

HUMAN RIGHTS WATCH/AFRICA

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**Human Rights in Rwanda
Statement of Alison DesForges
Human Rights Watch/Africa
Before the House Foreign Affairs Subc. on Africa
Wednesday, May 4, 1994**

Thank you for holding this important hearing, Chairman Johnston, and for inviting me to testify. My name is Alison DesForges, and I am a historian at the State University of New York at Buffalo. I am a founding board member of Human Rights Watch/Africa (formerly known as Africa Watch) on whose behalf I appear today.

At the outset, I would like to express my appreciation for your interest in Rwanda and your rapid response to the crisis that developed on April 6. We also appreciate the interest of your staff and their accessibility to Human Rights Watch and our Rwandan friends during this difficult time.

At today's hearing I will provide background to the present crisis, and offer suggestions for U.S. and United Nations policy to address it.

The Current Crisis: The slaughter of Tutsi in Rwanda is genocide, a planned campaign to eliminate this minority people who make up about 15% of the

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Human Rights Watch is a not-for-profit corporation monitoring and promoting human rights in Africa, the Americas, Asia, the Middle East, and among the signatories of the Helsinki accords.

population of this small central African nation. But the massacres go beyond genocide to target those of the Hutu majority who show a willingness to work with Tutsi in building a more democratic nation. This is political violence, organized and executed by the Hutu extremists who refuse to share the power that has enriched them for the last twenty years. It takes place in a context of extreme poverty where control of the state is the sole route to wealth and prestige.

Hutu and Tutsi are part of a single nation with a history of 400 years of collaboration. They lived in no peaceful paradise, but made war to expand their territory and wealth just as did the people of other nations. They made war sometimes against the Hutu, sometimes against Tutsi, sometimes against mixtures of the two groups, but they made war as a state that comprised both Hutu and Tutsi.

The Tutsi ruled as an aristocracy during the time of European control. As independence from Belgium approached in the late 1950's, the Hutu majority launched a revolution that overthrew the monarchy, killed about 20,000 Tutsi, and drove another several hundred thousand Tutsi into exile in surrounding countries. But even this bloody revolution did not destroy Rwanda as a nation: after, as before, Hutu and Tutsi continued to be united by language, culture, and pride in their shared history. They live now, as then, interspersed throughout the country and they sometimes intermarry.

Most outside observers fail to realize that Rwanda is a

nation. They describe the Hutu and Tutsi as tribes and assume that the conflict between them dates from the dawn of time and will continue to the end of time. Hence, there is no point in seeking to resolve it. This analysis is just plain wrong, and leads to erroneous policy decisions.

President Juvenal Habyarimana, a Hutu, took power in a military coup in 1973. Initially popular throughout the country, he gradually lost support over the years as he became increasingly focused on satisfying his own needs, those of his family, and those of his home region. Corruption and nepotism were complicated by a general economic decline, largely due to the sudden drop in world market prices for coffee, the major Rwandan export. The growing popular dissatisfaction for economic reasons coincided with a flourishing desire for democratization. Hard pressed by demands for change within the country and by pressure for reform from international donors, Habyarimana reluctantly began opening up his single-party regime in 1990.

At just this time, Tutsi refugees who had been seeking ways to return home organized themselves into the Rwandan Patriotic Front (RPF) and invaded Rwanda in October 1990 with moral and some material support from the neighboring nation of Uganda. The invasion offered Habyarimana the ideal opportunity to rebuild his slipping power base and he immediately began a concerted effort to generate pan-Hutu solidarity by labeling all Tutsi as "accomplices" of the RPF. Over the next three and a half years, he and his supporters would systematically make the peaceful

Tutsi who lived within the country the scapegoats for anger and resentment against the invaders. This effort also sought to discredit all Hutu who opposed Habyarimana by labeling them as supporters of the Tutsi.

Within days of the invasion, Habyarimana had thrown approximately 10,000 Tutsi and Hutu opposition figures into jail. Some would languish there, in deplorable conditions, subject to torture and privation, for as long as six months, with no charges ever being made against them. A number of others died in jail. Two weeks after the invasion, Habyarimana's officials organized the first of four massacres of Tutsi and opposition Hutu that would claim a total of 2,000 victims over the next three years. Over time, he refined his tactics in response to criticism by an increasingly vigorous human rights movement at home and to condemnation by international human rights associations like Human Rights Watch. In January 1992, he moved to "privatize" the violence by creating militia attached to his political party, the MRND. These militia led the massacres of January 1993.

These initiatives to generate and profit from an "us versus them" mentality brought only partial success to the regime, and political opposition continued to grow. Once Habyarimana permitted the establishment of opposition parties, several were created. The most important of these parties was exclusively Hutu, but the two that ranked just behind it included both Hutu and Tutsi. In April 1992 Habyarimana yielded to pressure and formed a coalition government that included equal numbers of his

own supporters and representatives of the opposition party.

This coalition government made peace with the RPF through the Arusha Accords, signed August 4, 1993, which provided for a tripartite transitional government with power shared among Habyarimana's group, the internal opposition, and the RPF. This transitional government was to take power on September 10 and rule for 22 months, after which time elections would be held. The initial target date was not met because the U.N. peace-keeping force that was part of the accords could not be in place by that time. But a further series of deadlines were also missed as skillful maneuvering by Habyarimana and squabbling among his opponents combined to stretch out an ever-tenser period of instability. The final deadline to be missed was April 5, and the plane crash that killed Habyarimana happened on April 6.

The death of Habyarimana was the pretext for launching the systematic slaughter of Tutsi and members of the opposition. The campaign of hate-filled propaganda against them had built in intensity in the preceding months, especially since the establishment of a private radio station affiliated with the CDR, a party closely allied with Habyarimana. This station incited people to violence against the targeted groups and against named individuals like the outstanding human rights activist Monique Mujawamariya, who was labelled "a bad patriot who deserved to die." Beginning more than a year ago, the government started handing out guns to members of party militia loyal to Habyarimana. So alarming was the wholesale distribution of guns

to the civilian population that the Bishop of the Catholic diocese of Nyundo protested against it last December, asking why firearms were being given to his parishioners.

During the last year, the army handed out guns to thousands of these young militiamen. In late March of this year, Human Rights Watch was warned by Monique Mujawamariya, who was still in Rwanda at the time, that "[f]or the last two weeks, all of Kigali has lived under the threat of an instantaneous, carefully prepared operation to eliminate all those who give trouble to President Habyarimana. Army officers who support him have trained 1,700 young people of his party militia. They have guns and grenades ... All those targeted by the carnage which is to come hope to escape it..."

Ms. Mujawamariya's prophecy came true in the moments following the downing of President Habyarimana's plane. Within an hour of the announcement of his death, the elite Presidential Guard had set up roadblocks and was summarily liquidating key members of the moderate opposition, including Minister Agathe Uwilingiyimana and a number of other government ministers. Ms. Mujawamariya herself barely escaped the violence before she escaped from Rwanda on April 12. She personally witnessed members of the Presidential Guard enter her neighborhood and kill 200 people in the space of 3 hours. We are grieved to report the murder by the army or militia of a number of human rights activists with whom we have worked closely, including Charles Shamukiga, Fidele Kanyabugoyi, Ignace Ruhatana, Patrick Gahizi,

Father Chrysologue Mahame, S.J., and Abbe Augustin Ntagara.

Human Rights Watch has been able to monitor the carefully orchestrated nature of the army's campaign of atrocities because of the reports we have received from friends within Rwanda and Burundi. Clear evidence of the direct responsibility of the Rwandan authorities may be seen in Butare Province in southern Rwanda. Despite the massacres committed in Kigali following the assassination of the president, Butare Province remained calm for two weeks. The person responsible for maintaining order and discouraging communal violence was the governor of Butare, Jean-Baptiste Habyalimana, a member of the political opposition and the only Tutsi governor in Rwanda. (He had received a PhD in engineering from the University of Missouri.)

But on April 20, the Rwandan army replaced Governor Habyalimana with a hard-line military figure, and mass murder of Tutsis and opposition political figures began that day. Governor Habyalimana and his wife, Josephine, a human rights activist, were later killed. Since then, the political party militia, accompanied by the army, have carried out massacres that continue day and night. Priests who escaped to neighboring Burundi reported to Human Rights Watch that the militia and army attacked a group of 6,000 Tutsi who had taken refuge at the church of Cyahinda, slaughtering all but 200 of them. Clergy from the diocese of Cyasngugu report 4,000 murdered in the parish of Shanghi, 2,000 at Mibirizi, and 800 at Nkanka. In Gikongoro, between Butare and Cyangugu, about 4,000 were killed at the

church of Kibeho.

Once the extremists launched the violence, it was soon clear that the U.N. forces would do nothing to intervene militarily to halt the killing. A RPF battalion quartered in the capital under the terms of the peace accords was nominally under the protection of U.N. troops. Seeing U.N. inaction in the face of the massacres, the RPF battalion felt itself threatened. It attacked the Rwandan army forces, bringing about a resumption of the war between the two military forces. Other RPF troops who had been restrained within a demilitarized zone to the north then began moving out to attack Kigali and elsewhere.

The battle between the two armies continues, but must be distinguished from the massacre of civilians. The war as such has produced its casualties, but the vast numbers of people killed -- the 100,000 or more -- are not soldiers. They are women, children, the elderly, lacking in arms and in organization. They make no resistance to the bands of trained and armed killers. They do not die in fighting but in slaughter.

The Role of the International Community: Human Rights Watch, the International Committee of the Red Cross, and the Vatican have all used the term "genocide" in describing the killings in Rwanda. We do not use that term lightly. Mass slaughter alone does not necessarily constitute genocide. But the targeted nature of the slaughter, the systematic campaign by the military and the militias to exterminate Rwanda's Tutsi minority, and the extremely large numbers of victims are clear

evidence that the authorities are indeed committed to "destroy, in whole or in part" the Tutsis through "killing members of the group."¹ In this regard, it is important to note that the Habyarimana government required all citizens to carry identity cards that indicated whether they were Hutu or Tutsi. Over the past three weeks, we have received numerous reports of army troops or militia stopping people at roadblocks, scrutinizing their identity cards, then permitting Hutu to pass and killing all Tutsi.

At the time of this writing the army and militias are continuing with their genocidal campaign. On April 29, Radio des Milles Collines, available nationwide in Rwanda, declared May 6 as the target date for finishing the "clean-up" of the Tutsi minority and members of the political opposition. The deadline for these massacres is linked to Habyarimana's funeral, set for that date.

Since Rwandan political and military figures deliberately launched these massacres and many others, they must be called upon to stop them. Among those who have the power to halt the slaughter are Colonel Bagosora, the military officer in charge during the first days of the massacre, Col. Augustin Bizimungu, Commander in Chief of the Rwandan Armed Forces, Captain Pascal Simbikangwa, who apparently directs the militia, Col. Nkundiye, who trained the militia, and Col. Mpiranya, head of the army's

¹The Convention on the Prevention and Punishment of the Crime of Genocide.

presidential guard.

The International Response: The Convention requires states parties to it to prevent and punish this horrific crime. The international response thus far, however, has been extremely disappointing.

As you know, on April 21 the United Nations Security Council voted to reduce the presence of U.N. forces in Rwanda to a skeleton force of 270. Though there are actually a larger number of U.N. troops still within the country, it is far too small to prevent the continuing campaign of violence, which some humanitarian organizations estimate to have claimed more than 100,000 victims in less than a month.

Meanwhile, in the midst of one of the most appalling scenes of carnage on the African continent, civilian representatives of the military forces responsible for it are engaging in an effort to achieve international respectability. On April 25 and 26, French officials, to their shame, met with the self-proclaimed Minister of Foreign Affairs of the rump Rwandan Government, Mr. Jerome Bicomumpaka, and the president of the CDR political party, Mr. Jean Bosco Barayagwiza. (The CDR is the hard-line political party affiliated with Habyarimana's MRND political party.) The CDR and the MRND have created the militias which have been armed and trained by the army and which are carrying out the killings. As such, party officials are themselves directly accountable for the conduct of the militias which operate in their names. Other representatives of the rump government have been received in

Egypt. They are hoping to be received elsewhere, including at the United Nations.

The Clinton Administration, we are glad to report, has made it plain that these individuals are not welcome in the United States. Moreover, on April 22, National Security Advisor Tony Lake issued an excellent statement in which he called upon Rwandan military officials by name to do everything in their power to stop the violence. (A copy of that statement is attached.)

Yet there is much more that the United States and our allies can and must do stop the killing in Rwanda. We all know, and all the major Rwandan players know, that no government of Rwanda can survive without international assistance. We need to make it clear that any regime built on the bodies of a hundred thousand civilians is never going to receive such aid. While this pronouncement may not influence the worst of the hard-core extremists, it may be enough to persuade wavering moderates to disassociate themselves from this bloody group of killers. We know such moderate elements exist among the Rwandan military, but they are disorganized, isolated, intimidated. If those on the fence are certain that these criminals will never succeed in establishing a successful government, they will have less incentive to continue collaborating with or tolerating abuses. They will begin to seek ways to take power back from the criminals. Such a strategy requires coordination with other donor or potential donor nations, but the precedent for such

joint action is well-established in the Rwandan case. Donor nations have joined several times in the past with the World Bank to issue ultimatums to the Habyarimana regime. This kind of declaration costs nothing but could be highly effective in influencing the behavior of moderates within the country, particularly if it is accompanied by a vigorous initiative to increase the role of UNAMIR forces on the ground.

Human Rights Watch calls upon our government to lead efforts in the Security Council to provide for an increased U.N. presence in Rwanda. We believe that the United Nations should interpret Clause 3(b) of the UNAMIR mandate "to assist in the resumption of humanitarian relief operations to the extent feasible" in the broadest possible sense to permit a significant expansion of UNAMIR activities to protect and assure the welfare of the civilian population.

Such protection of humanitarian relief operations could result in UNAMIR creation of and protection for "safe havens," such as hospitals, stadiums, and other facilities both within the area contested between the RPF and the Rwandan army and in areas (such as the south) where there has been no combat but where civilians are threatened by attack from militia and the armed forces. Such interpretation could also cover the creation of "safe corridors" for the passage of refugees and relief supplies.

Adequate execution of this mandate would require more soldiers than the 400 U.N. forces now in Rwanda. Another 600 are currently in Nairobi. They have been evacuated from Rwanda but

have not yet been sent home. They could be redeployed immediately within Rwanda, perhaps beginning in the south. Further troops would be provided as needed, depending upon the recommendation of UNAMIR commander General Dallaire. These troops must be supplied with necessary material and means of support, and should be deployed as soon as possible.

Furthermore, clause 8(c) states that UNAMIR should "monitor and report on developments in Rwanda, including the safety and security of the civilians who sought refuge with UNAMIR." This provision should be interpreted to permit the sending of U.N. human rights monitors to reassure populations now frightened by propaganda campaigns and/or by the violence they have witnessed. These monitors could also begin collecting necessary information for future prosecution of those guilty of human rights violations.

Much of the debate on possible solutions to the Rwandan crisis is influenced by the bitter experience of Somalia. But Rwanda is not Somalia and many of the lessons of that experience do not apply here. Rwanda is a highly centralized nation, not a disintegrated state which includes a number of competing factions. We are not proposing an intervention force between rival armed factions, but a rescue operation to protect civilians from a band of murderers. These militia have received minimal military training and are lightly armed. Many are now using machetes or clubs instead of guns, either because they found they could no operate the guns or because they no longer have

ammunition. It is unlikely that they would long resist a regular army.

It is of greatest importance to see the catastrophe in Rwanda in the larger context of the region. Burundi, which has the same demographic profile as Rwanda, is precariously balanced on the precipice of renewed violence between Hutu and Tutsi there. The continued fighting in Rwanda inflames tensions in Burundi and heightens fears both among the Hutu who watch with dread the advance of the Tutsi-dominated RPF and among Tutsi who are panicked by the killing of more than 100,000 other Tutsi in the adjacent country. In addition, the situation in Zaire is highly unstable. Should the violence in Rwanda continue without some effective form of international reaction, not only will we witness the further genocide of Rwandan Tutsi and the slaughter of members of the Hutu opposition, but we will also face an impending disaster of unimaginable proportions in the entire region.

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