

# 10 The Rwandan genocide and its aftermath

Ethnic tensions and armed conflict in the Great Lakes region of Central Africa have been the cause of repeated instances of human displacement. The pattern of events in the last 50 years is rooted in a long history of violence, but it is also a story of missed opportunities, on the part of both local actors and the international community in general. Failure to pursue just solutions to old grievances has in all too many cases, years or decades later, led to a recurrence of violence and to bloodletting on an even greater scale than before.

The legacy of the 1959–63 crisis in Rwanda (described in Chapter 2) was the presence of Tutsi refugees in all neighbouring countries. Denied the possibility of repatriation for the next three decades, they nevertheless maintained links with the Tutsi in Rwanda. In the late 1980s, Tutsi exiles in Uganda, who had joined Yoweri Museveni's National Resistance Army (NRA) to fight against the regime of Milton Obote, and who had come to form part of the Ugandan national armed forces when the NRA came to power, began to plot a military comeback, creating the Rwandan Patriotic Front (*Front patriotique rwandais*, or RPF).

The RPF attacked Rwanda in 1990. The ensuing armed conflict and internal political pressure led to the power-sharing Arusha Agreement of August 1993, but the accord was never effectively implemented. Tensions between the Hutu and Tutsi increased sharply following the assassination of the President of Burundi, Melchior Ndadaye, a Hutu, in October 1993. This resulted in mass killings of Tutsi in Burundi, and then mass killings of Hutu. The subsequent death of President Juvenal Habyarimana of Rwanda and President Cyprien Ntaryamira of Burundi in an unexplained crash as their plane approached the Rwandan capital Kigali on 6 April 1994, was used by Hutu extremists as the occasion to seize power in Rwanda and to attack the Tutsi population and Hutu moderates.

Approximately 800,000 people were killed between April and July 1994 in the genocide which followed. Although a multinational UN peacekeeping force, the United Nations Assistance Mission to Rwanda (UNAMIR), had been deployed in Rwanda in October 1993 with a limited mandate to help the parties implement the Arusha Agreement, the bulk of this force withdrew soon after the outbreak of violence. This failure by the United Nations and the international community to protect the civilian population from genocide was examined and acknowledged in a UN report published in December 1999.<sup>1</sup>

RPF forces in Rwanda quickly gained control of Kigali and, in a matter of weeks, most of the country. It was now the turn of the Hutu to flee. Over two million did so, taking refuge in the same countries to which they had forced the Tutsi to flee over 30 years earlier. In the absence of concerted action by the international community at

the political level, and in the face of ruthless manipulation of refugee populations by combatants, UNHCR and other humanitarian organizations faced some of their most difficult dilemmas.

The Rwandan genocide set in train a series of events that are still in the process of unfolding. They included not only the exodus of Rwandan Hutu from the country, but also the collapse of the regime of President Mobutu Sese Seko and continuing civil war in Zaire (which was renamed the Democratic Republic of the Congo in May 1997). This war came to involve many other African states, most of them militarily, and became linked to other ongoing wars in Angola, Burundi and Sudan.

## The mass exodus from Rwanda

The 1994 genocide and the later removal of the genocidal government the same year by the RPF provoked a mass exodus of over two million people from the country.<sup>2</sup> But the exodus was far from spontaneous. It was partly motivated by a desire to escape renewed fighting and partly by fear of vengeance on the part of the advancing RPF. It was also the product of a carefully orchestrated panic organized by the collapsing regime, in the hope of emptying the country and of taking with it the largest possible share of the population as a human shield. By late August 1994, UNHCR estimated that there were over two million refugees in neighbouring countries, including some 1.2 million in Zaire, 580,000 in Tanzania, 270,000 in Burundi and 10,000 in Uganda.<sup>3</sup>

The large camps in Goma, in the Kivu provinces in eastern Zaire, were close to the Rwandan border. They rapidly became the main base for the defeated Rwandan armed forces (*Forces armées rwandaises*, or FAR) and members of the Hutu militia group, the Interahamwe. Collectively, these groups were often referred to as the *génocidaires*. They also became the main base for military activity against the new government in Kigali. From the start, the refugees became political hostages of the former government of Rwanda and its army, the ex-FAR. The latter's control of the camps, particularly those around Goma, was undisguised. This created serious security problems for the refugees themselves and it raised difficult dilemmas for UNHCR in its attempt to ensure their effective protection.

By the end of 1994, the human toll of the crisis in Rwanda was in the millions. In addition to the 800,000 victims of the genocide and the two million refugees outside Rwanda, some 1.5 million people were internally displaced. Out of a population of seven million, over half had been directly affected. The stage was set for a new phase of the Rwandan tragedy.

The refugee camps, especially those in eastern Zaire, were initially in complete disarray. In July 1994, High Commissioner Sadako Ogata described the situation in these terms:

With the rocky volcanic topography and already dense population, the surrounding area is almost totally inadequate for the development of sites to accommodate the refugees. Water

resources are severely deficient and local infrastructure with the capacity of supporting a major humanitarian operation is virtually non-existent.<sup>4</sup>

In July 1994, cholera and other diseases broke out, killing tens of thousands before being brought under control.<sup>5</sup> The Goma camps suffered most. About one million refugees lived there, initially in three large settlements. There were many other problems. The Zairean central government's authority in eastern Zaire, far from the capital Kinshasa, was weak. The Rwandan *génocidaires* had allies in the local administration in the Kivus and ex-FAR officers established effective control of the camps. Relief workers were in no position to confront them. Tents at Goma were grouped by *secteur*, *commune*, *sous-préfecture* and *préfecture*, in a mirror image of the administrative organization of the country the refugees had just left. The presence of the former leaders of Rwanda amounted to a government in exile. High-ranking officers from the ex-FAR were eventually moved to a separate camp, and rank and

*Following the genocide in Rwanda in 1994, an estimated 250,000 Rwandans swept into Tanzania over a period of 24 hours. (UNHCR/P. MOUMTZIS/1994)*



## Box 10.1 The problem of militarized refugee camps

In 1994–96, the domination of the Rwandan refugee camps in eastern Zaire by armed Hutu groups (Interahamwe) drew the attention of the international community to the problem of militarized refugee camps. The presence of armed elements in refugee camps, however, is not a new phenomenon. Numerous other examples can be cited.

During the 1970s, the camps for South African refugees in Mozambique and Tanzania were controlled by members of the military wing of the African National Congress and the Pan-Africanist Congress, and were consequently subject to raids and aerial bombardment by South African armed forces. Similarly, in Angola, Namibian refugee camps run by the Namibian liberation movement, the South West Africa People's Organization, were attacked by the South African air force. In Zambia and Mozambique, camps for refugees from the war in what was then Rhodesia were controlled by the Zimbabwean liberation movements and were attacked by Rhodesian government forces.

During the 1980s, there were many other examples of camps in which armed elements could not easily be distinguished from the civilian population. In the early 1980s, Cambodians fleeing the civil war and the invasion by Viet Nam fled to border camps controlled by the Khmer Rouge and other armed factions. Because of military activities on the Thai border, the camps had to be relocated numerous times, creating additional problems for international organizations attempting to assist refugees in these camps. In Pakistan during the

mid-1980s, Afghan refugee villages near the border harboured tanks and heavy artillery, as well as Mujahedin fighters actively engaged in conflict with the Russian-backed regime in Afghanistan. In southwestern Ethiopia, southern Sudanese rebels used refugee camps as rear bases. In Honduras, Salvadoran guerrillas operated out of refugee camps and Nicaraguan 'contras' also operated from areas in which refugees were settled.

Throughout the 1990s, the problem of the militarization of refugee camps continued in various parts of the world. In West Africa, for example, refugee settlement areas were often a focus for militia recruitment, and the movement of militias between Sierra Leone and Liberia often exacerbated conflicts in both countries and affected the security of the refugee population. In 1998–99, refugee settlements and camps in Albania were used as staging posts by the Kosovo Liberation Army. In West Timor, camps for refugees fleeing the violence in East Timor provided safe haven for armed militias. In Burundi, rebel groups have used refugee-populated areas in Tanzania as recruitment grounds and as conduits for resources.

In each of these cases, the presence of armed elements amongst refugee populations has exposed civilians to increased risks. It has made them vulnerable to intimidation, harassment and forced recruitment by armed groups. It has also exposed them to armed attacks on refugee camps and settlements by enemy forces, the mining of areas in which they live, infiltration by enemy forces, kidnappings and

assassinations. The presence of armed elements in camps has also created security problems for relief workers and has undermined the credibility of humanitarian organizations such as UNHCR.

### Ensuring the safety of refugees

Faced with this problem, UNHCR has made increasing efforts over the years to find ways of ensuring the civilian and humanitarian nature of refugee camps. But the problem is a complex one, and UNHCR has neither the mandate nor the capacity to carry out the demilitarization of refugee camps and settlements.

Under international refugee law, responsibility for ensuring the security of refugee camps rests in the first instance with the host government. In many cases, however, governments prove unable or unwilling to prevent militarization. Although in some cases initial screening and disarming of incoming refugees is carried out at border crossing points by host authorities, this is not always effective and in situations of mass influx it is often not possible. Furthermore, unless combatants are willing to yield their weapons, it is almost impossible for unarmed border officials or UNHCR protection officers to disarm them.

Once armed combatants are mixed with civilian refugee populations, screening and separating them out is notoriously difficult. Where there is resistance to demilitarization, to achieve this may require the intervention of a heavily armed military force. Yet even well-trained and equipped military forces often refuse to take on this task, as was

illustrated in the camps for Rwandan refugees in eastern Zaire, where UNHCR, through the UN Secretary-General, repeatedly asked states to assist in separating armed elements from the civilian population. No government was willing to send external military or police forces to assist with this task. As a result, UNHCR eventually paid and equipped a special Zairean Contingent, recruited from among the Zairean presidential guard, to establish some law and order in the camps.

Article II.6 of the 1969 Refugee Convention of the Organization of African Unity (OAU) states: 'For reasons of security, countries of asylum shall, as far as possible, settle refugees at a reasonable distance from the frontier of their country of origin' [see Box 2.3]. Although the actual distance is not specified in the OAU Refugee Convention, and although the 1951 UN Refugee Convention includes no provisions concerning the distance of refugee camps from borders, UNHCR has on many occasions sought to ensure that refugee camps are located at a 'reasonable distance' from international borders. This, however, can be difficult to achieve for a number of reasons. Refugees spontaneously establish camps close to borders to make it easier for them to return or to monitor the situation in their home region. They are liable to be reluctant to be moved. Relocation is a complex and expensive operation. And host governments often prefer to keep camps close to the border in the hope of eventually encouraging return.

It has been argued that militarized camps should be removed from the protected category of 'refugee

camps', and that UNHCR should withdraw services from them. But this is a difficult decision to make when such camps continue to house substantial numbers of *bona fide* refugees. UNHCR has often avoided operating in particular camps because of their militarized nature. In other situations, such as the Goma camps for Rwandans in eastern Zaire, UNHCR maintained a presence in spite of the militarization, as it considered that a withdrawal would put the refugees at even greater risk.

During the last few years, UNHCR has made various innovative attempts to improve security in refugee camps and settlements and to ensure their civilian nature. For example, in 1999 in the Kosovo Albanian camps in the former Yugoslav Republic of Macedonia, UNHCR arranged for the deployment of international police advisers to improve security and law enforcement in the camps. Also, in 1998 in the Burundian refugee camps in Tanzania, UNHCR started supporting some 270 Tanzanian police officers whose task is to enhance security for the refugees and to assist in ensuring the civilian and humanitarian character of the camps.

In line with these new initiatives, High Commissioner Sadako Ogata recently proposed a 'ladder of options' for addressing security problems in camps, including 'soft', 'medium' and 'hard' options. These include measures aimed at ensuring law and order such as programmes to train and build the capacity of national police to handle refugee camp security, the deployment of international police advisers, and

as a last resort, the deployment of military forces. But the success of all such attempts to improve the situation depends on the political will of states, particularly the host state and other states in the region. Unless host governments and other actors take active steps to prevent the militarization of refugee camps, the problem will persist and the safety of refugees will continue to be jeopardized.

## Rwandan and Burundian refugee populations, 1993–99

Figure 10.1

<i>Country of asylum</i>	Rwandan refugee population						
	1993	1994	1995	1996	1997	1998	1999
Burundi	245,500	278,100	153,000	720	2,000	2,000	1,300
DR of Congo (ex-Zaire)	53,500	1,252,800	1,100,600	423,600	37,000	35,000	33,000
Tanzania	51,900	626,200	548,000	20,000	410	4,800	20,100
Uganda	97,000	97,000	6,500	11,200	12,200	7,500	8,000
<i>Total</i>	447,900	2,254,100	1,808,100	455,520	51,610	49,300	62,400

<i>Country of asylum</i>	Burundian refugee population						
	1993	1994	1995	1996	1997	1998	1999
DR of Congo (ex-Zaire)	176,400	180,100	117,900	30,200	47,000	20,000	19,200
Rwanda	250,000	6,000	3,200	9,600	6,900	1,400	1,400
Tanzania	444,900	202,700	227,200	385,500	459,400	473,800	499,000
<i>Total</i>	871,300	388,800	348,300	425,300	513,300	495,200	519,600

Note: As on 31 December of each given year.

file were persuaded to shed their uniforms, but the population was still clearly under their control and the control of the Interahamwe. In South Kivu, the physical situation of the refugees was better: they were fewer in number and the camps were smaller, but these camps were also infiltrated by armed elements. Only in Tanzania did the authorities manage to disarm them and gain a modicum of control over the camps.

In the early days of the refugee crisis, relief workers found themselves cooperating with these military authorities and the Interahamwe militia leaders. The administrative structure they had established was the quickest and seemingly most effective way to distribute relief items. This distribution system was changed as soon as possible to ensure that food and other relief items were distributed directly to the refugees, but the criticism that the *génocidaires* were using humanitarian agencies to strengthen their position vis-à-vis the refugee population was a valid one.

The camp leaders had control over the distribution of food and other relief supplies in the early days. It soon became evident, however, that relief items were not their main source of support. More substantial resources were acquired through their control of the economy of the camps, running retail businesses and levying taxes on the camp population, especially on refugee employees of humanitarian agencies, who earned regular salaries. The camps at Goma thus became a microcosm of Rwanda before 1994, and a significant military threat to the new

government in Rwanda itself. The leaders had also brought with them most of the contents of the Bank of Rwanda and much of the public transport fleet.

In late August, High Commissioner Ogata wrote to the UN Secretary-General asking for a number of emergency measures, as the Zairean authorities had failed to take appropriate action. These measures included four key elements: first, to ‘totally disarm the ex-FAR troops, collect all arms and military equipment and gather them in a secure place far from the border’; second, to ‘isolate and neutralize civilian leaders’; third, to ‘set up a mechanism for dealing with perpetrators of crime’; and fourth, to ‘ensure maintenance of law and order in the camps through the deployment of police’.<sup>6</sup> But members of the Security Council and other states failed to support such measures, and humanitarian organizations working in the camps remained powerless. A further catastrophe was in the making.

### The indecisive international response

Rwanda’s new government was extremely critical of the situation in the camps and repeatedly requested the immediate repatriation of the refugees or their removal away from the border area deeper into Zaire. But this was more easily said than done. There was widespread opposition to their presence among Zaireans, and in the increasingly unstable political atmosphere in Zaire, such opposition could result in violence at any time. In a memorandum addressed to UNHCR soon after the exodus, Zairean opposition political forces threatened violence. The refugees, they asserted,

have destroyed our food reserves, destroyed our fields, our cattle, our natural parks, caused famine and spread epidemics and . . . benefit from food aid while we get nothing. They sell or give weapons to their fellow countrymen, commit murders both of Tutsi and of local Zaireans . . . They must be disarmed, counted, subjected to Zairean laws and finally repatriated.<sup>7</sup>

### Rwandan refugees in the Great Lakes region, end-August 1994

Figure 10.2

<i>Location</i>	
Northern Burundi	270,000
Western Tanzania	577,000
Southwestern Uganda	10,000
Zaire (Goma)	850,000
Zaire (Bukavu)	332,000
Zaire (Uvira)	62,000
<b>Total</b>	<b>2,101,000</b>

For the shaky government in Kinshasa, however, the refugees were a potential proxy force, useful to help reassert control of the eastern provinces. For President Mobutu, the refugee issue deflected attention from his government's mismanagement of the country and thereby offered a chance to regain the international stature he had lost since the end of the Cold War.

Western donor countries involved in the effort to assist the refugees were divided. Delegations to Kinshasa routinely demanded that President Mobutu negotiate with the various forces involved, but there was no clarity about who should be involved in the negotiations or what should be negotiated. Lip-service was paid to the idea of repatriation of the refugees, but no donor government supported it sufficiently strongly to take the political risk necessary to force the issue through. Western

*Kibeho camp for displaced Rwandan Hutu in southwestern Rwanda, which was to be the scene of mass killings in April 1995. (S. SALGADO/1994)*





## Box 10.2

## Refugees and the AIDS pandemic

At the end of 1999, there were an estimated 32 million adults around the world with the HIV virus or with AIDS. In addition, there were some 11 million children who had either lost both parents to AIDS, or who had become infected with the HIV virus themselves. AIDS has contributed to political and socioeconomic crises in many developing countries. The issue is now amongst the most urgent topics on the United Nations' agenda, and has even been discussed by the UN Security Council.

UN Secretary-General Kofi Annan has described the impact of AIDS in Africa as 'no less destructive than that of war itself'. Though it knows no borders, AIDS has taken a particularly devastating toll on Africa. Sub-Saharan Africa, home to just 10 per cent of the world's population, contains nearly 70 per cent of the world's HIV-positive population. In some of these countries one in four of the population is infected.

Forced population movements often place people at greater risk to HIV transmission. HIV can spread fast where there is poverty, powerlessness, lawlessness and social instability—conditions that often give rise to or accompany forced displacement. Rape and other forms of sexual and gender-related violence perpetrated by soldiers or paramilitary forces often become weapons of war and a tactic to terrorize.

In responding to refugee health needs, UNHCR and its partners have increasingly attempted to adopt comprehensive approaches which address reproductive health issues including HIV/AIDS prevention and care. The 1994 refugee crisis in the Great Lakes region of Africa helped to raise awareness amongst the international community about the need to address the issue of AIDS prevention and care. This involved a large-scale movement of people with a high rate of HIV infection seeking refuge in countries also plagued with AIDS.

Strategies to reduce transmission of the HIV virus are well known, yet they are notoriously difficult to implement, as they touch on sensitive and private aspects of life as well as cultural beliefs and behaviour. They include good hygiene, safe blood transfusions, access to condoms, prevention and treatment of sexually transmitted diseases, and the provision of culturally sensitive and well-targeted education and information.

Throughout the 1990s, major initiatives were launched to put reproductive health and HIV/AIDS high on the global agenda. Spear-headed by the UN International Conference on Population and Development in Cairo in 1994, the international community has come to recognize reproductive health care as a basic right, even though there remains controversy over the forms that this care should take. The conference agreed that such health care should 'be provided to all, including migrants and refugees, with full respect to their various religious and ethical values and cultural backgrounds while conforming with universally recognized international human rights'. In 1995, the Fourth World Conference on Women in Beijing further stressed the right of women to have control over and decide freely and responsibly on matters related to their sexuality without being subject to coercion, discrimination or violence.

The United Nations Programme on AIDS (UNAIDS) was established in 1996 to coordinate the UN approach to the AIDS pandemic, document its evolution, and promote a cost-effective universal response. UN humanitarian organizations, non-governmental organizations, and some governments have also worked together to strengthen reproductive health services to refugees and refugee-like communities. The 1999 inter-agency field manual, *Reproductive Health in Refugee Situations*, and the development of

reproductive health kits by the United Nations Population Fund (UNFPA) are some of the results of this process.

While there may be clear strategies to reduce HIV transmission, there are a number of major hurdles to overcome before effective HIV/AIDS prevention and care programmes can be put in place. In many places where refugees live, especially in Africa, national AIDS control programmes are under-developed. Local populations have only limited access to basic primary health care and most people have no access at all to effective but extremely costly HIV/AIDS-related drugs. Providing services for refugees and not for the local population can do little to prevent the pandemic from spreading.

An effective response to the complex nature of HIV and AIDS requires human, material and financial resources as well as technical capabilities which many humanitarian organizations have not yet been able to develop. It also calls for a multi-sectoral approach encompassing not only health but also social and economic issues, human rights and legal matters. Women, including refugee women, are often particularly exposed to the threat of HIV/AIDS and in many cases they do not have the means to influence the behaviour of their partners due to cultural and other attitudes and practices.

The stigma which is so often attached to AIDS can affect both the willingness of those affected by it to seek care and the willingness of local authorities to extend the necessary support to them. Refugees, who fall into a distinct category and whose presence is sometimes resented by local people, can easily find themselves discriminated against because of a stereotypical perception that 'refugees bring AIDS'. It is a matter of particular concern to UNHCR that refugees are sometimes refused resettlement or denied asylum or repatriation because of their HIV status.

guilt about UN inaction in the face of the genocide complicated established political and economic interests in the region. The result was incoherence at policy level.

The Zairean government, nominally responsible for the welfare of the refugees, was showing signs of imminent collapse. Members of the government contradicted one another. The new Rwandan government was also giving mixed signals. Officially, government representatives insisted on the desirability of an early return, but initiatives by humanitarian organizations to accelerate this were invariably frustrated.

For UNHCR, there were urgent practical problems, but the solution to these was frustrated at every point by the growing military instability in the region. Goma was becoming not so much a place of refuge as a low-intensity war zone. One UNHCR field officer wrote from Goma: 'Neither our mandate nor the means at our disposal match the requirements needed to address the regional crisis.'<sup>8</sup>

### **The escalation of the conflict in eastern Zaire**

From early 1995, Rwandan military groups in eastern Zaire, mostly ex-FAR, mounted a series of cross-border attacks into Rwanda. The RPA then launched a series of counter-raids into Zaire, attacking Birava camp on 11 April and Mugunga on 26 April 1995, killing 33 people. UNHCR found itself at the centre of a conflict between the two Rwandan armies. In Zaire, President Mobutu was supporting the rearmament and retraining of the ex-FAR. Cheap light weaponry from the former communist countries of Eastern Europe also contributed to the rearmament of the former *génocidaires*.<sup>9</sup> The ex-FAR and militia were increasingly in a position to use the camps as recruitment grounds and rear bases for infiltration into Rwanda.

In Rwanda, meanwhile, the political situation had deteriorated. At Kibeho camp in southwestern Rwanda, thousands of internally displaced Hutu were killed by RPF forces in April 1995. Between July and August 1994, the Kibeho camp had been part of a 'humanitarian protection zone' established by a French-led multinational military force under 'Operation Turquoise', which was authorized by the UN Security Council.<sup>10</sup> By August 1995, the RPF had marginalized the more independent members of the Rwandan cabinet, and Prime Minister Faustin Twagiramungu, Interior Minister Seth Sendashonga and Justice Minister Alphonse-Marie Nkubito were forced to resign. The main concern of the new cabinet was the military threat posed by ex-FAR forces operating from the Zairean refugee camps.

UNHCR made repeated calls for measures to be taken by the Security Council to ensure the civilian and humanitarian nature of the refugee camps. The High Commissioner requested 'a multinational contingent composed of police/gendarmes from French-speaking African countries and perhaps Canada, logistical support in transport and equipment from non-African countries and financial support from other countries'.<sup>11</sup> But this was not forthcoming. Most donor countries were alarmed at the instability in the region and the high costs of troop deployment. Indecisiveness within the Security Council further prevented any serious tackling of the issue.

UNHCR fell back on the resources of the host country. A specially recruited force, the Zairean Contingent for the Security of the Camps, was established. It was made up of

1,500 men of President Mobutu's 'Division spéciale présidentielle', who were paid and re-equipped by UNHCR. The force had international advisers from the Netherlands and from several West African countries. It started operating in early 1995 and worked reasonably well, to the surprise of some sceptical observers. Although its mandate did not extend to border security, it brought a modicum of law and order to the camps, and went some way towards undermining the authority of the refugee leadership, thus increasing refugees' freedom to opt for return.

After a good beginning, however, the Zairean Contingent eventually proved to be poorly disciplined. It was directly accountable to President Mobutu, through his Minister of Defence, and not to the Prime Minister, so that it became a factor in the widening political divide in Zaire. It was soon drawn into the endemic corruption of the administration in the Kivus and other parts of Zaire. In early 1996, High Commissioner Ogata wrote to Zairean Prime Minister Kengo Wa Dondo:

I would like to renew my demands for ending the impunity of the camps. The various measures taken by your government should be actually enforced and Zairean law and order should prevail. All this of course in full co-operation with UNHCR and with the Zairean Contingent for the Security of the Camps.<sup>12</sup>

As before, the lack of concerted international diplomatic support meant that President Mobutu was able to continue to play a double game, publicly accepting UNHCR's concerns about growing violence in the border zones and privately tolerating or even supporting it. But President Mobutu himself had miscalculated; he was to be the next victim of the forces unleashed in the east.

### **The failure of repatriation**

Repatriation from Zaire to Rwanda began rapidly, with over 200,000 refugees going back between July 1994 and January 1995 from the Goma area.<sup>13</sup> Smaller but still significant numbers were also coming back from south Kivu, Tanzania and Burundi. Deteriorating security conditions in the camps undoubtedly contributed to the refugees' desire to return. But the situation was deteriorating in Rwanda as well, and by early 1995 the repatriation movement had 'ground to a halt'.<sup>14</sup> An inquiry commissioned by UNHCR to test the feasibility of repatriation had already given warning in mid-1994 of killings and other human rights violations committed in Rwanda by elements of the RPF. After informing the Rwandan government of its findings, UNHCR stopped facilitating the repatriation programme. The massacre which took place in April 1995 at Kibeho camp in southwestern Rwanda strengthened the opposition of those opposed to repatriation. After this incident, repatriation stopped completely.

Later in 1995, with the situation in Rwanda more stable, UNHCR resumed repatriation efforts, but the attitude of all parties concerning the return of refugees was ambiguous. This was clearly demonstrated when the Zairean government tried to trigger a return movement by forcibly closing one camp in August 1995. In this case, some 15,000 refugees were put on rented trucks and forcibly returned to

**Box 10.3****Somalia: from exodus to diaspora**

The Somali Republic, which gained independence in 1960, was built upon far from secure foundations. Clan allegiances had long posed problems for the development of an effective form of civil government. After President Siad Barre's defeat by Ethiopia in the Ogaden war of 1977, rival clan families in Somalia were systematically marginalized and exploited by Barre's ruling clan alliance. By 1988, resistance from the Isaq Somali National Movement (SNM) in the northwest met with the full force of the state.

The first major refugee exodus from Somalia after the Ogaden war occurred when government forces bombed Hargeisa and Burao in the northwest of the country in 1988. Refugee flows to Ethiopia amounted to some 365,000, while some 60,000 people became internally displaced. Around 50,000 people are estimated to have been killed by government troops.

Temporarily defeated, the SNM was later to form an alliance with the Hawiye-based United Somali Congress (USC) and the smaller Somali Patriotic Movement (SPM). This loose alliance overthrew the government of President Barre in January 1991. The alliance was, however, unable to retain control of the country and instead fell apart, precipitating a major humanitarian emergency. The opposition was clan-based, but clan rivalries were exacerbated by the competition amongst militia leaders for power and resources.

Clan reprisals became the order of the day as Mogadishu fell to the USC. Internal factionalism and the ongoing war with Barre's forces resulted in intensified conflict.

The attacks on areas occupied by the Digil and Rahanweyn clan families, in addition to the wholesale slaughter of minority populations in the coastal areas, resulted in massive internal displacement. Clan members sought out 'clan homelands', displacing more people. Drought and famine brought further disruption and by mid-1992 some two million people had been uprooted as a result of the conflict. They included some 400,000 who went to Ethiopia and over 200,000 who went to Kenya.

#### **International intervention**

The response of the international community to the worsening crisis in Somalia was slow to gather momentum. Hundreds of thousands of Somalis died of starvation and disease, or as a result of fighting, before the first UN peacekeeping forces arrived in April 1992, as part of the United Nations Operation in Somalia (UNOSOM I).<sup>1</sup> Initially, the mandate of the UNOSOM force was limited to overseeing a ceasefire between the warring factions.

The steady deterioration in the humanitarian situation led US President George Bush to decide in December 1992 to deploy 28,000 US troops as part of what was to become a 37,000-strong, US-led Unified Task Force (UNITAF). UNITAF's 'Operation Restore Hope', was authorized under UN Security Council Resolution 794 of 3 December 1992. It was authorized without any invitation from the warring parties. The humanitarian impulse of ensuring that food supplies reached the victims of famine was an important part of the operation, but the lack of clear strategy dogged the intervention

from the outset. The humanitarian operation became more compromised as attempts were made to disarm the rival Somali factions.

In May 1993, UNITAF was replaced by UNOSOM II and the US commander handed over responsibility for the operation to a UN commander. The UNOSOM II force was larger and had a broader mandate than the original UNOSOM, which had remained in Somalia throughout. UNOSOM II launched a programme of national reconstruction in Somalia. The 28,000-strong UN peacekeeping force came from 27 different countries and had a budget of US\$1.6 billion. Unprecedented in size and scope, the force included 17,700 US troops not under direct UN command.

The sudden shift in the UN's role from providing humanitarian relief to attempts at nation-building succeeded only in alienating Somalia's warlords. A series of open clashes with General Mohamed Farah Aidid's powerful Hawiye clan faction culminated in the shooting down of two US helicopters in October 1993. The death of 18 US soldiers and the spectacle of the body of a dead US soldier being hauled through the streets of Mogadishu rapidly led to a decision by the Clinton administration to withdraw US troops from Somalia. All US and European military personnel left Somalia by March 1994 and all remaining UN troops departed by the end of March 1995.

During the worst moment of the crisis in Somalia, only the International Committee of the Red Cross and a small number of non-governmental organizations (NGOs) remained in the country. However,

with the presence of international troops, UN agencies such as the World Food Programme and the UN Children's Fund (UNICEF) played a major role in delivering relief supplies, together with large numbers of NGOs. In spite of the presence of international military forces, security remained a serious problem, and many humanitarian personnel were killed or injured. Humanitarian personnel had to be escorted by local militia groups acting as armed guards to carry out their duties.

In response to the humanitarian crisis in Somalia, UNHCR began a series of cross-border operations from Kenya in September 1992. Launched at the request of the UN Secretary-General, these operations were intended to stabilize population movements inside Somalia. After the deployment of UNITAF in December 1992, 'preventive zones' were established in southern Somalia to assist people in specific areas where they might otherwise be forced to flee because of famine. As well as providing food and relief within Somalia, the cross-border operations were intended to begin rehabilitation of the infrastructure and thus enable the voluntary return of the refugees in camps in Kenya, who by the end of 1992 numbered more than 285,000.

### **The mobile phone society**

The civil war in Somalia created a large Somali diaspora. Refugees fleeing the country added to the Somali migrant workers already living in the Gulf and Western Europe before 1988. In addition to refugees who fled to Yemen, Djibouti and Libya, there are now established

communities of Somalis living in North America and Europe. The former colonial link between the United Kingdom and the northern part of Somalia, now known as Somaliland (formerly the British Protectorate of Somaliland), means that there are now settled communities of Somalis in many major UK cities.

Communication between members of the Somali diaspora has been facilitated by mobile phones, the Internet and e-mail. This has been a key factor in enabling Somalis, and indeed other refugee groups, to maintain links with family members overseas. The proliferating network of telephone companies throughout Somalia—there are now at least eight—has been encouraged by joint ventures involving local residents and Somalis in the diaspora. The growing telephone system allows for family ties to be maintained and is also central to the steady flow of remittances which has kept Somalia's economy from collapse in recent years.

The strong clan system, which divided Somalis and led to the deaths of hundreds of thousands of people during the 1990s, also proved to be a source of unity and strength. The compelling nature of these clan ties prompted the development of an international banking system of remittance agencies. At present, most Somalis in the diaspora continue to use fax machines to transfer remittances, but e-mail is now also increasingly being used. A remittance given to a local clan banker in London, for example, will result in the equivalent amount being transferred to family members in Somalia within 24 hours. The sending of goods in kind and the transfer of cash carried by hand on

regular flights from Jeddah and Dubai are other favoured methods of transferring remittances. The current value of remittances is placed at several hundred million US dollars a year and significantly outstrips livestock as a source of foreign exchange.<sup>ii</sup>

One remittance agency has a website which allows people to replay Somali language news reports by the British Broadcasting Corporation, the major source of news for Somalis in the diaspora. In a world made smaller by the impact of information technology, the creation of numerous websites has enabled Somalis to explore their changing perceptions of home and the new demands and possibilities of life in the diaspora. At the same time, e-mail and mobile phones have helped Somalis in the diaspora and at home to maintain links, and have gone some way towards enabling them to remain united as one society.

Rwanda. As a result of international pressure, the Zairean authorities rapidly put an end to the operation.

UNHCR tried various means to loosen the grip of the refugee leadership. Information campaigns and family visits into Rwanda were organized. Negotiations were held with the Rwandan authorities to open additional border crossing points to facilitate the movement of the refugees from the camps. Camp businesses were temporarily closed by the Zairean Contingent to try and undermine the power of the refugee leaders. Repatriation convoys were organized on a daily basis to pick up and escort refugees volunteering to return. But all these initiatives were ineffective as a result of the combination of opposition from Zairean or Rwandan authorities and lack of support from the international community, particularly governments of the main donor countries and front-line countries.

Within UNHCR and the humanitarian community in general, there was considerable uncertainty on the issue of repatriation. The traditional principle that all refugees should be given the opportunity of a voluntary return, on the basis of individual informed choices, was difficult to put into practice. The reality was that most of the refugees had been coerced into exile by their leaders. Many of them were more like hostages than refugees. This was a different type of human displacement, in which the concept of voluntary return, and the very meaning of the word 'refugee', had been twisted into new and complex realities, which could not easily be tackled through traditional approaches.<sup>15</sup>

## Flight from the refugee camps

North and South Kivu, the two eastern Zairean provinces where the refugees had found shelter, had for a long time been hotbeds of opposition to the regime of President Mobutu, who now attempted to use ethnic rivalries to his advantage. The Kivus had a large ethnic Banyarwanda population (both Tutsi and Hutu) which he had used in the past against other indigenous groups.<sup>16</sup> The resulting ethnic tension was exacerbated when new legislation was passed by the Zairean parliament in 1981, resulting in the *de jure* loss of citizenship by thousands of Banyarwanda people. Even in 1993, before the Rwandan genocide, there was fighting between Banyarwanda and other groups when the authorities tried to organize a census of 'foreigners'. The influx of Rwandan refugees during the summer of 1994 had a disastrous effect on the fragile balance in the Kivus as the political wing of the Hutu refugees brought with them their violent ethnic prejudices.

By early 1995, violence in the Kivus had been rekindled, particularly in North Kivu, where the Goma camps were situated. This time it was not limited to the local population. General Augustin Bizimungu, the chief of staff of the ex-FAR, was attempting to carve out a territory in the Kivus from which he could operate against Rwanda, and against the Zairean Tutsi communities in the Kivus. He recruited some

of the Zairean armed forces (*Forces armées zaïroises*, or FAZ), who, being unpaid and poorly commanded, became little more than soldiers of fortune. A conflict developed which included on one side the ex-FAR, their FAZ allies and some anti-government local militias known as *Mayi Mayi*, and on the other side the Zairean Tutsi population. The latter were the weaker from the military point of view and many Tutsi were killed or forced to flee.

Between November 1995 and February 1996, about 37,000 Tutsi left for Rwanda, half of them Zairean Tutsi driven out by the conflict in the Masisi area in North Kivu, and the other half refugees from the earlier 1959 exile. The government of Rwanda immediately asked UNHCR to open refugee camps on the Rwandan side of the border. It was a paradoxical situation since many of the 'refugees' arriving in Rwanda were originally from Rwanda. Having wanted to achieve a successful repatriation to Rwanda rather than the creation of additional camps on the Rwanda side of the border, it was with extreme reluctance that UNHCR opened two camps in Rwanda.<sup>17</sup> To make matters worse, these Tutsi refugee camps were only a few kilometres from the border and were close to the camps at Goma.

High Commissioner Ogata once again sought international assistance in improving the security situation. 'The recent influx from Masisi to Rwanda now stands at 9,000 persons' she wrote in May 1996 to UN Secretary-General Boutros-Ghali. 'The international community should consider urgent measures to prevent a further deterioration in the security situation . . . Renewed efforts to relocate the camps away from the border should be undertaken.'<sup>18</sup> Even the Zairean government began to see that intervention in Kivu ethnic politics had created a situation that was running out of control, but it was too late. The crisis was about to engulf the whole sub-region.

### **The conflict spreads**

By mid-1996, the situation in the Great Lakes region was extremely tense. In Burundi, there was escalating tension between the Tutsi and Hutu. In October 1993, the democratically elected Hutu president, Melchior Ndadaye, had been murdered by Tutsi soldiers. This had led to an outburst of violence in which thousands of people—both Tutsi and Hutu—were killed. It had also led to the flight, mainly to Rwanda, of about 700,000 Hutus, some of whom later became active in the Rwandan genocide. On 26 July 1996, former president Major Pierre Buyoya, a Tutsi, overthrew the weak civilian administration led by President Sylvestre Ntibantunganya. For some it was seen as an attempt to reimpose state control, but for others this was just another military coup. The neighbouring countries convened an emergency meeting and declared an economic embargo against Burundi.

Elsewhere in the region, relations between Uganda and Sudan were deteriorating. Kampala accused Khartoum of arming guerrilla groups and encouraging them to attack Uganda both from Sudan and (with support from Kinshasa) from northeastern Zaire.

## Box 10.4

## War and displacement in West Africa

During the 1990s, West Africa became the scene of violent wars that uprooted millions of people. The two main conflicts, largely internal but fuelled by external funds, weapons, and interests, were in Liberia and Sierra Leone. These conflicts sent nearly one million refugees into neighbouring countries, primarily into Guinea and Côte d'Ivoire. A smaller conflict in Senegal and an army mutiny in Guinea-Bissau in 1998 also produced some 200,000 refugees.

By the end of the decade, more than a third of Africa's refugees and displaced people were in West Africa. Most of these people were displaced within their own countries. Many of those who did cross international borders remained within a few kilometres of the border. As a result, even those who fled to what they hoped would be safer ground remained vulnerable to attack. UNHCR had to move several camps in Guinea further from the border to protect the camp's residents. Staff of humanitarian organizations that came to the aid of the refugees and displaced also found themselves at great risk. Many were threatened, several were abducted, property was stolen, and on a number of occasions humanitarian workers had to be evacuated for their own safety.

When Liberians first fled into Guinea and Côte d'Ivoire, local people opened their homes to them. In those early stages, relatively few refugees were accommodated in camps. When Sierra Leoneans began fleeing into Guinea, some also moved into the homes of local people, but the absorption capacity was soon exhausted and many moved into camps. Both countries offered considerable hospitality to large refugee populations throughout the 1990s. At one point in late 1996, Guinea was hosting some 650,000 refugees from Liberia and Sierra Leone. Today, Guinea still hosts over 500,000 refugees. Côte d'Ivoire hosted between 175,000 and 360,000 refugees every year between 1990

and 1997, and still hosted around 138,000 in 1999.

The wars in West Africa during the 1990s have had a number of different dimensions, including ethnic tensions, struggles for resources, and uprisings of disaffected youths. Focusing on ethnic tensions, some observers point out that in Liberia the rebel forces initially had an ethnic character, even though they drew in participants from a wide cross-section of Liberian youth. In Senegal, the Casamance separatists were often portrayed as a movement of the Jola people, but not all Jola were separatists and not all separatists were Jola.

Other observers have characterized these wars as being primarily struggles for control over timber and diamond resources. In Liberia, clandestine logging was a mainstay of the rebels, much of the timber ending up in France. In Sierra Leone, rebel forces depended largely on the diamond trade for purchasing weapons, and both the government and rebels turned to international mining and security companies for support. Others claim that the common thread in the three conflicts was not ethnic tensions or competition over resources, but rather the impact of corruption and state recession on marginalized and vulnerable youths.<sup>iii</sup> The prolonged struggle in Casamance, where there was little in the way of timber or minerals, is sometimes cited as an example.

### Liberia

The conflict that affected Liberia throughout the 1990s began in December 1989 between forces of the National Patriotic Front of Liberia (NPFL), who were mostly ethnic Gio and Mano, and forces loyal to President Samuel Doe, who were mostly ethnic Krahn people. The conflict was characterized by massacres of civilians, mutilations, widespread destruction of property,

and the recruitment of large numbers of child soldiers who were often made to kill to prove their loyalty. During eight years of terror, more than 150,000 Liberians were killed and half of all Liberians fled their homes. Of the more than 1.7 million uprooted, approximately 40 per cent fled to neighbouring countries and almost all the remainder were internally displaced.

In 1990, in an attempt to restore order, the Economic Community of West African States (ECOWAS) sent a force into Liberia, the ECOWAS Military Observer Group (ECOMOG). ECOMOG gained control of the capital, Monrovia, but 95 per cent of the country remained in rebel hands. Other armed factions emerged, further exacerbating the conflict. There were 11 such factions by 1994. The conflict became one of the most destructive, intractable, and yet least publicized civil wars anywhere in the world.

Even in Monrovia, civilians were not safe. Continued fighting for control of the city repeatedly displaced people sheltering there. In April 1996, fighting among the various three armed factions seeking control over the city left 3,500 dead. More than 350,000 civilians, including displaced people in Monrovia, fled the city. Among them were at least 2,000 Liberians who fled by sea aboard the *Bulk Challenge*, and 400 others who fled on the *Zolotista*. Both ships sailed from port to port along the West African coast seeking safe haven for the refugees aboard. At each port, they were turned back. Ghana finally permitted the *Bulk Challenge* to land after reports that many of those aboard were gravely ill. The *Zolotista* and its passengers were obliged to return to Monrovia after three weeks at sea.

After the violence in 1996, the warring factions signed an important peace agreement. Unlike the many previous agreements, this one held. In 1997, in an internationally supervised poll, NPFL leader Charles



Taylor was elected president. Although there were no other major military confrontations between 1997 and the end of 1999, the political and security situation in Liberia remained volatile.

### Sierra Leone

In Sierra Leone, an insurgency by the Revolutionary United Front (RUF) began with a cross-border incursion from Liberia in March 1991. The RUF had close connections with Charles Taylor's NPFL, as well as political and economic backing from Libya and Burkina Faso. An ECOMOG force was sent to Sierra Leone to assist the government, but the violence continued, uprooting more than a million people over the next three years. By 1994, the RUF had weakened, but violence against civilians continued unabated, primarily at the hands of disaffected current or former government soldiers.

In 1995, the government hired a South African mercenary force that

helped restore some order, and in early 1996 elections were held. Voters elected a civilian, Ahmed Tejan Kabbah, as president. Finally, the government and RUF signed a peace accord, and hundreds of thousands of displaced people returned home.

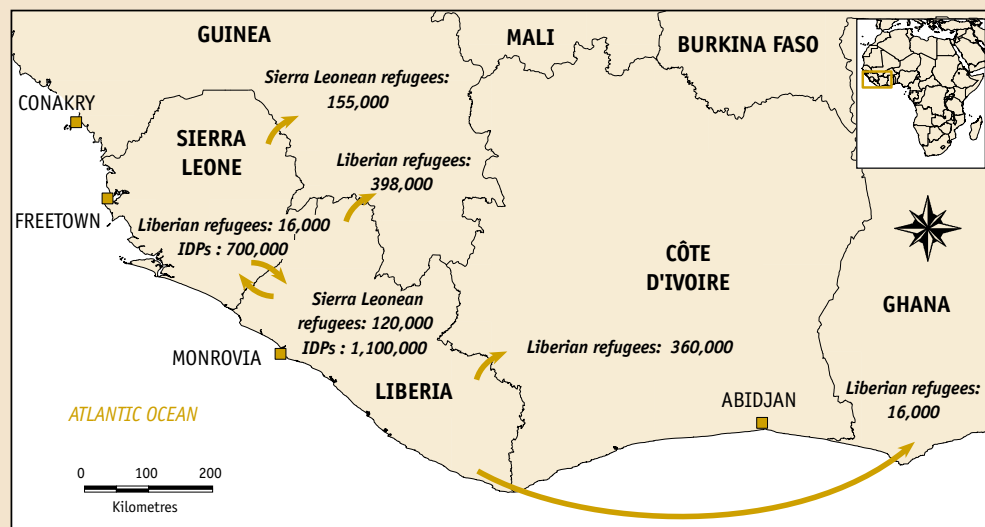
But peace proved elusive. In May 1997, frustrated members of the military joined forces with the RUF, to oust Kabbah and establish an Armed Forces Revolutionary Council (AFRC). Fighting between ECOMOG and AFRC forces displaced thousands more in 1997, but ended when the two sides agreed a new peace agreement in late 1997 that called for the restoration of Kabbah and provided a role for the RUF's imprisoned leader, Foday Sankoh. During 1998, heavy fighting once again displaced large numbers of civilians and by the end of the year, over one million Sierra Leoneans remained uprooted, including some 400,000 in neighbouring countries.

In July 1999, the government and rebels met in Lomé, Togo, and

signed another agreement aimed at ending hostilities. The agreement called on both sides to share power and provided an amnesty for those who had committed atrocities against civilians. ECOMOG was replaced in October 1999 by an 11,000-strong UN peacekeeping force, whose main task was to oversee the demobilization of former combatants and to create a secure environment for the return of refugees and displaced people to their homes. By the end of the year, the situation in Sierra Leone remained precarious, with ceasefire violations, continued human rights abuses, and limited demobilization of soldiers. Despite the amnesty, there are constant reminders of the many atrocities which took place during the 1990s. The large-scale forced recruitment of children which took place during the war, and the gruesome mutilation of civilians which was a particular characteristic of the war, have resulted in a deeply traumatized society.

## Populations of refugees and internally displaced persons in West Africa, 1994

Map 10.1



Source: IDP figures from US Committee for Refugees.

Finally, in eastern Zaire, the conflict in North Kivu was spreading to South Kivu. There, the Banyamulenge, a Zairean Tutsi group, also faced problems resulting from changes made in 1981 to Zaire's citizenship laws. Whipped into a nationalist frenzy by local politicians acting on President Mobutu's behalf, armed elements attacked the Banyamulenge and by mid-September groups of refugees started to arrive at the Rwandan border post of Cyangugu. There were also revenge attacks by Banyamulenge militias against a variety of civilian and military targets in South Kivu. There were reports that soldiers of the Rwandan Patriotic Army (RPA) had entered Zaire from Rwanda and were fighting alongside the Banyamulenge militia and other armed opposition groups which had by then launched a rebellion against the regime of President Mobutu.

A year later, Rwandan Vice-President Paul Kagame confirmed reports that the Rwandan government had provided key support to the Banyamulenge and other Zairean opposition groups in their rebellion. Rwanda's justification for attacking Zairean territory and targeting the refugee camps in North and South Kivu was the need to put an end to armed incursions by Hutu extremists based in the refugee camps.

The already difficult position of UNHCR and other humanitarian organizations in the Kivus became more difficult still. Rarely, if ever, had humanitarian organizations become so clearly identifiable with the primary military objective of a war—the dismantling of refugee camps which they had built and supported for the past two years. This was further complicated by the presence of the Zairean Contingent, which UNHCR paid to maintain law and order in the camps, but which—being a Zairean military force—attempted to fight the rebels. Resistance to military advances by the rebel forces, heavily backed by the Rwandan government, also came from the ex-FAR.

UNHCR was therefore portrayed by the Rwandan government and its allies as supporting not so much the refugees, but the *génocidaires* and their sponsor, the regime of President Mobutu. The refugees also criticized UNHCR, and when the High Commissioner exhorted Rwandans caught in the conflict to return to Rwanda, extremist groups accused UNHCR of collaborating with the attackers. The Zairean government even accused UNHCR of having taken part in what they described as the 'invasion' of South Kivu.

UNHCR and other humanitarian organizations thus found themselves in a situation which was not only politically extremely difficult, but also increasingly dangerous. The argument that humanitarian aid in the absence of political action can prolong, and sometimes exacerbate, armed conflict was given force by the events in eastern Zaire. As High Commissioner Sadako Ogata stated at the beginning of October 1996:

The link between refugee problems and peace and security is perhaps nowhere more evident than in the Great Lakes region in Africa . . . Probably never before has my Office found its humanitarian concerns in the midst of such a lethal quagmire of political and security interests. While our humanitarian assistance and protection serve an innocent, silent majority of needy and anxious refugees, they also serve the militants who have an interest in maintaining the *status quo*. This cannot go on.<sup>19</sup>

## Attacks on the Goma refugee camps

The armed forces operating against the Rwandan (and Burundian) refugee camps in South Kivu were at first difficult to identify. They were initially all referred to as Banyamulenge. But after mid-October, mention was increasingly made of the Alliance of Democratic Forces for the Liberation of Zaire/Congo (*Alliance des forces démocratiques pour la libération du Zaïre/Congo*, or AFDL/ZC), a name which implied a native Zairean participation in the new war and a wider political agenda.

But, even if there were a wider agenda, the refugee camps were the initial target. The first ones to be attacked were those to the south, in the Uvira area, which hosted the bulk of the Burundian refugees. These camps had been infiltrated by the Forces for the Defence of Democracy (*Forces de défense de la démocratie*, or FDD), who were Hutu guerrillas fighting the government of President Buyoya, who had seized power in mid-1996. In October 1996, the camps were overrun with surprising ease and the refugees were quickly herded across the border into Burundi. The FDD suffered heavy losses in the process. These attacks assisted President Buyoya in Burundi at a critical juncture. The attack on Uvira forced UNHCR and its partner agencies to suspend their operations; expatriate staff were evacuated, leaving behind their Zairean colleagues and tens of thousands of refugees. UNHCR premises were looted and vandalized.

After the main attack in Uvira, the surviving Rwandan refugees were swept northwards towards Bukavu. By then Bukavu itself had come under attack. The last international aid workers were evacuated from Bukavu during heavy fighting on 29 October, when UNHCR and its partner agencies suspended their operations. Again the Rwandan refugees were forced to leave, moving either westwards or northwards, in an attempt to link up with the main body of refugees in the Goma area.

But North Kivu was also unsafe. The rebellion was spreading with great speed, taking Zaireans and international observers alike by surprise. Rebel forces attacked two of the camps north of Goma—Katale and Kahindo—and hundreds of thousands of people were forced to flee towards the two last bastions of safety, the camps at Mugunga and Kibumba. A few days later, Kibumba was the object of a direct attack, and over 200,000 refugees fled towards Goma town and Mugunga. On 31 October, Goma town itself came under attack. On 2 November, UNHCR staff and other humanitarian staff remaining in Goma were evacuated across the border to nearby Rwanda, under RPA protection.<sup>20</sup>

These events amounted to a dramatic failure by the international community of refugee protection. They also represented one of the most serious crises in UNHCR's history. In the space of a few days, UNHCR and its partner agencies had been obliged to abandon hundreds of thousands of refugees in a situation of intensifying conflict. They were cut off from the only remaining refugee camp and had lost touch with the majority of refugees now moving in disorder across the Kivus. The plight of these refugees, many of whom were fleeing through the dense rainforests of eastern Zaire, demanded urgent action. As in 1994, UNHCR requested an international force to protect humanitarian access to refugees. But if mobilizing such a force had been difficult in 1994, it was now almost impossible.

The refugees, whether they liked it or not, were under the complete control of armed elements. The difficulties and contradictions of past years had reached a peak. Once more, a protracted discussion on whether or not to send a multinational force, and on what it should do, took place in Western capitals, but nothing happened on the ground.

While the suspension of humanitarian operations had been a dramatic one, UNHCR and its partner agencies were able to resume some activities only a few days later. With the rebel forces, now known as the AFDL, occupying most of the eastern Kivus, the United Nations started negotiating the resumption of humanitarian activities in the areas under AFDL control. A UN delegation met in Goma with the AFDL leader, Laurent-Désiré Kabila, who was later to become president of the Democratic Republic of the Congo. The AFDL, adopting a tactic which was to be used over and over again in the following months, announced that it would allow UNHCR to have access to refugees, while in reality it limited access to areas that had come under its control. Invariably, UNHCR only gained access after suspected armed elements had been killed. Often refugees were also killed in the process.

On 12–13 November, the camp of Mugunga was bombarded by the RPA. Refugees tried to flee west, further into Zaire. Some managed to do so, but most were blocked by rebel forces. The only way to safety was the road leading back to Rwanda. Large numbers started to stream across the border. Meanwhile, UNHCR had been authorized by the AFDL to resume activities in Goma. All its staff could do, however, was to watch hundreds of thousands of people walk in eerie silence back to the country from where—under a different kind of pressure, but equally unwillingly—they had fled in a mass exodus just over two years earlier.

### **Repatriation from Tanzania to Rwanda**

The situation in the Rwandan refugee camps in Tanzania had always been less tense than in the camps in Zaire. The grip of the former regime over the refugee population was weaker, the ex-FAR troops did not have the same military presence, and the attitude of the Tanzanian authorities was much more resolute and transparent than that of the Zairean government. A Tripartite Agreement on Voluntary Repatriation had been signed on 12 April 1995 between Rwanda, Tanzania and UNHCR. But repatriation had nevertheless been extremely limited: 6,427 people in 1995 and 3,445 in 1996, out of a refugee population of around 480,000 in the camps.

The presence of this large number of refugees in western Tanzania had resulted in various problems, including deforestation, theft and occasional violence. The massive forced repatriation which occurred in Zaire in November 1996, was therefore taken by the Tanzanian authorities as a clear signal. President Benjamin Mkapa declared: 'Repatriation of the refugees is now much more feasible.'<sup>21</sup> The next day Colonel Magere, the permanent secretary of the Ministry of Home Affairs, met with the UNHCR Representative and told him: 'Following the mass return from eastern Zaire and the developments which have taken place, the Rwandese refugees in Tanzania have no longer any legitimate reason to continue to refuse to return to Rwanda.'<sup>22</sup>

UNHCR officials in Tanzania argued that safe repatriation to Rwanda was possible, and claimed that many refugees were willing to repatriate but were being prevented from doing so by their leaders. These leaders, they argued, many of whom were *génocidaires*, were effectively holding the majority of the refugees as hostages, to provide a cover for themselves. UNHCR therefore decided to take action to undermine the leadership by publicly calling for the refugees to repatriate.<sup>23</sup> On 6 December 1996, the Tanzanian government and UNHCR issued a joint statement to all Rwandan refugees in Tanzania.<sup>24</sup> It stated that the Tanzanian government had decided, following recent commitments made by the Rwandan government, that all Rwandan refugees 'can now return to their country in safety' and that all the refugees 'are expected to return home by 31 December 1996'. It then stated: 'The Tanzanian Government and UNHCR, therefore, urges that all refugees make preparations to return before that date'. Rather than repatriating, however, on 12 December refugee leaders decided to move the refugees further east into Tanzania. The Tanzanian government immediately took action to prevent this movement and deployed troops to redirect the refugees across the border into Rwanda.

*The mass return of refugees from Tanzania to Rwanda in December 1996. (UNHCR/R. CHALASANI/1996)*



## Box 10.5

## Western Sahara: refugees in the desert

The boundaries of what was once known as Spanish Sahara were drawn in four Franco-Spanish agreements between 1900 and 1912, at a time when most of Morocco became a French protectorate. Spanish Sahara remained under Spanish rule until 1975, when the colonial authorities evacuated the territory in response to political developments in Spain, growing resistance to colonialism amongst a large part of the local population, and pressure from independent Morocco. In November, the Madrid Accords between Spain, Morocco and Mauritania split the colony into northern and southern zones, which were ceded to Morocco and Mauritania respectively. It was at this time that the colony became known as Western Sahara. In the following months, thousands of troops and civilians from both countries poured into the newly acquired territory and thousands of inhabitants of Western Sahara left.

During the last years of Spanish rule, an anti-colonial movement had developed around a military and political organization founded in 1973 by a group of students: the *Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro*, better known as the Polisario Front. The unexpected agreement between Spain, Morocco and Mauritania in 1975 provoked renewed support for this organization, which already received military training and equipment from Libya and, increasingly, from Algeria. With the support of the Algerian government, those refugees who managed to flee Western Sahara were settled in four refugee camps to the south of Tindouf, an arid and rocky region in southwestern Algeria. It was from these camps that the Polisario Front proclaimed the independence of the Sahrawi Arab Democratic Republic (SADR) and established a government in exile

in February 1976. When Mauritania renounced its territorial claims in August 1979, Morocco moved to occupy the southern sector and has asserted administrative control since then. The Moroccan and Polisario armies continued a bitter war until a settlement plan was agreed by both parties with UN mediation and approved by the Security Council in April 1991. Under the plan, they implemented a formal ceasefire from September and agreed to hold a referendum under the auspices of the United Nations. This would give the Sahrawi people the opportunity to choose between integration with Morocco and independence.

The complex process of establishing the electorate for this referendum has been carried out by the United Nations Mission for the Referendum in Western Sahara (MINURSO), which was set up in April 1991. The task of identifying Sahrawis among a population scattered throughout the region has been repeatedly delayed by disagreements between the Moroccan government and the Polisario Front as to who is eligible. Both sides believe the composition of the electorate will determine the outcome of the referendum. By December 1999, more than five years after the voter registration process began, and after interviewing 198,500 applicants, of whom just over 86,000 were deemed eligible to vote, MINURSO had still not completed its task. It has become embroiled in a difficult and delicate phase of appeal hearings launched by some two thirds of those denied registration.

In anticipation of the referendum, UNHCR has been preparing for the voluntary repatriation of those refugees who have the right to vote and their immediate families—some 120,000 people in all. The over-

whelming majority of the refugees have consistently said they wish to return to the part of Western Sahara east of a 2,500 km long wall of sand—the berm—erected by Moroccan forces, regardless of which part of the territory they originally came from. In an attempt to build confidence, UNHCR has tried to promote family visits across the border. But the refugees themselves are concerned for their security if they are to return to the western part of the territory.

Western Sahara remains divided into two zones either side of the berm. Polisario forces control a sizeable part of the interior and up to the eastern borders with Algeria and Mauritania. Morocco maintains control over the coastal areas, including the so-called 'useful triangle' in the north between Laayoune, Smara and the vast phosphate reserves in Boucraa. While the boundaries of these zones have barely altered over the last decade, much has changed within them. Morocco has considerably improved the basic and industrial infrastructure in Laayoune and, to a lesser extent, in the rest of the 'useful triangle'.

### The refugee camps

In 1975, the largest proportion of the refugees fled to the harsh desert area around Tindouf, about 500 kilometres east of Laayoune and 50 kilometres from the border with Western Sahara. By the end of 1976, some 50,000 Sahrawis were reported to be living in settlements there. Three refugee camps were established over an area of a few hundred square kilometres, which the Algerian government temporarily ceded to the SADR. Later, a fourth camp was established. The refugees

in these camps received humanitarian assistance from the Algerian government, the Red Crescent and UNHCR. At their peak, the camps accommodated some 165,000 people, according to estimates by the Algerian government.

During the military conflict, most of the men from the camps joined the growing and increasingly well-equipped Polisario army. The women ran the camps. Over the past 25 years, hospitals, schools, workshops and ministries have been built amongst the tents that are the refugees' homes.

Today, the refugees are largely dependent upon international assistance. This is provided by the European Community Humanitarian Office (ECHO), the Algerian government, the World Food Programme and UNHCR, as well as various European non-governmental organizations and bilateral sources. Nonetheless, standards of nutrition, hygiene and medical care have been deteriorating steadily over the years. Malnutrition and illness amongst children are on the rise and the quality of drinking water is poor. Refugees have access to primary and secondary education in the camps and some have found opportunities to continue their studies abroad. Every year, a few thousand refugees spend their summer holidays in Europe, particularly in Spain, as guests of sympathetic families. In addition to the refugees in these camps, at the end of 1999 there were estimated to be around 26,400 Sahrawis in Mauritania and over 800 who had become students in Cuba.

Over the years, the Polisario Front has maintained close links with the Sahrawi refugees. The organization has set up a wide network of representatives. Most live in Europe, particularly in Italy and Spain. Other

representatives, scattered throughout the world, establish and maintain networks of assistance for the refugees and support for the Sahrawi struggle for independence.

Despite the Sahrawis' considerable success in promoting projects to improve social welfare in the camps, some refugees have left the camps in search of work. Many refugees have joined their relatives in Mauritania, Algeria, and even Morocco. Some of those remaining in the camps migrate seasonally, leaving the Tindouf during the hot summer months for places like the Canary Islands, mainland Spain or further afield.

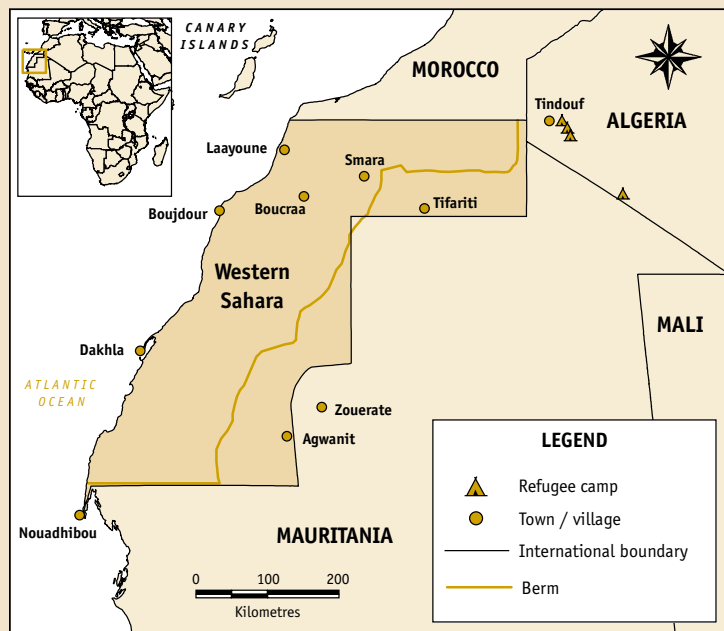
But most Sahrawi refugees still live in the camps or visit them frequently. Many have been

increasingly active in social and economic relations with Sahrawi communities as far away as the Mauritanian cities of Nouadhibou and Nouakchott, in the Canary Islands and mainland Spain. These activities now account for a significant part of the economy of the camps.

More than 25 years have elapsed since the Sahrawi refugee population dispersed and it is almost nine years since the referendum was first supposed to take place. It has still not been decided when the referendum will take place and there are no enforcement mechanisms in place for the implementation of the referendum results. As such, the future of Western Sahara, described by some as 'Africa's last colony', remains uncertain.

Western Sahara, 1999

Map 10.2



The Tanzanian forced repatriation differed greatly from the violent events that had occurred in Zaire, where thousands had been killed and where refugees had been forced to flee into an active war zone. But it caused much controversy. Although UNHCR had never endorsed any proposal to return the refugees by force, the organization was strongly criticized by Amnesty International, Human Rights Watch and other human rights organizations for its role in this repatriation operation, most notably for the joint statement calling for the refugees to return in less than a month.<sup>25</sup>

## Searching for lost refugees in Zaire

In Zaire, the AFDL and its Rwandan allies had launched a military campaign. This eventually took them across the whole country to Kinshasa, which they entered on 17 May 1997, unseating President Mobutu and taking over the government. Meanwhile, in the forests of Zaire, an unknown number of Rwandan Hutu refugees were moving in desperate circumstances. A battle of numbers broke out. In November 1996, a rough head count which had been carried out at the repatriation point between Goma and Gisenyi indicated that a total of 380,000 returnees had crossed during the initial, massive movement following the fall of Mugunga.<sup>26</sup> Returns through Cyangugu and stragglers coming in through Gisenyi in the next few days were thought to have added at least another 100,000. This brought the figure to about 500,000. But a rough estimate was all that was possible.

UNHCR staff agreed with the Rwandan government to use a figure of 600,000 returnees, although they believed that this figure was probably too high. The authorities in Kigali, backed by some Western governments, then insisted that UNHCR's figures for the inhabitants of the camps in Zaire (about 1.1 million) had been vastly overestimated. They now declared, with the backing of the AFDL, that most refugees had returned and that very few—except armed elements with reasons to hide in the forests—remained in Zaire. Meanwhile, UNHCR and other humanitarian agencies claimed that hundreds of thousands had not yet returned.

The refugee figures became a hotly debated political issue internationally. The deployment of a multinational force had finally been approved by Security Council Resolution 1080 of 15 November 1996, but this presupposed the existence of a sizeable number of refugees still in Zaire. A number of governments did not favour the deployment because it would undeniably expose their soldiers to risks. The AFDL, backed by Rwanda, rejected the idea of a multinational force entirely, fearing that its advance westwards to Kinshasa would be blocked. The AFDL said that it did not need help to bring back the 'few' remaining refugees.

On 21 November 1996, a UN spokesperson in New York announced, referring to UNHCR data, that there were 'still 746,000 refugees in Zaire and the problem is not resolved'. The Rwandan government issued a communiqué on the same day saying that 'the numbers of Rwandan refugees given by international organizations are totally incorrect and misleading' and that people trekking west 'could be



Zaireans or Burundians'. The US ambassador to Rwanda said that there were 'only tens to twenties of thousands of refugees still in Zaire rather than the vast numbers proffered', while the French newspaper *Le Monde* stated in its 23 November issue that there were still 800,000 left. Both of these last two estimates were grossly incorrect. Political interests dictated the figures.<sup>27</sup>

Lieutenant-General Maurice Baril, who had been appointed to head the multinational force in eastern Zaire in mid-November, declared on 21 November 1996: 'The situation is unclear, with refugee estimates varying from 100,000 to 500,000 . . . It will be necessary to be better informed about conditions on the ground to study the military choices which could be made.'<sup>28</sup> In Goma and Bukavu, and later in Uvira, UNHCR was involved in strenuous efforts to locate dispersed refugees, setting up information systems and collection points, and transporting back to Rwanda those wanting to return, which was virtually all of them. UNHCR regularly provided information to those planning the multinational force, but international attention was on the wane again. By the end of the year, the embryonic force headquartered in Uganda was withdrawn. Once again, as had been the case in the Kivu camps, humanitarian agencies were left to operate without much international support.

### **The UNHCR search and rescue operation**

From the beginning, despite statements to the contrary by the AFDL and the Rwandan government, it was clear that many of the refugees driven from the camps in Zaire were stranded in the remote areas stretching west of Goma and Bukavu, deep in Zaire. Hundreds of thousands of Rwandans remained in Zaire. Most fled westwards, simultaneously protected and compelled by the remnants of the ex-FAR. Some groups halted in remote areas and remained in hiding. Others formed strongholds of resistance in places such as Masisi. As the advance of the ADFL and its allies towards Kinshasa became a rout, the fleeing Rwandans became the rebels' principal target, the FAZ having all but dissolved and the only effective resistance being put up by the ex-FAR.

Thousands of fleeing Rwandans perished. The exact number will never be known. Rumours of massacres by the rebels had been rife since the beginning, but were hard to confirm. In November, journalists published the first accounts of killings of refugees. Later, more precise accounts were supplied by non-governmental organizations (NGOs) and human rights groups. UNHCR and other humanitarian organizations which had information about the fate of the refugees were divided over speaking out because of the risk this could pose to their ability to continue the rescue operation. In early December 1996, UNHCR participated in a joint UN mission to Tingi-Tingi, where large numbers of refugees had begun arriving. A second large group was found in Shabunda, further south.

Humanitarian organizations depended on the rebels for access to the refugees and this access was largely subordinated to strategic considerations. After lengthy and painstaking negotiations with the AFDL authorities, UNHCR and its partner agencies set up a number of collection points for refugees. There was a risk,

Rwandan and Burundian refugee movements, 1994-99

Map 10.3



however, that collection points would be used by AFDL authorities to identify and round-up refugees in remote areas. Those who managed to make it to these collection points emerged from the forest in very poor physical condition, terrified both of what they were leaving behind—their earlier captors, the *génocidaires* and their latest custodians, the rebels—and of what awaited them in Rwanda. UNHCR was permitted access to refugees only after the fighting was over.

A turning-point in the war was the fall of the militarized Rwandan Hutu camp at Tingi-Tingi in March 1997. For the rebels, this opened the route to Kisangani, the largest Zairean city between the Kivus and Kinshasa. The events that took place in Kisangani in 1997 provide an example of the relation between the war and the search and rescue operation. In April, UNHCR reached a large pocket of about 80,000 fleeing refugees before the advancing AFDL reached them. UNHCR helped them settle in two encampments south of Kisangani. When the rebels gained control of the area, just as a UNHCR airlift to take the refugees back to Rwanda was about to begin, they denied UNHCR access to the refugees, attacked the camps, and killed any men they suspected of belonging to the armed opposition. In the process, by design or not, many refugees were killed. The location of mass graves was kept off limits to humanitarian organizations.

For those Rwandans it did manage to reach, UNHCR could only offer the option of a return to an uncertain and dangerous situation in Rwanda. Staying in Zaire meant almost certain death. In the circumstances, it was not possible to offer the refugees any other choice. Faced with this dilemma, UNHCR contemplated withdrawing, but the imperative to save lives prevailed. The rescue operation continued until September 1997. UNHCR arranged for the transportation of these refugees by truck or by plane back to Rwanda. Eventually, over 260,000 Rwandans were rescued in this way, some 60,000 of them being flown back to Rwanda in a UNHCR airlift. The organization subsequently mounted a large reintegration operation in Rwanda to assist the hundreds of thousands of returnees.

### **The Rwandan Hutu diaspora**

Many of the Rwandans who were not repatriated and who did not die in their great move westwards, ended up at the other end of the continent, as far away as Angola and Congo-Brazzaville. Some reached the Atlantic Ocean, having trekked for well over 2,000 kilometres. Many among them were the remnants of the FAR and the Hutu militias that the AFDL and its allies had tried to destroy during their attack on the camps in Kivu, and throughout the war. They had weapons and arrived in better physical shape than the ordinary refugees. They could walk more easily and commandeer vehicles, which gave them privileged access to food supplies.

When the rescue operation finished, UNHCR attempted to interview these remaining Rwandans to separate the refugees from the *génocidaires*. Once more, this proved virtually impossible. By 1997, the fate of the refugees had become so

entwined with that of the armed elements amongst them that a separation was quite impractical. In 1999, UNHCR resumed the repatriation of Rwandan refugees who had managed to survive and who had remained in the eastern part of the Democratic Republic of the Congo. More than 35,000 returned that year. The Rwandan armed groups which remained outside Rwanda became a lesser, though continuing, threat to Rwanda. Many followed the example of the members of other defeated armies in central Africa and became 'lost soldiers'. Some found their way into other conflicts, for example in Angola or Congo-Brazzaville. Many continued to fight in the new Democratic Republic of the Congo, where war broke out again in 1998.<sup>29</sup>

## A new phase in the Congolese war

In August 1998, it became apparent that the Rwandan and Ugandan governments no longer supported President Kabila of the Democratic Republic of the Congo. The coalition of African countries that had hitherto supported him had split into two: the first group, led by Angola and Zimbabwe, still supported him, while the second, led by Rwanda and Uganda, now wanted to see him overthrown. The crisis that originally had its epicentre in Rwanda and Burundi was transforming itself into a broader conflict centred on the Democratic Republic of the Congo. This new war had its roots in the Congolese civil war that had brought down President Mobutu and in the unresolved tensions in the wider Great Lakes region. Since Mobutu's downfall, the war has evolved into a struggle for control of the country and its rich natural resources. It has involved the armies of six countries and several other non-state armed groups. The price in human suffering continues to mount. The number of displaced people was estimated to be more than one million by the end of 1999.

This new phase of the war confirms previous tendencies in international involvement in the region. African countries bordering the Democratic Republic of the Congo, and some others, have not hesitated to intervene to defend their strategic interests. Meanwhile, in stark contrast to the crises in Kosovo and East Timor in 1999, the wider international community has been reluctant to intervene. The failure to halt the genocide in Rwanda in 1994, the failure to prevent the militarization of the refugee camps at Goma in 1994–96, and the failure to monitor effectively the dispersal of the Rwandan Hutu refugees driven into Zaire and to protect and assist them, have shown that if civil conflict and forced human displacement are not addressed promptly, the longer-term consequences can be catastrophic.

The April 1994 genocide is the defining moment in the recent history of the region. It could have been prevented. The fact that it occurred was the culmination of decades of missed opportunities. Worse still, its consequences have still not been dealt with adequately and have led to the deaths of tens, perhaps hundreds of

thousands, more people—whether by the gun, by disease or by starvation during the fighting in 1996–97. President Mobutu has gone, but the Democratic Republic of the Congo is not a fully functioning state. The status and nationality of the Banyarwanda in the Kivu region remain unresolved. The security situation in Rwanda remains volatile, as it does in Burundi. The antagonism between Hutu and Tutsi endures.

In central Africa, humanitarian organizations have been caught up in long-term political processes involving a high degree of violence and coercion. The pattern of conflict and the consequent movement of people is something such organizations cannot effectively predict or control. In dealing with the effects of violence, organizations such as UNHCR have been forced to negotiate with armed groups that show a high degree of political sophistication and a capacity for ruthless manipulation of the populations under their control. Often humanitarian organizations have found themselves on the front line of conflict while the rest of the international community has held back. Only an international response which is better orchestrated and brings the process of peacekeeping and diplomatic pressure into the same frame as humanitarian assistance, can hope to improve the flawed record of the last decade.

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