

“A season in hell”: The Rwandan genocide and the ICRC’s Fundamental Principles

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Abstract

How can humanitarians carry out their work during a genocide? Between April and June of 1994, the International Committee of the Red Cross (ICRC) faced that very question. After bloodshed broke out in Rwanda, the ICRC was the only remaining humanitarian organization in the country and continued its aid work while surrounded by brutal violence. Based on previously published materials,¹ this article examines the strategies that enabled the ICRC to pursue its humanitarian mission in the face of the most basic inhumanity. In particular, the International Red Cross and Red Crescent Movement’s Fundamental Principles of neutrality and impartiality were critical to establishing contact with all involved parties: dialogue, including with those perpetrating genocide, was key to ensuring the safety of ICRC staff, and to facilitating the organization’s work on behalf of those affected by the violence. Additionally, the ICRC spoke out frequently

† The opinions expressed in this article are those of the authors and do not necessarily correspond to the ICRC’s point of view.

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as the violence was unfolding in Rwanda, and this article addresses the question of public communications, in both principle and practice, during a genocide.

Keywords: history, Rwanda, genocide, ICRC, Fundamental Principles, neutrality, impartiality, public communication.

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Introduction

Thirty years ago, Rwanda descended into the direst crisis of its modern history. Between 7 April and 17 July 1994, many hundreds of thousands of people were massacred in mass killings that the United Nations (UN) would ultimately call genocide against the Tutsi in Rwanda.² During those hundred days, people committed and encouraged unthinkable atrocities against their neighbours, colleagues, friends and even family members, casting off the very idea of humanity.

It was the heart of darkness.³ And yet, it was in this dark hour that the humanitarian ideal embodied by the International Committee of the Red Cross (ICRC) shone brightly.

The ICRC had established a permanent delegation in Rwanda several years prior,⁴ and, unlike other foreign organizations that had been working in the country, it decided to stay on the ground, with a smaller team, after the genocide broke out. It was the first time that the organization had found itself at ground zero of mass murder.

While the scale and speed of the massacres may have shocked humanitarian workers, the onset of the violence did not surprise them. Tensions had been building, and the ICRC and Médecins Sans Frontières (MSF) had drawn up an emergency plan, in case of a sudden deterioration in the country, several weeks before the killings began.⁵ Because of the extreme violence and worsening security conditions, MSF evacuated most of its teams from Rwanda between 8 and 12 April with the help of French and Belgian military forces.⁶ Other foreigners were also evacuated during the same operation.⁷

1 In accordance with current rules on archive access, the ICRC's records relating to the genocide in Rwanda will not be made available to the public until 2045.

2 UNSC Res. 935, 1 July 1994; UNSC Res. 955, 8 November 1994.

3 The ICRC used this expression to refer to the situation in Rwanda contemporaneously. See "Rwanda: Heart of Darkness", *ICRC News*, No. 17, 28 April 1994.

4 The ICRC opened its delegation in Rwanda in March 1991. Previously, work in Rwanda had been coordinated by the regional delegation in Kinshasa.

5 Jean-Hervé Bradol, "Limites et ambiguïtés de l'action humanitaire", *Les Temps Modernes*, No. 583, July 1995, p. 128.

6 After leaving Rwanda, the French and Dutch arms of MSF worked with the ICRC in several parts of the country (Gisenyi, Ruhengeri, Gitare and Rilima), operating out of Zaire or Uganda. See Laurence Binet, *MSF Speaking Out: Genocide des Rwandais Tutsis*, MSF, 1994, pp. 31–32, 62, available at: www.msf.org/sites/default/files/2019-05/MSF%20Speaking%20Out%20Genocide%20des%20Rwandais%20Tutsis%201994_1.pdf (all internet references were accessed in August 2024).

7 J.-H. Bradol, above note 5, p. 129.

By mid-April, twenty foreigners remained at the ICRC delegation. Their families had been evacuated to Europe one day after the genocide broke out, while other staff were sent to neighbouring countries, including Burundi, Uganda and Zaire, where they continued to work on the ICRC’s efforts in Rwanda. The delegation’s numbers continued to shrink in the following weeks, particularly after the ICRC came under fire on 23 April.⁸ In fact, alongside the ICRC’s Rwandan staff members, only three foreign delegates remained at the delegation in Kigali throughout the genocide: the head of delegation, the administrator and the fleet manager. They were some of the few foreigners to bear witness to more than three months of horror.

They were not mere passive observers, however. Despite their reduced numbers, the delegation staff, with the help of the Rwandan Red Cross and two surgical teams from MSF France and the International Red Cross and Red Crescent Movement (the Movement), redoubled their commitment to carrying out their humanitarian mission as much as possible in circumstances where humanitarianism no longer seemed to have a place. As the former head of delegation in Rwanda would remark some ten years later:

War is destruction, negation of life. Humanitarian action works within this subtraction. It tries to reduce it. In case of a genocide, it may seem a stupid gamble since it’s well known that genocidal logic is the complete negation of the humanitarian spirit and of the law. Whenever you can reduce this negation, it is a miracle. And the memory never forgets miracles.⁹

If the delegates were able – as it sometimes seemed to them – to achieve the miraculous during those hundred days in Rwanda, it was above all in highlighting and putting into practice two of the Movement’s Fundamental Principles: neutrality and impartiality.¹⁰

To ensure that it has the trust of all parties, the ICRC must remain neutral – it cannot “take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature”.¹¹ And it must be impartial, making “no discrimination as to nationality, race, religious beliefs, class or political opinions”; it must ease people’s suffering “being guided solely by their needs, and [giving] priority to the most urgent cases of distress”.¹² In a sense, impartiality is neutrality applied to the realities of humanitarian work.

The ICRC’s neutrality and impartiality have always been criticized, on varying grounds – that declining to take sides is ultimately the same as siding with the enemy, that engaging in dialogue with the perpetrators of crimes is

8 René Caravielle, *“Ou tout, ou rien”: Le journal d’un logisticien*, Presses de Lunel, Lunel, 2002, p. 102.

9 Philippe Gaillard, “Rwanda 1994: ‘... Kill as Many People as You Want, You Cannot Kill their Memory’”, speech given at the Genocide Prevention Conference, London, January 2003, available at: <https://francegenocidetutsi.org/GaillardJanuary2002.pdf>.

10 The Fundamental Principles are shared by the Movement as a whole. Aside from neutrality and impartiality, the other Fundamental Principles are humanity, independence, voluntary service, unity and universality.

11 ICRC, *The Fundamental Principles of the Red Cross: Commentary*, ICRC, Geneva, 1979, available at: www.icrc.org/en/our-fundamental-principles.

12 *Ibid.*

tantamount to giving them legitimacy, and so forth. What about Rwanda? Was it ethically defensible for the ICRC to remain neutral there? Was it acceptable to speak with and work in proximity to the instigators, facilitators and perpetrators of a genocide? Was it right to give medical care and other aid to some of those same individuals?

In this article, we examine how the ICRC put into practice the principles of neutrality and impartiality during the Rwandan genocide and how that enabled the organization to keep working on the ground, while keeping its teams safe,¹³ in order to save thousands of lives. Without overstating matters, the article sets out how the ICRC's neutrality and impartiality, in a world where they are often called into question or criticized, have a tangible impact on the ground, even in a genocide.

Talking to all parties to the conflict

Being neutral and impartial means, first and foremost, talking to everyone, without distinction. The ICRC had assembled a solid network of contacts within the Rwandan government well before the events of 1994.¹⁴ This network proved its worth from the outset, when knowing and having contact with key individuals helped to ensure the safety of ICRC staff. The ongoing dialogue and humanitarian diplomacy with the authorities and armed forces also brought down barriers and enabled the ICRC to carry out its work on behalf of people in need.

On the night of 6 April, when the plane carrying the Rwandan president had just been shot down, three ICRC delegates – the head of delegation, the relief coordinator and the medical coordinator – were in the Rwandan parliament building in Kigali, where the Rwandan Patriotic Front (RPF) was garrisoned, for talks. They were forced to spend the night there, taking cover behind sandbags from gunfire. In the morning, they decided to return to the delegation despite the risk that this would pose. One delegate was French and one was Belgian; the head of delegation was Swiss, which meant he faced less of a threat than his colleagues. On the road back, their car was stopped at a blockade installed by militia members. One of them pointed his gun at the head of delegation's stomach and ordered him to give them the car keys. The head of delegation said that he personally knew the government's top officials and that, if he and his colleagues were not allowed through, he would be forced to report it to the defence minister and his chief of staff – one of the main instigators of the genocide. The militia members were impressed and let the delegates by.¹⁵ Of course, this was in part a bluff – they could have simply shot the delegates. But the ongoing dialogue

13 This also includes the Rwandan Red Cross's teams.

14 ICRC, "La vendange – Les fantômes du Rwanda", *YouTUBE*, 2019, available at: www.youtube.com/watch?v=u60jBQ2mi7M.

15 *Ibid.*; Linda R. Melvern, *A People Betrayed: The Role of the West in Rwanda's Genocide*, Saint Martin's Press, London, 2000, p. 144; Philippe Gaillard, "Surviving Genocide", in Carol Bergman (ed.), *Another Day in Paradise: Front Line Stories from International Aid Workers*, Routledge, London, 2003, p. 67;

between the ICRC and the Rwandan government was well known, and the head of delegation’s threat was seen as very real.

On 12 April, as the top government officials left Kigali for Gitarama in the face of an RPF advance, the head of delegation gave petrol to a minister who was trying to flee the city and then spoke openly about it on Radio Suisse Internationale.¹⁶ When asked about the gift, the head of delegation said that perhaps the service would be repaid one day.¹⁷ This soon materialized: a few days later, after a Rwandan Red Cross ambulance was attacked by militia members, the ICRC received a travel authorization signed by the chief of staff of the Rwandan armed forces. Delegates photocopied the document and attached it to the windshields of all ambulances and ICRC vehicles.¹⁸ In May, the prefect of Kigali issued a travel authorization that, though illegible, was stamped by the prefecture and granted the ICRC’s teams access so that they could repair the city’s water supply.¹⁹

In addition, during an interview with the minister of the interior shortly after the genocide began, the head of delegation managed to negotiate the dispatch of trusted soldiers to protect the area around the hospital that the ICRC had set up near the delegation. The soldiers would be able to calm the militia members and ensure the buildings’ security.²⁰ He also succeeded in securing a liaison officer who would serve as a primary contact.

The support that the ICRC received from the military would prove invaluable, both for the security of its operations and staff and for its ability to overcome impasses and carry out its work in the field. Throughout the genocide, the ICRC’s team in Rwanda continued to hold high-level meetings, spending hours travelling between the country’s largest cities.

Dialogue between the ICRC and the RPF had in fact begun years earlier, during the armed conflict that pitted the RPF against the Rwandan military forces. The ICRC continued to engage with the RPF throughout the genocide, in Rwanda, in neighbouring countries and beyond, for example from Brussels. ICRC teams working in RPF-controlled territory, which was not covered by the delegation in Kigali, had the closest contact with the group. The RPF promised to do all it could to ensure the security of the ICRC and its activities.

While contact was limited, the head of delegation in Kigali met the leader of the RPF twice during the genocide. The first meeting took place in May, and also included the force commander of the UN Assistance Mission for Rwanda (UNAMIR) and the ICRC delegate-general for Africa. Among other topics, they discussed security conditions.

Philippe Gaillard, *La vraie vie est absente (Arthur Rimbaud): Cycle de Conférences les Mardis du Musée*, 18 October 1994.

16 ICRC, *Reportage à Kigali*, 13 April 1994, ICRC Audiovisual Archives, V-S-12600-A-01.

17 L. R. Melvern, above note 15, p. 157.

18 Jean-Hervé Bradol and Marc Le Pape, *Génocide et crimes de masse: L’expérience Rwandaise de MSF (1982–1997)*, CNRS Éditions, Paris, 2017, p. 59.

19 R. Caravielle, above note 8, p. 139.

20 *Ibid.*, p. 52.

On 19 May, a convoy took fire from the RPF, and the ICRC's medical coordinator was wounded in the stomach. While he gave himself first aid, his colleagues struggled to radio the delegation. Tunisian peacekeepers managed to reach the delegates and evacuated them in armoured vehicles. Doctors were able to operate on the medical coordinator, who survived.²¹

Furthermore, RPF artillery fire had occasionally hit the ICRC delegation and field hospital, which were located not far from Rwandan military installations. Several patients and Rwandan delegation staff were killed. For example, on 25 May, the ICRC hospital was fired on, killing two local staff members and wounding five others, including a child.²² The ICRC immediately published a press release condemning the attack.²³ However, through dialogue with the RPF, the ICRC was able to learn that it had not been deliberately targeted in any of the incidents.

The genocide was carried out primarily by Hutu civilian militias, known as the Interahamwe. Dialogue with these militias developed mainly during the genocide, although the ICRC had already established some contacts. The Interahamwe had wrongly accused the ICRC of not hiring Hutus, so the head of delegation had invited them to visit the delegation and see the facts for themselves. When the violence broke out, though, the ICRC had to build a solid dialogue to ensure that its work was accepted.

On 12 April, the head of delegation reported to the media that the atmosphere was one of "tense serenity", quoting a poem by René Char,²⁴ and that security conditions remained acceptable because the ICRC was speaking with all parties, above all with the civilian militias.²⁵ On 27 April, a meeting between the ICRC, the Rwandan Red Cross and militia representatives convinced the Interahamwe to order its constituents to respect the ICRC and to allow evacuations of the wounded to resume. Through interactions with the delegates over time, the militias grew to trust the ICRC.

Because of the dialogue with the Interahamwe and the perception that the ICRC was neutral and impartial, throughout the genocide delegates were able to pass through checkpoints in aid convoys and when evacuating the wounded.²⁶ These discussions also ensured the security of the delegation and the ICRC hospital in Kigali – the militia members never entered the compound by force to abduct or kill patients, a frequent occurrence at other medical centres.²⁷ Only one incident occurred, in May, when armed militia members entered the ICRC hospital.

21 P. Gaillard, *La vraie vie est absente*, above note 15. The RPF claimed that it was unaware of the ICRC convoy: see L. R. Melvern, above note 15, p. 201.

22 ICRC, "Rwanda: Two ICRC Employees Killed", Press Release No. 1777, 26 May 1994

23 *Ibid.*

24 Élisabeth Lévy, "Les massacres gagnent d'autres régions du Rwanda", *Le Nouveau Quotidien*, 12 April 1994.

25 ICRC, above note 16.

26 Nevertheless, delegates always aimed to return to the delegation by 1 pm, early enough that militia members at the checkpoints would not be under the influence of alcohol or other drugs: L. R. Melvern, above note 15, p. 145.

27 J.-H. Bradol and M. Le Pape, above note 18, p. 64.

Through dialogue and the intervention of UNAMIR soldiers who happened to be present, the situation was resolved without violence.²⁸

Managing the media: Remaining neutral while denouncing violence

The Rwandan media played a significant role during the genocide. They spread propaganda, fed hatred, identified targets, mobilized populations and incited killings. Historians have extensively analyzed and shown the role played by the media, especially radio stations, before and during the Rwandan genocide, as well as the reaction of the international media in the face of the massacres.²⁹

Organizations like the ICRC have an ambiguous relationship with the media. On the one hand, the media can spread the organization’s message and get information to communities. For example, the ICRC issued an announcement broadcast on local radio stations reminding listeners that it was impartial and did not discriminate – that delegates were helping all wounded people, civilians and militia members alike – and that its vehicles were used only to transport the wounded.³⁰ On the other hand, radio propaganda can generate security risks when the ICRC is accused of wrongdoing or labelled as a target, and the ICRC has to ensure that what is broadcast does not damage the organization. The Kigali delegation put in place a system for gathering information: two resident employees were tasked with constant surveillance of a number of radio stations, including the BBC World Service and the infamous Rwandan station Radio Télévision Libre des Mille Collines (RTLM), for all mentions of the ICRC.³¹

The risk was real. Around 12 or 13 April, RTLM accused the ICRC of hiding RPF combatants in a convoy carrying wounded from Kigali to Kabgayi. However, the head of delegation had simply to speak to military commanders for RTLM to issue a correction.³² In responding to the head of delegation’s request, the government “managed to make itself heard from a single radio station”,³³ something that the ICRC probably could not have achieved on its own.

On 14 April, RTLM announced that the Rwandan Red Cross had transported “enemies of the Republic” disguised as wounded. Militia members stopped ambulances driven by Rwandan Red Cross volunteers on their way to the new ICRC field hospital, and killed six wounded people.³⁴ RTLM had clearly

28 J.-H. Bradol, above note 5, p. 138.

29 Jacques Sémelin, *Purifier et détruire: Usages politiques des massacres et génocides*, Éditions Seuil, Paris, 2005; Allan Thompson (ed.), *The Media and the Rwanda Genocide*, Pluto Press, London, 2007.

30 ICRC, above note 16.

31 L. R. Melvern, above note 15, p. 156.

32 *Ibid.*; É. Lévy, above note 24.

33 É. Lévy, above note 24.

34 J.-H. Bradol and M. Le Pape, above note 18, p. 59; P. Gaillard, “Surviving Genocide”, above note 15, p. 70; ICRC, *Annual Report 1994*, Geneva, 1994, p. 55; L. R. Melvern, above note 15, pp. 160–161; P. Gaillard, above note 9.

encouraged and justified the killings.³⁵ As soon as the head of delegation learned of the killings, he suspended the convoys and immediately contacted government officials and RTLM.³⁶ The same day, the ICRC issued a press release condemning the “outrageous act” and calling on combatants to respect the Rwandan Red Cross, civilians, the wounded and prisoners, and to put an end to the atrocities.³⁷ The press release received broad media coverage internationally but also, and most importantly, on local Rwandan radio stations.³⁸ By protesting the massacre and addressing RTLM directly, the ICRC was able to ensure that such an incident did not occur again:

We could have been killed for that statement, but we were not and the Red Cross ambulances could restart their work without problems.... Speaking out is always dangerous in such situations; exceptionally it may be effective.³⁹

In mid-April, shrapnel hit the RTLM building. The ICRC medical coordinator took two wounded journalists to the ICRC field hospital, where they received treatment. One of them was one of the main instigators of the genocide.⁴⁰ His foot was badly injured and had to be amputated.

Some might be astonished that the ICRC would treat such a person when there were so many others in need of help. However, with that act, the ICRC showed an influential person what its neutrality and impartiality looked like in practice. In April, the majority of those treated at the ICRC field hospital were Tutsis, which caused suspicion and criticism. In giving medical care to an influential journalist, the ICRC showed that its hospital was not used to hide Tutsis and that it was open to all. This greatly contributed to the ICRC’s reputation, particularly with RTLM, which would prove useful later on.

After the head of delegation had a difficult interview with the national radio station, RTLM accused him of being a Belgian national. Given the context, this was tantamount to a death sentence. The accusation was heard by the delegation’s listening service, and the deputy head of delegation immediately called the head of delegation, who was meeting with government officials in Gitarama, to warn him. The head of delegation made it clear to the officials that if they did not call RTLM immediately, he would leave the country and they would be on their own. A few minutes later, the station issued an announcement correcting the false allegation, stating that the delegate was “too courageous and too clever” to be Belgian.⁴¹ On his way back to Kigali, checkpoints spontaneously opened as soon as the ICRC vehicle came into view.⁴²

35 P. Gaillard, above note 9.

36 L. R. Melvern, above note 15, pp. 160–161.

37 ICRC, “Rwanda: Six Wounded Killed in a Red Cross Ambulance”, Press Release No. 16/94, 14 April 1994.

38 ICRC, “Human Tragedy in Rwanda”, Press Release No. 1771, 21 April 1994.

39 P. Gaillard, above note 9.

40 R. Caravielle, above note 8, pp. 73–75.

41 P. Gaillard, above note 9.

42 Linda Melvern gives a different account, claiming that Gaillard was stopped by the Interahamwe but was able to prove that he was Swiss by showing them a picture of his house in the Swiss Alps before going to the RTLM studio to get a correction. L. R. Melvern, above note 15, p. 156.

Condemning the genocide? The ICRC’s communications and presence in international media

Securing the support of local and national media to ensure the security of humanitarian work is straightforward. However, is it possible to go further in public communications without contradicting the principles that guide humanitarian organizations like the ICRC?

The ICRC’s confidentiality is not an absolute principle – it is often a means to an end, to enable the organization to carry out its mandate. However, the ICRC’s neutrality prevents it from participating in controversies of a political or racial nature, and condemning a genocide could run the risk of violating that principle. But not doing so would contradict the very foundation of humanitarianism – the principle of humanity. That was the dilemma facing the ICRC during the Rwandan genocide.

For several months before the killings began, the head of delegation had publicly warned that militia members were being armed by the government and that plans were being made across the country to massacre Tutsis.⁴³ When the genocide began and the embassies and most foreigners were evacuated, the ICRC quickly became the international media’s last remaining source of trustworthy information. This placed pressure on the head of delegation, who became the ICRC’s public face, and voice, in Rwanda. MSF, one of whose teams had been “ICRC-ized”, let the ICRC handle communications before launching its own campaign in France in May.⁴⁴

With the support of ICRC headquarters, the head of delegation actively communicated on the situation in Rwanda and responded to major international outlets. The ICRC would even transport the few international journalists present in Rwanda in its convoys from Bujumbura to Kigali or back and let them observe many of its activities.⁴⁵ Even a brief overview of the ICRC’s statements during the genocide shows just how much information it was sharing.

On 8 April, the ICRC referred to “spiralling violence” and called on authorities to stop the attacks.⁴⁶ On 10 April, in a Radio France interview, the head of delegation called Kigali a “city whose residents are committing suicide. It’s possible that the main battle has not been fought yet. It will take generations to forget what’s happening there.”⁴⁷ In an interview on TF1’s television news broadcast, he said, “The smell of blood is so strong in Kigali – they are simply killing just about everything that moves. ... It’s chaos and general slaughter.”⁴⁸

43 Richard Dowden, “The Media’s Failure: A Reflection on the Rwanda Genocide”, in A. Thompson (ed.), above note 29, p. 249.

44 J.-H. Bradol, above note 5, p. 142.

45 See, for example, Mark Doyle, “Reporting the Genocide”, in A. Thompson (ed.), above note 29, p. 157.

46 ICRC, “Rwanda: ICRC Carries Out Emergency Medical Activities”, Press Release No. 13, 8 April 1994.

47 “La situation dramatique des habitants de Kigali”, Radio France, 10 April 1994, available at: www.ina.fr/ina-eclaire-actu/audio/00613972003/la-situation-dramatique-des-habitants-de-kigali.

48 “Philippe Gaillard: ‘L’odeur du sang est telle à Kigali qu’on élimine à peu près tout ce qui bouge’”, TF1, 10 April 1994, available at: <https://francegenocidetutsi.org/1994-04-10-13tfl.html.fr>.

An important day in the media coverage of the genocide was 11 April. The ICRC shared its estimate of 10,000 dead in Kigali,⁴⁹ a figure that would be picked up the next day by journalist Jean Hélène.⁵⁰ The same day, two articles were published explicitly mentioning genocide. The first quoted Madeleine Mukabagano, who called the situation “an actual genocide”.⁵¹ The second was written by Jean-Philippe Ceppi, a Swiss journalist who had arrived in Rwanda. In the publications *Liberation* and *Le Nouveau Quotidien*, he wrote about the “genocide of Kigali’s Tutsis”.⁵² It was later revealed that it was the ICRC’s head of delegation who spontaneously used the term during a discussion with him:⁵³ “He said to us, ‘I think a genocide is taking place and we won’t be able to stop it.’”⁵⁴

It was therefore the ICRC that made one of the first mentions, if not the first mention, of genocide to the international media, between 8 and 10 April 1994, in the earliest days of the massacres. On 16 April, the head of delegation openly spoke of how wounded people had been seized from ambulances and slaughtered in front of helpless Red Cross volunteers.⁵⁵

On 21 April, the ICRC issued a press release titled “Human Tragedy in Rwanda”. The grim tone and the use of the words “massacres” and “atrocities” left no room for doubt about the horror taking place. The press release emphasized that the ICRC, MSF-France and Rwandan Red Cross teams were risking their lives daily “to preserve a measure of humanity in the midst of carnage. What they have done is vital but is no more than a drop in the ocean.”⁵⁶

It is difficult to document all the public interviews that the head of the ICRC delegation gave during that period, but on April 22, he openly used the word “genocide” on Radio France Internationale.⁵⁷ The ICRC continued to provide information on the tragedy unfolding in the country, sometimes in stark terms.⁵⁸

49 Jean-Philippe Ceppi, “Dans Kigali livrée aux tueurs hutus”, *Le Nouveau Quotidien*, 11 April 1994.

50 Linda R. Melvern, “Missing the Story: The Media and the Rwanda Genocide”, in A. Thompson (ed.), above note 29, p. 201.

51 Bruno Fanucchi, “C’est un véritable génocide”, *Le Parisien*, 11 April 1994, cited in Jacques Morel, *La France au cœur du génocide des Tutsi*, Esprit Frappeur, Paris, 2010, p. 673.

52 J.-P. Ceppi, above note 49; J. Morel, above note 51.

53 L. R. Melvern, above note 15, p. 201. This is also stated in a report by the Research Commission on the French Archives related to Rwanda and the Tutsi Genocide (Duclert Commission): “Having collected a great deal of information from all over the country, the member of the International Committee of the Red Cross shared his belief that a genocide had begun.” Duclert Commission, *La France, le Rwanda et le génocide des Tutsi (1990–1994): Rapport remis au Président de la République le 26 Mars 2021*, Paris, 2021, p. 387, available at: https://medias.vie-publique.fr/data_storage_s3/rapport/pdf/279186.pdf.

54 “25 ans après le Génocide, le Rwanda commémore par un deuil de 100 jours”, *RTS*, 11 April 2019, available at: www.rts.ch/info/monde/10347478-25-ans-apres-le-genocide-le-rwanda-commemore-par-un-deuil-de-100-jours.html.

55 “Reprise des massacres à Kigali”, Radio France, 16 April 1994, available at: www.ina.fr/ina-eclairage-actu/audio/00614473004/reprise-des-massacres-a-kigali.

56 ICRC, “Human Tragedy in Rwanda”, Press Release No. 1772, 21 April 1994.

57 J. Morel, above note 51, p. 672.

58 ICRC delegate Roland Siedler said, “People are being cut, chopped up, mutilated. Corpses litter the ground. You can see some that are still twitching in the streets because they haven’t been completely finished off. But it’s butchery. It’s simply a slaughterhouse.” “Rwanda: Le génocide dans les archives sonores de RFI”, *RFI*, 7 April 2019, available at: www.rfi.fr/fr/afrique/20190407-rwanda-genocide-archives-rfi-radio-sons; see also ICRC, “Update No. 7 on ICRC Activities in Rwanda”, 26 April 1994, available at: <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB472/pdf/un1351.pdf>.

The head of delegation also received numerous requests from the BBC for an estimate of the number of people killed. The first time, he said that at least 250,000 were dead. A week later, he cited a figure of at least 500,000. The next time the BBC asked, he replied, “After half a million, sir, we stopped counting.”⁵⁹

From Geneva, the ICRC said of Kigali that “three-quarters of the inhabitants are dead or have fled”, with thousands of Tutsis taking refuge here and there”, and that “bringing aid was difficult because of ‘checkpoints set up every 250 metres manned by militia members in the presence of men in uniforms’”.⁶⁰ The organization called on countries with influence to intervene politically. When representatives of the United States and Belgium asked whether there was a link between the militia members and the Rwandan army, “the head of the ICRC carefully confirmed it. He had seen in his interviews that the army’s chief of staff had some sway over the militia members, young extremists from President Habyarimana’s former party and other Hutu parties”.⁶¹

On 28 April, in a document entitled “The ICRC Sounds the Alarm on Behalf of the Victims of the Tragedy in Rwanda”, the ICRC once again appealed to the international community, in particular to member States of the UN Security Council, to take every measure to put an end to the bloodshed. While the full text is not yet available to the public, some researchers have managed to obtain it, and the ICRC has published some excerpts. It decries the “systematic carnage”, “the extermination of a large part of the civilian population”⁶² and the “terrifying mechanism of the massacres”.⁶³ The text was shared with the UN Secretary-General on 2 May.⁶⁴

The ICRC expressed its “disappointment at the absence of any concrete response from the international community, especially from the members of the Security Council approached the previous week, to its call to put an end to the massacres and the armed conflict”.⁶⁵ It went so far as to say that what it was witnessing fell under the definition of genocide.⁶⁶ A similar message was shared the following day in New York.⁶⁷

On 11 May, the ICRC issued a press release stating that the bloodbath had not stopped: “There has been no halt to the massacres in Rwanda. Appalling atrocities are committed every day, in flagrant violation of the most basic

59 P. Gaillard, above note 9.

60 Duclert Commission, above note 53, p. 400.

61 *Ibid.*

62 The ICRC asserted that killings such as those that took place in the Gisenyi cathedral on 1 May 1994 “were carried out with a view to eliminating the Tutsis” (*ibid.*).

63 Jakob Kellenberger, “Speaking Out or Remaining Silent in Humanitarian Work”, *International Review of the Red Cross*, Vol. 86, No. 855, 2004, p. 602; Linda R. Melvern, “The UK Government and the 1994 Genocide in Rwanda”, *Genocide Studies and Prevention: An International Journal*, Vol. 2, No. 3, 2007, available at: <https://digitalcommons.usf.edu/cgi/viewcontent.cgi?article=1194&context=gsp>; P. Gaillard, above note 9.

64 Letter from the President of the ICRC to the Secretary-General of the UN, 2 May 1994, available at: <https://francegenocidetutsi.org/SommarugaBoutrosGhali2mai1994.pdf>.

65 Duclert Commission, above note 53, p. 401.

66 *Ibid.*

67 *Ibid.*

principles of humanity.’⁶⁸ A press release on 20 May once again attested to the dire situation unfolding, in particular for the Tutsis, and called for swift action from the UN, mentioning that the “countless atrocities” included violations of international humanitarian law.⁶⁹ A further press release, on 1 June, said that the scope of the tragedy was immeasurable and far exceeded the ICRC’s capacity to respond.⁷⁰

These are just a few examples of the ICRC’s communications, but they illustrate a number of pertinent points. The ICRC was quick to condemn the massacres. It was one of the first, if not the first, to publicly alert the international community to the tragedy it was witnessing in Rwanda and to give estimates of the casualties. For its part, MSF has acknowledged the value of the head of delegation’s eyewitness testimony:

Our teams were working under the aegis of the ICRC, and we were forbidden from speaking out – that was very clear. We weren’t allowed. That was our agreement with the ICRC. Philippe Gaillard from the ICRC was the spokesperson. He alone bore witness to what was happening.... It was a good account of what was taking place. But MSF did not speak on the matter, as such. Nonetheless, I’ve always thought that if we could have spoken out on behalf of MSF, we couldn’t have said it better than he did.⁷¹

The ICRC sent out communications in every direction: press releases were issued from Geneva, the head of delegation gave countless interviews from Kigali and was omnipresent in the media, other ICRC delegates also spoke out, and the ICRC called for action from national governments and the UN in Geneva and New York. It was a deliberate strategy – the ICRC considered it its duty to sound the alarm and bear witness to what was happening.

The language the ICRC used was powerful. The head of delegation, who had already foretold a possible genocide in Rwanda, used the term “genocide” after only a few days, which majorly influenced one of the first journalists to assert that a genocide was taking place. Language denoting genocide was used immediately. In its public communications, the ICRC did not limit itself to detached descriptions of the situation – it condemned the massacres in terms that left no doubt as to their nature.

In the organization’s humanitarian diplomacy, according to the Research Commission on the French Archives related to Rwanda and the Tutsi Genocide (Duclert Commission), the ICRC as an organization began to use the word “genocide”, no doubt after internal legal consultation, in early May.

Despite the ICRC’s neutrality and impartiality and its desire to be seen as neutral and impartial, it spoke out on the tragedy extensively, urging the international community to action and condemning the genocide. The ICRC’s Fundamental Principles, which are first and foremost a means of action, did not

68 ICRC, “The Bloodshed Continues”, *ICRC News*, No. 19, 11 May 1994.

69 ICRC, “Rwanda: Saving the Survivors”, Press Release No. 1776, 20 May 1994.

70 ICRC, “Rwanda: Hundreds of Thousands Displaced”, *ICRC News*, No. 22, 1 June 1994.

71 Jean-Francois Alesandrini, quoted in L. Binet, above note 6, p. 21.

run contrary to the organization’s duty to bear witness to what was happening. In speaking out, the ICRC was not taking the side of one party – it was taking the side of the victims. Neutrality and condemnation of the genocide were, in this sense, not at odds. They complemented each other as means to the same end.

Practically speaking, however, this posed a real challenge, especially for the teams in Rwanda. It meant balancing public communications against respect for the Fundamental Principles while maintaining a credible dialogue with all parties and ensuring delegates’ safety. The ICRC’s significant media presence during the genocide was thus a double-edged sword: on the one hand, the organization’s visibility may have helped keep delegates safe in the field, but on the other, each word had to be chosen carefully, as any misstep could result in death. The key to this balancing act may well have been placing this responsibility in the hands of a single person (and the right person): the head of delegation.

Bringing aid and medical care to victims

Generally speaking, the ICRC can help people in need in a variety of ways, depending on the location and the circumstances. It may provide food, water, shelter or medication. Sometimes it helps people affected by armed conflict to earn a livelihood, or it may repair essential infrastructure, for example to ensure access to clean water. It also works to bolster essential services, like health care. Here, too, the ICRC’s neutrality and impartiality are a key factor enabling it to carry out such activities, as it is the needs of the victims that come first.

ICRC aid in Rwanda

During the first weeks of the genocide, major relief activities were impossible. Some 3,000 tonnes of food sat in ICRC warehouses, but accessing the warehouses was difficult because of the violence playing out on their doorstep.⁷² The delegation in Kigali was nevertheless able to get food and medical supplies to thousands of people taking shelter in various pockets of safety, like Amahoro Stadium, Sainte-Famille Church and the Hôtel des Mille Collines.⁷³ In early May, the ICRC brought food to around 25,000 people sheltered in these locations.⁷⁴ By the end of May, the fighting in Kigali was too violent to ensure delegates’ safety, and the food distributions stopped.⁷⁵ Once the RPF took the capital, the ICRC was finally able to access the food stocked in its warehouses. All told, the ICRC brought supplies to 50,000 people in and around Kigali.⁷⁶

72 “Le Rwanda: Des mots et des morts”, Radio France, recorded on 13 May 1994 and broadcast on 28 May 1994, available at: www.ina.fr/ina-eclair-actu/audio/00660567/le-rwanda-des-mots-et-des-morts.

73 ICRC, above note 34, p. 54.

74 ICRC, “Unabated Suffering”, *ICRC News*, No. 18, 5 May 1994.

75 ICRC, “Violent Clashes in Kigali”, *ICRC News*, No. 21, 25 May 1994.

76 ICRC, above note 34, p. 54.

The city's water treatment service had shut down owing to a shortage of aluminium sulphate.⁷⁷ Thanks to the ICRC's extensive network of contacts, the head of delegation was able to find a stockpile near the airport and got the necessary travel authorizations.⁷⁸ In mid-May, two ICRC engineers helped restore running water to Kigali.⁷⁹ To help those sheltering from the violence, the ICRC also trucked in 60,000 litres of water every day to the ten orphanages and health centres it supported in the city.⁸⁰

Relief work in other parts of Rwanda was based out of neighbouring countries. The ICRC provided aid to displaced people in Nyarushishi camp, near Cyangugu, out of Zaire. Moreover, two delegates and a nurse were able to make daily visits to Cyangugu's stadium,⁸¹ where they helped some 8,000 people. The ICRC also set up a nutrition centre for children.⁸² As in Kigali, an ICRC engineer helped ensure that people had access to sufficient drinking water.⁸³

At the beginning of May, the first food distributions began, for 60,000 people in northern Rwanda,⁸⁴ 50,000 people between Kigali and Gitarama, and 70,000 people in the southeast.⁸⁵ Convoys arrived from Uganda, Burundi and Tanzania.⁸⁶ By the end of the month, the ICRC had brought food to 200,000 people in both RPF- and government-controlled territory.⁸⁷

In early June, the ICRC rolled out an ambitious plan to bring help to 750,000 people, from several logistical bases in Rwanda and neighbouring countries.⁸⁸ All told, around 100 delegates were involved in the effort.⁸⁹ However, the organization was reaching its limits and called on other humanitarian organizations to step in quickly.⁹⁰

According to the ICRC's annual report for 1994, the organization distributed 6,000 tonnes of food to half a million people between the beginning of the genocide and the end of June.⁹¹ By the head of delegation's estimate, the ICRC helped between 500,000 and 600,000 people in July;⁹² two and a half months after the genocide had ended, 1.2 million people were receiving ICRC aid.⁹³

77 P. Gaillard, above note 9.

78 R. Caravielhe, above note 8, p. 145.

79 ICRC, "A New Threat: Shortage of Drinking Water", *ICRC News*, No. 20, 18 May 1994.

80 ICRC, above note 34, p. 60.

81 ICRC, above note 68.

82 ICRC, "Displaced People in Desperate Need", *ICRC News*, No. 26, 29 June 1994; ICRC, above note 34, p. 54. A thousand children were cared for at the nutrition centre.

83 ICRC, "Displaced People in Desperate Need", above note 82.

84 ICRC, above note 74.

85 ICRC, above note 68.

86 ICRC, above note 75.

87 ICRC, above note 70.

88 *Ibid.*; ICRC, "New ICRC Budget for Rwanda over 100 Million Swiss Francs", Press Release No. 94/24, 2 June 1994.

89 ICRC, above note 88; ICRC, "Displaced People in Desperate Need", above note 82.

90 ICRC, above note 88.

91 ICRC, above note 34, p. 55.

92 ICRC, *Massacres au Rwanda*, July 1994, ICRC Audiovisual Archives, V-S-12616-A-01.

93 ICRC, above note 34, p. 56.

To transport these immense quantities of food to the people who needed it most, the ICRC had to negotiate access with the parties to the conflict and ensure security for the convoys and distribution points. This would have been impossible without serious dialogue with every person who could help, or hinder, the relief work.

Evacuating and treating the wounded

From the moment the massacres began, the ICRC and the Rwandan Red Cross criss-crossed Kigali, negotiating access to each neighbourhood in turn, to find and evacuate the wounded. Some places were repeatedly the site of mass killings, like Sainte-Famille Church, where militia members arrived each night to take new victims, or the University Teaching Hospital of Kigali, where people were slaughtered as soon as ICRC or MSF personnel left the premises.⁹⁴ After pressure and threats targeting Rwandan Red Cross staff, the activities were suspended.⁹⁵ Nevertheless, the travel authorization issued to the ICRC after the tragic attack on 14 April enabled delegates to move about more freely. On 19 April, in coordination with UNAMIR, they evacuated the wounded from the RPF-controlled Amahoro Stadium, across the front line.⁹⁶

Given the violence at the University Teaching Hospital of Kigali (a facility that the ICRC nevertheless continued to support), the ICRC opened its own hospital next to the delegation, at the Salesian Sisters of Don Bosco’s centre. Already on 13 April, a convoy arrived in Kigali from Bujumbura carrying 25 tonnes of medical supplies and equipment, an ICRC surgical team and an MSF-France surgical team.⁹⁷ While MSF had had to evacuate all of its international staff the previous day, MSF-France joined the ICRC’s efforts and played an important role in operating the new field hospital. The MSF-France team was “ICRC-ized” – staff wore the red cross emblem and worked under the direction of the ICRC.⁹⁸ They were also “Swissified”,⁹⁹ since only ICRC staff, who were supposed to be Swiss, were allowed to move freely in the country.¹⁰⁰ This collaboration is unique in the history of the two organizations and enabled thousands of wounded people in Kigali to receive medical care.

In early May,¹⁰¹ at the request of the government, the ICRC opened a sub-delegation at the religious centre of Kabgayi, where four delegates and a surgeon treated hundreds of injured people in a second field hospital.¹⁰² The hospital had

94 J.-H. Bradol, above note 5, pp. 130–134.

95 UN Department of Humanitarian Affairs, *Rwanda Civil Disturbance*, DHA-Geneva Daily Information Report No 1, April 1994; R. Caravielle, above note 8, p. 54.

96 J.-H. Bradol, above note 5, pp. 135–136.

97 ICRC, above note 34, p. 58; J.-H. Bradol, above note 5, p. 129; AFP wire, 13 April 1994; L. Binet, above note 6, pp. 19–20.

98 J.-H. Bradol, above note 5, p. 120; L. Binet, above note 6, p. 20.

99 MSF staff received cards identifying them as ICRC delegates: see R. Caravielle, above note 8, p. 101.

100 “MSF International Secretariat Sitrep”, 12 April 1994, in L. Binet, above note 6, p. 18.

101 5 or 12 May; sources disagree as to the exact date.

102 ICRC, above note 74; ICRC, above note 34, p. 58.

to be moved to Nyanza in the first week of June, and operating it proved particularly difficult owing to lack of clean water and equipment. An ICRC engineer managed to resolve the water supply issue, and medications and equipment arrived on 10 June.¹⁰³ At the end of June, the ICRC was again forced to move the field hospital, along with the city's thousand orphaned children, to Rilima. Two MSF teams took care of patients in the new location, while ICRC delegates focused on helping the camps of displaced persons, where a dysentery epidemic was threatening the lives of 100,000 people.¹⁰⁴ Also at the end of June, the ICRC was able to get supplies to the MSF team stationed at King Faisal Hospital, which was in RPF-controlled territory in Kigali.¹⁰⁵

Several years after the genocide, the head of delegation said that the ICRC hospital in Kigali treated 9,000 people and performed 1,200 operations; the latter figure appears in a press release from that time.¹⁰⁶ According to Jean-Hervé Bradol and Anne Guibert, 2,000 operations were carried out between April and July.¹⁰⁷ While the earliest patients were largely Tutsis injured during the massacres, those demographics had shifted by June, when the patient population consisted mostly of soldiers and Hutu militia members wounded in action.

The number of people cared for at the field hospital was obviously dwarfed by the number of those suffering and in need. Nevertheless, most of those at the field hospital managed to escape further violence. The ICRC was able to resist pressure from militia members and negotiate with the parties to ensure respect for its work, preserving a small piece of humanity amid the bloodshed.¹⁰⁸ True, there were rumours of midnight meetings and circulating lists, to the point that some patients opted to leave the hospital.¹⁰⁹ But there were no massacres, and the people sheltering there did not die at the hands of the genocide's perpetrators. In a symbolic twist, while it was initially Hutu staff who took care of wounded Tutsis, those same Tutsi patients, unable to leave the hospital at the risk of being slaughtered, became *de facto* orderlies who took care of wounded Hutu fighters in turn.

The profound impact of the experience on the hospitals' staff bears mentioning here. The circumstances were so exceptional that it was simply impossible to work to normal standards, even those of humanitarian medicine and war surgery. What is more, the influx of injured people, the many desperate situations and the inevitable ethical dilemmas involved sometimes left deep scars and trauma that staff would have to overcome as best as they could in the years following the genocide.

103 ICRC, "Rwanda: ICRC Hospitals Overwhelmed", *ICRC News*, No. 24, 15 June 1994.

104 ICRC, "Displaced People in Desperate Need", above note 82; ICRC, "Over 1,200 Operations at ICRC Hospital in Kigali", *ICRC News*, No. 17, 6 July 1994.

105 ICRC, "Rwanda: Violent Clashes in Kabgayi", *ICRC News*, No. 25, 22 June 1994.

106 L. R. Melvern, above note 15, p. 215; ICRC, "Over 1,200 Operations", above note 104.

107 Jean-Hervé Bradol and Anne Guibert, "Le temps des assassins et l'espace humanitaire, Rwanda, Kivu, 1994–1997", *Hérodote: Revue de Géographie et de Géopolitique*, No. 86–87, 1997, p. 122.

108 *Ibid.*

109 L. Binet, above note 6, p. 33.

Was anyone protected?

“Protection”, in its technical sense, is a fundamental aspect of the ICRC’s work. The organization strives to ensure that those entitled to protection under the law receive it – that the lives, health and dignity of people affected by armed conflict and other violence remain intact. “So-called ‘protection’ activities are a framework aimed at ensuring the protection of all those who are not, or are no longer, taking part in hostilities or other violence.”¹¹⁰

Although the patients and staff at the ICRC hospital in Kigali were spared, the questions remain: can humanitarian organizations provide protection in such circumstances? Can protection activities really be carried out? Is it possible to believe that the ICRC had a protective effect in Rwanda, when over a million people were killed? If so, can this effect be measured?

There are several methodological problems involved in answering these questions, not least that it is very difficult to distinguish correlation from causation. For example, survivors of the genocide in Kabgayi told ICRC delegates that their arrival coincided with an ebb in the violence, but the reduction may have been linked less to any protective effect of the ICRC and more to the fact that most of the people being targeted had already been murdered. And the ICRC’s presence did not prevent another upswing in the killings shortly before the RPF took the town.

The perpetrators of the genocide exerted considerable pressure on the Rwandan Red Cross. On 13 May, in Butare, soldiers murdered twenty-one children and thirteen Rwandan Red Cross volunteers.¹¹¹

The ICRC acknowledged its limitations in April 1994: “In the present circumstances, the ICRC is unable to protect the victims of this catastrophe.”¹¹² Nevertheless, though a drop in the bucket compared to the final toll of the genocide, there were instances in which the ICRC’s mere presence saved lives.

Saving local ICRC staff

Both the genocide and the fighting between the RPF and the Rwandan armed forces posed great danger to Rwandan employees of humanitarian organizations. As the massacres took place, they became witnesses, direct or indirect victims, sometimes accomplices or even perpetrators.¹¹³ MSF, which enjoyed a strong presence in Rwanda before the genocide, served as a tragic example. When it evacuated its international employees, the organization was forced to leave the majority of its staff, Tutsis, behind.¹¹⁴ Scores were murdered, with some sources citing 500 dead or missing.¹¹⁵

110 Anne-Hélène Mahé, “Qu’est-ce que la ‘protection’ au CICR?”, ICRC, Geneva, 2021, available at: <https://blogs.icrc.org/hdtse/2021/09/28/qu-est-ce-que-la-protection-au-cicr/>.

111 L. R. Melvern, above note 15, p. 187.

112 ICRC, above note 58.

113 J.-H. Bradol and M. Le Pape, above note 18, p. 228.

114 L. Binet, above note 6, p. 60.

115 *Ibid.*

One reason why the ICRC refused to evacuate from Rwanda in spite of the dangerous conditions was that it did not want to abandon its Rwandan staff. In the first days of the genocide, the ICRC offered its Rwandan employees and their families refuge within the delegation. Some delegates scoured the city in search of colleagues calling for help. Being an ICRC employee could be life-saving: “One radio operator ... only survived because he managed to show his ICRC identification to the murderers who had just cut his family into pieces.”¹¹⁶

Of the ICRC’s 120–130 Rwandan staff members based in Kigali in April 1994, around 100 or more survived the genocide, in large part thanks to the shelter offered at the delegation.

The delegation as a safe haven

The delegation complex, including the field hospital, was one of the few safe havens amid the bloodbath. As the days and weeks went by, its population grew, forming a small community that did its best to survive the horror. Foreign delegates and Rwandan employees and their families called the delegation home. In the hospital,¹¹⁷ Salesian Sisters, medical staff and patients lived together with strict discipline. Alongside them were Rwandan Red Cross volunteers, young women from a boarding school run by the nuns, former patients who could not leave for fear of being murdered and who became *de facto* orderlies, others who were taking refuge in the hospital, including orphans, and even a few civilians acting as stretcher-bearers to avoid taking part in the killings.¹¹⁸ The subject merits a full study, but a few particularly salient challenges faced by this community in Kigali stand out.

Before long, more space was needed to accommodate former patients. ICRC and MSF staff extended the perimeter of the complex, gradually taking over the houses directly next to the hospital and delegation, which had been hastily abandoned when the genocide broke out. This both provided lodging for the civilians and prevented the houses from being looted. The delegation communicated with the residents via radio, for example to warn of impending danger.

There was also the question of feeding everyone, which was possible thanks to bags of beans stacked around the delegation. The delegation’s administrator was also able to leave the compound to buy supplies at the market, ensuring that there was no shortage of food. Water, however, had to be rationed.¹¹⁹

The population in the compound changed over time. Some patients left the hospital after receiving treatment. Many others died. Staff buried the dead in a small field opposite the compound, but the improvised cemetery soon had to be expanded, ultimately encircling the building. Hundreds were buried there.

116 R. Caravielhe, above note 8, p. 40.

117 J.-H. Bradol, above note 5, p. 137.

118 *Ibid.*, p. 139.

119 For more, see the account of René Caravielhe, who worked on ensuring the delegation’s water supply: R. Caravielhe, above note 8.

Yet there was still life in the delegation, thanks to the presence of children. In the midst of the genocide, some thirty babies were born in the ICRC hospital. A hundred orphans were also taken in.

For most of the occupants, being able to live together was a matter of life and death. The survival of this diverse community in such trying conditions depended on strict rules for cohabitation, and the situation deserves serious study in the future.

Finally, it is worth mentioning the question of security. Conditions were far from ideal, evidenced by the many shells that hit the complex. And in general, security was precarious: “From the ICRC delegation and the field hospital, staff sometimes witnessed executions taking place just a few dozen metres away.”¹²⁰ For example, on 14 April, a man fleeing militia members who had followed him from the roadblock set up near the compound managed to enter the hospital. The militia members threatened to enter and finish him off. Fortunately, the head of delegation “learned of the situation and immediately set to negotiating to safeguard the hospital’s neutrality. He returned with Colonel François, who had the roadblock destroyed directly after his visit and posted some of his men at the crossroads to provide security.”¹²¹ While the violence reached the gates of the compound, it never broke through: there were some security incidents but never any major intrusions or killings. This was mainly thanks to the ICRC’s intensive dialogue with the authorities, the armed forces and the militias.

Between the many arrivals, departures, births and deaths, it is impossible to know precisely how many people were in the compound between April and July 1994, but several thousand people passed through, and it is possible that there were still 2,500 people there when the genocide ended.

Evacuating orphans

In addition to sheltering children within the delegation, the ICRC helped evacuate orphans from other parts of the country. On 3 May 1994, after several days of bringing food and water to an orphanage in Gisenyi, delegates organized the evacuation of 350 children and twenty-five chaperones to Goma, Zaire, where ICRC staff took them into their care. The evacuation was only possible owing to the presence of the Rwandan minister of social affairs and the support of the armed forces’ chief of staff, who, at the ICRC’s assistance, provided logistical support and an armed escort to Zaire.¹²²

A month later, on 5 and 6 June, over 600 children were evacuated from Butare to Burundi. Terre des Hommes organized the evacuation, and the ICRC provided logistical support for housing the children in Kyanza, a border town in Burundi.¹²³ The ICRC also provided assistance to roughly 1,000 children in Nyanza for several weeks, and while the organization’s Herculean efforts for

120 J.-H. Bradol and M. Le Pape, above note 18, p. 62.

121 R. Caravielhe, above note 8, p. 52. Colonel François Munyengango was the Rwandan armed forces’ liaison officer to the ICRC.

122 ICRC, “Rwanda: 350 Orphans Evacuated to Zaire”, Press Release No. 21, 4 May 1994.

123 *Ibid.*

unaccompanied children began after the genocide, delegates had already begun registering children in July.¹²⁴

Protection through the presence of delegates

Though the ICRC was unable to prevent the killings, it is worth asking whether its presence did sometimes offer protection. Indeed, apart from isolated incidents, the red cross emblem and ICRC delegates were generally respected. Is it possible that, in some cases, the mere fact of delegates' presence in some areas prevented bloodshed, and that their absence would have resulted in further violence?

This seems to have been the case in Cyangugu, where the ICRC had staff present in the stadium daily.¹²⁵ At night, after the delegates had returned to Zaire for their safety, executions took place, but during the day, when staff were present, no killings occurred. Moreover, despite pressure from the Interahamwe, the ICRC convinced the prefecture authorities to take decisive action to protect the civilians sheltered in the stadium.¹²⁶

In Kigali, the ICRC's protective role extended beyond the delegation and the field hospital. By bringing aid to the various pockets of survivors around the city, the ICRC may also have provided some protection through its presence. The murderers no doubt knew that the ICRC was often present in those places and that delegates might speak out on what they saw or bring journalists with them.

By remaining in Rwanda, the ICRC was able to continue its dialogue with all parties and use its influence to inspire acts of humanity. As the head of delegation pointed out, "among the Hutu government officials, clear-headed people ... saved lives. Not all of them behaved like monsters."¹²⁷ Pressure from the ICRC clearly emboldened some people to take action.

It would be worth surveying survivors of the genocide on a final set of questions: to what extent did the ICRC's presence bring comfort to the tens of thousands of Rwandans, Hutu and Tutsi alike, who were simply waiting for the horrors to end? Did the ICRC and MSF's activities show that Rwanda had not been totally abandoned, and that some notion of humanity remained? What would have happened in Kigali had the ICRC fully evacuated? What would have become of the people there, especially those taking refuge in various protected areas?

Conclusion: Is it possible to be neutral and impartial in a genocide?

The Red Cross mission that Gaillard, as chief delegate, operated in Rwanda must rank as one of the most extraordinary of the twentieth century's humanitarian missions.¹²⁸

124 ICRC, "Over 1,200 Operations", above note 104.

125 ICRC, above note 68.

126 P. Gaillard, *La vraie vie est absente*, above note 15.

127 P. Gaillard, "Surviving Genocide", above note 15, p. 74.

128 L. R. Melvern, above note 15, p. 215.

It is clear that for the ICRC during the genocide in Rwanda, remaining neutral and impartial was not only possible – it was necessary. Instead of retreating behind grand moral principles and refusing to engage at all with the perpetrators of the genocide, the ICRC actively sought out a dialogue with them. The ICRC must speak with everyone because, quite simply, the best way to save people is to speak directly to the agents of their suffering, both those making decisions and those carrying them out. To put it another way, neutrality and impartiality are not an end in themselves but a means to the end of helping those who need it most. This may even be one of the ICRC’s greatest strengths: actively seeking to speak with everyone, including those most at fault, in order to save lives.

This dialogue is not easy, to be sure. In Rwanda, it meant speaking with unhinged militia members, who were often under the influence of various drugs and making explicit threats. But “there is always a way to talk, even with murderers”.¹²⁹ The key is to find the nooks and crannies where a little humanity may still be hiding.¹³⁰ Under no circumstances does shaking a war criminal’s hand signal approval of or legitimize his attitude, and even if the talks lead nowhere, it is necessary to try to speak to all parties, including those responsible for genocide.

In Rwanda, the ICRC’s practice of neutrality and impartiality yielded results. It ensured the security of the organization and its teams in the field, and it made it possible to turn the delegation and field hospital compound into a sanctuary of sorts, saving the lives of thousands of people who were treated or took refuge there. In so doing, it erected a fragile but tangible barrier against the threat of violence:

Security is not just achieved with sandbags.... Security is built through diplomacy[, which] means dialogue. And dialogue in Rwanda in such circumstances does not mean talking so much as being able to listen. Listening to the others, listening to everyone.¹³¹

Beyond the walls of the ICRC, neutral and impartial dialogue with all parties to the conflict enabled delegates to leave the capital, travel throughout the country and reach the people most in need of the organization’s help. Carrying out evacuations of injured people – sometimes across the front lines – and running aid convoys was highly dangerous, but the risk was mitigated by the ICRC’s neutrality and impartiality, which were explained to all parties and respected by them because people could see these principles in action with their own eyes. Putting neutrality and impartiality into practice also broadened the ICRC’s visibility and acceptance among the population, making it better able to carry out its humanitarian activities.

In this way, the ICRC, in an exemplary collaboration with MSF, was able to operate on thousands of wounded people and treat tens of thousands more. It saved thousands of orphaned children by bringing them food. It contributed to the

129 ICRC, above note 92.

130 J.-H. Bradol and M. Le Pape, above note 18, p. 64.

131 ICRC, above note 92.

survival of 50,000 people in safe locations in and around Kigali. It helped 35,000 people in Kabgayi survive. It helped save between 8,000 and 10,000 people in Cyangugu, the only Tutsis in the prefecture who were not murdered.¹³²

How many lives were saved because the ICRC stayed in Rwanda? It is impossible to say precisely, but it may well be that more than 70,000 people received direct assistance from the ICRC during the three months of the genocide.¹³³ Being neutral and impartial is not to remain indifferent or to turn one's back on the world. Rather, it means taking the side of those who need it most. It means moving Heaven and Earth, talking and listening to everyone so that one can take action and save lives. It may also be that the ICRC's presence in Rwanda brought some degree of hope to the thousands of people there who saw that they had not been entirely abandoned, perhaps helping them to hold on until the genocide had ended.¹³⁴

Being neutral and impartial does not keep the ICRC from speaking out, from condemning atrocities or from urging the international community to action. The ICRC may have been the first, and the most vocal, organization to denounce the genocide, yet it maintained a trusted dialogue with all parties. This enabled it to accomplish humanitarian feats that no other organization could have imagined. Perhaps it was precisely because the ICRC had the trust of all parties that it was able to speak so openly about the horrors unfolding before it.

The ICRC's neutrality and impartiality enabled it to build a relationship of trust that convinced people to act humanely amid the horror, including on behalf of their supposed enemies. The liaison officer from the Rwandan armed forces took many risks, accompanying ICRC delegates in their most dangerous activities. According to those delegates, "Colonel François", as he was called, saved hundreds, if not thousands, of lives by facilitating the ICRC's work.¹³⁵ Or, in another evocative example:

The most incredible event I personally witnessed happened at the very beginning of July, just before the RPF took over Kigali: six heavily armed militiamen came to our hospital. They were drunk, but surprisingly not aggressive at all; they had one prisoner, a young Tutsi lady; they told me: "This woman has been with us for the past three months, she is a nurse, we are about to leave the town, we have decided not to kill her despite the fact that she is a Tutsi, as a nurse she will be more useful in your hospital than dead ...". I never received a better acknowledgment of the efficiency of neutrality.¹³⁶

In the face of a genocide that murdered a million people in three months, what were the ICRC's actions worth? Should the organization congratulate itself for having saved "just one millimetre of humanity out of kilometres of horror and

132 P. Gaillard, above note 9.

133 *Ibid.*

134 J.-H. Bradol and M. Le Pape, above note 18, p. 64.

135 P. Gaillard, *La vraie vie est absente*, above note 15; J.-H. Bradol and M. Le Pape, above note 18, pp. 64, 242.

136 P. Gaillard, "Surviving Genocide", above note 15, pp. 79–80.

unspeakable suffering”?¹³⁷ It was neither the ICRC’s role nor within its abilities to prevent or put an end to the genocide. Nevertheless, the organization did what it could to speak out, to call for action from the international community and to mitigate as much as possible the genocide’s terrible humanitarian consequences. It was not much – it might seem laughably insignificant to some – but given the circumstances, and the danger, safeguarding an island of humanity while directly bringing aid to 70,000 people in spite of everything is one of the most moving testimonies to the humanitarian ideal.

It was a season in hell, an obscene and ferocious madness. ... But we did not turn tail; in the hell of Kigali, we talked to all devils. Nor did we abandon our Rwandan staff or the people of Rwanda.¹³⁸

137 P. Gaillard, above note 9.

138 P. Gaillard, “Surviving Genocide”, above note 15, p. 71.