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Mission information on Rwanda



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INFORMATION REPORT

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BY FINDING MISSION ⁽¹⁾ THE COMMISSION OF THE NATIONAL DEFENCE AND ARMED FORCES AND THE COMMITTEE ON FOREIGN AFFAIRS, on **military operations conducted by France**, of **other countries and the UN in Rwanda** between 1990 and 1994.

President

Mr. Paul QUILÈS,

Rapporteurs

MM. BRANA Pierre and Bernard CAZENEUVE

Members

-

Report

Volume I

(1) The composition of the mission on the back of this page.

International relations.

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The Mission heard many experts and academics, specialists in the Great Lakes region, whose works have enriched and analyzes his thoughts.

She would like to thank for their help all those whose contributions helped to advance knowledge of the facts and the search for truth. It addresses a special mention to Ms. Claudine Vidal, MM. Jean-Pierre Chrétien, Guichaoua José Kagabo, Gérard Prunier and Filip Reyntjens for availability they have demonstrated during these months.

Mission not forget that several journalists have enabled him to have accurate information that was useful for its investigations.

Ladies and Gentlemen,

Mission information on military operations in Rwanda by France, other countries and the UN between 1990 and 1994, was established on 3 March 1998 by the Commission of National Defence and the Armed Forces. The Committee on Foreign Affairs is associated March 11, 1998. Mission The information has been made on the basis of parity between the two commissions. Each appointed twenty of its members to participate in the work of the Mission, as ten members and ten others as alternates.

The genocide in Rwanda from April to July 1994 is one of the great tragedies of the century. Hundreds of thousands of people, more than 500,000, perhaps nearly a million were killed because they were born Tutsi. Again, the world has experienced an attempted extermination of a group of men because of their birth. These huge massacres were also achieved systematically Rwandan Democrats who opposed it.

It is unfortunate that it took nearly four years for a company to be such a tragedy parliamentary investigation. Links between France and Rwanda, the actions of civil and military cooperation that our country currently conducted, efforts within it have made the French non-governmental organizations, the death of many of our compatriots should have prompted Parliament to open the debate earlier.

The silence of the executive, which is largely explained by the traditions of discretion, if not secrecy, cultivated by our diplomacy and our defense, the apparent indifference of Parliament raised questions, suspicions or even indictments the policy of France all the more worrying that the objective elements of information that could refute or support were rare.

Mission information has sought to create the conditions for a more objective debate based on facts.

She, to this end, considerable work. It took more than 110 hours of debate during 45 meetings. She proceeded with the hearing of 88 civilian and military personalities. Rapporteurs visited the UN headquarters in New York, with U.S. officials in Washington. They were received by representatives of the Government and the Belgian Parliament and in particular the Commission of Inquiry of the Belgian Senate on the events of April 1994 in Rwanda. They also visited the Great Lakes region and particularly in Rwanda. They conducted a large number of individual interviews with various witnesses, mostly French and Rwandan tragedy and the events that preceded it.

The Mission provided abundant documentary sources that have been communicated to the request without him no refusal has been opposed by the Government, even when it came to classified documents.

She is able to present facts and sequences she tried to uncover the most rigorous and most incontestable possible. The description may sometimes seem long. This is the counterpart of a choice which was to consider the political and military events of Rwanda and the commitment of France in this country in all its aspects in order to give as detailed a response as possible to the diversity of questions expressed.

This effort to elucidate the mechanisms and motivations of a French military intervention abroad also reflects a new concern: to enable Parliament to understand the springs of the diplomatic and military action and in the future , to be a better partner.

PART HISTORY OF RWANDA

I. - classicism THE FRENCH POLITICS IN RWANDA

A. FRENCH COUNTRY WHERE TRUST BELGIAN FRENCH INFLUENCE IF STATES LATE

" We have friendly relations with the Government of Rwanda has moved closer to France after having found that the relative indifference of Belgium towards its former colony⁽¹⁾ . "

1 Belgian. Succession

In 1954, after the elections, a new center-left coalition came to power in Belgium.

The new Government decides to undertake democratization and decolonization of Rwanda and Burundi simultaneously. Mr. Jean-Paul Harroy and Colonel Guy Loggiest shall become Vice-Governor General of Rwanda-Burundi and special resident in Rwanda.

For José Kagabo, lecturer at the Ecole des Hautes Etudes en Sciences Sociales, heard by the Mission information: *"the belated admission, in the 80s, two key figures: Jean- Paul Harroy and Colonel Guy Loggiest, the process has been organized so brutal as a devolution of Tutsis to the Hutus. "*

Indeed, writes André Guichaoua, professor at the University of Science and Technology of Lille, in the expertise it has developed at the request of the International Criminal Tribunal for Rwanda United Nations report: *" Desiring to counteract the growing influence of^{two} claims independence from princely elites Rwanda and Urundi and maintain a regional presence already severely compromised Kinshasa and Bujumbura, colonial, administrative and religious authorities "* have, from the middle fifties, provided *"support for Hutu militant cadres for a" social revolution "*.

In November 1959, a civil war broke out, known as the "Rwandan Toussaint," which led to the departure of the first Tutsi refugees in neighboring countries. *"Social Revolution"* brought to power the Hutu majority (85% of the population) politicized by the colonial administration and the Church. The independence process that implements the subject for several months of discussions at the UN. January 28, 1961, all mayors and municipal councilors are invited to Gitarama by the Minister of the Interior, the Republic was proclaimed. A government led by Grégoire Kayibanda is formed. September 25 legislative elections are held. Rwandans confirmed by a majority of 77% of their decision to proclaim the Republic and put an end to the Kingdom of Mwami. The party of the Hutu Republic won 35 of the 44 seats in the local assembly. Kayibanda was elected President of the Republic on 26 October.

On a proposal from Belgium, the UN sets 1st July 1962 the date of independence of Rwanda and Burundi, the transfer of powers and the evacuation of Belgian troops are set to 1st August 1962.

But already, international observers have questioned whether the birth of this new French State will not be accompanied by serious problems, because of prevailing tensions between Tutsis and Hutus who led 120,000 Tutsis to seek refuge in neighboring countries. Commentators at the time (. *cf the World 1st and July 2, 1962*) point out that the fundamental problem of this country is economic: *"desperately poor and underdeveloped, lacking resources and private capital, frames up to the task, he (Rwanda) may sink rapidly into anarchy. "*

France supports the UN democratization and independence of Burundi and Rwanda and their sponsoring UN membership, attitude to which both States express their gratitude.

From October 1962, President Kayibanda on an official visit, during which, after having met with General de Gaulle, he said:

"Like all Africans, Rwandans to" man Brazzaville "the greatest respect. Nobody has contributed more than he to the decolonization of Africa. I knew the desire of General de Gaulle to see the country he led to independence fully enjoy it by helping them develop their national resources. I can see now that this concern also extends to countries that were not under French "guardianship.

On 20 October 1962, signed a friendship and cooperation agreement. A few days later, a French delegation, went under the Cooperation in Kigali to prepare three agreements on economic, cultural and technical cooperation, as well as radio, which

were signed on 4 December 1962.

While France has a tradition to conclude simultaneously with each of its former colonies, civil cooperation agreement and an agreement on military cooperation or a defense agreement, the approach taken for the former Belgian territories takes place in two stages, and that shown in the table below:

DATES OF COOPERATION AGREEMENTS WITH FORMER BELGIAN TERRITORY

	Civilian cooperation	Military cooperation
Rwanda	December 7, 1962	July 18, 1975
Burundi	February 11, 1963	May 31 and June 5, 1974
Zaire	December 17, 1963	May 22, 1974

2. Late influence of France

At the proclamation of the independence of Burundi and Rwanda, France is represented by a single ambassador residence in Bujumbura.

It was not until May 1964 that France's ambassador accredited to the Government of Rwanda. There was also no permanent cooperation mission, a system *ad hoc* took the place which was to entrust experts with the definition of specific projects.

In the late sixties, a contingency plan for the development of Rwanda was set. It was not until 1969 that the Mission was created to help and cooperation in Kigali.

It has taken nearly a decade after independence for France in Rwanda established a stable and permanent presence, which, initially, will not replace instead historically occupied Belgium.

If Belgium has developed differently from France's relations with its former colonies, it has maintained a presence in Rwanda and Burundi in the years following independence. As Jacques says Mullender ⁽³⁾, chargé de mission from 1962 to 1966 at the Department of Cooperation for Rwanda and Burundi: *"The strategy adopted by France was to balance substantially support the two countries to avoid jealousy and resentment. It further agreed to leave Belgium the central role because it provided balanced budgets, proceeded to heavy investments (airfields, telecommunications), and sent about 200 technical assistants in each country. France should avoid fragmentation of its aid and implementation of technical assistants in positions that can be held by local staff. It should not be too involved completely in the study of infrastructure which it did not intend for financial reasons or opportunity to take control of construction projects."*

France therefore sends specific missions of experts on various fields: agricultural development, road infrastructure, aviation security, urbanization, industrialization, small, etc..

But he must also consider, in addition to the Belgian presence, the German presence. Thus, in the context of radio cooperation, France, which was entrusted including maintenance of technical facilities, provides issuers January-February kW. But it runs very quickly to competition from Deutsche Welle, who arrived with 20 kW transmitters and relay a powerful German broadcasts to East Africa.

For Mr. Guichaoua, speaking before the Mission, *"both in Rwanda in Zaire or Burundi,"* the France *"will never succeed to locate in the tightly controlled by foreign interests existing sectors. Its implementation strategy will be limited to narrow circles of power in place and the protection it can offer, especially on the military side."*

The turning point came in the seventies when, as Mr. Stephen Smith points out ⁽⁴⁾ *"without excessive oversimplification, we can say that France, in general indifference, shed colonial slippers Belgium, inheriting from Rwanda by levirate."*

The decade of the seventies completes the integration of Rwanda in the country "field" with the development of an ambitious development aid and the signing in 1975 of an agreement on military-technical assistance. Around these two axes, this is a classic African politics that France intends to pursue Rwanda: Development cooperation on the one hand, contribution to security and stability in the country on the other.

B. INTRODUCTION OF RWANDA IN THE COUNTRY FIELD

1. The implementation of an ambitious development aid

a) *The characteristics of the French cooperation*

In 1985, French aid to Rwanda ranks among bilateral aid qualified "instead *honorable* "but" *not decisive* "in the report established by the Head of the French Mission of Cooperation at the time, Mr. Patrick pruvot. It also considers that the French cooperation can play a more important role in putting more " *listening* "to this country. Several priorities are already well identified, it is food self-sufficiency, the opening, employment, education and training, health. They never cease thereafter to be reaffirmed.

In 1990, hundreds of volunteers and cooperating in Rwanda. French cooperation focuses on interventions to the country to solve the most problems it faces serious imbalance, public finance problem of balancing food and because of which he has been engaged in a process of adjustment structural with international financial institutions.

Four sectors benefit from investment envelopes Action Fund and Cooperation (FAC), of technical assistance grants and scholarships:

- Teaching, academic and professional training and culture that collect 39% of the average;
- Rural development, that is to say, agriculture, animal husbandry and research in these areas, totaling 26% of the average;
- Health with 16% of average;
- The infrastructure sector, communications, support to governments and businesses is allocated 19% of average. The latter sector is growing mainly due to the need to support areas including state and municipalities derive revenues.

These credits should achieve the following objectives:

- Training in local structures of frameworks to monitor development projects;
- The generalization of primary education in the fight against illiteracy, the reorientation of the secondary and tertiary based education of the labor market;
- Food self-sufficiency sought through crop diversification, livestock, seed selection, storage and movement of agricultural products, tools and techniques, land reform system ...;
- Employment with the help in the creation of small agro-industrial units and building infrastructure using a large workforce;
- Internal and external opening up the country (telecommunications, airports, roads, electrification, ...); the telecommunications sector is subject to a special support. In 1992, Rwanda has a fully digital network, one of the most modern in the world;
- Health, through an important support to Ruhengeri hospital, the development of immunization, prevention of tropical diseases, the fight against AIDS, birth control, training of health personnel.

In 1990, France finance for 1.5 million francs, a support to the safety of air navigation with the provision at Kigali airport radio control equipment and maintenance project. It also supports the crew of the presidential plane, a Falcon 50 funded budget support 60 million francs.

In addition, the President of the Republic announced May 25, 1989 in Dakar debt relief in 1990 which represents a saving of 36.4 million francs. France is among the countries that support the structural adjustment plan put in place in Rwanda in late 1990.

b) *The structural adjustment plan (1990-1991)*

The sharp deterioration in the economic situation in Rwanda at the dawn of the 1990s put an end to the illusion of self-sufficiency based on which the economy of this country since the 1970s.

Until that time, contrary to Burundi, Rwanda refused any agreement with the IMF, which would impose a devaluation under a structural adjustment program; it was necessary, of itself, an austerity program which has contributed to forge its reputation as a poor country but economically sound. It is also under this that has developed significant bilateral cooperation with

European countries including picture. In 1991, bilateral and multilateral aid accounted for 21.5% of GDP⁽⁵⁾ Rwandan and 60% of public expenditure for development; the OECD estimates, in turn, to \$ 343 million the total amount of annual assistance to Rwanda over the period 1990 to 1993 (or \$ 50 per capita) against 35 million dollars annually for the period 1971-1974 .

The continuing degradation of internal and external balances showed the limits of such a policy, even in a context of budgetary reallocation in favor of military spending, which rose from 1.9% of GDP in 1989 to 7.8% in 1992. At the end of the year 1990, introduced a structural adjustment program (SAP) supported by the IMF, the World Bank and by most countries and organizations in Rwanda, including France. As part of this plan, a structural adjustment facility of \$ 41 million was approved in April 1991 by the IMF; June 21, 1991, it was the turn of the World Bank approved a credit adjustment of \$ 90 million.

In 1991, military spending rose sharply and accounted for 7% of GDP against Rwandan 2% in 1989 while the gross domestic product deteriorates and as the political situation becomes more unstable.

France, however, the verse, in 1991, 70 million francs in aid to the balance of payments. This decision is explained by Mr. Patrick Pruvot, Head of the Mission of cooperation at the time, on the one hand by the fact that France contributes with the IMF and the World Bank, in some parts of the sanitation program and modernization of highly strategic infrastructure for landlocked countries (ie roads and telecommunications), secondly by the good image retained by the Rwanda politically despite the deteriorating economic situation. This aid is intended to support the structural and quickly cleared adjustment plan was greatly appreciated by the Rwandan authorities have stressed that it had promoted in 1991 the return to liquidity in banks.

STRUCTURAL ADJUSTMENT PLAN

IMPLEMENTED IN RWANDA IN 1990-1991

- Macroeconomic stabilization and improvement of competitiveness
 - Maintaining a competitive exchange rate
 - Reducing the budget deficit to 5% in 1993 (12% in 1990) by a combined policy of fiscal resource mobilization and public spending cuts
 - Trade liberalization and phasing system of price controls
 - Improving monetary policy (liberalization of interest rates)
- Reducing the role of the state in the economy
 - Decreased guaranteed producer coffee prices and subsidy removal
 - Acceleration of the privatization program, reorganization and liquidation of SOEs
- Establishment of a system of protection for the poorest (program Social Action)
 - Program construction of a rural road network and protection against soil erosion
 - Safety Program of the food supply in the affected regions by drought
 - Development Program Small Business
 - Funding parental share of education spending for the poorest 10% of the population
 - Fund redeployment of public sector workers overstaffed

In 1992, the French cooperation activities amounted to CHF 130 million and relate primarily still agricultural development, public health training. End of 1992, a grant of 15 million francs is being provided Rwandan national television.

In 1993, France became the first with Belgium funder of Rwanda with cooperative actions representing 232 million francs.

Despite this assistance, the economic situation in Rwanda remains poor. In 1993, the budget deficit reached 12% of GDP, domestic revenues cover 40% of current government expenditure but capital expenditure financed from domestic resources account for only 8% of total public investment. A new adjustment program, he returned to the Government broad-based, under the Arusha peace agreements, negotiate, thus appeared inevitable.

In December 1993, the Head of the Mission of Cooperation, Mr. Michel Cuingnet believes, in its report of activities, "*the Arusha agreement of August 4, 1993 marks the entry of Rwanda into a period of peace and paves the way for the normalization of the socio-economic life*". It concludes on adaptation capacity of the Rwandan economy and hard work of the people even if the overall situation remains worrying about political, economic and financial. Nothing is said of ethnic tensions, rising violence, serious difficulties for the implementation of the Arusha Accords. In a beautiful spirit of optimism, the Head of the Mission Cooperation Calls for the next meeting of the Franco-Rwandan joint commission "*from the*

perspective of national reconstruction" and considers it would promote the policy of rationalization and land specialization of agricultural activities by region stopped by the war. It considers in particular that "we must now encourage the promotion of service centers, handicrafts, processing of products in rural areas. These centers should also be places of exchange and social innovation in support of the democratization process. Here's what positive context must also register our cooperation " .

It is true that the date of December 1993, civil cooperation was almost all the aid of France since Dec. 15, after the withdrawal of its forces, military cooperation was limited to 24 military technical assistants .

2. Signing a technical military assistance agreement

By 1972, the first Rwandan military trainees are followed in France specialized military education. The four Rwandan gendarmes present this year in the French Gendarmerie schools represent only a small proportion of all African participants in training courses organized by France (1%) and after fifteen of 12,110 courses that benefited trainee officers or NCOs African.

a) The Agreement of 18 July 1975

France signed an agreement with Rwanda technical military assistance entirely conventional model that matches the type most recently used in the agreement signed with Madagascar on 1st June 1998.

On immediate application, this agreement for one year, renewable by tacit agreement may be terminated by either of the two Governments, the denunciation shall take effect 90 days after its notification to the other party.

The first article of the agreement provides for the conditions under which the French military personnel shall be available to the Government of Rwanda and their specific tasks: *"the Government of the French Republic shall make available to the Government of Rwanda military personnel French whose assistance is necessary for the organization and training of the Rwandan Gendarmerie. "* Originally, the Franco-Rwandan military cooperation had sole mission is to develop a technical assistance to facilitate the implementation of a Rwandan Gendarmerie on the model (structure, organization and procedures) of the French Gendarmerie. Achieving this goal naturally explains the position of Head of Mission in Kigali military assistance was given by a senior officer of the Force.

The first article also clarifies the obligations commits the Republic of Rwanda:

- Support for travel expenses arising from the performance of the service;
- Providing free housing furnished to French military and their families;
- The obligation to ensure that these medical and hospital care;
- Exemption from customs duties on goods brought into Rwandan territory by the military and for their own personal use;
- A tax exemption for the portion of their income received locally.

Article 2 states that *"French military personnel made available to the Government of the Republic of Rwanda are appointed by the Government of the French Republic after approval of the Government of Rwanda" and "interested parties are under the authority French officer of the oldest in the highest grade available to the Republic of Rwanda " . It is stated that this officer reports to the ambassador of France, reflecting the nature " civil " military cooperation.*

In the original text of Article 3 of the Agreement provided that French soldiers serving under the Cooperation remained under French jurisdiction and they served *"under the French uniform, according to the traditional rules of use of their branch or service with the rank they hold " . Finally, this article specifically indicated the scope and limits of their mission: "they can not be involved in the preparation or execution of military operations in any case, maintenance or restoration of order or legality " .*

Articles 4 and 5 deal with disciplinary and legal provisions applicable to the French military.

Article 6 sets out the conditions under which the French Government shall, within the limits of its resources, training and development frameworks Rwandan Gendarmerie in its military schools and pays for the travel costs of trainees to excluding maintenance fees and expenses relating to sales.

b) The amendments to the original agreement

This particular agreement will be amended twice, in 1983 and 1992.

The first revision of the agreement was introduced in April 1983 to the request of the Government of Rwanda and accepted without amendment by France. It amends section 3 which now specifies that French personnel *"serving under the Rwandan uniform with the rank they hold or, where applicable, its equivalent in the Rwandan armed forces. Quality of military technical assistants is highlighted by a special badge "Military Cooperation" worn on the left sleeve of the uniform shoulder height. "*

French soldiers in uniform so the Rwandan Gendarmerie but with a distinctive symbolic sign on the shoulder. This change is justified by the fact that the military technical assistants may be called to positions of substitution in the Rwandan Gendarmerie. Under these conditions, it was decided to ensure that there is, if not integration within local forces, at least identification with the weapon in which they are called to serve .

The second change introduced by the 1983 revision concerns the removal of the ban on French military to be associated directly or indirectly to any preparation or execution of military operation, maintenance or restoration of order or of legality. In light of history, one can only wonder about the motivations that led the Ministry of Cooperation and Development in 1983 to abandon the caution that implementation was in 1975 at the conclusion of the original agreement .

The amendment of 26 August 1992, replacing in Articles I and 6 of the 1975 Agreement "Rwandan Gendarmerie" by "Rwandan forces" , the French military cooperation extends to all the missions of the armed forces Rwanda. This endorsement comes nearly two years after the Rwandan Patriotic Front (RPF) launched its first offensive in Rwanda and that France has in fact expanded its military cooperation in other areas as the organization and instruction Rwandan Gendarmerie. It is somewhat surprising that the French military and civil authorities only be realized with a delay of almost two years that the actions taken at the Rwandan army by the French aid workers were held in margin agreements established by the two states. Questioned on this point at the hearing, Ambassador George Martens simply stated " have noticed in 1992 that the military cooperation to the Rwandan army lacked legal basis since the agreement in force at the time mentioned only cooperation with the Force . "

He would therefore acted as a simple regularization of compliance with practice. However, this purely technical argument seems insufficient if one refers to the telegram from the Defence Attaché, Colonel Bernard Cussac, citing the desire of the Government of Rwanda to " provide all personnel operation Noroît card cooperating "at a time when the issue of withdrawal of French soldiers was placed under the Arusha negotiations were begun. This request, if it had been satisfied, which was not the case, would have the effect of allowing the continuation, under the cooperation of a strengthened workforce cooperating in Rwanda, the French military before, in implementation of the Arusha agreements while negotiating, withdraw from Rwanda.

The extension of the French cooperation of the Rwandan Gendarmerie Rwandan armed forces, in this context could also be understood as a way to satisfy the Rwandan government wanted to keep the largest possible number of French soldiers, whilst at the Arusha appearance provisions for the withdrawal of French troops.

The particular context in which this occurred last change reflects a deepening orientation of the French cooperation, according to several information given to the Mission, was not consistent with the general guidelines set by President François Mitterrand. It seemed that the agreements on military cooperation with Africa could not be maintained indefinitely. Indeed, the President took the view that these agreements could put French troops in a difficult situation as they performed their missions to countries affected by civil wars, while keeping in mind however that they were a fulcrum needed to develop humanitarian or security of French nationals.

C. REASONS FOR THE PRESENCE OF FRANCE IN RWANDA

In itself, this small African country, landlocked, crowded and without wealth, hardly justified that we are interested him much. As noted by the Foreign Minister, Hubert Vedrine, at the hearing, the country " *was in no particular strategic interest to France (...) The independence of Zaire, Burundi and Rwanda are were not held under optimal conditions (...) These three countries have turned to France because it was the only country that still retained a policy expressing his interest and affection for a continent that seemed largely abandoned by other powers. "*

The commitment of France in Rwanda is from the conditions in which this country had access to independence. But he also

had to Rwanda was the French and neighboring Zaire. Geographically, Rwanda has indeed a common border with eastern Zaire immensely rich in mineral resources (uranium, cobalt, diamonds ...) and therefore constitutes a privileged observation of developments in this region post.

It is clear that the beginning of a Franco-Zairian cooperation could take the form leaving out Rwanda and Burundi which a geographical point of view, constitute a pathway to Zaire and South Africa for the people of East Africa.

This geographical fact does not suffice to justify the presence of France which is explained by a combination of reasons that typically based its policy in Africa.

1. Rwanda border Francophone Africa

As pointed out before the Mission Robert Galley, Cooperation Minister from 1976 to 1978, " *the first official acts in respect of outstanding Rwanda had been made by General de Gaulle, following the independence, had been requested by the President Kayibanda. On behalf of the defense of the Francophonie and given the extreme his interest in former Belgian Congo and everything French, General de Gaulle had laid the foundations for cooperation with Rwanda.* "

This defense of the Francophonie was interpreted as an expression of what is called the " *Fashoda syndrome* " city that the French Mission Commander Marchand had to leave in 1898 after having hoisted the national flag, face the English expedition of Lord Kitchener.

The obsession with Anglo-Saxon conspiracy has long occupied the minds if we are to believe the statements made in 1957 by François Mitterrand then Minister of Justice: " *All the trouble we had in French West Africa have nothing to do with a desire for independence, but with a rivalry between the French and British units. These are British agents who fomented all our troubles* ⁽⁶⁾ . "

The presence of France in Rwanda therefore respond to the dual concern to defend the one hand, what some have called a " *Maginot line language* ", on the other hand, deal with the Anglo-Saxon influence, that of British in origin, those of the United States thereafter. The latter should be considered with great caution because it is not possible to assert that there was opposition or conflict of interest between France and the United States about Rwanda, including lack of power prove it.

Asked about the relationship between France and the United States about Rwanda, Mr. Hubert Vedrine said before the Mission " *in relations between France and the United States, the issue of Rwanda has never been a central element to the extent that many other subjects-unification of Germany, the Yugoslav conflict, the collapse of the Soviet Union-monopolized attention at this time of upheaval east-west. It is not possible to speak of frontal contradiction, priorities were not the same and different reasoning. The United States to focus their attention on Sudan they considered a hotbed of major terrorism and helped accordingly riparian countries, which explains their support for President Yoweri Museveni and the development of their cooperation with Uganda . (...) The United States has probably experienced a sympathy RPF because of the support that he gave Uganda. No animosity or criticism of the State Department in respect of France, however, has been noted, which implied a minimum consensus between France and the United States.* "

The risk represented by the Sudan is seen by the Anglo-Saxons as more important than the maintenance of peace in Rwanda, as stressed during the hearing Mr. James Gasana, former Rwandan Minister of Defence April 1992 July 1993, noting that France " *displayed in vain to Britain for assistance with Yoweri Museveni who believed, like the United States, the role of cord protection against Islamist thrust of Sudan Uganda was more strategic than peace in Rwanda.* "

This analysis is confirmed by Mr. Herman Cohen, Advisor for African Affairs, U.S. Minister of Foreign Affairs from April 1989 to April 1993, which, before the Mission, noted that President Yoweri Museveni was viewed very favorably by the United States who saw him as " *a new personality to modern ideas, which sought to build a market economy* " and acknowledged that " *the United States feared destabilization from Sudan* " but had no real strategy in this geographical region. He said he was " *very surprised of the theory of an Anglo-Saxon conspiracy against the interests of France, which did not correspond to any reality. If the U.S. had wanted to take action against French interests in Africa, they would not have started with Rwanda because it is a country of very small importance. The United States has always recognized the "pre French square" in Africa as a positive element, which was not contrary to U.S. interests.* "

Met by the rapporteurs of the Mission at the Pentagon, Mr. Vincent Kern, Director counterpart of African Affairs at the French Ministry of Foreign Affairs, supported this analysis by noting that Africa was the only region for which the United States had not defined strategic analysis. Only South Africa was the subject of a more sustained interest. There is no reason

to believe that Rwanda was outside the traditional policy of the United States summarized by the saying goes " *trade, not aid* "(trade, not aid).

In the light of these considerations, it appears that France has led to Rwanda a classic policy to extend its influence in the broader field of the Francophonie without this presence it has never really been challenged by the Anglo-Saxon powers .

2. Stability of Rwanda to the stability of the region

Ensuring the stability of States has been the main policy objective of the African policy of France.

This research is a constant as noted by the Foreign Minister, Hubert Vedrine, before the Mission, stating that he " *had always seen President François Mitterrand address African issues and frequently behave in a successor old policy since independence. (...) The President François Mitterrand believed that France should assume a global security commitment, (...), on the one hand, because the policy allowed African countries to settle very low military budgets and therefore devote more resources to their development, on the other hand, because in these areas continue to be threatened by instability, he considered leaving, anywhere, only one of these plans be overthrown by a faction, especially if it was a minority and supported by the army of a neighboring country, enough to create a chain reaction that would jeopardize the security of all countries with which France and the French guarantee décrédibiliserait .* "

" *In the analysis of President Mitterrand, what mattered was the foremost global reasoning, there was no particular strategic application, nor in Rwanda and Chad point. He believed, like his three predecessors, that France had entered into a security and that if she was not able to provide assistance in the case of a simple friendly state invaded by armed country, its security security was worthless.* "

In this respect, France grants in Rwanda, as in all the other "core countries" support the regime and even more so that Rwanda stands as a model student, on which Jean-Pierre Chrétien wrote " *the regime born of the baptismal funds waning colonization becomes the darling of technical assistance ... the future country "Miles cooperating" (7) .* "came to power in 1973, President Juvenal Habyarimana will conduct an economic austerity that will attract him the congratulations of the IMF, even he knew how to deal with " *quite good and very acceptable*" in the words of Alison Des Forges, the Tutsi community in its accession to power. Also, when the Rwanda undergoes the 1st October 1990, the RPF offensive, France believes that she can intervene, both to protect its citizens as part of the military cooperation agreement concluded in 1975 without being in contradiction with the principles of La Baule speech.

D. BREAK OF SPEECH La Baule

1. The importance of La Baule speech

On the occasion of the sixteenth Conference of Heads of State of Africa and France, La Baule June 20, 1990, President François Mitterrand delivers a speech that will renew the framework of Franco-African relations and that, before the mission, Mr. Roland Dumas felt able summarized in two sentences, on the one hand, " *the wind of freedom that blew East will inevitably blow a day towards the South* ", on the other hand, " *he n 'there is no development without democracy and no democracy without development.* "

After recalling in his speech that he considered the development as " *an integral part of the progress of democracy* ", the President of the Republic stated clearly: " *We do not want to interfere in internal affairs. For us this subtle form of colonialism that would make the lesson permanently African states and those who run it is a form of colonialism as perverse as any other.* " For all that France is not absent and President François Mitterrand reminded " *France will continue to be your friend, and if you wish, your support internationally as domestically*" and President goes on to state " *the France bind all his effort to contribute to the efforts to be made to move towards more freedom*" .

Novation of La Baule speech lies in this latest announcement; reminders of the classic elements of the African policy of France were only to prepare the audience to reassure him. Now the thing is known: using France African States is subject to the progress of democratization. This link has been clearly explained during the press conference following the summit by François Mitterrand, who distinguished between " *lukewarm support*" for authoritarian regimes denying any democratic evolution and " *enthusiastic support*" reserved for " *those who will cross the not with courage* " .

At the time, this speech was not appreciated by all Heads of State present. Dealing with the Franco-African summit in Biarritz occurred five years later, Bruno Delaye, Advisor to the President of the Republic from July 1992 to January 1995, and in fact

the record: *"31-Saharan countries in Africa, including 22 French, represented at La Baule were all introduced multiparty, 17 had adopted new constitutions, and fifty broad consultations were held whether it is constitutional referenda or parliamentary or presidential elections. "*

Faced with the difficulties of establishing the democratic process, Bruno Delaye also pointed to the Mission that it was important *"for France not to marry local disputes or defend a clan or a man, but the principles and policy. Democratic wind of this time had released positive energy rénovantes which this continent was in great need, but applying to small United Nations, the democratization movement had revealed extremely dangerous regionalist and ethnic tensions. "*

In a speech on July 5, 1990, President Juvenal Habyarimana announces the end of cumulation between the office of President of the Republic and the President of the single party MRND and the start of a democratic process with the recognition of multi-

Michel Lévêque, former Director of African Affairs at the Ministry of Foreign Affairs from 1989 to 1991, before the Mission, a correlation between these decisions and discussions that took place between President François Mitterrand and Juvenal Habyarimana in sidelines of La Baule and had focused on the need for institutional reforms in Rwanda and the refugee issue. *"Following these pressures, President Juvenal Habyarimana agreed to reactivate the Rwandan commission and the Rwandan-Ugandan committee refugees. "*

Mr. Hubert Vedrine has also considered the policy of France in Rwanda was part of the continuity of *"the philosophy of La Baule"*. He noted the many letters of President François Mitterrand to President Juvenal Habyarimana on the issue of refugees, human rights and the need to reach a political agreement with the RPF and to politically change the rule to democracy.

2. TRAPPER La Baule speech

The logic of reciprocal obligations expressed in the discourse of La Baule-development aid democratization against the France-made prisoner of a process that it has failed to withdraw, while the Rwandan government did not fulfill its side its commitments to democratization and respect for human rights.

Therefore, the logic of the La Baule speech functioned as a trap.

Faced with delays Rwandan authorities and concerned about the stability of States and regional security, France has never taken the decision to suspend all cooperation, or even make a lower level of its civilian and military aid. Also, President Juvenal Habyarimana he could convince himself that *"the France ... would be behind him whatever the situation, he could do anything on the military and political level"* as the said Mr. Herman Cohen during his hearing.

With hindsight, we can consider that the Rwandan authorities have played with skill promises they have not kept.

Also in the La Baule speech, President François Mitterrand said: *"I repeat that the principle requires the French policy: each time an external threat dawns that could attempt your independence, France will be at your sides "* and adds: *"But our role, foreign country he was friend, not to intervene in internal conflicts. In this case, France, in agreement with the leaders, ensure to protect its citizens, its citizens, but it does not intend to arbitrate disputes. "*

Further developments relating to the operation Noroît show that France was at once conducted missions of protection and evacuation of its nationals and implemented actions to support the Rwandan government forces, because it did not consider the conflict as internal but as a result of external aggression. She looked behind the RPF more as a military force of Ugandan origin than the combination of Rwandan refugees wishing to return to their country.

France has thus maintained its presence and expanded its military cooperation amid ethnic tensions, massacres and violence, as a mithridatisée face she underestimated the gravity context.

These errors of judgment led to even more serious consequences they applied to a country with strong peculiarities.

II. - THE TRAGIC "EXCEPTION OF RWANDA" IN AFRICA

The Rwanda occupies with its neighbor Burundi, a unique place in Africa that considering the complexity of its history-even more-recent, we intend to give meaning to the particular dynamics of political and social conflict that cross, that finally focuses on the weight of demographic fact, Rwanda stands on the African continent as an exception, the 1994 genocide reveals the

tragic dimension.

Probably the description of this country "thousand hills" and ethnic clashes that have divided up the horror of genocide she is part of a *vulgate* now shared.

However, it is worth recalling in its preamble that the events in Rwanda are part of a historical process that is not in any cultural determinism. As noted historian, director of research at CNRS, Jean-Pierre Chrétien, the Rwandan genocide was "*no more natural or more cultural than others*". Similarly, as Alfred Grosser wrote in 1989, "*sound would we find an African believes a massacre in Europe as the normal product of a civilization that produced Auschwitz?*". Alfred Grosser M had already laid the intellectual and moral of historical determinism, perhaps based on a false sense of superiority political or cultural boundaries.

The information does not purport to present Mission here as comprehensive as that may have been leading researchers and academics that has mostly heard and whose testimonies are the main source of this analysis presentation of Rwanda; it simply proposes to highlight some key features of Rwandan society.

A. feudalization AND POOLING OF LAND COMPANY PRIMARILY

The Rwanda-Burundi-like is one of those very few African countries whose political and cultural unity has its source in the monarchies of the XVIIIth and XIXth centuries. The political history of Rwanda is first marked by the establishment of the dynasty Banyiginya, Tutsi, during the second half of the XVIIIth century.

Mwami both sovereign and head of the army defending the borders of his kingdom and ensures the obedience of his troops. XIXth century saw the consolidation of dynastic power Banyiginya the reign of Kigeri Rwabugiri.

In 1895, his death opens a bloody succession crisis. If some areas are subject to the authority of the king and his chiefs, other areas continue to recognize the authority of clan leaders or their own Hutu rulers-the-Bahinza also Hutus but also Tutsi lineage heads. At the end of last century, the pre-colonial Rwanda, despite a primer centralized unification, therefore still presents a mosaic of powers.

In 1892 and 1894, Oscar Baumann and Gustav Adolf von Götzen were the first Europeans to enter a country in political crisis, national unity is undoubtedly established, without there being, so far, real territorial unit. "*If the mystical rule of king is almost recognized an area that roughly corresponds to the current country, political authority is exercised itself very unevenly: distant and often questioned in the northern regions (Byumba, Ruhengeri, Gisenyi, Kibuye), which continue to be organized in a clan system and simply pay symbolic tribute, being implemented in the east (Kibungo) and southwest (Cyangugu) high in the center and south (Kigali, Gitarama, Nyanza, Butare)*" (8).

At the time, the basic unit of Rwandan society was the lineage comprising the descendants in the male line from a common ancestor, each lineage is represented by a leader. The administrative organization of the country had a feudal character insofar as the possession of a fief ("*igikingi*") depended on the royal will or the army chief that you assigned. Holders of fiefs were Tutsis from most of the major princely origin lineages. However, in the northwestern provinces in the mountainous north and in some principalities, the lineage heads Hutu managed their own field, dealt directly with the court and were satisfied, as we have seen, of pay their tribute.

During the colonization of Western power suppressed multiple fiefdoms created by royalty to create a homogeneous command chiefdoms and sub-chiefdoms; thus gradually the king and chiefs became mere execution of Territorial Administration agents.

On the economic front, the possession of cattle represented the ultimate *wealth*. "*Nothing surpasses the cow*" was a saying, even though also was a purely agricultural wealth.

But the cash economy ends gradually supplant the exchange systems, including the gift of livestock, "*the inbuhake*", whose main purpose was to obtain political protection. Political reforms introduced by the Belgian representative did lose its political and social significance to *the "inbuhake"* whose practice was abolished in 1954.

Colonization thus ended the one hand, with the disappearance of these two characteristic elements of the Rwandan identity-fief ("*igikingi*") and the gift of livestock ("*inbuhake*") - and, on the other hand with the establishment of an administratively centralized and unified territory.

B. THE COLONIAL PAST AND BELGIAN GERMAN

In 1885, the Berlin Conference Rwanda attributed to the German Empire. In 1900, the White Fathers founded the first missions. The action consisted mainly of Germans to strengthen the dynastic authority and protect the installation missionaries.

In 1919, the Treaty of Versailles gave Belgium mandate Rwanda and Burundi which became the Rwanda-Urundi. The Belgian representative, choosing indirect administration, decided to modernize the country by adapting local institutions to the point of completely transform them. Traditional kingship found in weakened and colonial administrators chose to rely on a few lines dynastic environment by a privileged social fraction, a modern elite, educated and educated in the Christian religion.

During the German and Belgian colonization, racial imaginary underlying mythic history propagated by the colonizers is deeply anchored in the Rwandan society. It is the structuring element of social and political organization set up in the twenties and thirties: *"the work of redefining the socio-political equilibrium of the two kingdoms of Rwanda-Urundi operated by colonization consisted, firstly, to consolidate and solidify social and economic hierarchies, hitherto largely differentiated or fluid around the single "ethnic" identification criterion then, in a second time, to reproduce in new social positions established by colonial society"* (9).

This process of stiffening of the Rwandan society perfectly illustrates the interaction between history and historiography: it is essentially the name of the custom restore is claimed, that *"a rigid dichotomy between" lords Tutsi "and" Hutu serfs " tends to take shape in social life"* (10). This dichotomy did not exist before since Hutu who owned several cattle could, therefore, be *" tutsifié "*, as could occur phenomena *" détutsification "*.

Moreover, the ethnicization of Rwandan society, the result of a political and institutional construction developed by the colonial power, is internalized by Rwandans themselves: in some, it develops a superiority complex, whereas in others a strong sense of resentment and hatred settles. It is significant to note in this regard that the Hutu elite that emerged in the fifties develops a discourse that is totally in line with what Ms. Claudine Vidal describes in his writings of *" history resentment "*.

C. THE IMPLEMENTATION OF "ETHNIC TRAP"

The Rwandan history shows that from about 1725, clearing operations, which were followed by a settling process were completed at the same time and on the same hills by pastoralists and farmers. Tutsis and Hutus sedentary all coexist on the same land and speak the same language.

It seems that this time, the settlers have had a very clear sense of belonging to the social category of Tutsis or Hutus, that pastoralists and farmers. Lack of information on the state of social relations, however, nothing to suggest it was a dependency of some vis-à-vis others.

Accordingly, covered neither ethnic nor social classes, Hutus and Tutsis are more akin to existing orders in Europe before 1789 - *Stand* in German-that is to say, structured groups from their activity. This does not exclude, to use the argument made by Mr. Gérard Prunier to the Mission, qu'Hutus and Tutsis are of different origins if we place ourselves in the long time history, although After several centuries, they were largely assimilated to each other through marriage.

On the eve of European penetration, it was therefore no criteria to define what is called a tribe. The first observers have reported all kinds of political conflicts or regional but never reported ethnic clash between pastoralists and farmers, Hutus and Tutsis.

The ethnicization of Rwandan society process begins with the arrival of European settlers in 1894 It is therefore a relatively recent phenomenon, though. *"theory Camping contrasting portraits of the negro" the Africa of Darkness "and the mysterious Oriental came to venture among them had been forged from contacts with other parts of Africa and anthropological reflections of the time"* (11). " In a sense, there is not, strictly speaking, *discovery* of Rwanda, but rather an *invention* of contemporary Rwanda: *"colonial historiography, which will focus" on a scientific basis "racial model (...) structure still the vision of a large part of the Rwandan population. Thus, Bantu (assimilated to the category of Hutu farmers) would have settled into a space barely cleared by the first occupants pygmies (Twa) Hutus and Twas then being themselves faced with the arrival of farmers "Hamitic" (gradually reduced to its component category Tutsi) who, with their cattle, have infiltrated all the free space and have gradually imposed their law throughout the central highlands of this region of Africa and margins "* (12).

This pseudo-scientific and largely mythical reconstruction of the past, which will be replaced during the colonial period by all

Rwandan and European elites was largely deconstructed by contemporary historiography without it succeed as long to disappear completely this mythological construction. It suffices to be convinced, refer to the reading of some recent publication to learn that *"Tutsis are characterized by a slender appearance, a fine nose, smooth hair, they are traditionally pastoralists, former nomads, and have long dominated the region politically and militarily. Hutus are Negroid types. They are smaller, frizzy hair. Their lifestyle is sedentary and oriented agriculture. The recent history of Rwanda is punctuated by fighting between Hutus and Tutsis that resulted in a series of massacres"* (13).

Advanced Tutsis and Hutus made to obey: the myth was methodically conveyed over several decades by the missionaries, teachers, intellectuals, anthropologists and academics accreditèrent this vision of Rwandan society until the late sixties.

With the "social revolution" of 1959 and the accession of Rwanda's independence in 1962, the *"ethnic trap"* becomes a *"racist trap"*, in the words of Ms. Claudine Vidal, and as foreshadowed to Moreover the evolution in the 50s: *"The rivalry between" advanced "Hutu and Tutsi, became openly antagonistic, began to speak in terms of" races", notions of Western origin, which did not exist in the old society.* "As evidenced by the Hutu Manifesto of 1957, as noted by Mr. José Kagabo, Lecturer at the Ecole des Hautes Etudes en Sciences Sociales, at his hearing before the Mission, *"rejects (...) any idea of mixing in favor of seeking racial purity"*.

The political changes that affect Rwanda at independence, far from mitigating the ethnic divide, reinforce it. *"Paradox" Rwanda 1789 "is to have consolidated these" orders", reversing their index value instead to abolish"* (14), says Jean-Pierre Chrétien. The same author points out that *"equation of" nobility", "caste Tutsi "on one side and" Bantu race "on the other hand came out of the books and practices of a colonial administration to formally enter into the life of an African country."*

The first Republic and is in a *"quasi-total interference with political references, on one side, Tutsi monarchists independence, supported by the new progressive movement that has given the third world and communist powers it which earned them of being labeled "Bolshevik" by the colonial power and, on the other hand, the Hutu serfs who pursue their quest for emancipation under the dual supervision of the Belgian administration and senior expatriate Catholic hierarchy"* (Guichaoua). This political and ideological confusion is clearly expressed in the concept of "Hutu majority democracy" in Kinyarwanda expressed by the term *rubanda nyamwinshi* ("the majority people"): it refers in fact *"a kind of coextensive situation, the idea being that the Hutus make up 85% of the population, it is sufficient that one of them is in power for democracy is achieved"* (Gérard Prunier).

As noted by Mr. Guichaoua at his hearing before the Mission, it is certain, in these circumstances, that this confusion has greatly promoted the development of ethnicity and has subsequently its manipulation by certain political forces. The end of the colonial period and the early years of the presidency of Kayibanda are also marked by an exacerbation of ethnic conflicts. At the "social revolution" of 1959, some 300,000 Tutsis fled to neighboring countries as a result of deadly fighting between Hutu and Tutsi rival gangs and killings of Tutsi populations. From 1963 to 1966, armed incursions Tutsi exiles (the *"Inyenzi"*) consistently result in the massacre of Tutsis within easy hostages Hutu leaders. While it is true that violence is an integral part of Rwandan history, more than a "tradition of massacre," these events reflect the instrumentalization of ethnic phenomenon. Obviously, as pointed out during the hearing Mr. Jean-Pierre Chrétien, *"in sending the fantasy of homogeneity of interests within a group defined by its birth", "the Rwandan government has provided the need to pursue a policy that would have to resolve or address the real social, political or economic.*

In this regard, the Second Republic, which is taking place with the arrival in power of Juvenal Habyarimana in 1973, was an illusion. Beyond the fact that the new President is the national reconciler, ethnic cleavage seems erased and is replaced by a former regional opposition. The organization of ethnic unrest following the 1973 coup can not hide the reality of political struggles between Hutus North, winners and southern Hutus, whose elite was decimated by the new power. In this context, the introduction of quotas for the employment of key administrative functions in 1974 is presented by the President as the recognition of minority rights and the final instrument of anchoring democracy. Similarly, the deteriorating economic situation and policy in the second half of the 1980s, has no ethnic dimension to such an extent that a local expert can write in 1989 that the ethnic question is no longer the agenda. The attack by the RPF on 1st October 1990, on which are grafted economic difficulties, political demands and the awakening of the Rwandan society had to prove, by the reactions she had to raise the share of power in Kigali - that ethnicity remained indeed a *"dormant political resource"*, in the words of Professor Guichaoua without regionalism disappear either.

D. MAJOR WEIGHT OF THE CHURCH

" *Since colonial times, the Catholic Church is a power in Rwanda, a sort of state within a state* "this statement made to the Mission by Father Guy Theunis, a member of the Society of Missionaries of Africa and priest in Rwanda from 1971 to 1994 reflects the major role of the Church in Rwanda, both the economic and social politics.

It should not reduce the religious landscape of Rwanda to the Catholic Church alone, even if it is by far the most powerful and influential. At the 1991 census, in fact, of the 90% of Rwandans who are professed Christians, a significant proportion of about 27% is demanded of Protestantism. Among the remaining 10% is a small percentage of Muslims (about 1%) and animist.

The power of the Church in the most Christianized country in Africa is mainly based on the historical conditions of the implementation of the missionaries.

1. Factors to explain the power of the Church in Rwanda

- First, the missionaries saw their implementation facilitated by the close contact they immediately sought to establish with indigenous peoples. This perfect knowledge of the field is related to the nature of the Society of Missionaries of Africa, known as the White Fathers, the first to settle in Rwanda. Doctrine and implementation strategy of the White Fathers helped them, integrating population and speaking its language, acquiring a strong social influence, economic, but also political.

Indeed, the Society of White Fathers, founded in Algiers in 1868 by Bishop Lavigerie, Archbishop of Algiers, advocates adaptation to the existence and the mentality of Africans, and not the reverse, as the three show "commandments" the founder of the White Fathers to his missionaries: " *You speak the language of the people; you eat their food; you wear their clothes* . " The adoption of white Arabic clothing, the origin of the name commonly given to this company falls within this intention. This doctrine is fundamental to understanding the success of the implementation of the White Fathers in Rwanda, political and linguistic entity quite specific in Africa, and even in the Great Lakes region.

On the other hand, while the oldest missionary societies were established in the coastal countries, the White Fathers, taking their rise at the time of the last great explorations (from 1878), penetrated to the heart of Africa , remained far away from any missionary work.

- The knowledge of the country and its language could be even better exploited the presence of the German rule has hardly been felt on the ground, it favoring an indirect method of management was essentially on indigenous social and political structures. It should also be emphasized that, although the Catholic missionaries were weakly "competed" with the colonial power, they have not been more of other faiths. The Protestant Church, which had little interest in Rwanda (two missions created by the Evangelical Church on the eve of the First World War against eleven Catholic missions) was somehow not allowed to continue its activities by the new Belgian trusteeship .
- The Belgian colonization represents the determinant of rooting and development of the Catholic Church. Catholic monarchy, Belgium greatly promoted the role of missionaries and the Church.

This attitude of guardianship played a major role in changing the attitude of the people vis-à-vis the Church. Including the conversion was a choke point to keep its dominant position, the Tutsi elite rallied to Catholicism when she was thirty years until quite reluctant to abandon their traditional religious practices. At this reluctance is added further mistrust vis-à-vis the Catholic Church, related to early implantation missionaries. Indeed, despite the desire of whites to evangelize the social elite Fathers before the rest of the population, according to the doctrine of the Company, the Church of Rwanda was at the beginning of the century, a Church of the poor, considered with suspicion by the aristocracy. In addition, many Hutu leaders who were reluctant to submit to Mwami, saw in the reconciliation with the Church a way to escape the royal authority, which only reinforced the prejudices of the elite Tutsi against missionaries.

The evolution of the Tutsi elite in the early 1930s and the overthrow of King Musinga in 1931 in favor of Mutara Rudahigwa first Christian king, changed the situation and resulted in a wave of conversions remained in the memories under the name "Tomado". The consecration of Rwanda to Christ the King in 1946 reflected the new reality of relations between the Church and the Rwandan elites.

2. A State Church

At the end of thirty years, the combination of Belgian politics, promoting a greater influence of Tutsis within the political elite, the conversion of these elites and the attitude of the ecclesiastical institution that also favored the elite Tutsi led to a very close connection between the Church and the State, to the extent that it is no exaggeration to speak, like Claudine Vidal, a state

church (15) .

In light of the foregoing analysis, however, it is necessary to question the reality of conversion Rwandans at the time. In this regard, the same author argues that despite genuine movements conversion in the first quarter of the twentieth century and the evangelization of children in school, " *the peasant masses in appearance adheres to the Catholic faith* " despite the denigration of indigenous ritual practices (16) . In recent years, the persistence of traditional religions is also likely. Thus, the difference between estimation data provided by ecclesiastical directory in 1973 and population survey on the same date, on the number of Muslims in Rwanda (0.6% of the population according to the first source against 8.5% for the second) could be explained by the fact that a significant number of animists not daring to assert their membership in traditional religion and can not be identify as Catholics because of the very precise keeping parish registers may be preferred to avail himself of Islam.

It is surprising that the major political developments in Rwanda in the 1950s and 1960s have not questioned the status of the Catholic Church. In fact, the paradox is only apparent and is due to the fact that the Catholic Church has grown parallel to the evolution of Rwandan society. The emergence of a Hutu elite, formed in Catholic seminaries, which calls into question the primacy of the European branch of the Church, is a contemporary sociological evolution of European Catholic hierarchy, which saw the arrival in its ranks more priests or Flemish brothers, of humble origin, influenced by the social doctrine of the Church appeared in the 1930s.

This change was made very quickly. In 1950, a White Father can still write in a book that contains the *Vulgate* pseudo-science developed from the late nineteenth century, " *today, the Rwanda not think to question the legitimacy of the power of the nobles ; especially as attempts to oust them by replacing the leaders of the race Hutu led to humiliating failure* " (17) . Although emerging from the same grid racial analysis, the Lenten pastoral letter issued only nine years later by Bishop Perraudin marks the evolution of the position of the Catholic hierarchy in favor of the "Hutu majority."

Under the two Republics, the Catholic Church therefore continues to play an essential role, the Church and the State representing the only organized forces within Rwandan society. As well as the administrative and political framework is powerful, and the Church of Rwanda has a hierarchical and administrative face that accentuates the rigid nature of this society. This objective alliance of the State and the Church is reflected in particular by the existence of split government: for example, there is a system of vocational training provided by the State and, in parallel, an internal circuit training to Church. Similarly, the Church has used to its advantage the traditional system *umuganda* , corrupted by colonization, the experts of the International Labour Office (ILO) equate to real labor. Thus, as every Rwandan should the state a half-day of communal work, under penalty, as the Church had developed such a system for the benefit of his works, punishing resistance by refusing sacrament.

Worse perhaps is the silence of the church, which gradually became a " *Church of Silence* " (18) . Father Guy Theunis recognizes that " *often, because of this link with the state, she was afraid to speak out on critical issues of justice, peace and development. The social teaching of the Church was not an essential element of his speeches and it was virtually absent not only during the catechumenate catechesis as well as in primary and secondary education, but even at the major seminary of Nyakibanda* " (19) .

It should not generalize excess analysis, the Rwandan Church is far from being presented as a uniform block. It is certain that the vast majority of the Catholic hierarchy and clergy base completely adhered to the ideology of power, and even theses extremists, it nevertheless necessary to keep in mind that the Church Rwanda was crossed by the same fault lines that society as a whole. In particular, the implementation of the regional cleavage seems much more relevant than the basic dichotomy clergy / hierarchy, just as it is possible to identify within the clergy groups with divergent interests.

The role of a priest as André Sibomana provides an excellent illustration of this distinction. This priest from South of Rwanda has developed a particularly critical speech against the power in place, including through the Catholic newspaper *Kinyamateka* , created in 1933, where he became editor in 1988. Even magazine *Dialogue* , though less critical, the *J'accuse* Father Maindron in 1991 showed how the Church does not present itself as a monolithic institution. In the same vein, the letter of the presbyterate Kabgayi heart of Catholic Rwanda, written in December 1991, is an extremely lucid testimony of the situation of the Church in Rwanda. " *At first sight, the Church of Rwanda itself appears as a power because of his achievements, whether in the field of development or in the charity. It has many Christians and several religious communities. She has vast landholdings. It is so powerful that some do not hesitate to consider it as a state within a state* . " . And editors then identify defects that undermine the apparent power:

- "It was not in time before the problems facing the country";

- It has not expressed " *fear of displeasing the civil authorities* ";
- " *add to that the problems relating to ethnic, regional and social segregation* ", etc..

3. A Church "outside world" (20) ?

First owner, the largest employer and largest investor after the State, the Church represented in the late eighties a major economic and social power in Rwanda, even in a dismal economic climate, which resulted in particular by reducing civil public expenditure.

- On the social level, the power of the Church is visible in the landscape itself. " *The missions of Rwanda, especially older ones, such as the monasteries of the Middle Ages, are real villages around the church and the presbytery are primary and secondary schools, health centers, catechumenates, social centers and development centers, workshops, etc., all run by priests, religious men and women* . " (21)

Under these conditions, it seems rather paradoxical to speak of a " *Church outside world* . " In fact, despite a very strong presence on the ground, the Church practice very little internal dialogue. Father Theunis recalls as " *the lack of dialogue also struck the Episcopal Conference itself: the bishops did not hear them, few joint decisions; few were taken clear positions* . " (22) Similarly, it addresses only marginally and very chilly social problems. In this respect, the letter of the Catholic Bishops Conference of Rwanda dated 28 February 1990 "Christ, our Unit" is indicative of a Church whose alliance with power limits the analysis and proposal capabilities. If the Catholic hierarchy recognizes the existence of an ethnic problem - " *there are Rwandans who reject these teachings and continue to support ethnic rivalries with all kinds of speech and maneuvers* " - it is limited to providing a good report to government policy on the matter, stressing that " *the policy of ethnic balance in the workplace and in schools is intended to correct this inequity* . " To this extent, the term church "out of the world" does not appear totally inappropriate.

E. STRONG DEMOGRAPHIC PRESSURE AND LAND

Rwanda is facing a very rapid population growth and structural economic difficulties, which in recent years have reached extreme proportions.

1. "A world full in the heart of Africa" (23)

Lapidary, this formula from the outset faced with the dual problem of overcrowding and landlocked Rwanda. There is no question of overpopulation designate as a direct cause of the difficulties and political crises in the Rwanda repeatedly, " *it would be equally absurd to ignore the role played in this succession of crises, phenomena such as density, the level and trends of fertility* (24) . "

Censuses of 1978 and 1991, as well as fertility surveys in 1970, 1983 and 1992, suggests a number of relatively accurate data on population trends.

BASIC STATISTICS OF RWANDA (25)

Area	26 338 km ²
Demography	
Total population, 31 December 1993	7900000
Urban population, 1989	426,000 (estimate)
Population of Kigali (the capital), 1988	300,000 (estimate)
Density mid-1993	292 inhabitants / km ²
Rate of natural increase, 1991	3.1% / year
TFR 1983	8.5 children / woman
TFR 1992	6.2 children / woman
Infant mortality rate, 1992	85/1, 000 births
Life expectancy at birth, 1991	52.2 years (estimate)

Sources: - World Bank report on the development in the world - 1995; The world of work in an economy without borders 1996

- *United Nations, Global Report on Human Development 1995, Paris, Economics, 1995*

- *Republic of Rwanda, General Census of Population and Housing of August 15, 1991, unpublished draft, Kigali, Ministry of Planning, 1993*

- *JF MAY, M. and M. Mukamanzi VEKEMANS "Family Planning in Rwanda: Status & Prospect", Studies in Family Planning, 21, 1, 1990, 20-32*

Rwanda has begun the process of demographic transition during the Second World War, or already in the 30s, which led, in a first phase, a decline in mortality rates. The rate of decline of the latter has also accelerated since, without a declaration that a parallel decrease in fertility, quite the contrary: the total fertility rate and reached 8.5 in 1983, while amounted in 1970 to 7.7. Does it follow the latest statistics, which show a decline in fertility since the late 80s (6.2 children per woman in 1992) the Rwanda began the final stage of its demographic transition? Should have recent data to answer such a question.

**FERTILITY RATE BY AGE AND SYNTHETIC INDEX
OF FERTILITY, 1970-1992**

Age	1970 Survey	1978 Census	1983 Survey	1991 Census (adjustment)	1992 Survey
Fertility rates by age (for 1000)					
15-19	47	49	79	59	60
20-24	336	302	327	242	227
25-29	383	405	378	327	294
30-34	349	377	367	310	270
35-39	252	309	296	258	214
40-44	118	198	184	146	135
45-49	47	91	68	39	46
Total fertility rate (children born / woman)					
	7.7	8.7	8.5	6.9	6.2

Note: The survey results generally reflect the historical situation of a few years (3 years for the 1983 and 1992).

Sources: - Republic of Rwanda, op. cit.

- ONAPO, Rwanda 1983 - National Fertility Survey

Vol. 1: Analysis of results, Kigali, National Office of Population, 1985

- B. BARRERE, J. SHOEMAKER, Mr. BARRERE, T. Habiyakare,

And Mr. A. KABAGWIRA NGENDAKUMANA, Demographic and Health Rwanda 1992 Kigali - Calverton, MD, Republic of Rwanda, Office of the National Population and Macro International Inc. 1994

This divergence in mortality and fertility has led to a sharp acceleration in the rate estimated at 3.1% per year in 1993 natural

increase, which determines a doubling of the population every 23 years, knowing that from 1950 to 1993, the population of Rwanda has been multiplied by 4.

VERY IMPORTANT NATURAL GROWTH

Year	Population (in millions)
1950	2.0
1970	3.7
1975	4.4
1978	4.8
1991	7.3
1993	7.9

Source: J. MAY, *op. cit.*

Strong natural increase, small territory: the density levels are eloquent. While there were 77 inhabitants per km² in 1948, the population density is 188 inhabitants / km² -250 inhabitants / km² area, in 1978; it stood in mid-1993 to 292 inhabitants / km². Reported to arable farmland, the same density reaches 406 inhabitants / km². It is Ruhondo in Ruhengeri, the density is higher (820 inhabitants / km²). Singular in sub-Saharan Africa, where the average density is 23 inhabitants / km², this density level "has nothing exceptional compared to other densely populated parts of the tropical world. But almost all of the Rwanda differs by its nature mountain in continental position (as opposed to "sugar islands"), by the scarcity of irrigated lowland (opposite deltas rice) and especially by the amazing weak industrial and urban life ... " (26).

Factors overcrowding are numerous. Firstly, climate and natural conditions largely explain this trend; isolation and the Rwandan terrain have undeniably played a role in Rwandan history shield protecting populations including epidemics and slavery; more, in the latter case, Rwanda has probably served as a refuge and saw its population increase correspondingly. The causes of overcrowding, including the high level of fertility are also economic; in a country where agriculture is 93% of the population, the size of the family unit is considered crucial for the survival of the family. In addition, cultural factors play a major role, the traditional Rwandan culture and the positions of the Catholic Church in a country with 62% of Catholics are mutually reinforced.

Finally, policy responses to demographic pressure proved insufficient and usually too late. The first took place in the Belgian colonization in 1955 a program of emigration was developed to direct the surplus labor to the plantations and mines of the neighboring countries. Subsequent to the closing of borders independence ended the operation. In the 1960s, the responses also carried on territorial variable after a redistribution policy space of the population-the "peasant communities " (27) - quickly aborted, an action of "extensification" and agricultural intensification was carried out from 1965, which, however, stumbled on the ecological boundary.

LAND USE: EVOLUTION 1970-1986

Use	1970	1980	1986 (a)
Pastures	487884	322060	199360
Communal forests	27156	57200	99500
Fallows	200000	154000	123000
Cropland	527660	710400	826500
Grand total	1242700	1243660	1248360

(A) agricultural survey 1989 broadly confirms the results of 1986; but it shows 30% more fallow, pasture and three quarters less.

Sources: - MINAGRI, "National Agricultural Survey 1989: production, area, yield, breeding and evolution 1984-1989", DSA publication No. 22, Kigali, 1991.

- Republic of Rwanda, "Rwanda and the problem of its refugees, historical

context, analysis and possible solutions", Kigali, President of the Republic, on the special problems of Rwandan emigrants 1990 Commission.

It was only in 1981 that we tried to play on the demographic variable, with the launch of a family planning program based on providing contraceptive services and accompanied by an information pane, education and communication. Implemented very gently-the program does not really begin until 1987 - this policy is not, in itself, not the height of the problem. "National population policy" enacted in 1990 proves equally devoid of real political will. The above factors must be added to explain these successive failures, the inability of Rwandan leaders to anticipate in this area. Indeed, far from emanating Rwandan actors, policies implemented have mostly been decided under pressure from foreign donors (World Bank, United Nations, American and German bilateral cooperation).

2. A dependent economy

It is in the light of structural economic data from Rwanda that the problem of overcrowding is of all its acuteness. Poor in natural resources, Rwanda has based its development on a highly dependent on fluctuations in international agricultural economy. These structural weaknesses have not failed to come to light in the 80s and 90s.

SOCIO-ECONOMIC

Gross national product per capita, 1993	\$ 210
Total workforce by sector, 1990-1992:	
- Agriculture	90%
- Industry	2%
- Tertiary sector	8%
Illiteracy, 1991, two sexes	44%
Daily per person 1992 calories	1821

Sources: - World Bank, *op. cit.*, 1995

- United Nations, *op Nations. cit.*, 1995

The Rwandan economy is based, firstly, on food trilogy "sorghum-bean-banana" and, secondly, two export crops, coffee and tea, only 5% of the land being devoted crops for export. As for manufacturing, non-existent in 1962, it represented in 1992 about 16% of gross domestic product (GDP).

Coffee is by far the main export product since account for 60-80% of export earnings. Made mandatory in 1927, coffee cultivation spread rapidly. With the spread of coffee cultivation, the peasants of Rwanda finally came under the tutelage of the monetary economy (28).

The production growth was constant until 1986, peak production, with 42,000 tons of coffee exported, which provided 82% of total export earnings. Legacy of the colonial period, the dependence of the Rwandan economy in respect of this single crop remained insensitive to the 1980s. During the 1970s, in fact, Rwanda has sound economic and financial situation, which characterized by a high rate of economic growth (5% on average), financial stability and a low inflation rate. This is primarily due to the high price of coffee and a very conservative governance. In Rwanda it, then considered "the Switzerland of Africa", the illusion of a socio-economic success is strong from 1976 to 1983.

In the second half of the 1980s, the economic situation deteriorates sharply. Coupled with a series of internal problems (drought, excess water, landslides, plant diseases, bananas and beans), this downturn highlights the structural weaknesses of the agricultural production system, all the more keenly felt industrial production is marginal, lacking a sufficient cost-competitiveness, training of manpower and raw materials.

If the restrictive monetary and fiscal policy when implemented by Rwandan officials, which add protectionist measures, succeeded until 1986, a significant drop in international coffee prices (nearly 50%) from 1987 results the country into a vicious circle (loss of export revenue, budget deficit, increase the cost of imports, devaluation, etc..). The approximately 700,000 coffee producers bear the brunt of this economic downturn: while the government assured them a guaranteed price of 125 Rwandan francs per kilogram, which until 1987 was lower than the market price, which rent a very comfortable situation for the

Government of Rwanda, this price drops to 115 francs per kilogram, in the context of currency devaluation.

Rwandan producers respond to this situation by a sharp increase in production between 1989 and 1990, limiting their loss of income to 20%. But many were forced to abandon the cultivation of coffee. Simultaneously, tea exports recorded strong growth from 9% of total export earnings in 1986 to 30% in 1992. However, tea is not an alternative resource for the people, culture being practiced in all domains belonging, except one, to the state.

*

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Considered overall, the 1980s saw the dramatic decline of the Rwandan economy.

All indicators reflect:

- Average annual GDP growth during this decade was 2.2%, against 4.7% in the 1970s;
- Cover exports by value, 30% of imports;
- Rwanda's external debt increased from \$ 189 million in 1980 to \$ 873 million in 1992.

The structural weaknesses of Rwanda in the social field then come to light: 60% of children enrolled in primary education, 6% in the secondary, a disaster health situation. Rwanda is especially among the countries most affected by AIDS, which causes 90% of deaths among women aged 15-49 years in urban areas, with 30% of people with HIV.

Already very strong demographic pressure in Rwanda becomes explosive at the dawn of the 1990s, due to a margin squeeze between the demographic vitality of the country and its ability to integrate the additional population. It is in this context that resurfaces the nagging question of refugees.

III - THE COMPLEXITY OF THE INTER-RELATIONSHIP

A. A CRUEL TRADITION OF KILLINGS

"The massacres of civilians in many attacks on ethnic or political reasons are not new in Rwanda". This was the observation that stood in the introduction to his report of 19 May 1994, the High Commissioner of the United Nations for Human Rights, following a mission to the country of a thousand hills. He added: *"However, the violence that broke out during the last six weeks goes far beyond anything we have experienced before"* (29).

1. Refusal of a fatality

The temptation is great when a look at the history of Rwanda, and more generally that of the Great Lakes region are thrown to invoke a historical determinism and "ethnic" which would, inexorably, the region known cyclical violence rising against each other, "long" against "short", Tutsis against Hutus. Such a reading would have the advantage exempt from all responsibilities outside powers that have occurred during this century, in one way or another, Rwanda. It could also serve as an alibi for future inaction of the international community against the risk of a resurgence of violence. It leads naturally to favor a solution that all stakeholders agree to judge impracticable: the separation of Hutus and Tutsis in two different countries. Rapporteurs for the Mission, such a reading seems distorted and must be rejected not only because it leads to morally accept the unacceptable, but also because it is intellectually dishonest.

Mr. Guichaoua expressed very clearly: *"the Burundian and Rwandan conflicts are not covered by the fate of a specific barbarism men of this region of Africa. They are constitutive of establishment of Independent States and forms of power when installed. Every crisis precisely dated and localized (1959, 1973, 1994 in Rwanda, 1965, 1972, 1988, 1991, 1993 Burundi) can be analyzed very explicitly through strategies of political actors deliberately playing fantasies and collective fears to mobilize peoples, ethnic identities superimpose all other forms of belonging and social solidarity."* (30). Dr. Alison Des Forges, a consultant for Human Rights Watch, a professor of African history, was even more succinct to the Mission in its evocation of the 1994 genocide: *"It was not a storm, or a storm, nor the result of impersonal historical forces, but the result of a political decision taken by politicians who wanted to keep power."*

Conversely, it would be an equally great mistake to the 1994 genocide an exceptional event cut off from historical background.

This genocide is certainly a unique event, its nature and extent, in the history of Rwanda. It must however be remembered that it was preceded by events that many of the speakers of the Mission called warning signs or repetitions. *"Genocide in 1994, said Mr. Jean-Claude Willamette (31), is implicitly part of the Hutu revolution of 1959, in the massacres of 1963, in 1973 the exclusion outbreaks, especially in selective killings that accompanied the start of the War of 1990."* So Colonel Ascension Twagiramungu Minister of the Interior and Public Security in Burundi, spoke during an interview in Bujumbura, the 1994 Rwandan genocide as an *"improved Burundi in 1993,"* referring to the killings that followed the assassination of President Burundi Ndadaye.

2. Recurrence massacres

Until 1994, various episodes of violence in Rwanda were being that little analysis and even less media coverage, which probably explains why the genocidal logic that underlay remained misunderstood by the international community. However, a reminder of the bloodiest periods convincing of the existence of such a logic.

Shortly before the independence of Rwanda from 1st to November 12, 1959, an outbreak of violence, the official history remembers as a social revolt of the peasants Hutu against Tutsi feudal lords, and in which more than 2 000 houses were burned, made about 300 victims. These killings continued throughout the period of decolonization (1959-1963) and was the source of a mass exodus of Rwandan Tutsis to neighboring countries, especially to the south of Uganda. They constituted the first African refugees who received assistance from UNHCR.

In December 1963, a series of attacks by exiled Tutsis from Burundi and Uganda, finally contained, provides the opportunity for those in power to organize a hunt for Tutsis inside. A concerted plan massacres is applied by local authorities, mayors and prefects, who organize vigilante groups acting real death squads. National radio multiplies messages warning against "Tutsi terrorist" nicknamed *"Inyenzis"*, that is to say the "cockroaches" who said, "only attack at night" and "are assisted by their fellow" remained in Rwanda. The number of victims is estimated at more than 10 000 people. Much evidence from this period evoke scenes that we find in 1994: the same mob violence fueled by wild rumors, the same good Christians turned into killers, the same sequence of atrocities mutilation, castration, rape, children thrown living in fire ...

Towards the end of 1972, the tension is reborn, at the instigation of President Kayibanda which increasingly threatened by the military and Hutu politicians north, strives to recreate around him unanimously, using the scapegoat Tutsi. The regional context is favorable to a new explosion: to neighboring Burundi a terrible repression against Hutus killed more than 100,000 deaths in 1972; the feeling of fear and hatred against the Tutsi is even strengthened. From mid-February 1973, lists of employees, officials, executives are plastered and encourage those who are enrolled to "clear out", hence the name *"movements evictions"* given at this time. The death toll is difficult to quantify. The majority of the Tutsi elite took the road of exile.

On 5 July 1973 a coup brought to power Major General Juvenal Habyarimana. Alluding to the troubled situation in February, the new President does not hesitate to affirm that took power to prevent further massacres: *"The regime had established the division in the country. Instead of healing the wounds, the first republic had chosen to divide and conquer. (...) The National Guard came at a time when the country would be thrown into the abyss. She comes to save the peace (...) for the prosperity of the whole nation."*

The failure of the RPF army attack launched on 1st October 1990 triggered a new round of violence. This period, which lasts until January 1993 is, to use an expression of Mr. Gérard Prunier to the Mission, that of *"small massacres between friends."* Maintaining the terms "ethnic" on identity cards, inherited from the colonial period, when using the trails concerned are far from their village. Again, as in 1963, we are witnessing behaviors looting and murder orchestrated by local authorities who call people to prevent the danger posed by *"Inyenzis."* Mr. Jean-Claude Willamette lists the regions (32): Mutara in October 1990; Bagogwe region in January-February 1991, Bugesera in spring 1992 and the northwest of the country in January 1993.

Eric Gillet, Bar Brussels, member of the Executive Board of the International Federation for Human Rights, stressed to the Mission that *"the massacres in 1990 were the product of an organization which involved increasingly Rwandan government itself."* For example, it reports *"staged to give the impression to the RPF attacks, prior to the massacres Bagogwe or Kigali."* Referring massacres East of the country, far from the theater of war and outside the presence of the RPF, he stressed that *"these killings had need work organization and all the more important that the Rwandan people subversion extremely stable and built had long since developed strong social ties and it was not easy to get them involved."* He detailed the means employed during the massacres in Bugesera in March 1992, which foreshadowed the genocide of 1994 *"since found there, four months before its release, the preliminary designation of the victims, the justification of murder,*

individual attacks, distribution of leaflets, the use of radio announcing false threats to kill Tutsi Hutu. " Mr. Eric Gillet also underlined that have occurred in these massacres, as in 1994, *"the representatives of the local administration (mayors and prefects), the army and the police, but also paramilitary militia Interahamwe youth movements from the MRND and remained under the supervision of the party.* "

This brief history shows that the systematic massacres of Tutsis in Rwanda are implemented well before the events of 1994. However, this country is not the only state in the Great Lakes region has to be crossed by waves of violence. This is the case of Burundi has also experienced ethnic massacres in 1965, in 1972, 1988, 1991 and 1993. This is the case of Zaire where secession attempts lead to murderous repression. This is the case of Uganda, where the bloody regimes of Idi Amin Dada (1971 - 1979) and Milton Obote (until 1986) made tens of thousands of victims. In the following report, we return to the massacres in Burundi and Uganda and the similarities and differences are explained in more detail with those of Rwanda.

One can only agree with the judgment of Mr. Guichaoua already mentioned, that in the Great Lakes region, *"genocidal logic were early at work during the three decades following independence"* (33). This genocidal logic is based on *"strategies of political actors deliberately playing fantasies and collective fears to mobilize people, superimpose ethnic identities to all other forms of belonging and social solidarity"* (34). In this sense, *"Rwandan April 1994 events are programmed the outcome of a political crisis methodically brought to its climax."*

3. Violence as a mode of production policy

Two important features should be emphasized that should allow a better understanding of the 1994 genocide.

The first feature relates to the fundamental role played by local authorities in the preparation and organization of the massacres. Referring to the cycles of violence that have marked the history of Rwanda, Jean-Claude Willamette draws the following conclusion: *"Even if the army is involved, it is not, as in many other African situations, the actor and the lead author of the massacres. This is especially a population close to local government, which plays an essential role in initiating massacres."* (35).

The report of the International Federation of Human Rights 1973 on Rwanda provides an explanation for this: *"The people in rural areas is partly illiterate, and agents of territorial administration in contact with it daily, c' the ones who have the real power. Traditional society is very structured, power is exercised without difficulty. It is manifested by injunctions, simple incentives or suggestions ... Observing the Rwandan political spectrum also allows to check that the territorial administration for all parties is a fundamental issue."*

The second significant feature of this period was the construction of a culture of impunity. The 1963 massacres for example did not lead to a few international outcry from Vatican Radio who spoke *"the worst genocide since the Jews by Hitler"* and a few personalities. Inside Rwanda, after initially denied the existence of massacres, (36) the Government recognized that some burrs can be explained by the anger and fury of the people against the Tutsi fanatics inside helped by terrorists outside.

In 1990, Jean-Pierre Chrétien recalled to the Mission, the climate of violence prevailing in Rwanda has been criticized by several actors: the Church-although many priests involved in this violence-, parties Opposition publish in 1992 a manifesto entitled "Stop the killing of innocents" and the press, particularly French. Mr. Jean-Pierre Chrétien himself evoked at this time *"a tragic perversion to genocide."* But these denunciations were unsuccessful. A Tutsi refugee in France caricatured the climate of this period *"he was, he has entrusted the Rapporteur Pierre Brana, more risky to steal a chicken to kill a Tutsi."* This decision is indicative of a state of mind.

It teaches *fine* in the study of this historical background full of rage and violence, it is, to use an analysis of Jean-Claude Willamette that *"political violence is indeed a way of production policy at certain times of the contemporary history of Rwanda: it occurs at times when the ruling class feels threatened its cohesion or by an external intrusion - that's when the violence takes genocidal forms - either by its own conflicts house"* (37)

Mr. Guichaoua showed that "ethnic" cleavage is the founder reference Rwandan regime. This cleavage *"fulfills a central and necessary function in the political sphere. (...) The ethnic justification and rationale accompanying therefore does not explain, as in Burundi, an institutional drift or bloody regressions due to occasional exacerbation of fears and passions, but are a fundamental constitutive dimension of the organization of the state and the Rwandan political field as they were inherited from the colonial period."*

REFUGEES AND DISPLACED B.

"Complex and poorly treated Question" (38), the refugee issue is at the heart of the problems that trouble the Rwanda since independence. Indeed it throws a harsh light on the internal political and social tensions in Rwanda, it is both the result and the developer, or an engine. In particular, it reveals the structural weakness of inadequate agricultural economy to demographic dynamics, the regime's inability to build a fluid society and its refusal to sharing wealth and power, as it was the mirror and the result of the manipulation of ethnic issues for political purposes.

1. Panorama of the refugee population

a) Mobility in the Great Lakes region

The issue of mobility in the Great Lakes region in which the flow of rural populations is a necessity and is "one of the major constraints facing the region (...) faces" (39) has been deeply renewed by the independence of the countries of the region.

During the colonial period, forced mobility took two faces: the "peasant communities" and emigration to the English colonies. The objective of the policy of "peasant communities" was to develop a modern peasantry, whose activity should be primarily oriented towards export crops. To this end, the Belgian trusteeship organized population transfers of Rwanda and Burundi to sparsely populated areas. Thus, for example Kivu, where more than 150 000 hectares were granted to Banyarwanda in the 1950s, "the 28,000 families initially parceled reached the figure of 40 000, some 200 000 inhabitants transplanted or native" (1) when of independence. As for emigration to the English colonies, it was largely caused by poverty and by the fleeing forced labor imposed by guardianship. In total, the number of Rwandans settled in Uganda is estimated between 600 and 700000, Congo and Tanganyika in the early 60s.

This history, also it allows to give an idea of the subsequent difficulties in assessing the number of refugees leaving waves Rwanda after 1959 highlights the emotional charge associated with these population movements. Indeed, memories of forced mobility during the colonial period remained vivid in the minds of Rwandans and reinforce refugees in their refusal to accept the status quo.

Birth border when independence renews the issue of forced mobility. Massacres mentioned above cause leakage waves of many Rwandans, Hutu and Tutsi, and exclusively Tutsi, through the country or across borders. These outflows are following the events reported above: the civil war of 1959-1960, the first armed attempts to return of exiles in 1963, repeated and more or less localized in some prefectures in 1973 In total, hundreds of complaints. Thousands of people join the ranks of refugees in Uganda, Burundi, Tanzania and Zaire, not to mention those who join the exiled Rwandan communities in other African countries (Kenya, West Africa), Europe (especially in Belgium) and North America.

b) The war of numbers

How much does it estimate the number of refugees in the late 80s? Seemingly trivial, this question becomes, in the regional and national Rwandan context, a political question, the answer conditioning the nature of the solution could be found to the problem. Mr. Guichaoua going to talk about "war of numbers", Gérard Prunier, whose assumptions are identical, stressing "these figures are a great battleground political and propaganda" (40). This uncertainty on the numbers is also an illustration of the ignorance and international indifference to the problem of Rwandan refugees.

In 1964, the United Nations High Commissioner for Refugees and the International Red Cross dénombrent 336,000 refugees in camps under their control, 200 000 in Burundi, 78,000 in Uganda, 36,000 in Tanzania and 22,000 in Zaire. These figures have been taken by governments in official documents.

The evaluation of the number of refugees in the late 1980s based on her on reconstructions. Three hypotheses are generally issued. The first, an estimated two million the number of Rwandan refugees in the late 1980s, is obviously unrealistic, including Banyarwanda people who have never had the Rwandan nationality. Defended by Tutsi exiles, this estimate is also used to fuel the arguments of the Rwandan authorities in the late 1980s that it is not possible for a small country that Rwanda to host such a mass of population plus. The second assumption is rooted in the census conducted by the United Nations High Commissioner for Refugees reported that its records of 300,000 refugees in 1990, a figure selected by the Rwandan authorities of the time who consider the upper limit of number of people likely to benefit from the "right of return". This assumption, however, significantly underestimate the actual numbers of political migrants from Rwanda (41). The last assumption, held by experts but rejected by the Rwandan authorities of the time, reported some 600 000 to 700 000 refugees in the dawn of the

1990s; it is built from the application to enumerated in the 1960 refugees, a growth rate similar to that of the Rwandan population.

c) A diverse community

Presented initially by the Rwandan government as a uniform block monarchists refusing Republic, refugees are in reality a much more diverse mass. *"Many of them, like Jean-Claude Willamette points out, have often accommodated their exile by inserting themselves into the host country, while maintaining the myth of return to the hills of their ancestors "* (42).

The context of the sixties was in favor of this integration was easier if the Tutsi elite were in it relatively well trained staff. Over the years, however, social differences were accentuated. According to Gérard Prunier, *" Being "Rwandan refugee" could mean miserably survive in precarious camp in western Uganda or earn a living as a journalist in Switzerland, cultivate land in Zaire, Bujumbura do business or be employed office in New York "* (43). Regarding eg refugees from Kivu, Henri Rethoré, Ambassador of France in Zaire from 1989 to 1992, said at the hearing before the Mission successful integration of Rwandan refugees in Zaire: *" These refugees lived in strong effect well Zaire where they owned plantations, farms, butchers, abattoirs, and were well integrated . "*

As for the Rwandan Tutsi refugees in Uganda, they are heavily engaged with the National Resistance Army of Yoweri Museveni in his struggle against the regime of Milton Obote. Their representatives in the army eventually occupy key positions, including the staff and the intelligence services.

2. Integration become impossible

Long, the issue of Rwandan refugees was treated only in humanitarian terms, a situation exacerbated by the fact that the refugees themselves, after unsuccessful attempts to return to the country by force in the early 1960s, gave preference from this date as has been pointed out, their socio-economic integration in their host country. This is also the period during which forged within them a strong solidarity and collective consciousness.

However, the early 1980s marked the revival of the Rwandan diaspora, particularly because of the deterioration of the situation of refugees in their various host countries.

a) The deterioration of living conditions of refugees

In Zaire, the 1972 law on nationality, which had granted a large part of Rwandan refugees Zairian citizenship, is revised in a more restrictive sense by the law of 29 June 1981. Henceforth quality Zaire is recognized that 'those who can prove that their lineage, *"one of hers was or is a member of one of the tribes settled in the territory of the Republic of Zaire in its limits of August 1, 1885."*

In Uganda, the expulsion of the Banyarwanda ordered by President Milton Obote in October 1982 in an attempt to deprive his rival Museveni part of its support further strengthens the feeling of insecurity and precariousness of refugees Rwandan origin. Rejected by both countries that refuse to recognize them as citizens, 80,000 people are in a *"no man's land"* between Uganda and Rwanda. The coming to power of Yoweri Museveni in January 1986, thanks to the assistance provided by the Tutsi Rwandan refugees, puts an end to persecution against them. But their success in the military, in government and in business quickly arouse jealousy Ugandans against what they call more frequently *" the Tutsi mafia "*. President Yoweri Museveni himself is the subject of much criticism that it would be handled by the Rwandan Tutsi minority, which forced him to take some distance with it publicly.

"Then", said the Mission François Descoueyte, Ambassador of France in Uganda from 1993 to 1997, *" the Tutsi Rwandans who felt they had the right to recognition of the Ugandan people for the part they had taken the liberation struggle include bitterly, it shows very well in many respect, interviews given by Paul Kagame later-they will never be at home in Uganda. "*

b) The return of activism

It was around this period that Rwandan refugees begin to organize in associations, often presented as a cultural interest in order not to fall under the legislation of the host country but, in fact, are of a political nature. These associations are used by refugees as a relay to denounce abuses human rights committed by the Government of Mr. Habyarimana and recognition by the international community their right to return. The Congress of Rwandan refugees held in Washington in August 1988 is a good illustration of this new context and these claims.

3. Responses to the refugee problem

The observation made by Mr. Guichaoua is tough but fair: *"For thirty years, the problem of the existence of hundreds of thousands of refugees in neighboring countries and Western countries will never be seriously addressed"* .

a) *The refusal of the Rwandan government*

The analysis of the attitude of the Rwandan authorities with regard to the refugee problem is made all the more difficult to distinguish between sincere opinions and tactical manipulations between the opening speech for the international fora and incitement to hatred national attention.

It was not until the early 80s to see the first public pronouncements of President Juvenal Habyarimana. The discourse has the merit of clarity: the demographic and economic constraints of Rwanda are incompatible with the return of refugees, which must be installed where they are. This speech is very clear when applied Rwanda blocks on the Ugandan border in 1982, refugees expelled by the regime of President Milton Obote.

Over the years, the inseparable link between the fate of Rwanda and that of its diaspora becoming obvious, however, the Rwandan authorities approach the subject again, but without tangible results.

On 26 July 1986, the central committee of the MRND accept the principle of the right of return of refugees while subject to conditions and resources considering the issuance of entry passes to Rwanda for occasional visits. But the context, marked by the deterioration of the situation in Burundi and Kivu prevent any implementation of these proposals, as well as the face of these initiatives, the reaction is mixed refugees when it is not hostile. They then have the feeling that even humanitarian organizations have rallied to the solution presented as the most realistic, the final integration of refugees in the host country.

The extreme end of the 1980s seems to mark a shift Rwandan positions, which is difficult to measure the true or tactical. José Kagabo, lecturer at the Ecole des Hautes Etudes en Sciences Sociales, has been interpreted to the Mission as an attempt to divide the Tutsi elite.

The weight of the regional dimension however, should not be overlooked. Certainly, the return of a stable political situation in Uganda in 1986 after the fall of Milton Obote and Amin dictatorship does not play for Rwanda, Uganda then enters a political scheme aimed is the consolidation of national unity, which implies in particular by the return of its own refugees. Alternatively, but with similar effects, the will to overcome the ethnic divide in Burundi after August 1988, marginalized by underlining, Rwandan problems.

" So in 1990, while the refugee issue was almost resolved in Uganda knew decisive in Burundi and Zaire potential openings, some 600,000 Rwandan refugees appear as left-to-day, frustrated by years of unsuccessful mediation by humanitarian organizations with the Rwandan authorities and increasingly exposed in their host countries to xenophobic tendencies. In fact, structurally, the position of the Government of Rwanda was delicate because he could not be on bad terms at the same time with its two large neighbors or displease lasting one and the other had, with hundreds of thousands of Banyarwanda they harbored, a formidable means of pressure " (44) .

Specifically, in February 1988, a Rwandan-Ugandan Interministerial Committee for Refugees is seized of the problem. When moving rapporteurs Mission in Uganda, their interlocutors were very explicit on the efforts of Uganda for the resolution of the refugee problem. President Yoweri Museveni was personally involved in the search for a solution by trying to convince President Juvenal Habyarimana that it was in his own *interest*. *"We told Rwandans"* , recalled before the rapporteurs Mr Kahinda Otafiire, the current Secretary of State for Local Government of Uganda, *" we certainly could disarm the Tutsi refugees but we could not remove them or their ability or intelligence of the battle "* .

A decree of 9 February 1989 of President Juvenal Habyarimana established a Special Committee on the problems of Rwandan emigrants (the term emigrants as refugees refuse is well maintained). However, the choice of members of the Commission illustrates the limits of democratization considered since there are a lot of those in 1994 will be the perpetrators of the genocide, including mention only the two best known names Mr. Ferdinand Nahimana and Colonel Theoneste Bagosora. It is therefore not surprising to José Kagabo that Rwandan officials camped on the previously defined policy towards refugees: voluntary and individual of those who have financial means to go and naturalized in other countries repatriation Home.

In total, the results of this policy are extremely tenuous: in November 1989, Mr. Casimir Bizimungu, Minister for Foreign Affairs and Chairman of the Special Commission, can not be argued that 300 cases of returns individually negotiated since 1986.

b) Late and insufficient involvement of the international community

After the RPF attack in October 1990, the refugee issue becomes a hot topic. At the meeting held in Mwanza 17 October 1990 under the auspices of Belgian and Tanzanian mediators, Rwandan and Ugandan presidents accept the principle of a regional conference on the refugee problem, at the instigation of UNHCR and the OAU. This conference is held in Dar Es Salaam, 19 February 1991, and leads to a joint statement at the end of which the Government of Rwanda is committed to providing each refugee to choose between one of the following three options: return to Rwanda, integration through naturalization in the host country, the establishment in the host while maintaining the Rwandan nationality country.

Therefore, as noted by Mr. Guichaoua, *"part being fixed and benefiting from the wider international security, all lies in its effective implementation and good will of the Rwandan authorities usually summarized in place by the proverb Kwikiriza ntibibuza uwanga Kwanga, ie: the acceptance does not prevent those who want to deny deny"* (45).

An "Action Plan for a lasting solution to the problem of Rwandan refugees" is developed by UNHCR and the OAU: it sets a framework, objectives and tasks perfectly identified. However, it is primarily the Government of Rwanda to bring it belongs on every website the conditions of a satisfactory insertion for both local and newcomer populations. Now, says Mr. Guichaoua, *"the issue of refugees is widely regarded as a cause" imposed from abroad by foreigners "(thus combining the RPF, "instrument of Uganda, "the recent defenders of democracy "for minorities" who now do not support their supporters and helpers), and it is with full conscience that the majority of Rwandan officials as well as the common people believe that support the return of refugees is the sole responsibility for foreign "aid"* (46).

This is corroborated by Mr. Bernard Lodi, Ambassador of France in Tanzania from 1990 to 1992, who said before the Mission *"that no country had the financial means to help solve the refugee problem in the region"* and it is for this reason that *"Tanzania has consistently appealed to Europe and, in particular, to France, to help solve this problem,"* but that *"the funds were never followed."*

It is also true that the evolution of the political situation in Rwanda, including the delay in the electoral process and the anti-Tutsi campaigns of certain media, does not establish a climate of confidence among potential returnees.

How to explain the disinterest of the international community with regard to the issue of Rwandan refugees? José Kagabo highlighted before the Mission four elements of explanation: the ignorance of some African realities, exclusive analysis of the situation in terms of minorities / majorities propaganda Rwandan political power, the image of Epinal conveyed by the missionaries of a Christian President and democratically representing worthily a working majority in the most Christianized country in Africa. An international report on "Joint Evaluation of Emergency Assistance to Rwanda" published in 1994 underlines his side at the beginning of 1990, the western countries are *"preoccupied with other events in Europe and the disintegration of the Soviet Union"*.

In relation to these issues, the situation of hundreds of thousands of Tutsi refugees in the Great Lakes region is of little importance for the international community. It is in this context that the RPF, leaving the diplomatic channel, chooses the military option, and in the absence of Presidents Juvenal Habyarimana and Yoweri Museveni of their respective countries, invaded the north-eastern Rwanda on 1st October 1990.

PART TWO EVENTS IN RWANDA 1990 TO 1994

A double break occurs in the second half of the 1980s: on one side, first there is a persistent rise in dispute, so that despite a triumphant reelection in December 1988 (99.98% voice), the image of President Juvenal Habyarimana erodes gradually.

The conjunction between the political and economic difficulties is striking; historian Gérard Prunier observes as *"the political stability of the regime followed almost exactly the price curve coffee and tin"* (47). It is also not to be a mere coincidence: the same author thus argues that the peasant subsistence agriculture, based on the Rwandan economy, offering little possibility of direct surplus only remained *"the elite of the regime, (...) three sources of enrichment: exports of tea and coffee, while shortly export of tin, and the pressure on international aid. Given that much of the first two sources was the functioning of the Government, in 1988, declining revenue left only the third as viable "use"* (48). Hence the increased competition for access to positions of responsibility as and when resources dried up.

The assassination of Colonel Stanislas Mayuya in April 1988 is emblematic of this stiffening of political relations and the rise

of Hutu extremism. This friend of President Juvenal Habyarimana, given as a potential successor, put into effect by the influence of risk "Akazu" (49). *"Mayuya The case was the spark that lit the powder and soon the various clans is let loose against each other"* (50).

The second sign of political erosion of the regime, which contributed to degrade the image of President Juvenal Habyarimana, was the proliferation of political and financial scandals, felt more strongly still in this country with a powerful moral rigor and having to face trials very hard, as the famine of 1988-1989. MM. Gérard Prunier (51) and Guichaoua (52) evoke particular scandal Gebeka project, funded by the World Bank, which allowed the highest authorities of the State to benefit from the granting of large areas of land by means of a development project. In this country where peasant landlessness is a serious problem, such a scandal could amplify the despair of the population.

In April 1990, on the occasion of the official visit of President Juvenal Habyarimana Paris, France confirms its cooperation in the reorganization of the Rwandan gendarmerie, and agrees to replace the presidential Caravelle by a Falcon 50 but it does not follow, however, the demand for replacement of a North-Atlas or at the request of providing an anti-aircraft weapon system. In 1990, the Military Cooperation Mission in Kigali has a total of 18 officers and NCOs.

The year 1990 represents a turning point in the contemporary political history of Rwanda. The internal weight, both political and economic factors, is not to be underestimated. However, the main cause of the break is in the changing international environment and the shift that is the La Baule speech delivered by President François Mitterrand in June 1990. Calling the democratization of African countries in general and multiparty especially makes sense in Rwanda, where demonstrations of protest have increased since the beginning of the year.

President Juvenal Habyarimana includes when he will not escape political evolution of his regime: thus, while in January 1989, he stressed that political change could not conceive that within the one-party system, his speech of July 5, 1990 marks the acceptance of the principle of separation between the State and the MRND, only authorized political party, and the recognition of the need for constitutional reforms, based on the introduction of multiparty politics. Different actors of the Rwandan society maintain a steady pressure on the regime: the 1st September 1990, 33 Rwandan intellectuals denounce, in an open letter, the one-party system; A few days later, the Catholic Church, which had already spoken on this subject in the month of April, and especially the clergy basic expresses his dissatisfaction with the operation of the scheme on the occasion of the visit of Pope. The trial against Father André Sibomana, editor of the journal *Kinyamateka* provides an additional forum for critics of the regime. *"Sibomana use this forum to demonstrate the veracity of the writings in question, published between June and December 1989. His defense becomes a real indictment against the regime loss of confidence of the people, inequalities in access to knowledge and having, land concentration, intimidation and muzzling of the press"* (53). André Sibomana and the other three journalists of the magazine are also paid on September 26.

The acceleration of events is very clear since national commission of experts to prepare a national charter establishing a multiparty system is in place since the end of September 1990.

Heard by the Mission, Professor José Kagabo stressed the importance of the year 1990, emphasizing in particular: *"So in June 1990, President Juvenal Habyarimana, visiting Paris, alluded to deny the prospect of war by raising the issue of refugees, this theme is totally absent from the mandate given to the National Commission for synthesis created September 21, 1990 in continuation of the La Baule speech. Priority is then given in the presidential speech, the democratic opening, as illustrated by the proposal of an opening charter. For its part, it seems that the RPF is ready for confrontation."* It is in this context of political ferment intervenes effectively on 1st October 1990, the RPF attack will be the generator operation *Noroît* done.

I. - THE INTERNAL POLITICAL RWANDA

The arrangements put in place to counter the RPF offensive and to prevent any further attempt to protect a regime now weakened, may gradually yield to pressures to establish real democracy in Rwanda. It is difficult to estimate the effect *Noroît* operation was the only maintenance of the system established by Juvenal Habyarimana as shown in the political evolution of Rwanda under the protection of the device *Noroît*.

A. A DIFFICULT Democratization (1990-1992)

1. A weakened regime

In 1990, the Habyarimana regime has already lived 17 years. For 17 years, these are the same people, the General-President

himself, his entourage, his family and especially his wife, Agathe Kanzinga, a descendant of one of the Hutu clans north of the highest lineage, the *Abahinza* that manage and run the country, and also, as in any dictatorship, who enrich themselves.

While the system is based on the identification of all Rwandan Hutus their leaders and the regime, through the unifying concept of "*rubanda nyamwinshi*" or "Government of the majority people", the Government of Hutu by Hutu people being presented as constituting democracy, regime officials appear to be increasingly criticized.

In accordance with the country's poverty and respect for ubiquitous values of the Church, the regime had indeed like dignity in austerity and rejection of corruption, respect for the individual to the community and obedience to established authority. Rwandan peasants were subject to mandatory regime of working together "for the communal development": "*umuganda*", to quote his Rwandan name, theoretically two days per month, could take up to one week. Moreover, the movement control was strict. The place of residence of each was written on his identity card. To move, you had to ask permission. Thereof, unless good reason as education or employment, was generally rejected. Sign of the orientation of the regime, Gérard Prunier notes that when it decided in 1981, after eight years in power, creating a parliament, he called not Parliament, National Assembly or House of Representatives, but "National Development Council (54) . "

Now, faced with the rigor and austerity of this bias, the lifestyle and behavior of the ruling sphere aroused more and more challenges.

The terms used to describe it were often taken from those previously designated the House of Tutsi Mwami. Agathe Kanzinga, the president's wife, had come to be known by the Kansogera people remember the dreaded mother of King Musinga real holder of power. His family, his entourage and that of his three brothers, Colonel Pierre-Célestin Rwagafilita, Zigiranyirazo and Seraphim Rwabukumba, first dubbed "the clan Lady" had ended up being tricked by the name of Akazu (the small house), which term in pre-colonial Rwanda the first circle of the King's Court.

These criticisms were developed as a result of practices less concealed. The "*umuganda*" and was free to go to work on private property cronies.

The late 1980s, which is dominated by the fall in coffee prices, accompanied by a steady increase in population, causing an appreciable impoverishment of the country, as well as several political and financial scandals in 1988, one of the faithful President (excluding any allegiance to the Akazu) Colonel Mayuya is murdered, and his murderer and the men in charge of the investigation.

It was shortly after the scandal broke out Gebeka, quickly stifled. A project was clearing the forest of Gishwati (one of the oldest forests of Rwanda) in order to develop a breeding project of livestock imported from Europe for milk production under industrial conditions. Although the case had been led by the World Bank and financed by public funds, close to the regime decided to invest financially in this project and to share the profits. Gérard Prunier notes that "*the 'democratic revolution' of 1959 had symbolized for Hutus freehold land and livestock, with all that was of importance. But the scam Gebeka was a serious blow to this ideal* " .

Mr. Guichaoua also indicates the importance of the case: "*The accusation that the highest authorities of the State would have received through a development project, the concession of large areas of land then devoted to cattle certainly played a decisive role in the disenchantment with the regime was then victim* " (55) .

However, support for the regime was never unanimous. It was built on the destruction of the First Republic. Between 1974 and 1977, 56 people, mostly former leaders of the First Republic, had been murdered by the security services. The first Rwandan President Kayibanda, died in detention in 1976, probably of starvation.

Most of the dignitaries of the First Republic were from southern Rwanda, this part of the country was at a disadvantage compared to the north, Ruhengeri, but especially that of Gisenyi, which was from the President and his wife . Quotas in universities favored not only Hutus against Tutsis but Hutus against North in the south. It was the same for positions in the administration. As for the army, its leaders were all from two communes of Gisenyi.

The evolution of the system was therefore increasingly dissatisfied and discontent is expressed especially as the school level and literacy of the country had developed.

The Government, or close to the regime, tried to stop the protest by force. In August 1989, Mr. Félicula Nyiramutarambirwa, Member of Parliament and a native of Butare, in the south of the country was hit by a truck after accusing the government of

corruption in contracts for the construction of roads. In November of the same year, Father Silvio Sindambiwe, a journalist whose speech was free, was also killed in a "traffic accident." Journalists tried to relate these events. They were arrested.

It is in this context that took place in April 1990, the Franco-African summit in La Baule. At the insistence of President Mitterrand, President Juvenal Habyarimana made a statement in favor of multiparty July 5, 1990. Mr. Twagiramungu said at his hearing before the Mission, that "anxious to take the word" President Juvenal Habyarimana "thirty-three Rwandans had then sent him on 1st September 1990, a letter confirming that the Rwandan people showed great interest in the restoration of a multiparty system in Rwanda," while the agitation gained not only campus of the University of Butare in the south, but also of Ruhengeri in the north. "In early autumn 1990, the Rwanda through a deep crisis gained gradually throughout the country", writes Mr. Gérard Prunier.

Under these conditions, the RPF attack on 1st October, showing the inability of the regime of President alone to ensure the security of the country, contributed heavily to the weakening of its legitimacy. This crisis of legitimacy forced to deal with its internal opposition and request a strengthening of French military cooperation; France, for its part, stood by pressure on the Government of Rwanda and the President for that accelerates the process of democratization of the regime.

However, it was also weakened by the changes imposed on him by circumstances and by the Tutsi military pressure from the outside, the Habyarimana regime do not retain less capacity strong resistance, which remained the main elements ideology "rubanda nyamwinshi" and the power of the administrative, military or judicial regulation of the country, officials are all from the movement of the President of the Republic and his wife or family, immediate or extended.

2. Attempt to regain control

At first, the RPF attack was used domestically as a catalyst for the takeover of the country by President Juvenal Habyarimana and his entourage. The simulated attack on Kigali served not only lure to trigger the French intervention but also a lever to restore the system in its fullness.

Thus, in lieu of organizing resistance to the RPF in Kigali, a wave of mass arrests was organized. On 9 October 1990, the Rwandan Ministry of Justice admitted the arrest of 3 000 people. In fact, the numbers are estimated at 10,000.

According to Gérard Prunier " Obviously, these arrests are not for supporters of the RPF (very few, and not all known to police); they strike blindly Tutsis and Hutus educated protesters, in fact anyone who is not well seen elites (and their friends and relations; over, arrests are often used to liquidate debts by getting rid of creditors) as well as residents of other African countries, mainly Zaire and Uganda because even modest traders are always good to squeeze financially.

"According to the same author, the Minister of Justice, Mr. Theodore Mujoyimana, had at the time said: " we have solid evidence of the guilt of all prisoners be released ... and is not proof of innocence. "

In fact, the reasons for arrest are often vague and trial will take place. Beyond these arrests, other manifestations of stiffening regime will occur, such as the replacement of the Attorney General, Mr. Alphonse-Marie Nkubito considered too liberal.

The Defence Minister, speaking on national radio, ask the population to track infiltrators. This call will be immediately acted upon. Part of RPF soldiers, defeated, took refuge in the Mutara region, northwest Rwanda. This region is a traditional area of the Tutsi emigration to Uganda. However, 348 Tutsi civilians will be killed between 11 and 13 October 1990, and more than 500 homes will be burned in one Kibilira. If this is a massacre whose magnitude is relative, given the massive nature of exterminations found in the region, its characteristics deserve attention.

First, none of the victims is a fighter RPF; it seems no proven whether supporters of this movement is not that: it would indeed extraordinarily risky to display such sympathies and Tutsis retain the memory of the persecution of the period from 1959 to 1962.

Then the massacres committed by the peasants led by the civil authorities, according to the well known rules of collective chore . Asked about the revolt that would have pushed farmers northwest massacring Tutsis, President Juvenal Habyarimana answered placidly in a press conference: " It is not a revolt. Everyone obeys. "Finally, local leaders under whose authority the massacres were committed will not be disturbed by the central government.

Massacres Mutara can thus be defined as follows: a consecutive RPF attack, they appear as a system both intimidation and retaliation in response thereto. Rwandan Tutsis are treated as hostages likely to lose their lives in retaliation for attacks by the RPF. Coordinated by a local authority, these massacres are never individual acts. Finally, the fact that they are located shows

that they are not subject to central coordination, but the fact that they go unpunished reflects the complacent gaze posed by the central government on these bloody acts. Thus, the killing of Rwandan Tutsis in response to actions of the RPF appears as an organized solution, which has a benign indifference of the central authorities.

This hardening of the regime, intended to unite people behind the Hutu against the Tutsi threat was short-lived. Undoubtedly, if military victory could be successful. However, the awareness that defeat was secured without the aid of France gave the opposition the opportunity to challenge the regime's ability to defend the country and therefore its legitimacy, while the wave of arrests that power proceeded him was aware of the urgency to succeed. It was also easier to avail himself of the principles of La Baule him. Therefore, year and a half following the RPF attack is characterized by the constant decline of the MRND, the single party of the President, meet the demands of democracy and the new Rwandan political parties.

3. Orientation of the regime

a) *The commitments of President Juvenal Habyarimana*

The weakening of the system is first marked by the creation in Brussels on 9 November 1990 of a political party in exile, the first of its kind, the Union of the Rwandan people. The presentation of the UPR by its founder, Silas Majyambere, a Rwandan industrial, is an all out attack against the plan, citing political killings in previous years, with evidence of government corruption, identifying intimidation of the press and arbitrary arrests. The tone is thus given image that may be given the Habyarimana regime to the opinion in Europe, even though this regime now depends Belgian and French military forces. However, in Belgium, the absolute opposition of French socialists and liberals-unlike social Flemish Christian-led Prime Minister Willy Martens, and the Minister of Foreign Affairs, Mark Eyskens, decide the withdrawal of Belgian troops Rwanda. After an ineffective attempt to replace an inter-African force, Belgians simply left Rwanda on 1 November 1990.

President Juvenal Habyarimana was therefore decided to significantly influence the conduct of his country. On 11 November 1990, he announced in a speech on the radio the introduction of multiparty politics and holding a constitutional referendum in June 1991. A program may he join the European public and meet the Hutu opposition, it adds two more elements, the approval of the structural adjustment imposed on him by the international financial institutions and the decision to remove the mention of ethnic identity cards and official documents plane. So he offered wide pledges its willingness to support the evolution of his regime towards liberalism, economic, political, and to democracy, and it could be seen as one of the best leaders willing to put implement the recommendations of the summit of La Baule, erasing the dangerous image of him could shape political opponents in exile in Europe and the echoes of his dictatorial policy.

b) *The issue of identity cards*

Before analyzing further the value of the President's commitment in favor of democracy, it is necessary to dwell on the question of ethnic identity on reference cards. It is known that at least in the cities and on the roads, identity cards constituted one of the main instruments of ethnic genocide. Insofar as the term "Hutu", "Tutsi" or "Twa" there was worn, a simple check identity cards allowed to know the ethnicity of the person being checked to possibly eliminate it.

However, it has been envisaged that the delay in the distribution of new identity cards could be attributed to France itself. This opinion appeared precisely at the hearing Mr. Guichaoua by the Mission. It has in fact said: "*The system of ethnic quotas and professional school was formally abolished in November 1990 as the mention of ethnicity on identity cards. The new cards are then controlled to French companies. Cultural Counsellor of the Embassy of France declare May 26, 1994, to the staff of the Ministry of Cooperation, they were just being delivered the week of the attack against the presidential plane took place. Why the delay? This version corresponds to the reality? It should be noted that no identity without mention of ethnicity will be issued before April 1994 "card.*

A Mr. Jacques Myard who was surprised such an assertion, then President Paul Quiles who inquired of the relationship between the distribution of new identity cards and functions of the French cultural attaché, André Guichaoua then responded that "*this is a statement by the cultural attaché at the general meeting of staff of the Ministry of Foreign Affairs, the Ministry of Cooperation and the French Caisse cooperation he learned that the embassy had received this request in 1990 and that identity cards should be delivered during the week when the presidential plane had been shot.*"

He added that "*with regard to identity cards, to the extent that the abolition of the mention of ethnicity was requested in November 1990, it was important to know if a request was made, under what conditions and that, if the explanation and then distributed in Kigali, that the cards were being printed, correspond to reality.*"

Pierre Brana, rapporteur, who specifically asked him then if he blamed the delay in the implementation of the reform "*to the*

provider of identity cards, that is to say, to France , "Mr. Guichaoua argued that in any event " *the answer was definitely internal to Rwanda, a provider can not impose a decision in this area* " but that *"it was symptomatic was found useful to this full listing genocide, as if there was a French responsibility in this matter.* "

Insofar as there was an expression of a widespread sentiment there, the Mission wished verify all information relating to this issue. During their hearings, Jean-Christophe Mitterrand and Jacques Pelletier stated that France had requested that the mention of ethnic identity cards be deleted.

Mr Jacques Pelletier, then Minister for Cooperation, has even confirmed that he told the President Juvenal Habyarimana during his visit to Rwanda in November 1990 that the Rwandan identity cards *"are an ethnic mention it looked amazing. President Juvenal Habyarimana was the normal indication for he had always been so. The practice was established in the time of the Belgians, and it had continued.* " President Juvenal Habyarimana, however said *"he thought that this reference could be removed.* "Mr. Jacques Pelletier added that his knowledge *" there were no requests for assistance from the Government of Rwanda for the manufacture of ethnic identity without reference cards.* "

He also said that the fact that there has been no request to his ministry *" was not in itself surprising. Changing identity cards did not represent a significant expense and Rwanda could take charge of its budget or go to another country because, fortunately, France was not the only one to have a cooperation with the Rwanda.* "

These comments were echoed by Michel Lévêque, then Director of African Affairs, during his hearing in camera. According to him, *" during the visit of Mr. Jacques Pelletier, the delegation had insisted that this be decided symbolic removal so manifest abolition, Rwanda, differences in treatment based on ethnic origin. (...) The Directorate of African and Malagasy Affairs estimated that in terms of democratic principles, it was essential to remove these entries . "*He said that the Ministry of Cooperation had provided funds for this measure because there were funding problems.

The interpretation thus suggested, whereby the President Juvenal Habyarimana had agreed to the request of France without the implement is confirmed by the remarks made by Mr. Patrick Pruvot, then Head of the Mission Cooperation in Rwanda at the hearing. Asked by Pierre Brana, he said *" not having to know directly "* to this problem, no request of the Rwandan Government had been made in this direction . He added, confirming the inaction of the Government of Rwanda, that *" the Mission Cooperation had not had to deal directly with the decision to change the identity cards, unless France wished grant aid which most likely would otherwise have been budget support. "*

This policy of President Juvenal Habyarimana is singularly enlightened by hearing Mr. Marcel Debarge, former Minister of Cooperation. Indeed, it said that the Rwandan government had told him of his intention *" to establish a new national identity card which do appear more ethnic reference and seek possibly why the French cooperation "* and that he replied that *"it was actually a positive step"* and that his department *"focused on this project a favorable bias. "* He said that to his knowledge, *"this project had not been acted upon. "*

However, exchange and narrated by Mr. Marcel Debarge took place during the visit he made to Rwanda in May 1992, a year and a half after Mr. Jacques Pelletier.

So it is very clear that the Rwandan government has never undertaken to implement a measure that yet claimed them by the French Government. This was much easier, as it was not necessary to resort to French companies to print new cards, French diplomats could have no control over the actual execution.

Mr. George Martens, Ambassador of France in Rwanda from 1989 to 1991, said at the hearing that the *" draft card change was well known as aroused reactions. (...) ad removal had caused great excitement in the countryside because people were afraid of not knowing who was Tutsi or Hutu who was . "* He added that the *" prefects had to organize information campaigns, which showed that the removal of this statement does not prevent them from knowing who was Tutsi and Hutu who was . "*

It should be noted, which is surprising that the question of the removal of the reference to ethnic identity cards has not been addressed in the Arusha Accords.

c) The establishment of a multiparty system and the new Constitution

If, on the issue of identity cards, power could count on spontaneous opposition Hutu campaigns, such was not the case as regards political openness. President ends in effect there as a result of solving critical increasingly strong addressed in the plan and for its management of the country and its ability to defend. In a few months, all political forces kept under wraps

since 1973 have taken shape and reappeared in broad daylight.

The opposition to the MRND had remembered the murders in 1988 and 1989. Moreover, Article 7 of the Constitution on the one-party state remained in force. The first steps of the reconstruction were therefore illegal. During the winter of 1990-1991, thus succeeded contacts and meetings, along with pressure for the release of prisoners of October 1990.

This form of pressure, coupled with the need to give guarantees of credibility to the statement of 11 November 1990 brought President Juvenal Habyarimana to reshuffle his government. On 4 February 1991, the Minister of Justice, Mr. Theoneste Mujyanama intransigent member of the MRND, gave way to more consensual Nsanzimana Sylvestre, former Deputy Secretary General of the OAU and former Minister of State in the First Republic. The new Minister undertook to release all detainees October, which alienated the "hard" part of it. After the conclusion of the cease-fire N'Sele, Zaire, it will not be respected, 5,000 Tutsi civilians were freed.

From March 1991, opponents judged strong enough to begin to act openly. It must be said that the RPF had another blow to the regime. On 23 January 1991, he had indeed managed to make a raid on Ruhengeri.

For the regime, this operation was a disaster. The RPF managed to hold the city all day. Ruhengeri prison was the largest in the country and the main political prisoners in the country were held: the RPF freed them all, including internal opponents of the MRND, he enlisted in it. He also seized a large quantity of military equipment. Finally, he was able to demonstrate the regime's inability to protect the Hutu people and preserving the gains of the revolution of 1959.

And after the October offensive, interethnic massacres were perpetrated in the provinces immediately. This time, it was the mayors, that is to say mayors (mayors are appointed and not elected in Rwanda) including the Kinigi commune, Mr. Thaddeus Gasana, who took their administered murder tens of Bagogwe, an ancient community of Tutsi pastoralists, nomads and poor. The massacres extended until March in Ruhengeri and Gisenyi and sporadic killings took place until June. It should be noted that the resettlement legislation allowed authorities to prohibit potential victims to leave the area. It is estimated that these killings have caused between 300 and about 1000 deaths.

The RPF attack, however, also contributed to strengthen the legitimacy of the Hutu opposition. On 15 March 1991, a group of 237 opponents decides to come out of hiding and publish a "Call for the revival of the Democratic Republican Movement (MDR)", the former ruling party, as the PARMEHUTU and MDR PARMEHUTU during the First Republic. Therefore, the strength of the movement is such that it will take a little more than three months for multiparty snaps into place. The announcement of the re-creation of MDR is followed by the establishment of a Social Democratic Party (PSD), a Liberal Party (PL), as well as a Christian Democratic Party (PDC), which tries bravely assert itself despite the continued support of the Church in the plan.

Taking note of the situation, 28 April 1991, the MRND held an extraordinary congress and changed its statutes to adapt to multiparty. On June 10, a new constitution allowing multiparty adopted by the National Development Council (Parliament) and a week later, on June 18, the law on the functioning of political parties is enacted.

Between the 1st and July 31, the four new parties hold their constituent congress and are register at the Ministry of Interior and the MRND, which, on July 5, decided to now call the National Revolutionary Movement Development and Democracy (MRNDD).

With the revitalization of politics, press opinion was also developed. Gérard Prunier this way: *"Kamarampaka" (the name given to the referendum of 25 September 1961, which led to independence) is the organ of the MRND (D) with its sister publication, more activist, "Interahamwe". "The Nation" and "Isibo" ("Forward"), led by the very capable Sixbert Musamgamfura are the French and Kinyarwanda securities defend Twagiramungu trend of MDR. "The Sun" is the log of the PSD. "Rwanda Rushya" ("New Rwanda"), published by André Kameya, openly for the RPF. "The Liberal" position to take advantage of the same name; and born a little later than the others, "Peace and Democracy" and "Umurangi" fight for the anti-Twagiramungu different factions within the MDR. "*

4. The conquest of power by the new parties

a) The new parties

Rwandan party system would certainly not made so quickly if he had not represented the realization of a political and social already underlying structure. Therefore, it should briefly introduce each of the four new parties.

- **The MDR** is, as we have seen, the recovery in a renovated former party of the first Rwandan President Kayibanda form. Two of its features should be highlighted: first, unlike the MRND, MDR is located mainly in the south, to Kigali, especially in the prefecture of Gitarama where Kayibanda originated. In the north, it is Ruhengeri it is best shown, not in Gisenyi, the stronghold of President Juvenal Habyarimana. At its constitution, 30% of its members come from Gitarama and Ruhengeri 17%.

MDR brings together the regions and families, largely beneficiaries of the First Republic were disadvantaged or persecuted, its leaders were assassinated in-the Habyarimana regime.

Moreover, the first name of the party was that of PARMEHUTU (Party of Emancipation Hutu and Movement). In fact, the former PARMEHUTU was closely associated with anti-Tutsi pogroms of 1959-1963. Then became MDR-PARMEHUTU to mitigate this image strongly ethnocentric party is the sole name of MDR replenish it.

As noted by Mr. Gérard Prunier, " *to benefit the old associations of ideas, while avoiding their less pleasant aspects, it was necessary to abandon the name PARMEHUTU and violent connotations, and instead put forward the MDR, and its connotations quieter.* "

Mr. Dismas Nsengiyaremye, vice president of the party and Prime Minister of Rwanda from April 1992 to June 1993, did not say anything else. If left out, and for good reason, regional location, he says, in effect, that " *populist behavior of MDR-PARMEHUTU had left a very good image among the population: total suppression system chores (ubuhake), distribution of land to landless, compulsory and free primary education for all children, local government, etc.. This privileged situation of MDR was a powerful rival of the MRND as the RPF. The renovation phase was to remove the symbol PARMEHUTU and reject any reference to ethnic strife that characterized Rwandan history. Renovators MDR-PARMEHUTU, it was obvious that the political problem was not the oppression of Hutus by Tutsis, but the oppression of the Rwandan people of all ethnicities by a group who came to power by force and determined to stay, Akazu, who had led the country into bankruptcy by its irresponsible and corrupt acts.* " (56)

MDR is largely a party founded on a regional basis and a Hutu party. Moreover, if the fight against the Tutsi power is not valid, a trend ethnisanter then will structure within the party as the PARMEHUTU.

- **The PSD** expresses a pacified population trend. In fact, it is the first emanation of the Butare region, the former administrative capital of the colonial era and the seat of the first university in the country; Tutsis are rather numerous and traditionally peaceful interethnic relations.

The former MDR-PARMEHUTU it has left mixed feelings, while the region must undergo the promotion of North by Habyarimana regime, which created a university in Ruhengeri. Sociologically, the PSD is less populist than the MRND and MDR and " *trying to move to the center-left and attract faculty, the public and the professions in general* " (Gérard Prunier).

- Mr. Dismas Nsengiyaremye, **the Liberal Party** " *was created at the instigation of President Juvenal Habyarimana by a group of businessmen; the party's mission was to gather traders and advocate capital management of the country.* " Anyway, this goal attracts him many Tutsis, as its President, Mr. Landwald Ndasingwa. These, if the administration had seen the open sphere of business by the Habyarimana regime. Ethnic liberalism it also attracts Rwandan ethnic ambiguous status as "Hutsis" (from mixed marriages) and makes him essentially a urban party. It is indeed in the cities and among educated people, can also be seen with the recruitment of PSD-that could really assert political positions beyond the issue of ethnicity.

- Finally, it was mentioned earlier difficulties to assert the small **Christian Democratic Party (PDC)**.

These are the four parties of very unequal influence of powerful MDR designated rival of the MRND, the small PDC, appearing in 1991 in the Rwandan political landscape.

b) The conquest of power

Even after the loss of his character single party, the MRND remained a difficult opponent to defeat: he was still in power, he controlled the army, administration, consisting essentially of its members, and retained strong support its strongholds in the north. The four new parties thus created a "consultative committee" in order to establish a solid front against the MRND and ensure unity of action for the transformation of the regime. Mr. Dismas Nsengiyaremye cartel " *had concerted on the following points:*

- *Rejection of ideology preaching ethnicity and regionalism and political practice relating thereto;*

- *Profound change in the regime and passage of a sham democracy to real democracy with separation of powers;*
- *Opening of sincere negotiations with the RPF and concurrent search for a negotiated solution to the conflict in Rwanda;*
- *Held a national sovereign conference to discuss issues that impede the democratic process and the peace process in Rwanda, namely the Hutu-Tutsi ethnic divisions; regional cleavages promoted by the MRND and other regions; malfeasance in the management of public goods. "*

This program was ambitious. The opening of negotiations with the RPF was clearly mentioned; it was therefore promote different from the MRND foreign policy. The second point covered demand deeper "deinstitutionalization" of the MRND, including the resignation of President Juvenal Habyarimana as president of one party and the opening then all audiovisual media under government control. This point can only be interpreted as a desire to deepen democracy. As to four, it was simply the request to convene a general assembly meeting.

Thus, not only the policy of the MRND, but also his status and the actual organization of the institutions of the country would be jeopardized by the program of the opposition.

To the strength and determination thereof, President Juvenal Habyarimana began to make some concessions. He agreed to give up the post of Prime Minister, he combined with those of the President of the Republic, Minister of Defence and Chief of Staff of both the army and the gendarmerie. However, it is not first resolved to appoint a prime minister from the opposition and appointed to this position in October 1991, Mr. Sylvestre Nsanzimana, the Minister of Justice had released the last opponents.

The opposition is not considered satisfied. On 17 November 1991 the four parties addressed to the President a joint memorandum detailing their grievances and goals. At the same time, they organized a demonstration of 10,000 people in Kigali to support their action. A week later, the MRND answered by a cons-demonstration: 20,000 people marched to support the regime.

The announcement of the formation of the Government Nsanzimana, December 31, 1991, even radicalized minds. It only had one non Minister MRND, the Christian Democratic Ruhumuliza, for Commerce, Industry and Crafts. January 8, 1992 events of unknown magnitude in Rwanda shook the country's main cities, including Butare, Gitarama and Kigali especially where 50,000 people marched to protest against the new government. A new day event is convened on January 15, but power and prohibited protesters who defy stopped.

However, given the magnitude of the pressure, President Juvenal Habyarimana eventually agreed to sign a compromise with the opposition met. Under the compromise, the Government Nsanzimana be replaced by a coalition government. Thereof, which would include Ministers MRND would however run by a member of the MDR.

The Government's program included the settlement of the refugee issue and the negotiation of a peace agreement with the RPF, the organization of general elections, the organization of a national debate on the opening of the "National Conference" the economic recovery by the structural adjustment program, assessment and remediation of state administrations, improving internal security and ongoing management of the country.

On 7 April, the Prime Minister Dismas Nsengiyaremye was sworn and the new Government was established on April 16, the crowning success of the union opposition strategy.

B. THE COALITION GOVERNMENT (April 1992-June 1993)

1. Difficult political conditions

a) The Government Nsengiyaremye

The coming to power of the Government Nsengiyaremye not in any way signify that the opposition had won a complete victory. Indeed, if the General Juvenal Habyarimana, his entourage and his party were, for the first time since 1973, forced to share power, they remained present business. Juvenal Habyarimana remained President of the Republic and Chief of Staff of the Army. 19 departments, the MRND retained 9, the Ministry of Interior, Ministry of Defense, told Mr. James Gasana, and those of the Public Service, Higher Education, Health and Transport. The opposition parties had 11 wallets, 4 for MDR 3 PSD and PL, 1 for the PDC. Besides the Prime Minister, the MDR received the ministries of foreign affairs, told Mr. Boniface Ngulinzira, primary and higher education (Mrs. Agathe Uwilingiyimana), and Information. The Social Democratic Party was

allocated the portfolios of Finance, Public Works (Mr. Gatabazi) and Agriculture and Livestock. The Liberal Party received the Departments of Justice (Mr. Stanislas Mbonampeka), Labour and Social Affairs, told the President, Mr Landwald Ndasingwa, and Commerce, Industry and Crafts. The Christian Democratic Party was only one department, the Department of Tourism.

The analysis of this distribution indicates that, if the MDR had been able to obtain further the position of Prime Minister, those corresponding to the areas in which he wanted to make reforms (Foreign Affairs, ie the negotiations with the RPF, the education and information, that is to say the control of the media and government radio), while Justice where the MRND was controversial, was entrusted to a liberal and Finance Social Democratic the MRND retained the administrative and military control of the country. He continued in effect directing the Ministries of Interior or the police, prefects and mayors, the Public Service, as well as defense, the latter department is rapidly expanding due to the war (the effective FAR tenfold in three years) who also support the Force, that is to say, the police campaigns.

The system put in place so technically allowed the opposition to carry out his policies, but in the gathering and effective control of the MRND. On this point, we must not cease to bear in mind that the Government Nsengiyaremye and this is precisely why he was a transitional government, was not the expression of a power election. One of his tasks was precisely the holding of elections, which were to be held in the year. It is thanks to rallying opinion expressed by new instruments that were freer media and public events, the denunciation of corruption and incompetence of the regime and the opposition parties had imposed on one party. In any case it was not through the ballot box. The legitimacy of the opposition to undertake major reforms or policy changes was ultimately based only on events of January 1992. There was great weakness, which did not escape the MRND and the presidential entourage. Moreover, no election could bring that conducted reforms can not be disputed, as to when the MRND reigned supreme, as street demonstrations and even physical violence.

b) The proliferation of small parties

With the redeployment of politics has also created between November 1991 and January 1992, a series of small parties. Their audience can never be measured. In fact, it seems that for most of them, the prospect was to exist as a registered party so that they can claim to participate in a "national conference", if such a conference was convened.

But if some of these parties seem to be the result of independent initiatives such as the Party for Islamic democracy, autonomy of many of them seems pretty much questionable. Thus, according to Mr. Dismas Nsengiyaremye, the Rwandan Socialist Party (PSR) and the Democratic Union of the Rwandan people (UDSR) operated in the wake of the RPF.

But most were downright raised by the Rwandan government, anxious to create an effect of number and expression of similar sensibilities around the MRND. Commentators differ on the details of the conditions of their creation or their allegiance to the MRND. Mr. Dismas Nsengiyaremye makes the following comment:

"As the majority of these parties (the four opposition parties) advocated the holding of a national conference to discuss major problems hindering the development of a genuine democratic system in Rwanda, the MRND party created satellites to support its position in the press and radio. (...) There is:

MFBP: Movement for the Advancement of Women and lower classes;

PECO: Party environmentalists;

PPJR: Progressive Party Rwandan youth;

RTD: Labor Rally Rwanda;

PADER: Rwandan Democratic Party;

PARERWA: Rwandan Republican Party.

Parties of the presidential majority, they unconditionally supported the positions of President of the Republic and his party, the MRND. "

The President and his entourage and ensured levers may hinder political action to reform the institutions of the new Government in due course.

c) The Coalition for the Defence of the Republic (CDR)

For many members of the MRND, the coming to power of the opposition and the prospect of negotiations for power-sharing between the Rwandan Hutu government and the RPF was to create an absolute refusal. Thus, in March 1992 appeared on the political scene a new party, the Coalition for the Defence of the Republic (CDR). Instead of small parties mentioned above, the CDR will play an important and largely autonomous role in the life of Rwanda until the end of the regime. CDR is positioned as a more intransigent than the MRND in its opposition to the RPF and the coalition led by the MDR movement. Its leaders, Jean-Bosco Barayagwiza, its founder, Jean Barahinyura, its Secretary General, Mr. Martin Bucyana harass the regime and the MRND for their softness to the RPF and those he calls his accomplices (" *ibyitso* " , that is to say the opposition parties). It should be noted that these figures, and in general those of the radical fringe qu'emmène CDR, are not necessarily less talented or less bright Rwandan politics.

Kinyarwanda newspaper "*Kangura*" ("Wake the"), directed by one of them, Mr. Ngeze is a formidable political effectiveness through personal attacks against opposition leaders, the corruption or crime is not the prerogative of only the leaders of the MRND. It is also among the supporters that will later recruit the majority of journalists extremist "Radio-Television Libre des Milles Collines" (RTLTM).

Mr. Dismas Nsengiyarimye, CDR "*was openly against the RPF and the Tutsi and Hutu unity to fight the Tutsi hegemony and ensure the Hutu domination. In fact, she said out loud what the MRND whispered. CDR has played a fatal role in the invitation to the division and ethnic hatred and conducting massacres that plunged Rwanda into mourning since 1990 and particularly from April 1994.* "

In practice, the CDR logically attracted diehard Hutu theorists "*nyamwinshi rubanda*" far MRND. Thus, in view of its activities and statements, it has been frequently write that Mr. Ferdinand Nahimana, Rwandan university, director of ORINFOR, the Rwandan Information Office, responsible for controlling the press and radio, then leader of the RTLTM, was a member of the CDR, he remained to the end member of the MRND, and had to be appointed under this party, a member of the Government of broad-based transitional (GTBE) from Arusha Accords.

2. Worrying structuring of political violence

a) The terrorist attacks

The absolute refusal of any form of transaction with the opposition or even more, with the RPF, also results in a much more concrete violence. The March 1992 sees indeed the beginning of a series of terrorist attacks. Twice, grenades are thrown into the crowd at the bus station in Kigali, killing five people the first time and a dead and 34 wounded the second. On 2 May, a bomb exploded in a train, killing four people. Accountability is of course attributed to the RPF, although no evidence to support this thesis allows the equipment used is not specific of its weapons, and that way without any political benefit he could derive from transactions that were detrimental to the coming to power its future partners.

b) The massacres in Bugesera

March 1992 was also the resumption of massacres of Tutsis in the provinces. They are following the announcement of the discovery by an organization for the defense of human rights, in Nairobi, Kenya, a leaflet attributed to the Liberal party, whose president is Tutsi, the Tutsi calling to lift and slaughter their Hutu neighbors. This announcement on the radio, is repeated several times and thus takes the form of a warning.

In the Bugesera region, the impact of this announcement led to the fulfillment of the massacres. These lasted from March 4 to 9, and caused the death of a number of people estimated to be 300 (the Rwandan administration then admitted 182). As in the case of massacres Mutara (see above), they were made by the peasants under the leadership of their mayor under a "*umuganda*".

This time, however, police and part of the judiciary tried to react and 466 people were arrested but they were quickly released and never charged.

The Bugesera massacres have, compared to those who preceded them, three disturbing features:

- First it is new-they are not following a RPF offensive, cause death, and anxiety or panic, but reading commentary on the radio of a leaflet attributed to a party Rwandans. For the first time, these massacres are a pure domestic political event;
- Then, farmers were assisted by people from outside. Italian cooperating, Antonia Locatelli, resident in the region and has 22 years in Rwanda, was murdered on March 10. During the two days before her death, she had repeatedly called Radio France

Internationale. *"She protested against the official version of the killing and stated that, living in the area for 22 years, she was perfectly able to see that these killings were not been committed by a crowd spontaneously angry. She added that some of the killers were people she had never seen before, they had been brought from outside in vehicles bearing official registration plates "* (G rard Prunier).

Mr. Filip Reyntjens, author of a report on behalf of the International Federation of Human Rights, wrote about him: *"early March, we note the presence of soldiers from the presidential guard in civilian clothes, equipped with daggers and pistols. In addition, members of the Interahamwe militia of the MRND are introduced into the area in vehicles of the Department of Highways of the Department of Public Works, Service led by Mr. Ntirivamunda, son of the Head of State; gasoline needed to operate is provided by Seraphin Rwabukumba, brother of the President and former Minister Joseph Nzirorera, near the presidential family"* (57) ;

- Finally, the investigation quickly revealed that the leaflet allegedly found in Nairobi, an organization that has given no sign of life for the occasion, was a fake. Its authors were discovered: it was Rwandan officials. The only sanctions taken by the Prime Minister Sylvestre Nsanzimana were administrative. Rumor had attributed the design of the leaflet to Mr. Ferdinand Nahimana himself.

As the magnitude was known in the Bugesera massacres were the subject of an approach ambassadors of OECD countries with the President Juvenal Habyarimana. In this regard, it was written by the Ambassador of France in Rwanda, Mr. George Martens, was not involved in this process. During his hearing by the Mission, it said on the contrary that the diplomatic telegram he sent proved that there was indeed associated.

In any event, the Bugesera massacres indicate that there has in the wake of power, Hutu ideologues, off plan, personnel administration from the MRND, the ability to do mass murder of an instrument government, and that, besides the peasants, this movement begins to have a specific tool, the militias.

c) The appearance of militias

In a system where political change has to source the ability to show his strength gathering or intimidation, each party had to have a body that takes both the youth organization and of the service order, able to frame an event to protect its political leaders and intimidate those opposite. According to the former Minister of Defence MRND, James Gasana, in a document submitted to the Mission, entitled *The political violence in Rwanda from 1991 to 1993: Evidence on the role of youth organizations of political parties*, it is MRND who first created his own youth organization, called *"Inkuba "* (lightning) from June 1991 to organize unrest and demonstrations intended to destabilize the regime. He was then joined by the PSD, creator of *"Abakombosi"* (Liberation). This is the model of these organizations would have then created the MRND *"Interahamwe"* (those who fight together), and the CDR, since its constitution, *"Impuzamugambi"* (those who pursue the same goal).

Regarding the latter two organizations, the easiest is probably to quote Mr. James Gasana itself. His words clearly show that from mid-1992, they become more often in communal or prefectural level, but even at the national level, real private armies in the service of the rich regime.

"Clashes between the MRND and the opposition parties are common in Kigali. Youth organizations are instruments of these clashes and protection of the rich and influential politicians who become gang leaders. However, the National Congress of the MRND April 1992 did not vote for the integration of the Interahamwe party. But the pressure of opposition activists and MRND authorities intensified in some municipalities, the Interahamwe are increasingly tolerated as instrument against-Ukubohoza (58) and resistance against the forced restructuring of administrations. They play an increasing role in the animation and the protection of public meetings of the party. Defensive they gradually become an important factor of pressure from certain personalities MRND on the opposition. (...)

"By mid-1992, the decentralization of Interahamwe around rich politicians allied to the environment of Habyarimana strengthened. Mobility coupled with the renewed strength of the MRND will allow them to operate at the national level, especially for political rallies. It does not form groups because of prefectural prefects fear disciplinary action from the Government. Although created groups are generally communal, they are created by industry in the prefecture of Kigali and the surrounding area. Struggles between youth organizations have frequently held by area in the city of Kigali.

"The proliferation of Interahamwe to mid-1992 is mainly due to the loss of control of FAR by Habyarimana and the MRND in an insurrectional context Ukubohoza or release created by the parties FDC (59). It is also due to the positioning of

certain personalities MRDN face their rivals region within the same party, in view of general elections. Finally, adherence to the Interahamwe was a way for criminals to find a political protection against lawsuits, and for the young unemployed a way to meet their survival needs under the protection of high dignitaries. Thus the same people could join both several rival organizations and even radically opposed, simply by changing color party during the riots, demonstrations or public meetings. "

3. Government action Nsengiyaremye

a) A vigorous policy

In an extremely difficult context, the new Government undertakes to effectively implement the program it has set.

First, the Central Intelligence (SCR), the all-powerful Rwandan intelligence services, is disbanded and its functions assigned to four different departments. The most visibly excessive prefects are replaced.

Education existed a quota system, called "equilibrium". Under it, students were selected by the authorities on candidate lists in order to both ensure that the strict quota for Tutsis was not exceeded and enforce a regional balance. In fact, this system had resulted in favor of an almost extravagant northern Hutu, those municipalities and lineages of power, at the expense of the south. One of the first decisions of the new Minister of Education, Mrs. Agathe Uwilingiyimana was therefore replaced this system of entrance examinations.

With regard to the information, the new Minister, PSD Pascal Ndengejeho makes fire the director of ORINFOR, Mr. Ferdinand Nahimana, close to the CDR. The change at the head of the Department of Justice takes some judges to be bolder in their judgments. We even see some decrees declared unconstitutional.

Finally, the Government obtained on 22 April 1992, the resignation of President Juvenal Habyarimana from his position as Chief of Staff of the Army, now declared incompatible with his presidential functions.

For the Government, the most ambitious project and the more complex it has now, however the resolution of the refugee issue and the negotiation of a peace agreement with the RPF. On this point, it is the Minister of Foreign Affairs, Mr. Boniface Ngulinzira, which carries the hopes of the coalition.

The first official contacts between the new Rwandan government and the RPF took place just a little over a month after the inauguration. May 24, indeed, the Minister Ngulinzira meeting the RPF in Kampala. A negotiating agenda is then established. From May 29, five days after this first meeting, the peace talks begin in Brussels between the RPF and representatives of members of the three parties MDR, PSD and PL, the coalition now takes the name of FDC (Government Forces for democratic change). On 5 June, a cease-fire is reached between the RPF and the FDC coalition government, despite the opposition of the MRND.

Negotiations then continued in Paris on 6 and 7 June, when an agreement including the MRND was finally signed. The negotiation of peace agreements themselves can then begin. Talks this time taking place in Africa under the auspices of the OAU, in Arusha, Tanzania from 12 July in Addis Ababa, Ethiopia from 26 July and then again in Arusha from 11 August.

1st August, the cease-fire comes into effect, and on August 18, one month after the start of negotiations of peace itself, the first MoU is signed.

The Arusha Accords will be detailed further. However, their importance in the Rwandan political life during the period of negotiations requires to briefly mention in passing the content. The Protocol of August 18 concerns the rule of law. It is in fact a statement of principle by which both parties "*accept the universality and the implications of the fundamental principles of democracy*", including equality before the law, multiparty, the Government elective from "*regular, free, transparent and fair*" and the guarantee of fundamental human rights. It is clear that ethnicity must be fought. Finally, the right of return of refugees is called "*inalienable right*" and it is stated that a definitive solution to the problem of Rwandan refugees must be found.

Negotiations then engage in a second phase, more concrete. This led to the signing of agreements on the sharing of power in the framework of a "*transitional government broad-based.*" These agreements were signed in two stages: 30 October 1992 for the more general provisions, the January 9, 1993 for the most difficult parts, including concrete distribution of ministerial posts and the number of representatives in the Transitional National Assembly. The agreement of 30 October 1992 states specifically that to participate in the transitional institutions, political forces must sign a declaration that they undertake to "*support the*

peace agreement, to refrain from any violence or incitement to violence, reject and commit to combat political and any other act which would aim to promote discrimination based on ethnicity particular "ideology.

The Agreement of 9 January 1993 specifies the actual distribution of portfolios in the future GTBE: five for the RPF, whose interior, five MRND, including defense, four, including the Prime Minister, to the MDR three PSD and PL, one for the PDC. Thus, in just nine months, the FDC coalition she managed to conclude a political agreement with the RPF. Then remains to conclude negotiations on the integration of the armed forces and refugees.

Resolution of the Government in the conduct of its internal action, the speed with which it progresses in its diplomatic efforts should not overshadow the difficult political conditions in which it must work. In fact, its action must soon confront the forces of resistance described above: ideologues Hutu officials and military service plan and dignitaries thereof. In addition, over time, this resistance manifests itself more and more violent and coordinated.

b) An opposition increasingly determined

(1) The resistance of the administrations

The Government should first deal with the inertia of governments or their reluctance in implementing the measures.

Mr. Guichaoua clearly described the situation in the expert report he wrote at the request of the International Criminal Tribunal for Rwanda United Nations (60). He first noted that *"the inevitable oppositions but more openly displayed between the President and the opposition parties will lead to a quick release of the functioning of the Government or ministries themselves hostages rivalries between parties."* But beyond the departmental headquarters is in municipalities and prefectures is organized resistance determined government action. Indeed, the Ministry of the Interior still headed by a Minister MRND, renewal prefects made by the Government has been limited.

However, under the leadership of their chiefs, local governments free themselves more and more government control. Mr. Guichaoua also notes this development: *"The MRND, deeply divided and under reconstruction, will oppose a systematic way to central decisions he did not agree with its strong prefectural and municipal administrative establishment maintained (in July 1992, only four of the eleven prefects will be renewed from opposition parties). We then attend real takeovers of local partisan "administration.*

To ensure success, the local authorities organize their own armed forces. They guide in that famous militias from youth organizations of political parties. On this point, the report of Mr. Guichaoua confirms and completes the testimony of Mr. James Gasana, quoted above: *"from 1991, most political parties have established local service order bringing together activists and unconditional usually from their own youth movements. These groups, who train physically and often hold handguns used to regulate public demonstrations of the party, to defend themselves, if necessary, vis-à-vis other political order services, intimidate or neutralize political opponents .*

"In some districts or municipalities under the control of the parties of the presidential majority, these services will become orders early in armed militia groups alternates or replacing the civilian police. They play a decisive role in the atrocities and massacres. "

The Government is not happier in his relationship with the army. On May 29, the same day the official start of peace talks in Brussels between representatives of the coalition FDC and the RPF, a mutiny broke out in the prefectures of Gisenyi and Ruhengeri, accompanied by looting and massacres. The soldiers, whose number is passed, according to Mr. James Gasana, approximately 5,000 to 27,000, excluding Gendarmerie, fear indeed be demobilized, demobilization also meaning except by a militia recruitment, return to misery.

In June 1992, the Minister of Defence, Mr. James Gasana, yet itself from the MRND, then undertook a major reorganization of the management of the army, unable to stop the riots and atrocities. The two Chiefs of Staff of the Army and the Gendarmerie are thus retired, and many senior officers.

Conditions, but also the limitations of this reorganization, however, show the power and network structure of interest faced by the Government. Gérard Prunier, in his hearing by the Mission held on this point the following statement: *"In 1992, President Juvenal Habyarimana had asked the Minister of Defense James Gasana to get rid of a number of men around him, he found unsafe or dangerous for him, marginalizing or eliminating their job (...) among them were Colonels Rwagafilita, Serubuga, Sagatwa, before he changed camp, and Bagosora. "* He added that *"if James Gasana had managed to Colonels Rwagafilita,*

Serubuga Sagatwa and he had always failed in the case of Colonel Theoneste Bagosora was the ultimate point of resistance and his Lady brothers. While he remained Executive Secretary of the Ministry of Defence, group them and kept in that department access they felt absolutely vital, not only for control of the army, but also because the handle of the Cart danced lot. " In this regard, he noted that "the tenfold increase in three years, the strength of the army, from 5 200 to 50 000 men, increasing significantly the defense budget, had opened an equally significant opportunities embezzlement to finance first-militia and Interahamwe militias as Impuzamugambi or were they funded by money stolen from the Ministry of Defence, but also in a personal or political "enrichment purpose.

The Ministry of Defence was doubly important for existing networks. His control of the army, but also the financing of power and his entourage. Mr. James Gasana was particularly vulnerable and an assassination attempt against him was foiled the rest at the end of 1992.

The diplomatic efforts of the Government itself was subject to negotiations with the former power, the President and his entourage. During his hearing by the Mission, the French observer in the Arusha negotiations, Jean-Christophe Belliard, also stated that the Rwandan government delegation composed of Mr. Boniface Ngulinzira, the then Minister of Foreign Affairs Rwanda, accompanied by Mr. Claver Kanyarushoki at the time Ambassador of Rwanda, Uganda, and the Colonel Theoneste Bagosora, " *was in constant disagreement and therefore in a weak position in these negotiations .* " He said it happened, for example, that " *the Minister Ngulinzira, he saw constantly and head-to-head, gives his agreement on a formulation, but while warning him that it was not He decided and ought to talk to Mr. Claver Kanyarushoki. He had to then discuss with Ambassador Claver Kanyarushoki, which was an important part of his work. When Mr. Claver Kanyarushoki was convinced, he ended by expressing her consent and that of President Juvenal Habyarimana, adding that he was now convinced Colonel Theoneste Bagosora .* "

He added that he had even witnessed scenes of disagreement within the delegation, which forced him to adjourn negotiations and postpone the discussion until later.

(2) The development of violence

Opposition to the FDC coalition does not manifest itself only by administrative obstruction. Government action and the conclusion of each step of the Arusha process are punctuated by protests, violence and massacres.

The first agreement was signed in Arusha on the Transitional Government is accompanied by serious violence. Of demonstrations against the government broke out in Gisenyi and Ruhengeri.

Under the testimony of Mr. James Gasana, August 17, 1992, the eve of the signing, " *he creates a real tension between a number of senior officials extremist MRND and the Prime Minister. Allying Interahamwe and Impuzamugambi these officials organize demonstrations against the Government, which take place without authorization, to paralyze the public and living in Kigali. The Force shall take all measures, without complacency, against all those who disturb public order. This puts us in a showdown with the organizers, whose son-President Juvenal Habyarimana, Ntirivamunda, Director of Roads and Bridges, who had deployed trucks of the State to pay the land on a highway to Kigali block traffic during the illegal demonstration .* "

Aware of the concern of his supporters, President Juvenal Habyarimana tries to reassure them. The same day, he indicated in a speech on the radio that the flexibility in the negotiations is not left to the Prime Minister and Minister of Foreign Affairs and their initiatives are under control.

"Our negotiators in Arusha were instructed ... their position is therefore not improvised ... This is why I think that the Rwandan people can be reassured that all precautions are taken to ensure that individual actions do not lead our country into an adventure he will not. "

This statement is not enough to appease the anger of some radical Hutus. According to a now known processes, thus ensuing massacres. This time it is the prefecture of Kibuye is theater events. According to Gérard Prunier, the results thereof would amount to about 85 dead, 200 injured and more than 5,000 displaced people.

Negotiation and conclusion of two agreements dated 30 October 1992 and 9 January 1993, accompanied by a growing tension.

On 2 October 1992, the Belgian Professor Filip Reyntjens denounces the existence of a "Zero Network". This expression, which often gives the sense of "zero Tutsi" was used by the author Christophe Mfizi in reference to the work of Roland Barthes *The zero degree of writing* (see Annex). The "Zero Network" is a kind of death squad formed MRND militiamen and

soldiers detached and equipped by the army under control near the Head of State, that is to say, members The most notable of the Akazu. Professor Filip Reyntjens cites three brothers Mrs Habyarimana, the public works director and son of the President, Mr. Ntirivamunda, Colonel Elie Sagatwa, personal secretary to the President and his brother, the head of military intelligence, Commander of the Presidential Guard, and finally Colonel Theoneste Bagosora, Chief of Staff of the Minister of Defence.

In the testimony cited above, Mr. James Gasana states that *"in September 1992, the alliance of the Interahamwe and Impuzamugambi is stronger than Inkuba. With the CDR, they constitute the political foundation of "hard" FAR. They are campaigning to military to overthrow the Government of Dismas Nsengiyaremye. "*

In fact, on October 18, CDR organized a demonstration calling for the resignation of the Prime Minister and his Government, rebelling against the government changing Radio Rwanda and thanked France for its presence. The protesters also demanded that all registered parties to the Government. This is good, considering what has been said of them, trying to paralyze government action.

Signature 30 October 1993 the first agreement on power-sharing, which deprives the President of the Republic of virtually all its prerogatives in favor of future broad-based transitional government (GTBE) increases the magnitude of the anti-government mobilization.

On November 15, in a speech in Kinyarwanda in Ruhengeri, not broadcast on national radio, President Juvenal Habyarimana called the cease-fire in July *"a scrap of paper (...) that the Government is not obliged to comply "*.

The tension continues to rise. On 22 November, Mr. Léon Mugesera, an influential member of the MRND, speaks in these terms activists in the city of Kabaya in Gisenyi. *"Opposition parties have conspired with the enemy to fall Prefecture Byumba Inyenzis the hands of (...). They conspired to undermine our armed forces (...). The law is very clear on this point: "Any person guilty of acts to undermine the morale of the armed forces shall be sentenced to death." What do we expect? (...) And these accomplices (Ibyitso) who send their children to the RPF? What do we want to get rid of these families? We must take over the responsibility and remove these thugs. (...) We must act. Must liquidate all! "*

A few days later, Mr. Léon Mugesera repeats the same speech Kibirira, where massacres have occurred in 1990.

Indicted by the Justice Minister, the Liberal Stanislas Mbonampeka, incitement to racial hatred and within the scope of a warrant, Léon Mugesera took refuge in a military camp where the RCMP did not dare go get it, and can then escape abroad.

The MRND and the CDR continue to organize demonstrations against the power-sharing agreements. They shall complete all in street fighting between firstly the *Interahamwe* and *Impuzamugambi* and secondly the opposition. Sporadic violence are a dozen dead. However, if, as Mr. James Gasana, the RCMP is trying to contain the violence and arrested in late 1992, a hundred militiamen *"Interahamwe"*, justice is proving increasingly incapable of enforcing the law. On 5 January 1993, exasperated by his inability to prosecute and arrest Mr. Léon Mugesera, the Minister Stanislas Mbonampeka resign. Sign of the times, the post holder will remain without for six months until the establishment of the Department Uwilingiyimana, July 18, 1993.

At the same time, to escape the supervision of Mr. James Gasana, a secret society structuring the Hutu extremist trend creates in the army under the name of *"AMASASU"*.

The signing of the second agreement on power sharing, Jan. 9, 1993, even radicalized the situation. First, under the fears of radical Hutu agreements apportion the seats in the Transitional Assembly to which the Government will respond. It will therefore not eluted but named. Members of the MRND and CDR see an intolerable concession to the RPF, it thus ensuring a presence in number whereas, given the small proportion of Tutsi in Rwanda, and the fact that many of them are close to the Liberal party, the elections immediately would have given him a small representation. In addition, as regards the Government parties FDC and PDC retain their ministerial posts. The five positions are assigned to the RPF, except for a creation to support refugees, all taken on the quota of the MRND, which loses the benefit of the RPF four seats, including the Ministry of the Interior.

Given the strategic nature of this ministry, the anger of the government and its supporters MRND breaks. On 19 January, the MRND and the CDR organize violent demonstrations against the agreement. On 21 January, the Secretary General of MRND said that his party rejects outright. The presence of an international commission of inquiry into violations of human rights in Rwanda, from January 7 to 21, 1993, had an impact on slowing the violence. His departure on January 21, at a time when the MRND rejects the agreement, releases their expression. For six days of deadly violence carried out by extremist militias associated with local populations devastated the north-west Rwanda. Here's how Mr. Dismas Nsengiyaremye presents: *"with the security of the local authorities, the MRND organized violent demonstrations across the country from 20 to 22 January*

1993 and proclaimed its intention to paralyze all activities. The opposition parties were not to be intimidated and organized the demonstrations against-neutralized activists MRND and its satellites in Byumba, Kibungo, Kigali city, Kigali Rural, Gitarama, Butare, Gikongoro, Cyangugu and Kibuye (except common Rutsiro). In Gisenyi, Ruhengeri, Kigali Rural (area Bumbogo and Buliza) Byumba (common Tumba) and Kibuye (common Rutsiro), these events quickly turned into riots and protesters contenders began killing Tutsis and members of opposition parties. There were about 400 dead and 20,000 displaced persons " .

4. The RPF offensive and its consequences

a) The offensive of February 8, 1993

The development of these massacres led the RPF to suspend contacts in Arusha. In fact, February 8, 1993, he decided to break the cease-fire and goes on the attack in the vicinity of Byumba and Ruhengeri.

The offensive was successful. Rwandan RPF sinking lines, the announcement of the peace who otherwise largely unmotivated FAR. He captured most of their equipment, occupies the greater part of Ruhengeri town he conquers from February 8 and Byumba and advances to Rulindo, 30 km north of Kigali .

However, on February 20, the RPF declared a cease-fire unilaterally. It seems that two elements have been able to stop. On the one hand the announcement of increased *Noroît* placed him in the risky direct confrontation with the French forces perspective. Moreover, contacts in Kigali made him part of the extremely negative impact of the attack on the Hutu population, including the most determined opponents of the regime, the strong desire of the latter to fight against the RPF or the risk of a Tutsi carnage on the city.

b) The strategy of the RPF

Given the havoc that this attack had on the image of the RPF, the question of his reasons was repeatedly asked.

In fact, regardless of the moral and democratic discourse by the RPF on the right of return of unjustly expelled from their country refugees must reject any idea of idealism in its political strategy.

In 1990, he forcibly tried to take control of the country. Since then, he has never renounced the use of military threat. Thus, the same day the cease-fire with the government coalition FDC, June 5, 1992, the RPF launched a military offensive that justified by the hostile attitude of the MRND, which had not then wanted to join the cease-fire.

In his testimony given to the Mission, Mr. James Gasana also notes that "*paradoxically, the implementation of the cease-fire accelerates the unprecedented recruitment of young Tutsi military training in the RPF Uganda. This recruitment, which is a gross violation of the cease-fire is facilitated by networks supervised by Karenzi Karake, team commander of RPF officers within the GOMN (Neutral Military Observer Group) " . He complains that " these transactions have the effect of inflaming ethnic tension neighborhood where young people are recruited, a situation that is exploited by extremist CDR and MRND supporters. "*

Tempting, based on interviews with many of its activists, analyze the goals and purpose of the RPF, as well as political thought and strategies that prevailed there, Gérard Prunier does not hesitate in his book cited to assert that "*despite its ideology" progressive " , the RPF among its members (and even among his supporters outside) a considerable number of supporters of the Tutsi supremacy for which Hutus are a bunch of peasants despicable and backward. "* But he says "*the main leaders of the movement (...) are pure products of the Ugandan" politics and their political ideal is Yoweri Museveni.*

However, the success of the latter in Uganda based on the ingenious way in which he silenced tribal conflicts. According to Gérard Prunier, in fact, "*the broad-based Government advocated by Yoweri Museveni is an ingenious variation on the theme of tribal politics. He welcomes any tribal power wishing to join him, but there is a subtle nuance between "being in Government" (with all the perks and privileges that entails) and "being in power" (often less perks and privileges, but a real decision-making power). "*

On this point, he notes that "*the RPF method was basically similar: keep the power key decisions within a familiar core consisting of Tutsi refugees from Uganda, add a number of" outsiders "whose chosen some reliable Hutus, then try to build a broader official leadership, appearance "ethnic" to the front " . He concludes: "this antitribaliste tribal elite is able to follow his ideals rather than its sociological inclination remains an unanswered question. "*

The RPF appears as a political and military structure built for the conquest and exercise of power. In this perspective, it is also clear, and French observers in the Arusha process also highlight this point, it is not limited in its ambitions.

However, to take power in Rwanda, the RPF must overcome two obstacles. First, any war may be involved, if it continues, a genocide of Tutsis by Hutus. Gérard Prunier notes that dialogue between a young and an old military RPF Rwandan Tutsis during the raid on Ruhengeri: *"This is the power that you want? You're going to have. But here we will all die."* Every war of conquest can not therefore be a blitzkrieg.

Then he pretends to overthrow the regime should be disqualified and an isolated system. On this point, Mr. Gérard Prunier notes the skill with which the RPF presents its program internationally. One that says Filip Reyntjens, is *"not very original and has been widely debated in Rwanda before the war, and even within the MRND ruling"* serves, according to Gérard Prunier, *"to (...) to keep his purity of intention to organize and locate the political quarrel morally. In this, he is unbeatable."*

However, the Habyarimana regime not having understood the impact on the international scene, never will this program. Therefore *"foreign public opinion (to the extent that it can know the Rwanda or care) quickly takes for granted that the Tutsi guerrillas gathers unfortunate victims, the oppressed, refugees driven from their country, a dictatorship which denies yet acquired any right of birth; it therefore necessarily fight for democracy and social equality."*

Thus, the burden of proof lies with the Habyarimana regime, at a time when, partly under the weight of the test imposed by the RPF, he plunged into the murder and violence.

Confirming this analysis, Mr. Guichaoua in the expert report already cited, sheds interesting light on the offensive of February 8, 1993. *"RPF await the passage of the International Commission of Inquiry (7-21 January 1993) before launching his attack and justify its violation of the cease-fire by the evocation of genocide Bagogwe in its press release of February 8, 1993. He had openly that the findings of the international survey lead to a Habyarimana dropping by the international community and disqualification of his French supporters."*

In addition, such a strategy also requires that no legitimate Hutu power will supplant the regime disqualified.

Mr. Guichaoua, in the same report clearly highlights this strategy about the cease-fire. *"Opening talks with opposition parties in Brussels on May 29, opening June 5 on the signature a cease-fire monitoring in the field and the day even by a military offensive justified by the hostile attitude of the MRND, powerfully demonstrates the strategy that the RPF wants to immediately impose the opposition parties: political allies These parties must also show solidarity with the military offensive of the RPF, which makes them untenable properly inside look at the political and social problem of the increase in numbers of displaced "position."*

He emphasizes the success of the operation. *"Translation is immediate, the unit leader of MDR proclaims its strategic differences in statements and contradictory news. Twagiramungu approves the RPF attack, Boniface Ngulinzira disavows, (...) Finally, the National Committee of MDR draft explicit support for the attitude of President Juvenal Habyarimana."*

c) The weakening of the coalition FDC face the RPF and Hutu hardliners

If it were to weaken the ruling coalition, offensive Byumba is a success. In fact, it was an earthquake. She 40,000 deaths, mostly civilians. Million war refugees come crowding in slums on the hills around Kigali. Under these conditions, the coalition that defended against all odds last year the idea that the RPF was driven by the will to regain political and social rights of Tutsis in exile and could be a loyal partner with whom could negotiate is fully taken against foot-and disrepute. Instead, the position of the Habyarimana regime and its harsh fringes, who continued to present the RPF as an alliance of feudal blood thirsty, suddenly appears much more reasonable and lucid in the eyes of many.

Fear of RPF conqueror, who did not hesitate in retaliation to run Ruhengeri not only criminals like Mr. Thaddeus Gasana, the mayor of Kinigi, but also their wives and children, unable to justify with haggard refugees hills of Kigali policy reinforce the division of the refusal and the President of the Republic at the expense of the proponents of political negotiation. Mr. James Gasana noted in his testimony. *"RPF leads a massive attack against the FAR violating the cease-fire. This surprise attack gives a clear advantage to the RPF, which now occupies the greater part of the territory of Byumba and Ruhengeri, which removes most of the military equipment of the FAR. It also causes the passage of several members of Inkuba (militias MDR) to the Interahamwe. It already causes the beginning of the passage of three political poles (MRND, FDC, FPR) two politico-military centers (pro-RPF and anti-RPF)."*

Two events are immediately significant of these developments. Before the disaster, the FDC coalition, supported by Western countries, turns to the RPF to try to negotiate a solution that would allow the restarting of the peace process. Negotiations take place on neutral ground in Bujumbura and last an entire week, from February 25 to March 2. They conclude with a joint statement calling for a cease-fire lasting for a resumption of peace talks in Arusha, the return of displaced persons, legal action against those responsible for the massacres, but also, and this is a novation with respect to a return to the previous state, a withdrawal of "foreign troops", that is to say French.

This last clause was actually a concession to the RPF, which drew well profit from his attack. Mr. Twagiramungu, then President of MDR, a member of the delegation, explained very clearly in the Mission. *"MRND refused at the last minute to join the delegation, only the representatives of political parties the opposition went to Bujumbura. They regained the RPF delegation. It turned out determined not to accept the withdrawal of its forces if French forces were willing to do the same by leaving Rwanda. In other words, for peace negotiations to continue, so that the RPF forces withdrew from the area they occupied and that it be demilitarized, detachment Noroît had to leave. As opposition parties favored a negotiated solution and peace agreements Arusha called for the deployment of an international military force, a compromise involving the removal of the RPF occupied areas in February 1993 and the departure of French troops their appeared acceptable. That is why the opposition parties were recommended to the Government to consider the withdrawal of French troops."*

The way of concessions now divides the parties of the coalition FDC. The last day of negotiations, President Juvenal Habyarimana in Kigali meets a "national conference" bringing together representatives not only of the seven minor parties, but also the MDR, PSD, PL and PDC. Resolutions to which it leads literally take the floor against those of Bujumbura. They condemn indeed *"Inkotanyis RPF"* trying to take power by force of arms, thank the armed forces for their *"bravery"* and ensure their full support, are welcoming the French military presence condemn Uganda for support to the RPF and require *"coordination"* between the Council of Ministers, the President and the Prime Minister .

Asked about this contradiction, Mr. Twagiramungu responded to the Mission that it *"simply marked the beginning of the MDR divisions between those who supported the Arusha process and felt that it was imperative that power can be shared in Rwanda,"* trend which itself was, *"and the trend Hutu Power, who wanted to join the military to fight the RPF and refused to share power."*

Moreover, after long efforts of the Government, March 23, 1993, the renewal takes place 38 mayors considered corrupt, incompetent or guilty of abuses. The procedure is that of the election of electors who, according to the expert report of Mr. Guichaoua were *"selected according to criteria less than transparent and subjected to intense pressure."* However, according to the report, *"the election results confirm that regional partisan bases remain crucial, as the two main parties (MRND and MDR) extend somewhat their seat including the bastions of others. Finally, and this is important, as the MRND "holds good" and his hard strategy appears Pay"*.

However, the joint statement of Bujumbura allowed the resumption of negotiations. Under the aegis of the Prime Minister of Tanzania, a meeting between a delegation of Rwandan government led by its Prime Minister and RPF delegation led by its President was held in Dar es Salaam on March 6 to 8, 1993. Declaration of Dar Es Salaam concluded that the immediate cessation of hostilities, maintaining their positions FAR March 8 and return the RPF on those of February 8, the transformation of the area freed by the RPF in the demilitarized zone, the recovery Arusha negotiations and punishment of officials involved in the unrest in January.

The fall of the Government and the Government Nsengiyaremye Agathe UWILINGIYIMANA 5.

a) The end of Government Nsengiyaremye

Thus weakened, as compared to RPF and vis-à-vis the MRND and the trend we are starting to call "Hutu Power", the Government of Rwanda, whose one-year term was due to end on April 16, however extended for three months. It is actually to end the negotiations. June 9, 1993, signed the Protocol on Refugees. This provides for the inalienable right of return and restitution of their properties to returning refugees. It has, however, refugees who left the country for over 10 years will be offered new land compensation rather than recover their.

However, negotiations, where, since the end of January, James Gasana replaced Mr. Boniface Ngulinzira block on the issue of the armed forces. The RPF, who asked first 20% of positions in the army, while the Rwandan government would not go beyond 15% quota he considered broadly representative of the proportion of Tutsi in society, required to agree to gradually close more: 30%, then 40% and finally 40% of the posts of soldiers and NCOs and 50% of the officer positions. The signing of peace agreements, regularly announced, is just as regularly rejected, increasing the tensions in the population.

At the same time, the loss of government control of public order becomes total. Development becomes uncontrollable militias. Mr. James Gasana in fact a consequence of the offensive Byumba:

"Despite the efforts of the police, Interahamwe continue to strengthen. The resumption of hostilities by the RPF pushed people towards Byumba Kigali, among others. And there are thousands of young war-displaced people, uneducated, without any occupation, embittered, and pushed into ethnic hatred by war, neglect and poverty that are recruited in the Interahamwe to survive. It also adds hundreds of soldiers who deserted the front or were dismissed for indiscipline.

Must scrutinize the frustration and anger of thousands of young people displaced by war, left to themselves in misery and anguish camps, to understand the force that will have the Interahamwe in Kigali. In their long ordeal, these young people have witnessed death in the camps. They saw hundreds of bodies mutilated by bombs rebel RPF. Victims are either their friends or their relatives. With nothing to lose and trying to hang on for basic survival, they become a recruitment pool Interahamwe and used with other youth in clashes against those they consider allies responsible for their misery the RPF. "

Indiscriminate attacks resumed. As the spring of 1992, they are assigned to the RPF, although this assertion is never verifiable, since the culprits are not arrested. Regarding politicians, May 17, the Liberal leader Stanislas Mbonampeka escaped a grenade attack. On May 18, the popular leader Emmanuel MDR Gapyisi is murdered just after launching a new structure, the *Peace and Democracy Forum*. Gapyisi was a popular politician and scope. While refusing to take part in the signing, he declared himself in favor of a policy that gives them a chance. Thus, it was likely to revitalize the MDR movement, as to constitute a possible alternative to President Juvenal Habyarimana. His assassination is assigned simultaneously to MRND militia, the RPF by hostility to the emergence of a new Hutu leader, but also other contenders for the leadership of the MDR, Faustin Twagiramungu and Dismas Nsengiyaremye. The possibility offered by the survey that do not lead to such suspicions crossed, creates a devastating atmosphere.

Additional and very serious in the decomposition of the State Step, June 14, 1993 was marked by the spectacular mass escape from the prison of Kigali military, of *Interahamwe* and individuals involved in the events of December 1992 and January 1993 .

In his expert report, Guichaoua notes that *"the escape of persons with very large files (murder, rape, looting) could be done with the complicity of the military custody and police around the prison. "*

Caught in a vise between the requirements of the RPF and the strengthening of the rejectionist camp, without control over public order and the functioning of government, the Government is in an impossible situation.

b) The Government Uwilingiyimana and signature of the Arusha Accords

While the delegation Arusha has announced the signing of the agreement to 19 June in the presence of the President, the coup de grace falls on June 16, the day the Government must be renewed: the presidents of the four parties the coalition, the MDR, PSD, PL and PDC, joining the MRND, publish a statement rejecting Dismas Nsengiyaremye as Prime Minister.

If it enters into the decision share personal strategy from the four presidents including that MDR, Faustin Twagiramungu, it is also the result of a profound political changes, such as analysis of events month can be seen.

Indeed, July 17, 1993, Mr. Twagiramungu, president of MDR, the party who has the post of Prime Minister in the system set up in March 1992, appointed as Prime Minister Agathe Uwilingiyimana, the Minister of Primary and Secondary Education. It is for him to appoint one of his relatives, while reserving his own candidacy for the leadership of the Government of broad-based transitional (GTBE) under the Arusha Accords.

The choice was made in close consultation with the President Juvenal Habyarimana, causes strong reactions in the MDR. A common party then appoints Jean Kambanda as a candidate. Despite the opposition, says Gérard Prunier, three-quarters of the Political Bureau and most regional party delegates, Mr. Twagiramungu, using his powers of President, designates himself, July 20, as MDR candidate for the post of Prime Minister of GTBE.

MDR decides to organize a conference to confirm the nomination of Kambanda against Twagiramungu, but the prefect of Kigali prohibits the keeping thereof and the MRND militants mobilized, fought with conference delegates who want to override. The anti-Twagiramungu current will then sequester up Agathe Uwilingiyimana and snatch a letter of resignation immediately read on the radio. But Mrs. Agathe Uwilingiyimana denies terms on the air the next day. The same day, the Congress MDR finally met excludes Mr. Twagiramungu party.

These events clearly show the evolution that has occurred. MDR, taken last year by MM. Dismas Nsengiyaremye and

Twagiramungu, is, in its most radicalized around a "Hutu Power" branch. Jean Kambanda, the candidate of the majority party, is the future Prime Minister of the Interim Government said, constituted after the attack against President Juvenal Habyarimana in effect. It's been in that capacity, convicted of genocide by the tribunal in Arusha. Mr. Twagiramungu, whose positions with respect to the RPF were more benevolent than Mr. Dismas Nsengiyaremye is now isolated to the head of a small fraction of the former MDR.

At the same time, we can see the game of President Juvenal Habyarimana and the MRND. Promoting maneuver Mr. Twagiramungu, he managed both to assume the signature of the Arusha Accords to a political group from the rival party of his own, small and close to the RPF, and prevents once more structuring a pole denial about another politician that he and a party other than the MRND. In case, the so-called democratic opposition, favorable settlement of the refugee problem in the framework of democratic renovation of Rwanda, has disappeared as a political force. Iconic illustration of the situation, MM. Dismas Nsengiyaremye and James Gasana, threatened with death, leave the country quickly.

On 3 August 1993, the drafting of the Protocol integrating the armed forces is completed. On August 4, the Arusha Accords were signed. The political developments in Rwanda left facing the two most opposing forces. This is not necessarily a guarantee of failure. But the fragility and created assumes no doubt for the implementation of the agreements, the greatest caution and a lot of skill.

II. - OPERATION NOROÏT

The RPF attack on 1st October 1990, will trigger Noroït operation and significantly change the characteristics of the French military presence in Rwanda.

A. OPERATING THE OPERATION NOROÏT

1. The RPF offensive on 1st October 1990

1st October 1990, while the Presidents Yoweri Museveni and Habyarimana came to New York to attend a conference organized by UNICEF on children's issues in the Third World, a hundred armed men from Uganda attacked the station Kagitumba on the north-east Rwanda-Uganda border. These first troops quickly reinforced by many Rwandan refugees, although with neither heavy artillery or armored vehicles, show by their early success they are well armed and organized. The effect of caregiver surprise, they manage quite easily to Gabiro, 90 kilometers from Kigali. But the Rwandan authorities pull themselves together and, on 3 October afternoon, involve armed Gazelle helicopters destroying vehicles and trucks with a logistics convoy south of Kagitumba attackers. As of October 5, the front stabilized.

Obviously, lacking ammunition and fuel, these troops were not prepared for a conventional war of long duration and had gambled on a quick victory, counting wrongly on a massive support of the population. The death of their leader, General Fred Rwigyema, the second day of the offensive, followed by that of two of his top lieutenants, especially against deadly attacks carried out by the Rwandan army forced them soon to take refuge in the Akagera National Park, then in the Virunga Volcanoes area, where they could not be prosecuted only with great difficulty, and from which they waged a guerrilla war for control part of Rwanda.

These men belonged almost entirely to the Rwandan Patriotic Front, RPF, whose members were called themselves "*Inkotanyis*" (those who go to the end).

a) *Presentation of the RPF*

The RPF was formally established in December 1987 in Uganda. He succeeds former Rwandese Alliance for National Unity (RANU), the first policy to openly questioned the right of return of refugees movement; the party was itself derived from the Rwandese Refugees Welfare Foundation created in June 1979 to help Rwandan refugees. The creation of the RPF is a desire to modernize themes and political action. The term "front" was intended to reduce the appearance of Tutsi movement that was previously attached to RANU for. The RPF seeks to do to win over all opponents, Tutsi or Hutu regime of President Juvenal Habyarimana. Thus Pasteur Bizimungu, the current President of the Republic of Rwanda, Colonel Alexis Kanyarengwe who participated in the 1973 coup that allowed Juvenal Habyarimana to power or Mr. Theoneste Lizinde, former head of security, all three Hutus, will join the RPF.

The RPF, who's mission is "*the liberation of the Rwandan people from ignorance, poverty and dictatorship in order to achieve his own development*" (Article 6 of the Statutes), is influenced in its infancy the Marxist thesis that claims to the new

regime of Kampala. Favor of a "multi-ethnic democracy" and opposing the "corrupt and tribalist regime" of Habyarimana, the RPF was able to consolidate a variety of trends, from Communists to Monarchists around an eight-point program which is the charter movement: the restoration of national unity; building a true democracy; the establishment of an economic system based on national resources; the fight against corruption, mismanagement of public affairs and the diversion of public funds; safeguarding the security of persons and property; the final settlement of the causes of the refugee problem; social well being of the masses; the reorientation of the foreign policy of Rwanda.

The main leaders of the RPF, MM. Fred Rwigyema and Paul Kagame, are former comrades of Yoweri Museveni in the guerrillas he led against the regime of President Milton Obote (December 1980-July 1985) and the ephemeral Tito Okello (July-1985 January 1986). Fred Rwigyema particular part of the 27 comrades who, Feb. 6, 1981, attacked a police station in Luwero, northwest of Kampala, an attack regarded as the birth of the armed struggle launched Mr. Yoweri Museveni for the conquest of power. When winning in 1986, the Banyarwanda, thus are called the populations of refugees from Rwanda-represented up to 20% of the National Resistance Army. The decision of President Milton Obote in 1982 to hunt Uganda over 50,000 Banyarwanda, suspected of helping the guerrillas had convinced them that did not know where to go because Rwanda refused to welcome, engage massively with Mr. Yoweri Museveni. Some of them had the idea-it was confirmed to reporters by Mr. Charles Murigande, the current Secretary General of the RPF to take advantage of these circumstances to acquire military training that could later be used for their armed return to Rwanda.

After the victory of Yoweri Museveni, as indicated by Gérard Prunier⁽⁶¹⁾, the RPF militants undertook a systematic infiltration of some services of the Ugandan army, including the IT department and military security. Fred Rwigyema was promoted to Chief of Staff, ie the number two of the Ugandan army and became Vice Defense Minister while Mr. Paul Kagame was appointed deputy director of intelligence. Yoweri Museveni relied again on the Banyarwanda in August 1986, six months after his accession to power, to quell a rebellion that had erupted in the north and the east.

The attitude of President Yoweri Museveni against his allies Banyarwanda is not without ambiguities. Certainly support them is acquired not only because it comes from an ethnic Hima⁽⁶²⁾ considered close Tutsis but also because he sees that he has contracted a moral debt towards them in Because of their help in the conquest of power. However, it faces criticism from Ugandans strain, especially the people of Uganda, who accuses and reminded Mr. François Descoueyte, Ambassador of France in Uganda from December 1993 to December 1997, *"to be manipulated that minority Tutsi Rwandan acting."* This campaign against the overemphasis of Rwandan refugees is echoed in Parliament. Mr. Charles Murigande spoke to the reporters remember a debate where he called Banyarwanda to moderate their ambitions in comparison to dogs accompanying their master hunting and even if they killed the game should know just bones, the hunter reserving the flesh. Banyarwanda were at once envied for their success in the army and administration, and despised as foreigners expelled from their country. This attitude encouraged the Banyarwanda to consider that the only solution to end their condition was exiled to return to their countries: Rwanda.

Banyarwanda felt increasingly threatened in Uganda, especially since President Yoweri Museveni was forced to take symbolic measures to silence critics like to dismiss Mr. Fred Rwigyema its Vice-Minister Defense in November 1989 and send Mr. Paul Kagame in the United States for military training.

The discussions are made more vivid within the RPF between supporters of a negotiated solution and those who wanted the use of armed force. The hypothesis of the war, said Mr. Charles Murigande rapporteurs of the Mission, was considered "the Z option", that is to say, the option to use as a last resort if negotiations fail. This is the option that yet, under the influence of Mr. Fred Rwigyema, will ultimately be upheld.

The presence of Mr. Paul Kagame in the United States for military training at the beginning of the RPF attack - he returned to Uganda on October 14 to take command of an army seriously shaken by the death Fred Rwigyema-raised some questions about the aid the United States in this movement. Mr. Herman Cohen, Advisor for African Affairs U.S. Secretary of State for Foreign Affairs from April 1989 to April 1993, stated before the Mission that *"the United States did not provide any assistance to the RPF. A dozen members of the RPF officers had attended the United States, but it was under military cooperation with the United States Uganda."* This version was confirmed during the passage of rapporteurs in Washington by Mr Vincent Kern Pentagon which however showed on his desk a photo of himself with Major Paul Kagame. Mr. Jacques Dewatre, director of the DGSE, heard by the Mission, said meanwhile that there was no U.S. military support to Rwandan Tutsi refugees, but only indirect support through the Uganda. Mr. Charles Murigande said it was not very easy for the RPF to be received by the U.S. administration and the first official contacts were held in March 1991 to a modest level of "desk-officer". This is, according to him, until June 1992, relations between the RPF and the United States have become easier.

The RPF received active financial support both from within and Tutsis of Rwandan communities in Burundi, Zaire and Tanzania or the diaspora in the United States, Canada or Europe. Henri Rethoré, former Ambassador of France in Kinshasa, confirmed to the Mission if the Tutsi community located in Zaire could have no political activity, however it was contributing heavily to the RPF.

Mr. Marcel Causse, former Ambassador of France in Bujumbura, recalled that " *President Juvenal Habyarimana, when the RPF attack in October 1990, had accused Burundi to provide significant assistance to Tutsi rebels from Uganda and had even managed to convince the French Government .* "

b) Civil War or alien attack?

The debate over whether the RPF attack on 1 October 1990 must be regarded as an element of a civil war or external attack is not without political and diplomatic impact. President Juvenal Habyarimana had understood that very quickly presented the attack as the result of a conspiracy of some Ugandan Tutsis, determined to gain power for purely personal and ethnic media in the banner of defense of national unity.

What was the role of Uganda in preparation for the attack? The force that attacked Rwanda on October 1, was composed of soldiers from the NRA and many civilians from refugee camps in south-western Uganda. The weapons seized on the battlefield from the RPF were all Soviet or Chinese origin, from the stocks of the Ugandan army. This is not enough however to say that President Yoweri Museveni knew the date and time of the attack. He did nothing to prevent it is obvious. The reasons which grew there have already been mentioned: maybe his family origins, surely the old brotherhood of arms during the guerrilla. But, as pointed out by the Prefect Jacques Dewatre this aid Uganda also met two objectives indirectly promote destabilization of President Juvenal Habyarimana, whose regime was criticized by Kampala and refused the return of refugees, spread Tutsi Rwandans, including the constant, growing within the Ugandan state apparatus aroused discontent among Ugandans strain.

According to statements made by the rapporteur Pierre Brana Mr. Amama Mbabazi, Uganda's current Secretary of State for Regional Cooperation and former Chief of Defense of the information, however imprecise, were communicated to the Government on what was going on but date of the attack was a surprise, however, the RPF took advantage of the simultaneous absence of both presidents. Movements of troops towards the border were not raised, says Amama Mbabazi, specific questions, the RPF soldiers saying they were justified by the preparation of the national holiday on 9 October.

The Ugandan government announced on October 4 that no assistance would be given to the RPF and the soldiers would return to Uganda would be arrested and prosecuted. Upon his return to Kampala October 10, 1990, President Yoweri Museveni, who had not considered sufficiently important situation to interrupt his journey, officially condemned the attack, saying that the Banyarwanda had abused the Ugandan hospitality while calling on Rwanda to take measures to solve the problem of the refugees. This sentence appears more as a concession to the diplomatic pressure than the expression of a genuine outrage.

In fact, when the reporter Pierre Brana asked Mr. Kahinda Otafiire, current Secretary of State for Local Government and former Director General of External Security, if Uganda had opposed all assistance to the RPF weapons, the it merely smile. The prefect Jacques Dewatre confirmed logistical support Uganda in favor of the RPF forces have continued to use between 1990 and 1994 a number of training camps and operational bases in Uganda. The people in charge of the logistical support were by the DGSE, General Salim Saleh, half-brother of Yoweri Museveni, and Captain Bisangwa, Advisor to the Head of State for security problems. Mr. Jacques Dewatre considered likely help Libya to the RPF during this period without the DGSE has obtained evidence.

In sum, if we must admit that pure law a refugee who takes up arms to exercise his "*absolute right and intangible return*" turns itself outside the Geneva Convention on Refugees and consequently loses refugee status, this question must first be considered in its political dimension. In this context, it appears that the return of refugees from armed October 1 falls within an episode of the Rwandan civil war rather than a conflict between two states.

The Rwandan side, President Juvenal Habyarimana was he informed of the imminence of such an attack? For some, it is very likely. Facing internal difficulties, President Juvenal Habyarimana would have found offensive in this an opportunity to divert the minds and justification for proceeding in the country to mass arrests of Tutsis. A telegram from the Ambassador of France in Kigali dated 27 October 1990 refers to this situation, it considers excessive, which makes him say " *the removal of the military threat should prompt the Rwandan authorities to adjust faster possible problem many people who are detained as suspects, often for the sole reason of their belonging to the Tutsi ethnic group .* " So clearly, in this first attack of 1st October 1990, the Tutsi population inside immediately subject to "retaliation" in case of conflict between the Rwandan government and

the RPF.

c) The false attack on October 4, 1990

Vis-à-vis the outside world, President Juvenal Habyarimana, emergency back on the night of 3 to 4 October in Kigali, describes the RPF raid external aggression may base its request for assistance and assistance to foreign allies including France. It would appear now that he has not hesitated to stage an attack on the capital by the RPF on the night of October 4 to 5 exaggerating the threat posed shots and shootout that took place that night in Kigali.

In a telegram established a few months later, March 12, 1991, the Ambassador of France asks: " *President RPF supports the argument that the shooting of 4 October 1990 in Kigali was entirely caused unilaterally by the Government Rwanda to justify a massive crackdown on domestic opposition. How to explain under these conditions until 5 October 1990, the "command center rebels" have passed our embassy in Bujumbura a message that a pause that day in Kigali was a truce agreed by General Fred Rwigyema to allow France and Belgium to evacuate their citizens?* "

Questioned on this point at the hearing before the Mission, Ambassador George Martens acknowledged that given these orders (that is to say the RPF ultimatum giving 48 hours to French troops to leave Rwanda) " *he really believed in fierce fighting and an RPF attack against the French soldiers. However, at the time, it turned out that there was no contact between Kigali French army and the RPF. The RPF representative for Europe, Mr. Bihozagara, confirmed in an interview in Paris January 13, 1992, the Rwandan Tutsi party never sent messages and that they should come Tutsis in Burundi and not RPF, especially as Fred Rwigyema had been killed on October 2. There is therefore a double poisoning* " .

However, this staging of the imminent fall of Kigali has not convinced the French authorities to give the President Juvenal Habyarimana any assistance weapons and ammunition he asked but the situation was deemed sufficiently risky for nationals French to justify the October 4 launch of operation *Noroît*.

2. Reasons and conditions for implementation of the operation *Noroît*

At his hearing before the Mission, General Maurice Schmitt, as a former Chief of Staff of the Armed quality, specified the conditions under which the decision to send French troops in Rwanda was taken on October 4 by the President of the Republic, to protect French nationals.

He reported more specifically that he had accompanied, October 3, 1990, President François Mitterrand, MM. Chevènement, Roland Dumas and Hubert Vedrine and Admiral Jacques Lanxade in a trip to the Middle East: " *On October 4, after a night in Abu Dhabi, the entire delegation arrived in Jeddah where she Breakfast was received by King Fahd. It was shortly before the lunch that two messages arrived from respectively the Elysée and the staff of the armies. These messages specified that serious risks of abuse existed in Kigali and President Juvenal Habyarimana sought the intervention of the French army. A Defense Council restricted, very brief, was held on time in Riyadh, under the chairmanship of the President of the Republic, after which the order was given to send faster two companies in Kigali with the mission of protecting the Europeans, the French facilities and aerodrome control to ensure the evacuation of French and foreign who asked. These troops should in no way interfere in matters of law and order which were the responsibility of the Government of Rwanda .* "

a) Missions and operation orders detachment *Noroît*

The mission assigned to the detachment *Noroît* and defined on 3 October 1990 by the message of the staff of armies, is threefold:

- Protect the embassy of France;
- The protection of French nationals;
- Be able to participate in their eventual evacuation.

The objective is therefore strictly limited to the protection of the French community and will be indicated by a series developed to better coordinate the action of the French forces with the Belgian Forces in Rwanda for the same reasons operation orders.

- The operation order No. 1 dated October 24, 1990 does not alter the above tasks. To be able to lead the evacuation of nationals or in conjunction with the Belgian and Rwandan forces, it is particularly requested to " *participate in the control of Kigali Airport, alongside the Belgian and Rwandan forces in preserving our freedom of action* " and proceed to " *systematic* "

intelligence gathering room so as not to be surprised" .

- The operation order No. 2, October 26 established after consultation with the French diplomatic authorities and the command of the Belgian forces in Rwanda, responds to the assumption of a joint evacuation of Belgian and French nationals who come to join other nationals wishing to benefit from the discharge device.

Three threat levels are defined which correspond three warning levels that cause aggregation of these people, in the following points: French Cultural Center, Sports Club, French, Hotel Meridian School. This last is an evacuation center in nationals awaiting air shipment. Evacuation priorities are first the French and Belgian nationals and Western nationals, and finally the other nationals in order and with the approval of the diplomatic authorities.

Outside Kigali, French nationals fall into three evacuation points: Butare, Gisenyi, Ruhengeri.

- The operation order No. 3 rectified 7 November 1990 maintains three stages of alert may lead to a decision to evacuate nationals. The missions are unchanged. He asked, on order, to defend the airport to allow the delivery of reinforcements and maintain a deterrent presence evacuation center Meridian, points of French reunification, implantations points cantonments on axis centre-ville/aéroport.

b) Organizational forces

The deployment of troops Noroît operation is performed in two stages.

From October 4th, the precursors are sent there from Bouar. A few days later, on 3rd RPIMA and 2nd REP in Rwanda are identified and replaced by an enhanced operational device. General Jean-Claude Thomann at the time Colonel (3852 message of Staff of the Armed Forces) takes 19 October the command of the operation Noroît hitherto exercised by Colonel René Galinié, Defence Attaché and Head of Mission of military assistance. General Jean-Claude Thomann reports directly to the Chief of Defence Staff.

Asked about the reasons for the creation of a command *ad hoc* operations, General Jean-Claude Thomann admitted to the Mission this question overlapped both a difficult doctrine and a particular problem related to this transaction. He said that his appointment as operation commander by the Chief of Defence Staff had led to a debate he described as acidic enough between the Ministry of Defence and the Ministry of Foreign Affairs, Ambassador considering that, given the situation, it was the defense attaché to command the operation.

He added that the debate had also caused its retention in Bangui for several days, until the matter is resolved ... and gradually these operations were under a theory and doctrine . Up to a certain level of commitment, it is the defense attaché who is designated as Operation Commander. It is only beyond a certain level that you send a command element with a designated leader from France or other countries where there has prepositioned forces, an estimate is always made to Ministry of Defence, often in conjunction with Foreign Affairs on the level of intervention.

Without it being intended to initiate a debate on the merits of this doctrine, we can nevertheless see that in this case the decision was the source of difficulties and has delayed the arrival on site of the entire device. If sending a special command is justified by the gravity of the situation, then the designation October 19 General Jean-Claude Thomann, then Colonel as Commander was made too late to the events.

Noroît the detachment under the command of General Jean-Claude Thomann consisted of a tactical staff of 40 people and two companies -1st and 3rd companies 8th RPIMA-each 137 people, a total of 314. The 3rd company was responsible to intervene in the city, the 1st company said outside company was responsible for the protection of the airport. PC detachment Noroît was installed Méridien hotel and General Jean-Claude Thomann highlight any practical value of locating in such an establishment.

c) Areas of intervention Noroît Forces

Are asked to Noroît companies *"to adopt a low profile"* because it can not be created *"our sense of engagement with FAR"* .

The action Noroît forces is limited to the city of Kigali airport, trips outside these places remaining subject to the approval of the General Staff of the armed forces.

Under this principle, two reconnaissance missions were conducted in Butare on 27 and 28 October in Ruhengeri and Gisenyi on 30 and 31 October. They were intended to make contact, reassurance and organize the possible evacuation of French nationals. On the occasion of these two movements, General Jean-Claude Thomann, Commander of Operations, noted in his mission report the existence in the vicinity of major cities, many roadblocks manned mostly by the police or the Rwandan army and checkpoints manned by *"civilians prohibit access to certain villages in the bush and thus allow people to filter the hills. Civil dams are guarded by a dozen men armed with machetes ."*

He also noted the enthusiastic response of populations and Rwandan armed forces reserved for French soldiers.

French nationals show reassured *"that if all are some serious problems in the city or the population nor the rebels would attack them and their families"* .

d) Summary of activities of the detachment Noroît

This is first under Chief of Mission of military assistance (MAM) Colonel René Galinié, as he said during the hearing, *"ordered his men (22 people) at the RPF offensive on 1st October 1990, out of training camps where they were as military advisors to join immediately the central hills around Kigali and put on civilian clothes, in accordance with contained in our cooperation ."* He *"welcomed the decision which allowed during the attack on Kigali on the night of 4 to 5 October 1990, more easily protect French nationals who had been together. "*

(1) Activities Noroît detachment under the command of the Defence Attaché

Noroît the detachment sent to protect French nationals carried out a series of evacuations that took place according to the carefully planned process: identification and reunification and evacuation flight from Kigali airport.

A telegram of 12 October 1990 addressed to Paris by the Ambassador of France in Kigali reviews the evacuation of the French community between October 5 and October 12: 313 French left Rwanda to Paris either by regular or special flights Air France chartered for the occasion by the Ministry of Foreign Affairs or by a scheduled flight from the Belgian airline Sabena. Some of them went to Bangui by Transall aircraft.

It remains to this date 290 French in Rwanda, of which 178 are located in Kigali including the embassy staff, 16 military and 16 civilian collaborators cooperating with their families, 102 people in the private sector, international organizations and NGOs.

(2) Activities Noroît detachment under the command of Commander

During the period when General Jean-Claude Thomann, then Colonel, assumed command of the Noroît operation thereof, the same words of Colonel René Galinié, *"has led to this period an essential operation for the identification and location of each expatriate. This action was highly appreciated by many embassies who did not know the number of their nationals. He confirmed the establishment of a device support and security for the benefit of Kigali expatriates French School and the embassy. "*

In its mission statement, General Jean-Claude Thomann indicates that in addition to activities related to the accomplishment of its mission-protection and evacuation planning-French nationals, the Noroît detachment also conducted very activities diverse as identifying shipments of weapons and materials to Rwandan forces or instruction FAR by the Engineering officer of the detachment, to teach them to face the dangers of mines and booby traps.

In the same report, General Jean-Claude Thomann further notes *"the stabilizing role played by the presence, even inactive, a contingent of foreign intervention to consolidate power threatened by external aggression and faces a risk significant internal strife, ethnic origin or political. "*

He notes, however, that his detachment received no map of Rwanda's departure from France and the 8th RPIMA could remedy this "disability" with a map of Rwanda recovered the City of Castres, coupled with city the Rwandan town of Huye.

Such a situation is truly astounding. To the context and the object of the Noroît operation, the Mission considers inconceivable that it could happen.

In addition, General Jean-Claude Thomann emphasizes the importance of the Military Assistance Mission (MAM) and local authorities can provide information, provide information room, preparing units. It recalls that it is these personal qu'incombent including requisitions from local authorities and the *"burden of having defined the safety and reunification of and*

monitoring lists of citizens. "He concluded saying it " is important to maintain close coordination with the defense attaché and embassy staff to avoid damaging the crisis management between the respective regulatory authorities distortions: Cooperation, External Relations, Defence , etc.. "

At the operational level, General Jean-Claude Thomann admitted to the Mission that once installed, the security device around the points under French responsibility (embassy residence, cultural center ...), it appeared very faster than the security mission did not involve the maintenance of such a large device and it had proposed to the Chief of Staff of the Armed do leave behind a company, which was made from the December.

3. Relief and maintenance of the device Noroît

a) Noroît, healing factor?

The presence of French troops to ensure the safety of citizens is to have an indirect role in stabilizing the situation, strongly marked by ethnic tensions accordingly. This aspect already stressed by Colonel René Galinié is taken by the Ambassador of France in Kigali who shows in a telegram of 30 November 1990, very dedicated to the idea of a total withdrawal of troops from Noroît, given still unstable nature of the situation but also because: " *The presence of our troops, even reduced, appears only as a guarantee of safety for the expatriate population but also as an indirect calming factor for the entire country . Many believe that this presence reassures all Rwandans foreigners. The Noroît operation thus tends increasingly to be placed in a new light .* " He says a few days later, on December 5, only informed of our commitment to remove the rest of the French contingent, President Juvenal Habyarimana called the decision " *abandonment* ", he asked the maintenance of French forces during two additional months, and having failed to join Admiral Lanxade, he expressed his request to General Jean-Pierre Huchon which seemed convinced him of the need to delay the withdrawal of French troops.

In a telegram dated December 7, Ambassador says: " *I informed the President Juvenal Habyarimana of our decision not to withdraw the military elements last December 15 and keep for a limited time. President Juvenal Habyarimana feared guerrilla not militarily but because it undermines national unity.* "

Decision of the President of the Republic, François Mitterrand, France maintains beyond the term originally planned, the presence in Rwanda, one of the two Noroît companies, but reaffirms its commitment to the non-FAR.

January 2, Admiral Jacques Lanxade wish removal of the second company Noroît but the RPF incursions continued, the President of the Republic wishes to postpone the start of a month. This posture forces Noroît allows for late January evacuate French nationals and western Ruhengeri to Kigali.

b) Disposal of Ruhengeri on 23 and 24 January 1991

On the military side, the offensive of 1st October 1990 was quickly countered as FAR Gabiro show on October 27 and control again Gabiro-axis Nyagatare October 29.

RPF troops were forced either to return to Uganda where have had an opportunity because the Ugandan border was closed on 20 October, to scatter in Rwandan territory east of the road Gabiro-Kampala and in the Akagera National Park. These elements then undertake sporadic guerrilla actions and targeted attacks destabilizing in the region northeast of the country.

Zairian troops withdrew in mid-October, the Belgian troops in November, a company Noroît is distributed on December 15.

The General RPF offensive that Rwandans anticipated occurrence for the end of 1990 will not happen. The surprise will end in January 1991 with the attack on Ruhengeri.

22 and 23 January, the RPF launched an offensive on Ruhengeri in which, after attacking the prison, they release 350 prisoners including Major Theoneste Lizinde, former security chief who in 1981 was involved in the attempt coup against Habyarimana. In retaliation, the Tutsis were massacred Bagogwe community.

23 and 24 January, two sections force Noroît organize the evacuation of Ruhengeri nearly 300 people, including 185 French, which will be conveyed to Kigali.

Ambassador George Martens reports through diplomatic cable dated January 24, 1991 the evacuation, " *the Colonel led by René Galinié unit has remained within the mission that was assigned to him, speaking in the residential area immediately after takeover of the city by the Rwandan para-commandos. Following the instructions did not exclude a certain boldness*

French paratroopers had to show in the last two hours before nightfall. "

The Ambassador pointed out in the same telegram presence in the convoy of two sub-prefects and the President of the District Court, arguing that there is there " *an ominous sign of loss of confidence of senior Rwandan administration .* " On 27 January, a message from the Defence Attaché (No. 25) says " *cleaning the town of Ruhengeri and Kinigi region assisted by FAR the population is over the rebels seem to have ... folded in the forests of Volcanoes National Park.* "

Late January 1991, it appears that, in fact, both nationals evacuation operations in early October to late January to Kigali and Ruhengeri, took place under the command of Colonel René Galinié while both defense attaché, MAM chief and commander of the Noroît operation and not during the period when General Jean-Claude Thomann, then Colonel, was appointed Commander. As stated previously, General Jean-Claude Thomann established a security device and conducted reconnaissance missions in Butare, Gisenyi and Ruhengeri. Nevertheless, the presence of the complete device Rwanda forces Noroît (314 people), if not used to make evacuations, has, it seems, played a deterrent and preventive role.

From this point of view, Noroît transaction is part of a broader package whose components are firstly the technical military assistance agreement of 18 July 1975 which President Juvenal Habyarimana in particular supports its request for assistance, which will justify the coming of Colonel Gilbert Canovas to perform a mission to advise the FAR, other diplomatic action based on the principles outlined in the Speech from La Baule (democratization, multi-party power-sharing ...).

How these elements have been put into play in the Rwandan context, and what was the assessment of the situation by the various French representatives on the ground?

B. OTHER COMPONENTS OF THE FRENCH PRESENCE

1. Sending an advisor to the staff of the Rwandan Armed Forces

Between 11 October 1990 and 26 November 1990, Colonel Gilbert Canovas was appointed as Assistant Defence Attaché to advise the staff of the FAR.

The RPF offensive launched on 1st October 1990 highlighted the weaknesses of the Rwandan army and the Defence Attaché, Colonel René Galinié and judge in a telegram dated October 11, " *the Rwandan army is unable to cope with the situation. Thus, if the French and Belgian forces had not relieved by taking into account their mission and land (airport protection and pathways leading to it) and if the Zairian forces are not directly involved in the conflict, it would at best be enclosed in Kigali under conditions and in a very effective device.* "

It advocates sent by France advisers on the ground in the northeast in the combat zone and Kigali. These advisers would be collected in the field, or detached from specialized units from France. " *Their mission is to educate, organize and motivate a sclerotic band for thirty years and has forgotten the basic rules of combat.* " the appointment of Colonel Gilbert Canovas satisfied to some extent this suggestion since it is officially charged with " *helping Rwandan military authorities to improve the operational capacity of their army to make it quickly adapted to oppose the incursions of more more numerous the RPF troops ...* " .

During his hearing, Colonel Gilbert Canovas said that his mission " *and was officially declared and was part of a situation of strong face crisis that the Rwandan armed forces, few and seasoned, experienced difficulties.* "

He recalled that he had performed his duties in French military uniform and that " *his work was involved ... to provide expertise and advice to the Chief of Staff of the Rwandan army and his team* " . In this regard, he indicated that he had such " *assisted in the development of defense plans Kigali* " and participated in the border regions most threatened, Gisenyi, Ruhengeri, Byumba, Lac Mutara , " *planning work to strengthen military devices and to build capacity of reaction.* "

In the report made April 30, 1991, after his second mission of the Board, Colonel Gilbert Canovas recalls the adjustments made in the Rwandan army since 1st October 1990 among which include:

- The establishment of operational sectors to face an opponent threatening the entire Rwandan-Ugandan border and much of the Rwanda-Tanzania border;
- The recruitment of many ranks and mobilization of reservists allowed FAR almost double their workforce from 11,000 in October 1990 to 20 000 in January 1991;

- The reduction of initial training of soldiers, limited to the use of personal weapons supplied.

The Ambassador of France in Rwanda shows, telegram of 24 October 1990, the Western media continue to be handled by a Rwandan diaspora dominated by Tutsis. Colonel Gilbert Canovas also highlights the key role played by the international media in October 1990, but says later *"the obvious advantage granted in favor of the RPF at the beginning of hostilities was offset by a media offensive by Rwandans from the month of December."*

Anyway, the contribution of Colonel Gilbert Canovas proved very effective, to the point that his mission will be extended until the end of November, if we judge by the military achievements of the FAR the field during the last quarter of 1990. Various telegrams Defence Attaché reflect this adjustment.

31 October 1990: *" FAR reconquered their entire national territory by seizing area Kagitumba October 30 ... FAR must now initiate actions sweep along the Akagera River. "*

18 November 1990: *" Thus, the FAR whose cohesion is more assertive today than ever, thanks to the links that create contacts led against the enemy, they see their significantly increased political and popular influence, to the point that their leaders like Colonel Serubuga appear threatening. "*

On the military side, the situation still remains fragile as the BBC announced December 2, 1990 Colonel Alexis Kanyarengwe is in Kabale, Uganda reorganizing the RPF troops.

2.'s Assessment of the situation by the representatives of France on site

a) The Head of the Mission of Military Assistance

On the eve of the first offensive of the Rwandan Patriotic Front, 1st October 1990, the French military cooperation in Rwanda were in accordance with the particular military assistance agreement of 1975, twenty military technical assistants under the Mission military cooperation and thereby attached to the Ministry of Cooperation and Development.

As all their colleagues aid personnel in the various countries of the scope of cooperation, they exercised at the national army training missions and logistical support for the benefit of the various components of the Rwandan armed forces.

Mission military assistance was placed under the responsibility of Colonel René Galinié, Head of the Mission. It was composed:

- A military detachment technical assistance "Gendarmerie", two officers and four noncommissioned officers participated in training and advising the staff of the Force and to the school NCOs Gendarmerie Ruhengeri

- A technical assistance detachment "Earth", two officers and four noncommissioned officers were responsible for the instruction and assistance logistic support units of light aviation, airborne troops and armored and mechanized units;

- Secondment of technical military assistance "Air" composed of one officer and two noncommissioned officers whose mission is to manage and maintain a flight North Atlas 2501.

The permanence of this structure and the presence on the ground before the offensive of 1st October 1990 Colonel René Galinié makes it a privileged observer. He considers with concern and relevance Rwandan political situation in the many messages it sends as Defence Attaché.

10 October 1990: *" it is feared that this conflict will eventually degenerate into ethnic war. "*

- On October 15, 1990: *" ... some Tutsis think finally that fear genocide if European forces (French and Belgian) withdraw too soon and not prohibited, even if it only by their presence. Currently, the solution is more political than military ... but again the President will retain its authority and restore peace in the future by conducting a broad democratic opening leading short term, far-reaching reforms. ... "*

- October 24, 1990: *" Government authorities can not admit being imposed territorial abandon the ground to establish a cease-fire in favor of Tutsi invaders eager to regain lost power in 1959 they can. the less admit that they probably would restore northeast the hated regime of Prime Tutsi kingdom ...; this avowed or disguised recovery resulting in all likelihood the physical elimination within the country of Tutsis 500 000 to 700 000 people by Hutus, 7 million people ... "*

Colonel René Galinié recalled before the Mission he measured all the better risk of physical removal and massacres that " upon his arrival in the country, 23 August 1988, he was taken by helicopter to the border and was personally very troubled by the finding yourself massacres in Burundi. This episode was, however, allowed him to understand the daily reality marked by violence. "

b) Ambassador

The Ambassador of France to Kigali, George Martens, also highlighted the risk of ethnic violence. This address, October 15, 1990 at the Quai d'Orsay and the Chief of Staff particular the President of the Republic, Admiral Jacques Lanxade the following telegram: " *Rwandan Tutsi population think that the blow military hand has failed in its psychological extensions ... She still has a military victory, thanks to the support of men and resources from the diaspora. This military victory, even partial, would enable him to escape the genocide. "*

December 17, 1990, he said " *the radicalization of ethnic conflict can only increase. Kangura, body Hutu extremists, has just published a delivery that resurrects the ancient hatreds against the Tutsi feudalism: the "Hutu commandments."*

On December 19, he said that the French ambassadors, Belgian and German, as well as the delegate of the European Economic Community approved a joint statement noting " *the rapid deterioration of relations between the two major ethnic groups, the Hutus and Tutsis in Rwanda which causes an imminent skid with adverse consequences for Rwanda and the whole region risk. "*

On the nature of the offensive 1st October 1990, the Ambassador of France located in the logic of external aggression can more easily justify the intervention and assistance of France.

On October 7, he posed the problem in these terms: " *the political choice is crucial for the Western powers to help Rwanda and especially Belgium and France. Or they consider primarily the appearance of aggression and an increased commitment on their part is required on the military to deal with. Or they take into account the internal support enjoyed by this movement (RPF) it likely to result in the seizure of power by the Tutsi or at least by the Métis class ... If this second option was chosen, delicate negotiations accompanied by military pressure would be required to ensure the safety of the European population, with the prospect of replacing the difficulties arising from those attackers then result from a Rwandan national army would feel abandoned. "*

In a telegram dated 27 October 1990, Ambassador to pronounce more clearly about the arrival on 23 and 24 October, Libyan aircraft on the airport of Kampala. Seizing this opportunity to emphasize the need to develop through the media in the nature of external aggression, he believes that France will be more comfortable to help Rwanda it is clearly shown on the international public opinion it is not a civil war. The situation is much clearer and much easier to deal with if he said the north-east was cleaned before further diplomatic action .

3. Diplomatic action of France

During his hearing, Mr Jean-Christophe Mitterrand, advisor to the President of the Republic for African Affairs from 1986 to 1992, recalled that he had established 19 October 1990 a note to the President of the Republic " *indicating that the situation in Rwanda was influenced by the position in the conflict in neighboring countries and a regional dialogue between countries of the region was the only way to stabilize the situation "* and that " *our military presence might therefore continue as long as a political solution has not been found. "*

Jean-Christophe Mitterrand then stated that " *the President had in the margin negatively commented on this solution, but had instead approved the principle of a mission, to be conducted by the Minister for Development Cooperation, Mr. Jacques Pelletier. "*

Accompanied by Mr. Jean-Christophe Mitterrand, Minister of Cooperation Jacques Pelletier went to the Great Lakes region from 5 to 9 November 1990. This visit came after the meeting in Mwanza, October 17, between Presidents Juvenal Habyarimana and Yoweri Museveni and the Gbadolite from October 23 to 27, between the Heads of State of the Economic Community of Great Lakes Countries that had established the principle of a cease-fire monitored by a group of observers Zaire, Burundi, Uganda, Rwanda and RPF representatives, and the creation of an African peacekeeping force.

In this context, as recalled Mr Jacques Pelletier during his hearing, " *the French Government had two goals early in the conflict: a highly visible objective, namely, to help countries ensure its security against a external aggression, and a goal that is less talked about, but that was just as important to change the regime. "*

The diplomacy of France with regard to Rwanda revolves around two axes. With regard to the settlement of the conflict, France stresses the need to take as soon as possible the regional conference on refugee issues it considers a fundamental problem which, if not solved, would factor disorders extremely serious. It also recalls the need for a national conference to establish the political orientation of the regime.

Domestically, France recalls that it is especially sensitive to the respect of human rights and democratic institutions.

Thus Mr Jacques Pelletier said before the Mission he had attracted the attention of President Juvenal Habyarimana on the problem of political prisoners that puts Rwanda in a highly questionable position on the international scene because of the apparent violations of human rights. The question of abolishing the ethnic identity card is also discussed and the President Juvenal Habyarimana admits, according to Ambassador George Martens that the removal of the mention of ethnicity on identity cards could be seen as a measure national reconciliation.

From October 1990 to late January 1991, the French presence in Rwanda appears to be the application of the principles in the La Baule speech, with one hand, military intervention to ensure the protection and evacuation French nationals and, secondly, logistical assistance and advice to the Rwandan armed forces, together with pressure on President Juvenal Habyarimana that he agrees to the settlement of the refugee problem, conduct an opening policy for the sharing of power and respect the rights of man.

This complex balance will evolve from February 1991 until December 1993. As ethnic and political tensions increase, France strengthens its military cooperation, while being put in place inadequate attempts democratization of the Rwandan regime and open in July 1992, the Arusha negotiations.

C. THE YEARS 1991-1992

1 Strengthening technical assistance. Sending an RPC

a) *The origin of the decision*

In early 1991, President Juvenal Habyarimana never ceases to seek direct military engagement of France. She refuses but accepts the principle of aid in the form of advice, assistance and training to allow FAR, after the events of Ruhengeri, to defend themselves and organize.

A note on 1st February 1991 by the Department of African Affairs of the Foreign Ministry said that France could help President Juvenal Habyarimana to face any threat in the north of the country by sending a detachment of fifteen men 1st RPIMA Ruhengeri mission cooperation for the training of Rwandan battalion stationed in the city. The Ministry of Defence and the personal staff of the President of the Republic would agree to such a formula that meets the instructions of the Head of State. However, the direction of the Ministry of Foreign Affairs estimates, *"so that such assistance is not considered by the President Juvenal Habyarimana as a blank check, it should link our proposal to the commitment of the Head of State of Rwanda open a direct dialogue with the RPF for a cease-fire and to seek a political agreement in line with the democratic opening that we have been advocating. This dialogue should be opened at the Arusha summit on Rwandan refugees, which should be represented as the RPF. "*

This proposal help, conditioned by a commitment to dialogue with the RPF have the dual advantage, if successful, to:

- Stabilize the situation militarily in the sensitive area of Ruhengeri and Gisenyi;
- To make decisive progress towards a cease-fire and national reconciliation.

On 15 February 1991, General Marc Amadeus Monchal, then Army Chief of Staff of the Minister of Defence, sent the staff a note armed designed to prepare the establishment of a detachment of operational assistance (DAO) in Rwanda. To clarify the guidelines for use in the preparation of missions and the constitution of posting this note aims. There is particular that this *"DAO would first function to train and retrain the Rwandan armed forces and more specifically the units in the area of Ruhengeri Gisenyi. The implementation in this area of CAD should reassure the French and foreign aid, allow the return of those who were evacuated to Kigali, and then restarting a vital sector for Rwanda. If these cities would be an assault, the DAO would consolidate and protect expatriates pending the arrival of reinforcements in charge of the evacuation. "*

Supported by the Military Cooperation Mission, Colonel René Galinié refuse the establishment of a CAD and offers for the coming four months in a military assistance and training detachment (RPC).

By diplomatic telegram of 15 March 1991, the Ambassador of France in Kigali is requested to inform the President Juvenal Habyarimana's decision by France to soon a RPC at the disposal of the Rwandan army. It is stated that *"this element of thirty men will focus on the training of units of the Rwandan army ... excluding from participation in military or law enforcement."* It is recalled that this decision responds to a request from President Juvenal Habyarimana and is taken because such "assurances" by the Minister of Foreign Affairs of Rwanda on the political orientation of the regime.

It is also stressed in conclusion: *"We do not intend to formally announce the introduction of RPC. Tell the President Juvenal Habyarimana we would like it to act in the same way."*

By telegram, March 18, Ambassador of France said that President Juvenal Habyarimana expressed *"deep satisfaction"* with the announcement of this decision.

The provision of Rwanda detachments of military assistance and training, if it meets the repeated requests by the Rwandan authorities, reflects a policy choice favoring a temporary solution. France could increase in identical proportions permanent staff of its conventional military cooperation. She preferred a more flexible and less costly formula to meet the training needs of the Rwandan armed forces strong increase of 10,000 end-1990, it reached 20,000 at the beginning of 1991 - which needs required a corresponding increase in the number the French military.

As said General Jean Varret the Mission: *"In Rwanda military technical assistants (AMT), primarily responsible for the maintenance of equipment, were based in Kigali and worked in military schools or managed repair shops, helicopters for example."* However, personal RPC lived outside the capital, in military training camps, with their pupils, they provided training.

b) The RPC Panda

The 3146 Directive of 20 March 1991 the staff of the armed for the defense attaché in Kigali provides, at the request of the Rwandan authorities to implement in Ruhengeri a military assistance and training detachment (RPC), which takes the name of Panda for a period of four months, directly subordinate to the defense attaché.

- The RPC Panda, consisting of 30 persons includes:

- A command element (2 officers);
- A team of transmission (1 NCO, 2 ranks);
- A team "tactical training" (3 officers, 5 NCOs, 9 ranks);
- A team "specialized instruction" (2 officers, 4 NCOs, 2 ranks).

- The mission of RPC are:

- 1) participate in the training and retraining of the FAR and especially units located in the area of Ruhengeri and Gisenyi;
- 2) parallel, helping to restore a climate of security and confidence, enabling the return of French and foreign cooperation in this area;
- 3) in case of attack against Ruhengeri and Gisenyi, ensure the consolidation and protection of French and foreign nationals, pending the arrival of reinforcements;
- 4) information on the local situation, limiting the passive collection of information.

Points 2, 3 and 4 are confidential.

The instruction operations include:

- Advise the battalion commanders in the organization of their unit, staff training, the use of restraints;
- Recycling company commanders in the tactical field;
- Train, retrain or initiate personnel FAR in the implementation and use of heavy weapons (mortars 120 mm AML60 and 90) and

in basic training in engineering (mining, explosives).

- The rules of behavior and engagement state:

- The behavior of the RPC must be open and non-aggressive. In case of threat, it will be a deterrent and defensive;

- The uncertainty that prevails locally, detachment will remain vigilant to take appropriate measures for the immediate safety of people, protection of facilities and security of weapons;

- Travel outside the city will be limited to educational needs, logistics connections and recreational activities of groups consisting detachment;

- Defence Attaché has the ability to take the initiative in an emergency the RPC Ruhengeri to rescue the French community Gisenyi subject to report;

- Should finally be able, on short notice, to intervene with all or part of the troops Noroît operation. In this case, it is for the defense attaché to control this response and coordinate the various elements involved.

Rules of engagement and open fire are limited to self-defense detachment or that of nationals.

Transmissions and reports are centralized. All information exchanged between the RPC and organic authorities go through the channel of the Defence Attaché Commander Noroît operation, which provides a weekly report. On the hardware side, with the exception of communications and weapons, support is provided by the FAR. The financial coverage of RPC is provided by the Military Cooperation Mission (MMC).

The instruction takes place in the following locations: the base camps Mukamira; the ranges to Nyakanama and Ruhengeri the commando training center Bigogwe; Camp Gako; finally the site Gabiro.

This RPC base whose mission will be extended and enriched through December 1993 will be reinforced by artillery component in 1992, an engineering component in 1993.

With the arrival of Panda RPC, the total strength of the Military Assistance Mission compound, a part of permanent staff AMT, other temporary staff RPC reach 50 people in March 1991. Subsequently, the increase the numbers of RPC will 80 and 100 people, the total number of MAM, the number of military technical assistants remaining stable around twenty (see graph).

NUMBER OF EMPLOYEES OF THE FRENCH MILITARY TECHNICAL ASSISTANCE IN RWANDA 1990 TO 1994

(Source: Staff of the Armed Forces)

c) The balance sheet activities RPC Panda

Arrived March 22, 1991 at Kanombe, the first elements of RPC settled on March 29 at the University of Nyakinama near Ruhengeri. The first battalion involved in the instruction was that of Gitarama.

Lieutenant-Colonel Gilles Chollet said during his hearing what was the mission. It was to receive, for a period of four to five weeks, a Rwandan battalion newly created or composed of heterogeneous elements from existing companies and make an army of soldiers, organized and structured, capable of controlling its territory so that the Rwandan authorities to travel to Arusha in equilibrium against the RPF.

During this stage, the battalion commanders received tactical training and learned to organize their units based in particular on the type of weapons at their disposal. The work took place in the dining room but also in the field.

Lieutenant-Colonel Jean-Louis Nabias successor in March 1992 Lieutenant-Colonel Gilles Chollet told the Mission that he had continued the work begun by emphasizing the weaknesses of FAR were observed in the field. He has focused his teaching on undercover missions and night learning devices circumventing the FAR delivering that frontal attacks.

He said he had continued to provide fire support for training which Rwandans showed only limited ability. He also said that

these instructions were held in the camp and in the Gabiro training camp Bagogwe about fifteen kilometers south of Mukamira. However, he stressed that it was impossible to investigate all the battalions, especially the FAR wiped setbacks and were in trouble at the border.

However, three units the size of a company have been established. Formed Gabiro northeast of Gisenyi, they were mainly trained for combat at night. Given the scale of the needs, it is during his mission that the number of RPC has been improved from 30 to 45 people *"to allow improved management training FAR"*. Lieutenant-Colonel Jean-Louis Nabias recalled that he had asked himself that strengthening the defense attaché, Colonel Bernard Cussac, in order to take into account the training of officers and NCOs of the Army Rwanda to leaving school in Kigali.

Responding to the rapporteur, Mr Bernard Cazeneuve, who asked about the location of the drive over the front line golf, Lieutenant-Colonel Jean-Louis Nabias said Mukamira Bagogwe or Ruhengeri were remote from about 20 km.

The latter said that he went to the front after taking the paved road from Ruhengeri to the Ugandan border. On this occasion, he found that this line was not clogged and considered that there was a serious risk to the safety of his men. After observing the area he asked FAR installing some type of obstacle at specific points including Cyanika. A dam has been built 2 km from the forehead and himself is found 2 km behind the obstacle after ensuring its proper installation, from the photos that had been sent.

Lieutenant-Colonel Jean-Louis Nabias has further confirmed that the activity reports always passed through the defense attaché he would see every week in Kigali, stating that his regiment based in Bayonne was also required informed.

Functions "displayed" Instruction RPC, there were the "confidential" protective functions of citizens and business information on the local situation, or close to those assigned to the detachment Noroît missions.

The fundamentally different nature of these two types of activities "reported" and "confidential" raises the question under what authority was placed RPC. As explained during the hearing Lieutenant-Colonel Gilles Chollet, the instruction FAR were conducting missions under the authority of Colonel René Galinié and Colonel Bernard Cussac, as Head of the Mission military assistance, and the second part was under the orders of the same officers acting this time as defense attaché.

Lieutenant-Colonel Jean-Jacques Maurin confirmed this by stating that the RPC was under the dual authority of the General Staff of the Armed Forces and the Military Cooperation Mission. Normally, the RPC fell first to the authority of the Military Cooperation Mission. In times of crisis, the rules allowed "sheaf of" all elements under a single authority.

This configuration has not been unanimously confirmed by the higher authorities. General Maurice Schmitt said in hearing that he had *"personally refocused the mission of each other because, insofar as an RPC was sent to Rwanda and was under the orders of the head of the operation Noroît it became necessary that each has specific written instructions"*.

General Jean Varret told the Mission have worked as Head of the MMC authority over the RPC until the appointment in February-March 1993 General Dominique Delort, then Colonel as Commander. His successor, General Jean-Pierre Huchon, for his part said that the RPC has never depended on the military mission and that cooperation depended Noroît. He said that the staff of the armed gave the responsibility of the Noroît operation Head of Mission of military assistance, as also the commander of the RPC, but without dependence on the MMC.

Colonel Bernard Cussac said before the Mission for the activities of the RPC, it depended on the General Staff of the Armed whereas, therefore then intervened as defense attaché.

Twice in crisis situations during offensives launched in June 1992 on Byumba and Ruhengeri in February 1993, RPC, whose numbers were reinforced (*cf.* graph above), was found embedded in a single set under the authority of Commander, Colonel Jacques Rosier from June to November 1992 and General Dominique Delort in February and March 1993.

In this case, the structure is simplified. There are more than a single higher authority, as stated by General Dominique Delort, indicating that the Mission had been appointed commander of all French elements on site. General Didier Tauzin confirmed this device, recalling in his hearing that his only correspondent was at the embassy, General Dominique Delort, then Colonel, who then commanded the operation. It consisted of two entities: on the one hand, the RPC Panda, 70 officers, NCOs and specialists RPIMA first, second, detachment Noroît itself, that is to say the rotating units Army, who took turns every four months. Col. Didier Tauzin also confirmed that there was no direct communication between the RPC and the Military Cooperation Mission and only the General Dominique Delort was empowered to liaise with the Staff of the armed forces.

For his part, General Jean Rannou said during the hearing, that it seemed essential that staff in technical military aid came under the authority of the operational managers.

d) The creation of an RPC Force

In 1991 and 1992, various Rwandan cities, but especially Kigali, are the target of a wave of attacks whose origin is systematically and without serious investigation attributed to the Rwandan Patriotic Front, or those generally Tutsis inside suspected of being accomplices of the RPF. Aware of the risks of slippages may arise from these tensions, Colonel René Galinié told the Mission that he had personally proposed the creation of an RPC Gendarmerie, application for which it was obtained, 29 January 1992, the agreement Military Cooperation Mission. The RPC "Gendarmerie" mission will be to complement the work of strengthening the rule of law already initiated by the technical assistants, teaching techniques policing the mobile Gendarmerie (1992-1993) and officer training judicial police (1992-1993), including the conduct of investigations. The RPC "Force" was established in Ruhengeri and Kigali.

In August 1992, the RPC "Force" will be enriched by four technical assistants to implement, within the Rwandan Gendarmerie, a research section in the fight against terrorism actions that multiply Rwanda. Its mission and its staff were held at the request of successive French ambassadors.

In a note he established October 5, 1992, Colonel Bernard Cussac provides an overview of the AMT-Force in Rwanda and considers especially the RPC sent to the National Gendarmerie has the strong recovery of the School of Rwandan Gendarmerie, who was "in a terrible state at 1st July 1992." Interrupted due to the resumption of hostilities February 8, 1993, training military gendarmerie took over in the month of April 1993. RPCD "located near the Presidential Guard," small structure composed of three men responsible for making the move to a republican guard, will be short lived. The Presidential Guard was often implicated in various attacks in the country and appearing as an unwavering support of President Juvenal Habyarimana, the defense attaché posting to it that removes France from August 1992 technical assistance to the Presidential Guard. This decision is in response to various criticisms internal opposition and some French and foreign nationals.

Meanwhile, a request was not followed, train police officers had been made by the Rwandan Gendarmerie, who wished, following various attacks, to investigate more efficiently.

Unlike the Ambassador of France which supported the project, General Jean Varret told the Mission that he had been very skeptical about the possibility of the Rwandan Gendarmerie "democratic" Gendarmerie. Asked whether the Government of Rwanda, through this application, had no desire to actually file the Tutsi General Jean Varret responded that actually fit his feeling and he had done everything to avoid it.

2. The presence of an advisor to the Rwandan Chief of Staff

Sending an RPC will be completed by the designation twice and at the request of the Rwandan authorities, a French officer, assistant defense attaché, especially to advise the Chief of Staff FAR.

The Head of RPC, which performs the functions of advising commanders of sectors and companies of the Rwandan armed forces, is periodically required to meet with the leaders of the General Staff of FAR issues within the overall organization Rwandan armies.

However, it is not invested with a specific mission to provide advice to the Chief of Staff of the FAR, although the Rwandan authorities in their case, more than strongly insisted that this function it be assigned.

a) Advice to FAR

In a report made on 30 April 1991 the Rwandan Armed Forces, Colonel Gilbert Canovas recommends a number of measures including improving organization, intelligence and strength training of the Rwandan army. Appended to this report, it takes stock of his visits in the first half of February 1991 in all operational areas.

Following this audit, Colonel Gilbert Canovas suggests the Chief of Staff of the Rwandan army, the creation of five zones of defense, the configuration would depend on the type of threat, the area of Kigali with a reserve General. It also emphasizes the training, supervision and control of the troops of the instruction.

Colonel Gilbert Canovas then establishes for each operating segment a stocktaking, in February 1991, in which he emphasized the difficulties encountered in the area and offers practical solutions to improve the safety and effectiveness of each device.

In the area of Mutara, mostly hostile to the FAR, it indicates that approximately 150,000 people have been displaced. He suggested the establishment of a rapid response element.

In Gisenyi, it offers a better use of the Force, he finds that it is separated from the mission to defend the sector rather for political and strategic reasons.

In the area of Ruhengeri, he notes "*acrimony*" and "*zeal*" of populations in search operations and traffic control, but discouragement and fear of those who fled their homes to gather in places more urbanized. It proposes to address the insecurity of these people, living south of the Parc des Volcans, "*the establishment of small elements in civil, disguised as peasants, in sensitive areas, so as to neutralize the rebels generally isolated*".

In the area of Rusumo, he advocates securing the Pont de l'Akagera with the installation of projectors and an additional machine gun, and the trapping potential access through the valley.

Finally, in the area of Byumba, he notes in particular the difficulty of controlling a very large and rugged front. He suggested "*value field by trapping junctions confluence of troughs and possible points of passage of enemy.*" It note on this particular point that it is a "*measure running with participation Noroît detachment.*"

Kigali it seems to suffer from bad radio or telephone links and has no reserve local intervention.

If the rapporteurs of the Mission held to develop this presentation made at the time by Colonel Gilbert Canovas, Advisor to the Chief of the Rwandan army staff, it is because it appeared their typical work made by the French army from the Rwandan military authorities. He testified, in fact, a very real understanding of the realities and places. Suggestions to combat the enemy that we feel very close, mingled with general considerations of design and valid longer-term organization, regardless of a crisis.

b) The letter of the Rwandan Ministry of Foreign Affairs

On 5 February 1992, the Ambassador of France receives the Rwandan Ministry of Foreign Affairs a letter, a copy of which, together with a critical tract from the Rwandan Democratic Movement, the main opposition party, runs 14 February 1992 in Kigali. This letter informs the Embassy that Lieutenant-Colonel Gilles Chollet, head of Panda RPC, is acting simultaneously as advisor to the President of the Republic "*supreme leader of the Rwandan armed forces*" and advisor to the Chief of Staff Rwandan army. According to this document, Lieutenant-Colonel Gilles Chollet is entitled to move in conjunction with the staff of the Rwandan army in the various operational areas and garrisons and work closely with local officials. He will report to both authorities. The letter concludes by asking whether those provisions are suitable for the French Government.

The tract of MDR, which accompanies this letter, said: "*A French soldier, Lieutenant Colonel Chollet, commander of French forces from the safety of their countrymen, they say, has received the unlimited power to direct all operations soldiers of this war Here now our armies are controlled by a French*".

Defence Attaché, Colonel Bernard Cussac says about this case that intends to contact the Secretary-General of the Rwandan President and Chief of Staff of the FAR to remind them that Lieutenant-Colonel Chollet will be repatriated in March 1992 and replaced the head of the RPC, the role of "*organizer instruction of specialized units Rwandan combatants and excludes any other function.*" Defence Attaché sees this transaction will MDR who, because he hopes the Prime Minister in the future Government wishes to preserve the prerogatives of this authority defense.

In fact, Lieutenant-Colonel Gilles Chollet has never, unlike Colonel Gilbert Canovas, instructed to perform a mission to advise the Head of State of Rwanda or the Chief of Staff of the Rwandan army. His replacement as head of the RPC by Lieutenant-Colonel Jean-Louis Nabias March 3, 1992, tends to prove that France did not want to respond positively to the request of the Rwandan authorities.

However, the appointment a few weeks later, in mid-April 1992, Lieutenant-Colonel Jean-Jacques Maurin as assistant defense attaché, shows that France has partially responded to the request of the Rwandan authorities.

c) The appointment of an operational assistant, Advisor to the Chief of Staff of the Rwandan army

Heard by the Mission, Lieutenant-Colonel Jean-Jacques Maurin said he had been appointed by Admiral Jacques Lanxade for an indefinite temporary assignment as deputy operational especially to advise the Head of State Staff of the Rwandan army in the conduct of operations and the preparation and training of forces. He said that shortly after his arrival in Kigali, April 24, 1992, the Chief of Staff of the FAR was expressly desired in the month of May 1992, its participation in the daily meetings of

Chief of Staff of the Rwandan army and said he accompanied the Chief of Staff on all trips in the area.

Lieutenant-Colonel Jean-Jacques Maurin stated in hearing before the Mission, with the experience he could sort between "poisoning and the rest." He said he participated under the mission to develop plans daily battle and was involved in the decisions. However, he said that in times of crisis, there stood other meetings, which he did not participate.

As part of this mission consulting, Lieutenant-Colonel Jean-Jacques Maurin encounter everyday Colonel Serubuga. It is requested, including design of a company intelligence designed from CRAP teams, groups and Rasura a listening section. Moreover, it maintains the tactical situation from the account of all sector heads on the ground, daily reports and review of Rwandan tracks.

We can consider that as the operational assistant defense attaché, responsible for helping to make coherent action military personnel to improve the operational capacity of the FAR, Lieutenant-Colonel Jean-Jacques Maurin was travel regularly to the Rwandan staff and that this presence could appear *"as a natural consequence of the commitment of France in favor of the Rwandan Government"* to bring the terms defining the mission.

Nevertheless, one may wonder if the daily nature of these meetings was not somewhat against the expressed will also *"that the officer did not openly displayed his presence in the Rwandan staff"*.

The fact, on the other hand, to Lieutenant-Colonel Jean-Jacques Maurin accompany Colonel Serubuga in his movements and participate in the definition of tactical operations shows that beyond a mission to assist the Defence Attaché in its function of operational assistance FAR existed a mission to *"discreetly advise the Chief of Staff of the FAR for all that concerns the conduct of operations, but also the preparation and training forces"*.

In sum, in order not to give the impression to meet the demands of the Rwandan authorities officially, this function is to advise the Chief of Staff of the FAR was exercised derivatively, on the occasion of the appointment alongside the defense attaché an assistant to assist him.

3. Maintaining and strengthening the Noroît device

a) Maintaining a company Noroît 1991

In a letter sent 30 January 1991 the President Juvenal Habyarimana, the President of the Republic, François Mitterrand, after pointing out that *"this conflict can not find a lasting solution through a negotiated settlement and a general consultation in a spirit dialogue and openness,"* then said: *"sensitive to the arguments that you made me, I decided in this period of implementation of the open policy on refugees, maintain temporarily and for a term related to the development of the situation, the French military company sent last October in Kigali and charged with ensuring the safety and protection of French nationals."*

The mission statement of 26 February 1991 maintains missions Noroît detachment based in Kigali protect the embassy and French nationals, involvement in a possible evacuation, control of the airport. Behavior forces Noroît rest deterrent and defensive.

It is also stated that the action of French elements shall not operate or be deemed to be an interference in the internal affairs of Rwanda. No operation policing, no engagement with or for the benefit of the Rwandan armed forces can not be conducted without the express order of the Chief of Staff of the armed forces. Accordingly, are excluded from any particular action on night patrol in the city and between the airport and the center of Kigali, and all control aircraft or its cargo which falls within the sovereign state.

Noroît detachment is authorized to:

- Continue its fire training and skydiving;
- Perform output instruction 24 hours Gako camp;
- Organize a day instructions in the southwest of the country.

Instructions deterrence are renewed, the rules of engagement and open fire are limited to self-defense forces or French nationals.

However, the reference to an express order of the Chief of Staff of the Armed suggests that *conversely* the above operations causing engagement with or for the benefit of FAR may occur under certain conditions. In March 1991, the detachment Noroît relieved by the 2nd REP and in July the 3rd and 6th RPIMA and again in November by the 2nd REP.

b) 1992

The year 1992 was marked by the appointment of a Prime Minister Opposition, Mr. Dismas Nsengiyaremye, who heads a transitional government. The Liberal Party, which holds three ministerial portfolios, clearly stated he did not want the French military presence in Rwanda, without specifying whether this decision concerned only the detachment Noroît or all of French elements.

For its part, the party of Prime Minister, the MDR, originally a pamphlet concerning Lieutenant-Colonel Gilles Chollet said that if "*in the past the President acting on its own power, it goes more the same today. If an action must be to Rwanda, it must also be for the benefit of the Government is now representative of the popular "opinion.* Consequently, the new Government now intends that the policy of Rwanda not only do more the level of the presidency, but also that of the Government.

The establishment of a coalition government, far from easing tensions, creates, in May, an increase in terrorist actions.

In June, the RPF began a series of actions on the front line in the region of Byumba. On June 6, the attack of Byumba, it fails to address causes the exodus of thousands of peasants. It is this moment that some Rwandan units choose to mutiny in Ruhengeri, Gisenyi, Kibuye and Byumba to loot shops, attack and kill those who resist. This situation is perfectly evoked in the bimonthly report Defence Attaché, Colonel Bernard Cussac. After successive infiltrations, the RPF was able to establish a pocket of about 10 km depth, which allows him to June 20, to create a continuous zone between Butare, west, and Mutara to EST.

The gravity of the situation leads to the return of a second company Noroît and the appointment of Colonel Jacques Rosier as Commander, as well as a mission of military assessment.

FAR are morally slaughtered installed in the defensive. Rwandan military officials expect the France help to enable them to correct the situation.

On June 9, the two chiefs of staff of the Rwandan Armed Forces and the Gendarmerie are replaced respectively by Colonel and Colonel Nsarymaha Ndindiliyimana. The Arusha open discussions on 10-12 July 1992 and the cease-fire in place since 1st August is generally respected.

During the last quarter of 1992, the situation remains tense militarily. However, given the signature, July 31, 1992, a cease-fire accompanied by the establishment of a neutral military observer group, GOMN under the terms of the Arusha agreements I, President of the Republic expressed the wish to remove the Noroît device as soon as possible, because "*a long military presence in a foreign land, it was only 300 men, always perverse*".

The year 1993, which opens with a new general offensive of the RPF, February 8, Ruhengeri and Byumba, will prevent the achievement of this objective.

D. THE YEAR 1993

1. Operation Volcano (10 February 1993)

The Volcano operation is the recovery operation nationals of Ruhengeri, which took place on 10 February 1993.

February 8, when the RPF offensive, 67 American and European nationals, including 21 French, are stuck in Ruhengeri, in the middle of the combat zone. Noroît troops are put on alert and RPC are also moving towards Ruhengeri to proceed with the recovery of these nationals.

The next day, February 9, it appears that the RPF control points of the city and "prevents penetration flexibility." The RPF representatives have indicated through a French nationals, Ms Nadine Doné, in which they are installed, an action force Noroît endanger foreign nationals, given the violence fighting in the city. The RPF was willing, however, to let them leave safely.

The principle is retained for negotiation with the two warring parties for a local cease-fire, to evacuate. Force action on failure

is considered in fallback.

Tuesday, February 9 at midnight, the staff of the armed gives permission for a *"non-violent recovery with agreement of both parties under RPF responsibility for the security of vehicles nationals to the southern city limits, with a collection by Noroît detachment."*

Wednesday, February 10, the General Dominique Delort at the time Colonel, Lieutenant-Colonel means Bare to complete, under the GOMN, negotiations with the FAR and the RPF, who accept the principle of a cease-fire to allow the departure of foreign nationals. Their recovery is performed in the afternoon, amid gunfire FAR and the RPF, because on the ground, the cease-fire has never been respected.

Volcano The operation resulted in the evacuation of 67 people, including 21 French nationals, three convoys escorted by a section each combat.

Meanwhile, on February 8 at the end of the day, a message from the personal staff of the President of the Republic to the Department of Defense announced the approval of the President on sending new Noroît companies reinforcement. On February 9, the first French elements of operational assistance (EFAO) of the 4th company of the 21th RIMA and corps commander arrived in Kigali.

Colonel Bernard Cussac is informed reinforcement Noroît by the staff of hosts, which he says, February 16, that this decision is in *"the only part of a humanitarian mission intended to ensure the protection of our citizens."* It is recalled in this connection that the French military actions that could lead to the outside of Kigali shall in no case give *"the appearance of a de facto collusion"* with actions that could conduct FAR to oppose the RPF.

Colonel Bernard Cussac retains its responsibilities vis-à-vis the detachment Noroît and RPC until the arrival, on February 20, a second company, composed of elements from Bangui (paratroopers) and Libreville, Feb. 21, that of the section of heavy mortars EFAO.

On the same date, General Dominique Delort, then Colonel, designated operational commander of French forces in Rwanda.

He has authority over:

- The operational use of Noroît;
- Panda RPC;
- The RAPAS cell (research Airborne Special Action) 1st RPIMA, which will include the Panda RPC and will, as the Chimera, provide operational assistance to FAR.

2. Operation Chimera (22 February-28 March 1993)

After widespread RPF offensive on February 8, the Rwandan army, totally demoralized, no longer control the situation. General Dominique Delort is informed of the arrival in Kigali, February 22, Col. Didier Tauzin, accompanied by a dozen officers and specialists 1st RPIMA, known as the Chimera because the name of the station transmission of this regiment.

Decision of General Dominique Delort, Colonel Didier Tauzin receives under his command all the military RPC, 69 men in total. Detachment Chimera therefore includes the Panda RPC already present, and the detachment came reinforcement with Colonel Didier Tauzin.

The mission of the detachment Chimera is:

- Raise the technical level of the operational staff of the FAR and at least two commandments sectors;
- Participate in the safety remote device Noroît whenever the situation requires;
- Complete the educational level of personnel FAR scientific equipment;
- Train specialists FAR on new equipment;

- Be able to guide air support.

According to documents obtained by the Mission, the objective detachment was indirectly supervise an army of about 20,000 men and indirectly control.

After a helicopter flight endangered areas, it was decided to send a team of officers, advisors to the staff of the FAR and a team of advisers to each sector commanders (Ruhengeri Rulindo Byumba). Elements of RPC Engineering have a mission to advise the sector commanders in the field of defensive organization. An RPC Artillery performs an advisory to the use of batteries 122D30 and 105 mm.

The three teams sectors, RPC Engineering and Artillery, often operate close to immediate contacts. It notes, however, no damage, except for a slight injured in enemy fire, which resulted in a response from the French side. Regarding the balance of advice to the FAR, it is primarily the only French presence has resulted in almost immediate resumption of confidence among them, and, consequently, facing the "new pugnacity" FAR, the concern RPF, which tried in vain to cease-fire on March 9, improving its positions. The RPF stopped on earnings of 23 February 1993, will progress more.

In continuation of what had been advocating Colonel Gilbert Canovas, Col. Didier Tauzin again urges FAR the need for them to provide a strategic reserve, executive recruitment, reorganization of units and the creation of intelligence units. It indicates that as of March 15, 1993, many proposals have been made to the Chief of Staff of Rwanda, who accepts, and, under the Franco-Rwandan cooperation, defense planning and cons- attack are developed.

From March 20, the Rwandan army began reorganizations.

A French officer believes that this mission is probably the first large-scale application for 20 years the concept of emergency assistance and operational attributes the merit to the knowledge of Rwanda by the 1st RPIMA. It also recognizes, in this context, the essential nature of the presence of elements Noroît, which proves a deterrent to the RPF and reassuring for the RPC in case of difficulties.

However, the conclusion he draws from this experience gives food for thought. The overall cost (financial, human, media) of this operation indirect strategy it seems extremely small compared to the results obtained and compared to what would have been the cost of a direct engagement against the RPF.

3. Missions detachment Noroît

During the period from February 8 to March 30, the mission units Noroît based in Kigali change little: control of the city and the airport, protection of nationals. However, as pointed Colonel Philippe Tracqui, the mission deployed to the north and south of the city units will be constantly modified *"from a simple observation mission to mission control box and defense firm and finally patrol, escort humanitarian convoys, aid to displaced by war and protection of electronic warfare people.*

a) The operation orders

Several operation orders and conduct come define the tasks of posting Noroît.

- The order of Conduct # 5 of 12 February 1993 asked to be in a position to deal with any surprise RPF Kigali action while maintaining control of the airport and the protection of nationals:

- Provide information on the possible movements of the RPF north outskirts of the capital,

- The time needed to win,

to allow evacuation of citizens of the capital.

- The order of Conduct No. 7 of 20 February 1993 provides for possible infiltration RPF elements from the output Rutongo and expressed the presence of about 700,000 displaced on a strip 15 km depth, the northern outskirts of the capital, much of which could lead to Kigali and engage in looting operations. The order is to provide close protection of the north and west of Kigali and safety of French nationals in the capital, while controlling the airport.

- The operation order No. 3 of March 2, 1993 Fixed mission:

- To monitor the access and north west of the capital, being able to temporarily ban;
- Ensure the safety of citizens, while controlling the airport.
- The order of Conduct No. 9 of 19 March 1993, deals with the relief device Noroît.

b) rearrangement of the French military presence under the cease-fire of 9 March 1993

NUMBER OF EMPLOYEES NOROÎT *

Date	08/02	09/02	20/02	21/02	28/02	03/02	16/03	17/03	21/03
Officers	8	13	23	26	29	30	41	39	34
NCOs	28	42	82	97	114	115	138	137	122
MDR	134	236	430	447	482	493	509	508	405
Grand total	170	291	535	570	625	638	688	684	561
* Source: mission report of Colonel Philippe Tracqui, Noroît commander									

On March 9, the RPF signed a cease-fire in Dar Es Salaam, whereby he withdrew to the positions they held before February 8. This agreement also provides for the withdrawal of Rwanda, from March 17, 1993, French troops arrived as reinforcements after February 8.

Wednesday, March 17, a portion of the reinforcement EMT-EFAO arrived on February 9 leaves for Bangui. Friday, March 19, part of the 4th company of the 21th RIMA, has also since February 9, moves also in Bangui. Two other sections of the same company will go Saturday, March 20, and the balance and the commanding officer of the 21th RIMA leave Sunday, March 21.

Noroît the device, reduced to two companies, is then placed in Kigali after troops abandoned the axis of Gitarama and checkpoints on the roads leading to Kigali.

As compensation for the withdrawal, General Dominique Delort, then Colonel and Colonel Bernard Cussac offer, March 15, a reorganization of the Panda RPC strengthened in numbers and whose mission would be expanded assistance to the Staff FAR in the areas of intelligence, preparation and conduct of operations, operational standby on the front, recycling of some existing units.

In fact, General Dominique Delort considers March 16, in a note addressed to the COA, that *"if political imperatives lead relief Noroît, the process may be different as regards assistance to FAR. Indeed ..., decrease our help lead to the rapid collapse of the government army in case of resumption of the offensive."*

Similarly, he considers it advisable, given the context, to maintain the Chimera device until the last days of March. General Dominique Delort be heard, since the detachment Chimera will retire on March 28 and that the number of RPC Panda will be charged to about 80 people in June, July, August and September 1993, before declining rapidly in October 1993 to about thirty.

E. THE QUESTIONS

1. The French presence in the limit of direct engagement

a) The field engagement

Conduct instruction operations achieve military technical assistance in peacetime poses no particular problems in terms of principles. Intervene on the basis of a defense agreement or under a political engagement with a State which another state wishes to support in the event of external aggression, does not raise either questions of ethical. This is a classic game of alliances expressing any political balance.

That aggression can not be truly characterized as external aggression, the country which is itself undergoing a perpetrator or accomplice of serious abuses on its own people in retaliation for attacks which threaten it and the situation is therefore much more self conscious. How can we then design assistance and external engagement that are not perceived as a direct engagement? In other words, the only French military presence on the ground, long after the last evacuation of French

nationals in Ruhengeri end of January 1991 Does not it mean, when also becomes crucial to the outcome of the fighting, the France found itself on the verge of direct engagement, even if it did not participate in the fighting alongside the FAR, as did a few days in October 1990, the Zairian armed forces?

The activity instructors and trainers RPC Panda has been a source of controversy focusing on the degree of personal commitment instructors alongside Rwandan personal training. General Jean Varret, former head of the MMC, reported to the Mission of possible differences in interpretation of instructions by the staff of the RPC Panda.

He said that the Mission had moved in May 1992 in Rwanda and rumors existed in France on the behavior of RPC Panda. He noted that " *there, there will always be men to boast of shares they would have liked to make, but they did not actually do* . " The Mission has also received reports that the French soldiers were heavily involved in the field, they were saying that the enemy came from Uganda, threatened French nationals and, in this context, given low competence of the Rwandan army, it is not absurd to think that some may have help resolve some artillery fire weapons such as mortars.

General Jean Varret confirmed to the Mission that " *instructor pilot aboard Gazelle helicopter sent to the scene alongside Rwandans and they had not been committed. They were only there to make pilot training and shooting.* " He also stated that " *the French troops had not stopped the RPF offensive in October 1990.* "

In response to numerous questions from members of the Mission on possible involvement of staff in the RPC Panda with FAR in the war that they led against the RPF officials RPC interviewed by the Mission stated that did not fall within the tasks of the Panda RPC to participate in armed actions.

Lieutenant-Colonel Jean-Jacques Maurin noted that nearly three and a half years of French presence in Rwanda between 3500 and 4000 French soldiers have succeeded and not a single loss was recorded with the exception of French personnel of the presidential plane, the two cooperating murdered on April 8 and a CWO 8th RPIMA who, after a cross cohesion of his company around the Meridian Hotel in Kigali, was the victim of a heart attack.

About the Colonel Didier Tauzin, who also ordered the Panda RPC, to better understand the possible confusion about the role of men of the detachment. He said that, to the extent that the Rwandan army was initially in a defensive position, the situation required a nearby theater instructors. It has shown that very often, offensive, troops fall into the depths, that is to say, a motorized battalion of 800 men eventually spread over fifteen kilometers, but that defensive the army must be welded and the depth of the device is necessarily reduced. He analyzed that if the logistics are far behind, or a maximum of two kilometers depending on terrain, the troops themselves operate on five hundred meters. Therefore, according to him, even if the instruction takes place at the back, it will inevitably close to the front.

He pointed out that in the field, there was never more than fifty men, scattered in the mountains, with a strong vegetation 250km front, and when the gunners were of instruction, they were not at the foot of the room firing, but were in the rear. He also said that eventually, if the local gunner was "lost in his accounts", they helped him, but then retire to the rear, and argued that it was out of the question to proceed otherwise, given the instructions issued by the Chief of Defence Staff.

Finally, regarding a possible acquisition of information by commandos research and action in depth French (CRAP), General Jean Rannou, former Chief of the Military Cabinet of the Ministry of Defence, regretted that it assimilates always what the people the idea that we have of what they do and stated that if the RPC actually found near the northern border, no order of intervention has never been given because it did not fit the role of French troops.

If missions Panda RPC are clearly delineated by the guidelines of the staff, it is clear that doubt can influence their implementing rules. Certainly, no victim in the ranks of RPC reinforces the principle of non-involvement of French military alongside FAR. Indeed, while the conflict between the FAR and the RPF has made many victims in the Rwandan army, physical engagement French elements alongside FAR would inevitably results in some loss or injury in the ranks of staff RPC.

Moreover, one of the missions of RPC was the acquisition of information and it is found that among all the messages sent by the military attaché Defence Staff of the Armed painting a picture of the situation military field, none bears traces of information with source and certainty to assign it to a direct observation of French soldiers in the combat zone qualification.

However, the Mission can not completely dismiss the idea that a French instructor could, for various reasons, regularly providing more effective competition in aid handling a piece of mortar or in another situation, despite instructions issued by the General Staff of the armed forces, since it is difficult, in critical situations, to determine the exact limits beyond which education and training could be regarded as a real commitment. This ambiguity appears consubstantial with the concept of

operational assistance in times of crisis or war.

If France does not go to the fights, but it is carried out on the ground so extremely close to FAR. It has continuously participated in the development plans of battle, provided advice to staff and commandments of sectors, offering restructuring and new tactics. She dispatched counselors to educate the FAR with sophisticated weapons. She taught the techniques of trapping and mining, suggesting that for the most appropriate locations.

This presence is FAR from it coupled with participation of French military police operations and law enforcement? French soldiers he proceeded to verify identity?

b) The identity checks

The presence of French military detachment *Noroît* would meet the twin objective contradictory to be both discreet and visible. According operation orders, should adopt a low profile, limit travel to the minimum necessary to grant maintenance to the press without permission of the Chief of Staff of the Armed Forces.

But at the same time, the mere presence of soldiers *Noroît* proved deterrent and secure. Of it is that the Rwandan authorities have requested their continued because French soldiers held in French unlike personal cooperating MAM, were visible in Kigali and in a radius of ten kilometers around the capital. Entrances and exits of the city were subject to checks to "barriers" by the Rwandan Gendarmerie. French soldiers they conducted such operations? Many criticisms have been made about it. Before the Mission, Mr. Jean-Hervé Bradol expressed *"particularly shocked by the French military that took some police functions in the country, including traffic control at the northern exit of Kigali"* indicating that either French troops remained stationed in their sentry watching the Rwandan military, or they examined the papers themselves, as he witnessed in June-July 1993.

The direct monitoring by the French military, General Dominique Delort spoke to the Mission. He said that the two main axes Byumba Kigali and Ruhengeri in the north-west Kigali were particularly busy and it was difficult to position units north of the city without having information on these main roads leading to the capital.

He said he had decided to install on each of these axes, a few kilometers from the entrance of the city, two checkpoints manned by French soldiers first thirty-six hours before being obtained Chief of Staff of the Rwandan gendarmes FAR to ensure control themselves.

The reality of control, according to Mr. Jean-Hervé Bradol are confirmed; however, he seems to have erred in time, since the General Dominique Delort, then Colonel, was appointed Commander in February-March 1993, a few months earlier. Under his command, several orders of operations were established. The control order No. 5, dated February 12, 1993 provides for breach of the cease-fire, *"throw an observation on the northern axis device ... and recognize the stop positions . in this area within a radius of 5 km, with a view to possible future action "off the 4th company *Noroît* especially for this purpose must monitor markets axes: Ruhengeri / Kigali and Gitarama / Kigali to west; Byumba / Kigali north; points of passage on Muhazi / Kigali axis, and be able to prohibit these opportunities in one hour notice.*

The implementation of the monitoring device under the control order is extremely accurate:

- Position of observation volume group:
- Point OSCAR - west sector: turn up track Murehe;
- Point CHARLIE - center sector: ground movement;
- Point ECHO - sector: crossing tracks:
- Night tightening device closest axes (volume: 1 binomial bell);
- Notes positions every 72 hours.
- As for the order of Conduct No. 7 of 20 February 1993, he plans to counter any attempt to infiltrate the RPF or the risk of influx of people to the capital, which threaten to undermine the security Kigali, so the safety of French nationals, implementing, February 20 to 16 hours, a control device, for:

"- To prevent any element of cross RPF:

- To the west, led axes Ruhengeri / Kigali and Gitarama / Kigali

- To the north, led axis Byumba / Kigali up to the candy;

- For this information forward and is the device by the RPC, in conjunction with FAR

- First time: immediately implement a stop device company listed on opportunities,

- Secondly: to strengthen the defense of the airport and the protective device nationals. "

- The operation order No. 3 of March 2, 1993 indicates that intelligence extends 10 km from the capital and it is necessary to monitor the north and west access by any stretch of the northwest to northeast, and be able to temporarily ban.

Then he said: "to preserve freedom of action in the city:

- Permanently maintain a monitoring device in the area of interest, as patrolling and checkpoints in conjunction with the Rwandan Gendarmerie;

- In order to be able to switch to a temporary cessation device, while triggering the evacuation plan. "

These instructions are then explained to the attention of each of the companies on the ground, which should be able to:

for 2/8 RPIMA	- Monitor within 10 km between Gihogwe and brick bridge included; - prohibit axes Ruhengeri / Kigali and Gitarama axis / Kigali.
for CEA/21 RIMA	- Monitor within 10 km between Gihogwe excluded and included online kabubu and Nuba; - prohibit the Byumba axis at the height of candy.
SML for 2/68 ° RA (Heavy mortar platoon)	- Monitor as patrols the area of interest between Nuba excluded and included Rusoro - effort is; - in order to support the shutdown action units outside.

- The rules of behavior on the "checkpoints" include:

- A limited volume of a team device;

- Limited support of the Rwandan Gendarmerie responsible for operations control actions;

- Submission of any suspect, weapons and documents seized at the disposal of the Rwandan Gendarmerie.

Vis-à-vis the press and GOMN, it is stated:

- No interview - access forbidden positions;

- Let make shots without help;

- Any journalist guide to the Embassy of France.

It follows from all those considerations that the French forces, between February and March 1993, set up on the orders of the General Staff of hosts, a monitoring device access Kigali highly developed, ready to transform possibly denied access in a very short time, to ensure the evacuation of French nationals, but also to prevent the infiltration of the RPF.

This active surveillance, as patrol and "checkpoints", even if it is done in conjunction with the Rwandan Gendarmerie, leads inevitably to perform checks on people. If the rules of behavior in the "checkpoints" refer to the "surrender of any suspect, weapons or documents seized at the disposal of the Rwandan Gendarmerie," it is unclear how such a process can occur if previously there has not had an operation identity check or search.

How, under these conditions, determine whether this is in the form of cooperation "limited support of the Rwandan Gendarmerie responsible for operations control action"? Finally explain how the instructions prohibiting access to the press positions and GOMN, if the existence of a commitment of French forces in police operations that are, in principle, the

responsibility of national authorities and that was better not to highlight?

c) The questioning of prisoners

Many claims and rumors circulated about it, especially in the press.

During his hearing, Colonel Bernard Cussac wanted to review this issue and said he was the only member to have met French military prisoners. He said he wanted it in the meeting not only show that the Rwandan military military prisoners were likely to provide valuable information to better conduct future military operations, but also do humanitarian work by providing them a safe-conduct for life.

In a message he sent July 31, 1991 (No. 202) to his superiors and the office of Minister of Defence and the Ministry of Cooperation, Colonel Bernard Cussac says he was accompanied by Lieutenant- Colonel Gilles Chollet, commander of the RPC, which slightly contradicts his statement to the Mission. He then reported in this message, the course of the interview by Rwandan officers and said he asked the Rwandan commander to treat the prisoner, Lieutenant Aroni Bagambana.

The Mission has also been provided with a list of twenty prisoners heard by FAR established on 12 August 1991.

This document shows both youth RPF soldiers, some of them having only 14 or 16 years, most around twenty years, but also the lack of experience of these fighters for the Half of them, just committed to the RPF can be found a few days later captured by the FAR, while the other half was part of the NRA.

About harsh interrogation of prisoners RPF, which the French military had attended Alison Des Forges, at the hearing, stated that Mr. James Gasana had reported the presence of French officers in the documentation center, well known for being the place of torture of the Force and the Rwandan police place. Surprised by such a statement, the President of the Mission requested verifications following which Alison Des Forges acknowledged in a letter to the Mission that she was mistaken.

2. Deliveries of weapons

This issue has been the subject of numerous claims, often inaccurate, sometimes inaccurate. The Mission did not hear about this problem exhaust the reality of the subject and in particular it does not claim, as regards arms trafficking, solve all the cases referred through various articles and books, parallel markets or deliveries made time of the massacres in April 1994, or after the declaration of the United Nations embargo May 17, 1994.

Based on the information it has obtained, the Mission sought first to point precisely on arms deliveries to France in Rwanda conducted within a legal framework between 1990 and 8 April 1994, that any export was suspended. This work had been undertaken to date, lack of available evidence, it seemed necessary because it allows, in addition to various developments which have been presented to better understand the size of the commitment of France in Rwanda.

a) The procedures for the export of war materials

The export of war materials is done in two steps. It is first necessary to obtain the Interministerial Commission for the Study of exports of war material (CIEEMG) prior approval that may be issued or for market surveys or for contract negotiations or for arms sales. Obtaining approval "sale" CIEEMG does not apply to all export authorization. Industrial has signed a contract for the sale of equipment, weapons or ammunition must then obtain, for export, an export authorization for war materials (AEMG) to the General Delegation for Armaments of Ministry of Defence.

Favorable opinion from the Ministry of Defence and the Ministry of Foreign Affairs, the AEMG is granted by the NWMO service directly to the Prime Minister. The authorization is valid for one year; it is coated with a customs number. The AEMG is required in support of the export declaration at the customs clearance; it is then charged in quantity and value for each transaction, as a beneficiary of a contract AEMG can be run in multiple shipments.

Proof of customs clearance (ODA), transmitted by customs to the direction of the protection and security of the Ministry of Defence, to control the use of AEMG and ensure effective delivery.

This two-level procedure applies for both commercial sales contracts for direct transfers of military equipment.

Direct sales can be made against payment or free of charge. They consist of a request from a foreign State, to be levied on stocks armed desired materials. Unlike commercial contracts, there is no new weapons. The gratuitous transfers must be

expressly authorized by the Minister of Defence, transfers for consideration do not require such authorization. In case of direct disposal, the procedure is faster, since the two steps for obtaining the approval of the CIEEMG and issuance of AEMG merge. In fact, often the direct sales are made without a AEMG or even issuing a subsequent regularization procedure. Rwanda is no exception to this practice.

***b) The supply of arms to Rwanda by France
from 1990 to 1994***

ISSUED BY THE AMENITIES CIEEMG

	1987	1988	1989	1990	1991	1992	1993	1994
Number of CIEEMG	4	3	4	16	11	17	6	1
Value in million francs	50	19	116	191	48	122	44	1

Source: Ministry of Defence

The year 1994 is not significant, since the last license issued by the CIEEMG on sales of military equipment to Rwanda dates back to January 20, 1994.

(1) An authorization for export war material (AEMG)

- The AEMG in Rwanda from 1990 to 1994, focused on the following materials:

Arms

Radar Rasura	6
Milan firing posts	2
68 mm rocket launchers SNEB	6
120 mm mortars	6
12.7 mm machine guns	50

Ammunition

Ammunition of 60 mm mortars	5550
Ammunition of 81 mm mortars	2000
Ammunition 120 mm mortars	6000
Shells of 90 mm for AML	1300
68-mm rockets	800
12.7 mm ammunition	100000
7.62mm ammunition	5000
5.56 mm ammunition	700000

Platforms

Gazelle helicopters	3
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- Expressed in value, the AEMG represent the period from 1st January 1990 to April 6, 1994, date of the last AEMG, a total of approximately CHF 137 million distributed as follows:

SUMMARY OF THE 1990 TO 1994 AEMG

	1990	1991	1992	1993	1994
Number of AEMG	13	9	33	23	6
Value in million francs	9	5	90	32	0.4

(2) Direct sales

- Direct sales of military equipment to Rwanda from 1990 to 1994 mainly concerned the following materials:

Arms

Radar Rasura	6
12.7 mm machine guns	70
105 mm guns	8

Ammunition

Ammunition of 60 mm mortars	1000
Ammunition of 81 mm mortars	2000
Tripods guns	25
12.7 mm ammunition	32400
Explosive 105 mm	6000

Platforms

Gazelle helicopters	3
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Expensive direct sales focused on the purchase of ammunition, cartridges 90mm explosive shells, explosives, mortars, 120mm equipment and clothing, tents, parkas, parachutes ... - and spare parts for Alouette II. Direct gratuitous transfers are concerned, besides similar to those described above equipment, radar Rasura, machine guns, 105mm guns, that is to say more material and more expensive.

Overall, these direct sales, as gratuitous as expensive, have very rarely been a AEMG and were made directly.

Among the operations of direct transfers benefiting a AEMG, there are export radars Rasura 6, 50 12.7 mm machine guns, spare parts for Alouette II cartridges explosive shells of 90 mm. 5 or 36 transactions in total.

31 direct weapons and ammunition sales in Rwanda have been carried out without due process, but this situation is not unique to Rwanda, can not be taken as illustrative of any specificity. There is however a matter of principle, that deserved to be highlighted.

- The value of direct sales represent a total of about 42 million francs and distributed.

SUMMARY OF DIRECT SALES EXPENSIVE

<i>(In millions of francs)</i>					
	1990	1991	1992	1993	1994

Value	3.3	0.4	8.5	6.0	0
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SUMMARY OF DIRECT SALES FREE

<i>(In millions of francs)</i>					
	1990	1991	1992	1993	1994
Value FF	0	1.3	14.9	8.4	0

The peaks that are the years 1992 and 1993 show that the direct sale of arms taken from army stocks were made at a time when unfolded on the ground of violent clashes (offensives in 1992 Byumba and Ruhengeri 1993) and where there were parallel negotiations in Arusha.

c) The policy of France from 1990 to 1994

France has supplied arms to Rwanda but she did not respond consistently to his demands. A few hours after the offensive of 1st October 1990, President Juvenal Habyarimana request assistance including France and wishes that it be provided air support. General Jean Varret heard by the Mission stated that the request of the Rwandan President fire support Jaguar *"it appeared irrelevant"* and told him to have said that *"it was not the intent of the action of France,"* but that *"this request was nevertheless sent to Paris"*.

This fire support will not be provided to Rwanda, to the chagrin of President Juvenal Habyarimana, who has repeatedly insisted, do not hesitate to exaggerate by going to say, 6 October, his army was to face *"of the masses of attackers ... many of whom are drug addicts"* and 7 October *"that the diplomatic phase is exceeded and if the French had not occur within 24 or 36 hours, Kigali can not hold"*.

The transformation of serious incidents in Kigali on the night of 4 to 5 October at the instigation of or Tutsi RPF supporters of the cause, attack on the capital by the RPF from outside, undoubtedly involved the same desire to get the France this fire support air *"as fast as discreet and efficient"*.

It also appears that France, while making deliveries of arms and ammunition, would conditioning use at strategic moments in the evolution of the conflict. This is particularly the analysis made by Mr. James Gasana, former Rwandan Minister of Defence, to the Mission. According to him, France considered that the Rwandan government could not conceive the necessity of a political negotiation with the RPF if the latter took possession of part of the territory.

Mr. James Gasana said that France had allowed it to RPF in May 1992 to capture a part of the municipality of Muyumba, past the France orders were not delivered on time. In this case, a diplomatic telegram dated March 12, 1992, the Embassy of France in Kigali indicates that General Jean Varret during his audience with President Juvenal Habyarimana, recalled the efforts made by France to meet requests for ammunition supply was delayed for strictly administrative and technical reasons. Mr. James Gasana also stated *"in June 1992, when Rwandan forces came to acquire French 105mm howitzers, France has denied use while FAR were able to regain control heights of Commons and Kiyombe Kivuye. The loss of these heights with the RPF retain control will be a determinant of the outcome of the war factors. The authorization will be given when, after deciding to buy 125 mm howitzers to Egypt, Egyptian instructors arrive in Kigali."*

Mr. James Gasana also stressed that the prices of French arms were higher than those charged by the competition. Rwandan law on public procurement adopted in 1992 requiring at least three offers batch control, France was not among the largest suppliers.

Given the information available to the Mission has provided, it is clear that South Africa ranks high among the suppliers of weapons and puts Rwanda at the same time the Rwanda in violation of Convention 558 of 13 December 1984 declaring the embargo against South Africa, with which it is theoretically forbidden to trade.

However, it seems more difficult to agree with the analysis of Mr. James Gasana, considering that in 1992, France would have voluntarily left the RPF advance indirectly territorially insofar France provided regularly to Rwanda from 1990 to 1994 support equipment, weapons and ammunition. The fact that some applications such as aerial fire support have been rejected does not contradict this fact but simply means that, given the dimensions of the Rwandan army, such a request seemed inappropriate.

The study of AEMG from 1990 to 1994, faced with information provided by the Directorate General of Customs over the same period, lets say that all war materials whose export has been authorized were actually delivered to Rwanda.

Thus, two positions for firing missile Milan provided by Euromissile benefited from AEMG May 29, 1990 and passed customs July 4, 1990.

In 1991, the General Office of the air receives for spare Gazelle helicopters Alouette and Ecureuil an export license December 18, 1991 to be exported April 8, 1992, according to customs statistics.

In 1992, Eurocopter receives an export license dated 27 January for three SA 342 Gazelle helicopters with weapons capabilities (fixed and mobile parts for gun-barrel rocket launchers and axial) and spare parts. Market representing approximately 42 million francs will be made several times between April 22 and November 6, 1992 The three Gazelle helicopters were exported to the following dates: Apr. 22, 1992, 1st July 1992, 9 October 1992.

This market corresponds to an order placed by the Government of Rwanda 20 April 1991 which at the time wanted to give priority armaments helicopter gunships. It should be recalled in this connection that Gazelle helicopter was shot down in October 1990 by the RPF.

France assumed the other monitor this delivery since several subsequent AEMG concern parts of the Gazelle helicopters will include exported in 1993 by the General Office of the air or the company Eurocopter.

Besides the classic conventional materials, France also delivered to Rwanda via Thomson-CSF many crypto equipment with accessories and maintenance hundreds of transceivers, some portable, and four digital telephone sets high security 7700 TRC exported 4 May 1992 according to the customs statistics.

Deliveries of weapons and equipment will continue after the attack on Byumba conducted in June 1992 and the conclusion of a cease-fire signed in July 1992 in Arusha, forming the starting point for negotiations even name. The opening of the Arusha negotiations that France actively supports a diplomatic level, is not for the Ministry of Foreign Affairs a new factor that may affect the contractual environment controls weapons and ammunition passed by the Rwanda .

And 12 August 1992, the Quai d'Orsay he considers that the terms of the Arusha agreement are not likely to jeopardize the sale of 2,000 rounds of 105 mm, 20 guns 12 , 7 and 32 400 mm cartridges.

The French authorities have also insisted that Rwandan forces are still regularly supplied with ammunition during the various serious offensives by the RPF.

So in February 1993, while the detachment Noroit recently reinforced by a company EFAO due to the worsening situation on the ground, the General Staff of the Armed reminds the defense attaché that it is responsible for *"ensuring that the Rwandan army is not out of ammunition stocks sensitive ... and that deliveries to FAR military equipment is carried out in the utmost discretion."*

In fact, in the timeline laid down in its report at the end of the mission, Colonel Philippe Tracqui, commanding the detachment Noroit for the period from 8 February 1993 to 21 March 1993, notes *"Friday, February 12, 1993: ask for DC8 50 12.7 mm machine guns over 100,000 cartridges for FAR. Wednesday, February 17, 1993: Ask a Boeing 747 with discrete unloading the 105 mm and 68 mm rockets FAR (Alat). "*

Deliveries of weapons and ammunition, together with the operational assistance operation conducted a few days later on February 23 with Lt. Col. Didier Tauzin, enable FAR to redress the situation dramatically in a fortnight face the RPF.

France is not alone in supplying arms to the FAR. South Africa, Egypt, Russia and Israel are also among the suppliers of Rwanda. According to statements issued by the French military in Rwanda-Commander or defense attaché-deliveries of war materials were regularly made by these countries since the offensive of October 1990.

On 4 December 1990, the Rwandan Minister of Defense orders to Egypt three Gazelle rockets and ammunition and the USSR of field artillery and air defense equipment.

On 15 July 1991, the Russian businessman charged tells the French defense attaché that Rwanda has ordered for consideration to his country 50 mortars, howitzers 6, 30 machine guns and missiles SA 16, the number n ' is not specified, and ammunition for these weapons. The Russian charge d'affaires indicates that the order is ready to be delivered subject to the confirmation of

Rwanda who will then pay a retainer.

In April and May 1992, several rotations equipment from South Africa or Egypt to deliver FAR ammunition, essentially cartridges and shells.

In early November 1992, the Defence Attaché 7 identifies the arrival of South African cargo planes that deliver new mortars, machine guns, rifles, grenades ... and says that it is in a defensive context that these purchases were performed as in the event of renewed conflict on the whole front, stocks allow FAR better keep fortnight. It also notes shipments of ammunition to Israel the same period.

The press has also reported a violation by France of the embargo placed by it on April 8 and the UN on May 17 It is thus criticized the SOFREMAS, French operating company equipment and weapon systems controlled by the state to have broken the embargo by making deliveries via Goma in Zaire. Similarly, the company Luchaire 100% dependent Giat Industries, have also carried through this to shipments.

In its May 1995 report, Human Rights Watch said they learned of the airport staff and a local businessman five convoys arrived in Goma in May and June 1994 containing weapons and ammunition from France and intended to FAR.

On these points, the Mission was unable to collect to date evidence, despite claims it made for, including the Human Rights Watch, copies of the documents or statements relating to the SOFREMAS Zaire and found abandoned in a bus near Goma.

In contrast, the delivery of weapons carried by Egypt in 1992 and had received the bank guarantee of Crédit Lyonnais, its President Jean Peyrelevalde addressed to the President of the Mission the following details *"research which we are delivered us shows that the Egyptian Embassy to the United Kingdom had an account at our office in London, as well as the Egyptian armed forces with our agency in Cairo. But not in an agency, or the other, there was no involvement identified by way of guarantee or documentary credit in the contract on which you ask me. "*

The evidence relied on by the Human Rights Watch for the presence of France behind Egypt is merely a reproduction of a contract without header and unsigned actually has three parts, the Rwandan government said "buyer", the Egyptian government said "the supplier" and the bank guarantee called "the bank" remains unidentified, as the English version even lets appear a blank beside the name of the bank. Under these conditions, it became difficult for the Mission to take these few elements definitive conclusions.

In general, there was uncontrolled traffic of weapons, it is more than likely if we refer for example to transactions undertaken by the company Dyl-Invest. As noted by Mr. Ahmedou Ould-Abdallah to the Mission, Africa today is full of arms from traffic and, according to him, it is illusory to pretend to someday get to control and punish those flows unlawful.

However, the violation of the embargo and illegal arms exports, which have been known to French authorities and they would let it happen have not been demonstrated.

We know instead that suppliers "storefront" is, for some, asked about the need, even before the imposition of the embargo by France to prosecute certain deliveries. And the Mission she became aware that the Thomson-Brandt questioned the merits of the delivery of additional 2,000 shells Rwanda in February 1994.

The issue was finally raised the possible delivery after the embargo decision, spare parts for helicopters Alouette II.

According to the documents in its possession, the Mission considers that export is made before the embargo, even if expensive transfer had a complicated procedure.

III. - PROCESS ARUSHA

A. LOOKING FOR A NEGOTIATED SOLUTION

If one believes one of his visa, the Arusha peace agreement is intended to be *"the basis for a lasting peace sought by the Rwandan people for present and future generations."* Stressing that these agreements were obtained after lengthy negotiations in which the facilitator, mediator and foreign observers played an important role, the current Minister of Burundian justice told the reporter Pierre Brana what he considered to be the main error of these negotiations *" is not any peace. "* He regretted that at this time the population, still traumatized by memories of past massacres, has not been sufficiently informed of the desire for peace.

1. Steps Arusha negotiations

- As mentioned above, the Rwandan Government appointed 16 April 1992, headed by Mr. Dismas Nsengiyaremye the Democratic Republican Movement, was given as an essential point of its program to restore lasting peace and promote national reconciliation. Direct negotiations between the new government and the RPF are committed in June 1992, which led to the conclusion, on July 12 in Arusha, a cease-fire. This agreement provided in addition in principle, the sharing of power in the context of a transitional government and integration of RPF soldiers in the Rwandan army.

Further negotiations were opened with effect from 10 August 1992 and resulted in the signing on August 18 a memorandum of agreement on the rule of law, and on 30 October 1992 and 9 January 1993, two other protocols on power-sharing in the context of a transitional government base expanded. Yet the subjects under discussion concerned the establishment of a Rwandan national army, the refugee problem and some political issues outstanding, such as the duration of the transition period.

Concessions to the RPF under these protocols, specifically the transfer of powers from the President to the Government and the distribution of ministerial portfolios, including the fact that the CDR has been ruled out by the Government during the period of transition-provoked strong political tensions that were at the origin of new massacres of Tutsis in the northeast of the country. These massacres in turn led to a breakdown of the cease-fire, the RPF launching February 8, 1993, a general offensive which allowed him to move up to 25 kilometers from Kigali.

The magnitude of this offensive but suggests that it was not just a gesture of retaliation, but she was prepared for months in order to expand the area of influence of the RPF on the northern countries. It appears to be an application of this strategy, which was so successful in the Ugandan NRA, the "talk and fight", negotiate and fight.

A cease-fire strength is obtained from 21 February and 7 March 1993 formalized in Dar Es Salaam. The agreement provides for the withdrawal of troops from areas occupied since February 8. In fact, the RPF seems to have remained present in the buffer zone.

The Arusha negotiations, which had been suspended during the fighting resumed on March 16, 1993 the outstanding issues.

The tricky question, Mr. Jean-Christophe Belliard has emphasized to the Mission, is that relating to the proportion of the future Rwandan army that would include elements RPF. Negotiations are especially tough negotiators tend to look more like a military guarantee of protection for the "ethnic" groups, including the military and as a protection from the regime and citizens.

After signing a new protocol 9 June 1993 on the repatriation of Rwandan refugees and the resettlement of displaced persons, the final peace agreement was signed on 4 August 1993 at the same time as the last two protocols respectively on the integration of the armed forces of both sides and on the various issues.

This brief description of the negotiations of the Arusha Accords, which lasted more than a year, gives an idea of the uncertainties, turnovers and blocks that have in turn punctuated. The formula used by Gérard Prunier, in his book *Rwanda: Genocide, "a peace of exhaustion"* is more evocative.

- The hearings by the Mission Jean-Christophe Belliard, who was the representative of France as an observer in the Arusha negotiations, and Mr. Claver Kanyarushoki, which was part of the Rwandan delegation, make a little the atmosphere of the negotiations. Jean-Christophe Belliard described to the Mission the attitude of the two delegations present: "*the RPF delegation was united delegation spoke with one voice. The President was Mr. Pasteur Bizimungu, who is now President of Rwanda. (...) When was a proposal to that Rwandan delegation, she always said "we will answer you tomorrow." Meanwhile, a contact was made (...) with Mr. Paul Kagame, who was at that time Mulindi. In fact, the RPF delegation was Mr. Paul Kagame. Mr. Paul Kagame decided Mr. Pasteur Bizimungu and spoke.*"

The general opinion, the RPF delegation showed in these negotiations considerable skill. Consolidating its positions by military pressure, showing in turn uncompromising and conciliatory, she got agreements-we will return to it favorable.

In contrast, according to the recollections of Mr. Jean-Christophe Belliard, "*the Rwandan delegation was in constant disagreement and therefore in a weak position in these negotiations.*" President of the Rwandan delegation, Mr. Boniface Ngulinzira, Minister of Foreign Affairs member, as the Prime Minister, the opposition party MDR - he will be assassinated after 6 April 1994 - is in fact forced to juggle a double negotiation, not only with the RPF, but also with members of his delegation. Mr. Claver Kanyarushoki confirmed to the Mission "*until October 1992, disagreements within the coalition government in Kigali transposed within the delegation, which had become a mosaic of representatives of different parties, which caused sometimes a few incidents.*" the former single party, the MRND, accused Mr. Ngulinzira, especially after the signing of the

protocol on the sharing of power, beyond its mandate and choose to defend the interests of his first party.

Trading conditions left a bad omen conditions of *implementation*. "In Arusha," said Mr. Herman Cohen before the Mission, "a seat was empty, that of President Juvenal Habyarimana, who was not present. The Minister for Foreign Affairs of Rwanda negotiating fact without the support of President Juvenal Habyarimana and it seemed impossible to consider the implementation of the agreements reached in these conditions. "

However, observers want to remain optimistic, as shown in this excerpt from a note from the Directorate of African and Malagasy Affairs of the French Ministry of Foreign Affairs: "whatever observations can be made regarding the provisions of this agreement generally favorable to the RPF, its signature can only be welcomed by France. " Emphasis on the signing seems to have prevailed over all other considerations, including perhaps the content of the agreement and the reluctance of President Juvenal Habyarimana, the Rwandan delegation saying that goes "beyond its mandate."

2. The role of countries in the sub-region

Despite his participation in several regional organizations, Rwanda traditionally maintained the delicate relations with its four immediate neighbors, Zaire, Uganda, Tanzania and Burundi. It is indeed the cause, we have repeatedly mentioned, the exodus of many people who, fleeing the different waves of massacres, mass settled in the border regions, and represented a non-factor significant destabilization.

- Several reasons led the Mobutu to intervene in the Rwandan question. First of all, "is the longest-serving head of state in the region and the head of the second Francophone country in the world, as he said," has pointed out before the Mission Henri Rethoré, Ambassador of France in Zaire in June 1989 to December 1992, "President Mobutu had always wanted to play a role on the international scene" and this desire was even stronger at this time that his regime became every day more and more discredited. It was also for him to preserve the integrity of Zaire and avoid contagion Rwandan unrest in the Kivu region. Added to these reasons the "strong personal connections", according to the qualification of Mr. Henri Rethoré between Mobutu and President Juvenal Habyarimana.

There is therefore no wonder that the Zairian President sends his Rwandan friend, when the RPF attack in October 1990, a body of about 2,000 men, composed of elements of the Division Special Presidential. Despite this intervention, the Mobutu is loaded by both parties to the conflict to ensure the role of mediator and his efforts led to the cease-fire Gbadolite October 26, 1990, which was not observed, nor one signed March 29, 1991 at N'sele. This explains a cease-fire is signed again in a new meeting Gbadolite in September 1991. Chronic failure of the cease-fire, political collapse within the Zairian regime, its increasingly discredited internationally explain that from the beginning of 1991, President Mobutu was gradually sidelined negotiations on the Rwandan crisis, mainly in favor of Tanzania.

- The involvement of Tanzania in search of a solution to the Rwandan crisis became apparent, with the organization of a regional summit in Dar Es Salaam in February 1991 on refugee issues. Mediating this action is certainly justified by the will of President Mwinyi to seize the opportunity to reconnect with international prestige which belonged to Tanzania at the time of President Nyerere. It also responds to understand this country interests: refuse to let it grow, because of the risk of contagion, a disorderly situation on its borders; allow Rwandan refugees living in Tanzania, which represent a weight and a significant destabilizing factor, to return to their country of origin; ensure an economic recovery that inevitably involves the development of transit trade with Burundi and Rwanda. So it's no surprise that the Mission heard Mr. Bernard Lodi, Ambassador of France in Tanzania from March 1990 to December 1992 report: "throughout his stay in Dar Es Salaam, the problem of Rwanda and regional stability has always been at the heart of discussions he had had with both President Mwinyi with the Department of Foreign Affairs and its various usual contacts. "

Tanzania has played a particularly important role as "facilitator" of the Arusha negotiations. The role of "facilitator" Tanzania has been the general view, an element of serenity and pulse throughout the Arusha negotiations and diplomatic dispatches retain many traces. Georges Rochiccioli, Ambassador of France in Tanzania from December 1992 to May 1995, stressed to the Mission that the Tanzanian authorities had actually played " an arbiter " and that they had attempted "to maintain the balance between the RPF and the Rwandan government at the time, very neutral, at least as neutral as possible. "

- The role of Uganda as the main support of the RPF has already been mentioned. This proximity to one of the parties to the conflict, but also the suspicion of countries in the region against imperialist President Yoweri Museveni, Uganda bothered to play a mediating role. However, the influence that it lent to the President of Uganda on the RPF was reason enough to use it as a moderating factor. Mr. Claver Kanyarushoki, which however belonged to the Rwandan delegation, paid tribute to the role of the Mission President Yoweri Museveni: "When there was a blockage from the RPF, everyone went to Kampala. Generally,

the Ugandan president, very attentive, always managed to overcome these problems. " Mr. Yannick Gérard, who was Ambassador of France in Uganda from August 1990 to December 1993, confirmed to the Mission this moderator involvement of Yoweri Museveni, he explained in part by the concern, shared with his counterparts in the region to improve its international image and secondly the desire reinforced by domestic political reasons, already mentioned, to find a solution to the problem of Rwandan refugees.

- The influence of Burundi, who was careful to intervene in the Rwandan conflict in the RPF attack in October 1990 to avoid disrupting its own policy of national reconciliation, was nevertheless decisive for the evolution of the Rwandan crisis. Mr. James Gasana, who participated in the Arusha negotiations as Rwandan Minister of Defence, but was forced to flee for his life before the signing of final agreements, reported to the Mission that *"President Juvenal Habyarimana quoted the Burundian process as an example to follow in the Arusha negotiations "* and that *" it was the same for the opposition in Burundi that this experience had proved that fair elections allowed to participate in the exercise of power . "* This beneficial effect turned abruptly when, in October 1993 Tutsi soldiers assassinated the first democratically elected Hutu president, Melchior Ndadaye.

Can be seen in the conclusion of this paragraph, the countries of the region have failed to establish common and coordinated policies and, with the exception of Tanzania, have often played in turn the role of fireman and arsonist . Entangled in internal difficulties, lacking financial and human resources, could probably hardly expect them more than they did.

3. Role of France

"The action of France in Rwanda is guided by a desire to stabilize and for the sake of appeasement. It features a diplomatic and a military component. The first led us to encourage the opening process in Rwanda and to support regional peace efforts and the dialogue between the conflicting parties (...) The second, completing the first led us to send military on site to protect our citizens and to intensify our cooperation with the Rwandan army. The destabilization of Rwanda, if it occurred, would sound the death knell indeed the democratization process in the context of exacerbation community tensions. This note of the African and Malagasy leadership signed Dominique de Villepin, is dated July 24, 1992. We have discussed above in detail the military aspect of this policy. It remains to study the diplomatic side.

Various stakeholders have attempted to summarize the Mission before the main content.

Bruno Delaye stated that *"France did not support a man or a clan, but the principles and policy."* He then describes the policy followed by France with regard to Rwanda as *"a policy balance "* .

For his part, Mr. Hubert Vedrine said that *"the French diplomacy was to get the" hands dirty ""* and that *"this policy resulted at the time, not by supporting the regime, but instead by a continuous and relentless pressure on France President Juvenal Habyarimana that it shares its power and the other parties access it. "*

Finally, Paul Dijoud found that *"the French policy was necessarily complicated since it was part of a comprehensive approach that would hear and address not only immediate causes but also its more remote causes, laying the foundations for a longer-term process. "*

If you believe all these made by those same judgments that have helped to define the French policy towards Rwanda was both balanced, subtle and complicated.

Three axes are nevertheless clearly identified:

a) To encourage negotiations between the Rwandan government and the RPF

French diplomacy has worked hard to encourage peace talks between the Government of Rwanda and the RPF. This was expressed Bruno Delaye before the Mission: *"a race against time ensued between the logic of peace and the weapons, dialogue between survival and tipping into chaos."*

This policy is essentially organized around two actions: ensure compliance with the cease-fire; contribute to reconciliation between the RPF and the Habyarimana regime.

- Following discussions between the Ministers of Foreign Affairs of Uganda and Rwanda, held in Paris August 14, 1991 under the Quai d'Orsay, France agreed to send on the border between Rwanda and Uganda , a French Observer Mission (MOF).

Operational on 26 November 1991 to 10 March 1992, the MOF's mission was to investigate violations of the border between Rwanda and Uganda, in the context of guerrilla warfare by the RPF against the Rwandan Government. Each country referred to another the responsibility for these violations. The MOF was composed of a diplomat, Mr. Francis Gendreau and seven observers provided by the Ministry of Defence.

France expected of the mission, according to a note from the Directorate of African and Malagasy Affairs dated 22 October 1991, *"by its presence, it encourages the parties to exercise restraint and an end to unfounded claims that might up 'then be issued"* and inform each party and the third, the behavior of the other party. The aim, according to the above note was twofold: *"on the one hand, the Government of Uganda to support moderates RPF who might be more inclined to negotiate, on the other hand, President Juvenal Habyarimana be more motivated to continue opening it."*

In fact, unfortunately, these hopes were rather disappointed because the MOF was unable to provide evidence of the responsibility of incidents, lack of appropriate resources and even though the resumption of fighting prevented to operate close of the border. Its final report, however, shows that the RPF could only operate if it had many facilities in Ugandan territory: ammunition resupply, training and care centers for injured sites.

The Minister of Foreign Affairs of Uganda, which was communicated to the final report of the MOF at a further meeting in Paris June 20, 1992 with his Rwandan counterpart, merely reply that this document contained only *"assumptions transformed in presumptions"*.

- France has also helped to establish a dialogue between the Habyarimana government and the RPF in the meeting in Paris on several occasions. in October 1991, January 1992 and June 1992 These discussions, reading diplomatic dispatches reflected, brought little about the background but had nevertheless main advantage of truly engage in a direct dialogue between the parties.

France also supported the Arusha negotiations.

She contributed to the establishment of the Group of neutral military observers (NMOG) by the Organisation of African Unity, whose creation was decided by the cease-fire in Arusha on 12 July 1992 This assistance is particularly evidenced by the support of the transportation of the observers and the provision of transmission equipment..

The diplomatic cables also show that the Ambassador spoke several times with President Juvenal Habyarimana to calm concerns and contribute to accept the compromise of Arusha, which shows the reluctance of the latter. For example, Mr. George Martens reports, in a telegram dated November 3, 1992, a meeting with President Juvenal Habyarimana following the signing of the Protocol of 30 October 1992 on the sharing of power: *"I also stressed the dangers of challenging achievements to which the delegation was received by Mr. Ngulinzira. The transfer of powers from the President to the Council of Ministers led to a decrease in the role of head of state, but if it did not accept it, it would appear to the internal and external public opinion as the sole responsible for the breakdown of the Agreement, with all the consequences that this failure could have on the maintenance of the cease-fire. It was better, I argued, now bear his effort on the sharing mode of ministerial portfolios and the designation of the Transitional National Assembly. It is through the number of supporters who would appear in these two organizations will argue that in fact now the real powers of the President."*

A reading of diplomatic dispatches, the criticism to the Mission by James Gasana that the attitude of France during the Arusha negotiations were *"a political reaction rather than initiative"* is particularly severe.

There are written the Ministry of Foreign Affairs to the delegation to represent France at the Arusha negotiations, which clearly define the general lines advocated on various points under discussion instructions. The extract of the telegram of November 3, 1992 cited above further confirms the testimony before the Mission Jean-Christophe Belliard that *"his daily work was to repeat the Rwandans they would have to share power so make concessions, but in contrast, these concessions should be limits and stay sane."*

However, French diplomacy has not been sufficient analysis of arguments, methods and ideology of those in the Government of Rwanda and the Akazu refused *a priori* any agreement with the RPF and pushed the massacre of Tutsis and moderate Hutus. The threat of possible genocide was underestimated when multiplied, in most political parties, extremist branches openly racist.

It should also be noted that the RPF thanked France, by letter, the role was hers during the negotiations of the Arusha Accords.

b) Reject any military solution

The second element of the diplomatic policy of France is to make clear, in the words of a note from the Directorate of African and Malagasy Affairs, *"the unacceptability of (...) a military solution to the crisis Rwandan "*.

Beginning in March 1992, Daniel Bernard, Chief of Staff of the Minister of Foreign Affairs, signed a note to the office of Minister of Defence, he concludes, after recalling the shortcomings of the Rwandan military, as follows: *"In this context, France seems to have no alternative but to extend its support, especially military, the Government of Rwanda."* On 21 May 1992, Paul Dijoud, Director of African and Malagasy Affairs takes this analysis in an internal memo at the Quai d'Orsay: *"For the balance of the region and the prospect of negotiations, it is imperative that Rwanda is not in a position of military weakness."*

This military aid that is presented as an *" indirect support to the Rwandan army (advice, equipment, ammunition) "* (note the direction of the African and Malagasy Affairs February 25, 1993) is twofold: on the one hand , bringing the RPF some flexibility in negotiations expressing her firmly that any military attempt is from the outset doomed to failure because France will oppose the other hand strengthen President Juvenal Habyarimana vis-à-vis of the hardest elements of the regime.

The military support of France in the Rwandan army is perceived as Dijoud Paul says in a note of 11 March 1992 the Minister of Foreign Affairs, as the only way out of a qualified contradiction *"of obvious " : "only internal political openness will find a lasting solution to the war with the Rwandan Popular Front, but this opening is hardly possible in a country that destabilizes the war and increasingly radicalized."*

France considers that the strengthening of its military aid to the Rwandan government is the only way to escape the logic of war by forcing the RPF to sit at the negotiating table. Unfortunately, this is the fault of reasoning, the desire for peace of the Rwandan government has been assumed. The situation was more complex and France ended up helping a government to prepare for war he wanted.

Certainly, there seems to have been here and there temptations to clarify the situation for the benefit of President Juvenal Habyarimana. Thus October 25, 1990, Mr. George Martens wrote in a telegram: *"The situation would be much simpler and much easier if the northeast of the country was cleaned before further diplomatic action."* But such statements appear to reflect the personal opinion of a man than official diplomacy of France. In a note dated 19 April 1991, the Directorate of African and Malagasy Affairs suggests the preparation of a meeting between Mr. François Mitterrand and Juvenal Habyarimana: *"The President of the Republic may (...) strongly encourage the speaker to adopt an attitude of moderation. Rwandan troops have indeed today an advantage on the ground; a new offensive on their part is not necessary; it might instead alter the image of Rwanda, both in the eyes of African countries and international opinion. A message will be sent leaning in the same direction, and through the proper channels, the RPF. "* Testify also this action many refusal opposed to the Rwandan government for the delivery of certain weapons, we have widely discussed in the section on military aspect of our work.

c) Contribute to the development of political parties in

The third axis of the diplomatic action was to contribute to the political development of the parties involved to facilitate an agreement.

In Rwanda, France has encouraged openness, democratization policy. It was under his leadership in 1991 and 1992, as we mentioned above, President Juvenal Habyarimana has taken some steps in this direction: constitutional reform, abandoning the single party, forming a coalition government headed by a prime minister belong to the opposition.

Explaining this policy to the Mission, Mr. Hubert Vedrine said that *"the main idea was that Rwanda, although the regime there is the emanation of a vast majority could not escape the cycle of massacres ifn do not intervened a political agreement to share power between the president's supporters, who represented first Hutu north, opposition, represented by Hutus South, other internal opponents, including Tutsis of and even within the armed opposition Tutsi outside expressed by the RPF. "*

Conversely, similar pressure was exerted on the RPF. Jean-Christophe Mitterrand has indicated to the Mission that he had met privately with representatives of the RPF, Pasteur Bizimungu and Major Paul Kagame, in January and September 1991, in particular for their *"share the vision of reconciling France. "*

Aware, however, limits its ability to directly influence the RPF, France has sought to convince President Yoweri Museveni directly, or indirectly through the United States or the United Kingdom to serve as relay its conciliation boards. For example, in

a note of 11 March 1992, the Director of African and Malagasy Affairs, Mr. Paul Dijoud, considers it desirable that President Yoweri Museveni to play a more positive role in the search for peace and hypothesizes perhaps *"the promise to bring Uganda in the list of core countries could contribute."*

The U.S. Assistant Secretary of State for African Affairs Herman Cohen, is thus invited to the meeting 20 June 1992 in which is presented to the Ministers of Foreign Affairs of Rwanda and Uganda the report of the MOF, which he allows, according to the report of 22 June 1992 Executive Malagasy and African Affairs, mean *"clearly Ugandan Minister that U.S. had precise information on the location of the RPF in Uganda and if the cease-fire was not effective here in October, the United States could reconsider their assistance to this country."*

France has committed so far into the process of democratization Rwandan she came to believe that his credibility would be compromised on the African continent, since it would appear that the power in Kigali could always be conquered by arms . President Juvenal Habyarimana beautiful game remember that it was France who had embarked on the road of democracy and the multiparty system and therefore it should help to support and control the process, including the ensuring against all attempts of military conquest of power undertaken by the RPF. France agreed to let itself be trapped. Mr. Hubert Vedrine has admitted to the Mission that could *"ask whether France (...) had been inspired to commit to this (...) and also estimate a clumsy interventionist policy"* .

This observation, made even more evident after the widespread RPF offensive Feb. 8, 1993, which prompted France to internationalize the solution of the conflict and to hand over to the United Nations.

4. The role of the OAU and the UN

a) limits the action of the OAU

At first, this is the OAU, and not the United Nations, which has been implicated in the regulation of the Rwandan crisis. Such a distribution of roles is not surprising in itself. The UN Charter provides for the possibility of regional organizations and Boutros Boutros-Ghali was traditionally advocate that regional issues are addressed primarily by regional international organizations.

The OAU has decided July 12, 1992, we had the opportunity to discuss the creation of a neutral military observer group (NMOG), composed of 50 people, to monitor the buffer zone between the controlled part of Rwanda by the RPF after his attack from 1st October 1990, and the rest of the country. The creation of GOMN was an unnecessary precaution and did not prevent the RPF attack the buffer zone 8 February 1993. Direction of African Affairs, Ministry of Foreign Affairs French still estimated in May 1993 that was GOMN still not able to do its job properly. The international community had hoped to remedy the ineffectiveness of this group increasing its workforce to 132 people in August 1993.

When the UN intervenes for the first time on the Rwandan case March 12, 1993, it recognizes and highlights the role of the OAU, and the efforts that this organization has made to promote a negotiated political solution to end the conflict in Rwanda. Resolution 812, passed on the same day, and invites the Secretary-General of the UN to investigate *"the possibility of establishing an international force under the auspices of the OAU and the United Nations, whose duties include humanitarian assistance and Protection of the civilian population and support the strength of the OAU to monitor the cease-fire."* It also invites the Secretary-General *"to examine the request of Rwanda and Uganda for deploying observers at the border between these two countries,"* she explicitly requests the Secretary-General *"to closely coordinate its efforts with those of the OAU."*

This resolution reflects quite accurately the feeling of the Western members of the Security Council that is the OAU's responsibility to play a central role, the UN to be a function of simple "technical advisor."

Mr. Herman Cohen confirmed to the Mission that when he was in business, ie from April 1989 to April 1993, the United States *" at the time encouraged the efforts of the OAU seemed their duty be preferred over the UN. "*

But in fact the OAU played no meaningful role in the field. As Mr. Mtango, Secretary General of the Ministry of Foreign Affairs and Cooperation of Tanzania, told the reporter Pierre Brana: *"OAU did her best, but she never had the means of policy."*

b) The first implications of the UN

The unanimous vote of the resolution 846 of 22 June 1993 represents a further step in the involvement of the United Nations in

the Rwandan crisis, but this commitment is always marked by the Security Council by a certain caution.

Taking note "of requests - February 22, 1993 - by the Governments of Rwanda and Uganda for the deployment of observers along their common border, " 846 resolution creates "the Observer Mission Uganda United Nations -Rwanda (UNOMUR) to be deployed on the Ugandan side of the border " to verify that no military assistance from the RPF from Uganda. MONUOR, whose numbers amounted to 81 people, is not deployed on the Rwandan side due to the refusal of the RPF who control this side of the border. Before the vote on this resolution, the RPF launched a warning against the negative effects that could have the deployment of observers on the ongoing discussions in Arusha. The United States, for their part, although they have finally given the green light, shows, according to diplomatic dispatches a stubborn and pemickey attitude challenging the use of each helicopter and each observer.

Mr. Bruno Delaye, "observers MONUOR lack of observation means that it will never be sent, including helicopters and infrared binoculars will prove totally ineffective." This judgment is also that of Mr. Jean- Bernard MÉRIMÉE that "MONUOR has never been a force effective observation." In fact, MONUOR begins to unfold as from 18 August 1993 and reached its expected effective September 30 .

The UN is forced to engage further by France, which decided to disengage militarily from Rwanda. Bruno Delaye said President François Mitterrand had explicitly confirmed this position to pass the baton to the faster the United Nations, the small council of 3 March 1993. Mr. Jean-Pierre Lafon said for his part that "the France undertook the first in New York, beginning in March 1993, the necessary steps to involve the organization of the United Nations in the search for a settlement " and that "the instructions UN leadership of the Quai d ' Orsay were sent to our Ambassador to the United Nations for this purpose. " Reading diplomatic dispatches actually shows that the Embassy of France deploys from that date intense diplomatic activity in this direction.

Neighboring states of Rwanda, namely the United Republic of Tanzania, Uganda, Zaire and Kenya also want the United Nations to take their share of the burden of restoring peace in Rwanda.

The main reluctance comes from the United States, which Mr. Herman Cohen pointed to the Mission, "after the Somali episode (...) had become allergic to any military action by the United Nations in under- developed. " He also recalled that the United States had a large backlog to the United Nations, and for that reason they would not allow transactions that increase their debt. Also President Clinton, in a speech to the General Assembly of the United Nations stated that the United Nations must learn to say "no" to the operations of peacekeeping that appear unattainable. He had set a number of specific consent to future U.S. criteria.

But the Arusha Accords make the commitment of the United Nations on the ground a condition *sine qua non* for the implementation of the peace process.

B. THE FRAGILE AGREEMENTS ARUSHA

Jean-Christophe Belliard reported to the Mission that, August 4, 1993, the day of the signing of the peace agreement was a feast day in Arusha: "Rwandans were seen kissing the two delegations, dance together, whereas if, so far, the two sides hailed, there had never been such familiarity. " Mr. Jean-Michel Marlaud also mentioned in a telegram dated August 6, 1993 "very relaxed atmosphere" that prevailed during the signing, lived as a "moment of reconciliation."

In the above telegram, Mr. Jean-Michel Marlaud is however uncertain as to whether "if this euphoria survive long fears implied by the two parties to the agreement: fear of President Juvenal Habyarimana to see his opponents animated by a spirit of However, distrust of RPF suspects the Head of State will return to its concessions concern of each other before the risk of disengagement of the international community, now that the peace agreement is signed. "

1. The content of agreements

The peace agreement signed in Arusha, August 4, 1993 is what Mr. Filip Reyntjens called " envelope " whose content consists of several agreements and protocols:

- The cease-fire signed in N'sele, March 29, 1991, and amended in Gbadolite, September 16, 1991 and Arusha, 12 July 1992;
- Memorandum of Understanding on the rule of law, signed in Arusha 18 August 1992;
- MoUs on power-sharing in the context of a transitional government broad-based, signed at Arusha on 30 October 1992 and 9

January 1993;

- Protocol relating to the integration of the armed forces of the two parties signed in Arusha August 3, 1993;
- Memorandum of Understanding on various issues and final provisions, signed at Arusha August 3, 1993.

The Arusha Accords put an end to the war between the Government of the Republic of Rwanda and the RPF (Article 1st of the peace agreement) and are inseparably with the constitution of 10 June 1991 the basic law governing the transition period (Article 3 of the peace agreement). This is a new institutional order which is organized by the peace agreements whose provisions prevail in case of discrepancy, those of the constitution.

The President of the Republic is "stripped" of its powers and essentially reduced to a representative role. It enacts, without veto laws and decrees. It has the power to appoint any officer, even the content of its messages to the nation must be approved by the Council of Ministers.

Power is held by a transitional government expanded basic (GTBE) composed of 21 members appointed by the five political parties forming the coalition government established 16 April 1992 and by the RPF. The allocation of portfolios is predetermined by the agreements: five departments return respectively the Republican Movement for Democracy and Development (MRND) - including those in the Defence and Public Service - and the RPF - including the Interior. The Democratic Republican Movement (MDR) obtained four positions, including Prime Minister - who is Mr. Twagiramungu designated in Article 6 of the peace agreement - and Minister of Foreign Affairs, the Social Democratic Party (PSD) and the Liberal Party (PL) three each, and the Christian Democratic Party (PDC) one. Any decision must be taken by a majority of two thirds, ie by at least fourteen votes to twenty-one.

There is also provided a Transitional National Assembly of about 70 members, which is an offshoot of registered political parties and the RPF, provided that such parties *"adhere and comply with the provisions of the peace agreement"* (Article 61 Protocol 9 January 1993). This precision is obviously the CDR has never ceased to denounce its agreements. The Assembly passed a law and the budget and the ability to overthrow the Government by a majority of two-thirds.

Regarding the territorial administration, Article 46 of the Protocol of 30 October 1992 plans to depart *"an urgent and priority (...) incompetent elements and the authorities who were involved in social disorders, or actions constitute an obstacle to the democratic process and national reconciliation. In any case, all local authorities (mayors, sub-prefects, prefects prefecture) must have either been replaced or confirmed within three months of implementation of GTBE."*

The military integration agreement signed only 3 August 1993, was the most difficult to negotiate. It is expected that the future national army counted 19,000 men whose government forces provide 60% of the workforce and 40% RPF; at command posts, however, the battalion staff, the proportion is 50-50, with practice the principle of alternation: the positions of commander and second in command may not be occupied by the same force. The Chief of Staff of the Army is assigned to a member of the FAR and the Chief of Staff of the Gendarmerie military RPF.

The timetable for the transition are two phases. At first, the transitional institutions will be implemented within 37 days of the signing of the agreement or before 10 September 1993; in a second stage, a transitional period of a maximum of twenty-two months, is expected to close by the national elections.

The keystone agreements consists of the deployment of an international force, as requested by the RPF and the protocol provided by the integration of the armed forces (Article 53 and following), which will supersede the French forces still present in Rwanda. The RPF had long expressed a preference for a force of the OAU, to which was opposed by the Government of Rwanda in part because he considered the OAU as pro-RPF but because he believed that only the UN could carry out this operation, because of its experience in this type of mission. This position was supported by France. The RPF has finally joined this choice.

The agreements also provided for its security, the RPF in Kigali will install a battalion of six hundred men equipped only with small arms.

2 fragile. Solution

With the knowledge of what happened in the months before and after 6 April 1994, many people questioned *retrospectively* about the viability of the Arusha Accords.

Mr. Jean-Marc Rochereau de la Sabliere recalled to the Mission that the signing of these agreements were hailed at the time *"as a diplomatic success": "this agreement was credible and that the negotiation was difficult not meant not that he would not be required."* Mr. Marcel Debarge also considered before the Mission that *" the Arusha Accords were good agreements."*

The main victim of the Arusha Accords is clearly the former single party, the MRND agreements condemned to lose both at the national level (within the Government or the Assembly) and local, the predominant position he had hitherto managed to preserve. Jean-Christophe Belliard, after admitting that he had been at the time of those who believed that the agreements were successfully insisted on the Mission to the negative consequences of the unbalanced nature of the agreement. He estimated that the RPF *had "got too many concessions and generated and the reaction of the Hutu extremists."* He concluded that *"the RPF led ably difficult negotiations, but the diplomatic victory he had obtained have serious side effects."*

Mr. Filip Reyntjens, in his book on *" The Great Lakes of Africa "* published in June 1994, stressed the unrealistic nature of certain provisions of the agreements. The first, we will return below, the timing of deployment of UNAMIR. The second relates to program integration and demobilization of armies. According to figures provided by the UN, the Government of Rwanda have said at the signing of the Arusha Accords of 23,100 soldiers and 6,000 policemen. On the other hand, it seems reasonable to assess the RPF forces to 20,000 fighters. It is therefore a little over 30 000 military that we must give to civilian life, which, taking into account the gratuity to a minimum rate, more than 30 billion Rwandan francs. However, no program financing such expenditure had been expected.

Bruno Delaye said rightly to the Mission that *" a diplomatic point of view, viable agreements are those that meet the parties' agreement and that such was the case of the Arusha Accords."* He also recalled that *"more sophisticated solutions more complicated, had been successfully implemented in Africa."* He also said that *" the most difficult point lay in the commitment of the international community."*

3. An international community on the withdrawal

The Security Council adopted unanimously Oct. 5, 1993, resolution 872, which decided to establish the United Nations Mission for Assistance to Rwanda (UNAMIR). Two days before the vote on this resolution, 18 U.S. soldiers were killed in Somalia, which has led the U.S. to declare October 6 withdrawal of their forces from the United Nations Operation in Somalia (UNOSOM). The context of the time was therefore not in favor of a new operation for the maintenance of peace, but its creation was facilitated by two factors: the consent of the parties and the existence of a cease-fire.

On 14 June 1993, that is to say before the final signing of the Arusha Peace Agreement, the Government of Rwanda and the RPF addressed a joint UN request to send a neutral international force to facilitate the implementation of peace agreements. The agreements signed in Arusha by the two Parties have expressly provided for the new field presence of such a force.

Consent of the parties has been verified by a preparatory reconnaissance mission fielded from 19 to 31 August 1993 to study the feasibility of the operation. This reconnaissance mission was led by General Romeo Dallaire. Its conclusions were in favor of the deployment of a force. However, in retrospect, General Dallaire told the UN group charged with drawing lessons from UNAMIR, the team up this reconnaissance mission *"was not sufficiently prepared for the complexities of the political situation factor that has contributed to a naive optimism about the whole operation "(paragraph 22).*

Another favorable element to UN intervention consisted of the existence of a genuine cease-fire. The cease-fire had certainly succeeded since the first agreement signed in Gbadolite October 26, 1990 which had little, we have already mentioned, was respected as the following. However, one signed 21 February 1993 seemed to have stabilized the situation.

As noted by Kofi Annan in response to a question from the Mission, *"the deployment of UNAMIR, the United Nations was merely performing a fairly traditional role helping the parties in a dispute to implement the provisions the peace agreement they have signed."*

The general spirit behind the vote of Resolution 872 was the need to assist Rwandans, but at the lowest possible cost, without being drawn into a protracted conflict.

a) UNAMIR: a major player in the peace process

(1) The role of the international force in Arusha

The Arusha Accords were expected to play a major UN role during the 22 months of the transition period (Article 22 of the

Memorandum of Understanding on various issues and final provisions of the August 3, 1993). The role of the OAU gradually fades: it is expected that the GOMN be integrated into the new neutral international force (Article 53 of the Memorandum of Agreement on the integration of the armed forces of both sides).

The establishment of the transitional institutions (Government and National Assembly) is provided under Article 7 of the peace agreement, within 37 days after the agreement is signed. However, this implementation is also related to deployment in the same period a neutral international force. But this time is totally unrealistic. Boutros Boutros-Ghali said he had specified from the Arusha negotiations and that he himself felt at the time to three months the time required for the deployment of the force after vote Security Council. Parties, however, had ignored this warning because they feared that any delay in the formation of the transitional institutions will thwart the peace process.

The main role of the international force is provided in the Memorandum of Understanding on the integration of the armed forces of the two parties (Article 54) specifically requested the assistance of an international force for deudésengagement of disarmament, demobilization and the selection of military Parties to be integrated into the national army. The Protocol also provides for the creation of such a force to: ensure the overall security of the country and check in particular how the authorities ensure the maintenance of public order; ensure the security of the delivery of humanitarian aid; contribute to the safety of the civilian population; contribute to the search for weapons caches and neutralization of the armed bands across the country; conduct demining operations; contribute to the recovery of all weapons distributed to the civilian population or illegally acquired by it.

We see from reading this list that the role of the international force in fact exceeds that of a simple operation interposition pending a solution between the parties. UNAMIR should be considered a major player in the process, the "guardian" of the implementation of agreements.

(2) The mandate of the force

The mandate of UNAMIR's expanded mandate falls - according to the distinctions made by Boutros Boutros-Ghali in his "Agenda for Peace" - as the "peace keeping" as "making peace" or even "peace building ". However, it remains down compared to the tasks provided by the Arusha Accords.

Resolution 872 authorized UNAMIR to contribute to the security of Kigali by the establishment of a zone free of weapons extending to the city and its surroundings; to supervise the cease-fire, including the cantonment, demobilization and integration of the armed forces of the parties; to supervise the conditions of general security in the country during the final period of the mandate of the Transitional Government; to contribute to mine clearance, primarily through training programs; to examine, at the request of the parties or on its own initiative, cases of non-application of the provisions of the Arusha peace agreement; to control the process of repatriation of Rwandese refugees and resettlement of displaced persons; to assist the coordination of humanitarian assistance activities related to relief and to investigate and report on incidents regarding the activities of the gendarmerie and the police.

The comparison between the tasks set by the Arusha Accords and those listed in Resolution 872 is to the detriment of the latter. Firstly, the geographical area of the security mission UNAMIR was limited only to Kigali and its surroundings while the protocol of August 3, 1993 provided that it extends to the entire Rwanda. Then the question of looking for weapons has existed very implicitly. Finally, the mandate is minimally intrusive as shown in the choice of verbs: to contribute, supervise, assist, investigate.

(3) The deployment of the force

The plan developed by the Secretary-General, and as it has been approved by the Security Council, four phases corresponding to four times the implementation of the peace plan. Phase I lasted about 90 days, until the installation of the Kigali Government of broad-based transitional (GTBE). A first contingent of 1,428 men had to be deployed during this first phase. Phase II of the same duration as the first, was to start after installing the GTBE and prepare the process of disengagement, demobilization and integration of the armed forces. The strength of UNAMIR would be increased to 2 548 soldiers. Phase III should see the completion of this process, the size of UNAMIR gradually decreasing. Finally, in Phase IV, UNAMIR should oversee the general safety requirements for the holding of free and fair elections.

The Force Commander of UNAMIR, General Romeo Dallaire, arrived in Kigali October 22, 1993 and was followed on October 27 by a reconnaissance mission 21 soldiers. On 17 November, the headquarters of UNAMIR was inaugurated by President Juvenal Habyarimana. The zone free of weapons in Kigali was created on December 24 and the security battalion RPF arrived

in Kigali on December 28. Despite this apparent compliance with the schedule, the non-formation of the Provisional Government, which prevented the transition to Phase II, went every day the most critical situation.

b) Reasons for failure

(1) The non-involvement of the UN in the Arusha negotiations

In general, it is regrettable that the UN could not be more involved in the Arusha negotiations and especially the definition of the role of neutral international force under the agreements. His involvement would probably allowed them to gain realism and the operation could be prepared as early and quickly.

(2) The assessment of the political context

From the editors' own admission of the report of the UN Secretary-General UNAMIR: *"the Security Council (...) tended to consider the situation in Rwanda as a small civil war."* In doing so, *"was ignored or failed to explore the political conflicts within the Government of Rwanda and the growing evidence of political killings and violations of human rights in the country."*

It is clear that UNAMIR was singularly destitute to promote the peace process faces a RPF and President of the Rwandan government - and especially his entourage - who did not give up, we will see below, in logic of war.

The means available to UNAMIR are quite limited.

It may first use the threat of his departure in case of blocking the peace process; what eg President of the Security Council in its statement of 17 February 1994. On the eve of the attack, April 5, 1994, in its resolution 909 which extended the mandate of UNAMIR, but only until July 20 1994, the Security Council again solemnly warns that the Parties shall review the mandate of UNAMIR if, within six weeks, no progress is made in the establishment of the transitional institutions provided for in the agreements Arusha.

It can then organize and provoke political meetings, which however results are mostly disappointing time. A first meeting on 10 December 1993 between the Government and the RPF led to the commitment to implement the GTBE before December 31. In early February 1994, a new round of consultations was organized between all party

s policies initiated by the Special Representative of the Secretary-General determines a new deadline: February 14, 1994, which is not more respected than the new report on February 22.

(3) lack of means

Point 9 of resolution 872 called on the Secretary-General *"to explore ways to reduce total maximum UNAMIR workforce, without affecting the ability of UNAMIR to fulfill its mandate"* and asked *"when preparing and realize the phased deployment of the operation to try to save money and to report regularly on the results obtained in this field."*

In fact, UNAMIR was only lightly armed and equipped. There was no alternative under the assumption that the parties respect the agreements reached in Arusha. The logistics were extremely low: UNAMIR had no particular ambulance and had mainly unshielded for troop transport vehicles. UNAMIR pay this weakness of his impotence at the beginning of the genocide. It should be noted that when the Secretariat requested Member States to provide a well-equipped to provide logistical support UNAMIR contingent, countries with appropriate capacity have proved unresponsive. Only Bangladesh, a developing country, has offered to assign 400 soldiers. This proposal was welcomed, but it had to find out later that the Bangladeshi contingent did not have enough material to ensure its logistical tasks. This mismatch was largely predictable.

One may ask with General Roméo Dallaire if a *" peace mission, mandated, equipped and supported with timely, is actually more profitable in the medium and long term "* (1) .

March 22, 1994, a few days before the outbreak of massacres, UNAMIR totaled 2,539, the maximum allowed. The Security Council had in fact accepted by Resolution 893 of the second contingent deployed prematurely, before the start of Phase II. However, it took six months, as noted by Mr. Kofi Annan in his answers to the Mission for UNAMIR reaches the number originally deemed necessary by the Secretary General.

Force was composed of troops from 24 different countries, which not played for cohesion. The largest contingents were

provided by Bangladesh (942 men), Ghana (843) and Belgium (440).

(4) The design of office: the case of fax Roméo Dallaire

On 11 January 1994, General Romeo Dallaire sent a telegram to UN headquarters that is reporting information gathered from an informant who is a senior MRND specifically responsible for the training of militias "Interahamwe". According to this information, a civil war is about to burst at the instigation of the "Interahamwe" who have received military training and weapons for this purpose. The existence of lists was to eliminate a thousand Tutsis and Hutu Democrats in Kigali in the first hour after the onset of illness. The credibility of this information is provided by the revelation of weapons caches that General Dallaire requested permission to enter.

The UN Secretariat decided against such action on the grounds that it would have exceeded the mandate of UNAMIR as it was given by resolution 872 of the Security Council. However, the Secretariat asked the Special Representative and the Force Commander to make this information known to the Rwandan and ambassadors of Belgium, France and the United States authorities, which was done on January 12 in the morning two meetings held respectively in 10:00 and 11:30. At 16 am the same day, Mr. Jacques-Roger Booh-Booh and General Roméo Dallaire met with the President and the Secretary General of MRND in order, according to the responses of M. Kofi Annan to the Mission, to " *let them know that if the information obtained would be accurate, these preparations constitute a flagrant violation of the Arusha Accords and a clear threat to the peace process* " The two emissaries must also ask their interlocutors " *to ensure that an immediate end to all subversive activities of this kind.* "

On 15 January 1994, the ambassadors of Belgium, the United States and France were also a common approach in the same spirit to the President Juvenal Habyarimana.

Jean-Michel Marlaud stated before the Mission that " *this information was only an additional element in the long succession of warnings that the embassy was seized on one day, the resumption of the offensive by the RPF and The next day, the beginning of a massacre.* " This attitude was clearly that of the United Nations Secretariat.

The approach of the representatives of the international community has in fact proved against-productive. The informant General Roméo Dallaire pointed him in effect on January 18 as visiting UN representatives and ambassadors to the President of the Republic and the MRND had only consequence to accelerate the delivery of arms.

The refusal to allow the General Roméo Dallaire to search weapons caches illustrates the limitations that the interpretation of the mandate imposed on actions to deal with the veiled threat of weapons distribution. This refusal is particularly surprising especially as the Arusha Accords, as we mentioned above, gave the mission neutral international force to contribute to the search for weapons caches and contribute to the recovery of all weapons distributed to the civilian population or illegally acquired by it.

Kofi Annan, told the Mission, responded to this question at length. This response is important to be quoted in full enough:

"After reviewing the telegram from General Roméo Dallaire dated 11 January 1994, the Secretariat had been so unanimous in thinking that given by the general action goes beyond the mandate of UNAMIR, which was essentially to assist the parties to implement a peace agreement.

Any review of the Secretariat's response to General Dallaire requested permission to seize arms caches should consider the climate in which the operations of peacekeeping were conducted in early 1994. Governments and the Secretariat of the UN chose to proceed with caution after a series of traumatic events in June 1993, 24 Pakistani soldiers were killed in an ambush in Mogadishu during normal weapons inspection process; then in October 1993, 18 U.S. soldiers were killed in Mogadishu. In addition, early 1994, attacks intensified against the safe area of Gorazde in eastern Bosnia. Given the circumstances, he was entitled to conclude that the members of the Security Council would oppose any proposal to use aggressive force peacekeeping.

The limited UNAMIR in January 1994, about 800 capacity-soldiers also allows to cast doubt on the assumption that military action at this time by UNAMIR could have prevented the killings that began in April Next. The deployment of a second battalion was authorized by the Security Council on 6 January 1994, it was possible to deploy these troops at the end of February. Consequently, any military action would likely in January caused casualties, which could lead to the withdrawal of UNAMIR. In addition, it did not have the means necessary to operate elsewhere in Kigali and in the demilitarized zone north, and we know that the massacres in Kigali are then propagated throughout Rwanda. We should also remember that, in most cases, are not firearms were used, but machetes and clubs.

The secretariat and UNAMIR felt that the best way to defuse the tension and avoid violence was to continue to engage the parties to settle their disputes through negotiations and mutual compromise, in accordance with the Arusha Agreement. All efforts of the Special Representative and the UNAMIR as a whole have gone in this direction, while aiming to create an atmosphere of calm. "

This response is somewhat surprising since it puts forward as a reason for refusal, a legal reason it exceeded the mandate and then develops only justifications of political and military. It is certainly regrettable that the Security Council has not been seized of this matter. Although the reasoning of the Secretariat had been endorsed by the Council, it was placed in front of its responsibilities.

Commenting on the same episode, the Group of the UN Secretary-learn missions concluded in its report that *"Headquarters (UN) role is to encourage Heads of Mission hesitant to act in accordance with the mandate of the mission. On the other hand, it must temper the enthusiasm of the Heads of Mission who wish may exaggerate the mandate or believe to be able to implement ambitious plans that remain within the mandate but are not feasible given the existing "means.*

UNAMIR was allowed, however, February 3, 1994, to attend, but only to attend, the local police and the army in the task of demilitarization. But the authorities were showing deficiency in this area.

This authorization may be explained by the tension between communities has increased dramatically over the last few months of the year, partly because of the events of Burundi.

4. The assassination of President Melchior Ndadaye

October 22, 1993 morning, the first elected Hutu president of Burundi, Melchior Ndadaye was assassinated during a failed coup organized by NCOs and Tutsi officers. This murder has a very important influence on the political development of Rwanda. Moderate Hutu movement, which could recognize the action of President Ndadaye seems then discover that the agreement favored too RPF in the transitional institutions and the national army. *"He developed a fear", says James Gasana reproduction of the Burundian situation in Rwanda, that of a democracy that failed coup had given guardianship of an ethnic army (63) . "*

Burundi is often described as the twin brother of Rwanda which it shares the main features: the same landscapes with hills; same proportion of Hutus, Tutsis and Twa in the population; same economic dependence on coffee and tea; same colonial tutelage Germans and Belgians. But this game of mirror leads to a misleading reflection: the stories of these two countries are not identical, although they are closely intertwined and affect each other. As noted Gérard Prunier in his book *"Rwanda: Genocide"*, "the elimination of Hutu Burundian political system and the establishment of a Tutsi hegemony in this country since 1965 can be explained in part by the fear aroused by the massacres of Tutsis in Rwanda between 1959 and 1963. This is the awakening of the same fear in the late 60s that led in 1972 Tutsi elites want systematically eliminate the Hutu elite, causing between 100 000 and 200 000 deaths. Same aid from Kigali Burundi Hutu radical movement, Palipehutu, prompted in 1988 the peasants of two common close to the border, and Ntega Marangara to rise, causing in turn a brutal repression of the Burundian army, composed more than 90% Tutsi, resulting 20,000 deaths.

The impact of these massacres be such that, under Western pressure, President Pierre Buyoya has committed his country to a forced march to democratization that led to the organization of a presidential election by universal suffrage on 1 June 1993.

Henri Crepin-Leblond, Ambassador of France to Burundi from February 1993 to January 1995, explained to the Mission What the shock of the results of these elections should have seen the victory of the artisan process of democratization, Mr. Pierre Buyoya. In fact, the winner is the candidate of the opposition, Mr Melchior Ndadaye, which gets about 65% of the vote against just under 33% for his rival. These results are explained clearly by ethnic reflex, although some Hutus voted for Mr. Pierre Buyoya. Despite student protests denouncing the elections as "an ethnic census", the transfer of power between the old and the new president is going peacefully.

However, despite his pragmatism and a policy of openness symbolized by granting Prime Minister and a number of important portfolios Tutsi, President Melchior Ndadaye was assassinated bayoneted five months after his election.

The assassination led to a wave of retaliatory massacres of Tutsi civilians by their Hutu neighbors coupled with fierce repression of the Tutsi army on Hutu populations. In total, the number of victims is estimated at between 50 000 and 100 000 deaths, Hutu and Tutsi alike.

The national reconciliation process in Burundi, incited, we mentioned, President Juvenal Habyarimana to accept the game of

democracy. The successful example of a political transition in Burundi in June 1993 had convinced him that the implementation of the Arusha Accords allow it to gradually turn the situation to his advantage. The assassination of President Ndadaye, which tends to show the fragility of both institutional achievements and support of the polls on gun violence has contributed to cast serious doubts on the realization of this scenario. This was pointed out to Mr. Twagiramungu Mission recalling the assassination of Melchior Ndadaye *"was terribly shaken the confidence of Rwandans in the chances of a peaceful coexistence based on power sharing between the components of Rwandan society."*

The circumstances of the assassination of President Ndadaye cast doubt that it is solely the work of a small group of coup. Henri Crepin-Leblond said for his part that *"he believed that there had been collusion but not initiative by some officials."* Mr. Filip Reyntjens, meanwhile, in his book *The African Great Lakes crisis*, questioned the loyalty of an army, although qu'advertie of what was coming to prefer to let the events unfold. That would be the whole army would have accepted, at least by its passivity, the assassination of President Melchior Ndadaye. Such a precedent was not likely to reassure President Juvenal Habyarimana.

Bruno Delaye also pointed to the Mission determining the effect on the rise of Hutu extremism of the arrival of hundreds of thousands of Burundian Hutu refugees spreading stories of massacres perpetrated by the Tutsi army.

Mr. Jean-Pierre Chrétien finally summarized the two types of consequences caused by the crisis in Burundi: *"Rwanda, the assassination of President Ndadaye inflamed public opinion against the Tutsis and increased distrust of the RPF; Moreover, the massacres of Tutsis and Hutus in Burundi following the general indifference and who accompanied have reinforced the opinion of Rwandans who thought the killings were the only solution to their problem."* He also noted that *"Rwandan refugees, members of Palipehutu attended numerous massacres of Rwanda."*

The implementation of the Arusha Accords becomes increasingly difficult.

C. IMPLEMENTATION DIFFICULT

1. Deadlines perpetually postponed

The establishment of GTBE, originally scheduled in the Arusha Accords for September 10, 1993, has been constantly postponed. On 6 April 1994, the day of the attack, the transitional institutions were still not in place and President Juvenal Habyarimana was returning from a meeting that was supposed to provide a definitive solution to the various blocks.

In its report of 30 March 1994, the Secretary General of the UN has reported on the successive delays in the implementation of GTBE.

The date of September 10, 1993 could not be met, we have already mentioned, due to the non deployment of UNAMIR within 37 days of the signing of the peace agreement. UNAMIR had finally taken up residence in Kigali, the Rwandan government and the RPF fell agreement to December 10, 1993 to form the Kinihira GTBE before December 31. But this date was not met due to the inability of stakeholders to agree on a list of members, both for the Government and for the Transitional National Assembly parties.

The causes of this block were essentially political. Desiring to ensure within the Assembly a blocking minority of one third of the votes that will ensure that escape any possibility of indictment or being struck impediment, the President Juvenal Habyarimana was attention supported the choice of the MDR and PL. Indeed, two other political parties participating in the PISG, PSD and PDC were considered having to systematically combine the RPF. But the MDR and the PL are each divided into two factions, one considered favorable to the Head of State and the other to the RPF. The situation was further complicated by the Prime Minister-designate, Mr Faustin Twagiramungu had spoken each time in favor of the opposite head of state trend. This resulted in blocking of appointments, the MDR and the PL failing to agree among themselves on a single list.

January 5, 1994, pursuant to the Arusha peace agreement providing for the continuation of the President up until the elections marked the end of the transition period, Mr. Juvenal Habyarimana sworn in as President of the Republic. That day was to see the establishment of GTBE and Assembly but disagreements continued between the trends of MDR and PL for the designation of their representatives.

Despite repeated pressure from the international community, neither the Government nor the Transitional Assembly could not be made either February 14, 1994 as it was envisaged, the PL and the MDR still not reaching overcome their internal divisions and the President refusing to put in place the institutions without them.

A new ceremony of swearing in of Ministers and deputies was then convened to February 23, 1994 but had to be postponed in the absence of most of the political parties again. This new report coincided with a very serious deterioration of security in Rwanda. Mr. Gatabazi, Minister of Public Works and Energy, and executive secretary of the PSD, was murdered on the night of February 21 to 22. This murder was followed the next day by one of Mr. Martin Bucyana, president of the CDR, which occurred even as the party launched a campaign of events to enable him to get a seat in government. February 22 also government soldiers attacked RPF few kilometers from Kigali. Following this exchange of gunfire, an RPF soldier was killed and a man injured in UNAMIR.

The political climate has also suffered a similar deterioration. The RPF has published 23 February a very hard statement accusing President Juvenal Habyarimana to be responsible for the assassination of Mr. Gatabazi and trying to impose a unilateral solution, which would have benefited, the internal problems of the PL and MDR.

Various interventions, including the Foreign Minister of Tanzania, prompted the parties involved to reach an agreement. Finally, Mr. Twagiramungu made public March 18, 1994 a list of persons selected to participate in GTBE and Mrs. Agathe Uwilingiyimana did the same the next day to the National Assembly. However, President Juvenal Habyarimana raised a number of issues, including in particular the participation of the CDR institutions, which was fiercely opposed the RPF. The ceremony of swearing, scheduled for March 25, 1994, had to be postponed once again. Discussions continued on the attack took place April 6 against the presidential plane.

Successive reports of the establishment of the transitional institutions to explain, we have to show in many economic reasons: late deployment of UNAMIR, conflicts of interest, recomposition of political parties and mistrust of the various partners in the peace agreement with each other.

The prepared by Mr. Twagiramungu before the Mission various obstacles to the implementation of peace agreements list is impressive and shows how the situation was explosive:

"The education and training of the militia; the politicization of the army; Radio Mille Collines; the division of the MRND factions undeclared; the standoff between the Prime Minister of the opposition and the President of the Republic; the departure of the French military; the presence of RPF battalion in Kigali; weakness of UNAMIR; the weakness of the Rwandan gendarmerie and lack of neutrality; the division of parties into two factions, and moderate Hutu power; monopolization of negotiations peace agreement by certain Ministers of the opposition and the RPF; marginalization of the President of the Republic; threats unchecked extremist CDR party extremists backed by some of the MRND; distribution of weapons by the RPF and the MRND members of certain formations; RPF propaganda on Radio Muhabura; incompetence of the Special Representative of the Secretary-General of the United Nations, Cameroon Jacques-Roger Booh-Booh and its civilian employees inexperienced in conflict resolution; conflict of authority between the General Roméo Dallaire, commander of UNAMIR and the Special Representative of the Secretary-General; the preparation for war by the RPF, including the deployment of agents across the country in order to create confusion and encourage people to violence there; the assassination of President of the CDR party, Mr. Martin Bucyana in February 1994, and previously the Gatabazi, Executive Secretary of the Social Democratic Party PSD, and massacres ensued in Kigali. "

But all these reasons played more easily they were part of a political environment marked by ambiguity of the protagonists who practiced with consummate skill, double language.

2. Ambiguity actors

Many speakers at the Mission expressed some doubts about the willingness of both parties involved to complete his term the Arusha process.

Paul Dijoud gave his views on the mission strategy of the RPF: *"The bottom line is that Major Kagame never pursued objective other than total victory. He negotiated from time to time. It has signed, but in all fairness, he never pursued any purpose other than to win by peace or war. He had the means because it had a superior to all other army. "*

Jean-Christophe Belliard confirmed this feeling before the Mission: *"With hindsight, (...) he thought the RPF knew that time (the Arusha negotiations) he would not have gone up at the end of the transition period. That is why he wanted the Ministry of Interior, which he obtained, and a real sharing of military responsibilities and the allocation of some key positions already mentioned. "*

Mr. Twagiramungu, the RPF was more prepared for war than peace. He told the Mission that *"the RPF carrying clandestine military zone Mulindi under his control, to the barracks which had been granted by the Arusha Accords in Kigali in order*

to increase its workforce anticipation of fighting. "

For its part, President Juvenal Habyarimana greatly feared the establishment of transitional institutions that would have stripped of his powers. However, he had the prospect of elections at the end of the period of transition that had quoted him by Mr. Bernard Debré before the Mission, the certainty of winning: *"you must help me to calm Hutus and Tutsis extremists so I can expect the general elections to be held in two years. I win without difficulty since the Hutus account for 80% of voters. "* But this perspective was not obviously likely to remove his apprehensions because according to a telegram from Mr. Jean-Michel Marlaud one of its related recent conversations with the Rwandan president, he was very worried about the safeguards it could benefit to prevent the RPF had the temptation to resort to force of arms.

The presidential entourage, Akazu were equally serious reasons to be worried, since the implementation of the Arusha Accords would lead to its members by the end of their privileges and their trafficking of all kinds. To this core, the preparation of the genocide was the only way intended to remain in power. As we show below, it was doing so. Thesis, precisely, that would Hutu extremists responsible for the attack against a president whose concessions were deemed excessive is one of those that we will use to explain the attack of 6 April 1994.

IV. - ATTACK OF 6 April 1994 against the plane of President Juvenal Habyarimana

The importance of the death of the two presidents, Juvenal Habyarimana and Cyprien Ntaryamira in the attack of 6 April 1994, is that it is considered the triggering factor, not only massacres which followed immediately but the genocide from April to July 1994.

Chosen for treatment of this issue was essentially analytical method: the sequence of events preceding the attack was carefully reconstructed on the basis of documents reviewed by the Mission or evidence collected by it.

The Mission has set main objective:

- To take stock of all the assumptions already explored on the attack of 6 April 1994 against the plane of President Juvenal Habyarimana and carefully examine the validity of the hardware on which these assumptions are based;
- An inventory of new evidence gathered through the investigation conducted by it and to assess reliability;
- To try to draw now the most consistent assumptions.

A. THE BACKGROUND

- The circumstances of the attack against the presidential plane are relatively simple. General Juvenal Habyarimana had traveled to Dar Es Salaam for a final meeting between the presidents of the Great Lakes region, which would involve the Burundi and in which alone were discussed the problems of Rwanda, including the participation of CDR new institutions.

Mr. Jacques Depaigne, Ambassador of France in Zaire at the time, noted that *" the absence of Mobutu at the top of Dar Es Salaam was explained very well and, at the time, she did not even asked specific questions. Marshal who convened the two main protagonists, he had, somehow, his "number", which was enough for him. In addition, the quality of care that would have been reserved by other colleagues was not enough to guarantee it feels it make the journey . "*

So it seems incorrect to claim that Mobutu refused to go to Dar Es Salaam for fear of a conspiracy or mount at the last moment in the Falcon 50 of President Juvenal Habyarimana. Return on April 6 at the end of the afternoon, it was proposed to the President of Burundi, Mr Ntaryamira, whose camera was broken for some or most antiquated for others to enter the same plane.

Some have argued that the meeting in Dar es Salaam would have lasted longer than expected, which would have required the President Juvenal Habyarimana to delay his departure, while for safety reasons, he had expressed the wish to return before dark at night. Mr. Bernard Debré, Ugandan President Museveni, the RPF ally, would have accepted the President of Burundi and *" convinced him to take the plane of Rwandan President to join Kigali (...) to come the next day in Kampala "* for another meeting *" that would be a step towards peace (...) Museveni - a very abnormal way is by all participants at the conference in Dar Es Salaam, still holds the Chair of Burundi and it is the dark that the plane finally left Dar Es Salaam. "* Mr. Jean-Christophe Belliard said that in his opinion the President of Burundi, Cyprien Ntaryamina, *"died simply because his plane was too slow "* and he heard *" President Juvenal Habyarimana propose to take him, in these words: "Come, it will be faster. Come to Kigali, then I'll lend you my flight to Bujumbura. "*

It therefore seems certain that the return of two presidents in the same plane was decided at the last moment and that the perpetrators of the attack could not have been unaware in advance.

- At 8:30 p.m., when he approached the landing is the Kigali airport runway, the aircraft was hit by one or two anti-aircraft missiles and crashed in the gardens of the property even President Juvenal Habyarimana near the airport.

Jean-Michel Marlaud stated before the Mission he had been " *informed of the attack to 8:30 p.m. with a phone call from Mr. Enoch Ruhigira, Chief of Staff of President Juvenal Habyarimana* ", "who alone had went to the airport to welcome President Juvenal Habyarimana on his return from Dar Es Salaam.

In addition, Mr. Ahmedou Ould-Abdallah noted that, contrary to tradition, constituted bodies were not returned to the airport to welcome President Juvenal Habyarimana on his return and insisted " *this sprained institutionalized practice* ". He deduced that " *those who usually invited the body constituted knew that the plane would never happen* "to. The argument, however, is irrelevant, firstly, because the precise return of Rwandan President was not known in advance, he even interrupted the meeting in Dar es Salaam, on the other hand, because non convocation constituted bodies could just suggest that those in charge of the protocol were aware of a plot.

All authors agree on the fact that missiles were fired near a place called "the farm", located on the road from Masaka hill to the main road Kigali-Rwamagana Kibungo two kilometers around the Kanombe military camp. This densely populated area, the neighborhood is home to many civilian and military close to the regime. Lieutenant Colonel Gregory of Saint-Quentin, then Commander, emphasized that this hill, close to the road leading to the airport and populous, was accessible to all, and that UNAMIR was doing there patrols.

VICTIMS OF DIRECT ATTACK

Rwanda's President Juvenal Habyarimana

The President of Burundi Cyprien Ntaryamira

Two Ministers of Burundi, Bernard Ciza and Cyriac Simbizi

The Chief of Staff of the FAR, General Deogratias Nsabimana

Major Thaddeus Bagaragaza, head of the military household of Rwandan President

Colonel Elie Sagatwa member of the private office of President Juvenal Habyarimana, chief of the military cabinet

The French crew:

Mr. Jacky Heraud (pilot)

Mr. Jean-Pierre Minoberry (copilot)

Jean-Michel Perrine (engineer)

B. REVIEW OF THESE IN THE PRESENCE

Many academic essays or newspaper articles - written before the mission began its work - discussed assumptions about the conditions under which the attack was perpetrated against the plane of President Juvenal Habyarimana. These writings are considered by the Mission specifically highlighted the following elements, which overlap with those developed by the Belgian Professor Filip Reyntjens in his book " *Rwanda, Three days that changed history* "book that was useful for investigations conducted by the Mission.

1. The track Hutu extremists "sponsors" with the help of French military or mercenaries "operators"

This hypothesis, which is favored by Mr. Filip Reyntjens in his book cited above and by Gérard Prunier in his book " *Rwanda, genocide* ", "has long emerged as the most likely.

a) *The reasons*

According to proponents of this view, the attack that triggered the genocide was perpetrated by Hutu extremists, members of the Akazu, ie the clan identifiable Hutu north, near the president's wife, Agathe Habyarimana. Decision sponsors take action was dictated by the choice made by President Juvenal Habyarimana, to implement fully the Arusha Accords, which definitely called into question privileges and emoluments of multiple relatives having enjoyed an unchallenged power. The decision of 6 April 1994 in Dar Es Salaam by President Juvenal Habyarimana, to exclude (CDR party Hutu extremists) of the broad-based transitional government was interpreted by the Akazu as confirmation of the *capitulation* final of the Head of State.

The assassination in October 1993 of the Hutu president of Burundi, democratically elected Melchior Ndadaye had already provided to extremist political alibi of their distrust of the Arusha Accords, at the same time he had helped to intensify appeals to ethnic hatred against Tutsis.

In his book, Mr. Filip Reyntjens evokes other events that have contributed to the gradual divorce between the Rwandan president and the most radical of his entourage, including discreet meeting of 9 March 1994 in Kampala between Ugandan and Rwandan presidents who was interpreted as a capitulation. Colonel Bagosora would have publicly expressed his opposition to the logic and the Arusha meeting in Dar Es Salaam, considering that the top and inappropriate indicating he could " *come to grief to the President* . "

Gérard Prunier reports to share the words of the same Bagosora Special Representative of the Secretary-General of the United Nations, Mr. Jacques-Roger Booh-Booh, the evening of the attack: " *do not worry, it is a coup, but we have the situation well in hand. We manage to save the situation, but we must remember the Colonel and Colonel Rwagafilata Serubuga in the active army to help me handle the situation* . " Asked by care rapporteur Jacques-Roger Booh-Booh has not confirmed this.

b) The facts

At the junction between the national road and track Masaka was a position of the gendarmerie and the FAR. Mr. Filip Reyntjens writes in his book testimony collected by the Belgian military, indicating the presence in the morning on the scene of a quadruple gun under cover positioned on a trailer attached to a Jeep; the same place, two soldiers carry a pouch slung webb, which seems to contain pipes about 1.5 meters long. According to that evidence, the gun would have been seen débâchée to 7:45 p.m.

Regarding the availability in the Rwandan army of ground-air missiles, a report by Human Rights Watch, establishing the inventory of weapons carried away in Zaire by FAR after their defeat shows that this stock would comprise between 40 and 50 missiles 7 and SAM-15 Mistral, ie a relatively large capacity air-ground. But it is unlikely that an army has such an arsenal without you understand the conditions of use, although many observers are pleased to highlight the state of unpreparedness and inefficiency in combat FAR.

It was also noted by both MM. Filip Reyntjens and Gérard Prunier that the FAR and the police would have reacted very quickly after the attack, including establishing dams near the airport and in the city of Kigali (a dam was put in place from 7:30 p.m. in neighborhood Kimihurura). Belgian UNAMIR and the Belgian military technical cooperation were locked from within the airport. The presidential guard would immediately denied access to the wreckage. Elements of the FAR, especially the para commando battalion stationed at Kanombe have on the evening of 6 April killed many people (some sources speak of several thousand in the area of Masaka) to remove inconvenient witnesses.

The issue of people in the control tower was seen as crucial. Night meant that operators have arranged information from the control tower which would have found the elements of the presidential guard. According to the pilot of a Beech Burundi who flew over the area and gave his testimony to the newspaper The Citizen, the tower controller Kigali have been repeatedly requested by soldiers asking about the status of progression of the presidential Falcon. Similarly, the hypothesis has been advanced by a lights of the runway at the approach of the aircraft; but this version is not validated, the lights having, apparently, been extinguished after the crash, in a panic.

c) questions about the conditions for carrying out the attack and the nature of "operators"

(1) Reservations made by academics and journalists

Mr. Filip Reyntjens and some journalists have attempted to assess the reliability of the argument favoring track Hutu extremists.

- The journalist Stephen Smith has highlighted three indices up against this thesis:
 - It was first noticed that the Colonel Elie Sagatwa, head of the presidential guard, near Agathe Habyarimana and prominent member of the Akazu parent, was in the plane of President Juvenal Habyarimana;
 - He then noted that neither Akazu nor the MRND or CDR had not prepared the succession of President Juvenal Habyarimana;
 - He also stressed that the perpetrators of the attack did not need to kill 12 people, including the President of Burundi, to achieve the Rwandan president, they attended daily.

- Mr. Filip Reyntjens particularly insisted on the state of political unpreparedness of the most extreme members of the presidential party:

- In the evening of 6 April, soldiers and gendarmes led by ministers and politicians close to the president in the camp of the presidential guard to protect them from possible attack by the RPF;
- A number of influential but totally clueless regime members took refuge at the Embassy of France on the morning of April 7;
- The political point of view, it was not until April 8 for the core of the Habyarimana regime seeks to really control the situation;

Dams have certainly been rapidly developed in many places in Kigali after the attack, but it is according to Mr. Filip Reyntjens dams routine installed every day in the early evening. Political killings by Hutu extremists began only 10 hours after the attack; some took place on 6 April evening on Masaka hill, but it can be murder to remove inconvenient witnesses or simply retaliation.

Concerning the position of the FAR or the gendarmerie at the fork in Masaka, Mr Filip Reyntjens examines the risk taken by the military remained uncovered during a day when the presidential plane was to land that evening; He also points out that cases containing pipes could be anti-armor weapons as well as bazookas, these weapons have the same appearance as ground-air missiles.

- The ability sol-air FAR highlighted by Human Rights Watch can be questionable, UNAMIR having never knew existed until April 1994. FAR also have very little used such weapons since the RPF did not have air assets. Finally, the report by Human Rights Watch reported that SAM-7 or Mistral, whereas, in all likelihood, the missiles used to carry out the attack are SAM-16 "Gimlet".

It is precisely because these questions about the concrete conditions of realization of the attack have not found satisfactory answers to this day, what could be advanced the hypothesis of a military intervention or French mercenaries acting especially for the Hutu extremists.

(2) The possibility of a military intervention or French mercenaries as "operators" of the attack

This hypothesis was specifically mentioned by the Belgian journalist Colette Braeckman and the French academic Gérard Prunier. Its validity has been an analysis of Mr. Filip Reyntjens in his aforementioned book.

- Colette Braeckman said he had received in mid-June 1994, a handwritten letter signed "Thaddeus, head of the militia in Kigali", informing him that the president's plane was shot by two French soldiers RPC operating on behalf some leaders of the CDR. The name of a French (Etienne) it is Pascal Estévada-advanced. Estévada have participated in the operation and would Noroît reappeared in Rwanda in February 1994, before participating in May 1994 in the shares of bodyguards that France initiated for the benefit of the Burundian authorities. It should be noted that the evidence collected by the Belgian military and that of Thaddeus does not converge.

Colette Braeckman adds that, according to a witness, a mysterious foreigner, probably French, with radio equipment, would have held until the day of the attack a room at the hotel diplomats.

- Two Belgian newspapers say in September and October 1995, from documents issued by the Belgian military intelligence and dating from April 1994, that the attack was sponsored by President Mobutu and six missiles were purchased and sent to France to Kigali via Zaire Embassy in Brussels, Ostend, Kinshasa, Goma and Gisenyi airport. The perpetrators of the attack would be a Belgian mongrel, a French and a Rwandan.

It should be noted concerning the latter case, neither the types of missiles, nor the authors are identified and that the head of the Belgian military intelligence emits the greatest doubts about the reliability of the source that fed this note. Well are not specified in this note motivations Mobutu.

- Mr. Reyntjens first points out that:

- According to testimony gathered by the Belgian military, the two soldiers responsible for cases on the road to Masaka wearing their beret " *the French* " (both military color would be kept away from others and uniform Rwandan army they wore seemed new, there is some had argued that they were French soldiers from the overseas territories);

- The CIA said at the beginning of June 1994, two DGSE agents belonging to the camp Cercottes in Loiret, were behind the attack. This statement, which was not accompanied by any evidence, was denied by the French services, for their part, would be responsible for advancing the track of an American company represented in Central and would have sought to recruit, through Belgian intermediaries specialized in the use of anti-tank and anti-aircraft missiles mercenaries;

- French soldiers, including the commander of Saint Quentin, were able to reach the crash site while the UNAMIR soldiers were denied access to these places.

- The French academic Gérard Prunier was interested for his part in the relations between the Akazu and Captain Paul Barril, without daring to enter. He began by questioning the thesis developed by Colette Braeckman, a French military complicity in carrying out the attack or the Ambassador of Rwanda to Kinshasa, Etienne Sengegera, advancing the thesis of a involvement of Belgian UNAMIR soldiers, " *the Belgian Government has no more interest than the French to the death of President Juvenal Habyarimana, but important detail is reflected in the two explanations do not stand up: men who allegedly shot missiles are white ...* ".

He then notes that the RPF track is especially advanced by a group of Ugandan exiles in the United States, hostile to President Museveni, and is echoed by Ms Agathe Habyarimana and his "controversial special advisor, Paul Barril". He noted that Mr. Paul Barril relations with the family of Rwandan President predate the signing of the contract binding it to the widow of President Juvenal Habyarimana. He noted that the former police captain leaves Burundi to Kigali on the eve of the assassination of President Ndadaye in Kigali and is in close liaison with the Burundian Hutu extremist ministers FRODEBU wing.

Of all these elements, such as contacts made by Paul Barril in the field of " *underground business security* " with former military adventurers became Gérard Prunier deduced a possible connection with Mr. Paul Barril the perpetrators of the attack: " *if we recall that according to some reports, white men were spotted on Masaka Hill on the evening of April 6, and launch air defense missiles is a fairly specialized job, we can assume Paul Barril knows men who shot down the plane and their sponsors. Its unfounded accusations against the RPF then serve to distract other people known to him, and able to recruit experienced white mercenaries for a murder contract on the person of President Juvenal Habyarimana. If these mercenaries exist, their only potential sponsors are Akazu, because then President Juvenal Habyarimana has become a liability than a benefit to the cause of Hutu Power .* "

2. Burundian track

The prevailing idea in this thesis is that it is not the Rwandan president who was targeted by the attack but his Burundian counterpart, President Cyprien Ntaryamira. This thesis, which is used by people as truly credible, is briefly developed in this report for completeness sake exclusive. It is based solely on the fact that the participation of Mr. Ntaryamira atop Dar Es Salaam was very resented by the Burundian opposition (The Citizen newspaper headlined "top of the betrayal and death"). But this is an element too tenuous for this track deserves to be explored further.

Besides the fact that it could not be known in advance that the President of Burundi would in a device other than his own and that an attack of this nature can not be improvised, it seems more difficult for the political opposition Burundi to organize the elimination of its Head of State abroad, unless they have significant complicity for the delivery and installation of missile shooters.

3. Runway democratic opposition or "moderate Hutus"

This assumption, which is rarely mentioned, has been argued in a book by Mr. Filip Reyntjens cited above development. Although it does not appear as the most likely, it should be carefully examined to the extent it raises the question of a joint action of the RPF and moderate opposition to President Juvenal Habyarimana.

Demonstration outlined is based on the following arguments:

- General Ndindiliyimana, who commanded the gendarmerie and was officially on leave, announced April 5, 1994, at a meeting with UNAMIR, a search operation and disarmament, following other similar type and can be considered routine would be done in the area of Kigali and Nyakabanda would take place on April 7 at 4:30 am. On the morning of April 6, a coordination meeting at the headquarters of the Force has taken concrete steps to the scheduled day (support of UNAMIR personnel and logistical assistance parquet, consignment, the operation companies gendarmerie in Kigali). All these elements could meet a coincidence says Filip Reyntjens, if General Ndindiliyimana, who announced and implemented this system, did not deny later to find the cause;

- 1 or April 4, 1994, officers and some from southern Rwanda civilians, including the prefecture of Butare, would have met with the Prime Minister, after contact with the Gendarmerie Lieutenant Iradukunda young lawyer assigned to the service Intelligence of the Ministry of Defence. Were present at the meeting, Lieutenant-Colonel and Major Gaarabwe Ngayaberura. General Ndindiliyimana was unable to attend. On the occasion of this meeting, the Prime Minister, noting blockages in the Arusha process and citing threats to opposition figures have called for overthrow President Juvenal Habyarimana.

Officers have reacted reluctant, some even going so far as to inform the President of this conversation. RTLM radio will report the event without comment. However, General Ndindiliyimana said he was not informed of the meeting, he would have become aware that the Colonel Gatsinzi itself alerted by RTLM broadcasts. But Colonel Gatsinzi denies having contacted the General Ndindiliyimana on this and Mr. Filip Reyntjens notes that the commander of the gendarmerie was very close to the Prime Minister as well as most of the protagonists of this meeting and it is unlikely therefore, that these words correspond to the truth;

- Colonel Nshizirungu Anselme, military advisor to the Prime Minister, member of the MDR (Twagiramungu trend) and near the RPF writing annexed to a memorandum entitled " *Overview of the political situation in Rwanda* " and sent to a Belgian friend residing in Africa south " *in the worst case, the Rwandan evil find its solution in the physical removal of the dictator ... I'd like to see you in this beautiful country once rid of this monster ...* "

- April 6 in the evening, around 21 hours, a Belgian officer residing in Belgium and having close relations with the Rwandan army had contacted the Chief of Staff of the FAR, without knowing that he had died in the attack . This is Ndindiliyimana who would answer the phone, which is once again denied by the latter;

- Military position at the junction of the track Masaka held in part by the gendarmes.

Based on these elements, Mr. Filip Reyntjens raised the possibility of the involvement of "officers *democratic* " from the South, especially within the gendarmerie and infuriated by blocking the democratic process and political assassinations. These officers thought would enjoy the institutional vacuum left by the assassination of the president to try to regain the lead in calling for immediate implementation of the Arusha Accords. Some elements of the presidential guard have taken this very seriously hypothesis. They also say they found the speech that the Prime Minister intended to say on the radio, in which it announced the installation of a transitional national assembly whose composition should meet the wishes of the RPF and its allies. The rapid elimination by the hardliners of the moderate opposition, including the Prime Minister Agathe Uwilingiyimana, was dictated by the desire to thwart this plan.

This hypothesis, consistent it can appear at first glance, is not supported by any specific evidence being proof. It masks almost completely the question of "operators of the attack" and does not clarify the role allegedly played the RPF in such a scenario.

4. The track RPF "sponsor" with the help of Belgian military "operators"

Before the Mission will conduct its work, the track RPF was specifically mentioned by the university Belgian Filip Reyntjens and journalist Stephen Smith, most other authors - especially those mentioned in the paragraphs above - had dismissed or had not taken care to deepen. It was thus the authors of the report of the Belgian Senate committee, which you would think they would be interested in more, taking account of suspicion weighed on possible complicity of Belgian soldiers in carrying out the attack. Since then, Mr. Bernard Debré, Minister of Cooperation of Edouard Balladur Government, spoke the same assumption, based on elements that have not been verified and may under no circumstances be regarded as evidence credible.

a) The patterns and material to the

Among the evidence to substantiate the track RPF, some particularly caught the attention of Professor Filip Reyntjens:

- Politically, it should be noted that since the beginning of 1994, the RPF tried to form a political coalition anti-MRND would have had qualified to the Transitional National Assembly majority. On the other hand, the RPF bears a share of responsibility in the many obstacles put in the way of the implementation of the Arusha Accords, not thinking indeed emerge victorious from a competitive electoral process, as he had already experienced during local elections in September 1993 in the eight municipalities of the demilitarized zone;

- The RPF had ground-air missiles and knew the handle. It would also used to shoot down an aircraft reconnaissance Matimba October 3, 1990, a Gazelle helicopter Nyakayaga 23 October 1990 and a helicopter Cyeru in February 1993. Moreover, Sept. 10, 1991, Fokker 27 of Zairian society SCIBE performing a Kigali-Beni binding was reached over where the borders of Rwanda,

Zaire and Uganda meet. Regarding the origin of missiles, it could be from weapons stocks of the Ugandan army, it will have, according to Mr. Filip Reyntjens that SAM-7 and not of SAM-16 (such missile has probably been used in the attack).

A 1993 report by French gendarmes have revealed that most of the attacks that took place in Rwanda in 1991-1992 were fomented by the RPF. Stephen Smith reports that the " *worst possible strategy* " is accepted by an officer of RPF, under the guise of anonymity, not to exclude " *the establishment of an autonomous unit responsible to kill Habyarimana* " ; informant also reveals in his presence, the president of the RPF, Alexis Kanyarengwe would have considered " *down* " the Rwandan president.

However, the discharge of the RPF, Mr. Filip Reyntjens notes that the " *farm* " is located about 10 km as the crow flies from the cantonment of CND and that this area is militarily dominated by FAR (Kanombe being located Two kilometers from Masaka). This argument loses its value in cases of complicity between the moderates and the RPF officers or taking into account the dreaded infiltration capacity which the RPF had demonstrated in other circumstances, including the opportunity to a raid on Ruhengeri in January 1991.

The issue of anticipation by the RPF of the events on the night of 6 to 7 April 1994 is more difficult to treat. On the one hand, it is certain that with the exception of a few trips on the night of 6 to 7 April 1994, elements of the RPF battalion in Kigali engage in fighting the afternoon of April 7. On the other hand, contrary to what could the newspaper Jeune Afrique, the key executives of the RPF, as Sendashonga or Jacques Bihozagara have not left Kigali a few days before the attack.

Finally, some have argued that the RPF had not launched its offensive in the north from April 8, but on the morning of April 7, especially in areas Kisaro Rukomo, Kagitumba and Nyabishongwezi. In addition, according to sources within the APR, it was on alert since April 3. According to these sources, General Paul Kagame had ordered Colonel Kaka prepare for the assault on Kigali on the night of 6 to 7 April.

It seems safe, says Filip Reyntjens that the RPF was ready to initiate a large-scale operation in record time and was able to introduce in Kigali troops who were able to source material being route including Rutongo, about ten kilometers from Kigali.

Professor Reyntjens finally indicates that sources with the RPF would argue that it was behind the attack. The Department of Military Intelligence RPF (DMI) have confirmed this commitment and would have justified in arguing that the war would never have ended if President Juvenal Habyarimana had not been eliminated. One of these sources have stated that the " *hit* " was made by Major Rose Kabuye and Colonel Kayumba, the then head of the DMI. Finally, according to sources located within the FAR, in the evening of 6 April, a listening post located in Gisenyi, who was monitoring the communications network of the RPF would capture a message saying: " *the target is hit* . " This fact is confirmed by a report dated April 7, 1994, when Captain Apedo, Togo observer UNAMIR in Kigali camp wrote: " *They Said RGF Major Monitored RPF communication All which STATED "target is hit* . "

b) The issue of involvement as "operators" Belgian soldiers

On this subject, Mr. Filip Reyntjens notes that:

- From the morning of 7 April, a declaration of a "crisis committee of the Rwandan community in Belgium", close to the MRND, says the attack was carried out by Belgian military being part of the contingent of peacekeepers and based on " *non-Belgian UNAMIR military sources* . "

- In a note verbale of 20 April, the Ambassador of Rwanda to Kinshasa, Mr. Etienne Sengegera, says the plane was shot down by Belgian military for the RPF. However, the next day a note published by the Embassy of Rwanda to Bujumbura was much more cautious on the facts.

In a note dated April 10, the Foreign Minister said that the presidential plane " *came under fire from unidentified elements* " and the next day the Minister refers to " *inexplicable lapses on the part of the head headphones blue responsible for security Kayibanda and its surroundings, failures airport that helped shoot down the presidential plane* . "

This same argument of guilt RPF and a Belgian military complicity is taken by Paul Barril in the France 2 program in which it participates June 28, 1994.

No convincing evidence is, however, never came back up these assertions, which are also always made sources close to the Habyarimana regime. The hypothesis of the involvement of three Belgian soldiers in the attack and subsequent elimination is unconvincing because these soldiers were identified as were the ten Belgian UNAMIR peacekeepers were murdered in the

days following the attack.

Finally, Ms. Colette Braeckman told the rapporteur, Mr Bernard Cazeneuve, the real perpetrators of the attack had tried "*to blame the Belgians*" to hasten their departure. Theft Belgian uniforms, which could have been used by Western mercenaries, is not a sufficient evidence to confirm this second hypothesis.

C. NEW ITEMS COLLECTED BY THE MISSION OF PARLIAMENTARY INFORMATION AND MATERIAL EVIDENCE ON THE ORIGIN OF MISSILES

Mission wished methodically reconstruct the sequence of events relating to the attack by employing a first step to check, one by one, each of the facts mentioned above.

In this context, particular attention was paid to the question of the origin of the missiles used to carry out the attack.

The first contribution of the Mission was to remove the Advanced university, MM thesis. Filip Reyntjens and Gérard Prunier on the evidence they had and taken over by the French Ministers, MM. Francois Leotard and Bernard Debré. Then the Mission gave an overview of the main points made by those interviewed for the two opposing arguments. Finally, she drew conclusions documents that have been transmitted.

1. Origin of missiles

To conduct its investigations, the Mission is based both on public or in camera hearings that it has undertaken and documents made available, upon request, by the executive, especially the Ministry of Defense.

a) The content of hearings

(1) of French origin missiles?

- As noted by Mr. Filip Reyntjens, "*which is essentially absent in the assumptions mentioned, this is the evidence. But it seems quite exist.*" Belgian professor added the following:

- April 25, 1994, the FAR would have found the two missile launchers used for the package. A document that day by Lieutenant Munyaneza identifies the serial numbers of the two devices (*cf.* annex). Having examined these documents more than a year after recovery launchers through the ex-FAR in Goma, Professor Reyntjens gladly would have thought a "*manipulation*", so in October 1994, he had not met Masaka a witness who had seen not only from the missiles, but was also found that a month after the attack, FAR soldiers had discovered launchers and were stored at Camp Kanombe

- Found the missile missiles would like SAM-16 "Gimlet". Officially, ten countries had such weapons in their stocks in the first half of 1990: Angola, Bulgaria, North Korea, Finland, Hungary, Iraq, Nicaragua, Poland, Czechoslovakia and the former Soviet Union. SAM-16 were recovered as Angolan UNITA by the South African army and it is by these means (Zaire interposed by the case of UNITA) they would have been able to extremists Hutu. Similarly, if these missiles had come from South Africa, they could serve to moderate officers, as evidenced by the links established by Colonel Nshizirungu with military circles of the country.

With all the necessary care, since it is second hand sources (can not totally exclude a folder manipulation as sensitive as that of the attack), Mr. Filip Reyntjens mentioned the hypothesis that several sources enabled him to assert that the two SAM 16 missiles "*came from a lot seized in February 1991 by the French military in Iraq and sent to France*". He said he "*had no documentation including any list where the numbers have been referenced missiles*", but the information available to it had been provided by sources within the military intelligence British, American and Belgian does not wish to be identified.

If this hypothesis were correct, the document Belgian intelligence services take its meaning and information would point the finger at Hutu extremists. The Belgian university then asked some additional questions that have not been able to answer: France has she received the SAM-16 Iraqi? If yes, what are the serial numbers of these missiles? Missiles recovered near the farm in Masaka were they part of these lots? If so, the RPF he is so far exonerated because, according to some sources, it would have procured weapons including Iraq?

He added that the fact that the missile can come from a French stock not meant in any way the involvement of France in the attack.

Among civilian and military leaders interviewed, many of them have had to say on the question of the origin of the missiles used to shoot down the plane carrying President Juvenal Habyarimana. Among others, the following testimonies have been collected:

- The former head of the DGSE, Claude Silberzahn, told the Mission that Western intelligence services were conducting exchanges of information within "a scholarship information." He also noted that the three sources of Mr. Filip Reyntjens could thus be reduced to one. While noting that these elements called into question the credibility of information held by the Belgian university, he did not exclude maneuvers of misinformation and said that foreign intelligence services had not confirmed these points at survey conducted by the DGSE;

- Former Cooperation Minister Bernard Debré, said in an e "character *absurd* " thesis involving France, not imagining that the French Government could " *deliver arms to an army that he has fought to shoot people he protected them* . " He however reported delivery to the Uganda anti-aircraft missiles from U.S. stocks.

The former Minister of Defence, Mr Francois Leotard, said " *he did not see how the missile had shot down the presidential plane could transit through French hands, that is to say by services that this was not the mission or mandate.* "

(2) American or Ugandan origin missiles?

This second hypothesis has been proposed by several people interviewed.

Mr. Herman Cohen spoke of " *the argument that the Soviet missiles against the aircraft came from the Persian Gulf, they were recovered in Iraq by the United States and given to Uganda which would in turn , delivered to the RPF* . "

Mr. Jacques Dewatre, as Mr. Bernard Debré, said the numbers of missiles were very close (one digit) physical staffing in the Ugandan army in 1994, as confirmed a list of these missiles M . Dewatre Jacques did not want to indicate the source. But he said there was no evidence that the missile that destroyed the presidential plane was provided by the Ugandan army.

The former ambassador of France in Rwanda, Mr. George Martens, said that " *the RPF had, at least since 1990, the anti-aircraft missile, the RPF had also shot in October 1990, a plane of the Rwandan army and a helicopter Rwandan-and SAM-16 missiles, the type used for the attack, which were found in the Akagera National Park and reported by our military in 1990 or 1991* . " Moreover, he considered " *unlikely there would, when he left Rwanda, a member of FAR knowing use a missile* . " Colonel Bernard Cussac said that the existence of these weapons, " *whose numbers correspond to those gear stored in the arms of Uganda reserves* " would have taken his " *conviction that the RPF had instigated the attack* " .

General Jean Heinrich said he had no specific evidence photographs of missiles, taken in Rwanda on 6 and 7 April 1994 and contained in the logbook of the DRM 25 May 1994. These photos reveal numbers used in the series of those staffing in the Ugandan army. General Jean Heinrich said " *DRM had very specific indications or evidence that the RPF had acquired anti-aircraft missiles SAM 16* " . He insisted on greater military efficiency of the RPF relative to the FAR " *in training, training, arming and discipline* . " He attributed this superiority on the quality of management and the composition of the units formed of experienced soldiers who had been trained by the Ugandan army and had already fought with him. He added that, " *considering the state of the Rwandan army, completely disorganized, poorly controlled, where the leaders were often absent without tactical ideas, it was quite clear that, without outside help, the RPF seemed, especially with Ugandan indirect aid, size push quickly* . "

(3) The issue of anti-aircraft missiles held by FAR

Michel Cuingnet as ambassadors George Martens and Jean-Michel Marlaud or General Christian Quesnot confirmed that FAR soldiers were not trained in the use of ground-air missiles. As stated above, it appears that surface to air missile was recovered in February 1991, the theater of fighting between the FAR and the RPF (one missile was presented to the French defense attaché). However, Lt. Col. Gregory of Saint Quentin, then Commander, auditory witness to the attack, this camp Kanombe has confirmed two shots close together, so two shooters, the small gap between the two detonations n 'having failed to reload a missile.

Mr. George Martens noted that " *retain responsibility Hutu extremists, who already had difficulties to take mortar and cannon, would be to admit that they have benefited from European support to the attack* . "

Mr. James Gasana, former Rwandan Defence Minister, said " *as long as he had performed his duties, no FAR soldier had been trained in handling anti-aircraft missiles* " and argued that " *the Government Rwanda had never planned to acquire*

anti-aircraft weapons since the RPF had no aviation . "

The General Jean Rannou and Maurice Schmitt indicated to the Mission that it was easy to shoot down an aircraft approaches the runway with a missile infrared and training shooters presented no difficulties.

b) The teachings of the documents made available to the Mission on the type and origin of the missiles

- To supplement the information obtained hearings that it has undertaken, the Mission wished to have documents that were provided either by the executive or by witnesses, and the list is attached. Of these, some have particularly caught the attention of the Mission.

The French Defense Ministry has sent the Mission identification missile launcher photos taken in Rwanda on 6 and 7 April 1994, from chief of military intelligence and transmitted to it by the Military Cooperation Mission. Were attached to this transmission photocopy of the logbook of the DRM 22 to 25 May 1994, as well as original photographs of an anti-aircraft missile. The documents were also accompanied by two lists of SAM 16 missile type established by the DGSE, the first taking stock of missiles staffing in the Ugandan army, the second missile recovered by the French army on Iraqi stocks during the Gulf War.

- According to the analysis of these documents and further hearings conducted by the rapporteur:

- That the photographs, taken in Rwanda, have been recorded on the book of DRM May 24, 1994;

- That these photographs have a pitcher - and only one - whose identification numbers are legible. These numbers correspond to those of one of the two pitchers mentioned by Professor Filip Reyntjens in his book " *Rwanda: Three days that changed history* ";

- Only after a first assessment of these photographs, it is likely that the missile launchers containing not have been learned: the photocopies of photographs, the tube is in state caps the ends thereof are positioned, the firing handle, the battery and the battery are present;

- The numbers of launchers provided (9M322) seem to correspond to SAM-16 "Igla" whose reference is Russian 9K38.

Given these factors, it should make the following remarks:

- Since ported numbers on the launcher, the photograph was forwarded by the Ministry of Defence, match those of one of the two missiles identified by Mr. Filip Reyntjens from the testimony of an officer of the FAR in exile Mr. Munyasesa, and since these pictures have launchers probably full, so it is that the missiles identified by the Belgian university is not likely to constitute the weapon used in the attack, but to consider that the dates registration book DRM are wrong;

- The transmittal to the Mission photographs of missiles provided by the MMC to the DRM, as in the recording of these photographs by DRM specifications, it is done at no time mentioned the author these photographs, or the place where they are made, or the conditions of their transport to the French central government, which affects particularly the scope of those factors;

When asked about the origin of these photographs and the reasons for their existence had not been mentioned during the hearings in which they participated, MM. Michel Roussin, former Minister of Cooperation exercising political control on the MMC and Jean-Pierre Huchon, former Head of the MMC, both said they did not recall having been recipients of these documents at the time of registration, even though the MMC, as the schedule provided by the Ministry of Defence to the Mission administration which have passed these photographs in 1994, before reaching the DRM. It should also be noted that, according to information available to the Mission, these documents were extracted in 1998 from the archives of the Ministry of Cooperation, before being placed at the disposal of Parliament for the performance of its work.

In his book, Professor Filip Reyntjens says launchers, it communicates numbers, were recovered near Masaka, around 25 April 1994. Yet the photographs are one of those pitchers were recorded by the DRM in its books a month later, on May 25, no explanation has enabled the Mission to understand the reasons for this period or to determine the conditions under which those documents.

Finally, it appears that the missiles identified by Mr. Filip Reyntjens and corresponding to one of them, photographic documents referenced, enter the Ugandan series and not in the French series.

- These findings, however, prescribe any responsibility in carrying out the attack. Beyond already expressed doubts about the reliability of photographs made available to the Mission, we know from sources that Rwandan forces had recovered in 1990 and 1991 in the theater of military operations and the RPF missile Soviets, they could have used to perpetrate the attack.

These missiles are discussed in a telegram from the French defense attaché dated May 22, 1991: " *the General Staff of the Rwandan army is willing to submit to the defense attaché a copy of sol-defense weapon Soviet air type SA 16 recovered rebels May 18, 1991 during a clash in the Akagera National Park. This weapon is new; its origin could be Uganda; various inscriptions, details of which are given after that are likely to determine the origin* " (cf. annex) . "In the event that an organization would be interested in acquiring this weapon, I ask you to specify destination and arrangements for transport in France , "concluded the defense attaché, Mr. Galinié.

Moreover, in a letter he sent to the Mission, following the publication of an article in Libération realizing the mission of the two reporters in Kigali, Sébastien Ntahobali, former commander of the Rwandan military aviation, has part of the information available to it on how ground-air staffing within the RPF, partly corroborating information held by Colonel René Galinié elements.

- Registration of missiles in a Ugandan list does not mean much to the RPF as the author of the attack, for the following reasons:

- Hutu extremists who lacked anti-aircraft means, could have used those recovered from the RPF to carry out the attack against the presidential plane, using either mercenaries or to Rwandan soldiers specially trained in the use of such weapons;
- Since real doubts about the date and conditions for taking photographs available to the Mission, nothing prevents such recovered on the RPF and the FAR photographed before or after 6 missiles April;
- Finally, France has been accused repeatedly by some journalists and foreign observers, to have some way lent his hand to the perpetrators of the attack, why would we wait four years to prove guilt RPF and Uganda, on the basis of these photographs and lists of missiles that accompany?

c) Outstanding issues

The careful consideration of available information from the Mission as hearings conducted to complete this review, it appears some findings:

- The probability is high that the missile photographed was not fired, the missile can in no way be considered as a reliable weapon who shot down the plane carrying President Juvenal Habyarimana;
- The photograph of the missile attached, showing the numbers that correspond to those published by Mr. Filip Reyntjens, so there is little chance that the missiles identified by the Belgian academic correspond to those actually used to shoot down the plane carrying President Juvenal Habyarimana;
- The correlation between theory conveyed by FAR in exile (cf. documents submitted by Mr. Munyasesa Mr. Filip Reyntjens) and the outcome of elements communicated to the Mission to describe briefly the RPF and Uganda as authors can be seen possible the attack (cf. photographs and lists of missiles attached). This hypothesis has been advanced by some French government officials, without further precautions, as evidenced by the MM auditions. Bernard Debré, former Minister of Cooperation, or François Leotard, former Minister of Defence;
- Since corroborating information which have provided both parliamentarians and academics Mission-although they were carried by different channels, appear to be a very relative and reliability as they fail to designate weapon of attack, the question arises as to the reason for this confusion. The intervention of the FAR in exile in the attempt of disinformation does she means not as protagonists of a possible cover-up? Unless sincere, FAR exile themselves have been manipulated, but in this case, by whom?

2. Failure to investigate

Could not go further in his investigations, Mr Filip Reyntjens, which at the end of its many research focuses track RPF wonders especially on " *smoke screen* " spoke on the issue of the attack and the lack of investigation, which contributed to a climate of confusion. It highlights include:

- While the UN has called for a neutral international investigation on 8 April until 27 June, the Secretary General of the UN was responsible for such an investigation by the Security Council, but the case was " *silently deleted from the agenda* " later;
- On 12 April, the Belgian Council of Ministers decided to request ICAO to initiate an investigation, the item was included in the agenda of the meeting of the Council of ICAO on 25 April, but no investigation was conducted. Blockages from equally procedural problems (the plane is there a civil aircraft of the ICAO proficiency or a State aircraft outside its jurisdiction?) That the lack of cooperation of the Rwandan and Burundian authorities;
- With regard to France, visits Lieutenant Colonel Gregory of Saint-Quentin on the crash have not resulted in a public version of the course of the attack, nor that the evidence claims detain Mr. Paul Barril;
- Finally, with regard to Rwanda, he never provided the evidence before it on this issue, as the new regime in Kigali has never felt the need to initiate an investigation.

a) Lack of an immediate investigation

The difficulties of an immediate investigation were highlighted by many people interviewed.

- Mr. Jean-Michel Marlaud and Colonel Bernard Cussac stressed that the "outburst" of events had quickly restricts freedom of maneuver, especially French soldiers who were unable to visit the crash zone from Kigali because of fighting between the FAR, the Presidential Guard and the RPF, and the deterioration of security would have prevented the work of investigators from Kigali airport. This rapid deterioration of the situation was confirmed by all witnesses.

The crash of the aircraft that took place in the same property of General Juvenal Habyarimana, the Republican Guard who was on hand immediately prevented strangers approaching the camera to pick up clues. This ban will last several weeks and will prevent any investigation. UNAMIR, particularly the Belgian forces controlled the airport, never had ownership of the president.

Michel Roussin recalled that from 10:15 p.m., April 6, 1994, the soldiers of the MAM were recorded at home and they were not authorized to conduct an investigation.

General Jean Heinrich and Jacques Dewatre confirmed that their respective services, DRM and DGSE, could not perform immediate investigation into the attack on 6 and 7 April, they did not have anyone on site. Mr. Jacques Dewatre noted that from April 8, this was not the case but, nevertheless, the DGSE had not been able to obtain evidence.

- Only Lieutenant Colonel Gregory of Saint-Quentin was able to visit the site twice. He reported to the Mission he had experienced difficulty in recovering the body of the French crew and conduct research. He recalled that he lived with his family in Kanombe camp at a distance of 300 to 350 meters as the crow flies from the place of the crash. After the plane was crashed into the garden of the presidential residence, he heard automatic gunfire, he interpreted as a panic reaction of the presidential guard had begun to pull the air, probably towards the place where the missiles were gone.

Lieutenant Colonel Gregory of Saint-Quentin was able to access once the scene of the crash about twenty-two hours, accompanied by a Rwandan officer he knew who had served as a safe-conduct for crossing posts a Presidential Guard became very nervous. He began research in the middle of the remains of the aircraft to recover the bodies of members of the French crew and has been observed disarray Rwandan soldiers when they realized that the body of the President was on the plane . Until three in the morning, he had sought the body of the French crew. He returned on the spot again the next morning at 8:00 in order to find the black box in the debris, but without success.

On the occasion of correspondence addressed to the Mission (see Appendix), Lieutenant-Colonel Gregory of Saint-Quentin has elaborated on his schedule between 6 and 12 April 1994. It would have made at any four visits to the presidential residence (6, 7, 9 and 11 April). But he confirmed that he had visited the scene of the crash on two occasions only, as he said during his hearing (April 6 to April 7 evening and morning). The other two times, he did not go further than the buildings of the presidential residence: April 9, he would have went to the residence to remove the widow of President Juvenal Habyarimana on April 11 and there would be returned to evacuate kin, but he would not have found, it is already party to Gisenyi.

Finally, during an interview with the reporter, Colonel Bernard Cussac said it had been received at the Elysée by General Christian Quesnot and his deputy, Mr. Bentejac between the attack of 6 April and his return to Kigali on April 9, and that he had been asked to gather any useful piece of information concerning the attack upon his arrival in Rwanda. This information was confirmed by General Jacques Rosier. Colonel Bernard Cussac said he had not been able to give a satisfactory response

to this instruction, the circumstances prevailing on the spot due to operational constraints Amarylis not having permits.

b) The absence of formal investigations

It seems that many official investigation requests have been made. The most amazing thing is that apparently none has taken place and has resulted in conclusions. The Mission was unable to determine the reasons that prevented the countries directly concerned or the UN to organize research events.

G rard Prunier was in this regard correctly points out in his book that the perpetrators of the attack are betting the passivity of the international community.

• The Belgian and French demands

Mr. Jacques Dewatre confirmed that Belgium had proposed, on 7 April 1994, enter the International Civil Aviation Organization (ICAO) investigation and was surprised that it did unsuccessful.

Mr. Jean-Marc Rochereau de la Sabliere stressed that " *France, favorable to investigate the attack of 6 April, was at the origin of the statement of the Security Council requesting the Secretary General of the United Nations collect all relevant information on the subject, by all means at its disposal .* "

Mr. Alain Jupp  said that " *France had asked the UN to conduct an official investigation* "because it had no legitimacy to conduct any investigation whatsoever into an independent country but" *entrusted to the Secretary General of the Council safety, she never reached any conclusion .* "

• The Rwandan and Burundian requests

Correspondence between General Romeo Dallaire and the Prime Minister of Rwanda, Jean Kambanda, during the first week of May 1994 indicates that UNAMIR was willing to implement an international commission of inquiry and the Prime Minister had expressed his wishes as to the composition thereof.

But Michel Roussin responded in a letter dated 12 June 1998 addressed to the rapporteur and confirmed by Mr Francois Leotard, " *no request of General Rom o Dallaire of an investigation by France had been addressed to the Ministry of cooperation* " .

Mr. Twagiramungu told the Mission that " *when he was Prime Minister of the Government RPF, he had raised in the Council of Ministers the question of a national or international investigation into the attack but the President and the Minister of Defence had told him it was not a priority for the country and for other Rwandans murdered, no investigation was conducted .* " However, this investigation would have enabled the RPF to argue that it was foreign to the attack. Rwanda authorities never provided the elements they had on this issue, and Mr. Twagiramungu wondered " *why the Kigali regime opposes any investigation into this attack .* "

However, a letter (see Appendix) of the Rwandan Minister of Transport and Communications, Mr. Charles Murigande, dated 28 March 1998 indicates that the Rwandan government has asked the regional ICAO representative to participate in expertise Presidential Falcon.

3. Other contributions of the work of the Mission

a) The evidence for the thesis "bombing RPF"

(1) The desire of the RPF political and military victory

For some stakeholders, the RPF had no political interest in the death of President Juvenal Habyarimana as the Arusha Accords were in favor. But this argument is reversible because the implementation of the agreements deprive a complete victory. Many people interviewed by the Mission noted that the initial and final goal of the RPF was well into a takeover by force.

As noted by Mr. George Martens and Colonel Bernard Cussac, the RPF could hardly consider conquering power through the democratic process, defined by the Arusha Accords, especially if the broad-based transitional government (GTBE) began up and organized sharing of power. A total conquest of power was not possible as the Noro t operation took place and / or as the UNAMIR troops were in Rwanda. The assassination of President Juvenal Habyarimana could be seen as necessary for a

resumption of hostilities.

Bruno Delaye recalled that " *the RPF showed more reluctance towards Arusha Accords "that" the alliances he had spent with the Hutu opposition became less strong, which changed, to its detriment, the balance of the agreements "* and that, " *as highlighted free elections in July / September 1993 in the buffer zone, he knew that the electoral process offered him little hope. During this consultation, all parties were able to campaign, including the RPF, and the MRND had won all seats. Military temptation is then reinforced in the RPF , who not only did not demobilized but recruited elements that the Ugandan army demobilized under the program of the World Bank . "*

Mr. Guichaoua recalled that demonstration was made that " *without the decisive support of foreign forces, the FAR were not able to successfully oppose the RPF offensive "* and that the RPF had said in the press Uganda 23 February 1994 that renewed fighting would provide an excellent chance of victory. Mr. Filip Reyntjens argued that the attack was the spark but any excuse would probably have been entered to resume the war.

Mr. James Gasana noted that the death of President Juvenal Habyarimana " *was always regarded as the inevitable path for the collapse of the FAR and MRND system" .*

Moreover, from the evidence gathered by the Mission, figure unpublished correspondence of one of the pilots of the presidential Falcon, dated 28 February 1994 Ducoin captain, assistant military technical near the Rwandan aviation in the early eighties, ten. In this correspondence, which to this day has never been published, it is stated that the crew of the presidential plane felt threatened by the RPF with missile type SAM-7 since the beginning of the year 1994 and took the technical provisions to address this threat. Other reports published in the appendix, some of which appeared at the Mission as unreliable, going in the same direction.

(2) The anticipated movements of the FPR

It is certain that the fighting resumed on April 7 in Kigali where the RPF battalion in CND was attacked and was out of his barracks. General Christian Quesnot noted that " *some elements of the RPF battalion were already fighting position in Kigali between 8:20 p.m. ET 8:40 p.m. "* . The resumption of hostilities was co organized massacres: it reflects an effective preparation RPF troops in armed combat. RPF troops were able to be put in working order quickly, especially if the hypothesis of a military victory was still considered by its leaders.

While patrolling the RPF did not officially on Masaka hill, but was confined to the building of the National Development Council (NDC), the firing of two missiles does not require moving many troops and elements RPF could thwart UNAMIR patrols or the Presidential Guard; is the analysis of the staff of the French army, which considers possible infiltration of the RPF in the airport area.

Lieutenant Colonel Gregory of Saint-Quentin has also pointed out that RPF soldiers had been seen outside their cantonment, if only to supply or to accompany responsible for their movement in their travels to Kigali . He said that RPF soldiers were the night of the attack, at the Meridien Hotel, located north of their encampment.

b) The evidence for the thesis "attack Hutu"

(1) The political evolution of President Juvenal Habyarimana

Mr. Jean-Pierre Chrétien noted that the radicalization of Akazu and the creation of the CDR had stretched " *to a moderate image of General Juvenal Habyarimana . "* Engaging the Arusha process, Rwandan President showed that he accepted power-sharing and the abandonment of its prerogatives that have criticized him the most extremist militants "Hutu power" .

Mr. George Martens stressed to the Mission that, " *during his assassination, President Juvenal Habyarimana was not the potentate it was during the invasion of his country on 1st October 1990 , "he s 'was " engaged in a process of internal democratization "* and that " *the international community had not taken sufficient account of the consequences of this loss . "*

Mr. Herman Cohen expressed his belief that the family of General Juvenal Habyarimana had committed the attack because he had accepted compromise with the RPF.

Alison Des Forges stated that " *the first massacres were triggered by a very small group who had beheaded the legitimate government to take power . "* This group did not have during the first hours of the support of all military and administrative

system, or the support of some political parties such as MDR. " *During the first days 7, 8 and 9 April, this group conducted an intensive recruitment, starting with the military. But some of them hostile to the movement, refused Colonel Bagosora as Head of State .* "

Alison Des Forges testified that among the military opposed the killings, two or three told him that they had appealed to France, Belgium and the United States, but without response or encouragement, they had not dared to organize to oppose the perpetrators of the genocide.

(2) The presence of Hutu extremists in the device

Mr. George Martens stressed to the Mission that if we admitted that " *Hutu extremists had organized the attack, it was also assumed that they had deliberately killed one of their leaders, Colonel Elie Sagatwa a Member influential Akazu, and some of his friends .* " According to him, the presence of Colonel Elie Sagatwa in the camera makes it unlikely for an attack organized by Hutu extremists, except considering that Colonel Elie Sagatwa had betrayed the conspirators.

But if the presence of Colonel Elie Sagatwa seems to exclude the liability of the Republican Guard, MM. Gérard Prunier and Jean-Michel Marlaud noted that, under the Arusha agreements, it could just be seen as a traitor to the Hutu cause, like President Juvenal Habyarimana, and their fate was therefore bound. Gérard Prunier explained that Colonel Elie Sagatwa chose the camp of President against CDR and " *he had bet on the success of the Arusha Accords (...) It was obvious that from this moment then, his former friends had thought that this change in tactics made him a marked man. The fact that he was on the plane therefore absolutely no guarantee, from the point of view of a certain political fringe Akazu, the security of the president. It certainly was not going to spare him that .* "

Similarly, Mr Francois Leotard noted that " *the presence in the plane of Rwandan Chief of Staff seemed to exclude a priori the involvement of the Rwandan army in the attack .* " Amhedou Mr. Ould-Abdallah noted that contrary to the Chief of Staff had little power and its replacement posed no difficulty. Lieutenant-Colonel Gilles Chollet said the Colonel and General Rwabalinda Deogratias Nsabimana appeared " *as moderating factors of the staff .* "

Gérard Prunier said in his book that General Deogratias Nsabimana had given all the information on the preparation of a genocide to his cousin, Jean Birara, then director of the Central Bank of Rwanda to bring them to the knowledge of Western countries. The inquiry of the Belgian Senate showed that the Belgian authorities had not acted on this information. The fact that the Chief of Staff of the FAR was not in agreement with the preparation of the genocide implied that his death was not a particular issue to the conspirators. Instead, one might add, death eliminated a potential barrier to the implementation of the genocide and allowed to place at the head of FAR genuine supporter of it.

(3) The confusion Hutu leaders

The consequences of the attack have not been prepared, as evidenced by the failure to find politicians, the difficulty of replacing the military high command and set up a provisional government. In addition, the fact that the family of President Juvenal Habyarimana and the dignitaries of the regime took refuge early in Western embassies gave the impression of a failing and not a takeover organized.

Mr. Hubert Vedrine noted before the Mission that " *the widow of President Juvenal Habyarimana seemed totally helpless.* " The confusion of the president's family and many Hutu leaders, even Colonel Bagosora, yet believed to be the fundamental a conspiracy was also highlighted by many stakeholders.

Alison Des Forges noted that Hutu extremists were forced to act, even if they were not quite ready, which would explain the apparent confusion of the first hours. M Gérard Prunier recalled that Colonel Bagosora appeared in a " *state of great emotion* " on the evening of April 6 and it was difficult to say it was the control point or vertex operations.

Gérard Prunier estimated that some extremists had a strategy of personal comfort leading them to leave quickly Rwanda and come back when the confusion would be alleviated. But the lack of preparation of the president's family and his immediate desire to flee uncontrollable events seem to argue more for a lack of connection with the attack.

4. The balance of opposing arguments, according to the Fact-Finding Mission

Without repeating all the arguments mentioned above, it is at this stage possible to assess the reliability of the evidence in support of one or other of the two main hypotheses.

- With regard to the argument favoring the involvement of the RPF in the attack against the plane of President Juvenal Habyarimana, it is supported by the following:

- politically, obstructing the implementation of the Arusha Accords, on the part of President Juvenal Habyarimana and his entourage could leave to think RPF leaders that only a physical removal of the head of State allow the institutional dynamics of these agreements go to completion.

Moreover, it is undisputed that the ethnic dimension of Rwandan political conflicts left little chance to emerge victorious RPF regular electoral process.

Finally, without any writing or any reliable testimony came in support of the thesis that will total political and military victory of the RPF, we can legitimately consider that it was only possible in the part of a logical coup, as shown by the tragic events following the attack of 6 April 1994, and especially since the joint disposal of the Head of State, Head of and the Presidential Chief of Staff of the Armed Guard made impossible any organized response.

- technically, it is undeniable that the RPF had anti-aircraft missile sol-air missiles and some found in the theater of military operations were part of a Ugandan series. The fact that politicians and Rwandan military have denied this destructive capacity during the passage of the Mission in Kigali could be seen as an attempt to hide the truth because of guilt. Moreover, in his testimony to the Kenyan police (see Appendix) the wife of Seth Sadashonga, which was one of the companions of the RPF, indicates that the recent assassination of her husband could be explained by the fear of the RPF to see it appear before the Mission, specifically on the issue of the attack.

In the current state of affairs, it is not possible to confirm or deny the RPF infiltration of 6 April 1994 in the area of the alleged attack. The operation was tactically possible the dark for the RPF, because the Rwandan Patriotic Army (RPA) was very driven infiltration night and had proven repeatedly on the front line. In addition, the ground was favorable, including bypassing the airport from the north, where the habitat was less dense, and the time was sufficient for a discrete implementation, provided that the position has been recognized in advance.

Finally, there was in Dar Es Salaam enough players close to the RPF to inform the latter of the start time of the presidential plane, simple radio means also being capable of capturing some conversations between the control tower and the crew. This point was confirmed by Captain Ducoin during his hearing.

- With regard to the argument favoring the Hutu extremists track :

- politically, it is clear that the decision of President Juvenal Habyarimana in Dar Es Salaam to implement the Arusha Accords could only result in the setting aside of some of the most extreme members Akazu. When the president had stopped resisting the Arusha logic to join it, its physical removal could become essential for anyone who wished to avoid sharing power.

The argument put forward, that the Colonel Elie Sagatwa could be sacrificed by the extremists themselves, should be weighted by the fact that he had accompanied President Juvenal Habyarimana in its latest developments to implement the logic Arusha.

Finally, the state of unpreparedness of the extremist Hutu clan after the death of Juvenal Habyarimana, is not consistent with the systematic elimination of the moderate opposition, by the level of preparation and the importance of ethnic massacres that resulted genocide under the impulse of some poor military "believing their star."

- technically, the FAR had ground to air means recovered from the RPF. Kanombe area was mainly held by the Hutu army, as well as the control tower. Although the RPF could access this area by infiltrating it was difficult enough for him to do so (see Appendix). Given the range of a missile type SAM-16, it is unlikely that such a missile was fired outside the area controlled by the FAR.

To address the hypothesis raised by Mr. Gérard Prunier involvement of Western mercenaries alongside Hutu extremists, the Mission has obtained the following information (see Annex Barril).

Links exist between the group of Paul Barril "SECRETS" and the entourage of President Juvenal Habyarimana before the attack is executed. These contacts were especially knotted by some Rwandan officials to assist in the performance of the contract of sale of arms passed May 3, 1993 between the Rwandan Minister of Defence, Mr. James Gasana and Mr. Dominique Lemonnier, manager of the company Dyl-Invest. The Government of Rwanda has never received delivery of weapons purchased under this contract, despite the settlement of an advance of \$ 4 million transferred to the account of Mr. Lemonnier, Colonel Elie Sagatwa would once loaded M . Barril, in November 1993, to ensure the proper execution of the contract. On 20 May 1994, Mr

Jérôme Bicamumpaka, Minister of Foreign Affairs and Cooperation of the interim Hutu government would have given power of attorney to Mr. Paul Barril so that it implements all the necessary steps to recover the deposit paid in November 1993. Barril having failed to obtain satisfaction, commissioned a judicial procedure before the High Court Annecy against Dominique Lemonnier, Sébastien Ntahobali being involved in this process on behalf of the Government of Rwanda. Now, Mr. Ntahobali received for this contest master Clamagirand Helena, lawyer Paul Barril group but also a lawyer Ms Agathe Habyarimana subsequent to the attack. This reflects the relationship that may have existed between the various protagonists.

All these elements have been established by the Mission on the basis of information provided by Mr. Patrick de Saint-Exupéry.

The crew and service companies 5. French

On the presidential plane, Mr. George Martens reminded the Mission that " *the purchase in 1990 of a Falcon Used for President Juvenal Habyarimana corresponded to replace the very outdated Caravelle which had been financed by France, at a time when Rwanda was not at war against the RPF* ". He said that it was " *a common practice cooperation of providing a personal aircraft to African Heads of State. President Bongo and probably Marshal Bokassa thus received the devices. France, who felt it was difficult for him not to respond to this request for renewal, acquired a used Falcon and provided the same crew of French officers* . "

Mr Jacques Pelletier said that a budget of 60 million francs was provided on credit cooperation, including 57 million francs for the unit and 3,000,000 francs for the parts, and he was also decided to provide a crew of three.

a) The lack of clarity of contracts

Analysis of the contracts signed by the Ministry of Cooperation, the employment contracts of three crew members and exchanged emails revealed a number of anomalies, which could be described as irregularities or illegalities:

- The contract signed between the Ministry of Cooperation and the company providing service, SATIF (services and assistance to French industrial technology), was concluded by mutual agreement, without due process of competition.

Several explanations have been provided. The SATIF, SME capital of 250,000 francs, founded in 1977, was known services cooperation because it had provided temporary provision of technical support for aircrews and ground support, for example to replace periods leave crews African presidential aircraft under direct technical assistance contract.

Charles de la Baume, SATIF CEO, said that the contract for the crew had been prepared at the request of the Department of Cooperation, who wished not to use direct technical assistance and had difficulty recruit competent aircrew. The SATIF knew aeronautics since most of its activities was related to technical assistance and maintenance in the aerospace and automotive, and she used to detach staff abroad. The Department of Cooperation has naturally turned to a company that already knew and who was one of the few to be able to provide the services requested.

The Mission found that the absence of a tender was even less justified than SATIF seemed the only company able to meet the specific needs of the market and thus, the legal forms were observed. In addition, the administrative delay for procurement induced need for late adjustments and multiplication of negotiated contracts in comparable situations can serve as evidence in proceedings contrary to the regulations.

- In violation of procurement rules which provide that a service provider must give notice of its subcontract, the SATIF subcontracted the contract for all or part of the mission, without notifying the public authorities, two companies first UPS (Aero Services International) and MSI (International Maintenance Services) from 1991.

Patrick M. Andrieu, who treated the records SATIF the Ministry of Cooperation, has confirmed that the services had been officially informed of subcontracting after the attack of 6 April 1994, when applications compensation. However, he acknowledged that he had knowledge of the existence of the ASI, mentioned in an invoice delivery staff, but he knew that this company was involved in the contract.

Both companies can be characterized as front companies SATIF. The CEO of ASI and MIS were none other than the SATIF, the length of his surname (Charles-Armand de Rocher de la Baume du Puy-Montbrun) to use certain parts of the name only (Charles de la Baume for SATIF, Armand de Rocher UPS or MIS). ASI has disappeared in early 1993, the MIS has taken his stint.

Charles de la Baume justified subcontracting by the slowness of the administrative procedure for the regularization of contracts and weak capital of SATIF which did not allow to set the remuneration of the crew. He recalled that the contracts were not signed until June, when the benefits began in January of the same year and the first payment often intervened in October. The SATIF Nor could, according to him, for privacy reasons, request the opening of a line of credit from a bank. Subcontracting and have resolved a cash flow problem.

- The MIS, whose capital was 2.5 million francs, was not only a financial relay to pay the crew. She was right the only employer since its CEO or his representative have signed labor contracts. Patrick Andrieu argued that the contract signed with SATIF did not specify the identity of the crew members recruited for the Mission, which referred only to the SATIF care recruitment and hiring. But it is legitimate to question the absence of any control of the execution of the contract by the Ministry of Cooperation.

The complexity of the case explains the difficulties faced by families in claims, government, insurance companies and the various companies concerned have had trouble finding an agreement.

b) What was the status of the crew?

The three members of the crew must be considered as indirect technical assistants. There is therefore no ambiguity about their status.

Despite the existence of employment contracts governed by private law with a company (UPS first then MIS), and even though the Ministry of Cooperation was not to know of the contractual relationship with a private employer, their links with Cooperation were narrow. Their salaries were paid from public funds allocated from 1990 a section of the operating budget on "indirect assistance". Their contract stipulated that they must be registered with the Mission Cooperation in Kigali. The Head of Mission Cooperation attested to their presence and the reality of their activity; one certificate of this type was provided and no record of payment exists.

Several other indicators confirm this status. On the one hand, the Ministry of Cooperation has granted support for funeral expenses by a decision of 10 August 1994 which expressly qualified crew " *indirect technical assistants* ". On the other hand, compensation for personal effects of crew members and their families, after having been rejected by the services of the Department in the first instance, have been supported on the basis of a previous rights holders finally being compensated according to the same rules and procedures as technical assistants. In addition, the Department conducted a transaction with SATIF to settle all benefits for the month of April 1994.

c) The crew was it intelligence?

Mr. George Martens, former ambassador to Rwanda, said before the Mission that the presence of a French crew allowed " *to know the important movements of the Head of State of Rwanda* . " It has confirmed by letter that the crew had brought his regular contribution by informing the ambassador and the defense attaché.

Mr. Jacques Dewatre however said " *no information had been provided by the three members of the crew of the Falcon 50, they were not working for the DGSE* . "

Charles de la Baume told your reporter that there was no link between the SATIF and intelligence services, that while his company was known services and had been contacted by them, but to his knowledge , the pilots had no role information. He told the reporter that the quarterly activity reports (in French) provided by Article 4-4 of the contract SATIF, concerned concrete elements on the activity of pilots to know the number of hours flown and therefore whether their qualifications remain valid. There was therefore no information reports. None of the reports has been found and has been communicated to the Mission.

Your rapporteur is surprised that a company that provided crews Military Cooperation, eg Chad, and drivers in a difficult country like Rwanda, serving a President threatened to be regarded as a conventional company unrelated information, even if it was confirmed that drivers available did not reflect their activity unless certain information seemed important to them.

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By considering multiple documents, some of which are unpublished, by combining several information collected by it in favor

of hearings that it has undertaken, the Mission is used to examine each of the elements to shed light on the conditions in which the plane was shot down President Habyarimana.

This hard work has helped to assess the reliability of various hypotheses before the creation of the Mission, and it has helped to formulate new questions, which it was not possible to meet the deadline given four years has elapsed since the facts.

We should also remember that the information or parliamentary investigation commissions missions can not conduct investigations in the framework of the powers conferred on them and do not allow us to go beyond the work done.

It is hoped that the progress made by Parliament allow others to sue for the truth about this milestone of the Rwandan tragedy.

V. - OPERATION AMARYLLIS

April 7 through diplomatic telegram, the Foreign Ministry asked Ambassador Jean-Michel Marlaud to assess whether an evacuation of the French community, given the sharp deterioration of the situation in Kigali. In the event that such an assumption would be confirmed, the French forces "*intervene in support of Belgian forces*" with which they coordinate. Military technical assistants are asked to ensure the safety of the residence and the embassy and it is clear that the immediate family of President Juvenal Habyarimana could find refuge.

Within hours, the events will accelerate. It is now clear that the inability of UNAMIR, ten Belgian peacekeepers were killed quota, coupled with the inability of the Chief of Staff of the Gendarmerie (General Ndingilijimana) and the new Chief Staff of the Armed (Colonel Gatsinzi) to restore order despite their declarations of intent.

On April 8, the Chief Warrant Officers Maier and Didot, responsible for transmissions, and the latter's wife, were murdered. Information about the couple is given by Didot an account radio hotel manager made Méridien, Eric Lefevre, who reported a murder by the RPF.

To 19 hours, the ambassador in Kigali realizes in these terms the murder of the husband Didot "*five Rwandans who have just arrived at the Meridien hotel said they were refugees from Mr. and Mrs. Didot when RPF soldiers came in, took them out (they are Tutsis) and shot the Didot*".

The Chief Warrant Officers and Didot Maier were among 24 military technical assistants remained in Rwanda after the departure of troops Noroît December 15, 1993.

Chief Warrant Officer Didot was a high-level specialist in repairing radios but "has never been a specialist tracks", as pointed out by Colonel Jean-Jacques Maurin in response to some assertions. He was responsible for implementing the security system with the embassy YAESU positions; he was also responsible for radio links between the members of the Mission of cooperation. His skill had led to the training of Rwandan staff responsible for transmissions, as well as maintenance of radio stations across the Rwandan army.

Because of their hills, he had installed on the roof of his house, itself located in height, a base station. Col. Jean-Jacques Maurin recalled here that Chief Warrant Officer-Didot had as a staff-position radio transceiver frequency modulation (FM) short range with a classic outdoor antenna. This position allowed him to have the correct connections with people with a portable radio FM compatible for a radius of ten kilometers. This equipment has he particularly attracted the attention of the perpetrators of the massacres which held precisely to seize equipment and enter the internal network transmissions French? This fear is issued by the ambassador, who said in a telegram that, under these conditions, the RPF can listen.

Is it instead of an arbitrary exaction made in ignorance of the professional qualities of Chief Warrant Officers Maier and Didot but perpetrated by the RPF in order to "*get a message to France*" to signify the undesirability his presence?

No evidence to definitively answer this question. The only accurate information is written by Colonel Jean-Jacques Maurin that he sent the Mission testimony. "*Tuesday, April 12, Major Belgian doctor Théry, who had recovered the bodies of the couple Didot with the help of three officers Senegalese UNAMIR, informs me that all their house had been ransacked and destroyed hardware. The possible deterioration radio was not mentioned, so I can not give you specific information on this point.*"

No material has come so far formal proof of this triple murder by the RPF. However, the testimony of Rwandan Tutsi neighbors present in Didot at the drama and the fact that Chief Warrant Officers Maier and Didot were housed near the Meridien hotel located in zone RPF thus excluding the presence of FAR villas accrediting very strongly this thesis without making provided

irrefutable.

The assassination of Chief Warrant Officers Maier and Didot and the latter's wife brings the number of French victims of the events in Rwanda for two days to six.

The Ministries of Foreign Affairs meets April 8 to 22 pm: *"before the risks of the situation in Rwanda, arrangements are made to evacuate our citizens"* .

Amaryllis operation has been launched by France unilaterally. This procedure is strictly limited in time it will be held from April 8 to 14, is intended to ensure the protection and evacuation of French and foreign nationals. Nearly 1,500 people are evacuated. It will not, however, an intervention which support the Belgian forces. But France will intercede on their behalf with the FAR for these forces can arise in the Kigali airport.

A. ORDERS OF OPERATION

1. Objectives

The objectives of Operation Amaryllis defined by the order of Mission released on 8 April 1994 at 11:30 p.m. are:

"- Preparing the evacuation of four nationals;

- Maintain and control facilities at Kigali International Airport on April 9 in the late morning;

- Be able, if circumstances permit, to proceed in the first instance to the evacuation of about sixty passengers the choice and transport to the airport within the Ambassador of France. "

Taking diligence Kigali airport is explained by the fact that *"UNAMIR taking over the airport, the decision was taken to engage in a night operation that will allow French elements in ensure control "* .

From this point of view, Amaryllis by performing the initial control of a key point on the ground is procedurally usually retained to conduct an evacuation operation, as stated at the hearing Colonel Henri Poncet.

Similarly, it is quite conventionally, as indicated by diplomatic telegram, he returns to the ambassador to list and prioritize people, French or foreign, and to evacuate it belongs to the armies of the logistics of the operation forces.

Colonel Henri Poncet said during the hearing, an evacuation of nationals is an operation conducted by the Ministry of Foreign Affairs and decided at the highest level of the State and that the decision is taken in gathering crisis Matignon, the Quai d'Orsay, the Ministry of Defence and the Ministry of Cooperation.

The specificity of the evacuation operation Amaryllis lies in the evacuation request *"preview"* of sixty people, if circumstances permit. Thus 43 French people and 12 relatives of President Juvenal Habyarimana, including his wife and three children, will leave on April 9 by the first plane will take off 17 hours Kigali airport.

2. Rules of behavior

It is stated that *"the French detachment adopt a low profile and a neutral behavior vis-à-vis various Rwandan factions"* . The open fire is *"limited to self-defense staff secondment extended to any person under his protection."*

On the diplomatic front, the same rules apply as requested to French ambassadors on April 9 to highlight to the authorities of their country of residence that France has *"a temporary operation strictly humanitarian purpose which will interfere in any way in the Rwandan political process "* . The Ambassador of France to Kigali is requested meanwhile to contact the Ugandan President Yoweri Museveni; it is clear to him that the RPF was informed of the nature of Operation Amaryllis and ask him *"to intervene with the latter so that nothing is done that could impair the action of French military elements"* .

These rules of behavior may change depending on the circumstances were not modified during the operation. However, a series of control orders came complete instructions as and when the progress of the operation.

B. ORDERS OF CONDUCT

1. The order of Conduct # 1

The order of Conduct # 1 (April 9, 9:59 p.m.) hardly changes the initial instructions. Mission is *"to evacuate French families and foreigners who express the desire"*. The evacuation is always in liaison with the diplomatic authorities.

Colonel Bernard Cussac, returning from France, takes over the functions of defense attaché. Colonel Henri Poncet took over as operation commander (COMOPS) and under the control of AMT personal *"he would need for special tasks"*. The rules of engagement are not changed.

2. The order of Conduct # 2

The order of Conduct # 2 (April 10 1994 to 1921 hours 22) does not change the Mission nor the rules of conduct. It indicates the actual start of the RPF offensive, that is April 10 in the afternoon, not 6, as some have sometimes hastily said.

3. Driving Order No. 3

The order to conduct # 3 (April 11th-8:12 p.m.) is slightly change the mission. It is always to hold the airport and areas that lead to complete *"the evacuation of some foreign nationals"* (no further details) *"and our diplomatic mission held on April 12 from 7:00"*. The evacuation of French is complete. It is now *"to accelerate the evacuation of foreign nationals and embassy staff and prepare the gradual withdrawal of units."*

It should be noted that there is no distinction on the nationalities of the embassy staff. The final is scheduled to depart the next day, a Tuesday. The orders of the military therefore not opposed to research Rwandan embassy staff and their evacuation.

4. The order of Conduct # 4

The order of Conduct # 4 (April 12th-10:47 p.m.) defines the conditions of the final withdrawal of the units has already begun. Colonel Henri Poncet retains the Commander of Operation Amaryllis. Lieutenant-Colonel Jean-Jacques Maurin took over as head of the specialized detachment. It is under the authority of COMOPS as it is present in Kigali. It then passes under the direct authority of the Chief of Staff of the Armed. Rules of behavior are unchanged.

C. CONDUCT OF OPERATION

Amaryllis allowed to proceed in less than a week to the evacuation of nearly 1,500 people, is that it took place at a rapid pace.

1. The means employed

Human and material resources used have proven effective globally and have evacuated smoothly, under conditions yet risky concerned.

To fulfill its mission, the COMOPS had a tactical Staff strengthened by the French elements of operational assistance (EFAO), three companies with Parachute Infantry tank group, a CRAP team and a specialized detachment for security transfers between collection points and the airport, as well as several cells suitable for this type of mission.

The fleet (8 C160 and C130 1) responded to the needs of both for routing troops to evacuate nationals.

The three infantry units were distributed as follows:

- A unit for controlling the platform and the arming of the evacuation center;
- A unit for control of the embassy and assembly points;
- A unit for escorts and reserve intervention.

Specialized detachment and were CRAP, meanwhile, more specifically responsible for extraction or escort operations personalities.

Systematic support teams Amaryllis by a military technical assistants pairs acting as guides has improved markedly extraction nationals conditions especially considering the poor quality of information available to the forces intervention.

Detachment of the evacuation center nationals 511th Regiment train (Centrevac), composed of nineteen people, was first

integrated exhaust system put in place in Bangui by EFAO before be sent on April 10 in Kigali where RESEVAC computer system was set up to record remaining to evacuate nationals, but this device was not used.

Moreover, the speed of the operation failed routing of vehicles (such as light armored Auverladrn) that would ease the control of the airport and evacuation routes and centers achieved quickly grouping. Despite requests made, UNAMIR refused to vehicles available French detachment and no information has been forwarded to the military situation. Also, as stated by Colonel Henri Poncet, the detachment he was powered through the recovery of abandoned vehicles by UNAMIR or owned by cooperating.

Since the announcement of the attack, the Staff of the Armed decided to set alert prepositioned in Central Africa and some specialized elements forces. Thus, on April 7, the following resources were available:

- Bangui: a paratrooper company, an EMT reduced, Inmarsat station, two C160;
- Libreville: a paratrooper company and two C160;
- Biarritz: a specialized detachment ready to embark on a C130 for implementation in Central Africa.

This prepositioning French forces undoubtedly contributed to their intervention in the time required by the gravity of the situation.

2. Chronology of events

In **the night of April 8 to 9**, four C160 aircraft conduct a "posser assault" at thirty second intervals. In less than a quarter of an hour at 1:30 am, a staff of 151 men was set up around the track with two radio vehicles. At 2:45, the track and buildings abandoned by the blue and occupied by FAR Helmets are under control of the French troops. At 4:30, a fifth aircraft C160 deposited forty additional men. A C160 is maintained on site to perform the first evacuation of nationals.

These first two waves have allowed the airlift of EMT Colonel Henri Poncet (3rd RPIMA) including a research group, strengthened a Milan group and a team of Health elementary unit. This detachment, under the command given to Lieutenant-Colonel Jean-Jacques Maurin, assistant defense attaché, mission is to ensure the safety of the platform. The arrival at the airport in Kigali has been greatly facilitated by the presence of military cooperation in Kigali, which in particular convinced Rwandan forces to withdraw the vehicles that obstructed the runway.

The morning of April 9 is devoted to planning the evacuation of nationals, and in particular the recognition of axes allowing evacuation from collection centers.

In **the afternoon of April 9**, detachment monitors the collection centers in the embassy district, including the French school. The evacuation route avoids the town center and through the south suburbs. The device is reinforced by the arrival of thirty-five more men. At 17 hours under operation orders, the first C130 off with his forty-three French nationals aboard and twelve members of the Habyarimana family. At 18 hours, four C160 off from Bangui with a unit of 3rd RPIMA from Bouar or 128 men, 359 men now bearing the payroll at Kigali.

Colonel Henri Poncet, commander of Operation Amaryllis, is authorized to take under its operational control personnel MAM. Colonel Bernard Cussac, absent at the beginning of the events, resumes duties defense attaché.

The day of April 10 is marked by the launch of three Bangui C160 carrying the company on 8th RPIMA from Libreville, bringing the total number to 464 men. Meanwhile, begin the first eight evacuation to Bujumbura rotations. The extractions are performed increasingly difficult, especially near the Meridien hotel in fires shots RPF. A total of two units provide ground control and a unit is deployed in the city, where two sections protect the main evacuation center of the French school, a section ensures the security of the Embassy of France and the fourth control cultural center.

It is during this day that will be removed, with their companions, 97 children from the orphanage Sainte-Agathe located in Masaka. They will leave the next flight.

A message from the Defence Attaché April 10 indicates *"the 10th in the country, the RPF has implemented its threat and has advanced in the afternoon, the equivalent of two battalions and up to 10 15 km north of Kigali, while trying to cut down the axis of Kagitumba south. "*

This information provided by the French military confirmed in Kigali by Rwandan authorities during the visit of the Rapporteurs, definitely rejects the argument that the RPF process from 6 April morning troop movements to be in Kigali at the 6 in the evening, which could give the impression that he knew the planned attack against the presidential plane. The defense attaché noted in his message (No. 932) *"The RPF pushed investment Kigali, its head units from the north now line the heights of the city, while in the center of the capital, This battalion already has built up a fairly large security perimeter. Infiltration likely to increase as a prelude to a join operation between the elements."* In town, fighting intensifies. Most French nationals have been evacuated or grouped in a French school. Operations continue; they concern the French and foreign nationals.

At 3:30 p.m., the ambassador in Kigali, *"given the decision to close the center of French consolidation, the worsening situation in Kigali and installation of Government at the hotel diplomats, very close embassy and exposed to the risk of being targeted shooting"* at the Quai d'Orsay offers the closure of the embassy of France in the morning on April 12.

The day of April 12 is marked by the early start of the whole French diplomatic corps and staff of MAM to the airport escorted specialized detachment Amaryllis. Two C160 leave Kigali 7:30. The first carries the staff of the embassy, the second material and the bodies of the three crew members of the presidential plane. The bodies of the couple Didot are found buried in their garden.

The defense attaché notes: *"Since this morning, the balance of power in Kigali is broken in favor of the RPF is mainly the northern suburbs of the city and has managed to infiltrate south of the airport Kanombe. Government came together in the city, but are present on the airfield which is virtually surrounded. The RPF continued its push southward, particularly in the areas of Ruhengeri and Rulindo."* RPF said he gave 60 hours for foreign troops to leave Rwanda after evacuating their nationals. France announced its withdrawal.

April 13 is dedicated to the removal companies. The last plane waiting to take off the remains of the spouses Didot and the Chief Warrant Officer Maier found that morning were recovered. It remains on-site command of Lieutenant-Colonel Jean-Jacques Maurin 33 men specialized detachment of COS and two men of the AMT.

April 14, given the withdrawal made by the Belgians on the previous evening, the order was given to Lieutenant-Colonel Jean-Jacques Maurin returned to Bangui with his detachment. C 130 maintained on site off after two attempts to start interrupted by shelling.

3. Lessons

- The usefulness of prepositioned forces was evident. Early placed on alert, they have played a key role creating an effect of surprise and allowing faster and earlier control of the airport and make the first evacuations, while Belgian troops took off barely Brussels .
- However, it should be noted, while the French soldiers are present on Rwandan territory for more than three years, the detachment had only very few maps and plans of the city and there was not an exhaustive list of nationals who have been extremely helpful after the departure of embassy staff to handle individual cases.

In the summary of operations, it is proposed to set up systematically in African capitals, a computerized and centralized identification and localization nationals device.

- The joint cooperation took place in contrasting ways. The Belgian military intervention was not wanted by the Rwandan authorities, fearing slippages were very supportive that *"France holds only the safety of foreign nationals wishing to leave Rwanda."* In the event of a *"French military presence only, there would be no objection to Rwandan empty planes of countries facing Kigali to take foreign nationals outside the country,"* says the Ambassador of France.

Different states concerned and however UNAMIR to conduct their own evacuation. A number of French nationals gathered at the Meridien Hotel will be evacuated by UNAMIR.

As stated by Colonel Henri Poncet, however, France has negotiated with a major FAR the arrival of Belgian soldiers at the airport. FAR indeed seemed determined to take on Belgian aircraft with ground-to-air artillery pieces. He said he had then positioned near each air defense artillery piece, a French soldier who had orders to shoot any Rwandan soldier open fire on Belgian aircraft.

Reading telegrams also teaches that France has regularly informed the FAR intervention modalities of Belgian troops, as is

stated on April 10 by the Ambassador of France: *"the number of troops provided by the Belgians is 400 and not 250 ... I draw the attention of the department on the need to clarify the question of the volume of the Belgian power quickly ... The arrival of a larger number without grinding us would affect our credibility vis-à-vis FAR "* .

Regarding mortars prior, preventing twice the takeoff of the last C 130 Airport Kigali, Colonel John Balch forwarded to the Mission and its direct personal testimony:

"I have the honor to bring to your attention some information on mortars preceding our departure at the end of the operation" Amaryllis ". I said that these shots have in no way hindered the fulfillment of our mission since it was over and we had been ordered to leave Kigali.

"At the end of the second shot, I sent a group to the complete tour of the airport and its surroundings to find and neutralize this room who could not, in my opinion, belong only to the Rwandan Armed Forces from forces present in Kigali at that time the only machines were equipped with:

"- FAR: they saw us go with" regret "... and could attempt, in a last act of desperation, to stop us;

"- The RPF they eagerly awaited our departure and had no interest to differ;

"- Belgian troops UNTHINKABLE, even if they wanted to, obviously, see us stay as long as possible with them;

"The group has returned from his mission without seeing any mortar part of the FAR, however, a Belgian mortar part was in the end. My men there are of course not retarded, their mission was to find a mortar FAR.

"The second point I would make is this: these shots have been made at a distance of about forty yards ahead of the plane, dam. There has never been a "correction", it was therefore not fire intended to destroy, but firing intimidation aimed at preventing us from taking off, as they triggered each time we begin to embark on the C 130.

"Here are the facts, from there all the assumptions or interpretations are possible, but they remain in any case for lack of evidence, that assumptions. "

For his part, Colonel Henri Poncet, stated at the hearing that he saw no reason why the Belgians had fired on the French aircraft. However, it considered that the Belgians would certainly have liked the French forces holding the two or three extra days, not to lose the benefit of the control part of the city, as well as a possible military support for evacuation their own nationals.

Italian nationals were grouped on the platform by the French detachment assigned to the Italian Consul and immediately evacuated through a C 130. Absence of special units trained for this, the Italians refused to participate in the defense of platform.

Relations with the United Nations forces were often strained. Colonel Henri Poncet could evoke the fleeting passage of General Roméo Dallaire to his PC. He said that it had brought him no support, no help, no information for the duration of the operation, even as a liaison officer of UNAMIR was at the airport that could give information about the device UNAMIR city, including its radio frequencies, which would have to take the situation.

Finally, despite repeated requests from COMOPS No vehicle has been available to the French detachment to carry nationals, but General Roméo Dallaire criticized the French forces have used abandoned vehicles UNAMIR they however, had their faces painted, decorated with French flags to avoid confusion with the UN vehicles.

D. CRITICAL

If, on a technical level this operation has undoubtedly been a success, Amaryllis nevertheless been widely criticized for focusing on its nature was itself-only operation for humanitarian purposes - and the selective nature of evacuations.

1. The nature of the transaction

Amaryllis is a classical operation of evacuation French and foreigners who stated that she had been presented as neutral and humanitarian nationals first. However, there is evidence qu'Amaryllis could have evolved differently as a simple humanitarian operation, but this was not the case.

• Use of Milan missiles

The destruction of the roof of the Mission Cooperation, April 11, to install a battery Milan missiles has been criticized because it was interpreted as a French interference, to assist the FAR in their armed resistance against the RPF. This destruction was confirmed by the head of the Civil Cooperation Mission, Michel Cuingnet, who is amazed at the Assistant Defence Attaché, Lieutenant-Colonel Jean-Jacques Maurin. He reportedly replied that it was a military problem, "it was war" and that it did not concern since more would be evacuated.

This question, posed to General Jean-Pierre Huchon, led him to suggest that these missiles had perhaps been installed on the roof as a precaution, the company may fear arrival of armored RPF. It was also reported that in each company is always a group of two parts Milan.

Also questioned on the issue by the Mission, Lieutenant-Colonel Jean-Jacques Maurin said the unit was sent to the lighting and support company 3rd RPIMA, commanded by Captain Millet; the company had the equipment supplied. Lieutenant-Colonel Jean-Jacques Maurin said the Milan battery was placed over his PC, and it was not armed missiles. He also indicated that this material was equipped with a powerful telescope to monitor closely, especially at night, around the various movements.

It seems, in these conditions hazardous to consider the presence of these missiles, April 11, on the roof of the Mission of cooperation, as the manifestation of a desire to support the FAR against the RPF. It was only an observation equipment. It should also be noted that Operation Amaryllis assumed that maîtrisât communication routes to the airport and to this end the Milan missiles could be useful.

• The closure of the embassy

A message from Colonel John Balch reported a more personal analysis. While recognizing the reality of the danger justifying the evacuation of nationals, this officer believes as long as the closure of the embassy, the symbol of French presence was taken rather hastily. It states: *"nothing left all point to this time a victory of the RPF, FAR resisted quite the surge Inkotanyis correctly. Would have sufficed very little (a few French military advisers) so that we are witnessing a reversal of the situation. June 1992 and February 1993 could well have been "replayed" in April 1994. "*

It is important to note that this comment is that the conditional expression of a personal view. However, it reflects the mindset of some military because they had strong personal links with FAR soldiers they had learned skills in the context of cooperation was sometimes long, have experienced some difficulty leaving suddenly Rwanda. Similarly they have not always taken the exact measure of the bloody events that led to genocide.

Here we must remember the extreme rapidity with which the situation has deteriorated and the fact that 25 soldiers remained in place as part of the Military Technical Assistance were not prepared for a sudden departure also. On this point, Lieutenant Colonel Gregory of Saint-Quentin, then Commander, noted that after the 6th of April, he had not felt as an urgent priority research explanatory elements of the attack, because he thought he had time to do in the days that followed it.

• Maintaining the COS

On 12 April, General Le Page, head of Special Operations Command (SOC), sends Lieutenant-Colonel Jean-Jacques Maurin, commander of the Special Operations, the following guidelines:

A detachment of the COS is held in Kigali and placed under the operational command of CEMA.

Its mission is:

- Extract nationals involuntary so far and would like, or any other new case;
- Try to locate the missing cooperating;
- Provide information on the local situation;
- Propose attitudes or modes of action depending on the evolution thereof;
- To guide any air support operation;

- Exfiltrate if necessary.

On the basis of this custom address and given the situation continues to worsen, Lieutenant-Colonel Jean-Jacques Maurin decide the repatriation of the entire detachment of COS and the last two AMT April 14.

However, if this had not been the case, one might legitimately question the principle of maintaining the COS in Kigali, while we had no diplomatic representation. It is especially important to question the mission to guide any air support operation which we can not see who it could benefit, if not the FAR.

• **The charges Colonel Marchal**

In an interview in August 1995 the BBC, Colonel Marchal, commander of the Kigali sector within UNAMIR, said that France had made deliveries of arms to the Rwandan armed forces during the course of the Amaryllis operation. Asked about the statement by the rapporteurs, the Belgian Ministry has sent the Mission a written response indicating *"Colonel Marchal confirms that observers from the United Nations under him at the airport in Kigali, a Senegalese officer, he reported orally, during the night of April 8 to 9, as ammunition crates of mortars were landed one of the three French military aircraft has landed that night in Kigali and they were loaded onto vehicles of the Rwandan army."*

In response to this correspondence, Colonel Henri Poncet expressed its written comments:

"- Units under my command were not equipped with mortars and therefore did not discharge ammunition."

"- I actually proceeded to" requisition "some Rwandan military vehicles on April 9 in the morning to deliver a detachment to the Embassy of France."

"- To my knowledge, only a Uruguayan officer, military observer was present at the airport but it was impossible for me to locate and meet him. Senegalese captain is presented against my PC on 11 or 12 April."

• **Non interposition face massacres**

A critique of a covert military operation to support humanitarian operation is added that diametrically opposite a too exclusively humanitarian operation which should have been a military interposition operation. This was particularly expressed regret to the Mission by Alison Des Forges, who considered that it was possible to stop the genocide from its beginning as genocidaires were limited in a highly centralized structure.

She recalled that General Christian Quesnot had also estimated that the Mission before the meeting of the evacuation forces and UNAMIR would have to stop the killings. She acknowledged, however, that *"General Romeo Dallaire was not enthusiastic about the idea of a joint force with the evacuation force, saying, logistically, it would be difficult to implement."* Alison Des Forges also said that with 1,800 additional troops, General Roméo Dallaire thought to act with UNAMIR.

However, it must be remembered that the RPF was present in Kigali at the onset of the massacres, with a battalion of 600-700 men, is largely provided that all of the Amaryllis forces. The first reaction of representatives of the RPF, April 7, was going to ask General Roméo Dallaire what instructions he had to intervene, and then find that this deficiency allowed the United Nations to initiate military action to save Tutsi massacres in giving its troops based in Mulindi the order to move. This analysis was clearly exposed to two rapporteurs during their trip to Kigali by Mr. Jacques Bihozagara.

However, under the Arusha accords, the RPF battalion based in Kigali did not interposed between 6 and 10 April to neutralize the perpetrators of the massacres. The French military, meanwhile, executed missions evacuate French nationals and foreigners who had been assigned to them strictly according to the orders of operations. The documents obtained by the Mission concerning the conditions of execution of the operation indicate Amaryllis, as regards the relationship maintained with the press, the media has been very present on the second day of the operation. They say that the COMOPS facilitated their work by their two daily briefings and helping them in their travels, but with an ongoing effort not to show their French soldiers limited to only foreigners access to collection centers on the territory of Rwanda or not intervening to stop the massacres they were close witnesses.

2. Evacuees

Stock evacuations established April 14, 1994 by EMA / COIA reported air evacuation by France of 1238 people including 454

French and 784 foreigners including 612 Africans including 394 Rwandans. Meanwhile, 115 French were exfiltrated by road to Zaire and Burundi. For comparison, Belgium evacuated 1,226 people including 1,026 Belgians, Italy and Canada respectively a hundred people.

- **The charge for selectively discharging**

France has been accused of, on the one hand, proceeded to discharge exclusive dignitaries Hutu regime without being concerned about the fate of the representatives of the opposition Hutu or Tutsi moderates, on the other hand, to you apply a different treatment to French embassy staff and Rwandan staff.

France has effectively removed through the first flight the widow of President Juvenal Habyarimana and two of his daughters, one son, two grandchildren and a few close members of his entourage limited in accordance with orders, a dozen people. The members of the "second circle" of the Habyarimana family were well on the list of passengers to evacuate in subsequent rotations but these people, as has been indicated, parts are by road to Gisenyi.

Regarding the embassy staff, it is wrong to claim that there was a refusal to evacuate, as shown in the telegram of 11 April from Paris: *"the department confirms that you should be provide Rwandan nationals on the staff of the Embassy (local staff), which can be joined, the opportunity to leave Kigali with French forces."*

It is true however that the French members of the Embassy staff could be more easily contacted the Rwandan staff who are found, them, obliged to make themselves known, which put them in an unequal situation compared to French nationals. Only, it seems, Pierre Nsanzimana, Tutsi employee at the Embassy of France and cited by Ambassador Jean-Michel Marlaud has been evacuated with his family.

Annexed a collective work *Political crises in Burundi and Rwanda*, André Guichaoua has published a list of 178 persons evacuated by the Embassy of France. This list would have been provided by the Burundian authorities and accredit the idea that the Embassy of France refused to host many personalities and gathered dignitaries of the regime. Jean-Michel Marlaud is registered against this false argument and noted that gathered at the Embassy of France not only those associated with the regime or members of the interim government but also opponents who felt unsafe and thus Pascal Ndengejeho former opposition MDR Minister and Mr. Alphonse Nkubito, Attorney General, refugees at the embassy had requested political asylum, as stated in the telegram No. 350.

G rard Prunier noted that to his knowledge, only one political opponent had taken refuge in the French embassy, *"because of a personal friendship with a member"* of the latter, Mr. Joseph Ngarembe, under Social Democratic Party PSD, which all leaders were murdered. This presence is confirmed by the telegram No. 342.

It is true, however, to say that the vast majority of refugees in the embassy personalities and dignitaries were representatives of the Habyarimana regime. It is not acceptable for many claim that France, in principle, have evacuated the genocidal including MG Ruggiu, which currently is accountable to the court in Arusha. Host extremist radio Mille Collines, MG Ruggiu *"is not on any lists of people to repatriate sent by the Embassy of France in Kigali, nor on any list of persons transported, owned by the Quai d'Orsay"*. This is confirmed by the departments of the Ministry of Foreign Affairs have conducted checks on the specific request of the Mission.

- **The evacuation of children Uwilingiyimana, Prime Minister**

Heard by the rapporteur, Mr Bernard Cazeneuve, M. Le Moal, at the time Deputy Director of the United Nations Development Programme (PNVD) and responsible for the implementation of means of support of the agreement Peace from September 1993 indicated that, on April 7, with three cars of the UN, he was himself went to get the children of Prime Minister Agathe Uwilingiyimana and that had led to the Hotel des Mille Collines, where he asked the director of the shelter. On Sunday, April 10, while the Ambassador of France Jean-Michel Marlaud had him that he was not possible without risking very serious incidents, given the climate of hatred that existed, to evacuate the "Children of Agathe," he returned to the hotel Mille Collines, where he learned that the children had to be recovered by Andr  Guichaoua and an American citizen.

Mr. Guichaoua told that the refusal to evacuate the five children of assassinated Prime Minister (they were rescued by UN staff and took refuge at the Hotel des Mille Collines), he had turned the attention of French soldiers to board the plane ⁶⁴. Military officials denied any possibility of boarding without their express consent and indicated that they had never refused to ship these children. It is true that the great meticulousness of the evacuation seems inconsistent with the fact that children are embedded in secret. Brought to the airport, "the children of Agathe" have been evacuated knowingly by French forces,

Ambassador Jean-Michel Marlaud who finally got an agreement or to make them leave.

"Children of Agathe" were evacuated to Bujumbura, where they took a flight Air France Monday, April 11, which will tell the Ambassador: *"with regard to the evacuation of children Agathe Uwilingiyimana, I am surprised that we can speak of a delay. They were evacuated on Monday following the attack, at the same time, for example, my wife, one of the defense attaché or the director of the school, before the people who had taken refuge at the embassy and which have not been removed at the time of closure of the latter."*

However, Michel Cuingnet, Chief Civilian Mission cooperation expressed a different sentiment. It would not have been aware of the delay in their disposal but was deeply shocked by this delay, compared to the readiness to evacuate close to Habyarimana, as Mr. Nahimana, head of Radio Mille Collines.

André Guichaoua also told the Mission that no action had been planned to accommodate the children of the Prime Minister in Paris and they were able to leave France for Switzerland through the Swiss Consul in Paris.

- **The fate of personal cultural center**

Mr. Jean-Marc Rochereau de la Sabliere said that *"the ambassador would have evacuated the missing local embassy staff if he had been contacted"* since in that telegram had been sent. Michel Marlaud indicated in writing that he was *"personally notified at any time in the presence of employees and there has been no decision to intervene or not, the question had not been asked."*

While recalling how he knew were taken decisions on local staff of the diplomatic chancellery and French cultural center in Kigali, Michel Cuingnet noted the refusal of evacuation of employees from the cultural center. Employee at the French Cultural Centre, Mr. Venuste Kayimahe, Rwandan Tutsi, has given testimony to two reporters who met in Kigali. He stated that Mr. Michel Cuingnet told him he had no powers, he had noticed that it had been yet sent by the ambassador to Mulindi to meet the RPF. He, on the other hand, reported on April 6 in the morning that the director of the cultural center where he was employed and housed month had asked him to find himself and his family housing outside. Having found nothing, he remained at the cultural center on the night of the attack and the following days, until April 10, when he received a call from Mr. Michel Cuingnet informing sending "strong men". In fact, military reinforcements have occurred with the order to repatriate French nationals and left Mr. Venuste Kayimahe on site. Michel Cuingnet would have said: *"we are not responsible to save Rwandans."*

On 12 April, Mr Venuste Kayimahe said he asked to be conducted on at least a gathering place by the French military, which have again refused. Two hours later, the Belgian soldiers arrived and took him and his family at the airport in Kigali to Nairobi.

It therefore appears that in this case there is good had two weights and two measures and the treatment accorded to the environment of the Habyarimana family was much more favorable than that accorded to Tutsi employees in positions of representation -French embassy, cultural center, mission-cooperation.

- **The children of the orphanage Sainte-Agathe**

Mr. Guichaoua questioned the evacuation of 94 children from the orphanage Sainte-Agathe, transported to Paris via Bangui, and accompanied by 34 people, including French authorities hid her identity and who reportedly disappeared from their arrival in France. Jean-Michel Marlaud noted that some orphans were subject to a procedure adopted by the French, he had reported this fact to the Quai d'Orsay and it would have been instructed to evacuate *"without sorting between those who were awaiting adoption and others."* He said the name of the orphanage had no connection with that of Mrs. Habyarimana while MM. Gérard Prunier and Guichaoua argued that these orphans were evacuated for that reason alone. Colonel Henri Poncet said he did not know whether or not these orphans were children FAR soldiers killed in combat.

VI. - GENOCIDE

A. KILLINGS IN GENOCIDE

The term genocide appears in mid-April 1994 to describe the situation in Rwanda. *"The first major political authority,"* in the words of Father Guy Theunis before the Mission, to have used that word would be Pope John Paul II, during the general audience on April 27, 1994 called the faithful to a fervent prayer for Rwanda and invited *"those who hold responsibilities in a generous and effective action to stop this genocide"* (comments reported by *L'Osservatore Romano* May 3, 1994). On May 5, Mr. Boutros Boutros-Ghali uses this term to describe the situation in Rwanda during a televised interview. Alain Juppe, for his

part, recalled, at his hearing before the Mission, he had meanwhile used the word "genocide" applied to the situation in Rwanda, May 15, 1994 in his statement to the press made after the Brussels meeting of the Council of Ministers of the European Union and in response to the National Assembly during the meeting of May 18, 1994 news questions.

1. The qualification of genocide

As recalled the term genocide Commission of Experts established at the request of the Security Council resolution 935 of 1 July 1994 to investigate serious violations of international humanitarian law committed in the territory of Rwanda, was invented by Mr. Raphael Lemkin, the Polish lawyer of Jewish origin, in his book " *The Axis domination in occupied Europe* ", published in 1944. This term comes from the Greek "genos" which means race and the Latin "caedere" which means kill.

Genocide is defined for the first time by the United Nations in Resolution 96 of the General Assembly on 11 December 1946 as " *the denial of the right of existence of entire human groups.* " Two years later, the Assembly General adopted December 9, 1948 to a unanimous agreement on the Prevention and Punishment of the Crime of Genocide. This Convention entered into force on 12 January 1951.

Genocide is defined in Article II as : "*any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:*

- a) *Killing members of the group;*
- b) *Causing serious bodily or mental harm to members of the group;*
- c) *Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction;*
- d) *Imposing measures intended to prevent births within the group;*
- e) *Forcibly transferring children of the group to another "transfer."*

Rwanda acceded to the Convention on 16 April 1975.

Under the terms of this definition, which has been replicated in the rest resolution 955 of 8 November 1994 establishing an International Criminal Tribunal for Rwanda, three cumulative elements are necessary for the recognition of genocide:

- A material element, consisting of one or more of the acts listed exhaustively in Article II of the 1948 Convention;
- A moral element residing in the criminal intent to destroy a group partially or completely;
- A specific intent, which is the choice of a particular group can be a national, racial or religious group. Unlike the crime against humanity, the definition of genocide does not include the destruction of a population for political reasons.

The qualification of genocide involves the application of a particular regime, whose most important elements are required to bring those accused of genocide before the courts, the limitations of this crime, the fact that obedience to orders can not exonerate a criminal responsibility and the obligation for the competent organs of the United Nations to take the measures they consider appropriate for the prevention and suppression of acts of genocide. The report will return below to the content that should be given to the latter obligation.

2. Rwandan Genocide

Questioning the existence of genocidal acts in Rwanda by the United Nations is prior to the April 1994 events.

Effect from April 1993, the Special Rapporteur of the Commission on Human Rights of the United Nations on extrajudicial, summary or arbitrary executions, undertook a mission to Rwanda to establish the truth of the charges, including organizations humanitarian, on the existence of massacres of Tutsis and political killings in Rwanda since October 1, 1990. In its report dated 11 August 1993, the Special Rapporteur stated very clearly that " *the victims of the attacks, Tutsis in the vast majority of cases, were targeted solely because of their membership of a particular ethnic group, and for no other objective reason.* " He added that " *the massacres of civilians were committed by the Rwandese security forces or parts of the population. (...) It has been demonstrated repeatedly that government officials were involved, either directly promoting, planning and directing violence or taking part, or indirectly through incompetence, negligence or deliberate inaction . (...) The FAR also played an active and well planned at the highest level, in some cases of massacres of Tutsis by the population. (...) There are*

many well-documented reports that some mayors have spread unsubstantiated rumors that have exacerbated ethnic hatred and incited the population to kill Tutsis. In some cases, some officials have facilitated the task of those who committed the massacres by providing equipment such as vehicles or fuel " (unofficial translation). The Special Rapporteur concluded his report by raising the question of whether the killings and described could be described as genocide, but he felt it was not for him to judge, at most provide some answers.

That is, in the eyes of the rapporteurs of the Mission, one of the great mistakes of the United Nations for failing to take concrete following the revelations contained in this report measures, and not having either taken into account in developing the mandate of UNAMIR I. A larger dimension given to human rights would have a better consideration of the actual political developments and the implementation of restrictive measures that would make it more difficult to further slippage.

a) The number of victims

The exact number of victims of the massacres in Rwanda from April to July 1994 is difficult to determine. The Commission of Experts established by the United Nations concluded in its final report published on December 9 1994 500 000 unarmed civilians were killed in Rwanda since April 6, 1994. Meanwhile, the Special Rapporteur of the Commission on Human the UN Human noted in its report of 28 June 1994, according to some reliable estimates, the death toll would be close to a million. This range between 500,000 and one million deaths is similar to that used most commonly.

Several academics, including Mr. Gérard Prunier, were based on the 1991 census in Rwanda (which would estimate the number of Tutsis in April 1994 between 700,000 and 930,000) and the number of refugees in the camps for considered as plausible a count of 800 to 850 000 deaths. If such an estimate has taken into account the murder of moderate Hutus, it has left the settlement of accounts in the refugee camps in Zaire and Tanzania, where Hutus and Tutsis became embroiled, as well as victims of epidemics cholera broke out mainly from June to August 1994.

James Gasana, former Rwandan Minister of Defence from April 1992 to July 1993, however, before the Mission estimated that the extent of killings is higher than what was reported in the international community " *in one year, Rwanda had lost about 40% of its 1994 population, the figure generally advanced 800,000 to one million victims were well below reality.* " He said for his part that the most likely number of victims in within the country and in the former Zaire was close to 3.15 million victims. This assessment is particularly important when compared to the population of Rwanda which amounted to about 7 million in the early 90s.

b) killings constitute genocide

The massacres against Tutsis after 6 April 1994, even if they occur concomitantly with a clash between the RPF and the FAR, are of a different nature than that of a conflict they belong, and review three criteria set out in the previous paragraph will show, to the logic of genocide.

- *The material element*

There is abundant evidence on what Article II of the 1948 Convention called murders and serious violations of physical integrity of members of a group.

The Special Rapporteur of the Commission on Human Rights of the United Nations expressed its three reports dated 28 June, 12 August and 11 November 1994 of the acts constituting genocide, including the discovery of mass graves.

During their trip to Rwanda in September 1998, the rapporteurs of the Mission visited the site of Gikongoro which has been transformed into a memorial of the genocide, and where the bones and corpses half decomposed thousands of Tutsis were massacred exposed in this place.

Jean Hervé Bradol, physician in charge of programs to Doctors Without Borders (MSF), reported to the Mission that MSF team found during a visit April 14, 1994 in Kigali hospital that served this institution " *runtime center as well as hospital.* "

For its part, the chief physician François Pons, head of the surgical unit paratroopers Turquoise, reported to the Mission of the most common injuries encountered in injured, including trenches hands and attempted beheadings. He showed a slide of a machete Rwandan farmer considering that this instrument " *has done more damage than the most sophisticated weapons.* "

Lack of space in this report to give a voice to victims who have survived more or less seriously injured, the massacres. The reader will find some stories in the appendix, including that of Jeanne Uwimbabazi which has not yet been published so far,

and which resulted in the following excerpt:

"We arrived in a neighborhood called Nyanza, Kicukiro. On this great land, the center was a hollow, who guided us brought us together in the center, they have remained on the pitch. When we realized that there was death, Vianney asked a military and a few friends they kill us with bullets rather than with a machete, and in exchange we would give him money. But his head was called. They requested that those Hutu out of the crowd with their identity card. Then they told us to lie down, we hesitated, they began firing into the crowd of gunshots, they sent grenades, arrows, machetes, sticks of big shots with big planted atop nails, people collapsed on top of each other. (...) People began to pray, others were shouting, children were crying. Then they finished those still living with machetes. (...) I heard them call each other, saying that they had finished their work, it was dark and they will come the next day. I had a death on the back, one on his knees, my clothes were full of blood, but I had no injury. (...) (The next day) to 3:30 p.m., we heard people advancing towards us. (...) I do not know the number, because we pretended to be dead. They gave me two machetes behind the head, the wound reached the medulla oblongata, and two strokes on each ankle to cut my Achilles tendons. The young girl named Angelica was six machete over the head and one on the calf. Candide, he also had a machete in the head and cut him some fingers (five roughly between the two hands). Kiki, she received a machete next to the ear, cheek, as well as in the side of the leg. His little brother Ngagi, he was beaten on the leg and severed fingers. Pauline received on the arms. The others died on the spot: the sister of Candide, the son of his brother, Dewey and his little brother. "

- *The mental element*

The second condition relates to the genocide entirely subjective intent to destroy a particular group national, ethnic, racial or religious group to which the victim belongs.

This desire was expressed Rwanda both in words and in practice.

First, calls for genocide have been committed by some private newspapers and radio, whose shareholders consisted of President Juvenal Habyarimana and other dignitaries of the regime. Master Eric Gillet has estimated probable that " *Radio Mille Collines (RTLM) has (...) was designed as a direct instrument of preparation and execution of the genocide "* and that " *it is in any case so that she behaved. "* Mr. Cuingnet Michel, former Chief of Mission Cooperation in Rwanda, said the early RTLM broadcasts in April 1993, " *it was announced on the radio that he was "finish the job and crush all the cockroaches."* After 6 April 1994, MSF reported that they could agree on RTLM this message: " *There is room in the tombs. Who will do a good job and help us fill it completely? "*

In fact, these media outlets, which have never been nor censored or banned, simply relay the words of regime officials. Master Eric Gillet pointed to the Mission in a speech in Ruhengeri in November 1992, " *President Juvenal Habyarimana called Interahamwe militia he created to support it in its work and gives them carte blanche. "* Mr. Gillet cited also the word of Colonel Bagosora, who said during a return Arusha in January 1993: " *I come to prepare the Apocalypse. "*

This will eradicate the Tutsi permeates particularly the army composed solely of Hutus. General Jean Varret, former Chief of the Military Mission Cooperation from October 1990 to April 1993 reported to the Mission how, when he arrived in Rwanda, Colonel Rwagafilita, had explained the Tutsi question: " *they are very many, we will liquidate. "*

The massacres were not only concerned householders able to bear arms, but also women and children, demonstrating a desire to eliminate all the Tutsi group. Alison Des Forges stressed to the Mission that the killings were for " *the elderly, babies, women usually were always protected in such conflicts. "*

Chief Medical Officer François Pons said before the Mission that the most impressive figure in the balance sheet of Operation Turquoise was that children made, which " *accounted for a third of the wounded and suffering often skull fractures caused by machetes. "* He pointed out that the proportion of a third party was not conventional war surgery.

In the judgment of 2 December 1998 the International Criminal Tribunal for Rwanda on Jean-Paul Akayesu, mayor of Taba commune, it is reported that it would even kill Hutu pregnant women, since their unborn child had been conceived by a Tutsi father and that he therefore was himself a Tutsi.

Certainly, the next ideological motivation with other motivations, purely material. Alison Des Forges said before the Mission that " *the rewards granted could have a big influence, especially for unemployed youth: they were given to eat, cows, beer, clothes. Was offered ordinary people the opportunity to loot. In a society of extreme poverty, being able to fly a window or a door is something very important. More importantly, it gave the farmers, in a society where there is enough land, the possibility of having fields of Tutsi killed, which was a large reward. At the elite were offered cars, shopping, computers,*

television sets. " But the motivation of winning is never trigger massacres; promises of money, land only serve to facilitate the participation of the entire population remains that the first justification to end the Tutsi.

That certain behaviors appear *retrospectively* as completely irrational, no doubt. Alison Des Forges has recalled that " *some leaders of the genocide were so strong links with Tutsis they have saved some.* " There are indeed numerous testimonies of Tutsis who report having found temporary refuge in neighboring Hutus their knowledge, even though they participated in the genocide. But these individual behaviors should not be the tree that hides the forest is a logic "final solution" against Tutsis which is implemented in Rwanda from April 1994.

- *The specific intent*

The third criterion relates to the genocide with the specific intent to destroy a clearly identified group.

Claudine Vidal, director of research at CNRS, stated very clearly before the Mission: " *Tutsis were defined by an identity card issued by the political power and were slaughtered as such, allowing the analogy with the situation of the Jews during the Second World War.* " In fact, three quarters of an hour to an hour after the attack against the presidential plane, dams were installed in the streets of Kigali and maps identity verified. Those belonging to "ethnic" Tutsi or with commonly accepted or can not present an identity card with the words "Hutu" physical features have been retained and often summarily executed. Jean-Hervé Bradol confirmed selective killings by militias proceeded and took the example of the Holy Family hospital where the wounded told him " *he was probably used to treat anything insofar militiamen come to kill the ship because they were Tutsis.* "

The enrollment of the population was made even easier, as mentioned above, it suffered through radio, RTLm particular and the press, for example Kangura a real indoctrination against the Tutsi designated as the enemy within. Thus General Jean Varret reported to the Mission " *as a result of various attacks, the Rwandan gendarmerie had requested, with the support of the ambassador, training of police officer (JPO), in order to effectively conduct internal investigations.* " He said " *he had sent two policemen because it was soon realized that these surveys were to hunt down Tutsis, whom Colonel Rwagafilita called "fifth column" .*

Mr. Twagiramungu however heard a slightly dissonant voice or, more accurately, providing a complement. He said that " *supporters of CDR that were seen singing in public: "we will exterminate" had never said they would only exterminate the Tutsis, but they also sought the opposition, if it included Tutsis, was first made by Hutus.* "

The discrepancy between these accounts is only apparent. It is an established fact that moderate Hutu activists and members of opposition parties were among the first victims of the massacres in post 6 April 1994, the first of which the Prime Minister, Agathe Uwilingiyimana and the President of the Court of Cassation, Mr. Joseph Kavarugandas. Various testimonies collected by the rapporteurs of the Mission also reported the killing of some Hutus who refused to join or participate in the massacres. But these ad hoc and individual assassinations, as numerous and odious as they are, belong to a different logic than political crimes.

c) The existence of pre-established lists

The existence of lists of future victims previously established 6 April 1994 has been confirmed by several speakers at the Mission. Mr. James Gasana including estimated probable that " *these lists have first been established in the framework of the struggle between political factions and they were initially referred to senior political figures, regardless of ethnicity.* " This hypothesis appears most unlikely for two reasons. On the one hand, even if it retains a high hypothesis lists containing up to 1,500 names, this number appears derisory compared to the hundreds of thousands or a million victims of genocide. On the other hand, as noted by Jean-Michel Marlaud before the Mission: " *it was difficult for an outsider to discern at first glance ethnic Rwandans, however, the inhabitants of the hills who knew all knew who was Hutu and who was Tutsi, or married to a Tutsi or related to Tutsis.* " There was therefore no need for it to maintain lists of Tutsis.

It seems that these lists have mainly used the first days of the genocide, including 7 April, during which according to Jean-Michel Marlaud " *assassinations, mostly politicians, were clearly targeted.* "

d) An organized genocide

What struck, it seems, the more the eyewitnesses at the start of the genocide, it is, as reported by Jean-Hervé Bradol, " *he s' were not massacres or any popular fury following the death of a president, but a more systematic and organized process. It was not an edgy crowd proceeded to the killings, but militias acting with order and method.* "

Alison Des Forges also found that " *the killings were triggered by a very small group who had beheaded the legitimate Government in order to take power.* " This small group, composed of people confident and organized, " *had employees northeast west, in Gisenyi, Cyangugu southwest, south-center, Gikongoro, and is in Kibungo.* " Attacking the first people who might have opposed the massacres, manipulating populations by radio messages to panic, this small group was able to control almost all of the administrative, military and political system. " *The proof of the centralized nature of the genocide* " is provided by Alison Des Forges by the systematic organization of housing misleading scenes tending to prove an imminent attack Tutsis and intended to stir up hatred against these populations .

"*The extraordinary efficiency of the machine genocide* " explained José Kagabo, would be a reflection of the effectiveness of the control system of the company under the Habyarimana regime," *a prefect in each prefecture belonging to the party, had mission is to organize the common grid, grid themselves into quarters, each quarter being divided into blocks of ten houses under the authority and the constant supervision of a party official called "Mr. ten houses.* "

Colonel Patrice Sartre and General Jacques Rosier expressed to the Mission their impression that the administration, both prefects mayors, was seriously compromised in all that had happened .

However, the most important action force and remains the best organized Hutu militias " *Interahamwe* " (those who attack together), close to the MRND and " *Impuzamugambi* " (those who have the same goal), close to the CDR, which numbers have been estimated at 50,000 men in April 1994. particularly They had knives (machetes, knives, clubs studded ..) but also firearms, although many French officials noted that their managers had avoided to acquire such weapons. According to the testimony of Lieutenant-Colonel Jacques Hogard before the Mission, the militias were attacking the civilian Tutsi population, but also Hutu as long as it is not their sensitivity .

e) A predictable genocide?

Considering all these factors, the recognition of a genocide in Rwanda after 6 April 1994, committed against Tutsis self-evident, that the international community took some time trying to recognize. There remains the question of whether genocide was predictable.

All consistent to say that the extermination of Tutsis by Hutus was prepared many months in advance, both in terms of ideology, by manipulating the population with the help of media including, in terms instruments of genocide, the systematic distribution of weapons, the use of caches and training militias. These facts were essentially known at least since December 1993, as noted by Eric Gillet at his hearing before the Mission.

Mr. George Martens said that genocide was foreseeable from October 1993 " *but we can imagine the magnitude and atrocity.* " He moreover added that " *genocide was a daily obsession for the Tutsis.* " With such a vision, but that does not appear so clearly in the diplomatic dispatches, one can only wonder about the inaction of France to prevent genocide by concrete actions.

Eric Gillet, for its part, responded to the Mission that " *personally, he did not see coming genocide, in the months that preceded it. While the defense organizations of human rights were alerted by their correspondents in Rwanda was seen as the Arusha Accords did not come into force, political opponents can embody political change were murdered and opposition parties were divided.* " However, " *itself had not considered a massacre of this magnitude.* "

To have been announced so many times since 1990, assuming a genocide was in early 1994, became plausible but not likely.

The French Government's response to the telegram of the French charge d'affaires in Kigali 12 January 1994 is a good example of this sentiment. Entitled " *threat of civil war,* " the telegram stated that Mr. Jacques-Roger Booh-Booh, the Special Representative of the Secretary-General of the United Nations, had informed the Heads of Mission of Belgium, the United States and France, threats trigger promptly civil war militia " *Interahamwe* " the former single party MRND. The charge d'affaires and concluded his presentation: " *These are serious and credible information. (...) However we can not rule out a maneuver to discredit intoxication when the Government should establish new institutions.* "

According to information gathered by the rapporteurs of the Mission, Paris reportedly responded by warning against an attempted poisoning and praying Ambassador of France to ask the President Juvenal Habyarimana to do everything possible to prevent any activity that could put relevant applications of the peace agreements. This reaction is due to the recurrent nature of alarmist warnings, considered over time as the prophecies of Cassandra. This was expressed Jean-Michel Marlaud before the Mission: " *These information are only one more element in the long succession of warnings that the embassy was seized on one day, the resumption of offensive by the RPF and the next day, the beginning of a massacre.* " According to

Jean-Michel Marlaud, " *it would be excessive to say that the services of the embassy were aware (...) risk of genocide* ".

This same attitude is reflected through the absence of reaction of the UN during the genocide.

B. THE INTERNATIONAL RESPONSE

On 21 April 1994, the Security Council unanimously adopted Resolution 912 which provides, while genocide is triggered for 15 days to reduce the UNAMIR to 270 people. 1 May 1994, addressing an audience of diplomats in Dar Es Salaam, the President of Tanzania, Ali Hassan Mwinyi, estimated that the resolution is " *one of the most disastrous decisions ever taken by the Council* " (unofficial translation).

How did we get here?

1. UNAMIR and early massacres

a) The statement of impotence

The attack of 6 April 1994 resulted, as pointed out by the Secretary General of the UN in its letter of 29 April 1994 addressed to the President of the Security Council, two main effects: first, breaking the cease-fire and the resumption of fighting between the FAR and the RPF; then the outbreak of what is still presented as " *large-scale massacres of innocent civilians*. "

Therefore, the mission of UNAMIR, as it was defined by 872 resolution, became wholly unsuited to the changing situation. Due to the resumption of hostilities, it is no longer cease-fire to supervise or general security to maintain, much less provisional institutions to implement.

The decision of the Belgian Government, announced on April 12, to withdraw its contingent (effective withdrawal from the 13) following the assassination on April 7th of ten Belgian peacekeepers responsible for ensuring the protection of Prime Minister Agathe Uwilingiyimana has the rest totally destabilized the organization of UNAMIR. This pessimistic conclusion is that the Secretary-General of the United Nations in a letter dated 13 April 1994, in which he warned the President of the Security Council that UNAMIR can fulfill its mandate if the Belgian contingent is not replaced by another contingent as well equipped as him or if the Belgian Government does not reverse its decision.

This questioning of the Belgian attitude, which is not the custom of the UN, has attracted back a letter from the Belgian Permanent Representative to the Security Council, also dated 13 April 1994, in which he stressed the Arusha process, which founded the presence of UNAMIR in Rwanda, was interrupted and therefore part of its mandate was moot. That is why, he argued, the Belgian Government was in favor of a decision without delay the suspension of activities of the mission until the conditions were met to resume the peace process.

For its part, the Government of Bangladesh, the leading provider of UNAMIR troops -900 men and requested the Secretary-General, in a letter dated 15 April 1994, to ensure the security of peacekeepers and, if it was impossible to consider the withdrawal of its contingent.

And requested the Secretary-General of the UN in its report of 20 April 1994 estimated that under the evolution of events, he was " *no longer possible for the Mission to continue to perform the tasks entrusted to* ".

b) The shares of UNAMIR

Judgments about the action of UNAMIR from 6 April 1994 are generally of great severity. Mr. Michel Roy compared the attitude of the UN during the events " *to the non-assistance to people in danger*. " Mr. Jean-Hervé Bradol regretted that " *UNAMIR did nothing to prevent the assassins to kill*. " This attitude is consistent with what had been announced UNAMIR officials since March 15, 1994 Colonel Marchal, responsible for UNAMIR security sector Kigali warned Colonel Bernard Cussac there would be no interposition of UNAMIR times when fighting .

So what does UNAMIR after 6 April 1994? The Secretary-General retraces his actions in his report of April 20:

"To cope with this situation of deep insecurity and humanitarian crisis, UNAMIR, was used to:

a) Obtain an agreement on a cease-fire, to be followed by political negotiations between the two sides to restart the peace process under the Arusha Agreement;

- b) *To protect, to the extent possible, the civilian personnel of the United Nations;*
- c) *Protect, as far as possible, the rest of the civilian population, whether foreign or domestic Rwandan it;*
- d) *negotiate a truce between the two sides to allow the evacuation of foreigners;*
- e) *Facilitate the evacuation of foreign civilians, whether or not they the UN, providing escorts for evacuation convoys towards the border or airport and coordinate with the forces of French and Belgian intervention dispatched on site for this purpose;*
- f) *Rescue individuals and groups trapped by the fighting;*
- g) *Provide humanitarian assistance to large groups of displaced persons under the protection of UNAMIR. "*

He added immediately after the list: *"In all these tasks, the first was the more urgent: to obtain a cease-fire by linking them with representatives of the armed forces and the RPF, in the hope that s 'ensue policy initiatives to revive the peace process under the Arusha agreement. "*

This last remark shows how the pattern of thinking prevailing at the time in the UN is out of step with reality. The Secretary-General believes the evidence that the killings are the result of renewed fighting even as they were before and they obey their own logic, that of genocide. It is somewhat surprising to see the Secretary-General to continue to analyze the situation as a further delay in the implementation of the Arusha process even though it has fundamentally changed its nature. It is still quite shocking to read that political action is the real priority as urgency, of course, involved the preservation of human life.

UNAMIR, it is true, protected and saved the lives of thousands of Rwandans who sought refuge in places under its protection (including the stadium) and providing convoy escort to the airport (as evidenced Peter and Yvonne Galinier). Jean-Hervé Bradol reported to the Mission that if UNAMIR did not seem set to oppose the assassins and she did not attempt (see also attached the testimony of Ms. Jeanne Uwimbabazi), she brought assistance to evacuate the wounded, *" this was the case, he has said, on April 19 for an evacuation of the wounded who needed to cross the front line between the FAR and the RPF. "*

Jean-Bernard Mérimée declined to comment on this attitude to the Mission, while noting that it was legally founded. UNAMIR being placed under Chapter VI and not under Chapter VII, Mr. Boutros-Ghali has confirmed *a posteriori* that the cessation of massacres, which of course would have resulted in the use of force was not within the mandate of UNAMIR .

The current Secretary-General Kofi Annan, who was then the director of the operations department of peacekeeping has confirmed this analysis by responding in writing to a question from the Mission that *" the operations peacekeeping, or so-called Chapter VI operations are not combat missions. The use of force is prohibited, except in self-defense and as a last resort. In the practice of United Nations operations, self-defense is defined as the defense of oneself, another person, his unit, a station, a convoy of premises, equipment or weapons. The interpretation of the concept also includes resistance to armed attempts that aim to prevent the forces of peace to fulfill their mission. However, self-defense does not include the right, nor the obligation to intervene militarily to protect the civilian population, unless of course that this obligation is specified in the mandate " (65) .*

Rapporteurs of the Mission is of the view that this legal debate is a bit vain and if the political will existed, we would have been able to find in the text of Resolution 872 the necessary foundation for action. The legal argument can not serve as a pretext for a shameful reality. This was expressed in a slightly more military parlance General Quesnot before the Christian Mission: even without a warrant, General Romeo Dallaire should have intervened, because in some cases, *" the honor of a soldier was Learn disobey. "*

We must not forget, however, from a purely military point of view, logistics weakness of UNAMIR, which has already been emphasized. Weak ammunition, fuel, food and medicines made it very difficult to consider offensive measures. UNAMIR had no such sandbag to erect protective devices and any ambulance. General Romeo Dallaire, called as a witness before a Belgian military court was very clear: *" in my assessment of the situation, the forces available to the UNAMIR were not able to conduct a rescue operation. The mission of the UNAMIR operation peacekeeping. It was neither equipped nor trained nor staffed to conduct response operations. Even in the context of the mandate of peacekeeping itself, the forces provided by the participating nations were severely limited. "*

The current Secretary-General made clear in response to a question from the Mission: *" In Rwanda, where the problem was to intervene massively throughout the country to protect hundreds of thousands of civilians, not only UNAMIR n ' was not*

entitled to use force, but it did not, moreover, the military capacity to do so. This was partly withdrawal without notice of its quota the best equipped and the fact that the international community had not provided the men and additional equipment that would give meaning to the right to use force. "

Due to the departure of the Belgian contingent and non-essential staff from other quotas, UNAMIR were 1 515 April 20, 1994. General Roméo Dallaire would have felt at the time, during an interview telephone, April 10, with an advisor to the Secretary General, a clear mandate and a workforce of 5,000 soldiers it was necessary to stop the massacres. Other generals, including General Philippe Mercier reported to the Mission, a minimum strength of 40,000 soldiers.

Again, the rapporteurs of the Mission believe that this technical debate, as important as it is, because it involves the lives and security of peacekeepers should not hide the essential question: why the Security Council has he not decided to strengthen UNAMIR and allow him to use force?

Alison Des Forges to the Mission estimated that " *without sending soldiers, the international community could also lead by example actions to stop RTLM radio. "* This is the passivity of UNAMIR face the drama unfolding before his eyes that the lack of political will in New York was measured. As stated by Kofi Annan in response to a question from the Mission " *it was not until February 1995, after long negotiations with the Government to be assigned frequencies that UNAMIR commissioned a radio station whose broadcasts cover most of Rwanda. . "* Not having prepared such a tool earlier, UNAMIR was unable to counter hate propaganda RTLM by calling the Rwandan population to reason. So it is with reason that the United Nations Group on Lessons Learned, recommended that in the future " *planning missions peacekeeping understand from the outset an element and an information strategy "* .

2. Disengagement Security Council during the genocide

a) The reluctance of the Security Council

The African Group UN request, April 12, in a letter to the President of the Security Council, the increase in the number and extension of the mandate of UNAMIR. President Museveni himself intercedes with the Secretary for the maintenance of UNAMIR, by telephone on April 19 and by letter on April 21. The same day, the Secretary General of the OAU posted in this sense to the Secretary General of the UN. For its part, the representative of the Interim Government of Rwanda calls for the maintenance of UNAMIR April 13, that is to say, the day after, before the advance of the RPF, the Interim Government has decided to leave Kigali for Gitarama .

In its report on 20 April 1994, the Secretary General presented three options to the Security Council: an immediate and massive reinforcement of UNAMIR, whose mandate would be amended to allow it to compel the parties to a cease-fire and attempt to restore public order; reducing the force to a small group who remain in Kigali to try to obtain a cease-fire by mediation; or finally the outright withdrawal of the force. The Secretary-General stated in his report that he did not support the third solution. It is clear from reading diplomatic cables that supported the second option, which will be finally adopted.

By its resolution 912 adopted unanimously on 21 April 1994, the Security Council decided to reduce UNAMIR to 270 people and entrust him with the following mission:

"A) To act as intermediary between the parties to try to secure their agreement to a cease-fire;

b) To facilitate the resumption of humanitarian relief operations to the extent possible;

c) Monitor the situation in Rwanda, and to report thereon, including with regard to the safety of civilians who sought refuge with UNAMIR. "

Jean-Bernard Mérimée, Ambassador of France to the UN, from March 1991 to August 1995, said that vote-although he also was obtained with the voice of France, by the cowardice and cynicism " *cowardice, because people were afraid to go, Belgian soldiers were killed and the Americans were under the Somalia Syndrome; cynicism, because any international presence was seen by most members of the Security Council as an obstacle to the progress of the Patriotic Front. "*

b) The attitude of the members of the Security Council

If you believe reading the diplomatic dispatches summarizing the discussions of 21 April as well as interviews of the rapporteurs of the Mission to the UN, said countries "non-aligned" and more specifically, Nigeria, Djibouti and Oman, said they would, in that respect, the preferred option of a reinforced United Nations presence and they had agreed to vote 912

resolution because they had been led to expect that the Commission revise its position as soon as circumstances permit.

The United States had initially favored a complete withdrawal of UNAMIR when the security force was no longer guaranteed and the implementation of its mandate became impossible.

Russia and Britain were in favor of option two, presented by the Secretary General, as well as France. From 14 April, Paris sent instructions to New York that France had to show in favor of maintaining the presence of UNAMIR as long as possible and this will prove to mark his preference for a significant reduction in force. Jean-Bernard Mérimée justified this position by saying that " *the French Government at the time, could not do much, suspected a priori to capture the slightest pretext to send his troops, who have obviously stopped the killings but which have mostly been an obstacle for the patriotic "Front.* Mr. Edouard Balladur also told the Mission that France could not at that time take any action that would have been interpreted as a " *way to stop the advance of the RPF troops*" and would quickly emerged " *as a transaction type colonial* ".

The withdrawal of UNAMIR was done quickly, since April 25, 1994, she no longer included 460 men in Kigali.

Father Guy Theunis established before the Mission a parallel between the timing of decisions of the UN and the genocide, saying " *the withdrawal of peacekeepers had one hand free rein to popular participation in massacres and had, on the other hand, favored the extension to the whole country.* "

Claiming that the continuation of the Arusha process was still possible, the UN was logically legitimize conduct two parts, yet it became increasingly obvious with each passing day and the information gathered, that one of them was the source of ongoing genocide. In response to a question from the Mission, Mr. Kofi Annan has also stated that " *the Security Council, through the Special Representative of the Secretary General and the Force Commander, maintained contacts with the Interim Government in the context of his repeated to ensure a ceasefire.* " *efforts it is also true that the said Government representative was present in the Security Council since the Rwanda sat there for two years from 1 January 1994 as as non-permanent member.*

The RPF refused to turn any contact with the interim government, which he denounced as early instigator of the genocide.

Wanting to negotiating parties not recognized Moreover, the attitude of the Security Council then inevitably led to a stalemate, finally recognized that the Secretary-General. In a letter dated April 29, addressed to the President of the Security Council, Boutros Boutros-Ghali stated that " *it is now clear that the mandate does not allow UNAMIR to take effective measures to stop the killing .* " He asked the Council to " *review the decisions taken in its resolution 912 and to re-examine what measures, including the use of force, or it could take could allow states to take to restore public order and stop the killings.* " He also added: " *In making this recommendation, I am of course aware that such measures would require members to devote human and material resources states, a importance that they have thus far been reluctant to think about it.* "

Subsequent events would prove him right. On 6 May 1994, the President of the Security Council requested the Secretary-General to suggestions. On May 13, the latter provides increased UNAMIR in 5500 (they went down the field to 444) and a focus on the protection of civilians and humanitarian mandate. It does not suggest, however, to do this place UNAMIR under Chapter VII, because he believes that the effectiveness of the force must first be based on deterrence.

This is a design that arouses the opposition of France. In a telegram sent to the Permanent Representative of France to the Security Council on 13 May 1994, the Ministry of Foreign Affairs expresses its position clearly: " *the department asks you to score the clearest way that we consider the use of Chapter VII necessary in this case. We do not intend to make a pattern lock, but we want to take time and place the Board of its responsibilities. We can both ask UNAMIR to ensure safe conditions for displaced people and deny it the means to prepare, in advance, effective and systematic way, to use force to deter or repel militarily on the ground those who assail the refugee massacre. Place UNAMIR under Chapter VI may, on behalf of realism, to further increase the disappointment of those who believe that the United Nations must be able to fulfill their mandate.* "

This position was, however, a minority within the Security Council, as the United States, Great Britain, Russia and China in particular, have expressed strong reservations about the use of Chapter VII citing the negative example of Somalia. Only New Zealand and Djibouti supported the French position. As a result, the 918 resolution without a formal vote May 17, 1994 includes the proposals of the Secretary-General and placed under Chapter VII that the provisions relating to the establishment of the arms embargo.

The actual wording of the resolution is somewhat complex, not to say bizarre.

Part A is devoted to the extension of the mandate of UNAMIR is now:

"A) To contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including the creation and maintenance, where feasible, of secure humanitarian areas;

b) Ensure the security and support of the distribution of relief and humanitarian assistance operations. "

Visas in this Part A, the Council expresses its concern that " *the extension of the situation in Rwanda constitutes a threat to peace and security in the region.* " This means that it is not one at the moment and it is implicitly justify the non-use of Chapter VII. Concession negotiations, the Council expresses aware, however, that " *UNAMIR may be forced to act in the exercise of self-defense against persons or groups who threaten populations or protected.* "

In Part B of the same resolution this time on the arms embargo, purpose for which the coercive actions were accepted, a visa admits that " *the situation in Rwanda constitutes a threat to peace and security in the region.* " This was a hypothesis for the future in Part A is, for some reason, a present reality in Part B.

This legal contortionist fact cruelly illustrate the wait position remains in effect that the international community, despite his bad conscience. Several weeks after its adoption, the resolution was still not applied because of the difficulty in finding willing to provide troops and equipment needed countries. African countries, which were mobilized during an OAU meeting in Tunis, had bid at such conditions relating to the provision of comprehensive facilities, they had remained without effect. For their part, Western countries called upon to provide logistics multiplied procrastination. In a letter dated 19 June 1994, the Secretary-General wrote to the President of the Security Council: " *It is possible that UNAMIR could, for about three months to fully carry out the tasks entrusted to it* " . This finding will lead France to propose Operation Turquoise.

3. Letter Word

From what date the international community has she acknowledged that genocide was being committed in Rwanda?

The word "*genocide*" appears for the first time in resolution 925 of 8 June 1994 specifying the modalities for the implementation of resolution 918. It is only today that the Security Council takes " *rating with the greatest concern at reports of acts of genocide have occurred in Rwanda.* " Previously we only spoke of " *widespread violence* " (912 resolution of 21 April 1994) or " *very numerous massacres of civilians* " (resolution 918 of 17 May 1994). The utter hypocrisy was reached in the presidential statement of the Security Council of 30 April 1994, in which the Council declared itself shocked to learn " *the massacre of innocent civilians in Kigali and other parts of Rwanda* " and spoke of " *attacks against unarmed civilians.* " The word "genocide" was carefully avoided but nevertheless relied on its legal definition as the Council felt obliged to recall " *the elimination of members of ethnic group with the intent to destroy the group in whole or in part constitutes a crime punishable under international law.* "

It is not just a semantic argument. The use of the term genocide would result, under Article VIII of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide of 1948, a requirement for the competent organs of the United Nations take " *appropriate measures for the prevention and suppression of acts of genocide.* " But the international community, specifically the United States, were not ready. Mr. Herman Cohen candidly admitted to the Mission that the Americans " *have long refused to recognize the genocide to escape the legal consequences of such recognition.* "

It is wrong to believe that the United Nations did not know what was happening; on the contrary they knew that too, but would not recognize reality, preferring to practice the politics of the ostrich.

The Secretary-General of the United Nations had used the word genocide for the first time May 4, 1994 in an interview with an American television, during which he said " *Here You have a real genocide, in Kigali.* " It 's Recycled May 25, 1994 in a press conference in New York at the United Nations. But it was not until May 31 that he uses for the first time in writing in one of his reports: " *According to the testimonies, there is little doubt that there was genocide, as communities and families belonging to a particular ethnic group were victims of large-scale massacres.* "

It is true that earlier recognize the genocide would have also led to establish responsibilities and to challenge the political line of the Security Council, which has long called for the resumption of negotiations between the two parties.

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What conclusions can we draw from this brief analysis on the action of the international community?

The UN was relatively well informed about the situation-but all parties in New York have confirmed to reporters Mission- despite the information available, there was no collective will to act. In answer to questions from the Mission, Mr. Kofi Annan said that " *even when the Rwandan events were known to all, the UN and the international community have failed to act decisively to put an end to genocide* ." It is unfortunate that France has passed the resolution 912, adopted unanimously, because this vote it joined all the members of the Security Council in their refusal to act. Which would be inconsistent with the decision a few weeks later to participate in Operation Turquoise.

The UN could she stop the massacres? Some have argued that the speed with which the massacres were committed and their control by the Rwandan government for supposing that much of the alleged crimes were committed before the UN to deploy an expanded force. However, it is clear that the expression of a clear political will of the international community, backed by a massive presence was likely to hinder the perpetrators of massacres and surely would have severely limited the number of victims.

But the most severe judgment on the action of the UN has been pronounced by the same one who represented Mr. Boutros Boutros-Ghali, who wrote in his report of 31 May 1994:

"The delayed response of the international community to the tragic situation in Rwanda has demonstrated eloquently that it is completely unable to take urgent and decisive measures to deal with humanitarian crises entwined with armed conflict. (...) We must all recognize, in this regard, we have failed to act to end the agony of Rwanda and, without a word, and we accepted that human beings continue to die. We have demonstrated our determination, our ability to take action, were at best inadequate and at worst disastrous lack of collective political will. "

VII. - OPERATION TURQUOISE

On 22 June 1994, the Prime Minister Edouard Balladur, announced before the National Assembly the intention of France to organize a humanitarian operation. He then went personally to the Security Council July 11, 1994 to present the results of the operation. When he spoke before the National Assembly, he expressed himself in the following terms:

"The Security Council of the United Nations will review in a few hours, the draft resolution authorizing France to intervene in Rwanda as part of a humanitarian operation to save endangered populations. Why this intervention?"

For two months, the drama that unfolds in this country has reached a degree of horror that it was difficult to imagine. Hundreds of thousands of deaths, more than two million displaced persons. Diplomatic efforts have failed. The UN force to be deployed in Rwanda can only do that by several weeks. Should we let the massacres continue in the meantime. We thought this was not possible and it was our duty to react ... France will act with a mandate of the Security Council (66) . "

Operation Turquoise, which was held from June 22 to August 22, differs from previous military operations conducted by France in Rwanda, whether or Noroît Amaryllis. It concerns the Rwandans themselves and not French nationals or EU nationals. It does not fit into the framework of an agreement from state to state assistance. Claimed by France on behalf of a legal requirement, it is immediately defined as a humanitarian operation, under UN mandate, and subject to certain conditions. Authorized by resolution 929 which provides for the possibility of using force.

Even though France has scrupulously respected its commitments retiring at the end of two months, fixed for the duration of the operation, in order to make room for UNAMIR, while thousands of people were able to escape the massacres which continued and hundreds of thousands of refugees and displaced persons have benefited from care, assistance or food aid, this intervention from the outset, been more strong reluctance, so that the resolution 929 was adopted by ten votes in favor and five abstentions. Denounced by some as a screen operation designed to actually allow FAR and militias armed exfiltrate to Zaire for military conquest, it was criticized by others, such as Jean-Hervé Bradol (67) , having been in its very nature a "neutral force in times of genocide" ... then it should have been "not a humanitarian operation, which seemed useless to him, but a French or international military intervention to oppose killers " because, according to him, the 1948 Convention on the Prevention and Punishment of the Crime of Genocide clearly applied in the circumstances. Even today, despite a report showing data objectively positive-lives saved, vaccinations, epidemics curbed ... - Operation Turquoise is considered by the current leadership of Rwanda as insincere and who had, *in fine* for to support the former government forces.

France is still the only one of all the Western powers have acted because, as noted by Mr. Alain Juppé during the hearing,

"The United States remained haunted by the fiasco of the intervention in Somalia, Belgium was paralyzed by the murder of its peacekeepers and its status as a former colonial power, Germany was prevented from acting by its constitutional, England considered that this was not his area of influence and Italy, who had promised logistical support will be unable to provide. As for the WEU remain moral support . Only African troops from Senegal, Mauritania, Niger, Egypt, Chad, Guinea Bissau and Congo, will participate in Operation Turquoise. "

This lack of support was also emphasized by General Raymond Germanos, who recalled that France had proposed including Italy that the operational part of Turquoise was led by the French, who commit their forces, and humanitarian support was taken into account by the WEU under Italian command, but at the last moment, Italy refused to commit. The Americans asked to provide material aid they had promised, they did not keep their word. In addition, on June 24 a U.S. aircraft-according to the hearing of the General Raymond Germanos-landed early in the night on the relay track Bangui, blocking the supply line of the French forces and forcing them to push the aircraft off the runway to be able to make large land holders French.

It is therefore essential to try to understand why this intervention also given rise to fierce criticism, as she is also conducted under the eyes of the press and cameras and it has sometimes been called some NGOs and humanitarian organizations who have seen what was happening on the ground.

Given the context in which it took place, the Turquoise operation was felt by some to be ambiguous at the time of release. However, the progress in the field and in particular adaptation to the changing politico-military situation shows that neutrality and humanitarian objectives were overall pretty well respected.

A. THE CONTEXT

Amaryllis operation ends April 14, Operation Turquoise opens June 22 During these two long months the Rwanda genocide and knows a war while the international community is conspicuous by its failure, in particular by reducing the forces on April 21 UNAMIR to 270 men (*cf. above*) and that all diplomatic attempts intended to resume dialogue, a cease-fire and implement a negotiated political solution to end in failure. These different aspects covered large developments, it is better to recall the actions of France on the eve of Operation Turquoise and evolution of the military situation in Rwanda.

1. The position of France

If France left Rwanda on April 14, she has not lost interest in the situation and, in the two months following the attack against the plane of President Juvenal Habyarimana, she pursued several objectives: most immediate and most urgent was to alleviate the suffering of the people, deploying with the help of NGOs and international organizations, humanitarian means large-scale -40000000 francs were incurred, both in Rwanda and in the countries neighbors (Tanzania and Burundi) where a team of medical UAS has installed an antenna for emergency surgery, aerial rotations ensuring the delivery of food and medicine.

At the UN, France has also beaten, but without success, for UNAMIR strengthened until 5500 men, or under Chapter VII (*cf. infra*) .

On the diplomatic front, France is the first country on May 15, to be called the Rwandan genocide drama at the same time condemned the massacres perpetrated by the militias as "*Interahamwe*" by the RPF. Finally, with particular emphasis on the genocide committed by the militias in the government zone, France has requested that those responsible for these killings are sanctioned and supported the international investigation decided by the Commission on Human Rights of the United Nations 24 and 25 May

Punishment of the guilty, but also stop the massacres: France continues to consider that nothing solid and sustainable may not be obtained, even with the help of the international community, without a minimum agreement of the parties.

It is, in France, need to continue looking for a cease-fire and continue to support a political solution respecting the spirit of the Arusha agreements that provide a real sharing of power and victory of the moderates. This is the policy advocated, whose logic obvious from reading the various notes prepared by the Department of African Affairs at the Quai d'Orsay.

It is with unfailing constancy that African Affairs at the Quai d'Orsay recalls, in a note dated April 13: "*The events and much shaken agreements Arusha; however they must remain the reference to the extent they provide for power-sharing, the only possible political solution "* then, in a note dated April 18: "*FAR seem determined to resist the RPF political threats ... ethnic will probably continue ... The exit from the crisis through a compromise, however, does draw in a relative balance of power ... Although the RPF refuse return the positions of the cease-fire and a political agreement with supporters of Habyarimana, the Arusha Accords must remain the reference in the search for a solution to the current crisis "* . A few days later, on 1st

May, *"discussions were open Monday, April 30 between representatives of the FAR and the RPF in Kigali under the auspices of UNAMIR for the conclusion of a cease-fire. We must persevere in this way ... The draft regional summit that we consider and for which the Ambassador of France in Rwanda had been sent on a mission in the neighboring countries of Rwanda, was taken by the Kenya ... It is essential that the States concerned primarily and may put pressure on the warring parties to show their willingness to work together."* A note of 9 May indicates that *"politically, while claiming" the spirit Arusha*, the RPF denies provisions of agreements on the sharing of power ... *For the solution to the crisis proves sustainable will require all political forces, including therefore the MRND President Juvenal Habyarimana, participate."* Finally, on June 16, it is recalled that *"we encourage countries in the region to play an active role" and that "we are working for the moderates prevail in the spirit of the Arusha Accords which provide a real sharing of power."*

This is in line with this policy that is particular meeting on April 29 with President Museveni to seek a settlement of the conflict at regional level; he asked the Ugandan president to put pressure on the belligerents. France considers, in fact, that the support of RPF men in arms and ammunition depends largely Uganda and she feels she must draw the attention of President Museveni on the risks of instability in Rwanda if a balanced political solution is not found.

The ambassador in Kigali, Jean-Michel Marlaud, on a mission in the countries of the region. After going first to Arusha on 3 and 4 May to try in vain to get warring parties signed a cease-fire and stopping massacres, he then went Burundi, Zaire and Tanzania. Its mission report dated May 13, which he reported in his hearing, says very clearly: *"our country must remain driven by the principles which have guided its action at the outset of the conflict refusal of the logic of war and support for a negotiated political solution, supporting the efforts of countries in the region, first and foremost Tanzania, in favor of a political settlement, mobilizing the international community in favor of Rwanda. The massacres committed since April 6 should lead us to add: Research and punishment of those responsible for the massacres."*

Bruno Delaye, in his speech before the Mission Confirms French Commitment stating: *"We have also seen, rightly or wrongly, that it was necessary to search for a cease-fire first under aegis of the states in the region, an approach that resulted in the Marlaud mission and under the authority of the OAU Summit in Tunis where a French delegation visited June 12"*

A Paris, France continues to maintain contact with all sides *"as long as hope remained of a cease-fire"* in the words of Mr. Hubert Vedrine to the Mission.

It is in this context that takes place on April 27, the meeting with Mr. Jean Bosco Barayagwiza, Head of the CDR, and Jerome Bicamumpaka, Minister of Foreign Affairs, which will be received at the Elysée and Matignon.

Mr. Twagiramungu, which will be Prime Minister of Rwanda from July 1994 to August 1995, is received, meanwhile, twice, on 19 and 26 May. It is clear from his discussions with the Department of Foreign Affairs that Mr. Twagiramungu, having welcomed the recognition of the genocide by France, insists on the need to put pressure on the belligerents. He believes that excluding the RPF Government is inconceivable, but neither the Rwandan army alone nor the RPF alone can not provide a solution, the sharing of power is indispensable. Mr. Twagiramungu expressed his concern to gather around him and want to show moderate that Rwanda is not limited to face-to-face interim government RPF.

The approach of France of maintaining political dialogue with the representatives of all parties to the conflict, fits into the continuity of its diplomatic policy of the belligerent parties to a negotiated agreement.

However, this approach assumes that there is in a classical logic of war or conflict. However, in the circumstances, we may wonder about the opportunity to have, certainly commendable in view of the conclusion of a cease-fire, received on 27 April, the representative of the Hutu extremist party of CDR excluded from Arusha institutions, and the Foreign Minister of the Interim Government, under whose responsibility the massacres took place on a large scale will be fifteen days later, officially qualified by France of genocide.

As pointed Alison Des Forges in private conversation, all meetings do not have the same symbolic value and should have been more questions about the validity of the approach to be placed on an equal footing the CDR representative and representatives of the RPF.

On this point, General Christian Quesnot stressed during the hearing, he had personally always doubted very much on the possibility of arriving at this point, the conclusion of a cease-fire and the establishment of a provisional government with moderate Hutus. He also recalled that he had prepared a note to the President of the Republic, in which he said: *"The process is now irreversible, Paul Kagame wants total military victory."*

France, whereas only a political settlement based on power sharing can be a sustainable solution, therefore considers it

necessary to bring all the parties to negotiate, but notes that, on the ground, only prevailing military logic. The Department of African Affairs of the Ministry of Foreign Affairs also admits, in a note dated May 9, "*a military victory of the RPF is possible.*"

The RPF military advance was actually fainting actual chances of a cease-fire and the continuation of massacres lead France to decide Operation Turquoise.

2. Military RPF advance

The RPF after the assassination of President Juvenal Habyarimana, was moving from its base in Mulindi in the North, towards Kigali on April 11 that it will reach. His arrival on the outskirts of the capital flight resulting Interim Government to Gitarama on 13 April.

FAR still have control over certain aspects of Kigali, including the area of the airport and north of the country, the front still resisting Byumba and Ruhengeri. On April 21, the United Nations Council adopted resolution 912, which brings to 270 the UNAMIR (*see above*).

Early May, the RPF advance causes more than one million people on the path of the exodus, creating a humanitarian situation that requires sending relief (*cf. above*) in Tanzania and Burundi. The RPF control the north and northeast of the country is now moving towards the southeast. "*He did not have control of Kigali, but the government army feels it can not last long in the absence of supply and ammunition*", as indicated by a note of the direction of African Affairs Quai d'Orsay on 3 May 1994.

There is no hope to reach a cease-fire. As of May 4, the positions are irreconcilable. The RPF refused to discuss with the Interim Government, request a meeting with the FAR and considers not having achieved all its military objectives (Gitarama, Kigali). The Interim Government requires meanwhile a cease-fire as a precondition to stop the massacres and intransigent on the recognition of its legitimacy by the RPF. Accordingly massacres and military clashes continue. The international community will react on May 17 with the adoption of Resolution No. 917 establishing the arms embargo and authorizing an increase in UNAMIR to 5500 men (*cf. above*).

On the ground the situation worsens, the RPF captured on 22 and 23 May, the Kigali airport. No diplomatic solution results. Kenya takes the idea of a regional summit to be held on June 6 and will have no results.

On June 15, the cease-fire signed at the Summit of the OAU held in Tunis on June 12, is broken by the RPF, which pounded the city center of Kigali the next day.

Rwanda is now split into two: the government-and the FPR.

At that time, the RPF occupies the entire eastern part of the country and Kigali airport but FAR still hold a part of the capital Kigali and the axis-Kayanza (Burundi), passing through the town of Butare.

On June 18, the RPF decided to block up to Byumba humanitarian axis connecting Kigali to Uganda. It was at this time that France, June 19, takes the initiative to ask the Security Council to authorize humanitarian action in Rwanda, citing the need for it to stop the massacres, the task UNAMIR will not be able to take several weeks due to the reluctance of states to raise the necessary troops to the success of such a mission.

B. OPERATING THE OPERATION TURQUOISE

1. The data of the problem

Since mid-April, France, which is no longer present in Rwanda, but a tireless advocate for a negotiated political solution, envisages that intervention conducted in the framework of the United Nations.

The President of the Republic, François Mitterrand, said May 10 on TV: "*Our soldiers are not intended to make war everywhere. We do not have the means to do it and our soldiers can not be international referees passions which now upset and tear so many countries ...*".

However, six weeks later, as the situation worsens and that genocide takes place before the international community, but that it reaches to intervene, the question arises whether or not to intervene. As reported during the hearing General Christian

Quesnot, "the President of the Republic who hesitated" he said "we could not leave commit such massacres . " For his part, Prime Minister at the time, Mr Edouard Balladur, presented well before the Mission, the alternative to which was the France is "an intervention in the form of interposition; This solution presented by those who were proponents as a way to stop the advance of the RPF troops, would have involved a war action carried out by French troops on foreign soil " or "strictly and exclusively humanitarian intervention designed to save lives regardless of the ethnic origin of people at risk. "

While indicating that it would be *"excessive talking hesitation in politics to drive, although it is true that some officials have proposed a military intervention, particularly in Kigali,"* the Prime Minister acknowledged that *"Both options have actually been considered but that the choice had brought unambiguous humanitarian action ... "*

Heard by one of the rapporteurs, Mr Bernard Kouchner recounted the journey he had made, from 10 to 17 May 1994 in Uganda and Rwanda, during which he was received successively by Paul Kagame and Jacques Bihozagara, who asked him to intervene to try to evacuate 2,000 2 500 Tutsis in Kigali, the Hotel des Mille Collines.

He spoke with various people the principle of humanitarian intervention of France in Rwanda, which he considered necessary in view of what he had seen.

While Defense Minister François Leotard expressed his reservations about the operation of France in Rwanda during the Cabinet meeting of 15 June, the President of the Republic hopes that such intervention advocated by the Minister of Foreign Affairs, Mr. Alain Juppé, is limited to the protection of certain sites grouping Tutsis such as hospitals, stadiums and schools. On June 16, President François Mitterrand agrees to launch a humanitarian action. On 18 June, a statement issued by the Presidency of the Republic and the Hotel Matignon specifies that the transaction will be effected on the basis of a UN mandate.

This is essential because France considered related to one of the parties can not commit one. It is in this context inevitably accused to rescue the perpetrators of massacres and wanting to steal the military victory of the RPF. On this point, a note of the Quai d'Orsay says: *"the association of European countries seems desirable ... The participation of Francophone African countries is not likely, except with international legitimacy, to put ourselves in the against accusations and criticism. "*

On 21 June, in a letter to the President of the Republic, the Prime Minister Edouard Balladur recalled the various conditions that appear essential for the Turquoise is feasible and successful operation it to him

- Authorization of the Security Council,
- Strictly humanitarian objective,
- Limited to several weeks,
- Engagement of other countries alongside France, maintaining French forces near the border with Zaire.

On 22 June 1994, the Security Council adopted Resolution 929 which authorizes France to *"use all means"* for two months to protect people.

2. Resolution 929

Resolution 929 of 22 June 1994 adopted by the Security Council of the United Nations:

- *Agrees that a multinational operation can be set up in Rwanda for humanitarian purposes until UNAMIR is necessary staff;*
- *Welcomes the establishment of a temporary operation under national command and control, to contribute, impartially, security and protection of displaced persons, refugees and civilians at risk in Rwanda;*
- *Authorizes Member States ... to conduct the operation ... using any means necessary to achieve the humanitarian objectives;*
- *Decided that the mission of the Member States will be limited to a period of two months following the adoption of this Resolution.*

Terms of vote

For	Argentina, Djibouti, Spain, United States, Russia, France, Oman, Czech Republic, United Kingdom, Rwanda
Against	No
Abstention	Brazil, China, New Zealand, Pakistan

3. Reactions

The RPF has been informed of the intentions of France as stated by General Philippe Mercier was appointed by the Government to receive two representatives to explain the goals that France continued and implementation modalities of Operation Turquoise . However, *"these two representatives were not convinced that maintenance lasted more than two hours"* and that General Philippe Mercier is said to have answered all the questions. So it's no surprise that France experienced negative reactions from the RPF, who declared that he would oppose "by all means" the French troops, which he called the arrival of "aggression."

As militias *"Interahamwe"* and the Presidential Guard, they manifested little enthusiasm on the ground because, in the words of General Raymond Germanos, they would not stop their massacres, thinking to liquidate a complete ethnic and regain power through this.

With regard to other countries, France could only see, at least at first, no Western nation had kept its promise to support a military operation to stop the killings.

While France was almost alone in Rwanda, a country ravaged by massacres, it was suspected by some to want to engage in a humanitarian operation *"good conscience"* , intended to exonerate compared to its previous commitments to the side of the regime President Juvenal Habyarimana.

4. Orders operations

Operation orders are established June 22, 1994 at 10 am 16. **'s mission** forces Turquoise is clearly defined; it comes to *"stop the killing wherever possible, possibly using force."* This last detail directly from the wording of Resolution 929 authorizing the use of all necessary means, including force to achieve the humanitarian objectives.

Stop the killings led to ask the following behavior rules:

- Adopt an attitude of strict neutrality vis-à-vis different warring factions. This means that it is imperative to stop the massacres of Tutsis as by militias that abuses by the RPF reprisals against Hutus;
- Insist on the idea that the French army came to stop the killings but not to fight the RPF or support FAR so that actions should not be interpreted as an aid to government troops. Experience will show that it was easier to persuade the RPF that France was not to return to Rwanda to fight than to understand the FAR that return no longer meant a help or support;
- Say the humanitarian operation in conjunction whenever possible, with NGOs. This is important because it describes the operation while it foreshadows the military-humanitarian intervention concept.

Recognized the possibility of the use of force requires the definition of **rules of engagement** force based on the notion of self-defense extended. The use of force is allowed in this context when there is:

- Threat to the French forces;
- Threat to the mission of protecting people, against the French forces or against protected populations;
- Obstruction in the execution of the mission of the French forces; in this case, the agreement of COMFORCE (Force Commander) will be sought.

To affirm the determination of France to act in a humanitarian context and neutral way, it is asked to install a platform Turquoise forces in Goma and Kisangani and Bukavu to deploy the necessary protection of the camp strength Tutsi refugees from Cyangugu, arguing the humanitarian aspect of the operation.

The principle of the installation of French forces in Zaire is therefore confirmed. Indeed, it was considered unthinkable, except

to trigger a battle with the RPF which was exclusion of land at Kigali airport. Passage through the Burundi became too destabilizing for the country. By the Tanzania gave access to the FPR. In Uganda, there was little chance of obtaining the right of transit. Zaire is apparent fairly quickly as the only possible solution and France obtained the agreement of the Zairian authorities.

Turquoise forces were partly composed of elements previously stationed in Rwanda, which has increased the difficulty of the exercise for the soldiers and was probably added to the confusion and disarray among the FAR. As has recognized General Jean-Claude Lafourcade, " *the Government has asked successively to the same officers, in a first time to contribute to the training of Rwandan soldiers against the RPF, then, suddenly, to engage the Turquoise operation bases total impartiality, in a context where there was no enemy and where he was eventually discuss with the RPF.* "

We must recognize that by participating in Operation Turquoise previously incurred in certain military operations military cooperation for the benefit of FAR, France has undoubtedly created a source of ambiguity and the distrust or skepticism in the minds.

Levels of operations provided in a second time, achieving **two complementary operations** .

It was first "*ready later gradually control the extent of the Hutu country towards Kigali and Butare and South to Nianzi and work on assembly sites to protect people.*"

Secondly, he was asked Turquoise forces "*to say with the Rwandan local authorities, civil and military, our neutrality and determination to stop the massacres on all controlled by the Rwandan armed forces area, encouraging them to restore their authority.* "

It is therefore necessary, in view of the humanitarian objective to analyze the meaning of these two missions, one to control territory, the other aimed at the establishment of an authority, that of the Rwandan army, which exert the same territory.

The analysis of operational orders can be seen that the neutral and humanitarian Operation Turquoise is no doubt. It does not appear so far be said that Turquoise pursues a purely humanitarian purpose, while indirectly filter, not, as some have wanted to say, the desire of France to allow the return to power by FAR, but rather his desire to preserve the conditions for a political negotiation based on power sharing. On the diplomatic front, the solution had to fail. On the military side of France could not recall considering its past commitments.

It is instructive to compare the operational orders established on June 22 of the rules of conduct contained in the annex to the end of mission report prepared by General Jean-Claude Lafourcade. In the latter paper, it is shown that time *that "the operation is strong humanitarian dominant"* and that "*the desired policy goal is the restoration work of the Arusha agreement with determination supported by France. Stop massacres and observing a cease-fire are the sine qua non for the resumption of dialogue between the parties, initiated in Arusha, as the only possible solution of the conflict. France is determined to support this process, so to stop the abuses.* "

Despite the Plan's goals, it seems that the field test, faced with the inexorable advance of the RPF military, the objective of Turquoise was not thwarting the high humanitarian operation has become dominant only humanitarian.

Objectives 5.

To fully understand the meaning of the above two commands - "*gradually control the extent of Hutu country*" and encourage local Rwandan civil and military authorities to restore their authority over the area they control it is appropriate to consider replacing them in the previously described context. France, when it undertakes Operation Turquoise, has not so far up the idea that only a political solution agreed by the parties and based on a sharing of power put a definitive end to violence and clashes ethnic.

However, as pointed out by Ambassador Jean-Michel Marlaud in a note establishes the 1st July 1994 "*we can not publicly take the initiative to get the cease-fire, because we would be suspected of having sought to freeze the situation under the guise of humanitarian action* " .

These suspicions were they unfounded?

Operation Turquoise was undoubtedly the main goal and save lives to protect threatened populations indiscriminately, whether Hutu or Tutsi.

Seeking to stabilize half of Rwanda, which would have restored the exercise of authority, Operation Turquoise tried not to revive the offensive FAR against the RPF, but to preserve a situation in which still exist the conditions for negotiating a cease-fire and a political negotiation, namely territory and legitimacy.

It was however not possible for France to take the initiative publicly. It was possible for him to intervene, however, under certain conditions, to stop the massacres that continued to be perpetrated on both sides though, as could be observed the Colonel Didier Tauzin at the hearing, upon arrival French troops, the large-scale massacres had ceased.

In doing so, France has probably not initially attached to Operation Turquoise exclusively humanitarian purpose; she did not, however, do anything else than pursuing "*the idea of Arusha*" by other means.

A test of reality, this analysis has proved largely utopian, insofar as the RPF, which France has never attempted to thwart the advances continued to grow militarily deal with FAR in complete disarray and a Government run.

If France was to suggest that the RPF had the temptation to steal his victory, including by establishing a humanitarian zone in which it was excluded, it should be noted that from the moment the total military victory of the RPF proves inevitable after the fall of Gisenyi, on July 17, it receives Operation Turquoise much more positive way.

As noted by General Philippe Mercier in his hearing, "*from July 20, when a cease-fire de facto RPF, the humanitarian operation had become dominant, in close liaison with non-governmental organizations*".

The study of the progress of Operation Turquoise illustrates this evolution.

C. CONDUCT OF OPERATION TURQUOISE

1. Organizational forces

The number of troops in the theater of operations to reach 2 924 French soldiers and 510 foreigners.

General Jean-Claude Lafourcade force commander Turquoise had a joint command post theater (PCIAT) based in Goma and three battle groups, means air transport and combat, a support battalion and logistics a mobile medical assembly rapid response (EMMIR)

OPERATION TURQUOISE from June 22 to August 21, 1994 by order of initial operation

Health

COS

Civil Affairs

Comair

Element air

COMTERRE

FF Zaire

PCIAT: Station Joint Command theater

FF Zaire: French Forces in Zaire

Originally, the three groups included the special operations group, commanded by General Jacques Rosier, then Colonel in the Gikongoro region to the east, the north group under the responsibility of Colonel Patrice Sartre operating in the region Kibuye and southern group headed by Lieutenant-Colonel Jacques Hogard based in Cyangugu.

In late July, the special operations group was repatriated. He was replaced by units from northern group of Colonel Patrice

Sartre, who then found themselves under the command of Colonel Stabendrath Colonel Patrice Sartre integrating the device in return, the African battalion.

This example illustrates the words of General Jean-Claude Lafourcade believing that *"the period of 22 June to 22 August was marked by the rapid development of the politico-military situation had forced the command of the operation to make adjustments standing postures, device and modes of action."* Four phases characterize this perspective, Operation Turquoise.

2. Achieving specific operations (1st phase)

During the first operational phase, which runs from 22 June to 4 July, the French forces intervene from Zaire border along a north-south axis defined by the towns of Cyangugu, Kibuye, Gisenyi. Accordance with the objectives, they manage to secure June 23, Nyarushishi camp about ten kilometers from Cyangugu, in which are grouped 8000 than 10 000 Tutsis.

On 26 June, the Special Operations Command (SOC) is committed to Kibuye and puts an end to massacres in this sector, at least in urban areas. On June 27, the COS team, led by Commander Marin Gillier, shall, on the road to Kibuye, recognition of Hutu refugee camp Kirambo then discovered on June 30 Bisesero under conditions will be subsequently bright charges (*cf. annex*), the last survivors of a victim of the Tutsi community extermination actions by Hutus in the region, led by the mayor of Gishyita.

June 30, General Raymond Germanos sends Commander Turquoise force a Directive by 1st July 1994, the French forces which specifies that they must continue reconnaissance missions to mark their presence:

- To the north, keeping the current system until Mukamura;
- In the center, ensuring a stronger presence in Kibuye, including height cervical N'Daba;
- Emphasizing the search for information within the triangle Gishita - Karongi - Gisovu;
- Extending eastward reconnaissance beyond the edge of the Nyungwe forest to Gikongoro, not to exceed that for any extraction towards Butare missions.

On the other hand, the forces are allowed to deploy Turquoise EMMIR according to the changing situation. This choice should take into account the possibility of foreign ownership, including Belgian, Romanian and Mauritania, in order to ensure complementarity of resources deployed.

Finally, the directive states that if journalists were to express the wish to leave the area, all facilities shall be provided, notably air transport.

Under this Directive, July 2nd Detachment of Commander Marin Gillier is raised and moved towards Butare, July 3, 1000 people were evacuated, including 700 orphans who are exfiltrated to Burundi with the help of NGO "Terre des Hommes".

It was at this time that the first clash with the RPF, which makes the inevitable encounter between the RPF forces and those of Turquoise and may pose the problem of neutrality of the French intervention occurs. After this first phase, which ended on July 4 with the fall of Kigali, it is clear that the concept of "back and forth" forces from Zaire finds it difficult the objective of protecting populations. However, the maintenance of soldiers Turquoise Rwanda made it even more difficult relations with the FAR, forced to admit that France was no longer there to lend a hand.

At this stage of the operation, the Turquoise forces have been conducted to make deeper and more permanent incursions north towards Kibuye, in the southern sector of the Nyungwe forest to Gikongoro and Butare. However, they were led to adopt a new strategy, considering the growth of the forces of the RPF towards Butare and Kibuye, and massive population movements that cause Advanced. The alternative is the following: either opt out of Rwanda, is organizing a safe humanitarian zone in the southwest of the country.

3. Creating safe humanitarian zone (2nd phase)

Continued fighting in the short term makes the uncontrollable situation in humanitarian terms. The extension clashes south to Butare and west towards Kibuye causes the leak of tens of thousands of people and increases in the confusion, the risk of ethnic massacres.

Given this evolution, France on July 2nd request, his ambassador to the UN, to alert the Secretary-General of the United Nations on the situation, noting the following:

"The cessation of hostilities is in fact the only truly effective way to stabilize the humanitarian situation and pave the way for a resumption of talks with the help of countries in the region towards a political settlement, based on agreements Arusha, which of course should be excluded from those responsible for massacres and including genocide.

"If the cease-fire could not be obtained immediately, France would face the following choice:

"- Or retire outside Rwanda, striving, which would be extremely difficult and limited, save for specific actions, lives.

"- Is based on resolutions 925 and 929, organize a safe humanitarian zone where people would be safe fights and dramatic consequences in this country. Franco-Senegalese forces would ensure, in the framework of the mandate is theirs, that will be exercised in this area from this area, any activity likely to impair the safety of these populations. This area should focus on the region where the humanitarian problems are most acute, large enough given the number of people involved and integral to stabilize populations on site and facilitate the delivery of humanitarian relief.

"Based on the information in our possession, this area should include the districts of Cyangugu, Gikongoro and the southern half of the Kibuye Kibuye including the axis-to Gitarama neck N'Daba understood.

"France considers that, on the basis of resolutions 925 and 929, it is authorized to organize the safe humanitarian zone. However it would like, through you, the United Nations expressed its agreement for the creation of such a zone. "

Through the voice of its spokesman, July 6, the Secretary General of the UN publicly gave his support to the French initiative, referring to paragraph 4 of resolution 925.

The modalities of the implementation of safe humanitarian zone (HSZ) are discussed between General Raymond Germanos and General Roméo Dallaire, mandated by General Paul Kagame. They show the French proposals.

Mostly, the international community supports these proposals. Europe, Ireland and the United Kingdom are more reserved, as well as Tunisia and Algeria. Ethiopia and the General Secretariat of the OAU make known their disapproval.

At the UN, the concerns focus on two points: first, the need to disarm the militias, on the other hand, the arrest and detention of the perpetrators of the massacres.

Politically RPF announces its intention to form a national unity government headed by a Hutu. Its representative, Mr. Gahina, sent on July 8 requirements of the RPF on the ZHS. This should be strictly reserved for civilians and militia forces located there should be disarmed and arrested those responsible for massacres.

The creation of the ZHS gives Turquoise Forces the opportunity to establish a more permanent basis in Rwanda, perceived as a prerequisite to effectively protect populations under threat, which it was not possible to design the mass exodus to Zaire.

The French forces Turquoise, present from July 6 to August 22 in the ZHS, were therefore sought, on the one hand to maintain its inviolability face some incursions of the RPF, on the other hand, to guarantee security by disarming those who entered it, there finally establish an interim administration to create rules and conditions of living necessary minimum maintenance on site.

Asked about how the French soldiers had been Turquoise for the administration and security of the area, Lieutenant-Colonel Jacques Hogard stated at the hearing, it was necessary to distinguish two periods:

- During the first period of the arrival of the forces until July 17, when the final departure of the last representatives of Rwanda Rwandan regime, the French authorities had contacted the authorities set this plan (civil authorities, prefects and sub-prefects, or military or law enforcement, such as police) to set the rules for securing the area. He added that he had to be clear and himself, during his first meeting with the Prefect of Cyangugu, Bagambiki had told him they would continue their interviews very frequently, daily if necessary. He then presented him the mandate of the force and outline the actions that it would lead. He also told him that the Force would determine a number of rules to disarm individuals, establish checkpoints and travel the country day and night, especially at night given what was happening;

- From the collapse of the regime, the force had to supply all in its sector, any Rwandan official was gone; treatment plant

water Cyangugu stopped overnight run. Force had to maintain existing infrastructure, electricity, sewage treatment, anxious to avoid at all costs the ravages of cholera and dysentery as in Goma.

Lieutenant-Colonel Jacques Hogard added before the Mission, the group had also been brought to the maintenance of order, and that he had used for this purpose the military process control area, which is to spread detachments on the ground and give them axes and villages to control and conduct patrols during the day and often at night. He also had to take into account a number of sensitive issues to allow a minimum of civilian activities on the right was assigned.

Speaking on the same subject, Colonel Patrice Sartre said that *"broadly, he had to proceed in the same manner as the Lieutenant-Colonel Jacques Hogard, knowing that the area under his responsibility had been less defections among officials in so far as it was separated from Zaire by Lake Kivu and the infrastructure had been able to be maintained in operation much easier."*

He said that *"the most notable feature of the area was the personality of the prefect of Kibuye, Clément Kayishema, who, after her first appearing as an unsympathetic character, had proved very quickly be seriously responsible This happened before, and had fled to Zaire quickly, unlike some of his administration, which had remained."* He added that *"this individual was being tried by the tribunal in Arusha."*

General Jacques Rosier, meanwhile, added to the Mission that he had the impression that the administration, both prefects mayors, was seriously compromised in all that had happened. It was found that all the real culprits were all gone and he was left in place as assistants who were not implicated in the killings. He said that his men were welcomed with open arms by the authorities during the first days arms, but later, people gain confidence, they began to receive information and they learned such as mayor or prefect had disappeared in at night.

Rwandan administrative system established in the ZHS by officers of Operation Turquoise was, however, faced strong opposition of the RPF, who considered that this administration had no reason to be, as shown by a diplomatic telegram of 4 August 1994 prepared by Mr. Jean-Christophe Belliard, Representative of France as observers in the Arusha negotiations. Noting the meeting between Colonel Patrice Sartre and the new prefect of Kibuye, appointed by the Government of Kigali, it indicates that the Tutsi prefect gave the following speech: *"The administration set up by France is not recognized by Kigali (...) It should punish all those who participated in the massacres (...) Kigali wants to retrieve weapons that France has confiscated FAR (...) The Government of Rwanda requires the dismantling by France training camps FAR that are in the safe humanitarian zone."*

This example illustrates, if it were needed, the great difficulty, if not impossible, to be accepted by the RPF that the intervention force Turks had an exclusively humanitarian.

Regarding the incidents with the RPF, General Jean-Claude Lafourcade considered before the Mission that *"if some incidents had been then take place between the RPF and Turquoise, they were due to lack of precision in the delineation of the area and that it remained anecdotal."*

Admiral Jacques Lanxade, for his part, reiterated at the hearing *"that the only really serious incident with the RPF had happened when he fired mortars at a refugee camp at the border, in front of Goma . France had responded by flying its fighter jets based in Kisangani, and threatening to destroy the mortar batteries RPF. He said that the RPF was therefore realized it was better to leave it there."*

Admiral Jacques Lanxade further stated that *"representatives of the French authorities had met with representatives of the RPF in Kigali, to explain clearly that Operation Turquoise met purely humanitarian objectives that led to the ban safe humanitarian zone to fighters."*

General Raymond Germanos noted in his speech to the Mission, clashes that occurred in Kibuye, in the middle of the safe zone, where the RPF had tried to enter it to pick the soldiers present and that a French was wounded on this occasion.

A telegram from Mr. Jean-Christophe Belliard, 6 August 1994, a month after the creation of the ZHS reports that: *"The barge liaison between Goma and Kibuye, which carries either humanitarian cargo and military equipment intended safe humanitarian zone was shelled by mortars. The goal has not been reached. After somehow claimed the bombing, accusing France of violating the Rwandan waters, the Government of Kigali awkwardly FAR accused of being responsible. General Jean-Claude Lafourcade issued a protest via the General Roméo Dallaire."*

4. Extension to Goma Operation Turquoise (3rd phase)

The RPF continued its progress towards Gisenyi where the so-called "Gisenyi" representative of the interim government authorities. This influx triggers July 14 departure of these authorities and led to an exodus in four days to Zaire (Goma) a million Hutu refugees. Gisenyi falls on July 17. On 19 July, the RPF unilaterally decides to stop the fighting, leading, *de facto* cease-fire.

Response to the humanitarian disaster resulting from the exodus itself induced by the war, France had to react and face the resentment of the Zairian population, however, was quickly dispelled.

On July 22, the cholera broke out. According to the Chief Medical Officer François Pons, the epidemic is 20 000 to 50 000 deaths in ten days, forcing France to develop its antenna, initially designed to carry the support of its forces in a care unit cholera .

The epidemic also justifies sending, July 22, from Bioforce, which sets up a campaign of 24,000 vaccinations to stem the epidemic.

Extremely efficient, as Chief Medical Officer Robert Resseguier-having served as a reference for various international organizations in Goma this laboratory, supplemented by six investigative teams, worked solely for the benefit of civilian refugee populations in conjunction with various international organizations present.

Regarding the collaboration with NGOs, the Chief Medical Officer Robert Resseguier pointed out that some of them had first appeared in the reserve, including the Red Cross and the UNHCR, but the relationships then were significantly improved with the arrival of the Bioforce. More generally, the disaster Goma highlights the problem of relations between the military and NGOs.

They can not effectively intervene if the area is peaceful, hence the need for good cooperation with the military, but some of them refuse, on principle, to intervene alongside the army. For their part, some members feel they do not have to fit into a humanitarian context and it is their only "intervene" to stop the massacres, NGOs with the exclusivity of the humanitarian action.

Meanwhile, the city of Goma having no longer means of dealing with the consequences of this exodus, General Jean-Claude Lafourcade decides the commitment of some of the available capacity of the battalion logistics support (BSL). Six circuits pickup died of cholera, using up to twelve vehicles passing twice a day, are held in the streets of the city.

Colonel Alain Le Goff said during the hearing that during the first few weeks, the French soldiers had only picked up the bodies before being recruited and paid to the local workforce. Then, NGOs and individuals participated in this endeavor. Total of 42 000 to 45 000 people have been buried in two mass graves opened by the BSL next to the airport.

The BSL undertake other hand, a distribution operation 5,500 cubic meters of purified water, which will, together with vaccinations, to stop the cholera epidemic.

The French military intervention in Goma took place under the watchful eye of 200 journalists and many NGOs, while at the same time, the forces of Turquoise ensured securing the safe humanitarian zone, thus avoiding the occurrence of a "second Goma" in Bukavu or Burundi.

5. Disengagement forces Turquoise (4th phase)

Referring to the political action of France in the final weeks of Turquoise, Jean-Christophe Belliard said French officials and military had to mobilize to explain that the French forces would leave Rwanda, as mandated by the UN which France was custodian. UNAMIR was to take over, the RPF had to happen and he returned to his representatives to convince people that they should not escape.

Jean-Christophe Belliard said that France had gone to fetch Mr. Seth Shendashonga-who was then Minister of the Interior and who was later assassinated in Nairobi (see annex) - Bihozagara and Jacques, who came out 'talk to civilians.

- The visit is recounted in a note from the Ministry of Foreign Affairs on August 16, which states: *"briefings multiply in the ZHS to reassure people. A delegation led by the three Ministers of the Interior came to Kigali in the district of Kibuye for the same purpose; The visit took place satisfactorily. Other visits of Ministers are scheduled today in Gikongoro and Cyangugu on August 18. Overall, population movements to Zaire are weak. "* The note also states: *"The pressure is increasing from the United States, Great Britain and the United Nations Secretariat and NGOs to that we remain beyond August 22 in the ZHS*

(request the secretariat two weeks). In this regard, the U.S. ambassador in Kigali reported flexibility Kagame, the agreement Bizimungu if there is a UN mandate, and opposition Twagiramungu such an eventuality. "

- However, a joint statement from the Elysée and Matignon announced the withdrawal of Turquoise forces in accordance with the commitments made by France on the basis of the terms of Resolution 929:

"In accordance with resolution 929 of the Security Council established the mandate and duration of Operation Turquoise, the French forces have completely left Rwanda on August 21 evening.

"France and Senegal, Chad, Congo, Guinea Bissau, Niger, Mauritania and Egypt who also participated in Operation Turquoise, have fulfilled their mission; an end was put to the massacres; massive humanitarian aid from France and the international community has been distributed.

"France has done everything for the departure of forces takes place in good conditions and to help maintain the Rwandan people in their country. Over French forces by the United Nations force began in late July. It is now effective.

"France has done its duty and has raised awareness of his own in the international community. It is up to the Rwandan authorities and the international community to assume their responsibilities today. France will continue to share its humanitarian action in favor of the Rwandan population. "

- A note from the Quai d'Orsay dated 22 August reported disengagement:

"The French military have completely left Rwanda on August 21 in the afternoon. Their future is assured by some 2,000 UNAMIR soldiers. Their return will be organized gradually leave Goma at the end of the week 450 men assigned to management of the Goma airport and support, insofar as it is necessary, inter-battalion. "

The timing of arrival of UNAMIR forces II was carried out as follows:

- July 28: Departure staffing special forces replaced by West African troops;
- August 6: incoming elements Ghanaians precursors Gikongoro
- August 16: 200 Ethiopians arrived in Kigali;
- August 17: Arrival 500 Ghanaians Gikongoro
- August 18: Arrival of Ethiopians Gyangu;
- 21 August: arrival of 500 British, 280 Ghanaians, Nigerians 300, 310 Canadians and 20 Australians.

On August 21, despite opposition initially expressed both by General Romeo Dallaire by the RPF, the Inter Battalion Turquoise is integrated into UNAMIR II.

D. CRITICAL EXPRESS AGAINST OPERATION TURQUOISE: A MILITARY OPERATION ORIENTED POLICY OR HUMANITARIAN?

Operation Turquoise was criticized in different capacities.

- First, some have seen in a Turquoise public relations in humanitarian dressing.

It is true that if the rules that governed relations with the media are observed, it appears that they were very different from those laid down for the conduct of the previous operation.

During the course of the operation Amaryllis, it was said: *"the utmost discretion will be observed with respect to the media"* (Message Staff 901 armies of April 8, 1994).

The special directive attached to General Jean-Claude Lafourcade, commander of Turquoise specific strengths instead that communication management held an important place during the operation launched for humanitarian reasons. It is hoped that the General will personally invest on this point. The following language elements are reminded him:

- Operation decided by the highest authorities of the State, which takes place in the framework of a UN mandate;
- Reassure the population, putting an end to inter-ethnic massacres and provide aid and assistance to the extent possible.
- Second, it has been criticized for Operation Turquoise to have been a humanitarian operation, then it would have taken action to impose peace. However, we must remember that this interposition mission would need, according to General Philippe Mercier, a workforce of 40 000 to 55 000 men, that have been deployed all over Rwanda. The France alone could fill the vacancy? When difficulties constitute UNAMIR II 5500 men we know, the formation of an intervention force could not be left to the initiative of a single state is measured by how much. On this issue, General Philippe Mercier proved quite explicit:

He considered that *"if the international community had hoped to conduct an operation that was not only humanitarian, as in the case of Turquoise, or the maintenance or restoration of peace, but peace enforcement, it would have to first she had given the means. Such an operation in a small country terrain very tormented, where the population density is equal to that of Belgium, where there are houses everywhere and where habitat is widely dispersed, and insofar as the fighting and massacres took place throughout the country, would have required first-analysis-at least 40 to 50 thousand men."* He added that *"it was already too late to stop the killing at the time the decision was made and that he had to take earlier, probably in April."*

The lateness of Opération Turquoise is undoubtedly the most serious that we can do this operation reproach. It is still necessary to reiterate that only France has made a decision.

On the main attacks made against Turquoise, the rapporteurs of the Mission can make the following clarifications.

1. On the charge of exfiltré members of the Interim Government

Formed on April 9, the interim government fled to Gitarama on April 13, then fled to Gisenyi, where he responds to the name *"authorities Gisenyi."*

a) France distances himself against the interim government

On 6 July 1994, the representative of France in Goma wrote:

" Attitude towards the interim government .

"As Washington prepares to do so, we would we, interest, it seems to me, without undue delay, to take publicly and clearly distance ourselves from these authorities. Their collective responsibility in calls to murder circulated for months, the "Radio Mille Collines" seems well established me. Members of the Government may not, under any circumstances, be valid interlocutors for a political settlement. Their usefulness lay in facilitating they could make to the success of Operation Turquoise. They now seek to complicate our task. Appointment to Kigali Twagiramungu as Prime Minister we should facilitate the crossing of this policy step. "

The same day, he also believes that it is not appropriate to meet the demand of appointments made by the Head of State of the interim government and waits for instructions from Paris. They reach the next day, July 7:

"Given the evolution of the situation and the contacts made, it seems, in fact, need to have meetings with the authorities of Gisenyi. The contact that imposes on the government side seems to be more and more clearly the army. "

To ensure the smooth running of Operation Turquoise, it is asked Ambassador Yannick Gérard rely on local authorities. This approach is in the continuity of operations orders of 22 June

On 7 July, the authorities of Gisenyi qualified as the ambassador by General Jean-Claude Lafourcade *"to discredited authorities" :*

"We share the same analysis on the authorities in Gisenyi. They are totally discredited. Contact with them is now useless or even harmful given the primer RPF / FAR dialogue by General Roméo Dallaire interposed. We have nothing to say to them, if not fade as quickly as possible. "

Ambassador punctuates his telegram by this comment:

"It seems to me urgent to break publicly with the authorities in Gisenyi."

b) The authorities of Gisenyi trying to get in touch with the French authorities

The ambassador reported on July 9 an indirect approach taken by three political figures it receives. At the end of this interview, he establishes the following account:

"I received this morning, Mr Stanislas Mbonampeka, former Minister until 1993 (PL), a member of the new National Assembly, Charles Nyandwi (former Minister 81-91) and Munyeshyaka (former ambassador to Moscow and Brussels).

"Although they have taken great care to increase their credit, stressed that they were not members of the Interim Government, the main points seem to me they have developed reflect the immediate concerns of the authorities of Gisenyi. They were also accompanied in their visit to Goma, Mr. Ferdinand Nahimana (Advisor to the President and founder of Radio Mille Collines) I have not received.

"They wanted the extension of safe humanitarian zone northwest. I explained to them that the humanitarian emergency led us to create this area in the southwest. We do not pretend, to ourselves, to deal with the security of all Rwandan people. The international community had the responsibility to take. We do ménagions no effort to mobilize and call to follow our example.

"Comments:

"Unable to establish direct contact with me, the Interim Government sends us therefore assumed to be independent of political figures to gauge our intentions about the northwest. While taking all the time to listen carefully and explain at length the philosophy of Operation Turquoise and safe humanitarian zone, I gave them no illusions about what we thought the authorities of Gisenyi. They seemed very embarrassed when I asked about the content of the current bulletins (which I totally ignores) the Rwandan radio. They told me to wait for the capture of Kigali, a statement from the Government, which still does not come. "

On July 11, authorities in Gisenyi this time directly renew their request for extension of safe humanitarian zone northwest.

Prime Minister of the Interim Government, Jean Kambanda forward to Prime Minister Edouard Balladur a letter on the various points including:

"- An expansion of the area of humanitarian Operation Turquoise in the entire application area called "free "(not yet occupied by the RPF) justified by the fact that the majority of the 4 million displaced persons is outside the area covered by the operation Turquoise;

"- Awareness of the international community to join the French humanitarian mission. "

On July 12, a similar approach is made by the Chairman of the Interim Government, Mr. Sindikubwabo, transmitting a letter to the President of the Republic, François Mitterrand, which can extract the following passage:

"Before a multitude of people fleeing the RPF to the west of the country, we ask you to authorize Operation Turquoise to extend immediately Ruhengeri, Gisenyi and Gitarama and Kigali west, so that this region also becomes a safe humanitarian zone, under French protection. In the context of humanitarian intervention, France will thus saved nearly four million today threatened massacre by the Rwandan Patriotic Front. "

On site, July 12, the ambassador refuses to meet with the Minister of Defence, Mr. Augustin Bizimana, seeking an appointment:

"I note that Mr. Augustin Bizimana Figure alongside, for example, Colonel Bagosora and the Secretary General of MRND, among seven people, according to information collected in the field by officers Turquoise, have had questionable behavior, which means, in short, he himself sponsored or carried out massacres. So I do not give response to his request. "

c) The authorities of Gisenyi seek refuge in the safe humanitarian zone

Turned away in their efforts, representatives of the interim government is now seeking refuge in the ZHS to escape the advance of the RPF in the northwest area.

France does not want the authorities in Gisenyi ZHS, as shown in the following, dated July 14 telegram:

"Kindly pass today to these authorities, the channel will seem appropriate, the message that we do not want them to seek refuge in this area and we will oppose their eventual arrival in order to avoid political or military activity would change the nature of the area where our work has only humanitarian. "

The French military is already facing the problem however, as some representatives of the interim government took refuge in the ZHS, including the Prime Minister and the President.

On 15 July, General Jean-Claude Lafourcade informed the diplomatic representative of France that the reconstitution of the interim government to Cyangugu says.

Ambassador application instructions:

"I think our reaction to this new situation must be clear, open and transparent. Since we believe that their presence is not desirable in the safe humanitarian zone and as we know that the authorities bear a heavy responsibility in the genocide, we have no other choice, whatever the difficulties, than to stop or immediately put under house arrest until the international judicial organs competent to decide on their case. It would be desirable that clear instructions are given to General Jean-Claude Lafourcade and myself. "

The Ministry of Foreign Affairs responded by releasing the following statement:

"Given the observed presence of members of the interim government in the safe humanitarian zone, the French authorities recall that they will not tolerate any political or military activity in the safe zone, whose mission is strictly humanitarian.

If members of the interim government engaged in such activities, the France take steps to enforce the rules in the safe zone. Already, she seized the United Nations stands ready to assist in any UN decision on them. "

Relying on the fact that France has provided the United Nations, some journalists Nations deduce that it will oppose the leakage of ZHS, members of the interim government.

Such, however, has not been the case. If France does not make an exfiltration operation, it has not arrested the members of the Interim Government in ZHS.

However, the Foreign Ministry said on July 16:

"We are ready to provide assistance to the decisions that the United Nations take against these people (the interim government), but our mandate does not allow us to stop our own authority. Such a task would be likely to get us out of our neutrality, our best guarantee of efficiency. "

The French military has therefore missed, that confirms the letter of July 30, the Mission by General Jean-Claude Lafourcade, following a specific request from the Mission on this point:

"Before the RPF advance, members of the Interim Government were moving on their own initiative. They crossed the safe humanitarian zone and arrived in Cyangugu where we meant that they were undesirable. After reporting their presence in Paris, I, by phone, asked for instructions on what to do about them if they continued to stay in the area. In fact, the problem is solved by itself, because they left Cyangugu, 24 hours after their arrival to take refuge in Zaire and the answer to my question was no longer needed. "

With regard to the evacuation of a high personality Rwandan and his family to which French forces allegedly July 17, 1994, the Lieutenant-Colonel Jacques Hogard, former commander of the southern group of the Turquoise operation provided information following the Mission. The evacuation operation involved Mr. Dismas Nsengiyaremye, former Prime Minister and his wife and five children, placed under house arrest in Cyangugu, Rwandan gendarmes under control, but seriously threatened by Hutu extremists. This exfiltration scenario, approved by General Jean-Claude Lafourcade, takes place on July 17, without resistance gendarmes. The family was evacuated in a Puma helicopter to Goma and then Bangui flight.

It is therefore not, as some suggest allegations of discharging a high personality "doubtful" the interim government, but simply an operation to protect the former Prime Minister of MDR second multiparty Government 16 August 1992, Hutu moderate, from Gitarama.

2. On the disarmament of militias and FAR in the safe humanitarian zone

a) The absence of systematic disarmament

Among the elements of language contained in a note by the Ministry of Foreign Affairs of 18 August 1994, we read: *"in the safe humanitarian zone, militias were disbanded, disarmed FAR"* .

(1) Disarming militias

This finding should be tempered because no more militias that FAR have been systematically disarmed in the ZHS. A telegram of July 10, 1994 indicates about this area: *"except to cause systemic reactions against Operation Turquoise, the disarmament of militias can not be systematic. It is currently practiced occasionally where militiamen threatened population groups"* .

A note of July 11 indicates that *"militias harden their position in the ZHS."* Another note, referring to the situation on July 22, said that *"the ZHS is generally calm, FAR have left, militia engaged in looting, the French military trying to control with the support of the Force"* .

Finally, General Jean-Claude Lafourcade, during the hearing, said that the militia ... *"discovering they were in hostile terrain in the area of security, had left quickly, the vast majority of them having been previously disarmed"* .

(2) Disarmament FAR

Regarding the presence of FAR in the ZHS, their situation is July 6 and described by the diplomatic representative of France:

"According to the officers Turquoise, they would be very few humanitarian area. This remains to be verified. Most of what remains is in the north (Gisenyi, Ruhengeri ...). It would obviously be desirable, from all points of view, they now make up the RPF ... It seems to me that humanitarian zone, we should do everything to allow UNAMIR I come and see what remains of FAR and they are not in harm's way."

The representative of France reported on July 9: *"possible temptation FAR refuge in humanitarian area with their weapons is very worrying."*

A week later, a note from the Africa Branch taking stock of the situation on July 17 indicates *"a large part of government armed forces (10,000 to 30,000) went to Zaire with his arms."*

Two questions arise: firstly the question to what extent the FAR through or stayed in the ZHS during this period, then how and to what extent we could proceed with their disarmament.

In response to a question from the rapporteur, Mr Pierre Brana, Commander Marin Gillier stated that, in the north of the area, which he was responsible, stationed two battalions of the Rwandan armed forces to whom he sent an almost daily its officers to ensure that they leave the area. Their arms do not have them, insofar as they were not used in the security zone removed. However, the weapons held by people who had built dams on the lines of communication to filter and ransom wandering populations were confiscated. Mayors and prefects, who the meaning of the process was explained, had indicated that a minimum of weapons was necessary to ensure their normal police duties and counter the robbers who attacked the population and diverted the relief distributions by NGOs. These requests seems to be legitimate, agreements were signed with local authorities, who issued special cards to a few people, which facilitated the disarmament. He said that his party had submitted a total of a little less than a hundred weapons PC special forces Gikongoro to be, it seems, thrown into Lake Kivu. They were mostly obsolete weapons of war rather, old guns, two or three machine guns, but mostly very old gear that he had never seen before.

As Colonel Didier Tauzin, he said that until July 7, disarmament had been made empirically, and in its sector, nearly a hundred weapons were recovered, including in two major operations . It was mainly infantry weapons as support weapons were rare in the Rwandan army and for the most part, they were destroyed in the commitments against the RPF in the north.

May be considered after 7 July until 17 July, disarmament began in ZHS orderly and systematic? This is not certain.

You can read a note of the Africa Department of the Ministry of Foreign Affairs, dated July 19 about the ZHS: *"While General Paul Kagame continues to have soothing words to us, the RPF increases its political pressure towards our area; disarmament FAR therein is urged ..."*

It seems therefore that the activities of militias and FAR was not completely controlled by ZHS.

It is certain that, given the influx of Hutu populations in this area by hundreds of thousands, the only effective Turquoise there were not enough to fully guarantee their safety.

However, when reached Goma, in the days that followed the fall of Gisenyi, it was found that the FAR received preferential treatment. According to information gathered by the rapporteurs of the Mission, Turquoise officers have indeed given, July 21, 1994, 10 tons of food to the FAR in the Goma area. This aroused the indignation of the diplomatic representative of France, which highlighted the deplorable character arising from advertising such a gesture, contrasting with the situation of thousands of women and children lack the basics.

However, the principle of this distribution has not been fundamentally challenged by the diplomatic representative who considered such a move was to remain confidential.

3. On the interruption of RTLM

Three Hutu extremist radio rampant in Rwanda in July 1994.

- **Radio Rwanda** does not call abuses, but his message is radicalized as it moves Gisenyi after the fall of Kigali on 4 July. Emissions have sometimes been confused with those of RTLM. She exfiltrate before the fall of Gisenyi, Cyangugu, where it sends 16 July a very critical message against France on its position with respect to the interim government. On July 17, after direct contact with the French forces south group, it tempers his speech, however inviting the population to which it has a strong influence to follow the interim government in exile in Zaire.

- **Free Radio des Mille Collines (RTLM)**, known for its calls for extermination under the direction of Mr. Ruggiu, currently on trial in Arusha and that France did not evacuate, stopped broadcasting on the eve the fall of Kigali 1st and 2 July, to resume and stop 3 4 and 5 July.

This radio was capable of transmitting with a mobile relay system in the region of Gisenyi. Emissions appear to have been relayed by Radio Rwanda, which rebroadcast part. After the fall of Gisenyi, it would sound once from Mount Karongi south of Kibuye. A mission of COS on the site on July 19, found that no one was working there, even if he had remained in a state.

On 7 July, a study was conducted by the Office of Intelligence PCIAT to scramble the radio. The Chief of Staff of the Armed Forces has received personally by the COMFORCE, which has decided to deploy means listening and localization. Some radio relay this traveling was destroyed.

- **Antomorangingo Radio** (Voice of Democracy), extremist radio is spotted July 10 by CRAP 2nd REP in a cement plant near Bugarama.

She exfiltrate to Mushaka, southeast Gishoma. A monitoring scheme is proposed COMFORCE until the arrival of the means of interference.

On 18 July, she exfiltrate to Zaire, where it is captured.

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On the question of whether it was technically feasible to proceed earlier interference emissions, the Mission does not have sufficient technical information to assess the appropriateness of criticism from those who felt it was possible to intervene faster.

General Raymond Germanos merely stated that it was extremely complicated in ten days to locate a radio in a country called, rightly, the "Thousand Hills", given the technique of direction finding, but only after fifteen days between the fall of Kigali on July 19, these radios were no longer issued.

4. If Bisesero

He was criticized Commander Marin Gillier, responsible for one of three groups, having arrived in recognition within the area of responsibility (Bisesero) and then be left only to return immediately on site three days later, leaving the field open to the Hutus in the region to continue the massacres of the last 50,000 Tutsis who were still there.

These accusations come from testimonies of survivors, comments contained in the African Rights and Michel Peyrard report refer to this Bisesero for the newspaper *Paris Match*. The confrontation of elements in the African Rights report, witness sent by Commander Marin Gillier the Mission and the report of the special hearing reporter Michel Peyrard, it appears that nothing serious comes to support these accusations. If three days have actually passed between the time the group of Commander Marin Gillier conducted July 27 in recognition of the area of Bisesero and when he spoke, July 30, to protect and save people the locality Bisesero, this period does not appear intentional (on this issue see annexes).

PART III ANALYSIS OF RESPONSIBILITIES

I. - THE AUTHOR OF RWANDA'S OWN STORY

These are many Rwandans who for weeks have killed other Rwandans who were able, machete in hand to exterminate in conditions of extreme cruelty and barbarism large those who were their neighbors, old friends when it was not their family or their own children from a mixed marriage and now regarded as embodying evil because Tutsi.

The reminder of this evidence is meaningless if this sinister conclusion is exceeded and opens a work of reflection. Two questions remain the same extent, the why and the how.

Why such a rampage raises questions about the causes that have created a climate conducive to genocide.

How of this tragedy brings to reflect the passage to the act of thousands of Rwandans and feasibility of genocide. This latter returns to the determination of the respective responsibilities of the Rwandan state, authorizing genocide, and Rwandans themselves, performers massacres.

A. FACTORS BEHIND THE GENOCIDE

Previous developments suggest how this tragic event is part of Rwandan history and how, at the same time, it is exceptional and is part of a different nature from the massacres that followed. Only this dual gate read-historical causes that relate to the time of the Rwandan history and the existence of a catalyst which has a combination of these causes can account for an event strictly inconceivable.

Currently, two schools, one which is based on a intentionalist theory and proponents of functionalist theory, provide an explanation of genocide ⁶⁸.

On the one hand, an essentialist current see in the regime set up in Rwanda at the turn of independence, the original cause of a tragedy: the regime is built on hatred of Tutsi and could that lead to genocide. Violence-1959 massacres of Tutsis, drain threatened populations introduction of quotas, etc. - Participate in this logic, which was accompanied by sporadic explosions.

Mr. Jean-Pierre Chrétien, heard by the Mission, defends this interpretation. He believes that the fear instilled in the Tutsi population by the authorities from 1959 become essential tactical spring of popular mobilization.

On the other hand, a common interpretation of functionalist, emphasizes a necessary periodization of the history of independent Rwanda and distinguished from the point of view of the ethnic question, the period Kayibanda, Habyarimana period until at mid-1980, then the second period Habyarimana. Proponents of this interpretation endeavor to show how the deteriorating economic situation and the political context allows the explosion of violence. For them, it is aggression RPF, which was the catalyst for the crisis, which, combined with economic and social situation deteriorated sharply, and the increasing competition of elites, would have caused a kind of condensation of the crisis and the explosion of violence.

In fact, these two arguments are not opposed radically if the structural causes of the direct causes can be distinguished. The interest of the functionalist theory, however, is to show that the events of 1994 did not constitute a massacre of more, but a phenomenon of a different nature than the previous violence.

To summarize, we can identify as direct causes or cyclical economic conditions (collapse of coffee prices fall in GDP, devaluation, reduced income ...) and political conditions (the role of propaganda and political terror).

The identification of these explanatory factors, however, not sufficient to explain the implementation of the genocide.

In a context as gradient, the public authority is not directly intervened to soothe but to exacerbate and exploit the tensions and

organize massacres. In this heavily regulated by the state society, the word of the public authority plays a leading role. Not only is she listened, but in addition it is obeyed. Where the weight of extremist propaganda and administration.

B. STATE OFFICER OF RWANDA GENOCIDE

Highly centralized tradition, the Rwandan government has little difficulty through the various mayors and local authorities to gather people in a very decentralized level, in civil defense structures whose formation was made by FAR. In a country where, moreover, the reading of newspapers was not a highly developed practical, radio has proven to be the ideal means of dissemination of racist propaganda.

It was thus established a dangerous network of the company that generated little reaction from the Rwandan Church, that other State in the State, became a "Church of Silence".

The letter of the bishops of the Episcopal Conference of Rwanda on 11 March 1994, however, denounced the troublemakers and condemned the killing and looting committed under the military uniform and the escalation of violence by requiring public authorities to respond but in vain, because the representatives of the Rwandan Catholic Church suffered, too, the cultural significance of their ethnicity.

No more than the principal dignitaries of the Church, the Rwandan military officials who were not involved in the preparation of events have reacted.

With the help of extremist media, the Rwandan government reinforces the wheels that will lead to genocide, while being set up militia. There is no need to place greater emphasis on the role played by Radio Television Libre des Milles Collines (RTLM). Private radio, created in April 1993, it launched in autumn 1993, hate speech, supported behind the scenes by the government. The rhythm to the days of the genocide from April 6, 1994 by multiplying calls for extermination.

C. THE AUTHORS OF RWANDA MASSACRE

The genocide began on the night of April 6, 1994, lasts four months, made a number of victims of about 800,000. It is covered or organized by members of the interim government set up after the death of Habyarimana, but also by military officials, and members of the CDR and MRND militia. A heavy responsibility rests upon them, including Colonel Bagosora, Director of Services of the Ministry of Defence, Augustin Bizimungu, Minister of Defense, and many soldiers and civilians who coordinated the genocide accountable. This reminded, a question remains: how Mr. all-the-world did he become a killer? Because they are Rwandans, not only the abstraction "Rwandan government" who committed the genocide. This question must be asked.

It is therefore not for the Mission to invoke any atavism which suggests that violence is naturally more easily accepted elsewhere Rwandans obey, by nature, the orders they are given, including when he s 'is to kill.

There was however a political construction, based on an organization authoritarian and structured propaganda tools, which created a favorable climate for the implementation of genocide, does not seem to be disputed. It is this pressure that Rwandans have become convinced that the killing of Tutsis was the only way for them to be killed for not being killed. The systematic murder of the other, eradication of the enemy within, as a preventative solution: this spring genocide was clearly highlighted in other genocides, including the Holocaust.

The exceptional personalities who tried to resist by not obtempérant orders massacres in early April, as the prefect of Butare were fired and killed and replaced by more docile individuals.

Reportedly, many, the Mission received or heard, highlight the scale and brutality of the genocide and the proximity between the killers and victims.

II. - THE POLITICS OF FRANCE

A. ASSESSMENT OF ERRORS

1. A military cooperation too committed (69)

From October 1990 to March 1993, France maintains its military presence in Rwanda beginning when it reinforces the serious risk of a reversal of the situation on the ground to the RPF. After the attack carried out by the RPF Byumba in June 1992 and

especially after that it launches on Feb. 8, 1993 Ruhengeri and Kigali threatened, France would not hesitate to provide support and assistance to objectively army routed whose staff do not even know where his own troops and a regime increasingly weakened, criticism and criticism.

Under these conditions, why France has she given so much to want to once again send in the field of specialized military and high-level advice and put in running order Rwandan army already repeatedly aided and still continues to be poorly organized, poorly framed, poorly trained and unmotivated?

How France has she been in February-March 1993 to reach this point of engagement that leads some to consider that French military mission through operational assistance he leads, he directs and controls indirectly army, namely that of a foreign state?

Military presence in France is modest, less than twenty military technical assistants when posting Noroît rushed to Rwanda from October 4, 1990 order of the President of the Republic acting as Chief of the Armed. Mission Noroît limited to the protection and eventual evacuation of our nationals, has provided a stabilizing effect.

At the same time Lieutenant-Colonel Gilbert Canovas sent to Rwanda 11 October 1990 in order to strengthen the mission of French military assistance and help Rwandan military authorities to improve the operational capacity of their army in this function is extended at the request of President Habyarimana and with the agreement of the President of the French Republic, until 26 November 1990. This extension comes with sending a technical adviser to the armored battalion.

In December 1990, if France agrees to maintain a Noroît two companies, the situation in Rwanda does not appear to concern more particularly concerned with the evolution of the conflict between Iraq and Kuwait political authorities. At this time, France considers above all should not be destabilized Rwanda.

Domestically, President Habyarimana was presented at the October 1990 offensive by the intelligence services as politically very weak, at the head of a used system, in which a significant proportion of Hutus is it more accurate. He found support on the French presence. General Jean Varret in the mission report that sets in December 1990 stressed that for Rwandan President Noroît the operation was not only intended to ensure the safety of French nationals but to ensure the sustainability of its regime. This provides some ambiguity to the French presence that says Pierre Joxe before the Mission.

On 30 January 1991 the President of the Republic in a message to the Rwandan President announced maintenance for a limited period of Noroît company remained in place since December 1990. Effective January 24, 1991, Lieutenant-Colonel Gilbert Canovas exercises to new function Advisor to the Chief of Staff of FAR he held until June 1991, the President of the Republic has once again agreed to extend its mission. On 21 March 1991 the Military Assistance Mission is reinforced by sending 30 soldiers RPC Panda. French military cooperation change of scale. The official reason is the desire to prevent *"adverse consequences that may lead to peace in the region pursuing destabilizing military actions."*

The sinking of the situation, both in terms of military-guerrilla-settled that the policy-map attacks grow, the movement of anti-Tutsi civil defense will constitute led the Ministry of Foreign Affairs to respond , March 4, 1992, the Minister of Defence examines the situation in Rwanda *"France does not seem to have any alternative but to extend its support, especially military, the Government of Rwanda"* .

This position is developed in a note of 11 March 1992 the Director of African Affairs.

In 1992, France significantly increased its deliveries of weapons to Rwanda whether commercial exports or direct gratuitous transfers as a consideration.

The RPF offensive in Byumba in June 1992 triggers the sending of a second company Noroît. In a telegram dated 10 June 1992, Ambassador in Kigali considers that this decision justified by the protection of our expatriates attached to the delivery of ammunition and radars and the appointment of an adviser is all signs of the will of France not to destabilize Rwanda.

During the summer of 1992, the number of RPC are strengthened.

This intensive support to the Rwandan army, declared "bloodless" by the French military assessment mission in June 1992, in the Rwandan domestic politics that few counterparties in Rwandan domestic democratization. Although after the legalization of multiparty transitional government was set up in 1992 is that of Bugesera massacres, the creation of the CDR and training militias. We start talking about the "Zero Network" specializes in hunting Tutsis and moderate Hutus.

How to justify such aid to Rwanda which suggests that France supports the logic of war as it considers, on a diplomatic level, that only domestic political opening is able to provide the solution to the conflict. It seems that the response has been to say firstly that democratic development is not feasible in a country destabilized by war, on the other hand face the certainty of the RPF to obtain a military victory, it was necessary enable FAR to resist to preserve the ability of political and diplomatic negotiation of the Rwandan government.

The position of France has had two consequences she did not appreciate the true value of the political drift of the Rwandan regime and it is found, on behalf of the preservation conditions of diplomatic negotiation, driven in a logical support to the FAR. This logic has been involved in the conflict to such an extent that it will subsequently criticized both for staying too long (Bulwark) and then be gone too hastily at the outbreak of the genocide (Amaryllis) and finally to be back under the guise of humanitarian action (Turquoise).

Pressure on President Habyarimana to practice it the democratization of the regime remained weak and incommensurate with the intensity of our military cooperation. It is more than likely that in the absence of reinforcement of France, the RPF won in February 1993, a decisive military victory. February-March 1993 period is a "rocker", in the words of General Christian Quesnot who considered that France had at that time reached the limits of an indirect strategy.

From 20 February to 20 March 1993, the French military presence in Rwanda has turned a corner it should not have happen. The French soldiers were too many, according to the Defense Minister, Pierre Joxe, and some of their missions have also exceeded the normal course of operations support and assistance to foreign militaries.

The French soldiers were not involved in the fighting. However, given the state of insolvency in which was the Rwandan staff, unable to materialize on a map the front line and the position of his troops, could we still treat it as a simple operation support, advice or support? As stated by Colonel Didier Tauzin, the French soldiers had to remind the Rwandan Staff methods most basic tactical reasoning, teach him to synthesize information, help restore the supply chain for bring food to the troops, preparing and giving orders, making maps. In such a context of takeover, it is hardly surprising that some French military officials could have had the sense to build an army, which he had furthermore ensure it is regularly supplied with ammunition.

To this are added the new missions detachments Noroît; patrols, controls area around the capital and identification checks at access points of the city.

2. Underestimating the authoritarian, racist and ethnic character of the Rwandan regime

Rwandan situation has been analyzed through a grid of traditional reading, inherited from the Belgian decolonization, which is the main criterion of ethnic explanatory criterion of social and political relations.

Thus the President of the Republic, in an interview Sept. 9, 1994, replied when asked about the support of President Juvenal Habyarimana in France: *"The country was at the UN and he represented Kigali ethnicity 80% majority. He was recognized by everyone. Why would there have been a taboo? It was France, however, has facilitated negotiations between the two ethnic groups. "*

Mr. Juvenal Habyarimana has nothing an elected people, since taking power in a coup in July 1973 . At first, it looks like wanting to put outside the ethnic problem, believing that the future of the country lies in overcoming struggles between Hutus, Tutsis and Twas. Observers and experts in the region agree that at this time the Tutsis are treated with kindness, even if the quota system established by Kayibanda is maintained and if the army is and will remain until the end mono-ethnic dominated by Hutus North. Things go wrong over time.

Firstly on a political level, the regime of General Habyarimana has never been a democracy. The President ruled the country unchallenged. The little open and moralizing of Rwandan government has aroused discontent in the cities . Chief single party, Juvenal Habyarimana is also at the same time the Head of State and Government. crosses the country in addition to the late 1980 economic crisis. The offensive of 1st October 1990 when Rwandan President gives the opportunity to exploit the situation. Mr. Jean-Pierre Chrétien emphasizes in this context how the cleavage Hutu / Tutsi was cleverly used by political authorities to highlight and develop feelings of hatred and violence of the Hutu population against the Tutsi. This reactivation of ethnic antagonisms helped present the conflict as one of two communities, when it was first a political antagonism which was hiding behind the race for power. President Habyarimana take the invasion of 1st October to stop many Hutu and Tutsi opponents and mobilize the "Hutu people" against the threat "Hima-Tutsi". On the external front, he takes care to focus on the risk of destabilization caused by this foreign aggression to ask for help. On behalf of the risk of destabilization that occurs France, but also, Edith Cresson, former Prime Minister, speaking at the Mission " *advocate vigorously with powers that*

democratic openness and dialogue with opponents " .

In fact, democratization will further the vitality of opposition movements in the plan rather than pressure from France. Priority is actually also in the prevention of a regional conflict, and if the powers that be is not a paragon of virtue and democracy, it has, for the Quai d'Orsay, as pointed out in During the hearing the Minister Roland *Dumas*, "*the advantage of keeping the country some stability.*"

Bernard Debré, former Minister of Cooperation, for its part, stressed to the Mission that the "*President François Mitterrand believed that only a structured state with a strong executive could avoid a bloodbath. This state was embodied in the eyes of François Mitterrand by Juvenal Habyarimana.*"

During his speech, Paul Dijoud said the President of the French Republic, his immediate entourage, the Minister of Foreign Affairs, have always believed that "*President Habyarimana was a lesser evil, and to a certain extent, the beginning of a well*". Paul Dijoud considered from this point of view it was probably not appropriate to use in Rwanda, the procedure for a national conference on the ground that such proceedings give rise to criticism that rule who had ruled previously, nobody was able to replace the Head of State in question. President Habyarimana has received the respect due to the Heads of State in place.

Given the lack of progress towards democratization, France could wonder about the consistency of its policy to encourage President Habyarimana to democratize a system that practiced repeatedly to human rights violations, while in ensuring our continued military and diplomatic support.

France, which was sensitive to the threat of war and the risks of insecurity, was trapped by this situation. It justified its military-humanitarian presence as a way to put it under a bushel latent violence, and conditioned the granting of economic aid commitment to democratic reforms. While favoring a policy encouraging the parties to an agreement, France has not taken a sufficiently hard look at the achievements and policies of President Habyarimana and some Rwandan political forces.

3. Limits of a cease-fire at all costs

One of the objectives of the policy of France was to avoid a military victory of the RPF. Therefore she heard one side to get the RPF this logic of territorial conquest, to bring it to the conclusion of a cease-fire and negotiations signature endorsing the principle of power sharing and the return of exiles. France had also the assistance of the Rwandan armed forces to guarantee the territorial integrity, and in return, President Habyarimana to accept power-sharing with both exiles with the Democrats, Hutu or Tutsi. Consequently, the search for a cease-fire and political negotiations necessary meeting and discussion between the two parties.

The concern of France to see the RPF pursue its goal of conquest of the country is found expressed on several occasions.

Therefore, in the years 1990-1993, the control of Rwanda by the FAR for France is an essential prerequisite for the proper conduct of negotiations for the conclusion of a cease-fire. Colonel Gilles Chollet has also expressed very clearly in this sense, during his hearing.

Emergency made by France in February-March 1993 military assistance responds to this same desire to save the situation on the ground allowing FAR contain the RPF in the positions he held before his offensive on February 8. Obtaining a cease-fire on March 9 in Dar Es Salaam perfectly expresses its content by the principle of preserving the territorial balance FAR / RPF at the same time that logically arises, in return, the principle the withdrawal of French forces sent "specifically" after the offensive of February 8. *extremis* In the process of the Arusha negotiations is saved.

Signed August 4, 1993, the Arusha Accords devote the efforts, among others, France and set up a power-sharing solution and fusion of the two armies. The France respecting its commitments, withdraws all forces Noroît well as the number of RPC. It remains to Rwanda 24 military technical assistants present under the cooperation, and found 15 December 1993 the level that was hers to 1st October 1990.

Hopes for peace collapsed with the assassination of President Habyarimana on 6 April 1994. Arusha agreements are *ipso facto* suspended but France did not regard as obsolete even if they are more than seriously questioned. Still convinced that the solution to the conflict through the implementation of these agreements, France continues with his tenacity diplomatic activity to obtain a cease-fire and the encounter between the belligerents. If the objective sought by France has not changed-cess-fire negotiations,, its means of intervention, however, are not the same. The problem is a part of the legitimacy of the members of the interim government that succeeded the late President Habyarimana, on the other hand, limiting the flexibility of France is

no longer present militarily field, while the genocide began.

France, however, increases during the period from 13 April (starting Amaryllis) to June 19 (presentation of Operation Turquoise to the UN) meetings with various stakeholders, among them members of the Government Interim received April 27 in Paris by Bruno Delaye. To this end, France was actually the only one to have remained in contact with all parties, including the interim government. On this point, given the unfolding genocide sponsored by the interim government, France erred in finding that could give so much credit equal weight to all the representatives of the parties to the conflict.

Gradually, however, France recognizes the fragility of the legitimacy of the interim government. She decided, in the early days of Operation Turquoise to have with its representatives as minimum contacts exhaustively reduced to the implementation of the device and it is for FAR.

This is partly because of his attitude towards the interim government that it was difficult to accept the strictly humanitarian Operation Turquoise, as some saw it as a hidden support for the regime which organized the genocidal intent.

However, the obsession of the cease-fire and the search for a political solution has not disappeared from the minds of officials at the Ministry of Foreign Affairs or those of the Department of Defense.

Among the tasks assigned to the soldiers of Operation Turquoise in the operation order was given, included the following objective: " *to be ready to gradually control the extent of later Hutu country ...* ". As shown above, this order does not mean that France intends to counter this time the military victory of the RPF since it is too late in June 1994 to prevent the outbreak of civil war and massacres, civil war during the last four and genocide take place from years.

However this mission responds to the idea of stabilizing the front line sharing this day Rwanda in two parts, to protect again the negotiation skills of each. This means that France still admits that precise moment-June 20, 1994 - the legitimacy of the interim government is not taking into account the reality of genocide is not analyzing the responsibilities of the interim government in this area.

The search for a cease-fire at all costs, that will never come officially, since in fact intervene when the RPF decide after the fall of Gisenyi July 17, 1994 to stop fighting, will finally place the France in an untenable situation. Thus, France has been driven too long to accept the presence of the interim government until the establishment of the July 4th safe humanitarian zone which transforms the configuration of Operation Turquoise.

4. Malfunctions institutional

The question that remains remains that of predictable or not the genocide and the awareness of the event as it happened. Faced with the monstrosity of events, it is certain that no mind with reason, even the most pessimistic and most knowledgeable of Africa, could not consider what is beyond comprehension. Unanimity is on this point. Nobody could imagine what happened, but everyone agrees that the risk of an outburst of violence were gathered. France, like the others, perfectly collected. She has not been able to take this assessment adapted teaching.

a) The perception of the situation on the ground

Previous developments have shown that on-site in 1990, the defense attaché, Colonel René Galinié had clearly announced the danger of "the extermination of 700,000 Tutsis by Hutus 7 million." The triggering factor was, according to him, the creation of a Tutsi RPF territorial enclave northeast of the country have resurfaced the old monarchy. This would have led to bloody reprisals against the Tutsi population in the rest of the country. Consequently, according to the Defence Attaché, any advance of the RPF might trigger from the Hutu population attacked the massacre of the Tutsi population living in Rwanda.

However, the economic downturn, the existence of quotas, past ethnic massacres and racist elements existing in 1990 in the entourage of the President, created fertile ground. For there to massacres and genocide, was it again that the Rwandan state leaves at least organize and occur without reacting such abuses. Massacres of such magnitude could not take place without the complicity or involvement of Rwandan political and administrative authorities.

On the ground, signs and manifestations harbingers of a state organization of violence in Rwanda were highlighted.

January 22, 1992, a telegram from the Defence Attaché, Colonel Bernard Cussac says: "*The Rwandan Minister of Interior decided after the last massacre of civilians to arm the population of the border (. ..) The persons constituted self-defense militia, which will be distributed these weapons will be chosen based on their "respectability" and "recommended" by the*

staff of the FAR. A weapon for three people. Weapons should be distributed in the evening and the morning reinstated. " Rightly, Colonel Bernard Cussac about the conditions and consequences of such a distribution, emphasizing *"the weapons will they use that against the RPF? They are unlikely to serve the execution of personal revenge, ethnic or political? "*

Everything remains to be feared, moreover, this framing of the population by the FAR, which are similar, in many cases, more than hordes of marauding soldiers able to maintain public order, as highlights a few months later, on 9 October 1992, the Defence Attaché evoking the Rwandan army *"whose reputation remains tarnished by the looting of Ruhengeri, Gisenyi and Byumba and that some members still differ too often, despite actual efforts and radicals Staff by racketeering or armed robbery. "*

It is not very difficult to imagine thereafter that such elements have been indoctrinated and are gone from militias.

The problem of the distribution of weapons to civilians is raised again in January 1994 and gives rise to the dispatch by General Dallaire fax dated January 11.

Jean-Michel Marlaud speaking on this subject at the hearing indicates that on 12 January 1991, the charge d'affaires of the Embassy in Paris realizes the seriousness and plausibility of this information but spread the risk of manipulation or anti-anti-UNAMIR Habyarimana. He informed by telegram at the same time the Ministry of Foreign Affairs, the Defence and the General Staff of the Armed Forces. Instruction is given him to join on January 15 with the approach made by the ambassadors of Belgium and the United States to President Habyarimana.

Jean-Michel Marlaud told the Mission have been surprised that the defense attaché, Colonel Bernard Cussac, has retained no recollection of the telegram, while stressing that *" this information constituted a more element in the long succession of warnings that the embassy was seized . "*

However, the situation is deemed serious enough that a new diplomatic cable dated January 15, 1994 reflect the fact that General Romeo Dallaire stated that his informant confirms the orders of President Habyarimana to expedite the distribution of arms to the people. The informant also told the location of two weapons caches (one at the headquarters of the MRND, the other in a tea plantation in the village Karago to the President). This telegram from Ambassador the problem of information processing and information from the field representatives who knew also the establishment of extremist militias of different parties and increasing calls to murder.

How raw facts, information room are they collected and analyzed and what structures? Then how do they contribute to the higher level of government in the development of doctrine, strategy, decision? In the case of the management of the Rwandan crisis, the multiplicity of stakeholders did coexist various hierarchical circuits that have complicated even further an already very complex.

b) The multiplicity of stakeholders

Locally, France is represented by the ambassador, who has under his authority the head of the civil mission and the defense attaché. The latter is hierarchically dependent Chief of Staff of the Armed. It also serves as head of the Military Assistance Mission (MAM) depends as such military cooperation mission of the Ministry of Cooperation and. MAM Kigali is composed of twenty permanent members: the military technical assistants (AMT) and temporary staff: the staff of the RPC.

Finally, the defense attaché's detachment commander Noroît, placed under the supreme authority of the General Staff of the Armed Forces. In a crisis, a commander of Special Operations (COMOPS) gets under his authority all military personnel present. In this case, the defense attaché there, Chief MAM retains poorly defined relationship with the staff of the FAR missions.

This situation is complicated. It involves three parallel hierarchies, the Foreign Affairs, Defence and Cooperation and shows inevitably coordination problems.

Two difficulties of a different nature appeared at the Mission. They have been identified in previous developments but worth repeating here to memory.

- The decision to appoint a Commander does not meet specific criteria or the existence of predefined conditions. It is the result of an assessment of the situation on a case by case basis. The combination of a crisis and a major French military presence on the ground leads in principle the appointment of a COMOPS. In case of difference of opinion, as was the case for the appointment of Colonel Thomann, between the Ministry of Foreign Affairs and of Defence, this is due to a delay. She is also a

potential source of tensions which fortunately in this case, does not occur between the COMOPS, the defense attaché and ambassador.

- Sending an RPC gave rise to differences of interpretation as to the superior authority having jurisdiction over this type of detachment (EMA or MMC). It seems that this issue is resolved *in a personal*, depending on the design that is the RPC, the head of the military mission cooperation.

Moreover, as we had found in a normal situation or crisis, the RPC has "flipped" under the command of Commander, falling therefore a different logic than that of the assistance and instruction, as was the case in February-March 1993.

c) The circuit information

Ambassador Jean-Michel Marlaud said the Mission that the correspondence between the embassy in Kigali and Paris are unremarkably was very diplomatic telegrams addressed to the Quai d'Orsay, the Ministry of Defence, the Staff armies, the Elysée has a copy. Conversely, the instructions came from the Quai d'Orsay after interdepartmental coordination.

General Maurice Schmitt, speaking about the messages issued by Defence Attaché to the attention of the Chief of Staff of the army, said that although he does not use the attached defense send copies of messages to particular staff of the President of the Republic, the Staff of the Armed sometimes accepted and itself subject to remain the main recipient of the message, accepted this principle. He also indicated that the particular Chief of Staff and himself mutually maintained the situation in Rwanda and he held the Ministry of Defence regularly informed.

Finally, he said that the ambassador could still transmit confidential information to the Ministry of Foreign Affairs without informing defense and that to avoid this drawback, the Chief of Defence Staff has a diplomatic adviser recipient telegrams diplomatic.

Meanwhile, based on information collected by the representatives of DRM in Rwanda from June 1992 to December 1993, the Minister of Defence was informed daily note of the situation in crisis areas.

d) The decision levels

Pierre Joxe, former Minister of Defense, said that a lot of information on the risks, stress, resentment, hatred or opposition, including written documents had run but unfortunately it n 'had not circulated enough accurate information for everything that could happen is measured. He acknowledged that the organization furthermore complicated things enormously.

In normal times, Jacques Pelletier, former Cooperation Minister indicated that a consultation was held fortnightly at the Elysee Palace under the auspices of Ambassador Arnaud who took care of the African cell. The meeting was attended by the director or deputy director of the office of the Minister of Foreign Affairs, the Chief of Staff of the Minister of Cooperation, a representative of the French Development Fund, a representative of the Treasury and often a responsible cabinet Matignon . So that every fortnight, all the problems affecting Africa was examined. During these three years, Mr Jacques Pelletier found that there was no malfunction.

In times of crisis, the cell of the same name met every day, even several times a day. In addition to these meetings, the President of the Republic caused the meeting restricted advice. Under the cohabitation took place a meeting on African politics every week alternately at the Elysée and Matignon and restricted advice together the Ministers concerned were held periodically around the President of the Republic. Mr Edouard Balladur, former Prime Minister, told the Mission that the Government had provided all of its responsibilities and that he had never accepted that collective decisions with the approval of the President of the Republic are handed affected by the Africa Unit of the Elysee.

These particulars do not specifically inform the authority which makes the decision even if it is proven that Noroît, Amaryllis and Turquoise operations were initiated by decision of the President of the Republic, acting as head of the army. Similarly, it has agreed to the extension of the presence of troops Noroît or Advisor to the Chief of Staff of the FAR.

However, it became extremely difficult for the Mission to determine how information about the context elements are taken into account and integrated into a political argument which will then develop a strategy.

B. FRANCE AND THE GENOCIDE

1. The gradual withdrawal of French forces

From the first quarter of 1993, France enters an exit strategy, even if on the ground, his presence is strong until the end of March 1993, when she decided to enter the UN.

The signing of the Arusha Accords allows complete to implement this decision. In late March, the companies Noroît reinforcements arrived after the offensive of February 8, withdraw; in October, after a building during the summer of 1993, the number of RPC are reduced to thirty, and in December 1993, only 24 military technical assistants remain in place.

2. Lack of links with militias

At the same time that the French presence diminishes, tensions and repeat the difficulties increase. Far from wanting to engage, France gradually withdraws and leaves room for UNAMIR.

Faced with this rise and organization of violence and bloodshed, France has in no way encouraged, aided, abetted or supported those who orchestrated the genocide and triggered in the days that followed the attack .

Addressing the issue of political violence in Rwanda during the hearing, Mr. James Gasana, Rwandan Minister of Defence from April 1992 to July 1993, noted that, in his study on the development of youth organizations of political parties , France *"was not mentioned anywhere"* because it never had anything to do with the militia. In this regard, he said, unlike other observers, the term militia used before the end of 1993 was a misnomer, because this name implies a minimum of training, equipment and military organization, which was not the case, according to Mr. James Gasana, political youth organizations.

The participation of France in the training and supervision of the militia remains an accusation that Rwandan officials, faced by rapporteurs during their mission in Kigali, still bear against France. In support of this charge, the Mission is not aware that the following facts. First, the statement made by Mr. Venuste Kayimahe previously cited during Operation Amaryllis. One said he saw the militia in Kigali driven by two French soldiers whose names he mentioned. These two soldiers, who were part of the 24 military technical assistants remained after December 15, 1993, were heard by the Mission as well as their superiors. It then appeared that the testimony of Mr. Venuste Kayimahe was in contradiction with what has been said in recent. The fact that two people have mentioned, for some time, led the team of RPC placed with the Presidential Guard probably explains the confusion.

From November 1991 to February 1993, the Rwandan presidential guard has indeed benefited from the presence of a RPC- Presidential Guard consists of a team of two to three officers led by Lieutenant-Colonel Denis Roux. The mission of the RPC was to make sports and physical training, marksmanship training, learning techniques, protection of VIPs. From the cooperating, it was decided not to replace him.

The other "exhibit" designed to confuse France shows a picture of a soldier, French in all likelihood running with at his side, a group of young men in civilian clothes. This photo, along with the communication of a letter regarding a request for an investigation into the attack, the only document that criminalizing France Rwandan authorities in Kigali sent the Mission.

This same picture is again cited as constituting the reference "most famous" other people came to testify and that the reporters asked to provide evidence on this point.

The letter sent by the journalist Patrick May is also symptomatic of the mixture of facts to the confusion. It is about the training of militia at the same time as identity checks by the French military as one of the constituent factors of the violence happened.

If control operations carried out by the French military in February and March 1993 deserve criticism from the Mission, it is not acceptable to present this action, which actually took place, putting it on the same level that an assertion, never seriously supported to date training militias by French soldiers.

It is most serious in contrast to question not the probative value of a photo taken at a time and in circumstances not specified, but the fact that the French army when she was repeatedly found deviant many soldiers of the Rwandan army behavior did not seem concerned about these abuses other than the finding for regret. Was it in other words decide to continue from June to October 1993, a military co-enhanced staffing of RPC reach again with 70 persons unable to supervise their troops Rwandan officers? Was it appropriate to continue to teach some basics to individuals many of whom were clearly more concerned about the material benefits that could provide them being military and the will to fight and defend their country, and especially as the genocide was perpetrated by both the administration, by the militia and part of the army.

The difficulties of implementing the Arusha Accords were evident in the rising tensions was visible sagging of the FAR and

the lack of ethics of some of its leaders was not a secret. Colonel Bagosora who was one of the leaders of the genocide has also been rated " *junk* " by a French officer who had met regularly. It would have been preferable to refrain from this last reinforcement French military cooperation during the summer 1993 in Arusha perspective lost its meaning and, *a posteriori* , was used against the accused of France formed who then leave to join the army, coach or recruit militiamen. Certainly, in October 1993 the number of RPC are conveniently reduced to thirty, but this decision could have been anticipated. As pointed Gérard Prunier in his hearing, he " *was not to say, as we have read that France had prepared the genocide and deliberately formed militias to allow them to kill Tutsis; however, it had actually led militia who participated in genocide without taking consciousness stupidity or naivety-that represented his action.* "

In the year 1993, the recurring question is that of knowledge or not by the French army of the constitution militia " *derivative* " of the Rwandan armed forces, militias " *Interahamwe* " (MRND) and " *Impuzamugambi* " (CDR), formed in 1992 as the "Zero Network" and the secret society "AMASASU" created in the FAR by extremist officers.

Col. Jean-Jacques Maurin confirmed so categorically that never at the meetings of Staff he had attended he had alluded to him equipment militias.

3. French presence in the first quarter of 1994

24 military technical assistants remained in Rwanda after 15 December 1993 have continued their technical assistance activities unrelated to the activities of education and training FAR.

Many of them were interviewed by the Mission and described their activities at this time, ranging from support for heavy weapons to control and maintenance of North Atlas carrying the ministers and personalities of the Rwandan regime through consulting work and support instructors who themselves formed youth belonging to the Paratroop Battalion.

Support heavy weaponry was to instruct the hardware in place a range of about 14 km, with 25 students headed by a Rwandan commander. The head of the instruction stated that he personally had no idea that such tragic events could happen and that the militias were not for him a known thing.

However, one of the first officers of the North Atlas was at the controls with a Rwandan officer said that Rwandan soldiers knew the tense situation and stressed that the army and the soldiers were inhabited by fierce ethnic hatred, especially among subordinates.

The officer indicated that knowledge of the existence of militias " *Interahamwe* " but we do not know precisely what they were doing. He noted the " *familial* " militias, which were not exclusively composed of thugs or criminals.

In written testimony submitted to the Mission, Colonel Damy said to have witnessed the transition from military trucks with onboard young civilians, who were heading east. He believes that training these militias recruited by the MRND probably began in early 1994, which would exclude the French participation in this investigation, the RPC staff who left Rwanda.

Therefore, even if the existence of the militia was known, it is clear that the French military presence in the first quarter of 1994 has intervened in anything through the missions that were hers, training militia.

III. - RESPONSIBILITY OF THE INTERNATIONAL COMMUNITY

After his accession to power, the new government formed the RPF has publicly amazed at the name of the operation of the United Nations: United Nations Mission for Assistance to Rwanda (UNAMIR). He asked when the mission had actually helped Rwanda.

The previous and the current Secretary General of the UN recognized the failures of this organization to prevent, deter and stop the Rwandan genocide. Many speakers at the UN Mission accused of non-assistance to people in danger. On the one hand, the massacres began while UN forces were present in Rwanda, but the latter have tried to stop them. On the other hand, the reduction of UNAMIR to a symbolic figure, determined by resolution 912 April 21, 1994, was received by the organizers of the genocide as a blank check to their action.

The behavior of the UN was not up to the events. But, not to make the UN a scapegoat for the failure of States, it should be noted that the Secretary General has no authority other than that and will give it states that comprise the first among which the five permanent members of the Security Council. The United Nations activities is primarily determined by the logic of power and constraints of domestic politics of sovereign states. Question the responsibility of the UN in the events in Rwanda, it is

therefore also examine the behavior of state actors, including the United States and Belgium.

A. impotent UN

It is important to remember that the action of the international community falls within the reality of the UN system with its red tape, financial constraints, political compromise as illustrated by the failure of the attempt French to impose the use of Chapter VII during the vote on Resolution 918 on UNAMIR II (see Appendix) and no standing army. This was recalled Kofi Annan when he said, in response to a question from the Mission that *"operations peacekeeping can succeed when the Council fixed security concrete goals when the General Assembly allocate the necessary resources when troop send timely and adequate staff, well trained and equipped, and finally when the parties show a minimum of good faith. . "* He added immediately: *"All these elements are basic but most important is the political will of the parties and of the Security Council, otherwise missions peacekeeping were the most likely to fail."*

It is clear indeed that the international community has sinned Rwanda mainly by the absence of a clearly expressed political will and a commitment fully assumed, either before or after the start of the genocide.

This lack of commitment has resulted in a triple failure of the international community and explains the five mistakes it has made.

1. Deficiencies

a) The first failure of the international community regarding its inability to implement effective preventive diplomacy

It is striking that, if the international community has actively contributed to propose general solutions to the main problems of Rwanda, it was unable to ensure compliance with the implementation of the principles it had itself laid. This is just as true for the refugee problem, as the issue of respect for human rights or for the implementation of the Arusha Accords. What good is it to recognize a moral right of return of refugees if their safety is not guaranteed on Rwandan soil? What good is it to denounce in international reports abuses human rights if no penalty, including financial, are taken to encourage the government to respect them? What good is it to organize the sharing of power between different factions if one is unable, for good policy "carrot and stick" to encourage all political forces to respect and apply?

b) The second type of deficiency attributable to the international community regards the means

It is this deficiency explains that UNAMIR has become, not the guarantor and the support of the Arusha Accords, but the clerk of their non-compliance. His attitude was more that of a spectator than a commitment to promote and enforce solutions that each party is committed to respecting actor.

c) The third deficiency is the inability of the international community to establish its credibility

We have long reported when officials UNAMIR protest against the existence of weapons caches, the only reaction they cause is not able to stop but accelerated the distribution of weapons. When UNAMIR develops a speech protection rights, appeals to ethnic hatred multiply on RTLM and massacres continue in the country. Ahmedou Ould-Abdallah, who was the Special Representative of the UN Secretary General for Burundi, placed great emphasis on the loss of credibility of UNAMIR, which he attributes mainly to two acts of weakness: firstly agreeing to be discharged from the place where the presidential plane crashed; then, having been unable to protect the Prime Minister, Agathe Uwilingiyimana.

2. Errors

a) The first mistake of the UN in the management of the Rwandan crisis is initially a parsing error which was maintained until the genocide

The situation in Rwanda is considered a simple civil war and the main role of the UN designed as a mediator between the parties. Political conflict in the Rwandan political class, the medium-term strategies of the parties involved, the reactions of fear and hatred maintained in the population are deliberately ignored by the Security Council. The effectiveness of UN action required cooperation of the parties. The necessary prerequisite of having actually never existed, the UN found itself quite alone to promote a peace process in the face of parties continued to favor the logic of war.

b) The second error of the UN was a design error in the operation of peacekeeping

Admittedly, the difficulty to mobilize troops, the heterogeneity of quotas finally gathered, language problems are not specific to the operation of Rwanda. However, they have significantly contributed to strained relations and promote the degradation of the situation. The time required for the deployment of UNAMIR like finally asked for the establishment of the transitional institutions, played against peace.

Without underestimating the difficulty in finding resources in men and means, during the formation of UNAMIR I, there was, according to the UN, about 80,000 peacekeepers deployed worldwide-, it is clear some shortcomings in the planning, coordination and logistics of successive operations of peacekeeping.

c) The third error attributable to the UN is an error response to the changing situation

Certainly, over successive resolutions, UNAMIR in turn endorsed the habit of accompanying agreements peace mission and a humanitarian mission and finally that of a military component of a restore operation State. However, it is unfortunate that this plasticity mandates has not met the requirements of a clear objective and recognized: the implementation of the Arusha Accords. She instead gave the impression of shares improvised suffered more than necessary, and sometimes contradictory, more inspired by the immediate interests of those who decided that the safety and fate of Rwandans. The judgment of the United Nations group responsible for drawing lessons from UNAMIR is particularly severe: "*since its creation until its withdrawal, UNAMIR has always seemed to lag behind the realities of the situation in Rwanda.*"

It is somewhat unfortunate that at the deteriorating security conditions in 1993-some of UNAMIR soldiers were themselves victims and the institutional deadlock which prevented the normal development of the Arusha process The UN is not known other than periodic agitation threat of his departure answer. The use of Chapter VII, which authorizes the use of force, should be considered at that time, if only to allow a return to safe conditions for a peaceful and constructive dialogue.

d) The fourth error of the UN regarding the management of information in respect of the Rwandan population on the objectives of its presence and guilty tolerance that she has shown with regard to the dissemination of hate messages and incitement to murder

The establishment of UNAMIR radio in February 1995, the general view has contributed much to the appeasement of the spirits by impartial and objective news shows, *on the contrary*, the dangers that there had to leave Rwandans under the influence of a biased and aggressive information. Action monitoring or jamming RTLM broadcasts should be considered.

e) The fifth error of the United Nations is a mistake because it was committed knowingly

She was refusing to recognize quickly that we were in the presence, not the resumption of civil war, but the implementation of genocide, and as such, the international community was concerned. Therefore, the decision to disengage from 21 April 1994 can not be considered legitimate sanction against parties do not comply with the agreements. It is more like a "sauve qui peut" generalized.

When the reporter Pierre Brana visited the Tribunal set up in Arusha, he was struck by the contrast between the means used to try a few dozen people, delays caused by the strict observance of the rights of defense, mobilizing the international community to provide this opportunity for judges, lawyers, administrative staff, and the relative ease and speed with which were massacred hundreds of thousands of people in almost total indifference. It is not of course to challenge the legitimacy of the Tribunal in Arusha that the contrary is the most obvious way to show a bit of humanity and justice in this barbarity and violence, but regret that the international community is remembered so late principles that support and it is based.

"*Even fools are afraid if they encounter a very clear determination in front of them,*" wrote in a book of interviews with Stephen Smith who was the Special Representative of the Secretary-General of the United Nations in Burundi, Ahmedou Ould Abdallah. This determination has breached the international community. It therefore left crazy-but-organized and determined to write the history crazy.

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The explanation of impotence organized the UN is partly due to the fact that Rwanda does not fall within the immediate national interests of the great powers but also the previous Somali whose reference was constantly cited as soon as we spoke of Rwanda. "*Most managers fear the force is being caught in a process in Somalia*" written March 3, 1994 the Ambassador of France in Rwanda, Jean-Michel Marlaud. The obsession policy "zero victims" among peacekeepers led UNAMIR to refuse

dangerous mission, the search for weapons caches help to the victims. UNAMIR was believed to have the choice between the intervention and security. For its part, she finally paid its non-intervention by the death of 12 peacekeepers.

In his speech before the National Assembly on 8 December 1998, Kofi Annan stated that the United Nations should strive "*to be a kind of consciousness of the world.*" This goal is noble, but prior request that "consciousness" is itself perfect.

B. OBSTRUCTION OF THE UNITED STATES

The United States did not in Rwanda significant national interests. Rwanda is one of the least developed countries (LDCs) and is devoid of scarce natural resources. Accordingly, for the United States, Rwanda poses no challenge and the rest was neglected by U.S. companies, none of which was established in 1994 in this country.

Therefore did not exist American "plot" which would have intended to supplant the French influence in Rwanda. On the contrary, even if the United States were present at the Arusha negotiations and have made some diplomatic activity, their involvement in the settlement of the Rwandan crisis was mostly negative.

First, the United States had as its main priority to avoid an excessive commitment of the United Nations in the Rwandan crisis for reasons both budgetary and political. This has been constant, the deployment of observers to the Rwandan-Ugandan border provision of equipment for UNAMIR UNAMIR I and II, decision during which the United States has increased the administrative obstacles.

They were active in the aftermath of the events of April 6, 1994 for an outright withdrawal of UNAMIR I and delayed as they could the introduction of the word genocide in a resolution of the Security Council, fearing that the UN n 'having to intervene massively.

Presidential Directive of President Bill Clinton (see Appendix) on the policy of the United States on the reform of multilateral peace operations, which is made public May 5, 1994 but which has been the basis for U.S. decisions a few weeks ago, establishes a doctrine that the United States is militarily and financially support a transaction only if it is "advance U.S. national interests." Obviously, this was not the case of Rwanda.

C. BELGIUM traumatized

Unlike the United States, Belgium, the former colonial power in Rwanda, remained on the contrary very involved in that country. In the early 1990s, Belgium was the leading contributors of ODA Rwanda, followed by France and Germany.

The presence of a Belgian contingent in UNAMIR, in contradiction with the traditional rules of the UN wants a country involved in an area not involved in the operations of peacekeeping taking place, a helped to create a growing distrust of the international force. This mistrust had its origin in the historical support by the Belgians to the Rwandan Tutsi minority. It was reinforced by some awkwardness, especially one that has been entrusted to the Belgians protection installation RPF detachment in the Parliament building in Kigali. It reached its apogee with the charges against the Belgians to be the perpetrators of the attack against the presidential plane.

The unilateral withdrawal by the Belgian Government decided, without consultation with its partners, the day after the assassination, in horrible conditions, ten Belgian peacekeepers, was the fatal blow to the maintenance of UNAMIR in Rwanda whose leaders already very disillusioned about the effectiveness of their actions, not seriously studied alternatives to removal, partial or total peacekeepers.

During Operation Amaryllis, conditions off the last French aircraft under mortar fire which some attribute the Belgian contingent liability (see letter from Colonel Balch appendix) testify, if this hypothesis were correct, the confusion of the latter. However, the assumption of shots from the FAR was also discussed.

PART FOUR THE PROPOSALS OF THE MISSION

Events which have been presented raise three major questions about the future of our foreign and defense policy, especially in Africa.

First, the rapporteurs have tried to show why the double desired by France strategy has failed in its efforts to stabilize the Rwanda through indirect military support and solved by the democratic openness and negotiation, conflict that tore this

country. A Rwandan causes specifically were added institutional failures and errors of assessment. We must first ask ourselves how *correct these errors and failures so that future security policy of France, especially in Africa*, is more effective and better adapted to its objectives of incitement to democratization, respect for human rights, the preservation of peace and peaceful conflict resolution.

Secondly, the Rwandan tragedy, despite the single exceptional, assigned by the genocide, also takes its place in the long succession of external conflicts, especially internal states, which today marks the political evolution of the Africa. *What consequences should we, in these circumstances, take the events in Rwanda for our African policy ?* What reforms appear the most urgent and most needed in this area under our management of the Rwandan crisis? To what extent can they help us in the future to better assist Africa to rediscover the path of stability and building the rule of law, without which there can be no real development to term?

Finally, we have seen how France, Europe, the African community and the international community attended, without full awareness of their seriousness, the forerunners of the genocide and the worsening of the Rwandan crisis, failed to stop, or the democratization of political life or negotiations between the belligerents. This fact forces us to ask ourselves about the improvements to *methods and means of international organizations*, to enable them to identify and break in time sequences that may lead to an explosion of violence on the occasion of a given crisis.

So that in the future, management actions such crises in Africa, suffer from fewer gaps and more effective, the Mission makes the following six proposals.

I. - INCREASE TRANSPARENCY AND CONSISTENCY OF OUR MANAGEMENT MECHANISMS OF INTERNATIONAL CRISES

Management of the Rwandan crisis was directed by the President of the Republic, who acted both as an authority on foreign policy, *"guarantees the observance of treaties"* under the Constitution, and Chief of the Armed.

The guidance given by the President of the Republic resulted in decisions and actions in the context of various procedures. Roland Dumas, former Minister of Foreign Affairs, said before the Mission dispersion within the state of skills and decision centers on Africa, but noted that this dispersion was accompanied by a strong coordination at the Presidency of the Republic (70). The links in this coordination have been reported to the Mission: Defence Council, other small tips together relevant ministers under the chairmanship of the President of the Republic, which weekly meeting at the Elysee Palace, in addition to the cell of the Presidency of the Republic for African affairs, attended by the Director of African and Malagasy Affairs, Chief of Staff of the Minister of Cooperation, the Chief of Staff particular the President of the Republic, a member of the cabinet of the Minister of Finance and representatives of the Treasury; meetings of the Crisis held at the Elysée, depending on the situation, with the administrations concerned; meeting of special cells at the Quai d'Orsay, links between the Chief of Staff particular, the Chief of Defence Staff and the Minister of Defence.

These procedures are naturally conducted differently depending on whether the President of the Republic and the Government represented or not the same majority. During cohabitation, the Prime Minister responsible for National Defence under the Constitution is involved in decision-making mechanisms for the management of the Rwandan crisis, whereas it was previously removed. Interdepartmental meetings and cabinet meetings dealing with this issue with representatives of the President of the Republic were then added to those listed above.

The Mission has not committed to the comprehensive and detailed analysis of these coordination procedures. It is bounded to see the results of their operation. Political authorities were not adequately informed of the complexity and specificity of the Rwandan crisis. Policy information was not supplemented to the shortcomings of other sources of information. Chains military and diplomatic decision remained too independent.

The Mission therefore proposes a rethinking of existing procedures. It considers in particular that the coordination modes of diplomatic and military actions, the top and the field should be clarified and formalized. The problem of convergence of interventions ambassador, the Defence Attaché, Head of the Mission of military assistance and, where appropriate, the operational responsibility arises.

As for the military mission cooperation, which must become the Directorate of military and defense cooperation within the framework of the reform of services cooperation, it appears that its role should be more clearly defined: is it a defensive litigation involved in military crisis management or cooperation instrument which falls within the general framework of development aid? The first proposal seems in the light of the Rwandan experience more relevant. **It should lead to consider the**

incorporation of the military-technical assistance to the Ministry of Defence.

Regarding **intelligence**, which did not allow time to alert policymakers risk derives from the Rwandan diet, adapted to new data in the world after the Cold War, particularly in Africa policy must be defined. The issue can not be prepared to support governments and favorable to our interests regardless of their internal practices. Intelligence culture must evolve accordingly.

It should in particular:

- To **define real strategic priorities to avoid dispersion of resources** : Since the extension of our military presence, Rwanda should be the number of these priorities;
- To make our strategic intelligence apparatus capable of adaptation to sudden crises;
- **ensure effective coordination between the services**, including DRM and DGSE, when present in the same theater.

The establishment of an adequate system of involving Parliament intelligence activities would be likely to encourage the development of this strategy would not only guarantee a democratic, but also an effective stimulus for evaluation in their. Broadly speaking, the results obtained in political and military matters.

Moreover, **in addition to the intelligence and diplomatic services, cooperation and military, other sources of information deserve to be taken into consideration by the political authorities** : it is surprising that the expertise of specialists Africanists Rwanda has hardly been put to use in the management of the Rwandan crisis.

More generally, the Mission notes the inadequacy of texts on the general organization of defense to new data from the question of international crises. It therefore proposes **the development by the Government, in consultation with relevant standing committees of the National Assembly and the Senate, a bill adjusting to these new data the order of 7 January 1959 on the general organization of defense**. could, for example, conceive, as the Defence Committee of the National Assembly suggested that the foreign operations are subject to greater formalization. They could thus give rise, in the days following their release to the adoption of a decree to the Treaty on which they are based and their foreseeable duration specifying the means implemented as well as the nature of their mission.

II. - IMPROVE THE CONTROL OF PARLIAMENT ON MILITARY OPERATIONS CONDUCTED OUTSIDE THE NATIONAL TERRITORY

As we have seen, the French military intervention in Rwanda has experienced contrasting phases: evacuation of nationals and dissuasive presence wanting originally participation in the development plans of battle, command support, training and then arming FAR and disengagement.

These developments in the devices and their missions have been no detailed information of the Parliament which, incidentally, has not requested.

Military personnel deployed in Rwanda were never very numerous. This is what explains the lack of interest of the public and Parliament for the procedure before the genocide occurred. However, the duration of the operation, the context of war and internal violence where it took place, the delicate nature of the tasks performed, which met the definition of indirect military strategy and operational times of emergency assistance, would have justified an effective parliamentary oversight.

In addition to its own democratic values, this control would have several advantages:

- It would have helped to clarify the responsibilities of stakeholders and involve them more closely in the Prime Minister's action;
- It would have forced the various government authorities to better analysis of the situation and better coordination for the purposes of parliamentary debate;
- It would have finally given in Parliament and beyond, with the possibility of opinion aware of the issues of the Rwandan crisis.

Moreover, the question of the legal basis for our military presence in Rwanda arose. The flexibility available to the executive was even greater than the scope of the commitments that France was legally contracted with Rwanda was ignored by the Parliament.

To remedy this situation, certain recommendations of the Commission of Defense, already mentioned, may be reversed.

Communication modalities defense agreements and military cooperation to the competent committees of the National Assembly and the Senate should be defined. They should satisfy both the Parliament and confidentiality of information requirements, even secrecy of certain clauses of the agreements at issue.

In addition, procedures for involving Parliament in external operations should be implemented without harming natural or confidentiality or secrecy, or timeliness of actions. The Constitution leaves, also a place in Parliament very limited employment of forces (except in the case, obsolete, the declaration of war). To establish procedures can therefore only result from an established practice by mutual agreement with the Government. Already, the review of the amended Finance Act New Year is an opportunity for a detailed presentation of ongoing operations. Hearings by the relevant parliamentary committees, the Minister of Defence and the Chief of Staff of the armed operations on data can be organized more regularly. In addition, specific information mechanisms such as the establishment of a parliamentary delegation whose work would be covered by the secrecy or creation of information missions can be considered. But the issue seems to be resolved in a truly satisfactory by a constitutional amendment, which would provide a share of authorization procedures by the Parliament of external operations and, secondly, the extension agreements defense system of parliamentary approval of international agreements.

III. - FURTHER REFORM OF OUR COOPERATION WITH AFRICAN COUNTRIES

As your reporters have repeatedly emphasized our commitment to Rwanda was based on a sense of solidarity obligation towards a francophone country, linked to France by agreements civil-military cooperation, including stability was threatened by an armed incursion from outside. The policy, however, underestimated the fact that this attack came from refugees who wish to return to their country does not seem to be taken into account. It has not paid enough attention to the racist drift of the Rwandan regime.

This policy has suffered fall within the narrow framework of solidarity with the Francophone African countries called "the field". Accordingly, our dialogue with neighboring English-speaking countries was not commensurate with the risks and challenges of our intervention in Rwanda.

In addition, our diplomacy has taken a dimension too strictly or exclusively national. We have not really tried to compare our views with our European partners, including Belgian but also Germans, whose presence was strong in Rwanda.

We attempted a dialogue with the UK hoping he would bring Uganda to adopt a more conciliatory attitude. But after the failure of this approach, the United States has become our only real interlocutors among developed countries.

All these limitations can be overcome in the context of the current reform of the cooperation, which shall include the following principles:

- Interdepartmental coordination strengthened
- Concentration in a selective manner and on a contractual basis of our bilateral aid on a priority solidarity zone including the least developed countries in terms of income and do not have access to capital markets;
- Streamlining cooperation around two poles: on the one hand the Foreign Affairs and Cooperation, gathered within a single department, on the other hand the Economy, Finance and Industry.

These principles serve to broaden our cooperation with new partners. Countries traditionally called "the field" currently receiving funds from the aid and cooperation funds will be included in the priority area during the implementation of the reform solidarity. They will be given special attention but will not be exclusive.

In addition, a greater synergy will be sought between cooperation policy implementation in favor of countries in the Priority Solidarity Zone and European aid, given in particular by the European Development Fund under the Lomé Convention. Our cooperation policy will aim to better align to the future with the conduct by the European Union. It is in this spirit that we will participate in negotiations to develop future Lomé Convention will enter into force beyond the deadline of 2 February 2000.

Based on its review of the policy pursued by France in Rwanda from 1990 to 1994, the Mission wishes to make the following five proposals regarding our policy of cooperation with our African partners:

- it appears to him necessary, first, to **maintain a substantial aid flows from these countries** . Although poverty is not the only

factor in the Rwandan crisis, it has obviously contributed much to his aggravation. In a society addicted to this point of subsistence farming, the land question was of vital importance for the vast majority of the population. The return of Tutsi refugees could be presented as a threat of repossession of land. The massacre of Tutsi neighbors gave the opportunity for individuals who participated in the genocide to try to take their land.

However, the aid has not failed in Rwanda. But it does permit or create jobs in sectors other than agriculture, or to stop Population dynamics exerted increasing pressure on food resources.

The fact that Rwanda was left helpless as facing economic difficulties, raises the question not only the volume of aid, but also its adaptation, selectivity, coordination of activities of the different bilateral donors and multilateral.

Rwanda, a small landlocked country, has also dramatically need for better regional economic integration. However, it is difficult in Africa. In addition, Rwanda has turned to ECCAS, which consolidated in 1982 with the support of France, the countries of the former French Equatorial Africa, the former Belgian colonies of Central Africa and Angola, while its interests bind to the east of the continent. Today, a reconciliation with the SADC, which includes the countries of Southern Africa and especially East African Corporation which includes Kenya, Uganda and Tanzania, opens promising perspectives. **Anyway, France has for the Mission, absolutely continue to actively support and encourage regional integration efforts in Africa.** This integration is indeed a prerequisite for the development;

- Moreover, the events in Rwanda show that development aid provided by France as in other industrialized countries has not been sufficiently consistent with the peace efforts. Financial resources and dangerously lacking in Rwanda, when it came to demobilize the FAR and the RPA to create a unique integrated army, while preparing the conditions for the return of Tutsi refugees and the resettlement of displaced war. The Mission therefore recommends **ensuring more carefully in future policy coherence and aid peace efforts** ;

- The Mission proposes that, if the political situation requires, **our policy can help overcome the limitations inherited from history** . The idea of integrating Uganda into the "field" to create better conditions for resolution of the conflict in Rwanda, would probably deserved to be more thorough and lead to more concrete initiatives, together with our European partners . Greater attention to international aid programs implemented in Uganda we have also alerted their consequences, including the demobilization of a large part of the Ugandan army and its corollary: the liberation of men available for engage in the RPF;

- The Mission also considers that **the cooperation policy must take greater account of the dangers posed in Africa flows of refugees and displaced persons** . So they do not become hotbeds of guerrilla political measures must be taken, such as those recommended by the UN Secretary General in his report to the Security Council of 16 April 1998 on the causes of conflict and the promotion of durable peace and sustainable development in Africa (request separation of civilians and soldiers in the refugee camps, creating an international mechanism to assist host countries to maintain security and neutrality in the camps). The Security Council decided in their favor in its resolution 1208 of 19 November 1998. But these measures must be accompanied by a financial component to facilitate resettlement, integration or return of refugees. In the case of the Rwandan crisis, an active and visible support to French Tutsi refugees would no doubt greatly facilitated negotiations and showed that the presence of France was not as exclusive aim of strengthening one side in the conflict;

- **Finally, the Mission recalls the political link, highlighted in particular by the General Secretariat of the UN between "good governance" and development.** Good governance has also been the subject of Franco-African conference held in Ouagadougou in December 1996 . the tragic example of the failure of democratization in Rwanda shows how it is an essential requirement in our partnership with African countries, but complex and difficult. Democracy can not be reduced to the point organization of elections, which can simply dedicate the victory of an ethnic majority. Free elections are of course necessary, but it must be integrated into a long-term process of building a sustainable rule of law. This process involves including clear rules, transparency of government, the proper functioning of the judicial system, compliance and payment of public debts. People must be constantly associated, particularly at local level.

The French and European cooperation has a duty to encourage any move in this direction, without interference practice. Negotiating the new Lomé Convention will provide an opportunity to progress in this field, allowing to deepen the political dialogue between the EU and the ACP countries on the issues of respect for human rights and the principles of the rule of law and good governance.

IV. - CONTRIBUTE EFFECTIVELY TO AFRICA SECURITY

The efforts we have made to restore peace in Rwanda have not produced the expected results, mainly due to the bilateral

framework we probably too privileged. The Rwanda crisis, subsequent events have shown, was a crisis with a regional dimension. However, we do not take sufficient account of this dimension.

We certainly recommended (and we still advocating rightly) held a conference for peace in the Great Lakes region. We encouraged and supported the Arusha process, which binds the countries of the region closely and relied on the pivotal role played by the facilitator Tanzania. We have maintained an ongoing dialogue, including with Zaire and Uganda on the Rwandan question.

But these initiatives have been diplomatic. They do not extend to the military field. For peacekeeping, we appealed to the OAU and the UN, while today it is increasingly the sub-regional framework is generally better suited.

African states, which for several years already expressed willingness to take more responsibility for matters relating to peacekeeping on the continent, in considering the effect of giving their subregional organizations a frontline role. The Chiefs of Staff of the Member States of the OAU, meeting in Harare in October 1997 in particular suggested that the operations of peacekeeping are all organized in this context, under the auspices of the OAU and UN.

In its report cited April 1998 on security in Africa, the Secretary General of the UN considers it " *necessary and desirable* " to support African initiatives of peace at the regional level, but also subregional. He writes that "***this support is needed because the UN has neither the means nor especially the skills required to resolve all problems that can occur in Africa***" and that "***it is also desirable because the international community should try, whenever possible, to support the efforts of Africa to solve its problems, rather than a substitute for it.***" Mission agrees with this position.

The interest of the sub-regional framework is that it allows you to create, with the support, which remains essential in developed countries, modules strengths readily available in case of aggravation of crisis or need for rapid implementation peace agreements such as Arusha. The slow response of the UN forces, such as UNAMIR could thus be avoided, as well as the pitfalls of purely national security action conducted on a bilateral basis with a threatened African state.

France and the United Kingdom have taken initiatives to implement the proposed organization of peacekeeping in a multilateral framework involving all African countries. They undertook to convince their partners in the European Union also assist African instances of peacekeeping.

On 22 May 1997, France, the United Kingdom and the United States have also decided to promote a common support for African operations peacekeeping action. That developed as many African countries have been associated with this initiative which is currently being pursued under the aegis of the United Nations and requires the establishment of a UN / OAU partnership.

Several developed countries have developed national programs to fulfill the commitment they have thus taken. France, the United States and the United Kingdom remain, in descending order of their contribution, major donors, but others (Denmark, Norway, Sweden and Italy) are increasingly involved.

French aid took the form RECAP (strengthening African capabilities for peacekeeping). This new type of cooperation has received a budget allocation of 180 million francs in 1998.

It is organized into three parts:

- Participation in exercises peacekeeping alongside African contingents and other elements developed countries (98 Guidimaka exercise, held in February 1998 was a good example);
- Pre-positioning the necessary equipment to African peacekeeping forces;
- Support for a training center to maintain peace in Côte d'Ivoire.

This policy allows to combine our resources and our cooperation prepositioned forces, the volume should be reduced to 5,500 men by 2002.

The Mission considers that this reorientation of our military cooperation is likely to remedy the deficiencies, difficulties, ambiguities if it found in our support to the FAR and more widely in assisting the Government of Rwanda to restore peace its territory prior to the conclusion of the Arusha Accords.

- **It proposes to give this new direction a clear priority in our budget choices and assert that the participation or assistance in maintaining peace in a multilateral framework for the benefit of groups of African countries transcending linguistic cleavages must be the key feature of our policy of military cooperation** . Crisis, priority must be given to the search for negotiated solutions in an African context, without this choice also implies renouncing our traditional bilateral military cooperation programs.
- **The Mission also favor adaptation of defense agreements that bind us to several African states** . There is no question of shirk our commitments, it is important to better reflect the new context of African security and affirm our commitment to scrupulously respect the principle of non-interference in the internal affairs of States. **Mission wants Parliament to be involved in this adaptation defense agreements signed with some of our African partners.**
- The Mission does not underestimate the difficulties internal groupings of African states. However, it considers that everything must be done to encourage consolidation. It does not blind risks to the predominance of a particular country in a sub-region. **Therefore she decides to strict supervision African operations peacekeeping mandate by the Security Council United Nations, in coordination with the OAU.**
- Finally, it appears that our participation in the African security will be more effective if it be of European dimension. The absence of this dimension was probably very detrimental to the success of our intervention in Rwanda.

The Mission considers that the implementation of the Treaty of Amsterdam opens new perspectives for our policy of peace in Africa . **Should be thinking now about the role that future High Representative of the Union for Foreign Affairs and Security Policy can play in the management of African crises.** Specifically, it will ask the question whether it can visit the field to mediation initiatives for example. It will also question the leeway available to it.

In addition, common strategies under the Treaty could find an application domain in Africa. The Union may use WEU for the implementation of military means to contribute to the solution of political or humanitarian crises.

To this end, France has to share his ambition of Africa Peace to those partners who are most engaged in cooperation with the continent (UK, Spain, Italy, Belgium, Portugal, and if there is ready, Germany). We have everything to gain from the greatest possible transparency in our African policy, its objectives and the means to achieve them, to overcome misunderstandings and suspicions that weigh sometimes, wrongly, as this report shown on our actions and analyzes.

V. - IMPROVING THE EFFICIENCY OF OPERATIONS MAINTENANCE AND RECOVERY OF UN PEACE

While the peacekeeping in Africa must first become a matter for Africans themselves, there can be no question of drawing argument to challenge the responsibilities of the Security Council of the United Nations. The authorization of the latter remains particularly essential for the use of force.

The Mission therefore no one disputes the principle of UN intervention in the Rwandan crisis, even if it had to make a serious assessment of its weaknesses and delays.

To prevent the recurrence of such a tragedy, strengthening and improving the modes of action of the UN therefore have priority. Conversely, the Secretary General of the UN noted in its April 1998 report on security in Africa, that the failure of the United Nations in Rwanda has had very serious consequences on the continent and there is widespread the feeling of a quasi-indifference of the international community, which currently still mine confidence in the peace efforts.

The establishment of inter-forces made with the support of industrialized countries in connection with the OAU and the UN, should enable the Security Council to have rapid response capability, which determine the effectiveness of its action . This policy, set out in paragraph 4 above, is being challenged by Nigeria. It must be of a high priority.

The Mission considers that, as emphasized by the Secretary General of the UN in its report on security in Africa, conflict prevention offers the best chance for their peaceful settlement. It is likely that Rwanda's late intervention of the United Nations at a time when the dynamics of the conflict became difficult to control, as well as delays in the establishment of UNAMIR I strongly jeopardized its prospects of success.

The deployment of multinational preventive force can, conversely, play a decisive role in the evolution of conflict. The Inter-African Mission to Monitor the Bangui Agreements may be an example. It should be noted that it allowed the withdrawal of French elements of operational assistance, without serious consequences for the stability of the country. There are no less than the UN presence is probably still necessary beyond the date set for the withdrawal of the current mission (February

1999).

Regarding peacekeeping, the Mission can only identify ambiguities or difficulties inherent in use of Chapter VI of the UN Charter. It applies to the forces responsible for monitoring the process of conflict resolution after the cessation of hostilities. It does not authorize the use of force except self-defense. **The Mission considers, in view of ordeals, including the Belgian contingent of UNAMIR, it appears necessary to give our forces when operating under Chapter VI of real capacity to self-defense or combat, to enable them to cope with any change in circumstances.** The French Government must be fully informed of the policies and decisions regarding our forces when they are engaged in a mission under Chapter VI.

Appropriate analysis of the crisis mechanisms must be put in place, in such a case, both at the UN, at the regional level (eg OAU) and at the national level, so as to provide a potential worsening situation incompatible with the maintenance of the regime of Chapter VI. These devices appear to have been lacking in Rwanda in early 1994.

In case of sudden deterioration of the situation or occurrence of a violent attack, the use of Chapter VII, which allows the use of force must be a condition of our participation in an intervention to restore peace. In such a case The method of intervention that has proven its effectiveness is the establishment of a national or international force under command, at the request of the Security Council. Responsibility for the conduct of operations is then up to a pilot state or regional defense organization.

In all cases, whether Chapter VII and Chapter VI above, the mandate must be clear and strictly correspond to the objective of the mission. It is important to learn from the shift occurred in the definition of the tasks of maintaining peace between the mandate of UNAMIR I and the role of neutral international force as planned by the Arusha Accords.

VI. - ESTABLISH INTERNATIONAL CRIMINAL COURT

When a crisis caused violations of humanitarian law, as Rwanda has set an example for a disproportionate scale, assumed that regulation is ensured by the international community punishment of crimes committed.

The international community has recognized this need in the restoration of peace in the former Yugoslavia first, then in Rwanda.

By its resolution 955 of 8 November 1994, the Security Council has established the International Criminal Tribunal for Rwanda. The court, based in Arusha, has a mandate to " *prosecute persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1st January and 31 December 1994.* "

After the failure of the international community to prevent and stop genocide, the creation of the International Criminal Tribunal for Rwanda was a first and necessary response to the situation that had been created. Genocide can indeed go unpunished. Repression is a condition *sine qua non* for the prevention of other genocides. This is also the country one of the bases of reconstruction and national reconciliation. A society marked by such a tragedy can not reorganize and continue its development on the basis of justice. The challenge is not only to give victims a remedy, but also to reaffirm the principles of the rule of law.

The procedure and the jurisprudence of the Tribunal in Arusha must make in this regard an essential contribution. They are designed to attach names and principles that can be references to the Rwandan society. The Mission notes in this regard that the Tribunal conducts a criminal policy which aims to primarily affect the liability of directors, organizers, ideologues, rather than performers.

This criminal policy defined by a court in Africa and chaired by an African can be a source of lessons for the Rwandan justice. According to official figures Rwanda, over 135,000 people are currently detained in Rwanda due to a charge of genocide. General Kagame has just declared that part of them were arbitrarily detained and releases are planned. Rwanda is therefore faced with the need to define principles and guidelines for the prosecution and trial of the perpetrators of genocide. The International Criminal Tribunal for Rwanda can help them. It is still necessary that significantly improve functioning. Efforts are needed in this area, both from the countries that provide the burden of his office as those who contribute to its financing, that is to say mainly developed countries. Advances have recently occurred, such as creating a third bedroom or adoption, for 1998, a budget of \$ 58.9 million. However, much remains to be done to accelerate procedures and decision within a reasonable period of time expected to Rwanda judgments.

Among the supporters who must be brought to the International Criminal Tribunal for Rwanda found evidence of external

actors and in particular in the context of France, those military personnel who served in Rwanda. In this regard, the Mission welcomes the availability of the French Government for the proper conduct of proceedings. Auditions French soldier who served under Operation Turquoise could take place under appropriate conditions of confidentiality. The France regularly inform the Court on judicial proceedings initiated in our country about the facts he has to know.

For the future, the Mission considers that the entry into force of the Rome Convention on the status of the future International Criminal Court is an essential element of the prevention and resolution of crises. She wants the court to be integrated into the United Nations system, in accordance with Article 2 of its Statute. She is in favor of the ratification by France, promptly, the Rome Convention. It notes that its possible implications for our constitutional order could impose a prior revision of the Constitution.

She believes, however, that an international criminal court could strengthen the position of those who, particularly in Africa, strive to uphold the principles of the rule of law. Its introduction would be a spur to the international community and the incentive to break with his attitude of passivity, often perceived as indifference by Africans against massive violations of human rights committed in their continent. Mission can about it evoke the exodus of more than 500,000 Rwandan Hutu origin displaced in 1996 following the offensive of the Alliance of Democratic Forces for the Liberation of Congo Zaire led by Laurent Kabila, while supported by the current Rwandan government. Many of these refugees have died as a result of the abuses they have suffered without the international community to undertake any action to help them. There is no question of ignoring the specificity of the terrible genocide in Rwanda in 1994, however, it is important to keep in mind the extent of the massacres and human rights in recent decades in Africa, especially in the Great Lakes region. Combat and undertake to terminate ranks among the most urgent tasks of the international community.

CONSIDERATION OF THE REPORT

The information Mission **examined** the report of MM. Pierre Brana and Bernard Cazeneuve during its meeting of **Tuesday, December 15, 1998**.

Mr. Jacques Myard welcomed the very meticulous, strong and objective, made by the two rapporteurs. He found that, beyond differences of opinion on the merits, the substantial nature of the report was undeniable.

President Paul Quiles also congratulated the rapporteurs for the huge and exceptional work they had done.

Joining his thanks to those of President Paul Quiles, **M. Guy-Michel Chauveau** felt that this work had highlighted the inadequate resources available to the National Assembly to deal with such a task, which was mobilized to a very large extent the Committee on Defence. He finally welcomed the very good cooperation established with the relevant ministries for the purpose of preparing the report.

A discussion was then initiated on the report. At the end of this debate, in which several amendments were adopted, the report has been submitted to a vote of the Mission.

René Galy-Dejean then read the explanation of vote parliamentary groups RPR, UDF Liberal Democracy and the text of which appears below.

He said that the members of these groups would give an unfavorable report approval vote.

Michel Voisin, on behalf of the UDF parliamentary group also voted against the adoption of the report.

Mr. Jean-Claude Sandrier read out the explanation of parliamentary vote Communist group which is contained below.

He stated that, subject to the observations made in this explanation of vote, parliamentarians belonging to the Communist Group approved the report, particularly with regard to the quality of the proposals it contained.

Mr. Jacques Desallangre explained that Commissioners SVR group had noted the wealth of information collected, the diversity of sources, the intersection of oral and written evidence.

Noting that endogenous causes of the Rwandan crisis are unfortunately still present, such as for example the rapid population growth or the misery he felt that this finding was not inconsistent with an invitation to reflect on the emergence, over the last thirty years, a new type of intervention, military humanitarian intervention, the legal framework and objectives are not sufficiently defined, while such operations are expected to multiply. He hoped that the ambiguities facing them are lifted by

clarifying policy objectives pursued.

He added that the French intervention in Rwanda had also highlighted the need to open a debate on the decision-making process in military matters and the introduction in the field of information and control mechanisms.

He said that for these reasons, parliamentarians RCV group had approved the inclusion of proposals in the report and they would vote in favor of its adoption.

Mr. Guy-Michel Chauveau explained how he found the productive work of the rapporteurs. He pointed out that, as crucial as is the importance of its legislative role, Parliament must also deal with all elements that fuel the democratic debate, and that these initiatives should be accompanied by an increase in transparency in all areas. He then indicated that parliamentary socialist group would endorse the report's adoption vote.

François Loncle held on behalf of the Socialist MPs of the Foreign Affairs Committee, to join with Mr. Guy-Michel Chauveau and found that the work presented was very high in high quality s' is however worried about the interpretation which may be made of the statement groups RPR, UDF and Liberal Democracy.

He felt that the assessment of these groups, the report suggested that guilt of France, could be the cause of difficulties, insofar as, although this was not the opinion of the Socialist Group, the feeling was actually shared by some. He considered that this interpretation of the opposition groups would require the President and the two rapporteurs to bring her denials, otherwise the vote of the majority might be misunderstood.

The information Mission then *approved* the report's conclusions.

After President Paul Quiles had informed members of the information that the report would be circulated on the Internet and published on CD-Rom Mission, the Mission has *authorized* its publication in accordance with Article 145 of the Regulations.

EXPLANATION OF VOTE AND PARLIAMENTARY CONTRIBUTION

I. - EXPLANATION OF VOTE OF MEMBERS OF THE MISSION INFORMATION BELONGING TO GROUPS RALLY FOR THE REPUBLIC, FOR THE FRENCH UNION DEMOCRACY AND LIBERAL DEMOCRACY

The three groups of the parliamentary opposition represented in the information on military operations conducted by the Mission France, other countries and the UN in Rwanda between 1990 and 1994, after having greatly contributed to the work of Mission have read the lengthy report which was submitted to them on Sunday 13 and Monday 14 December, closed.

Reading this report, which to a large extent, has the support of these groups, however, raises many substantive objections that prevent approval of the report in the state.

Parliamentarians RPR, UDF and Liberal Democracy, present in the Mission, held firstly to highlight the various positive aspects of the report.

The quality and importance of the work of research and investigations shall be at the outset, emphasized. It should be added the objective nature of the approach to everything that concerns the analysis of the various elements of the Rwandan tragedy.

The objectivity of the process of the rapporteurs and the quality of a comprehensive account of the work, lead to several conclusions that there be highlight.

In the Rwandan tragedy, only France, unlike almost all of the international community has not failed. Its action in the years preceding the tragedy, had enabled the outcome of the Arusha Accords and the establishment of one national coalition government that has ever existed in this country. His speech in 1994, voluntarily placed under the aegis of the United Nations, has surely limited the extent of the genocide.

The French Army in turn, sought and initiated by the political authorities of the country in a variety of missions ranging from armed security implementation sites, cities and regions, the most difficult humanitarian, took these missions and responsibilities with honor and efficiency.

In total, our country can and should be proud of the work he has carried out in this unfortunate country.

Besides these positive aspects, the work of rapporteurs has several elements and proposals considered by parliamentarians RPR and UDF and Liberal Democracy, unacceptable.

First, the tone of the introduction promotes a tendency to blame the events that led to the genocide in France. However, we believe, the first three sections show that, subject to partial errors, France did what she could, without being supported or helped by anyone, especially by European powers or the United States. For cons, the report is damning the behavior of the United independently responsibilities incumbent upon Member Nations Security Council resolutions in the vote. The failure of the UN in a crisis like that of Rwanda joined the analyzes that have been done elsewhere on the UN interventions in Somalia and the former Yugoslavia. The tone of the introduction is therefore a primary reason for non-approval of the report.

Is then quite questionable publication of in camera hearings. The principle of this publication was subject to the approval of the Mission. Parliamentarians RPR, UDF and Liberal Democracy consider that the camera has been proposed for certain personalities interviewed, prevents *de facto* any publication. These members make it a matter of principle.

Furthermore, and with regard to the analysis of the facts, members of both groups find that the report does not explicitly draws positive conclusions for France that this analysis is yet to appear.

Abundant proposals accompanying the report calls for their most express reservations on both the plan and the opportunity for their content.

In terms of opportunity, we can question the fact whether the object itself into a mission of information very precisely defined, introduce proposals of up to reform the Constitution, the amendment of the 1959 ordinance on the general organization of defense or the operation of the French intelligence services.

Such proposals appear as foreign to the very objective of the Mission and unacceptable in such a context.

In any case, they obviously reflect a political position which the opposition MPs can not subscribe.

As a result, parliamentarians RPR, UDF and Liberal Democracy voted against approval of the report.

II. - EXPLANATION OF VOTE OF JEAN-CLAUDE Sandrier ON BEHALF OF THE COMMUNIST GROUP

The Communist group approves the report of the Fact-Finding Mission, in particular with regard to the proposals it contains, even if it considers that the question remains open of the most important powers of a commission of inquiry to conduct investigations more deep, and the partial publication of in camera hearings could be due to a harmful doubt.

The lessons of this report are first that there is a collective responsibility and that it should not be located primarily on a military plane but on a policy plan with regard to the Africa. If France can not get out of this collective responsibility, there would be neither fair nor healthy, however it supports the mainly because there has been abandoned by the international community.

The failure is that of a policy: the failure of the use of force to solve human problems. From this point of view, the report does not sufficiently emphasize that this is the misery and poverty that are at the base of Africa's problems, even if other factors are grafted onto these realities.

Given the above background, the proposals of the Information Mission seem quite positive the Communist group, and concern both the points on which it is urgent to advance: transparency and consistency in the choice and conduct of operations; role of Parliament and its association decisions, deepening the issue of cooperation, African security and terms of the assistance, the role and effectiveness of the UN, the establishment of an international criminal court.

Regarding poverty, maintaining a flow of substantial aid raised by the report seems to underestimate the issue of volume of aid and therefore do not ask the real question, which is that the magnitude necessary means for outputting a billion human beings, and more, misery. A Will is the means? Can we give them and how? Better address this issue would probably have to avoid bending too much on the issue of military aid, which, if it has its place, however, is not central to African problems, and therefore no more for Rwanda.

This report should be a strong incentive to discuss redefining our political cooperation and to bring this debate internationally. This is one of the major challenges of the next century. It is not so much to produce forces to stifle the multifaceted expression of misery or exploitation that give more scope to the economic, social and cultural assistance to people

in need without discrimination.

The communist group also notes that are recognized the limits of design that says a man or a small group of men, without the intervention of Parliament, managing situations that are heavy.

From this point of view, whenever it widens the circle of information, association decisions and control, it creates a little more democracy. That these issues are addressed in this report and they are the subject of proposed constitutional amendment is extremely important.

Regarding the military, the assertion according to which the Treaty of Amsterdam opens up new prospects for peace with the development of the role of the representative of the Union seems unnecessary. It seems best to stick to a rigorous framework for any action that is to say, a mandate of the Security Council of the UN in coordination with the OAU. This does not exclude dialogue at European level.

Finally, we must consider four points addressed by the Mission information: predictability or not events, coaching FAR by the French army, the attack against the presidential plane and deliveries weapons. On these four points it must be noted that after the work of the Mission of information there are still many gray areas. It is in this context that one can wonder about the most significant opportunities for investigation of a commission of inquiry.

Before the outstanding issues would be desirable that the Arusha tribunal has increased to accelerate the investigation of the facts submitted to it means.

These reservations, the Communist group approves the report of the Fact-Finding Mission with particular regard to the quality of the proposals he makes, because in this case one of the major objectives of this Mission was he not know learn a terrible human tragedy?

III. - PARLIAMENTARY CONTRIBUTION OF JACQUES Desallangre BEHALF OF RADICAL GROUP CITIZENS AND GREEN

In April 1994, after an attack in which the presidents of Rwanda and Burundi are killed, inter-ethnic conflict erupts in the Great Lakes region, which in a few days, will reach a degree of barbarity unimaginable. The slow march that seemed to start this country towards democracy had hidden in the eyes of the West, the root of a country on the brink of disaster damage. Through the media, the whole world seems unable to attend one of the biggest massacres of the population of our twentieth century.

The term genocide, used during the massacres of 1994 recalls the memory of our people very sad periods in world history of XXth century. Comparison with Nazi crimes, the Armenian genocide or the Pol Pot regime in Cambodia is often made in the press or in the works that appear on this occasion. If, because of their specificity, these events are and shall remain incomparable, their memories and feelings of powerlessness to prevent such acts of barbarism is strong in spring 1994. For many, the commitment in 1948 to repress and prevent future acts of genocide has not been held. Barbarism clashes, the horror of the massacres impose Western powers and France in particular to consider their responsibilities.

Faced with these accusations, faced with this suspicion, the French political powers should shed light on their potential liability because if we can not correct the errors of the past, it is imperative not to renew. It is in this spirit that created the Mission on Rwanda. The Mission has started its work in difficult conditions and in a heated atmosphere not conducive to reflection and reasoned debate on different sources of information. The members of the Mission are attached to meticulously build testimonies and documents to enable every citizen to perceive complexity, form their own belief about the causes and course of the genocide but also on the respective responsibilities of each actor this drama.

To work with confidence and with maximum objectivity, the Mission should be composed of members of all political persuasions represented. This was the condition *sine qua non* of the credibility of our work.

Despite the topical events, despite doubts as to the possible liability of certain officers or former political leaders, despite the interest that would have been contradictory, the Mission was able to work calmly and transparency.

To carry out its investigative work, the Mission interviewed the people who, through their contribution could shed some light on events. We listened to scientists, specialists from Africa and the Great Lakes region, as well as representatives of NGOs or religious missions with direct knowledge of the field. To update any responsibility of the French authorities, politicians in office during the period of the massacres but also previously because of diplomatic ties between this region of Africa to

France were heard. Including the U.S. and Rwandan foreign politicians, were also interviewed. Finally, UN officials and diplomats have agreed to testify before this Mission.

Most hearings were public, however, some witnesses desired because of their present responsibilities, be heard in camera; their will was respected and, indeed, their actions will not be made public, unless specifically authorized by them. However, as well as public hearings, this report reflects these testimonies in camera.

The wealth of information collected does not preclude the need for sources of different nature. The Mission was able, in this quest for information, rely on full cooperation of the ministries concerned. All available documents requested by the Mission were provided. Some of these documents classified "Secret Defense" or "Top Secret Defense" will obviously not be made public. However, as for hearings made in camera, this report takes into account these parts as well as others.

The very diversity of these oral sources has enabled the Mission to collect information testimonies are all perceptions of these events. However, if these stories are essential, they are oral and therefore unreliable source. Not that we wanted to accuse them of lying or hiding these witnesses, but precisely because each of these stories is a reflection of a personal perception of reality. It is obvious that a physician member of a non-governmental organization will not have the same perception of the facts that a former Minister or a researcher. Scrupulous verification of evidence by the Fact-Finding Mission, the comparison of different versions of data have led, in some cases, that witnesses make themselves the finding of the failure of their memory and imprecision remarks they could stand in front of the press. Our memory is by definition selective and that even against our will.

By crossing these oral and written testimonies, the Mission sought to shed light on the analysis of errors which had been committed and to test the sincerity of the policy objectives pursued by different actors.

All information thus collected will allow the citizen who wish to judge international implications in what is commonly called the Rwandan genocide. The work of the Mission parliamentary information is not intended to judge, condemn or even to provide definitive conclusions about these events; he was to collect as much information as possible and in the interests of transparency. To take at a given on the evidence and knowledge about recent developments in which France was in one way or another involved when our work was aimed. There is no way to write an official or even definitive history but to show the sincerity of current political actors in their efforts to inform citizens.

The story is never written permanently and will tell what we have been blinded by events too sensitive and too new, what was our judgment part. No more than another, this work is not without its critics, but we think we have worked, listening to all parties equally, crossing all the sources available to us to make available to our citizens information the most complete and reliable, putting into perspective the causes and implications of national regional and international Related to this conflict.

Look at the recent past reveals that some endogenous causes are unfortunately still present (resentment generated by previous conflict between Tutsis and Hutus, rapid population growth encouraged by the religious authorities, authoritarian exercise of power).

This report will, I hope, merit to answer some questions and should avoid certain judgments and hasty and unfounded assertions; but it is also an invitation to reflect on the emergence, over the last thirty years a new type of interventions: military humanitarian intervention, the legal framework and objectives are not sufficiently defined. However, these operations are expected to multiply. It would be desirable to eliminate ambiguities that put them in clarifying policy objectives pursued.

The French intervention in Rwanda have also highlighted the need to open a debate on the decision-making process in the military field and the opportunity to establish mechanisms of information and control.

0 Statement by the President of the Republic Mr François Mitterrand in the Council of Ministers of 17 October 1990.

0 Jacques Mullender, The Beginnings of French cooperation in the Great Lakes countries (Rwanda-Burundi) 1962-1966, Paper presented at the Academy of Sciences of overseas Wed May 15 1988.

0 Stephen SMITH, France-Rwanda: colonial Lévirat and abandonment in the Great Lakes region, political crises in Burundi and Rwanda (1993-1994) under the direction of André Guichaoua, University of Science and Technology of Lille, p 447.

0 Source: David Millwood (ed.), The international response to conflict and genocide: lessons from the Rwanda experience,

Steering committee of the attached Assessment of emergency aid to Rwanda, Copenhagen, March 1996.

0 Michel BROT "Miterrand and Africa in 1957" African Policy No. 58, June 1995.

0 Jean-Pierre CHRISTIAN quoted by Pierre Erny, Rwanda 1994, Harmattan.

0 Claudine Vidal, relations between Hutus and Tutsis from 1750 to 1973: precolonial period, colonization and independence, "First Republic", March 15, 1998, Document submitted to the Mission of information by the author, p. 1.

0 André GUICHAOUA, Political history of the Rwandan crisis of 1994, Expert Report prepared at the request of the International Criminal Tribunal UN Rwanda, Arusha, April 1997, p. 7.

0 Jean-Pierre CHRISTIAN, "Hutus, Tutsis in Rwanda and Burundi," At the heart of ethnicity - Ethnic, tribalism and state in Africa, under the direction of Jean-Louis Amselle and Elikia M'BOKOLO, Discovery, 1985, p. 143.

0 Jean-Pierre CHRETIEN, "Hutus, Tutsis in Rwanda and Burundi," At the heart of ethnicity - Ethnic, tribalism and state in Africa, under the direction of Jean-Louis Amselle and Elikia M'BOKOLO, Discovery, 1985, p. 130.

0 André GUICHAOUA, Political history of the Rwandan crisis of 1994, Expert Report prepared at the request of the International Criminal Tribunal UN Rwanda, Arusha, April 1997, p. 7.

0 Earth Magazine No. 44, p. 11.

0 Jean-Pierre CHRETIEN, The challenge of ethnicity, Rwanda and Burundi from 1990 to 1996, Karthala, Paris 1997, p. 35.

0 Claudine Vidal, relations between Hutus and Tutsis from 1750 to 1973: precolonial period, colonization and independence, First Republic, March 15, 1998 Document submitted to the Mission by the author during his hearing, p.. 4.

0 Ibid.

0 Alexandre Arnoux, the source of the White Nile, Librairie Missionary Fathers, Paris, 1950, p.28.

0 Father Guy Theunis André in GUICHAOUA, political crises in Rwanda and Burundi, University of Science and Technology of Lille, 1995, p. 290.

0 Ibid., p. 292.

0 Ibid., p.293.

0 Ibid., p. 290.

0 Ibid., p. 293.

0 GUICHAOUA André, "The many faces of forced in the Great Lakes region mobility," Proceedings of the Seminar EHESS - CEA / ORSTOM, Forced mobility in question: refugees, displaced, evicted, disaster, p.3.

0 Preface to the article by John MAY "demographic and political pressure of population in Rwanda, 1962-1994" in Population and Societies, No. 319, December 1996. The following data are extracted from this article.

0 This table is taken from the article.

0 Christian PRIOUL, op. cit.

0 The word means at once peasantry and colonization program virgin land.

- 0 David MILLWWOD, *The international response to conflict and genocide: lessons from the Rwanda experience*, Steering committee of the attached Assessment of emergency aid to Rwanda, March 1996.
- 0 Unofficial translation.
- 0 André GUICHAOUA, *a heavy past, present dramatic, darker future, political crises in Burundi and Rwanda*, University of Lille, 1995, p. 20.
- 0 Jean-Claude WILLAME, *The Sources of the slaughter in Rwanda*, African Papers, No. 14, 1995, p. 45.
- 0 Jean-Claude WILLAME, *The Sources of the slaughter in Rwanda*, African Paper No 14, 1995, p. 100.
- 0 André GUICHAOUA, *International policies in the Great Lakes region of Africa*, African Politics, No. 68, Karthala, 1997, p. 4.
- 0 André GUICHAOUA, *a long history ...*, op. cit., p. 20.
- 0 *Journal of African*, No. 14, April 1995, *The Sources of the slaughter in Rwanda*, p. 105.
- 0 André GUICHAOUA, *a long history ...*, op. cit., p. 20.
- 0 Jean-Claude WILLAME, *Aux sources ...*, op. cit., p. 107.
- 0 André GUICHAOUA, *Political history of the Rwandan crisis of 1994. Expert Report prepared at the request of the International Criminal Tribunal UN Rwanda*, Arusha, April 1997, p. 23.
- 0 GUICHAOUA André, *"The many faces of forced in the Great Lakes region mobility," Proceedings of the Seminar EHESS - CEA / ORSTOM, Forced mobility in question: refugees, displaced, evicted, disaster, p.2. The following analyzes of forced mobility are largely extracted from this article.*
- 0 Gérard Prunier, *Rwanda, Genocide, Dagorno, Paris, 1997*, p. 83
- 0 André GUICHAOUA, *the problem of Rwandan refugees and Banyarwanda populations in the Great Lakes region of Africa*, High Commissioner for Refugees United Nations, May 1992, p. 9.
- 0 Jean-Claude WILLAME, op. cit. p. 95.
- 0 Gérard Prunier, op. cit., p. 85.
- 0 André GUICHAOUA, *history ...*, op. cit., p. 24.
- 0 *The problem ...*, p.27.
- 0 *The problem ...*, op. cit. p.40.
- 0 Gérard Prunier, *Rwanda, genocide, Dagorno, 1997*, p. 108.
- 0 *Ibid.*
- 0 *"The Akazu" or "little house" referred to in the pre-colonial Rwanda, the first circle to the king's court.*
- 0 Gérard Prunier, op. cit., p. 112.
- 0 *Ibid.*

- 0 *André GUICHAOUA, the problem of Rwandan refugees, op. cit., p. 12.*
- 0 *Filip REYNTJENS, Africa Great Lakes crisis, Karthala, Paris, 1994, p. 90.*
- 0 *Gérard Prunier. Rwanda, 1959-1996, history of genocide, Paris, Dagorno, 1997.*
- 0 The problem of Rwandan refugees and Banyarwanda in the African Great Lakes, Geneva, UNHCR, 1992 populations .
- 0 The political crisis in Burundi and Rwanda (1993-1994), under the direction of André GUICHAOUA , *Villeneuve d'Ascq, University of Science and Technology of Lille, 1995 .*
- 0 *The political crises in Rwanda and Burundi (1993 - 1994), op. cit.*
- 0 The Ukubohoza is the name given to the action of destabilization by the MDR, PSD and PL against the MRND.
- 0 Democratic Forces for change. This is the name taken by the coalition MDR, PSD, PL party *st* June 1992.
- 0 *André GUICHAOUA, Political history and the Rwandan crisis of 1994, Arusha (Tanzania), April 1997.*
- 0 *Gérard Prunier, Elements for a history of the Rwandan Patriotic Front, African Politics, No. 51, October 1993.*
- 0 *The reference to ethnic Hima is still recalled by President Museveni during his official interventions (see New Vision dated 17 September 1998) refutes the intention attributed to him wanting to be a Hima-Tutsi empire.*
- 0 *GASANA James, War, Peace and Democracy in Rwanda Political crises in Burundi and Rwanda under the direction of André GUICHAOUA.*
- () Erratum : instead of "Mr. Guichaoua told that the refusal to evacuate the five children of assassinated Prime Minister ... he had diverted the attention of French soldiers to board the plane ." read "According to Gérard Prunier, André Guichaoua, the refusal to evacuate the five children of assassinated Prime Minister ... would have diverted the attention of French soldiers to board the plane. This version was contradicted by Mr. Guichaoua in a letter he sent to the Mission. "
- 0 *The content of questions and answers Kofi Annan is published as an appendix.*
- 0 Edouard Balladur questions to the Government, national meeting of June 22, 1994 meeting.
- 0 Jean-Hervé Bradol physician program manager at MSF, heard by the Commission on 02.06.1998 .
- 0 *On this issue, see Gauthier de Villers, "Belgian Africanism face interpretation of the Rwandan tragedy problems," in African Policy , December 1995.*
- 0 *At the end of the hearings and review of documents consulted it appears that, overall, the French soldiers respected the tasks entrusted to them.*
- 0 *It is true that the Constitution makes the President of the Republic and the Chief of the armed that it sometimes gives the cell to African issues an excessive role.*

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