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Refugees from the Genocide, April 1994.

LEARNING FROM THE RWANDAN GENOCIDE OF 1994 TO STOP THE GENOCIDE IN DARFUR – PART 1

by Major Brent Beardsley

Introduction

From April until July 1994, within a period of about 100 days, approximately 800,000 human beings were murdered in the Rwandan Genocide.¹ The international community, including Canada, failed to prevent or suppress this atrocity and largely stood by while hundreds of thousands died in one of the most rapidly perpetrated and deadliest of genocides in history. In 2004, while the world commemorated the Rwandan Genocide and lamented its own failure in Rwanda, genocide had been yet again exposed in Darfur, Sudan. To date, this latest genocide has claimed between 100,000 and 350,000 lives. Additionally, approximately two million people have been forced into inhuman physical conditions in refugee and displaced persons camps, which are claiming lives at a rate of between 10,000 and 35,000 persons each month.² Does the international community have an obligation to stop the genocide in Darfur? What mistakes did we make in Rwanda in 1994 in the failure to prevent or to suppress the genocide? What can we learn from our mistakes in Rwanda to ensure that the world does not fail in Darfur? These are the three central questions of this article.

This writer will now attempt to introduce and to develop some of the major lessons that Canadian policy makers and their advisors should take away from the Rwandan Genocide, with a view to assisting them as they continue to develop Canada's response to the genocide in Darfur. The article will be presented in two successive issues of this journal. In this issue, the focus will be on the crime of genocide and the Rwandan experience of 1994 with a view to describing the nature of this crime against humanity, and to place the international community's response to acts of genocide within a moral, legal, policy and strategic framework for action by using the Rwandan Genocide as a case study.

In 2005, it is expected that the long anticipated foreign and defence policy reviews will finally be promulgated. Hopefully, they will generate considerable debate in Canada as we and other nations continue to wrestle with our responses to crimes of genocide as they are perpetrated throughout the world.

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Genocide and the Genocide Convention

Genocide is an old crime against humanity that has been given a relatively new label. History is full of examples of one group of humans exterminating another group of humans.³ During and immediately following the Holocaust of the Second World War perpetrated by Germany's Third Reich, Raphael Lemkin, a Polish jurist, invented the word genocide by combining the Greek work "genos", meaning a people or a tribe, and the Latin word "cide", meaning killing or murder.⁴ The moral outrage of humanity, based upon exposure to the Holocaust, resulted in the Nuremberg Trials of 1945. Lemkin dedicated his life to lobbying the international community to recognize genocide as a distinct crime against humanity and enshrining in law the obligation to prevent, suppress and punish perpetrators of this horrific crime. The culmination of his lobbying efforts, which occurred from 1943-1948, resulted in the promulgation of the *International Convention on the Prevention and Punishment of the Crime of Genocide* on 9 December 1948.⁵ Canada ratified the Convention on 28 November 1949. It was then ratified by the requisite number of nations and came into being on 12 January 1951. At present, approximately 142 nations have ratified the Convention, and it has become firmly embedded in international law.⁶

Genocide has been virtually universally condemned as a moral wrong that demands a response from humanity. The wholesale murder of innocent men, women and children, for no other reason than their identity, is now considered a crime that demands that moral response, based upon the simple premise that genocide must be prevented, suppressed and punished wherever and whenever it threatens our world.

Since 1951, the Convention has had a checkered impact upon preventing, suppressing and punishing genocide. It was not used to prevent genocides in Burundi, Iran, Bangladesh, Iraq, Indonesia, Cambodia, Rwanda, Bosnia and Timor, and it continues to fail to this day in locations such as Dafur and the Congo.⁷ In other cases, it has been used with some success, the major example of which was in Kosovo in 1999.⁸ Additionally, it was not until 1998 that the first punishment for the crime of genocide, under the terms of the 1948 Convention, was obtained through the conviction of Jean-Paul Akayesu for his participation in the Rwandan atrocity.⁹ Thus, the Convention, while firmly established in international law and jurisprudence, has had a spotty record of actually preventing, suppressing and punishing the crime of genocide.

The Convention "confirms that genocide, whether committed in time of peace or in time of war, is a crime under international law which, they (the contracting parties) undertake to prevent and to punish." It further states that genocide means "any of the following acts committed with intent to destroy in whole or in part, a national, ethnical, racial or religious group, such as:

- a. killing members of the group;
- b. causing serious bodily or mental harm to members of the group;



Map of Rwanda

- c. deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d. imposing measures intended to prevent births within the group; and/or
- e. forcibly transferring children of the group to another group".¹⁰

The Convention further defines acts of genocide inclusively as:

- a. committing genocide;
- b. conspiracy to commit genocide;
- c. direct and public incitement to commit genocide;
- d. attempting to commit genocide; and
- e. complicity in genocide.¹¹

It must be understood that perpetrators do not have to murder an entire people to commit the crime of genocide. Merely the intention to destroy a part of a protected group by lethal or non-lethal means, and planning, conspiring, inciting, aiding and abetting these acts are sufficient to meet the legal threshold of committing genocide. The failure to prevent, suppress or punish genocide has not been due to a lack of clarity in the law, but, rather, due to a lack of will to actually enforce the law. Nations, operating largely out of self-interest, have *ignored* the obligations of the law when it served their interests to do so, or they have *used* the law to justify their actions when it served their interests.

As codified in Article VIII of the Convention, any contracting party “may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations (specifically, Chapter 7) as they consider appropriate for the prevention and suppression of acts of genocide.”¹² The Convention therefore imposes three obligations on the contracting parties – to prevent, to suppress and to punish the crime of genocide wherever it occurs in our world.

After the genocide in Rwanda, the United Nations Security Council, upon investigating those events, concluded that genocide had in fact taken place, and established the International Criminal Tribunal for Rwanda to punish the key perpetrators.¹³ In addition, individuals such as U.S. President Bill Clinton,¹⁴ former U.N. Secretary-General of the United Nations Boutros Boutros-Ghali,¹⁵ the current U.N. Secretary-General Koffi Annan,¹⁶ and various commissions of inquiry by the United Nations,¹⁷ the Organization of African Unity,¹⁸ Human Rights Watch¹⁹ and the governments of France and Belgium have all determined that genocide took place in Rwanda and that the international community had failed to live up to its responsibility, in accordance with the Convention, to prevent or suppress it.

Partially in response to the failure in Rwanda, and in direct response to the challenge issued in September 2000 by Secretary-General Koffi Annan in his millennium report, *We, the Peoples*,²⁰ which addressed this issue, the Government of Canada charged the *Independent International Commission on Intervention and State Sovereignty* (ICISS) to conduct a comprehensive examination of the relationship between humanitarian intervention and state sovereignty.²¹ The Commission was the creation of Canada’s Foreign Minister, Lloyd Axworthy, who, at that time, was trying to shift the nation’s foreign policy from a Cold War posture to a post-Cold War philosophy, based upon the concept of human security. This Commission completed its work in 2001 and its report, entitled *The Responsibility to Protect*, (*R2P*) was presented to the Secretary-General and the United Nations on 18 December 2001. It is expected that *R2P* will feature prominently in both the latest foreign policy and defence reviews, and it should have a major impact on the Canadian Forces and its operations in the first decades of the 21st Century.²² It is also the opinion of this writer that *R2P* will provide one of the best and clearest blueprints of need for the future force development of the Canadian Forces that we have had available to us since the end of the Cold War. The intention to adopt the findings of this Commission was best articulated in the address by Prime Minister Paul Martin to the United Nations on 22 September 2004.²³

The central theme of *R2P* is “the idea that sovereign states have a responsibility to protect their own citizens from avoidable catastrophe, but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states.”²⁴ This finding is unique and significant for two major reasons. First, it challenges the Westphalian model of sovereignty and self-determination/non-intervention that has governed

international relations for the last 400 years. Secondly, it has established a policy that directs the use of a bi-polar strategy to protect human beings from gross, man-made and preventable human catastrophes.

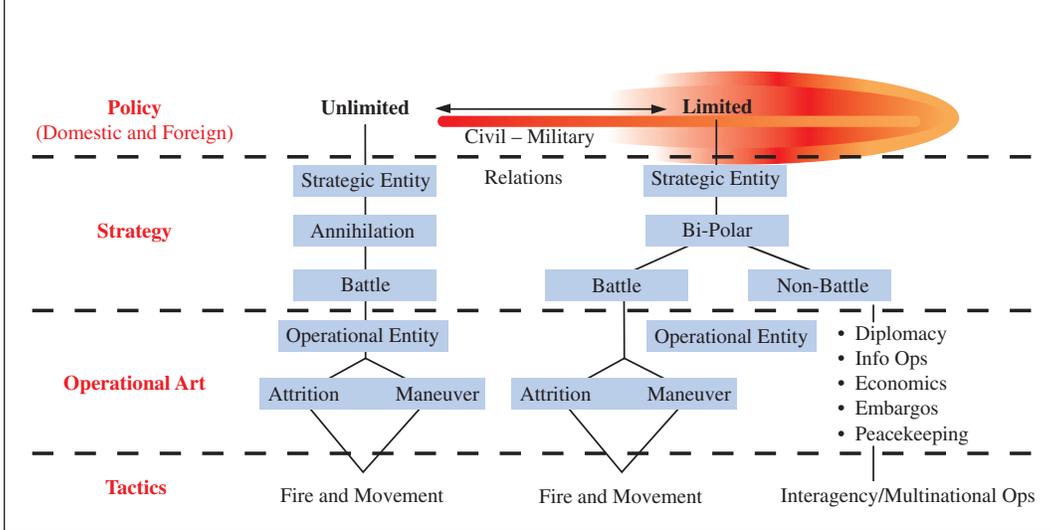
Since the Treaty of Westphalia in 1648, the nation-state has been the principal entity in international relations. The Westphalian system, in its simplest form, is based upon the premise that states are sovereign and whatever they do within their own boundaries and to their own people is protected by that sovereignty. In addition, it grants the right of self-determination for each nation in the development of its own internal policies, and generally prohibits outside nations from intervening in the internal affairs of other states.

It was this system that Dr. Raphael Lemkin challenged before the Second World War, when he became aware that the perpetrators of the Armenian genocide, since they were servants of the Turkish government, would never be held responsible for their gross crimes against humanity. This was because there was no international law to punish members of a state for the systematic murder of their own people. Lemkin dedicated his life to challenging the Westphalian system and he succeeded in doing so through the adoption of the Genocide Convention of 1948. The Convention continued the process of challenging the absolute sovereignty of nations and holding states responsible to a higher standard in the treatment of their citizens, making them accountable for any crimes they may perpetrate against their people. As Hedley Bull stated in his seminal work, *The Anarchical: A Study of Order in World Politics*, “Carried to its logical extreme, the doctrine of human rights and duties under international law is subversive of the whole principle that mankind should be organized as a society of sovereign states.”²⁵

The second major significance of *R2P* is that this report encourages and justifies the use of a bi-polar strategy in dealing with preventable humanitarian catastrophes, such as genocide. It encourages the use of ‘non-battle’ or ‘non-force’ methods, such as private and public diplomacy, media exposure, international condemnation and restrictions such as embargoes, travel bans, the freezing of assets, the use of sanctions, commissions of inquiry and traditional Chapter 6 peacekeeping operations. The latter can be either unarmed military/civilian observer missions or lightly armed, defensively employed peacekeeping forces.²⁶ If non-battle or non-force means are not effective in preventing or suppressing a humanitarian catastrophe, the report recommends moving to battle means, if the use of force will not create a wider war with higher casualties, using force as a tool of last resort. The specific tool of humanitarian intervention could thus be authorized to use military force to prevent and suppress these crimes against humanity. It was clear,

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The General System of War and Conflict



Canada and other middle powers turned to the use of the battle pole if policy objectives merit the use of force. In some cases, such as in Gulf War One, in Kosovo and in Afghanistan, the government of Canada and a substantial number of its traditional allies have demonstrated the resolve to use force in a battle pole strategy.

In other cases, such as in Rwanda, Canada, its traditional allies and the wider international community, as represented by the United Nations, did not use the battle pole, but confined

their response to a non-battle strategy. The use of this particular strategy in Rwanda did not prevent or suppress the genocide, which was allowed to run its course.³⁰ The following figure provides a diagram of the conceptual model described earlier.³¹

The effective use of a bi-polar strategy comes with the understanding by policy-makers that not every international challenge can be solved by sole use of non-battle means, and that the use of force must be considered, when appropriate, to suppress humanitarian catastrophes. On the other side, military strategists must understand that every problem is not a ‘nail’ and does not necessarily require a ‘hammer’ solution. The melding of the two poles of the bi-polar strategy will be the greatest challenge, and this melding offers great opportunities for success to Canadian policy makers.

Darfur

Is genocide taking place in Darfur? As noted earlier, the Convention states that genocide is “the intention to destroy in whole or in part members of a national, ethnic, racial or religious group as such.” The people of Darfur are black Africans with distinct tribal and ethnic affiliations, thus making them members of ethnic and racial groups. Secondly, genocide is committed by “killing, causing serious body or mental harm, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, imposing measure intended to prevent births within the group and/or forcibly transferring children of the group to another group.” The Janjaweed militia has murdered tens of thousands of human beings in Darfur. It has subjected men to execution, women to gang rape and branding, it has separated men from women, thus preventing births and abducted children, whom, it is alleged, are being sold into slavery. In addition, it has destroyed homes, wells, farms, and crops to displace the population to camps inside and outside Sudan. These camps are located in desert areas with the most extreme weather conditions, without access to water, food, shelter or medical

from both the report and its background papers, that the Commission understood that Chapter 7 of the United Nations Charter would need to be invoked to provide the mandate for the intervention, and that a combat capable force with robust Rules of Engagement (ROEs) would be needed to suppress the genocide by actual combat, if necessary.²⁷

To place the escalation of *R2P* within a conceptual framework, Clausewitz, in his masterpiece *On War*, provided a model of war based upon two types of wars.²⁸ The first type was an *unlimited or total war* policy, in which political objectives would be achieved through a strategy of annihilation. This would be accomplished through campaigns at the operational level of a war of manoeuvre and/or attrition, and by battles at the tactical level using fire and movement to win a decisive battle of annihilation, and to achieve victory.

The second type of war was *limited war*, or, as we could label it today, a policy of conflict and conflict resolution, where the political objectives are achieved using a bi-polar strategy of a non-battle pole and/or a battle pole. With respect to the non-battle pole, the state seeks to use the means articulated in *R2P* to achieve its policy objectives without resorting to the offensive use of force. The battle pole can be used to wage an operational campaign of manoeuvre or attrition, in conjunction with non-battle means, to achieve the desired political objectives. At the tactical level, the use of fire and movement remains the tool to achieve battlefield successes in support of the overall campaign plan, and, ultimately, the achievement of policy objectives through the use of a bi-polar strategy.²⁹

Since the end of the Cold War, the international community in general and Canada in particular have clearly confined themselves to the limited war side of the construct, using a bi-polar strategy to deal with threats to international peace and security. The preference of Canada and most other states, including many of our traditional allies, and in line with the findings in the *Responsibility to Protect* report, is to first use and exhaust all elements of a non-battle pole strategy. Only when those means have clearly failed have

support. Given these well-documented facts, these acts of genocide meet the requirement for defining the situation in Darfur as genocide.³²

Under the Genocide Convention, the contracting parties, including Canada, are obliged “to take such action under the UN Charter as they consider appropriate to prevent and suppress these acts of genocide.” Therefore, it can be concluded that genocide is taking place in Darfur and that the international community, including Canada, has a legal, in addition to a moral, obligation to intervene.³³

As the current situation in Darfur develops, the catastrophe has been labelled genocide by the Bush Administration, by large parts of the media and by non-governmental organizations, such as Genocide Watch.³⁴ To date, the efforts to confront the genocide have been limited to a non-battle pole strategy including quiet and public diplomacy, media exposure and condemnation, the threat of sanctions, humanitarian assistance, deployment of an observer mission and the deployment of a traditional Chapter 6-type peace-keeping mission. This is being led by the African Union with a limited mandate, restrictive Rules of Engagement and a lack of a combat capability.

Since these actions have been taken, there has not been, according to government, non-government and media sources, any change in the behaviour of the government of Sudan.³⁵ It is either unwilling or unable to prevent or suppress the genocide, and in accordance with our moral outrage, the Genocide Convention and the tenets of *R2P*, the international community, including Canada, must now consider if and when it will assume the responsibility to protect the victims in Darfur by suppressing the genocide. If non-battle pole actions continue to have no effect, at some point in the near future, policy and strategic decision makers must confront the question of whether they will have to move to the battle pole and conduct a humanitarian intervention using military force, or whether they will continue to follow a strategy in the non-battle pole. At present, our strategy appears to be on hold, as the African Union has insisted that it will take the lead in stopping the genocide there. Our response has been to support them in their efforts to achieve a non-violent solution to the problem. While this effort is commendable, it would be prudent for contingency planning to be conducted should these efforts fail, and we later determine that we must move to a battle pole in order to suppress the genocide.

Canada and its allies have pursued a strategy confined to the non-battle pole. Efforts previously listed have been initiated, but have not to date changed the behaviour of the Sudanese government. The genocide continues. We should not be surprised. For 40 years, the regimes in Khartoum have employed genocide as a tool in their ethnic, racial and religious consolidation of power. For forty years, African Christians in south Sudan have been subjected to genocide. In the 1980s, the Dinka people were almost exterminated.

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In the 1990s, the Nuba people were almost exterminated in similar circumstances. The various governments of Sudan, with virtual immunity, have repeatedly resorted to genocide as a matter of domestic policy that has claimed the lives of up to two million of their citizens.³⁶

It is unlikely that the Sudanese government will change its behaviour until it is convinced that the international community is serious and it is recognized that there is more to lose than to gain by continuing a policy of genocide. This may well require a shift to the battle pole and a humanitarian intervention, using military force to suppress the genocide.

However, before such a shift from the non-battle pole is considered or conducted, it might be helpful to examine some lessons from the Rwandan genocide to ensure that such a shift is realistic and can be effective.

The Rwanda Genocide of 1994

The genocide in Rwanda in 1994 was preceded by a three-year civil war, which ended in August of 1993 with the signing of the Arusha Peace Agreement between the Rwandan government and the Rwandan Patriotic Front. It called upon the international community to provide a neutral international force to assist in the implementation of that agreement, which would end the war, to establish a broad based transitional government, to conduct a complete demobilization of the military and police forces of the parties, to end human rights abuses and to create a new national army and gendarmerie. Finally, it was to conduct a national election, which, it was hoped, would establish a multi-party and multi-ethnic liberal democracy in Rwanda.³⁷

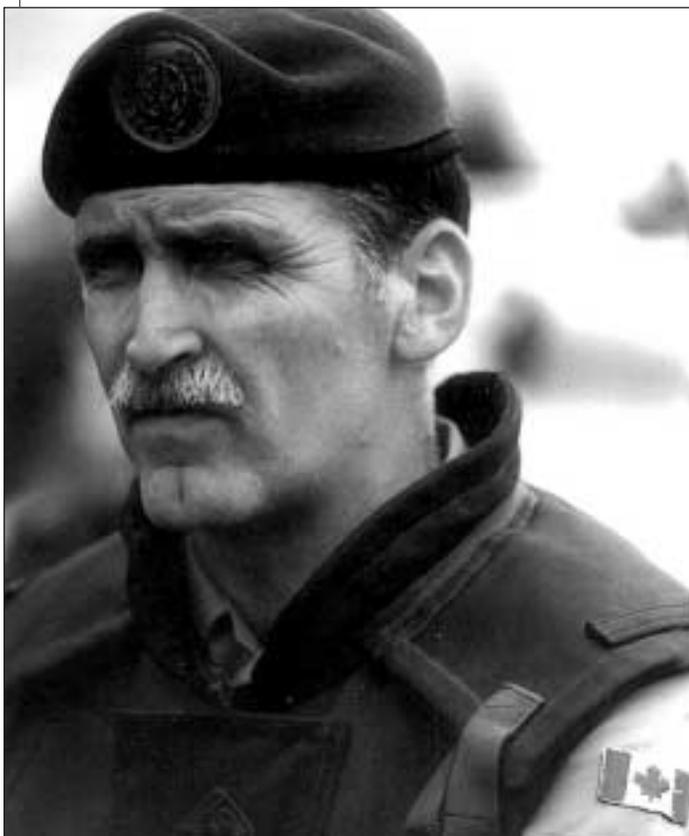
As the Organization of African Unity refused to provide the neutral international force, citing a lack of financial resources and experience, the United Nations was invited to provide the requisite force and to assist the people of Rwanda in their pursuit of peace, democracy and human rights.³⁸ This invitation came at a time when UN peacekeeping missions had doubled in recent years, and the panacea solution to every international conflict appeared to be the deployment of a peacekeeping force. The international community, including the United Nations, was sunk in a quagmire in Bosnia and Somalia by the fall of 1993, and the demands for troops, materiel and funding to sustain ongoing missions was raising opposition, particularly in the United States, against even more missions.

In July 1993, Brigadier-General Roméo Dallaire of Canada was first to lead a small observer mission, later to lead the reconnaissance mission to Rwanda, and, finally, he was appointed Force Commander of the United Nations Assistance Mission for Rwanda (UNAMIR). General Dallaire was provided with virtually no information or expertise on the mission area or the background to the conflict by the government of Canada, and when he travelled

to New York, he received only the most tertiary information on the history, culture and the recent conflict in Rwanda. He was expected to gather for himself the knowledge and expertise in order to identify the root causes of the conflict that had severely damaged the country politically, economically and socially.³⁹

During his reconnaissance mission there in August/September 1993, General Dallaire requested current intelligence, but he was either denied such, or given very limited access to the information available to many of the key international players in Rwanda, namely, the United States, France and Belgium, amongst others. Without background knowledge of the history and culture of Rwanda and without timely, accurate and relevant intelligence about the current players, their agendas and the situation on the ground, General Dallaire literally went into the mission a 'blind man'.

This lack of knowledge produced an absence of understanding of the artificial but deep politically initiated and exploited ethnic divisions within the nation. General Dallaire was also not made aware of the existence of a shadowy extremist group within the Rwandan government, which had no intention of implementing the peace agreement and only feigned support while it prepared for the apocalypse to follow. There was also a failure to appreciate that the moderate members of the government, who were lobbying and presenting a positive picture of the Arusha Agreement, were, in fact, in a weak and vulnerable position, and they were fully aware of the threat of the extremists and their apocalyptic agenda. These moderates did not share this information with General Dallaire for fear of losing their only hope for international assistance to create a power shift in their favour in Rwanda.⁴⁰



Brigadier-General Roméo Dallaire in Rwanda.

Based on this lack of knowledge of Rwanda's past and in the absence of current intelligence information, the conceived mission became a traditional Chapter 6 peacekeeping operation with light equipment, defensive rules of engagement, and no intelligence gathering capability. In fact, what was required was a more robust mission, capable of fully enforcing the Arusha Peace Agreement.⁴¹ However, as the international community including the United Nations was bogged down in the Balkans and Somalia, there was little appetite for yet another dangerous and challenging mission that might require the offensive use of force. A Chapter 6, traditional peacekeeping mission was the only option the international community was then prepared to support.

In addition to the aforementioned misconceptions, the mission was not provided with skilled and experienced experts and their essential inputs into the political, economic, humanitarian, and human rights domains of the operational planning. The result was an operational plan, conceived largely as a military operation, that ignored the requirement for a long-term, comprehensive political, economic, social, humanitarian, human rights, and security campaign plan designed to address the root causes of the conflict and to enable the nation to peacefully transition from a brutal and corrupt military dictatorship into a fully functioning democracy with a viable economy.⁴²

Upon returning to New York in September 1993 to lobby for approval of the mission, General Dallaire was confronted with an absence of political will amongst member states, particularly the 'Big Five' on the Security Council, but also amongst bureaucrats within the U.N. Secretariat. The focus of all of them appeared to be on the situations in Somalia and the Balkans, exacerbated by the horrendous debt situation then confronting the United Nations. With the exception of France and Belgium, there was little interest in Rwanda, its situation and its requirements. Nations were fatigued from peacekeeping missions and all the costs they entailed. Additionally, countries now in the aftermath of the Cold War were rapidly reducing their armed forces to address deficit situations and redirect resources to domestic social programs. There was little appetite for 'yet another' peacekeeping mission where few if any international players had any interests, other than those of a humanitarian nature. Public opinion in the early 1990s was revelling in the end of the Cold War, and it was largely fixated upon national economic, fiscal and social problems, and not upon issues of international peace and security, especially in a nation that most citizens of the west could not locate on a map.

Due largely to the lobbying of key members of the Secretariat, such as Koffi Annan, General Dallaire, and a joint delegation from the parties in Rwanda, modest support for the mission was finally obtained.⁴³ However, the force structure was capped at the minimum viable level of 2500 troops. The mission was expected to be "fast, cheap and bloodless." Major western nations, including Canada, refused to send contingents. Only Belgium, the former colonial power, was prepared to contribute well-led, trained, equipped, and supported troops. Despite a reluctance at accepting a contingent from the former colonial power, the Belgian offer ultimately had to be accepted since there were no other combat-capable contingents available. The balance of the force would be made up of ad hoc contingents from Third World nations that would lack the



Rwandan Patriotic Front Troops enter Kigali, December 1993.

equipment, training and experience required to operate in a complex security environment.

The mission was restricted to defensive Rules of Engagement with an assistance or restricted peacekeeping mandate, and within very narrow time and cost limits. Use of force, for any reason other than self-defence, was prohibited, although General Dallaire wanted and mistakenly believed he had obtained more robust Rules of Engagement to fulfil the more dangerous tasks, agreed to by the parties in the Arusha Peace Agreement. These included arms recovery operations, the prevention of crimes against humanity and the neutralization of armed gangs.

Finally, the mission was directed to seek “financial economies,” which became a license for the denial of even minimal financial and logistical support to the mission. This mission was simply not a major issue, a vital security interest, or a matter of significant public opinion for most members of the international community, even within the armed forces of those nations directed to provide contingents.⁴⁴

Upon approval of the mandate in October 1993, General Dallaire proceeded to Rwanda, and over the next four months, his force deployed, in spite of severe financial, logistical and equipment shortfalls. The force was desperately short of vehicles, communications equipment and all manner of other materiel. Contingents deployed with no reserve stocks of water, food, ammunition, medical supplies, stores or spare parts expecting the UN to provide all reserve stocks, which, as it materialized, it was financially unable to do. While the force reached its peak manpower level by April 1994, it never approached so much as a minimum state of operational effectiveness.⁴⁵

Concurrent with the deployment of this ‘toothless tiger’ named UNAMIR, the political process in Rwanda stalemated and the security situation began to deteriorate from late November 1993 until the resumption of hostilities and the outbreak of genocide in April 1994. General destabilization, assassinations, massacres, increasing ethnic propaganda and the recruiting, training and arming of militia groups became the order of the day. Pleas from UNAMIR for reinforcement and financial/logistics support were rejected. In addition, a

number of moderate informants in the army, the gendarmerie, the government, the civil service, the church and even in the extremist camp stepped forward and warned UNAMIR of the plans for genocide to be conducted under the cover of a renewal of hostilities. When General Dallaire lobbied for more aggressive pre-emptive actions by UNAMIR, his request was denied, and the UN and major powers confirmed their intention of using a non-battle pole strategy only, imposing severe restrictions on the mission at the operational and tactical level. No strategic contingency plans or preparations were made in the event that diplomacy, aid, economic threats, media condemnation, or peacekeeping operations failed. The failure to even consider the use of force, as

sanctioned by both parties to the conflict in the Arusha Peace Agreement and the Kigali Weapons Secure Area Agreement, directly resulted in the inability of UNAMIR to prevent the genocide.⁴⁶

On 6 April 1994, the President of Rwanda was killed when his aircraft was shot down at Kigali Airport. Within 24 hours, in what was obviously a well-planned and coordinated operation, all the moderate leaders in Rwanda, including members of the Tutsis and Hutu ethnic groups, were either murdered or were in hiding. UNAMIR was directed not to intervene, and its Rules of Engagement on the morning of 7 April 1994 were even further restricted to using force only if its members were directly fired upon. This restriction, combined with national direction to contingents that they were to place all efforts on force protection and avoid any use of force with the belligerents, relegated UNAMIR members to the status of bystanders. With UNAMIR’s inability to contain or influence the situation on the ground, the Rwandan Patriotic Front resumed hostilities that day, and it would continue its military campaign until it achieved victory in July 1994.

However, behind the resumption of hostilities, a more sinister operation was in progress. This was a deliberate campaign of genocide to exterminate every Tutsis and moderate Hutu in Rwanda. While the word genocide was not used until late April 1994, the reports emanating from UNAMIR, the media and various embassies during those early days in April document the rapid implementation of planned genocide.⁴⁷

General Dallaire quickly called for reinforcement of the mission, logistical support, and a mandate to stop the killing.⁴⁸ His requests were denied, and, in fact, the debate within the international community was not whether to move to a battle pole strategy to contain the situation and to stop the genocide, but rather, it was all about abandoning Rwanda. It was clear by 10 April that the non-battle pole strategy had failed to prevent genocide. Belgium, which initially had called for reinforcement, did an about face, and, supported by the United States, Great Britain, Russia and, albeit reluctantly, by France, called for a complete withdrawal of UNAMIR and the abandonment of the Rwandan people to their fate.⁴⁹

The only attempt at an intervention was the arrival of one of the finest and most elite ad hoc coalition of Western military forces, which, within three days, deployed approximately 2000 U.S. Marines, French and Belgian paratroopers and Italian special forces to Rwanda and its environs.⁵⁰ However, their mission was not to reinforce UNAMIR or to intervene to save lives in Rwanda. They were deployed to evacuate foreign nationals (mostly Caucasians) from Rwanda. The speed with which this action was perpetrated would forever nullify the lame excuse that the military force required for intervention simply could not be assembled. In fact, it was assembled and deployed within 72 hours, but not for the purpose for which it should have been deployed.

With the evacuation of foreign nationals largely completed by 14 April, the calls for complete evacuation of UNAMIR and the abandonment of the Rwandan people intensified. It was only due to the lobbying of international human rights groups, the non-aligned members of the Security Council and other interested parties that the decision was finally taken to reduce but not withdraw UNAMIR. However, the new mandate of 21 April 1994 only provided a force of 270 personnel and provided no authority or means to intervene to save lives in Rwanda. UNAMIR was to remain a Chapter 6 traditional peacekeeping force, with little-to-no combat or logistics capability, a restricted mandate, and limited Rules of Engagement.⁵¹ The international community would not shift to a battle pole strategy when clearly the non-battle pole stance would be unable to suppress the genocide. This decision only served to encourage the perpetrators of the atrocities, who, we now know, concluded that they had received a *carte blanche* from the world to conduct genocide.⁵²

Despite its restricted mandate, its capabilities and its precarious situation on the ground, UNAMIR, with a force of just 454 soldiers, eventually took under its protection up to 40,000 Rwandans. Restricted in the use of force to self-defence only, and given its tenuous logistical situation and its lack of combat capability, it never had the ability to intervene against the genocide. Most days its members merely tried to survive another day. Without a battle pole mandate and capability, genocide simply could not be suppressed in Rwanda.⁵³

Throughout April, May and June, the murder of hundreds of thousands of innocent men, women and children continued with immunity. Men and boys were murdered. Women and girls were gang raped, often in front of their families, before they were also murdered. Most died from machete or club wounds. The lucky ones who had money could pay for a bullet for themselves or their families. Few were spared. The killings took place not only in homes or on the roads and fields of Rwanda, but also in churches, which, in an overwhelmingly Catholic country, had always been places of refuge. As a Baptist missionary later stated to Time magazine, "There are no devils left in hell. They have all gone to Rwanda."

The perpetrators were not only members of the Presidential Guard, the army, the police, the ruthless Interhamwe and Impuzugambi militias, but also included politicians, civil

servants, church leaders, and far too many ordinary civilians. All of this horror took place in the full view of UNAMIR, the few journalists who braved the trip to Kigali, and the only humanitarian agencies to remain on the ground in Rwanda, namely, the International Committee of the Red Cross, and Doctors without Borders. Each and every day, official and unofficial reports, photos and videos, media stories and telephone conversations relayed the details of the genocide to the world, and the world largely remained silent. Television channels were changed, articles were not read, reports were filed and the international community did next-to-nothing to stop the genocide. The moral and the legal obligation to stop genocide was at first ignored, due to a lack of international, national, public, and military will to intervene and to suppress it.

As awareness of the genocide increased, largely generated by the media, calls for a humanitarian intervention, particularly by African states, intensified in May 1994.⁵⁴ Fearing the obligation to intervene within a hostile domestic political environment after the debacle in Somalia, the United States and other nations refused to acknowledge that genocide was taking place. Instead, they adopted a policy of "wait and see," embodied by a failed non-battle pole strategy.⁵⁵ Finally, under enormous public and international pressure, the Security Council approved UNAMIR II on 17 May 1994.⁵⁶ However, the force never deployed. Delayed largely by the United States for financial, logistical and equipment reasons, not a single contingent of the intervention force arrived in Rwanda until after the genocide was ended by the victory of the Rwandan Patriotic Front on 17 July 1994.⁵⁷



Major Beardsley at his awards ceremony on 18 July 1995, where he received the Meritorious Service Cross from Governor-General Roméo LeBlanc.

Author's collection

UNAMIR II arrived, not to suppress genocide, but to count the bodies and assist the survivors. An intervention that required deployment in days and weeks actually took months. In fact, the entire UNAMIR II force, which was supposed to be situated in the country within five weeks, took five months to complete its full deployment. In addition, a mandate that could then be seen as requiring years to achieve was confined to months. No attempt was subsequently made to develop a long-term comprehensive plan to rebuild Rwanda.⁵⁸

The experience of UNAMIR in Rwanda is a clear example of the failure of a non-battle pole strategy to suppress genocide. What was clearly needed, and what now is widely acknowledged, is that a battle pole strategy, after the failure of all non-battle means to prevent the genocide had been exhausted, was required to suppress it. The failure to even consider a battle pole strategy directly resulted in one of the worst genocides in modern history and in what the Organization of African United has labelled “the preventable genocide”.⁵⁹

Conclusion

Within this article, the crime of genocide has been defined, and the moral, legal and policy obligations to prevent, suppress and punish genocide have been introduced. The use of bi-polar strategy for genocide prevention and suppression has been explained and illustrated. Additionally, the situation in Darfur has been described with a view to confirming that genocide is taking place there, and that the moral, legal and policy thresholds for humanitarian intervention to suppress genocide have been met. Finally, the failure to prevent or suppress the genocide in Rwanda in 1994 has been examined with a view to identifying in the next issue lessons from our failure, which may assist Canadian policy makers and their strategic advisors as we consider Canada’s response to the genocide in Darfur. When prevention and the use of non-battle pole means fail, the shift to a battle pole and the use of military force to suppress a genocide may be the only viable means of stopping it.



Continued in the summer issue.

NOTES

- Gerard Prunier, *The Rwanda Crisis: History of a Genocide* (New York: Columbia University Press, 1995), pp. 261-265. Prunier was the first scholar to investigate the numbers killed in the Rwandan Genocide and concluded that the number was between 800,000 and 850,000. Human Rights Watch, *Leave None To Tell The Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999) 1. Human Rights Watch commissioned a later and more extensive investigation that concluded that no less than 500,000 were killed in the Genocide. There is considerable debate amongst scholars and bureaucrats on the exact number that were killed. Report of the International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda, *Rwanda: The Preventable Genocide* (Addis: Organization of African Unity Press, 2000) Chapter 14 p. 80, supports this conclusion and sets the number as no less than 500,000 and more probably as up to 800,000 fatalities.
- Gregory Stanton, *Genocide Emergency: Darfur, Sudan*, at (<<http://www.genocidewatch.org/Never%20Again.htm>> : Genocide Watch, April 2, 2004) pp. 1-3. Genocide Watch, the most independent and credible genocide monitoring organization in the world concluded in April 2004 that genocide was taking place in Darfur. Sudan Tribune, *African Mediators Seek to Bring Darfur Rebel Commander to Peace Talks* (Khartoum: Sudan Tribune, October 23, 2004) It updates the numbers of killed to that date as 70,000, and the number of displaced persons and refugees to 1.5 million souls.
- Frank Chalk and Kurt Jonassohn, *The History and Sociology of Genocide: Analyses and Case Studies* (New Haven: Yale University Press, 1990) pp. 65-377. This seminal work on genocide provides the case studies of 14 genocides, ranging from the Melos of Ancient Greece to the Nazi Holocaust.
- Raphael Lemkin, *Axis Rule in Occupied Europe* (Washington: Carnegie Endowment for International Peace, 1944) pp. 79-80.
- William Schabas, *Genocide in International Law* (Cambridge: Cambridge University Press, 2000) pp. 553-558. Schabas dedicates the first two chapters of his book to the efforts to develop the Genocide Convention and provides the first two drafts of the Convention and the final Convention, which were adopted into international law. Samantha Power, *A Problem From Hell: America and the Age of Genocide* (New York: Basic Books, 2002) pp. 17-170. Power writes on the struggle to develop the Genocide Convention and then the struggle to get it ratified by nations like the United States.
- Eric Weitz, *A Century of Genocide: Utopia of Race and Nations* (Princeton: Princeton University Press, 2003) p. 9. Weitz’s research confirmed that by 2000, 142 countries had ratified the Genocide Convention and incorporated it into their respective criminal codes.
- Chalk and Jonassohn, pp. 65-414. These scholars provide case studies of 14 genocides from antiquity to the Holocaust, and a further six genocides to 1990.
- Richard Haass, *Intervention: The Use of American Military Force in the Post-Cold War World* (Washington: Brookings Institution Press, 1999), p. 13, pp. 164-167, pp. 173-179. Haass reviews the failure of the U.S. to prevent or suppress the Rwandan Genocide and the impetus this gave to the suppression of genocide in Kosovo.
- William Schabas, p. 112. Schabas describes and returns to the Akeyescu case because it was the first conviction for the crime of genocide under the Convention, and it establishes the precedent for further cases in international jurisprudence.
- Linda Melvern, *A People Betrayed: The Role of the West in Rwanda’s Genocide* (London: Zed Books, 2000) pp. 249-255, pp. 227-236.
- William Schabas, p. 565, Article III.
- Ibid.*, 566, Article VIII.
- United Nations, *The United Nations and Rwanda 1993-1996* (New York: United Nations Press, 1996), pp. 387-394. Document 97 provided within this reference is Security Council Resolution 955 (1994), dated 8 November 1994, which established “an International Tribunal to prosecute those responsible for genocide and other serious violation of international humanitarian law committed in Rwanda between 1 January 1994 and 31 December 1994.”
- CNN, *Clinton Meets Rwanda Genocide Survivors*, at (<<http://www.cnn.com/World/9803/25/rwanda.clinton>>, dated 23 October 2004), p. 1.
- United Nations, *The United Nations and Rwanda 1993-1996*, pp. 110-111. Boutros Ghali’s conclusion to the “Blue Book” states that the International Community failed to prevent or suppress the genocide in Rwanda.
- BBC, *UN Admits Rwanda Genocide Failure* (<<http://news.bbc.co.uk/1/hi/world/africa/714025.stm>>) 1-2. The United Nations Security Council accepted the Independent Inquiry conclusion that the Council, the Secretariat and the international community had failed to prevent or suppress the Genocide in Rwanda in 1994. Koffi Annan supported the admission.
- United Nations, *The Report of the Independent Inquiry into the Actions of the United Nations During the 1994 Genocide in Rwanda* (New York: United Nations Press, 1999), p. 59. This report lays out the failure of the United Nations and the international community to prevent or suppress the genocide in Rwanda.
- Report of the International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda, *Rwanda: The Preventable Genocide* (Addis: Organization of African United Press, 2000), p. 1. This was the best and most detailed of the post-genocide commissions of inquiry. It concluded with volumes of evidence that the international community had failed to live up to its moral and legal obligations under the Genocide Convention to prevent or suppress it.
- Human Rights Watch 16-26. Allison Des Forges, in this brilliant investigative report, supports the accusation with comprehensive evidence that the international community failed to prevent or suppress the genocide in Rwanda.
- Foreign Affairs Canada. *The Responsibility to Protect*, at (<<http://www.dfait-maeci.gc.ca/iciss-ciise/menu-en.asp>> dated 18 October 2004) Welcome page.

21. The International Commission on Intervention and State Sovereignty (ICISS), *The Responsibility to Protect* (Ottawa: International Development Research Centre, 2001), p. vii.
22. Foreign Affairs Canada. *The Responsibility to Protect*, at (<<http://www.dfait-maeci.gc.ca/iciss-ciise/menu-en.asp>> dated 18 October 2004) Welcome page.
23. Foreign Affairs Canada, *The Responsibility to Protect*, at (<<http://www.dfait-maeci.gc.ca/iciss-ciise/media-en.asp>>, dated 18 October 2004). Links are provided to the Address by Prime Minister Paul Martin at the United Nations September 22, 2004 in New York and the address by Prime Minister Paul Martin on the occasion of his visit to Washington, D.C. on 29 April 2004 in Washington. In both of these addresses the Prime Minister stated R2P was Canadian policy.
24. *The Responsibility to Protect*, p. viii.
25. Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (New York: Columbia University Press, 1977), p. 146.
26. *The Responsibility to Protect*, pp. 19-30. The R2P report presents a number of non-force options that it recommends should be used prior to using force under the headings of commitment to prevention, early warning and analysis, root cause prevention efforts, direct prevention efforts and measures short of military action.
27. *Ibid.*, pp. 31-35, pp. 57-66.
28. Carl von Clausewitz, edited and translated by Michael Howard and Peter Paret. *On War* (Princeton: Princeton University Press, 1976), pp. 75-99.
29. Bernd Horn, ed. *Contemporary Issues in Officership: A Canadian Perspective* (Toronto: Canadian Institute of Strategic Studies, 2000), pp. 145-177.
30. Howard Adelman and Astri Suhrke, eds. *The Path of a Genocide: The Rwanda Crisis from Uganda to Zaire* (New Brunswick: Transaction Publishers, 2000), pp. 185-208.
31. LCol (Ret'd) Dr. Bill Bentley has updated the diagram presented in this paper and graciously agreed to loan his updated version to this paper.
32. Gregory Stanton, *Genocide Emergency: Darfur, Sudan*, at (<<http://www.genocidewatch.org/Never%20Again.htm>> : Genocide Watch, April 2, 2004) provides the report of Genocide Watch and its conclusion that genocide is taking place in Darfur.
33. William Schabas, p. 566. Article VIII of the convention calls upon "the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide". Chalk and Jonassohn, pp. 48-50. Canada ratified the Genocide Convention on 28 November 1949 and entered it into the Criminal Code of Canada in Bills C34 and C35 under Section 281.1 (1), (2), (3), (4).
34. Gregory Stanton, pp. 1-3.
35. United Nations, *Security Council Resolution 1564 dated 18 September 2004* (New York: United Nations Press, 2004), pp. 1-4.
36. Alex de Waal, *Who Fights? Who Cares? War and Humanitarian Action in Africa* (Trenton: Africa World Press, 2000), pp. 37-39, p. 42, pp. 45-46, pp. 49-50, p. 54, p. 56, p. 60, p. 69, p. 73. The author describes the genocides in the Sudan and the use of acts of genocide by the regimes in Sudan in conjunction with a wider examination of the phenomenon of genocide in Africa.
37. United Nations, *The United Nations in Rwanda 1993-1996*. (New York: The United Nations Press, 1996) 169-202. Document 19 in the Blue Book provides a copy of the Arusha Peace Agreement.
38. United Nations, *The United Nations in Rwanda 1993-1996*, pp. 217-220.
39. Roméo Dallaire with Brent Beardsley, *Shake Hands with the Devil: The Failure of Humanity in Rwanda* (Toronto: Random House, 2003), pp. 43-56.
40. *Ibid.*, pp.57-79.
41. *Ibid.*, 80-97. This chapter in Dallaire's book describes the lack of interest in Rwanda at the United Nations and the major lobbying effort that had to be made just to get approval for a minimally effective or, some might judge, an inadequate mission.
42. *Ibid.* Dallaire's conclusions on what was required in Rwanda can be compared with the requirements as articulated by two prominent African scholars: Josias Semujanga, *Origins of the Rwandan Genocide* (New York: Humanity Books, 2003) and Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda* (Princeton: Princeton University Press, 2001) which provide much deeper and more accurate analyses of the root causes of the Rwandan genocide and what measures needed to be taken to prevent or suppress it.
43. Michael Barnett, *Eyewitness to a Genocide: The United Nations and Rwanda* (Ithaca: Cornell University Press, 2002), pp. 49-73. Barnett was an academic on leave to the U.S. State Department and describes in these references the lack of interest in Rwanda and the restrictions placed upon the mission. Barnett offers an insider's view into the U.S. mission in New York and the internal workings of the United Nations Security Council and Secretariat before and during the genocide.
44. United Nations, *The United Nations in Rwanda 1993-1996*, pp. 221-233.
45. Roméo Dallaire, pp. 80-220. In these chapters Dallaire describes the ongoing "battles" with New York and with national contingents with the resulting failure of the mission not being operationally effective by 7 April 1994.
46. Linda Melvern, pp. 82-96, pp. 99-108. In these two short chapters, Linda Melvern provides a consolidated account of the efforts to act on informants' information which were denied by UN Headquarters in New York and the disastrous impact they had on the credibility of UNAMIR and in not deterring the extremists from initiating their genocide plan.
47. Roméo Dallaire, p. 333, p. 374, p. 395, p. 454, and Linda Melvern, pp. 176-196 both describe in detail the controversy over the use of the word genocide from the viewpoint of the mission, the media and non-governmental organizations. Barnett 130-136 describes the controversy over the use of the word genocide in New York at the Security Council.
48. Roméo Dallaire, pp. 271-327. This portion of Dallaire's book describes the back and forth negotiating between the mission at risk in the field and the headquarters in New York over reinforcements, mandate, logistics, and so on.
49. Michael Barnett, pp. 97-129. Barnett provides the inside account of the negotiating in New York on the future of UNAMIR and how the reduction of the force and the limitations on its mandate were conducted in New York.
50. Linda Melvern, pp. 1-4. Melvern describes the overt racism of the evacuation of expatriates, which abandoned Rwandans to their fate in the genocide. Roméo Dallaire, pp. 275-318 describes the capabilities and the potential of the International Intervention and the failure to use it to stop the genocide.
51. United Nations, *The United Nations in Rwanda 1993-1996*, pp. 268-269. Document 52 in the Blue Book is Security Council Resolution 912 dated 21 April 1994, which downsized UNAMIR to 270 troops and restricted its mandate to monitoring, acting as an intermediary to obtain a ceasefire and assisting in humanitarian relief operations. Authors Note: The mission was downsized but the withdrawal was halted by General Dallaire at 454 personnel on his own authority. His unilateral decision was never questioned by higher headquarters.
52. <<http://www.pbs.org>> 10/12/2004. *Frontline: Ghosts of Rwanda: Interview with Allison Des Forges*. Recent investigation of the Rwandan Genocide by one of the world's pre-eminent experts, has discovered that at a meeting of the extremist interim Government in Gitarama, based upon information received from their ambassador on the Security Council the decision was taken to use "the window of opportunity" presented by the lack of will in the international community to intervene to suppress the genocide in Rwanda, to expand and accelerate the genocide. In tragic irony, Rwanda assumed a rotating seat on the Security Council in January 1994 and appointed an extremist ambassador who was privy to all deliberations of the Council in regards to Rwanda during the genocide and passed on his assessments on the lack of will in the international community to the extremists in control of the genocide in Rwanda.
53. Human Rights Watch, pp. 595-691. In this examination, Alison Des Forges of Human Rights Watch describes in detail the failure of the international community in its use of non-battle pole means only to suppress the genocide.
54. Michael Barnett, pp. 130-152. Barnett provides his insider's account of the desire by willing nations to intervene but the denial of the mandate or the means by other powers particularly the United States.
55. Michael Barnett, pp. 130-152. The use of the term "acts of genocide" instead of genocide was a deliberate policy by the United States and others in order to avoid the requirement under the Genocide Convention to intervene. Samantha Power, pp. 345-389 presents an examination of the "politics" in Washington surrounding the U.S. policy not only not to intervene but also to actively thwart any other nation or groups of nations from intervening.
56. United Nations, *The United Nations in Rwanda 1993-1996*, pp. 277-284. Document 61 is the report of the Secretary-General explaining a plan for UNAMIR II including the deployment of a 5500 man force.
57. Roméo Dallaire, pp. 461-509 describes this period of waiting for UNAMIR II while the genocide continued until it was ended by the RPF victory on 17 July 1994.
58. Shaharyar Khan, *The Shallow Graves of Rwanda* (London: Tauris Publishers, 2001), pp. 196-208. Khan was the Special Representative of the Secretary-General for UNAMIR II, serving in Rwanda from July 1994 until the end of the mission in 1996. His book is an inside history of the mission at the end of and after the genocide.
59. Report of the International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda I. The report was entitled *Rwanda: The Preventable Genocide*, which is the meticulously substantiated conclusion of their investigation.