

Lessons from the Rwandan Genocide

David Scheffer

During the first Clinton administration, I served as senior adviser and counsel to Ambassador Madeleine K. Albright, the U.S. Permanent Representative to the UN and later Secretary of State. I worked mostly in the shadows of the bureaucracy and represented Albright and the U.S. Mission to the UN in meetings of the Deputies Committee of the National Security Council and in other Washington settings where foreign policy was crafted. I occupied a unique “insider” seat as events propelled policymakers into decisions that would have a lasting impact on world affairs. One such event was the Rwandan genocide during the second year of our watch.

Over a period of about 100 days commencing on 6 April 1994, an estimated 800,000 women, children, and men—mostly of Tutsi identity, but also moderate Hutus—were massacred. That averages 8,000 murders per day planned by top Rwandan government, military, and media leaders and carried out by thousands of machete-wielding Hutus. Such a phenomenon was unimagined at the time and remains almost surreal one decade later. If anyone had speculated that such a daily low-tech killing rate was even possible or probable, we would have thought the question absurd—even though there was some forewarning, which no one in Washington appeared to focus on or take seriously. As it turned out, no other atrocity quite compared to the intense savagery of Rwanda during this period.

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Resurgent genocide plagued the country side for years thereafter.

The United States failed to respond effectively to the genocide that engulfed Rwanda in 1994. For those of us in the policy rooms, the sickening memory of our timidity and detachment from the horror will never be extinguished. We owe the victims and their families our souls every day.

In a December 1997 speech in Addis Ababa, Secretary of State Albright acknowledged that, “we—the international community—should have been more active in the early stages of the atrocities in Rwanda in 1994, and called them what they were—genocide.” During the first visit of an American president to Rwanda in March 1998, President Bill Clinton echoed her remarks: “The international community, together with nations in Africa, must bear its share of responsibility for this tragedy as well. We did not act quickly enough after the killing began. We should not have allowed the refugee camps to become safe havens for the killers. We did not immediately call these crimes by their rightful name: genocide.”

The U.S. Response. How did this happen? We responded conventionally to an extraordinarily unconventional crisis and thus lost opportunities to reverse the tide of killings at the earliest stages. For several weeks into the genocidal rampage, diplomats viewed the situation in Rwanda as a two-sided conflict between the Hutu-dominated Government of Rwanda and the insurgent Tutsi-led Rwandese Patriotic Front. Both parties had signed the August 1993 Arusha Peace Agreement, with strong international involvement. Despite the tight implementation schedule, deadlines were missed, prompting

calls for speedier implementation. All eyes turned toward salvaging the Arusha agreement, and only later on body counts. The rising ethnic tensions ranked second to the imperatives of the peace accords, a process more comprehensible to diplomats than the labyrinths of ethnicity.

A better understanding of the region would have alerted us that the slaughter of an estimated 50,000 Tutsi and Hutu civilians in neighboring Burundi in 1993 could trigger further violence in Rwanda. The international community’s collective detachment from the reality unfolding in Burundi sent a strong signal to extremist Hutus in Rwanda that the shooting gallery was open, free of charge.

A shameful moment in my own experience occurred when I briefed congressional staffers, shortly after the killing of eighteen U.S. soldiers in Somalia in October 1993 had paralyzed Washington, and told them that our muted reaction to the massacres in Burundi demonstrated our reasoned approach to peacekeeping. We would not rush into each and every humanitarian catastrophe, I confidently reported. Burundi, then Rwanda, proved that point. Years later, when I visited a still-violent Burundi as U.S. Ambassador at Large for War Crimes Issues, I saw how mistaken we and the international community had been to react so meekly to the carnage there.

Constraints of Convention. The American, French, and Belgian governments, represented by their ambassadors to Rwanda, responded conventionally to the now famous cable of 11 January 1994 from Canadian General Romeo Dallaire, commander of the UN Assistance Mission for Rwanda (UNAMIR), to UN Headquarters. His cable reported information from a trusted source that Bel-

gian peacekeepers in UNAMIR would be provoked (to force their withdrawal), that men were being trained to kill Tutsis (at rates up to 1,000 Tutsis in 20 minutes),

assuming that once the Arusha accords were implemented, the killing would stop. U.S. officials continued trying to persuade political leaders to implement

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and that a major weapons cache had been created. UN Headquarters instructed Dallaire to discuss his concerns quietly with Rwandan President Juvénal Habyarimana. The three ambassadors accompanied Dallaire in jointly demarching Habyarimana on the need to disarm and dismantle the local *Interahamwe*, a militia allied to the regime. Dallaire and the ambassadors then waited futilely for the results of the president's inquiry into the reported arms caches. In hindsight, the joint demarche informed the planners of the genocide about UN and foreign concerns, thus achieving precisely the opposite of their intent. Habyarimana controlled the *Interahamwe*, and he may have been a coconspirator in the genocide plan. Therefore, expecting Habyarimana to report accurately on the arms caches and training missions was a mistake. But an unconventional approach to Dellaire's cable would have required the UN Security Council to act quickly, stand behind Dellaire, and empower UNAMIR to fully investigate and neutralize the arms caches.

Other warning signs met with conventional responses. Violence increased in Rwanda in February 1994. Several political killings occurred, each followed by isolated ethnic massacres. UN and foreign officials misinterpreted the signs,

the accords. No high-level meetings occurred in Washington to discuss any of these developments or to explore preventive actions.

By the end of March 1994, the killings had begun to poison the peace process. Diplomatic efforts to pressure clashing parties to resolve differences were faltering. Some speculated that a return to bloody ethnic conflict in Rwanda was possible, but no policy initiative resulted from that speculation. Washington and New York remained focused on the peace accords.

Before the Genocide. During these critical weeks before the genocide, the Security Council emphasized that support for UNAMIR depended on the implementation of the Arusha accords. UN, U.S., and other foreign officials used UNAMIR's imminent termination and possible renewal (in early April 1994) as leverage on the parties to seek a compromise. Such tactics were meant to send a strong political signal. In fact, they set the stage for the genocide plotters' aim: UN withdrawal.

While diplomats focused on the Arusha accords and UNAMIR, the real issue—growing political and ethnic tension—remained untended. The militias were becoming stronger and more belli-

cose. Newspapers and radio incited killings of Tutsis and UNAMIR soldiers. Rallies held by extremists went unreported. Tensions culminated in the downing of the plane transporting President Habyarimana on 6 April 1994.

The Response. In the early days of the genocide, governments were swift to evacuate foreign nationals and ill-equipped UN peacekeepers. That single objective swamped foreign policymakers, creating room for the *genocidaire* to carry out their macabre mission. The need to launch immediate planning for military and police intervention was critical. But it was delayed and obfuscated for so long it became useless. Reconciling conflicting priorities—evacuation of foreign nationals and forceful intervention in crisis planning—remains a major challenge for policymakers even today.

UN officials concluded soon after 6 April that if a ceasefire were not possible, UNAMIR and all foreign nationals should be evacuated. On 13 April 1994, UN Secretary-General Boutros-Boutros Ghali sent a letter to the Security Council essentially backing withdrawal of UNAMIR in light of Belgium's insistence on extracting its own peacekeepers, ten of whom had been killed and dismembered

political heat—to accomplish that task. There were enough voices within the U.S. government arguing that UNAMIR was inadequately mandated, trained, equipped, and staffed to respond effectively to the violence in Rwanda, that UN peacekeeping operations worldwide were already overloaded, and that UNAMIR could not satisfy new U.S. government criteria to guide UN peacekeeping deployments. The next step, key officials decided, was to support UNAMIR's withdrawal and thus accomplish what they had assumed was the UN Secretariat's genuine objective.

However, back in New York, non-aligned and African states voiced strong opposition to a complete UNAMIR withdrawal, quickly reversing the diplomatic gears. The remaining options were either to leave UNAMIR deployed temporarily in Rwanda (without the Belgians) or to reduce the mission to a small political presence. We later learned from a 14 April cable sent by Ambassador Chinmaya Gharekhan, an advisor to the Secretary-General, to Kofi Annan, then Undersecretary for Peacekeeping Operations, that "the Secretary-General 'at no stage' had recommended or favored withdrawal [of UNAMIR]." That Gharekhan had to emphasize this to Annan indicates

We responded conventionally to an extraordinarily unconventional crisis.

during the early hours of the genocide. Advance word of the letter influenced critical Washington discussions. We had been getting signals from New York that shutting down UNAMIR was unavoidable, and that a Security Council member would have to take the lead—and the

that earlier communications may have left the impression that the Secretary-General supported withdrawal. By then, however, Washington had moved solidly into the withdrawal column and instructed Albright. But the New York discussions quickly influenced views at the U.S. Mis

sion to the United Nations and, aided by Albright's advocacy to salvage UNAMIR, U.S. diplomats soon indicated that they could accept the option of a minimal UNAMIR presence. Following more Security Council deliberations, Albright voted on 21 April to adopt Resolution 914 to maintain a UNAMIR presence, but to reduce it to about 270 personnel. This was an embarrassingly small number of peacekeepers to deter further genocide, and the mandate did not presume that they could. It reflected political compromise within the Security Council. Unfortunately, U.S. credibility was already damaged—the view took hold that we supported abandoning the Rwandan Tutsis to genocide.

U.S. Peacekeeping Policy. The Clinton Administration's work on a new U.S. peacekeeping policy, known as the Presidential Decision Directive on Multilateral Peacekeeping Operations (PDD-25), was coming to closure by early April 1994. It deeply influenced our decision-making on UNAMIR. Many assume that the October 1993 events in Somalia prompted development of disciplined, limiting guidelines for UN peacekeeping operations. In fact, work on the guidelines began in February 1993 and was largely finished before the "Blackhawk down" incident. That costly battle, however, caused us to revisit the document for minor revisions and extensive consultations on Capitol Hill.

An unclassified version of PDD-25 was officially released in early May 1994. Its final wording had been completed and was known by U.S. policymakers as of early April. We were required to grant or deny U.S. support for UN operations according to the criteria laid out in the Directive. As one of the staff authors, I

was keenly aware of the document's use during the Rwandan crisis. In addition to the signals from UN officials, the criteria set forth in PDD-25 pointed us toward UNAMIR withdrawal because of its apparent inability to fulfill its mandate. PDD-25 criteria continued to dominate discussions over the next two months as UNAMIR's mandate and force levels were revised.

U.S. officials used PDD-25 considerably during and following the Rwandan genocide. That such criteria could overshadow humanitarian imperatives proved a catastrophe. Yet, the document recognized humanitarian catastrophes as a key basis for UN peacekeeping and required policymakers to consider the consequences of both deploying and *not* deploying a peacekeeping force. These criteria gained significance in later years. Some blame the document for having placed too many constraints on support for peacekeeping, and hence on confronting atrocities. At the time, however, the document was essential to sustain support from Congress and the Pentagon for *any* UN peacekeeping operation. The document's step-by-step approach to peacekeeping decisions had considerable merit, and the UN largely endorsed it through similar guidelines shortly thereafter. But, in its early days, conservative interpretations of the document had the perverse effect of straightjacketing policymakers, leading them to deny justifiable interventions or prevention when hundreds of thousands of innocent lives were at stake. We learned the hard way that PDD-25 needed to be flexible in its interpretation to take into account unique circumstances that may face the international community and besieged civilian populations.

The Need for Creative Response.

Hate radio was a critical weapon of the Rwandan genocide, used to stir up anti-Tutsi anger among Rwanda's Hutu-majority population. We were far too conservative in concluding, as our legal advisers did after the genocide began, that legal impediments to "taking out" hate radio transmissions were insurmountable. Hate radio was inciting the population to genocide in Rwanda. We should have silenced it.

We now know that extreme humanitarian catastrophes may require unorthodox responses and speedy and innovative policymaking. They also require that policymakers have the political will to act on the imperative of human survival. Atrocities do not wait for well-briefed discussions in regularly-scheduled meetings of top officials. Atrocities do not fit within rigid guidelines for policymaking. Atrocities, or their imminent launch, scream out for immediate, imaginative, and bold actions tailored to counter the threat. Timing is everything. The cost of mopping up far exceeds what is required to face down the masters of the killing fields. A good starting point for the United States would be granting more attention to global interests and strengthening the capacities of the UN, rather than focusing only on national interests.

Information Sources. Reliable information about atrocities can come from open sources, particularly non-governmental organizations and the media. Yet, policymakers remain wedded to intelligence information (or the lack of it). It matters whether your own personnel are in the region and filing reports. After the U.S. embassy in Kigali closed in early April, the U.S. govern-

ment for the most part could only monitor and analyze events from outside Rwanda's borders. With few exceptions, U.S. personnel did not enter Rwanda until July 1994, after the French-led Operation Turquoise had landed in southwest Rwanda. That long absence severely restricted what information could be obtained directly from official U.S. government sources. However, there is no doubt that U.S. officials should have reacted more dynamically to the considerable amount of information being reported in the media and by human rights groups, particularly during the critical early weeks of April 2004.

I deeply regret not emphasizing a late April 1994 report by the International Committee for the Red Cross stating that between 100,000 and 300,000 deaths had occurred in Rwanda. That was when the alarm bells should have finally rung to take forceful action and describe the killings as genocide. In Washington, there was a high-level decision on 29 April to seek a "genocide investigation" by the Security Council but there was no agreement to describe the situation there as "genocide." The next day, the Security Council approved a presidential statement (requiring consensus) that did not accept that characterization but instead requested the Secretary-General to investigate reports of serious violations of international humanitarian law. Although the United States was not alone on the Council in its reluctance to use the term "genocide" in the 30 April statement to describe the situation in Rwanda (as opposed to what needed to be investigated), not insisting that "genocide" be used at that critical moment was a tragic failure of American resolve.

Likewise, early efforts within the State Department to seek Secretary of State

Warren Christopher's approval to use the term "genocide" in public statements simply did not rise to the top of the "action" pile. During the genocide,

effectively, particularly when so many lives are at stake.

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numerous other critical foreign policy matters competed mightily for Washington's attention. This led to delay and weariness in addressing the Rwandan crisis, despite the obvious reality that something terrible was happening there. We were still reeling from the Somalia debacle, which heavily affected how U.S. policymakers viewed foreign engagements. Days were filled with meetings on China's human rights record and its most-favored-nation status, North Korean nuclear aspirations, atrocities and fighting in Bosnia-Herzegovina and Croatia, the new International Criminal Tribunal for the Former Yugoslavia, consultations with Congress about PDD-25 and its roll-out in early May, the Middle East peace process, refugee outflows from Haiti and possible military intervention, peacekeeping in Angola, and, on my desk, the UN International Law Commission's final draft of a statute for a new international criminal court. No high-level meeting on the Rwandan genocide took place until 29 April.

Lessons Learned. We learned, under the most horrific circumstances, that policymakers cannot permit other priorities and breaking events to distract them from responding swiftly to atrocities. Policymakers must handle multiple crises

acterize events in Rwanda has been criticized, with some justification. But it is also true that there is an obsessive tendency to use the word "genocide" to describe mass killings, even when the definition does not apply, and to blame Washington for encouraging genocidal behavior and evading international obligations when it delays using that term.

In fact, the UN itself refused to use "genocide" in connection to Rwanda until June 1994. As noted, U.S. officials first used the term "genocide" internally on 29 April to request a "genocide investigation" at the Security Council. It took State Department lawyers and experts several more weeks—far too long—to prepare a decision memorandum for Christopher, signed on 21 May, authorizing official reference to "acts of genocide" and that "genocide has occurred" in Rwanda. Unfortunately, we did not go public quickly enough. Indeed, the 21 May decision was prompted mostly by the need to have a position at the UN Commission on Human Rights, which was meeting soon to discuss Rwanda. Word of Christopher's decision apparently did not filter through the State Department, and in early June the official spokeswoman created unnecessary confusion when she dodged her way through questions from journalists, leaving the impression that we still had not

faced up to reality.

In hindsight, it would have been far better if the State Department had not sought to distinguish “acts of genocide” from “genocide,” a false distinction in most cases. The reference to “acts” simply refers to the actions set forth in the Genocide Convention of 1948 as constituting genocide when paired with the legal requirement of intent. Some policymakers may have erroneously thought that an acknowledgment of genocide would obligate the United States to respond militarily pursuant to the Genocide Convention, thus transforming the treaty into an intimidating bastion for inaction. The convention requires the United States, as a party, to “undertake to prevent and to punish” genocide but does not stipulate how it should do so. No government would have ratified the convention if its intent were to require, as a legal obligation, that all states parties deploy military forces to foreign territory to prevent genocide whenever and wherever it occurs. The response could be diplomatic, economic, juridical, or military in character. But a fair and

politically realistic reading of the Genocide Convention requires that states parties do something. The meager steps of the United States in the early stages of the Rwandan genocide were pathetic.

We learned that it is imperative for Washington to acknowledge early on if some combination of crimes against humanity, ethnic cleansing, or war crimes is occurring, and, if the emerging facts so warrant, that at least *indicators of genocide* are apparent. We should call such high-magnitude slaughters *atrocious crimes* very early and know they require urgent attention, from both Washington and the international community. The United States must not let the monstrosity and legal requirements of genocide intimidate its political will and overwhelm its capacity to identify atrocities, killing tens of thousands of innocent civilians in real time. Then we must react decisively, along with others, to prevent further mass killings and to punish the perpetrators.

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