

5. The situation concerning Rwanda

Deliberations of 14 April 2000 (4127th meeting)

At its 4127th meeting, on 14 April 2000, the Security Council included in its agenda a letter dated 15 December 1999 from the Secretary-General addressed to the President of the Security Council,¹ transmitting a report of the Secretary-General dated 15 December 1999 on the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda. The report examined the circumstances surrounding the failure of the international community to prevent the systematic slaughter of some 800,000 people in Rwanda in 1994 by examining the events leading up to the genocide and the actions taken by the United Nations and other major actors. The Independent Inquiry found that the response of the United Nations before and during the 1994 genocide had failed in a number of fundamental respects and that “responsibility for the failings lay with a number of different actors, in particular, the Secretary-General, the Secretariat, the Security Council, the United Nations Assistance Mission for Rwanda (UNAMIR) and the broader membership of the United Nations”. The “overriding failure” in the response was “a lack of resources and a lack of will to take on the commitment which would have been necessary to prevent or to stop the genocide”. In particular UNAMIR, the main component of the United Nations presence in Rwanda had not been “planned, dimensioned, deployed or instructed in a way which provided for a proactive and assertive role in dealing with a peace process in serious trouble”. The report recommended, inter alia, initiating an action plan to prevent genocide involving the whole United Nations system; increasing the capacity of peacekeeping operations; improving the early warning capacity; and ensuring an effective flow of information within the United Nations and particularly to the Security Council.

At the meeting, the Council heard a briefing by the Chairman of the Independent Inquiry, followed by statements by the representatives of Argentina, Bangladesh, China, Jamaica, Malaysia, Mali, Namibia, the United Kingdom, the Russian Federation, Tunisia and Ukraine.

In his briefing, the Chairman of the Independent Inquiry reported that the Council had had the power to

prevent the tragedy in Rwanda, and could act to ensure such a tragedy did not happen again. He stressed that the overriding failure of the United Nations in Rwanda was due to the lack of political will by Member States to act in the face of crises, which affected the response of the Secretariat, the decision-making by the Security Council and the difficulties in getting troops for the UNAMIR. He stated that one of the aspects of the United Nations role during the genocide, which had caused most bitterness in Rwanda, was the fact that a few weeks after the start of the genocide, the Council decided to reduce the strength of UNAMIR. He maintained that the Rwandan tragedy had impacted on the belief in the capacity of the United Nations to fulfil the purposes for which it was founded. He stressed that, in future, the Council needed to give missions the mandate they needed, mobilize the necessary troops and resources, and accept its responsibility irrespective of where problems occurred. The Secretary-General needed to tell the Council what the real needs on the ground were; how many troops and what mandate was needed; how tough the task was; and the Council needed to ensure that short-term financial constraint did not prevent effective action. He stated that there was a hope that the panel that had been appointed to follow up on the Rwanda and Srebrenica reports would help in identifying these lessons. He maintained that the best way to honour the victims of the Rwandan tragedy was through a firm commitment never to turn away from civilians victimized by armed conflict again. Improving the protection of civilians was a key task for the United Nations, he noted. Therefore, there could be no neutrality in the face of the threat of genocide or massive violations of human rights and peacekeepers and the United Nations needed to act in these cases. He added that the presence of a United Nations mission, whether or not its mandate included protection of civilians, would create an expectation among civilians that they would be protected. He hoped that the report would improve the relations between Rwanda and the United Nations and that its recommendations would be taken on board in future discussion on the role of the United Nations in conflict situations.²

Most speakers welcomed the report of the Independent Inquiry into United Nations actions during

¹ S/1999/1257.

² S/PV.4127, pp. 2-4.

the 1994 Rwanda genocide and expressed regret about “the failure of the United Nations in Rwanda”. They emphasized the need to learn the lessons from Rwanda and to ensure that “the United Nations responded to prevent genocide in the future”. Several speakers noted that responsibility for the failures in Rwanda needed to be shared by both the United Nations and the great majority of Member States that were not willing to send troops or materiel to Rwanda. Several speakers stressed the need to provide appropriate mandate and resources to peacekeeping missions, as well as “to have better communication between the Council and the field”.

At the same meeting, the representative of the Netherlands maintained that there were a number of lessons to be learned from the report. Firstly, a peace process should not be treated as something of a higher order than the populations of the countries concerned. Secondly, one should not clutch at a peace process that had ceased to be relevant; if a peace process was dead, it was the conflict that demanded attention. Thirdly, more attention should be paid to non-governmental organizations, since they had a wealth of up-to-date information from the ground. Fourthly, evenhandedness was not a virtue when genocide was going on. He concluded that everything needed to be done “to prevent future catastrophes of the type that took place in Srebrenica and Rwanda”.³

The representative of the United States stated that the report made clear that in Rwanda, as in Bosnia and Somalia, the international system had failed and that these collective failures had “nearly brought the United Nations system down”. He maintained that the atrocities carried out by a small group of “murderers intent on promoting hate to preserve power” had been political acts and those who had perpetrated them needed to be held responsible. Furthermore, the international community also needed to be held responsible for not acting against the violence. He stressed that the prevention of another round of violence, genocidal or otherwise, in central Africa was one of the core elements of United States policy in the Great Lakes, and one of the United Nations’ greatest challenges. The legacy of “genocide and ethnic cleansing” in Rwanda, Burundi and the eastern part of the Democratic Republic of the Congo was a tragic reality that needed to be addressed. He maintained that

³ Ibid., pp. 5-6.

the discussion should galvanize support for the United Nations sanctions against the ex-Rwandese Armed Forces and Interahamwe. Nevertheless, he stressed that it could not be said that the solution to problems in Rwanda lay exclusively in actions within the Democratic Republic of the Congo, but neither could it be said that problems in Rwanda could be solved without addressing the presence of the genocidal militias in a neighbouring State.⁴

The representative of Mali stressed that the political will to act, and in particular to prevent acts of genocide or massive violations of human rights, needed to be clear and not be subject to double standards. He also stressed the importance of enhancing the early warning capacity of the United Nations, particularly its capacity to analyse information and react effectively to it.⁵

The representative of the United Kingdom noted the need for the Council to have accurate timely and unfiltered information, but also stressed that the Council and the United Nations membership needed to demonstrate the political will to act on that information to tackle complex humanitarian emergencies.⁶

The representative of Argentina maintained that United Nations peacekeeping operations could not remain indifferent in the face of any deliberate attempt to carry out serious attack on the civil population. A “false idea of impartiality” could not be allowed to prevail when genocide or crimes against humanity were being committed. He also stressed the need to strengthen standards for the protection of human rights and international law and the need to establish an appropriate national and international machinery to fight impunity.⁷

The representative of the Russian Federation, noting that the capacity of the Security Council was not unlimited, argued that the Council needed to attempt, on one hand, to ensure that peacekeepers provided maximum protection for innocent civilians and, on the other, to avoid “creating illusions that [were] not backed up by the real capacities of United Nations personnel”.⁸

⁴ Ibid., pp. 8-10.

⁵ Ibid., p. 10.

⁶ Ibid., p. 12.

⁷ Ibid., p. 13.

⁸ Ibid., p. 14.

The representative of Malaysia commented that many questions that should have been addressed by the Independent Inquiry were kept in abeyance. Such questions revolved around the identity of perpetrators and possible accomplices in the attack that had claimed the lives of the Heads of State of Rwanda and Burundi, and which had served as a catalyst for the genocide. He also noted that the report was based on evidence collected from only one side of the conflict, that of the Rwandese Patriotic Front and its collaborators. He suggested that similar interviews with other personalities in exile could have been useful. He also suggested that it would have been useful for the Independent Inquiry to have included in its recommendations the setting up of a more comprehensive and detailed commission of inquiry on the genocide.⁹

The representative of France stressed that the United Nations had failed in its mission during the genocide and it could no longer be inactive or impotent in the face of such tragedies. He stated that in the face of the genocide, and the delays and difficulties in strengthening UNAMIR, France had established Operation Turquoise to assist the people who were under threat, with the support of the troops of African countries and with the authorization of the Security Council. He commented that his delegation felt that the criticism of Operation Turquoise was “unjustified”. He noted that while the report of the Independent Inquiry reflected some of this criticism, it also gave credit to the Operation for saving lives when few other initiatives were being taken. Moving to the lessons that needed to be learned, he noted that after the failure to deal with the Rwandan genocide, the United Nations had not been able to face up to subsequent crises, and he stressed that United Nations action with respect to the Great Lakes region as a whole needed to be more sustained. On the work of the Council, he recommended that the decisions of the Council in setting up new operations be better prepared. Information provided by the Secretariat needed to be supplemented by other data, particularly historical data, so that the Council could better understand the situation. He also stressed the need to improve the follow-up of the United Nations missions. Once

⁹ Ibid., p. 15.

missions had been deployed, implementation of their mandate had not been always followed up carefully enough, so there was a need for greater regularity and a need to refocus the work of the Council on crisis situations and United Nations operations. He suggested spending more time considering those situations and less time on the “thematic subjects”.¹⁰

The representative of Jamaica stated that future peacekeeping missions needed to be designed with allowances for rapidly changing circumstances, or at the minimum it had to be possible to have reinforcements deployed quickly. He stressed that the practice of deploying the minimum number of troops on the basis of political or financial expediency took no account of the many variables that troops might be presented with in the field, and the Council could not continue to send troops without the necessary room to maneuver when faced with unforeseen circumstances. He also suggested that a mechanism needed to be designed to allow force commanders the necessary flexibility to determine the best course of action and rapidly communicate decisions to the Council.¹¹

The representative of Canada maintained that in the most exceptional situations the protection of civilians required the will in the Council “to intervene with force if necessary”. While military intervention was called for only in the most severe cases, he stressed that the price of inaction had been too high, and the Council needed to have a framework for action if the need arose.¹²

The representative of Rwanda stated that the report clearly showed that the world had failed Rwanda but the Government and people of Rwanda were grateful to those who had put their hands on their hearts and apologized on behalf of their peoples and their Governments for failing Rwanda. He maintained that the victims of the genocide in Rwanda were still suffering cruelly from physical, psychological and post-trauma hardships, and the best efforts of the Government were not enough to address them. He concluded that the report clearly challenged the conscience of the international community and evoked the responsibility of the parties to the 1948 Genocide Convention.¹³

¹⁰ Ibid., pp. 17-19.

¹¹ Ibid., p. 22.

¹² Ibid., pp. 23-25.

¹³ Ibid., pp. 25-26.