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# Britain's Hidden Role in the Rwandan Genocide

The Cat's Paw

Hazel Cameron

ROUTLEDGE



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Finally, thanks to all my family and friends for your love and support through good times and bad. You know who you are.

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# The Cat's Paw Explained

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The cat's paw is a phrase derived from Jean de La Fontaine's fable, "The Monkey and the Cat" (French title, *Le Singe et le Chat*), which appeared in the second edition of his *Fables Choisies* in 1679. There are popular idioms derived from it in both English and French (e.g. a cat's paw) with the general meaning of being a tool or a dupe of another. The allusion is to the fable of the monkey who wanted to get some roasted chestnuts from the fire, and uses the cat's paw to get them from the hot ashes.

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# Acronyms

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APC	Armored Personnel Carrier
AU	African Union
BBTG	Broad-Based Transitional Government
CIA	Central Intelligence Agency
CND	Conseil National de Développement
DAMI	Détachement d'assistance militaire et d'instruction
DMI	Department of Military Intelligence
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of Congo
FAR	Forces Armées Rwandaises (Rwanda Armed Forces)
FCO	Foreign and Commonwealth Office
GOR	Government of Rwanda
ICISS	International Commission on Intervention and State Sovereignty
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the Former Yugoslavia
ILC	International Law Commission
MDR	Mouvement Démocratique Républicain
MRND	Mouvement Révolutionnaire National Pour le Développement
NRA	National Resistance Army
OAU	Organization of African Unity
Parmehutu	Parti du mouvement de l'émancipation des Bahutu
R2P	Responsibility to Protect
RANU	Rwandan Alliance for National Unity
RPF	Rwandan Patriotic Front
RTLM	<i>Radio et Télévision Libres des Milles-Collines</i>
SAM	Surface-to-Air Missile
SIS	Secret Intelligence Service
SRSG	Special Representative of the Secretary-General
SZH	Safe Humanitarian Zone
UKMIS NY	United Kingdom Mission to the United Nations

UNAMIR	United Nations Assistance Mission for Rwanda
UNGC	United Nations Convention on the Prevention and Punishment of the Crime of Genocide
UNOMUR	United Nations Observer Mission Uganda–Rwanda
UNSC	United Nations Security Council



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## Preface

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On arrival at the entrance to the prison in Kigali, my immediate access was restricted by a mere length of rope that was lowered by the guard on duty on production of my official letter of authority to enter. Thereafter I was left to wander down the sloping pathway and into the courtyard of the prison, where crowds of family and friends of those incarcerated gathered to hand in food for the inmates' lunch. I was not entirely alone as the Government insisted on providing me with an 'interpreter' named Emmanuel, despite having made my own arrangements with an independent translator. Emmanuel was, of course, not an interpreter but a member of Rwandan intelligence, and I was strongly advised by a friend in Rwanda to be very careful.

Despite being within the grounds of an overcrowded Rwandan prison with several hundred prisoners in identical pink uniforms milling around and no sign of prison guards in attendance, at no time was there any sense of danger. The atmosphere within the prison was one of cordiality between the prisoners, prison governor and the prison guards – on the rare occasions they were seen. This air of geniality was unanticipated in an environment where a vast number of those present have been charged or convicted of crimes of extreme violence and multiple deaths.

I had been granted an interview with Agnes Ntamabyariro, a former Judge who was the Minister of Justice in the interim government in Rwanda formed in April 1994 after the assassination of President Habyarimana. Ntamabyariro fled to Zambia with her family in 1994; the following year, she was drugged and kidnapped by Rwandan commandoes, awakening to find herself in prison in Kigali. When I met her more than a decade later, she was still awaiting trial, accused of being one of the leaders and organisers of the 1994 genocide, responsible for crimes against humanity and genocide. She was sentenced to life imprisonment in January 2009, although there is doubt over the credibility of the prosecution witnesses at her trial. Ntamabyariro is the only member of the former government to be tried in Rwanda. The prosecution have requested that she be held in isolation for the duration of her sentence.

Her advice to me was, 'Look at the British – they are guiltier than the French'.

As I left the prison and stepped over the lowered length of rope that marked my exit, the air of geniality of the past few hours quickly dissipated.

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# An Introduction

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In an ideal world, states would be able to keep politics and economics apart. But states are political and politics inevitably encroach on economics in the pursuit of international objectives. Critical criminologists have successfully demonstrated that states can be crucial in the organisation and support of activities that violate their own laws and international laws, and in so doing fulfil their own broader political and economic objectives (see Coleman *et al.* 2009). International criminal law pertinent to genocide is a useful example of the aforementioned, and is employed in this book to provide a lens for understanding the scope of liability relative to state complicity in genocide where the state under examination is not the primary perpetrator or co-author of the massacres. This is particularly relevant in an era when certain states have substantially greater power and resources than others and seek to influence events abroad.

### Colonialism and genocide

There is no indication as to where or when the first genocide occurred since the evidence from antiquity is contradictory, ambiguous or missing, but it is fair to say that the crime is ancient. Accounts are available of horrifying genocidal massacres in the eighth and seventh centuries BC in the Assyrian empire, as well as the many genocidal conflicts in the Bible and the chronicles of Greek and Roman historians.

Charles Darwin drew analogies between genocide and the colonial world, arguing that 'wherever the European has trod, death seems to pursue the aboriginal' (cited in Merivale 1861: 541). Some of Darwin's first diary entries note his observations of European colonists doing their best to make the indigenous people extinct. Deliberate colonial policies promoting genocide and the elimination of a culture cannot, however, be described as a universal feature of colonialism (Kuper 1981; Thomas 1994; Mann 2005), although European colonisers undoubtedly largely displayed a wilful disregard for the fate of the colonised. Such was the case in sixteenth-century Mexico, where Spanish colonists inadvertently introduced disease, reducing a population of

over 5 million in 1492 to only 500,000 by 1892, with survivor figures deteriorating even further to 250,000 by 1900. That the substantial loss of life in indigenous communities came about accidentally or as a result of callousness as opposed to intent to kill does not lessen the culpability of the colonisers (Sale 1990; Stannard 1992; Gellately and Kiernan 2003).

The introduction of disease by colonising forces was not always unintentional. Throughout the seventeenth and eighteenth centuries, the colonies that became the United States saw massive brutality and deliberate exterminations for which European forces must bear responsibility (Gellately and Kiernan 2003). Levene argues that their conduct is describable as genocide (2005b). It was a British army officer who, in 1763, urged a field officer in Philadelphia to deliberately introduce smallpox amongst the tribes of disaffected American Indians, suggesting the use of infected hospital blankets to inoculate the intended victims, 'as well as to try Every other method that can serve to extirpate this Execrable Race [sic]'. The orders of one army officer to his troops was to 'Kill and scalp all, little and big ... Nits make lice' (Stannard 1992: 129). Military hospital records confirm that infected blankets and handkerchiefs were removed and further documents reveal 'the eruption of epidemic smallpox' among Delaware and Shawnee Indians in the vicinity, at about the same time the blankets were distributed (Fenn 2000: 1554–8).

In the late eighteenth and early nineteenth centuries the two most notable repeat-perpetrators of genocide were Britain and the United States. Such instances of genocide would appear to relate closely to regions on their domestic or colonial frontiers where state consolidation remained incomplete, or where expansion continued to be contested by native people (Levene 2005a: 162). The 'complete eradication of the autochthonous element [the native Tasmanians] in the seventy years after the first white settlement on the south Australian island, in 1803, has been repeatedly taken as a unique example of a British organised genocide' (Levene 2005b: 37). Whilst some comparative genocide scholars view the Tasmanian case as one of unmitigated genocide (see Kuper 1981; Fein 1993), the majority of Australian experts are considerably more circumspect in their analysis (see Ryan 1996: 3; Moses 2000: 103).

The Irish Famine of 1846–51 killed a million people in peacetime, and led to the enforced migration of a further million people from another British colony:

What happened in Ireland in the early 1650s ... is recognisably akin to the 'dirty' counter-insurgency wars of the twentieth century where an imperial or colonial power, or its proxies, seeks to win a struggle against an alternative political programme by treating not just the insurgents but their whole supporting population as equally guilty and thereby equally expendable.

(Levene 2005b: 55)

It is generally accepted that the British Government provided minimal assistance to the starving Irish, and none at all after October 1847. Indeed,

1849 witnessed the British Prime Minister Russell refuse Ireland the £100,000 that was considered necessary to prevent further starvation (Ó Gráda 1999: 77, 83). Some commentators argue that such conduct is perceivable as a British 'policy of extermination of the Irish' (Gellately and Kiernan 2003: 25), however not all scholars agree that genocide took place in Ireland at the hands of the British Government (Kuper 1981; Ó Gráda 1999: 10).

The Herero were probably the first ethnic group subjected to genocide in the twentieth century. The slaughter of the Herero by the German rulers of South West Africa (now the Independent Republic of Namibia) from 1904 onwards was amongst the most destructive of the reprisals of colonisers against colonized in punishment for rebellion (Pakenham 1992: 602–15; Bridgman and Worley 2004: 15–52; Sarkin 2009). Lau (1989: 4–5, 8) raises many provocative questions about the Herero tragedy, arguing that the Herero were not victims of genocide, rather victims of 'a successful psychological warfare, never followed in deed' (ibid: 5). However this has been vigorously and effectively contradicted by Dederling (1993). The current consensus of genocide scholars is that the Herero *were* subjected to an officially sanctioned colonial genocide policy (see Drechsler 1980; Bridgman and Worley 2004; Gewald 2004; Hull 2005) although politicians remain reluctant to classify this tragedy as such whenever possible (Schaller 2005: 532). In 2001, using the procedures of the Alien Torts Claim Act of 1789 in a US federal court, the Herero became the first ethnic group to seek reparations from Germany and certain named companies, for war crimes committed overseas, including colonial policies that fit the definition of genocide (Gewald 2004: 60; Cooper 2007: 113–20; Sarkin 2009).

It has been argued that Joseph Conrad's *Heart of Darkness* is the most enduring and powerful literary indictment of imperialism in Africa (Watt 1979: 161), where colonialism stands accused of torture, cruelty and encouraging cannibalism in King Leopold's Congo Free State (Morel 1905: 437–52).<sup>1</sup> In the meantime, Hochschild's *King Leopold's Ghost* (1999) has significantly influenced contemporary public discussion of European atrocities committed in the Congo. He maintains that although the 'killing in the Congo was of genocidal proportion' it cannot be considered a 'real' genocide, since King Leopold's aim was not the extermination of all the Congolese or of any particular tribes in the Congo (ibid: 2, 25). This is contrary to the view of Raphael Lemkin, a Polish Jewish specialist in international law and the founding figure of the United Nations Convention on the Prevention and Punishment of Genocide (UNGC). In his unpublished material, Lemkin argues that 'the imposition of Belgian colonial rule in the Congo and the forced labour of the indigenous population that went with it was an unambiguous genocide' (Schaller 2005: 535). Clearly Lemkin believed that Leopold *did* attempt to exterminate particular tribes in the Congo. It should be noted that, although Lemkin was very much against the violent suppression of the Herero by the Germans and the monstrous exploitation of the Congo by the

Belgians, the founder of the UNGC was in fact 'an enthusiastic advocate of colonialism' and somewhat surprisingly, had himself an extremely racist perception of Africans, whom he described as 'either weak-willed and helpless victims' or as 'bloodthirsty cannibals' (ibid: 536).

Many of Lemkin's unpublished works deal with the atrocities committed by European colonialists (ibid: 531), and indeed colonialism is central to Lemkin's concept of genocide. McDonnell and Moses have detailed how 'the intellectual breakthrough that led to the concept of genocide' came as a direct result of Lemkin's interest in colonial genocides, and not, as is commonly believed, as a response to the Holocaust (ibid: 501). They argue that the colonial foundation to the coining of the term 'genocide' has been 'studiously ignored in the literature' and is only now emerging as a theme in studies of imperial history (ibid: 502).

In a 1941 BBC radio broadcast, the British Prime Minister Winston Churchill described the actions of the Nazis in Europe as 'a crime without a name' (Power 2002: 29; Elder 2005: 470). Two years later, Lemkin created the neologism of 'genocide' to express, 'the use or a user of deliberate, systematic measures such as killing, bodily or mental injury, unliveable conditions, prevention of births, calculated to bring about the extermination of a racial, political, or cultural group or to destroy the language, religion, or culture of a group' (Elder 2005: 469).

### **Contemporary genocide**

In the spring of 1994, the impoverished country of Rwanda became international front-page news because of genocide. Rwanda is a small, rural, landlocked country in the Great Lakes region of central Africa with few natural resources and minimal industry, and with coffee and tea as its primary exports. The same is not true of its near neighbours, Uganda and the Democratic Republic of the Congo (DRC),<sup>2</sup> which are rich in raw materials. In common with numerous countries of the African continent, Rwanda has a history of racism and colonialism in its post-decolonisation era, and has witnessed violence, fear and corruption within its borders.

Throughout the early 1990s Rwanda experienced a low-intensity civil war between the Hutu-dominated Government of Rwanda (GOR) and the Tutsi-dominated Rwandan Patriotic Front (RPF). On the evening of 6 April 1994, the assassination of the President of Rwanda, Juvénal Habyarimana triggered violence against the Tutsi and moderate Hutu in Rwanda. Hundreds of thousands of Rwandans were massacred in the ensuing three months. All serious observers and certainly the international courts have universally declared that events of April to July 1994 in Rwanda constitute genocide as defined by the UNGC. In addition to those crimes committed by the Hutu populations are the mass murders and torture committed by the RPF throughout the 1990s and into the new millennium.

There is a consensus globally that the international community, including the United Kingdom, 'failed' Rwanda in 1994, but after 18 years of systematic disinformation there exists a collective ignorance about what information and intelligence the United Kingdom was in possession of, what options were available to them, and how they responded. This book explores the British government's political and military relationship with the RPF from its inception, throughout the civil war of Rwanda 1990–94 and the subsequent genocide. This permits us, for the first time, to establish Britain's role in the genocide, and to decide whether Britain indeed failed the people of Rwanda – and if so, how it failed them and what the British Government's motivation was in adhering to such policies in Africa.

With few exceptions, journalists and academics have sidelined these questions, assuming that, having no embassy in Rwanda, the British would have had no involvement in the policies relevant to this small country in the period 1990–94, apart from its role as a permanent member to the United Nations Security Council (UNSC). This overarching negation of Britain's role pervades, despite Britain also being a signatory to the UNGC. Where there is now a substantial body of literature detailing the roles of the US and French governments in Rwanda throughout the 1990s, there is no such scholarship to illuminate the role of the United Kingdom in the genocide. The original and rigorous research that forms the body of this book is the first analysis of British policy towards the civil war and subsequent genocide in Rwanda, and illuminates hitherto hidden relationships and findings that assist in pushing back the boundaries of the 'genocide template' (Lemarchand 2006: 9).

The book provides an examination of political life through an exploration of both official and unofficial documentation, as well as previously unavailable insights into the opinions and explanations of senior British politicians of the 1994 Conservative Government led by Sir John Major and members of the Foreign and Commonwealth Office (FCO) regarding Britain's response to the genocide in Rwanda.

### **Sources of evidence: documents**

Many of the early sociologists such as Marx, Durkheim and Weber used documentary research in their studies. It continues to be an important stand-alone research tool and an invaluable part of most schemes of triangulation. Hughes (1996) points out that gaining access to documentary information while conducting criminological research is an ongoing process of negotiating and renegotiating, and this was the case in efforts to obtain official documentary evidence from both Oxfam UK and the FCO. Despite verbal assurances of unproblematic access to the Oxfam documentary archive in Oxford, access was refused after formal application, with no reason provided. It was only after a lengthy, dogged pursuit by letter, email and telephone that the requested



documentation – namely, a copy of a letter that had been hand-delivered by its author, David Bryer, Director of Oxfam, to Prime Minister Major, highlighting his concerns that a genocide was taking place in Rwanda – was forthcoming and forwarded by the Oxfam archivist. Such reluctance to permit access to relevant documentation can perhaps in part be explained by a former Oxfam worker, who states:

With a plethora of new organisations now in the lists, profile is all, and accentuating the positive becomes a 'must'. This is particularly important for those agencies that depend heavily on official funding, since governments want to support organisations that are doing highly visible work. Even an agency like Oxfam, which draws most of its long-term funding from the British general public, is far from immune to such pressures.

(McIntosh 1997: 467)

In sharp contrast to the difficulty of accessing documents from Oxfam UK, the International Committee of the Red Cross (ICRC), unreservedly mailed all the requested documentation both timeously and free of charge.

Many of the most useful primary documents for the purposes of this study are defined as 'public records', being 'records of, or held in, any department of Her Majesty's Government in the United Kingdom' (Public Records Act 1958: c. 51); as such they fall under closure regulations usually of 30 years' duration, and are only accessible prior to this time if they fall to be disclosed within the Freedom of Information Act (FoI) 2000. Price (cited in Walters 2003: 104) has argued that 'fieldwork that relies on the Freedom of Information Act remains fraught with difficulties' due to the often lengthy periods involved in processing requests, and 'it is common that requested information is blacked-out on receipt'. An initial request to the FCO in London for release of documentation pertinent to this study was declined. After further, more specific applications, a rapport was established with a member of staff from the Africa Desk of the FCO, who proved sympathetic to the needs of the study and helpful in negotiating the release of appropriate documents where permissible. These included official cables and telexes dispatched between the FCO, the British embassies in Kinshasa, Kampala, Dar es Salaam, Washington, Paris and New York, and individual Cabinet ministers.<sup>3</sup> Despite this, however, a vast amount of significant documentary evidence remains classified by the FCO, disclosure being refused in terms of FoI. The reason provided for such refusal is the potential to jeopardise relations between the United Kingdom, France, Rwanda and Uganda. The written response explaining this decision is held by the author and has been noted in full below:

We consider that the release of some of the information you are requesting would be likely to prejudice relations between the United Kingdom and other States under *Section 27 (1)(a) – International*