

**EARLY WARNING AND CONFLICT MANAGEMENT
GENOCIDE IN RWANDA**

**This report constitutes study II of the
Evaluation of Emergency Assistance to Rwanda**

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Bergen and Toronto
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INTRODUCTION ANALYTICAL FRAMEWORK

Subject Matter

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

Process

Data collection for the study commenced at the beginning of 1994 and has been carried out by Howard Adelman (York University, Toronto) and Astri Suhrke (Chr. Michelsen Institute; Bergen), with the assistance of research associates working on assigned topics. These included: Agnes Callamard, Peik Johansson, Bruce Jones, Kate Halverson, Steven Livingston, Ogenga Otunnu, Gerard Prunier, Turid Lægreid and Amare Tekle. The research is based on secondary resources (books and articles by academics and journalists, media studies, reports, etc.) as well as considerable primary data collected through interviews and document searches in the UN system (New York and Geneva), the NGO community, and visits to relevant national capitals in Europe and North America (Paris, Rome, Brussels, London, Washington, and Ottawa), and in Africa (Nairobi, Kigali, Kampala, and Dar es Salaam). Documents have limitations: a great deal of communication and key parts of the decision-making in this case were not recorded. So do interviews: personal recollections of participants. ways pose difficulties with respect even to basic facts; there is a need for caution, given the propensity to rewrite history in the reconstruction of memory. This difficulty was compounded by the traumatic mature of events in Rwanda and controversies about international responses and responsibilities. With these constraints, we have tried to provide-coherence in reconciling the various perspectives on the crisis.

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

Premises

This study falls outside of the bounds of evaluation in a conventional sense. To address the questions posed by the terms of reference required two tasks: sorting out the cause and effect relationships of complex historical developments, and assessing their consequences not only in relation to formally stated goals but equally in relation to higher standards of conflict management and international norms. In these

respects, the study follows the tradition of critical policy analysis. There is a recognition of competing goals of unintended, unforeseen or indirect consequences, yet a presumption of some choice and consequent responsibility on the actors concerned.

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

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

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

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

The spontaneous slaughter of one group by another, usually as a result of inter-ethnic strife, is not generally referred to as a genocide. Genocide must be the result of deliberate policies of the political elite intent on wiping out the other group. Thus, understanding the political process that leads to the genocide is critical. The decision of a political elite to foster or permit a genocide to occur may be the result of their implicit consent rather than explicit orders. In the Rwandan case, no such subtle

distinctions between implicit and explicit policies are necessary. The genocide was actively promoted by political and military leaders, and there were concrete plans to kill at least all the Tutsi in Kigali. Once killing commenced, it is unclear whether the leader continued to manage the genocide until the end, or once the frenzy of killing started - and given the organization in place - it simply moved on in a tornado of mad murder.

There need be no debate on whether use of the term genocide is appropriate, though the applicability of the term to describe the previous relatively small slaughters (32,000) was a central issue of debate at that time. In law, genocide need not lead to the mass murder of anyone; it is the "intent to destroy, in whole or in part," a particular group that counts (1948 Genocide Convention). However, in the public mind, the term "genocide" is only used when substantial proportions of a group are slaughtered. Again, though the legal definition will be important in analysing early warning, and will be referred to when "genocide" is used by others in that sense, the term will be used in this report to refer only to the eventual result.

According to what standards do we assess the anticipation of violent conflict? The terms of reference for the report ask for a determination of whether there were relevant structures for collecting and analysing signals, and if so, whether these functioned in an efficient, accurate and timely manner. But what are the relevant structures? Who has - or should have - responsibility for collecting and analysing the information and translating that analysis into options for action? We presumed that the responsibility for collecting and analysing information flows from the responsibility for action. That is, actors who played a role in the Rwandan conflict had an obligation commensurate with their responsibilities to obtain and assess data about the evolving violence. In each case, the overriding consideration must be whether the systems caught and processed available information that at the time reasonably could be said to indicate that an event - an invasion, an escalation of the conflict, genocide - was a possibility, likely, or already underway.

As for conflict management, the general criteria identified by the terms of reference are "containment and de-escalation." We see these as being derived from an ethical standard which holds that the international community should have attempted to reduce violence in Rwanda in general, and prevent genocide in particular. Given this premise, a specific response has to be assessed not only in relation to its formal goals (e.g. of UNAMIR I); the question must also be asked - whether the formal mandate was appropriate in relation to a higher standard of conflict reduction extant in the international community.

A number of general recognized international norms for assessing conduct appropriate to conflict reduction are relevant in the Rwanda case. The obligation exists for the parties in the conflict to attempt to settle their differences by peaceful means, utilizing where possible the appropriate international organization to which they are members. In refugee matters, countries of origin are obliged to allow their nationals the right to be repatriated². States are not to permit invasions of other states from their territories³. There is an obligation not to intervene in the internal affairs of sovereign states except in cases of genocide. These norms are not always compatible, either in principle or in practice, nor were they in the Rwanda case. For instance, norms affirming the right of refugees to return, and norms against using

military force from outside the country to enforce that right seemed to be at odds in practice. No similar incompatibility existed between the general strictures against intervention, on the one hand, and the explicit legal right and associated moral obligation to intervene to stop the mass slaughter of civilians according to the Geneva Genocide Convention.

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

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

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

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

variables that had a triggering or accelerating effect, such as arming militias or the downsizing of UNAMIR, were subject to more immediate control through internal as well as external influences.

The same distinction between situational and structural variables is also applicable to those charged with interpreting and responding to the crisis. A realistic assessment of the international response to the Rwandan catastrophe must recognize the structural restraints of the existing international system based largely on competitive nation-states. Current capacity at the state, regional (OAU) and international (UN) level to identify and respond to conflicts of the kind that occurred in Rwanda constitute structural constraints on action. The broader foreign policy interests of the major powers provided the context within which specific policies towards Rwanda were formulated, both prior to and during the 1994 violence, and represented structural constraints of a different kind. Nevertheless, within these limitations, options were available and these constitute the focus of this report. Structural problems (e.g. on the UN level) will be dealt with only insofar as they affected the Rwanda case⁴. The conclusions and associated recommendations are situation specific. As such they are not necessarily relevant for warning or management of the conflict in Rwanda as it is currently evolving, but rather to a set of circumstances and actions that have generic applicability.

Time Frame for Analysis

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

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

Phase II includes the period from the October 1990 invasion until the signing of the Arusha Peace Agreement in August 1993. This period was characterized by an interlinked process of civil war, civil violence and preventive diplomacy. The organized violence against unarmed civilians in this phase constituted a kind of early warning to the effect that worse might be in store. Simultaneously, the intense diplomatic activity resulted in a peace agreement between the government of Rwanda (GoR) and the rebel Rwanda Patriotic Front (RPF). The political democratisation within Rwanda during this period was related to the dynamic of conflict and its management.

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

Phase IV covers the two weeks from 6 April until 21 April 1994. The immediate aftermath of the death of Rwanda's president in a suspicious plane crash - when it soon became evident that large-scale and targeted killings were underway - marks a distinct phase in terms of the international response. The report focuses on the

information available that genocide was imminent and had, in fact, begun, and the corresponding responses, particularly as they relate to the question about the role UNAMIR should play. The dynamic interaction of the management of the genocide and the management of the conflict - or rather, the failure to distinguish the two - is a central concern. The analysis focuses on the decision-making process in the UN over the future of UNAMIR, efforts by UNAMIR to carry out relevant parts of its mandate in the new situation, and the eventual decision by the Security Council to draw down the force, leaving only a symbolic military presence.

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

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

CHAPTER 1

PHASE 1 - THE FESTERING REFUGEE PROBLEM

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

The norms for regulating problems of this kind of were in place. With reference to African legal instruments and other international law, the Organization of African Unity (OAU) and UNHCR had appealed to African states to prevent refugee problems from generating renewed strife by following accepted principles of state responsibility towards refugees: The country of origin must allow refugees full and right of return; failing this, the host state should permit full settlement of refugees who cannot turn elsewhere. The OAU had attempted to regulate problems associated with militant refugee communities in its 1969 Convention on Refugee Problems in Africa (1969), more generally in the African Charter on Human and People's Rights (1981), and also in the Charter of the OAU itself (1963). All instruments prohibit the use of the territory of one state for subversive activities against another. The 1969 Convention specifically addresses this obligation to refugee communities and to the receiving state by imposing restrictions on both ⁵

The specific refugee problems in the Great Lakes Region had long been recognized by UNHCR. In the early 1960s, the agency extended its protection to Rwandan refugees in Uganda, including some 80,000 who were receiving UNHCR assistance. UNHCR also facilitated joint Rwandan-Ugandan talks to solve the crisis arising when some 35,000 Rwandan refugees were expelled from southwestern Uganda in 1982-83.

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

While a signatory to the relevant international instruments governing host country treatment of refugees, Uganda did not have a clear policy on integration. Municipal law regulating refugees (The 1964 Control of Aliens Act) was restrictive and subjective, giving the Minister great discretionary power over the status, movement and property of refugees (Khiddu-Makubuyu 1993, 1994). The subjective nature of the law reflected the actual experience of the Rwandan refugee community in Uganda. Conditions varied according to the political climate and as such, gave little, security for either the present or the future. Few availed themselves of the opportunity to acquire Ugandan citizenship. Legal formalities were no guarantee of security, as illustrated in the 1982-83 "Chasing" when Banyarwanda of both Rwandan and Ugandan citizenship were attacked. More important, Ugandan citizenship would have terminated their right to return - and for that reason was the optimal solution mainly for the Rwandan government. Many refugees nevertheless found sufficient security, educational opportunities and mobility in Uganda to enable the second generation to become an "advanced" refugee community. That relative success, in turn, became part of the problem and exposed them as a target for local grievances in land and other issues.

The intermittent invitations to return issued by the Rwandan government during the first Republic (1962-73) had not been believed by the refugees. Citing overpopulation, the Habyarimana government had consistently and unequivocally denied the refugees the right of return. This was graphically demonstrated in 1982-83 when refugees chased out of Uganda were stopped at the border by Rwandan forces, and became stranded under very difficult conditions. Not until 1986 did President Habyarimana suggest the possibility of return, and then on an individual and conditional basis.

In the refugee community, the militants of the early 1960s had by the 1980s been replaced by a second generation. A new political movement was formed in 1984 as the Rwandan Alliance for National Unity, and evolved into the Rwandese Patriotic Front which crossed the border in October 1990. Key RPF leaders had earlier been in the Ugandan National Resistance Army (NRA), and were alongside Museveni when he ousted the Uganda's President Obote in 1986 and seized power. They continued to hold senior positions in the Ugandan army⁶. A series of events within Uganda and Rwanda in 1989-90, however, apparently convinced the RPF leadership that the time to move had come, and that the Habyarimana regime could be replaced by a political

system where the RPF would have its proper place and enable the refugees to return (Otunnu 1995).

Possibly sensing the drift of events, Habyarimana seized the initiative on the refugee issue (Watson 1991, Erny 1994, Guichaoua 1990). He reiterated a limited offer of conditional return and in 1989 established a Commission on Rwandan Refugees in Uganda. A Rwandan-Ugandan interministerial committee on refugees was also revived and, in cooperation with UNHCR, developed a plan for UNHCR to survey Rwandan refugee settlements in Uganda in the fall of 1990, so as to assess the demand for repatriation and prepare the modalities of return. It turned out to be too little too late.

It has later been suggested that a portion of the refugee population, including its more prosperous and well-established members, might have been more interested in the formal right to return, and the right to visit freely, than in permanent repatriation⁷. The existence of possibly diverse views within the refugee population was missed, however, by a preliminary and poorly designed UNHCR survey conducted in mid-1990⁸. The survey was at any rate soon overtaken by events, as the October invasion radically transformed the situation.

The issue of return must be also be considered in a broader political context. The demand of the RPF was not simply to return, but to change the political regime in the homeland. Indeed, the refugee issue appeared as only point number 5 on their 8-point political program (Reyntjens 1994, p.200). Nevertheless, had the Habyarimana regime formally recognized the right of return, this might have given symbolic satisfaction to many, even in the absence of political reforms. Equally important, it would have undermined the position of the militants in the RPF.

In retrospect, a window of opportunity to deal with the refugee question can be discerned around 1989 and early 1990. The issue was clearly significant from a humanitarian perspective and for conflict management. International law and norms are well developed in this area, and particularly in Africa, in recognition of the fact that refugee problems, if left unattended, will create long-term social conflict. That more pressure was not brought to bear on Uganda and Rwanda to implement their obligations reflected conditions which were to recur in the Rwandan conflict - limited regional capacity and limited international interest. The OAU had the right norms in place, but had no mechanism to enforce them. The same applied to UNHCR. Western countries, which had significant potential leverage, were preoccupied with events in Eastern Europe and seemed largely indifferent.

Recognizing that RPFs decision to return from Uganda by armed force constituted a violations of international law, President Museveni immediately disavowed any Ugandan responsibility or foreknowledge of the event.⁹ The official view in Kampala was that this was a purely internal Rwandan affair, which consequently did not warrant international response. There is strong evidence, however, that Museveni indeed knew about the RPFs offensive and at least did nothing to prevent it¹⁰ Museveni clearly stood to gain from a successful return. He would be rid of a troublesome refugee issue and, at best, have close friends and erstwhile clients in a position of power in a neighbouring state.

Quite possibly, Habyarimana could have anticipated the invasion on the basis of a series of indicators¹¹: the visible movement towards the border of Tutsi soldiers and officers in the Ugandan army; an abortive invasion that had been attempted in 1989; the sudden slaughter in refugee areas of 1,200 cattle to make provisions of smoked meat in July 1990; the fact that the training of Rwandan military refugees on ranches in the Mbarrara border was raised at the same time in the Ugandan parliament; furtive fund-raising among Tutsi throughout the region; and endless reports in Uganda about military mobilization by Tutsi in the NRA.

This intelligence was available to Habyarimana, and it was certainly available to diplomats and other observers in the region. However, no alarm bells went off until after the fact¹²

CHAPTER 2 CIVIL WAR, CIVIL VIOLENCE, AND THE INTERNATIONAL RESPONSE (1 October 1990 to 4 August 1993)

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

2.1 From Invasion to Negotiations (October 1990 to June 1992) **Track 1: Civil War and the Response**

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

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

Prime Minister, the Foreign Minister and the Minister of Defense - toured the region to promote reconciliation and presented the case to the European Union for support.

A positive sounding communiqué was issued from the first summit in Tanzania, marking an exemplary transition from war to diplomacy only two weeks after the invasion. Yet, the initial success of regional diplomacy was short-lived. A formal cease-fire signed at N'Sele on 29 March 1991 lasted only to mid-April, when fighting resumed. The initial deployment of the OAU Neutral Military Observer Group (NMOG), as provided for in the N'Sele agreement, was a failure. The only states to contribute troops were Zaire, Burundi, and Uganda. Since none of them were considered neutral by one or the other Rwandan party, the force became inoperative. The Rwandan government insisted on prior clearance for every movement of the military observers, a demand which greatly diminished their ability to monitor cease-fire violations. A second cease-fire agreement (26 October 1991 at Gbadolite, Zaire) called for a revised NMOG, stipulating that it should be headed by a commander from more distant and impartial Nigeria

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

Both Uganda and later France pursued a dual policy of supporting their respective Rwandan partner, yet encouraging negotiations. In keeping with international precepts, Uganda formally denied it was supporting a rebel army - a claim upheld even after the RPF seized power in 1994. Yet, Uganda served as a rear base for the Front, enabling it to regroup, recruit and mobilize among the refugee community, and evidently to funnel weapons and supply to the RPF controlled area inside Rwanda. At the same time, once the invasion was a fact but did not bring RPF a speedy victory, Uganda cooperated to get negotiations started. At the regional summit in mid-October 1990, Museveni agreed to work with Tanzanian president Ali Hassan Mwinyi to persuade the RPF to accept a cease-fire. He further promised to explore the possibility for an interpositional African force to be deployed between the combatants once the cease-fire took hold.

France's Dual Policy:

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

As the military weakness of the government was revealed, however, the Africa Unit in the Elysée Palace and the Military Assistance Office in the Ministry of Cooperation embarked on a policy to rapidly build up the Forces Armées Rwandaise (FAR).¹³ With French technical and military assistance, including credits for arms purchases, Rwanda's tiny army tripled from 1990 to 1991, and by the time of the peace agreement mid-1993) was at least 30,000. The French military assistance unit in Kigali (DAMI) provided training and operational guidance. Numerically the French were not a major presence (370 troops, augmented to about 700 during the 1993 RPF offensive, and some 150 coopérants militaires), but they provided critical support and strategic leadership. There is also evidence to suggest that contrary to customary practice and the text of the 1975 military assistance agreement under which the Force Noroît was dispatched to Rwanda, French soldiers at times participated directly in the war¹⁴ This was consistently denied by the French government.

The role played by the Elysée Palace and the Ministry of Cooperation was increasingly questioned by the Ministry of Foreign Affairs, which around mid-1991 recognized a compelling logic of negotiation in a situation it characterized as follows: the RPF might win militarily but not politically, while the government could not win militarily, though might command the numbers to win politically (Callamard 1995). According to this logic, France could best salvage its interests in Rwanda by promoting a negotiated settlement on favourable terms to the Habyarimana regime. In October 1991, the director of the Africa bureau in the Ministry of Foreign Affairs attempted to bring representatives from then Rwandan government and the Front together in Paris.¹⁵ The efforts did not bear fruit until late spring 1992, when the two parties agreed in Paris on 8 June to open formal peace talks.

By giving military assistance to the Habyarimana regime in time of war, France followed customary alliance politics, rather than the neutral international practice of not supplying arms to belligerents during war, as observed in this case by Belgium. At the time there was no international arms embargo on Rwanda. The three formal cease-fire agreements signed in 1991-92 prohibited the "infiltration of war material to the area occupied by each party,"¹⁶ but all had been violated by one or the other Rwandan party and hence lost much of their contractual force. Until the signing of the Arusha agreement, therefore, France could argue - as indeed it did - that it exercised the common right of sovereign states to give military aid to a friendly government facing a rebel force. French authorities did not end arms sales or credit assistance for Rwandan weapons purchases from third countries, but refused to comment on reports of particular shipments.

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

The Beginning of Democratization

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

The formation of the second coalition government had enormous and contradictory consequences. The timing for democratization was in some respects not auspicious - the country was at war, the economy was deteriorating, and ethnicity was re-emerging as a polarizing dimension. In part, *multipartisme* became a cloak for particularist interests, encouraged ethnic mobilization and fed political fiefdoms that usurped the civil administration, as a disillusioned former minister wrote from exile (Gasana 1995:231-2). Ultimately more significant was the effect on Hutu extremism. The combined pressures for peace negotiations and democratization were a double-bored attack on the existing power holders. When political forces later polarized, one extreme fringe translated this into an absolute struggle with only final solutions. In 1991 and early 1992, however, the most visible domestic political forces were the two suggested by Gasana: a "presidential tendency" that was conservative, inclined to defend Hutu supremacy and relying on a strong party, the militia, the army, and Habyarimana to preserve its power; and a second "moderate tendency" seeking to replace the Second Republic by non-violent means and institute a vaguely formulated plural political system.

The formation of a coalition government clearly had a salutary effect on the peace negotiations which were formally initiated in the spring and summer of 1992. The first act of the Foreign Minister of the new coalition - a moderate opposition member - was to call for political talks with the RPF. This call was picked up by inter-state diplomatic mechanisms and, after intercession from the United States, France and the Vatican, led to the Arusha talks in the summer of 1992. Having included his domestic opponents, Habyarimana permitted them to lead the negotiations at Arusha.

2.2 The Arusha Period (June 1992 to 4 August 1993)

Track I: Diplomatic and Military Activity

The Arusha process - as it came to be called after the resort in Tanzania where the peace talks were formally launched on 12 July 1992 - was pursued at a very high level in the region, drawing in heads of states and foreign ministers. The core negotiations on a future peace agreement had participant-observer delegations from five African states (Burundi, Zaire, Senegal, Uganda and the Tanzanian "facilitation" team), four Western countries (France, Belgium, Germany and the United States), and intergovernmental organizations (the UN, OAU and UNHCR). Britain, Canada,

the Netherlands and the European Union, important members of the Western donor community in the region, closely monitored the process from their local embassies. Nigeria was represented at the Arusha-linked Joint Political Military Committee (see below).

Formally acting as a "facilitator," the Tanzanian government undertook a sustained and skilful mediating effort that was critical in bringing about the final agreement¹⁸. The OAU, having provided a military observer group to monitor successive cease-fires, also maintained a high level presence at the negotiations, with either a senior political officer or Secretary-General Salim himself representing the Organization. For Salim, the Arusha process was a challenge to demonstrate that the OAU could make a critical contribution to conflict resolution in Africa. To this end, Salim had just revived the organization's Conflict Resolution Mechanism and expected that the unit would be formally approved at the Cairo Summit in 1993.

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

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

The Accords moved Rwanda from a presidential to a parliamentary system of politics, with most of the power of the Presidency transferred to a Council of Ministers. Habyarimana - who was to occupy the presidency during the transition period prior to elections - was left with a ceremonial position. During the transition period, seats in the Council of Ministers of a Broad-based Transitional government (BBTG) were divided between the government and the internal opposition parties as well as the RPF. The ruling party (MRND) was left with only 5 out of 19 portfolios, and most were politically insignificant. The regime also would lose power in local administration and the judicial branch. The distributor of portfolios agreed to at Arusha accentuated the dramatic nature of the change. Ideologically and politically, the BBTG represented a frontal attack on the power base erected by the Habyarimana regime during 20 years of rule - a denial of authoritarian rule, of "Hutu power," and especially Northwestern-based regime power which was the regional constituency and political backbone of

the regime. The terms of the Agreement signalled a pluralist state and a civil society, and the idea of a people united by a common Rwandan nationality - not divided by narrow ethnic lines into Hutu versus Tutsi¹⁹

Most significantly, the hard-liners who surrounded Habyarimana - senior ministers in the MRND party, senior military figures in the armed forces and the Presidential Guard, and members of the newly formed *Coalition pour la defence de la république* (CDR) - were denied power in the transitional institutions. In spite of advice to the RPF from Western states that it would be a better tactic to co-opt the extremists than exclude them, the CDR was not included in the power-sharing formula of the BBTG nor allocated seats in the transitional Assembly. The ruling party had demanded that the CDR be represented; the RPF, correctly noting that the CDR was both extreme and a non-party, absolutely opposed this and prevailed. The extremists responded by open threatening to bring about "an apocalypse" when these sections of the Accords were negotiated, as their spokesman, Col. Bagosora, declared during one session.

The losses sustained by Habyarimana and his allies in the protocol on political structure were paralleled, and thus sharpened, by equivalent losses in the military sector. Hoping to secure at least continued control over the armed forces, the government opened the bid during discussions at Arusha on the integration of the armed forces by offering the RPF a mere 15% share of the joint armed command. The latter rejected this outright, and the government was eventually forced to accept a much modified scheme which split positions 50-50 not only at the high command level but all the way down to field commanders, and narrowly favoured the government in a 60-40 distribution of troops. Observing the trend, a western diplomat cabled home that the agreement had moved negotiations ahead of the consensus and asked repudiation by forces in Kigali. He was to prove correct.

Related military issues were also hard to accept for the army. Over 20,000 government troops would be demobilized, more than twice the figure for the RPF²⁰. While the government units had demonstrated little enthusiasm for fighting, especially during the 1993-RPF offensive, demobilization seemed even less attractive. Another controversial point was the provision for stationing of an RPF battalion in Kigali during the transition period. For the government forces this was a visible expression of defeat.

That the Arusha agreement produced such profound changes which were registered as defeats by the government and especially by hard-liners in Kigali can be attributed largely to the balance of power between the Rwandan parties. The RPF negotiating team was extraordinarily strong, with discipline, preparedness, and commitment in stark contrast to the fractionalized, ill-disciplined, and ineffective government team. Reflecting the divisions at home, the Kigali delegation was composed of some Habyarimana allies, but lead by the opposition party members, and obstructed by recognized members of extremist factions which also were at Arusha. Equality if not more important, negotiations on the military issues were conducted at a time when the military position of the government deteriorated sharply. In February 1993, the RPF had launched a major offensive to break government stonewalling over the BBTG protocol and to protest the massacre of 300 Tutsis in Bugogwe. The offensive shocked Kigali and threw the government forces into disarray. Rebel troops fought to within 23 miles of the capital despite the fact that

France sent a small contingent of paratroopers to reinforce government troops. The Front's victories clearly showed their upper hand on the battlefield; this calculation may have also moved the RPF to undertake the offensive on the eve of the scheduled talks on military matters.

In retrospect, it has been customary to refer to the Arusha process as preventive diplomacy and judge it against the catastrophic violence which followed. Held against this standard, it is clear that the process failed. But the main objective at Arusha was not to prevent a clearly perceived future calamity²¹. More conventionally, the aim was to end a war and to construct a post-war peace agreement in the absence of total victory or defeat. This required a formula for power-sharing and agreement on the future political process, demobilization and integration of the respective armies, and return of refugees (including displaced persons). Similar agreements had recently been negotiated to end wars in Central America (El Salvador and Nicaragua), in Southern Africa (Mozambique and Angola) and in Southeast Asia (Cambodia). These, if any, were the models. The closer the Arusha process came to end the war and to define the protocols that would structure future politics, the closer most participants believed - they had come to achieve peace. In this calculus, the primary criterion for success was to obtain the signatures of both parties on a reasonable peace agreement.

The final agreement dealt comprehensively with all the issues related to ending the war and opening up of the political system. As such, it was a "perfect" agreement, as some observers noted at the time. However, there was one Mica The weakness: The Arusha process did not deal with the losers in the agreement. Excluded from the transitional institutions, the extremists as represented by CDR were not neutralized by other means, and remained in a position to wreck the entire edifice.

In retrospect, the exclusion of the extremists became a major issue in evaluations of the strength and weakness of the Arusha Accords. Whether the alternative, South Africa style solution would have worked in the end remains conjectural, and opinions were divided at the time. Most observers at Arusha concluded it was unwise to exclude a major force in Rwandan politics, as this faction would have no stake in the successful implementation of the Accords. Other diplomats in Kigali shared the RPF assessment that the extremists were not interested in sharing power but bent on destroying the new political order that was drawn up. Those who held this interpretation looked to a speedy implementation of the agreement as a means to control its violent opponents.

The part with most immediate leverage on the RPF was Uganda's President Museveni. Apparently he tried but failed to sway, is erstwhile allies on both the CDR issue and the military protocol. During the course of the civil war and negotiations, Museveni had lost some of his influence over the RPF. The Front's repeated successes on the battlefield gave them a stronger basis for autonomous action. A second factor was Museveni's decision to formally distance himself from any involvement in the civil war, and, in particular, deny that arms were crossing the border in violation of international norms. During the Front's February offensive, Museveni wrote to the Security Council inviting the UN to deploy observers along the Uganda-Rwanda border to verify that Uganda did not aid the offensive. 22 This

request, which resulted in the establishment of the UN Observer Mission Uganda-Rwanda (UNOMUR)

Track II: Civil Violence and Human Rights Conditionality

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

Early Warnings

The political scene in Kigali in 1992-93 was admittedly complex, and a flurry of rumours and propaganda further complicated the picture. Key questions remain unclear even today, including the relationship between Habyarimana and the extremists. Was he a master or a victim of the hard-liners, and if he moved from one role to another, when did this happen? Furthermore, outside analysts had to decipher the civil society, that suddenly flourished. The print media multiplied across the political spectrum, as did NGOs and various political movements.

Yet, there was considerable and wing evidence of Hutu extremism, and human rights violations were documented. Much information was generate human rights organizations and concerned activists; intelligence sources produce some, and, in Kigali, the small foreign diplomatic corps observed the scene, reported home, and for the most part shared information with each other. An informal grouping of the ambassadors from the United States, Belgium, Germany, France and the Vatican - also known as The Five Musketeers - met frequently.

It was well known at the time that the combined peace and democratization process faced strong opposition. Already in July 1991, a French intelligence assessment identified three critical circles of power in relation to the peace process, starting with the inner circle formed by the President's in-laws and associates, an outer circle of relatively more moderate members of the military and the cabinet, and, lastly, an amorphous grouping of younger officers and intellectuals willing to entertain change. Since the objective of the fast circle was to retain power, any form of imposed negotiation would provoke their resistance, it was concluded. The analysis found its way to other donor states and was soon amplified by pointed statements and actions by the hard-liners.

Later signs pointed to the consolidation of the power of the first political grouping - the Hutu supremacists -through the formation of what amounted to parastatal organizations. The CDR was formed in March 1992, bringing together military and political extremists from circles inside and connected to the Presidential Palace. The party militias (*the interahamwe and impuzamugambi*) were also formed at this time with direct support from the CDR, the ruling government par, and the Presidential Guard. Both operated openly, and diplomats in Kigali readily recognized both as instruments of the ruling party. Yet, their precise function was open to various interpretations. Some observers accepted at face value that the militias were formed

to defend the country against the invading RPF-troops according to the doctrine of village self-defense.

By late 1992 and especially in early 1993, a much more comprehensive body of evidence was available and frequently discussed in the diplomatic community in Kigali. There were increasingly frequent killings of Tutsi and more information about death squads as well as the existence of a Network Zero around the President which reportedly was plotting to exterminate regime opponents and circulated death lists. The report of the International Commission of Inquiry on human rights violations in early 1993 was widely circulated (FIDH 1993). The Belgian government, for one, took it so seriously that it temporarily recalled its ambassador from Kigali. The report documented the involvement of the government in what was described as systematic killings directed against the Tutsi, and estimated that about 2,000 persons had been murdered in the 1990-92 period. Briefing reporters on its finding, the Commission used the term "genocide" to describe the killings. This claim was retracted in their official report published in March because of fear that such a designation would be considered hysterical. ²³ It was, however, upheld in a report by the UN Commission on Human Rights a few months later (see below).

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

By this time, links between the civil violence and the peace process became more explicit. At every important juncture and setback for the government, Tutsis were murdered. Clearly discernible in retrospect (see Figure 1: A Pattern of Violence), the coincidence between killings of Tutsi and the rhythm of negotiations in Arusha was also recognized at the time by several Kigali-based diplomats and variously interpreted. "We read the killings as a political negotiating tactic," one analyst later said. Others saw the violence more radically as an attempt to derail the entire peace process.

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

behind the work of the death squads, including the Kibuye massacres in August 1992.

The presence of hate propaganda in Rwanda was also noted as an indicator of increasing tension and mounting Hutu power." However, interpretations of the message differed. As with the notorious Radio et Television Libre Milles Colines (RTL) - founded soon after the signing of the peace agreement - the hate media in this period was so explicit and literal that some diplomats, both Western and African, afterwards said they tended to dismiss it. Similar reactions were entertained even by the RPF, as a leading Front member later recalled. "What they said was so stupid; we did not take it seriously enough."

The Conditionality Question

Acknowledging the widespread evidence of a deteriorating situation, donor countries made some efforts to correct it. While the United States did not stress, and France did not include, human rights issues in their policy towards Rwanda, 24 other donors did. Belgium formally incorporated human rights criteria in its foreign aid policy after the Socialists came to power in 1992. Canada, another major donor, had done so all along. The representatives of Switzerland and the Vatican also spent considerable time and efforts raising issues of human rights, and made repeated demarches to the president and the Minister of Justice (when there was one. More generally, diplomats from states concerned with democratization put their faith in political reforms: promoting multipartism and good governance would help address human rights issues, including the critical issue of legal impunity.

There was some progress towards democratization and a few human rights cases were attended to. The regime's progressive move towards multipartism was in partly due to Western persuasion and pressure. High-profile pressure by foreign diplomats and quiet work by ICRC helped to bring the release of nearly 11000 persons who were detained when the RPF invaded in 1990.

In principle, most Western donors made economic aid conditional upon the observance of human rights. In practice, however, no donor reduced aid with specific reference to human rights violations even though these were recognized as severe. For instance, the Belgian government took steps considered extreme in the language of diplomacy when the international human rights commission published its incriminating report in March 1993. The Belgian ambassador in Kigali was "recalled for consultations,," and the Rwandan ambassador in Brussels was told that Belgium would reconsider its economic and military aid unless steps were taken to rectify the situation. However, Habyarimana made conciliatory statements and Belgian aid continued.

Why was human rights conditionality - an arrow in the quiver available to the international community - not imposed? Conditionality on economic policy was all along precisely defined and consistently promoted. The principal demands for structural adjustment and fiscal reform were formulated by the World Bank, and supported by major donors. Evident

efforts by the Rwandan government to comply in the area of economic reform possibly reduced the incentives for donors to push hard on human rights issues. There were also other concerns. With a traditional! efficient local administration and functioning infrastructure, Rwanda's ability to absorb aid had partly accounted for large assistance flows in previous years. In the early 1990s, it was still a country where foreign aid bureaucracies could reasonably disburse money. Project feasibility helps to explain the continued inflow from two traditional donors, France and Belgium²⁵.

FIGURE I: A PATTERN OF VIOLENCE

Track I ————— Track II

Events in 1990

1 October: RPF invasion
45 October: A "false attack" on Kigali

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

October: Ca. 300 Tutsi killed in Kibilira (in Gisenyi prefecture, NW)
October-November: Numerous Tutsi-Hima in the Mutara range (N) disappear

Events in 1991

January: RPF raid on Late January-early February: "Hundreds" of Tutsi Ruhengeri prison (Bagogwe clan) killed in NW region
Events in 1992 March 14: Habyarimana agrees to coalition
Mid-March: Massacres in Bugesera (NW) 60-300
govt., to negotiate peace with RPF
and to settle refugee problem - Tutsi (Bagogwe clan) killed, 10,000 displaced
April 16: Coalition government formed
April 25-May 6: Ca. 22 killed in assassinations and grenade attacks and ca 100 injured in Kigali and 3 provincial towns

August 10-17: First round at Arusha - August 15-17: Ca. 300 Tutsi killed in Kibuye (N) Agreement on Protocol on rule of law, political pluralism and respect for human rights.

Sept-October: Negotiations on power sharing at Arusha. GoR split and talks halted
October 30: CDR demonstrations in Kigali turn violent

November 15: Habyarimana calls Arusha accords "a piece of paper" in Kigali for Arusha turn violent
November 15: Opposition demonstrations

December: Arusha talks continue, GoR still split on power sharing issue
December 25-31: Bombs explode in Kigali and Butara; three Tutsi killed in Kibilira, dozens of opposition members threatened/injured/homes burnt

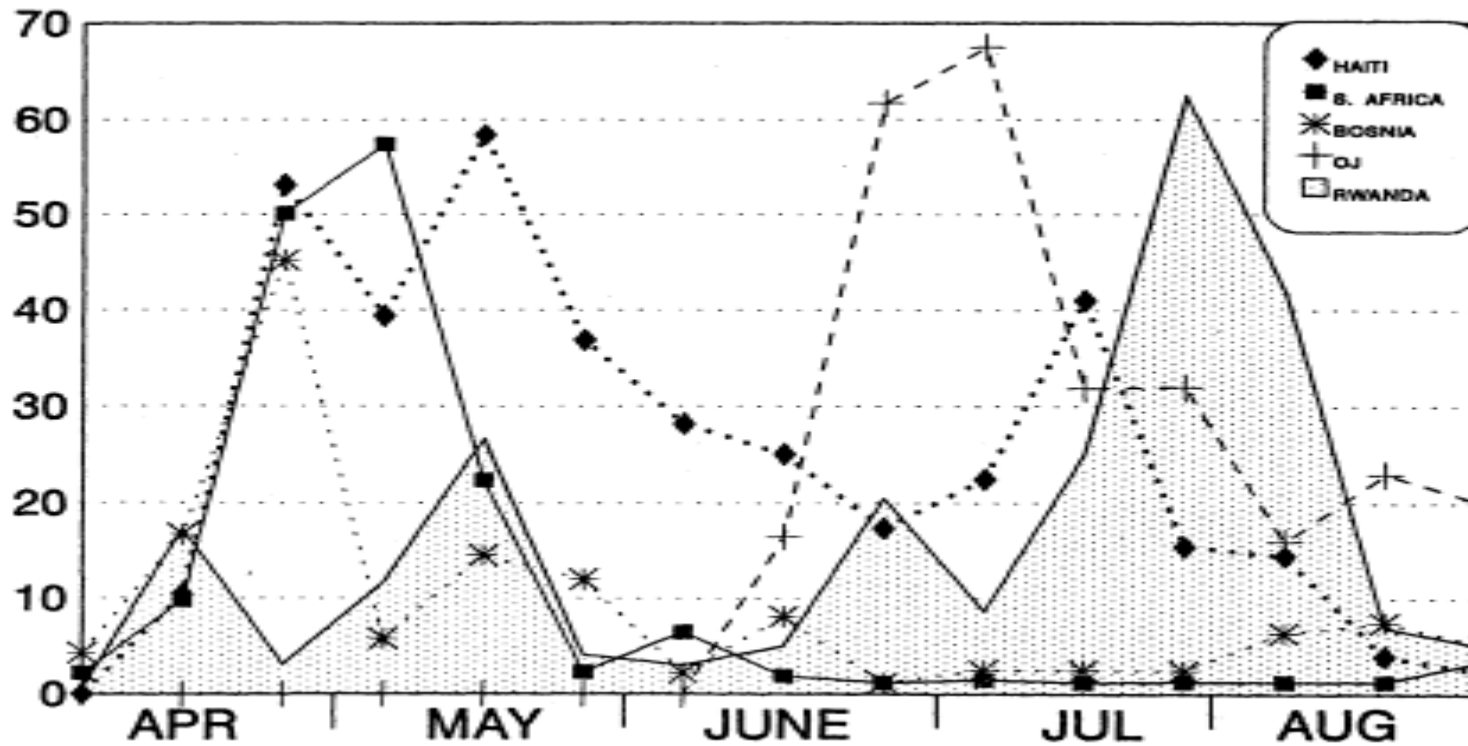
Events in 1993

January 10: Arusha Agreement on power sharing
January 20-26: Ca. 300 Tutsi killed in Gisenyi
February 8: RPF launches offensive
February: 25-50 Tutsi reported killed in north and central regions

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

NETWORK COVERAGE BY TOPICS

Coverage in Minutes



Aggregate coverage of ABC, CBS and NBC Nightly Newscasts

Source: Steven Livingston, "Too little Too late: American Television Coverage of the Rwanda Crisis of 1994"

There was a more fundamental reason. International pressure to democratize and institute "good governance" developed a special rationale in Rwanda: just as the Arusha process was a solution to civil war, so democratization came to be seen as a solution to the growing problem of civil violence. Support for democratization and the related peace process implied continuous economic and diplomatic engagement in Rwanda. From this perspective, it would be counterproductive to tie economic aid to improvement on human rights, as Western human rights organizations called for in 1992-93.²⁶ Hence, donors became hostage to their own policies.

As the economic situation deteriorated in 1993, and renewed war plus drought increased the number of internally displaced people to around 1 million, the international community pledged large amounts of humanitarian aid. Simultaneously, some donors shifted project aid into relief assistance. The issue of conditionality thereby became more remote. The call for ledges for international humanitarian assistance went out in the UN system in March, around the time when the international NGO Commission published its report detailing official involvement in massive human rights abuses. The UN Department of Humanitarian Affairs put the question on the table by asking in an internal memo how the human rights issue should be handled at the upcoming Round Table appeal. No one provided an answer, and the issue was put aside.

Given the problematic nature of sanctions, donors instead looked to "positive conditionality," in European Union s, to promote democratization and human rights. Aid was allocated to strengthen particular sectors. Thus Canada (ugh ICHRDD), the United States and Belgium supported projects to improve administration in the Ministry of stain with advisors, seminars, and training, and to strengthen civil society by supporting local human rights organizations and encouraging a free press.

Despite these efforts, the quality of governance declined markedly. In the Ministry of Justice, for instance, the assignment of foreign advisors could not make up for the fact that for most of 1993 there simply was no Minister of Justice at all. The one who was finally appointed towards the end of the year had a shady reputation that was subsequently confirmed.²⁷ Under the impact of multipartism and fiercely conflictual politics in late 1993 over the implementation of the Arusha agreement, administrative agencies turned into political fiefdoms of a more extreme kind than before. There was no accountability and project implementation had become impossible, USAID concluded, suspending its program in 1994. Germany did the same, citing insecurity in the countryside and the erosion of administrative efficiency. Also the European Union put most of its 4-year aid allocation to Rwanda on hold.

By suspending aid with reference to bookkeeping and project feasibility rather than the human rights criteria, donors sent the message that human rights conditionality was preached but not practised. The same applied to the infamous Radio Mille Collines. Unable to agree among themselves on the significance of the radio and how to silence it, the donors limited themselves to yet another demarche to Habyarimana. The latter responded as usual by promising to look into it, and there the matter rested. ²⁸ Half-hearted conditionality of this kind probably succeeded only in eroding the credibility of diplomatic suasion.

By late 1993, the limits of diplomacy were becoming obvious, yet the prevailing sense among concerned members of the diplomatic corps was that the only alternative was to soldier on. In a earnest window and while donors still had commitments to development aid that could be adjusted as needed. Although information about the extremists at that time was less alarming, human rights violations were significant indicators of trouble, as well as important in and of themselves.

The UN Human Right Machinery

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

The UN Commission on Human Rights discussed Rwanda in both 1992 and 1993 under its "1503-procedure," the confidentiality clause used to initiate discussion on countries where serious problems are noticed.²⁹ Customarily, the 1503 procedure is a warning signal which alerts the Commission to the fact that human rights conditions within a country merit particular attention.

As the discussion was protected by the confidentiality clause, little is known of what transpired when the Commission's Committee of Five examined Rwanda in 1992, and again in 1993. The first year, only a pro government spokesman appeared, a local judge known to Western diplomats for his grossly inadequate handling of cases brought against government officials. By the time of the second meeting, Rwanda had a coalition government and a member of the opposition MDR party was in the delegation, the then Minister of Primary and Secondary Education, Agathe Uwilingiyamana. Mrs. Uwilingiyamana - who was the first high-level official to be murdered after 6 April - admitted to human rights problems and said the government would try to rectify the situation³⁰.

Rwanda was also discussed in several thematic reports presented to the Commission as a whole in 1992 and 1993.³¹ In early 1993, human rights groups in Rwanda asked the Special Rapporteur on extra judicial executions, Mr. B.W. Ndiaye, to participate in an international commission of inquiry into human rights violations in the country. While declining on procedural grounds, Ndiaye was sufficiently concerned to visit Rwanda. His ten day visit produced a report in August 1993 (E/CN.4.1994/7), which was presented to the Commission early in 1994, i.e. shortly before the genocide took place. The report was given only routine consideration in the Commission. As a political body composed of UN members, the Commission rarely discusses particular countries except those singled out for attention by a Special Rapporteur. Not being singled out, Rwanda was folded into a report which the Commission discussed thematically rather than according to country cases.

Because the Ndiaye report raises the question of genocide, the failure of the Human Rights Commission to give it more than routine recognition has later been criticized.

One explanation lies in the nature of the report. Ndiaye does support the substance of the allegations of the NGO Commission (FIDH 1993), in particular concerning official involvement in the massacres of civilians (para. 28). It further notes that the question of whether the massacres may be termed genocide "has often been raised" (para. 78). After a brief discussion - totalling 4 out of the report's 86 paragraphs - Ndiaye offers an "initial reply": since Tutsi have been the victims in the overwhelming majority of cases, and have been targeted solely qua Tutsi, the Genocide Convention's Art. II, (a) and (b) would apply³².

A diplomat in Kigali who read the report and who was nearly killed by the Hutu extremists said it hardly prepared him mentally for the massive slaughter that was to come. Rather, the Ndiaye report was read as a technical, legal analysis, not an alert that raised the spectre of the killings of half a million people. The magnitude associated with genocide in popular opinion was absent. Moreover, the report presented the violence in the context of "business-as-usual": the country has already experienced many massacres of an ethnic character. Such acts of violence recur periodically, and the persons responsible, who in most cases are known to everyone, go unpunished. The Special Rapporteur became aware that this situation was part and parcel of everyday life for many Rwandese people, and that ethnic violence had become a practice which, if not accepted, was at least life rooted in Rwandese folk memory" (para. 46).

Judgments of complicity must be informed by agent-outcome relationships with respect to distance in time, causality and information. The failure by the international community to make effective demands on its relationship with a regime whose involvement in massacres was generally suspected and carefully documented in two 1993 reports - one from a joint NGO mission and the other by a Special Rapporteur of the UN Commission on Human Rights - was an act of omission that carries at least some moral co-responsibility for subsequent events in Rwanda. Acts of commission carry heavier responsibility.

By its deepening military and broad diplomatic support for the regime, French policy constituted acts of commission. Aid was justified with reference to the ongoing war with the RPF, although the nature of the conflict meant that France was helping to build up the military apparatus of a regime which committed human rights violations at the time, and subsequently became deeply implicated in the genocide. Information about the human rights situation was generally available; given its close relations with Rwanda, France had more possibilities than most to obtain intelligence on the extremists. French military aid also strengthened the latter more directly in that some weapons provided to the FAR were diverted to the militias, and militia members were believed to be among the army recruits French cooperants militaries were training (Prunier 1995). There is also some evidence from diplomats in Kigali that French officers trained interahamwe units directly³⁴.

The political and ethical implications of this policy have been articulated by French critics (e.g. Bayart 1994, Brauman 1994, Verschave 1994). Even from the criteria of Realpolitik it seems questionable. As the noted scholar Jean-Francois Bayart asked,

if French policy aimed to stabilize the situation, how could that be achieved by supporting a regime which permitted, or even organized, assassinations of political opponents and mass murder.

CHAPTER 3 IMPLEMENTING AND SUBVERTING THE PEACE AGREEMENT (August 1993 - 6 April 1994)

The transition from peace negotiations to implementation was accompanied by mounting tension. One stemmed from the question of which organization should oversee the process. The OAU had been central during the negotiation phase, but the UN insisted on taking the lead in implementation, thus causing a structural as well as a procedural disjuncture. Other fundamental problems related to the domestic dynamic: the closer the peace agreement came to be realized, the more desperate grew the extremists. While the Accords provided for a new government that many hoped would subdue the militant opponents, the installation of the BBTG was repeatedly delayed by Rwandan parties who manipulated the transition instruments for narrow political gains. As the implementation process floundered, unforeseen external events in neighbouring Burundi heightened ethnic tension and strengthened the appeal of the extremists, thereby making implementation of a delicate political compromise even more difficult. The UN mission in Rwanda had been designed to oversee a smooth transition and was not equipped to handle the situation. Nor was it strengthened despite increasing recognition that civil war might resume and large-scale civil violence erupt.

3.1 Implementing the Peace Agreement

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

The Reconnaissance mission, headed by the designated Force Commander, General Romeo Dallaire, reported a mixed picture. It was a foregone conclusion that the operation would be Chapter VI peacekeeping, and the situational prerequisites were present: a peace-agreement was signed, and the local parties consented and cooperated. In the meantime, both sides were observing the cease-fire agreement which was monitored by both regional (OAU-NMOG) and international (UNOMUR) observers. To those in the UN who looked for a success to counter the troubled UN mission in Somalia, "Rwanda seemed like a winner," as one participant later noted. Yet Dallaire's team also warned of instability and dangers. The schedule for deploying peacekeepers was unrealistically short, so time was of the essence. A transitional government required the participation of RPF members as designated, but the RPF absolutely refused to enter Kigali until the French forces had left, and the French would not leave until the UN arrived. Thus, the UN force held a key to the entire transition. Standard UN procedures, however, meant that 2-3 months were

needed to assemble and deploy a peacekeeping force of even modest size. Although the UN Secretariat started assembling the preparatory mission a few weeks before the Arusha Accords were signed on 4 August, the first battalion did not reach Rwanda until late November.

Delays in establishing a transitional government would increase the likelihood of *dérápage* the Mission was told by several foreign diplomats and the Rwandan parties to the Agreement³⁵. It was known that militant forces remained vehemently opposed to the Accords, and Rwanda's history of ethnic and political strife cast a long shadow. Recent violence and the growing strength of paramilitary groups added to the formidable problems of demobilizing some 35,000 soldiers in a society with a shattered economy, famine, and a large numbers of persons displaced by the war. In this situation, concluded the UN Secretary-General, it was imperative that the international community demonstrate its commitment to implement the peace-agreement it had helped to mediate. Delays would "seriously jeopardize" the Accords (S/24688/1993 para. 65).

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

The decisive restraint was financing. Being assessed 31% of the costs of U.N. peacekeeping, the United States insisted on a minimal force. The Clinton Administration had just started an executive review of its U.N. policy, and was sensitive to Congressional concern over the mounting American share of peacekeeping costs which had increased a stunning 370% from 1992 to 1993.³⁶ Emphasizing the positive aspects of the Rwandan situation, the cost-conscious U.S. delegation in New York suggested in September that a token mission of some 500 men might suffice. The French mission in New York recommended a small force of around 1,000 men, noting that the French contingent in Kigali was merely 6-700 men. The end result of 2,548 was considerably more than a token force and estimated to cost about 10 million dollars a month. Compared to other UN peacekeeping operations, it was still a very modest amount.³⁷

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

Although small, the United Nations Assistance Mission in Rwanda was deployed in a slow and uncertain manner according to the schedule laid out by the Reconnaissance Mission³⁸. The special representative of the Secretary-General arrived in late November, or three and a half months after the Arusha Agreement was signed. The first UNAMIR battalion entered Kigali shortly thereafter and the French Force Noroit

left. Putting together the rest of the mission also proved difficult. The force never received the equipment required even at the downsized level (including an armoured unit and helicopters as stipulated)³⁹. UNAMIR's budget was subject to the standard time-consuming UN process and was not formally approved until April 4, 1994.⁴⁰ As a result, the mission suffered from numerous shortcomings in personnel, equipment and disburseable funds (including petty cash), and even basics such as ammunition. Repeated field requests to New York to bring the Mission up to authorized strength were of no avail.

The problem was partly structural, reflecting cumbersome UN procedures for budgeting and deployment of peacekeeping operations generally. For all but one of the major powers on the Security Council, Rwanda was of peripheral interest. This meant that UNAMIR lacked a powerful patron in the Council to help cut through the bureaucratic- political morass which governed normal procedures for UN peacekeeping operations. Without this political pressure, UNAMIR sank to the bottom of the UN security agenda. Nuts and bolts issues as well as more fundamental mandate questions were neglected. Only the French government had a direct interest and considerable presence but, with some reason, claimed that precisely this involvement constrained it to take a low-profile role in the Council deliberations on UNAMIR so as not to compromise the neutrality required by a UN peacekeeping force.

3.2 Civil Violence and the Subversion of the Peace Agreement

In early fall 1993, the Rwanda situation did permit some optimism that the peace agreement would be implemented in an orderly fashion. Yet, underlying tensions soon surfaced to reinforce earlier warnings that the process was being subverted. Early in 1994, several of the political parties started to split into factions as they competed for positions in the transitional government, thereby undoing the formula for power-sharing so carefully negotiated at Arusha and playing into the hands of those who opposed the Accords altogether. Repeated failures to form a transitional government made the diplomatic community in Kigali and states associated with the Arusha process renew their efforts to break the deadlock. The Tanzanian government took the lead, but Belgium, Germany, the United States, Canada and the Vatican also weighed in with strong language and sometimes high-level representations to repair the process. During February and March, and even right up until the crisis erupted on April 6, concerted efforts were made to avoid a rupture.

The diplomats who laboured to save the Arusha Accords saw implementation as a means to control the extremists. With Hutu moderates and the RPF in charge of key ministries in the planned transitional government - including Interior and Justice - and a new national army being formed, many expected that the Hutu extremists could be subdued. Also leading members of the RPF politburo appeared to take this view. However, the implementation process was fundamentally a race against itself: the closer the Arusha Accords came to be realized, the more the extremists were prepared to sink it in violence. The point was formulated unequivocally in a cable from the UNAMIR force commander to DPKO/ New York on 11 January 1994: A "very important government official" turned informer had told him that "hostilities may commence again political deadlock ends." ⁴¹ Previously "hostilities" had often been

interpreted to mean renewed civil war. By early 1994, the term clearly conveyed the meaning of civil violence. It was quickly recognized by the SRSG, Jacques-oger Booh-Book, who reported to the Secretary-General soon after his arrival on 23 October that the extremist adversary to the peace process was a powerful, subversive Third Force -ruthless, well organized, well-equipped and centrally directed.

Information provided in a UNAMIR cable of 11 January to DPKO/New York was quite specific. The Rwandan government informant had revealed the extremists plan to assassinate Politicians at the scheduled ceremony for swearing in of the transitional government. In the process, they would provoke an encounter with Belgian UNAMIR soldiers expecting that by killing some, the entire process, they would leave Rwanda. As the RPF would be instigated to resume war, 1,400 interahamwe who had been training in camps outside Kigali were staged to sow insecurity throughout the city; teams of 40 each were organized within Kigali to kill all the Tutsi who had been registered by the militias. The informer estimated the interahamwe could kill 1,000 persons per 20 minutes.

Assassinations on this scale were no longer of the order of a political tactic but clearly genocidal. The message dovetailed with a series of other developments which indicated that the situation was rapidly deteriorating. Both at the time and looking back, foreign diplomats and UN officials serving in Kigali clearly noted the worsening trend. The October 1993 massacres in Burundi inflamed passions as Hutus in Rwanda watched the massacre of some 50-100,000 Hutus across the border, with the Tutsi-dominated army as the directly or indirectly responsible agent. With the RPF poised to share both governmental power and half of the national army in Rwanda, the message of fear of the Tutsis being spread by the Hutu extremists gained new credibility. Simultaneously, extremist Hutu rhetoric became increasingly vocal and public.

The infamous radio station Radio Libre Mille Collines (RTL.M), continued to broadcast hate messages that called on the Rwandan population to rid the country of Tutsi. African diplomats reported CDR members similarly telling them that in the future there would be no Tutsi left in Rwanda. Referring to the RPF as the "historical overlords," the RTL.M whipped up fear by claiming the once the RPF army was in Kigali - as provided for in the Arusha Accords - Tutsi troops would attack the Hutu population. The vitriolic messages of RTL.M were heard by the diplomatic community.

In the streets, the violence was real. Assassinations of two high-level politicians in late February made the CDR organize a four-day rampage in Kigali as interahamwe mobs (readily recognized by their "uniform" colours) roamed the streets and killed dozens of people. The mob violence was clearly targeted, and even foreign diplomats considered "pro-Arusha" were threatened. Tanzanian ambassador was almost killed on January 5 when a CDR mob attacked his car. The papal nuncio received grizzly death threats. Force Commander responded to the deteriorating situation by repeatedly requesting equipment to bring his force up to strength. In January, he sought guidance from DKO on actions to be taken if the situation worsened. In early February, he sought clarification of the mandate to permit arms searches. In late February and again in mid March, he requested reinforcements. 41- Reports of arms

being distributed to paramilitary groups in the Kigali area were frequently discussed by UNAMIR staff and in the diplomatic community. Some went public with their concern, including the UNAMIR commander of the Kigali sector, Luc Marshal, and the SRSG, Jacques-Roger Booh-Booh. Noting that violence was about to overtake the peace process, Booh-Booh coined to the press on 24 January that "weapons are being distributed from arms caches around Kigali and even inside town."

Some arms shipments could readily be traced. On 22 January 1994, a plane load of arms from France was confiscated by UNAMIR at the Kigali airport. The delivery was in clear violation of the cease-fire clauses of the Arusha Accords which prohibited introduction of arms into the area during the transition period. Formally recognizing this point, the French government argued that the delivery stemmed from an old contract and hence was, technically-speaking, legal.

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

In retrospect, it is hard to fault the UN for failing to anticipate the impact of external events and notably the October massacres in Burundi. The prescient and cumulative warning signals from Rwanda itself were more compelling and taken seriously by many in the field: diplomats redoubled their efforts while UNAMIR tried to respond. In New York, however, the secretariat was passive or cautious. The most critical warning from the field - the 11 January cable - were put aside in the DPKO⁴⁵. Requests to bring the force up to strength were not met, let alone reinforcements. UNAMIR was denied permission to interpret its mandate proactively and search for arms. When the Secretary-General twice reported to the Security Council to renew UNAMIR's three-month authorization, he did not mention these critical elements in the situation. The Secretariat did propose, however, to accelerate the deployment of the second battalion originally authorized for UNAMIR, and this the Security Council approved.

New York's response reflected a cautious and politically sensitive interpretation of UNAMIR's mandate. The latter had been tailored to peacekeeping of a classic consent-and-cooperation kind. The Mission was to "contribute to the security" of the Kigali area, monitor the cease-fire, and assist local authorities in demobilizing the two Rwandan armies and investigating violations of the Accords (Res. 872 (1993)). It is important to recall that this mandate grew out of, but differed from, what was envisaged in the Arusha Accords. In the central clauses defining UNAMIR's role in providing security, in protecting civilians, and in confiscating illegal arms, the Arusha Accords were significantly broader than the terms in the final UN mandate.⁴⁶ The

disjuncture between the mediation phase and the implementation was again revealed: the signatories to the regionally brokered peace accords had evidently assigned an importance to the peace-implementing force which exceeded what the UN was willing to provide.

In the fall of 1993, the Secretariat and the Security Council had jointly considered Rwanda a low priority, drafted a classic and minimalist peacekeeping operation, and hoped for the best. As the situation progressively deteriorated in Rwanda, the Secretariat and the Security Council - in particular the United States - laboured under the impact of the Somalia experience. The crisis in Somalia, where US/UN troops became embroiled in a de facto war with a local faction and took casualties - had been politically costly both for the US government and for the UN Secretary General. Not crossing "the Mogadishu-line" became a firm dictum in the Secretariat, as a high-level official in the DPKO later said. A proactive interpretation of UNAMIR's mandate to permit confiscation of illegal arms was much too close to the Somalia syndrome for comfort⁴⁷.

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

As the crisis intensified, the range of options to save the peace agreement narrowed. Economic incentives were attached to the peace process as donors made it clear that major development funds would not be forthcoming unless a transitional government were installed. This also gave no results. Threats to withdraw UNAMIR went unheeded. The only significant alternative of applying coercive diplomacy against the extremists was rejected.

This is not to say that a stronger or more proactive UNAMIR necessarily would have altered the course of events leading up to 6 April. The consequences of weakness, however, were reasonably clear. Slowly and haltingly deployed, UNAMIR failed to protect strength and decisiveness from the beginning. As the struggle over implementation intensified, the force was constrained from acting in matters pertaining to the security of Kigali and thus central to its mission. When the situation radically changed in April and widespread violence erupted, UNAMIR lacked everything from sandbags to APCs to protect even its own personnel, and had little room to manoeuvre.

3.3 The UN and the OAU: Structural Disjuncture

The halting support given to UNAMIR in the field is the more striking since the UN in fact had aggressively sought to lead the operation rather than letting the OAU move to the fore. The OAU had also staked a claim to lead the peacekeeping force planned at Arusha, referring to its role in the mediation process and the African regional forces to help solve African problems.

The issue of who should lead a future peacekeeping operation in Rwanda was brought to the forefront by RPF's military offensive in February 1993. The offensive was designed to demonstrate the decisive military superiority of the RPF, as indeed it did. It also accelerated efforts by France to put a UN force into Rwanda. From a French perspective, such a force would at best check RPF's advance and provide a breathing space for the government by positioning itself between the two belligerents, and also by monitoring the border between Uganda and Rwanda. At the same time, a UN force would be an answer to increasingly insistent demands from the RPF that French forces withdraw, as had been stipulated already in the 1991 N'Sele agreement. With a UN force in Rwanda and a French veto on UN peace-keeping operations in the Security Council, Paris could still exercise some influence after its own troops were gone. The head of the French delegation to the UN had started to lobby the Security Council already in the fall of 1992. By early 1993, French efforts had become so insistent that it was "a standing joke in the Council," according to one ambassador present.

Non-aligned members of the Security Council and some European states cautioned that French efforts might be seen as an attempt by Paris to salvage its influence in Rwanda and warned against sidelining the OAU. Secretary-General Salim A. Salim had pursued the idea of turning NMOG into a peacekeeping force since early 1993, and had obtained agreement at the Dar-es-Salaam summit in March from both Rwandan parties to expand NMOG and extend its mandate ('Tekle 1995). Later that month he personally presented the case to Security Council members, twice pursued the matter in letters to the Secretary-General, and presented a detail proposal to a special envoy of Boutros-Ghali who visited Addis Ababa. The assumption was, however, that the UN would provide logistical and financial support. Salim made clear that African countries were ready to send troops, but could not absorb the financial costs.

The alignments were clear. France and the GoR wanted a UN force but had not obtained decisive approval from the Security Council (S/25400 (1993)): The OAU and the RPF wanted the OAU to take the lead. In between stood Boutros-Ghali. He did not reveal his hand until April, when he informed Salim that the UN could only assist a gave OAU-UN force if the UN retained command and control. Any discussion of UN assistance, moreover, would have to await the outcome of the Arusha talks⁴⁸.

Despite official deference in New York to regional initiatives in conflict resolution, OAU's bid for a peacekeeping mission in Rwanda was decisively rebuffed. The arguments were familiar: OAU lacked the capacity to mount a credible peacekeeping force (as demonstrated by the NMOG experience), and could not be counted on to provide a neutral presence (as allegedly demonstrated in Liberia). Capacity is a function of resources, however, and the underlying reality was that approval from the Security Council was necessary. That included France, which had engaged itself strongly in the matter and sponsored the raft resolution for a UN force.

OAU's attempt to undertake a peacekeeping operation in Rwanda raises important questions. Admittedly, the organization had limited experience in peacekeeping. It was wholly dependent upon the UN to provide logistics and finance. Yet, the history of UNAMIR's initial deployment and early operation demonstrated that UN was unable or unwilling to mount an effective peacekeeping force in an area of marginal

interest to the major powers. 49 When crisis broke on 6 April, it was the European battalion in UNAMIR which withdrew and crippled the future options of the force; the African battalion stayed. The political instinct among the veto-wielding members of the Security Council was to abandon the mission. Prima facie, there reason to doubt that with appropriate support, the OAU would have done worse.

CHAPTER 4 CRISIS AND WITHDRAWAL (6 April 1994 - 21 April 1994)

4.1 Crisis

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

By early morning 8 April Dallaire was starting to piece together a picture: the Prime Minister and other key moderate and opposition political leaders had been killed; the well-known extremist, Col. Bagosora, appeared to be in charge of the coup; ten Belgian UNAMIR soldiers had been overpowered and subsequently murdered a Rwandan army unit; the M unit in Kigali was breaking out of their quarters and the main RPF force in the North was preparing to move down through the DMZ; and civilians were being killed as the militia set up roadblocks. 50 Within 24 hours the Force Commander knew that a military coup and politicide had taken place. He knew civilians were being killed, but did not recognize that a genocide was underway. He considered his main objective to be the safe evacuation of the expatriates and the effort to prevent the resumption of the civil war while ensuring the safety of his own troops. With the coup a fait accompli, the immediate options were limited. New York instructed Dallaire and Booh-Booh to talk with the representatives of "interim government" and the RPF in order to obtain a cease-fire and restart the Arusha process. The UNAMIR Force Commander also had a number of immediate tasks. With inadequate transport, he had to relocate the Ghanaian battalion to Kigali since the RPF had ordered them out of the DMZ. Escort services were provided for the evacuation of the expatriates that began to be organized by the morning of 8 April. He had to deal with French, Belgian, and Italian forces who had arrived, not to assist him, but to secure the airport while evacuating their nationals. UNAMIR also provided protection to Rwandan nationals who had fled to the Amahoro stadium and nearby hospital. In all of this, the force had only one working APC, a demoralized Belgian battalion and an under-equipped section of a Bangladeshi unit.

Between Friday and Monday, most expatriates had managed to leave. With the evacuation problem less pressing, the UN started to focus on UNAMIR's role in the new situation (Lægveid 1995). During the first week (April 7-13), much of the initiative lay with the Secretariat which received information from its newly established Situation Center, was in constant telephone contact with the Force Commander in the field, and was repeatedly asked by the Security Council to provide it with information

and options.⁵² Until 13 April, when Belgium formally told the Security Council of its decision to withdraw from UNAMIR, the diplomatic situation was fluid, with a range of actions available to the Secretary-General. There were daily, sometimes twice daily informal consultations between the Security Council and the Secretariat. The week, in other words, was a window of opportunity for the Secretariat to define UN policy towards Rwanda.

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

The Security Council commented critically on the failure of the Secretariat to come up with options outside the classic framework of Chapter VI versus Chapter VII, or a Somalia-type engagement versus withdrawal, as the British ambassador said on April 13.⁵³ In the dynamic interaction of the response to the genocide and the management of the renewed civil war, there was a failure to distinguish the two. Options to reinforce UNAMIR were always put by the Secretariat in terms of an enforcement operation, suggesting intervention between the two armies, rather than maintaining or increasing troop strength to protect civilians. Even two weeks after the killings commenced, the Secretary-General reported to the Security Council in terms which showed a preoccupation with the war between the Rwandan army and the RPF (S/1994/470, 20 April 1994). An option to deal with the war on civilians was never presented to the Security Council, and the latter did not strike new directions on its own. The decision to withdraw the bulk of UNAMIR on April 21 was taken accordingly in the context of a situation which the Council depicted as civil war with related "mindless violence," rather than organized genocide accompanied by a smaller civil war (Res. 912 (1994), 21 April 1994).⁵⁴ This was despite the warnings concerning plans for organized, systematic killings which had been received by Secretariat in communications from UNAMIR and elsewhere.

When the Secretary-General accounted for the decision to withdraw in a public statement on 21 April, he also failed to recognize the genocide. Instead of organized and systematic violence, Boutros-Ghali saw anarchy and spontaneous slaughter. It was the same, totally distorted picture which much of the Western media and, particularly The New York Times had reported in April (see 4.3 below), and reflected the influence of the carefully read newspaper at the UN headquarters in New York.

Given the significant role of the Secretariat at this juncture, the 21 April press release merits closer attention. It claims that "reliable reports strongly indicate that the killings were started by unruly members of the Presidential Guard" [not the Presidential Guard itself, and certainly not the extremists]. The stress is then on the initiative of the RPF in resuming the civil war. The RPF battalion was breaking out of

its compound in Kigali "despite the best efforts of UNAMIR," while other RPF units from the demilitarized zone were moving towards Kigali. There is no mention of an organized conspiracy, and when the killing of moderate cabinet ministers throughout the first night, immediately after the plane was shot down, of the Prime Minister, and of the ten Belgians are mentioned, those deaths are blamed on "unruly soldiers." There is no mention of the beginning of the organized murder of Tutsis. The provisional government is depicted as disintegrating, as if it fell apart on its own; "Authority collapsed" [it did not, at least not the authority organizing the conspiracy]. Instead of stressing the need to stop the massacre of civilians, Boutros-Ghali declared that "the most urgent task is the securing of an agreement on a cease fire in the hopes that this would lead to the resumption of the peace process and reviving the Arusha Accords." Further, UNAMIR could not be left at risk indefinitely when there was no possibility of its performing the task for which it was sent. The implication was that its sole task was to observe the cease fire. The statement makes no mention of UNAMIR's efforts on the grounds to protect civilians, a subject which had been discussed in both the Secretariat and the Security Council.

A month later, on 25 May, Boutros Boutros-Ghali publicly confessed: "We are all responsible for this disaster, not only the super-powers, but also the African countries, the non-government organizations, the entire international community. There has been a genocide, and the world is talking about what it should do. It is a scandal." 55 In light of the historical record, this might appear as an effort to shift the responsibility around. Earlier misperceptions and inaction not only reduced the impact of the statement, but possibly also reduced the subsequent and very significant efforts by the Secretariat to reverse direction.

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

Evidently several factors were at work. First, information from the past had not been accumulated, analyzed and structured to prepare policy options either for preemptive action or for crisis management, so important given the general inability of bureaucracy to innovate during crisis. With limited previous experience in protecting civilians, and doctrinal poverty, the Secretariat's response was framed by the conventional dichotomy of "Chapter VI versus a Chapter VII" action. Those charged with leadership had a distorted view of events: both the Secretariat and the Security Council drew a picture of Rwanda as a failed state in which rogue troops and spontaneous mobs were killing Tutsi. The concept of the failed state, of course, suggested the analogy with Somalia, then uppermost in the consciousness of UN officials. Bureaucratic caution reinforced the conclusion drawn from that experience: the UN could not afford another peacekeeping failure, with failure defined as loss of UN peacekeepers in the field. Finally, the striking aspect of the first week of crisis was the physical absence from New York of Boutros-Ghali, who was travelling at a brisk pace in Europe and the former Soviet Union.⁵⁶ During the fast moving and critical first days of crisis, the Secretary-General was unavailable to provide leadership for action.

4.2 Withdrawal

Until the middle of April, there were open divisions in the Security Council on the issue of UNAMIR's future. The non-aligned states, lead by Nigeria, argued for strengthening UNAMIR, and on 13 April circulated a draft proposal to that effect. By then, however, it was too late and not backed by offers to contribute. The Belgian decision to withdraw their contingent following the murder of the ten Belgian peace was communicated to the Secretary-General on 12 April and to the Security Council the next day. It deprived UNAMIR of its strongest unit and put the rest of the force in a precarious position. The Secretary-General made the point bluntly in a letter to Security-Council members on 13 April. Belgian withdrawal will make it "extremely difficult for UNAMIR to carry out its task effectively.... In these circumstances, I have asked my Special Representative and the Force Commander to prepare plans for the withdrawal of UNAMIR."⁵⁷ Having decided to withdraw its own contingent, Brussels lobbied hard to persuade Council members that conditions in Rwanda necessitated withdrawal of UNAMIR as a whole. The stance was widely seen as an attempt to legitimize its own withdrawal, but the Belgians were pushing at an open door⁵⁸. They were strongly backed by the Americans⁵⁹, the UK and France, though less vocal, also favoured withdrawal. No country came forward with troop contributions, and the Secretariat claimed later that informal canvassing at the time had negative results. ⁶⁰ It was obviously not a question of capacity; collectively or individually several UN members had the means to intervene decisively, as France and Belgium indicated at the time by their efficient airborne operation to evacuate expatriates.

The assessments from the field was that even with the Belgian withdrawal, the rest of the mission of around 1,200 should carry on as long as possible. "My decision to remain was a matter of moral concern," Dallaire later wrote.⁶¹ With the tide running the other way in New York, however, alternate perspectives from the field were not forwarded to the Security Council in a forceful manner. Instead, the options were formulated as full withdrawal versus leaving a token force. In the "stampede to get out," as one ambassador later noted, the Nigerian draft resolution for strengthening UNAMIR was not even tabled.

As the Security Council debated options, UNAMIR's position in the field deteriorated. The Belgian contingent completed its withdrawal on April 20, and while Dallaire redeployed the Ghanaian battalion from the DMZ to the airport, his force was not being resupplied and had to work hard to secure even some equipment from the departing Belgian contingent. UNAMIR was short of water and fuel, and was taking indirect fire. Continuing negotiations with the RPF and FAR to respect a UN-supervised neutrality of the airport did not succeed, rendering the airport and hence the exit route insecure. Self-fulfilling prophecy, UNAMIR had been weakened to the point where withdrawal increasingly seemed the most rational option. The field mission still refused to concede the point. On the eve of the Security Council's final decision on 21 April to withdraw, Dallaire's "cabinet" of officers recommended as their first option to stay on at present strength (i.e. without the Belgian battalion), while listing downsizing and withdrawal as less desirable alternatives.

The formal decision to withdraw was taken by the Security Council in the context of a choice between three options formulated by the Secretary-General. In reality, all but one option had already been ruled out in the informal and officially unrecorded

consultations in the Council and its communications with the Secretariat, probably de facto almost a week earlier. As now presented, the language clearly excluded the option to increase: the situation in Rwanda could only be changed by "immediate and massive reinforcement of UNAMIR which would... require several thousand additional troops and UNAMIR may have to be given enforcement powers under Chapter VII" (S/1994/470, para. 13). The alternative of complete withdrawal also seemed difficult. Given the "dimensions of the violence and mass killings over the last two weeks... the consequences of complete withdrawal, in terms of human lives lost, could be very severe indeed" (para. 19). That left the middle alternative of reducing UNAMIR to about 270 military personnel. These would take on a diplomatic role by promoting a cease-fire and, when feasible, assist in the resumption of humanitarian relief. On 21 April the Security Council approved this option over the recorded doubt, but with the votes, of its non-aligned members (S/PV. 3368, 1994).

The two weeks following the downing of the plane carrying President Habyarimana and associates constituted a critical decision-making phase in the international response to the conflict. If there were any chances of stopping the genocide before it fully unfolded, this was the time⁶³. Pulling out meant abandoning the initiative to the forces on the ground. To re-enter would require additional efforts to capture points of access. The implications were fully understood by a group of UNAMIR officers who discussed options in the middle of the madness that was Kigali on 21 April. Reducing the force to 270 men, which the Security Council was about to decide, meant "we can do little" and "we will really not be able to come back," the Deputy Force Commander scribbled on a notepad.

The Security Council and the Secretariat saw withdrawal as a means to salvage a UN peacekeeping operation that had been tailored to a situation which no longer existed. But by largely absenting itself from the conflict, the UN simultaneously lost leverage to influence its course - on the ground and diplomatically, at the time and on future directions. External conflict management essentially came to a halt. When the UN subsequently reversed itself, re-entry proved slow, difficult and fundamentally too late.

The civilians being killed at the average rate of thousands per day were largely abandoned to their fate. A symbolic presence at key points in the Kigali area enabled UNAMIR to provide protection for an estimated 20,000 persons (at the Amahoro stadium, the Hotel Mille Collines, the Meridien Hotel and the King Faysal Hospital). It was an impressive performance but a risky and passive mode of protection which relied on a combination of bluff, inertia and intersecting interests much more than a projection of force. By their presence, the ICRC and MSF personnel also provided limited protective "space;" they were later joined by UN agencies and NGOs providing humanitarian assistance. Their operations functions were dependent upon and vulnerable to the dynamic of the conflict as determined by the forces on the ground. Protection and humanitarian assistance came to depend primarily upon the advance of RPF units, and these came too late to save many.

Given the importance of the Belgian decision to withdraw from Rwanda, the question has often been posed whether it was wise to have a Belgian unit in UNAMIR. Although Belgium's colonial past in Rwanda had made some doubt the wisdom of the decision at the time, no other country came forth to provide a fully equipped unit, and

quick deployment of UNAMIR, it will be recalled, was considered important. In retrospect, it is probable that it was their European, and not Belgian identity which made the contingent targeted and vulnerable to extremists tactics. The latter clearly sought to replicate the American withdrawal from Somalia by capitalizing on Western states' low threshold for casualties incurred in Africa. They evidently calculated correctly. By contrast, African troop contributing countries to UNAMIR showed greater staying power. Ghana did not withdraw its battalion, nor did several African states that had military observers attached to UNAMIR after the old NMOG was folded into the larger structure. For all of these, the decision to withdraw was made by the Security Council.

The small UNAMIR force which remained (540) had as one of its main tasks to promote a cease-fire in the civil war which had resumed alongside the genocide. For this "obsession," the UN has been severely criticised (African Rights, 1995: 1121). The argument is that the UN focused on the least devastating conflict - the civil war - rather than the genocide, and, worse, that by seeking to obtain a cease-fire sought to restrain the advance of the RPF which was the only force on the scene able to stop the killings of civilians. The factual points are not at issue - the Security Council consistently demanded a cease-fire, and the UNAMIR mission in Rwanda continuously sought to negotiate one. How a cease-fire would have effected the level of killings is more speculative, Partly depending on the time and circumstances. As it was, except for a brief unilateral cease-fire (April 2, the war continued until the middle of July, when the government forces were retreating or defeated and the RPF proclaimed a new government in Kigali. The killings of civilians came to a halt soon thereafter. Up until this time, UNAMIR was still in its down-sized form and could only offer marginal protection to civilians. French forces did not enter the southwest region until late June. Hence, for almost three months after April 16, RPF units were the only significant force seeking to stop the killings as they advanced. The RPF consequently made a cease-fire conditional upon an end to the killings, which the self appointed "interim government" claimed was beyond their control.

The rationale for demanding a cease-fire may have been politically motivated to halt the RPF, as the latter claims. 63 It was also a habitual UN response to wars of any kind. When the decision was made in May to redeploy a larger UN force, a cease-fire was considered even more important. There is a slight possibility that a cease-fire might have reduced the killings. Both ICRC delegates and UNAMIR staff have commented on the apparent dynamic of killings whereby retreating government forces and Hutu civilians fleeing the advancing RPF armies pounced on Tutsi behind the lines with extra vengeance. Close UN military observers claim that a cease-fire would have freed up government troops to rein in the militia. This line of reasoning is strongly refuted by the RPF and sympathetic NGOs (African Rights, 1995:1068).

4.3 The Media⁶⁴

Had there been any forewarning in the media? Rwanda is a relatively small country on the periphery of the industrialized world. As might be expected, during the first three months of 1994 there was virtually no Western media coverage of events in Rwanda.⁶⁵ In the early part of the year, the main African story was the UN withdrawal

from Somalia, which would prove prescient in itself. Massive media attention then switched to the violent build-up to the South African elections.

One should not be surprised how relatively little change occurred in the media coverage after 6 April from the paucity before. There was a blip with the shooting down of the plane and the reportage on the slaughters - which generally were portrayed as ancient tribal feuds - but with the withdrawal of the foreign press there was a precipitous drop in coverage. When the genocide was accelerating, the western press virtually Theto report on Rwanda. The lack of coverage cannot be blamed simply on the relative disinterest in Rwanda. The real danger, the genuine confusion on the ground the restricted mobility of the reporters, and the inability to fly out photos or videos were major handicaps. In addition, American employers had ordered their reporters out for reasons of safety, but because of costs as well. 66 But some stayed and accurately reported events, demonstrating all the more the failure of those that did neither.

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

Mark Doyle of the BBC reported on the RPF advance and the scale of the civilian slaughter by mobs, accurately depicting the murders as being instigated and led by the government and the military. Jean Helene, the Le Monde correspondent, provided detailed and accurate background information to the Rwandan crisis. While reporting the mutual accusations levelled at each other by the two sides, the implication seemed clear that it was Habyarimana's enemies within the government that targeted the plane. On 12 April, the fear was expressed that the Tutsis would all be systematically massacred before the RPF captured the capital.⁶⁷ Catherine Bond, The Times correspondent, reported on 12 April from Kigali that most of the killing was probably not random. Michael Taylor, director of British Christian Aid, in a letter to The Times wrote that groups of armed youth loyal to different political parties were instigators of the violence. If he had written that they were perpetrators of violence instigated by her-ups, this partial truth would have been more accurate. But it at least counteracted the impression of spontaneous tribal violence that was the general theme of most stories.

Such accurate or partially accurate reportage was the exception, however. The New York Times had appallingly misleading reports in its initial coverage: the downed plane was a result of a Tutsi attempt to destroy them Hutu leadership in both countries; "mobs" or a troop rampage killed the Rwandan premier and ten Belgian soldiers; anarchy (not interhamwe with their roadblocks) reigned the streets; "rival tribal factions waged vicious street battles." On all critical points, the 8 April dispatch by William Schmidt was wrong. Jerry Gray wrote an interpretive piece the next day explaining the events as a genocidal orgy (rather than a systematic organized genocide), a continuation of a centuries-old feud. Adding to this fictional tale of Tutsi-

Hutu orgiastic killing, Schmidt retribalized the murdered Prime Minister by the Presidential Guard as a Tutsi⁶⁹

If the leading newspaper of record in the United States demonstrated that its reporting and commentary had more to do with stereotypical Western perceptions of Africa than with fact, US television coverage and the CNN erred on the side of vagueness, generally referring to "unspeakable atrocities," and "ethnic violence," but picked up the theme of tribal or mutual ethnic slaughter. It would not be until 7 May that ABC correspondent Ron Allen suggested that the events were not a product of spontaneous tribal violence, but were a premeditated political act intended as a final solution.

An exception to the general New York Times coverage was an op-ed piece by Alison des Forges of Human Rights Watch providing an in-depth background of the Rwandan crisis and indicating western complicity and responsibility in the genocide. However, this was not the predominant English version of events, even if it was an authoritative one. The editorial line of the New York Times followed the fictional interpretation of events and concluded that the cure for Rwanda's "blood frenzy" was the business of Rwandans⁷⁰. The Times did the same. Le Monde took an opposite tack, reporting on events in New York rather than in Rwanda. implying an activism of the Security Council, the newspaper reported on the demand "to stop the massacres immediately.' This was after the Belgian battalion had announced its departure from UNAMIR. On the 15th, in an op-ed piece, Bernard Tallefer, a former professor in Bujumbura and former bank director in Burundi opined that the UN mission must have a clear mandate to stop the massacres. Otherwise, the UN would be complicit in crimes against humanity, just as a bystander is complicit when failing to intervene in the beating of an individual.

In the French press, the genocide was by early May a given, and the emphasis began to be on French responsibility for it⁷¹. Print and television coverage of Rwanda began to increase also in the English language press, partly because the election in South Africa had been held and Mandela was sworn in on 10 May in a relatively peaceful process, and journalists were reassigned to Rwanda. The Times had quoted Oxfam (29 April) that, "the systematic killing of the Tutsi minority in Rwanda amounted to a genocide," and reported that the Kagera era river filled with floating dead bodies, but the focus by 2 May was still on the unprecedented 250,000 refugees that flooded into Tanzania in one 24 hour period⁷².The refugees became the predominant story (See Fig 11).

Only when reporters reached Lake Victoria and witnessed the logjam of dead bodies floating down from the Kagera River did the Western media refocus on the massive killings. More accurate reporting on the mechanism of the genocide began to appear in the American press (Time Magazine, 18 May; Associated Press, 22 May), although Rwanda soon faded- into the background, crowded out by Haiti and the O.J. Simpson story, at least until Goma (See Study III).

The misleading media coverage was echoed in the accounts of events in Rwanda which both the Security Council and the Secretary .General gave explaining their decision to withdraw UNAMIR on 21 April. As discussed above, these were totally distorted. More generally, the Western media's failure to adequately report on the

genocide in Rwanda contributed to international indifference and inaction, and hence the crime itself.

CHAPTER 5 PHASE 5 - RETROACTIVE CONFLICT MANAGEMENT
(21 April 1994 - Fall 1994)
5.1 UNAMIR II

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

The Secretary-General was under increasing pressure from African countries to demonstrate that the United Nations took its African constituency seriously and did not give preference to European crises. African members of the UN had called for action at an early point in the UN debate on UNAMIR, and maintained this position as April went by and the death toll rapidly mounted. Their calls were supported by the growing information in the UN system that the Rwanda massacres were of a nature and magnitude that merited deep concern. Information to this effect was relayed from UNAMIR in Rwanda through the Secretariat's newly established Operations Centre in DPKO/New York, occasionally with graphic horror. On 23 April, the Under-secretary General for Humanitarian Affairs, Peter Hansen, travelled to Kigali, becoming the first New York based high UN official to report back on the situation. The media, as noted, had scattered and inadequate coverage during most of April. The pressure from human rights organizations had been constant throughout the month. Hence, it appears that the main causes of reversal lay within the UN system, which to that extent was able to correct itself. As both data and pressure accumulated, the Secretary-General took a high-profile role to reengage the UN militarily in Rwanda despite awareness that the Permanent Five on the Security Council were holding back.

The central UN human rights mechanisms had not been visible in early April, nor did they figure in this reversal of policy. The new position of High Commissioner of Human Rights was filled only one month before 6 April, and it is understandable that the new commissioner did not play an active role until later. A week after the Secretary-General had put Rwanda back on the Security Council's agenda, the High Commissioner, Josh Ayala Lasso, called on the UN Commission on Human Rights to convene an emergency session to consider the killings. More striking was the passivity of the Commission itself. Only on 25 May, several weeks after genocidal killings had commenced, and after the Security Council agreed to reverse course and send in a military force to protect civilians, did the Commission act. A Special Rapporteur was appointed to report on the human rights situation in Rwanda, and on

28 June he confirmed in a detailed assessment that genocide and other human rights violations had occurred (E/CN.4/1995/7). By this point, the genocide had claimed most of its victims.

By taking a high-profile role in calling for a reversal on Rwanda, the Secretary-General put the onus of rejection or compliance on the Security Council. The issue moved between the Secretariat and Security Council for over a month, it became obvious that the obstacles to action lay in the Council. The immediate verbal response was accommodating, and even contained an indirect reference to the possibility that a genocide might be unfolding in Rwanda (S/PRST/1994/21). However, the major powers were not energized. They did not even express a sense of urgency, but rather passed the initiative to the African states by asking the Secretary-General to consult with the OAU and report back on further action. It took almost three weeks before the Council authorized a plan of action on 17 May (Res. 918 (1994)), and even then the US delegation delayed the process by requiring further paperwork by the Secretariat before agreeing to an implementing solution. The final approval for establishing an enlarged UN force with an expanded mandate to specifically protect civilians was not given until 8 June (Res. 924 (1994)) - i.e. almost two months after the massacres had started.

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

The Security Council had no formal obligation to act. The changing situation had rendered the earlier mandate to implement the Arusha Accords irrelevant. On the other hand, there was at least an implicit political obligation given the previous UN commitment to help implement the peace agreement, and in light of the impact of the war on peace and security in the region. More profoundly, there was a legal right and UN collectively and its individual members had the physical capacity to do so. Of the two types of violence unfolding in Rwanda - the civil war and the parallel massacres of civilians - the rationale for intervention was most compelling with respect to the latter. Protection of civilians consequently became the focus for efforts to re-engage the UN.

An innovative plan was sketched in the DPKO on May 13, and refined after the Secretary-General sent a high-level mission to the region at the end of the month. A force of over 5,000 men (UNAMIR II) was to help protect civilians by establishing, where possible, humanitarian zones inside Rwanda, and by facilitating humanitarian relief to displaced and other needy persons. While designed under a Chapter VI mandate, the operation envisaged clearly went beyond conventional peace-keeping; for example, the final resolution authorized the force to "take action in self defence" against those who "threaten protected sites and populations [emphasis added]" (Res. 918/1994). In effect a "6.5 mandate," the formulation permitted flexible and firm response to protect civilians. It was a significant formalization and a further development of the practice undertaken on the ground by the rump UNAMIR contingent in Kigali, where UNAMIR soldiers were posted to sites that had become sanctuaries for civilians.

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

The mandate and design of UNAMIR II seemed appropriate to the situation. However, the intervention was delayed in two ways which rendered it irrelevant to the most critical phases of the conflict. Over a month passed before the Security Council authorized the operation. The actual deployment took another two months, with the result that the force arrived in Rwanda after the civil war and the genocide were over, and after a unilateral French intervention with a similar mandate had taken place⁷⁴

To assess the responsibility for this delay raises the question of whether the causes were "systemic" characteristics of the United Nations, or the result of particular actions (or inactions) by individual actors.

By omission and commission, the role of the United States was critical. As the world's last remaining superpower, the United States had repeatedly demonstrated that it could move the United Nations to take rapid and effective actions. In the Gulf war (1990-), the Administration had done this both by committing a significant part of its own formidable military force, and by mobilizing other states through the US alliance structure and by exercising its formidable economic power. By not utilizing its capacity to act, and its formal leadership role in the United Nations, the U.S. must take a considerable responsibility for the overall failure of the UN to respond at this juncture. The same applies, though to a lesser degree, to the other major powers on the Security Council. Both France and Great Britain, in particular, had the capacity for rapid military action and considerable political resources to energize the Council. France demonstrated this capacity much later by undertaking unilateral "humanitarian intervention;" which the Council endorsed with utmost speed.

By not taking the initiative, the United States and the members of the Permanent Five ensured that the Security Council proceeded along its customary and laborious path

of consensual decision-making. More specifically, the explicit unwillingness of the major western powers to commit troops to a revitalized UN force -which had been clear in the decision to draw down UNAMIR I and was reiterated in early May when UNAMIR II was planned - meant that the UN force had to be established on a mix-and-match basis. African countries would send troops, while industrialized states were to provide equipment and finances. To constitute a force along these lines was extremely time consuming even under the best of circumstances.⁷⁵

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

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

US reluctance to support UNAMIR II reflected a progressively critical attitude of the Clinton Administration towards UN peacekeeping operations. With great deference to a hostile Congress, the Administration had just completed a review of UN peacekeeping operations which established stringent criteria for US support (PDD 25). To support UN peacekeeping in Rwanda, the Administration would have to determine that peace in this remote Central African country was critical to U.S. national interests. In conventional strategic terms, this would be difficult, and the Administration did not try. Nor did it elaborate alternative criteria for national interest - e.g. to reduce massive international refugee flows or the principled need to react to genocide.⁷⁶ Congress had expressed concern over the escalating bill for UN peacekeeping when UNAMIR I was planned in September 1993. Since then, the operation in Somalia - deemed a disaster from a U.S perspective - had reinforced Congressional reluctance to finance UN peacekeeping anywhere, with or without US troops.

In reality, the budget for the projected UNAMIR II was quite small when judged against the "downstream costs" for relief and rehabilitation to assist victims of the conflict, not to mention the human cost. The estimated budget for UNAMIR II was 115 million dollars for 6 months (or slightly under 20 million a month).⁷⁷ This was the same rate as UNAMIR I (about 10 million dollars per month for a force of about half

the size), and reflected attention to fiscal stringency despite the changed situation. Both this budget and an advance voluntary fund of 50-80 million dollars, were well within the means of the industrialized countries states to finance.

The reluctance of the US and other members on the Security Council to endorse a military re-engagement also reflected concern about the risks and practicality of intervention. On the ground, the Rwanda situation seemed confused and anarchic, raising the question of the mission's effectiveness, security of personnel, and fears that support operations might be needed for rescue or reinforcement. Behind these concerns was again the Somalia experience, although the two situations in reality were quite different. There had been no systematic and massive killings of civilians in Somalia. The proactive orientation of UNOSOM to disarm armed factions and to arrest a prominent faction leader had been undertaken with a Chapter VII enforcement mandate. In Rwanda, by contrast, the proactive function would be to protect civilians. Although force could be used if necessary, a reduced-risk option was proposed whereby the units would move in from the border and remain in the protected zones in outlying areas⁷⁸. On the other hand, there were obvious elements of risk. Throughout May when the Council deliberated[on the nature and mission of a military reengagement in Rwanda, the members were fully aware there was no cease-fire in the country or in Kigali; the airport was not secure; the Ugandan army had stopped all UNOMUR patrols on the Ugandan side of the border to keep arms flowing to the RPF; and it was not clear that the parties to the conflict would welcome, let alone respect, a UN force as a neutral, humanitarian entity.

The Rwandan parties were also responsible for the slow and hesitant UN deployment. During the critical Security Council deliberations in early May, the RPF sent ambiguous messages. While in principle accepting a humanitarian force, the Front feared that UNAMIR II at best would be irrelevant, and at worst a hindrance to their advance or protection for the government forces⁷⁹. These concerns were consistent with their initial hostility to a UN force in early 1993 - which only changed to lukewarm attitudes prior to April 16 - and further strengthened the forces of caution in New York. On the government side, a UN force would prima, facie be even less welcome insofar as their mission was to protect civilians, and the latter were targeted principally behind government lines.

Despite the risks of the situation and the novelty of the mission, African countries responded rapidly with troop commitments. The OAU again emerged as a focal point for mobilizing support⁸⁰. By the first week of May, Nigeria and Ghana - both with large armies and peacekeeping mg experience - had responded positively, and Tanzania, Senegal, Zimbabwe and Zambia were indicating interest. In addition to regular financing, however, all needed various kinds of equipment and logistical support; even Nigerian and Ghanaian units lacked vehicles and heavy equipment. As a result, the mix-and-match pattern of African troops and Western equipment developed. This had been practised in other UN peacekeeping operations but on a smaller scale and not for units that formed the backbone of force. Before being deployed, the troops committed to UNAMIR II had to be trained and equipped within a multinational and often two layered bureaucratic structure (UN and bilateral). Donors of equipment grumbled that African countries used peacekeeping operations to outfit their forces and worried that their equipment would be misused. Combined with normal" bureaucratic procedures, this produced long delays.

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

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

More fundamental criticism was levelled at the UN response then and in retrospect. First, critics argue, the UN insisted on being neutral even when faced with a situation of manifest evil (Brauman 1994, African Rights, 1995). This criticism is valid given that the organization itself invoked the term genocide - although belatedly 81 - making a neutral position indefensible from a legal and moral perspective. More fundamentally, it seems that the main obstacle to an effective response in Rwanda was not that the UN insisted on neutrality, but that it was not there.

5.2 Operation Turquoise

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

At the UN, the Secretary-General presented the French offer as a stopgap measure until UNAMIR H was fully deployed, then expected to take another three months⁸². Critics have argued that France could readily have speeded up this process b placing

its Turquoise-designated units at UNAMIR's disposal. However, strong RPF opposition to accept a UN force with a French contingent made this difficult as long as UNAMIR operated under a Chapter VI mandate requiring at least minimal consent from the local parties. When France decided to intervene unilaterally, it was arduous of RPF permission and with a heavily armed force authorized to use "all means necessary" under Chapter of the UN. In the event, the RPF chose not to challenge the interventionist force.

By retaining national command, the French government was able to conduct and claim credit for an operation that on purely military grounds was generally judged to be well planned and superbly executed (Connaughton, 1994). The political credits were also "national." The ably run Operation Turquoise came to be juxtaposed with the uncertain and fumbling UN peace-keeping operation. At the same time, the French had requested and quickly obtained a Security Council endorsement of the intervention (Res. 929 (1994), 22 June). The Operation consequently confirmed the growing precedent for unilateral interventions conducted under national command, and for national purposes, but legitimized by the UN. The overall effect was to further undermine the institution of collective international intervention as delegated to the UN and envisaged in its Charter⁸³.

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

Each of these claims have some validity, although their significance must be judged in a wider context. Operation Turquoise did save some lives if it is assumed that these otherwise would have been lost before the RPF could reach the area. By 2 July, the French had established control over the south-western corner of Rwanda, equivalent to one fifth of the national territory and proclaimed it a "safe humanitarian zone." The RPF claims that its forces could have "liberated" this area within a short period of time, and that the Tutsi who survived for over two months to be rescued by the French would equally have been there later if RPF units had arrived. As noted, however, there was a dynamic at work which tended to speed up the killings of Tutsi behind government lines as the RPF advanced. What would have happened in the Southwest absent the French therefore remains unclear.

The numbers are also uncertain. French government claims that Operation Turquoise had saved "tens of thousands" seem exaggerated. Probably the vast majority of the Tutsi population and associated Hutu in the Southwest had been killed by the time French troops entered. ⁸⁴ Some 13-15,000 persons remained in camps and sites guarded by a hostile gendarmerie - including 111-13,000 in the Nyarushishi death camp in Cyangugu (Prunier 1995, ICRC, interviews 1995, African Rights 95:1147). These were freed by the French.

The issue of lives saved is central in evaluating the mission because it was launched and endorsed by the United Nations as a "strictly humanitarian" operation (Res. 929 (1994)). By that criteria, the mission was not ineffective, but the timing made its potential underutilized. If a similar effort to save lives had been undertaken in April rather than in late June, the number of lives saved undoubtedly would have been much higher.

The late date of the intervention fuelled widespread suspicions that the main purpose of Operation Turquoise was to save France's erstwhile clients in Rwanda from total defeat. A careful analysis of the planning of the operation suggests that this was not the principal political agenda, at least initially (Prunier 1995).⁸⁵ Moreover, the intervention was first proposed by the Minister of Foreign Affairs, Alain Jup, evidently in response to mounting pressure from NGOs and media to stop the slaughter. Simultaneously, critics focused on France's role in arming and supporting the government on whose side the atrocities were being perpetrated. An intervention designed to save lives and help bring relief supplies to displaced persons would be an atonement of sorts. Media coverage was an important element in this respect, and official guidelines for the Operation directed the troops to "demonstrate great understanding towards journalists and humanitarian organizations"⁸⁶. Commonly offered, the atonement explanation seems plausible. A Times journalist captured the sense when reporting

on 1 July that "a week after starting the rescue mission, French Special Forces finally discovered 250 Tutsi people yesterday." It also helps to explain why the French pulled out as promised after two months, leaving the RPF to take full control of the zone. In this respect, French policy was consistent with the trend which had been observable since 1990 of rendering only half-hearted support to the regime: the Habyarimana government had received significant aid, but not enough to hold back the RPF.

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

For a humanitarian intervention force of some 25,000 men, the unit was heavily armed (including air support from 4 Jaguar fighter-bombers and four Mirage ground attack planes based in Goma,). This discouraged the RPF from challenging the intervention militarily, even though they feared that the French planned to divide the country and dig in. The RPF instead accelerated its advance so as to secure Butare and Kigali (2-4 July) before the French could do so.

After 4 July a dividing line between the two armies running just west of Butare was tacitly accepted. Apart from two incidents, there were no military confrontations: the French ceased their advance, and the RPF did not press forward into the zone. Effective and early communication between the two parties was instrumental in avoiding an escalating conflict which neither wanted. Established in Paris just prior to the operation and continued throughout, the communication structures permitted careful management of a conflictual relationship.

Within the zone, the French operated by and large in a friendly environment; indeed, the embrace of local Hutu leaders proved something of an embarrassment. This removed some of the security concerns which had weighed on the planning of UNAMIR II. With a formal welcome from the Hutus in the Southeast and tacit agreement from the RPF, the intervention became a relatively low-risk venture.⁸⁸ The point is important since the efficient execution of Operation Turquoise is often held up as a standard by which the more reticent UNAMIR II can be judged. In fact, they operated in different security environments and so are not fully comparable.

Longer-term consequences of the intervention stem from the friendly relations between the French and the people in their zone. French forces were instructed to disarm the militia⁸⁹. This they did when encountering paramilitary groups, but apparently did not follow a consistent and proactive disarmament strategy based on cordon and search operations (Prunier 1990. Importantly, there were no official instructions to disarm government troops. As a result, the French zone facilitated an orderly retreat of FAR units through the zone and into the south Kivu area of Zaire with their weapons intact. Two major military camps - as distinct from civilian refugees - were formed near Bukavu, the main destination for refugees moving out of the Southwest. A UNHCR report estimated the Bukavu camps held 10,000 soldiers, or approximately 1/3 of the Rwandan army (UNHCR/ FRS/A/04: para. 5).⁹⁰

The French did not "rescue" either the government forces or the militia in the sense claimed by RPF and other critics. If the French zone had not been declared, both soldiers and militia would probably have moved across the border sooner rather than later. A more fundamental problem lay elsewhere. Neither the UN mandate for Operation Turquoise nor the objectives the French government set for the mission included disarming soldiers. Yet, the very concept of safe humanitarian zone implies a demilitarized site, and has developed as such in practice by humanitarian agencies (ICRC 1993). The failure of the French to proactively disarm government troops within the zone must count as a significant lost opportunity, or rather, deliberately bypassed. Even if only partially successful, this would have helped the successor government deal with the defeated enemy in an order manner and in accordance with legal norms. Similarly, French policy in the zone was not to screen or arrest suspects in connection with the genocide, hence this was not included in the mandate

requested from the Security Council. General Lafourcade's staff claimed to have compiled a list of suspects, but these were not turned over to UNAMIR which moved in when the French pulled out in late August (Human Rights Watch, 1995).

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

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

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

CHAPTER 6
REFUGEES AND INTERNALLY DISPLACED PERSONS:
THE END AND THE BEGINNING OF CONFLICT
(April 1994 - August 1995)

As RPF units rapidly advanced to seize power in mid-July, members of the old regime led a massive flow of civilian refugees across the border to Tanzania and Zaire. Among them were some 300 government soldiers, militia members, local officials and former national leaders. In Bukavu area in South Zaire, government soldiers formed separate camps from the very beginning in the Goma area, the army, the militia and the civilian refugees were more thoroughly mixed. In Tanzania, military was not as visible among the refugees, but the militia and former officials were.

These refugee settlements were problematic. There was little security in the camps. Food and other relief supplies were diverted from the intended beneficiaries. The old leadership used its hold on the camps to intimidate refugees and prevent repatriation. The areas became a sanctuary allowing the defeated regime to regroup, rearm, and launch incursions across the border. With ex-FAR officers openly proclaiming their intention to kill all Tutsi who prevent us from returning," the camps became a key element in a new cycle of conflict.⁹¹

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

6.1 The refugee camps: humanitarian and security issues

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

The rapid influx into Tanzania of some 250,000 persons during a couple of days in April created mass confusion. Soon after, however, former officials on the commune and provincial level reconstituted themselves in the camps, thereby gaining considerable control over the food distribution as well as the camp population in Ngara.⁹² Among them was a former Bourgmestre and known killer. Attempts by

UNHCR to remove him from the camp resulted in a riot involving several thousand people. This event affected aid workers and refugees alike. Some NGOs, including Médecins sans Frontières (MSF) suggested that the only alternative was to leave the camps. The option was actually carried out by MSF which pulled out, thereby suspending provision of most medical aid and some water services. UNHCR and most NGOs decided to stay in recognition of the humanitarian imperative to protect and assist a vast population of refugees even if that meant assisting persons guilty of crimes against humanity.

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

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

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

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

6.2 Searching for Solutions

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

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

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

While security problems in refugee camps were common and recurring issues, the Security Council had not previously considered them to be a matter requiring peacekeeping. UNHCR officials remained skeptical, citing tensions between humanitarian concerns and military operations. When General Dallaire floated a

proposal to extend UNAMIR's operations to the camps in Zaire, UNHCR opposed it on the grounds that UNAMIR had shown insufficient understanding of humanitarian aspects of the emergency and voluntary repatriation.

Further, countries which had contributed troops to UNAMIR were reluctant to become involved. As one representative said, it seemed risky, to "send our boys into the black pits of the camps in Zaire." A similar sentiment prevailed when the Security Council discussed the options laid out in DPKO's report of 18 November (S/1994/1308).

The Secretariat's maximum option was a comprehensive assault on the problem which entailed not only separating the soldiers and militias from the civilians, but also disarming the former (Jones 1995a). The operation was seen to require 7,000 well-armed troops, 4,000 for the Goma region and 3,000 for the Bukavu area, and a Chapter VII enforcement mandate. Having hesitated to send less than that even to Rwanda, the Security Council dismissed the option as "fantasy," as one participant later said. Option B was a slimmed-down version of A, involving 3-5,000 troops and a Chapter VI mandate. It was received with more interest, but when members were asked to contribute troops, only 1 out of 15 states approached responded in the affirmative. Simultaneous on-site investigation by a joint DPKO-UNHCR team concluded that the task, at any rate, was more difficult than anticipated and would require more than 5,000 troops. That left the third option of privatizing the security service. A British security company offered to train and provide logistical support to Zairean troops. While attractive to some Security Council members who saw it as a way to depoliticize a sensitive issue, others argued that it amounted to shirking an international public responsibility. UNHCR, which would have to raise the funds, found it much too expensive.

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

The Zairean Camp Security Operation : In a novel development, UNHCR and the Government of Zaire signed a memorandum of understanding on 27 January 1995, whereby the latter agreed to provide a contingent of elite troops to police the refugee camps, working with an international civilian police unit. UNHCR would pay their salary, food, health care, and other incentives. The operation was carefully designed to meet demands from the Zairean government that its troops would only serve under a national command structure⁹³. The Zairean troops would be trained and liaise with an international group of civilians with police and military backgrounds, but would remain under the command and control of their own officers. The first group of 100 men from the prestigious Presidential Guard arrived on 11 February; by the end of April the contingent was increased to a total of 1,513.⁹⁴

By mid-1995, the operation as narrowly defined had successfully established security in the camps. The ZCSC had been trained in refugee law and riot control, and worked closely with the small international civilian police (CLSG). Their task was to improve law and order conditions in the camps; prevent intimidation and violence against refugees wishing to repatriate; protect relief personnel, infrastructure, equipment and

supplies; and escort returnees to the border. Reports from both UNHCR and other sources suggest progress towards these ends. The numbers of killings, theft, banditry, rapes, beatings, and other safety incidents had been greatly reduced, and the associated tensions in the camps had diminished. Relief workers found it easier to perform their duties. The critical impunity question had been addressed as people were arrested and punished for criminal acts. Small arms were seized, although systematic searches were not conducted nor envisaged 95 Ex-government officers who made political speeches in the refugee camps were investigated and in some cases arrested (Halvorsen 1995). The effect on repatriation was more uncertain. The UNHCR figures for repatriation show a steady decline during the first three months after the ZCSC was formed, but, after a low point due to the Kibeho massacre in April 1994, a steady climb was recorded from May to July (See Study IV).

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

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

The UNHCR solution, in other words, was based on a fragmentation of the problem rather than the comprehensive assault envisaged in the alternative peacekeeping approach. Being left out, the military component of the security issue was now left unattended. It was clearly outside the competence and mandate of the UNHCR to take on a rag-tag army in exile. The Security Council had declined to act, although the camps were clearly a matter of international peace and security. The OAU was silent, even though the conflicts wrought by refugee-soldiers are scattered throughout the history of post-independence Africa, including Rwanda. Zaire, itself in a condition considered precarious by many, made no efforts to accept its minimal legal responsibility as a host state to prevent armed incursions being staged across the border.

While some of the troops retreating into North Kivu were disarmed by Zairean troops at the border, many weapons were either stocked for later use or replaced by new ones. Virtually all levels of Zairean authority were involved in channelling arms to the ousted Rwandan government troops, including national and provincial authorities, the armed forces (FAZ) and semi-private cargo companies. 96 Supplies were delivered across the border via Goma airport during the war (April-mid-July, and continued to be supplied afterwards (late July and August 1994), as documented. Zairean authorities helped ex-FAR units and staff to establish themselves in five sites along the border in the North and South Kivu area. Thus, with Zaire's help, the defeated forces could regroup, retrain and rearm freely. In doing so, the Zairean government violated a number of international legal instruments - including the UN arms embargo on Rwanda (S/RES/4 18 (1994)), the 1969 OAU Convention which proscribes armed

encampments of refugee-soldiers close to the border, and international law prohibiting armed incursions across the border - as well as the legal and moral principles to punish perpetrators of genocide.

There is clear evidence that France also shipped arms to the government side via Goma in May and June 1994. According to the French consul in Goma at the time, the shipments were part of a contract concluded by the French and Rwandan governments prior to the UN arms embargo of 17 May. France apparently failed to report these and other shipments to the UN Committee set up to oversee the implementation of the arms embargo.⁹⁷ The evidence implicating other countries in violation of the spirit, if not the letter, of the arms embargo is less compelling, although actual or prospective supplies from South Africa and China have been reported. Since the retreating government forces brought the reserves of the Central Bank along with them, they had easy entry to a large and poorly controlled international market of dealers in small arms.

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

6.2 Internally displaced: Kibeho⁹⁸

In the aftermath of Operation Turquoise, up to 390,000⁹⁹ internally displaced persons (IDPs) were left in 33 camps in the south-west of Rwanda. In the Fall of 1994, the government decided to close the camps by December 1994, using force if necessary. The NGOs and UN agencies¹⁰¹ insisted on voluntary return. In November, with the government, they developed an Integrated Humanitarian Response. Operation Retour was launched in December of 1994. But it ground to a standstill in February 1995 because the IDPs were no longer willing to return to their homes voluntarily because of the deteriorating situation in the home communes and the intimidating actions of the hard core within the camps.¹⁰² An Integrated Operations Center (IOC) working group was established by the government, UN agencies and NGOs on 6 February 1995, and an IOC was set up within the Ministry of Rehabilitation and Social Integration (MINIREISO) in March of 1995.¹⁰³ Increasing insurgency across the borders heightened the security¹⁰⁵ concerns of the government. ¹⁰⁴ RPA shootings, beatings, and harassment in camps had increased in February. By the end of February, the IOC concluded that Kibeho camp, with almost half of the remaining IDPs, was becoming a criminal sanctuary and possibly a centre for recruitment and training of insurgents.

The government once again decided to close the camps, using force if necessary. In early March, the Integrated Task Force developed six options¹⁰⁶ to reconcile the legitimate aspirations of the Rwandan state, on the one hand, to establish stability on its territory and prevent genocidal killers who sheltered in the camps from escaping justice, and the concern of the UN and the NGOs, on the other hand, with protecting the rights of individuals and avoiding exposing innocents to unnecessary risks. The first option focused on independent forceful action by the RPA; it predicted that a

mass chaotic dispersion would result, with large numbers heading across the border to Burundi, and large numbers of deaths, particularly children. Such action would also violate the agreement of cooperation between the international agencies and the government, instill distrust in the people of the government, and create a rift between the international community and the government. On the other hand, continuing with a plan of voluntary return would violate government policy and would not only likely be ineffective, but would consolidate extremist control of the camps. The UN, NGOs, and government agencies were faced with a real dilemma.

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

The decision was made to close the camps in series by gradually reducing food supplies and transferring them to the home communes. Those who chose to remain in the camps after the returnees left would be investigated as perpetrators of the genocide. The plan would be accompanied by a program of information in both the camps and the home communes, strengthened security and the administration of justice in both places, and an escort service jointly conducted by the RPA and UNAMIR to guarantee safe conduct, complemented by food stations manned by NGOs along the way. The operation would begin about 6 April. The commencement date was postponed until mid-April, then 18 April, and then there was an agreement to postpone again until the 24th, but there is confusion on whether the latter date was communicated to the RPA.¹⁰⁷ When the cooperative plan for vacating the camps seemed to be breaking down, there were late warnings that a number of casualties could be expected if the plan was executed improperly.¹⁰⁸

On 18 April, the RPA surrounded Kibeho camp with two battalions and cut off the food supply. The Minister said that the humanitarian community agreed to that commencement date.¹⁰⁹ A population of 80,000 was squeezed by the cordon from five hills onto one hill.¹¹⁰ On 18 April, 8-11 children were killed in a stampede. On 19-20 April, 13-22 IDPs were killed by the RPA when IDPs threw stones or started to take weapons. On 20 April in the late afternoon it started to rain. A large group of IDPs, deprived of food, shelter, and sanitation for three days, were either stampeded or panicked and tried to break through the cordon. The RPA suffered casualties from firing from IDPs. The RPA fired into the crowd; numerous IDP casualties resulted. The cordon was restored. In late afternoon, when it was raining hard, the cordon was breached again. There was more firing, more RPA casualties, more return fire by the RPA with numerous IDP casualties. The RPA even used rocket propelled grenades. On the night of 22 April, there was both sniper fire and machete attacks among IDPs. The evacuation of the camp had deteriorated into a full scale battle using innocent victims as expendable tools of war.

The number of persons killed ranged from a low of 300 - which was used by the Special Representative of the Secretary General, Sharyar Khan, and the govern - and a high of 8,000, which was given by Australian UN= soldiers who made a partial count. Official UNAMIR estimates were revised downward soon after April 23. A

reasonable estimate is that in the planned effort to close Kibeho Camp, between 4,000 and 8,000 people were killed, including many women and children. The large numbers of deaths were the result of the gunfire, machetes, and trampling. 111 The International Commission of Inquiry found that many of the dead suffered from machete wounds. Since the RPA did not have machetes, this suggests that the hard core elements in the camps were responsible. However, there was also evidence of summary executions of IDPs by the RPA.

Though there was a serious problem in the implementation of the agreed plan, and specific confusions over the commencement date, there were deeper problems, specifically the different priorities, perspectives and values of the various parties, and the hangover effect of the genocide on the perceptions each of the co-operating parties had of the other. The repeated shift in commencement dates consolidated the RPF suspicions about and NGO intentions. The UN had failed to comprehend adequately the urgent security concerns of the government.

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

The under equipped and impoverished government still threatened by the militant elements from the defeated genocidal regime could easily be faulted. There was a clear break-down in communications and authority among various governmental sectors. 112 The International Commission was clearly correct in faulting the RPA for its lack of communications, its inexperience, its inappropriate equipment and training for what was essentially a police action. But these were not the essential elements; none of them explain the RPA's precipitous action, 113 the most immediate cause of the disaster.

Could the RPA have been stopped? UNAMIR II had a mandate to support and provide safe conditions for displaced persons. The mandate included taking self-defense actions against those who threatened populations in protected sites and the distribution of humanitarian relief. But the humanitarian agencies and UNAMIR U had agreed to the suspension of humanitarian relief, admittedly gradually rather than suddenly. Moreover, several UNAMIR units were at the time on joint patrols to escort the bulk of the population to their home communes. Should the Force Commander have abandoned the returnees, immediately consolidated his contingents from all over Rwanda, and ordered the superior forces of the RPA to cease and desist? UNAMIR II was also tinged with the understandable accusation by the RPF that the UN had not permitted its predecessor to protect them in Kigali prior to 6 April, and had even been withdrawn when the genocide commenced. If confronting the RPF at Kibeho, the UN force would be subjected to the accusation that they were protecting the killers rather than trying to arraign them. For these reasons, UNAMIR II was impotent to do anything.

The NGOs understandably placed primary emphasis on the well-being of their humanitarian charges, perhaps without giving adequate consideration to the predicament and need for both security and justice, and, most importantly, the sense of urgency of the government. The International Commission criticizes the NGOs for allegedly encouraging IDPs to remain in Kibeho but cites no evidence for this charge. Government sources close to the event, and whose primary interests differed from that of the NGOs, found little to substantiate the Commission's conclusion. 114 However, tension between the command and control structure of UNAMIR and the anarchic system of NGO coordination did not help the efficacy of the return operation. A more serious factor was the failure of the international community to invest adequate resources in Operation Retour to initiate the information campaign in both the camps and the home communes, as well as rehabilitate the justice system and the home communes in preparation for the returnees, particularly in the winter phase of the plan when the on was still a voluntary one. There was also a failure to act sooner and use the not-so-gentle persuasion of promising to withhold food when the incentives for returning home to take advantage of the January crop season was at its greatest, before the extremists could organize the resistance, and when the IDPs were not subject to the dismal feedback by returnees and new IDPs about the perilous conditions in the home communes.

Serendipity was also a factor. The weather did not co-operate. What was not at fault was the effort to achieve coordination and the willingness to devise a plan that attempted to be both humane and realistic. The international community, however, was not realistic enough in its lack of an adequate sense of urgency and its reluctance to employ

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CHAPTER 7: CONCLUSIONS

1. EARLY WARNING

The Puzzle

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

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

Close observers commonly interpreted this information in the Rwandan context to mean that large scale ethnic violence against civilians was likely if the civil war was

renewed, as seemed likely in early 1994. However, in the higher echelons of state and international agencies, the early warning signals were hardly heard at all, and news of the genocide was an even greater surprise. But pieces of information were available to permit policy makers on any level to draw the more radical conclusion that both politicide and genocide might occur on a scale quite different from past patterns of "just" hundreds and thousands of victims.

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

Then why did states, international organizations, and other parties who had assumed some responsibility for regulating the Rwandan conflict and had the capacity to act not draw the appropriate conclusions? Since close observers did anticipate mass violence and advocated swift interventionist action, analyzing the problems that afflicted the central decision makers is critical to understand the failure to act. The problems of receiving even clear and unequivocal signals are found in four areas: contradictions in the international system; the UN structure; attitudes of senior officials towards messengers and the inadequacies in the messages sent; and interference.

Contradictions in the International System

Neutrality and Intelligence Gathering

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

Financial, Remote and Regional Interests

In the area of conflict management, the UN is particularly beholden to the United States which pays almost a third of the budget for peacekeeping. When regional states and organizations, which are closer to the conflict and its consequences, and in this case were willing, indeed eager, to involve themselves, they were not given the wherewithal to do, so, including a structure to gather and analyze information. The OAU, which was intimately involved in the diplomatic process to settle the conflict, only had a skeletal staff for these purposes. The lack of resources also characterized Tanzania as the most disinterested state in the region whose major motive was to Zaire had access to the Rwandan regime but no interest in collecting, let alone sharing, any information which could be used against the Rwandan government.

Uganda had such an interest, and through the RPF also had access to information, but their early warning capacity supported the RPF. RPF early warning could be dismissed as propaganda. France had both interests and a significant capacity for intelligence collection on Rwanda, but its interests were clearly artisan and led to defining the role of the RPF in adversarial terms (this included even the French Ministry of partisan Affairs, which was committed to the Arusha process).

The United States also had the capacity, but it was initially truly disinterested, in the sense of being both objective and remote, and utilized its capacity only sporadically. When the US did become more interested, a State Department official at the desk level wrote a report in January 1993 which painted a very prescient disastrous future for Rwanda and the safety of Tutsis. The CIA undertook a January 1994 desk-level analysis of the Rwanda situation as a worst case projection of the course of current events which included scenarios of deaths in the order of half a million casualties. This indicated that specialist analysts who focused on a problem could use current information to develop reasonably accurate scenarios. However, lacking a "smoking gun" or verification from personnel on the ground, neither report was taken seriously or distributed widely. Since Rwanda, both in January of 1993 and 1994, posed only a hypothetical problem rather than being an actual crisis, there was less inclination by higher officials to attend to projected scenarios. Further, US officials were inclined to dismiss the problem of Rwanda in light of events in Somalia and its own preoccupation with budgetary issues. In any case, the US was not inclined to share its information and the analysis based on it.

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

Structure and Culture

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

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

With the changed mandate of the Secretary-General since 1990, the Secretary-General reorganized the Secretariat, but in so doing, sacrificed an independent information and strategic analytic arm separate from any operational functions in dissolving ORCI, the Office for Research and Collection of Information because of its shortcomings. The Secretary-General distributed its responsibilities among the Political, Humanitarian, and Peacekeeping Affairs Departments, while the Office for

Human Rights monitors human rights abuses. There was no central unit in the Secretariat or elsewhere charged with collecting even "soft" intelligence, including the information available in the vast structure of UN agencies and organizations to translate the assessments into policy options and strategic planning. As the DHA task force evolved into the focal point for early-warning in the UN system for mitigating the consequences of conflicts, there was no parallel tool to generate early warning signals required for contingency planning in preventive diplomacy and peacekeeping operations. The DPA, which was expected to undertake this task, was too understaffed and had no systematic link to strategic planning.

Further, the cultural milieu of the Secretariat had reverted to being politicized in two senses. In the Rwanda situation, the DPKO at some critical junctures seemed to be too subservient to the concerns of the major powers. In this case, the DPKO only proposed "what the traffic would bear" (their words), not what the analysis dictated. Further, some personnel suggested that others were carriers for dominant state players. Politicization versus professionalism in a context of relative great power disinterest by one major power and a partisan interest by another proved to be a devastating combination.

Messengers

In spite of these deficiencies resulting from the current mandate of the UN and its structural problems, UN headquarters did receive crucial information that should have led it at least to undertake some contingency planning. However, the UN Secretariat had a propensity to discount the information and warnings received from within its own system while paying inordinate attention to media analyses, if the Secretary-General's 21 April rationale for withdrawal is any indication.

Using information the various humanitarian organizations obtained from their own field operatives, an inter-agency task force in Geneva was assigned the task of sharing information about impending human disasters so they could be better prepared. It had many problems. It was ad hoc. Each of the agencies showed an understandable reluctance to collect and divulge sensitive political information that might jeopardize their operations in a country. More importantly, the inter-agency task force was oriented towards anticipating the humanitarian consequences of a crisis (e.g. population movements, the requirements of relief operations, etc.) rather than the development of the crisis itself. The task force had no access to the sort of political-military information so critical in discerning escalating conflict. Nor did it have

adequate support from qualified analysts. As a result, while the UN system has an early warning capacity, this capacity is inappropriate to questions of early warning for conflict management purposes.

Even greater suspicions were cast on the human rights organizations which discerned patterns of violence they characterized as genocide. Part of the problem was the manner in which the warnings were conveyed. These organizations did not put human rights abuses in a political context necessary for understanding the nature and probable evolution of the conflict, including its likely points of culmination, or translate them into strategic options. Further, the human rights machinery of the UN itself was virtually irrelevant to the early warning process, not only lacking the

capacity to relate human rights violations to a dynamic analysis of the social forces which produced them, but utilizing a monitoring process that was sporadic and provided no follow-through on reports.

Within the New York Secretariat, particularly in DPKO, far too little attention was paid to early warning emanating from human rights organizations. Thus was exacerbated by a tendency to pay undue attention to the media, particularly the New York press. With a few notable exceptions, the media in general perpetuated the misrepresentation of the slaughter in Rwanda as one of anarchic ethnic violence. It took almost a month for most of the media to "get the story straight."

The Secretary-General's report justifying withdrawal on 21 April reflected the misrepresentations of the media rather than the analysis of informed or more professional observers of Rwanda. When the Secretary-General by mid-May did perceive the situation correctly, he lacked the sustained support that adequate media coverage can bring to a crisis.

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

Interference Factors

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

True, the leadership issued public warnings accusing the government of severe human rights violations and identifying those responsible for killings in 1992-3 as guilty of genocide. But leading Front members acknowledge in retrospect that they did not anticipate the magnitude of the genocide and the RPF did not develop contingency plans for such an eventuality. Why not?

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

Incredulity

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

Mindblindness

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

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

Shadows

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

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

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

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

In the shadow of Somalia, the American and UN observers misinterpreted the events on the ground and exaggerated their impotence to respond effectively. Not only were

the wrong lessons learned from Somalia, the right ones were ignored. In fact, the lesson of Somalia should have been that too few forces inserted tardily can undermine a whole operation.

Noise

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

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

Confusion about the Message

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

The problem with the term 'genocide' as a signal comes in the different implications and illustrations of the two uses of the term. The use of the legal definition of the term in an accusatory sense arguably diminished the impact of the term in its function as a warning signal. If the killing of 300 Tutsis constitutes genocide (in the legal sense), then warnings about a potential genocide signal the potential death of a few hundred more. The linking of the deaths of 300-1N people to the terms 'Apocalypse' and 'genocide' diminished the impact of these terms as warnings. While significant in and of itself, early warning about a legal genocide leads to very different thinking about consequences and reaction than would a clear signal of an impending genocide in the popular sense.

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

Desensitization

Only six months before the genocide occurred, massacres in Burundi claimed the lives of an estimated 50,000 to 100,000 persons. There was no worldwide outrage and little response. This failure of the international system to be startled or to respond reflected a pre-existing propensity to expect disasters out of Africa. The threshold for international response seemed to increase accordingly: if 100,000 persons could be

killed with impunity, the possibility of another particular responses. Hence, massive slaughter did not seem so extraordinary, nor did it require. there developed a mental indifference to the possible consequences of the rising tensions in Rwanda.

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

2. CONFLICT MANAGEMENT

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

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

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

Another lesson refers to the general principle that respect for international law and norms will tend to diminish conflict, whereas violations will tend to stoke it. The

behaviour of state and presumptive state actors in the Rwandan conflict was in this respect less than adequate, and mostly counter reductive. International law and associated principles designed to uphold international order were repeatedly violated including sanctity of national borders and arms embargoes. International refugee law was not observed. The legal right and moral obligation to intervene to stop genocide was not acted upon. Human rights law was repeatedly and severely transgressed with impunity. Donors continued to give economic aid, and, in one case, also substantial military assistance, to a government lied to systemic violations of human rights. While this might be expected in a world of competitive nation-states observing the rules of *Realpolitik*, it should also be recalled that the consequences of lawlessness in this case were exceedingly costly - both for the Rwandan parties and people, and for outside states concerned.

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

Critical actors at critical junctures

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

* The Tanzanian government and the OAU efficiently and patiently spearheaded a sustained international effort to mediate the civil war. While the Arusha Accords in retrospect were not as perfect as the sponsors claimed, the agreement did provide a reasonable basis for settling the civil war. Partly undermined by unforeseen developments in neighbouring Burundi, the peace agreement also carved some seeds of its own destruction by failing to take care of the losers. Having been excluded from the settlement and not dealt with otherwise, the Hutu extremists became an obstacle to its implementation.

* UNAMIR on the ground was an exercise in doing the most with as little as possible. The Force Commander struggled in vain to bring the mission up to authorized strength and to alert an unresponsive UN Secretariat (DPKO) to the fact that the situation in early 1994 was seriously deteriorating. Once the civil war resumed and genocide commenced, UNAMIR was able to save lives by protecting some 15-,000 persons in the Kigali area, despite lack of supplies and heavy equipment and a

drastically down-sized-force. Its credibility and hence ability to modify the conflict in other respects (e.g. by promoting a cease-fire) was critically undermined by the decision to withdraw.

* Of the humanitarian agencies, the ICRC in particular helped to provide protection to thousands of civilians.

* After a bungled start and initial paralysis by the DPKO, the UN Secretary-General recovered the initiative by proposing that the UN re-engage itself to mitigate the conflict. The Under-Secretary General of Humanitarian Affairs helped focus attention on the crisis during the early period and was the first high-level representative from New York to visit Kigali after April 6.

* While failing to anticipate that some 1.5 million persons would flee across the border, UNHCR soon recognized the need to deal with the problem of militarized refugee camps so as to avoid the start of a new conflict cycle. The agency's innovative proposal was bogged down in discussions at UN/New York, where the Secretary-General sought to address the problem comprehensively as a peacekeeping matter. This failed, however, and the result was a critical delay of several months before UNHCR could move ahead to deal with the camps issue.

* Of the regional states, Uganda and Zaire at various times provided support which served to escalate the conflict rather than reduce it, though Uganda also contributed to the mediation process.

* Through its military and economic assistance, as well as diplomatic support, France gave significant and sustained aid to a regime that was linked to systemic human rights violations and ultimately genocide.

* The Belgian decision to withdraw its UN contingent at the time of crisis crippled UNAMIR and drastically reduced its options for the future. Belgian lobbying for the Security Council to withdraw the remaining force altogether helped shape the final decision to this effect.

* By acts of omission, the United States ensured that neither an effective national response nor a collective UN effort to mitigate the genocide materialized. Citing financial restraints, the United States wanted a barebones UNAMIR before April 6, argued for withdrawal soon afterwards, and delayed the authorization as well as deployment of an expanded UN force in May-June.

* The media by and large covered events in a fundamentally irresponsible manner. Notable exceptions were reports from correspondents for BBC, Le Monde, Liberation and the Times. The rest of the media reported in a highly selective and initially misleading way, although some later were quick to charge Western governments with complicity in the genocide. Genocide and politicide were at first depicted as tribal-ethnic conflict with ancient and typically African roots. Coverage did not become intense until the genocide was over, and huge refugee flows streamed into Goma. The failure of the media to accurately and adequately report, on a crime against humanity significantly contributed to international disinterest in the genocide, and hence to the crime itself.

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

Decision-making structures

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

* **Mandate and expectations:** The Arusha Accords presumed and specifically called for a peacekeeping force with a broader mandate than the UN was willing to undertake.

* **Timing:** The timetable of the Arusha process presumed a speedy international presence, yet this did not sufficiently take into account, nor was it adequately coordinated with, the timeframe for establishing UN peacekeeping operations.

* **The extremists:** The existence of an extremist group excluded from power in the results of the peace process, but continuing to hold power in the interim, should have been dealt with by other means in the implementation phase. In the shifting of responsibility from one set of actors to another, this critical issue fell out of focus and the extremist issue was neglected.

In important respects, Rwanda got a peacekeeping force rather different from what the negotiators of the agreement had anticipated and deemed necessary for the implementation of the Accords. The disjuncture was partly caused by organizational competition between the OAU and the UN. The OAU actively sought to obtain a leading role in the peacekeeping phase as well, but the Security Council insisted that the UN would not pay unless it retained command and control of the operation. Apart from France, which lobbied hard to make it a UN force, and the Rwandan government which happened to be a member, no other states in the Council gave the issue much consideration. The UN Secretary-General weighed in on the side of his own organization. Moreover, the dismal record of the OAU in managing its minor military mission in Rwanda (NMOG land II), gave ammunition to critics in the UN who maintained that the OAU had neither the capacity nor the required impartiality to undertake peace keeping operations. As it turned out, however, the UN Headquarters

did not run an effective peacekeeping operation in Rwanda either, and UN neutrality in face of genocide became a matter of criticism rather than approbation.

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

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

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

Decision-making process

The United Nations: UN procedures governing peacekeeping operations made for slow and incomplete deployment. While this was not specific to Rwanda, the consequences were more acutely felt because the country had no "patron" in the Security Council that could cut through the political and bureaucratic morass. The Secretariat for the most part proved unwilling or unable to compensate.

Before the acute crisis erupted on 6 April, DPKO, which had responsibility for UNAMIR, made no contingency plans or efforts to strengthen the mission's preparedness for worse case scenarios despite clear evidence of mounting tension. The problem was partly due to limited institutional capacity in face of a rapid increase in peacekeeping operations worldwide. The restraints were also more deep-seated, as indicated by the failure of DPKO to overcome a near-paralysis when the crisis broke and Rwanda moved to the top of the agenda. DPKO's communications to the Security Council were tailored to expectations of what the Council would approve (thus giving the Permanent Five anticipatory vetoes); options were formulated in terms of standard operating procedures, rather than the unique needs of the situation; and instructions to the field were heavily influenced by concern to reduce risk so as to avoid failures" - which was defined as the death of UN peacekeepers. Only when the Secretary-General in late April decided to provide some leadership did

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

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

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

- * The Field Mission had very limited authority to make decisions; routine matters as well as issues heavily dependent upon judgment of the situation in the field were micro-managed by New York.

- * When deployed in late 1994, UNAMIR I had only a small investigative unit and no separate human rights component designed to monitor and report on human rights violations. This limited its ability to gauge a deteriorating situation. It also signalled to the Rwandan parties that the UN placed low priority to human rights violations in the implementation of the peace accords.

- * The normal, slow process of assembling a peacekeeping force had monumental consequences. Once the Security Council decided in May 1994 to gage the for the explicit purpose of protecting civilians, a period of about 3 months elapsed before new UNAMIR units arrived in Rwanda. In the intervening period, hundreds of thousands were killed. The deployment was particularly slow because none of the industrialized states that could have provided the UN with fully equipped units at sort notice were willing to do. The solution was to match Western equipment with African troops, a process which was particularly time consuming.

Policy issues

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

National peacekeeping operations with a UN umbrella: The French Operation Turquoise was quickly deployed and efficiently run and some held it up as a model. It should be noted, however, that smooth operation was not only a function of its being national (as distinct from cumbersome multilateral). Effective communication with the RPF made it possible to agree on the boundaries of the French "safe humanitarian zone," and behind this line, French troops were in generally friendly territory. The operation also raised some troublesome issues. Mounted at the same time that the was struggling to obtain troop commitments for UNAMIR II, the French initiative detracted from the collective effort and weakened the credibility of multilateral

interventions. The circumstances of the operation cast doubt on official claims that it was a purely humanitarian intervention, thus degrading the latter concept.

Democratization. International insistence that Rwanda's political system be democratized had contradictory implications. The formal institutions of multipartism provided a political framework for accommodating the RPF and in that respect foreign donors promoted a formula that would help terminate the civil war. On the other hand, democratization so defined did not address human rights issues, and in some respects became a substitute for dealing with them. The results of efforts to strengthen civil society were also ambiguous in that they provided space for both human rights organizations and extremist groups. More generally, donor demands for democratization added to the overall pressures experienced by a regime that was at war and faced national economic collapse as well as mounting internal opposition. The combined effect was a sort of system overload which enhanced the power and possibly the appeal of Hutu extremists. These dysfunctional consequences were not sufficiently recognized at the time in the belief that the multiparty system entailed by democratization and endorsed by the Arusha Accords would take care of the extremists in due course.

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

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

The formation of new militant and militarized refugee communities in Zaire during the second half of 1994 indicated the beginning of another conflict cycle. The response of the lead UN agency for refugees, UNHCR, reflected increasing awareness of the problems posed by such communities. It was recognized that a solution, if any, requires disaggregating the community and hence the problem. This entails separating the refugees from the military and dealing with them former within a legal-political framework of repatriation or resettlement. The latter constituted a military security problem and had to be dealt with as such. By early 1995, reasonably effective arrangements were made to improve policing of the camps in both Tanzania

and Zaire. Yet, the issue of the armed militants and their links to refugees remained unresolved as the armed groups were free to rearm and regroup near the border. A solution to this problem required, in the first instance, greater cooperation from the authorities in Zaire and foreign arms suppliers.

CHAPTER 8: RECOMMENDATIONS

A. General - Humanitarian Realism

In matters of conflict management, the international response to the Rwanda disaster revealed a high degree of formalism. The United Nations projects a vision of the unity of humans governed by norms which enhance equality and justice, peace and the well-being of all, and these principles were duly referred to. In practice, the behaviour of states was mostly characterized by contests for power and a narrow concept of self-interest. The UN as a collective actor was unable to rise above its members in this respect. Yet, the picture is more complex. Within the UN system, a number of states identified national security with international security and the attempt to enhance world order by placing units of their armed forces at the disposition of the UN. Other states invested in preventive diplomacy, recognizing that renewed conflict would threaten regional peace and security and probably create large refugee flows. Some states took some notice of persistent efforts by NGOs to flag human rights issues.

It is possible, therefore, to escape from formalism. The issue is not choosing between vision and reality, between idealism and prudence. State policy based on narrow self-interest alone is costly in terms of the conflicts and humanitarian expenditures it entails, and in the diminution of the sense of ourselves. A policy which leads to shame is not realistic. On the other hand, promoting an idealism which fails to consider the dictates of Realpolitik is a recipe for future disasters and failures.

The central issue is to define a prudent idealism. To translate this most general philosophical approach into policy is a challenge for all concerned with public policy. In part, the task is to develop structures that include the stakeholders; in part it is to develop policy approaches and procedures which ensure that the stakes held are compatible with a rational order of justice and peace. Some guidelines which embody the principles of humanitarian realism can be derived from the Rwandan case.

B: Policy Approaches to Conflict Management

Coherence

Lack of policy coherence was a problem throughout, but from a conflict perspective the human rights issue is central. There was the tendency to isolate human rights monitoring into a superego role rather than an integral element in anticipating and responding to the crisis. The exemplary work of human rights organizations was too often content with resting on the fence of abstract principles. At the same time, organizations involved in economic development did not incorporate human rights as a specific dimension of development. Peacekeeping operations did not acquire a human rights component until after the crisis had erupted.

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

Targeting

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

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

3. Special efforts must be made to act on crimes against humanity. The international community should regard itself as in a permanent state of war against perpetrators of crimes against humanity with a need to determine the crises which are both most urgent and amenable to corrective intervention.

Delegating

It will be recalled that the failure to mitigate the genocide in Rwanda was neither a function of lack of early warning, nor of malevolence, but essentially of neglect. The case points to the inability of the UN, with its fragile structure and economic base, to respond adequately in world of multiple, simultaneous crises. Absent a division of labour among international organizations and state actors, the UN becomes overburdened and formalism develops: abstract principles are recorded in resolutions but policy follows the interests - or disinterest - of the major powers on the Security Council. In Rwanda, the result was neglect. The regional organizations and states - i.e. the most immediate stakeholders in both peace and war in the Great Lakes region - were excluded at critical stages.

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

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

* The UN should remain the body which sanctions action, sets the parameters, and monitors the implementation of forceful intervention, and, where needed, helps

finance and provision such actions, but should be the body of last resort in the implementation of enforcement action.

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

Timing

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

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

Conditionality

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

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

Preparedness

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

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

C. Early Warning

Early warning was less critical in the Rwanda crisis than the willingness and ability to respond. Nevertheless, the failure to respond adequately was in part influenced by the failure to collect and analyze the information that was provided and to translate this into strategic plans. Information and analysis is critical, not only in assisting in

anticipating a crisis, but in determining the appropriate response in a particular situation.

As many UN resolutions have reiterated, there is a need to develop an early warning system within the UN. However, such an early warning system must go beyond simply developing a network or building on the new enchantment with data-based systems for anticipating crises and their degree. The and regional organizations must develop, both at headquarters and in the field, a high level capability for collecting and analyzing information in a particular crisis area and translate this into strategic alternatives further, this early warning analytic system must have direct and regular access to the Chief Executive.

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

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

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

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

9. The media should retrospectively examine their reporting on Rwanda to explain and draw lessons from what is probably one of the most serious failures in the history of modern journalism by a high proportion of the media.

D. The Parties

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

At the core of the Rwanda crisis were two interrelated issues concerning ~ ethnicity and refugees. Ethnicity was utilized as a means of fostering divisions and mistrust of the minority group. The refugees were members of that minority group and originally residents of the country, but prevented from returning and denied full rights of residence in the countries of first asylum.

Unresolved refugee issues typically worsen over time to become festering sores and sources of new conflict. To deal with the refugee issue effectively, UNHCR would have needed: i) a plan of action to settle the problems within a reasonable timeframe, and ii) support from states and financial institutions with leverage that could be brought to bear on the situation.

10. In areas of unresolved refugee issues, the underling political dimensions must be recognized and dealt through strategic plans of action. The 'Latter should have specific time lines for implementation, recognizing that in every case, choices will have to be made between lesser evils rather than optimal justice.

If left unattended, ethnic conflicts, like refugee problems, typically fester and recur. Much is known about the dynamics of ethnic conflict and methods of resolving them in principle; additionally, there are international norms relating to minority rights and a substantial body of precedents for adjudicating disputes involving such rights.

11. Codification of minority rights should be brought forward by the United Nations and relevant regional bodies. Consideration should be given to develop mediatory mechanisms such as regional commissioners for minority rights along the lines established by CSCE/SCE).

A central problem that was evident in Rwanda and is also in evidence in other crises is the effect of a system of condemnation without any penalties. This reinforces a sense of impunity for those who violate the human rights of others.

12. The present nascent legal system for investigating and prosecuting crimes against humanity must be developed from one rooted in two specific crises into a standing system of investigation, prosecution, and punishment for those engaged in such crimes.

Outside arms suppliers contributed to and exacerbated the conflict in Rwanda in violation of the Arusha Accords and the spirit, if not the text, of the UN arms embargo. 13. Breaches of arms embargoes agreed to by treaties or instituted by the UN should be investigated, and members breaking such agreements should be penalized.

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

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

Questions were raised about the absence of a professional ethos in the UN Secretariat, particularly in the DPKO, where analysis and options in a critical phase were based less on the dictates of the information and an analysis of alternatives available, but more on the willingness or, more correctly, unwillingness of Great Powers to endorse such actions. The weakness of the international civil service in this respect is not only related to the recruiting and promotion system, but also to the insecure financial base of UN peacekeeping. Such operations have long been a deficit operation and subject to prolonged struggles for states to pay up. By being assessed a hefty 31% of all peacekeeping operations, the United States carries a disproportionate burden and has a disproportionate influence on the undertaking of peacekeeping operations.

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

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

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

Sound principles warn against micro-managing a military or political operation in the field. In the Rwanda case, the peacekeeping mission operated within much too narrow limits of discretionary power. The Force Commander and the SRSG required authorization from Headquarters for even petty financial matters, let alone more substantial issues. The strictures against micro-management are even more

pertinent when the Chief Executive carries ultimate responsibility for responding to a number of crises at the same time.

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

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

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

ENDNOTES

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

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

³The preamble to the 1969 Convention on the Refugee Problems in Africa affirms that the signatories are "determined to discourage" refugees from using their status for subversive activities (paras. 4 & 5). Art. III deals in its entirety with "Prohibition of Subversive Activities," prohibiting refugees from engaging in subversive activities against any member state of OAU and requires that the host states undertake to "prohibit refugees residing in their respective territories from attacking any State Member... by use of arms, through the press, or by radio" (III.2). To further ensure that these conditions are met, Art. II (6) advises that, "for reasons of security," refugees shall settle "at a reasonable distance from the frontier of their country of origin." These provisions are unique to African regional instruments of international refugee law. More generally, the Charter of the Organization of African Unity

expresses "unreserved condemnation" for subversive activities on the part of neighbouring states or any other state Art.III (5). The African Charter on Human and People's Rights states unambiguously that territories [of signatory states] shall not be used as bases for subversive or terrorist activities against another party (Art.23(2)b).

⁴ Recent studies discussing reform of the UN relating to peacekeeping and preventive diplomacy include, The Canadian Committee for the Fiftieth Anniversary of the United Nations, Canadian Priorities for United Nations Reform. Proposals for Policy Changes by the United Nations and the Government of Canada, Ottawa: United Nations in Canada and the Canada Communications Group, 1994) ; Gareth Williams, the Foreign Minister of Australia in 1993 - Cooperating for Peace: The Global Agenda for the 1990s and Beyond, NSW, Australia: Allen and Unwin; Boutros Boutros-Ghali An Agenda for Peace, UN 1992; cf. also Foreign Affairs, September/October 1995.

⁵ In recognition of the importance of these problems in Africa, the African refugee convention - unlike other instruments of international refugee law - deals at some length with the problem of refugees exercising their "right of return" through armed force. The preamble to the 1969 Convention on the Refugee Problems in Africa affirms that the signatories are "determined to discourage" refugees from using their status for subversive activities (para. 4,5). Art.III deals in its entirety with "Prohibition of Subversive Activities, prohibiting refugees from engaging in subversive activities against any member state of OAU III .1), and requires that the host states undertake to "prohibit refugees residing in their respective territories from attacking any State Member... by use of arms, through the press, or by radio" (III. 2). To further ensure that these conditions are met, Art. II (6) advises that "for reasons of security," refugees shall settle "at a reasonable distance from the frontier of their country of origin." These provisions are unique to African, regional instruments of international refugee law.

More generally, the Charter of the Organization of African Unity expresses "unreserved condemnation" for subversive activities on the part of neighbouring states or any other state Art.III(5). The African Charter on Human and People's Rights states unambiguously that "territories... of signatory states... shall not be used as bases for subversive or terrorist activities' against another party (Art.23(2)b).

⁶ The link between high-level positions in the Ugandan army (NRA) and senior positions in the RPF reflected the important role which the Rwandan refugees had played in Museveni's struggle for power. RPF Commander Fred Rwigyema had been the Chief of Staff of the NRA and briefly also Deputy Minister of Defense in the National Revolutionary Council. Paul Kagame, who replaced him, rose to the ranks of deputy Chief of Military Intelligence in the NRA. Several other senior RPF officers had served under Museveni.

⁷ While there are no systematic studies of the subject, observations to this effect were made by social scientists in Kampala who were close to the refugee community (August 1995 communication), and is also noted in Watson (1991) and Braeckman (1994).

⁸ .According to a Kampala-based social scientist close to the exercise, the lead question in the preliminary survey was: "Do you wish to return to Rwanda?" The typical answer was "Who would not want to return to Rwanda?" The survey was conducted in the refugee settlements by two local employees of UNHCR.

⁹ Museveni denied giving either military logistic or financial support to the RPF, and charged the RPA with stealing Ugandan army equipment. He also assured the Rwandan government that the borders had-been sealed, that Uganda did not provide RPF with weapons, would not allow them to retreat back into Uganda, and would arrest them if they returned. *Cf. Briefing given by the Minister of State for Foreign and Regional Affairs, Hon. David Omara-Atubo to Diplomatic Representatives Resident in Kampala on 4 October 1990.* See also Ambassador Katena-Apuli's letter to Stephen Goose of 26 August, 1993, in which he asserts that, "On the day of the invasion, October 1990, the Uganda Government declared all Rwandese who had left NRA to attack Rwanda as Deserters under the Operational Code of Conduct. That means on conviction by a Court Martial, they would be punishable by death." There is no evidence that any were arrested. On the contrary, RPF Commander Paul Kagame travelled often and openly to Kampala where he met with journalists, foreign supporters and diplomats throughout the war, but was never arrested (Human Rights Watch Arms Project, *Arming Rwanda: The Arms Trade and Human Rights Abuses in the Rwandan War*, Washington, January 1994, 20).

¹⁰ "The charitable view," wrote the well-informed *Africa Confidential*, was that "Museveni has been unable to control his army. The cynical view is that he has been playing a double game, allowing... RPF-commander... Rwigyema to build up his expeditionary army while professing friendship with his neighbours" (*Africa Confidential*, vol.31, no.20, p.2). Close observers conclude there was significant assistance, pointing to the RPM use of Ugandan territory and shifts of equipment from the Ugandan Army to the RPF at the time as well as later (Human Rights Watch 1994, Prunier 1995) The Human Rights Watch report *Arming Rwanda* (1994) concluded there was institutional complicity" based on findings that "...Uganda provided weapons, munitions and other military supplies to the RPF. These included munitions, automatic rifles, mortars, artillery and Soviet-designed Katyusha multiple rocket systems... and that... Uganda allowed the rebel movement to use its territory as a sanctuary for the planning of attacks, stockpiling of weapons, raising of funds and movement of troops" (p. 10). It has been suggested that Museveni supported the RFA because of ethnic loyalty as well as political reasons. The president is said to have Tutsi or Hima origins even though he was born and raised in Uganda (Cf N. Kabukol, *Uganda and the Challenge of a New Generation: Recolonization of Uganda and the Tutsi Diaspora*, Kampala, 1991, 8, 11).

¹¹ See Otunnu ~ 995) for a long list of telling signals, also Prunier (1995). Foreign diplomats and journalists commented one unusual movement of troops towards the Rwanda border, departing NRA members took farewell with relatives and friends; and a few days before the invasion, Maj. Gen. Rwigyema told inquisitive onlookers in Mbarara that he was taking troops to prepare for celebrations on October 9, Uganda's Independence Day.

¹² There are also reports that the invasion triggered a purge of officers in the Rwandan armed forces on 2-3 October. The officers appeared to have planned to carry out a coup in conjunction with the RPF offensive, but were caught by Habyarimana's intelligence network. If so, Habyarimana probably had information about the planned invasion as well.

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

¹⁴ Confidential interviews, Washington, May 1995. Reyntjens cites AFP and Reuter dispatches in February 1993 saying a spokesman for the neutral military observers group (NMOG) accused French troops of bombarding RPF positions [Reyntjens 1994, p. 176]. In a report in *Le Monde* ("L'armee francaise dans le piege rwandais," September 1994), Herve Gattegno cites various evidence of direct involvement, including a memorandum from the head of the military mission in Kigali recommending 21 members of the parachutist regiments for medals for bravery during the fighting in January 1992 (Reprinted in Guichaoua 1995:720- 721).

¹⁵ The director at the time was M. Dijoud. Possibly the French were piqued that a high ranking American official, Deputy Assistance Secretary Hicks, had organized a meeting between RPF and GoR in Harare in July. A subtle competition between Washington and Paris developed, driven on the French side by a sense that diplomatic initiatives in Central Africa properly belonged to a French sphere. In Washington, there was generally little interest in Rwanda, which gave lower-level officials greater way for initiatives. The only exception was the personal interest in promoting African conflict resolution and activist stance of Herman Cohen, the Deputy Assistant Secretary for Africa. ¹⁶ The N'Sele ceasefire agreement of 29 March 1991, Art.II (7), as amended at Gbadolite 16 September 1991 and at Arusha 12 July 1992.

¹⁷ A widely publicized case implicated the French government, via the bank Credit Lyonnais, in helping the Rwandan government to secure finance for a 6 million dollar weapons purchase from Egypt. Documents in the case were origin all obtained by the Human Rights Watch (1994). The shipment itself was no secret. American diplomats in Kigali, for instance, were appraised of the shipment in advance via American embassy staff in Cairo.

¹⁸ Tanzania's brokerage became a significant budget item for the Ministry of Foreign Affairs. Tanzania's delegation,, headed by an ambassador, worked practically full time on the conflict for 10 months and the hotel bill for this period in Arusha was payable in hard currency.

¹⁹ The power-sharing formula in the Arusha Accords distributed the portfolios in the transitional Council of Ministers as follows:

* The ruling MRND would retain defense and planning but otherwise received marginal ministries, including those for family planning and promotion of women, and "enseignement superieur et culture."

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

* The principal opposition part, Mouvement Democratique Republican (MDR), got 3 choice portfolios in its batch of 4: Prime Minister, Minister of Foreign Affairs, and Minister of Primary and secondary education.

* The Liberal Party (PL), also in opposition, got the Ministries of Justice, Commerce and Labour - all three "heavy" portfolios; The opposition social democrats (PSD): Finance, Public works and Agriculture.

²⁰ This is based on the figures in the report of the UN Reconnaissance Mission to Rwanda in August 1993, to prepare for the establishment of UNAMIR. If the higher figures sometimes cited FAR having 30,000 men and RPF 15,000 (see Study 1), the difference in demobilization requirements becomes even greater, i.e. approximately 24,000 on the government side and 9,000 for the RPF.

²¹ Current definitions of preventive diplomacy have been formulated by UN Secretary-General Boutros Boutros-Ghali in his 1992 Agenda for Peace as efforts: "to identify at the earliest possible stage situations that could produce conflict, and to try through diplomacy to remove the sources of danger before violence results" (para. 15). During the Cold War, "preventive diplomacy" was customarily used in the sense pioneered by former UN Secretary General Dag Hammarskjöld to mean the prevention of local conflict from developing into confrontations between superpowers.

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

²³ "The majority of the victims have been members of the minority group, the Tutsi, and they have been killed and otherwise abused for the sole reason they are Tutsi." But the report continued, "While the casual figures established by the Commission are significant, they may be below the threshold required to establish genocide.... These technical matters aside, the tragic reality is that for the sole reason of belonging to the Tutsi group, many Rwandans are dead, have disappeared, have been seriously injured or mutilated, have been deprived of their property, or have had to flee their homes and been forced to hide or live in terror" (FIDH 1993:29).

²⁴ Officials in the Africa bureau in the French Ministry of Foreign Affairs cannot recall any mention of human rights issues in the communications between Paris and Kigali during the tenure of ambassador George e Maine. Considered a stronger supporter of "the presidential tendency," served from September 1989 until March 1993. He was replaced by Jean-Michel Marlaud, who was more attuned to multipartism but did not raise human rights issues because he considered the evidence too flimsy or feared it would play into the hands of the RPF. Reflecting tacit principles of division of labour during the Cold War, the United States had for some time considered Rwanda as part of a French sphere of influence in Africa. To the extent that Rwanda figured at all, U.S. policy was to emphasize democratization and

good governance as a means to deal with human right Both Ambassador George Flatten and his successor David Rawson observed this priority (interviews Kigali and Paris, August 1995; Washington March 1995).

²⁵ Under the guidance of two "old Rwanda hands;" in the Ministry of Cooperation and its implementing agency (ADCD), Belgium had chosen Rwanda for a pilot project in Belgian foreign aid based on new guidelines. Bureaucratic incentives to maintain the aid help to explain why the Minister of Cooperation Andre Geens strongly advocated not only renewing but actually increasing aid in late 1991, despite his admission that the government had not undertaken the expected economic and political reforms (Willime 1995, pp. 436-439). Another Belgian official who accompanied Geens on his tour of Rwanda in August 1991 noted that he was "very keen on aid." (Interview with author, July 1995). The French ambassador in Kigali, George Matre, was known as an "ancien du Rwanda." Matre was not a diplomat but came from the Ministry of Cooperation and was described by close observers as a "pro projects man" (Interview with author). Matre is considered to have wielded considerable if indirect influence on French policy towards Rwanda during his tenure as ambassador from September 1989 until March 1993.

²⁶ In Canada the issue came to the forefront in early 1991. Attempts by human rights activists to portray a cut off in Canadian aid to Rwanda as a reaction to human rights violations were in fact resented by Ottawa, which feared it would complicate Canadian efforts to promote peace and democratization (the cuts were in fact budgetary).

²⁷ Agnes Ntamabyaliro. Considered both corrupt and of "Hutu power" persuasion, she appeared in the self-appointed "interim government" after April 6.

²⁸ Even a concrete and seemingly clear-cut issue as hate radio was too problematic for the international community to deal with. The Rwandan government had formally committed itself to abstain from "propaganda radio nuisible," as the confidential annex to the Dar-es-Salaam joint communique put it (7 March 1993). Although the vitriolic Radio Mille Collines (RTLM) clearly qualified as "nuisible" and attacked even members of the diplomatic corps in Kigali, there was no decision to take forceful measures to silence it. Both the French and the American ambassadors opposed such action. Ambassador Rawson claimed that Radio Mille Colline was the best radio for information, and its euphemisms were subject to many interpretations. The idea of jamming the radio was discussed in a preliminary fashion in the U.S. Department of Defense, but never passed "first base," as one participant later noted. The reasons cited were many: It was illegal to interfere in the internal affairs of another state, Rwanda was not considered an enemy or even an adversary state, and jamming posed practical problems by requiring the application of sophisticated equipment from the air or a nearby base. The United States was in principle wedded to a broad view of freedom of speech (Interviews Washington, March 1995; Kigali, August 1990).

²⁹ Under the 1503 procedure, discussion is conducted by a small Committee of Five, and is a means to approach the government in question to deal with the situation before it is brought onto a public agenda. The confidential discussions are seen as one step in a process which - in the most severe cases and as a final step - might lead to a Special Rapporteur with a country mandate. Only on 24-25 May 1994 did

the Commission call a special session and appointed a rapporteur to investigate the genocide in Rwanda.

³⁰ Mrs. Uwilingiyamana appeared at the March 8 meeting at the specific instructions of the Foreign Minister, Boniface Ngulinzira - who also was murdered after April 6. Her presence before the Commission visibly angered the MRND member who remained in the delegation.

³¹ In 1992, the Special Rapporteur on "extra judicial, summary or arbitrary executions" devoted 6 paragraphs to Rwanda in his report to the Commission (E/ CN.4/30, pp.-467). The thematic rapporteurs on torture and the Working Group on Enforced and voluntary Disappearances included Rwanda in their general reports to the Commission in 1993.

³² The relevant clauses of the Genocide Convention are Art. II, (a) and (b) : "...genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group or (b) Causing serious bodily or mental harm to members of the group."

³³ The report estimated that at least 2,000 civilians have been "victims of extrajudicial, summary or arbitrary executions" in the period October 1990 and January 1993., For those who knew Rwandan history, these figures would suggest a turn for the worse: several thousand persons were victims of the 1959 "social revolution," and thousands were killed in retaliation for the attacks in December 1963 by Tutsi guerrillas. At that time, as in 1992-3, the killings took place in the context of a war, and the victims were primarily local Tutsi who were identified as the internal enemy associated with the externally-based Tutsi rebels.

³⁴ Diplomats from the region report having seen French DAM officers in the Gabiro national park with interahamwe units, which were recognizable from their uniform kangas. It was one of the open secrets of Kigali that the militias were training in the national parks (interview, Dar es Salaam, August 1995).

³⁵ The French ambassador Marlaud warned most strongly of all that delays would give the opponents of the Accords opportunities to derail the peace process.

³⁶ The review had started out in mid-1993 on the premise that UN peacekeeping was a valuable instrument of U.S. foreign policy, but soon took a critical course. Announced in May 1994, Presidential Decision Directive 25 (PDD 25) held that US needed to apply stringent criteria of national interest before supporting UN peacekeeping operations, whether or not this involved US troops (National Security Council, The Clinton Administration's Policy on Reforming Multilateral Peace Operations, Washington: May 1994.) The increased activities of UN peacekeeping after the end of the Cold War had dramatically increased the assessed US contributions, from a range of 29-47 million dollars in 1985-89, to a sizable 460.4 million in 1993, the latter figure representing an increase of 370% from the previous year. Under a new procedure laid down by PDD 25, the costs of all Chapter VII operations plus those where US troops were involved would be charged against

Pentagon's budget, which inclined the latter to oppose such operations (Rosner 1995, pp. 65-91).

³⁷ At the very high end was the UNTAC operation in Cambodia which had and international staff of 22,000, including 16,000 blue helmets. The cost of the latter was estimated to 60-70 million dollars per month (Schear 1995, UN/DPI 1994).

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

³⁹ No country came up with an armoured unit with Armoured Personnel Carriers (APCs), as UNAMIR plans approved by the Security Council called for. As a result, the DPKO had to search for left-overs from other UN operations (and did acquire 8 APCs from Mozambique), the rest had to be obtained through civilian contracts. Since the commercial market for APCs was limited, and UNAMIR's budget at any rate was not fully approved until 4 April 1994, the force never got its armoured unit. The APCs assembled from the any operation in Mozambique rapidly broke down. As UNAMIR had no repair facilities, only one was operational by the time of the April 6 crisis (Interviews, UN/DPKO, Permanent Missions, June 1995). A similar fate befell the small helicopter unit authorized by the Security Council. No country offered even half a helicopter squadron. A commercial contractor who eventually was found withdrew the machines in April when violence broke out.

⁴⁰ The mission had a temporary budget until the end of 1993. The first formal budget proposal was released by the Secretariat (DAM) on 3 January 1994 (A/48/837), translated into 16 languages, and passed to the Fifth Committee subcommittee dealing with budgets ((Advisory Committee on Administrative and Budgetary Questions), which began consideration of the budget and released it on March 17th (A/48/908). On 4 April it was formally approved by the General Assembly (A/48/828 Add. 1). Member states received their request for contribution on April 18.

The process has since been speeded up. Previously the Secretary-General could spend no more than 10 million dollars per year without an approved budget from the General Assembly, and then only, with approval of the ACABQ. Now, the Secretariat can go straight to the ACABQ for a temporary budget of \$50 million once an operation is set up. Formal budgets are prepared for fiscal years rather than mandated periods (annual budgets for stable periods and 6-months budgets for less stable periods), which harmonize better with regular national and UN budget processes (See A/49/375 and A/48/945, and Durch (1993, 1995).

⁴¹ Cable from Dallaire, UNAMIR \Kigali to Bari\ DPKO\ Nations, New York, regarding "Request for Protection for Informant," 11 January 1994.

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

⁴³ A DPKO official in New York reported the arrival of a French DC-8 with 90 boxes of 60 mm mortar on 22 January 1994.

⁴⁴ Delcroix apparently was alarmed when finding that Rwanda was "awash with weapons" while UNAMIR stood by powerless. The Belgian UN commander of the Kigali sector, Luc Marchal, told Reuters news agency that since the Belgian battalion had arrived three months ago, they had confiscated only 16 weapons and just over 100 hand grenades. Marchal was unequivocal: "It is a problem with the mandate. Stopping and searching people for weapons is forbidden by New York," he said (Reuters, dispatch from Kigali, 13 March 1994).

⁴⁵ To draw attention to the 11 January cable, the DPKO official handling it put it in a black file. The file was seen both in DPA and DPKO. DPA. Senior DPKO officials admit that they discussed the cable but judged the informant sources as having questionable credibility. Although the significance of the cable became clear in retrospect, this was still denied at senior DPKO levels. As for Dallaire's request for reinforcements and a proactive mandate interpretation, the DPKO officials said such requests were not forwarded to the Security Council because the latter was expected to turn them down anyway (Interviews, New York, April and June 1995, Kigali, August 1995).

⁴⁶ The principal differences in mandate for a proposed UNAMIR which in documents preceding its formal proposal to the Security Council is called a Neutral International Force (N according to the Arusha Accords (AA), the UN Reconnaissance Mission from the Secretariat, headed by the future Force Commander, which visited the region on 19 August - 3 September 1993 ("Report"), and the Security Council resolution 846 of 5 October 1993 (UNSC) which formally established the force are:

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

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

@ AA has two strong provisions for confiscating illegal arms (B)4 - "Assist in the tracking of arms caches and neutralization of armed gangs throughout the country; and (B)6 - Assist in the recovery of all weapons distributed to, or illegally acquired by the civilians;" The Report lists such activities as means of achieving the principal goals identified for NIF, notably "Assist in tracking arms and neutralizing armed groups (with armed UN Military Forces)" and "Assist in recovering arms in the hands of civilians (with armed UN Military Forces and unarmed UN Police Observer

Significantly, the UNSC resolution has no provisions at all for confiscating illegal arms.

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

⁴⁷ In Somalia, Boutros-Ghali had taken the lead in proposing a proactive and eventually Chapter VII mandate which gave the UN force broad powers to confiscate weapons and enforce peace. The first debacle in Somalia occurred in early June 1993, when a Pakistani contingent of 23 men was lost, the death of 17 US soldiers in a related mission two weeks later jeopardized the entire operation and was widely considered as a major defeat for UN peacekeeping. In his recommendation to the Security Council on 3 March for an expanded mandate for UNOSOM, Boutros Boutros Ghali argued that the disarming of local factions had to be enforceable to be effective. He was backed by Res. 814, which stipulated that factions or personnel who failed to comply with the disarmament process would have their weapons and equipment confiscated. The Council also supported him on this point after the Pakistani contingent was ambushed (Res. 837 of 6 June 1993). The main difference between Res. 814 authorizing UNOSOM II and the mandate of UNAMIR was a Chapter VII provision to cover the "responsibility" of the UN force "the consolidation, expansion, and maintenance of a secure environment throughout Somalia on an expedited basis." UNAMIR was to "assist" local authorities, and only with respect to the security of the capital by establishing a weapons-secure area in Kigali (Makinda 1994: 76-81).

⁴⁸ Letter to Salim A. Salim dated 1 April 1994. Boutros-Ghali did not mention that on the very same day, he had effectively upstaged his OAU counterpart by ordering his top military advisor, General Maurice Baril, to travel to Rwanda and Uganda to prepare for a UN monitoring force in the border area. The Baril mission resulted in the establishment of the United Nations Observer Mission Uganda-Rwanda (UNOMUR), as approved by the Security Council on 22 June (Res. 846 (1993)). NMOG for a while limped along and monitored the cease-fire within Rwanda, and - thanks to Salim's continuous efforts - increased its capacity slightly. It was later folded into UNAMIR, as was UNOMUR.

⁴⁹ The other Rwandan operation mounted by the UN was UNOMUR, designed to monitor the supplies going to RPF across the Rwanda-Uganda border. UNOMUR had a checkered efficiency record. Established by a UN resolution in June 1993, UNOMUR had only 81 military observers and lacked equipment for aerial surveillance of the 150 km long border between Rwanda and Uganda. The Security Council evidently made cost a primary consideration when deciding that UNOMUR would focus its control and verification activities on main roads and tracks (Res. 846 (1993)). American military experts regarded the force as largely symbolic.

⁵⁰ Trying to find out what was happening, Dallaire rushed into a meeting of the top officers on the evening of 6 April. Col. Bagosora was in charge. When Dallaire asked him to help maintain stability by recognizing the Prime Minister as the acting head of state, Bagosora put down the idea, contending she was inept and untrustworthy. By the next morning she had been killed. Dallaire also learned of the murders of six

other moderate cabinet ministers. On the evening of 7 April, he went to the hospital to identify the bodies of the ten Belgian soldiers.

⁵¹ Initially, the focus was on the safety of UN personnel. In a letter to the Security Council dated 8 April, the Secretary-General raised the possibility that UNF1 might have to take main responsibility for evacuating UN civilian personnel, in which case an expanded and strength would be required. A further deterioration of the situation could just an evacuation of UNAMIR and if so he was ready to make that decision. While the Secretariat and the council were discussing these options, France, Belgium and Italy launched evacuation operations of their own, the French giving New York and the UNAMIR Force Commander 45 minutes notice before landing at Kigali airport on 9 April.

⁵² Smaller states on the Council complained in retrospect that the Secretariat provided insufficient information (Interviews, New York March 1995). Other members also complained that the Secretariat was inactive. The Ghanaian delegation, representing a major troop contributing nation to UNAMIR, found that its calls to DPKO were not even returned. The informal consultations in the Council reinforce the impression of a Council that was ready to give the Secretariat room for initiatives, but the latter did not respond with alacrity. For instance, on 12 April - or five days into the crisis - several members of the Security Council explicitly asked for views of the Force Commander and the Secretary-General by the next morning; they also sought to hear the views of major troop contributors to UNAMIR. DPKO officials briefed the Council next day, but members were still impatient and asked for specific options. When the Secretariat came back on 14 April with options, the UK and others complained of a lack of information for assessing the options. Argentina reiterated earlier demands that troop contributing countries be consulted.

⁵³ The Secretariat came back on April 14 with two options that both were premised on an cease-fire, a condition that all recognized was not likely at the time. The logic apparently was to threaten withdrawal of the entire force unless the RPF and FAR agreed to a cease-fire. That threat would hardly persuade any of the parties to stop either the wars or the killings. Security Council members responded that it was unrealistic.

⁵⁴ The Secretary-General's report of 20 April uses the term "widespread violence", not "genocide," but admits that "possibly ... tens of thousands" had been killed (S/1994/470). The Security Council resolution (Res. 912 (1994)) is mainly oriented towards the civil war, which is addressed in conventional inter-state terms. For instance, Clause 4 claims, "Obviously, a cease-fire agreement is the first step in establishing a stable and secure environment in the country, thus allowing the organized, coordinated and secure delivery of humanitarian assistance and the reactivation of the Arusha peace process." Item 6 - "Demands an immediate cessation of hostilities between the forces of the Government of Rwanda and the Rwandese Patriotic Front and for an end to the mindless violence and carnage which are engulfing Rwanda;" Item 7 - "Commands the active role of the Special Representative of the SG and of the Force Commander to bring about a cease-fire and to mediate between the parties in order to bring about the earliest resolution of the Rwandan crisis." Item 8 decides to adjust the mandate of UNAMIR to act as intermediary to bring about a cease fire.

⁵⁵ Agence France Press, un "scandal" dont "tout le monde est responsable," Le Monde, 27 May.

⁵⁶ On April 7, when the crisis broke, Boutros Boutros-Ghali was in Minsk. The next day he flew to Geneva; when the Belgians decided to pull out (April 12) he was in Bonn; when the Security Council debated what that meant for UNAMIR, he was in Madrid. With this travel schedule, it was impossible to stay on top of developments in a week of complex and fast-moving events. The essential decision-making during the first critical week fell to two high-level officials in the Secretariat, Kofi Annan and Iqbal Riza. Lacking decisive leadership from the Secretary-General, the DPKO seemed caught in a political culture which made it inappropriate to confront the Security Council and futile to present proposals it would not readily approve.

⁵⁷ Letter from the Secretary General to the President of the Security Council, 13 April 1994. The letter was not well received by the Council, where some members saw it as an attempt by Boutros-Ghali to place the responsibility for UNAMIR withdrawal squarely on the shoulders of Belgium. In a letter to the Security Council the same day, the Belgians had publicly pointed to "the chaos in Rwanda. 'The Belgian government concluded that it was "obvious that under these conditions the continuation of the UNAMIR operation has become pointless... and it is imperative to suspend the activities of UNAMIR forces without delay" (1994/430). DPKO reinforced this interpretation by telling the Security Council (13 April) that with the Belgians about to leave, the Force Commander could no longer guarantee the security of the airport or even his own men. DPKO did not relay to the Council the more differentiated appreciation of the situation made by the Force Commander in Kigali.

⁵⁸ Invoking NATO solidarity as well, the Belgian Foreign Minister phoned his counterparts in Washington, London and Paris to plead for withdrawal. "Willy Claes panicked a bit," a Belgian official later commented. Outcries from the public and the press over the brutal murders of the Belgian soldiers had placed enormous pressure on Belgian political leaders to withdraw, similar to the ones faced by the Americans in Somalia half a year earlier.

⁵⁹ The United States had been traumatized by the Somalia crisis, which had been imprinted on American TV screens in the picture of a mob dragging the body of an American soldier through the streets of Mogadishu. Although no American soldiers were in UNAMIR, the experience had given peacekeeping a bad name in the United States. Washington apparently considered total withdrawal as soon as the Belgian peacekeepers were killed. When the Belgian decision was known, the United States marked a position in the Security Council favouring withdrawal: on 12 April the American ambassador expressed serious doubt about the viability of UNAMIR in the circumstances, noting that it could not carry out its original mandate and might even be a destabilizing factor. The next day, he suggested withdrawing, leaving only a skeletal force. On the 14th, the US claimed the Council needed a resolution for orderly evacuation of the force; on the 15th there was no doubt: the US opposition to keeping UNAMIR in place was firm.

⁶⁰ Reports from the informal consultations in the Security Council make no mention of such canvassing. It should be noted, however, that even Nigeria which circulated a draft

resolution to strengthen UNAMIR did not itself volunteer troops. Although a major military power in Africa, and a contributor to other peace-keeping operations, Nigeria claimed it lacked logistics to send reinforcements. However, Nigeria had military observers serving in UNAMIR and made no move to withdraw these.

⁶¹ While recognizing that the Belgian departure was leaving the force quite vulnerable, General Dallaire and his deputy, the Ghanaian Brigadier-General Anyidoho, were making dispositions to dig in, did not recommend withdrawal, and asked for emergency supplies to carry on. The Ghanaian battalion, considered the most professional and second in strength to the Belgian unit, was redeployed from the DMZ to Kigali to protect the airport. On 13 April, one day after Dallaire was informed by the Secretary General's office that the Belgians were pulling out and that the Secretary-General was inclined to withdraw the entire force, UNAMIR sent DPKO a long list of requests for emergency supplies, including medicine, water, fuel and heavy machinery, plus cargo trucks and 1900 flak jackets. On 14 April Dallaire noted the ironic differences in perception: the Belgians were telling New York that the UNAMIR staff in the field did not realize how the situation was deteriorating by the hour; "they say we are too optimistic here."

⁶² Whether a larger - or only a much larger - force would have made a difference is a matter of considerable controversy and remains speculative. If the symbolic force of 540 which stayed on helped to protect thousands of civilians, the force of almost 2,000 which was left after the Belgians withdrew would arguably have had a somewhat greater impact. The force was, however, targeted intermittently by both side (including the militia) as well as taking indirect fire.

⁶³ The RPF maintains the Security Council was still following French interests by seeking to stop RPF advances and save the remnants of FAR behind a cease-fire line. See RPF communiqués 10-16 April 1994.

⁶⁴ Some of the material that we include on the media is taken from Linsey Hilsum's study, "Reporting Rwanda: The Media and the Aid Agencies" undertaken for Study Team III. The other sources are: Peik Johansson, settling old tribal scores: an assessment of the performance of the Western print media, April-July 1994;" "U.S. Television Coverage of Rwanda" by Todd Eachus and Steven Livingston; the latter two studies prepared specifically for Study Team II; "British Television News and the Rwanda Crisis," another study prepared for Study Team and a review of French press coverage during the genocide in, Verschave, Francois-Xavier, *Complicite de genocide? La politique de la France au Rwanda*, Paris: La Decouverte, 1994, 140-45.

⁶⁵ There were, of course, articles in the specialist periodicals of human rights organizations and those specializing in Africa. The only television story on Rwanda during the period was on the mountain guerrillas. The New York Times did cover the only Security Council decision to renew UNAMIR and bring it up to full strength Two and a half weeks later (26 January), in the same paper, a very short story appeared on the Human Rights Watch Arms Report on the French role in arming and training the Habyarimana forces. It was a month later (23 February) when Reuters reported on the assassination of Public Works Minister, Felicien Gatabazi, and the subsequent murder of the head of the hardline CDR Hutu party. The latter report implied that the latter was part of the Hutu-Tutsi "tribal" killings, ignoring the fact that Gatabazi was

Hutu. Le Monde did carry the Agence France press report on the delay in setting up the BBTG on 27 March and the potential tentinal this had for renewal of the civil war. Even the most voracious reader of newspapers and obsessive television news watcher would not have known how ominous the situation was in Rwanda, though a 13 March New York Times brief report of the US State department alert on travel to Rwanda provided a tiny clue.

⁶⁶ Eachus and Livingston.

⁶⁷ Le Monde, 12 April, " Le Rwanda a feu et a sang."

⁶⁸The consensus by scholars now is that the evidence points to the Presidential Guard itself as the source of the missile that shot the plane down. The Presidential Guard also killed the Premier. The Belgian UN soldiers were hacked to death by the military after their battalion leader told them on parade that the ten capture, tied-up, and striped men had killed their president (9 April, William E. Schmidt, "Terror Convulses Rwandan Capital as Tribes Battle'). To be fair, four days later, Schmidt in his dispatch quoted Colonel Alexis Kanyarengwe, the Hutu chairman of the RPF stating, "This is not an ethnic war. It is a war against a dictatorship." In the context of the previous coverage, the assertion sounded like RPF propaganda from a tamed Hutu in the employ of the Tutsi RPF.

⁶⁹ 12 April.

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⁷⁰ The New York Times, 10 April and The Times, 11 April.

⁷¹ Le Canard Enchains, 5 May - "La Franceperd la memoire au Rwanda;" Liberation 18 May "Rwanda. les amities coupables de la France"; L L'Humanite 20 May "Les responsabilites francaises dans le drame rwandais." See also Prunier, "Operation Turquoise': A humanitarian escape from a political dead end," prepared for Study II.

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

⁷³ In a letter of 30 April (S/PRST/1994/21) and a resolution of May 17 (res. 918 1994)), the Security Council "recalls that the killing of members of an ethnic group with the intention of destroying such a group in whole or in part constitutes crime punishable under international law."

⁷⁴ On 25 July UNAMIR was still at a troop strength below 500 - i.e. unchanged since the draw down on April 21st.

⁷⁵ For UNAMIR II, the Belgian government outfitted one Malawi company consisting of 135 men. With training, paperwork and transfer of equipment the process took one month, which the Belgians prided themselves on as efficient.

⁷⁶ Only one Congressman was recorded in May 5) as arguing that it was in the enlightened self-interest of the US to stop genocide wherever it occurred outflows(Hearings, May5) While a significant refugee outflow (200,000) occurred in late May, this did not force the conclusion that by reducing violence within Rwanda, this would probably reduce refugee , hence touching more directly on US interest. This was demonstrated only after Goma (mid-July), when the US felt called upon to provide a major and costly humanitarian relief operation.

⁷⁷ United Nations Peace-keeping, UN/DPI, December 1994.

⁷⁸ This was the proposed American strategy of "outside-in", designed to reduce the chance of military encounter with either of the combatants. The original proposal of the DPKO, by contrast, was an "inside-out" move whereby UNAMIR II units would fly in to Kigali and fan out from the capital. In the end, a combination of the two strategies were adopted. S/1994/565, May 13, 1994 and New York Times, 14 May 1994.

⁷⁹ According to the US ambassador to the UN, Madeleine Albright, the RPF called her on May 4 and said they did not want UN forces in Rwanda (Albright, in statement to the Congress, House Appropriations Committee, May 5, 1994). On the eve of the May 17 resolution authorizing UNAMIR II, both Rwandan parties said they would accept a new UN force if it was only for humanitarian purposes, but RPF warned they would attack UN forces if they came between their units and the government troops (NET, May 18). Towards the end of May, when the Security Council went an extra round to give a second authorization to UNAMIR II, the RPF reiterated that they would cooperate with UNAMIR II if it had exclusively humanitarian functions, but was adamant it would not talk to the UN mission if the latter talked to the "interim government" (NET 25 May).

⁸⁰ The Security Council requested on 30 April that Boutros-Ghali consult with OAU for troop contributions to UNAMIR II. The same day Boutros-Ghali discussed the matter with the OAU chairman, President Mubarak, and approached his OAU counterpart, Salim A. Salim, for help, as well as leaders of African states who previously had contributed troops to UN peacekeeping operations. S/1994/530, 3 May 1994.

⁸¹ Whether "the organization" as such did so, the Secretary-General did (S/1994/640, May 31, 1994)-, and the UN Commission on Human Rights, Special Rapporteur for Rwanda (E/CN.4/1995, 28 June 1994). On U.S. insistence, the Security Council used the formulation "acts of genocide have occurred" (Res.925 (1994)). While ostensibly chosen to downplay the relevance of the 1948 Genocide Convention, as critics have argued, the Convention itself uses that precise term

⁸² By this time, the Secretary General had firm troop offers from 8 African countries, totalling 5 battalions and 4 companies, and a modest equipment list from 4 Western states, totalling 2 aircraft, 50 trucks and 50 APCs. S/1994/728, 20 June 1994).

⁸³ A small contingent of 500 African troops, mainly from Senegal, were added to the French core unit (2500 men) largely to ward off criticism that this was a French rather than a multinational intervention.

⁸⁴ The human rights organization, African Rights, estimates that 85-90% of the Tutsi in the prefecture of Cyangugu had been murdered by the time the French arrived (African Rights 1995, p. 455).

⁸⁵ According to Prunier, who was a participant-observer in the process, confusion rather than clear strategy marked the preparation of the campaign. The Ministry of Defense at first considered moving into the northwest, Ruhengeri and Gisenyi, but was informed that this would bring them into direct collusion with the government forces since this area represented the stronghold of the ancien regime. As a result, the planning shifted to focus on the southwest, also because it was estimated that

surviving Tutsis may be trapped there, hence enabling Operation Turquoise to fulfil its humanitarian objectives (Prunier 1995)

⁸⁶ "Operation Turquoise. Rwanda. June 22-August 11, 1994". Official briefing note. Mimeo.

⁸⁷ Col. Didier Thibaut told Reuters on July 5 that the head of the southern command, Col. Jacques Rosier, had given him orders to stop the rebels if they tried capturing Gikongoro. A statement from the French Ministry of Foreign Affairs on July 5 affirmed that French units would stop RPF rebels from entering the zone in order to protect the refugees (Financial Times, 6 July 1994).

⁸⁸ Force Commander General Lafourcade emphasized that his men were not wearing helmets or flak jackets - in contrast to UNAMIR (Connaughton 1995). In part, this probably reflected the relatively friendly environment, although Lafourcade did not mention this.

⁸⁹ "Operation Turquoise. Rwanda. June 22-August 11, 1994". Official briefing note. mimeo

⁹⁰ This was also noted at the time, including in UNHCR Sitreps for August 1994, the time of the French withdrawal. Some of these soldiers could have retreated before the French entered on June 23, but this is unlikely since the war was then being fought in the east (causing an exodus into Tanzania by late-May). The next major refugee flows occurred in mid-July, both in the north into Goma and the Southwest into Bukavu. On July 19, UNHCR reported that about 100,000 arrived (UNHCR SitRep 20 July 1994). By that time, the French zone had been in existence for over two weeks.

⁹¹ Col. Musonera, Bukavu, in interview with human rights investigators. Human Rights Watch Arms Project, Rwanda/Zaire. Rearming with Impunity. May 1995, vo1.7 no.4, p.3.

⁹² A UN official who coordinated relief in Ngara described a typical method as follows: Commune level officials would provoke unrest or riots in the camps; UN and NGO personnel would be faced with an unmanageable situation; the same persons would approach them and offer to help control the population. Having no ready alternative, the agencies would agree and hence treat them as camp leaders for purposes of distribution and maintaining order.

⁹³ In November 1994, UN/DPKO had proposed a variation on the ZCSC in the form of an International Police/Military Observer Group, where Zairean troops would serve under an international military/police supervisory unit. The Zairean government refused, however, to place its troops under the authority of officers from another state. Zaire did not object to the DPKO proposals to send a peacekeeping force to the camps on its territory.

⁹⁴ Simultaneously, UNHCR launched an appeal to donors asking for pledges to finance the operation, and for personnel to form the international civilian contingent, the Camps Security Liaison Group (CLSG). The Dutch government responded quickly with an offer of 16 policemen; other European and four West African countries followed suit to provide a total of 45. UNHCR assigned a senior official and five support staff with the task, among

other things, of training the new camp police in refugee law and doctrine. The Operation was first planned for five months, but was later extended to the end of 1995.

⁹⁵ By the first week of June, small arms had been seized, including 23 rifles or pistols, 30 grenades, four mines and a variety of ammunition.

⁹⁶ Detailed evidence is provided by Human Rights Watch Arms Project, Rwanda Zaire, vol.7.no.2, New York: May 1995, and Amnesty International, Rwanda. Arming the perpetrators of the genocide. London: 13 June 1995.

⁹⁷ Human Rights Watch Arms project, vol.7, no.4, p.7.

⁹⁸ This interpretation of what occurred at Kibeho is derived from interviews with government and UN officials, and consulting documents prepared prior to the incident such as: the "Integrated Task Force, Briefing Note, 6 March 1995," the "Strategy for the Southern IDP Camps, 5 April 1995," "The Integrated Humanitarian Response, Concept Paper, DHA," "Appeal for Rwanda 1994 Review," (Rwanda Humanitarian Situation Reports and assorted letters and cables). Further, a number of retrospective studies on Kibeho were extremely helpful including: the "Preliminary Report on the April 1995 Closure of IDP Camps and the Integrated Humanitarian Response" by UNREO, the "Report of the Independent International Commission of Inquiry on the Events in Kibeho, April 1995, and Randolph Kent's unpublished manuscript, "The Integrated Operations Centre in Rwanda: Coping with Complexity," 1995.

⁹⁹ On the basis of food distribution figures, the estimates in November yielded a figure of 350,000. Using health and medical figures, the estimate was 280,000. Given the daily flow in and out of the camps, and the estimated 80,000 who had returned to their home communes, in mid-April the camp population of the remaining nine of the thirty-three original camps was estimated to range between 180,000 and 250,000, with greater verity attached to the lower figure. Almost half, up to 120,000, were in Kibeho.

¹⁰⁰ Paul Kagame, Vice President and Minister of Defense, who was viewed as the hero responsible for the defeat of the former government and as the real power in the existing government, initially set 30 November as the deadline for camp closure. He was also the one who took responsibility for the use of force on 18-22 April 1995.

¹⁰¹ The UN agencies operating in Rwanda included the FAO, UNDP, UNHCR, UNICEF, UNIFEM, UNESCO, UNV, WFP, WHO and DHA's field team for coordination, the United Nations Emergency Relief Operation (UNREO). As of November 1994, 114 international and 20 Rwandan NGOs were operating in the country. "From the outset of the April-July events, the international community has been particularly preoccupied by the fate of the displaced populations in Rwanda.... During the latter part of 1994, the displaced persons throughout Rwanda have been among the main beneficiaries of programmes carried out under the July-December Appeal. Parallel to the provision of relief assistance, considerable energy has been expended by the international community as well as the government, to encourage and organise the return of the displaced to their home areas." Appeal for Rwanda, 1994 Review, 5.

¹⁰² The voluntary return had ground to a halt because of a combination of: the deteriorating security situation in home communes; the high numbers of arrests of

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

¹⁰³ There were 59 employees in the IOC, 21 full time and 38 part time. The Task Force governing the IOC consisted of the Director General of Ministry of Rehabilitation and Social Integration; representatives of the Ministries of Interior, Defense, and Justice, and from the UN Operational Agencies (UNICEF, WFP, UNDP, etc.), UN Human Rights, IOM, and senior officials of IOC.

¹⁰⁴ Cf. Kent 1995.

¹⁰⁵ The reports came from medical NGOs and MILOBs. Cf. Integrated Task Force Briefing Note, 6 March 1995.

¹⁰⁶ The six options included three main ones: 1 - The RPA goes in alone to close the camps by force; 2 - close camps in series beginning with Kibeho and Ngado (the largest camps) by ceasing food distribution; 3 - Camps are consolidated and voluntary return continues with the remaining population receiving basic food until a judicial system is in place. There were three others based on reorganizing the camps into more controllable units as variations of the third option: 4 - population would be transferred to small camps in home communes (a proposal with increased logistical problems and one which did not fit government policy); 5 - reorganize the camps communes after closing smaller camps (chaotic and also does not meet government policy with the additional prospect of new intimidation); 6. - population regrouped by communes in 4 camps (same proems as above).

¹⁰⁷ The source of the initiative and confusion over starting dates in the micro-management of the operation was an immediate precipitating cause of the disaster. A 10 April agreement between Randolph Kent and the Minister set a start date of 18 April. The Prefer of Gikongoro and the local RPA agreed that camp closures would begin 16 April without the elements agreed to between Kent and Minister on 10 April meeting, that is, the coordination of the information plan in the communes and the camps, increased security in both laces, and the presence of an enhanced justice process. On 13 April, the RPA drove people by force out of a small satellite camp, Kivu Gizza. That is when Kent sent his warning to UN headquarters, but he still believed that the situation could be retrieved and the populations returned in a peaceful and humane way. On 14 April, a UN strategy position paper was adopted, "Resettlement of Internally Displaced Persons in Rwanda," spelling out a plan insisting on no rapid closure of camps, but an intensified information campaign plus quick action to deal with security in home communes. This was read as simply another delay and unwillingness of the UN and the NGOs to go along with the government policy or the previous agreements to expedite rapid closing of the camps. Between 15-16 April, an IOC team visited Gikongoro to outline a plan of action with the Prefer and army commander. On 16 April, the Prefer and the IOC

agreed on a new start date of 24 April, with an end date set of 13 May. The Prefet agreed to telephone the RPA commander on the new agreed date. Whether the Prefet failed to communicate the message, or whether the RPA just saw this as a new stall and breach of previous agreements by the UN, or whether the RPA determined to take the initiative on its own, we do not know.

¹⁰⁸ Randolph Kent, who headed UNREO, the coordinating body of DHA in Rwanda, in a mid-April cable to headquarters warned that, "There may well be at the same time serious pressures for public condemnations of any acts that are seen as overly brutal," because "the IDP operation could put the UN in an embarrassing position, one which will necessitate the distancing of UN agencies from possibly unacceptable initiatives by the Government." The warning was given, not in order to allow the UN to take steps to prevent anything happening, but so that the UN could be prepared to explain what happened and to put it in a context for outsiders. "I hope any statement will emphasize the complexity of the situation, including the security threat posed by the present IDP camps."

¹⁰⁹ Though the commencement of the RPA operation took the NGO and UN community by surprise, it was evidently no surprise to the extremists who began leaving the camp before the cordon could be drawn around the camp. It is estimated that up to 20,000 of the hard core elements had fled the camp by 16 April.

¹¹⁰ There have been many suggestions in the aftermath second guessing the plan that was developed. For example, it has been suggested that as the 24 camps were closed earlier, Kibeho should have been surrounded to prevent the extremists from consolidating in that camp. But surrounding a camp spread out over six hills would have been extremely difficult if not impossible logistically. It would be akin to setting up a closed military line around a city of 100-120,000 people. Alternatively, consolidating the camp in a closer perimeter would have produced precisely the same conditions as occurred on 18 April 1995. In fact, it is estimated that up to 20,000 extremists were able to escape from the camp before the cordon around the camp was tightened. Similarly, options which suggest that the police (Rwanda already had an acute shortage of police force) should have been used instead of the RPA, or that UNAMIR II (it already had to cover the whole country and the border areas) should have been the military body to implement the plan merely second guess those closest to the information and facts on the ground and fail to recognize the severity of the security threat that Kibeho posed. This evaluation is not based on imaginary counterfactual possibilities that the IOC should have devised. The geographical and human conditions were such that the options developed by the IOC were, in fact, the only realistic ones.

¹¹¹ The International Commission of Inquiry found that there were RPA deficiencies in communications, equipment, training, experience, and an intelligence failure in anticipating the reaction of the hard-core, but they did not add the fact that the RPA unilaterally precipitated the closure without the gradualism provided for in the original plan. There was little evidence that the NGOs overtly tried to subvert the evacuation, as the International Commission indicated. A representative of the government indicated that one person from an NGO purportedly urged the camp population not to comply with the government orders.

¹¹² The government was ridden with rivalry among the Ministry of Rehabilitation and Social Integration, the Defence Ministry and the Foreign Ministry, as well as between Kigali and Gikongoro.

¹¹³ For as long as Kibeho was perceived to be a large security threat, no one else but the RPA could have tackled Kibeho. If anyone else had, perhaps the up to 20,00 extremists who managed to escape the camp before the cordon was completed would have stayed, and there would have been a two-sided war.

¹¹⁴ A highly placed MINIREISO official said that only one NGO purportedly urged the camp population not to comply with government orders (Interview, Kigali August 1995).

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* The Secretariat, Department of Humanitarian Affairs, Department of Peacekeeping Operations, Department of Political Affairs.

* The Security Council, national delegations or observers from: the United States, France, Nigeria, New Zealand, Canada, Sweden, Norway

* UNDP, UNICEF, UNHCR

United Nations/Geneva

High Commissioner for Human Rights Center for Human Rights

Nation delegations to the Human Rights Commission of Finland and Norway UNHCR
DHA

United Nations/Kigali:

UNREO

United Nations /Nairobi:

UNHCR

OAU

The Conflict Resolution Division (Addis Ababa), ex-NMOG/Rwanda, OAU/Kigali

UNAMIR

Former Force Commander and Deputy Force Commander Members of the diplomatic corps.. Kigali 1990-94: participants/observers at Arusha from: Belgium, Canada, France, the United States, Tanzania, the Vatican, and the OAU.

EU/Commission. DG-VIII

NGOs

Medecins Sans Frontieres

Africa Watch

U.S. Committee for Refugees

ICRC Geneva

National Actors

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

Canada:
Department of External Affairs, CIDA

Tanzania:
Ministry of Foreign Affairs

Uganda:
Ministry of Foreign Affairs

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

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