

The International Response to Conflict and Genocide: Lessons from the Rwanda Experience

Synthesis Report

by

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Joint Evaluation of Emergency Assistance to Rwanda

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Preface

Within a period of three months in 1994, an estimated five to eight hundred thousand people were killed as a result of civil war and genocide in Rwanda. Large numbers were physically and psychologically afflicted for life through maiming, rape and other trauma; over two million fled to neighbouring countries and maybe half as many became internally displaced within Rwanda. This human suffering was and is incomprehensible. The agony and legacy of the violence create continuing suffering, economic loss and tension both inside Rwanda and in the Great Lakes Region.

For several years preceding the massive violence of 1994, the international community contributed to efforts to find a peaceful solution to escalating conflict and it provided substantial assistance to alleviate the human suffering. During the nine months of the emergency in 1994, April to December, international assistance for emergency relief to Rwandese refugees and displaced persons is estimated to have cost in the order of US\$1.4 billion, of which about one-third was spent in Rwanda and two-thirds in asylum countries. This accounted for over 20% of all official emergency assistance, which in turn has accounted for an increasing share, reaching over 10% in 1994, of overall international aid.

This growth reflects the worldwide proliferation in recent years of so-called complex emergencies. These tend to have multiple causes, but are essentially political in nature and entail violent conflict. They typically include a breakdown of legitimate institutions and governance, widespread suffering and massive population displacements, and they often involve and require a range of responses from the international community, including intense diplomacy and conflict resolution efforts, UN policing actions, and the provision of multilateral and bilateral humanitarian assistance by official and private agencies. A complex emergency tends to be very dynamic, characterized by rapid changes that are difficult to predict. Thus complex issues are raised regarding the timing, nature and scale of response. The Rwanda complex emergency shares all these characteristics and more.

Although some evaluations of international assistance for complex emergencies have been carried out, experience from the planning and execution of large-scale aid for relief, rehabilitation and reconstruction has not been extensively documented and assessed. Recognizing both the magnitude of the Rwanda emergency and the implications of complex disasters for constricted aid budgets, the Danish Ministry of Foreign Affairs, through its development cooperation wing, Danida, proposed a Joint Evaluation of Emergency Assistance to Rwanda.

This initiative resulted in the launching of an unprecedented multinational, multi-donor evaluation effort, with the formation of a Steering Committee at a consultative meeting of international agencies and NGOs held in Copenhagen in November 1994. This Committee¹ is composed of representatives from 19 OECD-member bilateral donor agencies, plus the European Union and the Development Assistance Committee (DAC) secretariat of the OECD; 9 multilateral agencies and UN units; the two components of the International Red Cross and Red Crescent Movement (ICRC

¹ Australia, Austria, Belgium, Canada, Denmark, Finland, Germany, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, United Kingdom, United States of America, Commission of the EU, OECD/DAC secretariat, IOM, UN/DHA, UNDP, UNHCHR, UNHCR, UNICEF, WFP, WHO, IBRD, ICRC, IFRC, ICVA, Doctors of the World, INTERACTION, Steering Committee for Humanitarian Response, VOICE. Several other countries supported the evaluation, but did not participate actively. France suspended its participation in the Steering Committee in December 1995. The cost of the evaluation has been met by voluntary contributions from members of the Steering Committee.

and IFRC); and five international NGO organizations.

Objective of the Evaluation²

The main objective of the evaluation is to draw lessons from the Rwanda experience relevant for future complex emergencies as well as for current operations in Rwanda and the region, such as early warning and conflict management, the preparation for and provision of emergency assistance, and the transition from relief to rehabilitation and development.

In view of the diversity of the issues to be evaluated, four separate evaluation studies were contracted to institutions and individuals with requisite qualifications in the fields of (i) emergency assistance planning and management; (ii) repatriation and rehabilitation of refugees; (iii) history and political economy of Rwanda and the surrounding region; (iv) institution and capacity building in development; (v) conflict and political analysis; and/or (vi) socio-cultural and gender aspects. Institutions and individuals were also selected for their proven ability to perform high quality, analytical and objective evaluative research.

The institutions and principal individuals responsible for the four reports are listed below. Space precludes listing all team members for each study, which ranged from four persons for Study I to 21 for Study III; in all, 52 consultants and researchers participated. Complete identification of the study teams may be found in each study report. Several of the studies commissioned sub-studies that are also identified in the respective study report.

Study I: Historical Perspective: Some Explanatory Factors

The Nordic Africa Institute (Uppsala, Sweden)
Tor Sellström and Lennart Wohlgemuth.

Study II: Early Warning and Conflict Management

Chr. Michelsen Institute (Bergen, Norway)
York University (Toronto, Canada)
Howard Adelman and Astri Suhrke.

Study III: Humanitarian Aid and Effects

Overseas Development Institute (London, United Kingdom)
John Borton, Emery Brusset and Alistair Hallam.

Study IV: Rebuilding Post-Genocide Rwanda

Center for Development Information and Evaluation,
– US Agency for International Development; Development Alternatives, Inc.;
Refugee Policy Group (Washington, DC, USA)
Krishna Kumar and David Tardif-Douglin.

Evaluation oversight was performed by the Steering Committee (which held four meetings between December 1994 and December 1995), and by a Management Group, comprised of one lead bilateral agency for each study: Study I: Claes Benedich, Sida, Sweden; Study II: Jarle Hårstad, Ministry of Foreign Affairs, Norway; Study III: Johnny Morris, ODA, United Kingdom; and Study IV: Krishna

² See Annex I for the full Terms of Reference.

Kumar, USAID/CDIE, USA; and Niels Dabelstein, Danida, Denmark as chair. The evaluation teams were responsible to the Management Group and the Steering Committee for guidance regarding such issues as terms of reference and operational matters, including time frames and budget constraints, and they were obliged to give full and fair consideration to substantive comments from both groups. The responsibility for the content of final reports is solely that of the teams.

The approach taken to this evaluation has reflected two concerns:

- " to try, through involving experienced outsiders, to examine as objectively and critically as possible an experience about which it is impossible for any person with humane values not to be deeply affected;
- " to engage leading Africans in a critical review of the analysis, findings and recommendations while they were still in draft.

For this last reason, a panel of distinguished experts from Africa has provided a critique of the report through participation in two panel discussions with the authors of the reports and selected resource persons. The panel comprised: Reverend José Chipenda, General Secretary, All–Africa Conference of Churches, Kenya; Dr. Adama Djeng, President, International Commission of Jurists, Switzerland; Professor Joseph Ki–zerbo, Member of Parliament, Republic of Burkina Faso; and Dr. Salim A. Salim, Secretary General, Organization of African Unity, Ethiopia. Also, Mr. Gideon Kayinamura, Ambassador of Rwanda to the UK; Ms. Julie Ngiriye, Ambassador of Burundi to Denmark; and Ms. Victoria Mwakasege, Counsellor, Embassy of Tanzania, Stockholm, made significant contributions through their participation in the December 1995 Steering Committee Meeting.

While the Steering Committee is particularly grateful to these African participants for contributing their wisdom and keen insights at one stage of the evaluation process, it is also acutely aware of the fact that African researchers and institutions were not, with the exception of selected sub–studies, involved in its execution. This omission constitutes a deficiency that cannot be rectified at this juncture. However, the Steering Committee is committed to disseminate the evaluation widely among African leaders and organizations and anxious that they participate fully in discussions about the evaluation’s recommendations.

The following resource persons have commented on drafts at various stages and/or participated in panels or workshops: Mary B. Anderson, Consultant, USA; Hanne Christensen, Independent Bureau for Humanitarian Issues, France; John Eriksson, Consultant, USA; Professor André Guichaoua, Université des Sciences at Technologies de Lille, France; Sven Hamrell, Dag Hammarskjöld Foundation, Sweden; Larry Minear, Humanitarianism and War Project, Brown University, USA; Professor Rodolfo Stavenhagen, Colegio de México, México; and Stein Villumstad, Norwegian Church Aid, Norway.

The Synthesis Report was prepared by John Eriksson, with contributions from the authors of the four study reports and assistance from Hanne Christensen and Stein Villumstad in the preparation of findings and recommendations.

This evaluation was initiated on the premise that in spite of the complexity and chaos that characterize Rwanda’s experience, it would be possible to identify applicable lessons to be learned by the

international community in attempting to respond to future complex emergencies and in its continuing attempt to help Rwanda rebuild its society. The international teams who have produced this evaluation believe they have identified such lessons. It will be up to the governmental and non-governmental leaders of the international community for whom this evaluation has been prepared to apply the lessons.

Niels Dabelstein

Chairman of the Steering Committee for
Joint Evaluation of Emergency Assistance to Rwanda

Introduction

Structure of the synthesis

The Synthesis Report is comprised of five chapters. The first four summarize the main themes, - issues and conclusions of each component study of the evaluation, beginning with an historical overview of the causes and development of the crisis in Chapter One; an analysis of early warning and attempts to contain the conflict in Chapter Two; an evaluation of the international humanitarian response in Chapter Three; and an assessment of the prospects for reconstruction and development in Chapter Four. These chapters have been prepared by the lead authors of the respective studies. Chapter Five presents main findings and recommendations addressed to members of the international community.

The fifth chapter as well as this introduction are based on the four study reports and also draw on contributions from the panel of African experts, the resource persons and members of the Steering Committee. The individual study reports contain more in-depth analyses as well as a number of additional conclusions and recommendations. Thus not every study recommendation is reflected in this volume. While the bulk of the issues addressed in the Introduction and Chapter Five come - directly out of the four studies, some are “cross-cutting” in nature, deriving from an overview of all four studies, or reflect the complementary perspectives of the African panel, resource persons and Steering Committee members.

The majority of the recommendations set forth in the last chapter are framed to be applicable to - future complex emergencies. In view of the continuing crisis in Rwanda as well as the grave situation in neighbouring Burundi, a number of the recommendations are also very relevant to the immediate future. Further elaboration is provided in Chapter Five.

The overwhelming reality of the genocide

The planned, deliberate effort to eliminate the Tutsi population of Rwanda that culminated in the - massive slaughter³ of April–July 1994 fully meets the definition of genocide articulated in the “Convention on the Prevention and Punishment of the Crime of Genocide,” adopted by the UN General Assembly in 1948 (see the summary of key articles of the Convention in Chapter One, below). In this evaluation, the overwhelming reality of the genocide soon became clear in ways that had not been envisaged at the outset. As a result, the approach of a traditional evaluation with emphasis on impact, efficiency and cost-effectiveness analysis was not always appropriate or sufficient, but had to be supplemented with qualitative analysis of cause-and-effect assessed in relation to contractual obligations or international legal norms. Similarly, the documentary research and, especially, the interviews and field work, repeatedly demonstrated how the genocide, its victims and its perpetrators, shaped the prospects for rehabilitation and recovery, probably for decades to come.

A basic premise of the evaluation was that it would yield applicable lessons for the international community, both in responding to emergencies and helping to rebuild societies. Despite the unique

³ References in the evaluation to numbers killed in Rwanda during this three-month period are expressed in terms of a range of five to eight hundred thousand. Single estimates that have some reasonable basis behind them fall within this range. Some estimates fall outside the range, but there are reasons to doubt their validity.

character of the Rwanda experience, it also shares many of the characteristics of other complex emergencies. An evaluation of this experience should therefore be able to frame recommendations that have relevance for complex emergencies more generally.

The dynamic nature of the crisis

The dynamic nature, unpredictability and complexity of the Rwanda crisis raise many difficult issues for the international community in terms of timing, nature and scale of response. For Rwanda, with almost two million refugees just outside its borders, the crisis is far from over. Most of the field research for this evaluation was conducted in the spring and early summer of 1995. Efforts have been made to update the field work findings through documentary research and long-distance communication. However, as the situation continues to evolve, there is an inescapable tradeoff between timeliness and completeness. There has already been sufficient experience regarding the response of the international community to yield findings with important implications for the future.

The range of responses to the Rwanda crisis may be categorized as follows:

- " the international community's responses to the civil war and the civil violence that preceded the crisis of April–July 1994;
- " the early warning information available to the international community about a likely genocide and reactions to such warnings;
- " the international responses to the genocide that started after the April 6, 1994 shooting down of President Habyarimana's plane;
- " the international humanitarian assistance to the survivors inside Rwanda and to the huge refugee communities in neighbouring countries;
- " the international assistance to repatriation and rehabilitation of refugees and displaced persons, and to recovery and reconstruction of the Rwandese government and society after the upheaval.

The continuation of the crisis has imposed a limitation for the evaluation with respect to this last category. A complete evaluation of the repatriation and rehabilitation experiences of refugees who fled from Rwanda in 1994 has not been possible. Most have resisted repatriation due to intimidation from camp leaders and the perpetrators of genocide, and out of fear of reprisals inside Rwanda. An assessment of the impact of assistance for recovery and reconstruction has not been possible - because until recently little of the pledged assistance had been committed and disbursed.

A related limitation is incomplete analysis of the important regional context. While account is taken of the recent evolution of the Rwanda crisis and its implications for the surrounding Great Lakes Region, neither the Synthesis nor the four studies have analyzed the situation in Burundi and the other Great Lakes countries sufficiently to provide a definitive assessment. Notwithstanding this deficiency, several of the recommendations set out in Chapter Five are believed to be relevant for the international community's response to the current crisis in Burundi and should receive urgent attention. These considerations are discussed further in the fifth chapter.

The audience: the international community

The audience for this evaluation is the “international community,” defined to include all those who are affected by, and/or respond to, a “complex emergency” (as defined in the Preface). This - includes governments, official international and inter-governmental organizations, non-governmental organizations (NGOs) and the components of the International Red Cross and Red Crescent Movement⁴. The audience includes such entities based in neighbouring countries, the region and the world-at-large. The governmental and official entities can be further differentiated as bilateral donor agencies; various elements of the United Nations; international financial institutions; and other inter-governmental organizations such as the OECD, the European Union and OAU. In addition to entities at the apex of bilateral and multilateral policy-making, such as foreign ministries and the UN Security Council and General Assembly, included are organizations devoted to such functions as the protection of human rights and refugees, to the provision of humanitarian emergency aid, and to longer-term development aid. Some organizations concentrate exclusively on one of these functions and others combine two or more functions.

The primary audience for the evaluation is the leadership and management of the above-mentioned entities who make decisions regarding responses to complex emergencies. In the last chapter of the Synthesis, recommendations are targeted to the greatest extent possible to specific entities for suggested follow-up responsibilities.

Some salient findings and issues

To set the stage for the following chapters, several significant findings and issues that emerge from the evaluation are set out below:

1. A complex, interacting combination of factors, some based in the history of Rwanda and others more proximate, contributed to the genocide in Rwanda.
2. There were significant signs that forces in Rwanda were preparing the climate and structures for genocide and political assassinations. However, people both in the region and the broader international community ignored, discounted or misinterpreted the significance of these signs, thereby not only indicating an unwillingness to intervene, but communicating that unwillingness to those who were planning genocide. Key actors in the international community thus certainly share responsibility for the fact that the genocide was allowed to begin.
3. Moreover, as it began, through hesitations to respond and vacillation in providing and equipping peacekeeping forces, the international community failed to stop or stem the genocide, and in this regard shares responsibility for the extent of it.
4. Thus the essential failures of the response of the international community to the genocide in Rwanda were (and continue to be) political. Had appropriate political decisions been taken early on, it is apparent that much of the humanitarian operation subsequently required would have been unnecessary. In effect, humanitarian action substituted for political action. Since key political issues have yet to be resolved, the crisis continues, as does the necessity for mas-

⁴ The components of the International Red Cross and Red Crescent movement include the International Committee of the Red Cross (ICRC) and the International Federation of Red Cross and Red Crescent Societies (IFRC) along with the National Red Cross and Red Crescent Societies.

sive allocation of humanitarian resources.

5. As the extent of flight of people from Rwanda became clear, the international humanitarian assistance system launched an impressive and, on the whole, effective relief operation. In spite of the extreme challenges of massive cross-border population movements, the international response saved many lives and mitigated large-scale suffering. Nonetheless, improved contingency planning and coordination, increased preparedness measures and adoption of more cost-effective interventions could have saved even more lives, as well as relief resources.
6. Several distinct factors shape the current prospects for Rwanda's recovery. These include the following:
 - a. Overt rearming and reorganization of the former leadership, military and militia in or beside internationally-supported camps in Zaire have posed a threat of war in the region for well over a year. However, with recent arrests of a number of former Rwandese government officials by Zairian authorities and proposed joint plans with UNHCR to begin substantial repatriation in the latter part of January 1996, a significant barrier to repatriation may be reduced. The inability or unwillingness of numerous refugees to return also results from insecurity, harsh detention and uncertain or conflicting government policy inside Rwanda.
 - b. While some donors have been quite forthcoming, the failure of the international community as a whole to provide adequate support for the government of Rwanda has also undermined future stability and development efforts. In particular, insufficient attention and resources have been given to the survivors of genocide and the war inside Rwanda.
 - c. An essential element of reconstruction in Rwanda must be the establishment of an effective system of justice through which perpetrators of genocide are held, and seen to be accountable and punished, thus thwarting the "culture of impunity" that has been allowed to persist over the decades by Rwandese governments and by the international community.

The return of pre-1994 refugees, many of whom left Rwanda after the 1959 "social revolution," - raises serious problems regarding property, land use rights and other requirements for their successful economic and social integration. These issues and those surrounding successful repatriation of the 1994, "new caseload" refugees, weigh heavily on the government.

- d. Real and lasting resolution of problems in the Rwandese political arena will be achieved only in the broader context of:
 - (i) the creation of a domestic inclusive political system that reflects the underlying principles of the Arusha Accords, and
 - (ii) the Great Lakes Region, itself confronted by similar issues, especially in Burundi, where politically motivated violence has created an explosive situation that threatens regional security and stability.

Chapter 1

Historical Perspective: Some Explanatory Factors⁵

The purpose of Study I, which this chapter summarizes, is to present a historical background to the developments in contemporary Rwanda that culminated in the genocide beginning in April 1994. The study relies on available written materials supplemented by interviews with established scholars on Rwanda (both Rwandese and foreign).

The review of this historical background has not led to any easy answers or to pinpoint one or two ultimate reasons for the tragic events. On the contrary, it has rather led to the conclusion that recent events result from a cumulation of events of the past, with one factor forming a building block for the next, and all actors and factors interrelating and interacting.

However, this summary is used to highlight a few specific developments in Rwanda's history that we think have been of decisive importance, and need to be understood in order better to comprehend what led to the tragedy in 1994 and what is going on in Rwanda today. We think that they are all important and hesitate to stress one more than the other. The scholarly debate on Rwanda has often been "reductionist", trying to establish whether one or the other factor has been more important – a debate that has helped to clarify the different standpoints, but has led to little conclusive result. The aspects to be stressed are:

- 1) **The build-up of indigenous social and political structures towards the end of the pre-colonial period**, in particular under the reign of the Tutsi king Rwabugiri during the second half of the 19th century. Rwabugiri's administration (1860–1895) imposed a harsh regime on the formerly semi-autonomous Tutsi and Hutu lineages, confiscating their lands and breaking their political power. Rwabugiri amplified feudal labour systems, in particular the uburetwa, i.e. labour in return for access to land, a system that was restricted to Hutu peasant farmers while exempting Tutsi. He also manipulated social categories, and introduced an "ethnic" differentiation between Tutsi and Hutu based on historical social positions. Polarization and politicization of ethnicity thus began before the advent of European colonialism.
- 2) **The German colonial (1899–1916) and Belgian trusteeship (1916–1961) policy of indirect rule**, favouring the strengthening of Tutsi hegemony and resulting in a political and administrative monopoly in the hands of the aristocratic Tutsi overlords of the Nyiginya clan from the 1920s. Under the influence of the so-called hamitic thesis, this policy culminated in 1933 with the introduction of compulsory identity cards, reinforcing and accelerating the late pre-colonial process towards a separation of Tutsi and Hutu (and Twa). From then on, all Rwandese had to relate to "their" respective ethnic group, which in turn determined avenues and fortunes in society. Under European colonialism, a policy of "ethnogenesis" was actively pursued, i.e. a politically-motivated creation of ethnic identities based on socially-constituted categories of the pre-colonial past. The minority Tutsi became the haves and the majority

⁵ This summary of Study I, Historical Perspective: Some Explanatory Factors, was prepared by Lennart Wohlgenuth and Tor Sellström.

Hutu the have-nots.

- 3) **The abrupt change by Belgium only some 25 years later**, when – under the influence of the general decolonization process in Africa, the build-up towards political independence in the Congo (Zaire) and in a belated attempt to redress past injustices – the colonial administration (and the Catholic church) shifted support from the minority Tutsi to the majority Hutu. This eased the way for the so-called peasant, or Hutu, revolution of 1959–61, through which Rwanda underwent a profound transition from a Tutsi dominated monarchy to a Hutu led independent republic in less than three years. The replacement of one political elite by another introduced a new dimension of political and social instability and a potential for future ethnic violence. The events of 1959–61 also forced tens of thousands of Tutsi into exile in neighbouring countries, from where groups of refugees began to carry out armed incursions into Rwanda, sowing the seeds of the country's ethnically-defined refugee problem.
- 4) **The Rwandese society developed over the centuries into a remarkably organized state, with a high degree of authoritarian social control from the centre**, largely due to extreme population pressure, in addition to complex agricultural production systems and competition for land between crop-farmers and cattle-owners. This was not only the case with the core Tutsi-dominated pre-colonial feudal kingdom (i.e. excluding the northern and south-western areas of present Rwanda) in which a vertical chain of command through layers of chiefs regulated the economy and the life of peasants through various social contracts – but also during the German and Belgian administrations, through which a policy of indirect rule continued, and strengthened, the control from above.

What is important in the context of this study is, first, that the highly-organized and centralized Rwandese state formation over the years constrained the scope for the emergence of non-governmental organizations and independent interest groups. Political parties did appear on the scene towards the end of the 1950s, but on the whole the development of an independent, NGO-based civil society has been largely dwarfed by the state. Thus, along with the oppression and exploitation of Rwandese women farmers – who carry out most of the agricultural work and become physically drained through constant pregnancies – there are, for example, in male-dominated Rwanda only a few associations of rural women to voice their interests.

Second, – and most importantly – the political culture of centralized social control has facilitated policies aiming at mobilization or manipulation of the rural people, for peaceful as well as violent purposes. Subjugated receivers of instructions from above and without means to disobey, the peasant population has largely joined campaigns launched by the government, whether the essentially constructive umuganda labour regime from the mid-70s or the later - fatally destructive interahamwe militias.

- 5) **Increasing intra-Hutu tensions – mainly between groups from the northern Gisenyi and Ruhengeri regions and those from the rest of the country** – developed during the First and Second Republics (1962–1990) and came to form an important factor underlying the cleavage between Hutu in the 1990s. In addition to competition over political spoils, at the core of this division is the historical fact that the northern Hutu were independent until the first decade of the 20th century, when they were militarily defeated by combined German and Tutsi-led southern Rwandese troops. To this day, the northerners form a distinctive Hutu sub-culture in

which the awareness of a pre-Tutsi past is more pronounced than in other parts of Rwanda. President Habyarimana's informal council – or akazu; constituted around his wife and brothers – in law represented this independent Hutu tradition, deeply suspicious of any reconciliatory gestures towards the exiled Tutsi community and, therefore, also essentially hostile to the Hutu political groups favouring a dialogue with the Tutsi-led Rwandese Patriotic Front (RPF). The slow and often flawed democratization process in 1990–94 was to a great extent due to this intra-Hutu division. The akazu was also behind the genocide from April 1994, preparing the tragic events through instructions to presidentially appointed bourgemestres (mayors), building up the interahamwe militias and mobilizing the Burundian Hutu refugees who poured into southern Rwanda after the assassination of the Burundian Hutu president Ndadaye in October 1993.

- 6) **The economic slump starting in the late 1980s and the effects of the actions subsequently taken by the government in consultation with the international donor community, i.e. the structural adjustment programmes of 1990 and 1992.** The economic deterioration, largely due to a sharp decline of world market prices for coffee – Rwanda's prime export earner – as well as to unfavourable weather and economic policies such as increased protectionism, price controls and other regulations, affected the whole society. In US dollar terms, GDP per capita fell by some 40 percent over the four years 1989–1993. The slump hit the Rwandese peasantry particularly hard. Combined with the effects of the civil war from October 1990, continued demographic pressure on available resources and decreasing agricultural yields, the economic crisis introduced yet another element of stress and instability into the Rwandese political and social fabric. The international community, including the World Bank and the International Monetary Fund, overlooked these potentially explosive social and political consequences when designing and imposing economic conditions for support to Rwanda's economic recovery.
- 7) **The refugee crisis, starting in 1959 and developing into a constant political and social problem throughout the history of independent Rwanda.** Tens of thousands of Tutsi in several waves from the Hutu revolution onwards were forced into exile in neighbouring countries. Largely due to the intransigence of the Rwandese Hutu-led governments regarding their demands to return, and to the unwelcoming policies of some of the host countries, the exiled Tutsi communities became over the years increasingly militant. In turn, this led to the creation of the Rwandese Patriotic Front (RPF), the military attack on Rwanda in October 1990 and the ensuing civil war.
- 8) **The two-generations-old unsolved issue of impunity for genocidal and other violent crimes in Rwanda is of crucial importance in this context.** The International Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the United Nations General Assembly in 1948, confirmed by the International Court of Justice in 1951 and ratified by Rwanda in 1975, stipulates that persons committing genocide shall be punished, “-whether they are constitutionally responsible rulers, public officials or private individuals”. In addition to the crime of genocide as such, punishable acts according to the Convention are conspiracy to commit genocide, direct and public incitement to commit genocide, attempt to commit genocide and complicity in genocide. In Rwanda, those who over the years have been responsible for ethnic mass killings have not, however, been brought to justice. For the psychological health of the people, and the political health of the country, the crimes must be addressed. If a culture of impunity is allowed to continue, the spiral of violence seems almost

bound to be repeated in the future.

- 9) **Linked to the problem of impunity is the legacy of fear that exists in the Rwandese social fabric as a result of repeated mass killings since 1959**, and which has its origins in the process of ethnogenesis and division between privileged Tutsi and under-privileged Hutu during the colonial period. With the creation of the ethnicity issue followed a social construct of Tutsi superiority and Hutu inferiority, contempt and mistrust, which ultimately permeated the entire society and developed into a culture of fear. It largely contributed to the outburst of violence at the time of Rwanda's independence, when the tables were turned and the fear among the majority Hutu gave way to a fear among the minority Tutsi. Since then, it has been repeatedly exploited for purposes of political manipulation.
- 10) **Developments in Rwanda are, finally, closely related to developments in the Great Lakes region**, comprising Rwanda, eastern Zaire, Uganda, north-western Tanzania and Burundi. This is the historical region of the Banyarwanda, i.e. the people who speak the language of Rwanda, Kinyarwanda, and who throughout modern history share a common heritage. It was violated by European powers, who at the turn of the century divided the region and the people into Belgian, British and German colonial dominions, with far-reaching consequences for later, including the most recent, events. Thus regional political, economic, social and cultural dynamics – taking the form of, among other things, cross-border flows of refugees, weapons, ideas and fears – must be borne in mind when considering solutions to Rwanda's problems, as well as the problems of – above all – Burundi and Zaire. If not, the ghastly events in Rwanda in 1994 could easily draw the entire region into similar, or still greater, human tragedies.

All these factors, sometimes fuelled and sometimes constrained by interventions from the international community, led to the political manipulation of ethnicity in the 1990s, which in turn led to the genocide from 6 April 1994. This study of the history of Rwanda will hopefully help the reader to understand that the causes of polarized ethnicity are not easily defined. On the one hand, the conclusion should not be drawn that such ethnicity stems only from differences based on ancestry, culture or social position. As shown in the full report of Study I, the complexity of the pre-colonial society was such that differences could just as well be explained by lineage, clan, occupation, class etc. On the other hand, neither can the conclusion be drawn that the contemporary antagonistic cleavages along ethnic lines are attributable solely to specific events during the colonial period, nor in the period thereafter. There are no simple answers. The present can be explained only as a product of a long and conflict-ridden process, in which many factors contribute to the total picture.

Chapter 2

Early Warning and Conflict Management⁶

Study II, which this chapter summarizes, examines the effectiveness of international monitoring (early warning) and management of the Rwanda conflict. Using the techniques of critical policy analysis, the study weighs the formulation and execution of policies against their stated objectives as well as accepted international norms for the behaviour of states and organizations. The research is based on a number of sub-studies, secondary sources (books and articles by academics and journalists, media studies, reports, etc.) as well as considerable primary data collected through interviews and document searches in the UN system (New York and Geneva), the NGO community, and visits to national capitals in Europe and North America (Paris, Rome, Brussels, London, Washington and Ottawa), and in Africa (Nairobi, Kigali, Kampala, and Dar-es-Salaam).

The study begins with the refugee problem prior to 1990, follows the civil war, then covers the build-up to the coup on 6 April 1994. The following 10 weeks are traced to understand the tardy international response to the genocide of more than a half a million persons mainly belonging to the minority Tutsi community, but including moderate Hutu political opponents of the regime. The concluding historical analysis reviews the security issues of the refugee camps in Zaire and the displaced persons camps in the south-west corner of Rwanda.

Actions and reactions in the developing conflict

By failing to deal with the festering refugee problem prior to 1990, both the Rwandese and the Ugandan governments set the stage for future conflict. Although the issue of Rwandese refugees in Uganda defied easy solutions, opportunities that existed remained unexplored or were not aggressively pursued. With the exception of Tanzania, the regional states were either indifferent or part of the problem. States further afield showed little interest. UNHCR was overburdened, understaffed, and lacked political or economic leverage to develop the requisite pressure to help resolve the issue, which, at that time, seemed minor in the global scale of refugee problems.

However, the refugee problem was becoming explosive. The build-up of tension leading to the 1990 invasion by the Rwandese Patriotic Front (RPF) forces was accompanied by many tell-tale signs, but was inadequately monitored. When the invasion was a fait accompli, however, it caused considerable international concern and reaction, both in the region and in Europe. France and Zaire came to the aid of the Rwandese government. Other actors, including Belgium, the OAU, and key regional states initiated diplomatic efforts to defuse the conflict.

One source of concern related to the principles at stake. The RPF forces who attacked across the border from Uganda consisted not only of refugees invoking their right of return, but constituted a significant segment of the army of Uganda. The invasion violated basic norms designed to ensure

⁶ This summary of Study II, Early Warning and Conflict Management, was prepared by Astri Suhrke and Howard Adelman.

stability in relations among states; these are particularly well-developed in African regional international law. Moreover, those who undertook the early diplomatic rounds recognized that the ethno-political situation in the Great Lakes Region was delicately balanced, had recurringly exploded in Rwanda and Burundi, and could do so again.

The initial diplomatic efforts eventually led to the Arusha peace talks, initiated and led by the OAU and Tanzania. The process received considerable international attention and support and resulted in a comprehensive settlement. The United Nations assumed formal responsibility for overseeing the implementation of the Arusha Accords, but failed, however, to make adequate use of the OAU and local African states in this regard. As a consequence, there was a disjuncture between the mediation and implementation phases that contributed to undermining the Accords.

From 1990 onwards, civil violence against the minority Tutsi community and regime critics gradually escalated. Observers commonly linked the violence to the civil war, either as retaliatory measures or as warnings to the advancing RPF forces. However, two authoritative reports – one by an independent International Commission of Inquiry, and another prepared for the UN Commission on Human Rights – suggested a more radical and comprehensive design that foreshadowed events to come. Both reports determined that the killings were genocidal in nature and that existing authorities were substantially involved. As the war continued and the outlines of a peace formula took shape, additional reports indicated that Hutu extremists were organizing and arming themselves to derail the peace process and massacre “internal enemies”. The creation of documented structures of violence (death squads, death lists, and, later, hate propaganda inciting violence) provided warnings of a potential genocide.

The UN Commission on Human Rights took little notice of its own report. Except for pointed diplomatic protests by Belgium, the findings of the international human rights inquiry were mostly filed away in national ministries and the UN system. With the partial exception of Canada, no state observed the recommendation to impose strict human rights conditionality on aid transfers. Some states were indifferent, others were concerned but concluded that the ongoing democratization process and the peace talks required their continued economic and political support, particularly since the peace agreement under negotiation would produce a new governmental structure that it was hoped would address human rights abuses. In this way, donors became hostage to their own policies.

Human rights organizations and states were also at odds on the issue of arms supplies. In 1992 and 1993, the former recommended that states (France and Uganda were obvious targets) cut off all arms supplies to the parties in the conflict. France openly defended its role and the right of a sovereign state to support a beleaguered friendly government. Uganda denied any involvement in helping the rebel army, yet its territory constituted the rear base for the RPF forces.

Would aid conditionality and an international arms embargo in the 1990-93 period have defused the conflict and prevented the genocide? Effective use of human rights conditionality is difficult, requiring fine-tuned and timely intervention. Arguably, there were windows of opportunity, particularly in mid-1992, when more pressure could have been put on the Habyarimana regime to deal with the extremist forces as well as the critical issue of impunity. Also military assistance (direct and indirect) to the Rwandese protagonists could have been calibrated better with the continuing peace process, particularly in dealing with the central issue of extremist forces who opposed the Arusha process and resultant Accords.

Though such speculations are debatable, firmer conclusions can be drawn about what did happen. By not standing firm on human rights conditionality, donors collectively sent the message that their priorities lay elsewhere. By permitting arms to reach the Rwandese protagonists, the possibilities for demilitarizing the conflict were reduced. Arms supplies reinforced the determination of both parties to seek a military and forceful solution to a political conflict. They strengthened the RPF's ability to advance militarily. They permitted the government to equip and expand its armed forces as well as para-military units, both of which became involved in the genocide.

When, as a result of the Arusha process, the Hutu extremists were excluded from the key instruments of the Broad Based Transitional Government (BBTG) and marginalized in the political process, alternative strategies were not developed to defang those extremists. The UN force (UNAMIR) sent to oversee the implementation of the peace agreement was given a mandate tailored to a classic, minimalist peacekeeping operation. Yet the force faced a situation considered by many – including some of those who planned the operation – as dangerously unstable. As the architects of the Arusha Accords had foreseen, conditions in Rwanda suggested a mandate with broader powers to protect civilians and seize arms caches. Further, the UN Security Council established a force that was structured and financed to satisfy a cost-conscious United States, increasingly unwilling to support UN peacekeeping, rather than to meet the needs on the ground. The force was inadequately supported and slowly deployed relative to the need for speed – considered essential to maintain the peace process – though relatively rapidly given the normally cumbersome UN procedures. The operation had no flexibility to respond to changing circumstances, in particular those – caused by the crisis in neighbouring Burundi in October 1993.

In the months immediately preceding the genocide, many additional signs indicated that the implementation of the Arusha Accords was faltering and that massive violence was being planned. The air was full of extremist rhetoric on radio, in public rallies and at official cocktail parties. There were assassinations and organized violence. Detailed intelligence reports were passed to New York and the Belgian military authorities by the unofficial UNAMIR intelligence unit documenting the military training of militias, hidden arms caches, and plans for violent action. Unequivocal warnings reached the UN Secretariat in January regarding a planned coup, an assault on the UN forces to drive them out, provocations to resume the civil war, and even detailed plans for carrying out genocidal killings in the capital. The cable was placed in a separate Black File, designed to draw attention to its content, and circulated to several departments in the UN Secretariat. However, senior officials in the Secretariat questioned the validity of the information and made no contingency plans for worst-case scenarios. Similar intelligence failures were evident on the state level, particularly in France and Belgium, both of which had a considerable capacity for overt and covert information gathering in Rwanda at the time.

Thus pieces of information were available that, if put together and analyzed, would have permitted policy-makers to draw the conclusion that both political assassinations and genocide might occur, and that the scale would be different from past patterns (1959–1963; 1991–1993) of “just” hundreds or thousands of victims. Yet this analysis was not done. Although some had available fragments of prescient and significant information, the enormity of the genocide took virtually all by surprise. The failure to anticipate planned and targeted mass murder was particularly significant given the political commitment and actual involvement of the UN in Rwanda, the legal right and moral obligation to act to prevent genocide according to the Genocide Convention, and the enormous cost of a miscalculation.

While mandated to help implement the peace agreement, the UN made no preparations to deal with a breakdown of the Accords, except to withdraw. Nor were there contingency preparations to deal with the plans to scuttle the Accords or the massive violence plotted by the extremists. Generally, the UN Secretariat interpreted UNAMIR's mandate and terms of engagement narrowly, and on several occasions denied the Force Commander permission to search for and seize arms caches. When developments in early 1994 further eroded the peace accords, the Secretary-General and the Security Council threatened to withdraw the UN force, hence strengthening the hands of the extremists. No member of the Security Council came forward to suggest a different course of action. On the contrary, the Council kept UNAMIR on a tight leash with only a three months' authorization, accompanied by admonitions of caution and cost-cutting.

Crisis and response

In the months before the crisis struck, UNAMIR's presence contributed to a false sense of security in Rwanda. When events came to a head on 6 April, the UN collectively failed. There was an absence of leadership at UN headquarters in New York. The Secretary-General, travelling at a brisk pace through Europe, misread the nature of the conflict. The understaffed and overstretched Department of Peace-Keeping Operations seemed paralyzed. In the Security Council, the killing of 10 Belgian peacekeepers created a political surge to withdraw, although this was not recommended by UNAMIR's Force Commander nor African countries contributing troops. Information on the genocide under way was already available when the final decision was made to reduce the force drastically.

Once the direction and magnitude of the genocide became undeniable, the UN reversed itself and accepted an obligation to protect civilians. However, the realization of this peacekeeping mission (UNAMIR II) was hampered by the unwillingness of key members to pay for or provide troops, and to match troops with equipment in an expeditious manner. The force was deployed only after the genocide and the civil war had ended.

France's role in Rwanda was significant but marked by multiple contradictions. While warning the Security Council in early 1993 that massacres were a real possibility, France supported a regime that was deeply compromised by human rights violations. France urged the UN, rather than the OAU, to take the lead in monitoring and implementing the peace agreement, but subsequently did little to support UNAMIR I. Nor did France pledge support for UNAMIR II, even though the French Foreign Minister was the first cabinet member of a government holding a permanent seat on the Security Council to identify the massacres as genocide (16 May 1994). With the aid of some of its African ex-colonies, France subsequently undertook a unilateral intervention, Operation Turquoise, endorsed by a Chapter VII Security Council resolution. The action saved many lives and undoubtedly prevented an additional mass outflow of refugees from the south-west of Rwanda, but came very late – two and a half months after the genocide commenced and when the civil war was almost over. Further, the intervention was open to misinterpretation, and did not serve to disarm the extremists or prevent suspected organizers of the genocide from escaping.

After massive numbers of refugees, retreating government forces, and the assumed perpetrators of the genocide crossed into Zaire and Tanzania in April–July 1994, UNHCR warned the UN in New York about the attendant security problems in the refugee camps. The Secretariat took the unprecedented step of examining the issue in a peacekeeping context, but the Security Council proved unsupportive. After significant delays, the problem fell back into the hands of UNHCR, which -

resorted to a novel and reasonably effective solution to police the refugee camps. The arrangement did not and could not deal with the broader security threats posed by the existence of militarized communities in exile, and this problem was left to fester.

The large concentrations of internally displaced persons in south-west Rwanda presented a domestic version of similar problems. These came to a head when the Kibeho camp was closed in April 1995. The operation resulted in the killing of large numbers of men, women and children, mostly by Rwandese government forces firing on IDPs, but also by extremists within the camp. The disastrous outcome notwithstanding, the coordinated efforts that went into the planning of the Kibeho operation by UN agencies, NGOs and the new Rwandese government were steps in the right direction. Although the execution was faulty, the faults were not inherent in the decision-making model of coordination, which could be utilized in the future. Similarly, the arrangement for providing security for refugees in Zaire exemplifies a workable solution to a difficult problem.

During the whole conflict, but especially after the coup on 6 April, the overall failure of the media to report accurately and adequately on a crime against humanity significantly contributed to international disinterest in the genocide and the consequent inadequate response.

Early warning

Whatever the failures in media coverage, prime responsibility for the failure to read the signals and to respond adequately cannot be placed on the media. Why were the signals that were sent ignored? Why were they not translated into effective conflict management? Failures of early warning are attributable to many factors. The UN was poorly organized to collect and flag information about human rights violations and certainly genocide. There was a failure in both the UN system and the NGO community to link human rights reports to dynamic analyses of social conflict so as to provide strategic policy choices. There existed an internal predisposition on the part of a number of the key actors to deny the possibility of genocide because facing the consequences might have required them to alter their course of action. The mesmerization with the success of Arusha and the failure of Somalia together cast long shadows and distorted an objective analysis of Rwanda. The vast quantity of noise from other crises preoccupied world leaders. The confusion between genocide as a legal term, referring primarily to an intent, and the popular association of genocide with massive murder in the order of hundreds of thousands, created confusion. Finally, a general desensitization developed with respect to mass slaughters, and the possibility of a massive genocide actually occurring seemed beyond belief.

Major states with the capacity to monitor and anticipate the crisis were either not interested, or, if interested, were unwilling to undermine a friendly government. In such a situation, international organizations exist in part to pick up the slack, but neither the UN nor the OAU did so in the Rwanda case. The UN had poorly-developed structures for systematically collecting and analyzing information in a manner relevant to preventive diplomacy and conflict management. The newly formed inter-agency arrangement for early warning (HEWS) was oriented mainly towards humanitarian operations; it was not equipped to detect or analyze political and military warning signals. Within the Secretariat, information collection and policy analysis was divided among the DPA, DPKO and DHA. There was also a disjuncture between information collection, analysis, and the development of strategic policy options. Thus DPA was assigned the responsibility for monitoring - events in the region, but not for developing related strategic policy options. One of the most significant sources for early warning, the UN human rights monitoring system, was not part of the information-gathering structure in the Secretariat and, arguably, became isolated from the decision-

making process. In the field, the UN had no formal capacity for collecting intelligence; nevertheless, UNAMIR, through the initiatives of both the Canadian Force Commander and the Belgian Kigali-sector Commander, succeeded in running minimalist, if irregular, intelligence operations. The other main organization concerned – the OAU – had virtually no capacity at all for early warning data collection and policy analysis.

The shortcomings of early warning in the Rwanda case go further. The issue is not better quantitative data or formal modelling. More simply, the UN lacks a system for drawing on existing information sources, in the region and outside, from specialists in state agencies, academic institutions, rights monitoring agencies, and the various agencies of the UN itself. The UN lacks a specialized unit, without operational responsibilities, for analyzing such information and translating that analysis into evolving strategic options that can be channelled directly to the Secretary-General. Both the UN and NGOs failed to relate human rights monitoring to analysis of the development of social conflict and, hence, to assess the direction of events. When the UN became involved in a peacekeeping mission, the monitoring of political developments was not linked with contingency preparedness. Without contingency planning, the UN was left with a short time-frame and few resources to respond to sudden changes in the situation. This point is critical for two reasons: even under the best of circumstances, it is impossible to pinpoint specific future outcomes of complex social conflict; secondly, the absence of contingency planning limits both what the decision-makers will hear and the options they are willing to consider.

Despite the shortcomings of early warning, at the critical stage the relevant actors dealing with Rwanda knew that the situation was unstable and dangerous. Yet the sustained and careful attention so necessary to successful conflict management was lacking. In part, early action is problematic and preventive diplomacy is inherently difficult because outcomes are uncertain, reflecting the typical complexity of cause-and-effect relations in social conflict. Moreover, policy-makers who are continuously faced with actual crises are disinclined to pay attention to hypothetical ones, even though experience tells us that “prevention is better than cure”. The lack of international investment in early conflict regulation signified a more fundamental disinterest in Rwanda. The UN Security Council authorized only a minimalist peacekeeping force, and the Secretariat insisted that UNAMIR maintain a low profile. When the crisis struck, and it became clear that massive genocide was under way, there was still no effective international action.

Conflict management

Throughout, some individual and collective actors did the most with the least under difficult or adverse circumstances. Human rights NGOs monitored the situation. Tanzania struggled to turn the Arusha process into effective preventive diplomacy. UNAMIR I tried to function proactively – despite tight reins prior to 6 April; many remaining units – along with the ICRC – bravely sought to save civilians once the killings started.

This could not compensate, however, for the overall failure of the international community to attempt to prevent or stop the genocide, or its very inadequate efforts to mitigate it. In one sense, the inaction can be seen as a result of the propensity of states to be guided by narrow self-interest – rather than moral obligations to uphold international norms of justice. However, this propensity has historically varied over time and place; its prominence in the Rwanda case, therefore, requires additional explanation.

No state involved in the conflict happened at the time to have the optimal combination of interest,

capacity and neutrality that could have generated appropriate early warnings and translated them into conflict-mitigation strategies. More fundamentally, the Rwanda conflict occurred in a period when the United Nations was acting in an expansive yet highly selective fashion, reflecting a structural mismatch between the responsibilities of international institutions and interests of states in the post-Cold War world.

Revitalized by the end of the Cold War, the UN in the 1990s rapidly expanded its peacekeeping operations throughout the world. Rwanda was added to the list in October 1993. However, the framework for peacekeeping was set by the distribution of power in the Security Council, which represented the world as it was half a century ago. Apart from France, the major powers on the Council were uninterested in a small Central African country that was marginal to their economic or political concerns, and peripheral to international strategic rivalries. By their power of veto and finances, the Permanent Five controlled the peacekeeping and enforcement operations of the UN. The only state with a demonstrated ability to energize the Council in a crisis – the United States – was haunted by memories of Somalia and determined not to get involved in another African conflict. It was also preoccupied with crises elsewhere, especially in Bosnia and Haiti. The lack of interest in Rwanda on the part of the major Western states left France to define a large part of the policy field; the result was to magnify the consequences – negative as well as positive – of unilateralism.

Within the UN system as a whole, there was no locus for assessing key policy questions. How, for instance, can the democratization process be promoted without exacerbating ethnic and regional tensions or creating excuses for human rights violations? How are extremists to be controlled? Moreover, there was too little effort at policy coordination when opportunities appeared.

The rationale for UN peacekeeping is that it provides a neutral force, independent of partisan interest. However, partisan interests can provide motivation and energy to be directed at a problem when a commitment to conflict resolution per se is lacking. This is the conundrum. Without either kind of interest, the UN as a collective actor was unable to mount an adequate peacekeeping force expeditiously and cut through the byzantine problems endemic to UN peacekeeping. The mix and match system of deployment was slow and inadequate. Lacking a powerful patron in the Security Council, the Rwandese operation was subject to cumbersome and bureaucratic procedures that involved delays and inflexibility, and gave insufficient autonomy to the leadership in the field.

The international community might have responded better had the early warning systems generated a clearer anticipation of forthcoming events. On the other hand, conflict management is a function of interest and capacity, not only to ensuring that information is collected and communicated, but to react. In this respect, regionalism appears as a critical and positive force that was not sufficiently recognized or utilized. Structures of conflict resolution and peacekeeping could have been strengthened by more involvement of regional and sub-regional actors – the OAU and the sub-regional grouping of the states in the Great Lakes area – in the decision and management structures. After all, these actors had definite interests in the conflict and a critical stake in the outcome. Strengthening regional mechanisms for conflict resolution and peacekeeping will require financial support from richer states since most of the world's conflicts occur in regions where the parties have the fewest resources to deal with them.

The consequence of these cumulative fault lines in the international system was an inability to stop or significantly mitigate a genocide of immense proportions.

Chapter 3

Humanitarian Aid and Effects⁷

Scope and method

Study III, which this chapter summarizes, examines the provision of humanitarian aid and physical protection by the international community in response to the Rwanda crisis. It combined a detailed technical assessment of the principal sectors and phases of the response with an attempt to draw out the principal conclusions and policy lessons from the experience. The period covered was broadly that from April 1994 until late 1994 for operations inside Rwanda, but for refugee operations in Tanzania and eastern Zaire it extended to July 1995. Humanitarian operations prior to April 1994 were described but not evaluated and insecurity in Burundi and the limited time available resulted in refugee operations in Burundi not being evaluated. Time pressures also obliged the study to focus on the main refugee concentrations in Ngara, Goma and Bukavu. Consequently, refugee movements into Karagwe in Tanzania and Uvira in Zaire were not considered.

The study was undertaken by a team of 21 people, representing eight nationalities and a wide range of backgrounds and experiences. Initial consultations with key UN agencies, the International Red Cross and Red Crescent Movement and NGOs began in January 1995. A reconnaissance mission by five Team members to the Great Lakes region was undertaken in April and the principal block of fieldwork by more Team members was undertaken during June and July. Within the Great Lakes - region a total of 235 donor, UN, NGO and government personnel were interviewed and approximately 140 beneficiaries of assistance. These were complemented by interviews with 245 personnel of donor organizations, UN agencies and departments, the International Red Cross and Red Crescent Movement and NGOs in Europe and North America and a document collection that eventually exceeded 2,000 items. A database to enable analysis of financial flows during 1994 was - created, and two sub-studies on the 1994 dysentery epidemic and UK TV coverage were commissioned.

Overview of humanitarian relief operations

The protection and humanitarian crisis of 1994 did not begin with the shooting down of the Presidential plane on 6 April, but was preceded by at least three and a half years of developing operations inside Rwanda and in neighbouring countries within the Great Lakes region. By mid-1992, for instance, attacks by the RPF in the north of the country and ethnic violence and insecurity elsewhere had created 200–300,000 IDPs. Following the February 1993 advance by the RPF, this number increased sharply to perhaps 900,000, though, by the end of the year, 60% of these had returned to their homes. Large-scale relief operations were mounted, particularly by the ICRC and the Rwandese Red Cross and WFP undertook a massive airlift of food that transported twice the tonnage carried by the 1994 airlift operations. In October 1993, the attempted coup and subsequent wave of ethnic violence in Burundi resulted in the death of 50,000 to 100,000 and an influx of - almost 700,000 refugees to neighbouring countries, principally southern Rwanda and eastern Tanzania. Documentation reviewed by the study indicated that the international community's - response to the refugees in eastern Tanzania was poor and exceptionally high rates of mortality were experienced as a result of the combined effects of inadequate water and sanitation, food

⁷ This summary of Study III, Humanitarian Aid and Effects, was prepared by John Borton.

supplies and health care. For those who moved into Rwanda the response was better as relief agencies involved in the IDP Programmes were able to rapidly divert personnel and resources to the Burundian refugees.

The events that followed 6 April were an extraordinary human tragedy consisting of genocide and civil war that caused the violent death of between 500,000 and 800,000 people, the movement of over two million Rwandese into neighbouring countries and the temporary displacement of well over one million people inside Rwanda. This study estimates that approximately 80,000 people died in the refugee and IDP camps in Zaire, Tanzania and inside Rwanda during 1994, principally from cholera and dysentery. This figure would probably exceed 100,000 among Rwandese refugees in Burundi and Rwandese outside the IDP camps if data were available for these populations.

It is highly significant that the number who died as a result of causes that could be considered avoidable (had the humanitarian response been more effective), was several times lower than those who died as a result of the genocide and conflict. The critical failings in the international - community's overall response, therefore, lay within the political, diplomatic and military domains - rather than the humanitarian domain. Had the international community responded more effectively in the months prior to, or in the days immediately following, the shooting down of the Presidential plane on 6 April, many, perhaps most, of those who died would probably have survived and much of the massive expenditures on the provision of humanitarian assistance been unnecessary.

Over the period April to December 1994, approximately US\$1.4 billion was allocated by the international community to the response. Of this amount, approximately 85% was from official sources with the remainder being provided from private sources. By a substantial margin, the European Union (principally ECHO) and the US Government (USAID, Department of Defense and the State Department's Refugee Bureau) were the largest official sources of funds, accounting for 50% of total allocations. Approximately 50% of the total allocations were expended by, or channelled - through, UN agencies, with just two agencies, UNHCR and WFP, accounting for over 85% of these. A substantial proportion of the resources channelled through these two agencies were allocated onwards to NGO implementing partners. The Red Cross Movement accounted for 17% of all flows.

At least 200 NGOs were involved in the response, but estimation of their relative role (i.e. their - direct contributions and as partners to UN agencies) proved difficult as a result of inadequate data and an incomplete response to a questionnaire survey undertaken by Study III. It was clear though that many NGOs played critical roles and that overall NGOs formed an important part of the - response.

Main findings

The response contained many highly commendable efforts, notably: the initial response in Ngara; the impressive performance of UNHCR Emergency Response Teams in Ngara and Goma; the work of ICRC inside Rwanda, mainly between April and July 1994, particularly in the field of protection of survivors and with its hospitals in Kigali and Kabgayi; and the courage and commitment shown by UN, ICRC and NGO personnel in extremely difficult and often dangerous situations. Widespread starvation did not occur. For the refugees and many of the IDPs the food aid supply - system, dominated by WFP and to a lesser extent the ICRC, was vital to their survival and performed well. Given the magnitude and scale of the population movements and the distance of the beneficiary populations from coastal ports, this was a substantial achievement. For the non-dis

placed population within Rwanda the combination of a good crop and the dramatic reduction in population meant that locally-available foods were comparatively plentiful.

Humanitarian operations in Kigali and in FAR-controlled areas after 6 April were severely constrained by the high levels of violence. Only ICRC (with MSF support) and the UN Advance Humanitarian Team were able to operate in Kigali and, though valuable, the volume of humanitarian assistance and protection they were able to provide was limited. The critical need was for security and physical protection, which the much-reduced and ill-equipped UNAMIR force was unable to provide, though it did succeed in protecting perhaps 25,000 threatened civilians. Between April and the end of June, only ICRC, CRS/Caritas and to a lesser extent WFP were able to provide humanitarian assistance in the south and west of the country, though again, the volume was severely limited. In the RPF-controlled areas in the north and east, ICRC, UN agencies and NGOs had greater access and were able to deliver quite substantial volumes of assistance, though their freedom of operation was closely controlled by the RPF and many agencies were not allowed to remain inside Rwanda overnight.

The French-led Opération Turquoise that pushed into western Rwanda on 22 June and then concentrated on the creation of a so-called Safe Zone in the south-west remained in the country for two months. The operation protected approximately 14,000 threatened civilians within Rwanda and the improvement in security in the south-west enabled a dramatic increase in humanitarian assistance activities by the three agencies that operated during the April-June period to at least 15 agencies by August. Such efforts served to spread out over a longer time period the number of displaced Rwandese crossing into Bukavu and to limit their eventual number. Had this not been done, it is highly likely that the mortality rates experienced in Bukavu would have been much higher.

Despite this, judgements of the benefits of Opération Turquoise have to be highly qualified. By concentrating forces in the Safe Zone after the end of June the operation

- " greatly increased the likelihood of an RPF advance in the north-west and thus of a massive refugee influx into Goma;
- " did not provide the security necessary for humanitarian agencies to operate freely in the north-west and respond to the needs of the large and growing number of IDPs there;
- " diverted attention of donor organizations, UN agencies and NGOs to the needs of IDPs in the south-west at a critical juncture for those in the north-west.

The positive contribution of Opération Turquoise in reducing and spreading out the movement of IDPs into Bukavu has to be balanced by the fact that the several hundred thousand Hutu who were encouraged to remain in IDP camps in the Gikongoro area presented the new government and the UN with an extremely difficult problem. Though the majority were eventually returned to their home communes, several thousand IDPs were killed at Kibeho camp in April 1995. The south-west has arguably remained the most insecure area of the country.

The response of humanitarian agencies to the needs of those concentrated in IDP camps in the Gikongoro area was initially slow as a result of: the reluctance by some NGOs to be closely identified with the French military; the time needed to establish operational capacity in the area; the focus of international attention during July and August upon the situation in Goma; and a lack of techni-

cal coordination capacity at field level. The initial lack of food and water and inadequate sanitation resulted in very high rates of dysentery in many of the camps and the death of perhaps 20,000 IDPs.

Because of the insecurity inside Rwanda and the access problems facing not only humanitarian agencies but also the international media, the large-scale movement of Rwandese into neighbouring countries enabled readier access, at the same time as creating substantial humanitarian needs. The international response to the first major influx, that of almost 200,000 into Ngara District at the end of April, which was led and closely coordinated by UNHCR, was highly impressive. Substantial loss of life was avoided.

However, despite the initial successes and the continued impressive performance of most agencies working in Ngara, the programme has remained fragile as a result of a number of factors. Unlike Goma and Bukavu, where the initial influx was not followed by new arrivals, refugees have continued crossing into Ngara. The refugee population in Ngara District in May 1995 was 500,000 – double that of May 1994. Consequently, the situation has never quite stabilized and agencies have been continually needing to increase the scale of their programmes. Another factor contributing to the post-emergency situation in Ngara was that from mid-July onwards the focus of international attention moved to Goma, resulting in the transfer of resources and personnel away from Tanzania. The water sector was one where the initially impressive emergency response was not maintained; on a per capita basis, the amount of water available to refugees by June 1995 was less than half that of July 1994.

Factors contributing to deterioration have been the constantly expanding refugee population, deterioration of emergency boreholes that were not designed or equipped for long-term service, and a lack of investment in more sustainable supply systems. Initial expectations that the refugees would repatriate, the high capital costs involved in developing sustainable supply systems and the government of Tanzania's reluctance to see investments that seemed to confirm that the refugees would be in the country for a long period, have all served to deter the necessary investments.

The number moving into Bukavu during July and August was approximately 300,000. The influx was not as intense as the initial influxes into Ngara and Goma and, because of the lack of camp sites for them to immediately move to, the town effectively served as a huge temporary transit camp until UNHCR, NGOs and the local authorities were able to identify and open new sites. A combination of the continued operation of the municipal water system, substantial levels of initial assistance from the people and local agencies in Bukavu, and the fact that many refugees arrived with disposable assets (much of it looted on leaving Rwanda), meant that disease outbreaks were limited and substantial loss of life did not occur. This result is somewhat paradoxical, because of poor overall coordination and because Bukavu received substantially less financial and human resources than were being deployed to Goma.

The Goma influx

The influx into Goma was of unprecedented scale and rapidity: in the space of just five days - between the 14th and 18th of July, approximately 850,000 refugees crossed into Goma town and at points further north. The capacity of the agencies present in Goma was quickly overwhelmed - despite an unprecedented and rapid response. Within the first month approximately 50,000 refugees died as a result of a combination of cholera, dysentery, dehydration and violence. Given the massive scale of the influx, many deaths were likely and the fact that there were not substantially more is a credit to the agencies involved in the response.

The study assessed the performance of the system both in terms of providing warning of the event and in preparing for a large influx. This assessment identified a fundamental weakness within the humanitarian system in that it did not possess a mechanism for monitoring and analyzing information to provide warning of population movements that was either sufficiently integrated or capable of gathering information in areas that were poorly covered by relief agencies. UNREO and its daily Sitreps came closest to performing such a role, but UNREO's capacity directly to collect information was wholly inadequate and it had to rely heavily on relief agencies in different locations providing it with any monitoring that they were carrying out. The reduced UNAMIR force was not able to monitor the situation in the north-west and the system was therefore reliant upon the ICRC operating out of Goma, whose monitoring of the build-up of IDPs was confined to the area around Ruhengeri, though within this area there were already 250,000 IDPs by early June. It was not until the first week of July, when an Oxfam Assessment Mission visited the area between Ruhengeri and Gitarama, that information became available on IDPs in this area. The Oxfam Team "discovered" - another 200,000 and also estimated that another 300,000 were moving westward, following the RPF capture of Kigali.

UNHCR had deployed a substantial Emergency Response Team to Goma in April but, with the influx into Ngara, part of the Team was redeployed in early May. At the end of June, just two weeks before the influx, the remainder of the team was withdrawn and the Sub-Office in Goma - reduced to a staffing level that the Acting Head of the Sub-Office termed "skeletal". Following the Ngara influx the agency had begun contingency planning measures in early May that had included the build-up of stockpiles of non-food items in Amsterdam for 500,000 refugees. The team in Goma had begun preparing a Contingency Plan for North Kivu that used a planning figure of 50,000. Identification of a contingency site was hampered by the reluctance of the local authorities to consider the possibility of a large influx. The difficulties of making adequate preparations in Goma, coupled with the fact that the Goma airport was able to cope with heavy-lift aircraft, appears to have led UNHCR to rely more on its ability to respond rapidly by air rather than on the ground preparations, such as local stockpiling. This relative emphasis on rapid response rather than on-the-ground preparedness may also have reflected the agency's conception of the term "preparedness", which traditionally within UNHCR has effectively meant "contingency planning aimed at facilitating a rapid response once an influx occurs". This more narrowly conceived than that used by other UN agencies.

The North Kivu Contingency Plan was finalized in the third week of June. Follow-up on the numerous action points by UNHCR Headquarters and the (much reduced) Sub-Office in Goma to convert the plan into reality was slow. Staff were severely over-stretched and a rapid sequence of events in the three weeks following the finalization of the Plan, including the RPF capture of Kigali and the creation of the Safe Zone in the south-west, generated additional work. Consequently, the contingency plan was not "ready-and-waiting" for an influx of even 50,000 by mid-July.

During June sufficient evidence was available from two sources, the ICRC Sub-Delegation in Goma and the figures being used by an inter-agency contingency planning process led by UNREO, to warrant a substantial increase in the planning figure. Poor relations between the ICRC Sub-Delegation and the UNHCR team in Goma appear to have prevented the ICRC estimate of 250,000 IDPs around Ruhengeri reaching the UNHCR Team. The UNREO-led process was - initially taken seriously by UNHCR and the agency went to considerable lengths to ensure that a critical meeting in Nairobi was attended by key staff from Geneva and Goma. However, the meet-

ing ended before it had considered the implications of the various scenarios and despite UNHCR requesting that the meeting resume the following day (a Saturday) this was not supported by representatives of other UN agencies present. After this fiasco, key UNHCR personnel do not appear to have taken the UNREO-led process seriously and the final document, which included a “worst case” scenario of large numbers of displaced moving into eastern Zaire and Burundi, was not copied to the UNHCR Team in Goma. The coincidence between the completion of the UNREO-led process and UNHCR’s North Kivu contingency plan with the start of Opération Turquoise was unfortunate as the French operation quickly altered the situation and dynamic of the conflict. As noted earlier, the concentration of Turquoise upon the Safe Zone in the south-west had a critical impact on the outcome in the north-west.

In the event, the fall of Ruhengeri and the sudden increase of civilians and FAR military moving towards Gisenyi coincided with a joint DHA, UNHCR, UNICEF, IOM and UK-ODA assessment mission into the north-west that resulted in the first steps in mobilizing a major relief effort. Thus UNHCR took the decision to deploy a new Emergency Response Team the day before the start of the influx and, with the exception of a Water and Sanitation Coordinator, the full team was deployed within the next few days.

The scale of the response to the crisis in Goma was extraordinary. Prompted by intense media coverage of the influx and the subsequent cholera outbreak, the international community poured assistance into the area. The response involved not just the usual UN agencies and NGOs, but also civil defence and disaster response agencies from within donor countries, several military contingents providing support to the humanitarian activities and a large number of comparatively inexperienced NGOs. Assessed overall, the results were impressive. The speed with which water was supplied to most camps, health care facilities established and general ration distributions initiated was commendable.

However, there were several aspects of the response where performance of the system was less impressive and the performance of some agencies was poor. Almost all the non-food assistance arrived by air and so management of the airlift and the limited capacity of the airport became a critical constraint. UNHCR played a central role in the management of the airlift operation using the Air Operations Cell in Geneva, which had been established two years previously to coordinate the Sarajevo airlift. It appears that the Air Operations Cell had difficulty adjusting to a multi-destination operation (Bukavu and Kigali were served as well as Goma), and several agencies complained that the airlift had been treated as a UNHCR airlift and not as a common resource for all agencies. Cargoes arriving did not always conform to the priorities established in the field, though this may have owed more to donors sending whatever was available rather than what had been requested. There is ample evidence also that the airlift, or at least substantial components of it, such as the US Air Force operation out of the Entebbe AirHead, continued for several weeks longer than was required.

Coordination of the arrival of critical inputs was not impressive. For instance, while the ability to pump water from Lake Kivu was quickly increased by a US private company supported by the US military, the arrival of water tankers to transport it, particularly to the spontaneously settled camp at Kibumba, which had no water sources, took much longer. Similarly, given the hard volcanic rock in the area, a critical need was for heavy equipment to construct access roads into the camps to enable the siting of health facilities and water storage and distribution systems. However, as a result of commitments by the US Army not being implemented and faulty information flows between Goma

and the US Army base in Germany, it was not until the end of September that the heavy equipment capability was substantially increased.

The level of violence within the camps was extremely high, with one estimate based on a retrospective survey in one camp suggesting that 4,000 refugees died as a result of violence at the hands of the militia, undisciplined Zairian soldiers and other refugees. The high levels of insecurity in the camps directly affected the effectiveness of the relief efforts as most foreign personnel were unable to remain in the camps overnight and the ability of medical personnel to maintain continuous care of patients was hampered. The performance of the Zairian authorities and the international community in addressing the violence was also unimpressive. The fact that Western military contingents were in Goma to assist with the relief efforts but were not mandated to address the problem of insecurity in the camps appeared illogical. It was not until March 1995 that a satisfactory solution was implemented involving a contingent of the Zairian Presidential Guard, paid and equipped by UNHCR, and supervised by an international monitoring team.

Many of the military contingents, civil defence and disaster response organizations that worked in Goma did so in response to a UNHCR request to donor governments to provide eight "Service Packages". This was a relatively new concept devised as a means of rapidly increasing management and implementation capacity within the system, and the intention was that individual governments - should assume responsibility for entire packages. The results were very mixed, with several governments providing capacities that were broadly similar, leading to coordination problems. Within the critical water sector, for instance, there was confusion between the respective roles of the US military, the German agency Technisches Hilfswerk (THW) and Oxfam. At one point Oxfam was - informed by UNHCR Headquarters that the US military was responsible for the whole sector and that the very substantial outlays by Oxfam would not be met by UNHCR.

Principal policy conclusions

The close relationship between the level of security and the effectiveness of humanitarian assistance highlights the need for coherence in the strategies adopted by the political/military and humanitarian domains. However, the Rwanda crisis has been characterized by the lack of a coordinated political strategy within the international community for "managing" the crisis. Differences between key members of the UN Security Council and governments of neighbouring countries in terms of their attitude towards the RPF and the former government and an apparent inability to confront and overcome these differences appear to have been responsible for the lack of a coordinated political - approach. Despite this lack of an agreed framework, donor countries were prepared to allocate substantial resources, particularly in the second half of 1994, to humanitarian assistance programmes. This readiness with which the international community appears prepared to fund humanitarian assistance programmes contrasts with the lack of concerted efforts to devise coordinated political solutions to the crisis.

In the absence of a coherent political approach, it seems that humanitarian agencies, encouraged by the new government and certain Western political leaders, developed and pursued strategies, such as encouraging the early repatriation of the refugees, that attempted (but failed) to substitute for political solutions to the crisis. In a society that had just experienced genocide, apparently carried out by a substantial proportion of the society, the approach adopted by key elements of the international community of reintegrating Hutu refugees into Rwanda was unrealistic and broadly unsuccessful. Reports or events that questioned the new government's commitment to respecting human rights and threatened to undermine these strategies were suppressed or played down in pub-

lic, though some governments did press the human rights question in private. Despite the massive loss of life and the expenditure of enormous sums of money, an estimated 1.8 million Rwandese - remain in camps outside their country and many observers expect the civil war to be resumed at some point. A solution remains distant.

The Rwanda case demonstrates the need for much closer linkages between humanitarian and political policies in the principal donor countries and the UN system and also with the neighbouring countries and regional bodies such as the OAU. The creation of task forces or contact groups composed of key interested parties may serve to encourage closer linkages.

The response was resourced through a variety of mechanisms but ultimately donor organizations and donor governments accounted for the bulk of the resources provided. The extent to which funding was reactive to events was striking. There was a marked contrast in resource availability - between the "tap-on" period from mid-July to September, when funding appeared limitless, and other periods, when it was less readily available. The factors contributing to this reactive characteristic are many and their relationship complex. Media coverage and the concern of almost all organizations (donor organizations and the military as well as NGOs and UN agencies) involved in the - response for "profile" and "visibility" were clearly significant. What was clear from the study is that the way the system was resourced was sub-optimal, limiting the effectiveness of the response and substantially increasing eventual costs. Preparedness and contingency planning were not encouraged, a position not helped by variations in conceptualization of preparedness between agencies and donors. Investments that would have yielded substantial savings, such as opening road routes and increasing the capacity of low-cost railway routes, were not made. While donor organizations did provide some "up-front" funding this was quite inadequate in the face of such a large and highly dynamic emergency and in some cases did not even reach the levels previously agreed by donor organizations.

Foreign military forces were heavily involved in the response, with some contingents concentrating solely on provision of security, others concentrating solely on provision of relief assistance or providing support to relief agencies and several other contingents mixing these two roles. For those contingents providing relief assistance and/or support to relief agencies, logistics support (airlifting, trucking, etc.) formed the bulk of the military contribution, though several were involved in intermediate services (water production, laboratory services) and in the actual delivery of assistance to the affected population. Generalizations about the performance of the military are difficult, particularly when they were involved in such a wide range of roles and information on their impact and cost was so limited. The performance of those contingents assessed was very mixed, with some performing critical roles well while others performed poorly in key sectors and thereby reduced the effectiveness of the overall response. Information on costs that could be compared to commercial or NGO activities was difficult to obtain apart from air-lifting, where commercial companies proved considerably more cost-effective. The Rwanda experience suggests that though the military may be able to fulfil a useful role in extreme situations, their comparative advantage is often of short duration and restricted to very particular situations. Their use may be questioned from several stand points, including their predictability, effectiveness, cost and ability to participate collaboratively in operations involving several agencies and numerous NGOs.

The study reviewed available studies on the impact of the large refugee populations upon their host communities and complemented these with additional but still limited investigations. It found that - within the neighbouring countries there were gainers as well as losers, with the losers often being

those communities in the immediate vicinity of the refugee camps, though farmers were able to take advantage of cheap labour and the gainers often being those involved in supplying goods and services to the camp populations. The international community's mechanisms for compensating the local populations for the detrimental effects on their assets, livelihoods and environment were found to have been inadequate, with losers having to wait long periods before being compensated. In several cases the level of services available to refugees after the initial emergency period exceeded those available to the local population. Actual and perceived differences contributed to resentment - towards the refugees within the host community. In the case of Tanzania these may have contributed to the government's closure of the country's borders with Burundi and then Rwanda during 1995.

The response involved an unprecedented number of agencies and organizations and this must have increased overall costs and the difficulties of ensuring a coordinated response. The unprecedented number of NGOs involved reflects not only a genuine and widespread desire to provide assistance but also the reality that participation in large scale, high profile relief operations has become an important factor in the formation and development of NGOs. The performance of many NGOs was highly impressive and many cooperated closely with each other. However, there were numerous examples where this was not the case. Some NGOs sent inadequately-trained and -equipped personnel, some undertook to cover a particular sector or need and failed, and others were unwilling to be coordinated. The conclusion drawn by the study is that the current mechanisms for ensuring that NGOs adhere to certain professional standards are inadequate.

Approximately 50% of total resources allocated during 1994 were expended by or channelled through the UN system, with WFP and UNCHR accounting for 85% of these. With so many UN agencies, NGOs and other organizations involved in the relief operations, there was a critical need for a strong capacity at the centre to provide leadership and overall coordination. In regard to refugee operations, UNCHR came close to fulfilling such a role by virtue of its clear mandate, support from host governments (particularly in the case of Tanzania), highly-competent technical coordination personnel, and control over a significant proportion of the funds available for agencies and NGOs responding to the refugee problem - in large part due to a bold decision by ECHO to channel all its funds for refugees through UNHCR.

However, coordination arrangements in relation to other areas and levels of the system were less satisfactory. The fact that the roles of the SRSG, the UNAMIR Force Commander and the Humanitarian Coordinator/Head of UNREO were limited to operations within Rwanda hampered coordination between the policies and operations inside Rwanda and those relating to refugees in neighbouring countries. Within Rwanda UNREO performed several useful functions, though it suffered as a result of its ad hoc status and lack of clarity over its relationship to DHA and UNDP, its relationship with operational UN agencies and its relationship to the SRSG. In addition it did not have adequate resources and some of its personnel (many of whom were UNDP and seconded NGO personnel), lacked emergency coordination experience. Consequently its role was limited, principally to that of information sharing. At the préfecture level within Rwanda, UNREO's Field Offices provided a useful forum for information sharing among NGOs, but technical coordination was the responsibility of other UN agencies such as UNICEF, WHO and FAO. As a result of their initial concentration on developing the capacity of the new government in Kigali, the provision of technical coordination in the south-west with its 300,000 IDPs was slow.

As well as supervising UNREO, DHA undertook a wide range of coordinating actions spanning

from the initiation and leadership of the UN Advanced Humanitarian Team to coordination of Consolidated Appeals and the chairing of the Inter-Agency Standing Committee. Whilst assessment of the effectiveness of such non-operational coordination is difficult, it was clear that DHA was substantially more effective in providing coordination than it had been during the Somalia operations in 1992 when DHA was created. Nevertheless, it was apparent that DHA experienced substantial institutional and financial obstacles and faces continuing uncertainty over its future. By virtue of its lack of control over the funding of UN agencies and ambiguity over its representation in the field, it was unable, despite the best efforts of its personnel, to provide strong leadership and directive coordination. As a result of all the above difficulties in the area of coordination, and the dominance in resource terms of WFP and UNHCR, Study III concluded that the term “hollow core” was an apt characterization of the humanitarian relief system during the response.

The performance of WFP and UNHCR, the two largest agencies within the UN humanitarian system, was of critical importance to the overall response. Though the Team was impressed by many aspects of the performance of the two agencies, the relationship between them was subject to unproductive tensions stemming from the division between them of the general ration supply/distribution chain. Despite development of a detailed Memorandum of Understanding between them, these tensions persist and are likely to continue, given their different perspectives on the same problems and the inherent difficulty of splitting such a critical function between the two largest agencies. One aspect of this split is that accountability is diluted as each may shift the burden of responsibility for problems encountered onto the other. Such tensions resulted in unnecessary expenditures and reduced the effectiveness of their combined actions.

Another principal conclusion drawn from the Study is that the present accountability mechanisms - within the humanitarian aid system are quite inadequate. The Team found remarkable variation in the amount and quality of information on the situation in a given area depending on the agencies involved. Thus for some areas, especially the refugee camps, detailed information on morbidity and mortality was readily available whereas inside Rwanda such information was extremely patchy. In part this reflected UNHCR's clear coordination role in relation to refugees and the presence of highly-competent technical coordinators, in contrast to the unclear responsibilities inside Rwanda and the lack of technical personnel within UNREO. Thus large parts of the response could not be properly assessed, either because information on process and impact indicators was not available or it had been collected differently by different agencies. This is an unsatisfactory state of affairs. While accountability to donors is important, it should not be forgotten that relief agencies should also be accountable to the populations they are seeking to assist. The Team was struck by the very limited attempts by agencies to obtain the views of beneficiaries on the assistance they were provided with. Finally, a potentially more disturbing problem is that in a context of increased concern for profile by, and competition between, humanitarian agencies, the objectivity of their reporting may suffer as a result of their emphasis on the positive aspects of their programmes and playing down of the negative.

Chapter 4

Rebuilding Post–Genocide Rwanda⁸

This chapter summarizes Study IV, which examines the effectiveness, impact and relevance of international assistance to Rwanda on repatriation and on rehabilitation, reconstruction and long-term development of the country. The primary aim of the study was to draw lessons from the experience of the international community in order to formulate specific recommendations for Rwanda and for future complex emergencies. Two considerations are of particular relevance to this study. First, its focus, as with the other studies, has been on the activities of the international community. Second, it focuses, as do all ex-post evaluations, on the completed or continuing activities. It is not meant to be a needs assessment, therefore the areas in which the international community was not involved are not focused upon. The study is based on interviews with relief and development agencies in the US and Europe, and on field visits to Rwanda and neighbouring countries. During field visits in late April to early May, a team of 10 relief, refugee and development experts met with agency representatives, government officials and a cross-section of Rwandese. The report is a synthesis of the sectoral and topical reports prepared during the field visit.

Overview of assistance to Rwanda

Aiding the people of a war-torn nation rehabilitate and reconstruct their society is a politically delicate process that requires substantial financial commitment and programmatic coherence from the international community. It requires a multi-faceted, coordinated effort to rebuild not only economic but also, and perhaps more importantly, social and political institutions devastated by war and violence, tasks for which the international community is ill-prepared. In the case of Rwanda, the challenge has been especially daunting because of the genocide, which resulted in the deaths of five to eight hundred thousand people and the subsequent exodus of two million. As a whole, the international community has made a considerable effort, with varying degrees of success, to meet the unprecedented challenge of helping post-genocide Rwanda rebuild.

From April 1994, to the end of the year, the international community focused largely on saving lives by providing food, shelter and medical and sanitary services to refugees and internally displaced persons (IDPs). The vast majority of the assistance was expended to support refugee populations in Zaire, Tanzania and Burundi.

Attention within Rwanda began to shift from emergency relief towards rehabilitation and reconstruction in August–September 1994, when the international community began to realize the severity of human and institutional devastation brought about by the civil war and genocide. Even before that, relief agencies had embarked on more limited programmes of rehabilitation. A significant early initiative in July was the establishment by UNDP and the Rwandese government of the “UNDP Trust Fund for Rwanda,” intended to be a streamlined mechanism for channeling donor funds for the rehabilitation of governmental capacity. This was followed at the beginning of August by the launching by UNDP of the first comprehensive programming mission for rehabilitation and reconstruction and at the end of the month by a World Bank Emergency Grant of US\$20 million

⁸ This summary of Study IV, Rebuilding Post-genocide Rwanda was prepared by David Tardif, Douglin and Krishna Kumar.

that _funded rehabilitation activities undertaken by FAO, UNHCR, UNICEF and WHO.

Since September 1994, the UN and donor agencies have supported a wide array of projects and programmes in different sectors and regions throughout the country.

Additionally, many of the 102 international NGOs present in the country in December 1995 moved into the rehabilitation phase through their initial participation in emergency humanitarian assistance. Much of the initial “first phase” rehabilitation was funded through the January 1995 UN Consolidated Appeals Process. However, the primary framework for the transition from emergency to rehabilitation and recovery assistance has been the January 1995 Round Table Conference for Rwanda Reconstruction, sponsored by UNDP and the Rwandese government, which provided funds for reconstruction and a mechanism by which disbursement of those funds could be tracked.

Disbursement of financial assistance to the new Rwandese government faced a range of problems o absorptive capacity, questions of legitimacy and accountability, to name a few, and consequently has been slow. In light of the potential social, political and economic costs of delays, financial support for national recovery has been surprisingly slow. This is especially so of funds pledged at the Round Table Conference. Of US\$707.3 million pledged, only US\$68.1 million had been disbursed mid-way through the year, which amounted to less than 10 percent of the pledged amount. Only about one-third of the funds disbursed was left for direct assistance to the government for balance of payments support, purchase of vehicles and equipment, technical assistance and so on. This remaining amount, US\$22.8 million, represents three percent of the total pledged amount. The delay in disbursement of pledged funds has been caused by many factors; however, it undermined the government's overall capacity to pursue timely initiatives for economic recovery and political stability. According to UNDP, by September 1995, nine months from the initial pledging conference, about one-third (US\$244.3 million) of the initial funds pledged had been disbursed. Partly as a result of persistent lobbying efforts by UNDP, the level of pledges at year's end had risen to _slightly over US\$1 billion and roughly half the funds initially pledged had been disbursed. If Rwanda's requirements were entirely for traditional project activities, this would be considered a good record, but in view of the need for flexible, fast-disbursing assistance, disbursements have been slow to materialize. On the other hand, to provide such assistance – essentially budget support – many donors need more assurance than they have been given about the transparency and accountability of budget preparation and execution by the government.

Of the more than US\$2 billion estimated to have been spent on the Rwanda crisis since April 1994, the vastly larger share has gone to the maintenance of refugees in asylum countries. Independent analysis of UN/DHA financial tracking figures and financial information from key individual - donors broadly confirms this point. Although such a disproportionate allocation is understandable – refugees must be supported – it appears to Rwandese who have lived through the horror of genocide that the international community is more concerned about the refugees than the survivors.

Support for economic and public sector management

The war destroyed the macro-economic and institutional infrastructure necessary for successful and balanced growth of a modern market-based economy. In spite of this and the numerous difficulties involved in regaining control of the economy and the public sector, the present government appears committed to continuing and accelerating reforms begun under the structural adjustment programmes of the previous regime. In consultation primarily with the World Bank and the International Monetary Fund, the government has taken a series of measures – de-monetization and

reduction in money supply, devaluation and reliance on market determination of exchange rates – that confirm its seriousness about economic reform. It adheres to the principle of keeping the public wage bill to no more than 50 percent of its pre-war level, but is finding that exceedingly hard to do for a variety of reasons. It is not clear if the government will be able to exercise the monetary and fiscal control necessary for economic stability in the future. Special conditions – a large volume of foreign currency in the economy, and a low stake in the value of the Rwanda franc, for example – early in the process of reconstruction facilitated monetary reforms.

Maintaining macro-economic policy in favour of growth and development, and keeping public recurrent expenditure under control are important challenges for the government as well as for the international financial institutions. The World Bank has reopened its local mission and initiated an Emergency Recovery Programme. The IMF has sent consultative missions to Rwanda. Other donors have provided a number of experts to key branches of the government, provided salary supplements and helped furnish offices so the economic and public management apparatus of the government can begin to function again. In spite of the relatively good start in economic management, there have been frustrating delays in the rate of disbursement of the World Bank Emergency Recovery Credit, a major component of the Emergency Recovery Programme. The December 1995 resignation of Rwanda's Central Bank governor, and his request for political asylum, signal turmoil within the macro-economic management apparatus.

Assistance to agriculture

The war had a devastating effect on agriculture and the rural economy. In response, the international community undertook a variety of agriculture rehabilitation programmes, most notable of which were the provision of seeds and tools to farm households, the multiplication of local varieties of major crops, and assistance to the Ministry of Agriculture. In particular, over two seasons each household received a "package" of bean, sorghum, maize and vegetable seeds and one or two hoes. Fifty percent of farmers were reached in the first season of seeds and tools distributions, while 80 percent were aided in the second season. Subsequent analyses estimate that 62 percent of farmers received seeds and 72 percent received tools. In conjunction with the distribution of seeds and tools for the resumption of agricultural production, relief agencies, guided by the World Food Programme, provided food aid for "seeds protection." This activity was guided by the logic that provision of food aid would reduce consumption of more expensive selected seeds.

General distribution of seeds and tools, as well as food aid through the first two seasons, is feared by some Rwandese relief personnel to have begun to induce dependency on the part of some recipients. Continued general distribution into the third season will certainly exacerbate this dependency. If the WFP follows through on its announced plan, based on a recent WFP/FAO survey, to target more closely on the vulnerable and needy, the potential for encouraging dependency should be mitigated. However, the criteria by which some aid is to be targeted by some NGOs appear so inclusive as to be of little use for targeting. Many farmers who have received material assistance for agriculture are squatters on land vacated by persons killed or having fled during the war. An unanticipated effect of seeds and tools distribution may be to entrench and appear to validate their hold on the land. This may be an unavoidable part of agricultural rehabilitation in Rwanda, but its potential negative ramifications must be understood. Equitable resolution of property rights and land tenure issues is of paramount importance to peaceful return of refugees and the achievement of peace in the countryside.

Although seed multiplication has focused primarily on volume and local adaptation, much remains to be done to re-establish seed development, focusing ultimately on pest and disease resistance.

There has been little progress rehabilitating livestock herds throughout the country. At the same time there is a serious problem of over-stocking in the north-east. Another area of relative neglect is the export sector, specifically coffee. Projects have been identified and funds committed for the export sector, and, toward the end of 1995, activities began. But earlier rehabilitation of localized processing centres and assistance in coffee harvesting and marketing could have rapidly injected funds into the rural community. The international community has played a very small role in the rehabilitation of rural enterprises, especially small and medium enterprises.

Rehabilitating the health sector

By mid-July 1994, Rwanda's entire health delivery system had collapsed and was in complete disarray. Over 80 percent of its health professionals were killed or had fled the country. NGOs, UN agencies, the ICRC and bilateral donors arrived with trained health professionals, medicines, supplies and equipment. They re-established basic curative services in urban and rural areas and helped repair and restore damaged water systems. Non-governmental organizations were instrumental in delivering primary health services to the population. Yet because many NGOs lacked previous experience in the region, did not conduct proper needs assessments, and were poorly coordinated, there was much duplication of effort and waste of scarce medical resources. Donors have provided limited direct assistance to the government for strengthening its management, coordination and information systems capacity in the health sector. One exception is WHO, which has provided direct technical assistance to the Ministry of Health in health policy formulation, guidelines and health sector reform. Early in the process of rehabilitation, UNICEF prepared a report proposing a range of programming actions, subsequently undertaken during the year. The Ministry, with assistance from WHO and UNICEF, has reconstituted the country's vaccine stocks, immunization equipment and system for immunization. The re-establishment of a safe blood supply has been made a priority, and the National AIDS Prevention Programme is again receiving some direct support from donors. Implementation of STD/AIDS interventions, however, has been unacceptably slow given the potential magnitude of the HIV-infection problem in Rwanda. Water and sanitation systems are being rebuilt with the assistance of donors and NGOs, with most progress in Kigali.

The impact of international assistance for rehabilitation of the health sector has been positive, on balance. Health delivery systems have largely been brought back to pre-war levels, but weak initial needs assessments and programme strategy development and ineffectual programme monitoring and evaluation on the part of some agencies have hampered interventions in the health sector. The inability or unwillingness of some NGOs formally to engage the Ministry of Health in the project assessment, design and approval process further diminished successes in the health sector, and has contributed to a perception on the part of government officials that emergencies are perpetuated so as to allow relief agencies to "stay in business." Lack of coordination between NGOs and the government remains an impediment to effective rehabilitation.

Rehabilitating the education sector

International assistance for rehabilitation and reconstruction of education, initially focused on the primary level, has played a limited but valuable role, emphasizing emergency supplies of materials, rehabilitation of structures and food aid salary supplements to teachers. The UNICEF/UNESCO Teacher Emergency Programme, "school-in-a-box," co-designed by UNHCR, was provided to most of the primary schools that opened in September 1994. WFP, through its programme of food aid salary supplements to teachers, helped keep teachers on the job in the absence of funds with which to pay their salaries. In spite of these interventions, international assistance in education has been largely characterized by ad hoc emergency interventions with limited sustained impact. The

international community's weakness in support for the rehabilitation and restoration of education is due in part to the programming limitations of emergency funds. Education activities are, for the most part, excluded from eligibility for these funds because they are not deemed life-saving. Later in the year, funding became available through the Round Table process. Of US\$18 million - requested in January 1995 by the Rwandese government for rehabilitation of the education system, US\$4.1 million had been disbursed (as per Round Table tracking) by year's end. By then, pledged assistance to formal education programmes had grown to US\$50.4 million. The World Bank Education Project, which became operational in Spring 1995, had by fall supported the training of 3,000 teachers, rehabilitation of 1,000 schools and provision of 120,000 textbooks.

Assistance to vulnerable populations

Genocide and war altered the country's demographic composition so radically that women and girls now represent between 60–70 percent of the population. By some estimates, between one-third and one-half of all women in the most hard-hit areas are widows. Further, several thousand women were brutally raped. During the initial stages of emergency assistance, women as a group were not given special treatment. Rather, it was assumed that they, like other beneficiaries, would benefit from the assistance provided to various sectors. The exceptions were WFP and CARITAS/Catholic Relief Services food support programmes specifically targeted toward vulnerable - groups, including female heads of households.

Under existing Rwandese law, property passes through male members of the household. As a result, widows and orphaned daughters risk losing their property to male relatives of the deceased husband or father. Consequently, there is an urgent need to change judicial guidelines and legal interpretations of laws pertaining to property, land and women's rights. Save the Children (UK and US) and UNICEF are supporting the Ministries of Family and Rehabilitation and women's groups in their advocacy efforts in this area, as well as funding technical assistance to the judiciary. Numerous Rwandese NGOs are disseminating information and creating awareness of this problem. However, one year after the genocide, there were no comprehensive national programmes of family support for the survivors. Over time, however, those NGOs working in the community began to recognize the distinctive needs of women – widows, victims of violence and rape, and heads of households – and developed ad hoc initiatives to support communities in caring for the most vulnerable.

Estimates of the number of unaccompanied children in the region vary between 95,000 and 150,000 although there is substantial debate on the numbers. Some relief agencies believe the number well - exceeds the higher figure, while other organizations consider it vastly exaggerated. There is a wide array of international and national NGOs implementing mostly ad hoc programmes for unaccompanied children. Only the larger and more experienced have developed longer-term comprehensive - national programmes that support institutional capacity building and have established strong working relationships with the government. The key areas of intervention are in registration, tracing and reunification; the provision of foster care; and capacity building. By the end of 1995, over 10,000 children in Rwanda and the camps had been reunited with their families. This resulted from cooperation between ICRC, which established a data bank with the names of 85,000 children, sharing the information with other agencies, including Save the Children (UK and US), UNICEF and UNHCR, which with ICRC played major roles in tracing and reunification.

Some NGOs rushed into the country staking claim to, or opening up new unaccompanied children centres and orphanages without any long-term planning and without the guidance and direction of a strong coordinating body. There was also a lack of collaboration with or support of national organ-

izations, which was particularly inexcusable after the situation had stabilized. Creation of centres for unaccompanied children was a necessary, short-term response that was not intended to be a long-term solution. Unfortunately, the establishment of centres has provided a livelihood to too many people to be discontinued easily. The only way current interventions can be sustained is if donors are willing to make long-term commitments financially to support child care institutions.

Psycho-social healing

The brutal nature and extent of the slaughter, along with the ensuing mass migration, swiftly and profoundly destroyed Rwanda's social foundation. Vast segments of the population were uprooted, thousands of families lost at least one adult and tens of thousands of children were separated from their parents. Because neighbours, teachers, doctors and religious leaders took part in the carnage, essential trust in social institutions has been destroyed, replaced by pervasive fear, hostility and insecurity. The social upheaval has affected interpersonal and community interaction across ethnic, economic, generational and political lines. Some groups, unaccompanied children, for instance, are relatively visible as "victims of violence," whereas the victimization of others, such as women and individuals who were forced to kill, is less apparent.

Relatively little attention has been paid to the problem of psycho-social healing. Donor efforts have concentrated primarily on trauma counseling for children. In addition, some organizations, mostly those religious in nature, have attempted to confront the ethnic animosity directly through reconciliation workshops and community healing initiatives, and indirectly within the context of their other programmes. What few programmes there have been for psycho-social healing have tended to overlook the needs of women. Also, the international community may be misapplying its experience with post-traumatic stress disorder. Missed opportunities in exploring indigenous concepts of mental health and methods of healing conceivably stem from initial lack of understanding of Rwandese society, psyche and culture, and the absence of adequate language skills, so vital to confidential communication.

Promoting human rights and building a fair judicial system

The international community has supported human rights initiatives in three key areas so as to promote the process of national rebuilding: establishment of the International Tribunal for Rwanda, reconstruction of the justice system and assistance to the UN human rights field operation. The impetus for these initiatives was the findings of the UN Special Rapporteur and a Commission of Experts, asked by the UN High Commissioner for Human Rights to investigate alleged human rights violations during the war. By May 1995, six months from the establishment of the Tribunal, it had made only limited progress. From the outset, it had been facing problems of logistics, funding and staffing, which caused long delays. With staffing changes in October 1995, the pace of investigations stepped up. Thirteen months from its establishment, the Tribunal in January 1996 issued its first indictments of suspected war criminals, eight alleged leaders of the genocide. Despite recent progress, delays in establishing the Tribunal and making it operational have postponed reconciliation, which can hardly be expected to occur in the absence of justice. Further delays will reinforce the perception that the world is indifferent to the Rwandese genocide.

The justice system of Rwanda was manipulated by the former regime despite constitutional provisions ensuring its independence. Human rights abuses relating to arrests, detention, trial without counsel and widespread corruption were frequent in the past. If Rwanda is to establish a legal system that helps to ensure the rights of all citizens, it must construct a justice system that substantially improves on that which previously existed in the country. Several assistance initiatives are

under way. These programmes, however, do not approach the level of assistance that was broadly recognized as being required to “restart” the justice system. The real challenge is not so much that of marshalling sufficient human and technical resources as of institutionalizing a new political culture in which differences are settled through discussion and accommodation and not through violence and bloodshed. The paralysis of judicial process and the inability to try suspected criminals is not solely due to lack of staff and equipment, which could be alleviated with outside assistance. There also appears to be a lack of political will to proceed. Even though conditions have improved with assistance from ICRC, the Netherlands and UNDP, they remain very harsh for many of the roughly 60,000 detainees in Rwandese prisons and jails. Also of high priority are improved security in the countryside and acceleration of progress in resolving property disputes involving pre-1994 (old-caseload) refugees.

The human rights field operation for Rwanda was the first field operation to be undertaken under the auspices of the UN High Commissioner for Human Rights and to be administratively supported by the UN Center for Human Rights in Geneva. The Commissioner for Human Rights and the government of Rwanda agreed to the deployment of 147 human rights field officers, one for each of the country’s communes, although subsequently the 114 field officers were not deployed by commune. The objectives of the field operation were to investigate the genocide, monitor the human rights situation, help re-establish confidence, and provide technical assistance in the administration of justice.

The human rights operation in Rwanda is perceived among experts and informed people to have - failed to accomplish its stated mission. Its impact on the prevention of human rights violations and promotion of human rights has been minimal. However, it should be recognized that several factors, many of which were beyond the control of the human rights field operation, contributed to its poor performance to date. Informants identified the following set of factors: a broad and ambiguous mandate, inferior recruitment procedures, poor preparations prior to deployment, limited logistics and - resource support, ineffectual leadership, absence of a coherent strategy, poor coordination between headquarters and field staff, bureaucratic infighting within the UN system, apathy, if not hostility, of the Rwandese government, and a highly politically-charged environment. Obviously, the entire blame for the failure cannot be laid on the leadership of HRFOR and the Centre for Human Rights. In October 1995, a new chief assumed leadership of the field operation in Rwanda. Initial reports indicate that he is re-examining and re-evaluating the entire operation to make it more relevant and effective. It is too early to tell the outcome of his efforts.

Return of refugees and internally displaced persons

After the victory of Rwandese Patriotic Front forces in July 1994, the old caseload refugees, primarily Tutsi who had left Rwanda beginning in 1959, began returning in large numbers. The government has estimated a total of over 700,000 to have returned. Old caseload returnees have benefitted from international assistance through direct aid to families, rehabilitation of commune structures and services, and assistance to government ministries, particularly the Ministry of Rehabilitation. However, the slow process of disbursing funds pledged for repatriation and reintegration at the Round Table Conference constrains the capacity of the government to facilitate the process.

Further, despite the efforts of the international community, very little has been accomplished in the repatriation of two million new caseload refugees who fled to Zaire, Tanzania and Burundi largely - between April and July 1994. Most of these refugees were intimidated or terrified into flight - through a premeditated, orchestrated attempt on the part of hard-line elements of the fleeing government to maintain leverage and a claim to legitimacy. The many accounts, both actual and false,

of violent reprisals, arbitrary arrests and detentions of Hutu in Rwanda have also significantly discouraged repatriation. Only a small number of refugees, not more than 200,000 in 1994 and 100,000 in 1995, according to UNHCR, have returned thus far. While the pace of repatriation can be accelerated by implementing the recommendations outlined (in the section that follows), and the recent arrests of former extremist leaders in Zaire may have some effect, the international community should prepare itself for the eventuality that a substantial portion of the refugee population is still unlikely to repatriate soon for three reasons. First, between 10 to 15 percent of the refugees in the camps (adult and adolescent) are alleged to have participated directly in mass killing. These refugees and their families would be understandably reluctant to return. Second, the transmigration of people has been common in the Great Lakes region in the past. Many Kinyarwanda-speaking "ethnic Rwandese" live in Uganda, Tanzania, Burundi and Zaire. Consequently, refugees are not in - totally foreign milieus; there are bonds of history and language that help mitigate refugees' nostalgia. Finally, the experience of past complex emergencies shows that it usually takes years, even - decades, before significant voluntary repatriation takes place. Even then, rather than going back to their country of origin, many refugees settle in host (or third) countries. It is, therefore, imperative that the international community demonstrate more realism in planning its initiatives for the refugees than it has done so far by considering a wider range of solutions to the crisis.

Lastly, the record of the international community in facilitating the return of internally displaced persons has been mixed. The camps posed a potentially explosive threat to national security and essentially prolonged the transition from emergency to rehabilitation and reconstruction. The government maintained that massive repatriation of refugees would not be feasible until the IDP camps had been disbanded. The international community agreed to the need for closures, but was unprepared for the aggressive tactics employed by the government. The tragic events at the Kibeho camp, in which thousands of displaced persons were killed, epitomized the gulf between government exigencies and relief agencies' moral stance and mandates, and the tragic consequences of the lack of real communication. The Kibeho incident, about which facts are scanty, weakened an already tenuous relationship between government and relief and development agencies, making the coordination and cooperation necessary for large-scale rehabilitation and reconstruction efforts that much more difficult.

The consequences of genocide

Post-genocide Rwanda is dramatically different from pre-genocide Rwanda. The genocide has transformed the social, political and economic landscape of Rwanda. It has also profoundly affected the existing political and cultural institutions. But, above all, it has undermined the social trust that binds people together. Just as the Holocaust redefined the Jewish identity, so has the Rwandese genocide left a profound impact on the psyches of both Tutsi and Hutu.

The International community took steps to investigate the genocide and punish the culprits by establishing an International Tribunal; however, it has largely failed to incorporate the implications of genocide in the design and implementation of assistance programmes in Rwanda. It has treated and continues to treat the present crisis like other civil wars in which the international community intervened and assisted the suffering population. Such an approach has distorted assistance priorities, undermined the effectiveness of assistance programmes and alienated the present government. For example, the international community has tended to overlook the plight of the survivors of the genocide; by and large, they have not been treated any differently from other segments of the population. On the other hand, the international community has spent immense resources on the refugees. It is not that the refugees do not deserve assistance but that such assistance should be balanced

with assistance to survivors.

The international community's apparent lack of understanding of the psychological impact of genocide has also contributed to the distrust – and even the open hostility – of the Rwandese government towards the UN human rights field operation. Its legitimacy has been vastly compromised – because it is perceived as one-sided, focusing on current human rights violations instead of on crimes against humanity. Overall, limited mandates of the bilateral and multilateral agencies, the established modalities for allocating resources, and the procedures for delivering aid in the field are institutional factors that have led to the inability of the international community to respond adequately to the unique consequences of genocide. However, beyond institutional roadblocks, the cultural insensitivity of the international community at times devalued the tragic social and human dimensions of the genocide as perceived by the Rwandese. Perhaps the most lamentable example was the rush to promote reconciliation over the understandable resistance of those who had suffered immensely.

Long-term development of Rwanda

In examining the question of long-term development of Rwanda, two considerations should be kept in mind. First, the success of Rwanda's march towards a politically stable and economically sustainable society will depend upon a complex set of conditions and circumstances. For example, Rwanda will be shaped by its distinctive social, cultural and economic institutions, emerging regional alignments and interests, and the vision shown by its leadership. The international donor community can influence such factors, but cannot control them. Second, the transition process is not likely to be a smooth one. Rather, as has been the case with many complex emergencies, the process is most likely to be characterized by periods of ups and downs, stagnation, and even regression. There is a need to take a long-term perspective.

A broad consensus seems to be emerging that the country should give top priority to building an effective judicial system based on the rule of law; ensuring physical security to returning refugees and survivors of genocide; and promoting rapid economic growth in agriculture and small business sectors. In this regard, past social and economic policies can not be the model for Rwanda's future integrated development, which emphasizes human resources. The government will have to face the problem of ethnicity and political participation, and encourage a culture of tolerance and respect for democratic principles and human rights.

However, it appears increasingly probable that efforts at the national level alone are not sufficient to solve the refugee return problem. Because of the growing political and ethnic tensions in Burundi, the presence of two million Rwandese refugees in neighbouring states, and the high population density of the country, a regional approach will be key to longer-term resolution of the crisis. Such an approach may require resettlement of populations and greater regional political and economic integration. Whether Rwanda, its neighbours and the international community will take the bold steps necessary to achieve a durable regional solution to this complex problem is a question that history alone can answer.

Conclusion

International response to the humanitarian crisis provoked by the civil war and genocide has been generous and, in the emergency phase, rapid. Greater ambiguity about objectives, the legitimacy and capacity of the new government and the durability of peace, coupled with more deliberate (and hence time-consuming) processes for development assistance, have led to delays in assistance for reconstruction and development. In some cases simple political miscalculations have led to dead-

lock between government and donors.

Finally, the international community cannot be expected to do everything, nor should it try to do so. Most of the responsibility for reconstruction, rehabilitation, reconciliation and recovery belongs to the Rwandese. The ultimate determinant of the durability of solutions will be the degree to which they themselves believe in them and have, or would have, instituted them even without outside assistance. Nonetheless, the international community has already brought and can bring many - resources to bear on the crisis. How these are used can tilt the balance in favour of peace and reconciliation and away from war and destruction.

Chapter 5

Overall Findings and Recommendations

Introduction

This chapter presents the critical findings and recommendations that emerge from the four study reports summarized in the previous chapters. While these reports are the main sources for this chapter, it also draws on discussions with the resource persons and panel of African experts. Though the four teams had different tasks and carried out their research in different ways, using different materials, each came to roughly the same understanding of a set of factors that inform and underlie their reports and inform the presentation that follows.

Some cross-cutting issues

The “continuum” of relief, rehabilitation and development

The Rwanda crisis in some respects does not represent a linear “continuum” from relief-to-rehabilitation-to-development. Rehabilitation efforts necessarily began soon after the new government assumed power in July 1994. Massive relief operations continue, 18 months later, in refugee camps on Rwandese borders. In other respects, a shift from one stage to the next has occurred, as for example, when IDPs, who had been sustained by relief for almost a year, returned to home communes where they received agricultural rehabilitation assistance and should now be moving to self-sustaining status.

The evaluation did not systematically address all the issues surrounding the relationships between relief, rehabilitation and development in the Rwanda crisis. However, the studies have identified instances where linkages between relief and development were and were not taken into account. In the first example, there has probably been on balance an adverse impact on the development status of local populations surrounding the massive refugee camps in Tanzania and Zaire. While the relief operations have created employment and provided an injection of income into local areas, these effects will end with the repatriation of refugees. On the other hand, physical security, infrastructure and the environment have deteriorated for local populations, who also tend to perceive services to refugees as being superior to their own. Another example suggests a positive relationship in which the forging of a “Corridor Group” by WFP with the Tanzanian Railways Corporation and Tanzanian Harbours Authority resulted in more efficient transport of massive food shipments and should also rebound to the longer-term efficiency of Tanzania’s transportation system.

The third example refers to the continued free provision of seeds and tools kits to Rwandese farmers. Study IV raises the issue of whether this effort has gone beyond the point of rehabilitation, potentially creating dependency among farmers and inhibiting the development of private channels of production and distribution. It is possible that the continuation of this programme, without effective targeting on needy farmers, may be detrimental to Rwanda’s longer-term agricultural development prospects.

The impact of previous development aid

It is clear that substantial development aid to Rwanda over a 30-year period before the crisis did not prevent it. On the other hand, the crisis can not be attributed to aid as a primary cause. While the

evaluation did not attempt to assess the net influence on the crisis of development aid, it did undertake some analysis of a major pre-crisis component of aid. The Structural Adjustment Programme of 1991 contained some provisions that should have ameliorated tensions (a “safety net”) and others that may have fanned resentment (civil service and parastatal reform, and abolition of the coffee equalization fund, had the government implemented the abolition). It is not clear whether other donor-supported programmes favoured one political or ethnic group more than another. The evaluation did not systematically examine this question, which could be a worthwhile subject for future research and analysis.

It should be noted that UN/DHA has initiated, in collaboration with Brown University, a research project to study the role of development assistance activities in conflict-prone settings.

Responsibility of the crisis country

Throughout the various phases of a complex emergency the constituted authority of the country in crisis always bears major responsibilities for resolving it. This has been true at virtually every stage of the Rwanda crisis since there has always been a duly constituted authority, with perhaps the exception of several weeks during May–July 1994. The responsibilities range from protecting human, civil and refugee rights to peaceful conflict resolution; to ensuring an open and fair system of justice; to creating a stable and open enabling environment for economic activity; to protecting the poorest and the most vulnerable. As concluded by Study IV, the responsibilities for rehabilitation, recovery and reconstruction belong to the Rwandese.

A current example is repatriation. With the possibility of significant external impediments being removed by the recent arrests in Zaire of former extremist leaders, political, judicial and economic conditions inside Rwanda have become even more important for successful repatriation. However, the international community, which has urged progress on these fronts, needs to continue to find ways to assist Rwandese and their government in their efforts to rebuild society.

Upholding international law: a reproach and admonishment to UN member states

The Rwanda crisis is replete with instances of violation of international law by some member states as well as derelictions of responsibility of others to champion action directed at violators.

The types of international law that were violated fall into three broad categories

- “ First and foremost is The Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the General Assembly on 9 December 1948. The perpetrators of genocide in Rwanda clearly stand guilty of violating the Convention. The rest of the international community violated the spirit if not the letter of Article VIII of the Convention, which states that “Any contracting Party may call 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 or any of the other acts enumerated in Article III”.
- “ Second is International Humanitarian Law, in particular the Geneva Conventions of 1949 and their additional Protocols of 1977. Member states have an obligation to disseminate knowledge of international humanitarian law as widely as possible and to adopt any national measures and enact any legislation to provide for effective implementation of international humanitarian law.

“ Third are international norms, particularly well-developed in African regional international law, regarding the rights of refugees to repatriate and stability of relations among states. Member states must take invasions across borders seriously, initially at sub-regional and regional levels, to defuse and contain the resulting conflict. The international community must also support states most directly concerned to ensure that refugees are not left in limbo, but within a reasonable time obtain secure membership in a state. Had effective and prompt action successfully addressed these issues involving Rwanda and Uganda in the 1980s and in 1990, the tragedies of the ensuing years could have been averted.

Member states must uphold and adhere to these international laws and norms.

Findings and recommendations

The following presentation of key findings and recommendations is grouped into six sections relating to major issues and phases of the Rwanda crisis.

- A. Critical Findings and Recommendations
- B. Detection, Prevention and Suppression of Genocide and Civil Violence
- C. Management of Relief
- D. Supporting the Rebuilding of Society
- E. Roles of the Media
- F. The Regional Dimension

The first section consists of seven critical sets of findings and recommendations that require high priority attention by key actors of the international community, such as the UN Secretary-General and members of the Security Council, heads of bilateral and multilateral agencies and NGO network organizations, and representatives of the components of the International Red Cross and Red Crescent Movement. The recommendations in the following five sections are not necessarily less important than those in the first section, but they tend to be more operational in nature or they may in some cases require further review or study before being acted upon.

Various members of the international community, prompted by their experience with complex emergencies, including that of Rwanda, have launched initiatives that could well lead to the adoption of some of the recommendations presented below. These initiatives include studies, discussion papers, working groups and task forces intended eventually to produce new policies, strategies and operating procedures. Among the groups involved in such efforts are the Inter-Agency Standing Committee of the UN System, the OECD Development Assistance Committee (DAC), the European Union and the World Bank, as well as several bilateral agencies. One product resulting from reviews conducted by the ICRC and the IFRC, together with several NGO organizations affiliated with the Steering Committee for Humanitarian Response, has been the promulgation of a new “Code of Conduct” for the provision of humanitarian assistance. The UNHCR is currently developing new guidelines on contingency planning and, in consultation with WFP, will soon be issuing new guidelines for food distribution.

The issue of funding

Implementation of a number of the following recommendations will require additional financial support from member states of the international community. With several major contributors far behind in their financial obligations to the UN system, it may be argued that it is not a propitious time to put forward recommendations with financial implications. These recommendations are nonetheless made in the belief that leadership will emerge from the international community that will understand that their implementation will save financial resources and lives.

However, the increased effectiveness promised by these recommendations will not be realized without the political will from member states that will be required to adopt some of the recommendations, nor without the will, dedication and competence of agency managers to carry them out.

Follow-up to the evaluation

As part of an assessment of the efficacy of this evaluation, the evaluation Steering Committee will be reconvened in six to eight months, or between July and September 1996. The purpose of the meeting will be to assess the reactions of the international community to the evaluation, the degree of implementation of its recommendations and the lessons to be learned from the evaluation process itself.

Some positive findings

Evaluations tend to focus on negative findings in an attempt to draw lessons and recommendations for the future. While the main findings and recommendations of this chapter tend to fall into that category, the positive experiences in the responses of the international community to the Rwanda _tragedy should not be ignored. Preparation for response to future complex emergencies should also build on these positive experiences. Following is a selection of some of the salient “positive lessons” that emerge from the evaluation studies and materials provided by Steering Committee members.

- “ The support and intensive mediation efforts provided by the government of Tanzania and the Organization for African Unity to the negotiation of the Arusha Accords.
- “ The Report of the International Commission of Investigation of Human Rights Violations in Rwanda, undertaken by the NGO, International Federation of Human Rights (known by its initials in French, FIDH), in early 1993, and the first international group to implicate the government in planning systematic killings of Tutsi.
- “ The protection of tens of thousands of Rwandese during the height of the genocide by the residual UNAMIR Force and by ICRC.
- “ Examples of effective UN coordination of emergency relief operations in Ngara, Tanzania (UNHCR) and in the Integrated Operations Centre (IOC) in Rwanda (DHA/UNREO).
- “ Cost-effective preparedness planning and provision of potable water by Oxfam in Goma, Zaire.
- “ Block funding from ECHO for UNHCR Rwanda operations that strengthened the effectiveness of the latter’s coordinating role with its NGO implementing partners.

- " Establishment of a "Corridor Group" by WFP for negotiation and maintenance of a cost-effective "Southern Transportation Corridor" for the transport of food aid supplies through Tanzania.
- " The Netherlands, as the third largest bilateral country donor to post-genocide Rwanda in absolute terms at US\$64 million and the largest relative to its GNP, with about 25% of the total contributed to strengthening the justice system and 25% to the fast-disbursing UNDP Rwanda Trust Fund, established by the government and UNDP in July 1994. With contributions of US\$125 million and US\$119 million, the US and Germany were the first and second largest bilateral country donors, respectively. The World Bank at US\$224 million and the European Union at US\$333 million, exceeded any one country total (based on UNDP data as of 20 December 1995).
- " A fast-disbursing World Bank Emergency Grant for relief and rehabilitation in Rwanda, effectively channelled through four UN agencies (FAO, UNHCR, UNICEF, and WHO), beginning in August 1994.
- " Largely through the work of international NGOs, supplemented by assistance from UNICEF and WHO, primary health care centres in Rwanda were relatively quickly rehabilitated in the summer and autumn of 1994, which alleviated massive human suffering and helped prevent a possible outbreak of epidemics.
- " UNICEF support for the establishment and operation of a Rwandese National Trauma Centre to train teachers and counsellors in dealing with the aftermath of genocide trauma in children and parents.
- " A government-sponsored International Conference on "Genocide, Impunity and Accountability: a Dialogue for a National and International Response," held in Kigali, 2-6 November 1995, with financial assistance from Ireland and the US, and with a key objective being to identify alternative forms of justice and degrees of penalties for those who participated in the genocide.
- " Last but by no means least, the many Rwandese who resisted the genocide and who risked or lost their own lives in trying to save others.

A. Critical Findings and Recommendations for the Attention of the UN Secretary-General and Security Council, Heads of Donor Agencies and NGOs, the International Red Cross and Red Crescent Movement and Member States

Finding A-1:

Lack of Policy Coherence

Humanitarian action cannot substitute for political action. This is perhaps the most important finding of this evaluation.

One of the hallmarks of a complex emergency is that the political/diplomatic (including conflict resolution), human rights, humanitarian, military/peacekeeping, and development aspects get - inextricably intertwined – before, during and after the peak of the crisis. The Rwanda experience is a prime example. The problem in Rwanda was that policy and strategy formulation by the international community seldom, if ever, took these elements into account in an integrated manner.

Among the member states and within the UN system there were:

- " conflicting interests or relative lack of interest among Security Council members in a crisis involving a country of marginal strategic importance;
- " discrepancies between the Office of the Secretary-General and the Security Council;
- " inadequate strategy formulation and communication within the Secretariat and disjointed relationships between its political, military and humanitarian functions;
- " disjointed relationships between the Secretariat and the field level; and
- " at the field level, tension between agencies and unclear division of labour among them.

As observed in Study II, one crucial manifestation of the lack of policy coherence was a pattern of behaviour in New York headquarters marked by not drawing on critical information coming from the field in order to formulate a full range of strategic options for the Secretary-General and the Security Council. This pattern contributed to the fateful 21 April Security Council decision to withdraw the bulk of the UNAMIR forces from Rwanda. The Secretariat and the Security Council continued to see the issue in terms of an intervention between two opposing armies engaged in a renewed civil war rather than the need to protect civilians from systematic killings. With a Security Council unwilling to contribute troops or to finance member states willing to do so in a crisis that was of strategic marginality to the major powers, that lacked clear terms of reference and obligations and where the parties to the conflict were once again at war, the Secretariat rejected the requests of the UNAMIR Force Commander for increased resources and the latitude to protect civilians. Other factors, such as the "shadow of Somalia" that restrained the US in the Security Council, and cumbersome and inflexible UN procedures, also played a role in leading to this outcome, but greater coherence in policy formulation would have at least clarified the central issue at stake and might have overcome the "shadows."

As noted in Study III, some agencies worked on the premise that refugees would return quickly, while other agencies maintained that the refugee situation would be a protracted one. There was no overall agreed understanding of the complexity of the situation, the preponderance of factors weighing against early repatriation and the resulting policy implications.

The underlying problem has been and continues to be political. But the international community failed to come to grips directly with the political problem. Thus it has in effect, and by default, left both the political and the humanitarian problems generated by the Rwanda crisis in the hands of the humanitarian community. This is untenable. It puts burdens on the latter that it cannot and should not assume.

Recommendations for Policy Coherence:

a. Foster Policy Coherence in the UN Security Council and General Assembly

To the UN Security Council and General Assembly

First and foremost, a crisis of an essentially political nature requires action at a political level effectively to address it. However, the consequences of such a crisis are often humanitarian in nature and require humanitarian action. To ensure that the humanitarian dimension is adequately considered in decisions regarding complex emergencies, it is recommended that the Security Council establish a Humanitarian Sub-Committee. Its purpose would be to inform fully the Security Council of developments and concerns regarding humanitarian dimensions of complex emergencies and to make appropriate recommendations, taking into account both inter-related and distinctive aspects of political, military and humanitarian objectives.

In the General Assembly an integrated approach to complex emergencies could be fostered through, for example, its incorporation in principles of a “new international humanitarian order”, to be taken up again by the UNGA in 1996.

b. Ensure Policy Coherence in the UN Secretariat

To the UN Secretary-General and Security Council

Constitute a team of senior advisers for all complex emergencies, charged with synthesizing crisis information and bringing coherent policy options to the Secretary-General. The purpose of this team would be to ensure that humanitarian, political and peacekeeping concerns are all taken into account in formulating options for the Secretary-General, the Security Council and in the General Assembly; it would not be charged with making operational decisions regarding humanitarian action. Its duties and responsibilities should be distinct from those of the Secretary-General’s Task Force on UN Operations. The team should consist of the Under Secretaries General for Political Affairs (DPA), Peacekeeping (DPKO), Humanitarian Affairs (DHA). It should also draw on information and counsel from the High Commissioners for Human Rights and Refugees, the Directors-General of UNICEF and WFP and the components of the International Red Cross and Red Crescent movement. The team should:

- (i) Reinforce the discipline of the UN civil service as an impartial and independent resource, presenting analyses and options to member states for UN crisis-response based on the identified needs of that crisis, not on the supposed reactions of any one or more governments.
- (ii) Formulate the essential framework for an integrated UN line of command between headquarters and the field, and within the field, for political action, peacekeeping and humanitarian assistance to ensure that the system speaks with one voice and that there is mutual reinforcement among the three types of actions.

Finding A-2:

Insufficient Support for Prevention and Suppression of Genocide and Protection of Victims

While there are arguments on both sides, a case can be made that with a modest expansion of peacekeeping forces with a clear mandate to protect civilians, the international community could have halted or at least substantially checked the killings, especially during the first weeks. Some suggestive evidence in support of this proposition is provided by the experiences of the greatly-

reduced UNAMIR force and the French Opération Turquoise, whose protective efforts in Kigali and in south-western Rwanda saved tens of thousands. In addition ICRC protected similar numbers through repeated calls for respect of humanitarian principles and regular visits where persons at risk stayed.

Among the reasons this option of modest expansion was not pursued were the already described lack of policy coherence at the top of the system as well as a lack of understanding of the situation and the risks of intervention. Cumbersome procedures and a gap in the UN Charter Chapters regarding peacekeeping and related operations contributed to this lack of understanding: the Rwanda situation was defined in April as having moved from a low-cost, consensual peacekeeping mission to a crisis where only a full-fledged, high-risk enforcement operation would have an impact. The consequences of this assessment were particularly important because the Security Council had a low threshold for risk in the case of Rwanda, reflecting the country's strategic marginality to the major powers.

Recommendation:

Effective Prevention and Early Suppression

To the Security Council, the Secretaries-General of the UN and the OAU and the High Commissioner for Human Rights, in Consultation with the International Red Cross and Red Crescent Movement, and to Member States

- a. Urgently develop a UN-sponsored programme through governments, NGOs, and other organizations to sensitize leadership of the international community to genocidal conspiracy and incitement anywhere and to obligations of all governments to prevent and suppress it. Adopt in the General Assembly criteria for proclaiming a Genocide Emergency when justified and review Article VIII of the Genocide Convention with a view to strengthening the obligation of Contracting Parties.
- b. Develop standard operating procedures for UN peacekeeping operations, with a clear mandate to protect civilians when large numbers are threatened by violence; in effect, a "6.5" mandate between the UN Chapter VI and VII mandates. In addition:
 - (i) Establish procedures for rapid deployment of forces under UN authority as both deterrent and actual capability; encourage and support development and first use of rapid-response capabilities under regional organizations like the OAU and the OAS, with UN authorization and support where needed.
 - (ii) Provide terms of engagement sufficiently broad to political and military field officers, including those of "6.5 mandate" operations, to permit them to respond to changing circumstances with innovation and dispatch.
 - (iii) Expand the use by the UN and regional organizations of specially trained civil policemen and policewomen in complex emergencies.
 - (iv) Deployment, by the High Commissioner for Human Rights, of an independent Human Rights Monitoring Unit along with every UN peace operation. Member states must provide the requisite funding for this initiative, which is already in force but has been impeded by lack of funding.

- (v) Ensure ICRC access for monitoring the application of international humanitarian law and humanitarian basic principles by all parties concerned.

Finding A–3:

Non–Reading and Mis–Reading of Early Warnings of Genocide

There were increasing warning–signs from NGOs, academics, the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, UNAMIR and others of intent and preparation for an organized genocidal attack on Tutsi and an assassination of moderate Hutu from early 1993 onwards. But the apex of the international community in the UN Secretariat and Security Council did not recognize the signs for what they were, nor did they strategically analyze them. Lack of any effective response to these increasingly open indications gave intending perpetrators no reason to pause in their preparations; the weakness of UN peace forces both in numbers and mandate provided further reassurance.

Recommendation:

A More Effective Conflict Early Warning System

To the UN Secretary–General

Establish a unit for strategic analysis of early warning of conflicts, including genocide and political assassination, directly under the Office of the Secretary General, drawing on, but not substituting for, the information provided by UNHCHR, UN/DHA and a worldwide network of states, regional organizations, institutes and NGOs. This unit should have the capability to analyze, interpret and develop strategic options to be presented to the Secretary–General, but should not have other operational responsibilities. The head of this unit should have guaranteed direct access to the Secretary–General. The unit would not substitute for a Humanitarian Early Warning System (see Recommendation C–2, below).

Finding A–4:

Insufficient Reliance on Regional Organizations and Sub–Regional Groupings

Despite rhetoric emanating from the international community about greater reliance on regional and sub–regional organizations, such as the Organization for African Unity (OAU) and the Economic Community of the Great Lakes Countries (Communauté économique des pays des Grands Lacs – CEPGL), and the neighbouring states individually, these were given neither the mandate nor the resources nor the actual cooperation at some critical stages in the Rwanda emergency. In fact, as brought out in Study II, the OAU, which had played a vigorous and effective role in mediating the Arusha Accords, was discouraged by the UN Security Council and Secretary–General from playing a significant role in their monitoring and implementation. Given the paucity of its own resources and the limited capacity of its member states to contribute financially, the OAU would have had to rely on financial and/or material support from the UN or wealthier states outside the region. But with such support the OAU could have played the more significant role it was willing to play in conflict resolution and peace monitoring efforts, a role that could have made a major difference to the genocidal outcome.

Recommendation:

Strengthen and Involve the Mediation and Peacekeeping Capacities of Regional and Sub–Regional Organizations and Local Parties

To the Secretaries-General of the UN, OAU and OAS for Follow-up and to Member States for Necessary Action

- a. Ensure that regional participation in preventive diplomacy carries over into peacekeeping so as to establish continuity between mediation and peacekeeping.
- b. Allocate adequate resources to regional and sub-regional organizations and neighbouring states to enable them to be effective in preventive diplomacy and peacekeeping, taking into consideration that most of the world's conflicts occur in regions where these parties have the fewest resources to deal with them.
- c. Ensure that the UN sanctions action, sets parameters and monitors implementation of forceful intervention and, where needed, helps finance and otherwise support such actions, but remains the body of last resort for implementation.
- d. Accelerate current plans for strengthening OAU's peacekeeping functions with the support of the UN.

Finding A-5:

Flawed Human Rights Mechanisms and Performance

The UN High Commissioner for Human Rights/Centre for Human Rights and the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, were involved in the different phases of the Rwanda crisis. The performance of these mechanisms has been mixed for a number of reasons, including a lag in evaluating and reporting accounts of threatened genocide and failure of member governments to take action when reports were submitted. The Human Rights Field Operation for Rwanda, the first under the High Commissioner and back-stopped by the Centre, has encountered a range of internal and external problems, enumerated in Study IV, that have impeded its effectiveness. One underlying factor has been lack of regular budgetary funding, which has created uncertainty and staff discontinuity.

Recommendation:

Strengthen Human Rights Machinery

To the High Commissioner for Human Rights and Member States

- a. Establish a small high-calibre unit under the High Commissioner for Human Rights, with the sole function of analyzing and interpreting information on indications of conspiracy to genocide and all other escalating violations of human rights. This unit should have direct access to the proposed early warning unit in the Secretary-General's office (see Recommendation A-3). Its performance will partly depend on the effectiveness of an adequately-funded field presence for information-gathering and fact-finding.
- b. Effective human rights machinery must have adequate standing procedures for vigilance over threatened genocide and for prompt investigative action. It requires adequate budgetary resources, clear mandates and qualified professional staff at both headquarters and field levels.

- c. In seeking improved effectiveness of human rights machinery, complementarity should be ensured with activities of other organizations mandated for protection of victims of conflict or other vulnerable groups.
- d. Fund and conduct an independent evaluation of the Human Rights Field Operation for Rwanda and charge it with making highly professional and specific recommendations for optimal UN machinery and response to threatened genocide and human rights deprivations.

Finding A-6:

Contingency Planning, Preparedness Measures, Choice of Interventions and Donor Response

Humanitarian response of official multilateral and bilateral agencies and NGOs to massive population displacements, triggered by the Rwanda genocide, was extraordinary. While it is impossible to estimate what the toll would have been in the absence of these efforts, it undoubtedly would have been staggering from starvation alone. Even so, an estimated 80,000 died in camps in Zaire, Tanzania and inside Rwanda in 1994, primarily from cholera and dysentery. It is true that agencies and NGOs had to confront extremely difficult and often dangerous conditions in Goma, Zaire, and an inhospitable physical and political environment as well. Nonetheless, more attention to needs and capacities assessments, contingency planning, preparedness measures, and adoption of the most cost-effective interventions by UN agencies, NGOs and donor governments, including military contingents providing humanitarian assistance, would have resulted in better allocation of relief resources and, more importantly, could have saved even more human lives.

One problem regarding such concepts as contingency planning and preparedness measures is lack of consistent working definitions among agencies. As discussed in Study III, it is important that preparedness be broadly conceived to include the advance placement of key technical and logistics staff and adequate mapping and communications equipment. The development and promulgation by UNHCR of “service packages” was an important innovation during the Rwanda crisis. In continuing efforts to improve this approach, better standby arrangements for larger strategic equipment items, such as bulldozers and water tankers, are needed.

It is important to underline that donor governments can be just as deficient in inadequate planning and preparedness as other agencies. Study III found instances of donors being prepared to fund transportation of inappropriate commodities (bottled water being an egregious example) and others where UN agencies had made timely identification of appropriate needs, but donor governments did not live up to their commitments to provide them, or did not provide them in a timely manner. Long delays in providing water tanker trucks and bulldozers to the Goma area are the most serious examples, examples that did result in deaths that could have been prevented.

Recommendation:

Policy and Funding for Preparedness Measures

- a. **To the UN Inter-Agency Standing Committee and Agencies, Bilateral Donors, OECD/DAC, International Red Cross and Red Crescent Movement and NGO Network Organizations, and to Member States for Necessary Support**

Each group to whom this recommendation is addressed should develop policy guidelines and operating procedures appropriate to their functions for undertaking needs and capacities assessments, contingency planning, preparedness measures and procurement of supplies and equipment

for cost-effective interventions (e.g., bucket chlorination for water purification, oral rehydration salts), as well as for cost-effective investments in mitigating critical logistical bottlenecks, such as key transportation links.

However, there should be as wide agreement as possible on consistent working definitions of contingency planning and preparedness measures to be used by agencies and organizations involved in humanitarian relief operations. The UN Inter-Agency Standing Committee, with the participation of NGO implementing partners, would be a logical forum to agree on a common set of definitions from those that have been developed by such agencies as DHA and UNHCR. Consultations should also take place with the components of the International Red Cross and Red Crescent movement and with OECD/DAC.

In order to fulfil its purpose of anticipating possible developments, contingency planning should project a range of scenarios and analyze factors bearing on the likelihood of each scenario. An important basis for drawing up contingency plans should be information and analysis drawn from the integrated humanitarian early warning capacity recommended in C-2 below. Just as important, the contingency plan must then be updated to reflect relevant changes in the environment.

Preparedness measures should be conceived broadly, to include needs for advance placement on-the-ground of technical and logistics staff, adequate mapping, appropriate communications equipment and standby arrangements for larger strategic equipment. They also require a coordinated approach, and should therefore come under the sphere of improved coordination efforts as recommended in C-3 below.

b. To the UN Inter-Agency Standing Committee and Agencies, Donor Governments, Bilateral Agencies and OECD/DAC

- i. Donors should be prepared to provide increased up-front funding to agencies for contingency planning and preparedness measures for major complex emergencies and honour pledges to do so. For activities that draw on funds channelled through the UN, the existing contingency fund overseen by DHA should be expanded and procedures for its utilization streamlined.
- ii. Donor funding sources and implementing agencies need to be brought together, perhaps through OECD/DAC, to seek a common understanding regarding mutually acceptable levels of investment in contingency planning and preparedness measures and accompanying levels of risk.
- iii. Donors should be prepared to fund costs for appropriate and cost-effective interventions and they should implement expeditiously commitments made to agencies to supply equipment and supplies.

Finding A-7:

Slow and Restricted Recovery Aid

In the aftermath of the genocide, donors were generally not well-prepared to assist in the recovery of Rwanda. Significant pledges of development aid were made by the beginning of 1995, but the flexible, fast-disbursing aid needed by the government to restore basic capacities was slow in materializing.

Among the reasons for this lag have been: donor government concerns regarding the legitimacy of the post-genocide government; normal agency procedural requirements that resulted in prolonged processing, leading to delayed commitments and disbursements; frequent turnover of key personnel and political rivalries within the government; and continuing incidents of violence within Rwanda. But a major factor has been the inability to achieve a mutual understanding between donors and the new government over their respective requirements and constraints. To provide fast-disbursing aid (programme or budget support), donors need assurance about the transparency and accountability of the government's budget preparation and execution processes.

Recommendation:

Rapid Availability of Flexible Resources for Key Functions

To the Bilateral Donors, Multilateral Development Banks, UN/DHA, UN Development Agencies and the OECD Development Assistance Committee

- a. Initiate, at the earliest possible stage, consultations between donors and the government to address concerns on both sides, and to agree on the conditions under which donors will provide assistance.
- b. Develop guidelines through DAC for countries recovering from complex emergencies that:
 - 1 ask donors to allocate designated resources to "recovery funds" as a category distinct from emergency relief funds on the one hand, and longer-term development funds on the other.
 - 1 provide rapid and flexible procedures for disbursing recovery funds along the same lines as procedures for emergency assistance;
 - 1 indicate how basic donor accountability requirements can be met in provision of fast-disbursing and untied recovery funds without re-introducing protracted processes and requirements that recovering countries will not be able to meet; and
 - 1 propose procedures dealing with such matters as utilization of NGOs, donor coordination, etc., tailored to the circumstances of complex emergencies.

B. Detection, Prevention and Suppression of Genocide and Civil Violence

This section presents additional findings and recommendations that relate to issues dealt with by Study II.

Finding B-1:

Flawed Use of Conditionality

Some members of the international community did attempt to influence the government of Rwanda to curb increasing violations of human rights during the three-year period preceding the genocide. These efforts included diplomatic representations and, in one case, clear warnings that economic and military aid would be reconsidered unless the situation was rectified. While a few human rights cases were attended to, for the most part these efforts had no impact on the escalation of civil violence. In principle, most bilateral donors made economic aid, which had become very substantial by the early 1990s (almost US\$50 per capita), conditional upon observance of human rights, but in

practice virtually no donor reduced aid with specific and exclusive reference to human rights violations. Canada did indicate that its reductions were a result of human rights violations, even though other factors influenced the decision. Some bilateral donors hoped that “positive conditionality,” by promoting democratization through support for a free press, local human rights organizations and the justice system would check human rights violations. However, violations continued to increase in severity. Severe drought and massive population displacements caused by the RPF offensive of early 1993 resulted in a substantial shift to humanitarian aid, which provided less leeway for conditionality. By suspending aid in late 1993 and early 1994 with reference to bookkeeping and project feasibility rather than human rights criteria, donors sent the message that human rights conditionality was preached but not practised.

Recommendation:

More Effective Conditionality

To the OECD Development Assistance Committee, UN Inter-Agency Standing Committee and International Financial Institutions.

Identify and be prepared to implement consistently a range of measures intended to pressure a government to halt severe civil violence and human rights violations. Between diplomatic representations at one end of the range and intervention of peacekeeping forces at the other, are such measures as implementation of economic and military assistance conditionality, freezing of foreign bank accounts and application of selective embargoes. As noted in the finding above, assistance conditionality may be either “positive” or “negative.” An approach often used in conjunction with positive or negative conditionality is policy dialogue through day-to-day contact or in more formal settings, such as Consultative Group and Round Table meetings that bring all major donors together with the government.

Economic conditionality imposed by outside actors must be formulated with a view to its likely impact on human rights conditions and conflict in the receiving country. Actual measures adopted must be tailored to the specific situation, taking into account the possibility that a given measure might increase rather than decrease violence. For this reason, a systematic study of past experience, including an in-depth study of Rwanda, regarding timing, nature and effects of both positive and negative conditionality would be highly desirable.

Drawing from such a study, the formulation of a clear and uniform policy will require consultations within and among such bodies as the OECD Development Assistance Committee, the Development Committee for the Bretton Woods institutions and regional development banks, and the UN Inter-Agency Standing Committee.

Finding B-2:

Illegal Arms Trade Fuelled the Violence

Outside arms suppliers contributed to and exacerbated the conflict in Rwanda in violation of the spirit if not the text of the Arusha Accords, preceding cease-fire agreements and the UN arms embargo. After the genocide, continued rearming of former government military and militia, as reported to have been occurring in Zaire, increased the threat of repetition of the cycle of massive violence. The recently established International Commission of Inquiry, charged with investigating these reports, will hopefully lead to a cessation of such arms shipments.

Recommendation:***Enforce Arms Embargoes*****To the UN Secretary–General, Member States and the Media for Necessary Action**

- " Investigate and penalize breaches of arms embargoes agreed to by treaties or instituted by the UN.
- " Establish or tighten controls on arms export licences so as to halt arms sales to countries committing acts of violence against their citizens.
- " Carefully review findings of the International Commission of Inquiry charged with investigating reports of supply of arms and related matériel to former Rwanda government forces in the Great Lakes region. Take action as appropriate.
- " Encourage the press to investigate and publicize instances of arms sales and shipments that are illegal or are made to countries that commit acts of violence against their citizens.

Finding B-3:***Flaws in the Peace Process***

As reflected in the Arusha Accords process, negotiations and peace agreements entail risks, tending to further polarize those who reject the agreements. In particular, the problem posed by Hutu extremists who were left out of the Accords's power sharing arrangements was not addressed, or even sufficiently recognized as a serious problem by the international community at the time. Implementation and monitoring requirements, including the peacekeeping force called for by the Accords, received insufficient attention and action by the international community. In particular, the UN failed to make adequate use of the OAU and local African states, who had been intensively involved in negotiations, in the implementation phase.

Recommendation:***Sustainable Peace Agreements*****To the Secretaries–General of the UN, OAU and OAS for Follow–up and to Member States for Necessary Action**

Peace agreements require careful follow–up and monitoring to ensure their consolidation and implementation. This may require special measures to speed up demobilization of the warring parties, disarm or neutralize opponents of the agreement, and provision of incentives to maintain momentum. Regional organizations and neighbouring states should be actively involved at every stage of the process.

- " The UN Secretariat should undertake a study, in consultation with OAU and OAS, with a view to developing guidelines on follow–up and monitoring of peace agreements. Any guidelines would have to take into account the complexity of such agreements and the need for follow–up to be tailored to their unique characteristics.

C. Management of Relief

This section presents additional findings and recommendations that relate to the management of humanitarian relief assistance to refugees outside Rwanda and to displaced persons and survivors of genocide and violence within Rwanda. These are topics covered by Study III.

While not framed as a finding or recommendation, there is an issue of balance between attention to relief needs of refugees and survivors within the country. Given the refugees' near total lack of resources of their own, it is perhaps understandable that the largest portion of international relief assistance committed for the Rwanda crisis has been allocated to "outsiders" rather than to "insiders," even though those in need of relief within the country may have at one point considerably outnumbered those outside. Given both their visibility (e.g. in international media) and immediacy of their needs, international attention focused initially on refugees, then on the internally displaced and finally – and belatedly – on survivors.

While some agencies sought to achieve a balance between humanitarian aid provided to refugees and those in need inside the country, a real problem was that information on the needs of vulnerable groups, such as widows and unaccompanied children⁹, within Rwanda was much poorer than information on needs of refugees. Also, agencies' organizational capacities to serve these needs were generally less well developed, especially in the early months, within Rwanda. By the autumn of 1994 donor attention within Rwanda was shifting from relief to rehabilitation and recovery.

Finding C-1:

Insecurity in Refugee Camps

Physical protection of refugees and displaced persons in camps can be problematic even in "normal" circumstances. In the Rwanda crisis, this issue quickly became of paramount importance. The continued dominance of former commune and other leaders, some of whom were perpetrators of the genocide, and the presence of armed elements in refugee camps, inflicted more trauma, insecurity and diversion of resources destined for bona fide refugees; and posed a security threat to relief agency staff. Occasional ostentatious or other forms of reckless or imprudent behaviour of agency staff unnecessarily increased the risk of security problems as well. Experience from complex emergencies has shown that behaviour of staff and the way they choose to interact with the beneficiary community has a major influence on the refugees' and their own security.

Recommendation:

Refugee Camp Security

To the High Commissioner for Refugees, the Under Secretary-General for Humanitarian Affairs and Heads of NGO Network Organizations for Follow-up, in Consultation with the Components of the International Red Cross and Red Crescent Movement, and to the Security Council, Member States and Donor Agencies for Necessary Action and Support

In situations where the international community has assumed humanitarian responsibility at refugee and/or IDP camps, take the following actions with respect to camp security measures:

⁹ As noted in Chapter 4, great efforts have been made over the past year by ICRC, UNICEF, UNHCR and by NGOs such as Save the Children (UK and US), to trace unaccompanied children.

- a. Give UN peace missions authority and the appropriate means to ensure protection, in coordination with host governments or otherwise, of camp populations and staffs of relief organizations.
- b. Work with host governments to take other measures, such as disarming camp residents, separating genuine refugees from those not entitled to refugee status, barring arms trading, preventing military training of residents, expelling hostile leadership from camps, halting the operations of hate media, and splitting up large camps into smaller ones at a greater distance from the border.
- c. Advise official and non-governmental agency staffs on prudent patterns of behaviour that will not invite security problems as well as on how effectively to maintain an open and continuous dialogue with the beneficiary community.

Finding C-2:

Inadequate Early Warning of Population Displacements and Sudden Increases in Relief Needs

Detailed study of the information flows and decisions leading up to the Goma influx reveal that an integrated mechanism for gathering and analyzing information that could provide advance warning of large population displacements did not exist. The UNREO Information Cell came closest to fulfilling such a role but its objective was to collect and share information for coordination rather than warning purposes. It was heavily dependent upon a) relief agencies or UNAMIR contingents being present in an area and b) providing regular monitoring reports on developments/events in their area. These conditions were not met in much of north-west Rwanda during the critical period of May and June 1994. Study III also highlighted the need for information to be circulated as widely as possible among all agencies involved in the response, including NGOs, and to all agency sub-offices, many of which did not receive situation reports sent to headquarters.

Recommendation:

Development of an Integrated Humanitarian Early Warning System

To the UN Secretary-General and Inter-Agency Standing Committee, in Consultation with the Components of the International Red Cross and Red Crescent Movement and NGO Network Organizations

Establish an Integrated Early Warning Cell, adequately resourced, within the DHA region coordination office once emergency operations have commenced. All agencies – governmental, inter-governmental and NGO – operating in the region should be encouraged to feed reports on developments within their area of operation into the Cell.

- " Where coverage of areas is incomplete the integrated early warning cell should have capacity to place field observers/monitors to complement relief agencies or, in those areas where security is very poor, to call upon aerial reconnaissance capacity through standby arrangements with suitable military forces.
- " Information from all sources should be combined and analyzed and the likelihood of events requiring substantial humanitarian responses estimated.

" Reports containing information on key developments in each area and assessments of likelihood of substantial population displacements should be disseminated widely to all sub-offices of agencies involved in the response that have a proven record of treating sensitive information confidentially. In extremely fluid and tense situations, reporting should be daily.

Finding C-3:

Mixed Performance in Coordination

Coordination mechanisms existed at many different levels within the system.

At least seven UN agencies and the Department of Humanitarian Affairs were directly involved in the response. Collaboration and coordination among UN agencies was affected by overlapping mandates and a regrettable rivalry. Overall coordination was characterized by what Study III termed a "hollow core" with a small, ad hoc, not highly regarded body with a coordination mandate only within Rwanda (DHA/UNREO) attempting to coordinate very large operational agencies (notably WFP and UNHCR) supporting refugees in neighbouring countries as well as programmes inside Rwanda. Responsibility for technical and sectoral coordination within Rwanda was further split between UNICEF and WHO. All these agencies relied to a significant degree upon NGO implementing partners, some 250 organizations, which presented coordinating agencies with extremely wide variations in terms of experience, professional qualifications and attitudes toward coordination efforts (see Study IV, Chapter 6).

There was also lack of clarity in division of responsibilities among senior UN officials who had various leadership and coordination functions (i.e. UNAMIR Force Commander, Special Representative of the Secretary General, Humanitarian Coordinator/Head of UNREO, Special Envoy of the High Commissioner for Refugees) and their relationship vis-à-vis senior personnel from UN agencies and departments. Such overlaps and lack of clarity hampered operational effectiveness.

At lower levels there were instances of successful coordination, notably in relation to refugees where UNHCR's Technical Coordinator structure performed well and the agency's ability to encourage NGO cooperation and team efforts among all agencies was enhanced by substantial financial support from ECHO. The best case of operational coordination was Ngara where UNHCR, backed up by the government of Tanzania, limited the number of NGOs working in camps and provided strong leadership. Within Rwanda, in a context where a large number of NGOs were involved in operations, the DHA/UNREO-supported Integrated Operations Centre (IOC) was obliged to adopt a less directive approach to coordination but nevertheless, by providing excellent information and facilitating collaboration among agencies, was able to achieve an impressive level of coordination.

Recommendation:

Effective Coordination Among and By Official Agencies

To the UN Secretary-General and Inter-Agency Standing Committee

Three options are formulated below to address the weaknesses identified in the above finding. The options vary in the degree of reform required. Each has relative advantages and disadvantages.

(i) Strengthen and extend existing inter-agency coordinating arrangements and mechanisms

through:

- a) use of inter-agency Memoranda of Understanding (such as that between UNHCR and WFP);
 - b) strengthening DHA by assuring its funding base and giving it responsibility for providing common services to UN and other agencies (air cell management responsibility, integrated humanitarian early warning system, etc.);
 - c) structure UN coordination meetings as inclusive task forces, chaired by DHA, and to which representatives of the Red Cross and Red Crescent Movement, major bilateral donors and key NGOs would be routinely invited to participate;
 - d) reducing the number of senior officials with coordination and leadership roles and clarifying lines of authority of those present.
- (ii) Considerably strengthen the central coordinating role of UN/DHA. Under this option humanitarian assistance funding for UN agencies and their NGO implementing partners would be channelled through DHA, which would decide on priorities and determine the amount of funds each agency would receive. To perform effectively this expanded role, DHA would need additional expert staff, including those with technical backgrounds, to be posted to the field as well as headquarters.
- (iii) Consolidate in a new, expertly-led and -staffed and fully operational mechanism of the United Nations, the emergency response functions of the principal UN humanitarian agencies (UNHCR, WFP, UNICEF and DHA). This is the option recommended by Study III.

Option (i) would be the least costly and disruptive, but the findings of Study III suggest that these efforts would not be enough to eliminate the confusion and competition experienced during the Rwanda emergency. Option (ii) would entail some additional cost but it would also strengthen the coordinating function at one focal point, with control over resource allocation. This would not require the creation of additional organizations but would strengthen one that is already there. Option (iii) would ensure coordination by centralizing all policy and operational responsibility in one agency/department. It should be noted that this agency/department need not be created outside the existing agency structure, but could be created within one of the existing agencies, such as DHA. Nonetheless, it would be the most disruptive of the three options. It has also been argued that there is a value to having some specialized institutional competence as well as possible cross-fertilization from having relief and development functions in the same agency (as in the cases of UNICEF and WFP). A similar case has been made regarding the value of having relief and refugee protection functions in the same agency, as currently is the case in UNHCR. But an opposite case can also be made that the two functions can come into conflict and compete for attention and resources, suggesting that each would be performed better in separate agencies.

Whichever option is chosen, a plan of action should be formulated, including a full review of staff needs by a special panel of international experts, governments and NGOs. A report containing the reasoning for selecting the option as well as the plan of action should be submitted by the Secretary-General to the General Assembly.

Finding C-4:

Mixed NGO Performance

The performance of NGOs in providing humanitarian assistance was mixed. A number behaved professionally and compassionately and delivered high-quality care and services. But, as reported by Study III, other NGOs performed in an unprofessional and irresponsible manner that resulted not only in duplication and wasted resources but, in a few egregious cases, in unnecessary loss of life.

Recommendation:

Professional NGO Performance

To address the problems identified in the above finding, it is imperative that NGOs operating in complex emergencies:

- " field qualified professional staff with previous work experience in such settings and appreciation of the need to be sensitive to the local culture;
- " establish partnership with local organizations;
- " include at least some staff or advisors with considerable experience in the country or sub-region;
- " be prepared to work collaboratively with UN, donor and host-government officials.

a. To Heads of Non-Governmental Organizations, their Network Associations and the Components of the International Red Cross and Red Crescent Movement

A set of standards is being developed by several NGO networks that is intended to supplement the Code of Conduct promulgated by ICRC, IFRC and NGO associations. Both the Code of Conduct and set of standards should be widely disseminated and promoted among NGOs, official agencies and governments.

- b. To above Entities, UN Inter-Agency Standing Committee, Donor Agencies and OECD Development Assistance Committee for Follow up and to Member States for Necessary Action

While voluntary adoption and implementation of the Code of Conduct and standards is clearly preferable to edicts imposed on NGOs from outside, the Rwanda experience indicates that it will not be enough to rely on voluntary adoption alone. Some form of regulation or enforcement is needed. Two options are formulated below, followed by a brief discussion of pros and cons of each.

- (i) Self-managed regulation. Under this option, NGO networks could be assisted in acquiring greater capacity to monitor member compliance with the Code and standards.
- (ii) An international accreditation system. Under this option, core criteria for accreditation would be developed jointly by official agencies and NGOs. These criteria would need to be adapted and supplemented for a specific complex emergency. This is the option recommended by Study III.

As stated, the second option is stronger than the first in terms of enforcement, but it raises a number

of issues that would have to be resolved, such as selection of an entity to administer accreditation, funding, reporting relationships, etc. Self-regulation under the first option would be encouraged if donors and donor governments agreed to restrict their funding and tax-free privileges to agencies that have adopted the Code and standards. Similarly, host-country governments could restrict registration, work permits and duty-free importation privileges to adopting agencies. If implemented, these incentives and disincentives would compensate for the enforcement weakness of the first option. Donors and governments must, of course, be prepared to hold NGOs accountable to the Code and standards and employ disincentives in the event of non-compliance. The media have played and can play a positive role by exposing instances of unprofessional and irresponsible conduct by NGOs.

Finding C-5:

Military Contingents

Military contingents from OECD countries have played increasingly significant roles in support of humanitarian operations in complex emergencies both in the provision of relief assistance and in support of relief agencies. They played such roles in Rwanda and eastern Zaire. However, in view of the inability of Study Team III to obtain sufficiently precise and comparable data on costs and performance, it was not possible to make definitive comparative assessment. The Rwanda experience with military contingents does raise questions about predictability, effectiveness, costs and ability to participate collaboratively in operations involving several official agencies and numerous NGOs.

Recommendation:

Systematically Assess Comparative Cost-Effectiveness of Use of Military Contingents in Humanitarian Relief Operations

To Donor Countries and Agencies and OECD/DAC

Undertake a systematic study of the performance and costs of military contingents in humanitarian relief operations as compared with that of official agencies, NGOs and the private sector performing the same functions.

Finding C-6:

Weak Accountability

The availability and quality of performance data and reporting by official agencies and NGOs involved in emergency relief operations were highly variable. In some locations (e.g. Goma) the situation was more satisfactory but in others (e.g. within Rwanda) available data did not provide a sufficient basis for assessing impact or performance, or – just as importantly – for making adjustments in programme activities. A tendency by some official agencies and NGOs to emphasize or inflate positive accomplishments and play down or ignore problems resulted in distorted reporting. Even basic data on staff, finances and activities were difficult or impossible to obtain from a number of NGOs.

While the evaluation teams did not undertake an in-depth review of the evaluation procedures of agencies, they did become aware of efforts by both UN/DHA and UNHCR to evaluate their operations in the Rwanda crisis. Such efforts led DHA in mid-1995 to embark on a programme of evaluations and lessons-learned studies covering the full range of its operations.

The availability and quality of data collected and made available by donor governments varied considerably. Some donors rarely if ever provided data to the UN/DHA Financial Tracking System. Donors tended to compound the problem by asking for information with widely varying formats from agencies and NGOs they funded.

Recommendation:

Ensure Accountability

a. To the UN Inter-Agency Standing Committee, Bilateral Donors and Multilateral Development Banks, OECD/DAC and Heads of NGO Network Organizations

Several options are formulated below to address the problems identified in the above finding. An additional recommendation is addressed to donor governments and bilateral agencies.

(i) By strengthening the effectiveness of official agency coordination and standards of NGO conduct along the lines recommended in C-3 and C-4, above, accountability would be strengthened, especially if implementation of these recommendations includes standards for data collection and reporting. The current Red Cross/NGO Code of Conduct commits signatories to “hold ourselves responsible to both those we seek to assist and those from whom we accept resources.” Full implementation of this commitment would entail establishment of NGO mechanisms for consultation with people affected by humanitarian emergencies.

(ii) Establish a unit in UN/DHA that would have no other responsibilities but to conduct the following functions:

“ undertake regular field-level monitoring and evaluation of emergency humanitarian assistance, and review adequacy of standards followed;

“ serve as ombudsman to which any party can express a concern related to provision of assistance or security;

“ set up and manage on behalf of the international community a database on emergency humanitarian assistance operations; and

“ prepare periodic status reports for the public domain.

(iii) Identify a respected, independent organization or network of organizations to act on behalf of beneficiaries of humanitarian assistance and member states to perform the functions described in option (ii) above. This is the option recommended by Study III.

Option (i) would entail least cost and disruption to the humanitarian assistance system, but it would not provide one focal point for a database or for dissemination of information throughout the system. Option (ii) provides the focal point but as part of a UN unit it could be viewed as lacking independence. Option (iii) provides both independence and a focal point but poses issues in terms of selection of the entity, accessibility, and reporting relationships (its own accountability). While both options (ii) and (iii) would have cost implications, their contribution to effectiveness and accountability should also be kept in mind. It is essential that either option be adequately resourced. It should also be noted that option (iii) need not require the creation of a new entity, but could well

entail the selection of an existing institution to assume the functions outline above.

b. To Donor Governments, Bilateral Agencies and OECD/DAC

Donors have a responsibility to improve accountability both to their taxpayers and to the beneficiaries of their assistance. They have a responsibility to improve their own performance information and reporting (including on any humanitarian role played by military contingents), but they also have a leadership role in promulgating consistent standards, including adequate breakdown of data by activity and area, for the humanitarian assistance community as a whole. Finally, donors have a responsibility to standardize among themselves the formats they use for reporting requirements of agencies to whom they provide funding.

" The Development Assistance Committee of the OECD should develop guidelines for adequacy, consistency and standardization of performance data and reporting on humanitarian assistance activities.

" Ensure adequate support to the DHA Financial Tracking System and prompt provision of requested data.

Finding C-7:

Adverse Impacts on Local Populations and Environment

There were clear environmental and other costs imposed by the large refugee camps on local populations in the neighbouring countries of Zaire, Tanzania and Burundi as well as on local populations surrounding displaced person camps. Some of these costs resulted from flawed agency policies, e.g. not taking into account environmental impact of fuelwood requirements of the massive refugee population. Moreover, armed elements in refugee camps posed a security threat to local populations. While certain groups and enterprises derived at least some temporary benefits from hosting large refugee or displaced populations, these were distributed unevenly.

Recommendation:

Minimize Adverse Local Impacts

To the High Commissioner for Refugees, the Director-General of the World Food Programme, UNICEF and Other UN Development Agencies, NGO Implementing Partners and Bilateral Donor Agencies, in Consultation with the International Red Cross and Red Crescent Movement and NGO Network Organizations

Prepare and issue standard operating policies and procedures that will minimize and mitigate adverse impacts of relief operations (whether refugee or IDP) on surrounding populations and their environment. These will have implications for donors as well as UN agencies and NGOs. The following specific recommendations, drawn in part from Study III, are relevant:

- (i) Provide food that minimizes cooking requirements (e.g. flour) or includes milling costs in the transportation and storage costs funded by donors.
- (ii) Establish a quick-disbursing fund, or draw from the existing UNHCR Emergency Response Fund, to provide early compensation to host communities adversely affected by refugee concentrations.

- (iii) Provide other kinds of assistance, such as fuel for cooking, extension of camp infrastructure and services (water supply, health care, etc.) to surrounding local populations and rehabilitation of physical infrastructure damaged in meeting relief needs (e.g. roads and airstrips).

Effective implementation of Recommendation C 1 on 'Refugee Camp Security' will also address security threats to host populations.

Finding C-8:

Inequitable Food Distribution

The use of former leadership in many camps as an expedient mechanism for food distribution reinforced its power and resulted in rations being manipulated by extremist leaders and diverted from refugee consumption. There is evidence that in such circumstances direct distribution of food to the household results in a higher proportion of rations actually being received by intended recipients. While the evidence in terms of impact varies and may depend on cultural context, direct distribution to women is an option that should be explored.

Circumstances often confronted by agencies and NGOs in the face of rapid influxes of large masses of refugees and displaced persons made it difficult to implement quickly alternative distribution systems. The fact that the former leaders and their command structures often arrived intact with refugees, accompanied by high levels of insecurity and violence, especially in the large camps, made it extremely hazardous to distribute food directly. Difficult terrain and lack of heavy equipment that precluded establishing more than one distribution site per camp in the Goma area also made direct distribution to families, particularly in the large camps, unfeasible. Yet, some organizations were able to move to direct distribution systems considerably earlier than others in spite of the difficulties.

Recommendation:

Equitable Food Distribution

To the High Commissioner for Refugees, Director General of WFP, NGO Implementing Partners, in Consultation with the International Red Cross and Red Crescent Movement

Develop and get inter-agency and, to the extent feasible, from the relevant governmental authorities, advance agreement on operational guidelines for food distribution. These guidelines should provide for direct distribution of food at household level if there is a risk of exploitation of the food distribution system by camp leadership. They should also recommend exploring the desirability and feasibility of direct provision to women.

D. Supporting the Rebuilding of Society

This section presents additional findings and recommendations that relate to efforts of the international community to assist in the rehabilitation and rebuilding of a society attempting to recover from a complex emergency. These are topics covered by Study IV.

Unfavourable comparisons have been made between international assistance provided to Rwandese refugees outside the country and assistance provided for rehabilitation and recovery within the

country. As indicated in previous sections, there are a number of reasons that explain the relatively large amount of assistance devoted to refugee assistance and the relatively small, but growing amount of aid devoted to recovery and development. Nonetheless, some of the delay in provision of external resources for rebuilding Rwanda's decimated human, institutional and governance capacities resulted from lack of mutual understanding between government and donors of their respective requirements and constraints. The level of attention and resources required for recovery and development must be defined through a process involving a meeting of the minds of government and international community.

As noted previously, the country's authorities and communities have primary responsibilities for achieving and shaping society; external support should aim at strengthening their institutional capacities. Clear understandings between donors and recipient country need to be achieved regarding re-establishment of capacity as well as minimal legitimate accountability requirements and the temporary need for expatriate involvement in implementation.

Finding D-1:

Non-Functioning Justice System

One prerequisite to repatriation of the majority of the huge number of refugees living just outside Rwanda is a functioning justice system that will put an end to the long-prevailing "culture of impunity." A functioning system will have to assess degrees of guilt among those accused of participating in the genocide and political killings as well as resolve disputes over property owned by recent Hutu refugees but now occupied by former Tutsi refugees.

Some donors have been slow to provide support in this area and in a few cases are precluded by their own legal restrictions from support to certain elements of the justice system such as law enforcement and penal institutions. The international community has also been slow in providing the resources needed for the International Criminal Tribunal for Rwanda to indict and try expeditiously those Rwandese accused of crimes against humanity who are living in exile.

The government has also been slow in taking certain essential actions, such as appointment of Supreme Court and lower-level magistrates, in expediting due process procedures for almost 60,000 detainees and ameliorating the extremely harsh conditions of their confinement. It is hard to avoid the conclusion that, as observed in Study IV, paralysis of the judicial process and inability to try suspected criminals has resulted not just from lack of staff and equipment but also from lack of resolve. The government's enthusiastic sponsorship of the International Conference on "Genocide, Impunity and Accountability: a Dialogue for a National and International Response," 2-6 November 1995, signalled resolve, but much more remains to be done.

Recommendation:

Expand Support for Justice System and Law Enforcement

To Bilateral Donors and Multilateral Agencies, the UN High Commissioner for Human Rights and the OECD/DAC for Follow-up and to Member States for Necessary Action

- a. Develop with the host government a comprehensive plan for assisting reconstruction of the justice system, including assistance to civilian law enforcement and penal institutions.
- b. Review and adjust legislative restrictions that preclude some donors from providing assistance

for justice and law enforcement systems in order to permit such assistance to countries attempting to recover from a complex emergency.

c. Strengthen the International Criminal Tribunal mechanism:

" In the short-term this requires that the Tribunal has an adequate budget and delegated authority to carry out its responsibilities.

" The Tribunal's effectiveness also requires that UN member states give prompt and full cooperation to its requests.

" For the longer-term, the proposed International Criminal Court must be established on a permanent basis in order to expedite the prosecution of those accused of genocide and other crimes against humanity.

Finding D-2:

Barriers to Repatriation

Very few of the over two million refugees who fled from Rwanda in the aftermath of genocide have returned to Rwanda. Much of their resistance to repatriation is due to actual fear of returning, whether grounded or not. This fear, in turn, springs from several major sources. Attempts by refugees to repatriate, or even discuss repatriation, have been met by threats, intimidation and repression by camp leaders and militia. Physical insecurity and a nono functioning justice system inside Rwanda have also been major factors discouraging repatriation. Both actual and false accounts of violent reprisals, arbitrary arrests and harsh detentions have contributed to this outcome. Lack of detailed and widely-promulgated government policies regarding re-occupation of property and land have also discouraged repatriation. Lack of basic services and productive employment have also been sources of concern. Finally, the relatively large numbers of people in refugee camps who were involved to some degree in the genocide and killings have undoubtedly resisted repatriation, especially in the absence of clear policies regarding degrees of guilt and corresponding penalties for participating in the killings. For all these reasons, the view in some quarters of the international community that major repatriation and reintegration could occur quickly was clearly unrealistic and mistaken.

The recent arrests in Zaire of extremist leaders, as well as an agreement to accelerate voluntary repatriation, may portend weakening of a major repatriation barrier. But even if these developments turn out to be significant, several additional substantial impediments remain within Rwanda.

Recommendation:

Remove Barriers to Repatriation

To the High Commissioner for Refugees, the High Commissioner for Human Rights, Bilateral Donors and Multilateral Development Banks and Agencies and NGO Network Organizations for Follow-up, and to Member States for Necessary Support

Implementation of Recommendation Co 1 on "Refugee Camp Security" will remove the source of intimidation and repression that has acted as one important barrier to voluntary repatriation.

The following measures would both alleviate the concerns of refugees and improve conditions for people inside the country. The government of Rwanda must play a very active part in these efforts:

- (i) Support the government's current efforts to establish and promulgate degrees of guilt and punishment for participation in the genocide and other killings, as well as efforts to strengthen the justice system in other ways (see Recommendation D-1, "Expand Support for Justice System and Law Enforcement").
- (ii) Insist on compliance with the rule of law and observance of fundamental human rights principles, and monitor closely abuses by the government.
- (iii) Provide expanded support for strengthening local capacities to provide basic governmental and related services, such as education, health and agricultural research and extension, and for income-generating activities (e.g. micro enterprise, rural works programmes, etc).
- (iv) Provide further support, as appropriate, to the government to develop and implement land tenure and property rights legislation, especially the right of women to inherit and own land; and to develop clear procedures and identify institutions for dispute settlement.
- (v) Provide support for experts under auspices of the UN High Commissioner for Human Rights to work with authorities and local NGOs to design and implement human rights training and education programmes, in accordance with OAU, UN and Red Cross Conventions.
- (vi) Facilitate establishment by the government of broadly-based "peace committees" in communes to monitor security of returnees; screening of returnees should be performed in close proximity to home communes, so as to give them confidence in the process.

Finding D-3:

A Potential for Reconciliation

Women's groups and some elements of the church have been providing support to the vulnerable and building bridges across ethnic boundaries. Some church denominations have made an effort to examine critically their role and behaviour during the crisis. But the role of the church as a whole as an agent of healing and reconciliation will be limited until it confronts and admits more directly that some of its elements were involved in the genocide and assassinations. Attempts at reconciliation will make little progress until tangible progress is made in administration of justice.

Recommendation:

Support to Reconciliation Efforts

To Bilateral Donors, Multilateral Agencies and NGO Network Organizations

As the International Tribunal and the national system of jurisprudence begin to make progress in rendering justice, support should be expanded for local NGOs involved in activities attempting to open dialogue and build bridges among groups in society. This will be a long process marked with reversals as well as gains. In addition to women's groups and religious movements, there is an urgent need to work with young people who have been profoundly affected by genocide and conflict. This "intermediate generation" will become decision-makers and opinion leaders in coming years. Unless they are actively involved in the reconciliation process, seeds for future violence will flower. Education of children and teachers (in problem-solving, non-violent conflict resolution, etc.) has a critical role to play in the process of reconciliation. The international

community has a challenge and an opportunity to support innovative efforts in this area.

E. Roles of the Media

This section presents a finding and recommendation on the roles of the media, a subject that is addressed in both Study II and Study III.

Finding:

The Mixed Impact of the Media

By and large, the international media chose not to report on (or to publish, if news reports were filed) evidence of plans and organizing for large-scale massacres. This contributed to failure by the international community to perceive the genocide for what it was and to insist on an adequate response. This failure occurred in spite of local media, which became dominated in the early 1990s by a radio station and newspaper whose vitriolic propaganda incited hatred and violence.

Inadequate and inaccurate reporting by international media on the genocide itself contributed to international indifference and inaction. However, intense media coverage of certain aspects of emergency relief operations, particularly in Goma, influenced both political decision-makers and agencies to make ad hoc decisions that were not always in line with sound operating principles and resulted in a skewed emphasis on some relief activities at the expense of others. Neglect of the survivors and some instances of sub-optimal placement of relief resources reflected, in part, unbalanced and inaccurate reporting by the international media.

However, international media coverage also influenced agencies to act urgently and responsibly, and raised awareness of politicians and the public at large, which in turn helped to generate funds.

Recommendation:

Assess the Roles of the Media

To the Media

The media, individually and through professional associations, should review their reporting on Rwanda to explain and draw lessons for responsible reporting of future complex emergencies.

Organize a conference for and by the international media, under sponsorship of an organization such as Reporters sans frontières, to examine media reporting on Rwanda and draw lessons for responsible reporting on future complex emergencies.

F. The Regional Dimension

The Great Lakes region, which includes the countries of Rwanda, Burundi, Uganda, Zaire and Tanzania, is important to the evaluation for two reasons: first, Rwanda has been and continues to be significantly affected by socio-political developments in the region; and second, the intensifying crisis and open conflict in Burundi, which shares a number of causes with the Rwanda crisis, is currently threatening to explode with grave repercussions for the stability of Rwanda and the region.

Another reason why a regional perspective is important is brought out in Study I: the two major population groups in Rwanda, Hutu and Tutsi, are part of a larger regional population group, the Banyarwanda. The Banyarwanda share the same language and culture and are found in large numbers in the border regions of Uganda, Zaire and Tanzania, as well as in Burundi, where they are close relatives of the predominant Burundi. While some Banyarwanda, especially in Tanzania, have become citizens and integrated into society at large, their fate and legal status have been more uncertain in Uganda and Zaire where they have been subject from time to time to discriminatory policies and actions. Over the decades there have been substantial and often destabilizing movements of Banyarwanda across national borders of the region. Recurring political upheavals and violence in Rwanda and Burundi have been major reasons, but not the only ones, for such population shifts. These movements have often imposed substantial burdens on receiving countries.

The current deterioration of the situation in Burundi has been described in very grave terms in the recent initial report by the Special Rapporteur for Burundi of the UN High Commission on Human Rights. The report underlines a “real danger that the deteriorating situation could explode any time in the country, with consequences as grave as those seen previously in Rwanda.” A crisis in Burundi of the proportions of the Rwanda crisis would constitute an immense calamity for the Great Lakes region, for Africa and for the world. Further underlining the critical nature of the situation are recent proposals by the UN Secretary-General to station a modest UN rapid-reaction force in neighbouring Zaire, with the ability to intervene in Burundi, and an international police force to guard relief workers. The Secretary-General of the OAU has given highest priority to Burundi and engaged in intensive dialogue with its leaders to try to find ways to halt the escalating violence.

As shown in Study I, economic factors have interacted with socio-political factors in contributing to the recurring crises and violence that have impacted upon the region. Economic growth has been overwhelmed by rapid population growth, increasing fragmentation of land holdings, adverse weather, and destruction accompanying political violence and conflict.

In sum, a sustainable solution to the socio-political problems of any country of the Great Lakes region, but particularly Rwanda and Burundi at its heart, cannot be found in that country in isolation but must address and involve the region as a whole. Similarly, sustained socio-economic development of the region, accompanied by expanding human and civil rights for all groups, offers a main hope for stability and an end to the cycles of violence.

Two collective efforts on the part of the international community to address the problems of Rwanda and Burundi on a regional basis are noteworthy:

- “ The Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in The Great Lakes Region, held in Bujumbura, 12-17 February 1995.
- “ The Cairo Conference of Heads of State from the Great Lakes Region, held in Cairo, 28-29 November 1995.

The Plan of Action of the Bujumbura Conference and the Declaration signed by the heads of state at the Cairo Conference endorse a number of measures and commitments that are contained in the recommendations set forth above.

Recommendation F-1:

Immediate and Urgent Measures for Burundi

To the Secretaries-General of the UN and OAU, Bilateral Donors and Multilateral Development Banks and Agencies, Member States (including Governments of the Great Lakes Region), Components of the Red Cross and Red Crescent Movement, Non-Governmental Organizations and the Media

The following evaluation recommendations should command immediate attention for their applicability to the crisis in Burundi:

- " Provide support to further strengthen OAU mediation and peacekeeping functions. (See Recommendation A-4)
- " Expedite contingency planning and preparedness measures for humanitarian relief, learning from the Rwanda experience. (See Finding and Recommendation A-6)
- " Support measures to ensure the physical security of refugees, displaced persons and relief workers who are attempting to provide humanitarian assistance. (See Recommendation C-1)
- " Provide adequate support for the deployment of effective human rights machinery in the field, with adequate standing procedures for vigilance over threatened genocide and for prompt investigative action. (See Recommendation A-5)
- " Expand assistance to Burundi for the restoration of an effective system of justice in order to break the vicious cycle of impunity (including support for assistance by magistrates from other African countries, as suggested by the UN Special Rapporteur for Human Rights in Burundi). (See Recommendation D-1)
- " Identify and be prepared to implement consistently a range of measures intended to put pressure on those who are inciting and perpetrating escalating civil violence. (See Recommendation B-1)

The international community should not send mixed signals to Burundi that would allow for manipulation of their potential contradictions. Rather, it should speak consistently and with one voice with respect to the positions it takes and the actions it implements.

Recommendation F-2:

Formulate a Supportable and Sustainable Development Strategy for the Region

To the Secretary-General of the OAU, Governments of the Great Lakes Region, the World Bank and African Development Bank, Bilateral Donors, UN Specialized Agencies and NGO Network Organizations

A sustainable, long-term solution to the cycles of civil and ethnic violence must involve the people and be a regional one. The countries of the Great Lakes Region must take the lead in developing this solution. But strong support from bilateral and multilateral development agencies and international NGOs is also essential.

Given the difficult-to-explosive situations facing Rwanda and Burundi and some other parts of the region, a recommendation to formulate a sustainable development strategy for the region may seem foolish and unrealistic. However, if the premise of the finding above is accepted, that the sustained development of the region offers a main hope for ending the cycles of violence, then embarking on such an effort is imperative.

Several tracks will be required:

- " First, the international community should provide full support to the implementation of the recommendations of the Bujumbura and Cairo Conferences cited above.
- " Second, as noted in the Introduction, the evaluation did not undertake an ino depth examination of the regional dimension. Further research and analysis on this subject would be highly desirable as it would provide a firmer basis for the formulation of development strategy options. It would be very important to involve an African research institution in the work, perhaps teamed with a research institution based in Europe and/or North America. Funding and oversight would need to be provided by a donor agency or group of agencies. The research should be initiated as soon as possible, so it could make a contribution to the third track.
- " Third, an essential element of formulating a development strategy for the region would be actively to engage the population of the region in the formulation process. This should include dialogues in the form of meetings at local, national and regional levels that draw in a wide range of non-governmental and governmental representatives to discuss needs, priorities, alternative solutions and resources. Part of the dialogue should include such issues as how to ensure human, civil and other kinds of rights that will bring security and stability to the region; what kind of political system can best serve the deeply-divided societies of the region; culturally-sensitive approaches to non-violent conflict and dispute resolution, etc. Institutes and resource persons from other divided societies in other regions could be invited to participate. There are successful precedents, including in such African countries as South Africa and Togo, to the kind of broadly participatory development planning process outlined above.
- " Fourth, based on the strategy emerging from the second and third tracks, a carefully-planned major donor conference should be called to marshal external support.

The challenges that this process will confront are formidable. However, in the absence of such an effort it is difficult to envision how a brighter future for Rwanda and its neighbours can be achieved.

Annex 1

Terms of Reference: Evaluation of Emergency Assistance to Rwanda

Justification

1. More than one million people have died and more than two million have been displaced as a result of the conflict in Rwanda. The human suffering is of an incomprehensible scale. The recent escalation of the conflict and violence has received wide international concern and attention. The international community has provided substantial assistance to alleviate the human suffering and has contributed to efforts to find a peaceful solution to the conflict.
2. Natural and man-made catastrophes claim an increasing share of the stagnating international aid. Total emergency assistance will in 1994 exceed US\$5 billion or about 10% of ODA. Donor assistance to the Rwanda emergency alone amounts to more than US\$840 million during the first nine months of 1994. Total needs for 1994 are well beyond US\$1 billion, corresponding to about 2% of ODA.
3. In recent years an increasing number of countries have experienced emergencies caused by a combination of natural and man-made disasters or by conflict. These emergencies are inherently complex, of prolonged duration and cause large-scale human suffering and economic losses. Although some evaluations of emergency assistance have been carried out, experience from planning and execution of large-scale relief activities and their effects is not, as yet, extensively documented.
4. There are two obvious reasons for evaluating the emergency assistance to Rwanda:
 - i) The donor community needs to account for the relevance, effectiveness and impact of the substantial share of overall aid.
 - ii) Despite the uniqueness of each emergency, valuable lessons for planning and execution of future relief operations can, and should, be derived.

Objectives

5. The main objective of the evaluation is to draw lessons from the experience in Rwanda that will be relevant for future complex emergencies as well as for the operations in Rwanda and the region, including their prevention, the preparation for and provision of emergency assistance, and the transition from relief to development.
8. As of October 1994. The amount does not include substantial in-kind contributions. DHA Rwanda Financial Update no. 3

Context

6. The emergency relief activities covered by the evaluation were and are carried out in the con-

text of three fairly distinct scenarios⁹, each with its clear implications. In each scenario the - nature of events and political context changed, new groups of the population required assistance, geographical focus shifted quickly, access to areas and people was opened up or closed, and operational challenges shifted. A key concept which justifies framing the evaluation according to the three scenarios is the humanitarian space¹⁰. The humanitarian space sets the framework for humanitarian assistance in complex emergencies and influences parameters for setting priorities, access to target groups, security and need for protection and a range of possible activities within the continuum emergency prevention – emergency relief – reconstruction – rehabilitation – development.

7. The three scenarios can be categorized by the following events and contexts:
 - " Mass killings, mass movements and social collapse. The major focus was on mass displacement within Rwanda, access to affected people in Rwanda and containment of the killings, and on refugee flow into Tanzania.
 - " Stabilization of refugee/displaced situation, authority vacuum, military offensive and new mass movements. The major focus was on stabilization of emergency assistance to refugee camps inside Rwanda (Sector 4) and in Tanzania, new refugee flow into Zaire due to major military offensive, establishment of security zones and access to affected people in all areas of Rwanda.
 - " Consolidation and attempts at reo establishment of authority. The major focus was and is on supporting basic political and social functions, repatriation, rehabilitation and reconstruction.
8. New developments may quickly bring about yet another scenario that will influence future emergency relief activities. As will be seen in the following sections, both the second study on prevention efforts, and the third study on actual provision of emergency assistance, are relevant to each of these scenarios.

Scope

9. The emergency relief activities covered by the evaluation comprise the continuum: emergency prevention; emergency preparedness and delivery; repatriation, rehabilitation and reconstruction; and the relationship between emergencies, emergency aid and long-term development. The continuum will be covered through a multidimensional approach with four component studies, each of which represents a dimension of a very complex emergency in Rwanda seen in a regional context. Focus will be on the linkages among political, military and humanitarian assistance by the international community.
 10. The first study, the historic background, will outline the roots and course of events of the conflict within Rwanda society and seek to identify possibilities of reconciliation, the ultimate conflict/emergency-resolution in the country.
- 9 The term scenario (sequence of events) is used as an analytical tool to portray main components of a complex situation.
- 10 The term humanitarian space refers to the degree of access and acceptable conditions for

humanitarian assistance. Humanitarian space is limited by e.g. actions of war, unsafe environment, physical destruction and political constraints. Humanitarian space may be created and widened through negotiations of mercy corridors, zones of tranquillity, safe havens and other mutually agreed arrangements; through involvement of sanctions and military force to varying degrees; or through cross-border operations from neighbouring countries.

11. The second study will focus on the relevance and effectiveness of emergency-prevention efforts, including mechanisms for monitoring and responding to approaching emergencies (early warning system) and conflict management. It will aim at assessing the need and mechanisms for early action and systematic containment efforts in situations of approaching emergencies, not only for Rwanda but other countries as well.
12. The third study will assess mechanisms for and effectiveness of preparation and coordination of emergency assistance programming, the impact of emergency assistance. It will, with due consideration of the complexity and dynamics of the emergency, concentrate on the effectiveness of coordinated action as well as timely and appropriate assistance through numerous channels to people in dire need. It will further assess contingency plans for possible new emergency scenarios.
13. The fourth study will assess the planning and preparation for repatriation and rehabilitation to recreate and consolidate the capacities of emergency victims, reconstruct their communities and launch sustainable development programmes in their societies in order to ensure a level of living which is more secure than the pre-disaster situation.
14. Certain specific issues, in particular human rights as well as gender issues in humanitarian assistance, special needs of unaccompanied children and the role of the military in providing logistical support for humanitarian assistance, are cross-cutting and will be given special attention in the four studies.
15. The results of the four studies will be synthesized in a final report that will present the findings and lessons learnt for each element of the continuum taking into consideration the complexity of the various scenarios. Within this perspective, the lessons learnt from the evaluation will be useful in dealing with future disasters, including Rwanda, to the benefit of everybody concerned; victims, affected societies, aid organizations and donor countries.

Approach

16. Given the present complex political context of the evaluation, the evaluation will be carried out in an objective, sensitive and perceptive manner with varied and balanced consideration of both positive and negative aspects. The evaluation will be oriented towards lessons learnt from the Rwanda emergency assistance experience that could be applicable to programme-adjustment and policy-formulation affecting responses to present and future complex emergencies, rather than a report oriented to assigning accountability for past actions or lack of action.
17. The evaluation will be based on documentation, including results of recent and ongoing reviews and evaluations, from involved national, bilateral and multilateral agencies and NGOs at headquarters and field level, interviews with these agencies' representatives, Rwandan offi-

cials and experts, and with field workers and recipients, and on other fact-finding as necessary and appropriate. Fieldwork will be limited and will be planned and organized in close collaboration with the agencies concerned so as not to interfere with emergency relief activities and not duplicate existing or ongoing surveys and studies. Alternative sources of information will be explored, including lessons from other emergencies.

18. In view of the diversity of the issues to be evaluated, the separate studies, each with separate terms of reference and reports, will be contracted to independent institutions or individuals with requisite qualifications in the fields of i) emergency assistance management, planning, and implementation, ii) repatriation and rehabilitation of refugees, iii) regional and specifically Rwanda's history and situation, iv) institution and capacity building, v) conflict and emergency analysis, vi) socio-cultural and gender aspects.

Management of the evaluation

19. The overall management of the evaluation will be entrusted to a Steering Committee comprising the interested members of the international aid community. The Steering Committee will, based on the objectives and scope as defined here, design and manage the evaluation, and present the final report to all donors and to the agencies involved as subjects of the evaluation. The Steering Committee will be responsible for raising funds. The Evaluation Unit of Danida will be the lead agency and overall coordinator.
20. The Steering Committee will meet at least four times to:
 - a) finalize the TOR and approve short list of qualified evaluators (institutions/individuals) and approve budget and funding (mid-December 1994);
 - b) discuss and provide feedback on study reports and approve outline of synthesis report (mid-July 1995),
 - c) discuss and provide feedback on draft synthesis report (end November 1995);
 - d) present the final report to the international community (end December 1995).
21. Each study will be managed by a lead agency: Study I: Sweden; Study II: Norway; Study III: United Kingdom; Study IV: United States of America. The four lead agencies with Denmark in the Chair will constitute a management group and will contract, assign and supervise the work of consultants/institutions within these terms of reference and the resources available. Each lead agency will seek close cooperation and coordination with relevant UN and other international and national agencies.
22. The costs of the evaluation will be met by voluntary contributions from interested parties. For purposes of budget administration the procedures and practices current in the lead agencies will be adopted. Danida will make arrangements for administration of contributions within the established budget.

Duration

23. The evaluation will commence in January 1995 and last until December 1995. Interim study reports will be ready for discussion in the Steering Committee, and with the concerned parties, at the end of June 1995. The final evaluation reports: a synthesis report and the various

study reports, will be available at the end of December 1995.

Annex 2

Chronology 11

Based mainly on Dorsey 1994, Reyntjens 1994:1 and McHugh 1995.

1860: The new mwami, Kigeri Rwabugiri (1860–1895), expands his power in the central kingdom and in the western region. He also expands the system of clientship.

1880s: The first European explorers arrive in Rwanda.

1895: New mwami: Mibambwe Rutarindwa.

1896: Mwami Rutarindwa is assassinated and succeeded by Yuhi Musinga.

1899: Germany establishes colonial rule in Ruanda–Urundi and the territory becomes part of German East Africa. The first missionaries arrive.

1910: The frontiers of the Belgian Congo, British Uganda and German East Africa – including the territory of Ruanda–Urundi – are fixed at a conference in Brussels.

1911: A popular uprising in northern Rwanda is crushed by the German Schutztruppe and Tutsi - chiefs, leaving continuing bitterness among northern Hutu.

1916: Belgium takes over the territory, which after the First World War is administered under a League of Nations mandate.

1931: Mwami Musinga is deposed by the Belgians in favor of his son, Charles Rudahigwa Mutara.

1930s: A process of “Tutsification” results in a monopoly of political and administrative power in the hands of Tutsi. Ethnic classification through the introduction of identity cards.

1957: The Bahutu Manifesto, a document criticizing the Tutsi monopoly, is issued by nine Hutu intellectuals.

1959: The jacquerie takes place – a social revolution by the Hutu population supported by Belgium. Tens of thousands of Tutsi flee into exile. The same year, mwami Mutara Rudahigwa dies mysteriously in Bujumbura. He is succeeded by his brother, Kigeri Ndahindurwa.

1960: Rwanda’s first local elections result in an overwhelming victory for the party Parmehutu. Mwami Kigeri Ndahindurwa chooses not to return from the independence celebrations in the Congo.

1961: The monarchy is formally abolished by a referendum. On 25 September, the first parliamentary elections in Rwanda are held. Parmehutu receives 78% of the vote.

11 Reproduced from Study 1, Historical Perspective: Some Explanatory Factors

1962: On 1 July, Rwanda and Burundi gain independence from Belgium. The first President of independent Rwanda is Grégoire Kayibanda from the Parmehutu party.

1963: Armed attacks by Tutsi exiles from Burundi, the so-called inyenzi, deepen ethnic tension in Rwanda. In the violence, which escalates in November–December, some 1,000 Tutsi are killed and there is a new wave of Tutsi refugees to Uganda, Tanzania, Burundi and Zaire.

1973: Coup d'état; Major-General Juvénal Habyarimana assumes power. He founds a new party, the National Revolutionary Movement for Development (Mouvement Révolutionnaire National pour le Développement, MRND). Beginning of the Second Republic.

1978: MRND becomes Rwanda's only party under a new constitution. Habyarimana is confirmed as President in 1978, 1983 and 1988, with more than 99% of the vote.

1987: A military coup takes place in Burundi. President Bagaza is overthrown and Major Pierre Buyoya takes power.

1988: In April, ethnic tensions in Burundi cause a wave of refugees into Rwanda. In connection with a conference on Rwandese refugees, held in Washington D.C., the Rwandese Patriotic Front (RPF) is founded.

1990

July: A first breakthrough in negotiations between Rwanda, Uganda and UNHCR on the repatriation of Rwandese refugees in Uganda is achieved.

5 July: President Habyarimana recognizes the necessity of a separation between the MRND party and the state.

1 September: A protest letter denouncing the one-party system is published by 33 intellectuals.

24 September: A National Commission is set up to prepare for the introduction of a multi-party system.

1 October: Uganda-based RPF invades the northern parts of Rwanda, demanding the right to settle thousands of (mainly Tutsi) refugees and political reforms, such as introduction of a multi party system. In the war that follows, several RPF leaders are killed and the attack is repulsed.

Mid-October: Local Hutu take revenge on Tutsi in the commune of Kibilira (in Gisenyi). More than 300 people are killed.

24 October: A cease-fire concluded in Mwanza, Tanzania, a week earlier is violated.

27 October: The heads of state of Uganda, Rwanda, Burundi and Zaire agree to form a military peace-monitoring force as a first step to end the civil war in Rwanda.

End of October: There is a stalemate in the war. RPF abandons conventional fighting and reverts to guerrilla warfare.

October–November: Thousands of RPF “collaborators” are arrested. Most of them are released in March/April 1991.

13 November: President Habyarimana announces the introduction of multi–partyism and the abolition of ethnic identity cards. The ID cards were, however, never abolished.

20 November: A cease–fire is concluded in Goma, Zaire. An agreement on an OAU observer force is signed.

1991

January–February: Trials of arrested RPF “collaborators” start. Several prisoners are sentenced to death, but no executions are carried out.

23 January: RPF raid in Ruhengeri. Prisoners are liberated, some of whom join the RPF.

29 March: A cease–fire between RPF and the Rwandese government is reached. An agreement on the integration of RPF in a transitional government is signed.

28 April: MRND holds an extraordinary congress, where multi–partyism is accepted and the name and status of the party are changed. New name: Mouvement Républicain pour le Développement et la Démocratie (still abbreviated MRND).

10 June: A new constitution is introduced.

18 June: A law on multi–partyism is promulgated.

31 July: The domestic opposition denounces plans to hold elections, insisting that ample time must be allowed for preparations.

16 September: OAU summit in Gbadolite, Zaire. The earlier cease–fire agreement is amended.

Early November: Widespread ethnic violence.

17 November: A Committee of Consultation organizes political demonstrations in Kigali against the government and the one–party system. Some 10,000 people participate.

Early December: The Rwandan Catholic church takes a political stance, calling for serious talks with RPF and formation of an independent transitional government.

30 December: Formation of the Nsanzimana government with one minister from Partie Démocrate Chrétien (PDC) and the rest from MRND.

1992

8 January: Demonstrations in Kigali against the government and the one–party system with some 30,000 participants.

Beginning of March: Ethnic violence in Bugesera. At least 300 killed.

13 March: New negotiations between the government and main opposition parties.

March: CDR (Coalition pour la Défense de la République) and MRND militias are built up by extremist Hutu supporters.

16 April: Inclusion of all major opposition parties in the government (MDR, PSD, PL, PDC). Prime Minister: Nsengiyaremye.

May: A major RPF attack on Byumba results in a wave of Hutu peasants from the north moving southward (some 350,000 people).

2 June: Government army forces begin looting in several towns in anticipation of losing their jobs if the government signs a peace pact with RPF.

9 June: After talks in Brussels and Paris between RPF and all government parties except MRND, an agreement to hold a peace conference to end the two years of civil war is reached.

10 August: Formal opening of the peace conference in Arusha, Tanzania.

10–18 August: Negotiations on the Arusha protocol on the rule of law.

7–18 September and 5–30 October: The second Arusha protocol on transitional institutions is discussed.

November: Political violence by extremist Hutu interahamwe militia escalates.

End of November: A demonstration, in favour of the peace-talks and against Habyarimana's veto to the protocol on transitional institutions, takes place despite the government's attempts to stop it.

24 November–9 January 1993: A protocol on power-sharing and a transitional parliament is discussed in Arusha, but President Habyarimana refuses to sign it.

1993

21–26 January: Ethnic violence in the north-west. Some 300 people are killed.

8 February: RPF occupation of an important zone in the préfectures of Ruhengeri and Byumba. As a consequence, almost one million people are displaced. The French reinforce their troops in Rwanda by 300 men.

25 February–2 March: Peace negotiations between RPF and the opposition parties within the government on the withdrawal of all French troops and their replacement by UN or OAU troops.

7 March: A new cease-fire agreement is signed in Dar-es-Salaam, Tanzania.

Mid-March: The 300 extra French troops are withdrawn.

15 March: Peace talks are taken up again in Arusha (and continue until 24 June).

April: The International Committee of the Red Cross (ICRC) warns that the 900,000 displaced people in Rwanda face a major humanitarian catastrophe. ICRC says that famine is imminent.

1 June: Presidential elections in Burundi. New President: Melchior Ndadaye (Hutu).

9 June: Agreement concerning refugees and internally displaced people. An estimated 500,000 displaced people are reported to return home.

24 June: Arusha protocol on inclusion of RPF in the army and the gendarmerie, and specifications on the transitional institutions.

8 July: The Hutu extremist Radio T_él_évision Libre des Mille Collines (RTLM) starts broadcasting.

16 July: The Prime Minister's transitional mandate expires.

17 July: A new government is formed with Agathe Uwilingiyimana as Prime Minister. This results in a division within MDR.

23–24 July: Extraordinary congress of MDR. Its president, Faustin Twagiramungu, is excluded from the party.

25 July: A more detailed agreement (on military matters) is signed in Kinihira. It is also agreed that Twagiramungu will be Prime Minister when the new transitional government is established.

4 August: Rwanda's government and RPF sign an accord in Arusha to end the civil war, allowing for power-sharing and the return of refugees.

5 October: The UN Security Council approves a 2,500-strong peacekeeping force to Rwanda, the UN Assistance Mission for Rwanda (UNAMIR).

17–18 October: 37 MRND supporters are killed in the Ruhengeri area.

21 October: A military coup takes place in Burundi, in which Hutu President Ndadaye is killed. The ethnic violence that follows results in tens of thousands of dead and some 600,000 Burundis fleeing into neighbouring countries. Escalated political and ethnic violence in Rwanda.

1 November: The UN starts placing UNAMIR forces in Rwanda.

30 November: At least 20 people are killed when RPF forces break the cease-fire and attack government troops in north-western Rwanda.

28 December: 600 RPF soldiers arrive in Kigali in accordance with the Arusha agreement.

1994

30 December 1993–5 April 1994: Transitional government fails to take off, with each side blaming the other for blocking its formation.

6 April: President Habyarimana of Rwanda, President Ntaryamira of Burundi and a number of government officials are killed in a plane crash in Kigali. President Habyarimana's death sparks violence and widespread massacres in Kigali, which spread throughout the country. The violence soon escalates, mainly targeting Hutu moderates and the Tutsi population.

7 April: Prime Minister Agathe Uwilingiyimana is killed by government forces. Ten Belgian UN peacekeeping soldiers, who were guarding her, are killed. As a result, Belgium withdraws its forces. The 600 RPF soldiers in Kigali leave their headquarters.

8 April: RPF forces in northern Rwanda launch an offensive. Former Speaker of parliament Theodore Sindikubwabo announces the formation of an interim government and declares himself - interim President. Prime Minister: Jean Kambanda (MDR).

11 April: Relief officials estimate that as many as 20,000 people have been killed in Kigali alone in five days of violence. With foreign journalists out of Rwanda, news from the country is restricted.

12 April: The interim government moves from Kigali to Gitarama as RPF threatens the capital.

21 April: The UN Security Council resolution No. 912 reduces the UNAMIR peacekeeping force in Rwanda from 2,500 to 270 men with an unchanged mandate.

End of April: An estimated 250,000 people stream across the Rwandese border to seek refuge in Tanzania, reportedly the largest mass exodus of people ever witnessed by UNHCR.

30 April: UN Security Council affirms the need to protect refugees and help restore order, but does not mention peacekeepers. At least 100,000 people have been killed and more than 1.3 million have fled their homes.

17 May: The UN Security Council passes a new resolution (No. 918), approving the deployment of 5,500 UNAMIR troops to Rwanda.

22 May: RPF forces gain control of the airport in Kigali and the Kanombe barracks, and extend their control over the northern and eastern parts of Rwanda.

17 June: France announces its plan to the UN Security Council to deploy 2,500 troops to Rwanda as an interim peacekeeping force until the UNAMIR troops arrive.

22 June: The UN Security Council narrowly approves a resolution (No.929) to dispatch 2,500 French troops to Rwanda (Opération Turquoise) for a two-month operation under a UN peace-keeping mandate.

28 June: The UN Human Rights Commission's special envoy releases a report stating that the massacres were pre-planned and formed part of a systematic campaign of genocide.

4 July: RPF wins control of Kigali and the southern town of Butare. Its leadership states that it - intends to establish a government based on the framework of the Arusha Accords. French troops in south-western Rwanda receive orders to halt the RPF advance.

5 July: The French led operation has established a "safe zone" defined roughly by the prefectures of Gikongoro, Cyangugu, and Kibuye. As RPF advances towards the west, the influx of displaced persons into the zone increases from an initial 500,000 to an estimated one million within a few days.

13–14 July: As a result of RPF's advance in the north–west, an estimated one million people begin to flee towards Zaire. Approximately 10,000–12,000 refugees per hour cross the border and enter the town of Goma. The massive influx creates a severe humanitarian crisis, as there is an acute lack of shelter, food, water, and non–food relief items.

15 July: Members of the Hutu government escape to the French “safe zone”. UN Security Council - orders cease–fire.

18 July: RPF announces that the war is over, declares a cease–fire and names Pastor Bizimungu as President with Faustin Twagiramungu as Prime Minister.

19 July: The new President and Prime Minister are sworn in, and RPF commander Majoro General Paul Kagame is appointed Defence Minister and Vice–President.

End of July: The UN Security Council reaches a final agreement on sending an international force to Rwanda.

24 August: End of Opération Turquoise. UNAMIR forces take over from the French.

October: The UN estimates that there are now about five million people in Rwanda, compared to _7.9 million before the war.

8 November: UN Security Council adopts a resolution (No. 955) on the establishment of an international court for war criminals of Rwanda.

24 December: An exile government is announced among Hutu refugees in Zaire.

1995

22 April: Soldiers of the RPF army carry out a massacre at the Kibeho camp for internally displaced persons in Rwanda.

April: Refugees are forced to return to their home districts from the camps for internally displaced persons.

23–26 August: Zaire expels refugees from the Goma camps and threatens to expel all refugees. UNCHR takes up a discussion with Zaire. 28 August: Prime Minister Faustin Twagiramungu - resigns.

31 August: New Prime Minister, Pierre–Célestin Rwigyema, and ministers approved in a cabinet reshuffle.

7 September: The UN Security Council adopts a resolution on the establishment of an International Commission of Inquiry on the sale and supply of arms and related matériel to the former Rwanda government forces in violation of the UN embargo implemented on 17 May 1994 (Resolution 1013 1995).

13 September: Zaire closes its borders with Rwanda following bomb explosions in Goma.

17 October: A Supreme Court is established by an act of the Parliament.

2–6 November: An international conference on “Genocide, Impunity and Accountability” is held in Kigali.

7 November: Clash between the army and Hutu rebels on Lake Kivu Island. Many people are - reported killed.

23 November: The prosecutor of the International Criminal Tribunal for Rwanda, Judge Goldstone, signs his first indictment.

28–29 November: A summit meeting of leaders of the Great Lakes Region takes place in Cairo, Egypt.

14 December: The UN Security Council extends UNAMIR’s mandate in Rwanda for an additional three months to 8 March 1996 (Resolution 1019). The Force will be reduced from 2,100 men to 1,400 and concentrate its activities on the return of refugees.

Annex 3

Abbreviations

AIDAP	Australian International Development Assistance Program
DAC	Development Assistance Committee (of OECD)
CDIE	Center for Development Information and Evaluation (USAID)
CIDA	Canadian International Development Agency
CRS	Catholic Relief Services
Danida	Danish International Development Assistance
DHA	(UN) Department of Humanitarian Affairs
DPA	(UN) Department of Political Affairs
DPKO	(UN) Department of Peace–Keeping Operations
EC	European Commission
ECHO	European Community Humanitarian Office
EU	European Union
FAO	(UN) Food and Agriculture Organization
FAR	Force Armée Rwandaise
HRFOR	(UN) Human Rights Field Operation for Rwanda
IASC	(UN) Inter–Agency Standing Committee
IBRD	International Bank for Reconstruction and Development
ICRC	International Committee of the Red Cross
ICVA	International Council of Voluntary Agencies
IFRC	International Federation of Red Cross and Red Crescent Societies
IDA	International Development Association
IDP	Internally Displaced Person
IMF	International Monetary Fund
InterAction	American Council for Voluntary International Action
IOM	International Organization for Migration
MSF	Médecins sans frontières
NGO	Non–Governmental Organization
OAS	Organization of American States
OAU	Organization for African Unity
ODA	(UK) Overseas Development Administration
OECD	Organization for Economic Cooperation and Development
OFDA	Office of US Foreign Disaster Assistance
RPF	Rwandese Patriotic Front
Sida	Swedish International Development Cooperation Agency
UNAMIR	United Nations Assistance Mission to Rwanda
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children’s Fund
UNREO	United Nations Rwanda Emergency Office
USAID	United States Agency for International Development
VOICE	Voluntary Organizations in Cooperation in Emergencies

WFP
WHO

(UN) World Food Programme
(UN) World Health Organization