

# **The Politics Of Forced Migration:**

**A Conceptual, Operational and Legal Analysis**

Nitza Nachmias  
with Rami Goldstein, Editors

# Contents

<b>Foreword</b>	
<i>-Roberta Cohen-</i>	..... 11

<b>Introduction</b>	
<i>-Nitza Nachmias-</i>	..... 19

## **Part: I** **Forced Migration Revisited**

<b>1. Questioning the Terminology and Definitions of Forced Migration</b>	
<i>-Alan James-</i>	..... 39
<b>2. Review of the International Rules in the Treatment of Refugees</b>	
<i>-Leon Gordenker-</i>	..... 63
<b>3. Everyone's and No One's: IDPs, Refugees, and the Politics of Aiding the Displaced</b>	
<i>-Abby Stoddard-</i>	..... 87
<b>4. Paradigm Shift In International Refugee Assistance</b>	
<i>-Claudena M. Skran-</i>	..... 101

**Part: II**  
**Causes and Effects of Forced Migration:**  
**Case Studies**

5. A New Approach to Afghan Refugees: Victims of Shifting Politics  
*-Arne Strand and Petter Bauck - .....135*
6. Moral Dilemmas: Assistance to Victims and Killers in Rwanda  
*-Beth Elise Whitaker - ..... 169*
7. The Doubtful Effects of Military Intervention  
on Forced Migration in Yugoslavia  
*-Joseph Rudolph - ..... 191*
8. Forced Migration and Terrorism: The Case of the Palestinian Refugees  
*-Nitza Nachmias - ..... 225*
9. Legal Dilemmas of the Palestinian "Right of Return"  
*-Rami Goldstein- ..... 267*
10. The Palestinian Diaspora Role in the  
Mobilization and Radicalization of the Community  
*-Sari Hanafi- ..... 315*

**Part: III**  
**A Look to the Future: Possibilities and Constraints**

11. Donor-Driven Disparity? The US Government's Response to  
Forced Migration and Displaced Persons  
*-Abby Stoddard - ..... 349*

12. Refugees and Civil Societies: Positive and Negative Effects  
*-Kendall Stiles- ..... 365*
13. Forced Migration: Legal Constraints and Future Possibilities  
*-Rami Goldstein - ..... 397*

**About the Authors**  
..... 431

**Index**  
..... 435

## CHAPTER SIX:

### Between Victims and Killers: Dilemmas of the International Operation for Rwandan Refugees

**I**n July 1994, television screens around the world were filled with images of Rwandans streaming across the border into eastern Zaire (now the Democratic Republic of Congo) and subsequently dying by the thousands as the result of a cholera outbreak. Dramatic headlines sought to capture the extent of the human misery: "Cholera the New Fear for Pitiful Rwandans,"<sup>1</sup> "Disease Now Stalks Refugees,"<sup>2</sup> "Horror Rises at Way- Stations to Death."<sup>3</sup> The extensive media coverage prompted an outpouring of sympathy in Western countries and growing pressure on governments to take action. Within days, a massive airlift operation was underway to provide clean water, food, and medicine to roughly one million Rwandan refugees.

Based on the media's portrayal, a casual observer could have been forgiven for assuming that the refugees were victims of the genocide in Rwanda that had been the focus of international attention just two months earlier. In fact, quite the opposite was true; among the Rwandans who fled to Zaire were senior government officials and military personnel who had been involved in organizing and perpetrating the genocide. As rebels approached

and eventually seized Kigali, elements of that regime blended in with legitimate refugees fleeing the violence. But the media tended to gloss over this fact in their coverage of the crisis, generally portraying the refugees as victims of an ethnic (or "tribal") war for which no further explanation was needed. In their effort to raise funds for the relief operation, international aid agencies similarly focused on the extent of the suffering rather than the composition of the refugee population.

Attempts to downplay the presence of killers in the camps were perhaps understandable given the precarious nature of funding for relief operations. The international refugee regime,<sup>4</sup> which depends almost exclusively on voluntary contributions from individual states and private donors, is premised on the assumption that refugees are victims. In order to raise the funds necessary for its field operations, the Office of the United Nations High Commissioner for Refugees (UNHCR) must appeal to the humanitarian sympathies of policymakers and their constituents in donor countries. That is difficult even when the refugees in question are clear victims of violence; it becomes still more complicated when the refugee population includes elements that have participated in the violence. Thus, there are obvious incentives for aid agencies to publicly downplay refugees' involvement in conflict. At the same time, however, the agencies are generally very aware of the ethical dilemmas involved in assisting such populations.

In central Africa, the international community encountered a situation in which killers were intermingled with the refugee population and militia were organizing for a return to Rwanda by force. This fact had implications for relief efforts throughout the period of the refugee operation. Although the presence of "refugee warriors" is certainly not new,<sup>5</sup> the Rwandan crisis provides a useful example through which to explore the dilemmas faced by international relief organizations in such cases. After presenting an overview of the Rwandan crisis, this chapter examines the difficult decisions that aid agencies were forced to make in the initial stages of the refugee operation, then again as the situation lingered from months to years, and eventually during the complicated and chaotic repatriation to Rwanda.<sup>6</sup> In the end, it becomes clear that the international community has yet to develop a coherent strategy for dealing with such refugee populations. As a result, UNHCR and other aid organizations will likely continue to find themselves caught between assisting victims and abetting killers.

## The Crisis In Rwanda

The immediate story leading up to the refugee crisis began in 1990, when a well-organized group of Rwandan exiles whose families had been living in Uganda since the 1960s launched an attack into northern Rwanda.<sup>7</sup> A movement had been growing in the 1980s within the Rwandan exile community advocating a massive and imminent return to their home country.<sup>8</sup> This sentiment was strengthened after 1986, when Rwandans who helped Yoweri Museveni come to power in Uganda soon realized that they were not going to find a permanent home there. The invasion of exiles into Rwanda in October 1990 sparked a civil war between the Tutsi-led Rwandan Patriotic Front (RPF), as this group was known, and the Hutu-dominated government under President Juvenal Habyarimana. Very quickly, Rwandan politics once again became polarized along ethnic lines. Government forces targeted Tutsi within the country as alleged RPF sympathizers and a climate of violence and insecurity prevailed.

In October 1993, an agreement was reached in Arusha, Tanzania, between the Rwandan government and the RPF. The accords called for a transitional government in which the two sides would share power, along with other opposition parties, and the integration of their armies. Implementation of the agreement was stalled, however, due mainly to resistance among Hutu extremists who believed the government had conceded too much. In April 1994, Habyarimana traveled to a regional meeting where he finally bowed to international pressure to speed up the implementation process. As he was returning home on April 6, his plane was shot down near the Kigali airport, killing everyone on board. Although the government blamed the incident on RPF forces, most people believed that Habyarimana's own presidential guard shot down the plane under pressure from hardliners who opposed the power-sharing agreement.

Within hours, a massive campaign of calculated terror began in the capital. The violence was politically motivated, but given the nature of identity politics in Rwanda, it took on an ethnic dimension. Hard-line Hutu who opposed the power-sharing agreement targeted prominent Tutsi and moderate Hutu who supported its implementation. Extremists soon projected the violence to the countryside, using media messages and terror to coerce Hutu farmers to attack their Tutsi neighbors. What followed in the coming months was a shocking genocide in which nearly 800,000 Tutsi and moderate

Hutu were killed.<sup>9</sup> Suddenly, this little-known central African country was on the front pages of newspapers and magazines around the world.

Although some Tutsi fled Rwanda in early April 1994, the massive refugee exodus did not begin for several weeks. Ironically, when it did, it was Hutu rather than Tutsi who fled; they feared reprisals by advancing RPF forces. In late April and May, as the RPF moved south, more than 400,000 Rwandans crossed the border into western Tanzania. Those numbers were soon dwarfed, however, by the arrival in mid-July of more than one million refugees in Goma, Zaire. The civil war ended in late July when the RPF seized power in Kigali, but the exodus of refugees continued. Included among them were government officials and troops from the defeated regime. By the end of 1994, up to two million Rwandans were internally displaced and nearly two million others had fled to neighboring countries.

In response to the refugee crisis, various UN bodies and international aid agencies flocked to western Tanzania and eastern Zaire, where they launched massive relief operations. The extent of the response in Goma was particularly overwhelming, due largely to extensive media coverage; roughly 100 NGOs set up operations there, including multiple national chapters of several international organizations. The agencies established systems to provide food, water, health care, and other services to the sprawling refugee camps. Between April and December 1994, international donors allocated nearly \$1 billion to the Rwandan refugee crisis.<sup>10</sup> Once beyond the emergency stage, according to UNHCR sources, the regional refugee operation continued to cost the international community approximately \$1 million per day.

From the beginning, officials of the defeated Rwandan regime took charge of the camps and established systems favorable to their authority. They controlled the distribution of food and relief resources, allowing them to reward loyalty and punish dissent. They convinced civilian refugees to fear repatriation, recruited from the camps to rebuild their army, and taxed relief supplies to finance its mobilization.<sup>11</sup> The situation was worse in Zaire than Tanzania, largely due to the presence of senior leaders from the former Rwandan government.<sup>12</sup> In addition, aid agencies in Tanzania were more successful at conducting elections for new refugee leaders and thus breaking the militants' hold on power. In both contexts, though, it was clear that the refugees were preparing for an eventual return to Rwanda by force.

As a result of these dynamics, the international community was effectively supporting massive refugee camps run by elements of a defeated

genocidal regime who were transforming those camps into bases from which to re-start the war. Few would deny this portrayal, and many have criticized UNHCR for its role in furthering the political and military objectives of Hutu extremists. But the point here is that representatives of UNHCR and other organizations were not ignorant of the situation. They were fully aware that their resources were being used for less than humanitarian purposes, and thus consistently faced dilemmas about their operations. Aid workers were forced to make difficult decisions about the approach they would take to refugee assistance, the relative importance of separating civilian refugees from killers, and the role they should play in the eventual repatriation. Each of these dilemmas is examined in the following sections. While individual agencies and employees responded to the dilemmas in different ways, it seems clear that they did so only after great deliberation, caught as it were between their desire to do good and their hope not to cause greater suffering.

### **The Approach To Refugee Assistance**

In the early days of the Rwandan refugee crisis, UNHCR and host governments favored immediate repatriation. They anticipated that such a large refugee population would be difficult to sustain for any significant length of time. The emphasis was therefore on making the refugee situation as temporary as possible. In both Zaire and Tanzania, refugees were settled in densely populated camps just miles from the Rwandan border. In Tanzania in particular, unlike previous influxes, refugees were allocated tiny plots of land and agriculture was officially discouraged. Strict rules were placed on the movement of refugees beyond their camps. While authorities were aware of the obvious security risks, they hoped that this close proximity to home and the difficulty of life in the camps would tempt the refugees to repatriate spontaneously.

The magnitude of the influx certainly influenced this approach to refugee settlement, but the guilt of some refugees was also a factor. Vincent Parker, a UNHCR spokesperson in Tanzania, explained: "The Rwandans who came in 1994 were perceived as murderers, so the [Tanzanian] government wanted to limit their movement and try to get rid of them as soon as possible. The international community also had this view."<sup>13</sup> In Zaire, in September 1994,



the minister of justice vowed to disarm the Rwandan militia in order to facilitate repatriation by the end of that month.<sup>14</sup> Despite hopes for a quick repatriation, however, aid workers and government officials soon settled in for a longer operation than originally expected.

As it became clear that the camps had been taken over by Hutu extremists, many agencies started to have doubts about their involvement in the relief effort. Aid workers worried that relief resources were making the situation worse rather than better by sustaining the former Rwandan government and its military. Continued protection of these groups by the international community was allowing them to mobilize for an attack back into Rwanda, a possibility that threatened the security of the new RPF regime in Kigali. This dangerous combination increased the likelihood of further conflict, which could only worsen human suffering in the region.

Faced with this realization, in late 1994, two organizations—*Médecins Sans Frontières* (MSF)-France and the International Rescue Committee (IRC)—decided to withdraw from the Rwandan camps in Zaire. In a recent book, Fiona Terry, director of research for MSF and an employee in the region in 1994, defends her organization's decision.<sup>15</sup> She argues that aid agencies should give more consideration to the option of pulling out, and is critical of the logic of institutional preservation that compels agencies to continue their operations regardless of the implications. She holds the organizations that stayed in the camps responsible for sustaining the genocidal regime, thus contributing to the subsequent Rwandan attack and war in Congo (discussed below). Of course, because these agencies stepped in to fill the void left by MSF-France and IRC, the decision to withdraw had little effect on the actual relief operation.

Although confronting a similar dilemma, most other aid agencies chose to continue their operations in the Rwandan camps.<sup>16</sup> To many, the option of not assisting innocent civilians was worse than that of providing assistance that indirectly fueled a war effort. No one knew exactly how many *génocidaires* were among the refugees, but estimates suggested they represented about 10 percent of the camp population.<sup>17</sup> The majority of the refugees consisted of men, women, and children who were under the influence of the militant few but were not themselves guilty of genocide. In such cases, Gerald Martone argues, the withdrawal of relief services is a "cruel and uncreative way" to protest human rights violations.<sup>18</sup> He accuses those who withdrew from the Rwandan camps of violating key humanitarian principles:

By withholding or even withdrawing life-sustaining assistance to refugees of Hutu ethnicity on the basis of an untested generalization of culpability in the Rwandan genocide, were humanitarian agencies being partial? Without a trial, a verdict had been rendered on the basis of ethnicity. Is this not precisely the sort of prejudice and ethnic generalization that had caused the conflict in the first place?<sup>19</sup>

Martone proposes instead that aid agencies develop innovative ways to prevent the diversion of aid resources to military causes, an effort that was not always successful in the Rwandan case. Even when their organizations chose to stay, individual aid workers often faced personal dilemmas about assisting a refugee population that included suspected *génocidaires*. In 1995, after a refugee registration process in Tanzania, the head of the World Food Programme office there asked a volunteer, "So how does it feel to feed a bunch of killers?" Most people dealt with this dilemma by assuming innocence until proven otherwise, which was an effective way to avoid the moral quandary since few *génocidaires* in the camps were brought to justice. After employing this approach for two years, the director of a British NGO was devastated to learn that a senior refugee employee had admitted involvement in the genocide. Over time, even when they tried to avoid the issue, aid workers could not help but wonder which refugees were guilty. As a senior Tanzanian official explained, "suspects of genocide were there in the camps, [but] as time went on, they were all seen as killers."<sup>20</sup>

In the early stages of the Rwandan operation, therefore, the perceived guilt of people among the refugee population affected the nature of settlement and the focus of the relief operation. Aid agencies and individual employees were forced to make a difficult choice: "Should they cease their humanitarian work and put at risk the lives of innocent refugees, or accept the fact that they must hand over millions of dollars in supplies to the perpetrators of Rwanda's recent holocaust, who hope to use the camps as headquarters for rekindling a bloody civil war?"<sup>21</sup> While most opted to continue their operations in the camps, they did so with the knowledge that relief resources were being diverted to other causes. The international refugee regime is thus open to criticism for its role in fueling a war effort, but the difficulty of the choice faced by decision-makers at the time should not be underestimated.

## Focusing on the "Intimidators"

As time went on, Rwandan refugees in Zaire and Tanzania started building more durable dwellings, developing small businesses, and planting little gardens; it was clear that few were planning to return home any time soon. Host governments and relief agencies thus started to suggest new policies designed to facilitate the repatriation process. By early 1995, Tanzanian officials were championing the idea of "safe zones" within Rwanda where civilian populations would be assisted and protected under the same UN organs as the external refugee camps.<sup>22</sup> The idea was based on the establishment in the early 1990s of similar safe areas for Kurds in northern Iraq, essentially to protect Turkey from a massive refugee influx. At regional summits in January and February 1995, leaders of Kenya, Burundi, Rwanda, Tanzania, Uganda, Zambia, and Zaire agreed to support the establishment of safe corridors from refugee camps to the border and of safe zones within Rwanda. Despite its popularity among regional leaders, the idea never gained much support in the broader international community.<sup>23</sup>

In addition to the safe zones proposal, host governments started actively promoting the principle advocated by the new Rwandan government that suspected perpetrators of genocide and intimidators within the camps should be separated from "innocent refugees."<sup>24</sup> There was significant support for this idea among aid workers in the camps. As long as militant elements were in control, they reasoned, ordinary refugees would be prevented from returning to Rwanda on their own. Although extremists' control of camps in Zaire was seen as particularly strong, intimidation was also a factor in Tanzania. On several occasions, officials there reported, individual Rwandan families who registered with UNHCR for voluntary repatriation found their homes destroyed and belongings looted before they could leave the camps.

As the situation persisted, according to UNHCR representative Henrik Nordentoft, relief agencies became "increasingly convinced that people were holding refugees hostage through intimidation and forcing them to stay."<sup>25</sup> Indeed, the perception of the refugees as hostages was widespread. It is not entirely clear, however, the extent to which physical intimidation and violence were necessary to prevent the refugees from returning home; persuasion and cajoling (some might say brainwashing) may have been just as effective. Informal discussions with Rwandan refugees over a period of several years revealed that many truly believed—rightly or wrongly—they would be killed upon returning to Rwanda. Whether this mindset was the

result of militants' public relations strategies or well-founded fears based on the experience of civil war is difficult to know. In any case, throughout 1995, regional governments and relief agencies increasingly focused on the importance of separating the intimidators from the refugees in order to facilitate repatriation.

While the principle of separation was widely accepted, international support to make it happen was not forthcoming. It was clear that international relief agencies did not have the capacity or the enforcement power to identify and arrest war criminals in the camps. As one UNHCR protection officer explained, "We couldn't do it. It was too hard to distinguish the innocent from the *génocidaires*."<sup>26</sup> Nor were host country police and military units equipped to capture killers in the camps, especially those that enjoyed protection from civilian followers. In September 1994, the arrest by Tanzanian police of an official from the former Rwandan government led to three days of violent protests in the camps. Several months later, attempts by Tanzanian officials to arrest a European man accused of genocide were repeatedly thwarted as refugees rioted and protected the suspect.

Officials in Zaire repeatedly pledged their commitment to separating intimidators, but in actuality did nothing to facilitate it. This was the result of a split within the Zairian government. Although ordered by the prime minister and minister of justice to disarm refugee warriors, the army answered only to President Mobutu, who was less interested in such a strategy.<sup>27</sup> In fact, as an ally of the former Rwandan regime, Mobutu gave suspected *génocidaires* freedom of movement rather than arresting them and allowed militia to mobilize and train near the camps. He permitted and even facilitated the procurement of weapons for these groups, despite an international arms embargo, and played a crucial role in the establishment of a Rwandan government-in-exile on Zairian territory.<sup>28</sup> In August 1995, Zaire suddenly expelled 15,000 Rwandan refugees (but did not specifically target militant groups) and demanded the others leave by the end of the year. Despite continued rhetoric about the importance of separation and repatriation, Mobutu had a somewhat different approach.

In November 1995, another meeting of regional leaders was held in Cairo to establish clear plans for repatriation. Facilitated by former U.S. President Jimmy Carter and South African Bishop Desmond Tutu, the summit ended with an agreement to facilitate the safe and voluntary repatriation of all Rwandan refugees at a rate of roughly 10,000 per day.<sup>29</sup> Yet again, Zairian and Tanzanian delegates agreed to disarm and remove *génocidaires* and



intimidators from the camps. But still, separation did not happen and massive repatriation did not begin. In early 1996, more than half a million Rwandan refugees remained in western Tanzania and more than one million continued to live in eastern Zaire.

According to senior UNHCR officials, a primary reason for the failure of repatriation efforts was the lack of international support to separate intimidators and former soldiers from refugees in the camps.<sup>30</sup> The international community continued to seek a diplomatic solution through which they could avoid having to deploy peacekeepers or other armed units to central Africa. In the absence of such support, and lacking their own capacity, relief agencies and host governments had to settle on information campaigns and cross-border exchanges to encourage massive repatriation. Such efforts had little effect. Even though international attention was focused on the guilt of some people among the refugee population, therefore, the lack of will among key actors prevented anything from being done.

### **The Approach To Repatriation**

Throughout 1996, as the Zairian government repeatedly threatened to close camps within its borders, international negotiations continued to seek a resolution to the Rwandan refugee crisis. In the middle of the year, key donors hinted that they would no longer be willing to support the refugee operation, thus intensifying the diplomatic push for repatriation. In October 1996, at a meeting of UNHCR's executive committee in Geneva, regional and UN representatives agreed that there would be all-out measures to promote voluntary repatriation and that refugees would be informed about the climate of donor fatigue. But diplomatic discussions about repatriation were soon to be rendered irrelevant by events in the region.

On October 9, 1996, armed men attacked a hospital in eastern Zaire where Rwandan refugees were being treated. At first, the incident appeared to be a local uprising, but it later emerged that the Rwandan government and its Ugandan allies were backing the rebels. In subsequent days and weeks, rebels systematically attacked the network of refugee camps along Zaire's eastern border. Hundreds of thousands of refugees fled, and aid agencies evacuated their staff from the area. Many refugees congregated in Mugunga camp, west of Goma, where their fate was unknown for several weeks. Finally, on

November 15, rebels stormed Mugunga and sent the refugees running. Within days, roughly 600,000 refugees returned to Rwanda. Another 300,000, many of them suspected *génocidaires*, headed west into the forests of central Zaire, where many were subsequently massacred by advancing rebel and Rwandan troops. Others reached the Republic of Congo, Angola, and Zambia, where new refugee sites were established.<sup>31</sup>

As events unfolded in eastern Zaire, aid workers in Tanzania watched closely. Refugees in the camps were glued to their radios, listening for news on the fate of their compatriots. To many Tanzanian officials, the repatriation from eastern Zaire represented a timely opportunity for Rwandans in Tanzania also to return home. While President Mkapa reiterated his government's commitment to voluntary repatriation, local authorities set about to convince refugees it was time to leave. Then, on November 21, 1996, an envoy from Rwanda met with the Tanzanian president. Although no details about the meeting were released, the significance of the encounter became clear through subsequent events. Rwandan authorities viewed the refugee camps as a threat to their security, and thus had acted to disband the camps in eastern Zaire. They were prepared for the refugees to return from Tanzania, even without the separation of intimidators, and assured Mkapa that the refugees would be protected. In light of this exchange, Tanzanian officials saw conditions as ripe for repatriation.

On December 2, 1996, UNHCR and the Tanzanian government issued a joint statement requiring all Rwandan refugees to leave the country by the end of the month. The order also suspended economic interaction, travel, and agriculture in and around the camps. Within days of the announcement, refugees started fleeing eastwards, refusing to return to Rwanda. In response, the Tanzanian military moved into the region and pushed half a million refugees along the road for anywhere from twenty to 220 kilometers until they crossed the border into Rwanda. By December 28, the repatriation operation was officially finished. Through military aggression and strong-arm diplomacy, therefore, the Rwandan government had managed to achieve in just two months what the international community had failed to accomplish in two and a half years: disbanding the militarized camps along its borders and repatriating most of the refugees.

Just like earlier periods during the relief operation, aid agencies were again obliged to make difficult choices during the repatriation process. They had perhaps less of a dilemma in Zaire, where the military nature of the situation forced most to simply evacuate. In Tanzania, on the other hand, aid

agencies faced a tough decision: they could participate in what amounted to a forced repatriation or they could refuse to participate and risk their other activities in the country. For a variety of reasons, some related to the perceived guilt of the refugee population, most chose to assist as the refugees were marched down the road to Rwanda.

In the case of UNHCR, the agency both issued the joint statement with the Tanzanian government and provided financial and logistical assistance for the operation. It gave the Ministry of Home Affairs more than \$1.5 million toward related equipment and personnel expenses. UNHCR also provided trucks to transport refugees and established way stations along the roads at which high energy biscuits and water were distributed. Although the agency's support was reportedly based on government assurances that force would not be used, UNHCR continued to provide these and other forms of assistance even after it became clear that the military was involved (and largely in control).

Even while UNHCR as an organization facilitated the repatriation exercise, individual field staff continued to be strong voices for refugee protection. Several UNHCR expatriate employees were ordered off the road during the repatriation for challenging the army's conduct, and at least one was expelled from the country altogether. "UNHCR was split," Tanzanian refugee scholar Bonaventure Rutinwa argued. "The decision was approved by Geneva but the field staff were still following the rule book."<sup>32</sup> In the long run, the official UNHCR position seemed to be to support the massive return of refugees to Rwanda while questioning, if not fully criticizing, the use of the military.

To some extent, UNHCR's support for the repatriation exercise was influenced by the increasing difficulty it faced raising funds for the Rwandan relief operation. Its two primary donors—the United States and the European Union—were hesitant to pump more money into the refugee camps. With the exception of France, a close ally of the former Rwandan regime,<sup>33</sup> Western governments largely accepted the argument that peace and stability had been restored to Rwanda, and thus that the refugees should return home. This view was pushed strongly by the RPF government, which was embarrassed that refugees were not repatriating voluntarily. Donors argued that aid funds would be better spent on reconstruction efforts within Rwanda, and were swayed in part by the underlying assumption that the refugees had blood on their hands. Because they supported the goals of the repatriation exercise, therefore, the U.S. and other Western powers remained silent about the involuntary nature of the process.

Other relief agencies also opted to participate in the repatriation operation. Privately, aid workers expressed concern about possible human rights violations, but publicly their organizations said little. Most of the agencies that were active in western Tanzania also had projects in other areas of the country for which they needed to maintain good relations with the government. In addition, at the international headquarters level, many international organizations were split on the issue of repatriation. While staff in Tanzania expressed concern about the operation, staff members in Rwanda supported the move and wondered why the refugees had not been forced to return home sooner.<sup>34</sup> Given these pulls and pushes, international NGOs seemingly decided that silent cooperation was the best approach.

In contrast to the complicity of relief organizations, human rights groups condemned the repatriation operation, attacking the government and especially UNHCR for its role. Amnesty International strongly criticized the process in both Zaire and Tanzania, arguing that it reflected "a shocking disregard for the rights, dignity and safety of refugees."<sup>35</sup> Human Rights Watch accused UNHCR of having "shamefully abandoned its responsibility to protect refugees," and derided others for their tacit approval: "The international community has barely disguised its satisfaction at seeing the refugee camps around Rwanda forcibly disbanded."<sup>36</sup> Human rights activists were thus quite critical of the repatriation process, though their influence on regional policymakers was limited.

During the repatriation from Zaire and Tanzania, therefore, international groups were faced with a dilemma about how to handle the situation. Because some refugees were accused of participating in the 1994 genocide, aid workers, government officials, and even the media seemed to have a different attitude toward the population as a whole. There was little sympathy for the Rwandans and general frustration with their continued presence in camps, where they were seen as hiding from justice. This issue of guilt may help explain the relative silence about the forced repatriation. In fact, Amnesty International, one of the few organizations to publicly criticize, was seen by some as siding with the *génocidaires*. Thus, the same agencies that earlier opted to continue assisting the Rwandan refugee camps, despite the intermingling of victims and killers, subsequently chose not to protest when those refugees were forcibly sent home.

## Conclusion

Throughout the Rwandan refugee crisis in the mid-1990s, the international refugee regime faced a series of dilemmas. At the root of each was the fact that the refugee population included both victims and killers. For a regime that is premised upon the idea that refugees are inherently victims, the possibility that relief assistance could be used to protect killers and even fuel further violence created a difficult moral quandary. In the early stages of the operation, many aid agencies debated their role, and some even chose to withdraw rather than see their resources support military causes. As time went on, consensus developed around the need to separate killers and intimidators from ordinary refugees, but the will was lacking among key international actors to make this idea a reality. Eventually, when the Rwandan government took matters into its own hands, international groups had to determine whether to participate in a forced repatriation operation. Recognizing that there was little sympathy for this particular refugee population, most participated willingly and moved on to other emergencies.

Perhaps more than anything else, the Rwandan crisis demonstrated that the international community has yet to develop a coherent strategy for dealing with "mixed" refugee populations—i.e., those that include both victims and killers. For most relief organizations (but not all), the idea of denying assistance to these populations is not a desirable option. Such an approach is seen as punishing real refugees and is not guaranteed of resolving the problem or preventing further violence. At the same time, however, it seems unrealistic for aid agencies to assist mixed refugee populations just as they would any other. This is essentially what happened in the Rwandan case, with tragic consequences for the region as a whole.

In order to deal more effectively with such refugee populations, therefore, alternative strategies must be developed that openly recognize the political implications of assistance and the possible consequences for aid agencies. Approaches should be tailored to each specific context, with an understanding of the historical roots of the conflict informing the relief plan. Ultimately, though, the ability of the refugee regime to deal with mixed populations will be determined by the will of the international community. If UNHCR and host governments are provided with the resources and support necessary to identify and apprehend war criminals and militants within the camps, these elements can be removed and relief efforts focused on the

remaining refugee population. This may require the commitment of international peacekeepers or specially trained police units. If such assistance is not forthcoming, however, aid workers will continue to face difficult dilemmas as they struggle to assist legitimate refugees without inadvertently furthering the political and military objectives of killers within their midst.

## Notes

1. *Toronto Star*, "Cholera the New Fear for Pitiful Rwandans," 21 July 1994, A16, final edition.
2. Glenn Burkins, "Disease Now Stalks Refugees," *Philadelphia Inquirer*, 21 July 1994, A1.
3. Chris McGreal, "Horror Rises at Way-Station to Death," *The Guardian (London)*, 23 July 1994, 13.
4. This term refers collectively to the various intergovernmental, international, and national organizations involved in refugee aid and protection around the world.
5. Aristide R. Zolberg, Astri Suhrke, and Sergio Aguayo, *Escape from Violence: Conflict and the Refugee Crisis in the Developing World* (New York: Oxford University Press, 1989).
6. The international community also faced considerable debate over the question of whether to intervene in the Rwandan genocide itself. That issue has been the subject of a large body of literature but is not the focus here.
7. The more important historical background is covered extensively by other authors, including René Lemarchand, *Rwanda and Burundi* (London: Pall Mall Press, 1970), Filip Reyntjens, *Pouvoir et droit au Rwanda: Droit public et évolution politique, 1916-1973* (Tervuren: Musée Royal de l'Afrique

Centrale, 1985), Catharine Newbury, *The Cohesion of Oppression: Clientship and Ethnicity in Rwanda, 1860-1960* (New York: Columbia University Press, 1988), and Gérard Prunier, *The Rwanda Crisis: History of a Genocide* (New York: Columbia University Press, 1995), among others.

8 .C.P. Gasarasi, "The Mass Naturalization and Further Integration of Rwanda's Refugees in Tanzania: Process, Problems, and Prospects," *Journal of Refugee Studies* 3, no. 2 (1990).

9. The most complete account of the Rwandan genocide is found in Alison Des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999).

10. Joint Evaluation of Emergency Assistance to Rwanda, *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience* (Copenhagen: Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda, 1996).

11. Howard Adelman, "Chaos in the Camps," *Bulletin of the Atomic Scientists* 58, no. 6 (2002).

12. Informal discussions revealed that the refugees in Tanzania tended to await signals from "our leaders" in Zaire.

13. Personal interview with author, 21 October 1997.

14. Thalia Griffiths, "Zaire urges Rwanda refugees to go home by end of the month," *Independent* (London), 2 September 1994, 12.

15. Fiona Terry, *Condemned to Repeat? The paradox of humanitarian action* (Ithaca: Cornell University Press, 2002).

16. MSF-Spain opted to pull out of the Rwandan camps in Tanzania in early 1995.

17. Adelman, "Chaos in the camps"; Augustine Mahiga, "The United Nations High Commissioner for Refugees' Humanitarian Response to the Rwanda Emergency," Paper presented at the International Workshop on the Refugee Crisis in the Great Lakes Region, Arusha, Tanzania, August 16-19, 1995.

18. Gerald Martone, "Relentless Humanitarianism," *Global Governance: A Review of Multilateralism and International Organizations* 8, no. 2 (2002).

19. *Ibid.*, 153.

20. Personal interview with author, 4 August 1998.

21. *Time*, "Collusion with killers," 7 November 1994, 52.

22. Bonaventure Rutinwa, "Beyond Durable Solutions: An Appraisal of the New Proposals for Prevention and Solution of the Refugee Crisis in the Great Lakes Region," *Journal of Refugee Studies* 9, no. 3 (1996).

23. There were several key differences between central Africa and northern Iraq, of course, not the least of which was the perceived geopolitical importance of each region.

24. See, for example, "Communique of the Regional Summit on Rwanda, Nairobi, 7 January 1995," State House, Nairobi, Kenya.

25. Personal interview with author, 4 August 1998.

26. Personal interview with author, 4 August 1998.

27. Adelman, "Chaos in the camps."

28. Human Rights Watch, *Rearming with Impunity: International Support for the Perpetrators of the Rwandan Genocide* (New York: Human Rights Watch Arms Project, 1995).

29. Douglas Jehl, "Pact Reached on Return of Rwandans," *New York Times*, 30 November 1995, A6, late edition.

30. Ray Wilkinson, "Cover Story: Heart of Darkness," *Refugees Magazine* issue 110 (1997).

31. The flight and massacre of these refugees, and subsequent attempts by the international community to investigate, are important to understanding



complex regional dynamics but are beyond the scope of this analysis. For more information, see Human Rights Watch, *Democratic Republic of the Congo: What Kabila is Hiding: Civilian Killings and Impunity in Congo* (New York: Human Rights Watch/Africa, 1997) and René Lemarchand, "Genocide in the Great Lakes: Which Genocide? Whose Genocide?" *African Studies Review* 41, no. 1 (1998), among others.

32. Personal interview with author, 16 February 1999.

33. France's complex role in the Rwanda crisis continues to be the subject of intense critique. Many observers have accused the French intervention into Rwanda in July 1994 (*Opération Turquoise*) of allowing perpetrators of genocide to slip out of the country unpunished rather than protecting humanitarian interests. For a critique of the French role in Rwandan politics from an insider's perspective, see Prunier, *The Rwanda Crisis*.

34. Even before the repatriation, researchers noticed a division between aid workers in Tanzania and those in Rwanda. While the former were very interested in cross-border cooperation, the latter believed that all of the refugees were guilty of genocide and questioned why their organizations were assisting them. For more information about these divisions, see Adrian Keeling and Carolyn Makinson, "Cross-Border Communications between the Camps for Rwandan Refugees in Tanzania and Programs in Rwanda," Background paper for the International Rescue Committee (1995).

35. Amnesty International, *Great Lakes Region Still in Need of Protection: Repatriation, Refoulement and the Safety of Refugees and the Internally Displaced* (London: International Secretariat, 1997).

36. Human Rights Watch, "Tanzanian Government and UNHCR must respect international law regarding refugees," Press release, 17 December 1996.

## Works Cited

Adelman, Howard. "Chaos in the camps." *Bulletin of the Atomic Scientists* 58, no. 6 (2002): 88-93.

Amnesty International. *Great Lakes Region Still in Need of Protection: Repatriation, Refoulement and the Safety of Refugees and the Internally Displaced*. London: International Secretariat, 1997.

Barber, Ben. "Feeding refugees, or war? The dilemma of humanitarian aid." *Foreign Affairs* 76, no. 4 (1997): 8-14.

Burkins, Glenn. "Disease Now Stalks Refugees." *Philadelphia Inquirer*, 21 July 1994, A1.

"Communiqué of the Regional Summit on Rwanda, Nairobi, 7 January 1995," State House, Nairobi, Kenya.

DesForges, Alison. *Leave None to Tell the Story: Genocide in Rwanda*. New York: Human Rights Watch, 1999.

Gasarasi, C.P. "The Mass Naturalization and Further Integration of Rwandese Refugees in Tanzania: Process, Problems, and Prospects." *Journal of Refugee Studies* 3, no. 2 (1990): 88-109.

Griffiths, Thalia. "Zaire urges Rwanda refugees to go home by end of the month." *Independent (London)*, 2 September 1994, 12.

Human Rights Watch. *Rearming with Impunity: International Support for the Perpetrators of the Rwandan Genocide*. New York: Human Rights Watch Arms Project, 1995.

\_\_\_\_\_. "Tanzanian Government and UNHCR must respect international law regarding refugees." Press release, 17 December 1996.

\_\_\_\_\_. *Democratic Republic of the Congo: What Kabila is Hiding: Civilian Killings and Impunity in Congo*. New York: Human Rights Watch/Africa, 1997.



Jehl, Douglas. "Pact Reached on Return of Rwandans." *New York Times*, 30 November 1995, A6, late edition.

Joint Evaluation of Emergency Assistance to Rwanda. *The International Response to Conflict and Genocide: Lessons from the Rwanda Experience*. Copenhagen: Steering Committee of the Joint Evaluation of Emergency Assistance to Rwanda, 1996.

Keeling, Adrian and Carolyn Makinson. "Cross-Border Communications between the Camps for Rwandan Refugees in Tanzania and Programs in Rwanda." Background paper for the International Rescue Committee, 1995.  
Lemarchand, René. "Genocide in the Great Lakes: Which Genocide? Whose Genocide?" *African Studies Review* 41, no. 1 (1998): 3-16.

\_\_\_\_\_. *Rwanda and Burundi*. London: Pall Mall Press, 1970.

Mahiga, Augustine. "The United Nations High Commissioner for Refugees' Humanitarian Response to the Rwanda Emergency." Paper presented at the International Workshop on the Refugee Crisis in the Great Lakes Region, Arusha, Tanzania, August 16-19, 1995.

Martone, Gerald. "Relentless Humanitarianism." *Global Governance: A Review of Multilateralism and International Organizations* 8, no. 2 (2002): 149-154.

McGreal, Chris. "Horror Rises at Way-Stations to Death." *The Guardian (London)*, 23 July 1994, 13.

Newbury, Catharine. *The Cohesion of Oppression: Clientship and Ethnicity in Rwanda, 1860-1960*. New York: Columbia University Press, 1988.

Prunier, Gérard. *The Rwanda Crisis: History of a Genocide*. New York: Columbia University Press, 1995.

Time. "Collusion with killers." 7 November 1994, 52.

Toronto Star. "Cholera the New Fear for Pitiful Rwandans." 21 July 1994, A16, final edition.

Terry, Fiona. *Condemned to Repeat? The paradox of humanitarian action*. Ithaca: Cornell University Press, 2002.

Reyntjens, Filip. *Pouvoir et droit au Rwanda: Droit public et évolution politique, 1916-1973*. Tervuren: Musée Royal de l'Afrique Centrale, 1985.  
Rutinwa, Bonaventure. "Beyond Durable Solutions: An Appraisal of the New Proposals for Prevention and Solution of the Refugee Crisis in the Great Lakes Region." *Journal of Refugee Studies* 9, no. 3 (1996): 312-325.

Wilkinson, Ray. "Cover Story: Heart of Darkness." *Refugees Magazine* issue 110 (1997).

Zolberg, Aristide R., Astri Suhrke, and Sergio Aguayo. *Escape from Violence: Conflict and the Refugee Crisis in the Developing World*. New York: Oxford University Press, 1989.