate peace with RPF and to settle  
refugee problem

April 16:  
Coalition government formed

August 10–17:  
First round at Arusha–Agreement on Protocol  
on rule of law, political pluralism and respect  
for human rights.

September–October:  
Negotiations on power sharing at Arusha.  
GoR splits and talks halted

November 15:  
Habyarimana calls Arusha accords “a piece of paper”

December:  
Arusha talks continue, GoR still split on power  
sharing issue

#### Events in 1993

January 10:  
Arusha Protocol on power-sharing

February 8:  
RPF launches offensive

### Track II: Civil violence

October 1–15:  
6–7000 persons detained ca. half in Kigali

October:  
Ca. 300 Tutsi killed in Kibilira  
(in Gisenyi prefecture, NW)

October–November:  
Numerous Tutsi–Hima disappear in the  
Mutara range (N)

Late January–early February:  
“Hundreds” of Tutsi (Bagogwe clan) killed  
in NW region

Mid–March:  
Massacres in Bugesera (NW) 60–300  
Tutsi (Bagogwe clan) killed, 10 000 displaced

April 25–May 6:  
Ca. 22 killed in assassinations and grenade attacks  
and ca 100 injured in Kigali and 3 provincial towns

August 15–17:  
Ca. 300 Tutsi killed in Kibuye (N)

October 30:  
CDR demonstrations in Kigali turn violent

November 15:  
Opposition demonstrations in Kigali for Arusha  
turn violent

December 25–31:  
Bombs explode in Kigali and Butara; three Tutsi  
killed in Kibilira, dozens of opposition members  
threatened / injured / homes burnt

January 20–26:  
Ca. 300 Tutsi killed in Gisenyi

February:  
25–50 Tutsi reported killed in north and central  
regions

*Source: FIDH 1993, Human Rights Watch (1993,1994), Reyntjens 1994.*

There was a certain confusion about who constituted the principal target. Some diplomats, including the Canadian Ambassador in 1994, read the violence primarily as politically directed against regime opponents regardless of ethnicity, and were totally unprepared for the genocidal

dimension of the violence.<sup>38</sup> Others saw Rwanda's Tutsi minority as a hostage to the war between the Habyarimana-regime and the RPF, and thus collectively being at great risk. This was the pattern of the early 1960s, when attacks by a previous generation of Uganda-based Tutsi refugees-become-guerillas brought fierce retaliation against the Tutsi who remained in Rwanda.

### **2.2.2. The conditionality question**

Acknowledging the widespread evidence of a deteriorating situation, donor countries made some efforts to correct it. While the United States did not stress, and France did not include, human rights issues in their policy towards Rwanda,<sup>39</sup> other donors did. Belgium formally incorporated human rights criteria in its aid policy after the Socialists came to power in 1992. Canada, another major donor, had done so all along. Also the representatives of Switzerland and the Vatican spent considerable time and efforts raising human rights issues, and made repeated representations to the President and the Minister of Justice (when there was one). More generally, diplomats from states concerned with democratization put their faith in political reforms: promoting multipartisme and good governance, it was argued, would help address human rights abuses, including the critical issue of legal impunity.

There was some progress towards democratization. The regime's progressive move towards multi-partisme was partly due to Western persuasion and pressure. High-profile pressure by foreign diplomats and quiet work by ICRC helped to bring the release of nearly 10,000 persons who were detained by the government when the RPF invaded in 1990. A few individual human rights cases were addressed.

In principle, most Western donors made economic aid conditional upon observance of human rights. In practice, however, most donors did not reduce aid with specific reference to human rights violations, even though these were recognized as severe. For instance, the Belgian government took steps considered extreme in the language of diplomacy when the international human rights commission published its incriminating report in March 1993. The Belgian Ambassador in Kigali was "recalled for consultations", and the Rwandese Ambassador in Brussels was told that Belgium would reconsider its economic and military aid unless steps were taken to rectify the situation. However, Habyarimana made conciliatory statements and Belgian aid continued. The Canadian government announced in Kigali that, largely for human rights reasons, but also for budgetary reasons, Rwanda would be phased out as a major aid recipient from 1992-93 onwards. In Ottawa the decision was explained largely with reference to budget cuts and changes in bilateral programming.<sup>40</sup>

Among the African countries, only the Ambassador of Tanzania took a strong, outspoken position on human rights violations. As a result – and in consequence of Tanzania's weak economic leverage – Habyarimana asked in late 1993 that the Ambassador be replaced with another one. Tanzania complied. The OAU's Commission on Human and People's Rights visited Kigali once and generally "performed abysmally", an OAU observer concluded.

Why was human rights conditionality – an arrow in the quiver available to the international community – not pursued more decisively? Conditionality on economic policy was all along precisely defined and consistently promoted. The principal demands for structural adjustment and fiscal reform government to comply in the area of economic reform possibly reduced the incentives for donors to insist on human rights issues. There were also other concerns. With a traditionally efficient local administration and functioning infrastructure, Rwanda had a capacity for absorbing aid that partly accounted for large transfers in previous years. In the early 1990s, it was still a country where foreign aid bureaucracies could reasonably disburse money. Project feasibility helps to explain the continued inflow from two traditional donors, France and Belgium.<sup>41</sup>

There was a more fundamental reason. International pressure to democratize and institute good governance developed a special rationale in Rwanda: just as the Arusha process was a solution to civil war, so democratization came to be seen as a solution to the growing problem of civil violence. Support for democratization and the related peace process implied continuous economic and diplomatic engagement in Rwanda. From this perspective, the threat of ultimately imposing sanctions by withdrawing aid – as Western human rights organizations called for in 1992–93 – was counter-productive.<sup>42</sup> Donors thus became hostage to their own policies.

As the economic situation deteriorated in 1993 and renewed war plus drought increased the number of internally displaced people to around one million, the international community pledged large amounts of humanitarian aid. Simultaneously, some donors shifted development aid into relief assistance. The issue of conditionality thereby became more remote. The call for pledges of international humanitarian assistance went out in the UN system in March, just at the time when the International NGO Commission published its report detailing the government's involvement in massive human rights abuses and calling for human rights conditionality in aid policy. The UN Department of Humanitarian Affairs put the question on the table by asking in an internal memorandum how the human rights issue should be handled at the forthcoming consolidated appeal for humanitarian assistance. The answer suggested by the DHA was to distribute copies of the report before the meeting.<sup>43</sup>

Given the problematic nature of sanctions, donors instead looked to “positive conditionality”, in European Union terms, to promote democratization and human rights, and later to have the Arusha Accords implemented. Aid was allocated to strengthen particular sectors. Thus Canada, the United States and Belgium supported projects to improve administration in the Ministry of Justice with advisors, seminars and training, and to strengthen civil society by supporting local human rights organizations and encouraging a free press.

Despite these efforts, the quality of governance declined markedly. In the Ministry of Justice, for instance, the assignment of foreign advisors could not make up for the fact that for most of 1993 there simply was no Minister of Justice. The one who was finally appointed towards the end of the year had a shady reputation which was subsequently confirmed.<sup>44</sup> Under the impact of multipartisme and fiercely conflictual politics in late 1993 over the implementation of the Arusha agreement, administrative agencies turned into political fiefdoms of a more extreme kind than before. There was no accountability and project implementation had become impossible, USAID concluded, suspending its program in 1994. Germany did the same, citing insecurity in the countryside and the erosion of administrative efficiency. The European Union also put most of its 4-year aid allocation to Rwanda on hold.

By suspending aid with reference to bookkeeping and resource restraints rather than human rights criteria, donors sent the message that human rights conditionality was preached but not practiced. The same applied to the infamous Radio mille collines. Unable to agree among themselves on the significance of the radio and how to silence it, the donors limited themselves to making yet another representation to Habyarimana. The latter responded as usual by promising to look into it, and there the matter rested.<sup>45</sup> Half-hearted conditionality of this kind probably succeeded only in eroding the credibility of diplomatic suasion.

By late 1993, the limits of diplomacy were becoming obvious, yet the prevailing sense among

concerned members of the diplomatic corps was that the only alternative was to soldier on. Arguably, a window of opportunity for dealing with the extremists had existed around 1992, before their strength developed in earnest and while the donors still had commitments to development aid that could be adjusted as needed. Although information about the extremists at that time was less alarming, human rights violations were significant indicators of trouble, as well as important in and of themselves.

### **2.2.3. The UN human rights machinery**

In this period, the UN was peripherally involved in the conflict management process in Rwanda, while humanitarian agencies, as noted, provided significant aid. The UN also had a formal mandate to monitor and pronounce upon human rights violations in member states. This it did in Rwanda, but in a very limited fashion compared to the vigorous and thorough monitoring carried out by NGOs.

The UN Commission on Human Rights discussed Rwanda in both 1992 and 1993 under its “1503 procedure”, the confidentiality clause used to initiate discussion on countries where serious problems are noticed.<sup>46</sup> Customarily, the 1503 procedure is a warning signal that alerts the Commission to the fact that human rights conditions within a country merit particular attention.

As the discussion was protected by the confidentiality clause, little is known of what transpired when the Commission’s Committee of Five examined Rwanda in 1992, and again in 1993. The first year, only a pro-government spokesman appeared, a local judge known to Western diplomats for his grossly inadequate handling of cases brought against government officials. By the time of the second meeting, Rwanda had a coalition government, and a member of the opposition MDR party was in the delegation, the then Minister of Primary and Secondary Education, Agathe Uwilingiyamana. Mrs. Uwilingiyamana – who was the first high-level official to be murdered after 6 April – admitted to human rights problems and said the government would try to rectify the situation.<sup>47</sup>

Rwanda was also discussed in several thematic reports presented to the Commission as a whole in 1992 and 1993.<sup>48</sup> In early 1993, human rights groups in Rwanda asked the Special Rapporteur on extrajudicial executions, Mr. B.W. Ndiaye, to participate in an international commission of inquiry into human rights violations in the country. While declining on procedural grounds, Ndiaye was sufficiently concerned to visit Rwanda. His 10-day visit produced a report in August 1993 (E/CN.4.1994/7), which was presented to the Commission early in 1994, i.e. shortly before the genocide took place. The report was given only routine consideration in the Commission. As a political body composed of UN members, the Commission rarely discusses particular countries except those singled out for attention by a Special Rapporteur. Not being singled out, Rwanda was folded into a report the Commission discussed thematically rather than according to country cases.

Because the Ndiaye report raised the question of genocide, the failure of the Human Rights Commission to give it more than routine recognition has later been criticized. One explanation lies in the nature of the report. Ndiaye supported the substance of the allegations of the NGO Commission (FIDH 1993), in particular concerning official involvement in the massacres of civilians (para. 28). He further noted that the question of whether the massacres may be termed genocide “has often been raised” (para.78). After a brief discussion – contained in 4 out of the report’s 86 paragraphs – Ndiaye offered an “initial reply”: since Tutsi have been the victims in the overwhelming majority of cases, and have been targeted solely qua Tutsi, the Genocide Convention’s Art.II (a) and (b) would apply.

A Western diplomat in Kigali who read the report, and himself was nearly killed by the Hutu extremists, said it hardly prepared him mentally for the massive slaughter that was to come. Rather, the Ndiaye report was read as a technical, legal analysis, not an alert that raised the specter of the killings of half a million or more people. The magnitude of deaths associated with genocide in popular opinion was absent.<sup>49</sup> Moreover, the report presented the unfolding violence in the context of “business-as-usual”: “...the country has already experienced many massacres of an ethnic character. Such acts of violence recur periodically, and the persons responsible, who in

most cases are known to everyone, go unpunished. The Special Rapporteur became aware ... that this situation was part and parcel of everyday life for many Rwandese people, and that ethnic violence had become a practice which, if not accepted, was at least firmly rooted in Rwandese folk memory.” (para 46)

The failure by the international community to make effective demands on its relationship with a regime whose involvement in organized killings of civilians was generally suspected and carefully documented in two 1993 reports – one from a joint NGO mission and the other by a Special Rapporteur of the UN Commission on Human Rights – was an act of omission that carries at least some moral co-responsibility for subsequent events in Rwanda. Acts of commission carry heavier responsibility.

French aid was justified with reference to the continuing war with the RPF. The nature of the conflict meant, however, that France helped to strengthen the military apparatus of a regime that was deeply implicated in serious human rights violations, and some of whose members subsequently became deeply implicated in the genocide as well. French military aid also strengthened the latter more directly in that some weapons provided to the FAR were diverted to the militias. Militia members were believed to be among the army recruits French *coopérants militaires* were training (Prunier 1995). Diplomats in Kigali observed French officers with *interahamwe* units in a national park area.<sup>50</sup> On the eve of the civil war, and even a couple of days after the killings had started in April 1994, French planes reportedly flew in arms to the Rwanda government (see 3.2.).

Information about the human rights situation was generally available; given its close relations with Rwanda, France had better access than most to obtain intelligence on the extremists. Yet it is striking that senior officials in the Ministry of Cooperation in 1993 regarded Rwanda as “the Switzerland of Africa”, as one official later said. To the extent that human rights violations were noted, they were considered as not particularly bad “by African standards”. Evidently, the Office of Military Assistance (DAMI), which is located in the Ministry of Cooperation and reports to it, either did not observe the mounting force of Hutu extremism – which is possible given its preoccupation with monitoring the designated enemy, the RPF – or observed but did not report. Either way, for the ministry most directly and broadly involved in Rwanda, it amounted to a massive intelligence failure.

French policy in Rwanda was hardly the result of a grand design. More likely, it evolved as the outcome of multifarious and partly uncoordinated initiatives, each of which was shaped by the prevailing sense of France’s purpose and role in Africa. The result was to give encouragement to forces that were essentially evil, yet, the process itself demonstrated in a sense “the banality of evil” (Callamard, 1995). The absence of a grand design does not, however, obviate responsibility for the consequences. The French have been their own most severe critics in articulating the political and ethical implications of France’s Rwanda policy (e.g. Bayart 1994, Brauman 1994, Verschave 1994). Even from the criteria of *Realpolitik* it seems questionable. As the noted scholar Jean-François Bayart asked, if French policy aimed to stabilize the situation, how could that be achieved by supporting a regime that permitted, or even organized, assassinations and mass murder?

## Chapter 3

# Implementing and Subverting the Peace Agreement

(4 August 1993 – 6 April 1994)

The transition from peace negotiations to implementation was accompanied by mounting tension. One fundamental problem was related to the domestic dynamic: the closer the peace agreement came to be realized, the more desperate grew the extremists. While the Accords provided for a new government that many hoped would subdue the militant opponents, the installation of the BBTG was repeatedly delayed by parties who manipulated the transition instruments for narrow gains. As the implementation process floundered, unforeseen external events in neighboring Burundi heightened ethnic tension and strengthened the appeal of the extremists, thereby making implementation of a delicate political compromise even more difficult. The UN Assistance Mission in Rwanda (UNAMIR) had been designed to oversee a smooth transition and was not equipped to handle the situation. Nor was it strengthened despite increasing recognition that civil war might resume and large-scale civil violence erupt.

### 3.1. Implementing the peace agreement

To assist implementation, the Arusha Accords provided for the establishment of a neutral international peacekeeping force to be deployed in Rwanda within 37 days from the date of signing (i.e. by 10 September). The UN promptly sent a technical mission to Rwanda for needs assessment. Three issues arose out of that mission: the timeliness of deployment, the size of the force, and the precise mandate as well as rules of engagement for the force. Their resolution depended in part on the team's assessment of the situation in Rwanda, in part on what the UN members were willing to invest.

The Reconnaissance Mission, headed by the designated Force Commander, General Romeo Dallaire, reported a mixed picture. It was a foregone conclusion that the operation would come under Chapter VI peacekeeping, and the situational prerequisites were present: a peace agreement was signed, and the local parties consented and cooperated. In the meantime, both sides were observing the cease-fire agreement, which was monitored by both regional (OAU-NMOG) and international (UNOMUR) observers. To those in the UN who looked for a success to counter the troubled UN mission in Somalia, "Rwanda seemed like a winner", as one participant noted. In an unprecedented move that foreshadowed an easy mission, a joint delegation from both sides of the Rwandese conflict came to New York to lobby the UN to endorse the peacekeeping operation.

Yet Dallaire's team was also warned of instability and dangers. The schedule for deploying peacekeepers was unrealistically short, so time was of the essence. A transitional government required the participation of RPF members as designated, but the RPF absolutely refused to enter Kigali until the French forces had left, and the French would not leave until the UN arrived. Thus, the UN force held a key to the entire transition.

Four standards are relevant to measure the rapidity of deployment. On the standard of need, the troops were required as soon as the Arusha Agreement was signed. Closely following was the expectation of the Agreement itself, i.e. 10 September, which was generally agreed to be an unrealistic deadline. Third, there was the timeline the UN Secretariat set for itself as spelled out by the Reconnaissance Mission. In some important respects it was not met.<sup>51</sup> Fourth, however, standard UN procedures meant that 3–6 months would be needed to assemble and deploy a peacekeeping force, depending upon the size. According to this standard, UNAMIR was deployed

fairly rapidly. The UN Secretariat started assembling the Reconnaissance Mission a few weeks before the Arusha Accords were signed on 4 August, and the first battalion reached Rwanda in late November.

Delays in establishing a transitional government would increase the likelihood that the entire peace agreement would be derailed, the Mission was told by several foreign diplomats and the Rwandese parties to the Agreement.<sup>52</sup> It was known that militant forces remained vehemently opposed to the Accords, and Rwanda's history of ethnic and political strife cast a long shadow. Recent violence and the growing strength of paramilitary groups added to the formidable problems of demobilizing some 35,000 soldiers in a society with a shattered economy, famine, and large numbers of persons displaced by the war. In this situation, concluded the UN Secretary-General, it was imperative that the international community demonstrate its commitment to implement the peace agreement it had helped to mediate. Delays would "seriously jeopardize" the Accords (S/24688/1993 para.65).

One military expert in the Secretariat estimated that ideally, a mission of this kind should have 8,000. Dallaire proposed 4,500 as his maximum option. In the end, the Secretariat recommended a force only half that size, anticipating that this was the maximum that the Security Council would approve. Having exercised an anticipatory veto, the Security Council on 5 October authorized a force level of 2,548 military personnel without much discussion.

The decisive restraint on the overall size of the mission was financing. Being assessed 31% of the costs of UN peacekeeping, the United States insisted on a minimal force. The Clinton Administration had just started an executive review of its UN policy, and was sensitive to Congressional concern over the mounting American share of peacekeeping costs, which had increased a stunning 370% from 1992 to 1993.<sup>53</sup> Emphasizing the bright aspects of the Rwandese situation, the cost-conscious US delegation in New York suggested in September that a token mission of some 500 men would suffice. The French mission in New York recommended a small force of around 1,000 men, noting that the French contingent in Kigali was merely 6–700 men. The end result of 2,548 was more than a token force, and at that time considered quite acceptable by the Force Commander. UNAMIR was estimated to cost about US\$10 million a month, a very modest amount compared to other UN peacekeeping operations.<sup>54</sup>

The signals from the Rwandese parties concerning force size were conflicting. A skeptical RPF reinforced calls in the Security Council for a minimalist force. Recalling earlier French lobbying at the Security Council to have a UN rather than an OAU force in Rwanda, the RPF suspected that France was using UN peacekeeping operations as a shield to protect its political allies in Kigali and secure a foothold for the future. The RPF consequently claimed that a few hundred men would do. By the same logic, the government of Rwanda wanted several battalions.

Despite a speedy start,<sup>55</sup> the deployment of UNAMIR did not fully meet the schedule laid out by the Reconnaissance Mission. The special representative of the Secretary-General did not arrive in late November, or three and a half months after the Arusha Agreement was signed. The first UNAMIR battalion entered Kigali shortly thereafter, enabling the French paratroopers to leave. Putting together the rest of the mission also proved difficult. The force never received the equipment authorized and required even at the reduced level (including an armored unit and helicopters).<sup>56</sup> UNAMIR's budget was subject to the standard, lengthy UN decision-making process and was not formally approved until 4 April, 1994.<sup>57</sup> As a result, the mission was constrained by numerous shortcomings in personnel, equipment and disbursements (including petty cash), and even basics such as ammunition. Repeated field requests to New York to bring the Mission up to authorized strength were to no avail.

The problem was partly structural, reflecting cumbersome UN procedures for budgeting and deployment of peacekeeping operations generally, as well as the political system in the UN. For all but one of the major powers on the Security Council, Rwanda was of peripheral interest. This meant that UNAMIR lacked a powerful patron in the Council to help cut through the bureaucratic-political morass that governed normal procedures for UN peacekeeping. Without this political

pressure, UNAMIR moved to the bottom of the UN security agenda. Nuts-and-bolts issues as well as more fundamental mandate questions were neglected. Only the French government had a direct interest and considerable presence but, with some reason, claimed that such involvement restricted France to a low profile in the Council deliberations on UNAMIR so as not to compromise the neutrality required by a UN peacekeeping force.

The barebones UNAMIR had weak or no capacity in two areas that were significant for its operation. With only a small civilian police unit and no human rights cell, the mission had very limited ability to investigate violent incidents. The force also lacked an official intelligence unit, a fact that was deplored by the Force Commander and led to some improvisation on the ground (see 3.2.)

### **3.2. Civil violence and the subversion of the peace agreement**

In early autumn 1993, the Rwanda situation did permit some optimism that the peace agreement would be implemented in an orderly fashion. Yet underlying tensions soon surfaced to reinforce earlier warnings that the process was being subverted. The splitting of political parties, which had started already in late 1993, became more profound as factions competed for positions in the transitional government, thereby undoing the formula for power-sharing so carefully negotiated at Arusha and playing into the hands of those who opposed the Accords altogether. Repeated failures to form a transitional government made the diplomatic community in Kigali and states associated with the Arusha process renew their efforts to break the deadlock. The Tanzanian government took the lead, but Belgium, Germany, the United States, Canada and the Vatican also weighed in with strong language and sometimes high-level representations to repair the process. During February and March, and even right up until the crisis erupted on 6 April, concerted efforts were made to avoid a rupture.

The diplomats who labored to save the Arusha Accords saw implementation as a means to control the extremists. With Hutu moderates and RPF in charge of key ministries in the planned transitional government – including Interior and Justice – and a new national army to be formed, many expected that the Hutu extremists could be subdued. Also leading members of the RPF politburo appeared to take this view. However, the implementation process was fundamentally a race against itself: the closer the Arusha Accords came to be realized, the more the extremists were prepared to sink it in violence. The point was formulated unequivocally in a cable from the UNAMIR force commander to DPKO/ New York on 11 January 1994: A “very important government official” turned informer had told him that “hostilities may commence again if political deadlock ends”.<sup>58</sup> Previously, “hostilities” had often been interpreted to mean renewed civil war. By early 1994, the term clearly conveyed the meaning of civil violence. It was quickly recognized by the SRSG, Jacques-Roger Booh-Booh, who reported to the Secretary-General soon after his arrival in Kigali on 23 October that the extremist adversary to the peace process was a powerful, subversive Third Force – ruthless, well-organized, well-equipped and centrally directed.

Additional information provided in the UNAMIR cable of 11 January to the UN Secretariat in New York was quite specific. The Rwandese government informant had revealed the extremists’ plan to assassinate politicians at the scheduled ceremony for swearing in of the transitional government. In the process, they would provoke an encounter with Belgian UNAMIR soldiers, expecting that by killing some, the entire UN contingent would leave Rwanda. As the RPF would be instigated to resume war, 1,700 interahamwe who had been training in camps outside Kigali were staged to sow insecurity throughout the city; teams of 40 each were organized within Kigali to kill all the Tutsi who had been registered by the militias. The informer estimated his units could kill 1,000 persons per 20 minutes.

Assassinations on this scale were no longer of the order of a political tactic but clearly genocidal. The message dovetailed with a series of other developments, indicating that the situation was rapidly deteriorating. Both at the time and looking back, foreign diplomats and UN officials

serving in Kigali clearly noted the worsening trend. The October events in Burundi represented a watershed. Rwanda's Hutu population projected developments in the neighbouring state onto their own society: a newly-elected Hutu president was assassinated and tens of thousands of Hutu were killed in the ensuing violence, many in situations where Burundi's Tutsi-dominated army was directly or indirectly responsible. With the RPF poised to share both governmental power and half of the national army in Rwanda, the message of fear of the Tutsi being spread by the Hutu extremists gained new credibility.

Additional information was picked up by the small, unofficial intelligence unit set up by the Belgian 1st paratroop battalion serving with UNAMIR under Col. Luc Marchal. The unit was financed directly by Belgium after the UN Secretariat declined to finance it, and reported to the Belgian military headquarters in Evere outside Brussels as well as the UN. During early 1994, the Belgian intelligence channels provided detailed secret information, including vouching for the bona fides of a key informant, detailing secret arms caches, and spelling out plans by MRND leaders, in cooperation with interahamwe units, to isolate, harass and undermine the work of the Belgian UNAMIR contingent.<sup>59</sup> Belgium also had another intelligence channel. The military intelligence agency (SGR) of the Ministry of Defense ran an operation attached to, and under cover of, the small military assistance unit that Belgium maintained in Kigali (mainly for medical training) until April 1994 (De Morgen, 4 November 1995).

Hutu supremacist rhetoric became increasingly vocal and public. Radio mille collines (RTL), broadcast hate messages that called on the people to rid the country of Tutsi. African diplomats reported CDR members telling them that in the future there would be no Tutsi left in Rwanda. Referring to the RPF as the "historical overlords", the RTL whipped up fear by claiming that once the RPF army was in Kigali – as provided for in the Arusha Accords – Tutsi troops would attack the Hutu population.

In the streets, the violence was real. Assassinations of two high-level politicians in late February made the CDR organize a four-day rampage in Kigali with interahamwe mobs (readily recognized by the colors of their "uniforms") roaming the streets and killing dozens of people. The mob violence clearly targeted individuals, and even foreign diplomats considered "pro-Arusha" were threatened. The Tanzanian Ambassador was almost killed on 5 January when a CDR crowd attacked his car. The Papal Nuncio received grizzly death threats.

UNAMIR's Force Commander responded to the deteriorating situation by repeatedly requesting equipment to bring his force up to strength. In January, he sought guidance from the Department of Peace-keeping Operations in the UN Secretariat (DPKO) on actions to be taken if the situation worsened. In early February, he asked for clarification of the mandate to permit searches of arms caches. In late February and again in mid-March, he requested reinforcements.<sup>60</sup> Reports of arms being distributed to para-military groups in the Kigali area were frequently discussed by UNAMIR staff, reported by the Belgian military intelligence unit back to the Belgian government, and were circulated in the diplomatic community. Some went public with their concern, including the UNAMIR commander of the Kigali sector, Col. Luc Marchal, and the SRS, Jacques-Roger Booh-Booh. Noting that violence was about to overtake the peace process, Booh-Booh complained to the press on 24 January that "weapons are distributed from arms caches around Kigali and even inside town."

Some arms shipments could readily be traced. On 22 January 1994, a planeload of arms from France was confiscated by UNAMIR at the Kigali airport.<sup>61</sup> The delivery was in violation of the cease-fire clauses of the Arusha Accords, which prohibited introduction of arms into the area during the transition period. Formally recognizing this point, the French government argued that the delivery stemmed from an old contract and hence was technically speaking legal. More serious, UNAMIR's Kigali sector commander has reported that a planeload of arms arrived from France in the early morning of 9 April, that is, shortly after the killings started. The French government has categorically denied this shipment.<sup>62</sup>

Arms distribution affected the immediate security situation as well as the climate for implementing

the peace accords. It also went to the core of UNAMIR's mandate to help make Kigali a "weapons secure area" where weapons were strictly controlled. Failure to react to flagrant and illegal arms distribution clearly would erode UNAMIR's credibility. Immediately after sending the 11 January cable detailing the interahamwe plans for killing Tutsi in Kigali, Dallaire requested permission to seek out arms caches that the informant had offered to identify. In the UN Secretariat, however, the DPKO denied permission. On three occasions in early February, Dallaire made similar requests to carry out cordon-and-search operations to seize arms. Each time the DPKO turned down the request. Similar calls from the Belgian government to permit UNAMIR to interpret its mandate more proactively – issued after the Belgian Defence Minister Leo Delcroix had visited Rwanda in mid-March – were likewise rejected.<sup>63</sup>

In retrospect, it is hard to fault the UN for failing to anticipate the impact of external events, notably the October massacres in Burundi. The prescient and cumulative warning signals from Rwanda itself were more compelling. They were taken seriously by many in the field: diplomats redoubled their efforts while UNAMIR tried to respond. In New York, however, the Secretariat was passive or cautious. The most critical warning from the field – the 11 January cable – was put aside in the DPKO.<sup>64</sup> Requests to bring the force up to strength, let alone provide reinforcements, were rejected, although the deployment of the second battalion was speeded up. UNAMIR was denied permission to interpret its mandate proactively and search for arms. When the Secretary-General requested that the Security Council renew UNAMIR's three-month authorization, he did not mention the critical, new intelligence elements in the situation. The reasons why this information apparently was not reported to the Council are unclear.

New York's response reflected a cautious and politically sensitive interpretation of UNAMIR's mandate. The latter had been tailored to peacekeeping of a classic consent-and-cooperation kind. The mission was to "contribute to the security" of the Kigali area, monitor the cease-fire, and assist local authorities in demobilizing the two Rwandese armies and investigating violations of the Accords (Res.872(1993)). It is important to recall that this mandate grew out of but differed from what was envisaged in the Arusha Accords. In the central clauses defining UNAMIR's role in providing security, in protecting civilians, and in confiscating illegal arms, the Arusha Accords were significantly broader than the terms of the final UN mandate.<sup>65</sup> The disjuncture between the mediation phase and implementation was again revealed: the signatories to the regionally-brokered peace accords had evidently assigned an importance to the peacekeeping force that exceeded what the UN was willing to provide.

In the fall of 1993, the UN Secretariat and the Security Council had considered Rwanda a low priority, drafted a classic and minimalist peacekeeping operation, and hoped for the best. As the situation in Rwanda progressively deteriorated, the Secretariat and the Security Council members – in particular the United States – labored under the impact of the Somalia experience. The crisis in Somalia, where US/UN troops became embroiled in a de facto war with a local faction and took casualties, had been politically costly both for the US government and for the UN Secretary-General. Not crossing "the Mogadishu-line" became a firm dictum in the Secretariat, as a high-level official in the DPKO later put it. A proactive interpretation of UNAMIR's mandate to permit confiscation of illegal arms was much too close to the Somalia syndrome for comfort.<sup>66</sup>

Having ruled out a proactive and coercive response in Rwanda, the Secretariat and the Security Council left themselves only one option in case of a crisis: withdrawal. The strategy was spelled out by Boutros-Ghali in the form of a bargaining tactic: unless the peace agreement was implemented, the UN would withdraw its peacekeeping force. The message of the Secretary-General was reiterated by the Security Council when it renewed UNAMIR's authorization in January and again on 5 April.

As the crisis intensified, the range of options to save the peace agreement narrowed. Nevertheless, in Kigali, UNDP proceeded with the planning of the demobilization program by bringing the RPF and Rwandese army officers together to prepare the details, including the rate of demobilization and measures to reintegrate the soldiers back into the civilian economy. The planning process – which was sustained for a full five months – was in itself a confidence-building measure. In a similar spirit, donors offered economic incentives by holding out the promise of large development

funds once the new transitional government were installed. Using a different tactic, the UN Secretary-General and the Security Council threatened to withdraw UNAMIR, although this was what the Hutu extremists wanted.

In retrospect, it is possible that by early 1994, Habyarimana himself was a prisoner of the extremists. If so, putting pressure on the President would yield few results. The option of strengthening UNAMIR and applying force against the extremists – which theoretically was available to the UN – might have been effective. This option was not considered; allowing UNAMIR to show a bit of muscle was rejected. While this might not have resulted in the installation of the BBTG, constraining the extremists could have modified the violent consequences.

It is not a foregone conclusion that a stronger or more proactive UNAMIR would have altered the course of events leading up to 6 April. The consequences of weakness, however, were reasonably clear. Slowly and haltingly deployed, UNAMIR failed to project strength and decisiveness from the beginning. As the struggle over implementation intensified, the force was constrained from acting in matters pertaining to the security of Kigali and thus central to its mission. Its presence gave a false sense of security to Tutsi as well as Hutu regime opponents and moderate coalition members who, feeling themselves protected, spoke out against extremists and coup-plotters. All of them, a close observer later wrote, “knew what the Hutu extremists were capable of, but many ... were persuaded that the presence of UNAMIR would prevent things from going much further than the repression in October 1990.”<sup>67</sup> When the situation radically changed and widespread violence erupted, UNAMIR lacked everything from sandbags to armoured personnel carriers to protect either its own troops or civilians.

## Chapter 4

# Crisis and Withdrawal

(6 April 1994 – 21 April 1994)

### 4.1. Crisis

On 6 April at approximately 8:30 in the evening Kigali time, the plane carrying Habyarimana was shot down as it was returning from Dar-es-Salaam, where the President had finally committed himself to implement the BBTG. What followed in the next 24 hours was the almost simultaneous occurrence of a military coup, renewed civil war, systematic political assassinations, and commencement of genocide. At this stage, early warning with respect to forthcoming events was irrelevant. What was required for rational decision-making was knowledge about the confusion in the present. Who knew, what did they know, and to whom did they communicate what was known?

By the evening of 7 April, the UNAMIR command had put together some major pieces of the picture: the Prime Minister and other key moderate and opposition political leaders had been killed; the well-known extremist, Col. Bagosora, appeared to be in charge of the coup; 10 Belgian UNAMIR soldiers had been overpowered and subsequently murdered by Rwandese government soldiers who accused the Belgians of having shot down the President's plane; the RPF unit in Kigali was breaking out of its quarters while the main RPF force in the north prepared to move down through the DMZ; the militia were manning roadblocks and civilians were being killed.<sup>68</sup> The Force Commander knew that a military coup and politicide (systematic political assassinations) had taken place. He knew civilians were being killed, but did not recognize that genocide was under way. He considered his main objective to be safe evacuation of the expatriates<sup>69</sup> and prevent the resumption of the civil war, while ensuring the safety of his own troops.

With the coup a *fait accompli*, the immediate options were limited. New York instructed Dallaire and Booh-Booh to talk with the representatives of the "interim government" and the RPF in order to obtain a cease-fire and restart the Arusha process. The UNAMIR Force Commander also had a number of immediate tasks. With inadequate transport, he had to relocate his Ghanaian battalion to Kigali since the RPF had ordered it out of the DMZ. Escort services were provided for evacuation of expatriates, which began to be organized by the morning of 8 April. He had to deal with French, Belgian, and Italian forces who had arrived, not to assist him, but to secure the airport while evacuating their nationals. UNAMIR also provided protection to Rwandese nationals who had fled to the Amahoro stadium and a nearby hospital. In all of this, the force had only one working armoured personnel carrier, a demoralized Belgian battalion and an under-equipped, below-strength unit from Bangladesh.

Between Friday and Monday, most expatriates had managed to leave. With the evacuation problem less pressing, the UN started to focus on UNAMIR's role in the new situation (Lægneid, 1995). During the first week (April 7–13), much of the initiative lay with the Secretariat, which received information from its newly-established Situation Center, was in constant telephone contact with the Force Commander in the field, and was repeatedly asked by the Security Council to provide it with information and options.<sup>70</sup> Until 13 April, when Belgium formally told the Security Council of its decision to withdraw from UNAMIR, the diplomatic situation was fluid, with a range of actions available to the Secretary-General. There were daily, sometimes twice-daily informal consultations between the Security Council and the Secretariat. The week, in other words, was a window of opportunity for the Secretariat to define UN policy towards Rwanda.

The Secretariat proceeded with great caution. After discussing the situation in the Secretary-General's task force, DPKO officials suggested to the Security Council that the most likely alternatives were withdrawal or a Chapter VII enforcement action. Under Secretary-General Kofi Annan told the Council on 9 April and again on 11 April that if UNAMIR were to carry on, additional resources and a new mandate were needed. On 13 April, Assistant Secretary-General Iqbal Riza raised the question of humanitarian intervention to protect civilians, only to dismiss it. Acknowledging that at the time UNAMIR was actually trying to protect civilians in Kigali, Riza cautioned that this course of action would require more resources, and that the Council should consider whether peacekeeping operations should involve such tasks.

The Security Council commented critically on the failure of the Secretariat to come up with options outside the classic framework of Chapter VI versus Chapter VII, or a Somalia-type engagement versus withdrawal, as the British Ambassador said on 13 April.<sup>71</sup> One reason stemmed from the nature of the conflict. In the dynamic interaction of the response to the genocide and the management of the renewed civil war, there was a failure to distinguish between the two. Options to reinforce UNAMIR were always put by the Secretariat in terms of an enforcement operation, suggesting intervention between the two armies, rather than maintaining or increasing troop strength to protect civilians. Even two weeks after the killings commenced, the Secretary-General reported to the Security Council in terms that showed a preoccupation with the war between the Rwandese army and the RPF (S/1994/470, 20 April 1994). An option to deal with the war on civilians was never presented to the Security Council, and the latter did not strike new directions on its own. The decision to withdraw the bulk of UNAMIR on 21 April was taken accordingly in the context of a situation depicted by the Council as civil war with related "mindless violence", rather than organized genocide accompanied by a smaller civil war (Res.912(1994), 21 April 1994).<sup>72</sup> This misinterpretation of the situation occurred despite the earlier warnings about plans for organized, systematic killings received by the Secretariat in communications from UNAMIR and elsewhere.

Despite incomplete information during the seemingly chaotic first days after 6 April, the UN was receiving through its own channels information to the effect that the killings were both extensive and organized. In a perceptive cable, Booh-Booh, the SRSG, reported from Kigali already on 8 April that "a very well planned, organized, deliberate and conducted campaign of terror" was under way.<sup>73</sup> Aggressive action had been taken against the opposition leaders, Tutsi were being massacred, and UNAMIR and the RPF were attacked. There were indications of large-scale killings. On April 11 the DPKO Situation Centre relayed reports of "many thousand deaths". The Nigerian draft resolution, which was circulated in the Security Council on 13 April (but never tabled), expressed shock over the "death of thousands of innocent civilians". In the following two weeks, additional information about the scale and pattern of killings came in.

When the Secretary-General on 20 April formally presented the Security Council with options of how to respond, he failed to recognize the organized and systematic nature of the violence (S/1994/470). Instead, Boutros-Ghali saw anarchy and spontaneous slaughter. It was the same distorted picture that much of the Western media had reported in April (see 4.3 below). Given the significant role of the Secretariat at this juncture, the 20 April report merits closer attention.

Prefacing his options with a discussion of the situation in Rwanda, Boutros-Ghali claimed that "reliable reports strongly indicate that the killings were started by unruly members of the Presidential Guard" (not the Presidential Guard itself, and certainly not the extremists). Stressing the initiative of the RPF in resuming the civil war, Boutros-Ghali reported that the RPF battalion was breaking out of its compound in Kigali and "started to engage the government troops...despite the best efforts of UNAMIR", while other RPF units from the demilitarized zone were moving towards Kigali. There was no mention of an organized conspiracy, and when the killing of moderate cabinet ministers (starting at dawn the morning after the plane was shot down), of the Prime Minister, and of the 10 Belgians were mentioned, those deaths were blamed on "unruly soldiers". There was no mention of the beginning of the organized murder of Tutsi. The provisional government was depicted as disintegrating, as if it fell apart on its own. "Authority

collapsed”; (it did not, at least not the authority organizing the conspiracy). Instead of stressing the need to stop the massacre of civilians, Boutros-Ghali declared that, “the most urgent task is the securing of an agreement on a cease-fire in the hopes that this would lead to the resumption of the peace process and reviving the Arusha Accords.” Further, UNAMIR could not be left at risk indefinitely when there was no possibility of performing the task for which it was sent. The implication was that its sole task was to observe the cease-fire. The statement made no mention of UNAMIR’s efforts on the ground to protect civilians, a subject that had been discussed in both the Secretariat and the Security Council.

A month later, on 25 May, Boutros Boutros-Ghali publicly confessed: “We are all responsible for this disaster, not only the super-powers, but also the African countries, the non-government organizations, the entire international community. There has been a genocide, and the world is talking about what it should do. It is a scandal.”<sup>74</sup> In light of the historical record, this statement might appear as an effort to shift the responsibility around. Earlier misperceptions and inaction not only reduced the impact of the statement, but possibly also reduced the subsequent and very significant efforts by the Secretariat to reverse direction.

From 29 April and onwards, the Secretariat played a vigorous and innovative role vis-à-vis the Security Council. Its inability to produce a more differentiated set of alternatives earlier, and the near-paralysis that characterized the first week, is therefore puzzling. It is also important since early action conceivably could have prevented the critical loss of power and credibility brought on by withdrawal.

Evidently several factors were at work. There were institutional limitations. While expanding rapidly between 1990 and 1993 to keep up with burgeoning mission activities, the Department of Peace-keeping Operations in early 1994 had less than 200 officials to oversee 70,000 military and civilians in the field.<sup>75</sup> It had a one-person unit for policy analysis, another one-person unit for evaluation. Moreover, nowhere in the Secretariat had information from the past been accumulated, analyzed and structured to prepare policy options either for pre-emptive action or for crisis management, so important given the general inability of bureaucracy to innovate during a crisis. With limited previous experience in protecting civilians, and doctrinal poverty, the Secretariat’s response was framed by the conventional dichotomy of Chapter VI versus Chapter VII action. Those charged with leadership had a distorted view of events: both the Secretariat and the Security Council drew a picture of Rwanda as a failed state in which rogue troops and spontaneous mobs were killing Tutsi. The concept of failed state, of course, suggested the analogy with Somalia, then uppermost in the consciousness of UN officials. Bureaucratic caution reinforced the conclusion drawn from that experience: the UN could not afford another peacekeeping failure, with failure defined as loss of UN peacekeepers in the field. Finally, the striking aspect of the first week of crisis was the physical absence from New York of Boutros-Ghali, who was travelling at a brisk pace in Europe and the former Soviet Union.<sup>76</sup> During the fast-moving and critical first days of crisis, the Secretary-General was unavailable to provide leadership for action.

## **4.2. Withdrawal**

Until the middle of April, there were open divisions in the Security Council on the issue of UNAMIR’s future. The non-aligned states, led by Nigeria, argued for strengthening UNAMIR, and on 13 April circulated a draft proposal to that effect. By then, however, it was too late and not backed by offers to contribute. The Belgian decision to withdraw its contingent, following the murder of the 10 Belgian peacekeepers, was communicated to the Secretary-General on 12 April, and to the Security Council the next day. UNAMIR was deprived of its strongest unit, and put the rest of the force in a precarious position. The Secretary-General made the point bluntly in a letter to Security-Council members on 13 April. Belgian withdrawal will make it “extremely difficult for UNAMIR to carry out its task effectively...In these circumstances, I have asked my Special Representative and the Force Commander to prepare plans for the withdrawal of UNAMIR.”<sup>77</sup> Having decided to withdraw its own contingent, Brussels lobbied hard to persuade Council

members that conditions in Rwanda necessitated withdrawal of UNAMIR as a whole. The stance was widely seen as an attempt to legitimize its own withdrawal, but the Belgians were pushing on an open door.<sup>78</sup> They were strongly backed by the Americans;<sup>79</sup> the UK and France, though less vocal, also favored withdrawal. No country came forward with troop contributions, and the Secretariat claimed later that informal canvassing at the time had produced negative results.<sup>80</sup> It was obviously not a question of capacity; collectively or individually, several UN members had the means to intervene decisively, as France and Belgium had shown by their efficient airborne operations to evacuate expatriates.

The assessment from the field was that, even with the Belgian withdrawal, the rest of the mission of around 1,200 should carry on as long as possible. “My decision to remain was a matter of moral concern,” Dallaire later wrote.<sup>81</sup> With the tide running the other way in New York, however, alternate perspectives from the field were not forwarded to the Security Council in a forceful manner. Instead, the options were formulated as full withdrawal versus leaving a token force. In the “stampede to get out”, as one ambassador later noted, the Nigerian draft resolution for strengthening UNAMIR was not even tabled.

While the Security Council debated options, UNAMIR’s position in the field deteriorated. The Belgian contingent completed its withdrawal on 20 April. Dallaire redeployed the Ghanian battalion from the DMZ to the airport, enabling the Canadian communications unit to operate.<sup>82</sup> Otherwise, his force was not being re-supplied and had to work hard to secure even some equipment from the departing Belgian contingent. UNAMIR was short of water and fuel, and was taking indirect fire. Continuing negotiations with the RPF and FAR to respect a UN-supervised neutrality of the airport did not succeed, rendering the airport and hence the exit route insecure. In a self-fulfilling prophecy, UNAMIR had been weakened to the point where withdrawal increasingly seemed the most rational option. The field mission still refused to concede the point. On the eve of the Security Council’s final decision on 21 April to withdraw, Dallaire’s “cabinet” of officers recommended as their first option that they stay on at present strength (i.e. without the Belgian battalion), while listing scaling down and withdrawal as less desirable alternatives.

The formal decision to withdraw was taken by the Security Council in the context of a choice between three options formulated by the Secretary-General. In reality, all but one option had already been ruled out in the informal and officially unrecorded consultations in the Council and its communications with the Secretariat, probably de facto almost a week earlier. As presented by Boutros-Ghali on 20 April, the language clearly excluded the option to increase: the situation in Rwanda could only be changed by “immediate and massive reinforcement of UNAMIR... which would require several thousand additional troops and UNAMIR may have to be given enforcement powers under Chapter VII” (S/1994/470. para.13). The alternative of complete withdrawal also seemed difficult. Given the “dimensions of the violence and mass killings over the last two weeks...the consequences of complete withdrawal, in terms of human lives lost, could be very severe indeed” (para 19). That left the middle alternative of reducing UNAMIR to about 270 military personnel. These would take on a diplomatic role by promoting a cease-fire and, when feasible, assist in the resumption of humanitarian relief. On 21 April the Security Council approved this option over the recorded doubt, but with the votes, of its non-aligned members (S/PV.3368, 1994).

The two weeks following the shooting down of the plane carrying President Habyarimana and associates constituted a critical decision-making phase in the international response to the conflict. If there were any chances of stopping the genocide before it fully unfolded, this was the time.<sup>83</sup> Pulling out would mean abandoning the initiative to the forces on the ground. To re-enter would require additional efforts to secure the airport. The implications were fully understood by the UNAMIR officers who discussed options in the middle of the madness that was Kigali on 21 April. Reducing the force to 270 men, which the Security Council was about to decide, meant “we can do little”, and “we will really not be able to come back”, the Deputy Force Commander scribbled on a notepad.

The Security Council and the Secretariat saw withdrawal as a means to salvage a UN peacekeeping

operation that had been tailored to a situation that no longer existed. But by largely absenting itself from the conflict, the UN simultaneously lost leverage to influence its future course – on the ground and diplomatically. External conflict management essentially came to a halt. When the UN subsequently reversed itself, re-entry proved slow, difficult and fundamentally too late.

The civilians, thousands of whom were being killed daily, were largely abandoned to their fate. A symbolic presence at key points in the Kigali area enabled UNAMIR to provide protection for an estimated 20,000 persons (at the Amahoro stadium, the Hotel Mille Collines, the Méridien Hotel and the King Faysal Hospital). Initially, a Belgian platoon effectively protected several thousand persons at the Ecole Technique Officielle; as soon as it was withdrawn, the killers closed in.

Protection of this kind relied on a combination of bluff, inertia or intersecting interests much more than a projection of force. By their presence, ICRC and MSF personnel also provided limited protective “space” in Kigali and elsewhere;<sup>84</sup> they were later joined by UN agencies and NGOs providing humanitarian assistance. Despite these efforts, the limited scope and vulnerability of such protection meant that, for the vast majority of civilians, security as well as humanitarian assistance came to depend primarily upon the advance of RPF troops. These came too late to save many.

Given the importance of the Belgian decision to withdraw from Rwanda, several questions have been raised in this connection. One set concerns the circumstances of the death of the 10 Belgian soldiers and how the UNAMIR command handled the matter. This has been the subject of an official Belgian investigation but remains a source of some controversy.<sup>85</sup> Another question is whether it was wise to have a Belgian unit in UNAMIR, given Belgium’s colonial past in Rwanda and recent policies, which had caused hostility on both the government side (for failing to render sustained support during the 1990 offensive) and that of the RPF (for having tried). The Belgians clearly did not meet the formal UN requirement that peacekeepers should come from states that are neutral relative to the country where they will serve. The wisdom of sending Belgians was for that reason questioned at the time. However, no other country came forth to provide a fully equipped unit, and quick deployment, it will be recalled, was considered important.

Others have argued that it was its European and not its Belgian identity that made the contingent targeted and vulnerable to extremists. The latter clearly sought to replicate the American withdrawal from Somalia by capitalizing on the low threshold in Western states for incurring casualties in Africa. By contrast, Ghana did not propose to withdraw its battalion, nor did several African and other states whose military observers were attached to UNAMIR when the old NMOG was folded into the larger structure. For all of them, the decision to withdraw was made by the Security Council.

The small UNAMIR force that remained (it turned out to be 540) had as one of its main tasks the promotion of a cease-fire in the civil war, which had resumed alongside the genocide. For this “obsession”, the UN has been severely criticized (African Rights 1995:1121). The argument is that the UN focused on the least devastating conflict – the civil war – rather than the genocide, and, by implication, sought to restrain the advance of the RPF which was the only force on the scene able to stop the mass killing of civilians. The factual points are not here at issue. The Security Council consistently demanded a cease-fire, and the UNAMIR mission in Rwanda continuously sought to negotiate one. Motivations are more difficult to assess. The rationale for demanding a cease-fire may have been politically motivated to halt the RPF, as the RPF claims.<sup>86</sup> It was also a habitual UN response to wars of any kind. When the decision was made in May to redeploy a larger UN force, a cease-fire was considered even more important.

How a cease-fire would have affected the level of killings is speculative. The extremists were determined and well organized; rage and fear prevailed. This suggests that only a military defeat would have put an end to the killings. On the other hand, there were divisions in the army and moderate army factions might have restrained the killers if a cease fire had been obtained. The Chief of Staff in the self-styled interim government, Gen. Bizimungu, told the UN Special Rapporteur that the government would stop the killings only after the RPF agreed to a cease-fire,

implying that this was within its power. Also, a cease-fire might have reduced the fear and rage among the Hutu that accompanied the advance of the RPF and possibly intensified the killings.<sup>87</sup> As it was, the war and the killings continued until the middle of July, when the RPF proclaimed a new government in Kigali. For almost three months after 6 April, RPF units were the only significant force seeking to stop the killings as they advanced. The RPF consequently made a cease-fire conditional upon an end to the killings.

OAU efforts in this period also focused on the need to obtain a cease-fire and restore the Arusha process. There was no evident recognition of an organized genocide. An ambassadorial-level meeting of the Central Organ on 14 April referred to “carnage and bloodletting”; Secretary-General Salim’s letter to his UN counterpart on 21 April mentioned “massacres and wanton killings”. A consistent theme of OAU communications to the UN, however, was that the UN ought not to reduce the mission in Rwanda it so eagerly had sought the previous year.

### 4.3. The media

Had there been any forewarning in the media? Rwanda is a relatively small country on the periphery of the industrialized world. As might be expected, during the first three months of 1994, there was virtually no Western media coverage of events in Rwanda.<sup>88</sup> In the early part of the year, the main African story was the UN withdrawal from Somalia, which would prove prescient in itself. Massive media attention then switched to the violent build-up to the South African elections.

Surveys of the British, French and US media (Hilsum 1995, Johansson 1995, Livingston and Eachus 1995, Verschave 1994), show that relatively little change occurred in the media coverage after 6 April compared to the paucity before. There was a blip with the shooting down of the plane and the reporting on the slaughters – generally portrayed as ancient tribal feuds – but with the withdrawal of foreign personnel there was a precipitous drop in coverage. When the genocide was accelerating, the Western press virtually ceased to report on Rwanda. The lack of coverage cannot be blamed simply on the relative disinterest in Rwanda. The real danger, the genuine confusion on the ground, the restricted mobility of the reporters, and the inability to fly out photos or videos were major handicaps. In addition, American employers had ordered their reporters out for reasons of safety, and possibly also because of costs.<sup>89</sup> But some stayed and accurately reported events, demonstrating all the more the failure of those who did neither.

There were, by chance, two reporters in Kigali at the time, Katrin van der Schoot, a freelance Flemish reporter for Belgian radio, and Lindsey Hilsum, an experienced freelance journalist on Africa who normally worked for the BBC, The Guardian, and The Observer, but was in Kigali on a special assignment for UNICEF. With the shooting down of the plane carrying Habyarimana, the slaughter of the moderate Prime Minister and cabinet ministers, the massacre of the 10 Belgian peacekeepers, and the subsequent murder of Tutsi in very large numbers, the number of reporters sometimes grew to a maximum of 15 (in contrast with 2,500 accredited to cover the elections in South Africa at the time).

Mark Doyle of the BBC reported on the RPF advance and the scale of the civilian slaughter by mobs, accurately depicting the murders as being instigated and led by the government and the military. Jean Hélène, the Le Monde correspondent, provided detailed and accurate background information to the Rwandese crisis. While reporting the mutual accusations levelled at each other by the two sides, the implication seemed clear that it was Habyarimana’s enemies within the government and armed forces who targeted the plane. On 12 April, the fear was expressed that the Tutsi would all be systematically massacred before the RPF captured the capital.<sup>90</sup> Catherine Bond, The Times correspondent, reported on 12 April from Kigali that most of the killing was probably not random. Michael Taylor, director of the British Christian Aid, wrote in a letter to The Times that groups of armed youth loyal to different political parties were instigators of the violence. If he had written that they were perpetrators of violence instigated by higher-ups, this

partial truth would have been more accurate. But it at least counteracted the impression of spontaneous tribal violence that was the general theme of most stories.

Such accurate or partially accurate reportage was the exception, however. The initial reporting in both *The Times* and *New York Times* had appallingly misleading reports: the downed plane was a result of a Tutsi attempt to destroy the Hutu leadership in Rwanda and Burundi; “mobs” or a troop rampage killed the Rwandese Premier and 10 Belgian soldiers; anarchy (not interahamwe with roadblocks) reigned in the streets; “rival tribal factions waged vicious street battles”. On all the critical points, these early reports were wrong.<sup>91</sup> An interpretive piece in *The New York Times* on 9 April explained the events as a genocidal orgy (rather than a systematic organized genocide), a continuation of a centuries-old feud. Adding to this fictional tale of Tutsi-Hutu orgiastic killing, the paper on 12 April retribalized the murdered Prime Minister as a Tutsi.

The depth of Western stereotypical perceptions of Africa is indicated by the difficulties encountered by informed NGOs to place op-ed pieces that had a different angle. The director of the US Committee for Refugees, Roger Winter, who had worked with Rwandese refugees for years and returned from Rwanda on 4 April 1994, wrote an article emphasizing the political and organized nature of the violence. To present it as simply another case of “African tribal bloodletting”, was a “fatalistically superficial interpretation”, he concluded. The piece was turned down by several American papers, but eventually published in the *Toronto Globe and Mail* on 14 April.

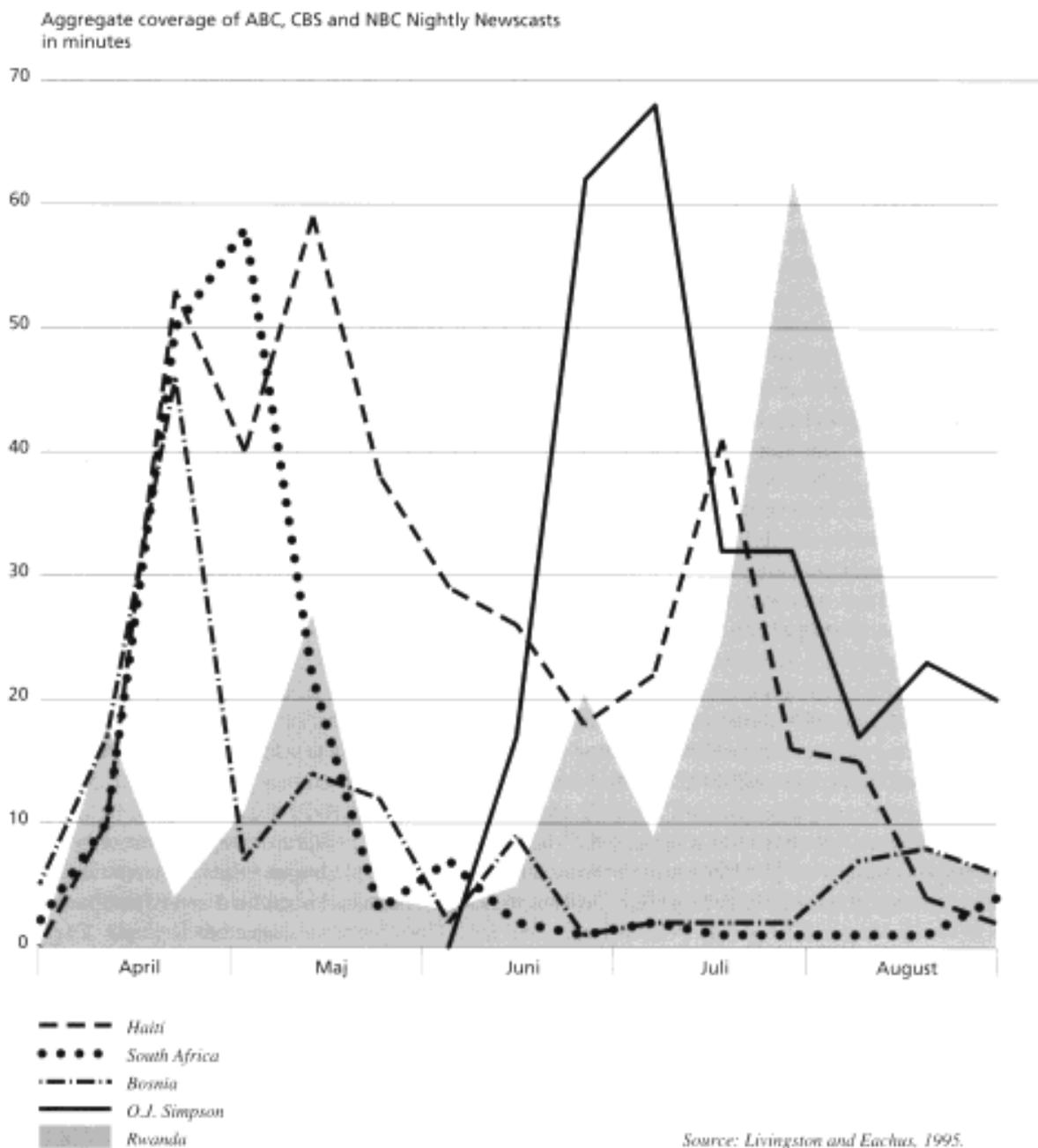
US television coverage and the CNN erred on the side of vagueness, generally referring to “unspeakable atrocities”, and “ethnic violence,” but picked up the theme of tribal or mutual ethnic slaughter. It would not be until 7 May that ABC correspondent Ron Allen suggested that the events were not a product of spontaneous tribal violence, but were a premeditated political act intended as a final solution.

An exception to this kind of reporting was an op-ed piece by Alison des Forges of Human Rights Watch providing an in-depth background to the Rwandese crisis and indicating Western complicity and responsibility in the genocide. However, this was not the predominant Western version of events, even if it was an authoritative one. The editorial line of *The New York Times* followed the fictional interpretation of events and concluded that the cure for Rwanda’s “blood frenzy” was the business of Rwandese.<sup>92</sup> *The Times* did the same. Even if obtaining accurate information was difficult – especially at the beginning of the crisis – more accurate analysis of the information that gradually was coming in could easily have been made by fuller consultation with Rwanda experts and human rights and refugee organizations. There was also more accurate reporting in some of the media that could have been utilized by others less well informed.

In the French press, the genocide was by early May a given, and the emphasis began to be on French responsibility for it.<sup>93</sup> Print and television coverage of Rwanda began to increase also in the English language press, partly because the election in South Africa had been held and Mandela was sworn in on 10 May in a relatively peaceful way, and journalists were reassigned to Rwanda. *The Times* had quoted Oxfam (29 April) that “the systematic killing of the Tutsi minority in Rwanda amounted to a genocide,” and reported that the Kagera river filled with floating dead bodies, but the focus by 2 May was still on the unprecedented 250,000 refugees who had flooded into Tanzania in one 24-hour period.<sup>94</sup> The refugees became the predominant story (See Fig II).

Only when reporters reached Lake Victoria and witnessed the logjam of dead bodies floating down from the Kagera River did the Western media refocus on the massive killings. More accurate reporting on the mechanism of the genocide began to appear in the American press (*Time Magazine*, 18 May; *Associated Press*, 22 May), although Rwanda soon faded into the background, crowded out by Haiti and the O.J. Simpson story at least until Goma (See Study III). The misleading media coverage was echoed in the accounts of events in Rwanda given by both the Security Council and the Secretary-General, explaining the withdrawal of UNAMIR on 21 April. As discussed above, these were totally distorted. More generally, the Western media’s failure to report adequately on the genocide in Rwanda possibly contributed to international indifference and inaction, and hence the crime itself.

Figure 2:  
Network Coverage by Topic



## Chapter 5

# Retroactive Conflict Management

(21 April 1994 – August 1994)

### 5.1. Changing the mission: UNAMIR II

Not until the end of April was there some acknowledgement from the United Nations that it ought to respond more forcefully to the Rwanda conflict. The initiative did not come from the Security Council, where some members had registered strong disapproval of the proposal to scale down UNAMIR, but nevertheless had voted for it on 21 April. Rather, it was the Secretary-General who turned around and already on 29 April called on the Security Council to take “forceful action” in Rwanda. The move marked the beginning of a much more proactive role by the Secretariat towards the crisis. Recovering from its near-paralysis in the immediate aftermath of 6 April, the Secretariat assumed the role of a model executive branch: it asserted the moral and political need for action, assessed the problem, formulated an innovative and bold response, and actively sought to mobilize resources for its realization. This change in itself requires explanation.

As information about the situation in Rwanda and pressures on the UN to act were accumulating, the Secretary-General took a high-profile role to re-engage the UN militarily. The media, as noted, had scattered, inadequate coverage during most of April. Media pressure, therefore, was an unlikely factor in the reversal. The pressure from the NGOs was mounting. The ICRC had launched several appeals, although the principal humanitarian NGOs involved in Rwanda did not identify the massacres as a genocide until early May.<sup>95</sup> Probably more important, the Secretary-General was under increasing pressure from African countries to demonstrate that the United Nations took its African constituency seriously and did not give preference to European crises. African members of the UN had called for “forceful action” during the discussion of UNAMIR’s fate after 6 April, and maintained this position as the months went by and the death toll mounted. Their demands were buttressed by growing information being fed to the Secretariat by UNAMIR and DHA about the nature and magnitude of the massacres. The newly established Operations Centre in DPKO/New York relayed graphic information about the slaughter. On 23 April, the Under Secretary-General for Humanitarian Affairs, Peter Hansen, travelled to Kigali, becoming the first New York-based high UN official to report back on the situation.

Elsewhere in the UN system, there was little impetus to act. The key human rights mechanisms had not been visible in early April, nor did they figure in this reversal of policy. The new position of High Commissioner for Human Rights was filled only one month before 6 April, and the new Commissioner did not physically take office until the day before; it is understandable that he did not immediately play an active role. A week after the Secretary-General had put Rwanda back on the Security Council’s agenda, the High Commissioner, José Ayala Lasso, called on the UN Commission on Human Rights to convene an emergency session to consider the killings.<sup>96</sup> More striking was the passivity of the Commission itself. Only on 25 May – that is, several weeks after genocidal killings had commenced, one week after the Security Council had agreed to reverse course and send in a military force to protect civilians, and after an urgent appeal by the new High Commissioner for Human rights – did the Commission act. A Special Rapporteur was appointed to report on the human rights situation in Rwanda, and on 28 June he confirmed in a detailed assessment that genocide and other human rights violations had occurred (E/CN.4/1995/7). By this time, the genocide had claimed most of its victims. The OAU’s African Commission on Human and People’s Rights was completely inactive.

By taking a high-profile role in calling for a UN reversal on Rwanda, Boutros-Ghali put the onus of rejection or compliance on the Security Council. The immediate response from the Security

Council on 30 April was cautiously supportive in principle, and even contained an indirect reference to the possibility that genocide might be unfolding in Rwanda (S/PRST/1994/21). It was evident, however, that the Permanent Five did not wish to engage directly. The Council passed the initiative to the African states by asking the Secretary-General to consult with the OAU and report back on further action. OAU's Secretary-General responded positively, and on 10 May provided firm offers of African troop contributions.<sup>97</sup> In the meantime, the Secretariat was developing a plan to expand UNAMIR and change its mandate to help protect civilians. The outlines of the innovative plan was ready on 13 May and was authorized by the Security Council on 17 May (Res.918 (1994)). In a surprise move just before the vote, however, the US delegation asked for more detailed preparations from the Secretariat before agreeing to the force. The final approval for establishing UNAMIR II came in the form of an implementing resolution on 8 June (Res. 925(1994)) – i.e. almost two months after the massacres had started and over a month after the Secretariat and the Security Council had started to reverse course.

The UN maintained a slow pace even though time was of the essence. The Security Council had authoritative information to the effect that genocidal violence was unfolding at a rapid rate, with possibly thousands being killed every day. Already on 30 April, the Council itself acknowledged that “massacres and wanton killings...in a systematic manner” were occurring; these were further linked to genocide although in carefully non-committal terms.<sup>98</sup> The point was reiterated in mid-May. The Secretary-General used progressively stronger language to describe the violence in his communications to the Security Council, going from “massacres of innocent civilians ...on a massive scale” (29 April) to unequivocally declaring “genocide” (May 31). Reporting on a special mission he sent to assess the Rwandese situation during the second half of May, Boutros-Ghali used the figure of 250–500,000 killed (S/1994/640, May 31). In Washington, US administration officials had told the Congress in early May that an estimated 100–500,000 persons had been killed, although they considered the latter figure to be on the high side. Despite this information and the acknowledged severity of the situation, the Security Council itself did not push for action, and the United States slowed down efforts by the Secretariat to move more quickly by insisting on additional procedures before authorizing implementation.

Why was the UN so slow to act? Were the causes “systemic” characteristics of the UN, or the result of particular actions (or inactions) by individual actors?

While slow relative to the needs on the ground, the process was not so tardy by standards of multilateral diplomacy. The Secretariat had to identify troops, secure finances, and prepare a plan. When objecting to immediate authorization on 17 May, the United States delegation claimed that Boutros-Ghali's plan was inadequately prepared and lacked field assessments<sup>99</sup>; some regarded it as more of a public relations effort than a strategy for a serious mission. Yet neither the US nor any other of the Permanent Five that had the capacity to energize the process did so, reflecting a more fundamental, collective concern not to become involved in another UN operation in Rwanda.

The question of obligation to act was treated cautiously by Security Council members. With fast-moving violence on the ground, the UN's earlier commitment to implement the Arusha Accords had become irrelevant, at least in the short run. The genocidal violence against civilians did, however, raise the question of an obligation to act under the Genocide Convention. Key members of the Security Council answered in the negative. The United States carefully sought to limit the obligations by terminological adjustments.<sup>100</sup> The British government “did not accept the term” genocide either, and the British Foreign Office was inclined to see a discussion of whether or not the massacres constituted a genocide as “sterile”.<sup>101</sup> The French Foreign Minister, Alain Juppé, responded to the growing outrage in France over the killings by declaring it a genocide on 16 May, making France the only one of the Permanent Five to do so.<sup>102</sup> However, France did not translate this into a policy of expediting the deployment of UNAMIR II. The subsequent French unilateral intervention was launched as a humanitarian action that made no reference to the Genocide Convention (see 5.3 below).

By omission and commission, the role of the United States was critical. As the world's last remaining superpower, the United States had repeatedly demonstrated that it could move the

United Nations to take rapid and effective action. In the Gulf war (1990–91), the Administration had done this both by committing a significant part of its own military force, and by mobilizing other states through the US alliance structure and by exercising its formidable economic power. By not utilizing its capacity to act, and its formal leadership role in the United Nations, the US must take considerable responsibility for the overall failure of the UN to respond at this juncture. The same applies, though to a lesser degree, to the other major powers on the Security Council. France and Great Britain, in particular, had the capacity for rapid military action and considerable political resources to energize the Security Council. Even so, Britain could only muster 50 four-ton trucks at the height of the crisis. France demonstrated its capacity much later by undertaking a unilateral “humanitarian intervention”, which the Security Council endorsed with utmost speed.

By not taking the initiative, the United States and others of the Permanent Five ensured that the Security Council proceeded along its customary and laborious path of consensual decision-making. More specifically, the explicit unwillingness of the major Western powers to commit troops to a revitalized UN force – which had been clear in the decision to scale down UNAMIR I and was reiterated in early May when UNAMIR II was planned – meant that the UN force had to be established on a mix-and-match basis. African countries would send troops, while industrialized states were to provide equipment and finances. To constitute a force along these lines was extremely time-consuming even under the best of circumstances.<sup>103</sup>

Problems of financing the force also caused delays and weakened the response. The role of the United States in this respect was particularly important since the US was automatically assessed 31 % of the costs of all UN peacekeeping, thereby acquiring more than a formal veto in the matter. US consent is essential to mount an operation whether or not American troops are involved. The United States made it quite clear during May that on purely financial grounds it would not readily endorse an expanded UNAMIR. US reluctance bogged down the UNAMIR discussion from the start. At one point, US demands for careful planning, prior troop commitments, and security of the mission – justified by the need to avoid wasting money on a failed mission – made the Security Council delay final authorization of the force for an additional two weeks, from 17 May to 8 June.

While the structure of UN assessment gives the US an inordinate power to influence UN peacekeeping, there are ways around this. In early May, the Secretary-General floated the idea of establishing a voluntary fund to finance an expanded UNAMIR. Having obtained troop commitments in principle from several African countries, Boutros-Ghali proposed an initial fund of US\$50–80 million to launch the force. None of the economically powerful UN members came forward to subscribe, however, and the US received the idea coolly. By their inaction, other members of the Security Council ensured that the regular assessment structure would apply, thereby keeping the onus for action on the reluctant US.

US reluctance to support UNAMIR II reflected a progressively critical attitude of the Clinton Administration towards UN peacekeeping operations. With great deference to a hostile Congress, the Administration had just completed a review of UN peacekeeping operations that established stringent criteria for US support (PDD 25). To support UN peacekeeping in Rwanda, the Administration would have to determine that peace in this remote Central African country was critical to US national interests. In conventional strategic terms, this would be difficult, and the Administration did not try. Nor did it elaborate alternative criteria for national interest, e.g. to reduce massive international refugee flows or the principled need to react to genocide.<sup>104</sup> Congress had expressed concern over the escalating bill for UN peacekeeping when UNAMIR I was planned in September 1993. Since then, the operation in Somalia – deemed a disaster from a US perspective – had reinforced Congressional reluctance to finance UN peacekeeping anywhere, with or without US troops.

In reality, the budget for the projected UNAMIR II was quite small when judged against the “downstream costs” for relief and rehabilitation (estimated to US\$1.4 billion in 1994), not to mention the human toll. The estimated budget for UNAMIR II was US\$115 million for 6 months (or slightly under US\$20 million a month).<sup>105</sup> This was the same rate as UNAMIR I (about US\$10 million per month for a force of about half the size), and reflected attention to fiscal

stringency despite the changed situation. Both this budget and an advance voluntary fund of US\$50–80 million were well within the means of the industrialized states to finance.

The reluctance of the US and other members on the Security Council to embark on a military re-engagement reflected additional concern about the risks and practicality of intervention. On the ground, the Rwanda situation seemed confused and anarchic, raising the question of the mission's effectiveness, security of personnel, and fears that support operations might be needed for rescue or reinforcement. Again, behind these concerns lurked the Somalia experience, although the two situations in reality were quite different. There had been no systematic and massive killings of civilians in Somalia. The proactive orientation of UNOSOM to disarm armed factions and to arrest a prominent faction leader had been undertaken with a Chapter VII enforcement mandate. In Rwanda, by contrast, the proactive function would be to protect civilians. Although force could be used if necessary, a reduced-risk option was proposed whereby the units would move in from the border and remain in the protected zones in outlying areas.<sup>106</sup> On the other hand, there were obvious elements of risk. Throughout May, when the Security Council deliberated on the nature and mission of a military re-engagement in Rwanda, the members were fully aware that there was no cease-fire in the country or in Kigali; the airport was not secure; the Ugandan army had stopped all UNOMUR patrols on the Ugandan side of the border to keep arms flowing to the RPF; and it was not clear that the parties to the conflict would welcome, let alone respect, a UN force as a neutral, humanitarian entity.

The Rwandese parties were also responsible for the slow and hesitant UN deployment. During the critical Security Council deliberations in early May, the RPF sent ambiguous messages. While in principle accepting a humanitarian force, the Front feared that UNAMIR II at best would be irrelevant, and at worst a hindrance to their advance or protection for the government forces.<sup>107</sup> These concerns were consistent with their initial hostility to a UN force in early 1993 – which only changed to a lukewarm attitude prior to 6 April 1994 – and further strengthened the forces of caution in New York. On the government side, a UN force would *prima facie* be even less welcome insofar as its mission would be to protect civilians, who were targeted principally behind government lines.

## 5.2. Deploying UNAMIR II

UNAMIR was reauthorized at the level of slightly more than 5,000. The new mandate was to help protect civilians by establishing humanitarian zones inside Rwanda, and by facilitating humanitarian relief to displaced and other needy persons. While designed under a Chapter VI mandate, the operation envisaged clearly went beyond conventional peacekeeping; for example, the final resolution authorized the force to “take action in self defence” against those who “threaten protected sites and populations emphasis added” (Res.918/1994). In effect a “6.5 mandate”, the formulation permitted a flexible and firm response to protect civilians. It was a significant formalization and a further development of the practice undertaken on the ground by the rump UNAMIR contingent in Kigali, where UNAMIR soldiers were posted to sites that had become sanctuaries for threatened civilians.

The mandate and design of UNAMIR II seemed appropriate to the situation. It is reasonable to assume that UNAMIR II, if quickly and effectively deployed, could have had a significant impact in terms of saving lives. Even the minimal efforts by the UN forces on the ground, it will be recalled, had some protective effect. The most impressively cost-effective operation was at the Amahoro Stadium in Kigali, where, after the Bangladeshis left, 12 UN “blue helmets” armed only with hand weapons and barbed wire protected several thousand persons. Since the civilians mostly were not threatened by organized, well-equipped army units (as in Bosnia), but mainly by paramilitary gangs and mobs, a relatively modest force could have a significant deterrent effect.

However, the intervention was delayed in two ways that rendered it irrelevant to the most critical phases of the conflict. Over a month passed before the Security Council authorized the operation. The actual deployment took another two months, with the result that the force arrived in Rwanda

after the civil war and the genocide were over, and after a unilateral French intervention with a similar mandate had taken place.<sup>108</sup>

Despite the risks of the situation and the novelty of the mission, African countries responded rapidly with troop commitments. OAU again emerged as a focal point for mobilizing support.<sup>109</sup> By the first week of May, Nigeria and Ghana – both with large armies and peacekeeping experience – had responded positively, and Tanzania, Senegal, Zimbabwe and Zambia had indicated interest. In addition to regular financing, however, all needed various kinds of equipment and logistical support; even Nigerian and Ghanaian units lacked vehicles and heavy equipment.

As a result, the mix-and-match pattern of African troops and Western equipment developed. This had been practiced in other UN peacekeeping operations but on a smaller scale and not for units that formed the backbone of a force. Before being deployed, the troops committed to UNAMIR II had to be trained and equipped within a multinational and often two-layered bureaucratic structure (UN and bilateral). Donors of equipment grumbled that African countries used peacekeeping operations to outfit their forces, and worried that their equipment would be misused. Combined with “normal” bureaucratic procedures, this produced long delays.

The infamous APC-case is illustrative: The United States was to lease (with full remuneration from the UN) 50 armored personnel carriers (APCs) to a second Ghanaian battalion earmarked for UNAMIR. The Pentagon received a formal UN request for these APCs on 19 May, which started a lengthy process. Paperwork for the lease had to be completed before the vehicles could be assigned. Several practical issues went back and forth regarding the type of vehicles (wheeled or tracked?), repainting them (white), finding a training partner (the US requested Egypt but the UN declined due to “extraordinary preconditions.”) It took a full week to transport the 50 vehicles from a US base in Germany to Entebbe (Uganda), and when the last APCs were finally unloaded at Entebbe (30 June), they remained on the tarmac under UN guards for a month before moving on to Rwanda. Not until 30 July did the first APCs roll into Rwanda. By this time, the end of the war and the installation of a new government in Kigali rendered their original mission of securing the airport and protecting civilians quite irrelevant.

The “systemic” and individual factors that caused the crucial delays in establishing UNAMIR II were the same that had produced a halting deployment of UNAMIR I. Requiring consensus from key members of the Security Council and being dependent on national sources for men and equipment, the UN needs 3–6 months to form a peacekeeping force of this size. A determined political push by member states, however, can cut through the bureaucratic tangles to speed up the decision-making process, or come up with missing force components from national sources. In this case, strategic disinterest in Rwanda, combined with fear of a failed or costly mission, made key members of the Security Council hold back. Since it is reasonable to assume that a more rapid deployment of UNAMIR II could have protected a large number of civilians, the consequences of delay are the equivalent loss of life, and, quite possibly, a larger outflow of refugees who otherwise might have remained in protected areas, as happened in the French humanitarian zone (see 5.2).

Critics have argued that the UN presence and activities in Rwanda throughout the crisis were marked by great concern for neutrality (African Rights, 1995). Given that events in Rwanda constituted genocide – as the Secretary-General called it on 31 May (S/1994/640), and as did the Special Rapporteur of the UN Commission on Human Rights a month later (E/CN.4/1995) – then neutrality is untenable on moral and legal grounds (Brauman, 1994). However, the more fundamental issue was the lack of commitment: the main obstacle to an effective response in Rwanda was not that the UN insisted on neutrality, but that it was not there.

### 5.3. Opération Turquoise

While the UN was struggling to mount troops and equipment for an expanded UN presence in Rwanda, on 19 June France suddenly offered to send its own force, but under French command and control. Officially designated as a humanitarian intervention to protect civilians and hinder a mass outflow of refugees,<sup>110</sup> Opération Turquoise was launched and executed in a manner suggesting mixed motives. Partly for that reasons, the consequences were both humanitarian and political in nature.

At the UN, the Secretary-General presented the French offer as a stop-gap measure until UNAMIR II was fully deployed, then expected to take another three months.<sup>111</sup> Critics have argued that France could readily have speeded up this process by placing its Turquoise-designated units at UNAMIR's disposal. However, strong RPF opposition to accepting a UN force with a French contingent made this difficult as long as UNAMIR operated under a Chapter VI mandate requiring at least minimal consent from the local parties. When France decided to intervene unilaterally, it was regardless of RPF permission and with a heavily armed force authorized to use "all means necessary" under Chapter VII of the UN. The RPF chose not to challenge the interventionist force.

By retaining national command, the French government was able to conduct and claim credit for an operation that on purely military grounds was generally judged as well planned and superbly executed under the command of General Lafourcade (Connaughton, 1994). The political credits were also "national"; the ably run Opération Turquoise came to be juxtaposed with the uncertain and fumbling UN peacekeeping operation. At the same time, the French had requested and quickly obtained a Security Council endorsement of the intervention (Res. 929(1994), 22 June). The operation consequently confirmed the growing precedent for unilateral interventions initiated by a state and conducted under national command, but legitimized by the UN.<sup>112</sup> The overall effect was to further undermine the institution of collective international intervention as delegated to the UN and envisaged in its Charter.

These wider consequences partly flowed from the judgement that the operation had been a success: As planned, the units moved rapidly and mostly avoided armed confrontations with the RPF or any of the other parties. They could claim with some reason that the intervention saved lives and stabilized the situation in the south-western corner of Rwanda, thereby reducing the outflow of refugees. The French presence facilitated relief work carried out by humanitarian organizations. Moreover, the force accomplished all this without incurring any casualties and withdrew as planned within the two-month time limit specified at the outset.

Each of these claims have some validity, although their significance must be judged in a wider context. Opération Turquoise did save some lives if it is assumed that these otherwise would have been killed before the RPF could reach the area. By 2 July, the French had established control over the south-western corner of Rwanda, equivalent to one-fifth of the national territory, and proclaimed it a "safe humanitarian zone". The RPF claims that its forces could have "liberated" this area within a short period of time, and that the Tutsi who survived for over two months to be rescued by the French would equally have been there later if RPF units had arrived. As noted, however, there was a dynamic at work that tended to speed up the killings of Tutsi behind government lines as the RPF advanced. What would have happened in the south-west without the French therefore remains unclear.

The numbers are also uncertain. French government claims that Opération Turquoise had saved "tens of thousands" seem exaggerated. Probably the vast majority of the Tutsi population and associated Hutu in the south-west had been killed by the time French troops entered.<sup>113</sup> Some 13–15,000 persons remained in camps and sites guarded by a hostile gendarmerie, including 11–12,000 in the Nyarushishi death camp in Cyangugu (Prunier 1995, ICRC, interviews 1995, African Rights 1995:1147). These were freed by the French.

The issue of lives saved is central in evaluating the mission because it was launched and endorsed

by the United Nations as a “strictly humanitarian” operation (Res.929(1994). By that criterion, the mission was not ineffective, but the timing made its potential underutilized. If a similar effort to save lives had been undertaken in April rather than in late June, the number of lives saved undoubtedly would have been much higher.

The late date of the intervention fuelled widespread suspicions that the main purpose of Opération Turquoise was to save France’s erstwhile clients in Rwanda from total defeat. A careful analysis of the planning of the operation suggests that this was not the principal political aim, at least initially (Prunier 1995).<sup>114</sup> Moreover, the intervention was first proposed by the Minister of Foreign Affairs, Alain Juppé, evidently in response to mounting pressure from NGOs and the media to stop the slaughter. Simultaneously, critics focused on France’s role in arming and supporting the government on whose side the atrocities were being perpetrated. An intervention designed to save lives and help bring relief supplies to displaced persons would be an atonement of sorts. Media coverage was an important element in this respect, and official guidelines for the operation directed the troops to “demonstrate great understanding towards journalists and humanitarian organizations.”<sup>115</sup>

Commonly offered, the atonement explanation seems plausible. A (London) Times journalist captured the sense when reporting on 1 July that “a week after starting the rescue mission, French Special Forces finally discovered 250 Tutsi people yesterday.” It also helps to explain why the French pulled out as promised after two months, leaving the RPF to take full control of the zone. In this respect, French policy was consistent with the trend observable since 1990 of rendering only half-hearted support to the regime: the Habyarimana government had received significant aid, but not enough to hold back the RPF.

If Opération Turquoise was a humanitarian gesture for some, this did not exclude consequences of another kind. As the mission was implemented, it became clear that it had the effect of giving some protection to retreating government forces. By late June, government troops were falling back as RPF units moved quickly into the south-east region, and there was a similar rout in the rest of the country. Strong pro-FAR circles in the Ministry of Defense saw the French intervention as an opportunity to help the Rwandese army, which for years they had been training and equipping (Prunier 1995). Soon after a “safe humanitarian zone” had been declared on 4 July, French commanders announced that RPF rebel forces would not be allowed to enter, and attempts to do so would be met with force.<sup>116</sup> To RPF Secretary-General Théogène Rudasingwa and more neutral observers as well, this was clear evidence that the operation was exceeding its UN mandate, which specifically prohibited an “interpositional force”. Force Commander General Lafourcade sharpened the partisan edge of the intervention by declaring on 11 July that members of the “interim government” – who were directly linked to the genocide – would be allowed to seek asylum in the French zone. A contrary statement from the Ministry of Foreign Affairs declared that they would be interned, but the military were on the ground and in fact made no arrests. Instead, French forces were observed by journalists and foreign relief personnel escorting members of the former regime out of the zone.

For a humanitarian intervention force of 3,000, the unit was heavily armed (including air support from four Jaguar fighter-bombers and four Mirage ground attack planes based in Goma, Zaire). This discouraged the RPF from challenging the intervention militarily, even though the RPF feared that the French planned to divide the country and dig in. The RPF instead accelerated its advance so as to secure Butare and Kigali (2–4 July) before the French could do so. After 4 July, a dividing line between the two armies running just west of Butare was tacitly accepted. Apart from two incidents, there were no military confrontations: the French ceased their advance, and the RPF did not press forward into the zone. Effective and early communication between the two parties was instrumental in avoiding an escalating conflict that neither wanted. Established in Paris just prior to the operation and continued throughout, the communications structures permitted careful management of a conflictual relationship.

Within the zone, the French operated by and large in a friendly environment; indeed, the embrace of local Hutu leaders proved something of an embarrassment. This removed some of the security

concerns that had weighed on the planning of UNAMIR II. With a formal welcome from the Hutu in the south-east and tacit agreement from the RPF, the intervention became a relatively low-risk venture.<sup>117</sup> The point is important since the efficient execution of Opération Turquoise is often held up as a standard by which the more reticent UNAMIR II can be judged. In fact, the two operated in different security environments, and as they also commanded very different firepower, they are not fully comparable.

Longer-term consequences of the intervention stem from the friendly relations between the French and the people in their zone. French forces were instructed to disarm the militia.<sup>118</sup> This they did when encountering paramilitary groups, but apparently did not follow a consistent and proactive disarmament strategy based on cordon-and-search operations (Prunier 1995). Importantly, there were no official instructions to disarm government troops. As a result, the French zone facilitated an orderly retreat of FAR units through the zone and into the South Kivu area of Zaire with their weapons intact. Two major military camps – as distinct from designated refugee camps – were formed near Bukavu, the main destination for refugees moving out of the south-west. A UNHCR report estimated that the Bukavu camps held 10,000 soldiers, or about one-third of the Rwandese army (UNHCR/FRS/A/04: para.5).<sup>119</sup>

The French did not “rescue” either the government forces or the militia in the sense claimed by RPF and other critics. If the French zone had not been declared, both soldiers and militiamen would probably have moved across the border sooner rather than later. A more fundamental problem lay elsewhere. Neither the UN mandate for Opération Turquoise nor the objectives the French government set for the mission included disarming soldiers. Yet the very concept of a safe humanitarian zone implies a demilitarized site, and has developed as such in practice by humanitarian agencies (ICRC, 1993). The failure of the French proactively to disarm government troops within the zone must count as the cost of a significant opportunity lost, or rather, deliberately bypassed. Even if partially successful, this would have helped the successor government deal with the defeated enemy in an orderly manner and in accordance with legal norms. Similarly, French policy in the zone was not to screen or arrest suspects in connection with the genocide, nor was this included in the mandate requested from the Security Council. General Lafourcade’s staff claimed to have compiled a list of suspects, but these were not turned over to UNAMIR, which moved in when the French pulled out in late August (Human Rights Watch, 1995).

On the other hand, the French intervention clearly helped reduce the refugee outflow from the south-west, thus accomplishing a major objective of the mission. This greatly facilitated relief operations (see Study III and IV). Given the huge outflow of the time, this issue was so significant that the success or failure of Opération Turquoise in large part came to be judged against its capacity to stabilize the situation in the south-west and stem the outflow. The reverse side of this dynamic was that militant communities were established inside the French-protected zone instead. Opération Turquoise thus served to internalize the problem of “refugee-warrior” communities. In some respects, these camps posed fewer problems for the new government than the large concentrations in exile. The last and critical phase of dismantling them turned into a disaster when RPF forces massacred thousands at the Kibeho camp (see chapter 6.3). The French intervention made the Kibeho massacre possible, though certainly not inevitable.

Opération Turquoise also had more long-term and indirect consequences. In bilateral terms, the intervention further worsened relations between France and the new government in Rwanda. The uneasy mix between official humanitarian objectives and political motives at first worried humanitarian organizations, which feared the political shadow would compromise their relief operations. As the intervention turned out to facilitate their work, however, they came to applaud it. Others concluded that it was a disingenuous coupling of national interests to a relief operation, which served to discredit both the UN and the very concept of a humanitarian intervention. For several African leaders, it was additional evidence that a major European power could manipulate the UN and humanitarian operations to demonstrate its own power in the region. The five developing countries on the Security Council marked their scepticism by pointedly abstaining on the resolution authorizing the force. In this perspective, Opération Turquoise was yet another case

of powerful Western states using the UN to legitimize their interventions in the South.

The long-term costs of the mission are intangible. The demonstrative success of a national operation further undermined the peacekeeping operations of the United Nations, possibly lending support to potentially destabilizing unilateral interventions. Use of different mandates in the same country added to the confusion and undermined a principled use of international law. To have free hands, the French obtained from the Security Council a mandate that invoked a “threat to international peace and security” under the UN Charter’s Chapter VII. However, the UN force already in Rwanda, and the expanded UNAMIR being planned, had only a Chapter VI mandate, the implication being that Rwanda was not for this purpose a threat to international peace and security. The result may have strengthened the forces of cynicism and cast doubt on the very concept of humanitarian intervention.

## Chapter 6

# Refugees and Internally Displaced Persons: The End and the Beginning of Conflict

(May 1994 – May 1995)

As RPF units rapidly advanced to seize power in mid-July, members of the old regime led a massive flow of civilian refugees across the border to Tanzania and Zaire. Among them were some 30,000 government soldiers, militia members, local officials and former national leaders. In the Bukavu area in South Zaire, government soldiers formed separate camps from the very beginning; in the Goma area, the army, the militia and the civilian refugees were more thoroughly mixed. In Tanzania, the military were not as visible among the refugees, but the militia and former officials were.

These refugee settlements were problematic. There was little security in the camps. Food and other relief supplies were diverted from the intended beneficiaries. The old leadership used its hold on the camps to intimidate refugees and prevent repatriation. The areas became a sanctuary allowing the defeated regime to regroup, rearm, and launch incursions across the border. With ex-FAR officers openly proclaiming their intention to “kill all Tutsi who prevent us from returning”, the camps became a key element in a new cycle of conflict.<sup>120</sup>

While “refugee-warrior communities” of this kind are characteristic of several exile movements, the magnitude of the Rwandese refugee population, and the issues of guilt arising from the apparent widespread participation in the genocide, made the situation particularly difficult with respect to both relief and conflict management. The search for solutions was also precedent-setting in many ways. For the first time, the UN Security Council discussed security in refugee camps as a peacekeeping matter. While the Council did not come to a conclusion, the eventual solution devised was innovative and represented a measure of success.

### 6.1. The refugee camps: humanitarian and security issues

It was soon painfully obvious that the perpetrators of human rights abuses and genocide were fed and assisted in the camps. According to the Statutes of UNHCR and subsequent UN authorizations, as well as the OAU Refugee Convention, all refugees from war are *prima facie* entitled to protection, but the exclusion clause of the 1951 Refugee Convention applies if there is reason to believe that a person has committed serious war crimes or crimes against humanity. The legal norms, in a word, are unambiguous. To apply them in the Rwanda case was another matter. Registration is necessary to determine eligibility, but the rapid influx and vast numbers involved made it impossible to register the refugees upon arrival. Even when certain individuals were known *prima facie* to be excludable, they could not easily be removed. International relief organizations and UNHCR encountered the problem as soon as the first refugees arrived in the Ngara region of Tanzania.

The rapid influx into Tanzania of some 250,000 persons during a couple of days in April created mass confusion. However, former provincial and commune officials soon reconstituted themselves in the camps, thereby gaining considerable control over the food distribution as well as the refugees in Ngara.<sup>121</sup> Among them was a former *bourgemestre* and known killer. Attempts by UNHCR to remove him from the camp resulted in a riot including several thousand people. The

incident \_affected aid workers and refugees alike. Some NGOs, including MSF (Médecins sans frontières) suggested that the only alternative was to leave the camps. This option was actually carried out by MSF, which suspended most medical aid and some water services. UNHCR and most NGOs decided to stay in recognition of the humanitarian imperative to protect and assist a vast population of refugees, even if that meant assisting persons guilty of crimes against humanity.

The “Gatete incident” – named after the notorious bourgemestre – accentuated the immediate need to police the camps. While policing would not address the problem of removing the excludables, it would deprive them of some power and also improve security for the refugees. An agreement was reached between UNHCR and the Tanzanian government that recognized the legal fact that the formal authority and ultimate responsibility for policing refugee populations lies with the host state. Tanzanian policemen, paid by the government but supported in other ways by UNHCR, policed the camps and arrested sufficient numbers to establish the principle that violations could no longer be carried out with impunity.

The problems in Goma were far more intractable. There, the refugee inflow was much larger – 1.2 million refugees fled into Zaire in a matter of days – and the soldiers and militia were more numerous. The refugees established themselves in a corner of Zaire remote from central authority and possibly any system of accountable governance. Soldiers and militia carried their weapons with them; those who were disarmed by Zairian troops at the border were usually able to recover or replace them with the assistance of other Zairian forces. Altogether, these factors led to an initial condition of chaos and anarchic violence; later, it helped the former leaders to transform the refugee community into a state-within-the-state.

Armed, organized groups of ex-FAR soldiers and militias were part of the sprawling refugee settlements in Goma. In late August, after the devastating cholera epidemic had passed and the camps were taking shape, a flare-up of violence occurred. The absence of any accountable authority in the camps was one factor. The effort by the former leadership and armed elements to assert their power over the refugees was another. The purpose was twofold: to prevent the refugees from returning, legitimizing in that sense the new government in Kigali, and to secure a popular base for the former regime in its continuing struggle for power with the RPF. The refugees thus became hostage to the ambitions of the former leaders, as well as victims of ordinary crime. Killings, threats, extortions, rape and other physical abuses were common in the Goma camps throughout the autumn. Relief distribution was controlled by the military and the former leaders who used the traditional Rwandese administrative community unit of cellule to divert food. Refugees who tried to return home were intimidated or killed. While conditions within Rwanda did not encourage return, violent harassment in the camps helped to bring spontaneous repatriation to a virtual halt after the first wave of return ended in early August 1994. UNHCR attempts to start registration in September–October had to be aborted when its personnel were threatened. Threats to relief officials continued in the autumn, culminating in November when 15 international relief organizations informed UNHCR that they would be forced to leave the camp if the security situation did not improve.

Most of the retreating FAR units in the Goma area had established themselves with their families in a separate camp (Mugunga). Later, other soldiers consolidated their presence in a second military camp. This self-induced separation eased the humanitarian dilemmas for UNHCR and organizations whose function was to assist only civilian refugees or military hors de combat. The military could still move in and out of the refugee camps and assert their influence, but the more immediate problem was the militia. They were present throughout the camps, believed to be behind much of the violence, and – to the extent that they had played a major role in the genocide – were not even entitled to protection and assistance as refugees. Local Zairian troops who were called in to quell riots had proved to be part of the problem rather than the solution.

## 6.2. Searching for solutions

As the lead agency in refugee matters, UNHCR early on raised the issue of camp security with the Zairian government. In September 1994, a joint mission from UNHCR and the government of Zaire considered the feasibility of separating the militia from the rest of the population. The mission estimated that around 100,000 persons, consisting of militia members and their families, would have to be moved. The costs and problems of identifying, separating and relocating this group – by force if necessary – were considered prohibitive. UNHCR fell back on a more modest proposal to police the camp with a security contingent drawn from Zaire's elite forces, backed by international technical expertise.

The High Commissioner for Refugees, Sadako Ogata, obtained agreement from the relevant Zairian authorities and forwarded the proposal to Boutros Boutros-Ghali at the end of September. The proposal was almost identical in format to the later Zairian Camp Security Operation (ZCSO), which finally was agreed upon. However, the agreement came only after the UN Secretariat and the Security Council had debated and deliberated for over three months, rejecting the initial proposal and examining counter proposals in the interval. In the end, UN/New York asked UNHCR to unearth the original draft (S/1995/65). Meanwhile, security conditions in the Zairian camps worsened – in one incident in Goma in late November, 21 persons were killed and 77 wounded; intimidation of refugees wanting to repatriate continued; and the former leadership strengthened its hold.

The initial reaction of the Secretary-General to the UNHCR proposal was negative. In part, Boutros-Ghali was disinclined to rely on Zairian forces due to the political sensitivities of working with President Mobutu and, in effect, helping to finance his elite troops. More fundamentally, the UN Secretariat viewed the question of security in camps as more than a protection issue and rather a matter of peacekeeping since it involved separating civilians from armed groups and, in principle, dealing with the latter as a threat to both the refugees and the security of Rwanda. So defined, the matter clearly went beyond the mandate and competence of UNHCR and required the involvement of the Security Council. The Secretary-General consequently took charge of the issue and instructed DPKO to prepare options for a comprehensive solution.

While security problems in refugee camps were common and recurring issues, the Security Council had not previously considered them to be a matter of peacekeeping. UNHCR officials remained sceptical to this interpretation, citing tension between humanitarian concerns and military operations. When General Dallaire floated a proposal to extend UNAMIR II's operations to the camps in Zaire, UNHCR opposed it on the grounds that UNAMIR had shown insufficient understanding of the humanitarian aspects of the emergency and of voluntary repatriation. Some countries that had contributed units to UNAMIR were also reluctant to extend the mandate to operations across the border. As one official said, it seemed risky to “send our boys into the black pits of the camps in Zaire.” A similar sentiment prevailed when the Security Council discussed the options laid out in DPKO's report of 18 November (S/1994/1308).

The Secretariat's maximum option was to make a comprehensive assault on the problem by not only separating soldiers and militiamen from civilians, but also disarming the first two (Jones 1995a). The operation was seen to require 7,000 well-armed troops, with 4,000 for the Goma region and 3,000 for the Bukavu area, and a Chapter VII enforcement mandate. Having hesitated to send fewer than that to Rwanda in UNAMIR I or II, the Security Council dismissed the option as “fantasy”, as one participant later said. Option B was a slimmed-down version of A, involving 3– 5,000 troops and a Chapter VI mandate. It was received with more interest, but when members were asked to contribute troops, only one out of 60 states approached responded in the affirmative.

Simultaneous on-site investigation by a joint DPKO–UNHCR team concluded that the task, at any rate, was more difficult than anticipated and would require more than 5,000 troops. That left the third option of privatizing the security service. A British security company offered to train and provide logistical support to Zairian troops. While attractive to some Security Council members,

who saw it as a way to depoliticize a sensitive issue, others argued that it amounted to shirking an international public responsibility. UNHCR, which would have to raise the funds, judged it much too expensive.

The Security Council failed to support any of the options tabled. In early January, Boutros-Ghali acknowledged that his efforts to find a suitable plan for dealing with the situation had failed and asked UNHCR to revive its original proposal of September 1994. This materialized in the form of the Zairian Camp Security Operation (ZCSO).

### **6.2.2. The Zairian camp security operation**

In a novel development, UNHCR and the government of Zaire signed a memorandum of understanding on 27 January 1995, whereby the latter agreed to provide a contingent of elite troops to police the refugee camps, working with an international civilian police unit. UNHCR would pay their salary, food, health care and other incentives. The operation was carefully designed to meet demands from the Zairian government that its troops would serve only under a national command structure.<sup>122</sup> The Zairian troops would be trained and liaise with an international group of civilians with police and military backgrounds, but would remain under the command and control of their own officers. The first group of 100 men from the prestigious Presidential Guard arrived on 11 February; by the end of April the contingent was increased to a total of 1,513.<sup>123</sup>

By mid-1995, the operation as narrowly defined had successfully established security in the camps. The Zairians had been trained in refugee law and riot control, and worked closely with the small international civilian police (CLSG). Their task was to improve law and order conditions in the camps; prevent intimidation and violence against refugees wishing to repatriate; protect relief personnel, infrastructure, equipment and supplies; and escort returnees to the border. Reports from both UNHCR and other sources registered progress towards these ends. The numbers of killings, theft, banditry, rapes, beatings, and other safety incidents had been greatly reduced, and the associated tensions in the camps had diminished. Relief workers found it easier to perform their duties. The critical impunity question had been addressed as people were arrested and punished for criminal acts. Small arms were seized, although systematic searches were not conducted or envisaged.<sup>124</sup> Ex-government officers who made political speeches in the refugee camps were investigated and in some cases arrested (Halvorsen 1995). The effect on repatriation was more uncertain. UNHCR figures for repatriation show a steady decline during the first three months after the ZCSO was established, but, after a low point due to the Kibeho massacre in April 1994, a steady climb was recorded from May to July (See Study IV).

Given the importance of camp security issues in refugee situations worldwide, it is important to consider the factors behind this relative success story. The most important of these appeared to be the elite nature of the Zairian troops, their careful training and substantial remuneration, and their close liaison with the international civilian contingent.

Yet the program did not deal with the security issues in a broader sense. The former government soldiers were still in their separate camps; the militiamen and the military had easy access to the regular refugee camps from which they recruited and trained new soldiers. Their equipment was replenished with new arms supplies. Their ability to attack across the border and, in the longer run, to mount a serious security threat to the border area and the new government of Rwanda was unimpaired, indeed it strengthened over time.

The UNHCR solution, in other words, was based on a fragmentation of the problem rather than a comprehensive assault as envisaged in the alternative peacekeeping approach. Separated out, the military component of the security issue was left unattended. UNHCR had neither the mandate nor the competence to take on a rag-tag army in exile. The Security Council had declined to act, although the camps were clearly a matter of international peace and security. The OAU was silent, even though the conflicts wrought by refugee-soldiers permeate the history of post-independence Africa, including Rwanda's. Zaire, itself in a condition considered precarious by many, made no efforts to accept its minimal legal responsibility to prevent the exiled armed groups from making

incursions across the border.

While some of the troops retreating into North Kivu were disarmed by Zairian troops at the border, many weapons were either stocked for later use or replaced by new ones. Virtually all levels of Zairian authority were involved in channeling arms to the ousted Rwandese government troops, including national and provincial authorities, the armed forces (FAZ) and semi-private cargo companies.<sup>125</sup> As documented by human rights organizations, supplies were delivered across the border via Goma airport during the war (April-mid-July), and continued to be supplied afterwards (late July and August 1994). Zairian authorities helped ex-FAR units and staff to establish themselves in five sites along the border in the North and South Kivu areas. Thus, with Zaire's help, the defeated forces could regroup, retrain and rearm freely. The Zairian government in this respect violated a number of international legal instruments – the UN arms embargo on Rwanda ((S/RES/918(1994)), the 1969 OAU Convention that proscribes armed encampments of refugee-soldiers close to the border, and international law prohibiting armed incursions across the border – as well as the legal and moral principles to punish perpetrators of genocide.

Some NGOs and Western journalists reported that France violated the UN arms embargo by being involved in arms deliveries to the retreating FAR units via Zaire in May–July 1994 (see Study 1). Informed French military officials acknowledge that there undoubtedly was a clandestine arms flow across the Zaire–Rwanda border in this period, but deny that France was involved. The French Ministry of Foreign Affairs also has categorically denied all reports of French involvement.<sup>126</sup> None of the allegations are supported by documentary evidence – which at any rate would be hard to obtain given the nature of the transaction – but rely on unnamed local witnesses, or statements by named individuals that later were retracted. One crucial piece of documentary evidence points in the opposite direction. About one month after the genocide commenced, a delegation from the Rwanda interim government met with the head of the Military Mission in the Ministry of Cooperation in Paris, General Huchon, and pleaded for political and military support. According to the report the delegation sent back to Kigali, Huchon told them in no uncertain terms that the French military was prevented by public opinion and the media from giving any support; “their arms and legs were tied”.<sup>127</sup> On the other hand, it is clear that the French army and the military intelligence agency possessed the structural prerequisites for providing clandestine aid, and that four years of close collaboration with the Rwandese army would have given plausible motives for assisting an erstwhile client in distress.

The evidence implicating other countries in violation of the spirit, if not the letter, of the arms embargo is less compelling, although actual or prospective supplies from South Africa and China have been reported. Since the retreating government forces brought the reserves of the Central Bank along with them, they had easy entry to a large and poorly controlled international market of dealers in small arms. A UN expert commission was appointed by the Security Council in September 1995 to examine these and other reports of violations of the arms embargo. Its first report was expected in late January 1996.

In addition to a large external refugee population, war and genocide had created a large number of internally displaced persons, especially in the French “safe zone” where an estimated 1.2–1.5 million people had fled towards the end of the war. For the new Rwandese government, the concentrations of internally displaced represented an internalized version of the problems posed by the camps across the border.

### **6.3. Internally displaced: Kibeho<sup>128</sup>**

In the aftermath of Opération Turquoise, up to 390,000<sup>129</sup> internally displaced persons (IDPs) were left in 33 camps in the south-west of Rwanda. In the autumn of 1994, the government decided to close the camps by December 1994, using force if necessary.<sup>130</sup> The NGOs, ICRC and UN agencies<sup>131</sup> insisted on voluntary return. In November, with the government, they developed an Integrated Humanitarian Response. Opération Retour was launched in December of

1994. But it ground to a standstill in February 1995 because the IDPs were no longer willing to return to their homes voluntarily because of the deteriorating situation in the home communes and the intimidating actions of the hard core within the camps.<sup>132</sup> An Integrated Operations Center (IOC) working group was established by the government, UN agencies and NGOs on 6 February 1995, and an IOC was set up within the Ministry of Rehabilitation and Social Integration (MINIREISO) in March of 1995.<sup>133</sup> Increasing insurgency across the borders heightened the security concerns of the government. RPA shootings, beatings, and harassment in camps had increased in February.<sup>134</sup> By the end of February, the IOC concluded that Kibeho camp, with almost half of the remaining IDPs, was becoming a criminal sanctuary and possibly a center for recruitment and training of insurgents.

The government once again determined to close the camps, using force if necessary. In early March, the Integrated Task Force developed six options<sup>135</sup> to reconcile the legitimate aspirations of the Rwandese state, on the one hand, to establish stability on its territory and prevent genocidal killers who sheltered in the camps from escaping justice, and, on the other hand, the concern of the UN and the NGOs with protecting the rights of individuals and avoiding exposing innocents to unnecessary risks. The first option focused on independent forceful action by the RPA; it predicted that a mass chaotic dispersion would result, with large numbers heading across the border to Burundi, and large numbers of deaths, particularly children. Such action would also violate the agreement of cooperation between the international agencies and the government, instill distrust of the government in the people, and create a rift between the international community and the government. On the other hand, continuing with a plan of voluntary return would violate government policy and was not likely to be effective, but was likely to consolidate extremist control of the camps. The UN, NGOs and government agencies were faced with a real dilemma.

The first option was rejected. Four other options focused on various ways to expedite a voluntary program, and they too were dismissed because, among many reasons, they did not satisfy government policy and would lead to consolidation of extremist control over the camps. The other option dealt with avoiding the use of force while also surrendering the principle of strict voluntary return. A variation of this option was adopted.

The decision was made to close the camps in series by gradually reducing food supplies and transferring the displaced to their home areas. Those who chose to remain in the camps after the returnees left would be investigated as perpetrators of the genocide. The plan would be accompanied by a program of information in both the camps and the home communes, strengthened security and administration of justice in both places, and an escort service jointly conducted by the RPA and UNAMIR to guarantee safe conduct, complemented by food stations manned by NGOs along the way. The operation would begin about 6 April.

The commencement date was postponed until mid-April, then 18 April, and then there was an agreement to postpone again until the 24th, but there is confusion on whether the latter date was communicated to the RPA.<sup>136</sup> When the cooperative plan for vacating the camps seemed to break down, there were late warnings that a number of casualties could be expected if the plan was executed improperly.<sup>137</sup> Given these late warnings, NGOs, though part of the IOC, subsequently questioned why the UN had not sent in more troops. For some NGOs, the UN should have known that massacres would occur given the large build-up of troops. However, as a UN official pointed out, the fact of a troop build-up does not necessarily mean that the soldiers will be used in precipitous action against the IDPs, and is not sufficient grounds for predicting a massacre.

On 18 April, the RPA surrounded Kibeho camp with two battalions and cut off the food supply. The Minister said that the humanitarian community had agreed to that date.<sup>138</sup> A population of 80,000 was squeezed by the cordon from five hills onto one hill.<sup>139</sup> On 18 April, 8–11 children were killed in a stampede. On 19–20 April, 13–22 IDPs were killed by the RPA opening fire when IDPs apparently threw stones or started to snatch weapons. On 20 April in the late afternoon it started to rain. A large group of IDPs, deprived of food, shelter and sanitation for three days, were either stampeded or panicked and tried to break through the cordon. The RPA allegedly suffered casualties from firing from IDPs.<sup>140</sup> The RPA fired into the crowd; numerous IDP casualties

resulted. The cordon was restored. In late afternoon, when it was raining hard, the cordon was breached again. There was more firing, more RPA casualties, more return fire by the RPA with numerous IDP casualties. The RPA even used rocket-propelled grenades. On the night of 22 April, there was both sniper fire and machete attacks among IDPs.<sup>141</sup> The evacuation of the camp had deteriorated into a full-scale battle using innocent victims as expendable tools of war. On the fifth day, the largest massacres occurred.

The estimated number of persons killed between 18 and 23 April ranged from a low of 300, given by the Rwandese government, and a high of 8,000 according to Australian UNAMIR soldiers who made a partial count. Official UN estimates were revised downward soon after 23 April to 4,000 and then 2,000. The Special Representative of the Secretary-General, Sharyar Khan, and the UNAMIR Force Commander held that the figure was around 2,000. The deaths were caused by gunfire, machetes and trampling; the International Commission of Inquiry found that many of the dead had machete wounds. Since the RPA did not have machetes, this suggests that the hard core elements in the camps were responsible. However, there was also evidence of summary executions of IDPs by the RPA.

Though there was a serious problem in the implementation of the agreed plan,<sup>142</sup> and specific confusions over the starting date for the operation, there were deeper problems, specifically the different priorities, perspectives and values of the various parties, and the impact of the genocide on the perceptions the parties had of each other. The repeated shift in commencement dates consolidated RPF suspicions about UN and NGO intentions. The UN had failed to comprehend adequately the urgent security concerns of the government.

What or who was responsible for this appalling loss of life? There were many possible candidates. The terrible circumstances played a key role: the internally displaced were kept in camps; Opération Turquoise had failed to arrest the militants; the alleged perpetrators of the genocide continued to use their own Hutu compatriots as shields and as potential cannon fodder to launch attacks on the government and even used machetes to enforce obedience within the camp.

The underequipped and impoverished government, still threatened by the militant elements from the defeated genocidal regime, could easily be faulted. There was a clear breakdown in communications and authority among various governmental sectors.<sup>143</sup> The International Commission was clearly correct in faulting the RPA for its lack of communications, its inexperience, its inappropriate equipment and training for what was essentially a police action. But these were not the essential elements; none of them explain the RPA's precipitous action,<sup>144</sup> the most immediate cause of the disaster.

Could the RPA have been stopped? UNAMIR II had a mandate to support and provide safe conditions for displaced persons. The mandate included taking self-defense actions against those who threatened populations in protected sites and the distribution of humanitarian relief. But the humanitarian agencies and UNAMIR II had agreed to the suspension of humanitarian relief, albeit gradually rather than suddenly. Moreover, several UNAMIR units were at the time on joint patrols to escort the bulk of the population to their home communes. Should the Force Commander have abandoned the returnees, immediately consolidated his contingents from all over Rwanda, and ordered the superior forces of the RPA to cease and desist? UNAMIR II was also tinged with the criticism from the RPF that the previous UN force had created only an illusion of security prior to 6 April, and had been withdrawn when the genocide commenced. If confronting the RPF at Kibeho, the UN force would be subjected to the accusation of protecting the killers rather than trying to arrest them. For these reasons, UNAMIR was impotent to do anything.

The NGOs understandably placed primary emphasis on the well-being of their humanitarian charges, perhaps without giving adequate consideration to the predicament and need for both security and justice, and, most importantly, the sense of urgency of the government. The International Commission criticizes the NGOs for allegedly encouraging IDPs to remain in Kibeho, but cites no evidence for this charge. Government sources close to the event, and whose primary interests differed from those of the NGOs, found little to substantiate the Commission's

conclusion.<sup>145</sup> However, tension between the command and control structure of UNAMIR and the anarchic system of NGO coordination did not help the efficacy of the return operation.

A more serious factor was the failure of the international community to invest adequate resources in Opération Retour to initiate the information campaign in both the camps and the home areas as well as rehabilitate the justice system and the home communes in preparation for the returnees, particularly in the winter phase of the plan when the operation was still a voluntary one. There was also a failure to act sooner and use the not-so-gentle persuasion of promising to withhold food when the incentives to return home to take advantage of the January crop season were stronger, before the extremists could organize the resistance, and when the IDPs were not subject to the dismal feedback by returnees and new IDPs about the perilous conditions at home.

What was not at fault was the effort to achieve coordination and the willingness to devise a plan that attempted to be both humane and realistic. The UN and the NGOs, however, were not realistic enough in their lack of a sense of urgency and reluctance to employ not-so-gentle methods earlier, while the RPA clearly lacked sufficient humanitarian sensibility for the well-being of the innocents, particularly women and children. In the end, a clear division of responsibilities and explicit lines of authority in the implementation of a coherently drawn-up camp evacuation might have averted the tragedy.

## Chapter 7

# Conclusion

### 7.1. Early warning

#### *The Puzzle*

Did those charged with the responsibility for making decisions in the various agencies and states that comprise the international community know that the assassination of Hutu political opponents and genocide of the Tutsi in Rwanda would take place? No. Virtually no-one anticipated the swiftness, scale, thoroughness and unique character of the genocide as it unfolded. In its horrific enormity, it took almost all international observers by surprise.

If they did not draw such an extreme conclusion, did those with the capacity to prevent and mitigate the genocide have the information upon which such a conclusion could be drawn? Yes. Many knew that organized extremist forces existed; increasingly, they even gave public proof of their existence by words and deeds. A pattern of violence was discernable, and the state apparatus itself was clearly implicated in arms distributions to para-military groups and extremist propaganda advocating the need to rid Rwanda of all Tutsi and their supporters. By early 1994, specific information about plans and conspiracies towards this end was picked up by the UN system, most significantly in the notorious Black File of January 1994.

Close observers commonly interpreted this information in the Rwandese context to mean that large-scale ethnic violence against civilians was likely if the civil war was renewed, as seemed likely in early 1994. However, in the higher echelons of state and international agencies, the early warning signals were hardly heard at all, and news of the genocide was an even greater surprise. But pieces of information were available to permit policy-makers on any level to draw the more radical conclusion that both politicide and genocide might occur on a scale quite different from past patterns of “just” hundreds or thousands of victims.

Should the alarming indications have resulted in more thorough assessments and preparations? Absolutely, given the political commitment and actual involvement of the UN in Rwanda, the large-scale violence expected by close observers, and the possibility of genocide. The legal right and the normative obligation to act to prevent genocides according to the Geneva Convention, and the enormous cost of a miscalculation, made contingency planning clearly imperative.

Then why did states, international organizations and other parties who had assumed some responsibility for regulating the Rwandese conflict and had the capacity to act not draw the appropriate conclusions? Since close observers did anticipate mass violence and advocated swift interventionist action, analyzing the problems that afflicted the central decision-makers is critical to understanding the failure to act.

The problems of receiving even clear and unequivocal signals are found in four areas: contradictions in the international system; the UN structure; attitudes of senior officials towards messengers and inadequacies in the messages sent; and interference.

### **7.1.1. Contradictions in the international system**

#### *Neutrality and Intelligence Gathering*

Unlike nation-states, the United Nations does not collect and analyze information to protect itself from ostensible enemies. The world organization has no clear-cut security agenda and is supposed to be a neutral body. Yet in matters of threats to international peace and security, the neutrality principle does not necessarily apply, as in Chapter VII enforcement actions. By the same logic, the UN should not be neutral towards genocide, or towards parties threatening civilians whom the UN has placed under its protection. Moreover, once the UN assumes responsibility for conflict management, it needs a capacity for information collection and analysis dealing with military and political issues of member states. Nevertheless, member states are reluctant for reasons of national security to let the UN develop such an intelligence function.

#### *Financial, Remote and Regional Interests*

In the area of conflict management, the UN is particularly beholden to the United States, which pays almost a third of the budget for peacekeeping. When regional states and organizations, which are closer to the conflict and its consequences, and in this case were willing, indeed eager, to involve themselves, they were not given the wherewithal to do so, including a structure to gather and analyze information. The OAU, which was intimately involved in the diplomatic process to settle the conflict, only had a skeletal staff for these purposes. The lack of resources also characterized Tanzania, in this case the most non-partisan regional state. The major motive of Tanzania was to regulate the conflict, rather than further one party's interests.

Zaire had access to the Rwandese regime but no interest in collecting, let alone sharing, any information that could be used against the Rwandese government. Uganda had such an interest, and through the RPF also had access to information, but its early warning capacity supported the RPF. RPF early warning could be dismissed as propaganda. France had both interest in and a significant capacity for intelligence collection on Rwanda, but its interests were clearly partisan and led to defining the role of the RPF in adversarial terms. (This included even the French Ministry of Foreign Affairs, which was committed to the Arusha process.)

The United States also had the capacity, but it was initially truly disinterested, in the sense of being both objective and remote, and utilized its capacity only sporadically. The CIA undertook a January 1994 desk-level analysis of the Rwanda situation as a worst-case projection of the course of current events, which included scenarios of deaths in the order of half a million casualties. This indicated that specialist analysts who focused on a problem area could use current information to develop reasonably accurate scenarios. Covering a country of marginal concern to the US, the report was not distributed widely, nor did it reach the higher decision-making echelons. As there was no "smoking gun" or verification from personnel on the ground, it was not taken seriously. Moreover, since Rwanda posed only a hypothetical problem rather than being an actual crisis, there was little inclination by higher officials to pay attention.

For the UN, both the interest and capacity to cover a crisis in a peripheral state are critical. Caught between the absolute disinterest of the major powers and the need to cater to dominant financial interests, the UN has been unable to establish the appropriate balance between disinterestedness and utilizing regional interests to advance the peace process.

### **7.1.2. Structure and culture**

Though the UN was inhibited from systematically collecting and analyzing critical information and communicating the analyses to those with the power to take action against the genocide, the Secretary-General has had a mandate to engage in preventive diplomacy and peacekeeping even in intra-state conflicts. He has also been given an explicit mandate to engage in early warning. That mandate can be easily extended to cover the analysis required for preventive diplomacy and effective peacekeeping. Why has this capacity not been appropriately developed?

The individual relevant units are thinly staffed, given the exponential increase in global responsibilities assumed by the UN. For instance, only one person in DPKO consistently monitored Rwanda, and that person carried a heavy weight of operational responsibilities. But there are deeper reasons for the failure.

With a changed mandate since 1990, the Secretary-General reorganized the Secretariat, but in so doing, sacrificed an independent information and strategic analytic arm separate from any operational functions by dissolving the Office for Research and Collection of Information (ORCI), because of its shortcomings. The Secretary-General distributed its responsibilities among the Political, humanitarian, and Peace-keeping Affairs Departments, while the Office for Human Rights monitors human rights abuses. There was no central unit in the Secretariat or elsewhere charged with collecting even “soft” intelligence, including the information available in the vast structure of UN agencies and organizations to translate assessments into policy options and strategic planning. As the DHA task force evolved into the focal point for early warning in the UN system for mitigating the consequences of conflicts, there was no parallel tool to generate early warning signals required for contingency planning in preventive diplomacy and peacekeeping operations. DPA, which was expected to undertake this task, was too understaffed and had no systematic link to strategic planning.

Further, the cultural milieu of the Secretariat had reverted to being politicized in two senses. In the Rwanda situation, the DPKO at a critical juncture seemed to be too subservient to the concerns of the major powers. In this case, the DPKO proposed only “what the traffic would bear” in the Security Council, as they put it, not what the situation on the ground demanded. Further, some personnel suggested that others were carriers for dominant state players. Politicization versus professionalism in a context of relative great power disinterest by one major power and a partisan interest by another proved to be a devastating combination.

### **7.1.3. Messengers**

In spite of these deficiencies resulting from the current mandate of the UN and its structural problems, UN headquarters did receive crucial information that should have led it at least to undertake some contingency planning. However, the UN Secretariat had a propensity to discount the information and warnings received from within its own system while paying inordinate attention to media analyses, if the Secretary-General’s 20 April report, which prepared the ground for UNAMIR’s withdrawal, is any indication.

Using information the various humanitarian organizations obtained from their own field operatives, an inter-agency task force in Geneva was assigned the task of sharing information about impending human disasters. It had many problems. It was ad hoc. Each of the agencies showed an understandable reluctance to collect and divulge sensitive political information that might jeopardize its operations in a country. More importantly, the inter-agency task force was oriented towards anticipating the humanitarian consequences of a crisis (e.g. population movements, the requirements of relief operations, etc.) rather than development of the crisis itself. The task force had no access to the sort of political-military information so critical in discerning escalating conflict. Nor did it have adequate support from qualified analysts. As a result, while the UN system has an early warning capacity, this capacity is inappropriate to questions of early warning for conflict management purposes.

Even greater suspicions were cast on the human rights organizations, which discerned patterns of violence they characterized as genocide. Part of the problem was the manner in which the warnings were conveyed. These organizations did not put human rights abuses in a political context necessary for understanding the nature and probable evolution of the conflict, including its likely points of culmination, or translate them into strategic options. Further, the human rights machinery of the UN itself was virtually irrelevant to the early warning process, not only lacking the capacity to relate human rights violations to a dynamic analysis of the social forces that produced them, but utilizing a monitoring process that was sporadic and provided no follow-through on reports.

Within the UN Secretariat, far too little attention was paid to early warning emanating from human rights organizations. The Secretary-General’s report justifying withdrawal on 21 April reflected the misrepresentations of the media rather than the analysis of informed or more professional observers of Rwanda. When the Secretary-General by mid-May did perceive the situation

correctly, he lacked the widespread and sustained support for policy engagement that adequate media coverage can generate. With a few notable exceptions, the media in general perpetuated the misrepresentation of the slaughter in Rwanda as one of anarchic ethnic violence. It took almost a month for most of the media to “get the story straight”.

The import of the messages from the Rwandese media was downplayed. Hutu extremist calls in the hate media to rid the country of Tutsi were interpreted by some foreign observers as efforts to put pressure on the RPF to make concessions at Arusha, or as exaggerated rhetoric. Even members of the RPF politburo acknowledged in retrospect that they underestimated the significance of the extremist radio broadcasts.

#### **7.1.4. Interference factors**

Functional contradictions and structural deficiencies compounded by discounting some messengers and exaggerating the value of others are, however, only part of the explanation. The Rwandese Patriotic Front was closest to the scene, had networks in Rwanda to provide information, and was in close contact with human rights and refugee organizations as well as its own diaspora around the world. If any party had a stake in anticipating mass murder and its extent, and with developing contingency plans to prevent, or, at least, mitigate such a disaster, this Tutsi-dominated rebel organization surely did.

True, the leadership issued public warnings accusing the government of severe human rights violations and identifying those responsible for killings in 1992–93 as guilty of genocide. But leading Front members acknowledged in retrospect that they did not anticipate the magnitude of the genocide and the RPF did not develop contingency plans for such an eventuality. Why not?

Five factors are suggested that afflicted everyone involved in the Rwanda crisis to different degrees: incredulity, mind-blindness, shadows, noise, and desensitization.

##### *Incredulity*

Genocide is rare. Its path of development was unfamiliar and difficult to discern. Despite the precedent of Cambodia, many associated the concept of genocide with the highly mechanized Nazi holocaust. The idea that hundreds of thousands could be slated for execution in a poor, agricultural society, and that this could be carried out in a short time, seemed incredible.

##### *Mind-blindness*

RPF leaders admit that on the eve of their 1990 invasion they expected that thousands of Tutsi might be killed in retaliation, as had happened in the early 1960s. But to consider genocide as both a possibility and one they had very limited ability to mitigate, let alone stop, would have either frozen them into impotence or forced them to accept that they had a measure of historical co-responsibility in the slaughter. Hence, a sort of mind-blindness developed, i.e. an inability to use the information available to deduce the appropriate conclusions.

A similar blindness (but in the nature of “wishful thinking”) may help to explain the failure of more remote actors to anticipate the genocide. For the French government to acknowledge that genocide was in prospect would be to accept a far greater degree of responsibility for its own involvement in backing the Habyarimana regime and its connected extremists. For the United States, it meant having to confront the fact that it had a legal right and a moral responsibility to intervene. For the UN Secretariat it would have meant preparing for a very different kind of mission in Rwanda at a time when its first principle of action was “not to cross the Mogadishu line”. The UN mind-blindness carried a double level of guilt and denial by instilling a false sense of confidence among the Tutsi in Rwanda, who could not imagine that the world in general, and the UN in particular, would flee the scene when a UN peacekeeping force was already in place.

##### *Shadows*

The tardy and inadequate response of the UN and its leading members was also influenced by external blinkers, by previous events that haunt decision-makers, distort perceptions and constrain their willingness to act. These are in the nature of shadows.

One such blinker was the shadow of hope. Arusha became an inertial force. The peace accords so preoccupied almost all the players that they tended to shift into the background the growing organization of extremists intent on undermining that peace. The pursuit of the agreement, the hope invested in its effectiveness, and the eagerness to see it implemented dominated their attention right up until 6 April.

The other blinker was the shadow of despair and the propensity to read the present through traumas of the past. Somalia certainly directly colored the American propensity to view (and deform) the Rwandese operation through the Somalia lens. The issuance of PDD 25, a new directive in May of 1994 strictly limiting American involvement and funding of peacekeeping, was a culmination of the shadow of Somalia. But Rwanda was not a failed state; on the contrary, it was an example of a state that, having been taken over in an extremist coup d'état, was executing a massive genocide.

The UN was also haunted by Somalia. Fear of taking casualties in a UN peacekeeping mission made the Security Council and the Secretariat willing and ready to follow the Belgians out of Rwanda once the hostilities broke.

In the shadow of Somalia, the American and UN observers misinterpreted events on the ground and exaggerated difficulties into an impotence to respond effectively. Not only were the wrong lessons learned from Somalia, the right ones were ignored. In fact, the lesson of Somalia should have been that too few forces inserted tardily can undermine a whole operation.

#### *Noise*

This is a standard element often used to explain intelligence failures. At the same time as the situation was particularly tense in Kigali in March of 1994, the UN was preoccupied with a long list of crises or problem areas – in Russia, Angola, Burundi, El Salvador, Georgia, Haiti, Liberia, Nagorny-Karabakh, Somalia, South Africa, Tajikistan, Eritrea-Sudan, Mozambique, Hebron, North Korea, and especially the former Yugoslavia (including the security and safety of UNPROFOR). Because of Rwanda's peripheral relationship to the major issues and structures of international relations, the signals from Kigali were weakly heard.

In a context crowded with actual crises, it was particularly difficult to get busy decision-makers to shift their attention onto a potential crisis.

#### *Confusion about the Message*

Noise may overwhelm a message, but this propensity is exacerbated when the message itself is confusing. At various points, different actors monitoring the conflict – human rights organizations, the RPF, the Special Rapporteur of the Commission on Human Rights – used the term “genocide”. But the term conveyed different meanings, which created confusion among the listeners.

The problem with the term “genocide” as a signal comes in the different implications and illustrations of the two uses of the term. The use of the legal definition of the term in an accusatory sense arguably diminished the impact of the term in its function as a warning signal. If the killing of 300 Tutsi constitutes genocide (in the legal sense), then warnings about potential genocide signal the potential death of a few hundred more. The linking of the deaths of 300–1000 people to the terms “apocalypse” and “genocide” diminished their impact as warnings. While significant in and of itself, early warning about genocide defined in legal terms leads to very different thinking about consequences and reaction than would a clear signal of an impending genocide as defined in the popular sense.

In the popular consciousness, the concept of genocide is linked to the massive slaughter of Armenians by Turkey at the turn of the century, the extermination of millions of Jews in Europe by the Nazi regime, and the wiping out of an entire generation and class of people by the Khmer Rouge in Cambodia. The numbers involved in each of these cases are measured in the hundreds of

thousand or millions. Unfortunately, events propelled Rwanda into the same tragic class.

### *Desensitization*

Only six months before the genocide occurred, massacres in Burundi claimed the lives of an estimated 50,000 to 100,000 persons. There was no worldwide outrage and little response. This failure of the international system to be startled or to respond reflected a pre-existing propensity to expect disasters out of Africa. The threshold for international response seemed to increase accordingly: if 100,000 persons could be killed with impunity, the possibility of another massive slaughter did not seem so extraordinary, nor did it require particular responses. Hence, there developed a mental indifference to the possible consequences of the rising tensions in Rwanda.

This was reinforced by the tendency to view the struggles within Rwanda as the recurrence of ancient conflicts between Hutu and Tutsi rather than as a product of a centrally led, political murder machine. As one Belgian official later put it: “We’ve learned from our experience that whenever there is trouble in Rwanda, the Hutu and the Tutsi kill each other.”

## **7.2. Conflict management**

The international community might have responded better had the early warning systems generated a clearer anticipation that genocide was on the horizon. Yet conflict management is a function of capacity, interest and commitment as well as information. In the Rwandese case, the relevant actors knew at a critical stage that the situation was unstable and dangerous. Unforeseen detrimental events did indeed occur to give the situation a turn for the worse – in particular, the October 1993 ethnic massacres in neighboring Burundi. But the major powers that controlled UN peacekeeping operations paid only cursory attention to Rwanda and there were no contingency plans except for withdrawal. The sustained and careful attention so necessary to successful conflict management was lacking.

There was considerable international investment in preventive diplomacy in Rwanda, but when this failed and genocide ensued, the international community effectively disengaged. Humanitarian relief within Rwanda and to refugees across the border soon resumed, but these efforts were designed to deal with the consequences of conflict rather than the violence itself. Re-interventions to save civilians had very limited impact, as indeed might be expected from retroactive conflict management.

The reasons for this fundamental failure to respond are found, ultimately, in a structural mismatch between institutions and interests in the contemporary state system. Revitalized by the end of the Cold War, the United Nations in the 1990s rapidly expanded its peacekeeping operations throughout the world. Rwanda was added to the list in October 1993. The framework for peacekeeping, however, was set by the distribution of power in the Security Council, which in form still reflected the world as it was half a century ago. Except for France, the major powers on the Council were basically uninterested in a small Central African country that was marginal to their economic or political concerns, and peripheral to international strategic rivalries. Through their power of veto and financial commitments, these states also controlled the peacekeeping or enforcement operations of the United Nations. Preoccupied with crises elsewhere, especially in Bosnia and Haiti, and haunted by the memories of Somalia, they decided not to engage in Rwanda until it was too late. Other potential actors were either unwilling or, at that late stage, unable to respond on their own. Hence, a principal lesson from the Rwandese conflict is that in a world of multiple crises, even major disasters in a seemingly peripheral state fall victim to neglect.

Another lesson refers to the general principle that respect for international law and norms will tend to diminish conflict, whereas violations will tend to stoke it. The behavior of state and presumptive state actors in the Rwandese conflict was in this respect less than adequate, and mostly counter-productive. International law and associated principles designed to uphold international order were repeatedly violated, including sanctity of national borders and arms embargoes. International refugee law was not observed. The legal right and moral obligation to intervene to stop genocide

was acted upon. Human rights law was repeatedly and severely transgressed with impunity. Donors continued to give economic aid, and, in one case, also substantial military assistance, to a government linked to systematic violations of human rights. While this might be expected in a world of competitive nation-states observing the rules of Realpolitik, it should also be recalled that the consequences of lawlessness in this case were exceedingly costly – both for the Rwandese parties and people, and for outside states concerned.

International efforts to manage the conflict – as distinct from addressing its humanitarian consequences – were a failure when judged against international norms governing the prevention or mitigation of genocidal violence, as well as other UN standards. By explicitly asserting the right to intervene in a world otherwise governed by principles of national sovereignty, the Genocide Convention implicitly affirms the associated moral obligation to act. The United Nations and its members had already assumed some responsibility for conflict management in Rwanda by establishing a peacekeeping operation to help implement the Arusha Accords. When the Accords failed and the genocide commenced, the UN formally acknowledged an obligation to help protect civilians. This recognition came belatedly in the form of a Security Council resolution on 17 May 1994 – i.e. six weeks after the genocide commenced. The tardiness in authorizing and deploying a protective force weakened its operational effectiveness, but not the validity of the principle.

### **7.2.1. Critical actors at critical junctures**

While policies were shaped by underlying structures of power and interest, the various actors nevertheless operated within a framework of options that permitted a certain choice. Among these, a few stand out as commendable efforts to reduce or mitigate the conflict; others are conspicuous for failing at critical moments. Significant in this respect are:

- • The Tanzanian government and the OAU efficiently and patiently spearheaded a sustained international effort to mediate the civil war. While the Arusha Accords in retrospect were not as perfect as the sponsors claimed, the agreement did provide a reasonable basis for settling the civil war. Partly undermined by unforeseen developments in neighboring Burundi, the peace agreement also carried some seeds of its own destruction by failing to take care of the losers. Having been excluded from the settlement and not dealt with otherwise, the Hutu extremists became an obstacle to its implementation.
- • UNAMIR on the ground was an exercise in doing the most with as little as possible. The Force Commander struggled in vain to bring the mission up to authorized strength and to alert an unresponsive UN Secretariat (DPKO) to the fact that the situation in early 1994 was seriously deteriorating. Once the civil war resumed and genocide commenced, UNAMIR was able to save lives by protecting some 15–20,000 persons in the Kigali area, despite lack of supplies and heavy equipment and a drastically scaled-down force. Its credibility and hence ability to modify the conflict in other respects (e.g. by promoting a cease-fire) was critically undermined by the decision to withdraw.
- Of the humanitarian agencies, ICRC in particular helped provide protection and assistance to thousands of civilians.
- After a bungled start and initial paralysis by the DPKO, the UN Secretary-General recovered the initiative by proposing that the UN re-engage itself to mitigate the conflict. The Under Secretary-General of Humanitarian Affairs helped focus attention on the crisis during the early period and was the first high-level representative from New York to visit Kigali after 6 April.
- While failing to anticipate that some 1.5 million persons would flee across the border (see Study III), UNHCR soon recognized the need to deal with the problem of militarized refugee camps so as to avoid the start of a new conflict cycle. The High Commissioner's innovative proposal was bogged down in discussions at UN/New York, where the Secretary-General sought to address the problem comprehensively as a peacekeeping matter. This failed, however, and the result was a critical delay of several months before UNHCR could move ahead to deal with the camps issue.

- Of the regional states, Uganda and Zaire at various times provided support that served to escalate the conflict rather than reduce it, though Uganda also contributed to the mediation process.
- Through its military and economic assistance, as well as diplomatic support, France gave significant and sustained aid to a regime that was linked to systematic human rights violations and ultimately the genocide.
- The Belgian decision to withdraw its UN contingent at the time of crisis crippled UNAMIR and drastically reduced its options for the future. Belgian lobbying for the Security Council to withdraw the remaining force altogether helped shape the final decision to this effect.
- By acts of omission, the United States ensured that neither an effective national response nor a collective UN effort to mitigate the genocide materialized. Citing financial restraints, the United States wanted a bare-bones UNAMIR before 6 April, argued for withdrawal soon afterwards, and delayed the authorization as well as deployment of an expanded UN force in May–June.
- The media by and large covered events in a fundamentally irresponsible manner. Notable exceptions were reports from correspondents for the BBC, Le Monde, Libération and The Times (London). The rest of the media reported in a highly selective and initially misleading way, although some later were quick to charge Western governments with complicity in the genocide. Genocide and politicide were at first depicted as tribal-ethnic conflict with ancient and typically African roots. Coverage did not become intense until the genocide was over, and huge refugee flows streamed into Goma. The failure of the media to report accurately and adequately on a crime against humanity significantly contributed to international disinterest in the genocide, and possibly to the crime itself.

In a more general sense, the failure to respond was also linked to inadequate structures or procedures in decision-making. Some problems arose from the relationship between the OAU and the UN, and point to the importance of including – one way or another – the relevant regional forces in the decision-making order to achieve a durable solution to a local conflict.

### **7.2.2. Decision-making structures**

#### **Regionalism and the Disjuncture between Mediation and Implementation**

From the beginning (1990), regional states participated in diplomatic efforts to deal with the conflict. While two of them were also involved in the war (Uganda and Zaire), that was considered all the more reason to include them in the process, which was spearheaded by another neighboring state (Tanzania) and the OAU. The latter's interests were primarily in a higher rational order that, among other things, would spare the region another large refugee problem. Over time, all external parties to the conflict appeared to gain a stake in the success of the mediation effort, and all signed the final Arusha document. There was, however, no continuity between the mediation and implementation phase of the peace accords. The UN took over the peace operation, essentially closing off the regional effort and cutting out the OAU. The consequent structural disjuncture between mediation and implementation affected three critical aspects that made it difficult to maintain the momentum of the Arusha peace process. These were:

- **Mandate and expectations:** The Arusha Accords presumed and specifically called for a peacekeeping force with a mandate broader than the UN was willing to provide.
- **Timing:** The timetable of the Arusha process presumed a speedy international presence, yet this did not sufficiently take into account, nor was it adequately coordinated with, the time-frame for establishing UN peacekeeping operations.
- **The extremists:** The existence of an extremist group that was excluded from power in the peace agreement, but which continued in positions of power in the interim, should have been dealt with by other means. In shifting responsibility from one set of actors in the mediation phase, to other actors in the implementation phase, the critical issue of extremists was neglected.

In important respects, Rwanda obtained a peacekeeping force rather different from the one the negotiators of the agreement had anticipated and deemed necessary for the implementation of the Accords. The disjuncture was partly caused by organizational competition between the OAU and the UN. The OAU actively sought to obtain a leading role in the peacekeeping phase as well, but the Security Council insisted that the UN would not pay unless it was given command-and-control of the operation. Except for France, which lobbied hard to make it a UN force, and the Rwandese government, which happened to be a member after January 1994, no other states in the Security Council gave the issue much consideration. The UN Secretary-General weighed in on the side of his own organization. Moreover, the dismal record of the OAU in managing its minor military mission in Rwanda (NMOG I and II), gave ammunition to critics in the UN who maintained that the OAU had neither capacity nor the required impartiality to play a major role in a peacekeeping operation. As it turned out, however, UN Headquarters did not run an effective peacekeeping operation in Rwanda either, and UN neutrality in the face of genocide became a matter of criticism rather than approbation.

#### *Issue of Stakeholders*

While the United Nations had formal responsibility for helping to implement the Arusha Accords, the main stakeholders in the peace agreement were in the region, not in the Security Council. The latter consequently gave UNAMIR a narrow mandate, a limited budget, and scant attention. When the Arusha Accords appeared to unravel, the Security Council threatened to withdraw rather than strengthen UNAMIR. When the crisis erupted after 6 April, there was a “stampede to get out”, as one member of the Security Council described the reaction of the chamber. At this critical juncture, the department of the UN Secretariat most directly responsible (DPKO) showed neither initiative nor an ability to rise above its assessments of what “the traffic would bear” in the Council.

African states showed more interest, partly reflecting the notion that African states had a special responsibility for solving their own conflicts. States in the region had particularist interests as likely receiving countries for massive refugee flows. Except for the military observers, the African battalion in UNAMIR I was the only unit that stayed put during the crisis; Ghana decided to keep its contingent while the Belgian and Bangladeshi governments withdrew theirs. During subsequent UN efforts to manage the conflict retroactively by reintroducing a force, only African countries offered to send troops. Operating under severe resource restraints, they required external financing and some equipment, to which the major powers only reluctantly agreed.

In sum, the regional contribution to conflict management was undervalued and underutilized despite recent and formal recognition by the UN leadership, including the Secretary-General, of the need to involve regional organizations to promote international peace (cf. Agenda for Peace, 1992).

### **7.2.3. Decision-making process**

#### *The United Nations*

UN procedures governing peacekeeping operations made for slow and incomplete deployment. While this was not specific to Rwanda, the consequences were more acutely felt because the country had no “patron” in the Security Council that could cut through the political and bureaucratic morass. The Secretariat for the most part proved unwilling or unable to compensate. Before the acute crisis erupted on 6 April, DPKO, which had responsibility for UNAMIR, made no contingency plans or efforts to strengthen the mission’s preparedness for worse-case scenarios despite clear evidence of mounting tension. The problem was partly due to limited institutional capacity in the face of a rapid increase in peacekeeping operations worldwide. The restraints were also more deep-seated, as indicated by the failure of DPKO to overcome a near-paralysis when the crisis broke and Rwanda moved to the top of the agenda. DPKO’s communications to the Security Council were tailored to expectations of what the Security Council would approve (thus giving the Permanent Five anticipatory vetoes); options were formulated in terms of standard operating procedures, rather than the unique needs of the situation; and instructions to the field were heavily influenced by a concern to reduce risk so as to avoid “failures” – which were defined as the death of UN peacekeepers. Only when the Secretary-General in late April decided to provide some

leadership did the Secretariat play an innovative and proactive role, based on more comprehensive and independent assessments of the requirements of the Rwandese situation. At that point, however, the limitations of retroactive conflict management, and inability of the UN to respond with dispatch, rendered the operation largely irrelevant.

The critical importance in this case of leadership touches broader issues of accountability and transparency in the continuing discussion of UN reforms. Given the large number of crises in the world, the Secretary-General can not respond equally effectively to all. However, the criteria for selection, and the process that leads the Secretariat to highlight some conflicts rather than others, remain obscure to the public. Similarly, the fateful decision virtually to withdraw UNAMIR was taken by the Security Council in informal consultations. In keeping with normal Security Council procedures, only select formal statements made at the conclusion of the decision-making process (21 April) were recorded in the proceedings and are thus in the public domain.

The effectiveness of UNAMIR also suffered from characteristic features of UN peacekeeping operations:

- The field mission had very limited authority to make decisions; routine matters as well as issues heavily dependent upon judgement of the situation in the field were micro-managed by New York.
- When deployed in late 1993, UNAMIR I had only a small investigative unit and no separate human rights component designed to monitor and report on human rights violations. This limited its ability to gauge a deteriorating situation. It also signalled to the Rwandese parties that the UN placed low priority on human rights violations in implementation of the peace accords.
- The normal, slow process of assembling a peacekeeping force had monumental consequences. Once the Security Council decided in May 1994 to re-engage the UN for the explicit purpose of protecting civilians, a period of about three months elapsed before new UNAMIR units arrived in Rwanda. In the intervening period, hundreds of thousands were killed. The deployment was particularly slow because none of the industrialized states that could have provided the UN with fully-equipped units at short notice were willing to do so. The solution was to match Western equipment with African troops, a process that was time-consuming.

#### 7.2.4. Policy issues

The international response to the Rwandese crisis also raised several policy issues of general concern:

**National Peacekeeping Operations with a UN Umbrella.** The French *Opération Turquoise* was quickly deployed and efficiently run and some held it up as a model. It should be noted, however, that the smooth operation was not only a function of its being national (as distinct from cumbersome and multilateral). Effective communication with the RPF made it possible to agree on the boundaries of the French “safe humanitarian zone” and, behind this line, French troops were in generally friendly territory. The operation also raised some troublesome issues. Mounted at the time the UN was struggling to obtain troop commitments for UNAMIR II, the French initiative detracted from the collective effort and weakened the credibility of multilateral interventions. The circumstances of the operation cast doubt on official claims that it was a purely humanitarian intervention, thus degrading the latter concept.

**Democratization.** International insistence that Rwanda’s political system be democratized had contradictory implications. The formal institutions of multipartism provided a political framework for accommodating the RPF and, in that respect, foreign donors promoted a formula that would help terminate the civil war. On the other hand, democratization so defined did not address human rights issues, and in some respects became a substitute for dealing with them. The results of efforts to strengthen civil society were also ambiguous in that they provided space for both human rights organizations and extremist groups. More generally, donor demands for democratization added to the overall pressures experienced by a regime that was at war and faced national economic collapse as well as mounting internal opposition. The combined effect was a sort of

system overload that enhanced the power and possibly the appeal of Hutu extremists. These dysfunctional consequences were not sufficiently recognized at the time in the belief that the multi-party system entailed by democratization and endorsed by the Arusha Accords would take care of the extremists in due course.

**Preventive Diplomacy.** In retrospect it can be clearly seen that the closer the parties at Arusha came to end the civil war, the more Rwanda inched towards disaster. The inter-connectedness of the two tracks – the civil war and the civil violence – was recognized at the time, but the Arusha process was basically designed to settle a war, not to prevent a dimly perceived future catastrophe. If there is a lesson here, it lies in the tested principle that a settlement to end one war can be the beginning of a new one unless the peace agreement is also constructed as preventive diplomacy.

**Refugees.** Two principles of refugee policy are generally recognized in the international community: refugees have the right to return, and those who cannot return should be given asylum or resettlement elsewhere. Failure to observe such principles typically creates festering refugee problems, and in many cases militant communities who seek to escape from their dilemma by force. The phases of the Rwandese conflict considered here started and ended with festering refugee problems. While cognizant of the problems preceding the 1990 invasion, UNHCR could rely only on its good offices to promote a solution. Significantly, the agency lacked even the capacity to assess adequately the magnitude of the problem, let alone other means to pursue what in the early 1990s came to be known as a “comprehensive refugee policy”, that is, an approach that addresses causes and solutions to refugee problems, not only immediate material and protection needs (A/AC.96/799,1992).

The formation of new militant and militarized refugee communities in Zaire during the second half of 1994 indicated the beginning of another conflict cycle. The response of the UN body responsible for refugees, UNHCR, reflected increasing awareness of the problems posed by such communities. \_It was recognized that a solution, if any, requires disaggregating the problem. This entails separating the refugees from the military and dealing with the former within a legal-political framework of repatriation or resettlement. The latter constituted a military-security problem and had to be dealt with as such. By early 1995, reasonably effective arrangements were made to improve policing of the camps in both Tanzania and Zaire. Yet the issue of the armed militants and their links with the refugees remained unresolved as the armed groups were free to rearm and regroup near the border.

A solution to this problem required, in the first instance, greater cooperation from the authorities in Zaire.

## Chapter 8

# Recommendations

### A. General – humanitarian realism

The United Nations projects a vision of the unity of humans governed by norms that enhance equality and justice, peace and the well-being of all. In the Rwanda case, these principles were duly referred to and sometimes reflected in policy. Some states identified national security with international security and greater world order, and placed peacekeeping units at the UN's disposal for this purpose. Other states invested in preventive diplomacy, recognizing that renewed conflict would threaten regional peace and security and probably create large refugee flows. Some took notice of persistent efforts by NGOs to flag human rights issues. On the other hand, the behavior of states was also, and in some cases mostly, characterized by contests for power driven by narrow concepts of self-interest. Policies of prevention and conflict management were subjected to miserly criteria of risks and costs; only when the emphasis shifted to low-risk, high-visibility humanitarian assistance did states generally show generosity. The UN as a collective actor was unable to rise above its members in these respects, either in the Secretariat or the Security Council.

Despite the overall international failure to monitor and manage the Rwanda conflict, the efforts that did take place to mitigate the crisis and its consequences suggest that states are not necessarily bound to pursue a sterile Realpolitik. Sometimes, issues of self-interest coincide with higher norms; at other times, it is necessary to examine whether self-interest requires a humanitarian engagement. From the perspective of conflict management, this poses two critical challenges.

The issue is not choosing between vision and reality, between humanitarianism and realism. Policies based on narrow self-interest are costly in terms of the conflicts that result and the humanitarian expenditures that follow in spite of a commitment to hard-headed Realpolitik. Further, a policy that may lead to shame is not realistic. On the other hand, an idealism that fails to take account of the interests of states is a recipe for future failure. Policies must be based on humanitarian realism. The recommendations offered below are based on the premise that it is a contractual obligation as well as in the self-interest of states and international organizations to apply the norms to which they formally subscribe.

The second task is to translate this most general philosophical approach into policy. This is a challenge for all concerned with public policy. In part, this requires establishing structures that include or otherwise take into account the stakeholders in a given conflict. It also means developing policy approaches and procedures which ensure that the stakes held are compatible with a rational order of justice and peace. Some guidelines that embody the principles of humanitarian realism can be derived from the Rwanda case.

The following recommendations are addressed to states as well as international organizations. In a world of competitive nation-states, states hold the major keys to power, both in their capacity as individual actors and as members of international organizations. By comparison, the latter are weak in many respects. Indeed, if the present case study is any indication, international organizations as presently constituted – both at the UN and at the regional level – seem unable to deal effectively with violent political crises. While recognizing these structural restraints, it is also important to identify desirable reforms.

## **B. Policy approaches to conflict management**

### **Principled coherence**

The Rwanda case demonstrated the need for greater policy coherence, but equally the need for principled coherence. With respect to the latter, at least two major standards of international conduct were violated at various times: the sanctity of borders and the rights of refugees.

*1. a) Invasions across borders must be taken seriously by the international community, initially at the sub-regional and regional level, to defuse and contain the resulting conflict.*

*b) Recognizing that festering refugee problems often produce new cycles of conflict, the international community must support states most directly concerned to ensure that refugees are not left in limbo, but within a reasonable time obtain secure membership in a state. Given that solutions to refugee problems typically involve a choice between inadequate alternatives, the least inadequate one in many situations will entail induced or "humane" repatriation.*

There was a tendency to isolate human rights monitoring into the role of a moral watchdog rather than to integrate it in anticipating and developing strategic responses to the crisis. At the same time, organizations involved in economic development did not incorporate human rights as a specific dimension of development. Peacekeeping operations did not acquire a human rights component until after the crisis had erupted.

*2. Human rights monitoring must be integrated with related economic development planning, diplomacy and peacekeeping operations, as well as humanitarian policies to aid refugees and displaced persons. A coherent approach must be developed in the work of the United Nations, as well as bilateral donors, and exemplified in coherent plans of action to avoid duplication.*

### **Targeting**

While all conflicts are important, in a world of limited resources and attention span, greater efforts must be made to set priorities for purposes of early warning and conflict management. While prioritizing among crises involves difficult trade-offs, similar rankings are made, for instance, by legal scholars who seek to identify the most basic human rights in international law.

*3. States that promote human rights in their foreign policies, the UN Commission on Human Rights and the High Commissioner for Human Rights should develop a capacity to relate human rights violations to a dynamic analysis of the social forces that produced them, and strengthen procedures to flag crisis areas in terms of severity and urgency. Procedures must be improved to investigate such situations and ensure that the results are put before the relevant decision-makers.*

*4. Special efforts must be made to act on crimes against humanity. The international community should remain on constant alert against perpetrators, with a need to determine the crises that are both most urgent and amenable to corrective intervention.*

### **Delegating**

It will be recalled that the failure of the international community to mitigate the genocide in Rwanda was neither a function of lack of early warning information, nor of malevolence, but essentially of neglect. The case points to the inability of the UN, with its fragile structure and economic base, to respond adequately in a world of multiple, simultaneous crises. Without a division of labor among international organizations and state actors, the UN becomes easily overburdened and rhetorical formalism develops.

In Rwanda, abstract principles were recorded in resolutions, but policy followed the interests – or disinterest – of the major powers on the Security Council. By contrast, the regional organizations and states, who were the most immediate stakeholders in both peace and war in the Great Lakes

region, were active during the mediation phase, but were not given the wherewithal to participate effectively in the monitoring and peacekeeping phase.

*5. In the developing relationship between the UN and regional bodies in matters of preventive diplomacy and peacekeeping, regional bodies and parties most concerned should be given a greater role and greater capacity to deal with local conflicts. Current plans for strengthening OAU's peacekeeping functions with the support of the UN should be accelerated.*

*° A system of resource reallocation should take into consideration that most of the world's conflicts occur in regions where the neighboring states and regional organizations have the fewest resources to deal with them.*

*° The UN should remain the body that sanctions action, sets parameters and monitors implementation of forceful intervention and, where needed, helps finance and provision such actions, but should be the body of last resort in the implementation of enforcement action.*

*° Regional participation in preventive diplomacy should be carried over into peacekeeping so as to ensure continuity between mediation and implementation.*

### **Timing**

The process of establishing and deploying UN forces in Rwanda was slow and inadequate relative to the task at hand, though reasonably quick according to "normal" procedures for UN peacekeeping. The consequences in terms of lives lost were significant, possibly enormous.

*6. The international community must increase its capacity for rapid response, as exemplified in several current proposals for a rapid deployment force. The UN should undertake a comprehensive review of procedures to enhance rapid response, including budget procedures. Existing plans to strengthen rapid response by African peacekeeping forces should be carried forward.*

### **Conditionality**

Policy conditionality in Rwanda entailed several dilemmas. Attaching human rights conditions to development aid required early action before conditions developed into a crisis where development aid became irrelevant. Yet the nature of the conflict in its earlier stage was difficult to discern and did not raise sufficient alarm. The relationship among different kinds of conditionality was another problem. Conditionality on economic restructuring exacerbated social tensions and undermined efforts to improve human rights through political conditionality.

*7. A more general concept of "conflict conditionality" should be considered, where different kinds of conditionality (economic, political, human rights) are treated flexibly in terms of their likely contribution to, or impact on, violent social conflict. Policy should be informed by systematic studies of past cases regarding the timing, nature and effect of such conditionality.*

### **Preparedness**

An underlying philosophy and policy guidelines are mere abstractions unless the tools are in place to respond to a crisis. Effective crisis management requires preparedness that permits a proactive stance.

*8. The UN and the states that assume multilateralism as an integral part of their foreign policy must develop systems of planning and response to humanitarian crises that go well beyond the ability to deploy troops with speed, but must include planning, strategies and the preparation for deploying the wide array of personnel required for such emergencies.*

### C. Early warning

Early warning was less critical in the Rwanda crisis than the willingness and ability to respond. Nevertheless, the failure to respond adequately was in part influenced by the failure to collect and analyze the data that was available and to translate this information into strategic plans. Information and analysis is critical, not only in assisting in anticipating a crisis, but in determining the appropriate response in a particular situation.

As many UN resolutions have reiterated, there is a need to develop an early warning system within the UN. A number of developments are under way. However, such an EW system must go beyond simply developing a network or building on the new enchantment with data-based systems and formal modelling for anticipating crises. Neither technique would have been adequate in the Rwanda case. The UN and regional organizations must develop, both at headquarters and in the field, a high-level capability for collecting and analyzing information in a particular crisis area and translating this information into strategic alternatives. Further, the head of this early warning analytic system must have direct and regular access to the chief executive.

The UN neither has the capacity nor the need to build such an early warning system on its own. The organization needs to build on area expertise inside and outside the relevant regions – in the Rwanda case, the Great Lakes Region of Africa – utilizing information officers to coordinate a world network of specialists in various state agencies, academic institutions, rights monitoring groups, etc.

The following characteristics of an ideal early warning system would have been extremely helpful if even approximated in the Rwanda case: a) the presence of specialized units in the field, in regional institutions (i.e. the OAU conflict resolution unit) and within the UN system, without any operational responsibilities, but with responsibility for collecting and analyzing information and translating it into strategic options; b) the backstopping of that unit with a network of experts, many of whom are in academia, electronically linked to participate in the provision of information and analyses; c) the institutional assignment of lead responsibility for regions to ensure that even states considered peripheral in the international system are not ignored, lest other Rwandas fall into the cracks of an intelligence analysis system; d) fitting human rights monitoring within a larger information and analytic structure that can process the information in terms of complex social conflict (not currently undertaken by human rights organizations) and communicate the analysis to the policy planning levels; e) the development within the human rights monitors and any early warning system of a method of prioritizing and flagging in order to bring significant attention and resources to important cases; f) linking early warning with contingency preparedness, since even under the best circumstances it is impossible to pinpoint specific future outcomes of a complex social conflict, and since the absence of any contingency planning will limit what will be heard.

*9. The UN should be at the center of the development of a network of experts focused on different geographical areas for collecting and analyzing information and developing strategic alternatives to guide preventive diplomacy and peacekeeping operations. A specialized unit without any operational responsibilities, preferably building on an existing UN structure, should be designated to collect and analyze information available in the international system and translate that into strategic options. The head of such a unit should have access to the highest levels of decision-making within the UN and in the various parts of the network. As participants in this system, regional organizations should develop specialized area early warning systems.*

These early warning networks would help relieve what seems to be an over-reliance on media sources of information. The inadequate media coverage of the genocide in Rwanda is a separate and serious matter of concern.

*10. The media should retrospectively examine their coverage of Rwanda to explain and*

*draw lessons from both the overall failure to report early and accurately on the unfolding events, and on the excellent exceptions.*

## **D. The Parties**

In addition to the above general recommendations, more specific recommendations emerging from this study are addressed to various actors concerned with complex humanitarian emergencies.

The refugee issue was central to the Rwanda crisis and remained a critical factor to later developments. To deal effectively with the refugee issue before the 1990 invasion, UNHCR would have needed: i) a plan of action to settle the problems within a reasonable time-frame, and ii) support from states and financial institutions with leverage that could be brought to bear on the situation.

*11. a) In areas of unresolved refugee issues, the underlying political dimensions must be recognized and dealt with through strategic plans of action. UNHCR should take the lead in drawing up action plans with specific time lines for implementation, recognizing that in every case optimal justice is a chimera, and choices will have to be made between lesser evils.*

*b) Armed refugees must be separated from civilian refugees and dealt with as a political issue in accordance with international law. Host states have an obligation to cooperate with the UN agencies concerned to provide security for refugees and must be held accountable. Given the relative success of the UNHCR-initiated Zairian Camp Security Operation (ZCSO) in 1995, the arrangement may serve as a model in similar situations elsewhere.*

A central problem that was evident in Rwanda concerns the fundamental issue of the effect of a system of condemnation without any penalties. This reinforces a sense of impunity on those who violate the human rights of others.

*12. The present nascent legal system for investigating and prosecuting crimes against humanity must be developed from one rooted in specific crises. Support should be given to current efforts in the UN system to develop a standing system of investigation, prosecution and punishment for those engaged in such crimes.*

Outside arms suppliers contributed to and exacerbated the conflict in Rwanda in violation of the Arusha Accords and the spirit, if not the text, of the UN arms embargo.

*13. Breaches of arms embargoes established by treaties or instituted by the UN should be investigated, and member nations breaking such agreements should be penalized.*

The Rwanda case demonstrated the need for authoritative determination of genocide while it is in progress. A non-state body should hold hearings to determine whether violations of human rights and humanitarian law constitute genocide and permit corrective actions according to the 1948 Convention. Since time is typically of the essence in such cases, a system of rapid determination as well as rapid police action is needed.

*14. The World Court or another independent international tribunal should be assigned the task of holding emergency hearings in order to determine whether a prima facie case of genocide is under way, thus justifying international intervention.*

Questions were raised about the absence of a professional ethos in the UN Secretariat, particularly in the DPKO, where analysis and options in a critical phase were based less on the dictates of the information and an analysis of options for action than on the willingness or, more correctly,

unwillingness of Great Powers to endorse such actions. The weakness of the international civil service in this respect is related not only to the recruiting and promotion system, but also to the insecure financial base of UN peacekeeping. Peacekeeping has long been a deficit operation and subject to prolonged struggles for states to pay up. By being assessed a stiff 31% of all operations, the United States has a disproportionate influence in peacekeeping matters.<sup>1</sup>

*15. Attention should be given to promote conditions conducive to greater professionalism in the UN Secretariat. Officials should be trained as international civil servants and assessed in terms of such professionalism.*

The issue of UNAMIR's mandate prior to April has been exaggerated. Far more important were the rules of engagement and the narrow strictures within which the force was ordered to operate. Nevertheless, the dichotomy between Chapter VI and VII operations sows confusion because it conceals a range of actions that are neither pure peacekeeping (VI) nor classical enforcement \_against an aggressor (VII). Colloquially identified as Chapter six-and-a half actions, these include a variety of circumstances and responses that need to be specified separately. Doctrine needs to be developed for their utilization instead of relying on ad hoc innovation.

*16. The UN, particularly DPKO, should encourage the development of doctrinal clarity by elaborating standard operating procedures for peacekeeping actions that are neither classical Chapter VI nor Chapter VII.*

Sound principles warn against micro-managing a military or political operation in the field. In the Rwanda case, the peacekeeping mission operated within much too narrow limits of discretionary power. The Force Commander and the SRSG required authorization from Headquarters for even petty financial matters, let alone more substantial issues. The strictures against micro-management are even more pertinent when the chief executive carries ultimate responsibility for responding to a number of crises at the same time.

*17. Field officers, both political and military, must be given terms of engagement sufficiently broad to permit them to respond to changing circumstances with innovation and dispatch. Greater budgetary autonomy and sufficient field staff are also necessary to strengthen an effective field presence.*

The UN failed to build on the lessons of the old world disorder and the need to identify the perpetrators of violence in order to confront them with diplomatic isolation and sufficient military force to act as a deterrent.

*18. The UN should review the doctrine of neutrality to clarify its meaning and the range of situations where it is appropriate and where its invocation is inappropriate.*

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<sup>1</sup> The US Congress passed legislation in 1993 to reduce the US share of the peacekeeping budget to 25%, to be effective as of 1 October 1995.

## Endnotes

1. The terms of reference asked us to examine issues of early warning and conflict management. Events that took place in Rwanda in 1994 are referred to as an “emergency”, as “the Rwanda experience”, and as a “conflict”. Not once is the term “genocide” used. (Emergency-Prevention and Conflict-Management Efforts, Terms of Reference for Study II, January 1994.) “Emergency” and “experience” are euphemisms to refer to what happened. “Conflict” is partly misleading because it implies that two sides are fighting one another, which covers the civil war in Rwanda but not the genocide.

2. An alternative view of early warning is rooted in a single standard of morality that requires a decisive response when a certain threshold is crossed. The purpose of early warning is simply to identify the crossing of that threshold.

3. The relevant clauses of the Genocide Convention are Art. II, (a) and (b): “...genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a): Killing members of the group or (b) Causing serious bodily or mental harm to members of the group.”

4. The African Charter on Human and People’s Rights (1986), Art. 12(2) states that, “Every individual shall have the right to... return to his country. This right may only be subject to restrictions, provided for by law for the protection of national security, law and order, public health and morality”. The same right is affirmed in Art. 13 of the Universal Declaration of Human Rights (1948), though not qualified as in the African Charter. (“Everyone has the right to leave any country, including his own, and to return to his country.”). The relevant clause in the International Covenant on Civil and Political Rights (1966) is similar: “No one shall be arbitrarily deprived of the right to enter his own country”. (Art. 12(4))

5. The preamble to the 1969 Convention on the Refugee Problems in Africa affirms that the signatories are “determined to discourage” refugees from using their status for subversive activities (paras. 4 & 5). Art.III deals in its entirety with “Prohibition of Subversive Activities”, prohibiting refugees from engaging in subversive activities against any member state of OAU (III.1), and requires that the host states undertake to “prohibit refugees residing in their respective territories from attacking any State Member... by use of arms, through the press, or by radio”. (III.2) To further ensure that these conditions are met, Art. II (6) advises that, “for reasons of security”, refugees shall settle “at a reasonable distance from the frontier of their country of origin”. These provisions are unique to African regional instruments of international refugee law. More generally, the Charter of the Organization of African Unity expresses “unreserved condemnation” for subversive activities on the part of neighboring states or any other state. (Art.III(5) The African Charter on Human and People’s Rights states unambiguously that, “territories of signatory states shall not be used as bases for subversive or terrorist activities” against another party. (Art.23(2)b)

6. Recent studies discussing reform of the UN relating to peacekeeping and preventive diplomacy include, The Canadian Committee for the Fiftieth Anniversary of the United Nations, Canadian Priorities for United Nations Reform: Proposals for Policy Changes by the United Nations and the Government of Canada, Ottawa: United Nations in Canada and the Canada Communications Group, 1994; Gareth Williams, (the Foreign Minister of Australia in 1993), Cooperating for Peace: The Global Agenda for the 1990s and Beyond, NSW, Australia: Allen and Unwin; Boutros Boutros-Ghali, An Agenda for Peace, UN 1992 ; cf. also Foreign Affairs, September/October 1995.

7. In recognition of the importance of these problems in Africa, the African refugee convention – unlike other instruments of international refugee law – deals at some length with the problem of refugees exercising their “right of return” by means of armed force. (See note 5).

8. The Ugandan government's position was that Rwanda first must acknowledge its fundamental responsibility for its nationals by permitting return; Uganda would then grant full settlement rights to those who nevertheless wanted to stay. This view was reiterated during discussions on the refugee issue in 1991 and during the Arusha negotiations.

9. The general principle governing host state treatment of refugees under the 1951 Convention (chapters II–IV) is to provide treatment to refugees as least as favorable as that accorded other aliens, i.e. non-discrimination, and in some areas (e.g. primary education, labor conditions) that of nationals. In matters of citizenship, the Convention encourages, but does not oblige, the host state to “make every effort to expedite naturalization proceedings”(Art.34). The OAU Convention incorporates these principles insofar as it is “the effective regional complement” to the 1951 Convention” (Art.VIII(2)).

10. The link between high-level positions in the Ugandan army (NRA) and senior positions in the RPF reflected the important role the Rwandese refugees had played in Museveni's struggle for power. RPF Commander Fred Rwigyema had been the Chief of Staff of the NRA and briefly also Deputy Minister of Defense in the National Revolutionary Council. Paul Kagame, who replaced him, rose to the ranks of Deputy Chief of Military Intelligence in the NRA. Several other senior RPF officers had served under Museveni.

11. While there are no systematic studies of the subject, observations to this effect were made by social scientists in Kampala who were close to the refugee community (August 1995 communication). The point is also made by Watson (1991) and Braeckman (1994).

12. The mistake of excluding representatives from the refugee communities was later rectified. At the Arusha talks, refugees from Burundi, Uganda, and Zaire (mainly “fifty-niners”) were present. The refugee participants were close to the RPF, which helped to select them. UNHCR covered the costs. In 1995 it proved more difficult to select refugee representatives to the inter-ministerial committee on refugees, composed of the countries concerned, UNHCR and OAU.

13. According to a Kampala-based social scientist close to the exercise, the lead question in the preliminary survey was: “Do you wish to return to Rwanda?” The typical answer was: “Who would not want to return to Rwanda?” The survey was conducted in the refugee settlements by two local employees of UNHCR. (Interview, Kampala, August 1995).

14. Museveni denied giving either military, logistic or financial support to the RPF, and charged the RPA with stealing Ugandan army equipment. He also assured the Rwandese government that the borders had been sealed, that Uganda did not provide RPF with weapons, nor would it allow them to retreat back into Uganda, and would arrest them if they returned. Cf. Briefing given by the Minister of State for Foreign and Regional Affairs, Hon. David Omara-Atubo, to Diplomatic Representatives Resident in Kampala on 4 October 1990. See also Ambassador Katena-Apuli's letter to Stephen Goose of 26 August, 1993, in which he asserts that, “On the day of the invasion, October 1990, the Uganda Government declared all Rwandese who had left NRA to attack Rwanda as Deserters under the Operational Code of Conduct. That means on conviction by a Court Martial, they would be punishable by death”. There is no evidence that any were arrested. On the contrary, RPF Commander Paul Kagame travelled often and openly to Kampala where he met with journalists, foreign supporters and diplomats throughout the war, but was never arrested (Human Rights Watch Arms Project, *Arming Rwanda: The Arms Trade and Human Rights Abuses in the Rwandan War*, Washington, January 1994, 20).

15. “The charitable view”, wrote the well-informed Africa Confidential, was that “Museveni has been unable to control his army. The cynical view is that he has been playing a double game, allowing... RPF-commander... Rwigyema to build up his expeditionary army while professing friendship with his neighbors.” (Africa Confidential, vol.31, no.20, p.2.) Close observers conclude there was significant assistance, pointing to the RPF's use of Ugandan territory and shifts of equipment from the Ugandan Army to the RPF at the time as well as later (Human Rights

Watch 1994, Prunier 1995). The Human Rights Watch report *Arming Rwanda* (1994) concluded there was “institutional complicity” based on findings that “...Uganda provided weapons, munitions and other military supplies to the RPF. These included munitions, automatic rifles, mortars, artillery and Soviet-designed Katyusha multiple rocket systems... and that Uganda allowed the rebel movement to use its territory as a sanctuary for the planning of attacks, stockpiling of weapons, raising of funds and movement of troops” (p.10).

16. See Otunnu (1995) for a long list of telling signals, also Prunier (1995). Foreign diplomats and journalists commented on the unusual movement of troops towards the Rwanda border; departing NRA members took farewell with relatives and friends; and a few days before the invasion, Maj. Gen. Rwigyema told inquisitive onlookers in Mbarara that he was taking troops to prepare for celebrations on October 9, Uganda’s Independence Day.

17. There are also reports that the invasion triggered a purge of officers in the Rwandese armed forces on 2–3 October. The officers appeared to have planned to carry out a coup in conjunction with the RPF offensive, but were caught by Habyarimana’s intelligence network. If so, Habyarimana probably had information about the planned invasion as well.

18. NMOG was headed by a Nigerian officer. The amended N’Sele Ceasefire Agreement of 12 July 1992 specified that military observers would come from Nigeria, Zimbabwe, Mali and Senegal.

19. While not a major state in Francophone Africa, Rwanda had entered that inner circle called *pays du champ* – states with which France had a special relationship. The ties had developed steadily since President Habyarimana was received at the Elysée Palace in 1975. As with other *pays du champ*, relations were managed not only or primarily through the Ministry of Foreign Affairs, but also through the Presidential Palace (the Africa unit), and aid (including military assistance) was channelled through the Ministry of Cooperation. During periods when the relationship was non-controversial and involved matters of routine, Rwandese affairs were handled largely through the Presidential palace in cooperation with the Military Mission Office in the Ministry of Cooperation (Prunier 1995).

20. Reyntjens cites AFP and Reuter dispatches in February 1993 saying a spokesman for the neutral military observers group (NMOG) accused French troops of bombarding RPF positions (Reyntjens 1994, p. 176). American aid personnel have reported that French officers were manning artillery positions (Interviews, Washington, May 1995). In a report in *Le Monde* (“L’armée française dans le piège rwandais”, 22 September 1994), Herve Gattegno cites various evidence of direct involvement, including a memorandum from the head of the military mission in Kigali recommending 21 members of the parachutist regiments for medals for bravery during the fighting in January 1991 (Reprinted in Guichaoua 1995:720-721). According to French authorities, however, the mission of the paratroopers was to evacuate French and other Europeans from Ruhengeri during the offensive, and thus within their strictly defensive role. The medals were given in appreciation of their rescue mission. As for other reports of French soldiers manning artillery positions etc., this could have referred to hands-on training sessions by DAMI personnel, some of whom were in French uniforms. Interviews, Ministry of Cooperation, Office of Military Cooperation, Paris, January 19, 1996.

21. Correspondence to the authors from the Ministry of Foreign Affairs, 14 November 1995.

22. The director at the time was M. Dijoud. Possibly the French were piqued that a high-ranking American official, Deputy Assistant Secretary Hicks, had organized a meeting between the RPF and the government of Rwanda in Harare in July. A subtle competition between Washington and Paris developed, driven on the French side by a sense that diplomatic initiatives in Central Africa properly belonged to a French sphere. In Washington, there was generally little interest in Rwanda, which gave lower-level officials greater leeway for initiatives. The only exception was the personal interest in promoting African conflict resolution and activist stance of Herman Cohen, the Assistant Secretary of State for Africa.

23. The N'Sele ceasefire agreement of 29 March 1991, Art.II(7), as amended at Gbadolite, 16 September 1991 and at Arusha, 12 July 1992.

24. A widely publicized case implicated the French government, via the bank *Crédit Lyonnais*, in helping the Rwandese government secure finances for a US\$6 million weapons purchase from Egypt. Documents in the case were originally obtained by Human Rights Watch (1994). The shipment itself was no secret. American diplomats in Kigali, for instance, were apprised of the shipment in advance via American embassy staff in Cairo. (Interviews, Washington March 1995).

25. Tanzania's brokerage became a significant budget item for the Ministry of Foreign Affairs. Tanzania's delegation, headed by an ambassador, worked practically full time on the conflict for 10 months and the hotel bill for this period in Arusha was payable in hard currency.

26. The power-sharing formula in the Arusha Accords distributed the portfolios in the transitional Council of Ministers as follows:

- The ruling MRND would retain Defense and Planning but otherwise received marginal ministries, including those for family planning and promotion of women, and *enseignement supérieur et culture*.

- RPF got the Ministry of Interior, which gave it control over local administration, the Ministry of Youth, which meant power to organize and form the next generation (and thus possibilities for establishing structures competing with MRND's educational portfolio), and the Ministry of Rehabilitation and Social Integration, which entailed control over significant resources.

- The principal opposition party, *Mouvement démocratique républicain* (MDR), got three choice portfolios in its batch of four: Prime Minister, Minister of Foreign Affairs, and Minister of Primary and Secondary Education

- The Liberal Party (PL), also in opposition, got the Ministries of Justice, Commerce and Labor – all three “heavy” portfolios;

- The opposition Social Democrats (PSD): Finance, Public Works and Agriculture.

27. This is based on the figures in the report of the UN Reconnaissance Mission to Rwanda in August 1993. If the higher figures sometimes cited of FAR having 30, 000 men and RPF 15, 000 are more accurate (see Study I), the difference in demobilization requirements becomes even greater, i.e. about 24, 000 on the government side and 9, 000 for the RPF.

28. Current definitions of preventive diplomacy have been formulated by UN Secretary-General Boutros Boutros-Ghali in his 1992 Agenda for Peace as efforts “to identify at the earliest possible stage situations that could produce conflict, and to try through diplomacy to remove the sources of danger before violence results” (para.15). During the Cold War, “preventive diplomacy” was customarily used in the sense pioneered by former UN Secretary-General Dag Hammarskjöld to mean the prevention of local conflict from developing into confrontations between superpowers.

29. Communication with the authors, 27 November 1995.

30. The letter of 22 February 1993 suggested 20–30 observers, surely a symbolic force for a 150 km long border.

31. By its own account, NMOG was much too small to carry out its mission. The head of field operations, the Nigerian Col. Ihekiré, told a UN good-will mission sent to Rwanda by the Secretary-General in early March 1993 that he needed at least 400 men to do the work effectively.

32. Report of Meeting between H.E. Dr. Salim Ahmed Salim, Secretary-General and Mr. James Jonah, UN Under Secretary-General for Political Affairs. OAU Headquarters, Addis Ababa, 25 May 1993, p.2.

33. The US, Belgium and the UK suggested to the UN Secretariat they were ready to support the

OAU on a bilateral basis. France was said not to be enthusiastic, making reference to the UN role in Rwanda. The OAU Secretariat, for its part, was sceptical. Earlier promises of bilateral assistance to NMOG and its predecessor MOT had either not been realized, or funds were tied to conditionality that prevented their disbursement. Report of Meeting, Addis Ababa 25 May 1993, op.cit.

34. Letter to Salim A. Salim dated 1 April 1994. Boutros-Ghali did not mention that, on the very same day, he had effectively upstaged his OAU counterpart by ordering his top military advisor, General Maurice Baril, to travel to Rwanda and Uganda to prepare for a UN monitoring force in the border area. The Baril mission resulted in the establishment of the United Nations Observer Mission Uganda-Rwanda (UNOMUR), as approved by the Security Council on 22 June (Res. 846(1993)). NMOG for a while limped along and monitored the cease-fire within Rwanda, and – thanks to Salim’s continuous efforts – increased its capacity slightly. It was later folded into UNAMIR, as was UNOMUR.

35. The other Rwandese operation mounted by the UN was UNOMUR, designed to monitor the supplies going to the RPF across the Rwanda-Uganda border. Also UNOMUR had a checkered efficiency record. Established by a UN resolution in June 1993, UNOMUR had only 81 military observers and lacked equipment for aerial surveillance of the 150 km long border between Rwanda and Uganda. The Security Council evidently made cost a primary consideration when deciding that UNOMUR would focus its control and verification activities on main roads and tracks (Res. 846(1993)). American military experts regarded the force as largely symbolic.

36. “The majority of the victims have been members of the minority group, the Tutsi, and they have been killed and otherwise abused for the sole reason they are Tutsi.” But the report continued, “While the casualty figures established by the Commission are significant, they may be below the threshold required to establish genocide... These technical matters aside, the tragic reality is that for the sole reason of belonging to the Tutsi group, many Rwandans are dead, have disappeared, have been seriously injured or mutilated, have been deprived of their property, or have had to flee their homes and been forced to hide or live in terror” (FIDH 1993:29).

37. “The question of Radio Mille Collines propaganda is a difficult one. There were so many genuinely silly things being said on the station, so many obvious lies, that it was hard to take it seriously. It was like relying on the National Enquirer a supermarket tabloid to determine your policy in outer space. Nevertheless, everyone listened to it, I was told by Tutsis sic, in a spirit of morbid fascination and because it had the best music selection.” (Canadian Ambassador Lucie Edwards, communication to the authors, 27 October 1995).

38. The Canadian diplomat Lucie Edwards, who was accredited as Ambassador to Rwanda in January 1994, recalls a meeting with human rights organizations exactly one year before, in which the growing human rights violations in Kigali were discussed. “They agreed it was El Salvador style death squads, supported by the youth wings of the MRND and CDR, tasked with killing the regime’s political opponents and disrupting opposition meetings. They were unanimous that the primary target was Hutu opposition figures, including human rights activists and journalists. No one mentioned systematic attacks on Tutsi. No one predicted genocide.” (Communication to the authors, 27 October 1995).

39. An official who served in the Africa bureau of the French Ministry of Foreign Affairs during the tenure of Ambassador George Martre could not recall any mention of human rights issues in the communications between Paris and Kigali. Considered a strong supporter of “the Presidential tendency”, Martre served from September 1989 until March 1993. He was replaced by Jean-Michel Marlaud, who was more attuned to multipartisme, but did not raise human rights issues because he considered the evidence too flimsy or feared it would play into the hands of the RPF. Reflecting tacit principles of division of labor during the Cold War, the United States had for some time considered Rwanda as part of a French sphere of influence in Africa. To the extent that Rwanda figured at all, US policy was to emphasize democratization and good governance as a means to deal with human rights. Both Ambassador Robert Flaten and his successor, David

Rawson, observed this priority. (Interviews Kigali and Paris, August 1995; Washington, March 1995).

40. Canadian aid to Rwanda had reached a peak of C\$22 million in 1990–91, declined to 18 million in 1991–92, and was cut by one-third to just over 11 million for 1992–93 and 1993–94. (CIDA, ODA, Country-to-Country Report, 1994, p.3). Further cuts did not occur because there was a significant shift from development to humanitarian aid.

41. Under the guidance of two “old Rwanda hands”, in the Ministry of Cooperation and its implementing agency (ADCD), Belgium had chosen Rwanda for a pilot project in Belgian foreign aid based on new guidelines. Bureaucratic incentives to maintain the aid help to explain why Minister of Cooperation André Geens strongly advocated not only renewing but actually increasing aid in late 1991, despite his admission that the government had not undertaken the expected economic and political reforms (William 1995, pp. 436-439). Another Belgian official who accompanied Geens on his tour of Rwanda in August 1991 noted that he was “very keen on aid”. (Interview, Brussels, July 1995). The French Ambassador in Kigali, George Martre, was known as an *ancien du Rwanda*. Martre was not a diplomat but came from the Ministry of Cooperation and was described by a close observer as a “projects man”. (Interview, Washington, March 1995). Martre is considered to have wielded considerable if indirect influence on French policy towards Rwanda during his tenure as ambassador (September 1989-March 1993).

42. In Canada the issue came to the forefront in early 1992. Attempts by human rights activists to portray a cut-off in Canadian aid to Rwanda as a reaction to human rights violations were in fact resented by Ottawa officials who feared this would complicate Canadian efforts to promote peace and democratization.

43. Memorandum from DHA/Geneva to DHA/New York, 19 March 1993.

44. Agnes Ntamabyaliro. Considered both corrupt and of “Hutu power” persuasion, she appeared in the self-appointed “interim government” after 6 April.

45. Even such a concrete and seemingly clear-cut issue as hate radio was too problematic for the international community to deal with. The Rwandese government had formally committed itself to abstain from “propagande radio nuisible”, as the confidential annex to the Dar-es-Salaam joint communique put it (7 March 1993). Although the vitriolic Radio Mille Collines (RTLM) clearly qualified as nuisible and attacked even members of the diplomatic corps in Kigali, there was no decision to take forceful measures to silence it. Both the French and the American Ambassadors opposed such action. Ambassador Rawson claimed that Radio Mille Collines was the best radio for information, and its euphemisms were subject to many interpretations. The idea of jamming the radio was discussed in a preliminary fashion in the US Department of Defense, but never passed “first base”, as one participant later noted. The reasons cited were many: It was illegal to interfere in the internal affairs of another state, Rwanda was not considered an enemy or even an adversary state, and jamming posed practical problems by requiring the application of sophisticated equipment from the air or a nearby base. The United States was in principle wedded to a broad view of freedom of speech. (Interviews Washington, March 1995; Kigali, August 1995).

46. Under the 1503 procedure, discussion is conducted by a small Committee of Five, and is a means to approach the government in question to deal with the situation before it is brought onto a public agenda. The confidential discussions are seen as one step in a process that – in the most severe cases – might lead to the establishment of a Special Rapporteur with a country mandate. Only on 24–25 May 1994 did the Commission call a special session and appoint a Rapporteur to investigate the genocide in Rwanda.

47. Mrs. Uwilingiyamana appeared at the 8 March meeting at the specific instructions of the Foreign Minister, Boniface Ngulinzira – who also was murdered after 6 April. Her presence before the Commission visibly angered the MRND member who remained in the delegation.

48. In 1992, the Special Rapporteur on “extrajudicial, summary or arbitrary executions” devoted 6 paragraphs to Rwanda in his report to the Commission (E/CN.4/30: 461-467). The thematic rapporteurs on torture and the Working Group on Enforced and Involuntary Disappearances included Rwanda in their general reports to the Commission in 1993.

49. The report estimated that at least 2,000 civilians have been “victims of extrajudicial, summary or arbitrary executions” in the period October 1990 to January 1993. Nor, for those who knew Rwandese history, would these figures suggest a turn for the worse: several thousand persons were victims of the 1959 “social revolution”, and thousands were killed in retaliation for the attacks in December 1963 by Tutsi guerrillas. At that time, as in 1992–93, the killings took place in the context of a war, and the victims were primarily local Tutsi who were identified as the internal enemy associated with the externally-based Tutsi rebels.

50. Diplomats from the region report having seen French officers in the Gabiro national park with interahamwe units. The latter were easily recognizable from their uniform (kanga). It was one of the “open secrets” of Kigali that the militias were training in the national parks (Interviews, Geneva, March 1995; Kigali and Dar-es-Salaam, August 1995).

51. On 10 September – the acknowledged unrealistic date for deployment stipulated in the Arusha Accords – the Security Council had not even approved the force. According to the recommended timeline of the UN Reconnaissance Mission, the military and political leaders of the mission were to be in place one week after the Security Council had given its approval (M+7). In fact, the Force Commander, General Dallaire, arrived on 22 October (M+17), while the Special Representative of the Secretary-General and head of the entire mission, J.-R. Booh-Booh, arrived on 23 November (M+38). Half of the mission staff were supposed to be in place in Kigali on M+30; in fact, it took over two months to assemble 40% of the staff. Report of the UN Reconnaissance Mission to Rwanda, New York, September 1993.

52. The French Ambassador Marlaud warned most strongly of all that delays would give the opponents of the Accords opportunities to derail the peace process.

53. The review had started out in mid-1993 on the premise that UN peacekeeping was a valuable instrument of US foreign policy, but soon took a critical course. Announced in May 1994, the Presidential Decision Directive 25 (PDD 25) held that the United States needed to apply stringent criteria of national interest before supporting UN peacekeeping operations, whether or not this involved US troops (National Security Council, *The Clinton Administration’s Policy on Reforming Multilateral Peace Operations*, Washington: May 1994). The increased activities of UN peacekeeping after the end of the Cold War had dramatically increased the assessed US contributions, from a range of US\$29–47 million in 1985–89, to a sizable US\$460.4 million in 1993, the latter figure representing an increase of 370% from the previous year. Under a new procedure laid down by PDD 25, the costs of all Chapter VII operations plus those in which US troops were involved would be charged against the Pentagon’s budget, which inclined the latter to oppose such operations (Rosner 1995:65-91).

54. At the very high end was the UNTAC operation in Cambodia, which had an international staff of 22,000, including 16,000 blue helmets, whose cost was estimated to US\$60–70 million per month (Schear 1995, UN/DPI 1994).

55. The Arusha Accords were signed on 4 August. The UN Reconnaissance Mission (DPKO/DPA/DHA) travelled in Rwanda during the last two weeks of August. Upon its return, it prepared its report, had it translated, and submitted it to the Security Council on 24 September. Authorization for deployment was received on 5 October (S/Res.872). General Dallaire arrived in Kigali with an advance party on 22 October.

56. No country came up with a unit of Armored Personnel Carriers (APCs), as UNAMIR plans approved by the Security Council called for. As a result, the DPKO had to search for left-overs

from other UN operations (and did scrounge eight APCs from Mozambique); the rest had to be obtained through civilian contracts. Since the commercial market for APCs was limited, and UNAMIR's budget at any rate was not fully approved until April 4, 1994, the force never got its armored unit. The APCs assembled from the UN operation in Mozambique rapidly broke down. As UNAMIR had no repair facilities, only one was operational by the time of the April crisis. A similar fate befell the small helicopter unit authorized by the Security Council. No country offered even half a helicopter squadron; a commercial contractor who eventually was found withdrew the machines in April when violence broke out. (Interviews, UN/DPKO, UN Permanent Missions, April, June 1995).

57. The mission had a temporary budget until the end of 1993. The first formal budget proposal was released by the Secretariat (DAM) on 3 January, 1994 (A/48/837), translated into 16 languages, passed to the Fifth Committee sub-committee dealing with budgets (Advisory Committee on Administrative and Budgetary Questions, ACABQ), which began consideration of the budget and released it on 17 March (A/48/908). On 2 April, it was formally approved by the General Assembly (A/48/828 Add.1) Member states received requests for contributions on 18 April 1994. The process has since been speeded up. Previously the Secretary-General could spend no more than US\$10 million per year without an approved budget from the General Assembly, and then only with approval of the ACABQ. Now, the Secretariat can go straight to the ACABQ for a temporary budget of US\$50 million once an operation is set up. Formal budgets are prepared for fiscal years rather than mandated periods (annual budgets for stable periods and 6-months budgets for less stable periods), which harmonize better with regular national and UN budget processes. (See A/49/375 and A/48/945, also Durch 1993, 1995).

58. Cable from Dallaire, UNAMIR\Kigali to Bari\DPKO\Nations, New York, regarding "Request for Protection for Informant", 11 January 1994. To draw attention to the cable a DPKO official put it in a file with black colour before circulating it.

59. Intelligence cables, UNAMIR to Brussels, doc. no.6-16 (1994), Alexandre Goffin, Rwanda. 7 avril: dix commandos vont mourir. Brussels, ASBL, 1995, De Morgen (Brussels), 6 November 1995.

60. In addition to continuous requests for equipment to bring the force up to authorized strength, General Dallaire twice requested reinforcements of a company of 150 men and 5 Canadian bilingual officers, first in late February after the civil violence in Kigali, and again on 13 March.

61. A DPKO official in New York noted on 22 January 1994 the arrival of a French DC-8 with 90 boxes of 60 mm mortar.

62. The Belgian Col. Luc Marchal told the BBC, and later confirmed to Le Monde (23 August 1995), that one of the French planes supposedly participating in the evacuation operation arrived at 0345 hours on 9 April with several boxes of ammunition. The boxes, about 5 tons, were unloaded and transported by FAR vehicles to the Kanombe camp where the Rwandese Presidential Guard was quartered. The French government denied this, saying that the planes carried only French military personnel and material for the evacuation (20 August 1995, reported in Le Monde, 22 August 1995).

63. Delcroix apparently was alarmed when finding that Rwanda was "awash with weapons" while UNAMIR stood powerless by. The Belgian UN commander of the Kigali sector, Col. Luc Marchal, told Reuters news agency that since the Belgian battalion's arrival three months earlier, it had confiscated only 16 weapons and just over 100 hand grenades. Marchal was unequivocal: "It is a problem with the mandate. Stopping and searching people for weapons is forbidden by New York," he said. (Reuters dispatch from Kigali, 13 March 1994).

64. The file was seen in DPA, DHA and DPKO. Senior DPKO officials discussed the cable several times, but questioned its significance and the credibility of the informant. DPKO sources later claimed that information about the January cable was shared with key members of the

Security Council. The main response of the Secretariat, however, was to rely on the diplomatic suasion of Western embassies in Kigali. Dallaire was instructed to share the information with the French, Belgian and US embassies in Kigali and request that they take it up with Habyarimana in yet another diplomatic representation. *Le VIF/L'Express* (Brussels), 11 January 1996. There the matter rested. Although the significance of the cable became clear in retrospect, senior DPKO officials later denied they had received any information suggesting a genocide was being planned. A special search of DPKO archives was undertaken but failed to unearth any evidence, officials said. As for Dallaire's request for reinforcements and a proactive mandate interpretation, the DPKO officials said such requests were not forwarded to the Security Council because the Council was expected to turn them down anyway. (Interviews, New York, April and June 1995; Kigali, August 1995).

65. Three documents deal with the mandate for UNAMIR (which in documents preceding the formal proposal to the Security Council is called a Neutral International Force (NIF)). These are the Arusha Accords (hereafter AA), the report of the UN Reconnaissance Mission, headed by the future Force Commander, and which visited the region from 19 August until 3 September 1993 (hereafter "Report"), and the Security Council resolution 846 of 5 October, 1993 (hereafter UNSC). A comparison of the three shows significant differences on key issues:

AA: "guarantee overall security of the country"((B)1), in the Report becomes "establish security zone in and around the capital city area of Kigali", and in UNSC: "contribute to the security of the city of Kigali inter alia within a weapons-secure area established by the parties in and around the city" ((3)a), i.e. a progressively weaker mandate.

AA: "assist in catering for the security of civilians" ((B)3); in the Report becomes "To monitor the civilian security situation through the verification and control of the Gendarmerie and the Communal Police". This is subsequently specified as monitoring with unarmed UN Police Observers; and in UNSC "to investigate and report on incidents regarding the activities of the gendarmerie and the police" ((3)h). Here the mandate becomes more delimited and specific, and to that extent weaker.

The Accords have two strong provisions for confiscating illegal arms: (B)4 - "Assist in the tracking of arms caches and neutralization of armed gangs throughout the country"; and (B)6 - "Assist in the recovery of all weapons distributed to, or illegally acquired by the civilians". The Report lists such activities as means of achieving the principal goals identified for NIF, notably: "Assist in tracking arms and neutralizing armed groups (with armed UN Military Forces)" and "Assist in recovering arms in the hands of civilians" with armed UN Military Forces and unarmed UN Police Observers. Significantly, the Security Council resolution has no provisions at all for confiscating illegal arms.

All three sources are similar for the other main provisions: monitor cease-fire, mine clearance, monitor demobilization (cantonment points), integration, and protection for security for humanitarian relief.

66. In Somalia, Boutros-Ghali had taken the lead in proposing a proactive and eventually Chapter VII mandate which gave the UN broad powers to confiscate weapons and enforce peace. The first debacle in Somalia occurred in early June 1993, when a UN Pakistani contingent of 23 men was lost, the death of 17 US soldiers in a related mission two weeks later jeopardized the entire operation and was widely considered as a major defeat for UN peacekeeping. In his recommendation to the Security Council on 3 March for an expanded mandate for UNOSOM, Boutros Boutros-Ghali had argued that the disarming of local factions had to be enforceable to be effective. He was backed by Res. 814, which stipulated that factions or personnel who failed to comply with the disarmament process would have their weapons and equipment confiscated. The Council also supported him on this point after the Pakistani contingent was ambushed (Res. 837 of 6 June 1993). The main difference between Res. 814 authorizing UNOSOM II and the mandate of UNAMIR was a Chapter VII provision to cover the "responsibility" of the UN force: "the consolidation, expansion, and maintenance of a secure environment throughout Somalia on an expedited basis". By contrast, UNAMIR was to "assist" local authorities, and only with respect to the security of the capital by establishing a weapons-secure area in Kigali (Makinda 1995:76-81).

67. This is the assessment of the Rwanda expert, Andr, Guichaoua, who met with a number of opposition figures on 6 April. The presence of "white" soldiers - professional, well-equipped, and with a UN badge - created a sense of security. The Prime Minister, who was assigned UN guards on the night of 6 April, had dared to be particularly outspoken. (Guichaoua, communication to the authors, 22 November 1995).

68. Trying to find out what was happening, Dallaire rushed into a meeting of the top officers on the evening of 6 April. Col. Bagosora was in charge. When Dallaire asked him to help maintain stability by recognizing the Prime Minister as the acting head of state, Bagosora put down the idea, contending she was inept and untrustworthy. By the next morning she had been killed. Dallaire also learned of the murders of 6 other moderate cabinet ministers. On the evening of 7 April, he went to the hospital to identify the bodies of the 10 Belgian soldiers.

69. Initially, the focus was on the safety of UN personnel. In a letter to the Security Council dated 8 April, the Secretary-General raised the possibility that UNAMIR might have to take main responsibility for evacuating UN civilian personnel, in which case an expanded mandate and strength would be required. A further deterioration of the situation could justify an evacuation of UNAMIR itself, and if so he was ready to make that decision. While the Secretariat and the Council were discussing these options, France, Belgium and Italy launched evacuation operations of their own, the French giving New York and the UNAMIR Force Commander 45 minutes notice before landing at Kigali airport on 9 April.

70. Smaller states on the Council complained in retrospect that the Secretariat provided insufficient information. (Interview, New York, March 1995). Also, other members complained that the Secretariat was inactive. The delegation of Ghana, which had contributed one of UNAMIR's two battalions, found that its calls to DPKO were not even returned. The informal consultations in the Council reinforce the impression of a Council ready to give the Secretariat room for initiatives, but the latter did not respond. For instance, on 12 April - or five days into the crisis - several members of the Security Council explicitly asked for the views of Force Commander and the Secretary-General by the next morning; they also sought to hear the views of major troop contributors to UNAMIR. DPKO officials briefed the Council next day, but members were still impatient and asked for specific options. When the Secretariat came back on 14 April with options, the UK and others complained about the lack of information in order to assess options. Argentina reiterated earlier demands that troop-contributing countries be consulted.

71. The Secretariat came back on 14 April with two options. Both were premised on a cease-fire, an assumption that the Security Council found unrealistic. The logic apparently was to threaten withdrawal of the entire force unless the RPF and FAR agreed to a cease-fire. That threat would hardly persuade any of the parties to stop either the war or the killings.

72. The Secretary-General's report of 20 April uses the term "widespread violence", not "genocide", but admits that "possibly...tens of thousands" had been killed (S/1994/470). The Security Council resolution (Res. 912(1994)) is mainly oriented towards the civil war, which is addressed in conventional inter-state terms. For instance, Clause 4 claims: "Obviously, a cease-fire agreement is the first step in establishing a stable and secure environment in the country, thus allowing the organized, coordinated and secure delivery of humanitarian assistance and the reactivation of the Arusha peace process." Item 6 "demands an immediate cessation of hostilities between the forces of the Government of Rwanda and the Rwandese Patriotic Front and for an end to the mindless violence and carnage which are engulfing Rwanda; Item 7 "commands the active role of the Special Representative of the Secretary-General and of the Force Commander to bring about a cease-fire and to mediate between the parties in order to bring about the earliest resolution of the Rwandese crisis." Item 8 adjusts the mandate of UNAMIR to serve as an intermediary to bring about a cease-fire.

73. Cable from Booh-Booh, UNAMIR, to Annan/Goulding, UNATIONS, New York, 8 April 1994.

74. Agence France Presse. "Un scandal dont tout le monde est responsable," *Le Monde*, 27 May 1994.

75. Commenting on the work-pace when the crisis broke, one official in the Secretariat wrote: "After April 6, UNAMIR and the DPKO desk officer were flooded with inquiries from governments, NGO's, etc. for information about their personnel in Rwanda and for possible arrangements of search-and-rescue missions which, though... important, reduced their effectiveness as the inquiries were time-consuming. The bottom line here is that there was no organizational rearrangement in the Secretariat to deal with the crisis. Those involved just worked harder and longer hours." Communication to the authors, 30 October 1995.

76. On 7 April, when the crisis broke, Boutros Boutros-Ghali was in Minsk. The next day he flew to Geneva; when the Belgians decided to pull out (12 April) he was in Bonn; when the Security Council debated what that meant for UNAMIR, he was in Madrid. With this travel schedule, it was impossible to stay on top of developments in a week of complex and fast-moving events. The essential decision-making during the first critical week fell to two high-level officials in the Secretariat, Kofi Annan and Iqbal Riza. Lacking decisive leadership from the Secretary-General, the DPKO seemed caught in a political culture that made it inappropriate to confront the Security Council and futile to present proposals it would not readily approve.

77. Letter from the Secretary-General to the President of the Security Council, 13 April 1994. The letter was not well received by the Council, where some members saw it as an attempt by Boutros-Ghali to place the responsibility for UNAMIR withdrawal squarely on the shoulders of Belgium. In a letter to the Security Council the same day, the Belgians had publicly pointed to "the chaos in Rwanda." The Belgian government concluded that it was "obvious that under these conditions the continuation of the UNAMIR operation has become pointless...and it is imperative to suspend the activities of UNAMIR forces without delay" (S/1994/430). DPKO reinforced this interpretation by telling the Security Council (13 April) that with the Belgians about to leave, the Force Commander could no longer guarantee the security of the airport or that of even his own men. DPKO did not relay to the Council the more differentiated appreciation of the situation made by the Force Commander in Kigali.

78. Invoking NATO solidarity as well, the Belgian Foreign Minister phoned his counterparts in Washington, London and Paris to plead for withdrawal. "Willy Claes panicked a bit", a Belgian official later commented. Outcries from the public and the press over the brutal murders of the Belgian soldiers had placed enormous pressure on Belgian political leaders to withdraw, similar to that faced by the Americans in Somalia half a year earlier.

79. The United States had been traumatized by the Somalia crisis, which had been imprinted on the minds of American TV-viewers by the picture of a mob dragging the body of an American soldier through the streets of Mogadishu. Although no American soldiers were in UNAMIR, the experience had given peacekeeping a bad name in the United States. Washington apparently considered total withdrawal as soon as the Belgian peacekeepers were killed. When the Belgian decision was known, the US position in the Security Council progressively favored withdrawal. In the informal consultations on 12 April, the American Ambassador expressed serious doubts about the viability of UNAMIR in the circumstances, noting that it could not carry out its original mandate and might even be a de-stabilizing factor. The next day, he suggested withdrawing, leaving only a skeletal force. On the 14th, the US claimed the Security Council needed a resolution for orderly evacuation of the force; on the 15th there was no doubt: the US delegation expressed firm opposition to keeping UNAMIR in place.

80. Reports from the informal consultations in the Security Council make no mention of such canvassing. It should be noted, however, that even Nigeria, which circulated a draft resolution to strengthen UNAMIR, did not itself volunteer troops. Although a major military power in Africa, and a contributor to other peacekeeping operations, Nigeria claimed it lacked logistics to send reinforcements. However, Nigeria had military observers in UNAMIR and made no move to withdraw them.

81. While recognizing that the Belgian departure was leaving the force quite vulnerable, General Dallaire and his deputy, the Ghanaian Brigadier-General Henry Kwami Anyidoho, were making dispositions to dig in, did not recommend withdrawal, and asked for emergency supplies to carry on. The Ghanaian battalion, considered the most professional and second in strength to the Belgian unit, was redeployed from the DMZ to Kigali to protect the airport. On 13 April, one day after Dallaire was informed by the Secretary-General's office that the Belgians were pulling out and that the Secretary-General was inclined to withdraw the entire force, UNAMIR sent DPKO a long list of requests for emergency supplies, including medicine, water, fuel and heavy machinery, plus cargo trucks and 1, 900 flak jackets. On 14 April, Dallaire noted in his log the ironic differences in perception: the Belgians were telling New York that the UNAMIR staff in the field did not realize how the situation was deteriorating by the hour; "they say we are too optimistic here."

82. Setting up an airlift capacity in Kigali, Canada was the only country to send armed forces personnel to help UNAMIR in this period.

83. Whether a larger - or only a much larger - force would have made a difference is a matter of considerable controversy and remains speculative. If the symbolic force of 540 that stayed on helped to protect thousands of civilians, the force of almost 2,000 which pulled out after the Belgians withdrew would arguably have had a somewhat greater impact. The force, however, was targeted intermittently by both side (including the militia) as well as taking indirect fire.

84. For example, outside Kigali the ICRC provided protection at the Sainte Famille and Saint Michel church precincts, the church complex Kabgayi, the stadium at Cyangugu, and the camp at Nyarushishi.

85. See Goffin, 1995, op.cit., and a series of articles in De Morgen (Brussels), November 1995.

86. The RPF maintains that the Security Council was following French interests by seeking to stop RPF advances and save the remnants of FAR behind a cease-fire line. (See RPF communique, s 10-16 April, 1994).

87. Both ICRC delegates and UNAMIR staff have commented on the apparent dynamic of killings, whereby retreating government soldiers and Hutu civilians who were fleeing the advancing RPF armies pounced on Tutsi behind the lines with extra vengeance. Close UN military observers claim that a cease-fire would have freed up government troops to rein in the militia. This line of reasoning is strongly refuted by the RPF and sympathetic NGOs (African Rights, 1995: 1068).

88. There were, of course, articles in the specialist periodicals of human rights organizations and those specializing on Africa. The only US television story on Rwanda during the period was on the mountain gorillas. The New York Times did cover the UN Security Council decision to renew UNAMIR and bring it up to full strength. Two and a half weeks later (26 January), in the same paper, a very short story appeared on the Human Rights Watch Arms Report on the French role in arming and training the Habyarimana forces. It was a month later (23 February) when Reuters reported on the assassination of Public Works Minister F,licien Gatabazi and the subsequent murder of the head of the hardline CDR Hutu party. This report implied that Gatabazi was part of the Hutu-Tutsi "tribal" killings, ignoring the fact that Gatabazi was Hutu. Le Monde did carry the Agence France Presse report on the delay in setting up the BBTG on 27 March and the potential this had for renewal of the civil war. For the reader of The New York Times, only a brief report on 13 March that the US Department of State had issued a travel alert for Rwanda provided a clue to the looming crisis.

89. Livingston and Eachus (1995).

90. Le Monde, 12 April 1994, "Le Rwanda ... feu et ... sang."

91. The Times, 8 April and The New York Times, 9 April. Four days later, however, The New York Times had a dispatch by William Schmidt quoting Colonel Alexis Kanyarengwe, the Hutu chairman of the RPF: "This is not an ethnic war. It is a war against a dictatorship." The consensus by scholars is now that the evidence points to the Presidential Guard itself as the source of the missile that shot the plane down. The Presidential Guard also killed the Premier. The Belgian UN soldiers were killed by the members of the FAR reconnaissance battalion after being told that the Belgians had shot down the President's plane.

92. The New York Times, 10 April 1994 and The Times, 11 April 1994.

93. Libération 18 May, "Rwanda: les amis, coupables de la France"; L'Humanité, 20 May, "Les responsabilités françaises dans le drame rwandais". See also Prunier, Report prepared for Study II (1995) and Verschave (1994).

94. Associated Press, 20 April 1994; Michael Binyon in The Times, 2 May.

95. The U.S. Committee for Refugees used the term "genocide" in a public appeal on 3 May 1994, the (French) M,decins sans fronti...res did so on 15 May.

96. After travelling to Kigali in mid-May, Ayala recommended that the Commission appoint a Special Rapporteur for Rwanda, to be fully supported by a field operation (E/CN.4/S-3/3, 19 May 1994).

97. In Johannesburg for Nelson Mandela's inauguration, Salim A. Salim met on 9 May with several African heads of state to discuss troop and other contributions to Rwanda. All (Mugabe, Rawlings, Abacha, Zenawi, Chiluba, Mandela, Nujoma) expressed their support. The next day Salim met with Boutros-Ghali and told him he had firm offers: "The issue of troops is settled." (Interview, Copenhagen, 15 November 1995).

98. In a letter of 30 April (S/PRST/1994/21) and a resolution of 17 May (918(1994)), the Security Council "recalls that the killing of members of an ethnic group with the intention of destroying such a group in whole or in part constitutes a crime punishable under international law."

99. During the second half of May, the Secretary-General sent a high-level mission led by his chief military advisor, General Maurice Baril, to Rwanda to prepare an assessment

100. The US delegation to the UN was instructed to use the term "acts of genocide" so as to downplay the relevance of the 1948 Genocide Convention and associated obligations. The term was adopted by the Security Council in its implementing resolution for UNAMIR ("acts of genocide have occurred", Res.925/1994, 8 June 1994). Initially, Council resolutions and statements avoided the question of whether or not genocide had occurred in Rwanda (see e.g. S/PRST/1994/21, 30 April and Res. 918/1994, 17 May) by using the conditional form. The Secretary-General declared on 31 May that there had been genocide in Rwanda (S/1994/640). The Special Rapporteur for Rwanda appointed by the UN Commission on Human Rights likewise did so in his report of 28 June (E/CN.4/1995).

101. Communication, British Foreign Office, United Nations Department, 7 July 1995.

102. M,decins sans fronti...res claims Jupp, made his statement because MSF the previous day had appeared on French television, calling the killings genocide and criticizing the French government. (Interview, Washington, March 1995).

103. For UNAMIR II, the Belgian government outfitted one Malawi company consisting of 135 men. With training, paperwork and transfer of equipment, the process took one month, which the Belgians prided themselves on as being efficient.

104. Only one Congressman was recorded in May as arguing that it was in the enlightened self-

interest of the US to stop genocide wherever it occurred (Hearings, 5 May). Even a significant refugee outflow (200,000) in late May did not lead to the conclusion that by reducing violence within Rwanda, refugee outflows would probably also be reduced, hence touching more directly on US interests. The point was demonstrated only after Goma (mid-July), when the United States responded with a major and costly humanitarian relief operation.

105. United Nations Peace-keeping, UN/DPI, December 1994.

106. This was the proposed American strategy of "outside-in", designed to reduce the chance of military encounter with either of the combatants. The original proposal of the DPKO, by contrast, was an "inside-out" move whereby UNAMIR II units would fly in to Kigali and fan out from the capital. In the end, a combination of the two strategies were adopted. S/1994/565, 13 May, 1994 and The New York Times, 14 May 1994.

107. According to the US Ambassador to the UN, Madeleine Albright, the RPF called her on 4 May and said they did not want UN forces in Rwanda (Statement to the Congress, House Appropriations Committee, 5 May 1994). On the eve of the 17 May resolution authorizing UNAMIR II, both Rwandese parties said they would accept a new UN force if it was only for humanitarian purposes, but RPF warned that it would attack UN forces if they came between its own units and the government troops (NET 18 May 1994). Towards the end of May, when the Security Council went an extra round to give a second authorization to UNAMIR II, the RPF reiterated that it would cooperate with UNAMIR II if it had exclusively humanitarian functions, but was adamant they would have nothing to do with the UN mission if the latter talked to the "interim government" (NET 25 May, 1994.)

108. On 25 July UNAMIR's troop strength was still around 500 - i.e. unchanged since the scaling down decided on 21 April.

109. On 30 April, the Security Council requested that Boutros-Ghali consult with OAU for troop contributions to UNAMIR II. The same day, Boutros-Ghali discussed the matter with the OAU Chairman, President Mubarak, and approached his OAU counterpart, Salim A. Salim, as well as leaders of African states who previously had contributed troops to UN peacekeeping operations. (S/1994/530, 3 May 1994).

110. In the words of General Lafourcade, the Force Commander, the operation "tait une intervention militaire ... but humanitaire et non une simple mission d'aide humanitaire. La mise en oeuvre de moyens militaires avait pour but d'arrêter les massacres et de créer les conditions de sécurité, permettant l'exercice de l'action humanitaire internationale." "L'Opération Turquoise au Rwanda", speech, Geneva, 29 February 1995 (Document/DAM, Paris).

111. By this time, the Secretary-General had firm troop offers from 8 African countries, totalling 5 battalions and 4 companies, and a modest equipment list from 4 Western states, totalling 2 aircraft, 50 trucks and 50 APCs (S/1994/728, 20 June 1994).

112. A small contingent of 500 African troops, mainly from Senegal, was added to the French core unit (2,500 men) largely to ward off criticism that this was a French rather than a multinational intervention.

113. The human rights organization, African Rights, estimated that 85-90% of the Tutsi in the prefecture of Cyangugu had been murdered by the time the French arrived (African Rights, 1995: 455).

114. According to Prunier, who was a participant-observer in the process, confusion rather than a clear strategy marked the preparation of the campaign. The Ministry of Defense at first considered moving into the north-west, Ruhengeri and Gisenyi, but was informed that this would appear as collusion with the government forces since the area was the stronghold of the old regime. As a

result, the planning shifted to focus on the south-west, also because it was believed that surviving Tutsi might be trapped in this area and thus enable Op,ration Turquoise to fulfill its humanitarian objectives (Prunier 1995).

115. "Op,ration Turquoise. Rwanda. June 22-August 11, 1994". Official briefing note. Mimeo.

116. Col. Didier Thibaut told Reuters on 5 July that the head of the southern command, Col. Jacques Rosier, had given him orders to stop the rebels if they tried capturing Gikongoro or going beyond. A statement from the French Ministry of Foreign Affairs on 5 July affirmed that French units would stop RPF rebels from entering the zone in order to protect the refugees (Financial Times, 6 July, 1994).

117. Force Commander General Lfourcade emphasized that his men were not wearing helmets or flak jackets - in contrast to UNAMIR (Connaughton 1995). In part, this reflected a relatively more friendly environment.

118. "Op,ration Turquoise. Rwanda. June 22-August 11, 1994". Official briefing note. Mimeo

119. UNHCR SitReps for August 1994. Some of these soldiers could have retreated before the French entered on 23 June, but this is unlikely since the war was then being fought in the east (causing an exodus into Tanzania by late May). The next major refugee flows occurred in mid-July, both in the north into Goma and the south-west into Bukavu. On 19 July, UNHCR reported that about 100,000 had arrived (UNHCR SitRep, 20 July 1994). By that time, the French zone had been in existence for over two weeks.

120. Col. Musonera, Bukavu, in interview with human rights investigators. Human Rights Watch Arms Project, Rwanda/Zaire. Rearing with Impunity. May 1995, vol.7. no.4. p.3.

121. A UN official who coordinated relief in Ngara described a typical tactic as follows: commune - level officials would provoke unrest or riots in the camps; UN and NGO personnel would be faced with an unmanageable situation; the same persons would approach them and offer to help control the population. Having no ready alternative, the agencies would agree and hence treat them as camp leaders for purposes of distribution and maintaining order.

122. In November 1994, UN/DPKO had proposed a variation on the ZCSC in the form of an International Police/Military Observer Group, where Zairian troops would serve under an international military/police supervisory unit. The Zairian government, however, refused to place its troops under the authority of officers from another state. Zaire did not object to the DPKO proposals to send a peacekeeping force to the camps on its territory.

123. Simultaneously, UNHCR launched an appeal to donors asking for pledges to finance the operation, and for personnel to form the international civilian contingent, the Camps Security Liaison Group (CLSG). The Dutch government responded quickly with an offer of 16 policemen; other European and four West African countries followed suit to provide a total of 45. UNHCR assigned a senior official and five support staff to the task, among other things, of training the new camp police in refugee law and doctrine. The operation was first planned for five months, but was later extended to the end of 1995.

124. By the first week of June, small arms had been seized, including 23 rifles or pistols, 30 grenades, four mines and a variety of ammunition.

125. Detailed evidence is provided by Human Rights Watch Arms Project, Rwanda/Zaire, vol.7.no.2, New York: May 1995, and Amnesty International, Rwanda. Arming the perpetrators of the genocide. London: 13 June 1995.

126. Interviews, Paris, January 1996. In a brief statement commenting on the allegations of French violations of the UN arms embargo made by the Human Rights Watch Arms Reports of

May 1995, a spokesman of the Ministry of Foreign Affairs said: "We categorically deny the allegations on this subject contained in the report." *Porte-parole adjoint du Minist...re des Affaires Etrang...res*, 30 May 1995.

127. Report on visit to the military cooperation mission in Paris, 9-13 May 1994 from Lt. Col. Ephrem Rwabalinda, to the minister of Defense. Gitarama, 16 May 1994. The document was obtained by the Belgian journalist Colette Braeckman and is reprinted in *Dossier noirs de la politique africaine de la France*, no. 1.5, Paris: Survie-L'Harmattan, 1996, pp. 23-26.

128. This interpretation of what occurred at Kibeho is derived from interviews with government and UN officials, and documents prepared prior to the incident, such as: the "Integrated Task Force, Briefing Note, 6 March 1995," the "Strategy for the Southern IDP Camps, 5 April 1995," "The Integrated Humanitarian Response, Concept Paper, DHA," "Appeal for Rwanda 1994 Review," Rwanda Humanitarian Situation Reports and assorted letters and cables. Further, a number of retrospective studies on Kibeho were extremely helpful including: the "Preliminary Report on the April 1995 Closure of IDP Camps and the Integrated Humanitarian Response" by UNREO, the "Report of the Independent International Commission of Inquiry on the Events in Kibeho, April 1995," and Randolph Kent's unpublished manuscript, "The Integrated Operations Centre in Rwanda: Coping with Complexity," 1995.

129. On the basis of food distribution figures, the estimates in November yielded a figure of 350,000. Using health and medical figures, the estimate was 280,000. Given the daily flow in and out of the camps, and the estimated 80,000 who had returned to their home communes, in mid-April, the camp population of the remaining 9 of the 33 original camps was estimated to range between 180,000 and 250,000, with greater verity attached to the lower figure. Almost half, up to 120,000, were in Kibeho.

130. Paul Kagame, Vice-President and Minister of Defense, who was viewed as the hero responsible for the defeat of the former government and as the real power in the existing government, initially set 30 November as the deadline for camp closure. He was also the one who took responsibility for the use of force on 18-22 April 1995.

131. The UN agencies operating in Rwanda included FAO, UNDP, UNHCR, UNICEF, UNIFEM, UNESCO, UNV, WFP, WHO and DHA's field team for coordination, the United Nations Emergency Relief Operation (UNREO). As of November 1994, 114 international and 20 Rwandese NGOs were operating in the country. "From the outset of the April-July events, the international community has been particularly preoccupied by the fate of the displaced populations in Rwanda... During the latter part of 1994, the displaced persons throughout Rwanda have been among the main beneficiaries of programmes carried out under the July-December Appeal. Parallel to the provision of relief assistance, considerable energy has been expended by the international community as well as the Government, to encourage and organise the return of the displaced to their home areas." *Appeal for Rwanda, 1994 Review*, 5.

132. The voluntary return had ground to a halt because of a combination of: the deteriorating security situation in home areas; the high numbers of arrests of returnees, including many who were widely believed to be innocent even by government officials; the consequent fears for safety if the IDPs return home; and the illegal occupation of homes in communes. The return of some people from home to camps reinforced this perception. But these factors were greatly exacerbated because of the misinformation, intimidation within camps, and killings by the agents of the former government, and the strengthened grip of hard core elements on the camp population. There was enormous and understandable concern by the government over security since the camps were believed not only to contain genocidal killers but members of the interahamwe who used the camps for recruitment and training. The government saw the camps as a potential "spearhead" for the fallen government in Zaire. Cf. *Integrated Task Force Briefing Note*, 6 March 1995.

133. There were 59 employees in the IOC, 21 full-time and 38 part-time. The task force governing the IOC consisted of the Director General of the Ministry of Rehabilitation and Social

Integration; representatives of the Ministries of Interior, Defense and Justice and from the UN Operational Agencies (UNICEF, WFP, UNDP, etc.), UN Human Rights, IOM, and senior officials of IOC. Cf. Kent, 1995.

134. The reports came from medical NGOs and MILOBs. Cf. Integrated Task Force Briefing Note, 6 March 1995.

135. The six options included three main ones: 1 - The RPA goes in alone to close the camps by force; 2 - Close camps in series beginning with Kibeho and Ngado (the largest camps) by ceasing food distribution; 3 - Camps are consolidated and voluntary return continues with the remaining population receiving basic food until a judicial system is in place. There were three others based on reorganizing the camps into more controllable units as variations of the third option: 4 - Population would be transferred to small camps in home communes (a proposal with increased logistical problems and one that did not fit government policy); 5 - Reorganize the camps by communes after closing smaller camps (chaotic and also does not meet government policy, with the additional prospect of new intimidation); 6 - Population regrouped by communes in 4 camps (same problems as above).

136. The source of the initiative and confusion over starting dates in the micro-management of the operation was an immediate precipitating cause of the disaster. A 10 April agreement between Randolph Kent, head of UNREO, and the Minister set a starting date of 18 April. The prefect of Gikongoro and the local RPA agreed that camp closures would begin 16 April without the elements agreed to between Kent and the Minister on 10 April meeting, that is, the coordination of the information plan in the communes and the camps, increased security in both places, and the presence of an enhanced justice process. On 13 April, the RPA drove people by force out of a small satellite camp, Kivu Gizza. That is when Kent sent his warning to UN headquarters, but he still believed that the situation could be retrieved and the populations returned in a peaceful and humane way. On 14 April, a UN strategy position paper was adopted, "Resettlement of Internally Displaced Persons in Rwanda," spelling out a plan insisting on no rapid closure of camps, but an intensified information campaign plus quick action to deal with security in home communes. This was read as simply another delay and unwillingness of the UN and the NGOs to go along with the government policy or the previous agreements to expedite rapid closing of the camps. Between 15-16 April, an IOC team visited Gikongoro to outline a plan of action with the prefect and army commander. On 16 April, the prefect and the IOC agreed on a new start date of 24 April, with an end date set of 13 May. The prefect agreed to telephone the RPA commander on the new agreed date. Whether the prefect failed to communicate the message, or whether the RPA just saw this as a new stall and breach of previous agreements by the UN, or whether the RPA determined to take the initiative on its own, we do not know.

137. On 14 April, Oxfam representatives reported a large influx of heavily armed RPA soldiers into the region, and predicted the massive use of force. Randolph Kent, who headed UNREO, the coordinating body of DHA in Rwanda, in a mid-April cable to headquarters warned that, "There may well be at the same time serious pressures for public condemnations of any acts that are seen as overly brutal," because "the IDP operation could put the UN in an embarrassing position, one which will necessitate the distancing of UN agencies from possibly unacceptable initiatives by the Government." The warning was given, not in order to allow the UN to take steps to prevent anything happening, but so that the UN could be prepared to explain what happened and to put it in a context for outsiders. "I hope any statement will emphasize the complexity of the situation, including the security threat posed by the present IDP camps."

138. 18 April had been set as the date for closing the camps. Agreement had been reached on most points, but a meeting had been scheduled for 10.am. on 18 April to settle the final points and commence the closing. However, the camp had been surrounded three hours earlier. Though the commencement of the RPA operation took the NGO and UN community by surprise, it was evidently no surprise to the extremists, who began leaving the camp before the cordon could be drawn around it. It is estimated that up to 20,000 of the hard-core elements had fled the camp by 16 April.

139. There have been many suggestions in the aftermath questioning the true intentions of the RPA and second guessing the plan that was developed. Alison des Forges, one of the most dedicated, knowledgeable and insightful Rwanda watchers, was in Kibeho and the three other camps from 18 to 21 April, and on 23 April. She writes: "Why did I witness (and hear similar accounts from others) of RPA soldiers driving people into the camps on the morning of 19 April - people who came from hills adjacent to the camp where they were permanent residents? Why did I witness soldiers refusing to let people leave the camps when all they wanted was to be allowed to walk home?" (Communication to the authors, 20 November 1995). Robbery (based on perceived incidents) and selective elimination of the strong, have been suggested as motives. As for the actual plan, it has been suggested that as the 24 camps were closed earlier, Kibeho should have been surrounded to prevent the extremists from consolidating in that camp. But surrounding a camp spread out over six hills would have been extremely difficult if not impossible logistically. It would be akin to setting up a closed military line around a city of 100-120,000 people. Alternatively, consolidating the camp in a closer perimeter would have produced precisely the same conditions as occurred on 18 April 1995. In fact, it is estimated that up to 20,000 extremists were able to escape from the camp before the cordon around it was tightened. Similarly, options suggesting that the police (Rwanda already had an acute shortage of police) should have been used instead of the RPA, or that UNAMIR II (it already had to cover the whole country and the border areas) should have been the military body to implement the plan fail to recognize the severity of the perceived security threat that Kibeho posed. Arguably, the geographical and human conditions were such that the options developed by the IOC were the only realistic ones. Further, if the motives of the RPA included, in fact, robbery and the murder of the strong, then organizing any co-operative plan with the RPA was a mistake in the first place.

140. "I interrogated the officer who was second in command at Kibeho and he couldn't give me the names or companies of the soldiers who had supposedly been shot." Alison des Forges, communication, 20 November 1995. The ICRC has also raised doubts about this claim.

141. "During the night of April 20, several people attacked the displaced with machetes, killing at least two and wounding another 30." New York: Human Rights Watch, Press Release, 24 April 1995.

142. The International Commission of Inquiry found that there were RPA deficiencies in communications, equipment, training, experience, and an intelligence failure in anticipating the reaction of the hard-core, but they did not add the fact that the RPA unilaterally precipitated the closure without the gradualism provided for in the original plan. There was little evidence that the NGOs overtly tried to subvert the evacuation, as the International Commission indicated. A representative of the government indicated that one person from an NGO purportedly urged the camp population not to comply with the government orders. Alison des Forges of Human Rights has questioned the claim of a lack of communication. While at Kibeho during the operation, she saw many officers chatting away on their hand-held radios.

143. The government was ridden with rivalry among the Ministry of Rehabilitation and Social Integration, the Defense Ministry and the Foreign Ministry, as well as between Kigali and Gikongoro.

144. For as long as Kibeho was perceived to be a large security threat, no one else but the RPA could have tackled it. If anyone else had, perhaps the up to 20,000 extremists who managed to escape the camp before the cordon was completed would have stayed, and there would have been a two-sided war.

145. A highly-placed MINIREISO official said that only one NGO purportedly urged the camp population not to comply with government orders. (Interview, Kigali August 1995)

# Appendix

## References

### 1. Interviews

The team leaders (Adelman and Suhrke) interviewed officials of the following organizations/agencies:

#### **United Nations/New York**

- The Secretariat, Department of Humanitarian Affairs, Department of Peace-keeping Operations, Department of Political Affairs.
- The Security Council, national delegations or observers from: the United States, France, Nigeria, New Zealand, Canada, Sweden, Norway
- UNDP, UNICEF, UNHCR

#### **United Nations/Geneva**

High Commissioner for Human Rights

Center for Human Rights

National delegations to the Commission on Human Rights from Finland and Norway

UNHCR

DHA

#### **United Nations/Kigali**

UNREO

#### **United Nations /Nairobi**

UNHCR

#### **OAU**

The Secretariat (Addis Ababa), ex-Military Observer Team in Rwanda, OAU/Kigali

#### **UNAMIR**

Former Force Commander and Deputy Force Commander

#### **Members of the diplomatic corps, Kigali 1990-94; participants/observers at Arusha from:**

Belgium, Canada, France, the United States, Tanzania, the Vatican, and the OAU

#### **EU/Commission, DG-VIII**

#### **NGOs**

M,decins sans fronti...res

Africa Watch

US Committee for Refugees

ICRC Geneva

**National actors**

The United States:

U.S. Congress, Senate Foreign Relations Committee, National Security Council, CIA,  
Department of State, Department of Defense

Canada

Department of External Affairs, CIDA

France

Ministry of Foreign Affairs

Ministry of Cooperation

Ministry of Finance

Tanzania

Ministry of Foreign Affairs

Uganda

Ministry of Foreign Affairs

Rwanda

Office of the President, Office of the Vice-President, the Ministry of Rehabilitation, the Secretariat  
of the RPF.

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