

This feature is adapted from a presentation at the launch of the paperback edition of *Conspiracy to Murder* in July 2006 at Doughty Street Chambers, London.

“I can think of no more irresponsible act of a British government in modern times.....”  
Geoffrey Robertson Q. C.

The genocide in Rwanda will remain for our generation the enduring failure to intervene in the face of mass human rights abuse. Over a three month period up to one million people were murdered as the result of a deliberate government policy, designed in advance and carried out according to an explicit strategy. The primary means of killing people at speed was the mobilisation of 30,000 unemployed youth into a street militia.

The combination of revelations about the scale and the intensity of the genocide, the complicity of Western nations, the failure to intervene, and the suppression of information about what was actually happening is a shocking indictment, not just of the UN Security Council, but even more of governments and individuals who knew what was happening and who remained silent. The genocide is a milestone event of the twentieth century, and it deserves precise documentation.

The role of the British government of Prime Minister, John Major, merits special scrutiny. While at the UN there has been a willingness to uncover what happened, in Whitehall there is a continuing reluctance to account for Britain’s role in events, as a permanent member of the Security Council. Far from playing a passive role in the Council as former officials have claimed, evidence is emerging that the British had been instrumental in shaping the UN response to the crisis. This is a sensitive issue and efforts persist to try to obscure individual responsibility for the crucial decision-making at this time by the British government. At the Foreign and Commonwealth Office the paper trail on Rwanda, according to one highly placed source, already shows evidence of tampering with special focus given to the cables between Whitehall and the Britain’s mission to the UN in New York.

Those who were involved show a reluctance to discuss Rwanda, and this reluctance is bolstered by the on-going failure of press and parliament to examine this particular episode in British foreign policy. In the writings and memoirs of those concerned there is hardly a word – in John Major’s case the genocide has completely vanished from the public version of his period in office.

Was the UK, a country with special power and privilege as a permanent member of the United Nations Security Council, impotent or unwilling to implement the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, either to prevent the occurrence of genocide in Rwanda or, once it began, to stop it spreading? The story of the failure over Rwanda is a terrible one, and it is made worse because the true nature of what happened has been deliberately distorted and confused.

When some years ago I began to query government policy towards Rwanda I was given various reasons for our inaction. I was told that the Foreign and Commonwealth Office and the then Foreign Secretary, Douglas Hurd, did not know what was happening in Rwanda. “We had absolutely no sources of information”, our UN ambassador, David Hannay, told me. “The genocide came like a bolt from the blue”, one insider claimed. There was no British embassy in Rwanda, which was in the “francophone sphere” of Africa. The government had simply believed what the French were saying. Alternatively we were given inadequate briefings by UN officials in the Security Council, and that this had made us “look in the wrong direction”. Once the genocide began, the UK had simply gone along with “UN policy”.

It remains unclear what advice, if any,

the Foreign and Commonwealth Office legal advisers, headed by Sir Franklin Berman, offered on the determination of genocide in Rwanda, and the responsibility of the British government, as a signatory to the 1948 Genocide Convention, to abide by this treaty. By contrast, in the United States, under the Freedom of Information Act, the relevant memorandum from the Office of the Legal Advisor has been released; it reveals that by May 20, 1994, a determination had been made that in Rwanda “acts of genocide” had taken place. The State Department’s Bureau of Intelligence had reported that senior Rwandan government and military authorities had carried out the widespread and ethnic killing of Tutsi. Up to forty percent of the Tutsi population may have perished.

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With hindsight the creation by the UN Security Council of a feeble UN peacekeeping mission for Rwanda, with its weak mandate and minimal capacity, and suitable for only the most benign environment, was a tragic error. Just how half-hearted it was plain to see for the mission lacked even the barest essentials. It was clear that the readiness level of this paltry force bore no relationship at all to what was needed. On the face of it the UN assignment was unambiguous with a three-year-civil war which had ended in peace with a handshake between government and invading rebels. There was to be reform of the corrupt regime and the creation of a power-sharing government. This was classic, text-book peacekeeping. There would be no proactive soldiering, no peace enforcement. Peacekeepers monitor compliance with ceasefires – they do not seize weapons.

The UN Assistance mission for Rwanda, (UNAMIR), was created at a time when the Security Council had a crowded agenda. There had been recent and new demands on the Council and the complexities of the post Cold War world had led to an evolution in peacekeeping. There were now

high-cost, large-scale and open-ended missions. The Council had been responsible for a blizzard of mandates, often ambiguous, inadequate and written with scant consideration of the realities on the ground. There had been tragic mistakes, when the Council sent peacekeepers into situations with orders they could not follow. When the mission for Rwanda was created the Council was already responsible for seventeen UN missions world-wide with some 80,000 peacekeepers in the field, and was trying to keep track of the problematic operations in Cambodia, in Somalia, and in former Yugoslavia. In comparison, Rwanda seemed quiet.

But by the end of February, 1994 the mission for Rwanda was causing concern. The Belgian government, with 450 paratroopers in UNAMIR, and with intelligence operatives of its own on the ground, were now warning that this UN mission was in the deepest trouble. Urgent meetings with permanent members of the Security Council took place during which Belgium diplomats warned that the peace agreement in Rwanda was being sabotaged and that should the mission collapse, there would be huge loss of life. The peacekeepers needed to take action and seize illegal and stockpiled weaponry, the force needed a stronger mandate, better protection and reinforcements. Some years later a Belgian Senate enquiry into the genocide would reveal how two of the permanent members of the Council, the UK and the US, were adamantly against any help at all on the grounds of economy. The UN was over-stretched. What these two permanent members were now advocating that if the situation in Rwanda did not improve then the UN peacekeepers would pull-out. When the suggestion of total withdrawal was raised at a Council meeting, Ibrahim Gambari, the ambassador for Nigeria, a non-permanent member of the Council, had argued that Rwanda – one of the poorest countries in the world – should be given sufficient time to achieve democracy and should receive the resources and attention given by the Council elsewhere, particularly in the former Yugoslavia where there were more peacekeepers stationed than

anywhere else in the world.

By now the British government was in possession of its own information about Rwanda. A report detailing the very real risks involved had been sent in a report to London prepared by the High Commissioner in Kampala, Edward Clay, who after a visit to the capital Kigali had provided the Foreign and Commonwealth Office with details of what was happening.

One insider would later claim that had this report received the attention that it deserved then Britain's voting record in the Council would have been somewhat different.

It has now been acknowledged that the British government was reading the increasingly desperate cables warning of an impending calamity that were sent by the Force commander of the UN peacekeepers in Rwanda, Lt-Gen Romeo Dallaire. It remains unclear how the British government managed to obtain what were strictly internal UN documents. These daily reports were lengthy and detailed.

There was extensive information openly available from human rights groups about the formation and training of a country-wide militia, the existence of death squads committing political murder, and the continuing arms purchases in contravention of the peace accord. The racist propaganda against the Tutsi in extremist journals and over the airways of the newly created radio, RTL, was relentless in its incitement to ethnic hatred. One UN officer, a Major in the Polish army, described how "genocide hung in the air": Tutsi families were frequently trapped in their homes by "Hutu Power" militia. Some Tutsi took to sleeping in churches at night. The peacekeepers were opening reception centres in order to protect Rwandan citizens. Some Rwandans chose exile. Others believed that with the UN in their country they would be safe.

In one of his cables Dallaire warned of the planning of genocide. In all these

circumstances the British government may not have been as ignorant as it professed to be.

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In one telling paragraph in the 2005 Report of the Commission for Africa are these words:

*"Just 5,500 troops with robust peace enforcement capabilities could have saved half a million lives in Rwanda. Evidence shows that prevention can work".*

This then is most likely the first indication of an admission by British government signatories of grievous errors made by politicians and civil servants on Britain's behalf in 1994.

The question of when the government was aware that genocide was underway is crucial. Sources close to the Clinton administration have shown how quickly senior officials understood the magnitude of the killing. In Whitehall there are sources who have confirmed that within two weeks genocide was apparent, the information coming from reputable sources, including from the International Committee of the Red Cross and Oxfam.

One now retired senior civil servant said that immediately before the genocide there had been a warning from the Foreign Office to the Cabinet Office that there could be great loss of life in Rwanda. In government there appears to have been an assumption that there would be many casualties, and that massacres would take place similar to those that had taken place in neighbouring Burundi in October 1993 when an estimated 50,000 people had been killed.

"But when it got to 100,000 dead", said one insider about Rwanda in April 1994, "we thought it was a bit persistent".

It was Oxfam that first publicly acknowledged the genocide in a press release dated April 29 with the headline: “Oxfam fears genocide is happening in Rwanda”. At this stage, the British government chose to obscure the reality and described what was happening only as “civil war”.

The then minister for foreign affairs, Douglas Hurd, began to play down the crisis and his foreign policies seemed designed to facilitate and prolong the genocide. In the Council in New York it was the British ambassador, David Hannay, who had first suggested to the Council that the peacekeepers be withdrawn, and he had suggested a “token force” to remain behind in Rwanda in order to “appease public opinion”. Hannay said that the peacekeepers could achieve very little, and that ambassadors should beware a repetition of Somalia, where a peacekeeping mission had spiralled out of control ending in an ignominious failure, certainly for the US military. Peacekeeping was not appropriate in the midst of civil war, Hannay said.

But the situation in Rwanda was strikingly different from that which had existed in Somalia a few months before. In Rwanda a civil war was under way, but so was genocide and at a speed not seen since the Nazi extermination programme against the Jews.

There were no sealed trains or secluded camps in Rwanda. The killing took place in broad daylight in plain view in schools, hospitals, clinics and churches, the places where terrified Rwandan citizens had sought refuge. It has since been confirmed that the UK government and the US administration had knowledge of genocide within two weeks of the start of the killing. The eventual Security Council decision, made public on April 21, to withdraw the bulk of the UN mission may have encouraged the genocidaires, for within a few hours of the vote the killing in Rwanda spread south.

In the days to follow three non-permanent members of the Council – the Czech Republic, New Zealand and Nigeria – made every effort

to try to persuade both the UK and the US to focus their attention not on the civil war, but on the daily murder of thousands upon thousands of civilians. These non-permanent states tried to persuade the great powers that the Council must recognise that genocide was underway. They believed that were genocide to be recognised then there was a legal and a moral imperative to do something about it. These countries also lobbied for reinforcements for UNAMIR. But the resistance was determined. At the end of April in an eight-hour debate about the use of the word genocide in relation to Rwanda, the UK argued strenuously against. The Council eventually reached a compromise. It was thanks only to the drafting ability of the British that a Presidential Statement was issued which used a part of the 1948 Genocide Convention but which avoided using the word itself.

The statement read: “...the Security Council recalls that the killing of members of an ethnic group with the intention of destroying such a group in whole or in part constitutes a crime punishable under international law”.

That same day in Geneva, at the headquarters of the International Committee of the Red Cross, whose delegates were operating an emergency hospital in Kigali, there was issued the most strongly worded statement in that organisation’s history. This described how whole families were being exterminated and in a clear message to the Security Council the ICRC demanded that measures be taken to put an end immediately to what it called the “terrifying mechanism of the massacres”. By now evidence of mass slaughter was leaking through Rwandan rivers: an estimated 40,000 bodies were removed from Lake Victoria. The aid agency Oxfam, in spite of a lack of interest from the British press, kept up the pressure, and on May 3 a letter was sent to Prime Minister Major to tell him that genocide was happening in Rwanda. But the British government continued to deny the reality. On May 9, the House of Commons was told by Mark Lennox-Boyd, the parliamentary under-secretary of state for foreign and commonwealth affairs:

‘There are estimates that more than 200,000 may have perished in recent fighting in Rwanda..... it is a horrific and tragic civil war’.

The latest ICRC estimate was that 250,000 people had been murdered – not killed in a civil war.

That murder of this magnitude could unfold without the government of the day making any statement on the issue of genocide to Parliament is extraordinary. It was not until six weeks after the genocide started that there was a debate in Parliament and only because one Labour member managed to get the issue on to the agenda. On May 24 the Labour MP Tony Worthington expressed shock that so little attention had been paid to Rwanda. Worthington told an almost empty House at 11 pm: ‘It is inconceivable that an atrocity in which half a million white people had died would not have been extensively debated in the House. Worthington said that the press had a terrible tendency to dismiss the events as tribalism. ‘Genocide is certainly involved,’ Worthington told the House. There had never been a clearer example of genocide and he warned the House that Britain was a signatory to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. He was told that Rwanda was in the “midst of civil war” and that the UK “was at the forefront of those insisting the UN should remain engaged”.

This was simply untrue. It was the Czech Republic, New Zealand and Nigeria, three non-permanent members of the Council, that were at the forefront in the Council and insisting the UN remain engaged in Rwanda. A month later Worthington was still pleading for information about Rwanda.

“What kind of House and Government do not seek to make a statement when 500,000 are murdered?” Worthington asked on June 22. “We are on the Security Council”, he reminded the House,

That genocide in Rwanda had occurred was officially recognised by an impartial Commission of Experts, created by the Security Council in July 1994, and in a

report to the Council in October 1994, determined that “a concerted, planned, systematic and methodical” campaign against the Tutsi and Hutu opponents of the extremists had taken place. There were ample grounds to prove that the 1948 Convention on the Prevention and the Punishment of the Crime of Genocide of 1948 had been violated between 6 April and 5 July 1994. A provisional list of massacre sites was produced. Corpses were still piled high in classrooms and churches, and strewn across the country in an apocalyptic landscape.

The catastrophic failure over Rwanda has been examined by the UN, in an independent inquiry seeking to establish the role of the organisation in what happened. The Report of the Independent Inquiry into the actions of the UN during the 1994 genocide in Rwanda was authorised by Kofi Annan, who became Secretary-General in December 1996 after the US vetoed a second term for Dr. Boutros Boutros-Ghali.

This report, published in December 1999, called the genocide one of the most abhorrent events of the twentieth century. The report left no doubt that each part of the UN system, and in particular the Secretary-General, the Secretariat, the Security Council and the member states, had to assume and acknowledge their responsibility in the failure. The British government has not done so.

For three months of genocide, from the beginning to the end, all UN governments and official bodies continued to recognize as legitimate the government of Rwanda, a government hastily sworn into office as the genocide began, and intended to replace those government members, part of Rwanda’s pro-democracy movement, who had just been murdered. It was called an Interim Government and for the next three months, it would create a regime based on genocide. This government was represented on the Security Council and for the duration of the genocide it ran a campaign of spin to convince the world that people were dying in the renewed civil war. Not one government called on the genocidaires

to stop the genocide. Not one government called for Rwanda's representative to be suspended from the Council.

The British government was reluctant to take even the slightest action -- like jamming the hate radio. The government paid no attention to either stabilizing or reinforcing the tiny garrison of UN peacekeepers that had stayed behind in Rwanda. At first Lt. Gen Dallaire, with the loss of ten Belgian peacekeepers in the first hours of the crisis, had been told to plan for total evacuation of the force but he had refused and stayed on in Rwanda with volunteers. His was the "token force" that Hannay had suggested in the Council. These soldiers, mostly from Ghana, had been mandated by the Security Council to try to negotiate a ceasefire in the civil war. In fact Dallaire and his men were trying to protect and save as many people as possible, risking their own lives to do so. In New York there had been desperate efforts by UN officials -- including the head of the Department of Peacekeeping Operations Kofi Annan -- to obtain reinforcements for Dallaire, to get him rations, petrol, and water - anything at all but Dallaire and his men were not even re-supplied. In one cable to headquarters he wrote:

"The ineffective reaction to meeting the critical needs of this mission is nothing less than scandalous from the word go and even bordering on the irresponsible....this has directly led to the loss of many more Rwandan lives, to the casualties among our troops".

There were reinforcements available for Rwanda for a Ghanaian company of soldiers was on stand-by in Nairobi. All that was needed was an airlift and about 30 Armoured Personnel Carriers to allow them in. In response to these urgent requests from UN officials, the British Ministry of Defence, under Malcolm Rifkind, had offered 50 4-tonne four wheel drive trucks -- with no means to get them to Rwanda. This conveniently allowed the Major government to claim that the UK had "responded to UN requests". It was yet another tactic used by the UK government to deflect reality. A variety of British government

representatives would subsequently claim that the UK was doing all that had been asked of it by the UN. This was not the case. It was more for the want of petrol, not courage, that more Rwandans were not rescued.

In June 1994 Lt-Gen Dallaire flew to Nairobi where at a press conference he told international journalists they had dropped the ball. They were allowing "fence-sitting politicians off the hook for the Rwandan genocide". But with no outcry about genocide in the press, no choices were given and no risks were taken. The genocide, described in our newspapers with inappropriate and racist clichés such as "tribal bloodletting", gave the impression that what was happening was too terrible for "foreigners" to prevent: this bolstered the line from UK diplomats and politicians who kept insisting that only a massive and dramatic intervention would succeed, and that this was out of the question in the midst of civil war.

The genocide in Rwanda occurred in the year in which we wept through Steven Spielberg's *Schindler's List* and while western leaders walked along the D-Day beaches and celebrated the defeat of fascism. It was left to "UN peacekeepers" to get the blame for Rwanda.

In both London and Washington there are politicians and civil servants who took decisions in 1994 that cost the lives of an incalculable number of people. They should bear full responsibility. The 1948 Convention on the Prevention and Punishment of the Crime of Genocide was the world's first truly universal, comprehensive and codified protection of human rights. It stood for a fundamental and important principle: that whatever evil may befall any group, nation or people, it was a matter of concern, not just for those people, but for the entire human family.

The UN was founded on the commitment to the rule of international law -- and a rules-based international society. The erosion of this law and its abuse by democratic politicians should be of utmost concern to us all. In an effective democracy it is the job of journalists

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to ensure that governments do not evade their responsibility under international law, and that they are held accountable for their actions.

In a recent interview with a foreign office insider I asked why the British response had been so poor.

“Of course we didn’t do anything.... Neither the press nor the public was interested”.

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