

Journal
Jacques Roger Booh-Booh. Characterized by *The Washington Post* on May 8 as "blurred, sanitized summaries...depicting mutual and chaotic killings," these reports failed to convey the systematic and organized nature of the genocide which had at the time already been established by accounts in the press. *Capita escape*

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In the face of the mounting disaster--and particularly following widely publicized accounts of the massive outflow of refugees on April 29--the United States and other actors decided that more troops must be sent back to Rwanda with an expanded mandate. Within the Security Council, delegates from the Czech Republic, New Zealand, Spain and Argentina played the leading role in shaming other member nations into this decision. After lengthy debate on May 16, the Council authorized a force of 5,500 troops with an enlarged mandate to protect displaced persons, refugees and civilians at risk (UNAMIR II). Unlike the mandate for the first U.N. force, that for UNAMIR II permits troops to use force if necessary to carry out their mission. However, last minute hesitations by the United States resulted in orders to deploy in the first instance only a small force of several hundred troops and about 150 unarmed observers. Deployment of the rest of the force depends upon progress towards a new cease-fire between the RPF and the government, the availability of resources, and further review and action by the Security Council.

General Romeo Dallaire, the Canadian military commander of UNAMIR, has played a constructive role, particularly in maintaining communication with both sides of the civil war. He is currently negotiating with both parties to obtain neutrality for Kigali airport. Were the U.N. assured control of the airport, the work of UNAMIR II would be greatly facilitated. Fighting over the control of the airport has often made it impossible for relief flights to land there.

The government of Rwanda, as it existed before April 6, held a non-permanent seat on the Security Council. Its representative has continued to serve the self-proclaimed regime that took power after the death of Habyarimana and has been permitted to retain the seat on the Council. He has even been permitted to speak at length in debate and to vote on resolutions concerning Rwanda, although customarily representatives do not play an active role in considerations of conflicts that affect their own states. Jerome Bicomumpaka, the so-called foreign minister of the rump government, was recently allowed to address the Security Council. Accompanied by CDR head Jean-Bosco Barayagwiza, he was in New York as part of the self-proclaimed government's efforts to justify the unjustifiable and to win international acceptance for their genocidal regime. In these statements, the self-proclaimed government has stated that it would favor the return of U.N. troops to Rwanda to enforce a cease-fire between the RPF and the Rwandan army, with the armies to return to the positions they held before the resumption of the civil war.

The RPF initially favored U.N. intervention in Rwanda, but at the end of April reversed its position to issue a hardline statement opposing the sending of more U.N. soldiers. It subsequently softened its position somewhat to say that it would not oppose a force sent for humanitarian purposes; it remains opposed to any force that would attempt to interpose itself between the two armies.

In response to urging by the United States and others, the new United Nations High Commissioner for Human Rights, José Ayala Lasso (who took office on April 5, the day before the crisis began), undertook a mission to Rwanda and Burundi in mid-May, five weeks after the massacres had begun. In a statement on his return, he condemned the widespread violence, but did not label the systematic killing of Tutsi as genocide.

At the request of Canada, an emergency meeting of the United Nations Commission on Human Rights has been convened for May 24. It will be only the third time that this body has met in such a special session, the preceding meetings having been called to deal with the Bosnian crisis. The session will probably call for the sending of a special rapporteur to investigate the situation in Rwanda.

The Diplomatic Community in Kigali

Representatives of most nations in Kigali offered temporary protection to Rwandan staff members and others who sought asylum at their homes or embassies. On April 13, Amnesty International reported, however, that some unidentified embassies had apparently turned away Rwandans seeking protection. Diplomats mobilized primarily to evacuate citizens of their own countries and most refused to assist

Rwandans, even long-time employees of their own staffs, in leaving the country. Belgium and France were apparently the only nations to aid some Rwandans in escaping, although French press reports indicated that several Rwandan employees at the French embassy had been abandoned and later killed by government forces. France provided aircraft to permit evacuation of Madame Agathe Habyarimana, members of the Habyarimana family and others close to the regime. Some were transported to Paris and several hundred others were taken to Zaire.²

The United States

Like the United Nations and most of the international community, United States officials have shown considerable confusion and slowness in dealing with the UNAMIR II initiative, apparently because it is the first to be considered since the declaration of a new administration policy on peacekeeping missions.

President Bill Clinton made an unusual direct radio appeal to Rwanda on April 30, calling for an end to the violence; it was one minute in length and spoke only in vague terms about the need for Rwandan leaders "to recognize their common bonds of humanity." A more useful public statement was made by the President's National Security Advisor, Anthony Lake, on April 22. He called upon Rwandan military leaders by name to "do everything in their power to end the violence immediately." The Lake statement, which did not actually condemn the leaders named, nonetheless represented an important departure from routine diplomacy because it supported the principle of individual accountability for human rights abuses and named those able to end the massacres.

Assistant Secretary of State for Human Rights John Shattuck adopted the same approach in a statement issued on May 8, after a visit to countries surrounding Rwanda. He advocated a United Nations-directed inquiry to establish individual responsibility for the massacres.

Other important State Department officials, including Deputy Assistant Secretary of State for African Affairs Prudence Bushnell, have made frequent public statements over the Voice of America condemning the killings.

The United States has thus far resisted pressure to pledge that it will not assist any regime that emerges from the genocidal slaughter. It did, however, deny the request for visas made by representatives of the self-proclaimed government who wished to make their case in Washington. Because of the special international status of U.N. territory, the United States could not prevent those representatives from going to New York to lobby at the U.N.

Members of Congress have expressed grave concern over the massacres and have pressured the administration for further action. The House Foreign Affairs Subcommittee on Africa held a hearing on the situation on May 4. Senators Paul Simon and James Jeffords, the ranking members of the Africa Subcommittee of the Senate Foreign Relations Committee, and Kweisi Mfume and Donald M. Payne of the Congressional Black Caucus have all written to President Clinton to ask for more effective United States action.

In terms of real action, the United States government has continued diplomatic efforts aimed primarily at a cease-fire in the civil war between the RPF and the government rather than at halting the massacres. It has also contributed some \$28 million in assistance to refugees and has stated that it plans to approve an additional \$28 million for similar efforts. The U.S. has also indicated that it is willing to pay approximately one third of the costs of the new UNAMIR II force and provide logistical support in sending the troops to Rwanda.

² Alain Frillet & Sylvie Coma, "Paris, terre d'asile de luxe pour dignitaires hutus," *Libération*, May 18, 1994.

France

France has supported the Habyarimana regime for many years, even sending French troops to assist in the army's actions against the RPF, in October 1990 and again in February 1993. In *Arming Rwanda: The Arms Trade and Human Rights Abuses in the Rwandan War* published in January 1994, Human Rights Watch documented French participation in arming and training the Rwandan army. Along with Egypt, France has received representatives of the self-proclaimed government, thus helping accord them respectability in the international community. The delegates received in Paris included Jean-Bosco Barayagwiza, the head of the CDR party which is most responsible for the current genocide.

RECOMMENDATIONS

- Jean-Bosco Barayagwiza, head of the CDR party; Matthieu Ndirumpatse, president of the MRND party; those who claim authority under the self-proclaimed government, including Theodore Sindikubwabo, Jean Kambanda, Augustin Bizimana, Eleazar Niyitegeka and Justin Mugenzi; and military officers Bizimungu, Bagosora, Nkundiye, Mpiranya, and Simbikangwa must halt the genocide and other violations of international humanitarian law in Rwanda immediately.
- Authorities of the RPF, including its president, Alexis Kanyarengwe, and its military commander, Paul Kagame, must order members of their forces to halt all summary executions or other killings of Rwandan civilians. Any who are found to have committed such abuses must be disciplined as appropriate and held in custody pending trial. Where the forces of the RPF succeed in overcoming government forces, they must arrest all those accused of involvement in genocide and other crimes against humanity and ensure that they are held in humane conditions to await trial as soon as circumstances allow.
- The international community must clearly and forcefully condemn genocide in Rwanda calling the horror by its rightful name. The Security Council and the Commission on Human Rights of the United Nations, as well as the individual governments of the international community--including the United States--must recognize that the organized nature as well as the scale of the massacres proves that the authors intended to eliminate in whole or in part the Tutsi as a group within Rwanda; that is, that their actions fulfil the definition of the Genocide Convention.
- The international community must also condemn the systematic slaughter of thousands of Hutu who opposed the Habyarimana regime, as a violation of international humanitarian law and a crime against humanity.
- The member states of the United Nations must do everything possible to assist a speedy and complete deployment of UNAMIR II forces. Members must respond promptly to requests for additional troops. The United States must devote the necessary resources to ensure that any organizational or logistical problems are resolved immediately.
- The international community must insist upon accountability for genocide, crimes against humanity and violations of international humanitarian law. The United Nations Commission on Human Rights should name those persons who have the power to halt the slaughter and should demand that they do so immediately.
- The international community must take steps to ensure that no form of impunity be offered to those responsible for genocide and other crimes against humanity. The United Nations Commission on Human Rights should mandate a representative to attend negotiations between all parties to the Rwandan conflict who must insist that impunity not be granted as part of a peace settlement. No participant in the negotiations should be permitted to trade cooperation with international efforts to resolve the crisis, by arranging a cease-fire or in making peace, for protection for himself or any other person accused of genocide or crimes against humanity.

- The international community must ensure that those accused of genocide and crimes against humanity are brought to justice in trials that conform in all respects with accepted international practice, including guarantees of the rights of the accused. If such trials are to be held in Rwandan courts, the collaboration of international magistrates and prosecutors should be required, through the creation of an exceptional jurisdiction if necessary.
- Governments, human rights organizations, and individuals should use all possible channels to take legal action to bring those guilty of genocide and other crimes to justice. Human Rights Watch/Africa has assisted one victim--who is the sister of several of the dead, including the late Minister Lando Ndasigwa--in bringing a civil suit in the U.S. courts against Jean-Bosco Barayagwiza for genocide and other crimes against humanity. Officials and individuals elsewhere should initiate similar proceedings against the chief authors of these horrors. The criminals should be made aware that there will be no place in the world where they can escape judicial action.
- The United Nations Commission on Human Rights should delegate and adequately fund a special rapporteur to report promptly on the Rwanda crisis. It should insist that members of the UNAMIR force be charged with a mandate to report all human rights violations to the Commission through its delegated representative. It should also provide for a group of human rights monitors in Rwanda to supplement reports provided by UNAMIR personnel.

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Human Rights Watch/Africa (formerly Africa Watch)

Human Rights Watch is a nongovernmental organization established in 1978 to monitor and promote the observance of internationally recognized human rights in Africa, the Americas, Asia, the Middle East and among the signatories of the Helsinki accords. Kenneth Roth is the executive director; Cynthia Brown is the program director; Holly J. Burkhalter is the advocacy director; Gara LaMarche is the associate director; Juan E. Méndez is general counsel; and Susan Osnos is the communications director. Robert L. Bernstein is the chair of the executive committee and Adrian W. DeWind is vice chair. Its Africa division was established in 1988 to monitor and promote the observance of internationally recognized human rights in Africa. Abdullahi An-Na'im is the executive director; Janet Fleischman is the Washington representative; Karen Sorensen, Bronwen Manby, Alex Vines and Berhane Woldegabriel are research associates; Kimberly Mazyck and Urmi Shah are associates; Alison Des Forges is a consultant. William Carmichael is the chair of the advisory committee and Alice Brown is the vice