

Binaifer Nowrojee. Harvard Law School, author of Shattered Lives

Frank Chalk: Excellent, thank you very much. Our third speaker, Binaifer Nowrojee, will now present.

Binaifer Nowrojee: My name is Binaifer Nowrojee. I work with Human Rights Watch. Recently, Romeo Dallaire testified before the International Criminal Tribunal for Rwanda, and one of the questions that he was asked by the prosecutor's office, was a question about what he noticed about the female corpses during the genocide. To which he responded, that young girls, young women, would be laid out, with their dresses over their heads, the legs spread and bent. You could see what seemed to be semen, drying or dried and it all indicated to me that these women were raped. And then, a variety of materials were crushed or implanted into their vagina, their breasts were cut off, and the faces were, in many cases, still.

In many cases still the eyes were open, and there was like a face that seemed horrified, or something. They all laid on their backs. I would say generally at the sites, you could find younger girls and young women, who had been raped. Dallaire's aide, Brent Beardsley, who also testified recently, was asked the same question, and his response in court was to say he had noticed two characteristics about the female corpses; one, when they killed women, it appeared that the blows that killed them were aimed at sexual organs, either breasts or vagina. They had been deliberately swiped or slashed in those areas. And secondly, there was a great deal of what we came to believe was rape, where the women's bodies or clothes would be ripped off their bodies. They would be lying back in a back position, their legs spread, especially in the case of very young girls. I'm talking girls as young as six, seven years of age. Their vaginas would be split and swollen from obviously multiple gang rape, and then, they would have been killed in that position. So they were lying in the position that they had been raped.

Rape was one of the hardest things to deal with in Rwanda on our part. It deeply affected every one of us. We had a habit at night of coming back to the headquarters, and after the activities had slowed down for the night, before we went to bed, sitting around talking about what had happened that day, drinking coffee, having a chat, and among all of us, the hardest thing that we had to deal with was not so much the bodies of people, the murder of people. I know that can sound bad, but that wasn't as bad to us as the rape, and especially systematic rape and gang rape of children. Massacres kill the body. Rape kills the soul, and there was a lot of rape. It seemed that everywhere we went from the period of 19th of April until the time we left, there was rape everywhere near those killing sites.

The sexual violence that took place during the Rwandan genocide was not some sort of random, opportunistic, unfortunate byproduct of the genocide. This was a tactic of genocide. This was a deliberately selected form of abuse that was directed at women, both on the basis of their gender, and also in the case of Tutsi women, on the basis of their ethnicity. And this form of violence didn't just pop up out of nowhere. If you look at the genocide propaganda that preceded the Rwandan genocide, and you look at the role of the Rwandan media in portraying images of women, particularly Tutsi women, you

will see in that propaganda, portrayal of women, Tutsi women, as being beautiful, sexual, seductresses, but devious, using their sexuality in order to undermine the Hutu, in order to perpetuate a Tutsi agenda.

The print media, Kangura, depicted vile cartoons of Tutsi women using their sexual prowess on UN peacekeepers, or using their beauty in order to undermine the Hutu community. Kangura warned Hutus, “be on guard against Tutsi women.” The Ten Commandments of the Hutu, which laid out rules for what should be done; four of those mentioned women, Tutsi women, and how you have to be careful of them. And so not surprisingly when the violence began, the violence directed at the Tutsi women was sexual violence. Rape served to degrade and destroy Tutsi women, and the effect of the media propaganda is seen very readily when you begin to interview rape victims in Rwanda. The comments that were made to them in the course of the sexual violence, the ethnic invectives used as they were being raped, mirror exactly the depiction of these women in the gender propaganda that was put out before the genocide. There’s a correlation between the hate propaganda that was put out, both by print media, Kangura, and also then replicated on the airwaves with the RTLM, and then the subsequent acts of violence again women.

And so now post genocide, what justice can we offer to these women, who have had genocide crimes committed against them, specifically directed at their gender. And here the International Criminal Tribunal can play a role, and unfortunately, there’s been very little justice for Rwandan women out of the International Criminal Tribunal for Rwanda for many reasons, and there’s no time to go into that here. But what I do want to just point out is that in the media judgment that came out, there was a paragraph that did mention gender violence, and I think it’s an important paragraph. I’m just going to read it so you have a sense, because I think it provides some way to begin to build on this, and to begin to provide justice to women. This is a starting point.

In the media judgment that the Rwanda tribunal gave out, I quote here, “the Chamber notes that Tutsi women, in particular, were targeted for persecution. The portrayal of the Tutsi woman as a femme fatale, and the message that Tutsi women were seductive agents of the enemy, was conveyed repeatedly by RTLM, the radio, and Kangura, the print. The Ten Commandments broadcast on RTLM and published in Kangura, vilified and endangered Tutsi women. By defining the Tutsi women as an enemy in this way, RTLM and Kangura articulated a framework, that made the sexual attack of Tutsi women a foreseeable consequence of the role attributed to them.” Now those words, “foreseeable consequence,” are extremely important words, because now as the International Tribunal moves forward in looking at cases of those who bear the greatest responsibility for the genocide, and that is four trials: two government trials, and two military trials, these are people who are going to be held responsible for their acts by command responsibility. They themselves are not rapists, but they were responsible. This language in the media judgment, and the words “foreseeable consequence,” allow us now to begin to build on that to make the links to command responsibility, and ultimately hopefully to bring some justice to women, and it is my hope that the tribunal will rectify it’s shameful record that

it had on the prosecution of gender crimes, and use this judgment as a starting point to bring justice to Rwandan women. Thank you.