Organisation for Social Science Research
in Eastern and Southern Africa

RWANDA CHAPTER

**Monograph Series
Number 2**

Governance
And Post-Conflict Reconstruction
in Rwanda

July 20013

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Table of Contents

Foreword

One of the core objectives of OSSREA is 'to promote dialogue and interaction between researchers and policy-makers' in member countries. It is on this basis that OSSREA Rwanda Chapter organized a one-day workshop at the National University of Rwanda on 24th August 2012, on 'Governance and Post-Conflict Reconstruction in Rwanda'; thanks to a generous grant from OSSREA head office in Addis Ababa. The workshop brought together researchers and policy-makers from different government sectors. This second monograph of OSSREA Rwanda Chapter is the product of that workshop.

If Rwandan neighbours and the international community had done 'the right thing' vis-à-vis the long and costly Rwandan conflict, then it would not have metamorphosed into genocide. Rwandan neighbours, the Organisation of African Unity, the United Nations and big powers folded their arms as Rwandan bloody conflict changed from bad to worse. Bernard Rutikanga (from National University of Rwanda) looks at the betrayal of Rwandan people by the United Nations peace-keeping mission in Rwanda. Whereas the Commanding Officer of the United Nations Assistance Mission to Rwanda, General Romeo Dallaire warned the United Nations leaders several times that genocide was in the making, he was ignored and was reminded now and then to stick strictly to his mission's Chapter Six Mandate. This betrayal of Rwandan people culminated into the genocide against the Tutsi, and destruction of infrastructure and Rwandan social cohesion. The destruction was so extensive that Rwanda was written off by many pessimists. The articles in this monograph attempt to assess how the post-

genocide governance has contributed to the reconstruction and healing of the society.

 The prominent 18th century British prominent economist Adam Smith asserted that, 'no society can surely be flourishing and happy of which the far-greater part of the members are poor and miserable', and President Woodrow Wilson of the United States supported this line of reasoning when he said that,' no one can worship God or love his neighbor on an empty stomach'. Prof. Herman Musahara deals with the perceptions of economic policies and implementation of socio-economic initiatives in the realm of making people 'happy' and ensuring that they have 'full stomachs' so as to enhance reconciliation and unity on a firm basis.

The education sector has been at the centre of Rwandan reconstruction and healing. The genocide led to a tremendous loss of human resources; thousands of educated Tutsi died, thousands of educated Hutu fled into exile and others found themselves in jail due to their alleged crimes committed between April and July 1994. Guided by the 1998 National Education Policy and the 2000 Vision 2020, Rwandan government and the private sector have steamed forward promoting the educational sector quantitatively and qualitatively. Impressive achievements have been registered, but, there are challenges which need to be addressed. These aspects are covered by Remy Twiringiyimana (from the Ministry of Education).

Rwandan people and government now believe that 'women hold more than half of the sky', therefore their empowerment is not a favour or a privilege, and rather it is their right. It is on this basis that mainstreaming gender issues in policies, programmes has resulted into women being given at least 30 per cent of decision making slots from national level to the

grassroots. Women have been empowered economically, provided with improved access to health and education, and new strategies for fighting the scourge of gender violence have been put in place. These issues and more are highlighted by Aimée Muziranenge (from Gender Monitoring Office).

Genocide is not an event, rather it is a process. The preparation and implementation of the genocide against the Tutsi involved thousands of people. Some were willing to participate, others were given inducements and still others were forced to participate. When genocide was stopped more than a million people had perished and its perpetrators were scattered around the country. The classical courts had no adequate staff and infrastructure to deal with more than a hundred thousand genocide alleged genocide perpetrators who were overcrowding prisons and cells. So, a home-grown solution was adopted, 'Gacaca'a traditional jurisdiction which was adapted to the post-genocide situation to ensure justice was introduced. Prof. Deo Byanafashe (from the Centre for Conflict Management) a prominent Gacaca judge in Butare town deals with the Gacaca system as he knows it from the inside.

Genocide was stopped at the beginning of July 1994, but the genocide ideology has not been eradicated yet. Odeth Kantengwa (from CNLG, the National Commission for the Fight Against Genocide) highlights how this Commission is grappling with the effects of genocide, how it is combating genocide ideology and denial of genocide through education, memory and commemoration, and how it preserves Gacaca archives and makes them accessible to the public.

There can be no good governance if the population has no role to play in the decision-making process, and when their leaders are imposed on them from above. Genuine

democracy implies the power of the population to choose the party and people whose policies/ideology they would like to be implemented. In addition, the population exercises democracy when the structures and institutions of the government are near them so that the people can exert influence/ control on them easily. Omar Bizuru (from National University of Rwanda) in the last article tackles these issues by showing how multipartism and decentralization have been instituted and consolidated in Rwanda. In addition, he shows how political parties in Rwanda, though having different political agendas work closely together in the Consultative Forum of Political Organizations for the good of the country.

Bernard Noel Rutikanga

Liaison Officer, OSSREA Rwanda Chapter

List of Acronyms

AU: African Union

CDR*: Coalition pour la Défense de la République*, ''Coalition *for the Defence of the Republic*''

CEDAW: Convention on Elimination of all forms of Discrimination against Women

CG: Central Government

COMESA: Common Market for Eastern and Southern Africa

CSO: Civil Society Organizations

DC: District Council

DHS: Demographic and Health Survey

EDPRS: Economic Development and Poverty Reduction Strategy

EICV: Integrated Living Conditions Survey

ES: Executive Secretariat

FAWE: Forum for African Women Educationalist

FBO: Faith Based Organizations

FFRP: Forum des Femmes Rwandaises Parlementaires

FPR/RPF-Inkotanyi: *Front Patriotique Rwandais* ''Rwandese patriotic Front'';

GBV: Gender Based Violence

GDP: Growth Domestic Product

GMO: Gender Monitoring Office

GRB: Gender Responsive Budgeting

HIMO: High Intensity Labour Program

HIV/AIDS: Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome

ICT: Information Communication Technology

IRDP: Institute of Research and Dialogue for Peace

LG: Local Government

MDGs: Millennium Development Goals

MDR: *Mouvement Démocratique Républicain*, ''Democratic Republic Movement''

MIGEPROF: Ministry of Gender and Family Promotion

MINALOC: Ministry of Local Government and Social Affairs

MINECOFIN: Ministry of Finance and Economic Planning

MINEDUC: Ministry of Education

MINICOFIN: Ministry of Finance and Planning
MININTER: Ministry of Interior
MRND: *Mouvement Révolutionnaire National pour le
    Développement*, *''*National Revolutionary Movement for
    Development*''*
MTEF: Medium Term Expenditure Framework
NCFPO: National Consultative Forum of Political Organizations,
NEC: National Election Commission
NEPAD: New Partnership for African Development
NER: Net Enrollment Rate
NGO: Non-Governmental Organizations
NISR: National Institute of Statistics of Rwanda
NWC: National Women Council
O.G: Official Gazette
PARMEHUTU: Parti de l'Emancipation des HUTU, '*'Hutu
Emancipation Party''*
PDC: *Parti Démocratique Centriste* ''Centrist Democratic Party''
PDI: *Parti Démocratique Idéal* ''Ideal Democratic Party''
PL: *Parti Libéral* ''Liberal party'';
PPC: *Parti du Progrès et de la Concorde* ''Concord and Progress
party''
PS: Private Sector
PSD: Parti Social Démocrate '*'Social Democratic Party''*;
PS-Imberakuri: Parti Social, '*'Social Party-Imberakuri''*
PSP: Party for Solidarity and Progress
PSR: Parti Socialiste Rwandais ''Rwandese Socialist Party''
RDB: Rwanda Development Board
RGB: Rwanda Governance Board
RRA: Rwanda Revenue Authority
SC: Sector Council
UDPR: Union Démocratique du Peuple Rwandais '*'Rwandese
    People's Democratic Union*''
UNDP: United Nations for Development Programme
UNICEF: United Nations Children's Fund
UNIFEM: United Nations Fund for Women
VUP: Vision Umurenge Program

The 1994 Fairule of Peace-Keeping in Rwanda

Bernard Noel Rutikanga

"We, the international community, should have been more active in the early stages of atrocities in Rwanda in 1994, and called them what they were-genocide". Madeleine Albright, December 1997(Cohen 2007, 9)

There are few successful stories about peacekeeping missions in Africa. On the morrow of the independence of the Democratic Republic of Congo, Belgium and the United States due to neocolonial and Cold War objectives, fomented a political crisis. When Belgium intervened militarily, and some provinces of the country declared secession, a United Nations Peacekeeping mission was sent to the country. According to Nzongola-Ntalaja (2003), the mission was manipulated by Belgium, France and the United States; the radical Prime Minister Patrice Lumumba was removed from power and assassinated, and a puppet regime was installed; and that is said to be the country's starting point of its ' quick march' to a failed state.

In the early 1990s, a peacekeeping mission in Somalia ended in disaster; eighteen Americans were killed and about seventy were injured, and Pakistanis and Malaysians suffered ninety casualties (Dallaire, 2003). Today peacekeepers are bogged down in Sudan, Southern Sudan, Somalia and the Democratic Republic of Congo. Most of these peacekeeping missions have not much to write home about, rather, statistics of those who die on duty keep increasing.

One of Africa's monumental failures of peacekeeping was in Rwanda in 1994, when more than one million people were killed under the nose of the United Nations Assistance Mission for Rwanda (UNAMIR). From the outset, this peacekeeping mission was beset by organizational, administrative and logistical problems; however, its fatal problem was that the formulation of

its mandate left much to be desired. UNAMIR was given inappropriate mandate, considering the nature of conflict Rwanda was suffering from. The UN should have undertaken an in-depth assessment of the conflict, and this would have led it to realize that the 1990 war belligerents- the Rwandan government and the rebels of Rwandese Patriotic Front (RPF) had incompatible aspirations arising from a long ethnic conflict.

The RPF wanted unconditional repatriation of refugees; eradication of ethnic and regional discrimination; and the establishment of rule of law. The Hutu dominated government (especially those from the north and north-western Rwanda) under President Juvenal Habyarimana wanted to keep the status quo. The warring parties were not flexible; they were not prepared to reach a compromise. Peace negotiations in Arusha, Tanzania, and the subsequent Arusha Peace Agreement was not signed by President Habyarimana in good faith; immediately after its signature the government started to violate it and it was never implemented.

If the UN and other actors who assisted in the peace negotiation process had been very careful, they would have known that the Agreement was nothing more than a public relations exercise that was aimed at hoodwinking the international community and donors. Without realizing that the Agreement was based on a hypocritical calculation, the UN rushed to create a chapter- six peacekeeping mission, i.e. UNAMIR which was supposed to facilitate the implementation of the Agreement. Rushing to create a chapter-six mandate for the mission was a recipe for catastrophe due to the deep rooted ethnic animosity between the minority Tutsi and the majority Hutu which was a legacy of Belgian colonialism.

Due to the 'divide and rule' policy of Belgian colonialism in Rwanda, Tutsi were initially favored by the Belgian colonial administration. In the early 1950s, due to the decolonization political stance of Tutsi elite, the Belgian switched their favoritism to the Hutu, and in 1959 fomented ethnic violence which resulted into thousands of Tutsi being killed, their properties destroyed or looted. Hundreds of them were imprisoned, and thousands fled into neighboring countries such as, Uganda, Tanzania, Burundi,

and the Democratic Republic of Congo. Independence was granted to Rwanda in 1962, and two Hutu post-independence regimes oppressed the Tutsi and massacres which were committed in the 1960s and 1970s resulted into waves of refugees fleeing into exile. (Goyvaerts, 2000; Prunier, 2006).

As the Tutsi refugees were denied the right of repatriation, they organized themselves under the RPF, and with the assistance of Ugandan government, they invaded Rwanda in October 1990. The international community brought the belligerents to negotiate peace and after protracted sessions, the Arusha Peace Agreement was signed in August 1993 (Mamdani, 2001).

The major provisions of the Peace Agreement were: cessation of the war; power sharing between the ruling party, the rebel party and the newly formed opposition parties in a Broad-Based Transitional Government; creating a new national armed forces by merging government armed forces and the rebel army- the Rwandese Patriotic Army (RPA); establishing rule of law; and unconditional repatriation of refugees from the Diaspora; and resettling of internally displaced people (Prunier, 2006).

The implementation of the Peace Agreement needed assistance from the UN, so, Security Council Resolution 872 of 5 October 1993 created UNAMIR, and its chapter six mandate clauses included 'to assist in ensuring the security of the capital city of Kigali; monitor the ceasefire agreement, including establishment of an expanded demilitarized zone and demobilization procedures; monitor the security situation during the final period of the transitional government's mandate leading up to elections; assist with mine-clearance; and assist in the coordination of humanitarian assistance activities in conjunction with relief operations (UNAMIR –website).

UN Chapter Six Mandate was inappropriate for UNAMIR; first, the Arusha Peace Agreement did not create a win-win situation on the side of the government supporters. While RPF supporters celebrated for achieving almost all their aspirations, the supporters of the ruling party- National Republican Movement for

Development and Democracy (MRND) and its extremist satellite party – Coalition for the Defense of the Republic (CDR) opposed the peace negotiations and the resultant Agreement. Millions of Hutu civil servants, supporters of the ruling party throughout the country, and the population of the northern region where the president hailed from, felt threatened because they would lose privileges they had been enjoying since President Juvenal Habyarimana toppled the previous southern Hutu -dominated regime two decades earlier.

Civil servants at all levels felt threatened because the Tutsi refugees from the Diaspora would be given some of their posts due to the clause of power sharing. The government soldiers and police were threatened too, because, the merging of rebel and government troops implied demobilization and hence unemployment of thousands of them. In the Agreement, it was stipulated that military and police officer corps in the new national armed forces would be equally shared between the government and the RPA. As for the rank and file, the government was allocated 60% and the RPF 40%   (Prunier, 2006).

When the Tutsi refugees fled into exile in different waves from 1959, national, local leaders as well as peasants benefitted from properties left behind, such as land and buildings. The repatriation of refugees implied that Hutu people who had taken over Tutsi properties would return them. The implementation of the Accords was a thorn in the flesh of millions of Hutu. However, other millions of Rwandan people supported them, especially the refugees in the Diaspora; the Tutsi inside Rwanda who had been marginalized for decades; Hutu who opposed the dictatorship of Habyarimana regime; and southern Hutu who were marginalized by the regime that had toppled a southern Hutu president-Gregoire Kayibanda in 1973.

Second, the president himself who signed the Agreement was against it. He signed it because his army was losing the war; pressure was exerted on him by donors, the Organization of African Unity (OAU), neighboring countries and the UN. On returning to Rwanda from Arusha, Tanzania, where the signing

ceremony took place, President Juvenal Habyarimana told his party's militia that (the author of this article heard him over Radio Rwanda) the Agreement was not worth the paper it was written on. He signed the Agreement in order to buy time; meanwhile, he was preparing another strategy to defeat his enemies- the Tutsi, the RPF and the moderate Hutu.

Third, the president devised a multi-dimensional strategy (Dallaire, 2003) that was aimed at frustrating the implementation of the Agreement. The hardliners of his ruling party, and its satellite parties collaborated in recruiting and training of the militia and disseminating hate propaganda against the Tutsi and the Hutu moderates. Arms and machetes were imported and distributed across the country. Also, the regime used the media especially the hate Radio- the Radio Television Libre des Mille Collines (RTLM) and a number of journals and newspapers to promote ethnic extremism, to mobilize the Hutu to oppose the Agreement, and to commit genocide (Cohen, 2007; Thompson, 2007).

A reign of terror by the militia and security forces, especially in the capital- Kigali, claimed many lives of Tutsi and moderate Hutu ; lists of 'government enemies' were drawn; and opposition parties were divided through intimidation and bribery (Dallaire, 2003; Prunier, 2006). By creating squabbles in the opposition parties and by trying to revise the clauses of the Agreement which the RPF refused, President Habyarimana prevented the installation of the transitional government until he died and the genocide started (Cohen, 2007).

The Commander of UNAMIR in Rwanda, Major-General Romeo Dallaire kept informing his superiors at the UN Department of Peacekeeping Operations (DPKO), Kofi Annan (Under-Secretary-General for Peacekeeping Operations) and General Maurice Baril (Military Advisor to the UN Secretary- General and head of the Military Division of DPKO) about the need of changing the mandate of the mission to chapter seven due to unforeseen dangerous political and military developments on the ground ; but

they kept rebuking him to stick to the provisions of chapter six (Dallaire, 2003).

When president Habyarimana died as his plane was shot down as it was landing in the capital, the genocide started immediately. In one hundred days, from 6th April to the beginning of July 1994, more than one million Tutsi and moderate Hutu were killed, and thousands of Hutus were to die as they were forced into exile by the defeated regime(Des Forges, 1999).This , according to Cohen (2007:180) was ' the greatest human failure in the twentieth century'. The former President of Zambia spoke for many when he said: 'I do not know how we could have sunken to that situation with the rest of the world watching and doing nothing about it. I think it is unforgivable. I do not know how we can ever explain that' Cohen, 2007: 1).

The failure of humanity in Rwanda can be attributed to the then Rwandan government which executed the genocide, the UN, the five permanent members of the Security Council and Belgium. As shown above, the UN did not design a mission appropriate to an acute ethnic conflict. Initially the US, Russia and France had suggested that only a force of 500 was needed (Dallaire, 2003).When Dallaire realized the futility of UNAMIR's chapter six mandate, he wanted not only the increasing of his troops from 2500 to 5500, but also the changing of UNAMIR's chapter six mandate to at least "'chapter six and half'… to use force up to and including the use of deadly force to prevent crimes against humanity" (2003, 72).

The Special Representative of the Secretary- General in Rwanda, Jacques- Roger Booh-Booh was incompetent. In the words of Dallaire, he was' rarely in his office before ten, took a full two-hour lunch and left the office before five' and had insisted that he shouldn't be disturbed during weekends (Dallaire, 2003:118).And as far as the conflict of Rwanda was concerned, Dallaire adds that Booh-Booh did not ' bring anything new to the table in the way of expertise on Rwanda, knowledge of the conflict, familiarity with the Arusha Accords, or skill at identifying and dealing with the political intrigues of the nation'(Dallaire, 2003: 118). Booh-

Booh's working relationship with Dallaire was bad, 'he never offered to debrief for me after major political working sessions, he generally kept his own counsel or shared his thoughts with his close political advisers, who were all francophone Africans…' (Dallaire, 2003: 119). To make matters worse, Booh-Booh made the RPF distrust him because he fraternized with the President and acted as his advocate. It reached a stage whereby Dallaire stopped giving him vital information because he was afraid of leakage to the government.

With Booh-Booh being 'less useful' as far as the dangerous situation in Rwanda was concerned, Dallaire had to do what the civilian head of the UNAMIR should have done; arranging and facilitating negotiations between groups involved in Rwandan conflict, facilitating humanitarian activities and pleading to the international community to save Rwanda from the genocide.

Dallaire indulged in negotiations about cease-fire, neutrality of Kigali airport, distribution of humanitarian aid, protection of refugees and transfer of refugees to safe areas .The negotiations were not easy; on the government side, there were three groups that Dallaire had to deal with: the interim government that the RPF did not recognize, and could not negotiate with: the militia that was behind much of the killings and that the RPF could not negotiate with; and the government army which the RPF did not oppose to negotiate with. He was so prepared to meet his objectives that he swallowed his revulsion and met, and 'shook hands with the devil' that is, the leader of the militia. He went to the popular, but hate radio and tried to convince the population that UNAIMR was a neutral force trying to broker peace. In the long run, his negotiation initiatives proved useful as they saved thousands of people (Dallaire, 2003).

The efforts of UNAMIR to save Rwandan lives were betrayed by the UN. When genocide was picking tempo in April, Security Council Resolution 912 reduced UNAMIR from 2500 troops to 250 (Peries & Servenay, 2007; Dallaire, 2003; Melvern, 2000). When genocide had nearly run its course, the UN Security Council adopted Resolution 918 of May 1994 that increased the UNAMIR

troops to 5500 (Barnett, 2002) but these did not reach Rwanda until the genocide had been stopped by the RPF.

In June 1994, the government army was on the run, so, France in trying to save it from annihilation, forced the UN Security Council to adopt Resolution 929 that established Zone Turquoise (a chapter seven Humanitarian Protected Area) in South-western Rwanda. The French intervention was supposed to be aimed at saving lives, but many writers have argued that it was intended to save the defeated army and government officials and to assure them a safe passage to Congo (Melvern, 2000; Barnett, 2002; Dallaire, 2003; Gouteux, 1999).

UNAMIR was overwhelmed by logistical problems and humanitarian disaster. Before the genocide started in April 1994, there were 150.000 refugees from Burundi and there were 900.000 internally displaced people. And during the course of the war and genocide, more than one million people were displaced and were on the move. Moreover, during the genocide thousands of Tutsi and orphans were in tens of refugee camps, and they expected protection and humanitarian aid and the only NGOs that were active were the local Red Cross, the International Committee of the Red Cross, and Médecins Sans Frontières whose activities were hampered by hordes of killers (Dallaire, 2003; Peries & Servenay, 2007).

France was deeply involved in the genocide as it assisted the genocidal regime before, during and after the genocide (Prunier, 2006; Gouteux, 1998; Des Forges, 1999). France did not want its ally to lose power not because of economic interest in Rwanda, but because of geopolitical considerations. Though France did not colonize Rwanda, from the 1970s, it established a close relationship with it, and as a Francophone country, France considered it as its backyard. To let English speaking rebels defeat its ally was unacceptable to France, as this would make it would lose face, and set up a precedent in other Francophone countries whose presidents were not less dictatorial than Rwandan president and who looked at France as an invincible protector.

So, it provided Rwandan government with diplomatic, financial and military support before, during and after the genocide (Ba, 1997; Verschave, 1999). At the height of the genocide, a secret service official told Gerard Prunier (2006: 278) 'We are busy delivering ammunition to the FAR (government army) through Goma (Congo). But of course I will deny it if you quote me to the press.' When the French president was challenged on his receiving two Rwandan high-ranking genocide perpetrators during the genocide, he gave a cynical response, 'In a country like that, genocide is a normal thing' (Verschave, 1999: 32).

The United States government did not care about what was happening in Rwanda. In April 1994, Senator Bob Dole told the CBC audience, 'I don't think we have any national interest there…the Americans are out, and as far as I'm concerned, in Rwanda, that ought to be the end of it' (Cohen, 2007: 79).

George Orwell's Animal Farm cliché of ' some animals being more equal than others' proves right in the context of the Rwandan genocide; the lives of Rwandan people did not deserve protection as the Genocide Convention stipulates. The American government even tried to avoid using the word 'genocide'. On 10th June 1994, Christine Shelley, a spokesperson of the State Department told journalists: 'Although there have been acts of genocide in Rwanda, all the murders cannot be put into that category' (Prunier, 2006: 274). When a journalist wanted her to clarify the number of genocide acts that make genocide, she did not respond.

The US' negative attitude towards the peacekeeping mission in Rwanda has been associated with its horrendous experience in Somalia where its army lost 19 servicemen in one day, and one of the corpses was dragged in the street and was shown on international televisions (Des Forges, 1999; Prunier, 2006). After the UNAMIR Belgian contingent lost 10 of its servicemen, the US government exerted pressure on the Security Council to withdraw the UNAMIR from Rwanda (Cohen, 2007) and this is ' one instance in which the US not only took the position of inaction, but actually made things worse'(Cohen, 2007: 178).The American

attitude towards the genocide against the Tutsi was 'infectious'; according to Cohen (2007: 3) 'Had the US taken the lead in, and advocated a strong international response to the genocide, there would have been an increase in the pressure placed on international organizations and other nations to take similar actions. Instead, as the trend-setter for which international issues receive global attention, the US government helped pave the way for non intervention in Rwanda'.

The indifference towards the 100 days in Rwanda by major powers (apart from France) was due to the fact that the country had no strategic importance, be it in natural resources or geopolitics. Peace-keeping in Rwanda was bound to fail because nobody cared about a small, poor country without any strategic resources. The late Alison Des Forges, the American historian and human rights activist is said to have confided to someone privately that the international community did not care as thousands of Rwandans were dying every day because, Rwanda was too poor, too black, too small, and too remote.

The indifference towards genocide was underlined by an American intelligence official in a conversation with an American journalist Philip Gourevitch (1998: 170-171); he compared it with a cheese sandwich.

'Genocide is a cheese sandwich….What does anyone care about a cheese sandwich? Genocide, genocide, genocide, cheese sandwich, cheese sandwich …Who gives a shit? Crimes against humanity. Where's humanity? Who's humanity? You? Me? Did you see a crime committed against you? Hey, just a million Rwandans. Did you hear about the Genocide Convention? That Convention makes a nice wrapping for a cheese sandwich.'

The backbone of UNAMIR was the strong Belgian contingent that Major-General Romeo Dallaire relied on. The Rwandan government from the outset opposed the presence of Belgian troops in Rwanda because unlike France, the Belgian government publically opposed the dictatorial regime of Habyarimana, so, the government had it that Belgium was pro-RPF and therefore its

enemy. When the genocide started, the government wanted the hurried departure of the UNAMIR and so, it assassinated 10 soldiers of the Belgian contingent. The Belgian government fell into the trap of the genocidal government; it withdrew its contingent immediately, leaving behind thousands of Tutsi and moderate Hutu who had sought protection at their barracks. These were massacred within minutes of their departure. Their departure also precipitated the UN to scale down the manpower of UNAMIR from 2500 to 250 (Dallaire, 2003).

The failure of the international community to resolve the Rwandan conflict has adversely affected not only Rwanda but also the Great Lakes region as we will illustrate later. In the case of Rwanda, more than one million Tutsi people and some Hutu moderates perished between April and July 1994. The genocide aggravated the polarization between Hutu and Tutsi; reconciliation in the country has not been an easy task. The civil war that stretched into the genocide period destroyed infrastructure whose rehabilitation wasted a lot of resources that could have been used in development programs. Also, the genocidal regime incurred heavy debts in the importation of machetes and grenades for genocide purposes and military materials in its war against the RPA. Payments of the debts especially wasted a good portion of the hard-earned foreign currency.

The genocidal regime did not commit genocide against the Tutsi only; it also committed another 'type of genocide' against the Hutu. Its propaganda and force led to about 2.5 million Hutu to flee into exile especially to the Democratic Republic of Congo, Uganda, Tanzania and Burundi. Thousands died in the camps due to epidemics, fatigue and malnutrition (Dorlodot, 1996; Mpayimana, 2004; Jones, 2001).

Refugee camps were run by genocide perpetrators- political leaders, the militia and the army. They used force to prevent refugees to return home. A good portion of humanitarian aid was diverted to military preparations for war against the RPF regime, and organizations which had been close to the defeated regime such as Secours Catholic and Caritas Internationalis were

accomplices to this development (Gouteux, 1998: 88). Violating international law, the Mobutu regime of the Democratic Republic of Congo (DRC) did not disarm the army and militia and France provided clandestinely arms to its protégé (ibid.).

In 1995 and early 1996, Rwanda experienced a number of bloody attacks from the DRC (Prunier, 2006; 2009). Rwanda's pleas to the DRC government and the international community to disarm the defeated army and militia, and separate them from civilian refugees were ignored. As a result, Rwanda and Uganda 'created' the Alliance des Forces Démocratiques pour la Liberation (ADFL) - an umbrella organization of Congolese rebels. In September 1996, Rwanda attacked the Democratic Republic of Congo under the cover of ADFL, the refugee camps were dismantled, about one million refugees were forced to trek back to Rwanda; thousands others fled westwards some of whom got killed; others died of fatigue and hunger (Prunier, 2009).

By the 1990s, the DRC was already a failed state; the spread of the Rwandan conflict into Congo, ultimately pushed it down the precipice. It took only nine months for Rwanda and Congolese rebels to conquer the country. Laurent-Desire Kabila who was installed as the head of state was soon at loggerheads with Rwanda, Burundi and Uganda. In August 1998, a three-year 'Africa's Continental War' broke out (Prunier, 2009). It involved on the one hand, Rwanda, Uganda, and Burundi, and on the other, DRC, Angola, Namibia, Zimbabwe, Chad, Sudan and Rwandan and Ugandan rebels.

The two wars have wreaked havoc not only in the DRC, but also in the Great Lakes region. It is estimated that about four million Congolese people have died due to causes related to the wars; with DRC's weak state institutions, local armed groups have proliferated and they are laws unto themselves. Among the multitude armed groups operating in the DRC, the biggest, well-armed and organized is the Democratic Front for the Liberation of Rwanda (FDLR), the remnants of the Rwandan army and militia that have been there since 1994. They have created 'a state within a state'; they mine and sell minerals, they buy arms and have

established an administration. The DRC government army is too weak to dislodge them in their areas; rather the FDLR rebels sometimes attack government areas, terrorize the population, loot and rape women (Prunier, 2009).

These armed groups in Congo have led to the proliferation of small arms in the region, such that insecurity is rampant in many areas. Rwanda is wasting a lot of resources in order to arm itself against the danger posed by the FDLR.

Based on the peacekeeping experience in Rwanda, in designing peacekeeping missions, there a number of issues that must be considered, lest the conflict degenerates into a catastrophe like what Rwanda experienced in 1994, and what the Great Lakes region has experienced since the fiasco of the Rwandan peacekeeping mission.

First, in designing a peacekeeping mission, the nature of the conflict should be known thoroughly well, and the 'cards up the sleeves' of the parties in conflicts should be identified lest they damage the conflict resolution measures put in place.

Second, the peacekeeping primary mission should be the protection of innocent populations. The success or failure of a mission should be based on whether the populations got maximum protection from violence being committed in their areas.

Third, the world being considered as one village inhabited by equal people, when it comes to peacekeeping, being black, brown or white or being poor or rich should not be the basis for providing or denying the adequate assistance expected from the international community. The international community should accept that what is good for Central European conflict resolution is good for African societies as well.

Fourth, there should be a strong cooperation and smooth coordination between the military, the civilian and the humanitarian agencies involved in the conflict resolution. The scenario where the military and the civilians in the peacekeeping

mission are pursuing different agendas and are suspicious of each other undermines the effectiveness of the mission.

Fifth, the peacekeepers should be furnished with adequate equipment, human and financial resources so as to facilitate their activities. The implications of failure of the mission should goad the actors on the ground to avoid partiality and also avoid being manipulated by the belligerents or their allies. They should also avoid the habit of observing 'the- nine- to –five- with- a- two- hour- lunch- break –working- schedule'.

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Perceptions on The Role of Economic Policy and Governance in the Reconstruction of Rwanda 2002-2012[1]

Herman Musahara[2]

Abstract

The interest in policy performance has been motivated by performance of the Rwandan economy in the period between 2002 and 2012. Whereas it is common knowledge that there are multiple and technical toolkits for policy analysis, none so far looks at how people generally perceive the importance of economic policy on visible positive or negative outcomes. A good rating of perceptions can give insights on the relationship between policy and performance. The paper outlines the policy packages in Rwanda in the last ten years in light of recent economic performance and then analyses a set of perceptions assembled through a simple score sheet using standard evaluation criteria. In 2002, the first Poverty Reduction Strategy Paper was drawn. Poverty was estimated then at 60 per cent? below national poverty line and GDP per capita of about USD 200 per day/annum?. Ten years later in 2012, the poverty rate under the national poverty line is estimated at 45 per cent of the population, or a drop of 15 points. While the GPD per capita shot up to USD 550, the average GDP growth per year has been on average 8 per cent. These economic outcomes were preceded by multiple policy interventions, legislation and creation of important institutions.

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The paper addresses the following questions; what has been the influence of policy in the reconstruction and recovery of Rwanda? The latter is usually regarded as implicit. The paper uses qualitative indicators of performance of policy to assess their role in the recovery of Rwanda. Select criteria used to assess policy in Rwanda have been the policy relevance, efficiency, effectiveness and test of impact. A method of scores made by an elite group of 5 respondents is used and on average the role of policy is perceived to be very high. On a scale of 5 there are 8 policy items out of a total 18 that score an average of 3.8. But having 10 policy items with below average score suggests policies could have performed better and could exert more impact on the economy. The most notable implication is that in policy formulation and implementation, care should be taken on the potential effect on the economy with regard to the suggested or broader criteria that involve a participatory process. In the latter process analyzing perceptions of different stakeholders could be one cost effective and simple way of evaluation, ex- ante or ex- post policy implementation. All in all, economic policy implementation is seen to have a notable role in the reconstruction and economic recovery of the Rwandan economy. The question that this paper provokes is whether this value judgment confirms the general wisdom that the current economic successes of Rwanda are due to good policies coupled with good implementation. The answer looks like affirmative, but more empirical and detailed policy analysis is still needed.

Key words: *Policy analysis, reconstruction, recovery, perceptions, Rwanda 2002 - 2012*

1. Introduction

Policy is important for various reasons. Firstly, it influences changes by indicating the 'do's' and 'don'ts'. It makes it possible to interpret the laws and plans into workable principles in a blue print. It leads the final operationalisation of visions by offering strategies (or the how). Several successful economies have attained higher levels of development from their previous policies.

Policy analysis and review is an important tool in monitoring and improving the effect of policy. In this paper, the policy interventions in the period of reconstruction and recovery of Rwanda are outlined. Then a simple method of evaluation of perceptions is used. The evaluation process has been done in a framework of inquiry outlined in the rest of this section.

1.1. The problem

The problem is firstly lack of correct identification of the policy problem in a given situation and the need to identify the gaps. The generic problem frame is outlined in Table 1.

Table 1.The policy intervention problem

	The problem	Intervention
1	Lack of policy	Draft one that is appropriate
2	Identification of why existing policy is not working as expected or...policy governance problem	1. Collect evidence 2. Identify barriers 3. Recommend remedial action
3	Policy or policy change adoption	Policy brief and dissemination
4	Lack of knowledge on the relationship between policy in place and results	A form of policy analysis is designed

In the current paper, the working assumptions are that policies were formulated and that they have worked considerably well. Therefore our problem falls within category 4 or designing a methodology of establishing the link between policy, practice and results. The problem is generally the lack of quantitative and qualitative knowledge on the magnitude of policy influence on economic performance. Specifically, no one has tried to assess how people perceive the expected impact. In Table 2, it is further shown that if good policies are in place and good decision making and implementation is exercised, then the overall outcome is positive. Is this general assumption implicit in the economic

success of Rwanda consistent with what people perceive about most policy statements undertaken in the last 10 years?

Table 2. The policy and governance problem

	Policy	Governance	Overall outcome
1	Good policy articulation	Bad implementation	
2	Bad policy articulation	Good implementation	
3	Bad policy	Bad implementation	
4	**Good policy**	**Good implementation**	

Green: The best outcome you can get. **Orange**: Somewhat good **Red**: Not good at all

1.2. Objectives

As outlined above the objectives of the paper were three fold;

 a) Take an inventory and analysis of policies in the post conflict discourse;
 b) Assess the policies by scoring perceptions using standard criteria;
 c) Draw out lessons and conclusions for post conflict economies.

1.3. Working hypothesis

A blend of policies, both economic and political, with an appropriate strategic framework and innovative approaches have contributed to the successful reconstruction and recovery of Rwanda in the last 20 years.

2. Policy evolution in the reconstruction transition of Rwanda

2.1. Overview

The period 2002 through 2012 can be regarded as that of a transition from the effects of genocide to recovery and reconstruction. In political terms, it is a transition from violent

conflict to peace, and in economic terms a transition from relief to development (UNDP).The effect of Rwanda conflict and genocide in 1994 was deep and devastating. There is plenty of evidence in figures and narratives on the extent of the damage to the economy. Costs were economic, political and social involving destruction of human life, infrastructure and the social fabric.

At least 1 million people were killed in what were clearly wrongful deaths. The GDP fell by more than 50 %. A further 3 million were displaced or forced into exile mainly to Tanzania, Burundi and DRC. But many more fled and professionally qualified Rwandans fled to Europe and North America. Poverty had afflicted more than 77 per cent of the population in the country by 1997 estimates. Incomplete families with either some members in prison or having died characterized the basic unit of production and livelihood. Women and child headed households became a common feature of Rwandan economy. Shelter and capital stock were drastically reduced both in the household and small business sectors. Networks of social links, for instance between rural and urban areas, were damaged, impeding internal commerce. The immediate reaction was relief and rehabilitation and a little bit later, in 1996 and 1997, resettling returning old and new case load Rwandans. Old case load refugees are those Rwandans who had fled the country in the 1960s and successive years before the genocide. The policy challenge was thus two fold. Policies that would reverse and replace those that may have been the proximate causes of the tragedy, and those policies that would put again Rwanda on track and on a footing of other developing countries. Thanks to aid and post genocide government, Rwanda, though with a lot of economic indicators much below the pre- genocide period, had by 2002 reached the 'catch up' stage. In place of relief and rehabilitation, from 2002 clear policies for reconstruction and development started emerging.

It was in 2002 that the first poverty reduction strategy was formulated. This signaled almost immediately the beginning of multiple policy actions, legislations and building institutions. It

may not be possible to give a chronology of events and list of policy items that were put in place in each of the years after 2002, either within a framework of poverty reduction, or reconstruction and long term development. One important fact which is common knowledge is that there was a relentless push for rapid change and a constant undertaking of reform in the same vein. The speed with which Rwanda put in place policies may be one unaccounted for reason behind the economic reconstruction and recovery. A general categorization can provide a general picture of the policy pathways in the last 10 years.

Firstly policies in the period can be grouped into phases. From 2002 to 2005, the first generation poverty reduction policies (PRSP) emerged, and from 2007-2012, a phase referred to as second generation poverty reduction saw the light of day and has been dubbed (EDPRS). Apart from the formal strategies that are referred to more elaborately, later the phases can be seen to have been greatly influenced by visioning and long term planning (Vision 2020 and Long Term Investment Plan). A more elaborate account of these is given in the sections below.

Another category of policies are those that are ostensibly economic, besides being under broad poverty reducing strategies. There were policies on trade, monetary and fiscal policy, education, health and other social sectors and related legislations and institutions. The Rwanda policy framework was also influenced by internal benchmarked goals (MDGs) and international deliberations on aid, debt and sustainability. A very unique category of policy making in Rwanda that has characterized the policy making discourse is the introduction of home grown approaches to modern polices by invoking traditional cultural techniques of problem solving.

2.2. Major policy interventions

a) PRSP

The Poverty Reduction Strategy did not come accidentally. Rwanda joined other poor countries in drawing the paper in 2002. But before that, Rwanda had instituted a liberalization policy, and

from 1996 to 1999, it had drawn the Policy Framework Paper which was the first policy to address the condition of the poor. In 2000, a National Poverty Reduction Programme was set up as a first step towards formulation of a Poverty Reduction Strategy in 2002.

PRSP was drawn to rest on six pillars. These were economic growth, macroeconomic stability, prioritization of public actions, forging a sound partnership between the government and other stakeholders, as well as human resource development. Priority sectors were identified as agriculture for transformation of the rural areas, human resource development, economic infrastructure, good governance, private sector, and a number of cross cutting sectors particularly technology, gender, environment, HIV/AIDS, capacity building, villagisation (imidugudu), and inequality.

Most of the earliest policies were formulated under the strategy. As a policy instrument of Rwanda, it was hailed as one of the best in Africa but as a member of the PRSP family of policies, it was heavily criticized. One of the criticisms was that although it was focused on poverty major policy, component items were not adequately pro poor (Musahara, 2005).

b) EDPRS

Economic Development and Poverty Reduction Strategy (EDPRS) is virtually the second generation PRSP. It was better prepared with a wider range of consultations and working group inputs based on sectors in most of 2006 (www.devpartners.gov.rw). When the final draft was adopted in 2007 it became an effective policy document on a number of grounds. Firstly, it was less sophisticated with the simple setting of answering where Rwanda is, where it wants to be and how it can get there. The time horizon was 5 instead of three years of the PRSP. Secondly, it recognized international benchmarks set in the Millennium Development Goals (MDGs). The latter improvement meant not only explicitly subscribing to poverty reduction globally, but also to render policy amenable to measurable benchmarks as set in the MDGs. The resolve was important because Rwanda, as a post conflict

economy, was subjecting its policy to international tests common to all countries no matter what their previous experience was. Thirdly, the long term goals embedded in Vision 2020 started to be considered in policy making. Indeed a lower level programme that seems to have poverty reduction and Vision 2020 in the same policy perspective was the VUP Umurenge 2020. Finally, EDPRS was nested in the need to focus also on solid economic pillars as a prerequisite for sustainable poverty reduction.

Noting by dates and the list on the score sheet, several policy reforms and institutions were set up in the period between 2007 and 2012. Above all, significant economic gains and poverty reduction were obtained. In 2002 the poverty rate was 62 per cent below the poverty line and went down to 59.2 percent in 2005. By the end of the EDPRS policies cycle, poverty had gone down to 45 per cent, an almost 14 points drop. But what was more spectacular during the period was the general economic performance. On average, GDP had grown by 8 per cent per annum and GDP per capita had gone up from USD 200 per capita to USD 550 in the same period. The summary of economic performance is presented in Table 3.

Table 3. Economic indicators during EDPRS 1 period

Year	GDP Per capita USD
2001	212
2002	206
2003	220
2004	242
2005	289
2006	333
2007	391
2008	479
2009	519
2010	540

Rwandan economy has undergone dramatic growth in the last 5 years with GDP per cent growth being on average more than 8. In

terms of reduction of poverty, the rate under the national poverty line dropped by 12 points from 57 to 45 per cent.

Access to social services also improved considerably. On the part of health, infant mortality dropped from 86 per 1000 live births in 2005 to 50 per 1000 live births in 2011. The use of contraceptives went from 25 percent in 2008 to 45 percent in just three years. Access to education went up significantly. Primary school completion rates for 2011 reached 79 percent for boys and 82 percent for girls. The achievements are higher than the overall targets of 59 percent and 58 percent respectively. Participation in secondary education doubled between 2005 and 2011.Connections to electricity rose from 91,000 to 215,000 households between 2006 and 2011.

Rwanda is now renowned for its policy of creating an enabling environment for business. For 2012, Rwanda is ranked by the World Bank as number 52 in the world in doing business or number 4 in Africa after Mauritius, Egypt and South Africa. Indeed the business and service sectors are rapidly replacing agriculture contributing up to 60 per cent of GDP. In 1995 the entire budget came from foreign aid. In 2011 the budget component covered by foreign aid is 40 per cent. Tourism is also growing fast to become number 2 after agriculture.

3. Scoring Methodology

We use a simple qualitative assessment of national and external policies using most common and standard ex- ante criteria (DAC/OECD/ODA) of
a) Policy relevance tests
b)   Effectiveness
c) Efficiency
d) Impact
e) Sustainability

Table 4: Scoring system

Score	Rating
1	Not at all
2	Yes But weak
3	Average
4	Good
5	Very Good

Table 5: The general description of the tests

Test	General Description
Relevance	Directly related to reducing poverty and livelihoods
Effective	Visible change in output and outcome
Efficient	Clear good use of finance and resources
Impact	Led to change compared to before or without
Sustainability	Will last long and be useful to future generations
Unity and Reconciliation	Directly related to Rwanda unity and reconciliation

4. Results of scores on policy

R=Relevance   ET=Effective   EC= Efficiency   I=Impact
S=Sustainability   UR=Unity and Reconciliation

	Sector	R	ET	EF	I	S	UR	AV
1 PRSP	E	4.3	3.7	2.3	2.3	2.7	2.5	2.97
2 EDPRS	E	5.0	3.7	3.7	3.3	3.0	2.5	3.53
3 VUP	S	5.0	4.0	3.0	3.0	3.3	3	3.56
4 MDGs	E	4.3	4.3	3.7	3.0	2.7	2	3.33
5 Aid Policy	E	3.0	3.0	2.7	3.0	2.3	1	2.50
6 Monetary Policy	E	3.3	2.7	2.7	3.0	2.7	1	2.56
7 Trade Policy	E	3.7	4.0	3.0	2.7	3.3	1.5	3.03
8 Fiscal Policy	E	3.7	3.3	3.0	3.0	2.7	1	2.78
9 Privatisation	E	3.0	3.0	2.7	2.7	2.7	1	2.50
10 VAT and Taxation	B	4.0	3.7	3.0	2.7	3.3	1	2.94
11 Formation of RRA	I	4.0	4.7	4.0	3.3	3.0	1	3.33
12 Investment code	E	3.3	3.3	2.7	3.3	3.0	1	2.78
13 Export promotion	E	3.7	3.0	2.7	3.3	2.7	1	2.72
14 Auditors General and auditing	B	4.0	2.3	2.7	3.0	2.3	1	2.56
15 Formation of RURA	I	3.7	2.0	2.3	2.3	2.7	1	2.33
16 National Electoral Commission	I	3.0	3.3	3.3	2.7	3.3	3.5	3.19
17 National Tender Board	I	3.3	3.7	3.7	3.0	3.0	1.5	3.03
18 Constitution 2003	P	4.0	3.0	3.0	3.7	3.3	3	3.33
19 Joining EAC	P	4.7	3.0	2.7	3.3	3.7	2.5	3.31
20 Joining Commonwealth	P	4.3	4.7	3.3	3.0	4.0	1.5	3.47
21 Doing Business Reforms	B	3.7	3.3	2.7	4.3	3.3	1.5	3.14
22 Formation of Rwanda Development Bc	I	4.0	2.3	2.3	3.0	3.0	2	2.78
23 9YBE	S	4.0	4.7	4.3	3.0	4.0	1.5	3.58
24 Mutuelles	E	4.7	3.0	2.7	4.3	3.7	2.5	3.47
25 Procurement polcies	E	4.0	3.3	3.0	3.3	3.3	2	3.17
26 Ombudsman	I	3.3	3.7	3.7	3.3	3.3	3	3.39
27 Land law and policy	L	4.0	3.3	3.3	3.7	3.3	3	3.44
28 Unity and Reconcilaiation Commission	I	4.7	2.3	2.7	3.3	2.7	4	3.28
29 Intellectual Property Law	L	3.7	3.0	3.0	2.3	3.0	1	2.67
30 Microfinance	B	3.3	3.0	3.0	3.3	3.0	2.5	3.03
31 Stock Exchange	B	3.0	3.3	3.0	2.7	3.3	2	2.89
32 Gacaca	P	3.7	4.0	3.7	3.3	2.7	4	3.56
33 Imihigo	P	3.3	3.3	3.0	3.7	3.7	3	3.33
33 Ubudehe	P	4.3	3.3	3.3	3.3	2.7	4	3.50
34 Umuganda	P	3.3	3.3	3.3	3.3	3.3	3.5	3.36
35 Itorero	P	3.3	3.7	3.0	3.0	3.3	4.5	3.47
36 Gender	S	4.0	3.7	3.7	4.0	4.0	2.5	3.64
37 Decentrailsatoiom	P	4.0	3.3	3.3	4.0	3.3	3.5	3.58
38 Demobilisation	P	3.3	3.3	3.3	3.0	3.3	4	3.39
		149.0	131.7	120.3	124.0	122.0	87.5	122.42
		4	3	3	3	3	2	3.2

5. Analysis and Interpretation

Each measure is dominantly average and before rounding it, average but generally on the lower side that the majority of the test score 3.Within the measures, the impact factor is higher, followed by effectiveness of policy relevance and sustainability. The majority of the policy items were highly relevant and the average of this test was 4 out of 5. The unity and reconciliation test scores lowest with an average of 2. Horizontally, individual policies score slightly higher than average at 3.2. We can state with fair confidence that, from people's perception, the policy actions

influenced the current economic and social progress. However, it is important to note that a lower score of the unity and reconciliation test does not mean that unity and reconciliation has deteriorated in the country. Most likely the policy items identified have nothing to do with unity and reconciliation, especially those that are purely economic and business. But instead, those like Gacaca that are directly and uniquely related to unity and reconciliation score highly. However, the data suggest that mainstreaming unity and reconciliation in policies would deliberately and positively influence performance even on the non economic side.

There were policy items that scored relatively high. Seven policies that scored more than 3.5 are EDPRS, VUP, 9YBE, Ubudehe, Gender, Gacaca and Decentralization. Not unexpected for Rwanda the gender policy item scores the highest with 3.6. Of course it does not involve a lot of effort to note that four of the six, are clearly and directly related to poverty reduction. These are EDPRS (3.58) itself, VUP (3.56), 9YBE (3.58) and Ubudehe (3.50).

A number of policies and/or implementing agencies score between 3.0 and 3.5.These are perhaps the majority. They include randomly PRSP, Trade, National Electoral Commission, National Tender Board, National Constitution of 2003,Joining East African Community, Joining the Commonwealth, Doing Business, Procurement, Ombudsman, Land Law and Policy, Unity and Reconciliation, Microfinance, Imihigo, Umuganda and Demobilization.

Although not a majority, a number of policies and/or agencies score less than average. These are Stock Exchanges, Intellectual Property, introduction of RDB, Introduction of RURA, introduction of Auditor General Office, Export promotion, investment code, VAT and taxation policies, privatization, Fiscal policies, Monetary policies and Aid Policies.

Also noticeable are the different policies? that scored highest and lowest in specific terms. It is clear for instance that EDPRS and VUP at individual and average levels scored 5 out of 5 on

"relevance". No other policy items on average score have been rated as being very good. It is most likely that the majority of the people perceive that the major link between policy and poverty reduction and growth is clearer in the EDPRS and its auxiliary policy of VUP. On the other hand, there are several policy items that score an absolute 1, especially in relation to their relevance to unity and reconciliation, as observed earlier.

Another dimension of the score sheet on policy is looking at the types of policies. The majority of them are purely economic (E) and generally score very highly on "relevance". The formation of institutions as part of the Rwandan reform is of course very important in control, but despite more than average score they do not attract any unique scores. Social items register the highest score, particularly VUP and Gender, while in the political items Gacaca has one of the highest scores. Business items have just more than average scores. Overall categorization of policy items does not seem to form any major categorization and indeed the whole analysis is anchored on economic policy making.

The crucial question is however the significance of all the features. Firstly, these scores are essentially very subjective and secondly there does not seem to be sharp variations that need to be explained. The answer to the question is within the very nature of policy items themselves. Policy effect is not easy to quantify objectively. Therefore, the normal way would be to subject it to qualitative assessment including perceptions on relevance, effectiveness, efficiency, impact, sustainability and an item we added ourselves of consistency with unity and reconciliation. At a general level we get a slightly more than average score which is not negating the overall assumption that the current performance in Rwanda must be deriving from immense policy reforms that took place in the immediate past. It is however important to note that despite the qualitative approach generally assigning figures derived from scores provides a quantitative indication that can leverage further interpretation. These are used to suggest some lessons below.

6. Conclusion and Lessons

Policy has been instrumental in the rapid economic growth of South East Asian countries. However, as suggested in the overall presentation of the policy and governance matrix, good policy would be useless or sub optimal if it was not accompanied by good implementation. Thus, definitely the management of policy reforms in Rwanda had a role in the final delivery of economic performance. There are a number of conclusions that can be made and which can offer lessons to policy making.

   i. Policy relevance seems to be scored highly by the elite experts. But it should be commendable that clear indicators be set to enable monitoring being undertaken with less subjectivity.

  ii. Effectiveness was not as high as relevance, but had on average a score of 3. Effort and measures to enhance outputs and outcomes can be taken by supporting policy with sound planning.

 iii. Efficiency scored also average. It means there is still more room to improve the use of funds and resources for maximum output.

 iv. It would be useful to emphasize mainstreaming unity and reconciliation to make policies consistent with the political and social needs of Rwandans in the context of a post conflict context.

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Capacity Building as the Key for Rwandan Reconstruction

Twiringiyimana Remy

Abstract

The Genocide against Tutsis that took place in Rwanda in 1994 claimed more than one million lives of Rwandans. This Genocide resulted in a total destruction of the country whereby education as well as other sectors of national life were tremendously affected. After the 1994 Genocide, the National Unity Government of Rwanda underwent an emergency situation with the main objective to restart and reformulate the education sector that was devastated. It was in this framework that in 1998 the Government of Rwanda adopted the National Education Policy with the main aim to reconstruct the education system after the Genocide. In 2000, the Government of Rwanda adopted a guidance document called vision 2020 to overcoming socio-economic problems of the country. The education sector had to fit in the above mentioned Vision 2020's guidelines. By 2020, Rwanda believes it will be a politically stable, peaceful, dynamic, diversified, integrated and competitive middle-income economy, that means a knowledge-base and technology-led society. This vision is based on the attainment of the clearly stated aspirations including education. Thus various mechanisms have been put in place in the education sector so that by 2020 all Rwandans will be able to read and write, and will be equipped with diverse professional and technical skills including ICT. However, despite the remarkable effort made by the Government of Rwanda to promote the education sector for successful reconstruction and development, there are still challenges in achieving quality education for all. This is mainly due to the insufficient Science and ICT facilities in schools and an insufficient number of qualified teachers at all levels of education.

Key words: Education Sector Policy, Education for all, EDPRD, ESSP, Science and Technology, Access and quality.

Introduction

The education sector was one of the main key sectors to be developed by the National Unity Government of Rwanda in order to achieve the successful reconstruction of Rwanda after 1994. Being a fundamental human right, education was considered to be an inevitability essential tool to achieve socio-economic development of Rwanda. The main goal of the education system was to provide all Rwandan people with necessary skills and values to be good citizens, and to improve the quality of human life through formal and informal education for all and at all levels. As stated in Vision 2020, Rwanda believes it will be a knowledge-based and technology-led society by 2020, and the education sector is expected to play a key role to achieve this. It is in this regard that relevant policies and strategies have been put in place to ensure the successful reconstruction and socio-economic development of Rwanda. In this work, policies, strategies governing the education sector in Rwanda from primary to higher education, as well as statistics and reports illustrating the success in the education sector whereby capacity building has played a key role in the reconstruction of Rwanda, are documented.

Aim and objectives of this paper.

The aim of this work is to show the vital role played by governance in Rwandan successful reconstruction through capacity building. This study has the following two objectives:
1. Documenting the contribution of the education sector for successful reconstruction of Rwanda.
2. Summarizing the relevant statistics illustrating the achievement of the Government of Rwanda in the education sector, contributing to reconstruction and sustainable socio-economic development of Rwanda through capacity building in all sectors of development.

Scope of the study

This study focuses only on documenting and presenting key indicators that show the vital role played by the Government of

Rwanda in the area of education for successful reconstruction of Rwandan society.

Literature review

Education Sector Policy

After the 1994 Genocide, the first education sector policy was adopted in 1998. The main aim of the policy was to urgently reshape and revive the education sector, which, like any other sectors, was affected by the Genocide. The revised education sector policy was adopted in 2003 and this was guided by Vision 2020 and the Poverty Reduction Strategy Paper (PRSP). The main goal of the revised education policy was to fight ignorance and illiteracy and to produce resourceful human capital for socio-economic development of Rwanda. As stated in the Rwanda Education Policy document (2003: 8), the revised education sector policy was built upon six pillars. The established policy was considered as a guide to address challenges experienced in key education areas such as Vocational Training, Technical and Professional/Vocational Education, Higher Education, Scientific and Technological Research, Special Needs Education, HIV/AIDS, Trilingualism, Literacy, Girls' and Women's Education, Science, Technology and ICT, Literacy, and Education Institutional Issues (Rwanda Education Policy document, 2003: 9-16). Therefore, in order to overcome challenges and problems in the above mentioned areas, the education policy defined the following general and specific objectives respectively quoted from Rwanda Education Policy document (2003: 17-18):

General policy Objectives
- To educate a free citizen who is liberated from all kinds of discrimination, including gender based discrimination, exclusion and favoritism;
- To contribute to the promotion of a culture of peace and to emphasize Rwandese and universal values of justice, peace,

tolerance, respect for human rights, gender equality, solidarity and democracy;

- To dispense a holistic moral, intellectual, social, physical and professional education through the promotion of individual competencies and aptitudes in the service of national reconstruction and the sustainable development of the country;
- To promote science and technology with special attention to ICT;
- To develop in the Rwandese citizen an autonomy of thought, patriotic spirit, a sense of civic pride, a love of work well done and global awareness;
- To transform the Rwandese population into human capital for development through acquisition of development skills;
- To eliminate all the causes and obstacles which can lead to disparity in education, be it by gender, disability, geographical or social group.

Specific policy objectives

- To ensure that education is available and accessible to all Rwandese people;
- To improve the quality and relevance of education;
- To promote the teaching of science and technology with a special focus on ICT;
- To promote trilingualism in the country;
- To promote an integral, comprehensive education orientated towards the respect of human rights and adapted to the present situation of the country;
- To inculcate in children and sensitize them to the importance of environment, hygiene and health and protection against HIV/AIDS.

Girls Education Policy

In order to implement the fifth pillar and the sixth objective of the Rwanda education sector policy, it was decided to establish a

girl's education policy. This policy was adopted in 2008 with the vision of having a Rwanda society free from any type of gender disparities in all sectors of development. The established policy also aimed at having an education system where all children (boys and girls) have equal access to quality education. The girl's education policy was established in such a way that it is in line with the national gender policy (Girl's Education Policy, 2008: 9-13).

Special Needs Education Policy

Researches done have proven that the implementation of the Universal Primary Education (UPE) has been a result of the commitment of the Government of Rwanda to meet the Millennium Development Goals (MDGs). Indicators on access to primary education show that the enrolment increased from 1,154,000 in 1996/97 to 1.534,000 in 2001/2. On the other hand, 2006 reports show that the drop-out rate in primary schools increased, resulting in a completion rate of only 65%, and most of the students who dropped-out were learners with special educational needs (Education Sector Strategic Plan 2006-2010: 71-73). Therefore, following the recommendations from various education sector stakeholders, the special needs education policy was established and adopted focusing on the following objectives:

- Ensuring the conditions that permit learners with special needs education to enroll in, remain in and complete school;
- Promoting quality education for learners with special needs in education;
- Mobilizing a coalition in support of education for learners with special educational needs;
- Establishing mechanisms for planning and coordinating of efforts to improve educational outcomes for learners with special educational needs;
- Establishing a system of regular monitoring, evaluation and reporting on the implementation of the national policy on special needs education;

- Improving quality of delivery by ensuring appropriate infrastructure as well as curriculum content and methodology and provision of appropriate learning materials.

Management of the Education Sector in Rwanda

The Ministry of Education (MINEDUC) was established with the mission to transform the Rwandan citizen into skilled human capital for socio-economic development of the country by ensuring equitable access to quality education focusing on combating illiteracy, promotion of science and technology, critical thinking and positive values. To ensure overall central administration of the education sector at policy level, MINEDUC top management is made of the Minister, Minister of State in Charge of Primary and Secondary Education and the Permanent Secretary. MINEDUC has two directorates- general namely, the Directorate General of Education Planning and the Directorate General of Science Technology and Research (DSTR). The role of each of the above directorates is explained as follows:

Directorate General of Education Planning:

The Directorate General of Education Planning has the main role of supervising all the activities of the Basic and the Post-Basic Education as well as Special Programmes in education within the ministry. These programmes include the Early Childhood Education, Adult Literacy, Primary and Secondary Education, now called 12 Years basic Education (12YBE), Technical and Vocational Education Training (TVET) and Higher Education. Special Education programmes cut across the whole sector throughout all levels of education and this has a significant impact on the achievement of national and international development goals. The latter include the special needs education, girls and women education, school sports and culture, and school health programmes.

Directorate General of Science Technology and Research (DSTR)

The Directorate of Science, Technology and Research (DSTR) was created under MINEDUC with objectives guided by the Rwanda National Science, Technology and Innovation Policy (2005) which hinges on four (4) priority areas, namely: (i) Knowledge Acquisition and Deepening , to reinforce science and technology teaching and resources at all levels of education; (ii) Knowledge Creation, to develop Research Capability in all priority sectors of the economy; (iii) Knowledge Transfer, to reinforce Science and Technology Capability in all priority sectors of the economy and (iv) Innovation Culture, to encourage Innovation at all levels to help stimulate economic growth. The Directorate has four major functions among which is the mandate to co-ordinate, register and report on all research activities taking place in Rwanda (Rules and Regulations for Research Activities in Rwanda, 2010). Among many others, DSTR works closely with three Government funded Research and Development Institutions (R&DIs) including, "Institut de Recherche Scientifique et Technologique" (IRST), "Institut des Sciences Agronomiques du Rwanda" (ISAR) and the Institute of Policy Analysis and Research-Rwanda (IPAR). In addition to the above R&DIs, DSTR collaborates with other affiliated institutions including the National Commission for Fighting against Genocide (CNLG), National Unity and Reconciliation Commission (NURC), Rwanda Development Board etc (List of Institutions proposed for research affiliation purposes in Rwanda, 2011).

Decentralization and Education Sector Implementation Strategies

With the spirit of adopting the responsive and quick service delivery approach, MINEDUC has decentralized the activities to specific agencies including the Rwanda Education Board (REB), Workforce Development Authority (WDA), IRST, Higher Education Council (HEC), Institutions of Higher Learning (HLIs) as well as the Rwanda National Commission for UNESCO (RNCU). The role of each institution is briefly explained as follows:

Rwanda Education Board (REB)

Rwanda Education Board was established with the core mission to fast-track education sector development and enable the sector growth in Rwanda. This includes working with all public and private schools with the aim of bringing the standard of the education sector in Rwanda to the regional and international standards. In order to achieve its mission, REB has six departments namely: Curricula and Pedagogical Materials, Education Quality and Standard, Examination & Accreditation, High Education Students loan, ICT in Education and Open distance and e-Learning, and Teacher Education Management and Professionalization.

Workforce Development Authority (WDA)

Workforce Development Authority (WDA) was established mainly to promote the Technical and Vocational Training Education (TVET) in Rwanda. WDA has the main mission to provide a strategic response to the skills development challenges facing the country across all sectors of the economy. Considering the fact that Rwanda has embarked on developing sector development strategies under EDPRS, the challenge of technical and professional capacity, one of the major constraints observed in the implementation of the programs under PRSP 1, is among the most important priorities to be addressed by WDA.

Institut de Recherche Scientifique et Technologique (IRST)

The Institute of Scientific and Technological Research was created with the mission to contribute to the sustainable development of Rwanda trough conducting relevant research, experimental realizations, innovative trainings, scientific and technological information mainly in the fields of applied sciences, life sciences and human sciences, solving the problems facing the Rwandan society and the rest of the world. IRST has the key goal to become a world class Institution in research and generating suitable technologies in energy, environment, and health, society and economy fields. As a Research and Development Institution (R&DI), IRST works in collaboration with other R&DIs and HLIs

operating in Rwanda. Research findings from IRST are published in various recognized journals, and disseminated to relevant communities.

Higher Education Council (HEC)

The Higher Education Council was created with the primary mission to maintain the of quality assurance of higher education to ensure that Higher Learning Institutions (HLIs) in Rwanda offer relevant programmes meeting the labor market needs. HEC also has the mandate to work with HLIs and advise on how they can produce graduates capable of playing their role in the socio-economic development Rwandans. Promoting equal opportunity and gender sensitivity in all higher education programmes is one of the key responsibilities of HEC.

Rwanda National Commission for UNESCO (RNCU)

The Rwanda National Commission for UNESCO has the main mission to provide expert analysis and policy advice on United Nations Educational, Scientific and Cultural Organization (UNESCO) matters to the Rwandan Government. It contributes to the development and implementation of programs in support of UNESCO priorities, and promotes and publicizes UNESCO's objectives and programmes. As a first point of contact for UNECSO in Rwanda, RNCU has the mandate to advance Rwanda's priorities and interests as a UNESCO member state.

Collaboration with other Ministries and Government Institutions

In order to achieve overall goals of the Government, the decentralization of the education sector allow MINEDUC not only to work with the above mentioned agencies but also with other Ministries including mainly the Ministry Local Government (MINALOC). Studies have proved that, in addition to District and Sector Education Officers, whose role is to manage the education sector, district and sector administrations have responsibilities for various services including education. For example, the District Directors for Education, Youth, Sport and Culture Affairs spend

80% of their time on education, even though they are not under the direct authority of MINEDUC (Rwanda Education Country Status Report, 2008: 43).

Unity, Patriotism and fight against any discrimination

Since the late 1990s, the Ministry of Education has been organizing "Ingando" activities for secondary school graduates, in collaboration with other ministries namely, MINADEF, MYICT, MINISPOC, and the NURC. The main purpose of these activities has been to teach young citizens the culture, patriotism, fight against any kind of discrimination, unity and values of true Rwandans. Since 2008, the Ingando activities have been assigned to "Itorero" Commission. Since 2011, the Ministry of Education in collaboration with Itorero Commission, MINAFET, MINADEF, MYICT, MINISPOC, MINADEF and NURC started Itorero activities for Rwandan students studying abroad.

The 2012 Itorero activities brought together 258 students from 18 different countries. This was the first time that about 35 non-student Rwandans living abroad were admitted to participate in such activities. In addition to learning about Rwandan culture and values, Rwandan students living abroad use Itorero as their opportunity to learn about the realities of their home country, and this becomes the appropriate time whereby they share constructive ideas on how they can contribute to the sustainable socio-economic growth of Rwanda.

Discussion of appended education statistics

After exposing the background of the education sector as a key player for capacity building in the reconstruction of Rwanda, education statistics are appended and discussed below.

Access to pre-primary education

As it is illustrated in the following figures in Table 1, the enrolment of girls in pre-primary education is greater than that of

boys. In order to mitigate this trend, parents and communities around pre-primary schools are encouraged to send all children to school.

Table 1. Status of Access to Pre-Primary Education

Access	2008	2009	2010
Number of students	145,405	150,000	96,934
Boys	71,058	72,833	47,034
Girls	74,351	77,167	49,900
% of Boys	84.9%	48.6%	48.5%
% of Girls	51.1%	51.4%	51.5%
Number of Schools	2,132	1,705	1,369

Source: MINEDUC Statistics 2012

Access to primary education
As illustrated by the following figures in table 2, it is observed that girls have a higher enrolment than boys. Similarly to the case of pre-primary enrolment,, in order to mitigate this trend, parents and communities around pre-primary schools are encouraged to send all children to school.

Table 2. Status of Access to Primary Education

Access	2008	2009	2010
Number of students	2,190,270	2,264,672	2,299,326
% Girls	50.9%	50.8%	50.7%
Net Enrolment Rate (NER)	94.2%	92.9%	95.4%
NER Boys	93.3%	91.6%	94.2%
NER Girls	95.3%	94.1%	96.5%
Number of Schools	2,432	2,469	2,510

Source: MINEDUC Statistics 2012

Quality at primary education level

Quality of education at primary level can be viewed generally as a set of factors within the education system that are believed to lead to better students outcomes including dimensions of student learning. Table 3 illustrates some of the key indicators of quality at primary education in Rwanda. However, quality education may comprise the sufficient and effective supply of direct resources to schools including infrastructure, teachers, learning and teaching materials, pedagogical support, supportive school climate, effective school administration etc.

Table 3. Status of Quality at Primary Level of Education

Quality Indicators	2008	2009	2010
Completion Rate, Overall	52.5%	74.5%	75.6%
Transition Rate, Overall	87.9%	95.0%	N.A
Transition Rate, Girls	86.3%	94.3%	N.A
Promotion Rate, Overall	69.5%	73.8%	N.A
Promotion Rate, Girls	70.3%	74.3%	N.A
Repetition Rate, Overall	15.3%	14.0%	N.A
Repetition Rate, Girls	14.9%	13.5%	N.A
Dropout Rate, Overall	15.2%	12.2%	N.A
Dropout Rate, Girls	14.7%	12.2%	N.A
Qualified Teachers	30,173	35,664	36,352
% of Qualified Teachers	91.0%	96.0%	98.5%
Qualified Teacher Student Ratio	73:1	63:1	63:1

Source: MINEDUC Statistics 2012

Access to Secondary Education

In Rwanda, secondary education means school age between 13 and 18. Table 4 shows that at this stage, girls' enrolment is still higher than boys at lower secondary. However, the enrolment of boys is greater at upper secondary.

Table 4. Status of Access to Secondary Education

Access	2008	2009	2010

Number of students	288,036	346,518	425,587
% of Girls	47.8%	49.0%	50.7%
% of Boys	52.2%	51.0%	49.3%
Net Enrolment Rate (NER)	13.9%	13.2	22.6%
NER Boys	13.8%	12.8%	21.6%
NER Girls	13.9%	13.7%	23.7%
Number of Schools	689	686	1,399

Source: MINEDUC statistics 2012

Quality at Secondary Education Level

Similarly to the case of primary, quality of education at secondary level can be viewed generally as a set of factors within the education system that are believed to lead to better students outcomes including dimensions of student learning. Table 5 highlights a number of key indicators of quality at secondary education in Rwanda.

Table 5. Status of Quality at Secondary Level of Education

Quality Indicators	2008	2009	2010
Transition Rate, Overall	86.0%	90.0%	N.A
Transition Rate, Girls	86.9%	91.6%	N.A
Promotion Rate, Overall	84.5%	94.0%	N.A
Promotion Rate, Girls	80.3%	94.5%	N.A
Repetition Rate, Overall	6.0%	4.4%	N.A
Repetition Rate, Girls	6.3%	4.8%	N.A
Dropout Rate, Overall	9.6%	1.6%	N.A
Dropout Rate, Girls	13.3%	0.7%	N.A
Qualified Teachers	10,187	14,426	14,477
% of Qualified Teachers	57,4%	60.4%	60.0%
Qualified Teacher Student Ratio	49:1	40:1	49:1

Source: MINEDUC Statistics 2012

Education Sector Performance vs EDPRS Indicators

As illustrated in the following table 6, all Economic Development and Poverty Reduction Strategy (EDPRS 2008-2012) indicators were met except one. This shows the commitment of the Government of Rwanda in investing in education for sustainable development. EDPRS and the Education Sector Strategic Plan (ESSP) articulate the importance of continuing to expand access to education while improving quality in an equitable way in Rwanda. MINEDUC refers to target indicators of EDPRS and ESSP while developing its strategic plans.

Table 6. Education Sector Performance vs EDPRS Indicators

CPAF /EDPRS Indicators as Reported in September 2011	Target 2010/11	Actual 2010/11
1. Primary School Completion rate	59%	75.6%
2. Primary School Completion rate for girls	58%	82%
3. Primary school pupil to qualified teacher ratio.	64:1	63:1
4. Transition from basic education (TC) to upper secondary education	88%	94%
5. Proportion of employers who are satisfied with the performance of TVET graduates	68% (2011-2012)	NA
6. Percentage of students in science streams taking S6 national exams who pass with a minimum for public university entrance to study a science discipline (M/F) (EDPRS)	30%/20%	31%/21%

Source: Joint Review of Education Sector (JRES) Report 2011

Enrolment by Gender in HLIs

Table 6 and Fig.2 below illustrate that male students are almost twice the female students in public HLIs. However in the private HLIs, the enrolment of female students is much more than that of males. This difference reflects the fact that pure sciences, applied sciences and engineering field programmes are mostly offered in public HLIs whereas, most private HLIs offer social science and art.

Table 6. Access to Higher Education

Year	2008	2009	2010
Public Institutions of Higher Learning			
Students	20,967	26,305	31,565
Male	14,241	17,695	21,188
% of Male	67.90%	67.30%	67.10%
Female	6,725	8,609	10,376
% of Female	32.10%	32.70%	32.90%
Year	2008	2009	2010
Private Institutions of Higher Learning			
Students	26,441	28,910	31,171
Male	12,978	13,479	14,054
% of Male	49.10%	46.60%	45.10%
Female	13,462	15,430	17,116
% of Female	50.90%	53.40%	54.90%

Source: MINEDUC Statistics 2012

Figure 2. Students Enrolment by Gender in HLIs

Student enrolment by Gender in HLIs
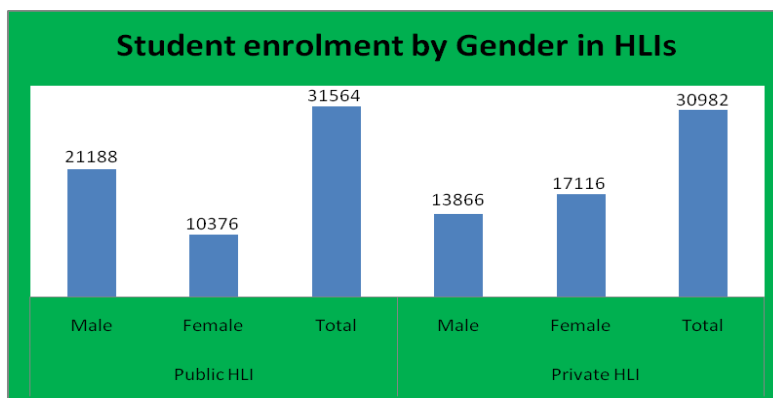
Source: Higher Education Council Statistics, 2010

Enrolment by field in HLIs

As illustrated in the following figure 3, the enrolment in science and technology fields is much bigger than any other field. This implies the emphasis of the Government of Rwanda on encouraging students to enroll in science related fields. The results shown in figure 2 demonstrated the success of the Government of Rwanda towards embarking on capacity building in Science Technology and Innovation as the Government of Rwanda believes in the power of Science, Technology and Innovation for building her social-economic growth and poverty eradication.

Figure 3. Students Enrolment by field in HLIs
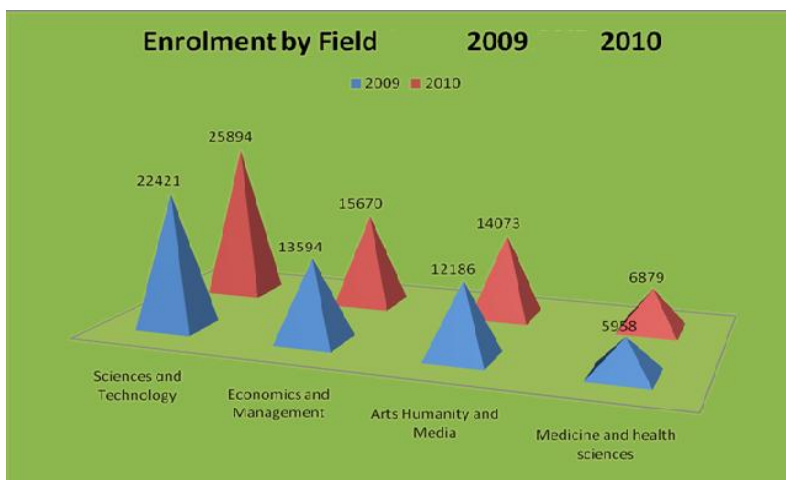
Source: Higher Education Council Statistics, 2010

Conclusion and Recommendations

To put all in a nutshell, it is observed that the Government of Rwanda has been tremendously proactive in the process of reconstructing the country through the education sector. This has been marked by establishing policies in critical areas of education and setting-up strategic mechanisms to implement the adopted policies. The access to education for all through 9YBE and currently 12YBE has been a success of the Government of Rwanda to meet the MDG Goal. Continuous collaboration of the Ministry of Education with other Ministries and other Government institutions in activities such as Itorero, contributes to the reconstruction of Rwanda through unity, patriotic spirit and fighting any kind of discrimination. However, despite major achievements in democracy, equality and equal access for all, a lot is still to be done in the education sector. The main challenge of quality education for all will be met by improving the infrastructure of schools in rural areas and the implementation of qualified teachers' recruitment retention strategies. At the higher education, the challenge of staff retention and lack of infrastructure are also hindering the quality of education.

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Governance, Gender Equality and Women Empowerment in Post Genocide Rwanda

Aimee MUZIRANENGE

Introduction

For a long time in history, Rwandan society, like any other patriarchal society, was characterised by unequal social power relations between men and women, boys and girls. These relations were translated into males' dominance and women's subordination. Existing inequalities between men and women were exacerbated by the 1994 genocide that prompted women into the traditionally male reserved roles for which they were not prepared. On the one hand, this situation can be seen as an irony of history, as women accessed the public sphere through their involvement in activities which before were reserved to men, but one should not overlook the fact that assuming roles and responsibilities for which these women were not prepared, was a big handicap for respect of human rights and a serious threat to sustainable development, on the other hand.

During the colonial era, men's supremacy over women was reinforced. For example, the abrupt shift from a subsistence economy to monetary economy based on paid employment and a formal education system, weakened women's position relative to that of men. In particular, it weakened their access to, and control over, resources and the degree of their level of participation in the development process.

The post-independence period was characterised by male domination in power. Very few women participated in decision-making. Progressive changes took place after the multiparty system was legalised in 1991, which opened a window of opportunity for women's involvement in decision-making.

The 1994 genocide and the 4th World Conference on Women held in Beijing (China) in 1995 were the key factors that underpinned

important changes in the Rwandan society. The following are two of the major changes that took place in the country:

- o Firstly, physical and social reconstruction of the country, which had been left in ruins by the genocide, involved women assuming roles traditionally reserved for men, as few of them had survived the genocide.
- o Secondly, the Beijing recommendations gave a push to Rwandan women towards increased participation in decision-making.

1. Methodology

The methodological approach used to attain the objectives of this article was mainly desk review. A desk review on gender and governance in post genocide Rwanda was carried out. This enabled us to understand not only what has been done so far in Rwanda, but also identify where there are weaknesses and challenges. Desk review enabled us also to review policies and strategies developed at both national and international levels to promote gender equality. Documents were reviewed including the Constitution of the Republic of Rwanda of 2003 as amended to date, organic laws: of land law of 2001, 1999 Law on matrimonial regimes, liberalities and succession.

Policies and strategies including, vision 2020, EDPRS, and different reports from the Gender Monitoring Office, the Ministry of Finance and Economic Planning, as well as Ministries of Education and Health were also reviewed. The findings from the desk research were organized to produce this short article on the role of governance in promoting gender equality and women empowerment in post genocide Rwanda

2. Approaches & Measures Adopted to Promote Gender Equality in Rwanda

3.1 Approaches

Main approaches used to promote gender equality[3] are shown below:
  a) Gender mainstreaming approach which aims at integrating gender issues into the policies, programmes, activities and budgets in all sectors and at all levels;
  b) Affirmative action approach that aims at correcting the huge gender imbalances existing in the various development sectors;
  c) Institutional capacity development of different gender machineries and stakeholders in the implementation of the national gender policy;
  d) Involvement of men in addressing gender issues.

3.2 Measures

In addition, measures have been adopted to promote gender equality and women empowerment through long term and short term plans, Vision 2020 and Economic Development and Poverty Reduction Strategy (EDPRS).
  a) Capacity building for promotion of gender mainstreaming;
  b) Development of gender sensitive indicators;
  c) Established monitoring mechanisms;
  d) Partnership with different stakeholders.

3. Good Governance and Gender Equality: Key Achievements

The strong political will and good governance characterizing Rwandan Government and its commitment to promote gender equality has allowed development of national key instruments including but not limited to the National Constitution, Vision 2020, EDPRS, policies, gender sensitive laws, strategies and plans, and establishment of mechanisms , all of which have

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[3] National gender policy 2010

contributed to great achievements as registered across the country. Among these achievements, a significant number of them are best practices that can not only serve as models for other areas of the country but also play a vital role for future planning to thus address the wide existing gender gap between the instruments and mechanisms in place and their translation into practice.

4.1 Gender and Regional Commitment

Rwanda adopted the East African Community treaty that recognizes gender as " the role of the woman and man in the society", being one of its fundamental principles like good governance, social justice, state of right, principle of accountability, chance equality, protection and promotion of human and people's rights. In its Chapter 22, Articles 121 and 122, the Treaty recognizes the role played by women in socioeconomic development and in businesses. The Treaty further foresees that the integration of the gender dimension in all domains and sectors of member states is important for the sustainable development of the community.

Rwanda is as well one of State members of COMESA. As stipulated in the COMESA gender policy put in place in 2002, sustainable socioeconomic development of the region requires equal and total participation of men, women and youth. In its strategic orientation process to reduce disparities between men and women, COMESA developed a gender policy and strategy for its implementation taking gender into account in different development strategies

Gender is also linked to NEPAD objectives that put in place conditions for sustainable development guaranteeing peace and security, democracy and good governance, political, economic and enterprises' governance.

To implement this political commitment, NEPAD set as an objective the reduction of women's poverty. Among actions to be conducted, there is a working team on gender ensuring that decentralization and good governance policy fosters an increase in

the representation of women and youth in the management of political, economic and administrative issues in the country.

It is important to reiterate that the reinforcement of the principle of gender parity adopted by the African Union, contained in the formal declaration on gender equality in Africa adopted by AU organs, and amendment of the Pan African Parliament Statutes to enable real women's and men's participation, shows the high level of consideration of the gender dimension. As a result In Rwanda, different strategies have been put in place to facilitate the implementation of this declaration.

4.2 Gender and National Commitment

4.2.1 Legal framework

The Constitution of the Republic of Rwanda of 04 June 2003, as amended to date, in its Article 9, 4, Rwanda commits to "building a state governed by the rule of law, a pluralistic democratic government, and equality of all Rwandans and between women and men reflected by ensuring that women are granted at least thirty per cent of posts in decision making organs".

In addition to the Constitution, the Rwandan legislation is composed of laws including provisions related to women's rights and the rights of the child. New laws have been established and the existing laws revised in order to enforce the principle of gender equality and equity.

- o Law N° 22/99 of 12/11/1999 to supplement Book one of the Civil Code and to institute Part Five regarding matrimonial regimes, liberalities and successions (O.G. n° 22 of 15/11/1999);
- o Law N° 27/2001 of 28/04/2001 Relating to Rights and Protection of the Child against Violence (O.G. n° 23 of 01/12/2001);
- o Law N° 47/2001 of 18/12/2001 instituting punishment for offences of discrimination and sectarianism (O.G. n° 4 of 15/02/2002);
- o Organic Law n° 16/2003 of 27/06/2003 governing political organizations and politicians (O.G. n° special of 27/06/2003);

- o Organic Law n° 17/2003 of 07/07/2003 related to presidential and legislative elections (O.G. n° special of 07/07/2003);
- o Land Law (n° 08/2005 of 14/07/2005);
- o Law n° 59/2008 of 10th September 2008 provides legal sanctions against Gender-based violence perpetrators.

4.2.2 Policy framework

    i.   Gender and Vision 2020

Rwanda set objectives to integrate and adapt laws on women's rights so as to reach equality and equity between men and women in all policies and development strategies. It is worth emphasizing the cross- cutting nature of gender in regard to the six pillars of Vision 2020.

    ii.   Gender and EDPRS

The New Economic Development and Poverty Reduction Strategy covering the period of 2088-2011 involved all actors in development. It gives particular attention to cross- cutting issues, including gender, and requires that all policies and national programs integrate the gender dimension to promote equal and real participation of men and women in all aspects of national life.

    iii.   National Gender Policy

Rwanda designed a national gender policy consisting of guide lines in the field of gender. The overall objective of the Gender National Policy is to ensure that women and men have the same access to resources, property and services and their management, in all development domains, and their specific needs are taken into account in all development processes.

    iv.   National Decentralisation Policy

Since 2000, Rwanda has been committed to the decentralisation of public services. The objective of the decentralisation process is to make those services effective and efficient, answering in a prompt way and at lower cost the people's requests. The cross-cutting nature of decentralization does not only concern the establishing of administrative authorities, but also the principle that gender

should be considered in the daily management of decentralized entities.

4.2.3 Institutional framework

The strong political will to promote gender equality has been characterized by creating a favorable policy environment and putting in place a number of mechanisms to further promotion of gender equality and women's empowerment. The mechanisms cover the public, private and civil society organizations.

A. Public institutions

1) The Ministry of Gender and Family Promotion

It coordinates the formulation and implementation of national policies, strategies and programs regarding the promotion of the family, gender and children's rights and initiates programs encouraging and empowering women to participate in the socio-economic and political development of Rwanda.

2) National Women's Council (NWC)

The National Women's Council is a social forum where girls and women put their views in order to solve their own problems and to participate in having a say in the development in the country.

3) Gender Monitoring Office (GMO)

The Gender Monitoring Office is an organ provided for in the new Constitution of the Republic of Rwanda in its article 185, with the role of monitoring implementation and progress towards gender equality.

4) The National Gender Cluster

The gender cluster is a forum in which the Government of Rwanda, development partners and civil society meet and discuss planning, coordination and prioritization of Gender Equality interventions. Its objective focuses on facilitating the collaboration and coordination of all interventions in the area of gender by sharing experiences, generating new ideas, identifying gaps, lobbying and advocating for achieving gender equity and equality in sectors across the country.

5) Gender Focal Points

The main aim of putting in place the gender focal points was to mainstream gender in all development sectors and to promote gender equality and equity at all levels. These focal points are Government employees holding positions likely to influence decision making, policy planning and management. At present, all public departments are required to appoint directors of planning as the new Gender Focal Points as per directives from the Prime Minister.

B. Civil Society Organisations

A number of NGOs are actively involved in promoting sustainable development in Rwanda, but the general trend is that they are grouped into umbrella organizations promoting women rights, gender equality and women's empowerment. Those include but not limited to:

a) Pro-femmes/Twese Hamwe

It is an umbrella for civil society women's association promoting women through advocacy, mobilization, and capacity building. Its vision is to have Rwandan women safe from all forms of gender-based discrimination. Aiming to be a platform, an exchange and consultation framework that promotes women's fulfillment and their active and effective participation in national development, PRO-FEMMES/TWESE HAMWE sets itself the following goals that are translated into actions by the member associations.

b) Rwandan Women Parliamentarians Forum

This forum was established in 1996 under the initiative of Women Parliamentarians with the mission to promote gender equality. FFRP is serving as a framework for capacity building for its members, builds partnership with other gender machineries for the promotion of gender equality in different sectors. Also, this forum serves as a tool allowing its members to positively participate and influence in reviewing laws and programs to make them more gender sensitive.

4.2.4 Programs, projects and initiatives

In the area of Gender Equality and Women's Empowerment, Rwanda has tremendous achievements which constitute best practices in this regard, some of which are the following:

I. Poverty Reduction

In order to reduce the disproportionate number of women living in poverty, in particular rural women, Rwanda implemented national poverty eradication programs with a focus on a gender perspective and the empowerment of women. These include the following programs that target the poorest households especially women:

- o Vision 2020 Umurenge Program (VUP);
- o HIMO (High Intensity Labor);
- o UBUDEHE (Shared Labor Initiative);
- o One Cow per Poor Household;

Since 2008, a Gender Responsive Budgeting Program (GRB) is ongoing within the Ministry of Finance and Economic Planning. Rwanda has registered significant achievements. The poverty reduction is demonstrated through the achievements of the following targets:

- o The proportion of the population living below the poverty line has been reduced from 58.9 % in 2001 to 44.9% in 2011 (EICV1, EICV3);
- o The per capita income increased from $250 in 2001 to $540.5 in 2010;
- o Non agricultural jobs increased from 200 000 in 2000 /01 to 650 000 in 2010/11.
- o The annual real GDP growth average rate is 8.2% (2008-2011) (EDPRS: Lessons learned 2008 – 20011, MINECOFIN);
- o According to the DHS 2010, 87% of the households live in rural areas and 33% of Rwanda households are headed by women, which means that the various pro-poor families programs benefit women at the proportion of 33%.

II. *Access to Education*

Rwanda has made enormous strides forward in improving access of boys and girls to education at all levels, and in promoting gender equality within the education system. Measures have been adopted to advance gender equality at all levels of education.

The enrolment of girls in pre-primary is greater than of boys. In 2008, there were more girls 74 351 (51.1%) than boys 71 058 (48.9%) enrolled in early childhood education (MINEDUC, Education Statistics, 2011). Enrolment in primary education increased considerably between 2000/01 and 2005/06. This is illustrated in the gender parity reached at primary education level since 2007 with 50.8% (1 092 404) girls and 49.2% (1 058 026) boys compared to 50.9% (1 190 941) girls and 49.1% (1 150 205) boys in 2011.

At secondary school level, girls show higher enrolment than boys at lower secondary. In 2007, the number of girls was 126 819 (47.6%) and the number of boys was 139 699 (52.4%) compared to 2011 with 250 687 girls (51.5%) and to 235 750 boys (48%). This is critical for enabling the country to achieve its objectives of becoming a knowledge-based and technology-driven society. The performance of candidates in A- level national examinations in 2011 shows that the percentage of females and males who passed is respectively 43.7% and 56.3%.

A Workforce Development Authority survey done in 2010 highlighted that boys in Technical Secondary Schools (TSSs) were 62% and 57% in Vocational Training Centers (VTCs). The number of women increased in public and private higher learning institutions rising from 15 465 in 2006 (41.6%) to 31 799 (43.2%) in 2011. Since 2007, gender parity has become a reality in private universities with a number of women 10 954 (49.7%) in comparison with men 11 087 (50.3%). In 2011, the number of women was 18 920 (52.9%) in comparison with 16 852 men (47.1%). However, the number of females selected to public Universities was 6 071 (32%) in 2007 in comparison with men 12 901(68.0%). In 2011, the number of women was 12 879 (34.0%) in comparison with men 25 023 (66.0%).

III. *Access to Health*

The Constitution of June, 2003 (Art. 41) stresses that "All citizens have the rights and duties relating to health". This provision has been translated into actions through implementation of the National Health Policy.

The achievements that are described deal with the improvement of maternal and child health, Family Planning, Community Health, and Reproductive Health status which are among the high priorities of the Ministry of Health in line with the Millennium Development Goals to reduce infant and maternal mortality. The Demographic and Health Survey (DHS 2010) highlights an improvement of women and children health status as shown below:

- o Maternal Mortality rate has fallen from 1071/100,000 (2000) to 476/100,000 live births;
- o The number of married women using modern contraception increased from 10% in 2005 to 45% in 2010;
- o "Mutuelle" coverage increased from 44% in 2005 to 85% in February 2012, overall health insurance coverage : 91% (MOH annual report 2010/11)
- o Infant mortality has fallen: from 107/1,000 (2000) to 50/1,000 live births
- o Under 5 Mortality has fallen: from 196/1,000 to 76/1,000 live births in 2010;
- o In five years (2005-2010), under five using anti-malaria nets increased from 16% to 70%.
- o Malaria fell from 27% to 1.4%.

IV. *Fighting Gender Based Violence*

Violence against women/girls is an obstacle to the achievement of objectives of equality, development and peace. In addressing violence against women, Rwanda adopted the National Policy against Gender Based Violence. This policy has the overall objective to progressively eliminate gender-based violence through the development of a preventive, protective, supportive and transformative environment (*National policy* against *gender-*

based violence, MIGEPROF, July 2011). Combating gender-based violence requires a multi-sector approach, and therefore implicates a number of laws, including:
- o Law nᵒ 59/2008 of 10ᵗʰ September 2008, on the Prevention and Punishment of Gender-based Violence;
- o Law nᵒ 22/1999 of 12ᵗʰ November 1999, to supplement Book one of the Civil Code and to institute Part Five regarding Matrimonial Regimes, Liberalities and Successions;
- o Organic Law nᵒ 08/2005 of 14ᵗʰ July 2005, Determining the Use and Management of Land in Rwanda;
- o Law nᵒ 13/2009 of 27ᵗʰ May 2009, Regulating Labor in Rwanda;
- o Law nᵒ 27/2001 of 28ᵗʰ April 2001, Relating to Rights and Protection of Children against Violence;
- o The Penal Code of Rwanda

Furthermore, different mechanisms have been established to respond to GBV, many important achievements have also been made.

- The existing One-Stop Centers provides critical support to victims of GBV and can be used as a model for integrated care and support. This much needed support also offers a chance for victims to access legal aid as part of an integrated package.
- Gender Desks exist in the Rwanda National Police and in the Rwanda Defense Force, with staff that has received special training on GBV.
- Each district has an Access to Justice Office (AJO) or "Maison d'Accès à la Justice" (MAJ).
- Several toll-free telephone hotlines are available for emergency calls.

V. Women's economic power

After the 1994 genocide, women were the majority of Rwandan population and were seriously poverty stricken. The majority of women were widows and thus became the heads and breadwinners

of their families, which they were not accustomed to. Thus in terms of promoting women's economic rights and control over economic resources, gender sensitive laws have been enacted in the effort to promote equal land rights for both women and men:

- o Law no 22/99 of 12/11/1999 on Matrimonial Regimes, Liberalities and Successions or the "Inheritance Law" is the most important , in particular Article 50 providing that all children recognized by civil law, male and female, would inherit property without any discrimination;
- o The Constitution of the Republic of Rwanda of 2003 recognizes equal rights of women and men , in particular articles 26, 27 and 28 which provide for equal property rights;
- o The Organic Land Law was adopted in 2005 and aims to achieve three basic goals: formally recognize land rights in the form of long-term secure lease rights; resolve uncertainty over landholdings caused by the post-conflict situation; and encourage consolidated use, increased productivity and improved stewardship of land. The Law stipulates equal rights of women and men to land ownership;
- o The labor law enacted in 2009 provides equal rights of women and men to remunerated work both in the formal and non-formal labor market.

In a country where commercial banks serve only 6 percent of the population, the Micro-Finance Institutions (MFIs) fill the gap in the delivery of greater access for middle class business women to credits and help in granting small loans to rural women for their self-promotion.

- o The "Banques Populaires du Rwanda" has a specific branch that caters for women's advancement, due to the commitment of the National Bank of Rwanda.
- o COOPEDU, the micro-finance company of DUTERIMBERE has granted credits to thousands of women who are excelling in their business.

o A Women Guarantee Fund was established for women as an affirmative action to enable them access to credit and trade opportunities;
o The Ministry of Agriculture has entered into a separate agreement with the National Bank of Rwanda to facilitate women farmers.

VI. Decision Making

The "at least 30% "representation of women as provided in the Constitution of the Republic of Rwanda (2003) is implemented in most decision making organs. This has been achieved due to measures adopted in the form of policies and mechanisms put in place to promote women's leadership. Thus, the decentralization policy promotes the representation of women at the various administrative levels: members of the National Women's Council become automatic members of the consultative committees at the level of the Cell, Sector, District and Kigali City. Political parties are required to include at least 30% of women in their list of candidates for the parliamentary elections.

Various programs and projects including awareness raising and capacity building programs have contributed to the realization of active participation of women at different levels of decision making as shown by the following figures: at central level Women Senators represent 35%, women parliamentarians represent 56.25%, women Ministers 30% and women State Ministers represent 66.6%[4]. Women Permanent Secretaries represent 50%, Women Supreme Court Judges represent 50 %, Women High Court of the Republic judges represent 30.8%.

Participation of women in various decision making organs has increased as a result of implementation of the constitutional provision of "at least 30 %" of representation by women. According to the (gender Statistics Vol. 1, 2011 NISR), Rwanda is

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[4] GMO, 2010

the first country in the world to have a majority of women in Parliament.

5. Key Challenges

There is no doubt that advancements have been made for women, the most significant of which has been increasing access for women and girls into the public space, especially local and national politics, education, the business sector and so on. Similarly there has been much initiative at policy level to take into account the interests of women. However, there are key challenges that need to be addressed for full implementation.

- o Mindset and knowledge of gender and gender mainstreaming;
- o Poverty;
- o Culture of silence leading to GBV;
- o Limited Sex disaggregated data;
- o Limited capacities, skills, agricultural assets and technologies to transform the agriculture of subsistence into a market oriented agriculture for food security and income generation;
- o Lack of time saving technology for domestic and productive activities for use by rural women in eradicating hunger and poverty leading to sustainable development.

6. Conclusion

Good governance in Rwanda has registered great achievements. A series of initiatives have been taken to address gender inequalities in decision making both at central and decentralized levels. With great strides made towards gender equality and women empowerment and a high level commitment of Rwandan leadership, a lot has to be done to sustain this momentum and thus Rwanda continues to adapt and update laws and policies on gender equality and women empowerment. Women empowerment is a component of gender mainstreaming which affects governance, but also the participation of women contributes to good governance.

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Rwanda's Post-Genocide Democratic Process: Political Parties, Decentralization, and Elections

Omar Khalfan

"It is only through effective **decentralization** policies that all nationals will have ownership of whatever policies that are in place. That way we are involving them in decision making.

"Districts are supposed to deal with development and should be supported by the Provinces, while sectors are supposed to carry out effective service delivery with the support of districts."

Paul Kagame

1. Political Parties

From 1957 to 1994, Rwanda has known *Multi Party Systems* through political parties, all of them claiming to defend freedom, liberty and economic development of Rwandans.

Indeed, these political parties got access to political power through divisionism that means (preaching ethnicity and religious belonging, regional labelling, among others).

The political parties during the period mentioned above, were also characterised by lack of good political programmes (manifesto(s) and activities aimed at promoting security and national cohesion and economic development for "***All Nationals***''.

Political Parties that were characterised by divisionism, included MDR PERMEHUTU[5], MRND[6], and other divisionism-oriented parties which were created after 1990 such as CDR[7], and other

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[5] MDR: Democratic Republic Movement, (Mouvement Démocratique Républicain) PARMEHUTU: Hutu Emancipation Party (Parti de l'Emancipation des HUTU)

[6] MRND: National Revolutionary Movement for Development (Mouvement Révolutionnaire National pour le Développement)

[7] CDR: Coalition for the Defence of the Republic (Coalition pour la Défense de la République)

parties united under what was called **''HUTU POWER''** planned the genocide against Tutsis in 1994.

In July 1994, RPF-Inkotanyi stopped the genocide and won the struggle of liberating Rwandans. RPF together with other political organizations MDR, PSD[8], PL[9], PDC[10], PDI[11], PSR[12], and UDPR[13] formed a Transitional National Government with the aim of promoting unity and reconciliation among Rwandans. These political organizations took the decision that MRND and CDR, as sources of genocide and its consequences, should not be part of the Transitional Government. Later on, MDR which did not disassociate itself from the genocidal ideology of PERMEHUTU, could respect the objective of unity and reconciliation among Rwandans like other parties, and this led to its dissolution loosing access to participating in transitional institutions.

1.1 Definition of a political party:

Thomas P. Bernstein[14] and al. used the famous definition of Edmund Burke[15] of a political party as ' *'a body of men united for promoting by their joint endeavours the national interests upon some particular principle on which they are all agreed*''. Burke's definition virtually ignores the vital roles of the party organization, with its clear differentiation between the officers and the professional workers and activists on the hand, and on the other, those who passively support the party- the general run of voters who identify with the party's program and goals.

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[8] PSD: Social Democratic Party (Parti Social Démocrate)

[9] PL: Liberal Party (Parti Libéral)

[10] PDC: Centrist Democratic Party (Parti Démocratique Centriste)

[11] PDI: Ideal Democratic Party (Parti Démocratique Idéal)

[12] PSR: Rwandese Socialist Party(Parti Socialiste Rwandais)

[13] UDPR: Rwandese People's Democratic Union (Union Démocratique du Peuple Rwandais)

[14] Government and Politics: An Introduction to Political Science, P.561

[15] Edmund Burke, reflections on the Revolution in France (New York: Dolphin, 1961). First Published 1980

Rwandan Organic Law No. 16/2003 of 27/06/2003 governing political organizations and politicians as amended and complemented today; defines a ***Political Organization in article one:*** as '*'a group of citizens who share the same ideas and understanding as to the vision how to enhance the social welfare and the development of the country, with the aim of coming to power through democratic and peaceful means so that they may achieve that vision*''. The Draft Organic Law on Political Organizations and politicians, as the New Organic Law replacing the above mentioned Organic Law, has already been passed by the cabinet. Now it is in the Parliament for further discussions, and, then it may be adopted. It has another way of defining a ***political organization*** **in article 2**: '' *an association of citizens sharing the same thinking and views on the development of social welfare of all the population and the development of the country, with the objective to accede to power through democratic and peaceful ways, to be able to put them in action*''

1.2 Consultative Forum of Political Organizations in Rwanda, (CFPO)

Rwanda has her unique way in conducting political organizations; CFPO officially is recognised in Rwandan Constitution of June 4th, 2003 article 56: through the Constitution's Article 56: "*Without prejudice to the independence of each political organization and their collaboration, Political Organizations officially recognised in Rwanda shall organize themselves in a Consultative Forum*''. CFPO works under Organic Law N0. 16/2003, and the Internal Rules and Regulations of October 2003 as amended and complemented by the internal Rules and Regulations of October 9th, 2008. It has also a Political Code of Conduct of Political Organizations, and their Member politicians.

This Constitutional Article (56) was amended (Amendment No. 04 of 17th June, 2010) as follows: '' *A National Consultative Forum of Political Organizations (NCFPO) is hereby established for purposes of national political dialogue, consensus building*

and national cohesion.'' This amendment allows political parties to optionally join NCFPO, and is not mandatory as it was before.

1.2.1 The main functions of the CFPO:
- Facilitating exchange of ideas by political organizations on major issues facing the country, consolidating national unity,
- Advising on national policy,
- Acting as mediators in conflicts arising between political organizations,
- Assisting in resolving internal conflicts within a political organisation upon request of that political organisation.
- The CFPO's decisions shall always be taken by consensus of the constituent organizations.
- It is also worth noting that in accordance with article 82 of the constitution, the CFPO has the prerogative of designating four (4) senators out of the 26 who make up the senate in Rwanda.

1.2.2 The NCFPO is currently composed of ten political Organizations:
1) **RPF-Inkotanyi**: Rwandese Patriotic Front,
2) **PL**: Liberal Party,
3) **UDPR**: Rwandese People's Democratic Union,
4) **PDI**: Ideal Democratic Party, **PSD**:
5) Social Democratic Party,
6) **PPC**: Concord and Progress party,
7) **PDC**: Centrist Democratic Party,
8) **PSR**: Rwandese Socialist Party,
9) **PSP:** Party for Solidarity and Progress,
10) **Social Party-***Imberakuri*- PS-*Imberakuri.*

Within political organizations, especially during elections, there is a type of alliance or coalition; RPF-Inkotanyi with five or six political parties.
In the Presidential Elections of 2010, **PL** had its own candidate[16] (Honourable HIGIRO Prosper), and PSD usually does not take any

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[16] Interview with Mr. Munyaneza Charles, Executive Secretary, NEC, on 20th June 2012

alliance in all elections, Presidential and Legislative. It (PSD) had His Excellency Dr Ntawukuriryayo Jean Damascène (Current President of the Senate) as its candidate at Presidential Elections.

Within the CFPO, **PS-*Imberakuri*[17]** is the only political party that stands on the side of the opposition. Other political parties argue that it is not necessary to work as an opposition party in order to correct ruling party programs, since in principle they complement each other when they meet in the CFPO.

In the Constitution, article 9, there is a principle of ***power sharing*** among political parties, or parties and a private candidate who would have won elections. The winning party/candidate cannot exceed fifty (50) percent either in Parliament or in the Cabinet.

PS-Imberakuri Chairperson[18] said: t '*'I believe to go through or not to go through NCFPO is a sign of democratic process, because before amendment of the said law, some parties entered into CFPO unwillingly''.* She further added: *we are an opposition political party aiming at reaching power and we do intend to correct RPF actions if deemed necessary, because RPF is a ruling Party.''*

For the PDI Officials[19], even after adoption of the current draft-law enforcing the Constitution's amended article 56 that allows political parties to join or not join the CFPO, PDI will remain working through the CFPO. Its (PDI) long-term planning is to have another political type of alliance with RPF, which is not the type that takes place only during an election, but a permanent one, and this is in line with article 32 of the Organic Law governing political organizations N0. 16/2003 of 27th June 2003 that allows the merging of political parties. For Honorable Mukankusi Pierrine of UDPR, her personal point of view is not different from

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[17] Interview with CFPO Official

[18] Interview with Ms. Mukabunani Christine, Chairperson of PS-*Imberakuri,* on 2nd July 2012

[19] Interview with Honorable Hamidou Omar, Member of Parliament, Low Chamber, Chairman of Political Commission; with the PDI's Permanent Secretary Mr. Sued Nt., who is also a Commissioner for NEC, on 20th, June 2012

that of PDI, with regard to continuing to work within the CFPO. ''My point of view[20] is that: to work through CFPO is a good thing, even after amending the law allowing parties not being obliged to work through CFPO''.

Political parties in Rwanda are operationally not active enough, except the RPF-Inkotanyi which is the only political organization that works actively from UMUDUGUDU (Village) ''the lowest entity in Rwanda'' up to National level; others seem to be active only during elections period[21].

RPFparty members range between 80-82%[22] nationwide; this shows how RPF-Inkotanyi has a good political manifesto.

1.2.3 Some African Countries that have contacted the CFPO
The Republic of South Sudan, Zimbabwe, Burundi, and Somalia have all contacted CFPO[23] Officials for more information on CFPO, and some of them are in the process of creating the same institution as an African model to solve political issues.

2. Decentralization

All around the world, in matters of governance, decentralization is the rage[24]. Even apart from the widely debated issues of subsidiarity and devolution in the European Union and states' rights in the United States, decentralization has been at the center

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[20] Interview with Honorable Pierrine Mukankusi, Senator and 1st Vice Chairperson, UDPR. On 2nd July 2012

[21] Interview with Professor Ruzirabwoba Rwanyindo Pierre stating what came out from the research done by IRDP on Political Organizations. Prof Rwanyindo is an economist, Former Professor of Economy at NUR, and currently he is Director of IRDP, a research centre. On 03rd July, 2012

[22] Interview with Honarable Wellars Gasamagera, former Senator, and Current Director General of RIAM. He is also in charge of RPF-Inkotanyi Political Mobilizing. On 20th June 2012

[23] Interview with Mr. Anicet Kayigema, the Executive Secretary, CFPO

[24] Pranab Bardhan: *The Journal of Economic Perspectives*, Vol. 16, No. 4. (Autumn, 2002)

stage of policy experiments in the last two decades[25] in a large number of developing and transition economies in Latin America, Africa and Asia. The World Bank, for example, has embraced it as one of the major governance reforms on its agenda (for example, World Bank, 2000; Burki, Perry and Dillinger, 1999).

Decentralization is not a new phenomenon. According to (Bidus 1995:36) many countries of Central America adopted the decentralization policy a long-time ago with an aim of empowering the people to participate in development of their areas. Decentralization is a government policy where power of decision-making and financial economy are transferred to local government.

2.2 Rwanda's Administrative Subdivisions:

(1) City of Kigali, and Four Provinces (*Intara*); thirty (30) Districts (*Uturere*), Four Hundred Sixteen (416) Sectors, Two Thousand One Hundred Eighty Four (2,184) Cells (*Utugari*), Fourteen Thousand Eight Hundred Forty One (14,841) *Imidugudu* (villages).

2.3 Definition of Decentralization:

Decentralization: According to Hey Wood, (2000:237) '*'Decentralization is usually understood to refer to the expansion of local authority through the transfer of power and responsibilities away from national bodies. Thus decentralization highlights different territories, division of power, within the state between central (national) and peripheral regional, local institutions''*
Decentralization[26]: '*'Transfer of responsibilities, authority, functions, as well as power and appropriate resources, to district and sub-district levels''.*

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[25] As The Journal of Economic Perspectives was released in 2002, that is why it was said ''Two Decades'' currently we can say '*'Three Decades''*
[26] Rwanda's Revised Policy, June 2012

2.4 Why Decentralization[27]?

- To achieve good governance principles (through improved participation, promotion of transparency and accountability, and setting up responsive and sensitive decentralized structures),
- To enhance local economic development,
- To bring quality and accessible services closer to the citizens.

2.5 Implementation of Decentralization Policy: 3 Phases

1ST PHASE: 2001-2005

Main achievement: establishment of democratic and community development structures at the local government level. These were implemented and accompanied by a number of legal, institutional and policy reforms, plus democratic elections for local leaders.

On 26th May 2000, the Government of Rwanda adopted the Decentralization Policy and strategy for its implementation. The main thrust of the policy is to ensure political, economic, social, managerial, administrative and technical empowerment of local populations to fight poverty by participating in planning and management of their development process.

2ND PHASE: 2006-2010

Territorial restructuring, more capacities (human and financial) at local levels, enhanced accountability particularly after the introduction of the process of Imihigo, reinforcement of synergy, coordination and harmonization of interventions in LGs.

3RD PHASE: 2011-2015, Future Perspectives

It focuses on political guidance of coherent and harmonized decentralization and on laws aiming at improving the implementation of service delivery in LGs.

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[27] Interview with Mr. AIME Haba Barihuta: he is a Governance Program Analyst in MINALOC, on 21st June, 2012), he is also a former *Bourgmestre*, and Former Mayor of the Ex- Ntenyo District

- o **Sectoral Decentralization**: the decentralization policy is reinforced by ministries.
- o **Service delivery by LG:** mobilization of resources (human and financial capacity) for equitable development at local levels.
- o **LG capacity reinforcement:** reinforced capacity of harmonization and coordination for all intervening actors in LG activities.
- o **Local economic development**: LG plays an active role in facilitating local economic development; citizens are actively committed to activities generating revenues.
- o **Volunteerism, citizens' participation, and democratization:** Citizens participate efficiently in LG activities. Volunteerism has become popular, and it is incorporated into norms and values of Rwandan society.

2.5 Challenges encountered during the 2nd phase

Legal and Institutional Framework

The District Level.
The composition and membership of the DC is inadequate compared to its expected oversight and supervision function over the district administration. The Mayor is overwhelmed by many activities and always taken as the sole responsible and accountable official for the district affairs.

The Sector Level
The sectors are responsible for service provision to the citizens and statistical data collection, but they don't have much expertise in those matters; the number of qualified staff is still very low. The law does not say clearly who takes over the Executive Secretary's functions when he/she is not available. The collaboration framework between the ES and the Council is not well defined. The ES appears to be more of a politician than a technician. The sectors depend a bit on the dstricts: they are not autonomous. The sectors work closely with the District EC instead of working closely with the SC.

At Cells and Umudugudu levels, the role of the cell is to assist the Cell ES and to provide political leadership at the cell. However, these structures have not been active and their responsibilities have not been well understood by the citizens. The role of Imidugudu is to mobilize people in different matters regarding their well-being. However, at Umudugudu level, the Head of the Umudugudu bears every single responsibility, despite the existence of a 5-member committee at that level.

Sectoral Decentralisation
While the decentralization framework gives the function of implementation to the LG, persisting tendencies from line ministries to implement their own programs, or do so through their delegated agencies at central level are reported. This has created many overlaps, parallel financing of activities, and has created inefficiencies.

Many sectoral ministries have not yet provided implementation guidelines to the LGs and are not providing technical assistance for implementation of policies and programs in their respective sectors.

Fiscal and Financial Decentralization
There is a problem of resources not always matching the devolved roles and responsibilities at LG levels. Earmarked transfers mechanisms and procedures continue to constrain the functioning of districts. Financial management responsibilities continue to create an overload for the district PFM staff, and there is no delegation to lower levels.

Volunteerism and Effective Functioning of LGS
Many actors and many elected leaders at local level perform their duties on a voluntary basis. The same individuals find themselves in many committees, and volunteerism is the main cause of petty corruption in service delivery.

Capacity building
Capacity building interventions in LG have been initiated by various stakeholders: CG, NGOs, CSOs, PS… but were mainly limited to simple training of a few days. These fragmented and

uncoordinated trainings have raised the level of performance but have left persisting gaps in a number of priority areas of LG action, including planning, projects elaboration, etc.

Fiscal Decentralization

Financial responsibility is a core component of decentralization. If LGs are to carry out decentralized functions effectively, they must have an adequate and predictable flow of income. LG incomes will normally comprise of locally raised revenues (tax and non tax revenue); and Central Government grants (presently comprising of earmarked and block grants)[28]. As the local revenue performance is still low and incomes from local sources still too little, the focus of fiscal decentralization is mostly around managing Central Government grants. The status of fiscal decentralization can be summarized as follows:

Financial resources channeled through the district have increased from 47.9 billion Rwfs in 2006 to 179.2 billion in 2012/13. In 2012/13, about 33% of the previous year's domestic revenue is transferred directly to Districts (see table 1).

Table 1: Financial Transfers to Districts in Millions of Francs.

| Financial Year	CDF	Block grants	Earmarked funds	Total	Domestic Resources	% of Domestic Revenue
2002	1,300	100	0	1,400	101,700	1.4
2003	4,000	1,500	0	5,500	117,900	4.7
2004	5,500	3,300	0	8,800	133,700	6.6
2005	3,500	3,300	0	6,800	169,600	4.0
2006	4,000	5,000	38,900	47,900	190,300	25.2
2007	6,000	8,400	57,100	71,500	242,000	29.5
2008	8,800	11,300	64,700	84,800	297,800	28.5
2009/10	48,000	16,500	78,200	142,700	385,100	37.1
2010/11	48,200	20,400	87,600	156,200	471,200	33.1
2011/12	11,400	25,000	142,800	179,200	538,400	33.3
	140,700	94,800	469,300	704,800		

Source: MINECOFIN 2012. Directorate of Budget

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[28] Block grants are generally non-conditional while earmarked funds are conditional i.e. allocated to specific activities such as teachers' salaries.

Local revenue generation is very low: Districts generate only between 5-20% of their budgets. MINECOFIN is in the process of commissioning a revenue potential study for districts to determine the potential of districts after which baselines will be determined and targets set for revenue improvement. This should form the basis for supporting Local Governments to improve their internal revenue generation and management. It is anticipated that with effective tax administration, within the first year of implementing the LG tax law, local government revenues will increase from the present RwF 16 billion to as much as RwF 90 billion[29].

The new legal framework for fiscal decentralization is coherent and articulates clearly rights and obligations of CG and LG: Revenue and expenditures are clearly assigned. A new law on LG taxation is expected to address the major loopholes in the local government revenue mobilisation. The main challenge, however, remains in ensuring effective tax administration especially given that Local Governments' capacity in tax administration is very low, and Local Governments generally tend to be inefficient in tax administration. The Government will enlist the good experience of the Rwanda Revenue Authority (RRA) to help develop Local Government capacity in local revenue mobilisation and management.

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[29] Interview with the Director General for National Budget, MINECOFIN

Figure 1. Ranking of decentralization in some African Countries.
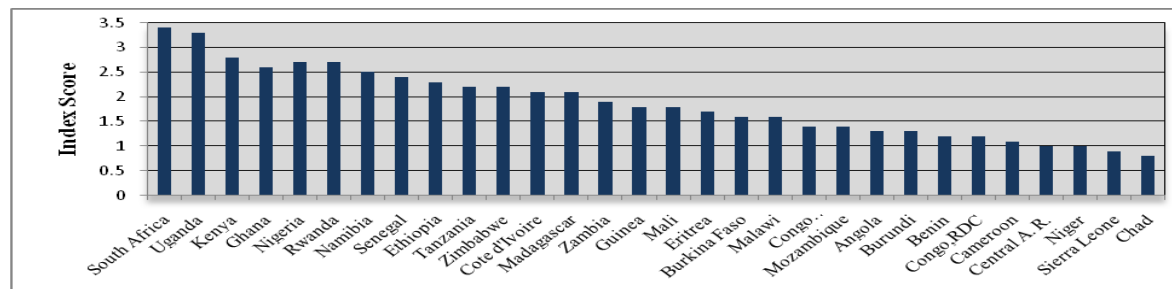
Source: MINALOC, 2010

According to this graph, Rwanda is positioned sixth at Sub-Saharan African level which is a good sign because this was in 2007, when she was still in the second phase of decentralization.

2. Elections

Even if controversy continues to rage about the nature of representation, there is one point of universal agreement: the representation process is fundamentally linked to election and voting; therefore **elections** may not in themselves be a sufficient condition for political representation, but there is a little doubt that they (*elections*) are an indispensable condition.

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3.1. Historical Background of Elections in Rwanda

Rwanda has had different systems[1] of governance at different periods of its history since the colonial era (1894-1962) up to the 2nd Republic (1973-1994).

These regimes did not manifest any political will to introduce the system of governance in line with democratic principles.

During the 1st Republic (1962-1973) and the 2nd Republic (1973-1994) Rwandans were thrown into total confusion and were too cheated to believe in the existence of democratic rule. Periodic elections, whose outcome was known well in advance, were organised on ethnic labelling and belonging, regional origin, religious affiliation and the like.

In its endeavour to break with that past, the Government of National Unity which was established in July 1994 has defined orientation lines on which to lead the country through good governance in line with the principles of the democratization of institutions in order to have the population play their significant role in their own daily governance. One of those democratic principles and good practices is to organise transparent, free, and fair and regular elections; it was, therefore, in conformity with this

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[1] National Electoral Commission Officials

principle that the Government of National Unity set up a National Electoral Commission (NEC).

The NEC was created in 2000 and provided for in article 24-c of the Arusha Peace Protocol signed in Arusha on August 04th, 1993, between the Government of Rwanda and the Rwandese Patriotic Front (RPF). It is established by Law No. 39/2000 of November 28th, 2000 as amended by Law No. 31/2005 of December 24th, 2005 which is consistent with the Constitution of the Republic of Rwanda (Article 180).

3.2 What do elections mean[2]?

Definition of an election: '*'An election is a competition based on a formal expression of preferences by a population. These opinions are then combined into a collective decision about candidates who have won***''**
The importance of elections cannot be doubted. At the very least, they provide the public with its clearest formal opportunities to influence the political process, and also help, directly or indirectly, to determine who will hold government power. From this perspective, elections are about results- in other words who wins and who loses.

3.3 Electoral system(s)

An electoral system[3] is a set of rules that governs the conduct of elections. Not only do these rules vary across the world, but they are also, in many countries the subject of fierce political debate and argument. These rules vary in a number of ways:
  - Voters may be asked to choose between candidates or between parties.
  - Voters may either select a single candidate, or vote preferentially, ranking the candidates they wish to support in order.

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[2] Andrew Heywood: Politics (2002), P.239
[3] Ibid, P. 232

- The electorate may or may not be grouped into electoral units or constituencies.
- Constituencies may return a single member or a number of members.
- The level of support needed to elect a candidate varies from a plurality (the largest single number of votes or a relative majority) to proportional representation.

3.4 Functions of elections[4]

Because of the different kinds of elections, and the variety of electoral systems, generalization about the roles or functions is always difficult. Nevertheless, the advance of democratization in the 1980s and 1990s, stimulated in part of the collapse of Communism, has usually been associated with the adoption of liberal-democratic election systems, characterised by universal suffrage, the secret ballot and electoral competition.

The conventional view is that elections are a mechanism through which politicians can be called to account and forced to introduce policies that somehow reflect public opinion. This emphasizes the Bottom-Up functions of elections: political recruitment, representation, forming a government, influencing policy and so on. ***On the other hand***, a radical view of elections, developed by theorists such as Ginsberg (1982), portrays them as a means through which governments and political elites can exercise control over their populations, making them more quiescent, malleable, and, ultimately, governable.

3.5 WHAT IS A FREE AND FAIR ELECTION?

With the spread of democracy in the 1990s, election monitoring became a growth industry.

In a report commissioned by the Commonwealth Parliamentary Association, two Canadian election officers (Gould and Jackson, 1995: 36) set out some standards by which elections can be

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[4] Ibid. P.230

judged. They suggest that the key of a '*'Free and Fair*'' election is whether '' *the will of the majority of voters is expressed freely, clearly and knowledgeably, and in secret*''.

Specifically a Free Election respects Human Rights and Freedoms, including:

Freedom of speech; freedom of association; freedom to register as an elector, a party or a candidate; freedom from coercion; freedom of access to the polls; freedom to vote in secret; freedom to complain.

A fair election takes place on a level playing field, including:

Non partisan administration of the election; constitutional protection of electoral law; universal suffrage and accessible polling places; balanced reporting by the media; equitable access to resources for campaigns; open and transparent counting of the vote; equitable and non-coercive treatment of parties, candidates, and electors by the governments, the police, the military and the judiciary.

3.6 NEC'S main achievements[5]

Since its installation in June 2000 to date, the NEC has made great achievements.

The NEC has successfully organised and conducted the following elections:
  - Local elections at District, Town and Kigali City levels: 6th-13th March 2001;
  - Elections of the members of Gacaca Jurisdictions: 4th -7th October 2001
  - Local elections at Cell and Sector levels: 25th-26th March 2002;
  - Referendum on the Constitution: 26th may 2003;
  - **Presidential elections: 25th August 2003:** Here[6], Western donors insisted to have legislative elections before the

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[5] Interview with Mr Munyaneza Charles, who is a former MINALOC Official, and current NEC's Executive Secretary, on 20th June, 2012
[6] Interview with Mr. Munyaneza Charles

presidential one. NEC refused to endorse their ideas, sticking to the agenda as it was scheduled to start by presidential elections and then legislative ones. Therefore, Westerner Donors refused to honour the material and financial assistance they had promised at the last minute. Consequently, the element of *volunteerism* was introduced and endorsed by the youth and women, making it possible to conduct the presidential elections in a good atmosphere. Westerner donors disbursed their money after the elections had been successfully completed.

- Legislative elections: 29th September- 3rd October 2003
- Elections for Members of the Conciliators' Executive Committees: July , 2004
- Elections for members of the Executive Committees of the Women National Councils: July 2004
- Local elections at the grass roots levels and specialised institutions: January-March 2006
- Elections for the executive Committees at the Village/ Umudugudu Level: August 2006
- Legislative Elections (Low Chamber, Deputies): September 2008
- Presidential elections: August 2010
- Legislative elections (Upper Chamber, Senators): October 2011
- Local Government Elections: March 2011.
- Various reports on post-genocide elections such as those produced by the European Union and various NGOs portray an overall positive image of the various elections held so far, although some procedural shortcomings have also been pointed out.

4. General Conclusion

As we have seen these three components of politics: political parties, decentralization, and elections are complementing each other in the sense that the state cannot have good governance without them. With regard to political parties, most registered parties seem to be satisfied with the arrangement of working

together within the Consultative Forum of Political Organizations, with the exception of PS-Imberakuri. The CFPO has attracted a number of African countries who have indicated that the arrangement may be worth emulating. The practice of coalition making with the RPF at the time of national elections seems to be phasing out, as many of the parties show confidence in standing on their own.

Decentralization is firmly in place, but it still faces a number of challenges including: mayors being overwhelmed by many activities that ought to be performed by other decentralized entities; fusion of technical roles with political ones; persisting tendencies of line ministries to hold onto implementation of their own programs; and miscellaneous problems in the fiscal and financial decentralization mechanisms.

As for elections, since 2000 the NEC has successfully organized several types of elections. Various reports portray an overall positive image of the various elections held so far, although some procedural shortcomings have also been pointed out and need to be properly addressed.

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Rwanda Gacaca courts and the reconciliation process: testimonies and analysis.

Deo Byanafashe

Introduction

The atmosphere prevailing in Rwanda in the wake of the Tutsi genocide of April –July 1994 was a huge challenge to fragmented Rwanda and to the helpless world: in three months and in absolute horror, the genocide claimed 1,074,071 people of whom 93.7% were Tutsi (MINALOC, 2001), while in 2000, prisons hosted 120,000 prisoners (REYNTJENS F. et MARYSSE S., 2000:75-93) suspected as genocide perpetrators.

Given the dilapidated situation of the judiciary system, trying all of these genocide suspects required 100 years at the very least. It was an impasse and everybody wondered how the impasse had come to be established in the country of A Thousand Hills!

Since independence on 1st July 1962, leaders of the First Republic (1962-1973) first, and then those of the second Republic (1973-1994), had established ethnic-based exclusion as a system of government (the Hutu against the Tutsi) which, in all impunity, periodically was made concrete in anti-Tutsi pogroms.

These pogroms, radicalizing in 1994, resulted in the Tutsi genocide which involved 1.9 million perpetrators "out of a population of 3.4 million adults" in Rwanda in 1994. "Actually, over one persons out of two, 55.88%, were involved in genocide-related activity, and about one adult person out of two in 1994, 49%, was found guilty…"(MUGESERA A.,2012:8-9). It was a mass crime and it is a considerable dispute.

This crime is at the heart of this serious dispute over genocide: how are the secrets of this dispute to be penetrated? How should the perpetrators of this genocide be prosecuted and tried, and how should the victims' rights be recognized so as to eradicate

impunity, while mending the social fabric and reinstating social dialogue (http://www.inkiko–gacaca.gov.rw/Fr/ Generalities.htm)? The right answer given by the leaders of the Third Republic to these three questions was to establish "Gacaca Courts"[7] which are the object of this analysis. Gacaca Courts are a mechanism of transitional justice in post-genocide Rwanda. This form of justice was given more impetus in order to try, as of 2002, those who were suspected of the genocide crime within the framework of community and participatory justice, where the whole local population (executioners and victims) replaces law professionals in the operation of "truth, justice and reconciliation", aiming at the settlement of genocide –related disputes.

However, Gacaca Courts should not be confused with the famous South African Truth and Reconciliation Mission because, unlike the former, the latter involves no judicial dimension. It is absolutely ridiculous to stand by genocide, the ultimate crime, without cracking down on it, as much as possible!

 It is true that the principles of "truth, justice and reconciliation" are an endogenous attempt likely to be successful where the classic model of justice had proved inefficient when faced with a mass crime perpetrated nationwide; but the fact of telling the truth had always come up against the risk of punishment.

This situation was made necessary by the very nature of Gacaca Courts. Their ultimate goal being reconciliation among Rwandans, they could not be successful if the whole truth on the events was not told and if the recognized perpetrators of Tutsi genocide of April-July 1994 were not punished.

As of 2001, the principle of adopting the mode of Gacaca Courts was accepted and the next step was to create and organize them, to monitor their efficiency and their shortcomings, and at the end of the day, to assess their results.

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[7] The literal meaning of Gacaca in Kinyarwanda is « lawn ». On this lawn, traditional courts sat under a big tree in the open, and decided certain community offences, such as murder.

1. Creation and Organization

Created by Organic Law n° 40/2000 of 01/26/2001 and put under the monitoring, auditing and coordination of the National Service of Gacaca Courts (S.N.J.G.), a Service of the Supreme Court, Gacaca Courts, to be able to prevent, fight and suppress anti-Tutsi genocide and its rampant ideology forever, set the following mission (http://www.inkiko-gacaca.gov.rw/Fr/objectif.htm):

- uncover truth on the genocide events;
- accelerate genocide-related trials;
- eradicate the culture of impunity;
- reconcile Rwandans and build unity;
- demonstrate the capability of Rwandans to find solutions for their own problems through a mode of justice resorting to the Rwandan custom.

To achieve each objective, the process of Gacaca Courts carried out a number of concrete actions likely to fight genocide and related challenges. Such actions include the systematic collection of information, the progressive improvement of the legal framework and the trials. Let us review how each component was realized.

- **Uncovering the truth on the events during the genocide**
  - The author of this article was involved as *inyangamugayo* (upright person) judge in the activities of systematic collection of information that started nationwide on 01/15/2005. In my Buye Gacaca Cell (later called Butare-Ville Cell, Ngoma Sector, Huye District), people regularly gathered for data collection once a week, often on Wednesday.
  - During these data gathering sessions, the accused persons who hold the information on the realities of genocide at NUR and in the current BUTARE-VILLE Cell proved to have various disturbing attitudes, allowing no hope.
    - ✓ non-confession of guilt;
    - ✓ accusations;
    - ✓ pacts of silence (also called *guceceka* associations) meant to avoid counter-accusation;

- ✓ attempts to bribe the recognized accusers, the upright judges and other members on the juries called *Inyangamugayo;*
- ✓ killing of witnesses and elimination of evidence on genocide;
- ✓ with some, blatant persistence of genocide ideology advocated by negationists-revisionists.

It is worth noting that strangely enough, all of these attitudes were found in the Sectors where we were appointed as *Inyangamugayo* judges: Matyazo, Kigoma, Kinazi and Muhororo in Huye District, Southern Province; and in Kamembe Sector, Rusizi District, Western Province. The spectre of manipulation by the negationists such as the pacts of silence loomed everywhere, but in spite of everything, the main part of the information on the anti-Tutsi genocide was finally known.

- • **Accelerating genocide-related trials**

Today, there is no doubt that Gacaca system was successful where the classic judicial system had given up: "Gacaca Courts passed 1,952,388 sentences…" (MUGESERA A. 2012, art. cit., pp 5-6) in 10 years, while for sentencing 120,000 persons presumed guilty, "the most optimist observers' estimation was 200 years minimum for Rwandan classic courts." ([http://www.humilationsstudies.org/ documents/Cyprien](http://www.humilationsstudies.org/) Kanamugire Gacaca.pdf-25/05/2012). Besides, the population massively participated (85%) in the information gathering sessions which lasted only two years.

- • **Eradication of the culture of impunity**

For a reminder, the culture of impunity was established by the law of 20th May 1963. This law "grants amnesty to all crimes perpetrated in 1959 and presents massacres against the Tutsi as an essential event in the struggle for independence." (http://www.mouvements.info/Les_Juridictions-Gacaca-au_Rwanda.htm – Publié par Mouvements le 7/Avril/2009).

To hound this culture of impunity into a corner, four organic laws on the organization, competence and functioning of Gacaca Courts were successively created and modified in order to amend the

initial Organic Law nᵒ 40/2000 of 01/26/2001. The said laws are the following:
- Organic Law nᵒ 16/2004 of 06/19/2004
- Organic Law nᵒ 28/2006 of 06/27/2006
- Organic Law nᵒ 10/2007 of 03/01/2007
- Organic Law nᵒ 13/2008 of 05/19/2008

The role of these laws is to make the structures and composition of Gacaca Courts more adapted. They refined their competence, the categories and subcategories of liability levels in crime to allow the passing of the sentence, and they made the working of jurisdictions simpler, more efficient, and limited in time (from 1ˢᵗ October 1990 to 31ˢᵗ December 1994).

Actually, everything is put in place for "justice" to be made, and it is in this sense that the process of Gacaca was seeking anything likely to facilitate the issues meant to achieve reconstruction through unity (BIDERI D., 2012, art. cit., pp. 145-146). : confession, apologizing, receiving forgiveness, penalty and finally, reconciliation..

- **Reconcile Rwandans and build their unity**

Gacaca system, in its quest for truth on genocide facts during the sessions of systematic collection of information, involved the whole population (executioners and survivor victims) at Cell, Sector and District levels for all kinds of confessions, accusations and apologies which broke the atmosphere of suspicion and hatred then prevailing. This opening of social dialogue inaugurated an atmosphere of reconciliation which later was realized all along the trials.

Those who were skeptical about Gacaca system had always made people think that the truth could not come out while justice was also made to punish perpetrators of various genocide offences. In fact, justice in view of reconciliation was one of the major challenges of the Gacaca system made modern, though essentially endogenous.

In most Gacaca Courts nationwide, confessions prevailed and it was a kind of collective healing towards reconciliation, a big surprise for non-negationist skeptics!

- **Demonstrate the capability of Rwandans to resolve their own problems**

With the impasse facing the classic justice called modern in the prosecution of mass crimes, Rwanda opted for Gacaca Courts, a traditional Rwandan solution, typically endogenous, which involved local communities together with executioners and victims in order to settle their disputes, telling one another the truth and getting reconciled without any external intervention on their land and in their custom. Faced with "popular" genocide (J.P. KIMONYO, 2008) which was disconcerting for classic judicial proceedings, the broad mass of Rwandan people resorted to Gacaca participatory justice which is also as popular. Members on the jury and judges are people found upright, who are elected by the administrative unit concerned (PRI, 2010, 11).

2. Gacaca Courts at Work (Success and shortcomings)

Gacaca Courts worked as Commissions for Truth, Justice and Reconciliation to face the crime of genocide against the Tutsi and its ideology, so as to accomplish their triple mission with dignity.

2.1. Truth on the genocide

Systematic collection of information started on 01/15/2005 after training *Inyangamugayo* judges in 9013 Gacaca units at Cell level, and 3090 Gacaca units at Sector level.

This data collection used "an approach with levels, first aiming the collection of information on a series of clear indicators, before proceeding to trials" (KAMUZINZI M., 2012, art. cit., p.27): at the top is the level of planners just following the level of organizers on the ground including "those who made the lists of people to be exterminated, those who supervised roadblocks and those who distributed weapons" (KAMUZINZI M., 2012, art.cit.,

p.27) ; and at the bottom, the level of those who carried out orders to kill and loot!

Given resort to these indicators, active participation (85%) of the local population was gained and efficient, since Gacaca Courts were able to prosecute thousands of executioners, more than any other judicial system had done so far.

During this process of acceding the truth on the genocide, Gacaca Courts contributed three fundamental gains (KAMUZINZI M., 2012, art. cit., pp. 30-31):
- "the identification of planners, organizers and executioners" of genocide. With this, the negationists' thesis that there was no planning of genocide was null and void!
- "the identification of victims and places where their bodies were thrown";
- "the identification of places where the crime was committed and of the form of death for each victim". This aroused for survivors a constant desire to bury their family members killed during the genocide with dignity" and to bring proceedings against the authors of these atrocities.

Finally, as a conclusion, let us join this survivor who had to this to say: "Gacaca Courts did not uncover the whole truth, but they contributed for much." [PRI, 2010:25].

2.2. Free justice

Let us remember that the requirement for free and fair justice is rooted into the very heart of the dispute over the Tutsi genocide of April-July 1994. It is a necessary stage on the long way towards reconciliation which in no way shall live under the same roof with impunity which had become a recurrent phenomenon in Rwanda.

Therefore, the issue was to dispense justice within reasonable time frames (± 10 years, which implied the acceleration of the trials), with the express concern to eradicate impunity while building unity and reconciliation among Rwandans.

It was possible, due to proceedings resorting to what is convenient to call "justice of proximity", involving the participation of the whole population of the Gacaca Court in the Cell concerned, during the process of uncovering the truth about genocide.

It is with Organic Law no16/2004 of 06/19/2004 that trials were put into new categories to reduce their number to 3 (Cell, Sector and Appeal) and that created "a process of confession, plea for guilt, excuse and repentance" which, if accepted, would lead to the commutation of half the penalty to community work (PRI, 2010:11).

Due to these two approaches, the trials and penalties given to the authors of genocide were made easier and closer to the reality that could lead to the first beginnings of reconciliation.

2.3. Reconciliation

Active and willing participation of the population in the trial sessions of Gacaca Courts created a bringing together of victims and authors of genocide. This bringing together then broke generalized suspicion between the protagonists by encouraging the establishment of truth instead of retreating into leagues of silence (PRI, 2010:16).

Popular participation in Gacaca Courts paved the way towards reconciliation which the National Commission for Unity and Reconciliation (CNUR) defines in these terms:

> Unity and reconciliation among Rwandans are defined as a set of practices of a people having the conviction of sharing the same nationality, the same culture and the same rights. This people is characterized by mutual trust, tolerance, respect, equality, complementariness, truth, and is ready to mutual assistance, to heal up the sores that are a legacy of a negative history, to definitely develop itself in full peace. (CNUR, 2007:4-5)

This definition is perfectly appropriate to the definition of Gacaca process, and even to IDEA. IDEA identifies four criteria or organic objectives: uncover/narrate the truth (historical); heal the

victims' wounds through, *inter alia*, confession and apology or forgiveness, the administration of a mode of justice meant for correction; and pay compensation. (PRI, 2010: 34)

Therefore, Gacaca Courts carried out the four criteria and successfully initiated a reconciliation process that can be observed on three levels: 1) "non-violent cohabitation, devoid of fear"; 2) "recovery of trust"; 3) a kind of empathy, that is, the capacity of getting into the skin of others and experience the same feelings or emotions." (PRI, 2010:34)

Then, the beginning of the reconciliation process is well and truly real, but full reconciliation is a very complex and long phenomenon given the extent of the rift and the reluctance, and even opposition of the authors of the rift: the truth on genocide remains partial so far. This is a considerable handicap to the free and fair character of some trials because when justice is not totally done, the way towards reconciliation is ill-prepared; doubt and suspicion prevail in the minds and the defendants guilty of the crime of genocide go into exile, running away from the proceedings of Gacaca Courts.

Such a situation has aroused caustic criticism against Gacaca Courts from the International Community (UN Experts, the Humanitarians, etc) who often have a faulty understanding of the methods of negationists accused of genocide; this is at least what was suggested in the balance sheet of Gacaca Courts just before they closed!

3. Gacaca Results

Three important questions arise here: were facts about genocide released; if yes, to what extent? Was related justice possible, and to what extent? Finally, is reconciliation achieved?

3.1. Releasing facts on genocide

The systematic collection of information on the genocide events was successful in identifying the authors of genocide on all levels: "identification of victims and places where bodies were thrown",

and in determining "the kind of death for each victim" (KAMUZINZI M, 2012:27-30).

The local population actively participated in this systematic collection, and this allowed Gacaca Courts to "prosecute thousands of executioners of genocide" (KAMUZINZI M., 2012:29.). The week of 11th to 18th June 2012 called "Gacaca week" was dedicated to the last preparations for the closing and not less than 2,000,000 files were made, all on the basis of the facts released.

It is also due to the release of facts that the important places where the crime was committed were identified and that since then, these places host important memorial sites such as Murambi, Nyamata, Bisesero, Nyarubuye, Mugina,…etc. In these sites, the victims of genocide were given the right burial and each year, Rwandans on their way to reconciliation go there to commemorate the victims of anti-Tutsi genocide.

Though it was unable to let us accede to all the secrets of genocide and though it was not really closed, the systematic collection of information has accumulated huge quantities of data on genocide. These data allowed the phase of justice to start.

3.2. Justice to fight impunity

- Once facts about genocide were known and classified into categories of individual responsibility (1, 2 and 3), the trials could start and proceed in conformity with Organic Law n[o] 40/2004 of 01/26/2004 (as modified and completed to date) on Gacaca Courts. Trials were launched on 17th July 2006 at national level.

- "From 18th June to late January 2012, Gacaca Courts" can boast 1,951,388 tried cases (65.1% in the 3rd category, 33.3% in the 2nd category and 1.6% in the 1st category). 1,678,672 persons were declared guilty (that is, 72.70% in the 3rd category, 25.82% in the 2nd category and 1.4% in the 1st category) and finally, 272,716 persons were declared innocent, of whom 18.3% in the

3rd category, 79.3% in the 2nd category, and 2.4% in the 1st category (MUGESERA A., 2012:7).

- These results are after all impressing if we remember that initially, before Gacaca was considered as a solution, the judicial system was in an impasse and the judicial machine almost broken down, to a point that 160 years were necessary to "try all the authors accused of genocide" (BIZIMANA J.D. ,2012:45).

- This feat is due to the endogenous original formula of Gacaca Courts based on a custom rule of participatory justice "where the population is at the same time judge, witness and the judged" (BIZIMANA J.D, 2012:44). This rule allowed "the achievement of fair trials while facing the double requirement of fighting impunity and prosecuting the accused within a reasonable time frame" (BIZIMANA J.D., 2012: 44). This justice, dispensed in all fairness (freedom and impartiality), made the progression towards reconciliation easier and more credible.

3.3. Reconciliation

- "The Rwandan people, after the genocide horror, recovered and, in the fashion of the Ecclesiastic Council, gathered in Gacaca to decide a vital issue, as for a dogma: "how to resume living together" and rebuild shattered unity. As is the case with any people's assembly, the solution was found after many long exchanges and debates. Indeed, Gacaca gatherings had something of a mixed bag: outpourings and reservations, revelations and silences, truths and counter-truths, testimonies and denials, confessions and counter-confessions, gaps and weaknesses, wailings and tears, penalties and mercy, but at the end of the day, due to Gacaca maieutics, national understanding and harmony prevailed over Somalia-like rupture and dislocation. It is the main thing." (MUGESERA A., 2012:4).

- The keywords summarizing this long and rich quotation on the complexity of the reconciliation process are: maieutics → understanding and harmony ↔ rupture and dislocation!

- In other words, "The process of Gacaca made it possible for the families of victims and of convicted persons to look one another into the face, to talk *viva voce* of this evil blighting post-genocide Rwandan society, to mend the once positive social fabric through the process of apology and mercy" (Rutayisire P., 2012, :20-21).

- In the end,
"Gacaca greatest achievement is that it successfully stabilized Rwandan society, socially and psychologically" (MUGESERA A., 2012;6). The uncovering of truth, especially on the basis of guilty pleas, had contributed in psychologically relieving the victims as it allowed them to know the places where the bodies of their relatives had been thrown and to bury them with dignity….Gacaca process had made it possible to reduce suspicion among those who used to be neighbours before genocide, since those who were really guilty on each hill had been uncovered….the fact that Gacaca made it possible to uncover the real culprits and to free the innocent persons. (KAMUZINZI M., 2012:38).

- In a few words, it is clear that everything was done for Gacaca Courts to be an opportunity *par excellence* to reconcile Rwandans before any kind of effort towards national reconstruction was made.

Conclusion

The impasse facing post-genocide Rwanda could not be overcome without the contribution of Gacaca Courts regarding unity and reconciliation among Rwandans.

To reconstruct Rwanda, it was first of all necessary to reshape Rwandans in their identity and attachment to this distressed cradle land in the wake of anti-Tutsi genocide.

This complex reshaping of hearts was successfully carried out by Gacaca Courts in three aspects: truth, justice and reconciliation.

The aspect of "truth" which was to be a basis for the aspects of justice and reconciliation was unexpectedly successful against the leagues of silence: the basic elements on the planning and implementation of an otherwise mass genocide was revealed, the tools and methods used were known.

Once all these data were established, the aspect of "justice" could start, basing on well- investigated cases. Thousands of judicial sentences were made and a distinction between culprits, innocent people was made possible and all this contributed in easing social suspicion, mistrust and tension which used to prevail so far. The fair character of trials and their verdicts made easier the first steps towards the aspect of "Reconciliation" and virulently stormed the culture of impunity.

Finally, once "truth" was uncovered and "justice" dispensed, the aspect of "Reconciliation" could start and Rwandans are now able to start their communal life again. But it is necessary to remain vigilant because the closure of Gacaca Courts does in no way imply the end of genocide- related plagues, namely, its ideology, negationism and revisionism. These plagues are a permanent threat to Unity and Reconciliation among Rwandans.

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The Role of the National Commission for the Fight Against Genocide in Combating Genocide Ideology and Denial.

Odeth Kantengwa

Background

Between April and July 1994, Rwanda was the scene of one of the most brutal Genocides in the history of humankind. It is estimated that more than one million people were killed within that period (MINALOC[8], 2004). The 1994 Genocide against the Tutsi in Rwanda had many causes. The conflict-ridden ideology has played a paramount role in the inception and execution of the Genocide. It still inspires Genocide denial and new tensions and violence.

The German and Belgian colonial authorities (1895-1916 and 1916-1962, respectively) fostered divisions among Rwandans. This division succeeded through indirect rule which was introduced just for them to meet their interests. Gasanabo (2008) states that in 1920 Jules Renquin, Belgian Minister of Colonies, concretized the practice of ethnic-based rule, by officially instituting a policy of requiring that all local colonial staff be Tutsi.

In fact, the divide and rule principle would not work without the introduction of the Identity Cards and group classification among Rwandans. This group classification was an action of most significance because it introduced a rigid racial concept of group identity.

Importantly, the above classification led to the 1959 social conflicts. As King Rudahigwa tried to calm the conflict, the Hutu elite published the Hutu Manifesto[9] in 1957. In June same year,

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[8]Ministère de L'administration Locale, du Développement Communautaire et des Affaires Sociales.
[9] Manifeste des Bahutu

Grėgoire Kayibanda and Joseph Gitera created the Hutu Social Movement[10], and two years later, in October 1959, PARMEHUTU was founded.[11] The Hutu Manifesto was a political document that called for Hutu ethnic and political solidarity, as well as the political disenfranchisement of the Tutsi people. It served as the political seed for the 1994 genocide against the Tutsi.

Also the Hutu supremacy ideology was the political thought around which power had been conquered and later organized, as well as the economic, social and cultural life. Although other political activists like Joseph Gitera of APROSOMA[12] were also vocal and violent in formulating the Hutu supremacy ideology, Kayibanda's PARMEHUTU emerged the winner. So, the dominant ideology at that time can be labelled as the "PARMEHUTU ideology."The real nature of the Habyarimana regime was ideologically the same as Kayibanda's. Tutsi were marginalized and continued to endure violence and oppression (Mugesera, 2004).

In fact, the PARMEHUTU ideology is a type of the Genocide ideology[13] though the two terms emerged in different periods. For those who keep wondering how the Genocide happened, it should be understood that it was made possible by this ideology.

It is in relation to the above that "genocide ideology" as a concept gained currency in Rwanda after the 1994 genocide against the Tutsi and became widely the subject of public awareness since 2003. Recent reports, especially from the parliament, have drawn public attention to the revival and alarmingly increasing genocide ideology in various settings, including schools and families. Attitudes of violence and several cases of murder of genocide survivors and witnesses have also been registered under such ideological grounds.

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[10] Movement Social Muhutu

[11] PAEMEHUTU is a Party for the Emancipation of the Hutu People. And ethnic political party as its name indicates.

[12]Association pour la Promotion Sociale de la Masse

[13] Ingengabitekerezo ya Jenocide in Kinyarwanda

The link, therefore, between genocide ideology, genocide, and its effects is important for effective post-genocide reconstruction. Consequences of genocide against the Tutsi in Rwanda include social, psychological, economic and physical effects.

Accordingly, Rwandan government established the National Commission for the Fight against Genocide (CNLG) as a means to respond to the effects of the 1994 genocide against the Tutsi, with a specific purpose of combating genocide ideology. Highlighting the role played by CNLG in combating genocide ideology and denial is what this paper endeavors to do.

Genocide Ideology

It is a common belief that genocide needs to have an established ideology, and, indeed, history has proved that there was one during the Holocaust, Armenia and another during the Red Khmers' regime. In the Rwandan case, the situation remains the same.

It is worth showing that genocide ideology in Rwanda is deeply rooted in PARMEHUTU ideology that was promoted by post-colonial regimes up to 1994. The hatred against the Tutsi was developed, taught and channeled through schools and other various means of communication like in newspapers, on the national radio, RTLM and through different meetings. The most notorious being the codified commandments. These include, in their respective order of publication, the 10 commandments of Gitera titled "*Amategeko ya buli muhutu wese ushaka kwibohora ku ngoyi y'ubuja bwa bene gatutsi*" of September 27th, 1959; the manifesto of MAGRIVI[14] comprising more than 10 commandments titled *"Quelques éléments pour la promotion du peuple Hutu du Zaire*" distributed in the underground.

As the core part of the genocide ideology, the PARMEHUTU supremacy ideology consists of taking the so called ethnic groups, namely Hutu, Tutsi and Twa, as absolute identities and as

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[14] Mutuelle des Agriculteurs des Virunga

determining, if not exclusive factors, in the definition of social relationships and the management of political power (Rutazibwa, 2008). This had the intention of considering the Hutu group as holding an exclusive legitimacy to political power and citizenship. And to defend that natural right, it resorted to hate propaganda, political violence and genocide when need arose.

By spreading the PARMEHUTU ideology, Ngeze Hassan the chief editor of Kangura newspaper emphasized the importance of PARMEHUTU ideology in inciting the population to commit genocide. He cited the 10th commandment of the Hutu "The Social Revolution of 1959, the Referendum of 1961, and the PARMEHUTU ideology, must be taught to every Hutu at every level. Every Hutu must spread this ideology widely. Any Hutu who persecutes his brother Hutu for having read, spread, and taught this ideology is a traitor" (http://www.trial-ch.org/en/ ressources/ trial-watch/ trial-watch/ profils/ profile/ 107/ action/show/controller/Profile.html, last accessed July, 2012).

Also the discourse of extremist politicians was relayed by renowned hate media like Kangura newspaper, RTLM (Radio Television Libre des Mille Collines), and even Radio Rwanda (Chretien, 1995). The "Hutu power ideology" became the galvanizing tool to mobilize Hutu against the multi party politics and the liberation war waged by the Rwandese Patriotic Front (RPF) in 1990; and it ended up in incitement to commit genocide against the Tutsi in 1994.

An important point worth emphasizing here is how incitement has a very big role in promoting genocide ideology which provokes perpetrators to commit genocide. Incitement to commit genocide was essentially first prosecuted in the case of Julius Streicher at the Nuremberg Tribunal. Streicher was a German newspaper editor during the Nazi regime who often wrote (or published) virulent anti-Semitic diatribes. Incitement to commit genocide did not exist as a crime at this time so Streicher was tried for crimes against humanity (http://www.sharedhumanity.org/ Library Article.php?heading=Incitement%20to%20Commit%20Genocide, last accessed July, 2012).

Interestingly, the development of the International Criminal Tribunal for the Former Yugoslavia (ICTY) and of the International Criminal Tribunal for Rwanda (ICTR), the International Criminal Court has allowed the crime of incitement to commit genocide to be prosecuted for the first time. When Navi Pillay was a Judge at ICTR, there were many prominent trials and convictions for incitement at the ICTR, including cases where leaders have been tried for inciting genocide in speeches, media personalities and publishers for incitement in the media, and even a pop singer for including genocidal messages in his songs.

The Hutu Ten Commandments[15] was a document published in the December 1990 edition of Kangura-an anti-Tutsi, Hutu-Power-Kinyarwanda-language newspaper in Kigali, Rwanda. The Hutu Ten Commandments are often used as a prime example of anti-Tutsi propaganda which was promoted by Hutu extremists following the 1990 invasion by the Rwandese Patriotic Front and prior to the 1994 genocide against the Tutsi in Rwanda. *Kangura* magazine was the print equivalent to R.T.L.M—that is, it routinely disseminated brutal hate speech about Tutsis and even tackled Hutus who opposed the hawkish, racist Habyarimana regime.

Despite its proud advertisement as a "bimonthly independent," *Kangura* received significant funding from the Rwandan Government, and even used Government-owned printing presses for its first few issues. Also contributing were the M.R.N.D. [16]and C.D.R[17], both prominent radical political parties.

The creation of Kangura was part of a much wider strategy on the part of the State. By setting up such "hate media", the authorities hoped to broadcast as widely as possible the official ethnic message. These media had a great influence on the Rwandan population and played a major role in the genocide. (http: //www. trialch.org/ en/ ressources/ trial-watch /trialwatch/ profils/ profile/

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[15] Also Ten Commandments of the Bahutu
[16] National Republican Movement for Democracy and Development
[17] Coalition for the Defense of the Republic

107/action/show/controller/Profile.html, last accessed August, 2012)

It is important showing how group classification, though introduced by Belgian colonial rule, was supported and promoted by post-colonial regimes. Coupled with hate propaganda it played a crucial role in the 1994 genocide against the Tutsi. Prior to independence, nine Hutu leaders declared their intention to retain such classifications. These leaders stated that "we are opposed vigorously, at least for the moment, to the suppression in the official or private identity papers of the mentions *'muhutu', 'mututsi', 'mutwa'*. Their suppression would create a risk of preventing the statistical law from establishing the reality of facts (Berry, 1999). By "statistical" the authors meant dominance by the Hutu majority population group. In municipal elections organized between June 26 and July 31, 1960, people voted overwhelmingly for the Hutu-oriented PARMEHUTU. In the Referendum of September 25, 1961, some eighty percent of the population voted to disband the monarchy and to install a Republic. Kayibanda became thus the first president of independent Rwanda on July 1962. Under his leadership the Rwandan Identity card[18] continued to display the ethnic group affiliation of the card bearer.

In connection with the above, despite the fact that different individuals and governments advised President Habyarimana who succeeded Kayibanda to remove group affiliation from ID Cards, Habyarimana announced his intention to do so, which he never acted upon. In 1991, independent consultants encouraged France and other governments giving aid to Rwanda to require the removal of group affiliation from ID Cards as a prerequisite for assistance, but those governments failed to take that advice.

When the 1994 genocide against the Tutsi began, an ID card with the designation "Tutsi" spelled a death sentence at any roadblock. Along with the prior training of militias, stockpiling of weapons, direction of the massacres by hate radio, the prior existence of ethnic ID cards was one of the most important factors facilitating

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[18]*carte d'identité*

the speed and magnitude of the 100 days of mass killing in Rwanda (http://www.preventgenocide.org/edu/ pastgenocides/ rwanda/indangamuntu.htm last accessed July, 2012).

However, the concept of genocide ideology was for the first time officially utilized in a 2003 Rwandan parliamentary report on MDR[19]. (Repubulika y'u Rwanda, Inteko ishinga amategeko, Umutwe w'abadepite, 2003). The report, which led to the ban of that political party, contributed also to a wide dissemination of the concept in the public opinion, though its creation and usage can be traced some time before in a number of public speeches and publications (Rutazibwa, 1999). The 2004 ad hoc parliamentary report on "the killings in Gikongoro and the genocide ideology in the whole country" defines "genocide ideology" as *"a set of representations, thoughts and actions; a way of living and behaving which brings confrontation between people, such that when you lightly touch the trigger, genocide occurs immediately.* Basing on the preamble, articles 9 and 179 of the 2003 Constitution, the 2006 Senate report titled "Rwanda: genocide ideology and strategies for its eradication" defines "genocide ideology as "*a set of ideas or representations whose major role is to stir up hatred and create a pernicious atmosphere favoring the implementation and legitimization of the persecution and elimination of a category of the population*" (Republic of Rwanda: Parliament and the Senate, 2006:16).

In this paper, genocide ideology is defined as an ideology which led to 1994 genocide against the Tutsi in Rwanda and still bears a high potential, if not checked upon, to lead to genocide. It is a set of organized thoughts and beliefs which use ethnic identity as a base, primarily for competition for power, but also for stirring up hate, conflict and violence as the main strategy to attain set objectives. It is rooted in the Hutu supremacy ideology as the core component, and the denial of the genocide against the Tutsi as the main branch.

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[19] Mouvement Démocratique Républicain

Effects of the 1994 Genocide Against the Tutsi

Post genocide societies demonstrate a wide spectrum of effects resulting from genocide that mostly survivors experience: physical effects which mainly are described as physical damage such as Sexually Transmitted Infections like HIV/AIDS, whereby perpetrators of the 1994 genocide against the Tutsi used rape as a weapon of war leaving tens of thousands of women infected with HIV ; economic effects which are commonly related to poverty; and psychological effects whereby rape, HIV and trauma resulting from genocide are hard to deal with; tearing of the social fabric and social stigma that results from rape. HIV still poses a big challenge to survivors carrying the disease.

Rape, HIV, Psychological Trauma and Economic Violence: Throughout the world, rape is routinely directed against females during situations of armed conflict. Rape in conflict is used as a weapon to terrorize and degrade a particular community and to achieve a specific political end. In these situations, gender intersects with other aspects of a woman's identity, such as ethnicity, religion, social class or political affiliation (Arcel, Smalc and Kovacic, 1995).

Rape and other forms of violence were directed primarily against the Tutsi women during the 1994 genocide against the Tutsi, because of both their gender and their ethnicity. During the genocide, rape, gang rape, sexual torture, sexual slavery, and forced marriage were used systematically as weapons against between 250,000 and 500,000 women and girls (African Rights 2004; Amnesty International, 2004).

A study conducted by AVEGA, showed 66.7% women with HIV (Amnesty International, 2004). Thus rape and HIV as a weapon of war combine into a deadly cocktail that only serves to radically increase the number of casualties of genocide. The increased prevalence of HIV/AIDS also contributes to Post Traumatic Stress Disorders (PTSDs).

When the genocide ended, many of the survivors were left with nothing, children killed, women raped, husbands and relatives had

been killed, their homes taken or burned, their communities destroyed, and their health compromised. Access to medical care and counseling were non-existent immediately after the genocide. Survivors were left to pick up the pieces, care for surviving children, and cope with psychological trauma.

Survivors still struggle with the horrors suffered and witnessed during the genocide. Psycho-social problems have become one of the most serious public health issues. People still seek psycho-social services for counseling for mental problems. A survey conducted by Psychosocial Consultation Services from April to September, 2003, showed that ninety women and thirty men between eighteen and forty years of age showed the main problems shared by the survivors of the 1994 genocide and the main psychological disorders which they experienced. This shows that genocide has dramatically affected the lives of those who experienced the atrocities- and a strong psychosocial impact persists even up to now (Gasanabo, 2008).

It is evident that most of the traumas come from the 1994 genocide against the Tutsi because of the pain heard and seen during genocide. Women were more affected than men. Some believe that this is so due to the fact that men were killed immediately while women and girls were first raped, tortured and this experience left psychological scars that would traumatize survivors for eternity.

According to Jewkes, Sen & Garcia-Moreno (2002), heightened fear, anger, anxiety, depression, loss of trust, flashbacks, and Post-Traumatic Stress Disorder compose some of the psychological effects. For children, some have failed to perform well in schools due to mental disorders inherited from genocide. As Herman (2001) puts it, trauma arrests the course of normal development by its repetitive intrusion into the survivors' life.

Root (1996), states that the physical effects interact with psychological symptoms to complicate recovery from trauma. McFarlane (1995) argues that beyond the immediate effect of the

violence, the prolonged stress reaction of victims may take a toll on their health.

The failure to find the remains of family members and relatives makes it difficult for some survivors to grieve them properly. Some have been burned, drowned in rivers, left to rot in toilets or buried anonymously in mass graves. This lack of respect for the dead is an additional source of psychological distress. For some survivors who were not with their family when they died find it hard to accept their death.

On a social level, genocide disrupted social cohesion within communities. It destroyed trust between former neighbors. It also created a breakdown in the social make-up of communal values and norms. Genocide also destroyed the unity and brotherhood that Rwandans had built and believed for centuries. Denying the identity and promoting the ethnic violence and mass killing have completely eroded social solidarity.

Genocide has made it impossible for survivors to socialize within communities to which they previously belonged. They are among so many who participated in the killings, are related to the perpetrators or are unwilling to denounce them and tell the survivors how their relatives died.

The 1994 genocide against the Tutsi did not spare the economy of the country. During the genocide, Rwanda lost qualified human resources and experts that would plan and prioritize projects for development. All these deaths caused serious problems in the Rwandan economy.

HIV/AIDS that resulted from rape during genocide poses an additional consequence of genocide and has been a constraint on survivors' ability to reclaim their lives after genocide. Even when survivors are capable of working, those with HIV/AIDS are in desperate need of medical attention for treatment of HIV-related problems including opportunistic diseases. Those who are widowed are often left out without family income. The theft of property and destruction of houses threw most of them, especially

those in rural communities, into sudden poverty and took away the anchor of a family home.

Genocide effects are closely tied to the genocide ideology which incited people to commit genocide and it still accounts for the many consequences of genocide. Two parliamentary reports exclusively centered on the genocide ideology were released in 2004 and 2007, respectively. The 2004 report highlighted the existence of genocide ideology all over the country, and attempted a classification of its main ways and places of manifestation. The report mentioned what it calls indicators of genocide ideology including killings, persecution, genocide negation, and prevalence in religious organizations, Non Governmental Organizations (NGOs), schools and in political parties[20].

By considering the above, what role does CNLG play in addressing these consequences?

CNLG addressing effects of the 1994 genocide against the Tutsi in Rwanda

Despite the efforts to promote the unity among Rwandans and all the progress towards reconstructing Rwanda, some Rwandans within and outside the country, as well as foreign observers, wish to carry on the work of denying the 1994 genocide against the Tutsi. Comments, articles, books on the internet deny or justify those atrocities as well as discuss the so called 'double genocide' as a way of minimizing the genocide against the Tutsi in Rwanda.

The above complicates the reconstruction process in Rwanda. Changing the mentality of the former perpetrators is a process that needs patience. This is so because the seeds of hatred among Rwandans were sown for many years. Without sincere efforts to address the genocide ideology, social effects as well as

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[20] Repubulika y'u Rwanda. Inteko ishinga amategeko. Umutwe w'Abadepite, 2004

psychological trauma, the development for Rwandans is unlikely to be a success.

As it has been noted, it is very rare if not impossible to have genocide perpetrated without the established ideology to incite the population to get involved in the killings. Uprooting this ideology from people's mentality can take ages. Despite the complexity of the issue, CNLG has found it vital to implement memory and commemoration as a way to deal with the genocide ideology.

Combating genocide ideology through memory and commemorations

Rwandans have a duty to remember. The motive behind this remembrance has nothing to do with perpetrating feelings of hatred and vengeance. The purpose is rather to educate Rwandans and whoever might be interested in designing the better future of Rwanda. It is worth remembering that genocide was engendered by racist ideas and teachings. Given the influence of these teachings, CNLG is strictly committed to promote memory and commemorations and through this, Rwandans will have a role to play in reconstructing their country free of violence.

In order to restore social relations destroyed during the genocide and to deal with psychological consequences, every year in April, Rwandans commemorate the 1994 genocide against the Tutsi with a national week of mourning to mark the first killings of April 7. Ceremonies are held at memorial sites across the country. The Genocide is remembered in speeches, testimonies and prayers, and in the solemn reburial of human remains.

In the same regard, Rwandans attend conferences and meetings to hear lectures about the history of the genocide. During the commemoration period, civic education programmes stressing the value of living in peace, in unity and in reconciliation are supported and expanded at all levels of society to foster social cohesion.

The banners repeatedly proclaim the annual commemorative slogan, such as the theme for 2008 Genocide commemoration:

"Let us remember the genocide while fighting against its ideology". The expressions 'Remember' and 'Never forget' and the defiant promise 'Never again' can be heard and seen all over the country, particularly during this week of mourning.

CNLG finds that it is important to preserve the remains of the genocide victims. Some memorial sites like Murambi have unique remains of intact bodies on display. A decision was taken not to bury the remains so that at least these should be preserved as a lasting memorial in order to show the rest of the world what happened in Rwanda during the 1994 genocide. The memorial site acts as an educational centre, describing the history and events of the 1994 genocide, and as a memorial centre, remembering all those individuals who were killed at the site, testifying to the rest of the world the events that took place in Rwanda and enforcing the statement 'never again.'

Because remains at Murambi memorial site were covered in lime[21], information related to Age, sex, weight, cause of death, the presence and absence of clothes can easily be obtained there. The intention behind this spectacle of mortal remains and borne chambers is to fortify the struggle against the 'negation' and 'revisionism.' These remains, with their visual traces of violence, testify silently but unmistakably that the 1994 genocide against the Tutsi in Rwanda happened. They show the form and scale of the atrocities.

For CNLG, the memorials should primarily serve as clear physical evidence of the genocide for future generations, especially to prevent a diminishment or denial of the genocide. This view accords with the Rwandan government's perspective that there should be no doubt about the atrocities of the genocide. The practice is particularly addressed to revisionists in Rwanda and beyond, and to genocide perpetrators who refuse to confess past wrongs committed during the genocide or only very reluctantly acknowledge their roles.

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[21] Lime is a chemical that affects decomposition of remains.

In order to restore social relationships destroyed during genocide, CNLG supports and promotes social networks. This is believed to be a factor affecting the survivors' coping capacity, because traumatic life events invariably cause damage to relationships. As Bracken and Pretty (1998) put it, people in the survivors' social world have the power to influence the eventual outcome of the trauma and stigma. These two authors argue that a supportive response from others may mitigate the impact of the event, while a hostile or negative response may compound the damage and aggravate the traumatic syndrome.

Belonging to an association or a social network helps survivors to restore social relationships. Through these networks, survivors are helped to overcome their sense of isolation and despair. CNLG encourages Rwandans to support one another in order to foster social relationships.

The philosophy behind CNLG's interest in promoting supportive networks where every Rwandan would participate is to combat ethnic divisions that characterized the past regimes. This interest also is based on national unity built on an implicit discourse of 'Rwandanness[22]' as an identity field.

Basing itself on the realities on the ground, CNLG finds it relevant that in Post-Genocide recovery, survivors require the establishment of income generating projects to enable the survivors to become economically self-sufficient. CNLG, through its Advocacy department helps some survivors to have access to economic opportunity which is very critical in Post Genocide society because, first, survivors are the primary caretakers of their own children and other relatives; and secondly, some women who were raped during the genocide are in desperate need of medical attention for treatment of HIV that resulted from the 1994 genocide.

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[22] The new concept intends to motivate Rwandans picking an interest in being Rwandans as opposed to ethnic groups that were promoted and supported by colonial regimes with the intention of achieving their goals.

Combating Genocide ideology through Education

Although Rwanda has shown fast development in its educational and literacy policies since independence, it has largely remained a profoundly oral society, where talks are preferred to books. The past is orally transmitted from one generation to another. This past is first of all personal, then family-related, and then village, or region-related. Many Rwandans have a story to tell about their years in exile, their suffering in the displaced camps, the atrocious killings of their loved ones, the survival experience, the missing of a relative, the crossing of the Democratic Republic of Congo (DRC), etc. Many try to find the political reason why they found themselves in that situation and by doing so, they inform/intoxicate their children, towards whom they have the parental duty of transmitting the family's past. Whatever political teachings are prevailing, the parents will make sure they have some time of privacy to tell their 'truths' to their posterity.

The above illustration highlights the challenge of not having common facts to share with the young generation as one helps them to design a better future.

By way of addressing the above and other related problems the Rwandan government, through CNLG, decided to put in place a Research and Documentation Center on Genocide (RDCG). Five themes have been chosen to guide research:

Antinegationism desk: Responsible for fighting against all kinds of trivialization and genocide denial. Through this unit, the Center is creating an International Network fighting against the denials;

History and society: Analyzing the historical, social, cultural and territorial dimensions of genocide;

Genocide studies and prevention: Conducting research on the nature and causes of genocide and its prevention as well as the links between genocide and other human rights violations;

Post Genocide effects and recovery program Studies: Research on genocide effects and recovery process: counseling, resilience and growth;

Interdisciplinary and comparative research on Genocide:

Conducting systematic, empirical, theoretical and comparative research on genocide.

RDCG also has Gacaca in its attributions. On Monday, July 18, 2012, the Gacaca Court system officially closed. Judging around 1.5 million cases within ten years has been a remarkable achievement. The process attracted several delegations from throughout the world that came to learn from the Rwandan experience as a country emerging from genocide.

Gacaca records serve as a reference for future generations of Rwandans to understand the true history of their country. CNLG has inherited the Gacaca documents. It has become apparent that these documents must be kept for long lasting security and use. CNLG has, thus, created a plan for their preservation.

Importantly, the relationship between the Center's contributions and educating young Rwandans is worth noting. While CNLG has an objective of educating all Rwandans, it places special emphasis on the youth. CNLG believes that it is of crucial importance to educate the youth as a way to Post-Genocide reconstruction. In educating Rwandans CNLG also believes that the society can begin to rebuild the mutual ties and positive communal relations in society.

Accordingly, teachers, parents, should employ positive discipline practices. The schools can guide children to participate in psycho-social behavior outside the school and provide them with opportunities to assume responsibility and be helpful to others within schools and outside. By guiding children to concern themselves with the world around them and contribute to the social good, the schools and parents can help children to become socially responsible citizens.

Through education, CNLG channels its role to combat genocide ideology where the young generation is taught the respect of others and to be able to ignore the culture of divisionism that characterized the Rwandan past regimes that promoted

discrimination among Rwandans. CNLG's Research and Documentation Center will shed light from the findings and this is hoped to contribute to education and policy change.

Through RDCG, CNLG is confident that having the right message, the right audience, and the right channel to deliver the findings from the research conducted on each of the themes mentioned above, it is certain that people, institutions will listen and probably things would change. The Center has the potential to shape public awareness, and influence policy relevant to fighting genocide ideology. Also the findings are expected to act as an evidence-based approach for the CNLG in its struggles to fight against genocide ideology and denial.

CNLG believes that the findings may serve to counter attempts to deny or minimize aspects of the 1994 genocide against the Tutsi in Rwanda. By drawing on the realities on the ground, this Center demonstrates the potential in Rwanda for a collective understanding of the genocide that emerges through dialogue and education.

Challenges and Future Perspectives

Dealing with effects of Genocide as a challenging issue: Despite the general positive contribution by CNLG in fighting against genocide ideology and denial, evidence shows that most of the perpetrators of the 1994 genocide against the Tutsi still prefer to deny their criminal acts despite the substantial evidence against them. There is a need for multi-sector contribution and collective understanding of genocide which are expected to foster effective reconstruction.

In relation to the above, strategies designed to deal with social and psychological consequences of genocide, where memory and commemorations have been in place, some people in and outside Rwanda still raise issues on who should be remembered and forgotten (those who argue that there was a double genocide). They ask what forms of remembrance should be used in post-genocide Rwanda. Dealing with such questions needs to work on

genocide ideology by changing the mentality of Rwandans through educating them about the importance of concentrating on what will bring lasting peace in Rwanda.

Many survivors, both children and their parents or guardians, see education as the only hope for a brighter and more productive future, the best chance to give meaning and order to their lives. For young survivors, attending school invariably means overcoming crippling economic problems, disability or ill-health and facing up to haunting memories, prejudice, and loneliness.

Closely connected to the above, some children survivors of the 1994 genocide against the Tutsi still experience mental disorders resulting from genocide. This, to some extent, impacts negatively their way of performance in school, particularly those whose school fees and scholastic materials are covered by Fonds d'Assistance des Réscapés du Genocide (FARG). Considering that every child survivor of genocide is not covered by FARG's assistance, other children who have not managed to make it to school are struggling with the hardships of life. CNLG as a national institution responsible for survivors of genocide is challenged by responding accordingly to such needs, which sometimes go beyond its spheres of influence.

Dealing with effects of genocide requires a collaboration of different institutions both within and outside Rwanda. In this regard, the reality shows that some countries that host perpetrators of the 1994 genocide against the Tutsi are not willing to collaborate with Rwanda in tracking genocide fugitives.

CNLG still on track

Despite the challenges that CNLG faces in the struggle to combat genocide ideology and denial, it is still committed and believes that these challenges generate opportunities and new aspects on how to improve what has been done. To this end, CNLG has got different projects related to conservation of Gacaca Archives and memory, given their importance in fighting against genocide ideology and denial.

Preserving Gacaca Archives

After collecting information related to Gacaca trials, CNLG considers this as a documentary wealth which will be used as a proof that genocide against the Tutsi happened and that there is a need for 'never again'. It is however important highlighting that these archives are in need of protection because they are the documentary evidence of the memory of the genocide. Conservation of these documents means that they need to be digitally scanned, filed, and properly stored for posterity.

Also records management is needed. This is primarily concerned with the evidence of the courts' activities. What matters about such management is the value of the records rather than their physical format.

The objective of preserving Gacaca Archives is to provide a high level of data security, and to make them accessible to the public and for long-term conservation. By digitizing the documents, CNLG will reduce the time for the transfer of documents between offices and the physical space required for their preservation, on the one hand, and keep documents readable and easy to reproduce, on the other.

Long-term preservation of the remains at Murambi memorial site and other sites

Mobile Anthropological Laboratory: In different memorial sites, there are genocide proof including remains, clothes, shoes, cooking materials, photographs, and instruments used in killing Tutsi that need to be preserved. It has been 19 years since the genocide, and this evidence, which is an essential tool in combating genocide denial, is at serious risk of deterioration. In support of preservation efforts, CNLG bought a Forensic Mobile Laboratory with its associated equipment, together with 20 acrylic coffins, worth RwF 168,062,882. This modern and sophisticated equipment can be used in the preservation of genocide proof, protecting evidence for more than 150 years. The Mobile

Laboratory and the 20 acrylic coffins have already been installed at the Murambi Memorial Site.

The laboratory is capable of being moved between sites as required. It is proposed that its use commence at Murambi memorial site. The construction of a mobile Anthropological Laboratory ensures a permanent facility owned by CNLG which is available for continued use at many sites in Rwanda for forensic, preservation and conservation purposes. Additionally the facility will be used for training and educational purposes by the Rwandans.

It is important noting that the laboratory's function will include the following:
- The analysis of skeletal remains exhumed in the field;
- Preservation and conservation of human remains;
- Analysis of any associated artefacts;
- Carrying out preservation and conservation of artefacts;
- Housing and acting as a data centre for the capture of post-mortem information to aid identification; and
- Training.

Coffins: In the same way, CNLG proposes that on the basis of flexibility and cost, the selected remains are contained in custom manufactured see through acrylic "coffins" and the atmosphere in the "coffin" eliminated by vacuuming down to eliminate the presence air which would allow the re activation of damaging processes. These coffins will be used on twenty sets of remains selected. These twenty were selected because they are well preserved. They include a total of 11 adults, male and female, and 9 children. In order to avoid any confusion around these selected remains, CNLG will document all the data relating to the remains.

Each set of remains will be given a unique catalogue number and all information regarding its location, treatment, observations, etc., will be recorded and filed. It is important that each catalogue number is physically associated with the body it refers to. The bodies cannot be marked, so a label should be attached to each body using durable materials.

The doors for CNLG and the Center are open for any individual or institution for any collaboration as we continue the struggle against genocide, genocide ideology as well address genocide consequences.

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