

LESSONS LEARNED FROM THE RWANDA EMERGENCY

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A BRIEF HISTORY OF RWANDA

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I. INTRODUCTION

1. Rwanda, a small central African state with a surface of 26,338 square km and a population of over 7 million, has the highest population density in the world after Bangladesh. A German colony from 1894 to 1916, Rwanda was later entrusted by the League of Nations to Belgian protectorship from 1918 to 1962. Its economy, mainly based on agriculture, is heavily dependent on international development assistance. The fragile economic situation deteriorated further following the fall in coffee market prices and the armed conflict with the Rwandese Patriotic Front (RPF) as from October 1990. At that time, a programme for economic restructuring inspired by the World Bank and the International Monetary Fund was put into place.

2. The population of Rwanda falls into three ethnic groups: the Hutu (85%), the Tutsis (14%) and the Twa (1%). All three groups speak the same language and share the same culture. In cases of mixed marriages, the children belong to their father's ethnic group. Traditionally, the Hutus are farmers whereas the Tutsis are cattle breeders and graziers. In the past, passing from one group to another was possible: a Hutu who acquired a large number of cattle could be assimilated to the Tutsi, whereas a Tutsi who lost his cattle could be considered as a Hutu. Later on, Belgian protectorate authorities decreed that identity cards should indicate the bearer's ethnic group. From that time, ethnic identity became a fact of administrative life, and social categories grew more rigid.

3. The Tutsis dominated the country's political and economic life until 1959, when the Hutu "social revolution" ended the monarchy. The Twa have always been, and continue to be, rather marginalised with regard to the majority of the Rwandese. They live dissociated from the country's social and economic activities.

4. After the 1959 "social revolution", and the ensuing ethnic troubles, a large number of Tutsis left Rwanda and took refuge in neighbouring countries. They repeatedly attempted to return to Rwanda by force of arms. Approximately ten such attempts were made between 1959 and 1967, each of which provoked a renewal of ethnic violence and reprisals, which in turn caused an exodus of the civilian population. For example, an estimated 10,000 to 14,000 thousand Tutsi were killed during the 1963 massacres.

5. In 1973, during a period of troubles and ethnic violence, Major-General Juvénal Habyarimana took power through a military coup. He created the second republic, governed by a single party: the National Revolutionary Movement for [Democracy and] Development (MRND). It is said that following the coup, some 50 of the previous regime's leaders were eliminated. Former practices of ethnic discrimination were then institutionalised through a policy of "ethnic and regional balancing". The country's political and economic life was thereafter based on fixed quotas, established according to "ethnic proportions" which determines the number of posts and resources allocated to each ethnic group (10 % for Tutsis). This policy, which in effect does not give any consideration to competence, remains to this day an important factor in the social, political and administrative life of the Rwandese (opportunities for employment, access to administrative posts and to education, etc). This percentage-based system reflects a concept of democracy founded on government by ethnic majority rather than political majority. As of 1973, ethnic

antagonisms were exacerbated by regional rivalries : the North, home of the President, was privileged in comparison with the rest of the country.

6. When taking power on 5 July 1973, General Habyarimana's slogan promised peace, unity and development. In July 1975, he created a single party : the National Revolutionary Movement for Development, which very quickly evolved into a destructive force and led the country to war. Ethnic radicalization, self-destruction, political assassinations, and institutionalization of regionalism, are all factors which contributed to destroying the General-President's reign, which was finally brought down by the war in October 1990.

7. Towards the end of 1988 began a very restless period in Rwanda, to which can be traced the origins of the 1994 events, with great changes in the political, military, economic and social situation. General Habyarimana's MRND gave clear signs of slowing down. Dissentions among the party's leading bodies, and the population's increasing lack of interest in the party, led to the announcement of a political adjournment on 15 January 1989, when a new government was formed.

II THE WAR OF 1 OCTOBER 1990

8. This war demonstrated the Government's inability to find a political solution to the problem of Rwandese refugees. The war was initiated by the RPF from Uganda, with the aim of enabling the return at all costs of Rwandese refugees to their country. However, the heterogeneous composition of the RPF also pointed to the additional aim of seizing political and military power.

9. Rwandan refugees are the product of the 1959 social revolution and the ensuing polarisation of the Rwandan ethnic question, in which the Hutus were seen as partisans of a Republic and the Tutsis supporters of the monarchy. UNHCR reports indicated that in 1990, some 480,000 Rwandese were refugees, i.e. some 6 percent of the population, of which 280,000 in Burundi, 80,000 in Zaire, 80,000 in Uganda, 30,000 in Tanzania, 5,000 in Kenya, and 5,000 in other parts of Africa, in Europe and in North America.

10. One might wonder why the mainstay of the RPF was in Uganda, when conditions might seem more favourable in Burundi. Rwandese refugees in Uganda integrated quickly into the country's political structures. Under President Amin Dada, they were promoted in the army and the administration to counter the influence of Baganda cadres and provide much needed backing to the managers chosen from tribes which supported the president. President Milton Obote, when he took power from Amin Dada, turned against Rwandan refugees and even expelled into Rwanda some 50,000 who had settled in the Mutara region since 1983.

11. These refugees enrolled massively from 1984 in Mr Yoweri Museveni's National Resistance Army and returned to Uganda after the latter's victory in 1986. They recovered key posts in the administration and the army. The Rwandese diaspora in Burundi and Zaire provided the young recruits who composed the main troops and programmed the taking of power in Kigali.

12. Sympathisers of the RPF include:
- certain members of the banyarwanda, who lived on Rwandese territory or on lands dependant on Rwanda, which were attached to other countries when Africa was split in Berlin in 1885 and after the first World War (Zaire: Kive - Uganda: Gisoro, Kakare and Masaka);
 - Rwandese economic migrants during the colonial period, residing in North Kivu, in Shaba/ Zaire, in Uganda, Kenya and Tanzania
 - Hutu political refugees experiencing difficulties with General Habyarimana's regime
13. Was the 1 October 1990 war predictable? A number of elements seem to indicate this was the case:
- it would seem that as soon as he took power in 1986, the President of Uganda repeatedly warned the President of Rwanda of the need to find a solution to the refugee problem. A Rwando-Ugandan commission was created to examine the matter, with the participation of UNCHR;
 - Rwandese and Ugandan authorities were aware of the periodic incursions from the Murata region, during which young members of the RPF extorted protection money from traders and breeders,
 - in May 1989 at the Nyagatare summit, President Museveni formally warned the President of Rwanda that he should either repatriate the refugees or expect them to repatriate by their own means;
 - the Rwandese authorities appear to have lacked imagination and political will, caught as they were in their own contradictions and undermined by the questionable decision of the MRND's Central Committee in 1986 which rejected the Rwandese refugees' right to regain their country, supposedly due to the scarcity of land.
- However, following internal and external pressure, the General-President agreed to lead Rwanda towards democracy.

III. THE DEMOCRATIC PROCESS (1991-1993)

14. In 1991, the 1978 Constitution was revised in order to permit an opening up of the democratic process (creation of newspapers and political parties), thus ending 16 years of single-party rule. In July 1991, five new parties were registered at the Ministry of the Interior:
- the MRND, modified by a democratic approach, was renamed National Republican Movement for Democracy and Development (strong hold in the "prefectures" of Ruhengeri, Gisenyi, Byumba, Kibugho, rural Kigali and Cyangugu).
 - the Democratic Republican Movement (MDR), founded in 1957 and mainly implanted in the "prefectures" of Kigali-town, Gitarama, Gikongoro, Kibuye, Cyangugu, Butare
 - the Social Democratic Party (PSD) , the Liberal Party (PL) of Tutsi allegiance, and the RPF.

The three main parties (MDR, PSD, PL) created a consultative committee at the end of 1991, which became the Democratic Force for Change (DFC). Simultaneously, given that the DFC's main objective was to convene a national conference in order to discuss the serious problems faced by the country, the MRND created seven satellite parties to actively oppose the peace process initiated in the Arusha negotiations. However, political manoeuvring by the different

parties on the one hand, and the revelation of misdeeds on the part of the party and of President Habyarimana on the other hand, a negotiated solution to the Rwandese conflict.

15. The first transitional democratic government was led in December 1991 by Mr Nsanzimana Sylvestre, with a majority of MRND ministers and a symbolic participation of the opposition, namely the Christian Democratic Party, a satellite of the MRND. Violent demonstrations shook the whole of the country, instigated by the opposition parties. This led the president to review his position. In April 1992, a real government was created, incorporating all democratic parties, but the ministers belonging to MIND blocked the decision-making process and systematically undermined the work of the Government. During this same period, the military perpetrated acts of sabotage, pillage, incited civil strife and caused the disappearance of opponents with the objective of destabilizing the government, under the pretext that it had accepted direct negotiations with the RPF in Tanzania.

16. Indeed, when the transitional democratic government was created, direct negotiations were initiated between the Rwandan government and the RPF. They resulted in a meeting from 6 to 8 March 1993 in Dar-Es-Salaam, chaired by the Prime Minister of Tanzania. The Dar-Es-Salaam Declaration which resulted from this meeting stipulated the following decisions:

- immediate cessation of hostilities;
- return of RPF forces to their previous positions;
- Rwandese Armed Forces to stop at the positions occupied on 8 March 1993
- creation of a safety zone between the positions of both forces;
- the resumption of negotiations in Arusha,
- sanctions in responsible political and administrative positions who were implicated in the troubles.

17. It is equally important to underline the achievements of the transitional government, despite the obstacles created by the MRND. This government undoubtedly succeeded in:

- normalising relations with Burundi and Uganda;
- preventing several attempts to create civil strife of an ethnic nature;
- bringing about limited improvement in the central and field administration and in the security forces;
- stimulating economic and development activities;
- concluding the Arusha Peace Agreement;
- instituting a new fundamental law including the Arusha Peace Agreements;
- recognising the inalienable rights of refugees to return to their country principles and defining the practical modalities for their return through the Arusha Peace Agreement.

IV. THE ARUSHA PEACE AGREEMENT OF 4 AUGUST 1993

18. The Arusha Agreement of 4 August 1993 was the result of long negotiations between the RPF and the transitional democratic government. It should have provided a solid basis for an equitable and durable solution to the Rwandan conflict. Key elements of the Agreement are as follows:

- the constitutional framework of power in Rwanda, with the rule of law, a multi-party democracy in which fundamental rights are recognised (ref. Protocol on the state of law); - the distribution of power on the basis of a consensual political compromise between the political forces that accept and practice democracy without any form of discrimination, be it ethnic or regional, and on the basis of political parameters such as a social charter or a development programme (ref. Protocol on the sharing of power);
 - Rwandese refugees would benefit from the inalienable right to return to their country unconditionally and participate in all national activities (ref. Protocol on the integration of Rwandese refugees);
 - the creation of a true national army, integrating elements from both forces on the basis of previously agreed-upon criteria, and under international control (ref. Protocol on the integration of armies).
19. Unfortunately, the Agreement was never supported by the radical and military branches of of MRNF and RPF. On both sides, many steps were taken to contravene the implementation of the Agreement, forcefully resuming manoeuvres aiming at political and ethnic polarisation. The consequence of these tactics was the downfall of Mr Nsanzimana' government and his removal. The government headed by Mrs Agathe Uwilingiyimana also failed, not being backed by either the administration or the armed forces, and not being able to count on popular support. Under this government, militias were recreated and political parties collapsed completely.

V. UNHCR AND THE RWANDESE REFUGEES

20. The lightning war of October 1990 clearly underlined the problem of Rwandese refugees and their irrepressible desire to return to their country. In accordance with its mandate and to the extent possible, UNHCR had continued to provide protection and assistance to Rwandese refugees in their countries of asylum. While not excluding the possibility of voluntary repatriation, UNHCR efforts during the 1980's had concentrated on local settlement programmes for refugees in Kenya, Zaire, Tanzania, Burundi and Uganda. In some of these countries, certain projects encouraged small-scale industries run by both refugees and the local population. Other projects with an agricultural or pastoral orientation had increased the refugees' capacity for self-sufficiency in their country of asylum.

21. It should be recalled that UNHCR undertook exploratory missions in the region in 1989 and early 1990, particularly in Rwanda and Uganda in order to encourage some flexibility on the part of the authorities in these countries, and obtain guarantees for the organised voluntary repatriation of Rwandese refugees. It should also be noted that UNHCR had planned visits by refugee representatives to Rwanda from their countries of asylum during the first part of 1990. The RFP's advance into Rwanda on 1 October 1993 interrupted all steps towards a durable solution of the Rwandese refugee problem.

VI THE DAR-S-SALAMM DECLARATION (TANZANIA)

22. During the fighting in Rwanda and after numerous bilateral and multilateral meetings as of October 1990 regarding Rwandese refugees, a regional conference was convened in

Dar-Es-Salaam in February 1991. Participants included Heads of State or Prime Ministers of Tanzania, Burundi, Kenya, Uganda and Zaire. The summit resulted in the adoption of the Dar-Es-Salaam Declaration, which expressed the desire of the governments concerned to facilitate a durable solution to the problem of Rwandese refugees.

23. The Declaration recognised that the refugees should have the option of choosing freely between voluntary repatriation and reintegration in Rwanda, and local integration and naturalisation in their country of asylum. The Declaration entrusted UNHCR and the OAU with responsibility for establishing a plan of action which would lead to durable solutions, taking into account the impact of a possible return and the needs in terms of local integration. This plan of action was to be presented at a meeting of donor countries in order to mobilise the necessary resources for its implementation. The OAU and UNHCR were to include the countries concerned, donor countries and international institutions in the Plan of Action.

24. During the period of political tension and hostilities in Rwanda, significant and valuable results were reached in the context of the Dar-Es-Salaam Declaration:

- consultations held by OAU/HCR with host governments, donor countries and international organizations to obtain their advice and recommendations in the preparatory process;
- the establishment of legal and institutional frameworks, with national committees in Uganda, Rwanda, Tanzania, Kenya and Zaire, with the passing of a general amnesty law in Rwanda, and particularly the collection and analysis undertaken by UNHCR of all relevant instruments for naturalisation procedures in asylum countries;
- technical missions/activities by OAU /UNHCR;
- information campaigns in asylum countries to enable refugees to make an informed choice among the options they faced. In 1992, UNHCR also financed the public awareness and sensitization campaign in Rwanda which was intended to serve as a tool for reconciliation and as a means of preparing the local population to receive repatriants.;
- in the absence of registration campaigns for refugees in the region, technical missions were undertaken to evaluate the socio-economic needs in Rwanda, Tanzania, Uganda and Burundi.
- in consultation with governments and UNDP, terms of reference for integration and repatriation projects were established, and implementing agencies identified in every country. In Zaire, given the political and security situation in the region concerned, the proposed technical mission had to be cancelled.

25. The activities included in this plan of action would have ensured that durable solutions would be found to the problems of Rwandese refugees. Assistance would be provided to both those refugees wishing to return to their country of origin (repatriation/reintegration activities) and to those who chose to remain in the country of asylum (settlement activities).

VII. UNHCR AND DISPLACED PERSONS IN RWANDA

26. This note would not be complete without a reference to one of the most tragic consequences of the present situation in Rwanda: the internally displaced persons. Prior to the violation of the cease-fire on 8 February 1993 by the RPF, 350,000

terrorised persons had already fled the areas affected by fighting and civil strife, leaving all their possessions and abandoning their fields in the North, the most fertile region in the country. An unknown number of displaced persons also live in the area occupied by the RPF on the Ugandan border in the North of the country. To this must be added an indeterminate number of persons who, because of violence among the population fomented by persons still at large, live in a state of permanent terror and do not dare return to their homes. These persons cultivate their land during the day and spend the night either outdoors or with relatives.

27. Internally displaced persons, among whom are many children, live in crowded makeshift camps, in extremely precarious conditions, and their survival has depended on massive external humanitarian assistance. According to humanitarian organizations working there at the time, cases of severe malnutrition were detected among children under five. Furthermore, the deplorable sanitary conditions in which these persons lived, caused serious epidemics.

28. In these circumstances, President Habyarimana sent the Secretary General a request for assistance to displaced persons in his country. The Regional Bureau for Africa at Headquarters, in close cooperation with the Division of International Protection, held a series of meetings in early February to establish the legal basis and justification for UNHCR's involvement in assisting displaced persons in Rwanda. By means of a financial contribution, following a meeting held by DHA on 12 February 1993, the High Commissioner contributed to the International Community's effort in favour of the population concerned, thus demonstrating the Office's support to the stabilisation of the population in the region and firmly maintaining its involvement of several decades in favour of the peace process and the return of Rwandese refugees to their country.