

# GENOCIDE IN RWANDA APRIL-MAY 1994

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The death of president Juvénal Habyarimana of Rwanda in a suspicious plane crash on April 6, 1994 was the pretext for Hutu extremists from the late president's entourage to launch a campaign of genocide against the Tutsi, a minority who make up about fifteen percent of the population of Rwanda. The extremists also killed Hutu who had shown that they were willing to cooperate with Tutsi in forming a more democratic government. Six weeks later, the killing continues. At least 200,000 and perhaps as many as 500,000 unarmed and unresisting civilians have been slain. The international community has failed to take any effective action to stop the slaughter.

### SYSTEMATIC SLAUGHTER

The massacres were planned for months in advance. The Presidential Guard and other elements of the Rwandan army taught members of the political party militias, the *Interahamwe* and the *Impuzamugambi*, how to kill most efficiently. The *Interahamwe*, "Those Who Attack Together," are part of the *Mouvement Républicain National pour le Développement et la Démocratie* (MRND), the party of the late president; the *Impuzamugambi*, "Those With a Single Purpose," are attached to the *Coalition pour la Défense de la République* (CDR), an extremist Hutu party in alliance with the MRND. Created in 1992, the militias received intensified military training in late 1993 and early 1994, as groups of 300 men at a time were sent for three weeks to a military camp in the northeastern region of Mutara. In their attacks on civilians, the militia are often accompanied by a small number of soldiers or national policemen, but the militia have killed far more people than have uniformed members of the armed forces.

The Rwandan authorities distributed firearms to militia members and other Habyarimana supporters as early as 1992, and gave out many more in late 1993 and early 1994. The bishop of the important Catholic diocese of Nyundo criticized this distribution of weapons in a pastoral letter at the end of December 1993. The militia who returned from training programs in early 1994 brought firearms, including grenades, back with them.

A private radio station owned by members of Habyarimana's inner circle, the *Radio Télévision Libre des Mille Collines*, last autumn began a campaign of hate-filled propaganda against the Tutsi generally and members of the opposition to the Habyarimana regime, both Tutsi and Hutu. At the end of 1993, the broadcasts became more virulent and began targeting individuals who were named as "enemies" or "traitors" who "deserved to die." Among those so labeled were Lando Ndasingwa, Minister of Labor and Social Affairs, who was one of the first killed once the massacres began (along with his mother, his wife and his children), and Monique Mujawamariya, a human rights activist, who narrowly escaped with her life. Throughout these weeks of slaughter, the *Radio des Mille Collines* has incited listeners to genocide, encouraging them to "fill the half-empty graves."

Among the owners and directors of the *Radio des Mille Collines* are:

- Alphonse Ntirivamunda, son-in-law of Juvénal Habyarimana;
- Félicien Kabuga, a wealthy businessman whose son is married to a daughter of Habyarimana;
- Jean-Bosco Barayagwiza, head of the CDR;
- Tarcisse Renzaho, the prefect (governor) of Kigali city; and
- André Ntarugera, Minister of Postal Services and Communications.

For some time, this radio station was run by Ferdinand Nahimana, who had been in charge of the national radio when it was used to promote the killing of Tutsi in an earlier massacre.

The state-owned Radio Rwanda has also played a negative role in the violence, broadcasting

contradictory messages, sometimes appealing for calm, but just as often encouraging continued massacres. As recently as May 19, it was ordering listeners to extirpate the rebels to the last man and eliminate anyone suspected of opposing the regime. It may have adopted a harsher tone in order to replace the Radio des Milles Collines, whose broadcast range was limited to Kigali following repeated attacks on its transmitter by the Rwandan Patriotic Front (RPF), a largely Tutsi rebel movement.

## THE WORST, BUT NOT THE FIRST MASSACRE

The current slaughter differs in scale but not otherwise from earlier massacres in Rwanda in October 1990, January-February 1991, March 1992 and December 1992-February 1993. The earlier killings, like those this year, were organized by officials of the Habyarimana government or of his political party, the MRND, and the closely allied CDR. Like those this year, the killings targeted Tutsi and those Hutu labeled as opponents of the Habyarimana regime. These attacks by the government on its own unarmed citizens cost about 2,000 lives and were condemned by both local and international human rights organizations.<sup>1</sup>

## THE SLAUGHTER BEGINS IMMEDIATELY AFTER THE CRASH

Within an hour of the plane crash, the Presidential Guard had set up roadblocks around the capital of Kigali and had begun liquidating key members of the moderate opposition. Among the early victims were Prime Minister Agathe Uwilingiyimana and President of the Supreme Court Joseph Kavaruganda. Others were human rights activists, including Charles Shamukiga, Fidele Kanyabugoyi, Ignace Ruhatana, Patrick Gahizi, Father Chrysologue Mahame, S.J., and Abbé Augustin Ntagara.

The Presidential Guard was joined by the party militias, and within a week these forces had killed an estimated 20,000 people in Kigali and its immediate environs. The international community responded by evacuating foreign nationals, the first step in its withdrawal from the crisis. Perhaps encouraged by this retreat, the leaders of the genocide extended its scope outside the capital to the east and the southwest. Beginning on April 15, when most foreigners had departed, authorities distributed large quantities of firearms, including automatic and semi-automatic rifles and pistols, to militia and other supporters of Habyarimana.

Many people were killed in their homes, but others were slain in hospitals and churches, places usually recognized as sanctuaries. Among the worst such incidents were the following:

- Kibungo - 2800 people gathered in a church center were slaughtered in a four-hour period by the Interahamwe using grenades, machine guns, machetes and R4 rockets. Approximately forty people survived.
- Cyahinda - 6000 Tutsi who had taken refuge in a church were attacked by militia who left only about 200 to live.
- Kibehe - 4000 people killed in a church.
- Mibirizi parish - 2000 slain.
- Shangi parish - 4000 killed.
- Rukara parish - 500 slaughtered in the church.
- Kigali and Butare - hundreds of patients and staff were killed in hospitals.
- Butare orphanage - twenty-one children, selected solely because they were Tutsi, were slain as well as thirteen Rwandan Red Cross volunteers who tried to protect them.
- Gikongoro - eighty-eight pupils were slaughtered at their school.

Thousands of survivors in Kigali sought safety in the Amahoro stadium, the Hotel des Mille

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<sup>1</sup> Human Rights Watch Arms Project, *Arming Rwanda: Talking Peace and Waging War: Human Rights Since the October 1990 Invasion* (February, 1992); *The International Commission of Investigation on Human Rights Violations in Rwanda Since October 1, 1990, Final Report* (March 1993); Africa Watch, *Beyond the Rhetoric: Continuing Human Rights Abuses in Rwanda* (June, 1993).

Collines, the Sainte Famille Church and other locations. The Rwandan army has bombarded these sites from time to time, killing sixty at Amahoro stadium on April 19, and eighteen others at the Sainte Famille Church on May 1. All of these hostages are surviving under inhumane conditions, often with no food or water for days at a time. Troops of the United Nations Assistance Mission in Rwanda (UNAMIR) guard those at the stadium and the hotel and try to visit the other sites occasionally.

## **THE WAR RESUMES**

Shortly after the massacres of civilians had begun, the war between the Rwandan army and the rebel Rwandan Patriotic Front (RPF) resumed, ending a cease-fire in effect since August 1993. Since early April, two kinds of violence -- the slaughter of the defenseless by government party militias or the Presidential Guard, and the battle between the two armies -- have gone on simultaneously, sometimes in the same area, as in Kigali, but often in widely separated regions. The south and west, where some of the worst massacres have taken place, are remote from the actual war zones.

The RPF is composed largely of Tutsi who fled a 1959-63 revolution that ended their aristocratic control over Rwanda (previously backed by the colonial Belgian government) and installed the current Hutu-dominated regime. After thirty years in exile, a force composed from among these refugees and their children invaded Rwanda in October 1990, first seeking to win the right to return home and later hoping to overturn the Habyarimana government. In addition to resisting the RPF militarily, Habyarimana immediately launched a campaign against the Tutsi within the country, accusing them of being "accomplices" of the RPF. Serious human rights violations were committed against Tutsis uninvolved in the rebel movement, including the massacres described above.

The civil war between the government and the RPF was ended by a peace agreement signed in Arusha, Tanzania, on August 4, 1993 (the Arusha Accords), which provided for a transitional government composed of Habyarimana's MRND, the internal opposition parties, and the RPF. The United Nations provided a peacekeeping force (UNAMIR) to monitor the execution of the agreement and facilitate the integration of the two armies. Under the terms of the agreement, the RPF was permitted to station a battalion in Kigali under U.N. protection. Because of a series of delays, most of them caused by Habyarimana and his supporters, the transitional government had not yet been installed at the time of the plane crash.

When the civilian massacres began, the UNAMIR troops failed to respond. The RPF decided to resume the war, both to rescue its troops in Kigali, who clearly could not expect any effective protection from the U.N., and to try to stop the massacres.

## **THE SELF-PROCLAIMED GOVERNMENT**

Shortly after the crash and the beginning of the massacres, a group of politicians close to Habyarimana proclaimed themselves the new government. Backed by extremist military, the self-proclaimed regime also won at least tacit acceptance from Jacques-Roger Booh-Booh, the Special Representative of the U.N. Secretary-General in Rwanda. The "ministers" of the new government purported to represent a number of political parties and thus to continue the mandate of the previous coalition government, but in fact all emerged from the same ideological position whatever their party labels.

## **EXTENDING THE MASSACRES**

During the first two weeks of slaughter elsewhere in Rwanda, the *préfet* (prefect or governor) of the important southern *préfecture* of Butare succeeded in keeping his region generally calm. The prefect, Jean-Baptiste Habyarimana, was a Tutsi and a member of the political opposition. His wife, Josephine, was a human rights activist. Butare, where Tutsi and Hutu had lived closely together for centuries, was generally hostile to Habyarimana and his anti-Tutsi ideology. As the site of the original campus of the National University, several research institutes, and the showplace new National Museum, it was the intellectual capital of Rwanda.

On April 19, the "President" of the rump government, Theodore Sindikubwabo, removed the prefect of Butare and replaced him with a hardline military man from the north of Rwanda. At the same time, he gave a speech on the radio calling for the killing of "accomplices" in Butare. That evening units of the Presidential Guard flew into Butare airport. The massacres began almost immediately. One eyewitness recounted that on the night of the arrival of the Guard, they dug pits in the ground and filled them with burning tires. He saw people thrown live into the pits, including his sixty-year-old mother-in-law. By noon the next day, the sound of gunfire had become continuous as Tutsi and Hutu allied with them were executed in an arboretum adjacent to the National University, in an area behind the National Museum, and on the banks of a nearby stream. The killings continued day and night for the next three days.

#### **NETTOYAGE - CLEANING UP THOSE WHO ARE LEFT**

In late April, leaders of the militia called upon their members to finish the "cleaning up" (*nettoyage*) of Tutsi and members of the Hutu opposition who had escaped death up to that point. An attack on those sheltered at the Hotel des Milles Collines in Kigali was narrowly averted, apparently by French intervention, but an effort to rescue sixty-two of the hostages failed on May 3. U.N. troops, in possession of a guarantee of safe conduct from the commander-in-chief of the army, sought to escort the hostages to safety, but the convoy was set upon by militia directed to make the attack by the Radio des Milles Collines. Nine of the hostages were seriously wounded and all had to return to the hotel.

On April 29, military and militia killed more than 300 of 5,000 hostages who had been held since April 15 at a stadium in Cyangugu in southwestern Rwanda. Several days earlier the clergy of Bukavu diocese in neighboring Zaire had alerted the world to the suffering of these hostages who had been confined for two weeks without food and with a single water tap and no sanitary facilities. On May 11, militia and military began transferring the hostages to a former refugee camp some thirteen kilometers from the town of Cyangugu, where they could torture or kill them without drawing attention. The buses transporting the hostages were often stopped en route and some persons removed to be slaughtered and left by the side of the road. The bus making the trip on Wednesday, May 11, was halted and all men between the ages of forty and eighty were removed and killed.

Militia and military continue to make nightly visits to stadiums, church compounds and other locations where people at risk have taken refuge. They remove groups of people to be executed. Anyone who is educated or has shown capacity for leadership is targeted for elimination.

On May 16, the "Minister of Defense," Augustin Bizimana, asserted that the massacres had stopped--except for "isolated killings by extremist elements." That same day foreign journalists were still witnessing groups being removed for execution from a Tutsi refugee camp at the large church center of Kabgayi in central Rwanda, some fifteen miles from where Bizimana made his statement. Also on May 16, the International Committee of the Red Cross (ICRC) reported that the self-proclaimed Rwandan government had refused to accept the neutrality of its hospital at Kabgayi and would not guarantee its security. On that day and the two days immediately after, massacres increased in the southern prefecture of Butare. Militia manning the road blockades in that area also behaved more aggressively to passers-by. These changes

resulted from the arrival of militia from the north who had been brought in because the region was "pas suffisamment nettoyé," that is, "not cleaned up enough." They were to kill the Tutsi and Hutu opposition members who had been previously protected by local officials or who had otherwise managed to escape massacre.

By mid-May, the militia had been able to create a dense network of road blocks throughout the zones controlled by the rump government. In some cases, the barriers were separated by no more than a few hundred yards, making escape virtually impossible for those targeted for elimination.

### CENTRAL DIRECTION

The dispatch of additional militia to the south indicates that there is still central control of the massacres. In addition, Matthieu Ndirumpatse, President of the MRND, apparently expects the militia to heed his orders when he addresses them over the radio. He did so on May 19, directing them to allow hostages trapped at the Hotel des Mille Collines and elsewhere in Kigali to leave for safe havens. At the time of this writing, negotiations were proceeding about the release of those hostages.

Although much of the violence is still controlled by authorities of the hardline parties, the rump government or the Rwandan army, random killing, especially in the course of banditry and pillage, is growing as well. As food becomes more difficult to obtain, violence linked to the struggle for survival will increase.

Discipline among Rwandan army troops, lax for some time, has crumbled further in the last month, resulting in multiple abuses against civilians. In the region of Bugesera, for example, soldiers looted at will during the week of May 16, apparently in violation of orders from their commanding officer. Their attacks caused the local population, virtually all Hutu, to flee in panic towards Burundi.

### RESISTANCE TO THE MASSACRES

Reliable accounts describe the heroism of some Rwandan authorities, both civilian and military, who have sought to prevent or halt the slaughter in their regions. In some regions, local government officials, known as burgomasters (*bourgmestres*), have done their best to protect the targeted populations and to guarantee security within their communes. Unfortunately, in some cases, they have eventually been forced to yield and permit the massacres. Military officers who have tried to maintain order or to aid the threatened to escape have later suffered reprisals for their human conduct.

Human Rights Watch/Africa will not publish the names of these courageous defenders of human rights for fear of putting them in danger but will acknowledge them for their bravery and decency at a future date.

### THOSE WHO CAN HALT THE VIOLENCE

All those who claim to exercise authority within Rwanda are legally and morally obligated to halt the genocide and other human rights abuses. They include the following persons.

Party Officials:

Jean-Bosco Barayagwiza, head of the CDR  
Matthieu Ndirumpatse, President of the MRND

Those who claim positions in the self-proclaimed government:

Theodore Sindikubwabo, "President"  
Jean Kambanda, "Prime Minister"  
Augustin Bizimana, "Minister of Defense"  
Justin Mugenzi, "Minister of Commerce"  
Eleazar Niyitegeka, "Minister of Information"

Military Officers:

General Bizimungu  
Colonel Bagosora  
Colonel Nkundiye  
Colonel Mpiranya  
Colonel Mpiranya  
Captain Simbikangwa

### **ABUSES BY THE RWANDAN PATRIOTIC FRONT**

The self-proclaimed government has accused the RPF of having killed hundreds of thousands of civilians, both last year and in recent weeks, but it has been unable to provide any details of time, place or circumstance where the alleged massacres have taken place. After extensive investigation among reliable sources, both Rwandan and foreign, representing clergy, staff of nongovernmental organizations, and journalists, Human Rights Watch/Africa has concluded that there is at present no credible evidence that the RPF has engaged in any widespread slaughter of civilian populations, although there are reports of less systematic abuses.

Refugees who fled to Tanzania at the end of April have frequently talked of RPF abuses, but the accounts are too vague to be credible. No one among the enormous number of people at Ngara camp, for example, appears to have first-hand knowledge of such alleged abuses. In the quarter of a million mostly Hutu refugees at the camp, medical authorities report that they treated only four wounds, all of them slight. This contrasts with the reports of numerous and serious wounds among the Tutsi refugees who have fled to Burundi or who have escaped to northern Rwanda. The massive flight of Hutu to Ngara drew widespread attention because it was the largest number of people ever to flee a country in such a short period of time. But these refugees fled in panic about reports that the RPF was approaching their region, not because they had been attacked or seen others attacked by the incoming troops. They had been frightened by propaganda broadcast on the radio about supposed RPF atrocities. Many refugees had taken the time, nonetheless, to gather food and even farm animals before their departure.

On May 18, a spokesman for the U.N. High Commissioner for Refugees (UNHCR) reported that RPF troops had fired on Rwandans seeking to flee across the river that marks the border between Rwanda and Tanzania. He added that UNHCR representatives had gathered credible accounts from persons who had been abused or seen others abused by the RPF. The RPF immediately denied the allegations and invited UNHCR officials to inspect the zone under their control. Human Rights Watch/Africa has requested the details of these reports from the UNHCR, but at the time of writing had not yet received the information.

Church sources indicate that two Catholic priests were killed by the RPF at Nyinawimana, but information on the date and circumstances of these killings is not yet available.

In other cases, church sources report that refugees at a camp in Uganda relate that the RPF killed civilians at Rwantanga, seven kilometers from the Ugandan border, and at Nyambwesongezi, in Byumba



prefecture. A witness from Rwantanga, a woman who arrived badly beaten, recounted that RPF soldiers had beaten her twelve year-old daughter to death with their rifle butts. Another witness reported that his wife and children had been killed by the RPF when the soldiers attacked people whom they had summoned to a meeting.

A newspaper account published in Uganda in late April related that RPF soldiers had tied up a person accused of being a local leader of the Interahamwe militia and had delivered him to any angry crowd who had kicked him to death. Their story was accompanied by a photograph of the apparent victim. Other reliable sources have told Human Rights Watch/Africa that they have seen RPF soldiers execute civilians who appear to have been militia leaders.

Human Rights Watch/Africa has brought these reports to the attention of the RPF and has asked for investigation of the incidents and punishment for any soldiers found guilty of killings or other abuses of civilians.

### **THE SUFFERINGS OF THE DISPLACED**

Approximately two million Rwandans have fled their homes in the face of the massacres and the war. Within the country, Tutsi survivors are clustered in a variety of locations, some voluntarily, others held hostage by military or militia units. In addition to those frequently mentioned at sites in Kigali, there are those at the stadium at Cyangugu and in several places in Butare. In central Rwanda, there are approximately 50,000 displaced persons, largely Tutsi at Kabgayi, mostly Hutu at nearby Gitarama. In addition there are certainly other groups who remain unknown to outside observers. More than 200,000 people have sought refuge within the zone controlled by the RPF in northern and eastern Rwanda.

When the slaughter began, there were about 200,000 Burundian refugees located in camps in southern Rwanda, who had fled violence in Burundi in October 1993. Many of them have returned to Burundi or fled to Tanzania, but as many as 80,000 may still be left in Rwanda.

Over 300,000 Rwandans have fled to surrounding countries, the great majority of them to Tanzania. Approximately one quarter of a million Rwandans are grouped at Ngara, Tanzania, the largest refugee camp in the world. Approximately 8,500 Rwandans have sought safety in Zaire; between 5,500 and 10,000 in Uganda, and between 16,000 and 47,000 in Burundi.

The misery of those seeking refuge in surrounding countries has been well publicized, and a variety of organizations are seeking to meet their enormous needs. Information on the suffering of those within Rwanda is very limited, but those reports available indicate that conditions are desperate for many of the displaced. Often they go without food or water for days at a time. Medical care is simply nonexistent for the great majority of these refugees, many of whom have died as the result of untreated wounds or disease.

The battle for control of Kigali between the army and the RPF has made it difficult, often impossible, to deliver the supplies and services needed to keep these refugees alive. In many other cases, militia and authorities of the self-proclaimed government have hindered or prevented assistance to the displaced. In the most notorious instances of such conduct, militia and military have attacked hospitals in Kigali and Butare and killed both staff and patients. International agencies such as *Médecins sans frontières* and the ICRC have lost large numbers of local staff.

### **RESPONSE OF THE INTERNATIONAL COMMUNITY**

After nearly seven weeks of slaughter and hundreds of thousands of lives lost, the international

community has still made no effective response to the genocide, crimes against humanity and violations of international humanitarian law in Rwanda.

Human Rights Watch, the *Fédération Internationale des Droits de l'Homme* (based in Paris), Amnesty International, the International Centre for Human Rights and Democratic Development (based in Montreal, Canada), Oxfam UK and other international nongovernmental organizations have condemned the slaughter as genocide. The Secretary-General of the United Nations and the Pope have also called the slaughter genocidal. Major heads of state, however, have refused to call the horror by name even as they condemned the massacres. Governments are reluctant to talk of genocide by name because to do so would obligate them to act under the terms of the 1948 U.N. Convention on the Prevention and Punishment of the Crime of Genocide. The convention requires its signatories to "prevent and punish" genocide--defined as acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group--as a crime against humanity. A large number of states are party to the Genocide Convention, including all the permanent members of the U.N. Security Council and Rwanda itself. As yet, few states--none of them major Security Council powers--have stated that they are willing to live up to their obligations under the convention. The Security Council debated for eight hours on April 29, before finally adopting a declaration early on April 30 that used the legal terminology of the Genocide Convention but still rejected the use of the term itself.

### **The United Nations**

Under the terms of the Arusha Accords, the United Nations was asked to provide a peacekeeping force to monitor the agreement, the United Nations Assistance Mission in Rwanda (UNAMIR). This force, which just before the crisis numbered 2,500 troops, was to monitor the cease-fire, contribute to the security of the city of Kigali, and engage in other activities associated with the establishment of a transitional government in which members of Habyarimana's government would share power with members of the internal opposition and representatives of the RPF.

Among the duties of UNAMIR was the enforcement of a prohibition against the importation of arms and ammunition into Rwanda. On the night of January 26, UNAMIR learned of the unauthorized secret landing and unloading of a planeload of arms at Kigali airport. The U.N. force intervened and placed the arms under joint U.N.-Rwandan government supervision to prevent their distribution to the Rwandan army. During February, UNAMIR also prevented the delivery of three more planeloads of arms and ammunition for the Rwandan government. The U.N. authorities therefore knew that the Rwandan government was attempting to obtain fresh supplies for its troops, presumably in preparation for further war.

In February 1994, the assassination of two leading political figures was followed by a week of killings and other violence in Kigali. Interpreting its mandate narrowly, UNAMIR made no effective response to the violence, although it certainly heightened insecurity in the capital city. As tensions grew throughout February and March, U.N. personnel and the diplomatic community generally were well aware of extremely worrying developments indicating that hardliners in the government intended to overturn the Arusha Accords. They were frequently warned by responsible local persons, including human rights activists and political leaders, that preparations were underway for a campaign to wipe out those who opposed the Habyarimana regime. They knew of the hate-filled radio broadcasts, the training of militia and the distribution of arms. Whether unable to imagine the scale of impending horror or limited by mandate or the traditions of diplomatic practice, they took no effective action to prevent the disaster.

With the onset of the killing after the plane crash in which President Habyarimana died, UNAMIR again failed to act decisively. Apparently both the terms of the mandate and the lack of appropriate equipment for the troops hampered an effective response. Had there been prompt and firm action by UNAMIR to suppress the first violence, the situation would certainly have developed differently.

When Prime Minister Agathe Uwilingiyimana fled for her life to a U.N. compound, UNAMIR dispatched ten soldiers, part of the Belgian contingent, to rescue her. They encountered a hostile and armed crowd and three were disabled. The others requested instructions from headquarters and, according to a press account, were told to put down their arms and attempt to negotiate with the crowd. They were slaughtered. The Belgian government then withdrew its troops, who were the best equipped of those available to the UNAMIR force. Subsequently Bangladeshi troops also left, some of them in panic before orders were given for their withdrawal.

On April 21, the Security Council met to decide the fate of the UNAMIR force. Rather than admit that genocide was taking place, as was clearly apparent by that date, and accept the responsibility of preventing it, the Security Council voted to withdraw the majority of the remaining troops and to leave behind a skeleton force of 270 soldiers. The United States, initially in favor of removing the U.N. presence completely, led this move to retain only a token UNAMIR presence.

Proponents of the reduction of UNAMIR argued the necessity of removing the troops from a threatening situation which they were ill-equipped to handle. But with the exception of the ten Belgian soldiers killed while attempting to defend the Prime Minister, surely one of the most important targets of the extremists, no additional U.N. soldier had been killed in the weeks of subsequent violence. (One was later killed in a mortar attack in Kigali). There was no evidence that U.N. troops had been targeted by either of the hostile parties after the first day of the massacres.

In the first weeks of violence, the Security Council apparently received inaccurate reports on the situation, particularly those based on information from the Secretary-General's Special Representative Jacques-Roger Booh-Booh. Characterized by *The Washington Post* on May 8 as "blurred, sanitized summaries...depicting mutual and chaotic killings," these reports failed to convey the systematic and organized nature of the genocide which had at the time already been established by accounts in the press.

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

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

The government of Rwanda, as it existed before April 6, held a non-permanent seat on the Security Council. Its representative has continued to serve the self-proclaimed regime that took power after the death of Habyarimana and has been permitted to retain the seat on the Council. He has even been permitted to speak at length in debate and to vote on resolutions concerning Rwanda, although customarily representatives do not play an active role in considerations of conflicts that affect their own states. Jerome Bicomumpaka, the so-called foreign minister of the rump government, was recently allowed to address the

Security Council. Accompanied by CDR head Jean-Bosco Barayagwiza, he was in New York as part of the self-proclaimed government's efforts to justify the unjustifiable and to win international acceptance for their genocidal regime. In these statements, the self-proclaimed government has stated that it would favor the return of U.N. troops to Rwanda to enforce a cease-fire between the RPF and the Rwandan army, with the armies to return to the positions they held before the resumption of the civil war.

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

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

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

### **The Diplomatic Community in Kigali**

Representatives of most nations in Kigali offered temporary protection to Rwandan staff members and others who sought asylum at their homes or embassies. On April 13, Amnesty International reported, however, that some unidentified embassies had apparently turned away Rwandans seeking protection. Diplomats mobilized primarily to evacuate citizens of their own countries and most refused to assist Rwandans, even long-time employees of their own staffs, in leaving the country. Belgium and France were apparently the only nations to aid some Rwandans in escaping, although French press reports indicated that several Rwandan employees at the French embassy had been abandoned and later killed by government forces. France provided aircraft to permit evacuation of Madame Agathe Habyarimana, members of the Habyarimana family and others close to the regime. Some were transported to Paris and several hundred others were taken to Zaire.<sup>2</sup>

### **The United States**

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

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

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

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

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

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

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

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

#### **France**

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

### **RECOMMENDATIONS**

- Jean-Bosco Barayagwiza, head of the CDR party; Matthieu Ndirumpatse, president of the MRND party; those who claim authority under the self-proclaimed government, including Theodore Sindikubwabo, Jean Kambanda, Augustin Bizimana, Eleazar Niyitegeka and Justin Mugenzi; and military officers Bizimungu, Bagosora, Nkundiye, Mpiranya, and Simbikangwa must halt the genocide and other violations of international humanitarian law in Rwanda immediately.
- Authorities of the RPF, including its president, Alexis Kanyarengwe, and its military commander, Paul Kagame, must order members of their forces to halt all summary executions or other killings of Rwandan civilians. Any who are found to have committed such abuses must be disciplined as appropriate and held in custody pending trial. Where the forces of the RPF succeed in overcoming government forces, they must arrest all those accused of involvement in genocide and other crimes

against humanity and ensure that they are held in humane conditions to await trial as soon as circumstances allow.

- The international community must clearly and forcefully condemn genocide in Rwanda calling the horror by its rightful name. The Security Council and the Commission on Human Rights of the United Nations, as well as the individual governments of the international community--including the United States--must recognize that the organized nature as well as the scale of the massacres proves that the authors intended to eliminate in whole or in part the Tutsi as a group within Rwanda; that is, that their actions fulfil the definition of the Genocide Convention.
- The international community must also condemn the systematic slaughter of thousands of Hutu who opposed the Habyarimana regime, as a violation of international humanitarian law and a crime against humanity.
- The member states of the United Nations must do everything possible to assist a speedy and complete deployment of UNAMIR II forces. Members must respond promptly to requests for additional troops. The United States must devote the necessary resources to ensure that any organizational or logistical problems are resolved immediately.
- The international community must insist upon accountability for genocide, crimes against humanity and violations of international humanitarian law. The United Nations Commission on Human Rights should name those persons who have the power to halt the slaughter and should demand that they do so immediately.
- The international community must take steps to ensure that no form of impunity be offered to those responsible for genocide and other crimes against humanity. The United Nations Commission on Human Rights should mandate a representative to attend negotiations between all parties to the Rwandan conflict who must insist that impunity not be granted as part of a peace settlement. No participant in the negotiations should be permitted to trade cooperation with international efforts to resolve the crisis, by arranging a cease-fire or in making peace, for protection for himself or any other person accused of genocide or crimes against humanity.
- The international community must ensure that those accused of genocide and crimes against humanity are brought to justice in trials that conform in all respects with accepted international practice, including guarantees of the rights of the accused. If such trials are to be held in Rwandan courts, the collaboration of international magistrates and prosecutors should be required, through the creation of an exceptional jurisdiction if necessary.
- Governments, human rights organizations, and individuals should use all possible channels to take legal action to bring those guilty of genocide and other crimes to justice. Human Rights Watch/Africa has assisted one victim--who is the sister of several of the dead, including the late Minister Lando Ndasingwa--in bringing a civil suit in the U.S. courts against Jean-Bosco Barayagwiza for genocide and other crimes against humanity. Officials and individuals elsewhere should initiate similar proceedings against the chief authors of these horrors. The criminals should be made aware that there will be no place in the world where they can escape judicial action.
- The United Nations Commission on Human Rights should delegate and adequately fund a special rapporteur to report promptly on the Rwanda crisis. It should insist that members of the UNAMIR force be charged with a mandate to report all human rights violations to the Commission through its delegated representative. It should also provide for a group of human rights monitors in Rwanda to supplement reports provided by UNAMIR personnel.

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*Human Rights Watch/Africa (formerly Africa Watch)*

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