

Forum: Human Rights Council (HRC)

Issue: Combating Impunity and Ensuring Accountability in the Aftermath of the Rwandan Genocide.

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Introduction:

In 1994, Rwanda, located in central-east Africa experienced a hundred days of non-stop genocide. Pre-colonial Rwanda had a complex social hierarchy. The Tutsi held political and economic power despite being a minority. The Hutu hated the imbalance in power as they were vastly more populated than the Tutsi, causing tensions between the two leading parties of Rwanda. The conflict in question started on April 6, 1994, when a plane carrying Rwandan President Juvenal Habyarimana, a Hutu, was shot down. Being severely more populated, the Hutu didn't hesitate to go to war. The conflict claimed an estimated 800,000 lives, mostly Tutsi.

Definition of Key Terms:

1. Hutu- The majority population of Rwanda, composing around 85% of the population pre-genocide.
2. Tutsi- A minority ethnic group in Rwanda, making up 14% of the population. Of a higher social status
3. RPF (Rwandan Patriotic Front): A Tutsi-dominated rebel group formed during exile.
4. Interahamwe: A Hutu military group responsible for much of the violence during the genocide.
5. Genocide: Systematic destruction of an entire group of people.
6. Transitional justice: The methods to create and enhance opportunities post conflict or violence.
7. Impunity: Avoiding punishment for a crime

Background Information

Historical context

Belgian colonisation in the early 20th century further caused the division between the Hutu and Tutsi. The Belgians, seeking control, implemented beneficial policies for the Tutsi, further marginalising the Hutu. This strategic colonial manipulation ignited what would prove to be a long standing conflict, paving the roads for the destruction to come.

Upon gaining independence in 1962, Rwanda was under a series of Hutu-led governments that deliberately excluded the Tutsi from political participation and economic opportunities. This systematic discrimination fueled resentment and fear leading to several Tutsi members fleeing the country. Causing the Tutsi to form the Rwandan Patriotic Front (RPF) in 1990. Driven by a desire for equality and justice, this group attempted to take over the government igniting a brutal civil war that further divided Rwandan society.

On April 6, 1994, the assassination of President Juvénal Habyarimana, a Hutu, became the final nail in the coffin for the Hutu, sparking a genocide. Hutu extremists, fueled by hate propaganda and government support unleashed a brutal charge taking the lives of several. Guns, machetes and everyday objects became weapons transforming the entire country into a killing field. Not even religion or education was above the war as even schools and churches fell prey to the violence.

UN Involvement

Despite receiving several warnings about a brewing conflict, the UN downplayed the threats. The UN Assistance Mission for Rwanda (UNAMIR), was established in 1993 to monitor and assist with the implementation of a peace agreement. But was hurdled by lack of economic resources and a clear mandate. Furthermore, the UN largely underestimated or were ignorant of the Hutu extremists' capacity and capabilities to commit and execute genocide of such devastation and magnitude.

As the genocide began in April 1994, the UN Security Council responded by reducing UNAMIR's troop strength, essentially abandoning the peacekeeping mission and leaving the

Tutsi vulnerable. This decision was made with the UN personnel deployed in Rwanda in mind as it was deemed an unsafe situation for the deployed personnel.

While some operations continued, they were largely inefficient in aiding and addressing the needs of these victims. The UN's slow and lack of response fueled public outrage, raising questions about the UN'S effectiveness and commitment to protecting human rights. Following this genocide, the UN established the ICTR (International Criminal Tribunal for Rwanda) to prosecute those responsible. The ICTR has several limitations including a lengthy and complex judicial process, resulting in only a fraction of perpetrators being held accountable for their actions.

Timeline

<i>Date</i>	<i>Event</i>	<i>Significance</i>
<i>1990</i>	<i>RPF Formed by Tutsi</i>	<i>Beginning of the conflict between Hutu government and RPF</i>
<i>April 6, 1994</i>	<i>President Juvénal Habyarimana assassinated</i>	<i>Triggers genocide</i>
<i>April 7-July 15, 1994</i>	<i>Genocide unfolds</i>	<i>Approximately 800,000 people, primarily Tutsi, are killed in a systematic campaign of mass violence</i>
<i>April 10, 1994</i>	<i>UN Security Council reduces UNAMIR troop strength</i>	<i>Effectively abandons the peacekeeping mission, leaving the Tutsi vulnerable</i>
<i>July 18, 1994</i>	<i>RPF captures Kigali, ending the genocide</i>	<i>Tutsi forces take control of the country</i>
<i>1994-2012</i>	<i>International Criminal Tribunal for Rwanda (ICTR) operates</i>	<i>Prosecutes individuals responsible for genocide</i>
<i>1994-present</i>	<i>Gacaca courts established</i>	<i>Community-based courts aimed at addressing the</i>

		<i>vast number of crimes and promoting reconciliation</i>
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Current Situation

Rwanda, nearly three decades removed from the genocide of 1994, now face a unique set of challenges and opportunities. While the country has achieved progress in terms of economic development and political stability, the legacy of the genocide still haunts the country in all their endeavours. Having made advances politically and economically, the legacy of the genocide still overshadows the nation. Concerns within member nations still exist regarding the pay gap within the nation and the sustainability of the present economic model. The RPF maintains a strong political hold on the nation, but are still yet to form an inclusive political atmosphere in the nation.

Gacaca courts and community dialogues have made steps in the right direction towards healing and forgiveness, but the process is ongoing. Addressing the needs and mental health of survivors still remains a pressing issue in Rwanda. While the country is taking all the right steps to restore normalcy there are several lingering issues including the political and economic state of the nation with the conflict still haunting the nation.

Major Parties Involved and Their Views

France

Over the years, France has faced scrutiny and accusations of indirect support of Hutu extremists in the Rwandan Genocide. The historical ties between Rwanda and France were deeply rooted in trade, most notably with the supply of military arms to the Habyarimana Government since 1975. Between 1990 and 1995, at least 30 weapon transactions took place, which raised questions about France's support of the Hutu government and sub-sector extremist parties. Operation Turquoise, a military operation launched in 1994, aimed to establish a safe zone during the genocide, however, there has been debate about whether it inadvertently allowed impunity. The mission's political questions have also been questioned due to the historical connection with the Hutu-led Government.

Belgium

Belgium was quite involved in the Genocide, but also played a critical role in the build up of the events. Rwanda was a Belgium colony until 1962, and this colonial period highlighted ethnic differences and divisions within the nation. Specifically, the Tutsi minority were favoured over the majority Hutu population. In the years before the genocide, Belgium had provided both military aid and training to Rwandan Armed Forces under the Hutu-led Government. During the genocide itself, Belgium deployed soldiers for The United Nations Assistance Mission for Rwanda (UNAMIR), however, the murder of 10 Belgian peacekeepers led to the withdrawal of Belgian forces in April 1994. This significantly reduced troops in the warzone and impacted the UN's ability to intervene effectively.

Hutu-led Government and Militant groups

As a former Belgian colony, Rwanda had faced severe ethnic tensions due to the implicit favour of the Tutsi over Hutus, despite their majority representation in the population. In the years before the genocide, President Juvénal Habyarimana rose to power, solidifying his Hutu-Government's rule over the nation. The National Revolutionary Movement for Development (MRND) was the ruling party from 1975 to 1994, and employed various strategies to gain complete control over the nation, including but not limited to; Political dominance, fuelling ethnic tensions, censored media, and suppressing opposition parties. His government also received military aid and weapon deliveries from Belgium and France respectively. His assassination on April 6, 1994 served as a catalyst for the genocide which would occur afterwards. The Hutu-led Government's usage of propaganda, including through Radio Télévision Libre des Mille Collines (RTLM) further fuelled hatred and dehumanisation, which exacerbated the atrocities committed in Rwanda. As the genocide continued, extremist Hutu factions, primarily the Interahamwe and Impuzamugambi militias, organised mass killings, rapes, and acts of violence against the minority Tutsi population and moderate Hutus who refused to partake in the killings.

Rwandan Patriotic Front (RPF)

The Rwandan Patriotic Front (RPF) was founded in 1987 by Tutsi exiles, including the current president and leader of the RPF, Paul Kagame. The group sought to alleviate discrimination against the Tutsi minorities. In October 1990, the RPF invaded Northern Rwanda from neighbouring state Uganda, aiming to overthrow the Hutu-led Government and diminish marginalisation. Later on, both the RPF and Rwandan Government signed the Arusha Accords, a UN-sponsored peace agreement. Their final capture of capital city Kigali on

June 22, 1994 effectively ended the genocide, after which Paul Kagame assumed control and led the RPF to establish a new government within Rwanda.

Uganda

Uganda, a neighbouring state to Rwanda, played a significant role in the genocide. The RPF's origins were in Uganda, and they launched their invasion to Rwanda from Southern Uganda in 1990. Many key members of the RPF, including Paul Kagame, were Tutsi exiles who had previously sought refuge in Uganda. The Ugandan government provided the RPF with military support, weapons, and training, which proved crucial in the success of their ability to challenge the Hutu-led Government.

Congo

The Democratic Republic of Congo, formerly known as Zaire, was arguably the most affected by the aftermath of the genocide. Millions of Hutu refugees, including many perpetrators of the Rwandan Genocide, fled to Eastern Congo in 1994. The arrival of these refugees and armed groups contributed to regional instability, which eventually led to military invasions by the newly appointed Rwandan government, under Paul Kagame. These actions not only continued the violence, but also further fuelled regional unrest and can even be considered to have served as catalyst for the Congo Wars in the late 1990s.

UN Involvement, Relevant Resolutions, Treaties and Events

The UN's involvement in the Rwandan Genocide included initiatives such as but not limited to; Arusha Accords, UNSC Resolutions 872, 918, and 955, which all aimed to promote peace and stability within the region. However, the assassination of President Habyarimana on April 6, 1994 and its subsequent events highlighted the challenges faced by the UN and international communities' response to the violations. Post-genocide, the UN also established the ICTR to ensure accountability to prosecute those who were responsible for the atrocities committed.

- Arusha Accords, Peace Agreement between the Government of the Republic of Rwanda and the Rwandan Patriotic Front, 4 August 1993
 - While the Arusha Accords originally intended to end the conflicts in Rwanda, they ultimately failed after the assassination of President Habyarimana and the subsequent genocide.

- United Nations Security Council Resolution 872, 5 October 1993, (S/RES/872)
 - UNSC Resolution 872 was essential in establishing the United Nations Assistance Mission for Rwanda (UNAMIR) to support the Arusha Accords, however, faced resource and mandate limitations which affected its effectiveness.
- United Nations Security Council Resolution 918, 17 May 1994, (S/RES/918)
 - UNSC Resolution 918 aimed to address the exacerbating crisis in Rwanda by expanding UNAMIR's capabilities, but these proved insufficient in preventing the genocide.
 - Later on, the murder of 10 Belgian peacekeepers also led to a significant reduction and withdrawal of troops from the missions.
- United Nations Security Council Resolution 955, November 8, 1994, (S/RES/955)
 - This resolution established the International Criminal Tribunal for Rwanda (ICTR), and was extremely effective in prosecuting individuals responsible for the genocide and other humanitarian violations, contributing to post-crisis accountability and justice

Possible Solutions

International Cooperation

Strengthening global collaboration of member nations will ensure that all persons responsible are held accountable for their actions. One solution that could be explored is the encouraged cooperation between member nations to cooperate with international courts, (Ex, the International Court of Justice (ICJ)) to support the prosecution of criminals related to the Rwandan Genocide. Look at how this can be promoted; increased supervision for wanted criminals, incentives for partnerships, etc.

Conflict Resolution Efforts

Establish mechanisms which support conflict management and resolutions, in order to prevent any similar cases from taking place in the future. Implementing diplomatic initiatives, especially in politically unstable regions to resolve any issues and hinder escalation of conflicts. One thing which was lacking in the case of the Rwandan Genocide was an efficient resolution system; one aspect which could be explored is how to implement international initiatives into high-risk and unstable regions to prevent conflict.

Supporting Rwandan Legal Systems

Providing assistance to Rwandan legal systems in order to increase their capabilities to conduct just trials relating to the genocide. Keep in mind, not all cases are escalated to the international level, and most will remain at the national standing, i.e., handled within local Rwandan courts. However, as of current times, the Rwandan legal system has many limitations due to lack of funds, resources and overwhelming amounts of cases, so 'assistance' can explore the many ways the international community can support their systems. Therefore, support can include but is not limited to; financial aid, legal training, and resource allocation.

Access of diverse media sources

A major setback in the 1994 Genocide was the usage of extreme propaganda, which includes through Radio Télévision Libre des Mille Collines (RTLM). This not only fuelled hatred and dehumanisation, but also promoted more crime and atrocities against minority groups in Rwanda. One solution could be to support the accessibility of diverse media sources, which range in opinions, coverage and do not, in any way, promote anti-humanitarian actions or ideas. This zero-tolerance middle ground on media coverage also fosters education within the public on issues with an unbiased news/media exposure.

Economic development in affected regions

Though the genocide took place nearly 30 years ago, its effects are still seen, especially in specific regions which have been unable to progress: socially and economically. Another explorable aspect is the implementation of programs which address poverty, inequality, and displacement caused by the genocide. These initiatives will also create sustainable livelihoods, which in turn, support the long-term stability of regions, and reduce their risk to future conflicts.

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