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When Neutrality Becomes Complicity: Sovereignty, Humanitarian Action, and the Responsibility to Protect in the Rwandan Crisis, 1994–1995

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Abstract
This article examines the operational and ethical tensions between humanitarian protection and the principle of neutrality in complex humanitarian emergencies. Drawing on a qualitative case-study analysis of the 1994 Rwandan genocide and its aftermath, this study investigates how the traditional humanitarian imperative to remain neutral can actively conflict with the physical protection of vulnerable populations. When state authority collapses and civilians are targeted systematically, humanitarian actors such as the United Nations High Commissioner for Refugees (UNHCR) are caught in a protection-neutrality dilemma, where maintaining an impartial, non-political stance can lead to the complicity of housing genocidaires within refugee camps, as seen in eastern Zaire and the tragic massacre at the Kibeho internally displaced persons camp in April 1995. This article argues that physical security is a necessary precondition for effective humanitarian action and that when states fail to protect their populations, the responsibility shifts to the international community. Rather than viewing the Responsibility to Protect (R2P) framework solely as a tool for coercive military intervention, this study conceptualises it as a multi-level governance framework encompassing prevention, assistance, and timely collective action. With global displacement reaching unprecedented levels, the international community stands at a critical juncture. It can no longer afford to treat mass atrocity situations with the reactive, politically paralysed isolationism that characterised the 1990s. Ultimately, the lessons of Rwanda demonstrate that the division between civilian relief and military security must be bridged through structured human rights governance to prevent the operationalisation of neutral protection in mass atrocity situations.

Keywords: *Humanitarian Neutrality, Responsibility to Protect, Complex Humanitarian Emergencies, Rwanda Genocide, UNHCR, Human Rights Governance*

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1. Introduction

In the contemporary landscape of global human rights governance, the delivery of humanitarian assistance during armed conflicts and state failures is guided by a set of deeply entrenched normative principles. However, the operational reality of modern civil wars has increasingly brought these principles into direct conflict with one another, exposing a critical structural vulnerability at the heart of international relief efforts (UNHCR 1995). This article addresses the central research problem of the acute tension between humanitarian protection and the principle of neutrality in complex humanitarian emergencies (CHEs). When a sovereign state either collapses entirely or actively turns its apparatus of violence against its own civilian population, traditional relief organisations are caught in a destructive deadlock. Adhering to the classic humanitarian principle of neutrality is historically viewed as a prerequisite for gaining access to populations in need; yet, in situations of systematic mass atrocities, maintaining a strictly apolitical, non-interventionist stance can prevent these organisations from offering physical protection to victims and can even result in the inadvertent support, housing, and legitimisation of the perpetrators of violence (Lischer 2005; Terry 2002).

To explore this structural crisis, this study addresses a two-fold research question: *To what extent does the strict enforcement of traditional humanitarian neutrality in complex emergencies undermine the physical protection of vulnerable populations, and what do the 1994 Rwandan genocide and its operational aftermath reveal about the limits of Westphalian sovereignty and the necessity of integrating military-civilian security frameworks under the Responsibility to Protect (R2P) doctrine?*

In answering this question, this article presents a primary argument: humanitarian neutrality, when treated as an absolute, unyielding dogma in the face of systematic mass atrocities, becomes counterproductive, morally hazardous, and operationally self-defeating. Physical security is a non-negotiable precondition for any meaningful humanitarian protection (Weil 2001). Consequently, the traditional binary division between neutral civilian relief and coercive military intervention is unsustainable in predatory conflict environments (Annan 1998). The international community must bridge the security vacuum inherent in these crises by operationalising the Responsibility to Protect (R2P) as a comprehensive, multi-level governance framework that integrates early prevention, targeted assistance, and, when necessary, collective, non-consensual security enforcement (ICISS 2001).

This study contributes to the human rights governance debate by challenging the orthodox, apolitical 'Dunantist' model of humanitarianism, which assumes that relief can exist in a vacuum separate from political and military dynamics (ICRC 2003; Minear 2002). By analysing the structural failures of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Assistance Mission for Rwanda (UNAMIR), this paper demonstrates that absolute neutrality in the face of genocidal projects acts as a form of 'moral hazard' that extends conflicts and deepens human suffering (Terry 2002). The study advances a solidarist reading of international human rights law, arguing that the universal right to physical security and the prohibition of genocide must take legal and operational precedence over Westphalian claims to non-interference (Weil 2001; Evans 2018).

The methodology employed in this study is qualitative analysis combined with a descriptive-analytical case study of the Rwandan crisis from 1994 to 1995. This includes evaluating the systematic failure of the international military response during the genocide, the operational and political challenges faced by UNHCR in the militarised refugee camps of eastern Zaire and Tanzania, the catastrophic consequences of the forced closure and subsequent massacre at the Kibeho internally displaced persons (IDP) camp in April 1995, and the suppression of the declassified 'Gersony Report' on reprisal killings (Kleine-Ahlbrandt 1998; Amnesty International 1997; Human Rights Watch 1996).

Structurally, the article first establishes the conceptual and theoretical framework, outlining the four core humanitarian principles, the sovereignty dilemma, and the R2P doctrine as an integrated analytical lens. It then conducts a critical review of the existing academic literature surrounding humanitarian intervention, UNHCR's shifting mandate, safe areas, and the protection-neutrality dilemma. Following a detailed methodological note, the article presents the extensive empirical case study of the Rwandan genocide and its post-genocide humanitarian aftermath. The paper then engages in a critical discussion, interpreting these findings to answer the broader questions of sovereignty limits and civilian protection before detailing the policy implications and a way forward under the R2P governance architecture.

2. Conceptual and Theoretical Framework

To comprehend the operational and ethical crises that unfolded in Rwanda and the wider Great Lakes region, it is necessary to construct an integrated theoretical framework. This framework brings together the core humanitarian principles, the Westphalian sovereignty dilemma, and the

Responsibility to Protect (R2P) doctrine, demonstrating how they interact to shape, and frequently paralyse, international responses to mass atrocities.

2.1. The Core Humanitarian Principles and Their Legal Evolution

Modern humanitarian action is structurally anchored by four core principles: humanity, impartiality, neutrality, and operational independence. The legal and institutional consolidation of these principles occurred in two key phases within the United Nations system. The principles of humanity, impartiality, and neutrality were formally established under UN General Assembly Resolution 46/182 in 1991, which sought to strengthen the coordination of emergency humanitarian assistance (UNGA 1991). The fourth principle, operational independence, was subsequently added through UN General Assembly Resolution 58/114 in 2004. Humanity dictates that human suffering must be addressed whenever and wherever it is found, with the primary objective being the protection of life, health, and the preservation of respect for human beings. It establishes a universal moral imperative to act in the face of distress, prioritising the saving of lives above all political considerations (UNGA 1991). Impartiality requires that humanitarian action be delivered without adverse discrimination based on nationality, race, gender, religious belief, class, or political affiliation. It mandates that aid must be allocated solely on the basis of the urgency of need, ensuring that those in the most critical distress are prioritised regardless of their background or political alignment. Operational independence demands that humanitarian activities remain completely autonomous from any political, economic, military, or strategic objectives that external actors may hold in areas of operation. Finally, neutrality dictates that humanitarian actors must refuse to take sides in active hostilities or engage at any time in controversies of a political, racial, religious, or ideological nature (Weil 2001). In theory, these four principles are mutually reinforcing. Neutrality and operational independence are designed as functional tools to secure the trust of warring factions, thereby granting humanitarian actors the safe access required to fulfil the imperatives of humanity and impartiality in highly polarised conflict environments (Bothe 2008).

2.2. The Westphalian Sovereignty Dilemma

The primary structural obstacle to implementing these humanitarian principles, especially when physical protection requires external intervention, is the traditional Westphalian concept of state sovereignty. Enshrined in Article 2(7) of the United Nations (UN) Charter, sovereignty establishes the principle of non-interference in the internal affairs of a state and protects its territorial integrity (ICISS 2001; United Nations 1945). Historically, this norm was designed to prevent interstate warfare by guaranteeing that domestic jurisdiction remained exclusive to the state government. However, in complex humanitarian emergencies, this traditional norm enters into direct, zero-sum conflict with international human rights norms designed to protect individual lives. When state authority collapses, or when the state apparatus is captured by a genocidal regime, the norm of non-interference acts as a legal and political shield for perpetrators of mass atrocities (UNHCR 1995; UNSG 1999). The international community is thus confronted with a fundamental systemic friction: the norms of sovereignty exist primarily to protect international borders, whereas the norms of human rights are designed to protect individuals regardless of borders. Adhering strictly to Westphalian sovereignty effectively dooms populations to extermination, while overriding it through non-consensual military intervention violates the foundational legal rules of the international system (Hehir 2024).

2.3. Redefining Sovereignty via the Responsibility to Protect (R2P)

The Responsibility to Protect (R2P) framework emerged as a direct normative response to reconcile this structural friction. Pioneered by the International Commission on Intervention and State Sovereignty (ICISS) in 2001 and unanimously endorsed by heads of state and government at the UN World Summit in 2005, R2P redefines sovereignty not as an absolute right to unlimited power, but as a positive, conditional *responsibility* (UNGA 2005). Drawing inspiration from Francis Deng's concept of 'sovereignty as responsibility', R2P establishes that a state's claim to sovereignty and protection from external interference is contingent upon its ability and willingness to protect its own population from four specific mass atrocity crimes: genocide, war crimes, ethnic cleansing, and crimes against humanity (Deng et al. 1996; UNSG 2009).

Under the codified three-pillar structure of R2P, the distribution of responsibility is clearly defined. Pillar One implies that the state (government) has the ultimate responsibility of protecting its populations from risks of war crimes, genocide, ethnic cleansing, and other crimes against humanity. Pillar Two states that the international community can support and assist individual states to perform the obligation of protecting their population. Pillar Three explains that where the individual states cannot effectively perform the function of protecting their people, the international community must intervene and carry out an appropriate collective action to protect the population in a timely manner, according to the principles of the UN Charter (UNGA 2005; UNSG 2009).

This legal architecture is what situates R2P within binding international law rather than mere political aspiration. Article I of the 1948 Genocide Convention obliges all contracting parties not only to punish genocide but to prevent it. In the Bosnia genocide case, the International Court of Justice confirmed that this duty to prevent is an autonomous obligation of conduct that arises the moment a state learns of a serious risk of genocide, requires it to employ all means reasonably available, and is not confined to its own territory (UNGA 1948; ICJ 2007). R2P does not displace this obligation; it operationalises it. Pillar One restates the territorial state's primary duty, while Pillars Two and Three give institutional form to the obligation the Convention already presupposes (ICISS 2001; UNGA 2005; UNSG 2009). On this reading, the international community's paralysis in Rwanda was not merely a moral abdication but a failure to discharge a standing legal duty to prevent, and R2P becomes the governance mechanism through which that duty is rendered operational rather than rhetorical (G. Evans 2008).

2.4. The Analytical Lens Applied to Rwanda

This integrated theoretical framework provides the essential analytical lens through which the catastrophic failures of the Rwandan crisis must be read. Rwanda represents the absolute, systemic collapse of the traditional humanitarian principles when applied in a predatory environment characterised by state-sponsored genocide (UNHCR 1995).

When the Hutu-dominated government initiated the systematic extermination of the Tutsi population in April 1994, it actively used its sovereign authority to block international intervention, while UNAMIR's restrictive peacekeeping mandate, which was heavily bound by Westphalian non-interference norms, prevented it from taking proactive military action to protect civilians (Dallaire 2003; Adelman and Suhrke 1996). Following the military victory of the Tutsi-led Rwandan Patriotic Front (RPF), the humanitarian arena shifted to the refugee camps in Zaire and Tanzania (Lischer 2005). Here, UNHCR's strict adherence to the apolitical principle of neutrality created a fatal moral hazard: by delivering unconditional, material relief to the camps without the military capacity to separate armed combatants from genuine refugees, UNHCR effectively sustained, fed, and legitimised the genocidal ex-FAR and Interahamwe militias who had established a totalitarian 'state-in-exile' within the camps (Lischer 2005; United Nations 1996).

Thus, the Rwandan case demonstrates that the core principles of humanity and neutrality entered a zero-sum conflict. To remain neutral in Goma was to become complicit in the re-arming of genocidaires; to protect the physical lives of the refugees, conversely, required a non-neutral, coercive military intervention to disarm the militants and break their totalitarian grip (Annan 1998; Terry 2002). The conceptual evolution from Westphalian sovereignty to R2P-aligned governance is the only theoretical pathway capable of resolving this protection-neutrality deadlock.

3. Literature Review

The academic literature surrounding humanitarian action, refugee protection, and military intervention underwent a fundamental paradigm shift following the systemic crises of the 1990s. To contextualise the protection-neutrality dilemma, it is necessary to critically evaluate the key debates concerning the shifting mandate of UNHCR, the structural failures of safe areas, and the theories of refugee camp militarisation.

3.1. The Shifting Mandate and Containment of UNHCR

A major focus of critical scholarship is the structural transformation of the Office of the United Nations High Commissioner for Refugees (UNHCR). Established in 1951, UNHCR's original institutional design was strictly bounded: under Article 2 of its Statute, its work was mandated to be of an 'entirely non-political character', focusing almost exclusively on providing legal, cross-border protection to individuals fleeing persecution and helping host states implement the 1951 Refugee Convention (Loescher 2001). Crucially, UNHCR was not originally designed to provide large-scale, material, in-country relief, nor was its mandate intended to extend to internally displaced persons (IDPs) or active zones of conflict.

Under the leadership of High Commissioner Sadako Ogata in the early 1990s, UNHCR underwent a fundamental mutation, expanding its operational presence directly into 'countries of origin' and increasingly providing material assistance to IDPs in active war zones (Loescher 2001). While mainstream liberal narratives often portray this expansion as a progressive integration of refugee law with broader human rights law, critical scholars offer a much more cynical reading (Loescher 2001). Gil Loescher argues that this shift to in-country protection was driven primarily by the geostrategic interests of major Western donor states, who sought to use UNHCR and other humanitarian organisations as a mechanism of 'containment' (Loescher 2001). By funding massive in-country relief programmes, Western states could justify denying asylum to fleeing populations, containing them within their countries of origin and substituting humanitarian funding for genuine political or military engagement to resolve the root causes of conflicts.

3.2. The Protection-Neutrality Dilemma and "Norms Entrepreneurship"

The increased overlap between military peacekeeping and civilian relief in CHEs lies at the core of the protection-neutrality dilemma. In her foundational work, Carola Weil (2001) argues that the introduction of military forces into humanitarian arenas has been a deeply mixed blessing. Weil conceptualises military forces in these crises as 'norms entrepreneurs', whose operational capabilities and physical presence can actively shift international response norms from protecting national borders to enforcing individual human security. Weil reiterated that the sheer diversity of actors and competing interests in humanitarian crises ultimately raises the question of whose security international interventions are actually designed to protect.

However, this military involvement introduces severe unintended costs. Gil Loescher argues that such responses to refugees are shaped by political and strategic considerations, not by purely humanitarian motives (Loescher 2001). Their deployment is invariably shaped by the national and geostrategic interests of the intervening states, which compromises the perceived independence and neutrality of the entire humanitarian operation. Second, the militarisation of the humanitarian space blurs the distinction between civilian aid workers and combatants, dragging refugees and internally displaced persons into active armed clashes, exposing them to targeted attacks, and restricting the neutral space necessary for aid personnel to operate safely (Annan 1998; Minear 2002).

3.3. Refugee Camp Militarisation Theories

To understand why refugee camps so frequently transform into violent arenas, Sarah Kenyon Lischer (2005) developed a political model of camp militarisation in her work *Dangerous Sanctuaries*. Lischer strongly refutes conventional, socio-economic explanations that attribute refugee-related violence to abysmal living conditions, overcrowding, or the presence of unemployed young men (Lischer 2005). Instead, she argues that the spread of conflict across borders is determined by the political context of the refugee population, structured by three critical variables: *refugee political cohesion, host state capacity and willingness, and external resource contribution.* If the refugees flee as an organised, politically cohesive group led by their preexile leadership, they are highly likely to constitute a 'state-in-exile' that views the refugee camps as a temporary rear base from which to wage an armed struggle to regain power. If the host state lacks the capacity or, worse, actively sympathises with the exiled political leadership, camp militarisation is virtually guaranteed. Furthermore, she reiterated that the extent to which humanitarian agencies and international donors provide material resources that can be easily diverted by militant leaders to recruit fighters, purchase weapons, and feed combatants, thereby directly subsidising the ongoing war effort.

Lischer's analysis demonstrates that when international donors fund humanitarian relief in camps controlled by a cohesive 'state-in-exile', without providing the host state with the military capacity to enforce demilitarisation, they are actively fuelling the spread of civil war (Lischer 2003; Lischer 2005; Prunier 2009).

Fiona Terry (2002), in *Condemned to Repeat? The Paradox of Humanitarian Action argues* that humanitarian organisations suffer from a profound 'mindset of rescue' that blinds them to the political consequences of their actions. Terry posits that the 'humanitarian imperative', the drive to alleviate immediate suffering based on need alone, frequently contradicts its own long-term purpose by prolonging and intensifying conflict. Using the Goma camps as her primary case study, Terry demonstrates that by treating the delivery of aid as an apolitical, purely technical function, humanitarian agencies allowed genocidal leaders to consolidate their totalitarian control over the refugee population, divert millions of dollars in aid to finance military operations, and operate with complete impunity under the protection of the UN flag. Terry argues that aid agencies must move beyond the naive assumption that the initial moral decision to help satisfies all ethical requirements; instead, they must constantly assess the political economy of their operations and be willing to take the controversial step of withdrawing aid if their presence does more harm than good (Lischer 2005; Terry 2002).

3.4. The Fallacy and Moral Hazards of "Safe Areas"

The final major debate in the literature concerns the utility of 'Safe Areas' or 'Secure Humanitarian Areas'. Proponents of safe areas, such as Phil Orchard, argue that in mass atrocity situations where the international community lacks the political will for full-scale military intervention, establishing geographically limited, protected zones offers a rapid and low-cost mechanism to save civilian lives and contain destabilising refugee flows within their domestic borders (Orchard 2014). However, the empirical record of safe areas, most notably in Bosnia (Srebrenica) and Rwanda, has led to a deep scholarly scepticism. Stefano Recchia argues that safe areas consistently fail and frequently generate severe moral hazards (Recchia 2018). Recchia identifies three primary pathways through which safe areas worsen civilian suffering over the medium term:

1. *Incentive Reduction*: By offering international protection to a specific group, safe areas reduce the incentives for the leaders of those groups to compromise during peace negotiations, thereby prolonging active hostilities.
2. *Staging Grounds for Offensives*: Supposedly protected groups frequently use safe areas as demilitarised shields from which to launch high-risk military offensives against opposing forces, deliberately placing civilians in harm's way in the hope of drawing international protection forces deeper into the conflict.
3. *Secessionist Emboldenment*: The existence of a protected territorial enclave can embolden minority groups to pursue unilateral secession, further escalating the conflict and triggering violent retributions from the host state.

Furthermore, Phil Orchard highlights a critical legal and operational defect: while safe zones under customary international humanitarian law (such as neutralised or hospital zones) rely strictly on the *mutual consent* of the warring parties and complete *demilitarisation*, post-Cold War safe areas declared by the UN Security Council have typically been imposed non-consensually under Chapter VII (Orchard 2014). In the absence of both genuine local consent and a credible, heavily armed international military force committed to using force to deter attacks, safe areas function as highly vulnerable 'sitting targets' that lure civilians into a false sense of security before collapsing catastrophically (Orchard 2014; Sewell et al. 2010; Haspeslagh 2002).

4. Methodological Note

This study adopts a qualitative single-case study design, combining doctrinal reading of the relevant legal and normative instruments with theory-guided process tracing. Its objective is to examine how humanitarian neutrality, state sovereignty, and civilian protection interacted across the Rwandan crisis and to draw out the implications for contemporary human rights governance.

Rwanda was selected as a critical and extreme case (Flyvbjerg 2006). It is one of the clearest instances in the post-Cold War era in which state sovereignty, humanitarian neutrality, refugee protection, and mass atrocity prevention came into conflict simultaneously through the genocide, the militarisation of the Great Lakes refugee camps, and the Kibeho massacre. This convergence makes it uniquely suited to examining the operational limits of both humanitarian neutrality and sovereignty-based approaches to international order.

The analysis draws on documentary sources of two kinds. Primary materials include UN Security Council and General Assembly resolutions, UNHCR reports, the ICISS report, the Genocide Convention, and the reports of international commissions of inquiry (including on Kibeho) covering 1994–1996. Secondary materials comprise peer-reviewed articles and scholarly monographs on humanitarian intervention, refugee protection, international law, and R2P (e.g., Dallaire, Melvern, Terry, Lischer, Loescher, Prunier, and Des Forges).

Where primary institutional records and secondary scholarly accounts diverge, the two are triangulated rather than treated as interchangeable. Primary UN and UNHCR documentation is taken as the authoritative record of institutional mandates, decisions, and the official framing of events, while secondary scholarship is relied upon for critical interpretation and for evidence that the official record understates or omits.

The casualty figures for the Kibeho massacre illustrate the point: contemporaneous official counts sat well below the estimates produced by the independent commission of inquiry and by eyewitness and NGO accounts. Rather than adopting a single figure, the study reports the range and treats the divergence as itself analytically significant, since the gap between official and independent counts is part of what the Rwandan case reveals about institutional incentives to minimise recorded protection failures. Contested empirical claims are corroborated across at least two independent source types before they are used to support the analysis.

Analytically, the study traces the causal mechanisms by which humanitarian objectives and protection responsibilities came into conflict, comparing recurring analytical categories (neutrality, protection, sovereignty, camp militarisation, and civilian security) across successive phases of the crisis. Reading the governing legal and normative instruments doctrinally against this empirical sequence allows us to identify the precise points of breakdown between neutrality and protection.

Several limitations should be acknowledged. The study relies exclusively on documentary evidence and incorporates no interviews or field research. The analysis therefore focuses on patterns of institutional response and their governance implications rather than on resolving disputed historical facts.

5. Case Study Section: Rwanda

The 1994 Rwandan crisis remains a milestone event in international law, demonstrating how a rigid adherence to state sovereignty and humanitarian neutrality can lead directly to systematic operational failure in the face of mass atrocities.

5.1. The Genocide and the Failure of International Response

The Rwandan genocide was unleashed on April 6, 1994, following the shooting down of the plane carrying Rwandan President Juvénal Habyarimana as it approached Kigali. Within hours, Hutu political and military extremists, primarily belonging to the ruling party and the military leadership, initiated a pre-planned, systematic campaign of extermination targeting the country's Tutsi minority and moderate Hutus who opposed the regime (Dorn et al. 1999; Prunier 1995).

The genocide was not an outbreak of spontaneous, chaotic 'tribal violence'; it was a meticulously organised, state-directed project (Melvern 2000; Des Forges 1999). The extremist Hutu leadership had compiled detailed targeting lists of Tutsis and moderate Hutu intellectuals, trained and armed the youth wing militia known as the Interahamwe, stockpiled machetes and firearms, and used the state-controlled radio station, RTLM, to broadcast genocidal propaganda and direct killers to specific locations (Melvern 2000; Dorn et al. 1999). Over the course of approximately 100 days, between 800,000 and one million Rwandans were systematically slaughtered (Dallaire 2003; Melvern 2000; Dorn et al. 1999; Prunier 1995).

Despite overwhelming photographic evidence and real-time testimonies from human rights groups and international observers, the international military response was characterised by active avoidance and systemic paralysis. Western powers and members of the UN Security Council engaged in an international conspiracy of silence, refusing to officially use the word 'genocide' (Weil 2001; Amnesty International 1997). Under Article I of the 1948 Genocide Convention, the formal recognition of genocide carries a binding legal obligation for state parties to intervene to prevent and punish the crime (UNGA 1948). To avoid this legal trigger, diplomats systematically employed euphemisms such as 'inter-tribal violence', 'violation of the ceasefire', or a 'failed state' (Weil 2001).

The United States Mission to the United Nations in New York went so far as to formally argue that there was insufficient justification to retain a UN peacekeeping presence in Rwanda (United States Department of State 1994). It actively opposed any effort to reinforce the operation (Weil 2001). Former colonial powers enthusiastically played their postcolonial chess games, francophones against anglophones, on the territories formerly controlled by them, blocking any possibility of an effective, unified solution (Melvern 2000). This tacit consensus allowed the international community to remain bystanders, effectively prioritising its geostrategic interests over its moral and legal obligations under international law.

5.2. UNAMIR and the Problem of Non-Intervention

The United Nations Assistance Mission for Rwanda (UNAMIR) had been deployed in October 1993 under a strict Chapter VI peacekeeping mandate to monitor and facilitate the implementation of the Arusha Peace Agreement, which was intended to end the civil war between the Hutu-dominated government and the Tutsi-led rebel movement, the Rwandan Patriotic Front (RPF) (Dallaire 2003; Adelman and Suhrke 1996). UNAMIR was explicitly designed as a traditional, consent-based peacekeeping force, operating under rules of engagement that prohibited the use of force except in self-defence and strictly barred them from interfering in the internal affairs of the host state (Adelman and Suhrke 1996; Annan 2000).

About three months before the killings began, in January 1994, UNAMIR Force Commander General Roméo Dallaire received highly detailed, credible intelligence from a senior Interahamwe military trainer who had been recruited as an informant (Dorn et al. 1999). The informant was said to have provided information concerning an alleged plan to exterminate Tutsis, including purported lists of victims, details of Interahamwe training, and the suspected locations of arms caches in Kigali (Dorn et al. 1999; Dallaire 2003). Armed with this early warning, Dallaire requested urgent permission from the UN Secretariat to conduct targeted military raids on these arms caches to preempt the impending slaughter.

However, the UN Department of Peacekeeping Operations, then directed by Kofi Annan, denied Dallaire's request (Annan 2000; Dorn et al. 1999; Dallaire 2003). The Secretariat instructed Dallaire that such a proactive intervention would exceed UNAMIR's mandate and constitute an unacceptable violation of state sovereignty and non-interference in the internal affairs of Rwanda. Even after the systematic killings began on April 7 (Weil 2001), the rigid commitment to Westphalian non-interference remained unchanged.

Hutu government soldiers tortured and killed ten Belgian peacekeepers, prompting Belgium to withdraw from UNAMIR. The UN Security Council responded not by reinforcing the mission, but by voting to reduce the force from over 2,500 troops to a skeleton crew of just 270 soldiers, leaving

Dallaire completely incapable of protecting the hundreds of thousands of civilians seeking refuge at UN bases (Adelman and Suhrke 1996; Annan 2000; United Nations 1999). Traditional peacekeeping's structural reliance on host-state consent and strict neutrality rendered it useless when the host state itself became the primary perpetrator of genocide.

5.3. UNHCR, Refugee Camps, and Neutrality Problems

In July 1994, the military offensive of the Tutsi-led RPF successfully seized control of Kigali, ending the genocide but triggering a massive, highly organised exodus of over two million Hutus into neighbouring Zaire (now the Democratic Republic of Congo), Tanzania, and Burundi (Lischer 2005; United Nations 1996). Fearing massive reprisal killings by the advancing RPF, and compelled by the intense propaganda of their retreating leaders, the Hutu population fled across the borders in one of the fastest refugee movements in modern history (Boutroue 1998; Pottier 2002).

Crucially, this exodus was not a disorganised flight of individual civilians; it was a centrally directed evacuation orchestrated by the collapsing Hutu government, which simply transferred its entire administrative, political, and military structure across the borders. The massive refugee camps established around Goma in North Kivu, Zaire (holding over 850,000 refugees across complexes like Katale, Mugunga, and Kibumba), and Benaco in Tanzania (holding over 250,000) became virtual 'states-in-exile' (United Nations 1996). Fully armed ex-FAR soldiers (numbering 30,000 to 40,000 in North Kivu alone), political leaders, and Interahamwe militias established absolute, totalitarian control over the camps (United Nations 1996; Prunier 1995).

UNHCR was thrust into a profound protection-neutrality dilemma in these camps (Annan 1998; McQueen 2005). In accordance with its strictly apolitical, neutral humanitarian mandate, UNHCR took charge of camp administration and the distribution of material relief (Loescher 2001). However, the genocidal leaders quickly hijacked the aid delivery system because there was no international military or police force to separate active combatants from genuine refugees (Lischer 2005; Terry 2002; United Nations 1996). The ex-FAR and Interahamwe controlled the distribution of food, water, and shelter, using these vital resources to maintain their authority, recruit and train refugee fighters, and stockpile newly purchased weapons and enforce their control through violence, propaganda, and death threats against any refugees wishing to repatriate voluntarily (Lischer 2005; Boutroue 1998; Pottier 2002; MSF 1995).

The humanitarian relief effort, funded with billions of dollars from international donors, was completely compromised. Aid intended for starving victims was systematically diverted to finance and feed a genocidal army preparing to launch cross-border military attacks against the new RPF government in Rwanda (Terry 2002; United Nations 1996; Prunier 2009). The situation created a severe moral and operational crisis: by maintaining a strictly neutral, non-political stance and refusing to disarm the combatants forcefully, UNHCR and international NGOs were directly feeding, housing, and subsidising the perpetrators of the genocide, enabling them to use the refugee populations as human shields (Weil 2001; Terry 2002). This structural complicity led to intense ethical divisions. The French section of Médecins Sans Frontières (MSF), concluding that its material assistance was actively strengthening a genocidal force and that it could not participate in 'a technical function in the service of evil,' made the controversial decision to withdraw entirely from the Zaire and Tanzania camps in late 1994 (Terry 2002).

Compounding this external crisis, UNHCR faced severe internal tensions regarding human rights abuses inside Rwanda. In August and September 1994, a UNHCR-contracted survey team led by Robert Gersony conducted extensive field investigations across Rwanda to prepare for refugee repatriation (Amnesty International 1997; Human Rights Watch 1996). The Gersony team uncovered a systematic, widespread pattern of massacres, house-to-house search-and-destroy missions, and arbitrary executions of Hutu civilians by the new RPF government's military wing, the Rwandan Patriotic Army (RPA), estimating that between 25,000 and 45,000 Hutus had been killed.

However, because the United States and the United Nations had committed politically to supporting the new RPF regime as the legitimate authority that ended the genocide, the Gersony findings were actively suppressed (Amnesty International 1997; Human Rights Watch 1996). Secretary-General Boutros Boutros-Ghali, upon being informed of the findings by UNHCR High Commissioner Ogata, dispatched Kofi Annan and UNHCR Africa director Kamel Morjane to Kigali to meet with the new Rwandan leadership. Following those consultations, the secretary-general placed an embargo on the findings, instructing Gersony and his team to keep silent and preventing the completion of a final written report (Amnesty International 1997; Human Rights Watch 1996). This suppression of RPF atrocities to maintain political stability deeply compromised the impartiality of the UN's human rights monitoring, leaving Hutu refugees with a well-founded fear of return and reinforcing the gridlock in the militarised camps.

5.4. Kibeho and the Consequences of Militarised Protection

In southwest Rwanda, the French military began entering Rwanda on 23 June 1994 under UN Security Council Resolution 929 and, on 5 July 1994, declared a 'Zone Humanitaire Sûre' (Safe Humanitarian Zone, ZHS) covering approximately one-fifth of the country's territory, following the fall of Kigali and Butare to the RPF (Haspeslagh 2002; Pottier 2002). Although Operation Turquoise succeeded in saving some Tutsi lives and stemming immediate refugee flows to Zaire, its unilateral nature and France's historical postcolonial alliances with the Hutu regime created severe security vulnerabilities (Weil 2001; Haspeslagh 2002). Due to their political alignment, French forces systematically refused to disarm the Hutu militias and ex-FAR soldiers fleeing into the ZHS, allowing them to establish a heavily militarised presence inside the internal displacement camps within the zone (Weil 2001; Haspeslagh 2002). When France withdrew in late August 1994 and handed over control to a heavily downsized UNAMIR, the new Tutsi-led Rwandan government, became increasingly fearful that these massive internal camps were being used as a staging ground for anti-government insurgency.

By early 1995, the Kibeho camp in Gikongoro prefecture had grown into the largest internal displacement camp in Rwanda, holding between 80,000 and 120,000 internally displaced Hutus (Adelman and Suhrke 1996; Independent Commission of Inquiry 1995). The Rwandan authorities, determined to disperse the camps and prosecute perpetrators of the genocide hiding among the civilians, announced the immediate, forced closure of Kibeho and other southwestern camps on April 17, 1995 (Adelman and Suhrke 1996).

On April 18, several thousand soldiers of the Rwandan Patriotic Army (RPA) surrounded Kibeho, cutting off all food and water supplies and firing warning shots to herd the massive population of over 80,000 onto a single, narrow hill plateau. Over the course of five days, the humanitarian conditions deteriorated catastrophically, with the displaced population packed shoulder-to-shoulder in heavy rain without shelter, water, or sanitation, creating a volatile environment (Independent Commission of Inquiry 1995; UNSC 1995).

On April 22, panic broke out when RPA forces began firing directly into the massed crowd of civilians with machine guns and 60mm mortars, following stone-throwing and stampedes (Adelman and Suhrke 1996; Independent Commission of Inquiry 1995). For several hours, RPA soldiers hunted down and shot fleeing civilians, while armed Hutu hard-liners within the camp simultaneously attacked those trying to surrender to use them as human shields.

A small UNAMIR peacekeeping contingent consisting of fewer than 100 Zambian and Australian soldiers was present on the hill during the massacre (Adelman and Suhrke 1996; Independent Commission of Inquiry 1995). Despite their explicit mandate under Resolution 918 to ‘contribute to the security and protection of displaced persons,’ the peacekeepers were ordered by their command not to intervene or fire on the RPA, reflecting their highly restrictive Chapter VI rules of engagement and the absolute political dominance of the sovereign Rwandan government (Adelman and Suhrke 1996; Boutros-Ghali 1994; Independent Commission of Inquiry 1995).

Following the carnage, Australian medical personnel and UN observers estimated that at least 4,000 unarmed civilians had been killed by the RPA, with thousands of others wounded or trampled to death (Adelman and Suhrke 1996; Independent Commission of Inquiry 1995; Prunier 1995). RPA soldiers quickly began a massive cleanup operation, burying bodies in mass graves and throwing others into latrines to hide the scale of the massacre before allowing independent observers access to the site. The Rwandan government sharply contested these figures, claiming a death toll of only 338, while the UN subsequently succumbed to political pressure and lowered its official estimate to about 2,000 (Adelman and Suhrke 1996; Independent Commission of Inquiry 1995).

To manage the international fallout, the government established an Independent International Commission of Inquiry on the Events at Kibeho (Adelman and Suhrke 1996; UNSC 1995). The Commission’s report, issued in May 1995, was highly superficial and inconclusive; it concluded that the tragedy was ‘neither premeditated nor an accident that could not have been prevented’, faulted the RPA for using disproportionate force due to ‘inexperience and inappropriate training’, and balanced its findings by highlighting the presence of armed genocidaires who had actively instigated the violence.

The Kibeho massacre represents a clear example of the catastrophic failure of ‘neutral protection’ in safe areas. The UN’s reliance on a symbolic, non-coercive peacekeeping presence without the mandate, political will, or military strength to disarm combatants and enforce a demilitarised zone created a violent trap, where thousands of vulnerable civilians were gathered under a false guarantee of safety only to be slaughtered by their state’s military forces (Orchard 2014; Sewell et al. 2010; Haspeslagh 2002; Independent Commission of Inquiry 1995).

5.5. What Rwanda Shows About the Sovereignty vs. Human-Rights Tension

The trajectory of the Rwandan crisis, from the genocide to the Goma camps and the Kibeho massacre, illustrates the fatal incompatibility of trying to simultaneously accommodate Westphalian sovereignty and the universal protection of individual human rights. This tension is summarised in the shifting and conflicting mandates that guided the international protection operations.

Comparative Outcomes of International Responses during the Rwandan Crisis (1994–1995)

Conflict Phase	Target Population	Dominant International Norm	Operational Mechanism	Humanitarian Outcome
Genocide (April–July 1994)	Tutsis and moderate Hutus inside Rwanda (Weil 2001; Melvern 2000)	Westphalian Sovereignty & Non-Intervention (Weil 2001; UN 1945)	Skeleton UNAMIR peacekeeping force under strict Chapter VI monitoring rules (Adelman and Suhrke 1996; Annan 2000)	**Catastrophic Failure:** Systematic slaughter of up to 1 million civilians with no international intervention (Melvern 2000; Dorn et al. 1999)
Refugee Camps (1994–1996)	Hutu refugees in Zaire and Tanzania (Lischer 2005; United Nations 1996)	Humanitarian Neutrality & Apolitical Relief (Loescher 2001)	Unconditional aid delivery by UNHCR and NGOs without disarmament capabilities (Lischer 2005; Terry 2002)	**Moral Hazard:** Aid diverted to sustain a genocidal army-in-exile, triggering regional war (Terry 2002; United Nations 1996; Prunier 2009)
Internal Camps (April 1995)	Internally Displaced Hutus in Southwest Rwanda (Adelman and Suhrke 1996; Independent Commission of Inquiry 1995)	State Sovereignty vs. Symbolic Protection (UNGA 1948; Haspeslagh 2002)	Forced camp closure by RPA; UNAMIR peacekeepers ordered not to intervene (Adelman and Suhrke 1996; Independent Commission of Inquiry 1995)	**Massacre:** 4,000 civilians killed at Kibeho under the passive gaze of the UN (Adelman and Suhrke 1996; Independent Commission of Inquiry 1995; Prunier 1995)

Source: Compiled by the author from Weil (2001), Melvern (2000), Lischer (2005), Terry (2002), United Nations (1996), Adelman and Suhrke (1996), and the Independent International Commission of Inquiry (1995). The table compares the dominant international norms, operational mechanisms, and humanitarian outcomes during three critical phases of the Rwandan crisis: the genocide, the refugee camp emergency, and the Kibeho camp closure.

Ultimately, Rwanda proved that when the international community attempts to protect human lives while refusing to violate state sovereignty or compromise its humanitarian neutrality, it achieves neither (Weil 2001). Sovereignty was used as a shield to perpetrate genocide, neutrality was hijacked to sustain the perpetrators, and symbolic, non-coercive peacekeeping bases functioned as highly vulnerable targets for military slaughter (Weil 2001; Terry 2002; Sewell et al. 2010).

6. Discussion

The empirical findings of the Rwandan case study provide critical theoretical insights that demand a profound reassessment of global human rights governance and the operational limits of humanitarian action. Specifically, the Rwandan experience exposes three major realities: the operational illusion of apolitical humanitarian neutrality, the conditional nature of state sovereignty, and the necessity of bridging the civil-military security vacuum.

6.1. The Operational Illusion of Humanitarian Neutrality

The first major lesson of Rwanda is that 'absolute neutrality' in a predatory conflict environment is a moral and operational fiction. The traditional Dunantist model of humanitarianism assumes that relief can be delivered in a political vacuum, separate from the power struggles of combatants (ICRC 2003; Bothe 2008). However, in complex humanitarian emergencies where civilians are the primary targets and the economy of war is decentralised, humanitarian aid represents a massive injection of wealth and power into the conflict zone (Terry 2002; Loescher 2001; ICRC 2003).

When UNHCR and international NGOs insisted on remaining strictly neutral in the Goma camps, they ignored the political reality that their material resources (food, water, medicine, vehicles, and communications equipment) were being systematically appropriated by the ex-FAR and Interahamwe to rebuild their genocidal administration and feed their active military forces (Terry 2002). Neutrality became a direct instrument of war, enabling the perpetrators of genocide to operate with complete impunity under the protection of the United Nations flag.

By treating victims and perpetrators equally in the name of non-discrimination, the humanitarian system prolonged the conflict, held millions of refugees hostage, and directly precipitated the First Congo War in 1996, which claimed millions of Congolese lives. Consequently, as Fiona Terry argues, humanitarian action can directly contradict its own fundamental purpose of saving lives if it remains blind to the political consequences of its presence (Terry 2002; Gordenker and Weiss 1995). In contexts of mass atrocities, neutrality is no longer a viable moral option; rather, the humanitarian system must adopt an approach that subordinates neutrality to the higher, non-negotiable imperative of human rights protection and be prepared to withdraw or withhold aid if its presence actively sustains a genocidal force (Leebaw 2007).

6.2. The Conditional Nature of State Sovereignty

Second, the Rwandan genocide and the subsequent Kibeho massacre demonstrate that the Westphalian concept of state sovereignty must be legally and politically conceptualised as conditional, not absolute. The traditional international legal order, based on Article 2(7) of the UN Charter, has treated state borders as sacrosanct, prioritising non-interference over human rights protection (UN 1945).

However, when a state actively transforms its sovereign power into an instrument of systematic extermination, as the Hutu-dominated government did in 1994, or when it demonstrates a complete disregard for the lives of its displaced populations, as the RPA did at Kibeho, it violates its fundamental duties under the international social contract.

The international community must explicitly establish that state sovereignty is contingent upon the state's fulfilment of its responsibility to protect its population (ICISS 2001; UNGA 2005; UNSG 2009). When a state is unable or unwilling to meet this responsibility, or is itself the primary perpetrator of atrocities, its sovereign right to non-interference must be legally suspended, and the international community has a binding collective obligation to intervene to protect the population.

6.3. Bridging the Civil-Military Security Vacuum

Third, the Rwandan crisis proves that civilian relief organisations cannot substitute for state security and that physical security is an absolute, non-negotiable precondition for humanitarian relief (Weil 2001). In Goma and Kibeho, the fundamental operational failure was not a lack of food or medical supplies; it was a profound 'security vacuum' caused by the absence of a credible, neutral military force capable of disarming combatants, enforcing law and order, and physically separating armed militants from vulnerable civilians (UNHCR 1995; Annan 1998; UNSG 1999; Adelman and Suhrke 1996).

Humanitarian agencies are structurally incapable of performing policing or military functions (Lischer 2005; Terry 2002; Loescher 2001). Relying on symbolic, non-coercive UN peacekeepers operating under Chapter VI mandates, as Dallaire's downsized force was during the genocide and the Zambian contingent was at Kibeho, merely creates a false sense of security that lures civilians into vulnerable safe zones before they are attacked (Orchard 2014; Sewell et al. 2010; Haspeslagh 2002; Independent Commission of Inquiry 1995).

To fill this gap, future international responses to CHEs must use heavily armed, multilateral military forces with strong Chapter VII mandates from the start of the emergency (UNGA 2005; Deng et al. 1996; Brahimi 2000). The military's role must be clearly defined: rather than attempting to deliver aid or 'win hearts and minds', which blurs civilian-military lines, the military must focus strictly on enforcing a secure environment, conducting comprehensive disarmament, demobilising combatants, separating armed elements from refugee populations, and physically defending safe zones (Annan 1998; Loescher 2001; Brahimi 2000). Only when physical security is enforced can civilian humanitarian agencies safely and effectively deliver impartial relief based on need alone.

These conclusions invite a serious objection. If physical protection in the last resort depends on heavily armed Chapter VII forces, then the prescription advanced here risks reproducing the very selectivity and great-power politicisation that critics have long identified in R2P's practical application (Hehir 2024). The doctrine's coercive dimension has been applied unevenly, tracking the strategic interests of powerful states rather than the severity of the atrocity and the contested aftermath of the 2011 Libya intervention hardened the suspicion that civilian-protection mandates can be stretched towards regime change.

On this view, empowering coercive intervention does not resolve the Rwandan dilemma so much as relocate it, substituting the paralysis of non-intervention for the danger of politicised and inconsistent intervention. This article does not dismiss that objection. It responds in the following section by shifting the centre of gravity of R2P away from late-stage military action and towards prevention and assistance, where the discretion available to powerful states, and therefore the scope for selective abuse, is narrower. The tension is real and cannot be fully dissolved; it can only be reduced through institutional design, which is the task of the policy discussion that follows.

7. Policy Implications and Way Forward

To prevent the recurrence of the structural and moral failures witnessed in Rwanda, the international community must translate these theoretical lessons into concrete, actionable policy reforms within the global human rights governance architecture. This requires a precise operationalisation of the Responsibility to Protect (R2P) framework.

7.1. Conceptualising R2P as a Multi-Level Governance Framework

A critical policy requirement is to correct the widespread misconception that R2P is merely a modern synonym for coercive, late-stage military intervention or a 'right to intervene' that serves as a pretext for Western realpolitik. Historically, unilateral military interventions have been viewed with deep suspicion by developing nations as infringements on national sovereignty, frequently motivated by the political alliances of intervening states (such as France's Operation Turquoise in Rwanda).

Rather than a 'right to intervene' belonging to powerful states, R2P must be structurally institutionalised as a collective, multi-level governance framework that spans three distinct phases of action: prevention, assistance, and decisive collective response.

This reframing also helps to answer the most serious objections to R2P. Since the 2011 intervention in Libya, critics have argued that the doctrine's coercive third pillar is too easily stretched from civilian protection into regime change, that it is applied selectively according to the strategic interests of powerful states, and that it has consequently eroded the very consensus it was meant to build, with subsequent vetoes over Syria invoking Libya as a cautionary precedent (Hehir 2024).

These criticisms carry weight, and they are only partly answered by the multi-level conception advanced here, since even preventive and assistance measures under Pillars One and Two are allocated through the same political channels and can be applied as selectively as military action. What the multi-level reading changes is the balance of risk: relocating the doctrine's centre of gravity towards prevention, capacity-building, and non-coercive measures reduces the discretion and thus the scope for the most damaging forms of abuse that attach to late-stage military action.

A candid account must nonetheless concede a tension internal to this article's own argument. The call for the mandatory deployment of Chapter VII forces presupposes a functioning Security Council, yet the Rwandan case itself demonstrates how readily great-power interest and the veto can paralyse collective action. Absent reform of the Council's working methods, mandatory deployment remains partly aspirational, which is precisely why the preventive and assistance pillars, where consensus is easier to mobilise, must carry the greater practical weight.

Under this governance model, the international community's primary focus must shift from reactive military intervention to active, early-stage prevention and assistance under Pillar Two. This framework requires:

1. *The Installation of Early-Warning Systems*: Developing independent, multilateral intelligence-gathering capabilities within the United Nations to monitor early indicators of mass atrocities (such as the systematic accumulation of weapons or hate-speech broadcasts) and ensure these warnings are translated into immediate preventative diplomacy, bypassing the political paralysis of the UN Security Council (Deng et al. 1996; Dorn et al. 1999).
2. *State Capacity-Building and Assistance*: Actively supporting states in building professional, domestic judiciaries; professionalising their military and police forces through human rights training; and establishing robust local protection institutions to prevent the state apparatus from being captured by extremist elements (ICISS 2001; UNSG 2009).
3. *Targeted Non-Coercive Measures*: Implementing rapid diplomatic pressure, financial asset freezes, targeted travel bans, and complete arms embargoes at the very earliest signs of state-sponsored human rights abuses, thereby increasing the costs to perpetrators before they can execute large-scale atrocities (UNGA 2005; Brahimi 2000).

7.2. Structural Reform of Safe Areas and Refugee Camp Management

When prevention fails and complex emergencies trigger mass population displacement, the international community must implement immediate, structural reforms to the design and management of refugee camps and safe areas. First, the United Nations must mandate that any humanitarian refugee camp established in response to a complex emergency must be physically located a significant distance away from the border of the country of origin (United Nations 1996; Dallaire 2003; Prunier 2009). Locating massive camps directly on active borders, as occurred around Goma, directly facilitates cross-border military incursions, rearmament, and the rapid destabilisation of the host state and the wider region (United Nations 1996; Dallaire 2003; Prunier 2009).

Second, the establishment of any safe area or refugee camp must be accompanied by the mandatory, immediate deployment of a dedicated, international military force under a Chapter VII mandate (UNGA 2005; Deng et al. 1996; Gillard 2017). This force must be structurally separated from civilian relief agencies and tasked with three precise operational duties:

Operational Functions of International Security Forces in Humanitarian Protection Zones

Operational Duty	**Primary Protection Mechanism**	**Core Governance Target**
Mandatory Disarmament	Immediate search and confiscation of all light and heavy weaponry from anyone entering the camp (Adelman and Suhrke 1996; UNGA 1948)	Complete demilitarisation of the humanitarian space, eliminating the camp's utility as a military rear base (United Nations 1996; Gillard 2017)
Civilian Screening	Rigorous vetting and administrative separation of active combatants, political leaders, and suspected genocidaires from genuine civilian refugees (Adelman and Suhrke 1996; Boutroue 1998)	Preservation of the strictly civilian character of asylum in accordance with international refugee law (Loescher 2001; Boutroue 1998)
Law Enforcement & Policing	Active military-police patrolling inside the camp complexes to enforce law and order and protect vulnerable groups (Adelman and Suhrke 1996; Boutroue 1998)	Prevention of the capture of aid distribution systems by armed gangs, militias, or totalitarian leaders (Lischer 2005; United Nations 1996; Adelman and Suhrke 1996)

Source: Compiled by the author based on ICISS (2001), Gillard (2017), Adelman and Suhrke (1996), Boutroue (1998), Lischer (2005), and United Nations (1996). The table outlines the principal security functions required to preserve the civilian and humanitarian character of refugee camps and safe areas, including disarmament, civilian screening, and law-enforcement responsibilities.

Third, international law must explicitly establish that the delivery of humanitarian aid is contingent upon the complete demilitarisation of the recipient population. If host states or armed factions refuse to allow the international military force to disarm combatants and separate perpetrators from victims, UNHCR and international donors must have the legal authority and moral obligation to withhold or withdraw material assistance, refusing to allow humanitarian charity to be instrumentalised as an engine of ongoing war (Lischer 2005; Terry 2002).

8. Conclusion

The structural and moral failures of the international response to the 1994 Rwandan genocide, the subsequent militarisation of the Great Lakes refugee camps, and the tragic Kibeho massacre of April 1995 represent a definitive historical indictment of the traditional international legal order. This article has argued that the rigid adherence to Westphalian sovereignty as an absolute shield from non-interference, combined with the treatment of humanitarian neutrality as an apolitical dogma, creates a destructive operational deadlock in the face of systematic mass atrocities. Rwanda demonstrated that in a predatory environment, absolute neutrality leads directly to complicity in human rights abuses, and that symbolic, non-coercive peacekeeping forces are entirely incapable of protecting vulnerable populations.

The primary lesson of Rwanda is that physical security is a non-negotiable precondition for any effective humanitarian action. The international community cannot continue to treat civilian relief and military security as separate, incompatible domains. To prevent the recurring failure of neutral protection, the Westphalian concept of sovereignty must be subordinate to international human rights law, and the universal prohibition of genocide must carry binding, collective obligations for action.

The way forward lies in the robust, systematic operationalisation of the Responsibility to Protect (R2P) as a multi-level governance framework. R2P must be integrated into the daily practice of the United Nations, bridging the gap between military security and civilian protection by establishing early-warning systems, building state capacity, and deploying heavily armed, Chapter VII-mandated forces to enforce the demilitarised and civilian character of safe zones and refugee camps.

With global displacement reaching unprecedented levels, the international community stands at a critical juncture (UNHCR 2023). It can no longer afford to treat mass atrocity situations with the reactive, politically paralysed isolationism that characterised the 1990s. Until the United Nations and its member states commit to bridging the civil-military security vacuum and enforcing a conditional, responsibility-based model of state sovereignty, international law will remain ineffective, human rights governance will continue to fail, and the humanitarian system will remain condemned to repeat the moral catastrophes of the past.

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