

# A Summary of the Rwandan Genocide

## Rwanda: A Brief History of the Country

Rwanda's population of more than 7 million people is divided into three ethnic groups: the Hutu (who made up roughly 85% of the population), the Tutsi (14%) and the Twa (1%).

Prior to the colonial era, Tutsis generally occupied the higher strata in the social system and the Hutus the lower. However, social mobility was possible, a Hutu who acquired a large number of cattle or other wealth could be assimilated into the Tutsi group and impoverished Tutsi would be regarded as Hutu. A clan system also functioned, with the Tutsi clan known as the Nyingiya being the most powerful. Throughout the 1800s, the Nyingiya expanded their influence by conquest and by offering protection in return for tribute.

## Ethnic Conflict Begins

The former colonial power, Germany, lost possession of Rwanda during the First World War and the territory was then placed under Belgian administration. In the late 1950's during the great wave of decolonization, tensions increased in Rwanda. The Hutu political movement, which stood to gain from majority rule, was gaining momentum while segments of the Tutsi establishment resisted democratization and the loss of their acquired privileges. In November 1959, a violent incident sparked a Hutu uprising in which hundreds of Tutsi were killed and thousands displaced and forced to flee to neighboring countries. This marked the start of the so-called 'Hutu Peasant Revolution' or 'social revolution' lasting from 1959 to 1961, which signified the end of Tutsi domination and the sharpening of ethnic tensions. By 1962, when Rwanda gained independence, 120,000 people, primarily Tutsis, had taken refuge in neighboring states to escape the violence which had accompanied the gradual coming into power of the Hutu community.

A new cycle of ethnic conflict and violence continued after independence. Tutsi refugees in Tanzania and Zaire seeking to regain their former positions in Rwanda began organizing and staging attacks on Hutu targets and the Hutu government. Ten such attacks occurred between 1962 and 1967, each leading to retaliatory killings of large numbers of Tutsi civilians in Rwanda and creating new waves of refugees. By the end of the 1980s some 480,000 Rwandans had become refugees, primarily in Burundi, Uganda, Zaire and Tanzania. They continued to call for the fulfillment of their international legal

right to return to Rwanda, however, Juvenal Habyarimana, then president of Rwanda, took the position that population pressures were already too great, and economic opportunities too few to accommodate large numbers of Tutsi refugees.

## The Civil War

In 1988, the Rwandan Patriotic Front (RPF) was founded in Kampala, Uganda as a political and military movement with the stated aims of securing repatriation of Rwandans in exile and reforming of the Rwandan government, including political power sharing. The RPF was composed mainly of Tutsi exiles in Uganda, many of whom had served in President Yoweri Museveni's National Resistance Army, which had overthrown the previous Ugandan government in 1986. While the ranks of the RPF did include some Hutus, the majority, particularly those in leadership positions, were Tutsi refugees.

On 1 October 1990, the RPF launched a major attack on Rwanda from Uganda with a force of 7,000 fighters. Because of the RPF attacks which displaced thousands and a policy of deliberately targeted propaganda by the government, all Tutsis inside the country were labeled accomplices of the RPF and Hutu members of the opposition parties were labeled as traitors. Media, particularly radio, continued to spread unfounded rumours, which exacerbated ethnic problems.

In August 1993, through the peacemaking efforts of the Organisation of African Unity (OAU) and the governments in the region, the signing of the Arusha peace agreements appeared to have brought an end to the conflict between the then Hutu dominated government and the opposition Rwandan Patriotic Front (RPF). In October 1993, the Security Council established the United Nations Assistance Mission for Rwanda (UNAMIR) with a mandate encompassing peacekeeping, humanitarian assistance and general support for the peace process.

From the outset, however, the will to achieve and sustain peace was subverted by some of the Rwandan political parties participating in the Agreement. With the ensuing delays in its implementation, violations of human rights became more widespread and the security situation deteriorated. Later, evidence demonstrated irrefutably that extremist elements of the Hutu majority while talking peace were in fact planning a campaign to exterminate Tutsis and moderate Hutus.

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## The Genocide

On 6 April 1994, the deaths of the Presidents of Burundi and Rwanda in a plane crash caused by a rocket attack, ignited several weeks of intense and systematic massacres. The killings - as many as 1 million people are estimated to have perished - shocked the international community and were clearly acts of genocide. An estimated 150,000 to 250,000 women were also raped. Members of the presidential guard started killing Tutsi civilians in a section of Kigali near the airport. Less than half an hour after the plane crash, roadblocks manned by Hutu militiamen often assisted by gendarmerie (paramilitary police) or military personnel were set up to identify Tutsis.

On 7 April, Radio Television Libre Des Mille Collines (RTLM) aired a broadcast attributing the plane crash to the RPF and a contingent of UN soldiers, as well as incitements to eliminate the "Tutsi cockroach". Later that day the Prime Minister, Agathe Uwilingiyimana and 10 Belgian peacekeepers assigned to protect her were brutally murdered by Rwandan government soldiers in an attack on her home. Other moderate Hutu leaders were similarly assassinated. After the massacre of its troops, Belgium withdrew the rest of its force. On 21 April, after other countries asked to withdraw troops, the UNAMIR force reduced from an initial 2,165 to 270.

If the absence of a resolute commitment to reconciliation by some of the Rwandan parties was one problem, the tragedy was compounded by the faltering response of the international community. The capacity of the United Nations to reduce human suffering in Rwanda was severely constrained by the unwillingness of Member States to respond to the changed circumstances in Rwanda by strengthening UNAMIR's mandate and contributing additional troops.

On June 22, the Security Council authorized French-led forces to mount a humanitarian mission. The mission, called Operation Turquoise, saved hundreds of civilians in South West Rwanda, but is also said to have allowed soldiers, officials and militiamen involved in the genocide to flee Rwanda through the areas under their control. In other areas, killings continued until 4 July 1994 when the RPF took military control of the entire territory of Rwanda.

## The Aftermath of the Genocide

Government officials, soldiers and militia who had participated in the genocide fled to the De-

mocratic Republic of Congo (DRC), then Zaire taking with them 1.4 million civilians, most of them Hutu who had been told that the RPF would kill them. Thousands died of water-borne diseases. The camps were also used by former Rwandan government soldiers to re-arm and stage invasions into Rwanda. The attacks were one of the factors leading to the war between Rwanda and the Democratic Republic of Congo that took place in 1996. Former Rwandan forces continue to operate in the DRC alongside Congolese militia and other armed groups. They continue to target civilian populations and cause deaths, injury and harm.

The Rwandan government began the long-awaited genocide trials at the end of 1996. The delay was due to the fact that the country had lost most of its judicial personnel, not to mention the destruction to courts, jails and other infrastructure. By 2000, there were over 100,000 genocide suspects awaiting trial. In 2001, the government began implementing a participatory justice system, known as Gacaca, (pronounced GA-CHA-CHA) in order to address the enormous backlog of cases. Communities elected judges to hear the trials of genocide suspects accused of all crimes except planning of genocide or rape. The defendants in Gacaca courts have been released provisionally awaiting trial. The releases have caused a lot of unhappiness among survivors who see it as a form of amnesty. Rwanda continues to use the national court system to try those involved in planning genocide or rape under normal penal law. These courts do not offer provisional release for genocide defendants.

The Gacaca courts give lower sentences if the person is repentant and seeks reconciliation with the community. These courts are intended to help the community participate in the process of justice and reconciliation for the country.

At the international level, the Security Council on 8 November 1994 set up the International Criminal Tribunal for Rwanda, currently based in Arusha, Tanzania. Investigations began in May 1995. The first suspects were brought to the court in May 1996 and the first case began in January 1997. The UN Tribunal has jurisdiction over all violations of international human rights that happened in Rwanda between January and December 1994. It has the capacity to prosecute high-level members of the government and armed forces that may have fled the country and would otherwise have gone unpunished. The court has since convicted the Prime Minister during the genocide Jean Kambanda, to life in

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prison. It was also the first international court to convict a suspect for rape as a crime against humanity and a crime of genocide. The court also tried three media owners accused of using their respective media to incite ethnic hatred and genocide. By April 2007, it had handed down twenty-seven judgments involving thirty-three accused.

### Responsibility to Protect

Who is responsible for protecting vulnerable peoples?

Starting on 6 April 1994 following the deaths of the Presidents of Burundi and Rwanda in a plane crash caused by a rocket attack, intense and systematic massacres of minority ethnic Tutsi and moderate Hutus took place in Rwanda over several weeks. The killings, which resulted in the deaths of many as one million people, shocked the international community and were clearly acts of genocide. An estimated 150,000 to 250,000 women were also raped. On 7 April, the Prime Minister, Agathe Uwilingiyimana, a moderate Hutu leader, was brutally murdered together with ten Belgian peacekeepers assigned to protect her. Other moderate Hutu leaders were similarly assassinated. After the massacre of its troops, Belgium withdrew the rest of its force. On 21 April, after other countries asked to withdraw troops, the UN Assistance Mission in Rwanda (UNAMIR), mandated to oversee the peace accords that ended the civil war the previous year, was reduced from an initial 2,165 to 270. The Rwandan tragedy was compounded by the faltering response of the international community. The capacity of the United Nations to reduce human suffering in Rwanda was severely constrained by the unwillingness of Member States to respond to the changed circumstances in Rwanda by strengthening UNAMIR's mandate and contributing additional troops.

Background: The emergence of the concept of "humanitarian intervention"

Following the 1994 genocide in Rwanda and ethnic cleansing in the Balkans and Kosovo in 1995 and 1999, the international community began to seriously debate how to react effectively when citizens' human rights are grossly and systematically violated. The issue at the heart of the matter was whether States have unconditional sovereignty over their affairs or whether the international community has the right to intervene militarily in a country for humanitarian purposes.

It was during this period in the 1990s, with incidents in Somalia, Rwanda, Srebrenica and Kosovo, that the discussion of a "right to humanitarian intervention" evolved into the concept of a "responsibility to protect". In his Millennium Report of 2000, then Secretary-General Kofi Annan, recalling the failures of the Security Council to act in a decisive manner in Rwanda and Kosovo, put forward the challenge to Member States:

"If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violation of human rights that offend every precept of our common humanity?"

From humanitarian intervention to the responsibility to protect – the Report of the International Commission on Intervention and State Sovereignty

Following the Millennium Report, the International Commission on Intervention and State Sovereignty (set up by the Canadian government) issued a report entitled "The Responsibility to Protect". The report found that sovereignty not only gave a State the right to "control" its affairs, it also conferred on the State primary "responsibility" for protecting the people within its borders. It proposed that where a State fails to protect people -- either through lack of ability or a lack of willingness -- the responsibility shifts to the broader international community. The Commission's report stated that the responsibility to protect (R2P) embraces THREE specific responsibilities:

- 1) responsibility to prevent by addressing both the root and immediate causes of conflicts within countries, as well as other man-made crises;
- 2) responsibility to react by responding appropriately to situations of massive human rights violations by, for example, imposing sanctions, bringing international prosecution; and, in extreme cases, intervening with military force;
- 3) responsibility to rebuild by providing full assistance with recovery, reconstruction and reconciliation particular after any military intervention