



## UNAMIR

### International Tribunal for Rwanda

#### 1999 Independent Inquiry

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Fighting between the Armed Forces of the mainly Hutu Government of Rwanda and the Tutsi-led Rwandese Patriotic Front (RPF) first broke out in October 1990 across the border between Rwanda and its northern neighbour, Uganda. A number of ceasefire agreements followed, including one negotiated at Arusha, United Republic of Tanzania, on 22 July 1992, which arranged for the presence in Rwanda of a 50-member Neutral Military Observer Group I (NMOG I) furnished by the Organization of African Unity (OAU). Hostilities resumed in the northern part of the country in early February 1993, interrupting comprehensive negotiations between the Government of Rwanda and RPF, which were supported by OAU and facilitated by the United Republic of Tanzania.

The United Nations active involvement in Rwanda started in 1993, when Rwanda and Uganda requested the deployment of military observers along the common border to prevent the military use of the area by RPF. The Security Council in June 1993 established the [United Nations Observer Mission Uganda-Rwanda \(UNOMUR\)](#) on the Ugandan side of the border to verify that no military assistance reached Rwanda.

Meanwhile, the Arusha talks, brokered by Tanzania and OAU, reconvened in March 1993 and finally led to a peace agreement in August 1993. The comprehensive peace agreement called for a democratically elected government and provided for the establishment of a broad-based transitional Government until the elections, in addition to repatriation of refugees and integration of the armed forces of the two sides. Both sides asked the United Nations to assist in the implementation of the agreement. In early August 1993, NMOG I was replaced by an expanded NMOG II force, composed of some 130 personnel to operate as an interim measure pending the deployment of the neutral international force.

In October 1993, the Security Council, by its [resolution 872 \(1993\)](#), established another international force, the **United Nations Assistance Mission for Rwanda (UNAMIR)**, to help the parties implement the agreement, monitor its implementation and support the transitional Government. UNAMIR's demilitarized zone sector headquarters was established upon the arrival of the

advance party and became operational on 1 November 1993, when the NMOG II elements were absorbed into UNAMIR. Deployment of the UNAMIR battalion in Kigali, composed of contingents from Belgium and Bangladesh, was completed in the first part of December 1993, and the Kigali weapons-secure area was established on 24 December.

The United Nations solicited troop contributions, but initially only Belgium with a half a battalion of 400 troops, and Bangladesh with a logistical element of 400 troops, offered personnel. It took five months to reach the authorized strength of 2,548. But because of many unresolved issues between the parties, implementation of the agreement was delayed. Consequently, the inauguration of the transitional Government never took place.

In April 1994, the Presidents of Rwanda and of Burundi were killed while returning from peace talks in Tanzania, when the Rwandese plane crashed, in circumstances that are still to be determined, as it was landing in Kigali, Rwanda's capital. This set off a tidal wave of political and ethnic killings: the Prime Minister, cabinet ministers and UNAMIR peacekeepers were among the first victims.

The killings, targeting Tutsi and moderate Hutus, were mainly carried out by the armed forces, the presidential guard and the ruling party's youth militia, as subsequently confirmed by the Special Rapporteur on Rwanda of the United Nations Human Rights Commission. The RPF resumed its advance from the north and the east of Rwanda, and government authority disintegrated.

An interim Government was formed, but failed to stop the massacres. With the RPF's southward push, the number of displaced persons and refugees increased tremendously. On 28 April alone, 280,000 people fled to Tanzania to escape the violence. Another wave of refugees went to Zaire. The United Nations and other agencies provided emergency assistance on an unprecedented scale.

UNAMIR sought to arrange a ceasefire, without success, and its personnel came increasingly under attack. After some countries unilaterally withdrew their contingents, the Security Council, by its [\*\*resolution 912 \(1994\)\*\*](#) of 21 April 1994, reduced UNAMIR's strength from 2,548 to 270. Despite its reduced presence, UNAMIR troops managed to protect thousands of Rwandese who took shelter at sites under UNAMIR control.

The Security Council, by adopting [\*\*resolution 918 \(1994\)\*\*](#) of 17 May 1994, imposed an arms embargo against Rwanda, called for urgent international action and increased UNAMIR's strength to up to 5,500 troops. But it took nearly six months for Member States to provide the troops.

To contribute to the security of civilians, the Council, by [\*\*resolution 929 \(1994\)\*\*](#) of 22 June 1994, authorized, under Chapter VII of the United Nations Charter, a

multi-national humanitarian operation. French-led multinational forces carried out "Operation Turquoise", which established a humanitarian protection zone in south-western Rwanda. The operation ended in August 1994 and UNAMIR took over in the zone.

In July, RPF forces took control of Rwanda, ending the civil war, and established a broad-based Government. The new Government declared its commitment to the 1993 peace agreement and assured UNAMIR that it would cooperate on the return of refugees.

For their part, when the conflict broken out in April, UNOMUR observers had expanded their monitoring activities in Uganda to the entire border area. But the Security Council gradually scaled down the operation, and UNOMUR left Uganda in September.

By October 1994, estimates suggested that out of a population of 7.9 million, at least half a million people had been killed. Some 2 million had fled to other countries and as many as 2 million people were internally displaced. A United Nations humanitarian appeal launched in July raised \$762 million, making it possible to respond to the enormous humanitarian challenge.

A Commission of Experts established by the Security Council reported in September that "overwhelming evidence" proved that Hutu elements had perpetrated acts of genocide against the Tutsi group in a "concerted, planned, systematic and methodical way." The final report of the Commission was presented to the Council in December 1994.

In the following months, UNAMIR continued its efforts to ensure security and stability, support humanitarian assistance, clear landmines and help refugees to resettle. But Rwanda supported ending the mission, stating that UNAMIR did not respond to its priority needs. The Security Council heeded that request, and UNAMIR left in March 1996.

At a meeting organized by Rwanda and the United Nations Development Programme in 1996, international donors pledged over \$617 million towards the reconstruction of the country. United Nations agencies have continued to provide humanitarian aid and to assist in the return of the refugees.

### **International Tribunal for Rwanda**

On 8 November 1994, the Security Council established the **International Tribunal for Rwanda** "for the sole purpose of prosecuting persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring States, between 1 January 1994 and 31 December 1994". Located in Arusha,

Tanzania, the Tribunal issued the first indictments in 1995 and held the first trials in 1997.

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Five years after the event, the United Nations and the whole international community remained accused of not having prevented the genocide. In view of the enormity of what happened, and the questions that continued to surround the actions of the United Nations and its Member States before and during the crisis, in March 1999 the Secretary-General, with the approval of the Security Council, commissioned an independent inquiry into those actions. The members included Mr. Ingvar Carlsson (former Prime Minister of Sweden), Professor Han Sung- Joo (former Foreign Minister of the Republic of Korea) and Lieutenant-General Rufus M. Kupolati (rtd.) (Nigeria).

The findings of the inquiry were made public on 15 December 1999. The inquiry concluded that the overriding failure in international community's response was the lack of resources and political will, as well as errors of judgement as to the nature of the events in Rwanda. Expressing deep remorse over the failure to prevent the genocide in Rwanda, the Secretary-General, in a statement on 16 December, said that he fully accepted the conclusions of the report. He welcomed the emphasis which the inquiry had put on the lessons to be learned, and its recommendations to ensure that the United Nations and the international community could and would act to prevent or halt any other such catastrophe in the future.

(c)United Nations