

BEYOND THE RHETORIC Continuing Human Rights Abuses in Rwanda

Table of Contents

Introduction	1
Background to the Conflict	2
The International Commission on Human Rights Abuses in Rwanda	4
New Massacres in the Northwest	5
Elsewhere in Rwanda	6
Killings in February and March	7
Abuses by the Rwandan Armed Forces	8
Living with Fear	13
The Displaced	16
Response of the Rwandan Government	17
Abuses by the Rwandan Patriotic Front	24
The International Role	27
Conclusion	28
Recommendations	29

INTRODUCTION

More than 300 Tutsi and members of political parties opposed to Rwandan President Juvenal Habyarimana were massacred in northwestern Rwanda in late January 1993 by private militia at the direction of local and central government authorities. In February and March, smaller scale attacks claimed the lives of at least thirty others. Rwandan soldiers have also attacked Tutsi and opposition party members, and, since January, have killed, beaten, detained or made to disappear hundreds of civilians.

The Rwandan government has acknowledged previous human rights violations and made extensive commitments to improvements, but it has done little to back up its words. Although thousands of civilians have been killed and other serious abuses committed since October 1990, no one has been brought to trial.

The Rwanda Patriotic Front (RPF) has also committed violations since it invaded Rwanda in October 1990. Recently, after violating a cease-fire on February 8 and

A F R I C A W A T C H

1522 K St. N. W. Suite 910, Washington, D.C. 20005-1202 United States (202) 371-6592 Fax (202) 371-0124
483 Fifth Avenue, New York, New York 10017-6104, United States (212) 972-8400 Fax (212) 972-0905 Telex: 910240 1007 FFFEXPSN NY
90 Borough High Street, London SE1 1LL, United Kingdom (071) 378-8008 Fax (071) 378-8029

resuming combat, they summarily executed eight Rwandan officials and killed at least 100 civilians. The renewed combat forced some 600,000 Rwandans to flee their homes and brought the total number of Rwandans displaced within the country to nearly one million, or about one of every seven Rwandans.

BACKGROUND TO THE CONFLICT

For centuries, Rwandan society has encompassed three groups--the Tutsi, a small elite; the Hutu, the great majority; and the Twa, a tiny minority. These groups were not tribes but part of a single nation that shared a common language and culture.

With the beginning of the colonial era in the early twentieth century, first the Germans and later the Belgians relied on the Tutsi elite to administer the country. The Europeans reserved higher education and all important positions for the Tutsi as well. The Europeans also established a system of population registration that required Rwandans to carry identity cards on which their group affiliation--Tutsi, Hutu or Twa--was indicated.

In the 1950s, Belgians began opening more educational and political doors to the Hutu. Conservative Tutsi resisted the reforms, particularly after the death in 1959 of the politically moderate king, Mutara Rudahigwa, who had been a force for stability. Politicians exploited rapidly growing tensions between the groups, and parties appealing exclusively to Hutu or Tutsi flourished to the detriment of moderate parties appealing to both groups.

In November 1959, a group of Tutsi attacked a Hutu leader, setting off a political and social revolution. In January 1961, Hutu political leaders proclaimed the end of the monarchy and the establishment of the first republic, which was granted independence in 1962. The king, Kigeri Ndahindurwa, and a number of supporters left the country, the first of many waves of Tutsi refugees to seek safety in surrounding countries.

In 1961, some of the refugees began to attack Rwanda. Over the next five years they made ten attempts to invade. Each time, Tutsi within the country suffered reprisals, some of them spontaneous, some organized by local officials. The most deadly example of such reprisals occurred after an attack on December 21, 1963, when an estimated 10,000 Tutsi were killed, about half the total number of victims between 1959 and 1966. After each incident, more Tutsi left Rwanda. In 1964, the refugees in surrounding countries were said to number about 150,000. Today, population growth plus the arrival of new waves of refugees have pushed the count to somewhere between 400,000 and 500,000.

After 1966, open violence diminished, but the government, now controlled by the Hutu, continued to discriminate against the Tutsi and continued to use the system of registration and identity cards held over from the colonial period. In 1973, violence--probably staged by the military to provide the right background for a coup d'état--again flared against the Tutsi. Habyarimana, then a military officer and Minister of Defense, carried out the coup, invoking the need to reestablish order. He proclaimed the second

republic, promising to restore national unity. Originally seen as honest and committed, he lost popularity over time as his regime became increasingly corrupt and narrowly focused on benefiting the Hutu of his own region, northwest Rwanda.

Worsening economic conditions in the late 1980s increased dissatisfaction with the Habyarimana regime. The disastrous fall in the price of coffee, Rwanda's principal export, followed by lack of rainfall and a resulting famine in the south and center of Rwanda figured among the local causes of an economic deterioration that was happening elsewhere in Africa as well. Faced with rising discontent at home and pressure from foreign donor nations, President Habyarimana agreed to political reforms, including an end to the monopoly enjoyed by his party, the *Mouvement Républicain National pour la Démocratie et le Développement* (MRND). Sixteen political parties now compete for power in Rwanda.

The process of democratic reform had just begun when the RPF--made up largely of Tutsi, with several Hutu leaders--invaded Rwanda on October 1, 1990, supposedly to force the Rwandan government to allow the refugees to return home. After some early successes, the RPF was pushed back and resorted increasingly to guerrilla tactics. With the outbreak of war, the government committed increasing numbers of human rights abuses, particularly against Tutsi who were widely accused of being "accomplices" of the RPF.

In April 1992, the MRND agreed to form a coalition government with four other major parties (*Mouvement Démocratique Républicain* [MDR], the *Parti Social Démocrate* [PSD], the *Parti Libéral* [PL] and the *Parti Démocrate Chrétien* [PDC]). Half the ministerial posts were allocated to the MRND, the other half to the other parties. Executive power was divided between the President and the Prime Minister, who is a member of the MDR, the largest of the opposition parties. The power-sharing arrangement has resulted in frequent paralysis within the government and has required lengthy negotiations to resolve important issues. The government's year-long mandate expired in April 1993 when it was renewed for three months.

At the end of July 1992, after several unsuccessful efforts to end the war, the Rwandan government and the RPF signed an agreement known as the Arusha accords, establishing a cease-fire and setting out a schedule for political negotiations. Subsequent talks resulted in several other accords, the most recent of which was concluded at Arusha on January 9, 1993. After a delegation of the Rwandan government had agreed to accept the last agreement and it had been signed by the Prime Minister, President Habyarimana objected to the specified distribution of ministerial posts and--supported by his party and its ally at the time, the *Coalition pour la Défense de la République* (CDR)--he refused to sign it. To force a reconsideration of certain parts of the accord, the MRND and CDR organized demonstrations throughout the country. In one such demonstration on January 20, 1993, MRND and CDR militia shut down the capital city of Kigali by blockading the streets and roads; they killed three persons and injured scores of others.

THE INTERNATIONAL COMMISSION ON HUMAN RIGHTS ABUSES IN RWANDA

Alarmed by the rapid increase in human rights abuses since the beginning of the war in October 1990, a coalition of Rwandan human rights associations appealed to international human rights organizations to create an international commission to investigate the situation. Africa Watch, the International Federation of Human Rights (Paris), the Inter-African Union of Human Rights (Ouagadougou) and the International Center for Human Rights and Democratic Development (Montreal) agreed to participate and named ten experts to the Commission, which was co-ordinated by the representatives from Africa Watch and the International Federation of Human Rights. The Commission published its report on March 8, 1993.¹ Among other findings it determined that:

- o The Rwandan government had killed or caused to be killed about 2,000 of its citizens from October 1990 to January 1993.
- o The majority of the victims were members of the Tutsi minority and they were killed for the sole reason that they were Tutsi. More recently, an increasing number of Hutu were targeted if they belonged to parties opposed to the President and the former single party, the MRND.
- o Authorities at the highest level, including the President of the Republic, consented to the abuses, which were carried out by dozens of civilian and military officials.
- o The Rwandan army slaughtered hundreds of civilians in the course of one military operation and, in a number of subsequent and separate cases, assassinated or summarily executed civilians singled out for murder by local authorities.
- o The Rwandan army killed soldiers of the RPF after they had surrendered and laid down their arms.
- o The President and government of Rwanda tolerated and encouraged the activities of armed militia attached to the political parties, in clear violation of Rwandan law. By late 1992, the militia had taken the lead in violence against Tutsi and members of the political opposition, thus "privatizing" violence formerly carried out by the state itself.
- o The judicial system, paralyzed by political interference, failed to provide justice to victims of human rights abuses. Although prosecutors often arrested those accused of abuses, the suspects were released quickly and never brought to trial.

Regarding the RPF, the International Commission reported that:

¹ The report of the International Commission is available in French and English from Human Rights Watch.

- o The RPF attacked civilian targets and killed and injured civilians who were clearly protected by the Geneva conventions, kidnapped and expelled civilians to Uganda and looted and destroyed the property of civilians.

The Commission also emphasized that the hundreds of thousands of people forced to flee their homes by the war live in total misery, exposed to attack both by organized military forces of both sides and by undisciplined individual soldiers.

In its recommendations, the Commission urged both the Rwandan government and the RPF to halt abuses and to bring those guilty for past violations to justice. It called upon the international community to make future aid to Rwanda conditional upon improvements in human rights, to end military aid to both parties to the war, and to use its influence to encourage the successful conclusion and implementation of peace accords.

NEW MASSACRES IN THE NORTHWEST

In northwestern Rwanda, the home region of President Habyarimana and the stronghold of the MRND and CDR parties, local officials and military have directed several vicious attacks against Tutsi since the start of the war. In late December 1992 and early January 1993, they once again instigated local residents to attack their Tutsi neighbors. Three Tutsi were killed--two women, one age 60, who were hacked to death in the commune of Gaseke, and one man who was killed in the commune of Kibilira. The attackers injured others and destroyed many homes, forcing hundreds of Tutsi to take refuge at churches or government centers. Local officials told members of the International Commission that the attacks had occurred when a communal work effort had gotten out of control. The communal work day had been called to "clear the brush" in the adjacent Gishwati forest. "Clearing the brush" had been used in previous attacks as a euphemism for killing Tutsi, who were accused of providing cover for invading soldiers of the RPF. In the December and January attacks also, workers, who were told by local officials to bring to "work" spears and machetes, used their weapons on their neighbors.

In some places, such as the commune of Kibilira, assailants for the first time broadened the target of the attack to include Hutu who were members of political parties opposed to the MRND and the CDR. None of them was killed, but dozens either were injured or lost homes.

The attacks at the end of December and in early January foreshadowed the far more serious violence to come. They were meant "to threaten the Tutsi," according to the report of a Rwandan government politico-administrative commission established to investigate the later and more deadly attacks. Members of the International Commission reached the same conclusion and reported that the burgomasters (mayors) of two of the communes in the area had said in public addresses that violence would be limited while the international experts were in the country and would flare once the Commission had

left. The Commission departed on the morning of January 21, and, as promised, the killing of Tutsi began again that same afternoon.

On January 20, MRND militia had begun demonstrating and blocking roads in the northwestern province of Gisenyi as they had in Kigali. On the afternoon of January 21, the crowds "got out of control," much as had the crowds "clearing the brush" a few weeks earlier. Spearheaded by MRND militia, they attacked several locations in the communes of Giciye and Satinsyi, including a church at Shyira in Giciye, where numerous Tutsi families had taken refuge. Eight people were killed that day at Vunga in Giciye and five more at Gitwa in Satinsyi.

In the five days that followed, attacks took place in the communes of Giciye, Satinsyi, Ramba, Kanama, Kayove, and Kibilira in Gisenyi prefecture (province) and in Rutsiro in the neighboring prefecture of Kibuye. The MRND and CDR militia led crowds numbering up to 2,000 each in attacking Tutsi in their homes and in churches and centers where they had taken refuge. In all, they killed more than 300 Tutsi.

Among the incidents from January 21-26 reported to Africa Watch and Rwandan human rights associations are the following:

- o In the commune of Kayove, assailants hacked to death the elderly parents of a priest who had sheltered Tutsi refugees at Muhororo parish in Kibilira.
- o In Gaseke, attackers massacred a family of eleven.
- o On January 25, at an MRND militia roadblock in Satinsyi, militia members stopped a public bus and required the passengers to show their identity cards. Fatuma Mukandutiye, a widow and mother of twelve, was removed from the bus and killed on the spot solely because, as her identity card revealed, she was Tutsi.
- o A crowd led by militia besieged sixty female high school students and four nuns for five days at the Muramba School. Some of the militia, who carried a portrait of President Habyarimana, twice threatened and turned away the bishop of the diocese who was seeking to rescue the women.

From January 21-23, in the neighboring prefecture of Ruhengeri, MRND and CDR adherents assaulted members of opposition parties. They killed three people and burned dozens of homes and businesses. In several cases, members of the opposition parties responded with attacks on MRND-CDR adherents and their property; they burned down several houses.

ELSEWHERE IN RWANDA

During the same days that massacres were taking place in the northwest, three persons were killed and twenty-six injured in attacks elsewhere on Tutsi and opponents of the MRND-CDR. Cases include the following:

- o In the northeastern prefecture of Byumba, one person was killed at Ngarama.
- o In the commune of Gituza, six employees of the American-funded CARE program were beaten, two severely enough to require hospitalization, because they lacked proof of membership in the MRND or the CDR and because they could not or would not reveal the whereabouts of a Tutsi employee of the program.
- o On January 24, 1993, a group of MRND militia accompanied by three uniformed soldiers attacked unarmed members of the political opposition at Gikoro commune with guns and grenades. They killed two and wounded twenty, eleven seriously.
- o On January 21 in the commune of Murambi, MRND militia members beat a number of political opponents, forcing at least ten to flee to a neighboring commune. A number of those who fled entrusted household goods to their neighbors' care; militia members then fined the neighbors for helping members of the opposition.
- o Also in Murambi during the latter part of January, MRND militia burned down the Pentecostal church and beat and harassed its members because one of them is the younger brother of Alexis Kanyarengwe, the President of the RPF.

KILLINGS IN FEBRUARY AND MARCH

In the days and weeks that followed the resumption of open warfare on February 8, Tutsi and members of the political opposition were killed as "accomplices" of the RPF.

On February 8, in the commune of Nkuli, Ruhengeri prefecture, a family of seven, including one woman and five small children, were burned to death. One family member, a woman named Liberata Baseke, escaped with her month-old infant and fled into hiding.

According to the reliable journal *Kinyamateka*, Rwandan soldiers stormed into the commune of Mbogo, just north of Kigali, on February 26. They robbed and beat Tutsi and others whom they considered supporters of the RPF. The next day, encouraged by the soldiers' example, residents of the Karehe sector² of Mbogo commune attacked the home of Antoine Kabanda and burned to death nine Tutsi, most of them children ranging in age from a few months to six years. A similar attack on March 2 at the home of Bisoma, in the Bukoro sector, killed seven Tutsi women and small children. When questioned by a journalist about his failure to intervene, the burgomaster of Mbogo replied that he could have done nothing to avert the violence. Eyewitnesses report that

²Each commune is divided into sectors, between seven and ten per commune.

members of the communal council³ and of the local cell committee⁴ from the Nyabuko sector participated in the killings.

Rwandan human rights groups have received reports, as yet unconfirmed, of additional incidents:

- o On February 18 a MRND militia killed fifteen Tutsi in the Musumba sector of Nkuli commune.
- o In Mukingo commune, persons displaced by combat killed five Tutsi.
- o In the Sasangabo cell, Nyabirehe sector of Mukingo commune, local people killed eight Tutsi, including a woman, Kabasirimu, and her four children.
- o In Manjali II cell, Rwinzovu sector, Mukingo commune, people of the area killed a young Tutsi woman and child.

ABUSES BY THE RWANDAN ARMED FORCES

On January 20, a group calling itself AMASASU (meaning bullets in Kinyarwanda) wrote to President Habyarimana predicting that the RPF would soon violate the cease-fire and resort once more to open warfare. In a letter signed with a pseudonym, the group described itself as an alliance of Rwandan soldiers determined to "detect and destroy" the politicians and others who, in their view, supported the RPF from within Rwanda. Claiming to be above the law, the group asserted that it would deliver "an exemplary lesson to these traitors from inside." It continued, "After all, we have already identified the most dangerous of them and we will strike them like lightning."

This underground and presumably unofficial group may have compiled their own list of "accomplices" or they may have been referring to an official list compiled by military in various parts of the country on orders of the general staff. On February 2, 1993, the Prime Minister wrote to the Minister of Defense criticizing the compilation of this official list and asking that the names of any "accomplices" be turned over immediately to the Ministry of Justice for investigation. He concluded by reminding the Minister of Defense that witch hunts were out of date and should be forbidden.

Since the start of the war, the military had been doing more than writing letters and making lists. As the report of the International Commission documents, they had been beating, killing and causing the disappearance of people whom they or civilian authorities perceived as enemies. With the resumption of the war on February 8, the military increased such abuses.

³Residents of each sector elect a councilor, who participates in the communal council.

⁴Each sector is divided into cells, each of which has an elected committee of five persons.

Rwandan soldiers have killed at least 147 civilians and have beaten, raped or arrested hundreds more. In Kigali, the military deliver the bodies of some of those they have killed to the morgue at the city hospital, always without any form of identification. Prisoners from Kigali Central Prison regularly bury the bodies in mass graves at the city cemetery. On February 13, prisoners buried eight such bodies, and on February 15, they buried another eleven. From February 16 to mid-March, they buried an average of four bodies a day, six days a week, according to the carefully compiled records of a Rwandan human rights association.

Cases of killings and other forms of abuse by Rwandan soldiers include the following:

- o On February 19 in Tumba, Rwandan soldiers shot and killed five young Tutsi men in front of their mothers and other witnesses:

Bonaventure Bigora;
Tito Umuto, a secondary school student;
Evariste Bizimungu;
Charles Karake;
Ephrem Twagiramungu.

- o Within the capital of Kigali, the military made dozens of arrests, often on the pretext that identity cards or residence permits were not in order. The detainees were taken to military camps, many of them never to be seen again. One such victim was a Ugandan citizen, Hayidarusi Kituku, who was arrested on February 12 because he was not carrying his residence permit. The next day his family made the rounds of all the places of detention in the city without finding him. His body was later discovered near Mount Kigali, where he had been arrested.
- o In the last week of February, Rwandan soldiers killed eight persons and severely beat sixty others in the commune of Mbogo. The dead were all Tutsi or others labeled RPF accomplices. The dead were:

Vedaste Murangwa
Claver Kirangwa
Claire Rwamwaga
Hitimana
Mafigi
Kavaruganda
Mukamugara
Gatambara⁵

- o Eyewitnesses report that soldiers killed another seven people the same week in the Rusagara sector of commune Mbogo, but the victims' names are not known

⁵ Rwandans who are Christian have and ordinarily use two (or more) names. Rwandans who are not Christian use only one name.

because they were displaced from the communes of Cyungo and Tumba. In addition, a woman named Mukagasake and her child were seriously injured and remain hospitalized at the Shyorongi health center.

- o Students from the Adventist University at Mudende, in northwestern Rwanda, were sent home for ten days following the renewal of fighting. One student, Jerome Nyagatare, made it no further than the first military barrier, where soldiers accused him of possessing a short-wave radio for communicating with the enemy. He was taken to a military camp, detained for two days and then released. Less fortunate were three other students from the same university:

Alphonse Nkunuzwanda, who had testified before the
International Commission;
P. Céléstin Palimehutu;
Emmanuel Hakizimana.

The soldiers refused to let them pass the barrier and insisted they return to the university. The next day, February 13, a group of more than ten soldiers arrived at the university, accompanied by two communal policemen from the commune of Mutura. The officer in charge of the group was the Adjutant who heads the military post at Kanyundo in Mutura. According to eyewitnesses, the soldiers took two of the students named above from an interior courtyard of the university, the third from the chapel. When the university rector visited the burgomaster the next day to inquire about the whereabouts of the students, the burgomaster denied all knowledge of the case, saying he had never ordered any police to accompany soldiers to the university. Five bodies were found in the area; three have been identified tentatively as those of the students named above.

- o In late February, soldiers arrested Claude Mutsinzi, a student at the School of Agriculture and Forestry at Kibisabo. They beat him severely and took him to the Gisenyi police post, where he was last seen alive, his chest crushed, having difficulty speaking. He has not been seen again.
- o On February 24, in the commune of Rushashi, soldiers from the Kami military camp, on orders from their sergeant, shot and killed Rugelinyange, secretary for Nyamugali commune of the MDR, an opposition party. He was killed because he was rumored to be willing to cooperate with the RPF.
- o Rwandan human rights associations report that four Tutsi men have been killed in the vicinity of the Gako military camp in the region of Bugesera because they were supposedly preparing to leave to join the RPF. Two have been identified as Nyabenda, an employee of Munyabuganza, and Anastace, an employee of Mbarute. In the same area, Fidele Dusengimana, Gaspard Butera and Alexis Karemera all report that they were beaten and threatened with death by soldiers, including the Adjutant Karekezi.

- o On March 9, at 1:45 p.m., two soldiers apparently from the Presidential Guard beat and strangled to death Siméon Mutarambirwa in front of the Kigali Post Office. They verified his identity before assaulting him in front of dozens of witnesses. After the assault, they walked away and left him to die on the sidewalk. Mutarambirwa had apparently been accused of making remarks about the number of Rwandan soldiers killed at the battlefield in recent days.
- o On February 24, soldiers beat and robbed Anastase Kanyarufunzo, president of the MDR for sector Rutendeli in commune Tare. He escaped as soldiers were taking him to their military barrier, where he expected them to kill him.
- o On February 4, twelve persons were arrested by soldiers at Gitarama, in central Rwanda, and taken to the local military camp where they were savagely beaten. They were:

Cyriaque Munigantama
 Ngendahimana
 Cyriaque Rugogwe
 Rurangwa
 Kananura
 Eric Mpunga
 Muhamazi
 Emmanuel Niyonshuti
 Mutanguha
 Eric Ndizihiwe
 Maboneza
 Kalibuni

- o Seventeen others were arrested by members of the national police force, a division of the military, at Gisenyi, a town in northwestern Rwanda and detained at the police brigade, rather than at prison, in violation of Rwandan law. When an official of the Gisenyi court inquired about their arrests, he was told that the matter did not concern him because it had to do with national security. The seventeen were:

Epiphanie Mukashema
 Hakizamungu
 Ndabamenye
 Mbungo
 Modeste Tabaro
 Kagabo
 Fidele Ntabyera
 Kalikumutima
 Modeste Segikwiye
 Bazitorera
 Emmanuel "Dindon" Nzamurambaho
 Shan

Ignace Burangayija
Karekezi
Innocent Nkungu
Ruvuzacyuma
Willy Habimana

Both groups of detainees were released after intervention by Rwandan human rights associations.

- o On February 25, soldiers arrested two young men, Phocas Mukarwa and Benjamin Senturo, after they made critical comments about the MRND-CDR opposition to the Arusha accords. They were detained without charge at Kami and Kigali military camps until efforts by the Rwandan human rights associations succeeded in securing their release.
- o On May 18 and 19, two groups of men were delivered to the Kigali Public Prosecutor on charges of being members of or accomplices of the RPF. All had been detained in military camps for periods ranging up to five and a half months before being placed in the hands of the appropriate judicial authorities. Among those delivered were:

Ndizeye
Innocent Dusengimana
Jean Ntedeshya
Emmanuel Seburenganzira
Samuel Sikubwabo
Mutebi Sudi (a Ugandan citizen)
Vianney Mureramanzi
Vincent Gasasira
Hakizimana

Rwandan soldiers frequently rape women, but because they are never punished for the crime, victims rarely report the attacks. Women know that to accuse soldiers is futile and may well lead to further harassment or even death. Given the prevalence of AIDS in Rwanda--an estimated 40 percent of the population of Kigali is HIV positive--rape can be the equivalent of murder. An inquiry by a Rwandan human rights group at the hospital of Rilima recently documented four rapes by soldiers. One of the victims, age 12, was attacked when gathering firewood for her family; another was pregnant as a result of the rape. In a neighboring area, two girls, 12 and 13, were raped by soldiers during February, and a 23-year-old woman was gang-raped by Rwandan soldiers.

The soldiers also loot with impunity. While Tutsi and others identified with the political opposition suffer a disproportionate share of rapes and lootings, other Rwandans are also abused by the soldiers. So serious and numerous are these instances of indiscipline that President Habyarimana himself has often reproached the military for their behavior, as, for example, in his speech to the sector commandants on March 13, 1993 at Ruhengeri, where he said:

But it is always a bitter experience for me to have to castigate certain soldiers for their behavior; they are not many, but how destructive are their actions when they abuse innocent people by pillage, rape and all kinds of vandalism.

A military officer by training, President Habyarimana understands fully the dangers of lack of discipline among the troops. He expressed the hope that a recent decision to decentralize administration and discipline to the operational sectors would improve the behavior of the soldiers and suggested even that judicial procedures should play a role in re-establishing appropriate conduct. In the two months since the speech, there has been no improvement in the conduct of the soldiers nor have any of them been brought to trial for abuses of civilians.

LIVING WITH FEAR

Tutsi and members of parties opposed to President Habyarimana's MRND live with the daily threat of death, injury, and the looting and destruction of their property. Most such abuses take place in the prefectures of Kigali, Gisenyi, Ruhengeri, Byumba, Kibuye and Kibungo. The victims include the prominent, like Emmanuel Gapyisi, head of the political commission of the MDR, the largest opposition party, and president of the party for the prefecture of Gikongoro. He was killed by a volley of bullets on May 18 as he was returning with his wife to their home in Kigali. The home in Gisenyi of Sylvestre Kamali, a former ambassador and another MDR leader, was destroyed at the end of January. The house where he was living in Kigali was invaded twice by armed militia groups, and on February 8, attempts were made to kill him and his wife. Victims also include ordinary people who seek no political role, such as Tutsi families in the communes of Mutura and Kayove who have been subjected to such frequent nightly attacks that they no longer sleep in their own houses, preferring to spend the night outside in the bush, even during the rainy season, or to seek shelter with friends.

In addition to targeting and attacking individuals in their homes, party militia--with the consent of government officials--control many roads on which they erect barriers. Passers-by are obliged to present their identity cards and political party membership cards at the barriers; those who are Tutsi or who support opposition parties are ordinarily fined or beaten and may be prevented from using the road.

The militia of the MRND and the CDR are the most aggressive of the armed youth groups, and the Tutsi and members of other parties represent by far the largest number of victims. Other parties also have militia, which have attacked the persons or property of members of the MRND and CDR. In regions where adherents of parties for and against Habyarimana are about equally balanced, militia representing the two sides have engaged in raids and counter-raids, always with the objective of forcing adherents of the other side to change political allegiance.

Recruiting Children and the Displaced

The militia have found it easy to enlist the young and the dislocated, the most vulnerable members of society, in violent activities. Reliable eyewitnesses report that the MRND and CDR recruit children as young as eight years to participate in demonstrations and fight at barricades on public roads; they are said to be paid about \$3.50 a day. In Byumba prefecture, the militia have recruited members from the many displaced persons camps in the region. The recruits have engaged in militia attacks, such as one on the U.S. funded CARE center.

Curbing the Militia

In mid-March, after the release of the International Commission report and a flurry of other domestic and foreign criticism about the attacks by militia, President Habyarimana temporarily banned demonstrations by political parties. Since then, the militia have caused no major incidents, but they remain in place and ready to move when ordered.

Bombs and Grenades

Tutsi and supporters of the political opposition suffer not just from open attacks by party militia but also from bombs and grenades planted by unidentified assailants. In a recent attack on May 3, two grenades were thrown in a bedroom window at the home of Stanislas Mbonampeka, who was Minister of Justice until December 1992 and is a member of the political opposition. One child was injured. In March, Catherine Mujawayezu, a nurse and human rights activist, was killed by a grenade thrown in her house.

According to an unconfirmed report received by Africa Watch, an explosion on February 22 damaged the Gisenyi headquarters of the CRD, a party then allied with the MRND. (The CDR split from the MRND in March.) In a confirmed incident, a house in Nyabisindu occupied by Dr. Célestin Higiho, a member of the CDR Executive Committee, was damaged by an explosion. No injuries were reported in either explosion. The cases are unusual because the targets were associated with supporters of President Habyarimana. The explosions may have been the work of opposition forces, or, as reliable press accounts have suggested, they may have been staged in order to discredit the opposition. In a second incident on February 25, only a short distance from Nyabisindu, a passing pick-up truck drove over a land mine placed by unknown sources, injuring the driver and four passengers.

On April 19 and 20 and on May 3, time bombs were set off during the day at crowded public places--the Butare market, the main post office in Kigali and the market in Gisenyi. Fourteen injuries resulted from the first and fifteen from the second explosion. In the third, one person was killed and four were wounded. The sense of insecurity that increasingly plagues Rwandans of all political persuasions is heightened by such attacks, especially when, as in these cases, the intentions and identities of the assailants are unknown.

Arming Civilians

In 1991 the Rwandan government decided to create a "self-defense" program against the RPF invasion. In a letter dated September 29, 1991, Colonel Déogratias Nsabimana, then Commandant of the Mutara sector, wrote to the Minister of Defense proposing to provide a gun for every administrative unit of ten households. For four communes in the prefecture of Byumba, he called for the following number of guns:

Commune Muvumba	350
Commune Ngarama	530
Commune Muhura	580
Commune Bwisige	300

Acknowledging that the cost to the government would be high, Col. Nsabimana proposed beginning with a trial program in the border communes of Muvumba and Ngarama and proceeding later to the interior communes. By September and October 1992, the interior communes of Kiyombe and Bwisige had armed civilians and by February 1993, the program had been extended to the commune of Mutara, where 193 guns were being provided. The 1991 proposal called for the national police to train and organize the armed civilians but suggested that soldiers might be needed to do some interim training. The latest reports to reach Africa Watch indicate that the program is still in the hands of the soldiers rather than the police. The civilians chosen to receive the weapons are all supporters of President Habyarimana and the MRND. It has also been reported that the burgomaster of Murambi commune, frequently accused of human rights violations in the past, has been providing grenades to members of the local MRND militia.

It is impossible to exaggerate the danger of providing firearms to civilians, particularly in regions where residents, either encouraged or instructed by authorities, have slaughtered their neighbors.

In addition to the weapons distributed by the government, increasing numbers of inexpensive firearms have entered into general trade, unregulated by the state. For example, a grenade at the Kigali market now costs less than \$2.00. The easy availability of firearms in a period of social dislocation and mass misery has contributed to a rise in the incidence and violence of common crime. As the number of weapons in circulation increases, hopes are dwindling that any future efforts to restrict their ownership and use will be effective.

Failure of the Judicial System

The paralysis of the judicial system, documented in the report of the International Commission, has continued unchanged since the first of the year. Perpetrators of abuses fear no punishment, and victims have no hope of justice or compensation. After the January 1993 massacres, 150 people were arrested and charged in the killings, but--as in the case of previous massacres--none has been brought to trial. A Judicial Commission

established in early February to report on the January events has yet to submit its findings.

So limited is respect for the system that crowds representing both supporters and opponents of President Habyarimana have attacked jails to free detainees on various occasions. The most recent cases occurred in the January 1993 attacks, when the MRND liberated prisoners from jails at Gisenyi and Ramba.

Symbolic of the ineffectiveness of the system has been the vacancy of its highest position, Minister of Justice, since the first of the year.

The National Radio

The International Commission documented the role of the national radio in heightening tensions between groups and political parties, particularly in the days before the Bugesera massacres in March 1992. Following the resumption of combat on February 8, 1993, false information broadcast by the national radio once again served to create a sense of panic and stir up hatreds. Among the false news it broadcast was a report that the RPF massacred 500 civilians at the Rebero camp for displaced persons. In a letter of February 20 to the Director of the office in charge of the radio, the Minister of Information demanded an explanation for the false report. The national radio also provided air time to a Dr. Mupendana, spokesman for a government-sponsored human rights group (see below), who reported that he had seen some sixty bodies of civilians killed by the RPF at Ngarama on March 26. Representatives of independent human rights associations and journalists who had been with Dr. Mupendana on the visit to Ngarama were refused radio air time to rebut his assertions.

THE DISPLACED

By the beginning of 1993, approximately 350,000 displaced Rwandans were being fed and sheltered in camps in the northern part of the country, where they live in misery, suffering from shortages of food, shelter, sanitation and medical facilities. A comparable number had taken refuge with family or friends elsewhere in Rwanda. In the week after the resumption of hostilities on February 8, the number of displaced persons escalated to nearly one million. Calculating the need for 13,000 tons of food a month, the International Committee of the Red Cross issued a warning of a major catastrophe and increased its budget for Rwanda eightfold.

A cease-fire on March 9 provided for the withdrawal of the RPF to positions held before February 8 and for the creation of a buffer zone in the territory they had acquired since that date. In principle, the agreement should have enabled people who came from the buffer zone, the majority of those most recently displaced, to return to their homes. Some of the displaced, particularly those from Ruhengeri, began going home during the day to cultivate their fields and returned to the camps at night for food and protection. The RPF and the Rwandan government, both attempting to use the issue of the displaced to extract concessions from the other side, have delayed making the security

and administrative arrangements that would allow the displaced to leave the camps definitively. However, by mid-May, the parties were reported close to an agreement.

RESPONSE OF THE RWANDAN GOVERNMENT

The January Massacres

In a speech to the nation on January 25, when the extent of the killings was already clear, President Habyarimana described the violence as a popular reaction against the Arusha accords and made no effort to condemn it. It was only on January 28, more than a week after the killings began, that he made a weak, general statement opposing violence. In a February 5 letter to the *Federation Internationale des Droits de l'Homme*, President Habyarimana argued that conflict between Hutu and Tutsi was the inevitable result of the RPF invasion: Hutu naturally saw Tutsi as enemies and would continue to do so until the war ended. In a speech to military commanders in mid-March, he went further and suggested that the RPF itself, rather than his own authorities, were to blame for the massacres. After reminding the commanders that the RPF had given the killings as one justification for violating the cease-fire on February 8, President Habyarimana declared:

It is even possible that these unfortunate and reprehensible massacres at the end of January in the north of the country were organized and made worse by those who have cynically exploited them for political ends and who have used them as a pretext to launch an attack that they had been preparing for a long time.

The Politico-Administrative Commission

At a meeting on February 3, 1993, the Rwandan Cabinet created the Politico-Administrative Commission to investigate the "recent troubles." In 1992, the Rwandan government had formed two similar commissions, one to examine military abuses in the east and another to report on communal violence in the west. The Politico-Administrative Commission, like the earlier ones, was established more to counter domestic and international criticisms than to discover and correct human rights abuses. Its members were all officials, representatives of the Ministries of Interior, Information and Justice and the Prime Minister's Office, as well as a non-participating Ministry of Defense officer, and its chair was the chief of the secret service. Both opponents and supporters of President Habyarimana were among the members. The head of the secret service, for example, was named to the commission by the Prime Minister, his direct superior, and presumably had a political interest in ferreting out information critical of the President, as well as the professional means to do so. The group did indeed amass important information but failed to establish ultimate responsibility for the killings.

According to the announcement of its formation, the Commission was to produce a prompt and *public* report of its findings. The report--marked *confidential*--was submitted to the President and Members of the Cabinet on April 3. It has not been made public, but a copy of it was transmitted to Africa Watch by a reliable source. It is

clearly a political document carefully negotiated between two factions in government rather than a serious and objective analysis of the abuses.

In the last year, the Rwandan government has formed similar commissions, one to investigate charges of human rights abuses by the military in eastern Rwanda and another to examine violence in the prefecture of Kibuye in 1992. While such efforts are commendable, they are effective only if based on extensive data and serious analysis. Like earlier commissions, the Politico-Administrative Commission produced useful information, but it stopped short of assigning ultimate responsibility for the massacres.

The Politico-Administrative Commission first established a chronology of events and then analyzed authorities' reactions to the events. According to the Commission, authorities knew in advance that large-scale demonstrations were to take place, but made no preparations for any possible disorder they might create. Once the killings began, many officials responded slowly and with indifference. Among the Commission's specific findings were the following:

- o On January 21, due to "distance and the late hour (4:00 p.m.)," the burgomaster of Giciye, Charles Bangamwabo, took no action after eight people had been killed in his commune. He did not take action either when his assistant, Mr. Kuradusenge, confiscated the vehicle of an internationally funded development project to transport killers or when Kuradusenge gave the signal to carry the attack to the adjacent commune of Satinsyi. Burgomasters are responsible for maintaining order within their communes and have communal policemen at their command. They may also request support from the prefect who can call upon the national police force that is part of the Rwandan Armed Forces.
- o The councilor who was replacing the burgomaster of Gaseke did nothing to stop killings in his commune, nor did the burgomaster of Ramba, Theogene Nzabanita, because he feared that the MRND militia would kill him in retaliation.
- o The burgomaster of Nyamutera, Leodomir Bagulijoro, confined his intervention to a telephone call to his superior.
- o The assistant prefect, Ildephonse Rukabukira, who was also a leader in the MRND, organized party demonstrations in the commune of Kibilira and ignored his administrative responsibility to keep order.
- o The prefect of Gisenyi, Joseph Habiyaambere, visited a number of trouble spots and chaired several meetings with local officials on security, but his actions did not help to restore order.
- o The burgomaster of Satinsyi and two others, Raphael Benimana of Rutsiro and J. Bosco Nizeyimana of Gatonde, acted promptly and effectively to limit loss of life and property in their communes.

- o Once units of the national police force were deployed, they managed to avert further violence in several cases, including the incident at Muramba noted above, where young women were besieged at school until police drove back their assailants. Police were also able to protect and evacuate another group of Tutsi who were being attacked by a crowd of 2,000 at the communal offices at Satinsyi.
- o In other instances, the police failed to control the crowds effectively, either because they were too few in number or were poorly trained. Those who went to the communal offices of Satinsyi were taken hostage by the MRND militia; those sent to confront a crowd of 1,000 at Gaseke killed at least two and perhaps four people in self defense; and one of those sent to Giciye was killed and another seriously wounded by the crowd.

Concerns About the Commission Report

Although a useful beginning to investigating the massacres, the report of the Commission leaves a number of issues unresolved, including the following:

- o The Commission produced a chronology that lists events in twelve communes, but its analysis of official responsibility includes just eight, omitting a discussion of the burgomasters of Kanama, Rubavu, Nyamyumba and Kayove. There is no discussion of their performance nor explanation for their omission.
- o In its list of fatalities resulting from the attacks, the Commission omits deaths in Kanama, Kayove and Mutura. In addition, the figures given for Ramba and Satinsyi, the communes having the greatest numbers of deaths, are far below those compiled by religious groups and other non-governmental organizations in the area. The death toll in the report is 202, while the number published previously by the governmental and non-governmental sources is well over 300. There is no mention of the higher figure nor explanation for the difference.
- o The Commission discovered irregularities in the dating and signing of official authorizations for the demonstrations, indicating that the documents had been created after the fact. It remarked that not all relevant local authorities had been notified in advance that demonstrations were to take place. It also noted the peculiar coincidence that all telephones in the region failed during the days of the massacres but began working again in the days just after, without any repairs having been made. The Commission fails to assign responsibility for these unusual occurrences.
- o The Commission found evidence of considerable organization behind the attacks, including that the numerous assailants in all the communes were all dressed in the same kind of camouflage and that they shared an unusually fierce resistance to authorities trying to restore order. It also detailed involvement both by officials and by high-ranking members of the MRND and its militia, and it reported testimony that the planning was done at secret meetings. Even with the information-gathering capacities of the head of the secret service at its command,

the Commission supposedly found it impossible to discover who directed the organization locally and whether it was connected to authorities at a higher level. It elected to leave these potentially explosive issues for "a well conducted judicial inquiry."

- o After demonstrating official complicity at several levels, the Commission recommended that only four state employees of relatively low status--three teachers and one burgomaster's assistant--be removed for involvement in the massacres. In contrast, for the higher ranking authorities who were implicated--the prefect, an assistant prefect (whose "duplicity" "scandalized" the Commission), three burgomasters and one substitute burgomaster--it merely sought transfers to other positions. According to the Commission, the latter were guilty only of failing to foresee the attacks and of stopping them in a timely fashion, not of the much more damning charge of involvement in the massacres. Given the scale of organization involved in the attacks, these more senior officials must have participated in the planning, but the Commission minimizes their responsibility while condemning their subordinates.
- o In attempting to trace responsibility for the smaller scale violence of late December and early January, the Commission questioned both the prefect, who denied ordering the "clearing the brush" operation, and Major Bahufite, Commander of the Operational Sector of Gisenyi, who admitted ordering it based on directives from Rwandan Army headquarters. The Commission fails to question who on the Rwandan General Staff was responsible for the order or whether that person ordered the larger-scale violence at the end of January.
- o The Commission stated that the local authorities are weaker than party officials and suggested that ultimate responsibility for the attacks lay with the MRND-CDR, not with the administration. However, in the area, all important officials are major players in the MRND-CDR by virtue of their government posts. Party and administration are so intertwined that the two cannot be considered separately. If, in fact, the MRND led the killings, then President Habyarimana, as head of the party, must bear ultimate responsibility for the massacres.

Government Reaction to the Report

At the time when the Politico-Administrative Commission was established, the government suspended authorities, including the prefect and two assistant prefects of Gisenyi and a number of burgomasters who were implicated in the violence. In its April 3 report, the Commission recommended that the prefect, assistant prefect, three burgomasters and one substitute burgomaster be transferred to other positions. One month later the recommendation had not been implemented, although the officials named remain suspended from their duties.

On March 30, President Habyarimana resigned from the presidency of the MRND. In so doing, he may have safely distanced himself from responsibility for any future violence. In light of an increasing tendency to place responsibility for violence on

the party militia and to shift blame from authorities to party officials, it is understandable that the President would wish to resign from leadership of the party organization.

Administrative Reform

On February 8, the government announced that another set of officials, those whose dismissal or suspension had been recommended in July and August 1992 by a government commission, would finally be removed from office. Some had been faulted for corruption or incompetence, but a number had been involved in human rights abuses, including Fidele Rwambuka, a burgomaster implicated in massacres of Tutsi in Bugesera in March 1992.

President Habyarimana initially sought to delay removal of the officials, but, by the end of March, he had apparently agreed to the changes. Most of the officials involved were burgomasters, who, according to law, are named by the President on the recommendation of the Minister of the Interior. In this case, however, the government permitted selective local elections to replace the ousted burgomasters in thirty-five communes on March 23 and in five others on April 6. In each commune, members of the local communal council, heads of administrative departments, members of an advisory council on technical affairs, heads of local branches of the political parties, and representatives of the clergy were allowed to vote for the new burgomaster. Those elected were then officially named to their positions by the President. The burgomasters chosen included sixteen MRND members, eighteen MDR members, five PSD members, and one PL member. The division of positions approximates the sharing of posts among parties at the national level and institutes power-sharing at the local level for the first time since multiple parties were permitted.

These changes were motivated more by political concerns than human rights considerations, but they had the beneficial effect of removing from power all except one of the local officials responsible for violations before January 1993. The only burgomaster implicated in prior abuses not yet removed from office is Jean-Baptiste Gatete of Murambi commune. He has been suspended but continues to run the commune through his temporary replacement, a communal councilor.

The Report of the International Commission

President Habyarimana initially dismissed the International Commission's report as an unfortunately biased assessment, unduly influenced by his political opponents who were acting, he claimed, through human rights associations that had first asked for the creation of the Commission. In a March 23 speech, he would go only so far as to concede that there had been "social explosions that overwhelmed the local authorities, insufficient resources accorded to police and judiciary, certain errors of judgment on the part of various administrative agents..." By early April, however, President Habyarimana was forced to modify his original reaction to reach an accommodation with members of the opposition. As a result of this agreement, the President and Prime Minister issued a joint statement entitled "*Declaration du Gouvernement Rwandais Relative au Rapport Final de la Commission Internationale d'Enquete sur les Violations des Droits de l'Homme au*

Rwanda depuis le 1er octobre 1990." In it the Rwandan government displays a courage and candor rare for countries accused of human rights abuses. It states that the government has considered the report of the Commission and that "it recognizes and regrets the human rights violations committed in our country." It specifically acknowledges the three massacres documented by the International Commission and abuses against civilians carried out by undisciplined members of the military. It refuses, however, to admit that the Rwandan government took the initiative in any of the abuses and limits its responsibility to the failure of certain officials to assure the security of people and property under their authority.

In its conclusions, the Rwandan government "deplores and condemns" the violations committed in Rwanda and undertakes the following commitments, most of which had been recommended previously, either by the International Commission or by Africa Watch in our February 1992 report:

1. The President and the government renew their commitment to guarantee the security of all Rwandans whatever their ethnic group or political persuasion. All necessary steps will be taken to sanction administratively or through the courts all public authorities who have committed human rights violations.

2. The President and the government reaffirm their respect for the independence of the judiciary. The government undertakes to pursue efforts to improve conditions of detention and to see that detainees are no longer imprisoned in places not meant for imprisonment, such as military camps.

3. The government promises to conduct a campaign to persuade Rwandans of the importance of national reconciliation and respect for human rights.

4. The government promises to punish individuals who are responsible for activities of the militia and to prosecute their supporting political organizations.

5. The government will rehire employees who lost their jobs unfairly, such as those who were dismissed after having been illegally detained as "accomplices" of the RPF in 1990-1991.

6. The government will ask the appropriate judicial authorities to continue investigations into mass graves, the existence of which were first revealed by the International Commission.

7. The government will create a military hearings office to facilitate the handling of military judicial cases.

8. The government will expeditiously ratify the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as well as other international instruments relative to human rights. It will remove the exceptions it has previously taken to certain of these conventions.

9. The President and the government promise to respect all the accords that result from the Arusha peace negotiations.

10. The government promises to pursue the process of democratization and to establish a national commission of human rights.

The commitments undertaken by the Rwandan government, if carried out, would represent major progress for human rights in Rwanda. However, in the month since this declaration was made, the government has not yet taken any specific steps to implement them.

Recently Established Human Rights Associations

Before the International Commission's arrival in Rwanda, there were five major human rights associations in operation, four grouped in a permanent coalition and a fifth more loosely associated with it. Since their establishment--the first in September 1990, the others in 1991--they have been an effective force for various aspects of human rights in Rwanda. In January 1993, a new association was founded, three others quickly followed. The flurry of new establishments was suspicious, first because the existing institutions appeared to have been adequately monitoring events, second because the new groups sounded very like those of the original ones. Below is a list of the two sets of associations:

The Original Associations

Association Rwandaise pour les Droits de la Personne et des Libertés Publiques (ADL)

Association Rwandaise pour la Défense des Droits de l'Homme (ARDHO)

Association des Volontaires de la Paix (AVP)

Ligue Chretienne de Défense des Droits de l'Homme au Rwanda (LICHREDHOR)

Kanyarwanda, Association pour la Promotion de l'Union par la Justice Sociale

The New Associations

Ligue Independante pour la Défense des Libertés Publiques (LIDEL)

Association Rwandaise pour le Respect des Droits de l'Homme (ARHO)

Association Rwandaise pour la Défense des Droits des Victimes de la Guerre (ARDEVI)

Misericordia

The chief activity of the new associations has been seeking to discredit the report of the International Commission. On April 2, they published a pamphlet entitled "*Commentaire sur le 'Rapport de la Commission Internationale d'Enquete sur les Violations des Droits de l'Homme au Rwanda depuis le 1er octobre 1990.'*" Aside from a number of patently false and scurrilous insinuations about Commission members, the pamphlet makes one argument--that the Commission was the tool of the original Rwandan human

rights associations and that they in turn are tools of the opposition political parties. In making this assertion, the new associations are simply repeating an argument that had been formulated by Rwandan government officials even before the Commission began its investigation in January 1993. It had been stated to the Africa Watch representative on the Commission before her departure for Rwanda by the Rwandan ambassador in Washington and had been repeated in a January 4, 1993 letter from the National Secretary of the MRND to the Prime Minister. Two representatives of the new associations have traveled to Europe to repeat the argument. One is Ferdinand Nahimana, a former professor at the National University of Rwanda who served most recently as Director of the Rwandan Office of Information, where he was in charge of the national radio when it broadcast the false news briefs that encouraged the massacre of Tutsi in Bugesera in March 1992.

ABUSES BY THE RWANDAN PATRIOTIC FRONT

Summary Execution of Government Officials

The RPF invaded the town of Ruhengeri in northwestern Rwanda when open fighting resumed on February 8. There and in adjacent areas, they executed at least eight Rwandan government officials along with several relatives or friends who were in their company. The dead included:

Francois Barengayabo, Vice-President of the Court of Appeals and his two sons;
Philip Gakwerere, Inspector of Mines and Mineral Resources, his wife and three children;
Andre Bukuru, Deputy Public Prosecutor;
Cléophas Ntamushobora, Judge at the Ruhengeri Court;
Jean-Bosco Munyaneza, Deputy General Prosecutor, his wife and two brothers;
Frédéric Rukasi, Inspector of Public Buildings;
Leonard Ntiribaringira, Deputy Public Prosecutor.

The eighth official killed was Thaddée Gasana, burgomaster of the commune of Kinigi. Gasana had been implicated in the killings of Bagogwe, a sub-group of Tutsi, in February 1991. The International Commission had excavated a mass grave containing victims of the killings in the backyard of Gasana's house. Killed with him was Elaste Ntuyenabo, a politically active businessman.

Killings of Civilians

Shortly after the resumption of fighting, various groups aligned with the Rwandan government began publishing denunciations of human rights abuses by the RPF. Several contacted Africa Watch, including two that attributed 40,200 civilian deaths to the RPF in the first week of renewed combat, an implausible assertion, made more so by an accompanying break-down of fatalities by commune that would have been impossible to accomplish given the lack of access to the region at the time. The Rwandan Ambassador to Washington, Aloys Uwimana, repeated the same claims in a conversation with an Africa Watch representative. Within Rwanda, the national radio broadcast similar

accusations, including those made in a speech by President Habyarimana on March 23, when he declared that the RPF attack had killed "several tens of thousands of citizens." Such estimates are clearly exaggerated and not credible. There is reliable evidence, however, that the RPF killed more than one hundred civilians in February. Only when the displaced return to their homes and orderly administration is restored, will inquiries to establish the actual numbers of victims be possible. The evidence below suggests the scope of the investigation needed.

At the invitation of the government, representatives of independent Rwandan human rights groups toured Ruhengeri, where many civilians were said to have died at the hands of the RPF. In a brief visit on February 12 (only four days after the first and heaviest day of fighting), they stopped at several sites and spoke with a number of people. They were always accompanied by Rwandan civilian and military authorities. They saw seven bodies of civilians and were shown sites where others had been killed or were buried. Local residents told them that the civilians had been killed because they were members of the MRND or its ally the CDR. The associations issued a statement on February 16 condemning the RPF for having killed "several tens" of people solely because of their affiliation with groups supporting President Habyarimana. One human rights activist who had made the trip estimated the number killed by the RPF in and around Ruhengeri as fewer than fifty.

In its March 20 issue, the journal *Interahamwe*, closely aligned with the MRND, published a list of persons reported killed by the RPF in Ruhengeri. In addition to the eighteen persons listed above, it provides the names of thirty-two others. There has been no confirmation from other sources about the identities either of the victims or of their killers, although the figure of fifty dead accords with estimate cited above.

Many witnesses said that the RPF warned them of impending attacks and advised them to leave areas where fighting was taking place. In at least one case, pressure to evacuate the area led to violence. Eyewitnesses reported that in early February the RPF gathered together a large group of unarmed civilians at Nyagahinga (commune of Kidaho) to urge them to leave the region, either by withdrawing to areas still controlled by the Rwandan army or by moving north beyond the Ugandan frontier. According to several independent accounts, the crowd became unruly and the RPF soldiers fired their weapons. One eyewitness said that they originally shot over the heads of the crowd to restore order, but that they then shot and killed two civilians; a third was trampled by the crowd as it stampeded to get away. Other eyewitnesses interviewed at a displaced persons' camp said that the meeting broke up with people fleeing in terror after shots were fired, but they did not know how many had been killed or injured. Most of the eyewitnesses reported seeing corpses as they fled.

Other eyewitnesses questioned at the same camp named fifteen civilians whom they knew to have been killed by the RPF in other incidents, and most asserted that, as they fled, they had seen numbers of corpses of other persons whom they could not identify by name.

The RPF has been accused of killing civilians at several other places, including at Ngarama in northeastern Rwanda. A group representing Rwandan human rights associations and several newspapers visited the area on March 26 at the invitation of government officials. As with their visit to Ruhengeri, they spent only a short time on the spot and were always accompanied by Rwandan authorities. They saw ten bodies of persons who had been dead no more than several days. Local authorities asserted that one of the dead, a number of the local government committee named Gatuna, had been killed on February 8, the day when fighting first began. The others were said to have been killed subsequently, most of them when they returned to look for food in their fields.

According to local clergy, approximately 200 civilians were killed by the RPF in Gahanga and other parishes near Ruhengeri. The parish priest reported that most of these civilians were executed rather than killed in battle. Further investigation is needed to verify this information and to determine the circumstances in which these civilians died.

Response of the Rwandan Patriotic Front

Among the reasons given by the RPF for violating the cease-fire were human rights abuses by the Rwandan government, specifically the killings at the end of January 1993. The RPF asserted that the massacres constituted a violation of the cessation of hostilities, thereby justifying the RPF's return to arms.

To accusations of their own violations both in the International Commission report and after the renewal of hostilities on February 8, the RPF responded that their members killed only those civilians who were armed and engaged in combat and were therefore indistinguishable from regular Rwandan soldiers. To substantiate their claim, the RPF presented evidence that the Rwandan government had trained and armed civilians for combat situations. It also asserted that civilians who are said to have been killed by the RPF may have been killed by the Rwandan army.

In only two instances has the RPF attempted to answer specific charges that they have killed civilians. A March 16, 1993 speech by Pasteur Bizimungu, chief of the RPF delegation at the Arusha negotiations, referred to the killing of two civilians at the mass meeting held at Nyagahinga, commune Kidaho, in early February (see above). Bizimungu explained that RPF soldiers had fired at a civilian who had grabbed their guns and in the process had also killed a woman standing beside their intended target. In the other instance, the RPF representative in Europe, Dr. Jacques Bihozagara, suggested that if individual soldiers, contrary to orders and their code of conduct, had made "dérapages," then a new investigation by an international commission would be the most appropriate way to evaluate the situation.

In Bihozagara's press release, he declared that the RPF had conducted "a detailed investigation" of the circumstances surrounding the killings of civilians. Africa Watch is not aware of the results of such an investigation. No RPF soldier has been publicly tried for any abuses against civilian populations.

THE INTERNATIONAL ROLE

The July 1992 agreement between the Rwandan government and the RPF called for the establishment of a neutral group of military observers (*Groupe d'Observateurs Militaires Neutres* or GOMN) under the auspices of the Organization for African Unity (OAU) to supervise the terms of the cease-fire. Although the group experienced some initial logistical difficulties that delayed the beginning of its work, it has operated effectively since autumn 1992. Following the renewal of hostilities, the United Nations Security Council voted unanimously on March 12 to consider establishing a UN force "to protect and give humanitarian assistance to the civilian population and to support the OAU force in supervising the cease-fire." Negotiations concerning provision of troops and other support for such a force are currently under way concerning provision of these new UN troops.

In the face of continuing reports of abuses in Rwanda, the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions appointed by the United Nations Commission on Human Rights conducted an investigative mission in April 1993 and will publish a report shortly.

Rwanda depends upon various forms of assistance from the United States, France, Belgium, and other European powers, acting individually and through several international institutions. Although Belgium, the former colonial power, has been the major donor over the years, recently France has been most closely identified with support for President Habyarimana. Following the outbreak of war in October 1990, France sent troops to Rwanda, supposedly to protect the expatriate population. After the resumption of combat in February 1993, it dispatched another 300 soldiers, bringing the total contingent to about 700 troops. In addition France has supplied Rwanda with arms, including two batteries of 105mm artillery sent recently. According to a report in *La Libre Belgique* on February 23, 1993, more than fifteen Hercules transport planes delivered full loads of arms and ammunition to Rwanda between February 19 and February 22, 1993.

The presence of French troops in Rwanda violates provision of the Arusha accords calling for the withdrawal of all foreign troops from Rwanda. The RPF cited the continued presence of French soldiers as a justification for its resumption of hostilities in February. Although France maintains that it supports the Arusha agreements, a letter from French President Francois Mitterand to President Habyarimana on January 18, 1993, promising not to withdraw troops without the Rwandan government's agreement, contradicts France's declared support for the accords. Africa Watch is not certain of the level of involvement of French soldiers in the war against the RPF. Several observers, including an officer from the GOMN, have reported seeing French troops engaged in combat, but French authorities have denied the charge. Whatever the importance of their role in terms of military support, the importance of French soldiers and French military aid in terms of moral and political support for President Habyarimana is unquestionable. The terms of the March 9 cease-fire call for the departure of all French troops who arrived after February 8 and the withdrawal of the others to the capital of Kigali. Although compliance with the first part of the agreement has been completed, the level of compliance with the second is not known.

After the International Commission issued its report on human rights abuses in Rwanda, the Belgian government immediately recalled its ambassador for consultations and is currently reviewing its program of assistance to Rwanda. The US Department of State issued a press release stating that it was "deeply disturbed" by the conclusions of the report. Dissatisfied with the continuation of the war and the country's distressing human rights record and poor economic performance, the US altered its projected \$19.6 million aid package for Rwanda to increase amounts designated for humanitarian aid and to cut or hold in reserve funds designated for economic development assistance. The very small military assistance program, which pays for the training of six officers a year, continues unchanged. Rwanda is currently on the "watch list," meaning that it may lose its status as a country targeted for special assistance, if it does not improve its performance in several areas, including protection of human rights.

In a resolution passed March 11, 1993, the European Parliament condemned the abuses reported by the International Commission, called upon the Rwandan government and the RPF to halt the violations, and asked nations of the European community to increase their financial and logistical support for the OAU observer team to improve its ability to keep the peace. The *Assemblée Paritaire ACP-CEE*, the legislative body of the European Economic Community and its affiliated countries, passed a resolution on March 31 that condemned the violations of human rights as detailed in the International Commission report. It asked the Rwandan authorities to halt abuses and asked the European Community to suspend its price supports for agricultural products from Rwanda (STABEX) until progress had been made in respect for human rights.

The Ambassadors and other representatives in Kigali of the United States, Belgium, Germany, Canada, Switzerland, the Vatican, and the European community, acting individually and jointly, have shown genuine and effective concern for human rights in Rwanda. They have intervened both to protect individuals in danger and to censure the government at critical times.

France has sometimes joined in condemning abuses by the Rwandan government but, at the same time, it continues to provide the military, financial and propaganda backing that allows the Habyarimana government to pursue its course without serious reforms.

CONCLUSION

The war and massive human rights abuses that have accompanied it have made life intolerable for ordinary Rwandans. The massacres in northwestern Rwanda at the end of January 1993 mark the fourth major episode of such violence since October 1990. Tutsi and other Rwandans labeled RPF accomplices live in constant insecurity, liable to attack in their homes or to abuse on the roads. They and other Rwandans suffer from bombing and grenade attacks, land-mine explosions, rape and pillage by the military, fears caused by the distribution of guns to civilians and the paralysis of the judicial system.

The leadership and militia of the MRND and CDR parties executed the January attacks, but the smokescreen of party activity cannot hide the real force behind the violence. In that instance as before, the local and central authorities directed the attacks. President Habyarimana himself bears special responsibility for the killings. As the official head of the MRND, he approved the organization and training of the militia that launched the attacks. Although his authority is such that he could have stopped the killings with one clear order, he said nothing to condemn them for a full week after they began.

The "privatization" of violence, that is, shifting it into the hands of the party militia, reflects concern with growing domestic and international criticism of human rights abuses in Rwanda. It is the same concern that has prompted the Rwandan government to "recognize and regret" past abuses and to promise reforms. Aware of its poor record, the Rwandan government has sponsored a new set of "human rights associations" to counter criticism and refurbish its image. It has yet to move, however, from rhetoric to effective action in defense of human rights.

The RPF has made much of Rwandan government violations while doing nothing to correct its own failings or to bring abusers to public account. It too is substituting words for action in the area of human rights.

Despite the enormous suffering endured by the nearly one million displaced persons and the massive dislocations caused by the need to feed and shelter them, the Rwandan government and the RPF wasted weeks in fruitless negotiations, each seeking political advantage in this tragic human problem. Only in mid-May have they moved toward a solution, in large part because of continuing international pressures on both sides.

In the same way, only sustained and effective international pressure can oblige the Rwandan government and the RPF to move beyond posturing to real reforms in human rights and to effective negotiations for the end of the war.

RECOMMENDATIONS

Africa Watch believes that the Government of Rwanda must:

- o Proceed as rapidly as possible to implement the program of reforms spelled out in the April 7, 1993 communique in response to the report of the International Commission (see above). The government must also keep both the Rwandan and the international public apprised of its progress in executing this set of reforms.
- o Bring to trial all persons, not just officials and soldiers, who have been accused of killings and other gross abuses of human rights.
- o Authorize outside observers to visit military camps in order to ascertain the presence of civilian detainees.

- o Dissolve the AMASASU association and prosecute all soldiers who continue to support it.
- o Halt immediately the policy of arming civilians and implement measures to limit the availability of and trade in firearms.
- o Remove information classifying citizens as Hutu, Tutsi or Twa from all identity papers and dossiers currently in use at government offices.
- o Begin an immediate and effective effort--together with the RPF and non-governmental organizations--to hasten the return of displaced persons to their homes.
- o End the disinformation campaign conducted by government-sponsored groups posing as independent human rights organizations and seeking to discredit the work of legitimate local associations.
- o Undertake serious negotiations with the RPF to end the war.

For its part, the Rwandan Patriotic Front must:

- o Cease the killing and injury of civilians and the destruction and looting of their property.
- o Halt the summary execution of Rwandan government officials.
- o Bring to trial through their own disciplinary or judicial system those accused of summary executions, the killing of civilians or other human rights abuses. Ensure that the trials are conducted in accordance with guarantees for fair trial stipulated in Common Article 3 and Protocol II of the Geneva Conventions, which all parties to an internal armed conflict are obligated to respect.
- o Begin an immediate and effective effort--together with the Rwandan government and non-governmental organizations--to hasten the return of displaced persons to their homes.
- o Undertake serious negotiations with the RPF to end the war.

Africa Watch makes the following recommendations to the International Community:

- o Link future aid to Rwanda to quantifiable improvements in human rights, not simply to the absence of new abuses. Such improvements should be measured by specific indicators, such as the removal of authorities implicated in abuses who remain in office; the prosecution of officials, soldiers and others accused of abuses and respect for internationally accepted norms at such trials; the elimination of group classification data from identity documents.

- o Offer assistance specifically tailored to improve the judicial system.
- o Press the Rwandan government to halt the practice of arming civilians and to begin limiting the availability of and trade in firearms.
- o End all military assistance to the Rwandan government and to the RPF and press for the departure of all foreign soldiers, except those provided for by international peace-keeping missions, from Rwanda. France should withdraw her own troops immediately.
- o Continue bringing human rights issues forcefully to the attention of the Rwandan government and the RPF.

Africa Watch is a non-governmental organization created in May 1988 to monitor human rights practices in Africa and to promote respect for internationally recognized standards. Its Chair is William Carmichael. Its Vice-Chair is Alice Brown. Janet Fleischman and Karen Sorensen are Research Associates; Bronwen Manby is a Schell Fellow; Abdelsalam Hassan and Alex Vines are consultants and Ben Penglase and Urmi Shah are Associates.

Africa Watch is a division of Human Rights Watch, which also includes Americas Watch, Asia Watch, Helsinki Watch, Middle East Watch and the Fund for Free Expression. The Chair of Human Rights Watch is Robert L. Bernstein and the Vice-Chair is Adrian W. DeWind. Kenneth Roth is Acting Executive Director of Human Rights Watch; Holly J. Burkhalter is Washington Director; Gara LaMarche is Associate Director; and Susan Osnos is the Press Director.

SOME RECENT PUBLICATIONS FROM AFRICA WATCH

REPORTS

- * **South Africa - Half-Hearted Reform**, May 1993, 73pp, £5.99
- * **Land Mines in Angola**, January 1993, 70pp, £5.99
- * **Accountability in Namibia: Human Rights and the Transition to Democracy**, August 1992, 121pp, £5.99
- * **Conspicuous Destruction: War, Famine and the Reform Process in Mozambique**, July 1992, 202pp, £9.99
- * **Evil Days: Thirty Years of War and Famine in Ethiopia**, September 1991, 386pp, £10.99
- * **Nigeria On the Eve of "Change" Transition to What?**, September 1991, 52pp, £3.00
- * **Kenya: Taking Liberties**, July 1991, 450pp, £11.99
- * **Academic Freedom and Human Rights Abuses in Africa**, April 1991, 153pp, £9.99
- * **Called to Account - How African Governments Investigate Human Rights Violations**, February 1991, 46pp, £3.00

NEWSLETTERS

1993

- * **Liberia: Waging War to Keep the Peace: The ECOMOG Intervention and Human Rights**, June 1993, £3.00
- * **Sudan: Africa Watch Letters Protest Abuses of Human Rights by All Parties to the Conflict in Southern Sudan**, April 15, £1.00
- * **Nigeria: Military Injustice; Major General Zamani Lekwot and others Face Government-Sanctioned Lynching**, March 30, £1.00
- * **Somalia: Beyond the Warlords: The Need for a Verdict on Human Rights Abuses**, March 7, £3.00
- * **Sudan: The Copts; Passive survivors under threat**, February 10, £1.00
- * **Eritrea: Freedom of Expression and Ethnic Discrimination in the System: Past and Future**, January 12, £1.00

1992

- * **Nigeria: Crackdown on Human Rights and Pro-democracy Groups as Transition is Postponed Again**, December 27, £2.00
- * **Sudan: Violations of Academic Freedom**, November 7, £2.00
- * **South Africa: Accounting for the Past**, October 23, £2.00
- * **Sudan: Eradicating the Nuba. Africa Watch calls for the United Nations to Investigate Killings, Destruction of Villages and Forced Removals**, September 9, £1.00
- * **Sudan: Refugees in Their Own Country**, July 10, £2.00
- * **Zaire: Two Years without Transtion**, July 7, £3.00
- * **Nigeria: "Silencing the Vocal Oppostion", Crackdown on Democracy Advocates**, June 25, £2.00
- * **Ethiopia: Waiting for Justice - Shortcomings in establishing the rule of Law**, May 8, £2.00
- * **Sudan: The Ghosts Remain - One Year after the Amnesty is Declared, Detention and Torture Continue Unabated**, April 27, £1.00
- * **Nigeria: Contradicting Itself; Undemocratic Transition Seeks to Bring "Democracy" Nearer**, April 21, £3.00
- * **Somalia: No Mercy in Mogadishu; The Human Cost of the Conflict & the Struggle for Relief**, March 26, £3.00
- * **Somalia: A Fight to the Death? Leaving Civilians at the Mercy of Terror and Starvation**, February 13, £2.00
- * **Ghana: Revolutionary Injustice: Abuse of the Legal System under the PNDC Government**, January 31, £2.00

JOINT PUBLICATIONS OF HUMAN RIGHTS WATCH

Human Rights World Report 1993 - events of 1992, £9.99

Human Rights World Report 1992 - events of 1991, £13.50

To order any of the above reports and newsletters and to receive a complete list of Africa Watch publications contact the Human Rights Watch office at 90 Borough High Street, London, SE1 1LL, fax: 071 378 8029.

(Payment in pounds sterling only: cheques/postal orders should be made payable to Fund for Free Expression. Please add 15% p&p for the UK and 25% for Europe and Overseas).