

DEALING WITH THE TRUTH

Amnesty International's concerns in Rwanda

Rwanda is still caught in a cycle of violence. Four years on from a genocide in which as many as one million people lost their lives, the bloodshed has not stopped. Whole families are being wiped out. Civilians, both Tutsi and Hutu, are being ruthlessly killed.

This violence is not inevitable. People inside and outside Rwanda can make a difference. The Rwandese Government can do more to protect human rights. Leaders of armed opposition groups can prevent the killing of unarmed civilians. Governments and people around the world can ensure that the international community does not turn its back on Rwanda again.

As an international non-governmental human rights organization, Amnesty International campaigns for the respect of the same internationally recognized standards in all countries.

This leaflet seeks to explain Amnesty International's concerns in Rwanda, to summarize the main human rights issues and to address some of the ongoing debates: What could the international community have done to stop the genocide? Will justice ever be done? How can human rights be protected in Rwanda today?

In answering these questions, this leaflet also responds to some of the criticisms made regarding Amnesty International's work on Rwanda.

The genocide in 1994

Between April and July 1994, as many as one million people were killed in a genocide organized by extremist elements within the Hutu-dominated government and armed forces, the Forces armées rwandaises (FAR). Many of these killings were carried out by the militia known as interahamwe. Most of the victims were members of the Tutsi ethnic minority, but members of the Hutu ethnic majority who were not supporting the extremists or who were viewed as political opponents were also killed.

The international community must accept its responsibility in the genocide. Arms supplies from French, Chinese and South African companies as well as political support by several foreign countries to the government of President Habyarimana helped extremists gain political and military power. During the genocide, perpetrators received arms from Albania and Israel, organized by traders based in the United Kingdom. The international community failed to react to warning signals before the violence, and the UN peace-keeping force was withdrawn from Rwanda at the height of the massacres. The genocide ended when a Tutsi-dominated armed opposition group, the Rwandese Patriotic Front (RPF), took power in July 1994. The new government formed by the RPF faced enormous challenges. Thousands of people had lost relatives, often their whole families. Today, the memories of the massacres are still fresh among the survivors.

Members of the RPF also carried out many killings of civilians in 1994, although not on the scale of the massacres carried out by forces loyal to the government.

The perpetrators of the 1994 genocide must be brought to justice in order to punish one of the worst crimes against humanity. Killings carried out by the RPF should also be investigated and the perpetrators brought to justice.

However, unless all suspects are granted the internationally recognized right to a fair trial and until respect for human rights is restored across the country, the resentments and divisions that have torn Rwandese society apart in the past will continue to do so in the future.

130,000 prisoners — what hope for justice?

Rwandese prisons currently hold some 130,000 people on charges relating to the genocide. Many of them have been detained for several years without trial, in prisons which are grossly overcrowded and where conditions are often life-threatening. As of February 1998, for example, Kigali Central Prison was crammed to almost four times its capacity. Conditions in many local detention centres (cachots) are even worse and detainees are regularly subjected to beatings and other forms of ill-treatment.

While many of those detained are believed to be guilty, a significant proportion are widely believed to be innocent. In some cases, the accusation of participation in the genocide appears to have been used to arrest people for other motives, for example in the context of property disputes or because they are believed to be opponents of the current government. Many detainees do not even have a casefile.

Rwanda has been gradually rebuilding its justice system, which was almost completely destroyed in 1994. Trials of those accused of genocide began in December 1996 and so far more than 300 people have been tried. However, many of these trials have not met international standards of fairness. In 1997 less than half the defendants had a lawyer. In many cases, witnesses were not present at the trials. Some defence witnesses have been threatened and prevented from testifying.

Amnesty International is calling for the genocide suspects to be tried fairly and promptly. Those who are found guilty should be sentenced according to the gravity of their crime; those against whom there is no evidence should be released.

What punishment for genocide?

The anger and desire for retribution felt by many people in Rwanda, especially victims of the genocide and their families, mean that support for the death penalty is widespread. As of May 1998, more than 100 people had been sentenced to death. On 24 April 1998, 22 people were executed in public, in the first judicial executions of people found guilty of participation in the genocide. Many of those executed had not had a fair trial.

Amnesty International recognizes that it is politically and emotionally difficult in Rwanda to deal with the question of punishment of those who carried out such terrible crimes in 1994. However, executing those found guilty of participation in the genocide will not provide the solution or reduce tensions. On the contrary, executions will further brutalize a society which is trying to heal from the memories of too many recent atrocities.

Amnesty International is unconditionally opposed to the death penalty, which constitutes a state-sanctioned violation of the right to life. It should be excluded even for those found guilty of having played a leading role in the genocide.

Rwandese refugees in Zaire — caught in the cycle of violence

After the genocide, more than a million refugees fled from Rwanda to neighbouring Zaire, later renamed the Democratic Republic of the Congo (DRC). Among them were political and military leaders who had been involved in the genocide and who established control over refugee camps in eastern Zaire.

In late 1996 the camps were attacked and thousands of refugees killed, targeted simply because of “guilt by association” with armed elements in the camps. The killings were carried out by an armed opposition group in Zaire led by Laurent-Désiré Kabila, the Alliance des forces démocratiques pour la libération du Congo-Zaïre (AFDL), and by members of the new Rwandese army, the Rwandese Patriotic Army (RPA). The leading role of the RPA in these attacks has since been publicly acknowledged by the Rwandese Vice-President and Minister of Defence, Major General Paul Kagame.

A UN inquiry into these massacres was blocked by the new authorities of the DRC. Meanwhile, the full truth remains untold and the perpetrators of these grave abuses have not been brought to justice.

Renewed civil war in Rwanda

In the northwestern regions of Rwanda, armed opposition groups and the RPA are fighting a brutal war. The vast majority of the victims are civilians, thousands of whom have died since 1996. Most are from vulnerable social groups: displaced persons, women, children and the elderly who are unable to flee.

The armed opposition groups are believed to include members of the former army and interahamwe militia who participated in the genocide. These groups regularly carry out ruthless attacks on civilians, for example on villages, buses and camps of displaced people. On 11 December 1997, a Hutu armed opposition group attacked a refugee camp in Mudende, Gisenyi, and killed around 300 mainly Tutsi refugees from the DRC. This incident constitutes the single largest known massacre by armed opposition groups for more than two years. One woman who was at the camp's health centre remembers:

“The assailants came to the clinic. More than 100 refugees were there. I hid under the bed. I stayed under the bed until the following morning. I was the only survivor.”

Her son and two young grand-daughters died in the attack.

The RPA has responded to these attacks by armed opposition groups with large-scale military search operations. During these operations, government soldiers have extrajudicially executed many unarmed civilians; entire villages have been wiped out. On 11 January 1998 and the days that followed, for example, more than 300 unarmed civilians — men, women and children — were shot dead by RPA soldiers in the village of Keya, and surrounding areas, in Rubavu, Gisenyi. The village was left empty. Similar attacks by the RPA, claiming hundreds of civilian victims, have occurred regularly.

Thus, both sides in the conflict are violating the basic principles of humanitarian law, as set out in the 1949 Geneva Conventions.

Some government officials have justified RPA attacks on civilians by claiming that these civilians support the insurgents or that those described as civilians are in fact insurgents. Several government officials have accused the population in northwestern Rwanda of supporting the armed opposition and warned that they would face the consequences.

Amnesty International accepts that the Rwandese Government has a duty to defend the country against attacks by armed groups. However, this does not give the security forces a right to kill unarmed civilians who are taking no part in the hostilities or to commit other human rights violations.

Amnesty International has been accused of taking the side of the insurgents. This is not the case. The organization strongly condemns the human rights abuses committed by all parties in the conflict, and calls upon both the Rwandese Government and armed opposition groups to respect the principles of humanitarian law and to ensure that indiscriminate killings of civilians are not allowed under any circumstances.

Hidden violence — “Disappearances”

Since late 1997, there have been increasingly frequent reports of people “disappearing” in different parts of Rwanda. Many of the victims are people originally from the northwest. Some people were last seen being led away by soldiers and may be held in military camps. But because the authorities deny access to military detention centres, their whereabouts cannot be established.

In other cases, neither the identity of the victims nor that of the perpetrators has been established. Dead bodies have been found — some of them mutilated — in various locations, including in the capital Kigali. The circumstances of their death remain a mystery.

A number of prominent people have also “disappeared”. Ladislas Mutabazi, prosecutor in Gisenyi, for example, has not been seen since January 1998. Juvénal Bagarirakose, a former teacher involved in non-violent conflict resolution projects, also “disappeared” in January 1998. Both are feared dead.

The government has provided assurances that cases of “disappearances” are investigated. Yet the results of these investigations are rarely disclosed and the families of the “disappeared” remain without news.

Protected by silence

Human rights violations committed by the current Rwandese security forces remain largely unknown. Many media — national and international — portray the situation in an incomplete and unbalanced way. They report killings committed by armed opposition groups, but rarely killings committed by the RPA. Furthermore, in some cases, killings which may have been carried out by RPA soldiers have been publicly attributed to armed opposition groups, thus perpetuating the erroneous notion that only one side is carrying out these atrocities.

Many areas in northwestern Rwanda are now inaccessible because of the security situation, making independent investigations and reporting very difficult. Moreover, the government largely controls media reports on the civil war. In the current climate of fear, the truth is being stifled. Those who express independent or critical views, or who speak out about human rights violations committed by the RPA, risk becoming a target and being labelled as interahamwe, a term now used to designate anyone perceived as a threat to the current government. Equally, those who denounce human rights abuses by the armed opposition risk being killed by these groups for “collaborating” with the authorities. The population is trapped in its silence.

The role of the international community

After the failure of the international community to prevent the genocide in 1994, some steps have been taken to ensure that the crime of genocide does not remain unpunished. An international criminal tribunal has been set up by the UN to prosecute the main organizers of the genocide. Some foreign assistance has been provided to the Rwandese judiciary in order to help it cope with the enormous challenge of bringing to justice such a large number of suspects.

In the aftermath of the genocide, the UN set up a Human Rights Field Operation for Rwanda, whose tasks include monitoring ongoing human rights abuses. However, by May 1998, the operation’s future looked uncertain, as the Rwandese Government appeared reluctant to allow it to continue its monitoring work.

Amnesty International welcomes these initiatives of the international community. However, it regrets that many governments have also been turning a blind eye to the grave human rights violations being carried out by the current Rwandese army, restricting their condemnation to abuses committed by armed opposition groups. It seems that publicly acknowledging the truth about the human rights situation in Rwanda is inconvenient to a number of governments whose foreign policy is strongly supportive of the government in Kigali, such as the USA, the United Kingdom and Uganda.

Worse still, some foreign countries have contributed to human rights violations. Companies and nationals from several countries, including China, Israel, Romania and South Africa, are reported to have provided military equipment to the RPA, sometimes via neighbouring states. Armed opposition groups have captured weapons and ammunition from the RPA and have obtained small arms through illicit trafficking in the Great Lakes region, despite the continued UN arms embargo

on the former Rwandese armed forces. These transfers of military equipment are likely to contribute to further human rights abuses and should be prevented.

Many governments — for example, Tanzania, the DRC and Gabon — have forcibly returned Rwandese refugees on their territory, despite clear evidence that their safety in Rwanda could not be guaranteed. In some cases, returning refugees have “disappeared” or been killed. All governments have an international obligation not to forcibly return refugees to a country where they are at risk of serious human rights violations.

The work of Amnesty International

Amnesty International is an international non-governmental organization that campaigns against human rights violations all over the world. It has members and offices in all continents, including 10 national sections in Africa.

Research on human rights violations is carried out by the International Secretariat in London. In the case of Rwanda — as of other countries worldwide — Amnesty International receives information from a wide range of sources inside and outside the country. Additionally, Amnesty International undertakes regular visits to Rwanda, where it meets victims and witnesses of human rights abuses as well as local and international organizations. Amnesty International also holds talks with representatives of the government to discuss ways of protecting and promoting human rights.

Amnesty International publishes information only after having made every effort to carefully cross-check and verify it. If it is difficult to do so, Amnesty International reflects this uncertainty in its reports. Despite the difficulties in carrying out research in regions affected by the armed conflict, Amnesty International has been able to gather information on a range of human rights abuses carried out by armed opposition groups as well as the security forces.

Amnesty International will not remain silent about human rights abuses, whatever the identity of the perpetrator or the victim. The violence is not inevitable. If it is to be stopped, then the truth must be told. Actors inside and outside the country can make a difference; Amnesty International calls upon them to contribute to a more peaceful future for Rwanda.

Amnesty International reports on Rwanda — a selection:

New report to be published in June 1998 (AFR 47/23/98)

Civilians trapped in armed conflict. December 1997 (AFR 47/43/97)

No one is talking about it anymore. Appeal Cases. October 1997 (AFR 47/31/97)

Ending the silence. September 1997 (AFR 47/32/97)

Unfair trials: Justice denied. April 1997 (AFR 47/08/97)

Human rights overlooked in mass repatriation. January 1997 (AFR 47/02/97)

Alarming resurgence of killings. August 1996 (AFR 47/13/96)

Arming the perpetrators of the genocide. June 1995 (AFR 02/14/95)

Reports of killings and abductions by the RPA, April-August 1994. October 1994 (AFR 47/16/94)

Mass murder by government supporters and troops in April and May 1994. May 1994 (AFR 47/11/94)

Persecution of Tutsi minority and repression of government critics, 1990-1992. May 1992 (AFR 47/02/92)

These and other reports can be obtained from the Amnesty International office in your country, or from: Central Africa Team, Amnesty International, International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom. Tel: 44 171 413 5500, Fax: 44 171 956 1157

WHAT YOU CAN DO

1. Write to the Foreign Ministry of your own government, urging it to use whatever influence it has over the Rwandese authorities and armed opposition groups to prevent further human rights abuses.
2. Publicize information about human rights abuses carried out by the Rwandese security forces as well as armed opposition groups in Rwanda among individuals, organizations and the media.
3. Contact your local Amnesty International section and join our worldwide campaign for human rights.

Silas Munyagishali, former assistant prosecutor of Kigali, was found guilty of complicity in killings carried out during the genocide and was publicly executed on 24 April 1998. During his trial, several defence witnesses were threatened and effectively prevented from testifying. Amnesty International is not in a position to make a judgment on whether Silas Munyagishali is innocent or guilty of the crimes of which he was accused. However, there are indications that he might have been arrested in connection with his criticism of irregularities in judicial procedures for genocide suspects, and his refusal to authorize the detention of people against whom there was no evidence.

“A person who is suffering from an incurable illness dreams of many things. When will we have peace?”

Extract from a testimony from Gisenyi, northwest Rwanda, March 1998.

These are some of the criticisms often made to Amnesty International:

“Amnesty International is too critical of the Rwandese Government”

“Amnesty International supports perpetrators of the genocide”

“Amnesty International is not impartial”

“Amnesty International does not know what is happening on the ground”

captions

A genocide survivor in 1998 © Reuters

Silas Munyagishali © Peter Andrews/Reuters

Rubavu Commune: In January 1998. RPA soldiers killed more than 300 civilians in this area. Many parts of Gisenyi, in the northwest, now lie deserted. The population has either fled or been killed. The army has forced the population to destroy their banana plantations (seen here) and other crops, claiming that the insurgents use them as a hiding place. The northwestern regions — among the most fertile in Rwanda — are now suffering serious food shortages as a direct result of the war.

Many children are among the innocent victims of the violence in northwest Rwanda. This four-year-old boy's mother was killed in Gisenyi in late 1997.

