

Democratic Transition in Post-Conflict Societies Project

**Supporting the Post-Genocide Transition in Rwanda**  
The Role of the International Community

Working Paper 32

Jean-Paul Kimonyo  
Noël Twagiramungu  
Christopher Kayumba

Netherlands Institute of International Relations 'Clingendael'  
Conflict Research Unit  
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Language editing and Proofreading: *Kathy Ogle, Amy Mahan, and Jeroen de Zeeuw*  
Desk top publishing: *Carola van der Heiden*

Netherlands Institute of  
International Relations  
'Clingendael'  
Clingendael 7  
2597 VH The Hague  
P.O. Box 93080  
2509 AB The Hague  
Phonenumber: # 31-70-3245384  
Telefax: # 31-70-3141960  
Email: [infocru@clingendael.nl](mailto:infocru@clingendael.nl)  
Website: <http://www.clingendael.nl/cru>

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## Preface

In April 2002, the Conflict Research Unit (CRU) of the Netherlands Institute of International Relations “Clingendael” started a comparative research project analyzing the role and impact of international democracy assistance on post-conflict societies. This project, entitled *Democratic Transition in Post-Conflict Societies: Building Local Institutions*, is a collaborative research effort between participating research institutes in Central America, Africa, and South Asia and the Clingendael Institute. Unlike other studies, the analyses are conducted by local researchers and reflect their views on the influence international assistance has had on the process of democratization in their countries. The main question addressed is how international assistance can have a more sustainable and positive impact on the functioning of electoral, human rights, and media organizations in post-conflict societies. In order to include a wide variety of experiences and different socio-political settings, case studies focus on Cambodia, El Salvador, Guatemala, Rwanda, Ethiopia, Uganda, Mozambique, and Sierra Leone.

Using a structured assessment methodology, each country report focuses on some of the key aspects that determine the democratic strength of local organizations: sustainability, autonomy/independence, accountability, and influence. The primary aim of the reports is to assess which domestic organizations in the field of elections, human rights, and media have received international assistance in the various post-conflict countries. In addition, the analysis focuses on the type of activities funded and their long-term impact. Finally, the studies aim to provide lessons learned and concrete recommendations to improve international democracy assistance.

The following case study on Rwanda concentrates on international assistance after the 1994 genocide when the victory of the Rwandan Patriotic Army (RPA) ended a months-long period of ethnic killings that took the lives of approximately 1,000,000 people, predominantly Tutsi but also Hutu. The report traces the main political developments in the subsequent “transition” period (1994-2003) and analyzes the impact of international assistance on the creation of a civil society as well as governmental electoral, human rights, and media organizations in Rwanda. The analysis in the report covers the period until July 2004.

Here I’d like to thank Jean-Paul Kimonyo, Noël Twagiramungu, and Christopher Kayumba for their efforts in producing a critical and highly topical assessment of the role of the international community in Rwanda’s ongoing democratization process. I particularly admire the authors’ perseverance in writing this report under sometimes difficult circumstances.

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Jeroen de Zeeuw  
Project Coordinator Democratic Transition  
Email: [jzeeuw@clingendael.nl](mailto:jzeeuw@clingendael.nl)  
The Hague, Netherlands  
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Dr. Jean-Paul Kimonyo  
Team leader  
Kigali, Rwanda  
July 2004

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## List of Abbreviations

ACCORD	African Center for the Constructive Resolution of Disputes
ADL	Association Rwandaise pour la Défense des Droits de la Personne et des Libertés Publiques <i>Rwandan Association for Human Rights and Public Liberties</i>
AI	Amnesty International
APROSOMA	Association pour la Promotion Sociale de la Masse <i>Association for Social Promotion of the Masses</i>
ARDEVI	Association Rwandaise pour la défense des Droits des Victimes de la Guerre <i>Rwandan Association for the Defense of Rights of War Victims</i>
ARDHO	Association Rwandaise pour la Défense des Droits de l'Homme <i>Rwandan Association for the Defense of Human Rights</i>
ARDI	Association Rwandaise pour le Développement Intégré <i>Rwandan Association for Integrated Development</i>
ARJ	Association of Rwandan Journalists
ASF	Avocats Sans Frontières <i>Lawyers Without Borders</i>
AVEGA	Association des Veuves du Génocide d'Avril <i>Association of Widows of the April Genocide</i>
AVP	Association des Volontaires de la Paix <i>Association of Peace Volunteers</i>
BA	Bachelor of Arts
BBC	British Broadcasting Corporation
CAURWA	Communauté des Autochtones au Rwanda <i>Community of Indigenous Peoples of Rwanda</i>
CCOAIIB	Conseil de Concertation des Organisations d'Appui aux Initiatives de Base <i>Consultative Council of Organizations to Support Grassroots Initiatives</i>
CDR	Coalition pour la Défense de la République <i>Coalition for the Defense of the Republic</i>
CECI	Centre canadien d'Etude et de Coopération Internationale <i>Canadian Center for International Studies and Cooperation</i>
CEPGL	Communauté Economique des Pays des Grands Lacs <i>Economic Community of the Great Lakes Countries</i>
CESTRAR	Centrale des Syndicats des Travailleurs du Rwanda <i>Central Union of Rwandan Workers</i>
CID	Criminal Investigation Department
CIDPDD	Centre International des Droits de la Personne et du Développement Démocratique <i>International Center for Rights and Democratic Development</i>
CJC	Constitutional and Judicial Commission

CLADHO	Collectif des Ligues et Associations de Défense des Droits de l'Homme au Rwanda <i>Rwandan Collective of Leagues and Associations for the Defense of Human Rights</i>
CNDH	Commission Nationale des Droits de l'Homme (now CRDH) <i>National Human Rights Commission</i>
CPGL	Communauté des Pays des Grands Lacs <i>Community of the Great Lakes Countries</i>
CRDH	Commission Rwandaise des Droits de l'Homme (the former CNDH) <i>Rwandan Human Rights Commission</i>
CSO	Civil Society Organization
DFID	Department for International Development
DM	Deutsche Mark
DRC	Democratic Republic of Congo
EJC	École de Journalisme et Communication <i>School for Journalism and Communications</i>
ERIS	Electoral Reform International Services
EU	European Union
EUOM	European Union Observation Mission
FACT	Forum of Activists against Torture
FAR	Forces Armées Rwandaises <i>Rwandan Armed Forces</i>
FDD	Forces pour la Défense de la Démocratie <i>Forces for the Defense of Democracy</i>
FIDH	Fédération Internationale des Droits de l'Homme <i>International Federation for Human Rights</i>
FLN-Palipehutu	Force de Libération Nationale -Parti pour la Libération des Hutu <i>National Liberation Forces- Party for the Liberation of Hutus</i>
GDP	Gross Domestic Product
GOMN	Groupe d'Observateurs Militaires Neutres <i>Neutral Military Observers Group</i>
GoR	Government of Rwanda
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit <i>German Technical Cooperation</i>
Haguruka	Association pour la Défense des Droits de la Femme et de l'Enfant <i>Association for the Defense of Women and Children's Rights</i>
HRW	Human Rights Watch
ICCO	Interchurch Organization for Development Cooperation
ICG	International Crisis Group
ICHRDD	International Center for Human Rights and Democratic Development
ICTR	International Criminal Tribunal for Rwanda
TPIR	Tribunal Pénal International pour le Rwanda
IFES	International Foundation for Election Systems
IFJ	International Federation of Journalists
IRC	International Rescue Committee
IMS	International Media Support

ISO	Internal Security Organization
LDGL	Ligue des Droits de la Personne dans la Region des Grands Lacs <i>League for Human Rights in the Great Lakes Region</i>
LIDEL	Ligue Indépendante pour la Défense des Libertés Publiques <i>Independent League for the Defense of Public Liberties</i>
LIDER	Ligue des Étudiants du Rwanda <i>Rwandan Student League</i>
LIPRODHOR	Ligue rwandaise pour la Promotion et la Défense des Droits de l'Homme <i>Rwandan League for the Promotion and Defense of Human Rights</i>
MDR	Mouvement Democratique Républicain <i>Democratic Republican Movement</i>
MINALOC	Ministry of Local Government, Community Development and Social Affairs
MLC	Mouvement de Libération du Congo <i>Movement for the Liberation of Congo</i>
MONUC	Mission de l'Organisation des Nations Unies en République Démocratique du Congo <i>UN Observation Mission for the Democratic Republic of the Congo</i>
MONUOR	Mission d'Observation des Nations Unies en Ouganda et au Rwanda <i>UN Observation Mission in Uganda and Rwanda</i>
MoU	Memorandum of Understanding
MRND	Movement Révolutionnaire Nationale pour le Développement <i>National Revolutionary Movement for Development</i>
NCJT	National Center for Judicial Training
NEC	National Electoral Commission
NGO	Non-Governmental Organization
NPA	Norwegian People's Aid
NUR	National University of Rwanda
NURC	National Unity and Reconciliation Commission
ODA	Official Development Assistance
ORINFOR	Office Rwandais de l'Information <i>Rwandan Information Office</i>
PARMEHUTU	Parti pour le Mouvement de l'Emancipation Hutu <i>Party of the Hutu Emancipation Movement</i>
PL	Parti Libéral <i>Liberal Party</i>
POER	Programme d'Observation des Elections au Rwanda <i>Rwanda Election Observation Program</i>
PSD	Parti Social Démocrate <i>Social Democratic Party</i>
RCD	Rassemblement Congolais pour la Démocratie <i>Rally for Congolese Democracy</i>
RCN	Réseau de Citoyens <i>Citizen Network</i>
RIMEG	Rwanda Independent Media Group
RPA	Rwandan Patriotic Army
RPF	Rwandan Patriotic Front

RRA	Rwanda Revenue Authority
RSF	Reporters sans Frontières <i>Reporters Without Borders</i>
RTL	Radio Télévision Libre des Mille Collines
SIDA	Swedish International Development Agency
SNV	Netherlands Development Organization
TVR	Télévision nationale du Rwanda <i>Rwandan National Television</i>
UIDH	Union Interafricaine des Droits de l'Homme <i>Interafrican Union for Human Rights</i>
UK	United Kingdom
UMI	Uganda Management Institute
UN	United Nations
UNAMIR	United Nations Assistance Mission for Rwanda
UNAR	Union Nationale Rwandaise <i>Rwandan National Union</i>
UNDP	United Nations Development Program
UNESCO	United Nations Education, Scientific and Cultural Organization
UNIFEM	United Nations Development Fund for Women
UN-HCHR/ ONU-HCDH	United Nations High Commission for Human Rights Haut Commissariat aux Droits de l'Homme de l'Organisation des Nations Unies
UNHCR	United Nations High Commission for Refugees
UNHRFOR	UN Human Rights Field Operation in Rwanda
UNICEF	United Nations Children's Fund
US	United States
USAID	United States Agency for International Development
VOA	Voice of America



## **Executive Summary**

Three structural political problems were at the root of the 1994 genocide in Rwanda, in which almost one million people—most of them Tutsi—were killed. The first problem are the exclusionary policies that led to growing discontent among disenfranchised segments of the population. The second is the ethnic interpretation of democracy, born out the 1959 revolution. This view holds that the ethnic Hutu majority is the legitimate Rwandan population and that it is also, by definition, a democratic political majority. This view has constituted for four decades the national political ideology. The third problem is the deeply rooted authoritarianism in Rwandan political culture. These three problems are structural obstacles to democratic development in Rwanda and have plagued both its distant and recent past.

In 1994, the international community quite simply allowed the genocide to be carried out right in front of its eyes. One of its most prominent members, France, actually supported the genocidal forces militarily and diplomatically before, during, and after the genocide. Immediately after the end of the genocide, the country was in chaos. Perpetrators of genocide inside the country were still killing people, and they were being joined by others infiltrating in from neighboring Zaire (later known as the Democratic Republic of the Congo, DRC). Soldiers of the Rwandan Patriotic Front (RPF) and genocide survivors were retaliating with violence, and massive arrests of the presumed genocide perpetrators were taking place. Infrastructure had been destroyed, institutions had collapsed, and Rwanda's social fabric had been shattered. It is within this challenging context, and within a precarious new relationship between the international community and the new RPF-dominated regime, that international democracy assistance emerged as part of the post-genocide transition period (1994-2003).

### **Elections**

International assistance to elections processes began with the March 2001 local elections and then played a role as well during the 2003 referendum on the Constitution and during the 2003 presidential and legislative elections. This assistance included financial assistance to the National Electoral Commission and assistance for election monitoring.

Assistance given for the various elections in 2003 took place in the midst of a strong controversy between the government of Rwanda and human rights organizations whose reports caused some international electoral support to be withheld. At the heart of the controversy was the fact that, on the eve of the referendum, an Inquiry Parliamentary Commission recommended the dissolution of Democratic Republican Movement (MDR), accusing it of "divisionism" for presenting itself as the champion of the Hutu ethnic majority. The Parliamentary Commission accused MDR politicians, who had participated in government since 1994, of not having abandoned the ideology that led to the genocide. At the same time, a Human Rights Watch report also presented a list of five politically-engaged individuals who had allegedly disappeared as a consequence of the campaign launched by the publication of the parliamentary report. Human Rights Watch denounced the whole affair as an RPF political maneuver aimed at

eliminating the only political party that presented it with a real challenge in the upcoming elections.

Donors withheld their assistance to the May 2003 referendum and then partially honored their promise to fund the presidential and legislative elections. They also contributed to the international monitoring of these elections. The presidential election campaign also caused a high level of political and social tension and was marked by the intimidation of the opposition. For the most part, the National Electoral Commission demonstrated its technical mastery of the subject, and the presidential and legislative elections were conducted in peaceful and orderly manner. However, they were also colored by some fraudulent maneuvers and a lack of transparency on the part of the Electoral Commission. Though few question the idea that President Kagame won with a majority of the vote, some do question the official results that show him winning 95% of the vote. Critics denounced unfair elections, but supportive donors argued that the elections were not such a bad starting point for the democratization process given Rwanda's history and its social and political context.

## **Human Rights**

When considering human rights issues, two periods of time need to be distinguished. During the first four years after the genocide, killings and other grave violations of fundamental rights were still being committed both by government security forces and by armed groups seeking to perpetuate the genocide. The second period, beginning in 1999, was marked by a decrease in violations of the right to life but a simultaneous increase in restrictions placed on civil and political freedoms. These restrictions included harassment, imprisonment, and the exile of a number of political figures and journalists who dissent from the RPF government.

At the end of 1994, the United Nations Human Rights Field Operation in Rwanda (UNHRFOR) was dispatched. This was the first ever operation of the newly created office of the UN High Commission for Human Rights (UNHCHR). While it was created to respond to the genocide—its prime mandate being to investigate the acts of genocide that had just been perpetrated—the mission totally ignored the genocide and its survivors to focus on human rights violations that were being committed at the time. Thanks to its enormous resources and the deployment of observers throughout the country, the UNHRFOR's supervising action did play an important role in pressuring the government and limiting the new round of human rights violations. In 1997, genocide forces invaded from the DRC in an effort to reverse their July 1994 defeat, and war broke out in the northern part of the country. Faced with this situation, the UNHRFOR opted to assume a neutral role, yet, in practice, its criticism was almost completely directed at the RPF governmental forces committing abuses, included the killing of civilians, as part of its counterinsurgency operations. In this context, the Government of Rwanda ordered the departure of the mission and replaced it with a national human rights commission. In the end, UNHRFOR was known for having more material resources than planning and organizational capacity. Resources were often wasted and many of its staff exhibited a low level of professionalism.

The same criticisms of wasted resources, lack of professionalism and inefficiency were initially directed against the International Criminal Tribunal for Rwanda (ICTR). Today, it is criticized for its failure to prosecute members of the Rwandan Patriotic Army (RPA). The Government of Rwanda opposes the prosecution of its forces by the ICTR, arguing that one cannot treat those who stopped the genocide in the same way as it treats those who committed

the genocide. It has proposed to try the RPA members itself. It is worth noting, however, that the ICTR has managed to arrest the core of those responsible for the 1994 genocide, making the Rwandan genocide the most punished genocide of the 20<sup>th</sup> century.

During the second period of the transition (1999-2003), the international community was divided between those who were highly critical of the RPF regime (with some exerting pressure to destabilize it) and those who felt guilty for their inaction during the genocide. The second group believed that, given the circumstances and context, the RPF dominated government was heading in the right direction, and they provided it with substantial political, financial, and technical support. This second category of donors was highly involved in the development of infrastructure and institutions especially in the sectors of justice, police, and human rights civil society organizations. Amidst this contradictory and somehow complementary international influence, the Rwandan government has jealously guarded for itself the leading role in the reconstruction process.

International contribution to the development of national institutions pertaining to the rule of law has been relatively successful; a technically functional institutional system was established as well as an almost generalized respect for the most fundamental rights including the right to life. International assistance failed, however, to guarantee respect for civil and political rights in Rwanda.

## **Media**

Because extremist media played a large role in inciting the genocide, the international community did not rush to support this sector immediately following the genocide. The political context was also problematic for the media due to frequent harassment and arrests of journalists. Significant assistance came from German Technical Co-operation (GTZ), through its great support to the rehabilitation of the National Radio, half destroyed by the 1994 war. This support enabled the radio to restart its activities rapidly. Another significant assistance effort was the creation of the School of Journalism within the National University. Assistance for private media was much more limited. UNESCO contributed to a structure for media support as well as to the creation of the Rwandan Association of Journalists. Overseas training sessions were also provided but on a limited scale. These training sessions did have a great impact on the participating media by significantly improving their production.

In 1999, a press group, RIMEG, with two weekly newspapers, one in English and another in Kinyarwanda, was created. It differed greatly from other publications because of its free and independent editorial tenor. Unfortunately it still engaged in a certain degree of unethical reporting and personal attacks. Some donors provided limited financial support to this group but did so by putting the money in the managers' personal accounts. This allowed the possibility of embezzlement and infighting followed, threatening on several occasions to dismantle the group. The most significant international assistance offered to this press group was international political protection enabling it to resist hostilities, harassment, and imprisonment at the hands of the government.

The limited impact of international assistance to media can be explained by the low level of investment in this sector by donors, but also by the huge needs of both public and private media in Rwanda. Media remains highly fragile politically in Rwanda and qualitatively poor due to lack of resources and professionalism.

# **I. Introduction**

## **1.1. Country Background**

Rwanda is a small, landlocked country located in the Great Lakes region of Central Africa. With about eight million inhabitants living in a territory of 26,000 square kilometers (about 435 people per square kilometer of arable land), overpopulation is a serious problem. Sixty percent of Rwanda's population lives below the national poverty line of one dollar a day.

The Rwandan population is composed of three groups: Hutu, Tutsi and Twa. These groups share the same culture and language and live side-by-side throughout the country. Because they are distinguished more by politics than by culture, it is more accurate to refer to them as political identity groups than as ethnic groups. Historically, each identity group has had a different socio-economic specialization. In general, Hutu were agriculturists, Tutsi were cattle keepers, and Twa were hunter-gatherers. As the current government is committed to the non-politicization of ethnic differences, no reliable statistics exist on the size of these three groups. But before the 1994 genocide, official statistics reported that Hutu made up 85% of the population, Tutsi 10%, and Twa 5%. Finally, Rwanda has three official languages: Kinyarwanda, French, and English.

## **1.2. Conflict History**

Rwanda was an ancient monarchy when colonial rule was formally imposed in 1894. During the course of the 19<sup>th</sup> century, the Rwandan State progressively expanded its borders and centralized its administration. At the Berlin conference of 1885, Rwanda was allocated to Germany, though it was a decade before the Germans were able to establish their authority. The Germans ruled Rwanda by coopting the existing monarchical structures and reinforcing their power. Catholic missionaries, mostly from France, were the vanguard of colonization in Rwanda and played the role of unofficial co-rulers.

In the context of World War I, Germany was expelled from Rwanda in 1916 by Belgian troops stationed in Congo. Following the war, Belgium was given the mandate to administer Rwanda on behalf of the League of Nations. Belgian colonial policy differed markedly from that of the Germans. The Belgians deeply penetrated the Rwandan social and political structure and transformed it to their own ends. They ruled through the Tutsi monarchy as the Germans had, but went further by removing Hutu and Twa (and uncooperative Tutsi) from positions of power they had previously enjoyed. The Belgians created a political culture based on the racist theory that Tutsi were inherently superior because of their alleged foreign, non-Bantu, origins. Tutsis were viewed as natural rulers because they were racially closer to Europeans. Hutu were considered servile and hard-working, while Twa were considered barely human. This ranking of identity groups did have some precedent in Rwandan tradition, but in Belgian hands it became a rigid ontological, racial, difference that had not existed previously.

Unequal treatment was most acute in education and employment policies. The good schools that proffered access to employment in the administration were reserved for the Tutsi aristocracy. Common Tutsi and Hutu could only attend missionary learning institutions.

During the 1950s, when aspirations of self-determination were mounting in the colonized world, a majority faction of the Tutsi aristocracy began to agitate for independence. The colonial administration and the Catholic Church shifted alliances to oppose their former Tutsi collaborators and support the nascent Hutu intellectual counter-elite. Under pressure from the United Nations (UN), the Belgian administration created an indirectly-elected political structure with consultative powers. The Tutsi aristocracy excluded almost all Hutu from the upper body of this council. As a result, the struggle for independence became strongly ethnicized, with the Tutsi elite demanding immediate independence and the Hutu counter-elite insisting that political structures had to be democratized first.

The Belgians ensured the transfer of power to their new Hutu protégés through the use of military force. In what became known as the 1959 Revolution (1959-1961), the Hutu counter-elite—with the assistance of the Belgian administration and the Catholic Church—overthrew the monarchy and declared Rwanda a republic. The 1959 Revolution was carried out with Hutu popular participation, and the violence was directed not only against aristocratic Tutsi, but against Tutsi in general. This resulted in the long-term exile of a large portion of the Tutsi population. Tens of thousands were resettled within the country, while hundreds of thousands of others took refuge in the neighboring countries of Congo, Uganda, Tanzania, and Burundi.

Rwanda became independent in 1962. The dominant political party, the Democratic Republican Movement-Parmehutu (MDR-Parmehutu), was the main indigenous force behind the 1959 Revolution. Led by President Grégoire Kayibanda, it suppressed all opposition and became a *de facto* State party in 1963.

With the incursion of armed groups of exiled Tutsi from neighboring countries, the MDR-Parmehutu regime committed large-scale massacres against the Tutsi, particularly in December 1963 and January 1964 in the Gikongoro prefecture. More than 10,000 people were killed including women and children. During the same period, collaborationist Tutsi opposition members were executed. To legitimize its hold on power, the MDR-Parmehutu developed a powerful ideological discourse portraying the Tutsi as a foreign minority that had colonized the indigenous Hutu majority centuries earlier. It articulated a view that equated the triumph of the majority Hutu over the ruling Tutsi minority as a victory of democracy. By doing so, MDR-Parmehutu inducted a notion of democracy that equated political majority with ethnic majority. This was the beginning of a pattern in which the state promoted the ideology of “democratic” domination of the ethnic majority over the minority and operationalized this domination through the use of mass violence and civic exclusion.

After having excluded virtually all Tutsi from the political and civic spheres, MDR-Parmehutu also excluded increasing numbers of the Hutu elite based on regional differences. Power and privilege were concentrated in the hands of politicians from the prefecture of Gitarama. By the early 1970s, however, President Kayibanda and his party found themselves politically isolated. They tried to regain the initiative by fomenting renewed violence against the Tutsi. A group of senior officers from northern Rwanda, led by the Minister of Defense, Major-General Juvénal Habyarimana, took advantage of the disorder and organized a successful coup against President Kayibanda in July 1973. General Habyarimana became president.

President Habyarimana promised to remedy the ethnic and regional sectarianism of the former regime. But instead he reinforced the system of allocating employment and education

along ethnic and regional lines, and the Tutsi were turned into second-class citizens. The Habyarimana regime also continued the MDR-Parmehutu policy of preventing the return of Tutsi refugees. In this process, Hutu from the central and southern regions were also marginalized. Just as Kayibanda had done, the Habyarimana regime began to exclude important sections of the Hutu elite. Power, privilege, and wealth were conferred on those from the president's home area in the prefecture of Gisenyi in northwest Rwanda.

At the end of the 1980s, coffee prices declined and Rwanda was struck by severe economic crisis. Poverty was so extreme that Rwanda ranked second-to-last for developing countries. During this time, the second generation of Tutsi refugees born in exile found themselves in a dire situation. In June 1986, the Rwandan government declared the country "full" and claimed there was no room for the return of refugees. Meanwhile, Rwandan refugees had been forcibly expelled from Uganda in 1982 by the Obote regime. They languished for many months in the no-man's land between the two countries. Many young Rwandan refugees enlisted in Yoweri Museveni's guerrilla force in order to defend themselves. Subjected to discrimination by both Rwanda and Uganda, these refugees nourished a dream of returning to a country of their own.

After Museveni took power in Uganda in 1986, Rwandans who served in his army soon realized that they would not be given full participation in Ugandan life as they had been promised. They began to organize politically and militarily as the Rwandan Patriotic Front (RPF) with the goal of returning to Rwanda by force. Together with Rwandan refugees from neighboring countries, they formulated political demands for the end of discriminatory policies, the establishment of the rule of law, and the right of return. Inside Rwanda, dissatisfaction with the regime was running deep both among the marginalized elite and the ordinary people. The moment seemed ripe for change.

On October 1, 1990, the RPF attacked Rwanda from Uganda. Simultaneously, a wave of political liberalization was sweeping across Africa in the aftermath of the end of the Cold War. Western countries that had unconditionally supported the Habyarimana regime—particularly France—began to pressure him to open up the political arena. The month after the invasion, thirty-three Rwandan intellectuals wrote an open letter to the president demanding political pluralism. The Habyarimana regime capitulated and authorized opposition parties.

Over the following years, a three-player game unfolded between the RPF, the internal political opposition, and the Habyarimana regime. The RPF and the internal political opposition (including the MDR) allied tactically against the Habyarimana regime and succeeded in pressuring President Habyarimana (and his National Revolutionary Movement for Development-MRND party) to begin peace negotiations and to allow opposition parties participation in government. A cease-fire agreement was reached in March 1991, and negotiations began in Arusha, Tanzania. But even as the MRND negotiated with the RPF and opposition parties on the Arusha Accords, it was also attempting to derail the process through violence. The regime instigated massacres of Tutsi people and political violence against opposition parties, who were branded as traitors to the Hutu cause. The strategy was to convince Rwandan and foreign opinion of the ethnic rather than political nature of the conflict. In late 1992, under severe pressure from his own party, President Habyarimana declared the Arusha Accords to be a mere "scrap of paper."

In February 1993, the RPF broke the cease-fire and launched an attack deep into the country, forcing about one million people to flee. This demonstration of RPF military might alarmed sections of the Hutu elite. The final stages of negotiations of the Arusha Accords, which were signed in August 1993, also caused heightened tensions among the Hutus in power.

Finally, the October 1993 assassination of Melchior Ndadaye, the newly-elected Hutu president of Burundi, unleashed a process of ethnic radicalization among a large sector of the Hutu population.

The main opposition party, the MDR, was characterized by ideological ambiguity from its rebirth in 1991. One wing of the party claimed full affiliation with the historic MDR-Parmehutu and its anti-Tutsi ideology, while another wing envisioned a rejuvenated MDR that would reject the discriminatory legacy. Unable to resolve the friction politically, the MDR lived for two years with these conflicting tendencies. After the RPF attack of February 1993, however, the debate resumed and soon became an unbridgeable rift with one side emphasizing the ethnic threat posed by the RPF and the other remaining faithful to the tactical alliance with the RPF. The MDR party finally split in July 1993, and the majority faction, MDR-Power, joined the genocidal project of the MRND. Together with the Coalition for the Defense of the Republic (CDR), they constituted the Hutu Power Coalition.<sup>1</sup>

On the eve of the genocide, the international community response was characterized by equivocation, hesitations, contradictions, and indeed, even blindness. It is thus unsurprising that “almost none of the foreign experts living in Rwanda and working in Rwanda expected the genocide to occur or did anything to stop it from happening.”<sup>2</sup> The international community continued “shaking hands with evil”<sup>3</sup> despite extremely urgent warnings from NGOs, UN agencies, and even UN representatives and special rapporteurs on human rights violations in Rwanda.<sup>4</sup>

On April 6, 1994, President Habyarimana was finally summoned to Dar-es-Salaam by the presidents of the region and pressured to implement the peace agreement. He was killed, however, when his plane was shot down upon his return to Kigali. The identity of those responsible for the assassination is still unknown. While it is clear that preparation for the ensuing genocide had begun as early as late 1992, its planners used the death of President Habyarimana as a pretext to resume fighting with the RPF and to begin the genocide. In almost one hundred days, between 500,000 and one million people were killed, the overwhelming majority of them Tutsi, though thousands of Hutu were also killed.<sup>5</sup>

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<sup>1</sup> The immediate cause of the split was a special congress convened by the MDR to designate a new prime minister. They were also to decide who should become prime minister in the future broad-based government mandated by the Arusha Accords. Both posts were allocated to the MDR. The side of the moderates was led by Faustin Twagiramungu, while the Parmehutu wing was headed by Jean Kambanda. The Parmehutu faction won with a majority exceeding 90%. (See Filip Reyntjens, *L’Afrique des Grands Lacs en Crise* (Paris: Karthala, 1994: 124.) The Parmehutu faction began calling itself MDR-Power and played an important role in the ideological and political preparation of the genocide and its implementation. Jean Kambanda served as prime minister during the 1994 genocide.

<sup>2</sup> Uvin, op.cit.:2.

<sup>3</sup> From the autobiography of the General Romeo Dallaire, Chief Commander of UNAMIR, 1993-1994.

<sup>4</sup> Different monitoring missions had taken place conducted by UN special representatives or special rapporteurs. Among them, Mr. Ndiyaye, M.B., accomplished his mission in April 1993 and submitted an alarming report to the 50<sup>th</sup> Session of the Human Rights Commission in Geneva.

<sup>5</sup> Human Rights Watch estimates the number of victims at 500,000 Tutsi, which would represent some 75% of the Tutsi population in Rwanda at the time (HRW, *Leave None to Tell the Story. Genocide in Rwanda* (New York, 1999). Gérard Prunier estimates that 800,000 Tutsi were killed along with 10,000 to 30,000 opposition Hutu (G. Prunier, *The Rwanda Crisis: History of a Genocide* (New York: Columbia University Press, 1997: 265). The Ministry of Local Government and Social Affairs has published an enumeration of 1,074,017 declared victims and 934,218 victims actually counted. These numbers are relatively close to the one million figure declared by government officials since 1994. (Ministère de l’Administration locale et des Affaires Sociales, Direction de la Planification, *Dénombrement des victimes du génocide* (Kigali, March 2001).

Reprisal killings by RPF combatants and Tutsi civilians also occurred and have been acknowledged by RPF leaders.

After three months of intense fighting, the RPF army captured the city of Kigali on July 4, 1994, and put an end to the genocide. The war continued in the western part of the country, but the RPF army was prevented from pursuing the government army when France established a safe humanitarian zone known as the Zone Turquoise in south-west Rwanda. This was officially intended to protect the Tutsi from genocide (although there were relatively few Tutsi left when the French arrived), but seems more likely to have been a way of helping the former government and its army to escape to Zaire along with some one to two million civilian refugees.<sup>6</sup>

The international community failed to move the refugee camps away from the Rwandan border, and thus was unable to distinguish genuine refugees from the political leaders and armed forces who had carried out the genocide. These forces were then able to reorganize themselves by manipulating humanitarian assistance. Soon, they began to carry out incursions inside Rwanda, killing Tutsi survivors and other witnesses.<sup>7</sup> In October 1996, the Rwandan Army invaded Zaire in order to dismantle the refugee camps. Hundreds of thousands returned to Rwanda while others fled further inside Zaire.

The Rwandan Army did not stop with the destruction of the refugee camps. In alliance with Uganda, and later with Angola and Zimbabwe, Rwanda provided crucial military support to an alliance of Congolese rebels led by Laurent Kabila that succeeded in ousting Mobutu in May 1997. The advance of the rebel forces and their Rwandan allies, who continued to pursue the Rwandan militias, is thought also to have resulted in the killing of a large number of those refugees who had fled into Zaire instead of returning to Rwanda the previous year.

The installation of the new government in Kinshasa temporarily reduced the intensity of the Interahamwe and former Rwandan Armed Forces (ex-FAR) incursions into Rwanda. However, President Kabila soon began arming the Interahamwe and ex-FAR in an effort to free himself from the influence of the Rwandan Army that had brought him to power. The attacks within Rwanda began to increase again in April 1997 in the north and soon reached a level of full-fledged guerrilla war. The relationship between Kabila and Rwanda deteriorated to the point that Kabila ordered the Rwandan Army to leave Congo at the end of July 1998. On August 2, 1998, a new rebellion composed of Congolese politicians opposed to Kabila was launched in eastern Congo, again with decisive Rwandan military support. But Rwanda was not the only external player. Zimbabwe, Angola, and Namibia also sent troops to protect the Kabila regime, and Uganda soon joined Rwanda in supporting the rebellion. The government forces were bolstered by Interahamwe and ex-FAR, as well as by the Burundian rebel groups, Forces for the Defense of Democracy (FDD) and National Liberation Forces (FLN), and by Congolese militias known as *Mayi-Mayi*. The rebellion soon split into factions. Rwanda supported the Goma wing of the Rally for Congolese Democracy (RCD), while Uganda supported the RCD-Kisangani of Ernest Wamba dia Wamba and the Movement for the Liberation of the Congo (MLC) of Jean-Pierre Bemba. Many of these groups and their foreign backers have engaged in the exploitation of Congolese natural resources. The presence of so many armed groups resulted in an anarchic situation in eastern Congo that cost a great many civilian lives.

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<sup>6</sup> France had been a close ally of the Rwandan government before and during the genocide as well as during the civil war.

<sup>7</sup> See Fiona Terry, *Condemned to Repeat? The Paradox of Humanitarian Action* (Ithaca: Cornell University Press, 2001).

Under increasing international pressure and regional mediation efforts—especially by South Africa—Rwanda finally withdrew its troops from Congo in October 2002. This was made possible by the deployment of the UN Observation Mission in Congo (MONUC), which took the first steps towards the disarmament of the Interahamwe and ex-FAR that soon proved to be short-lived.

### **1.3. The Peace Process and the Transition**

The Rwandan peace process began with the March 1991 N'Sele Cease-Fire Agreement followed by the negotiations for the Arusha Accords, which began in July 1992. The first protocol—the Rule of Law Protocol—was signed in Arusha in August 1992. This protocol included provisions regarding national unity, democracy, political pluralism, and human rights. The second protocol was an agreement on power-sharing between the Rwandan government and the RPF and was signed in January 1993. This document provided for the constitution of a broad-based government. The former State party, the MRND, received five ministerial posts, as did the RPF, and the MDR received four, including the post of prime minister. The seven remaining posts went to three smaller parties. President Habyarimana kept his post but his power was substantially reduced.

The negotiation of this protocol caused much tension within the ranks of the MRND who felt that too much was being given away. As mentioned previously, Habyarimana's party masterminded the large-scale killings of Tutsi inside the country as well as violent attacks against members of the opposition during this time. In response, the RPF violated the cease-fire and advanced deep inside Rwandan territory before withdrawing under heavy pressure from the international community. Around this period, planning for the genocide was apparently underway.

In August 1993 a protocol on the integration of the two warring armies was signed. This protocol was particularly ill-received by presidential party supporters since 40% of the new integrated Army and 50% of the officer corps was to consist of RPF troops. Instead of implementing the agreement, the MRND rearmed and waited for an opportunity to restart the war in order to get a better deal. They wanted first to silence all dissident voices by murdering the opposition. This was common knowledge in the months before the genocide. The surprise was that they decided to exterminate the Tutsi population instead of just targeting the Tutsi political and social elite and the Hutu opposition. The genocide began in April 1994.

In July 1994, when the new transitional government was formed, it adopted the Arusha Accords as its constitutional base, though with some important modifications. The MRND and all other parties and individuals involved in the genocide were banned from participating in government. The Arusha Accords had attempted to establish a balance of power between the MRND, the RPF, and the MDR. But the effects of the genocide and the RPF military victory gave it a dominant position. The RPF justified this imbalance by pointing out that it had stopped the genocide and had the historic responsibility to complete its undertaking to re-establish order, security, and stability. The RPF was awarded the presidency, which was assumed by Pasteur Bizimungu. The new post of Vice-President was created and assigned to General Paul Kagame, who also became Minister of Defense. The MDR's Faustin Twagiramungu became Prime Minister. In the parliament, the main parties each received thirteen seats. Six seats were allocated to the Army, which further illustrated the RPF's domination of the State institutions, as well as the political importance of the armed forces.

The two main tasks of the transition government were to restore security and to rebuild the economic and political infrastructure. The main security problems the government faced at the time were:

- The murders being committed by groups of *génocidaires* remaining in the country;
- The bloody incursions of Interahawme from their bases in Zaire: and;
- The revenge murders and looting carried out by some Rwandan Patriotic Army (RPA) soldiers and by ordinary civilians.

Later, the government was also faced with a significant insurrection in northern Rwanda, launched from bases in Zaire. This precarious security situation, as well as the latent ethno-political tensions which had been radicalized during the genocide, began to cause serious dissent in the new government. RPF leaders asked for more comprehension from their colleagues for their use of harsh methods, given the extraordinary situation that Rwanda found itself in after the genocide. At the same time, opposition leaders were demanding more political power and an end to human rights abuses and revenge killings. In 1995, Prime Minister Twagiramungu and Interior Minister Seth Sendashonga resigned from government and went into exile, followed by three of their colleagues. These departures signaled a further tightening of RPF political control.

After 1997, the RPF initiated a series of important reforms intended to prevent the repetition of the catastrophic conflicts that had marked Rwandan history since its independence. Every Saturday it held a series of detailed discussions on the causes of political conflict in Rwanda; participation included the most senior political leaders along with influential representatives from other sectors of society. Important government initiatives emerged from these discussions, including the *Gacaca* jurisdictions for judging the perpetrators of genocide, the policy of decentralization, and the establishment of the National Unity and Reconciliation Commission (NURC), among others. During this period of structural reform, Rwandan political life continued to be tightly controlled. The press was frequently harassed, and politicians who failed to toe the line were sidelined and silenced. This tendency reached its height in early 2000. In January, the President of the Parliament resigned and fled the country. In February, the Prime Minister also resigned and went into exile, and one month later, President Bizimungu himself resigned.

The second part of the transition period (1999-2003) began in this context of almost total RPF control of the political sphere. Fortunately, the human rights violations that had characterized the immediate post-genocide years (due to *génocidaire* incursions and Army indiscipline) diminished significantly from 1998-2000. The security of ordinary civilians improved thanks to the increasing professionalization of the Army and the creation of a National Police. Ethnic tensions were reduced (there were even some signs of increasing social “rapprochement”) thanks to the incorporation of soldiers from the previous Rwandan Armed Forces (FAR) into the new Rwandan Patriotic Army (RPA) and continued support for the return of refugees. The NURC national summits in 2000 and 2002 sent a strong political signal in favor of reconciliation, and people of diverse backgrounds have been increasingly integrated into State institutions.

However, this period was also marked by the efforts of some politicians to again mobilize the population along sectarian, regional, or ethnic lines, as well as by the publication of

newspaper articles denying the genocide.<sup>8</sup> Shortly after his resignation in 2000, Pasteur Bizimungu attempted to form a political party. This was not expressly forbidden by the law, but violated the spirit of the post-genocide transition. Mr Bizimungu appeared also to have been using ethnic appeals in his political mobilization, but was arrested in early 2001 on a different legal pretext. His trial was still in progress at the time of the writing of this report.

Finally, in 2000, the Forum of Political Parties was formed. This was a new, extra-constitutional institution with the stated intention of enhancing cooperation among the political parties. It had important political powers, for example, to recall members of Parliament.<sup>9</sup> However, the majority of non-RPF politicians denounced the institution as an instrument of the RPF's political domination.

In conclusion, Rwanda has increasingly moved toward higher levels of security and stability after the genocide. Tensions between the two ethnic groups have been greatly reduced, and infrastructure has been rehabilitated in an accelerated fashion. This progress was achieved, however, at the price of unbending political control by the party in power.

#### 1.4. Post-Conflict Assistance

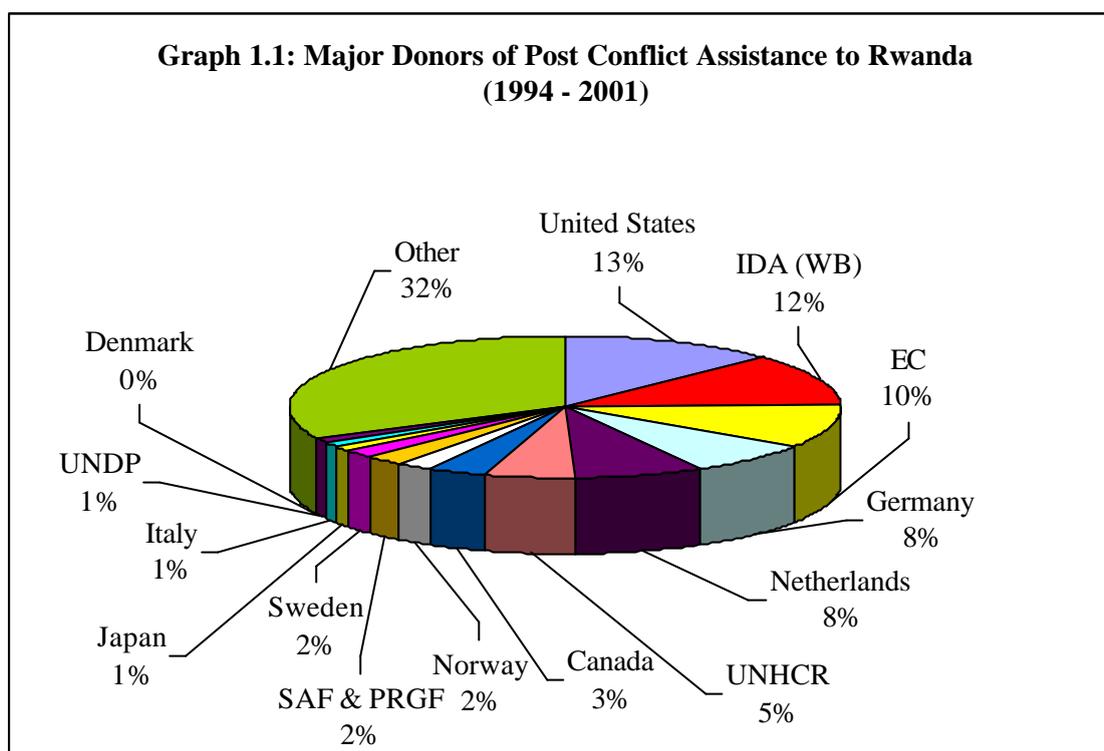
The overall amount of aid received by Rwanda has diminished dramatically since the immediate post-genocide period. From April 1994 to December 1995, Rwanda officially received US\$2 billion of emergency assistance. The cumulative aid for the period of 1995-2000 amounts to US\$2.67 billion, an average of US\$ 534 million per year. In 2000, however, Rwanda received just US\$225 million. It is important to note that the first part of the 1995-2000 post-genocide emergency assistance did not go to Rwanda specifically, but rather to refugee camps in neighboring countries like Zaire, Tanzania, and Burundi.<sup>10</sup> Only in the second half of the 1995-2000 period was there a marked increase in international assistance to the Government of Rwanda itself. The drop in assistance for 2000-01 was strongly influenced by the presence of the Rwandan Army in Congo as the international community was pressuring the government to redraw its troops. For an overview of the main international donors of the post-genocide period, see Graph 1.1 below and also Annex 1.

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<sup>8</sup> See for example, "Un exemple d'éditorial révisionniste publié par le journal *Le Partisan* (N°50, December 2000)" in ICG, *Fin de transition au Rwanda: Une libéralisation politique nécessaire*, (Nairobi / Bruxelles, 13 November 2002: Annexe A).

<sup>9</sup> Forum of political parties is a classic instrument of consensus-based democratic systems, even in its extra-constitutional form. In Belgium and the Netherlands such informal but influential councils existed when these countries were governed by consensus-based politics. In Austria, this forum was known as the "Koalitionsausschuss" and in Czechoslovakia it was called the "Petka". See Arend Lijphart, *Democracy in Plural Societies: a Comparative Exploration* (New Haven and London: Yale University Press, 1977: 31-33). Jean-Paul Kimonyo, « Analyse comparative du processus de sortie de la transition au Rwanda », *Cahiers du Centre de Gestions des conflits no 8*, (Butare: Editions de l'Université nationale du Rwanda, Septembre 2003).

<sup>10</sup> Ironically, these refugee camps were controlled by the forces and politicians that had just committed the genocide.

**Graph 1.1: Major Donors of Post-Conflict Assistance to Rwanda (1994-2001)**

Rwanda is highly dependent on external assistance. In 2001, Official Development Assistance (ODA) represented 78% of Gross Domestic Investment (GDI). At the same time, the dependency trend is generally downward with external aid representing 13.7% of GDP in 2001, down from 25% in 2000. On the individual level, the amount of aid per capita has dropped from US\$51.4 immediately after the genocide to US\$26.2 seven years later (see Table 1). Compared with other countries in the region, Rwanda received much more aid per capita in 1999 (see Table 2) because of its emergency needs. However, since 2001, aid in Rwanda has fallen more to the level of aid received by other countries in the region.

<b>Table 1.1: Aid per capita in Rwanda in US\$ (1995-2001)</b>							
1990	1995	1996	1997	1998	1999	2000	2001
28.9	51.4	47.5	49.4	47.1	44.0	51.5	26.2

*Source: Ministry of Finance and Economic Planning (2002)*

<b>Table 1.2: Aid per capita in East Africa in US\$ (1999)</b>				
Uganda	Tanzania	Kenya	Burundi	Rwanda
27	30	10	11	45

*Source: Ministry of Finance and Economic Planning (2002)*

Assistance increased for governance during 2001-02. According to figures from Rwanda Ministry of Finance and Economic Planning, the cumulative aid received up to 2000 in the governance sector amounted to US\$291 million, while for 2001 alone it was US\$54 million, and for 2002 it was US\$76 million. For the justice and public security sectors, the cumulative assistance up to 2000 was US\$ 32.6 million, while for 2001 it was US\$8.72 million and US\$8.33 million for 2002.

Forecasts from the Ministry of Finance and Economic Planning for 2002-04 anticipate a drop in bilateral aid and an increase in support from multilateral agencies. Interviews with major bilateral donors indicate that future financial support to Rwanda will be linked to progress in democratization and the rule of law.

### **1.5. Methodological Issues**

Information for this study was mainly gathered through interviews and documents. Interviews were conducted with government officials, donor representatives, and local and international NGOs (see list in Annex 2).

The most important problem encountered was that field research was undertaken during the period between the constitutional referendum and the presidential election campaign in 2003. This meant that for the chapter covering the issues of electoral assistance, research had to rely more on documents and reports issued after the elections than on interviews. Timing was not the only problem. The very sensitive nature of the elections made people, even the staff of international aid agencies and embassies, very reluctant to speak openly.

### **1.6. Outline of the Report**

This study is divided into five chapters. Chapter 1 introduces and contextualizes the issues of democratization and aid in Rwanda with a historical overview of the Rwandan conflict. It also summarizes aid trends in post-genocide Rwanda. Chapter 2 deals with electoral assistance to Rwanda. It begins by recalling the history of elections in Rwanda and then presents the electoral institutions built after the genocide. It assesses the impact of international assistance on the building of these institutions and on the progress made with regard to democratization. Chapter 3 focuses on assistance for human rights. It places human rights assistance in context of the long history of abuse in Rwanda and analyzes the contribution of international assistance in establishing justice institutions after the 1994 genocide. The chapter highlights the most important human rights organizations that have received substantial assistance and assesses the impact of this assistance on progress made in human rights protection. The history of the media, especially its role in the genocide, forms the background for Chapter 4 which addresses media assistance. Chapter 5 synthesizes the overall impact of democracy assistance in post-genocide Rwanda. It underscores the interconnections between electoral, human rights, and media assistance.

## II. Electoral Assistance

### 2.1. Introduction

This chapter addresses international assistance for elections in post-genocide Rwanda, beginning with the history of electoral and political party activity from independence through the civil war of 1990 and the genocide of 1994. The chapter first examines the post-genocide electoral assistance for the March 2001 district elections and then discusses the kinds of international assistance given for the major electoral landmarks of 2003: the constitutional referendum in May, the presidential elections in August, and the legislative elections in October. It should be noted that because the research for this study was carried out after the May 2003 referendum and during the presidential election campaign, certain kinds of information were difficult to obtain. The chapter concludes with an assessment of these electoral exercises.

### 2.2. Electoral History and Political Party Activities in Rwanda

As discussed in Chapter 1, a key factor in Rwanda's history of conflict is the way in which democracy has been defined and applied since the 1959 Revolution. Democracy became synonymous with domination by the ethnic majority over the minority. Historically, competitive elections have been an occasion for symbolically and violently reinforcing this conception of democracy. Two elections that became symbolic of this link between competitive elections and mass violence were the communal elections of June 1960 and the legislative elections of September 1961. When Belgian colonial authorities transferred power to the Hutu revolutionary party, Parmehutu, in the early 1960s, they turned a blind eye to the use of violence against civilians and opposition politicians and even supported it militarily. Hundreds of people were killed by Parmehutu activists, the vast majority of them Tutsi. Many thousands were internally displaced or fled the country. Between August and July 1961, according to a journalist from the *Sunday Times*, 150 people were killed, 3,000 huts were burned, and 22,000 people fled from Butare prefecture alone.<sup>11</sup> The Rwandan National Union (UNAR), the Tutsi monarchist party defending the *status quo*, was not innocent itself, but the political violence it orchestrated was usually directed against individual politicians rather than civilians in general. During the First Republic, direct communal elections (by secret ballot) were organized for 1960, 1963, 1966, and 1969.

Implementation of a distorted notion of democracy did not only serve to victimize the Tutsi. The Hutu opposition to the MDR-Parmehutu was also excluded and sometimes subject to physical attack. From 1961-63, Parmehutu exerted pressure on the Association for Social Promotion of the Masses (APROSOMA), the second Hutu revolutionary party, led by Joseph Gitera. Unlike Parmehutu, APROSOMA did not consider all Tutsi to be enemies and opposed only those who supported the old feudal regime. Parmehutu's pressure on APROSOMA included attempts to entice its legislative candidates to defect to Parmehutu.

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<sup>11</sup> René Lemarchand, *Rwanda and Burundi* (New York: Praeger, 1970: 195).

Violence against Tutsi people during 1959-61 and the acts of genocide perpetrated against Tutsi in December 1963 and January 1964<sup>12</sup>, and following killings in 1966, 1967 and 1968 created an atmosphere of political terror in Rwanda. Tutsi political leaders who had agreed to work with the government within Rwanda were summarily executed. Tutsi refugees conducted regular raids in which some civilians were killed. This heightened the sense of fear and gave the government an excuse to repress all political activity in the name of defending the 1959 Revolution. It was during 1963-64, in this context of political violence, that internal opposition to Parmehutu and President Kayibanda completely disappeared. This was reflected in the ensuing electoral results. During the first presidential elections of 1965, President Kayibanda was the only candidate, and he was elected with 98% of the vote. In 1969, he was re-elected with 99%. It is important to emphasize that the political unanimity expressed through these election results was the consequence of political intimidation, terror, and ethnic mobilization, rather than fraudulent electoral practices.

After significant anti-Tutsi violence during March and April 1973, Major-General Juvénal Habyarimana took power by military coup, and in 1975 he created the National Revolutionary Movement for Development (MRND). This State party ruled the country until 1994. It was modeled along the lines of the North Korean Communist Party, and its aim was total control of Rwandan society. Every Rwandan became a member of the party at birth. Like his predecessor, President Habyarimana was the only candidate in the presidential elections of 1978, 1983, and 1988, and he won with 99% of the vote. During the Habyarimana regime, there was no independent electoral institution; elections were organized by the MRND. Legislative elections were competitive on an individual basis, but the candidates for each seat were all proposed by the MRND.

The other main characteristic of the political system at the time was political exclusion of the Tutsi. In December 1975, elections were organized for the first time at the lowest administrative level, the cell.<sup>13</sup> In the Butare prefecture, 621 cells existed with an average of 940 inhabitants each. At the time, Tutsi represented about 18% of the population of the Butare prefecture. The cell committee was composed of five people, and Tutsi constituted on average 15% of cell committees. Only two of the 621 cells, however, elected Tutsi leaders to head them.<sup>14</sup> Communal elections were organized in 1980, 1985, and 1990, and legislative elections were held at the same time as presidential elections. Political exclusion also extended to the Hutu from central and southern Rwanda since Habyarimana was from the north.

During the 1980s, popular frustration mounted due to the increasingly difficult living conditions and the closed political system. The population began expressing its discontent through low-intensity, subversive behavior. This undeclared resistance, which sometimes turned violent, caused fear among commune officials. For the 1983 presidential elections, 5 out of 12 commune burgomasters from the Butare prefecture requested increased Army presence in their communes due to fear of public reaction.<sup>15</sup>

The last presidential elections before the civil war took place in December 1988. This time the Habyarimana regime was experiencing a legitimacy crisis due to the deteriorating economic

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<sup>12</sup> These actions followed the inept armed raid by Tutsi refugees led by Rwandan National Union (UNAR) activists, which Parmehutu security services knew about well in advance.

<sup>13</sup> Prior to 1999, the Rwanda administration was subdivided in the following way: country, prefecture, commune, sector, and cell—the cell being the smallest administrative unit.

<sup>14</sup> Préfecture de Butare, *Rapport trimestriel des mois d'octobre, novembre et décembre 1975*.

<sup>15</sup> Préfecture de Butare, *Procès-verbal de la réunion du comité préfectoral de sécurité tenue le 16/12/83*.

situation, accusations of nepotism, and regional and ethnic sectarianism. The campaign and the elections were described as a circus by one commentator.<sup>16</sup> Unlike previous elections, electoral fraud seems to have occurred on a wide scale.

By 1990, the MRND regime was confronted with three principal pressures:

- Pressure from donors to accept democratic reforms;
- The ‘invasion’ of Rwandan Patriotic Army (RPA) forces from Uganda;
- Pressure from internal critics.

Critics were demanding an end to regional and ethnic discrimination, the right of return for Tutsi refugees, and respect for the rule of law. By the end of 1990, intellectuals and activists were demanding the restoration of a multi-party democracy. The Habyarimana regime finally yielded to these multiple pressures and instituted a multi-party system in July 1991. Different opposition parties formed very rapidly, of which the most important was the Democratic Republican Movement (MDR), a successor to the MDR-Parmehutu of the First Republic. A faction of the new MDR sought to distance itself from the violent anti-Tutsi heritage of its predecessor. The two other important parties were the Social Democrat Party (PSD), which included many southern Hutu, and the Liberal Party (PL), which was the voice of “internal” Tutsi. From the beginning of multi-partyism until the end of 1991, the MDR (and to a lesser extent the PSD) waged a veritable political guerrilla war against the MRND, particularly in southern and central Rwanda, but also in the southwest and in Kigali. Through popular mobilization,<sup>17</sup> the opposition eventually managed to replace the MRND as the main local political power in all these areas, except for Kigali.

A variety of factors led to divisions in the opposition parties and a realignment of political forces in favor of the MRND regime. From early on in the Arusha peace accords negotiations, President Habyarimana and his entourage made it clear that they saw little significance in any agreement that might be produced. Massacres of Tutsi in northern Rwanda in January 1993 and a major RPA offensive in February 1993 added to ethnic and political tensions within the country that began to drive a wedge between different wings of the opposition parties. A perception that the final Arusha Accords signed in August 1993 unfairly rewarded the Rwandan Patriotic Front (RPF) and the assassination of the first Hutu president of Burundi, Melchior Ndadaye, in October 1993, led to a major political shift. Although the MDR had dropped “Parmehutu” from its name, the anti-Tutsi ethnic ideology continued to appeal to many party leaders and members. Both the MDR and the PL split into two factions, with one representing a more moderate view in support of the Arusha Accords and the other strongly embracing “Parmehutism,” and joined into coalition with the MRND and the extremist Coalition for the Defense of the Republic (CDR) in a movement known as “Hutu Power.”

In the media controlled by Hutu Power, Hutus were exhorted to liberate themselves again from Tutsi invaders and the Hutu “traitors” assisting them. The Hutu Power factions of the old opposition parties also played a crucial role in mobilizing their base to participate in the genocide. The sad consequences of political pluralism during 1991-93 did not only come from anti-Tutsi ideological tendencies, however. They also flowed from the kind of political action

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<sup>16</sup> Dismas Nsengiyaremye, “La transition démocratique au Rwanda (1989-1993)” in André Guichaoua (editor), *Les crises politiques au Rwanda et au Burundi (1993-1994)* (Paris: Karthala, 1995: 239).

<sup>17</sup> Opposition parties—especially the MDR—used political mobilization of youth, tactics of intimidation, and sometimes violence in their attempt to win supporters.

the parties engaged in to destabilize the MRND. This political strategy aimed at politically controlling the population in anticipation of future elections.

During 1991-93, the only exercise resembling elections was the pre-selection of communal burgomasters where they had been removed. In some communes the population that had risen up against MRND had expelled their burgomasters when they were perceived as supporting an unpopular party. Many of these were forcibly removed through violent campaigns by members of opposition parties, especially the MDR, which called the campaigns *kubohoza*, or liberation campaigns. Indirect local elections were held in March 1993. Thirty-eight burgomasters were elected by a small electoral college made up of the commune elite: sector counselors, heads of development projects, representatives of political parties, and local religious leaders. This regional and local rise against dictatorship and oppression—part of the democratization process of the time—ushered in new forms of political abuse and violence.

The justification for genocide was connected with the idea of democracy in quite a striking manner. Time and time again during 1993-94, the famous genocide-inciting *Radio Télévision Libre des Mille Collines* (RTL) declared that the war on the Tutsi was an act of self-defense by the majority Hutu to preserve their democratic rights acquired in the 1959 Revolution. In June 1994, the star announcer on RTL, Kantano, said that the extermination of the minority by the majority was not a crime and that “whites” understand that concept because of their attachment to the notion of the rights of the majority.<sup>18</sup> Human Rights Watch reveals that Kantano was not completely wrong:

‘Some policymakers, particularly in France and Belgium, were wedded to the notion that an ethnic majority was necessarily the same as a democratic majority. They could not bring themselves to condemn the genocide because they feared increasing the likelihood of an RPF victory and the subsequent establishment of a government dominated by the minority.’<sup>19</sup>

In July 1994, just after the RPF victory, some decision-makers in the international community proposed holding elections as soon as possible, hoping perhaps that elections could reverse the RPF military victory.<sup>20</sup>

During the course of its entire history, Rwanda has never experienced any form of democratic governance. Furthermore, in a perverted manner, the idea of democracy has been very present in the public discourse and had even been profoundly integrated into the Rwandan political culture. Thus, the democracy issue has not only been problematic, but it also lies at the heart of the Rwandan conflict.

The first important occurrence relevant to the democratization process after the genocide was the formation of the broad-based, post-genocide government that brought together all existing parties that did not participate in the genocide.

Another important development that put into practice the values of inclusiveness and political consensus-building was the organization of the Urugwiro town meetings. From May 1998 to March 1999, the Presidency organized a series of seminars with a large number of personalities from political, intellectual, and economic spheres of the country. These meetings had two aims:

<sup>18</sup> From a taped show by Kantano on RTL at end of June 1994.

<sup>19</sup> HRW, *Leave None to Tell the Story. Genocide in Rwanda* (New York, 1999: 21).

<sup>20</sup> Private communication at the Clingendael Institute, The Hague, May 2003.

1. To understand the causes of Rwanda's violent history and of the genocide;
2. To find ways of overcoming this legacy. Among the proposed remedies were democratization and decentralization. The democratization process was to be gradual, starting from the grassroots and evolving towards the top, and the role of political parties was to be circumscribed and controlled.

The implementation of this democratization program began with the first post-genocide local elections, which happened in March 1999. At that time, voters elected new cell and sector councils. Candidacy was strictly individual and the mode of voting was the queuing system. This method of voting is cheaper and logistically simpler, but it also permits strong political control. The government did not ask for any international assistance for these controversial elections, which were condemned by human rights groups despite the calm with which they were conducted. It is difficult to find any accounts of the popular reaction to this election. Because no independent electoral body existed, the elections were organized by the Ministry of Interior and very few independent observers attended.

The second post-genocide electoral exercise was the Transitional National Assembly's election of Major-General Paul Kagame as President of the Republic on April 22, 2000. The other candidate was Dr. Charles Murigande, also a member of the RPF. General Kagame received 81 out of 86 votes cast. International assistance played no role in this election.

With the March 2001 district elections, Rwanda finally established an institution dedicated to the electoral process, the National Electoral Commission (NEC).

### **2.3. International Electoral Assistance**

#### *2.3.1. Technical and Financial Assistance to the Constitution-Making Process*

The post-genocide transition begun in July 1994 was intended to last four years. In 1999, Parliament agreed to extend the transition period to July 2003. The end of the transition period was to be marked by the adoption of a new Constitution and the holding of presidential and legislative elections. To these ends, a Constitutional and Judicial Commission (CJC) was legally instituted in December 1999. The CJC had five main tasks:

- To prepare a draft constitution;
- To collect the views of the population on the future constitution;
- To inform and sensitize the population about the Constitution;
- To propose draft laws that would govern the end of the transition;
- To highlight the laws that would need to be changed in order to be in accordance with the new Constitution.

The most important feature of the constitution-making process was its participatory character. Popular participation in Rwanda must be understood in a nuanced manner because political pressure from local authorities is often present. Meetings were held across the country to explain the process to Rwandans and to obtain their views on what the Constitution should contain. A draft was written, which was then presented to the population in a series of meetings. It was then presented to a broad meeting for popular validation.

On May 25, 2003, a national referendum was held on the new Constitution. This process attracted a broad range of international support. The United Nations Development Program (UNDP) gave US\$160,000 to the CJC. The UK Department for International Development (DFID) allocated financial support of US\$110,000 to the process of collecting the population's views on the Constitution. The Swedish International Development Agency (SIDA) granted 30,000 Swedish Kroner for the consultation campaign advertisements. The Swiss Embassy supported the publication of booklets to raise awareness about the issue. The United States and Canada supported a capacity-building conference in Kibuye that permitted Rwandan experts and stakeholders to meet experts and law-makers from other countries. Part of this financial support was also used to educate women about the Constitution. In addition, the Chinese Embassy provided office and communications equipment. The Belgian Embassy contributed computers and a vehicle. The United Nations Development Fund for Women (UNIFEM) provided FRW 3,159,000 (US\$ 6,318) for awareness-raising among women. The United Nations Children's Fund (UNICEF) gave FRW 2,200,000 (US\$ 4,400) for a cartoon campaign to teach children about their rights. German Technical Cooperation (GTZ) provided an expert on election law. The CJC also received assistance from the African Center for the Constructive Resolution of Disputes (ACCORD), a South African NGO.

The international financial contributions were welcome, but not very substantial. According to the president of the Constitutional Commission, the process received little assistance mainly because the government had decided that the process would primarily be based on popular participation and consultation rather than on expert drafting. In addition to doubts about the popular participation in the constitutional process, donors were also afraid of political manipulation. The International Crisis Group (ICG), which conducted a study on the constitutional consultation process, attempted to show that the incumbent party, the RPF, had orchestrated the demands for restrictions on political competition and political party activities. According to ICG, the process was not a spontaneous expression of popular opinion. On this important issue, the argument presented by ICG is rather weak, especially when compared with the rich body of views collected by the Commission. The author of this report participated in the follow-up session in August 2002 in Butare, Cyangugu and Kigali rural provinces, during which participants' comments confirmed the popular ambivalence towards political parties and especially the wish that parties not be allowed to function at the local level. Popular reservation about grass-roots competitive politics can be understood, given that many ordinary people accuse party activists of being responsible for the political violence that erupted in their communities during the period (1991-1994) and of being the main mobilizing agents for the 1994 genocide. Popular consultations also requested strong guarantees of control over executive power that did not appear in the final draft of the Constitution.

### *2.3.2 Assistance for the National Electoral Commission (NEC)*

Most international electoral assistance after the 1994 genocide was given to the National Electoral Commission (NEC). With international support, the NEC organized:

- District elections in March 2001;
- Elections of cell and sector leaders in March 2002;<sup>21</sup>

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<sup>21</sup> Cell and sector leaders elections of March 2002 didn't receive any specific international assistance.

- A referendum on the Constitution in May 2003;
- Presidential elections in August 2003;
- Legislative elections in September and October 2003.

#### *March 2001 District Elections*

Between October 2000 and February 2001, a series of laws were passed permitting district elections to take place. The most important was the constitutional amendment published on October 6, 2000 replacing centralized administrative structures with decentralized ones. This decentralization policy had far-reaching objectives, and it was partially motivated by a wish to reform the hierarchical, centralized structures that had facilitated the 1994 genocide. The administrative organization of Rwanda was therefore based on 12 provinces, 91 districts, 15 towns, 1,550 sectors, and 9,104 cells. This policy was to be accompanied by a return of powers and resources to local government. The stated objective of government was that decentralization would promote democratization and enhance the enjoyment of rights by the population.<sup>22</sup>

The district elections took place in March 2001. The objective of the vote was to indirectly elect the district executive committees. Out of approximately eight million Rwandans, 3,312,754 registered to vote. This represents about 98% of the eligible population over 18 years of age. Ninety six percent of those registered turned out to vote, and a total of 8,175 candidates were elected. The election took place within 10,409 voting stations. Fifty five percent of former burgomaster candidates were re-elected.

The following table shows the amount of international assistance received by the NEC for district elections.

<b>Countries or Cooperation Institution</b>	<b>Amount Disbursed in US\$</b>	<b>Activities</b>
USAID	600,000	Equipment and material
Netherlands	490,000	Training of electoral workers, fuel, printing of ballots
United Kingdom	450,000	Renting of NEC premises and equipment
Sweden	430,000	Awareness raising and briefing on elections, fuel, vehicle renting
Germany	100,000	Electoral material
Rhineland-Palatinate	300,000	Electoral material
UNDP	122,450	Not specified
Swiss Cooperation	200,000	Training of NEC workers and awareness raising for voter registration
Belgium	77,500	Purchase of 3 vehicles
GTZ	8,655	Training of elections agents in Gitarama province
<b>Total</b>	<b>2,778,605</b>	

*Source: République Rwandaise, Commission Electorale Nationale, mai 2001.*

<sup>22</sup> Interview with Tito Rutaremara, President of the Constitution Commission and member of the National Executive Committee of the RPF, Kigali, September 11, 2003.

The Government of Rwanda disbursed US\$2,340,000 for these elections. This means that the international assistance accounted for almost 55% of the total costs of the 2001 district elections, with the Government of Rwanda covering approx. 45% of the costs.

#### *March 2002 Elections for Cell and Sector Leaders*

The elections for the leaders of cells and sectors were organized by the NEC on March 25 and 26, 2002. The elections were direct at the cell level and indirect at the sector level. These elections received no international assistance. However, the NEC received contributions for its general budget, in particular, a donation of €818,000 from Germany.

#### *2003 Constitutional Referendum*

In May 2003, a national referendum was organized that had to provide an answer to the question, “Do you accept the draft constitution: Yes or No?” This referendum was controversial and critically reported upon by international human rights organizations. The first of these was the ICG report of November 2002.<sup>23</sup> The ICG report reviewed political developments after 1999 and denounced authoritarian control by the RPF over politics, the media, and civil society. ICG stated that the conditions for free and fair elections did not exist and urged the government to liberalize the political sphere. It recommended that the international community not support the elections financially if minimal conditions for equitable political competition could not be guaranteed.

The second report influencing the donor community was a Human Rights Watch (HRW) report issued in May 2003.<sup>24</sup> This report was published during a period of political tension due to the April 2003 report by the Inquiry Parliamentary Commission put in place in December 2002 to investigate the MDR controversy.<sup>25</sup> The HRW report presented a list of five politically-engaged individuals who had allegedly disappeared as a consequence of the campaign launched by the publication of the parliamentary report against divisionism. Finally, HRW denounced the attacks against certain associations accused either of being associated with MDR or of being “divisionist.” Like ICG, HRW recommended that the international community not fund the

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<sup>23</sup> ICG, *End of the Transition in Rwanda: A Necessary Political Liberation*. ICG Africa Report no. 23 (Nairobi / Brussels, 13 November 2002).

<sup>24</sup> HRW, *Preparing for Elections: Tightening Control in the Name of Unity*, Briefing Paper (May 2003).

<sup>25</sup> The Parliamentary Commission established in December 2003 was given the mandate of clarifying the presumed divisionist ideology within the MDR political party. Most international observers considered this initiative to be an RPF strategy to eliminate any opposition to its victory in presidential and parliamentary elections scheduled before the end of 2003. For details, see HRW, “Rwanda: RPF Seeks to Eliminate Opposition. Elections Set to Solidify Power,” News Release (8 May 2003). For further information: <<http://hrw.org/backgrounder/africa/rwanda0503bck.htm>>. The parliament’s report recommended the dissolution of MDR because of its divisive ideology. Additionally, the report accused MDR politicians who had participated in government since 1994 of not having abandoned this ideology. There are strong indications that the main accusation of the parliamentary report is valid for the following reasons: a) The MRD-Parmehutu historically has been the main developing agent of the Hutu supremacist ideology and the initiator of mass killings of Tutsi in the country b) at the end of the second democratization episode (1991-1994) the majority faction of the MDR, MDR-Power, played a major role in the genocide; c) in 2003, the MDR was still the successor to the Parmehutu movement in many people’s eyes; and d) many people within the party in 2003 failed to disguise their sympathy for Parmehutu-type ideas. See J.-P. Kimonyo, “La participation populaire au Rwanda de la Révolution au Génocide” Doctoral dissertation. (Montreal: Université du Québec à Montréal, Septembre 2003); ICG, *End of the Transition in Rwanda: A Necessary Political Liberation*. ICG Africa Report no. 23 (Nairobi / Brussels, 13 November 2002: 10); and Kay Zeric Smith, et. al., *Rwanda Democracy and Governance Assessment*. Prepared by Managements Systems International for USAID Office of Democracy and Governance (Washington DC: November 2002: 27).

forthcoming elections “if the MDR is dissolved or if ‘disappearances,’ arbitrary arrests, and prosecutions are carried out against individuals solely because of their political ideas.”<sup>26</sup>

A specialist on Rwanda, Peter Uvin, also distributed an analysis aimed at donors. His text was published just after the referendum in June 2003 and influenced a number of aid agencies.<sup>27</sup> Distancing himself from both the ICG and the HRW reports, Uvin recommended a minimal intervention that would not directly oppose government policies, except on issues of respect for the rule of law and some minimum space for civil society. Unlike the HRW report, Uvin’s recommendations did not make the dissolution of the MDR a factor for withholding financial assistance in the elections.

In the end, international aid was indeed withheld during the referendum. Initially, the Government of Rwanda was to have provided the funds for only 20% of the referendum and the presidential and legislative elections that followed; the donor community was supposed to have funded the rest.<sup>28</sup> As thing turned out, however, the government was obliged to cover 88% of the referendum costs (See Table 2.2). Donor contributions covered only 8% (through a “basket fund” managed by the UNDP) and the rest of the bill was footed by the Rwandan private sector. The organization of the elections was carried out largely on a voluntary basis by electoral commission agents. The referendum took place, therefore, in an atmosphere of deep antagonism between the Rwandan government and the international community.

<b>Donor</b>	<b>Amount received in Rwandan Franc (indicative equivalent in US\$)*</b>	<b>Activities</b>
Government of Rwanda	1.260.490.671 FRW (US\$ 2,520,000)	Salaries, fuel, material
Germany (GTZ)	15.846.400 FRW (US\$ 31,000)	Training of electoral workers, material
Italy	31.184.013 FRW (US\$ 62,000)	Electoral material
UNDP	52.263.040 FRW (US\$ 104,000)	Electoral list, voting sensitization and education
Switzerland	21.870.755 FRW (US\$ 43,000)	Travels abroad
Rwandatel SA (private mobile phone company)	15.720.000 FRW (US\$ 31,000)	Communication
OCRIR-Thé (Tea factory)	25.000.000 FRW (US\$50,000)	Fuel
Rwanda National Bank	5.000.000 FRW (US\$ 10,000)	Fuel
<b>Total</b>	<b>1.427.374.879 FRW (US\$ 2,851,000)</b>	

<sup>26</sup> HRW, *Preparing for Elections: Tightening Control in the Name of Unity*, Briefing Paper (May 2003).

<sup>27</sup> Peter Uvin, “Wake Up! Some Policy Proposals for the International Community” (June 2003).

<sup>28</sup> Rwandan News Agency, “Rwanda/Elections” (Kigali, 23 August 2003).

Source: Republic of Rwanda, National Electoral Commission, "Report on the May 26, 2003 Referendum," Kigali July 2003. \*The exchange rate used here is 500 Rwandan Francs (FRW ) per 1 US Dollar.

The referendum campaign was generally characterized by a lack of debate within the country. According to Rwandan officials, this was because the population had already been extensively consulted during the constitution drafting process. However, both the BBC and VOA broadcasted FM radio news programs six days a week in Kinyarwanda and Kirundi that provided extensive coverage of the referendum process. One example included a live debate between presidential candidate, Faustin Twagiramungu, and Tito Rutaremara, the President of the Constitutional Commission. This gave a significant portion of the Rwandan population the opportunity to be informed about what was at stake in the referendum. Generally, however, State media supported the "yes" camp, and the private media did not succeed in stimulating debate. The pressures exerted by State machinery, including the local authorities, must be taken into account here. In the end, the referendum was well-conducted on a technical level.<sup>29</sup> Eighty-nine percent of registered voters on the electoral list voted, and the "yes" camp won with 93%.

### *2003 Presidential and Legislative Elections*

The positive results of the referendum may have led certain donors to fund the rest of the electoral process, including the presidential elections in August and the legislative elections in September 2003. The influence of Peter Uvin's text was also important in this regard. His analysis highlighted some of the complexities and ambiguities of the political situation in Rwanda and recommended that donors not interfere too much in political maneuvering among Rwandans but rather take a firm stand on the observance of the rule of law.<sup>30</sup>

In the weeks prior to the presidential elections, the UNDP-managed basket fund included the following contributions: DFID: US\$ 1 million; Belgium: US\$ 550,000; Sweden: US\$ 500,000; and UNDP: US\$ 500,000. Two weeks after the presidential elections, the EU had still not honored its promise of €1.8 million. Germany's substantial contribution to the NEC's routine budget was not affected by the controversies. For its part, the Netherlands dissociated itself from the elections process. On August 11, 2003, the Dutch Minister of Foreign Affairs and Minister for Development Cooperation declared in a press conference in Kigali that the Netherlands would not disburse the remaining US\$ 250,000 promised for the electoral process because the government could not account for the disappearance of two opposition politicians. For a more detailed overview of the various donor contributions to the presidential and legislative elections, see Tables 5 and 6 below.

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<sup>29</sup> Mission d'observation électorale de l'Union européenne, *Rwanda: Référendum constitutionnel du 26 mai 2003. Rapport final* (Kigali, 2003).

<sup>30</sup> Uvin, op. cit.

<b>Table 2.3: Financial Assistance for the August 2003 Presidential Elections</b>		
<b>Donor</b>	<b>Amount received in Rwandan Francs (and equivalent in US\$)*</b>	<b>%</b>
Government of Rwanda	620.422.664 FRW (US\$ 1,240,000)	32.2
Germany (GTZ)	105.367.200 FRW (US\$ 210,000)	5.5
UNDP	268.500.000 FRW (US\$ 537,000)	13.9
Belgium	268.500.000 FRW (US\$ 537,000)	13.9
Rwandans institutions and individuals	664.561.058 FRW (US\$ 1,329,000)	34.5
<b>Total</b>	<b>1.927.350.922 FRW (US\$ 3.853.000)</b>	<b>100</b>

*Source: Republic of Rwanda, National Electoral Commission, "Report on the August 25<sup>th</sup> 2003 Presidential Elections," Kigali, 2003. \*The exchange rate used here is 500 Rwandan Francs (FRW) per 1 US Dollar*

<b>Table 2.4: Financial Assistance for the September and October 2003 Legislative Elections</b>		
<b>Donor</b>	<b>Amount received in Rwandan Francs (and equivalent in US\$)*</b>	<b>%</b>
Government of Rwanda	206.258.928 FRW (US\$ 412,000)	15.85
Rwandans	230.803.109 FRW (US\$ 461,000)	17.73
Swedish	213.330.000 FRW (US\$ 426,000)	16.39
The Netherlands	158.852.100 FRW (US\$ 317,000)	12.20
DFID	492.300.000 FRW (US\$ 984,000)	37.82
<b>Total</b>	<b>1.301.544.137 FRW (US\$ 2,603,088)</b>	<b>100</b>

*Source: Republic of Rwanda, National Electoral Commission, "Report on the September and October 2003 Legislative elections", Kigali, 2003. \*The exchange rate used here is 500 Rwandan Francs (FRW) per 1 US Dollar. This table excludes the EU contribution.*

Before the legislative elections, the NEC had a deficit of 1,107,028,321 FRW (US\$ 2,214,056). The European Union Commission had still not honored its promised contribution €1.8 million. Expecting the fulfillment of the promise, the NEC borrowed the needed funds from commercial

banks. Thus, for the referendum and the presidential and legislative elections, the Government of Rwanda covered 43% of the total costs, the international community contributed 42%, and Rwandan individuals and companies gave 15%.

Voluntary work by thousands of temporary NEC agents should also be factored into the costs. Financial contributions were not completely free of pressure, but in the end, a significant number of Rwandans mobilized to contribute to the elections. This was an unprecedented occurrence in Africa according to one senior African election observer.

### 2.3.3. *International Support for Civic and Voter Education*

Two major civic education initiatives benefited from international assistance funded by USAID (through CARE International) and by GTZ. These projects centered on the production of a civic education manual for training and capacity-building in Rwandan partner organizations. CARE collaborated with four umbrella groups: CLADHO for human rights organizations; CCOAIB for development organizations; *Profemmes/Twese Hamwe* for women's organizations; and a trade union umbrella, CESTRAR.

In addition, the NEC established a Civic Education Committee consisting of twelve ministries and two civil society umbrella organizations: *Profemmes/Twese Hamwe* and the Program for the Observation of Elections in Rwanda (POER). CARE's civic education program partners met with the NEC in March 2003 to launch the civic education manual. The initiative was not welcomed by the NEC, however. Two participating organizations wrote to the NEC to seek authorization to carry out civic education activities within the CARE framework, but neither received a response. Some organizations that had already begun training had to cease activities. Two weeks before the opening of the presidential campaign, USAID was informally notified that the election period was not an appropriate time to carry out civic education activities.

*Profemmes/Twese Hamwe* held awareness-raising activities for women and collected their opinions on the rights and duties of women and the family during the constitutional drafting process. This was done in conjunction with the Legal and Constitutional Commission with assistance from the Irish NGO, Trócaire. *Profemmes/Twese Hamwe* and the Parliamentary Women Forum collaborated with each other as well as with certain officials from the ministry in charge of women's affairs. UNIFEM provided financial support for *Profemmes/Twese Hamwe* to meet, reread the draft constitution before its validation session, and make proposals.

One proposal included early on was the Beijing Conference goal of reserving 30% of all government posts for women. This principal was rejected during a larger meeting on the restitution and validation of the draft constitution, but since the draft constitution had to passed again before the cabinet meeting, influential women successfully lobbied for the reintroduction of the 30% clause.

During the referendum campaign, *Profemmes* produced advertisements inviting women to vote "Yes." For the legislative elections, *Profemmes* collaborated with Norwegian People's Aid (NPA) on a "Women Can Do It" project that encouraged women to become candidates in the legislative elections.

Except for civic education targeting women, there were no overall civic education activities for the elections. The NEC did provide an important sensitization and education program for voters. However, this program focused strictly on the voting procedures rather than on the democratic values and standards of elections. Hindrances put on initiatives for broader civic and

voter education indicates the reluctance of State authorities to allow civil society organizations to mobilize the population for the vote during this politically sensitive period.

#### 2.3.4. International Election Monitoring

##### *Monitoring of the March 2001 District Elections*

In addition to providing financial support, donors have supported the election process in Rwanda by monitoring the polls and assessing the political situation. As the following table shows, the district elections were observed by only a limited number of international monitors.<sup>31</sup>

<b>Type of Observers</b>	<b>Number</b>
Representatives of the Forum of Political Parties in Rwanda	23
Representatives of the civil society (POER, AMUR, the Bar)	104
Representatives of countries, international organizations and international NGOs	78
Private persons	1
<b>TOTAL</b>	<b>206</b>

*Source: Republique Rwandaise, Commission Electorale Nationale, mai 2001*

The district elections received no special joint international observation mission. The international contingent was mostly made up of individual staff from embassies and international organizations in Rwanda who participated on a volunteer basis. A UNDP consultant trained the participants, organized the observation, and analyzed the results. Observers remained in the field for only two or three days and covered just 15% of the polling stations. The observation mission concluded that the elections were well organized and that the NEC had demonstrated its capacity. At the same time, it noted that the possibility of manipulation could be of concern in the upcoming presidential and legislative elections where the stakes would be higher.<sup>32</sup> Two international NGOs, ICG and Electoral Reform International Services (ERIS) produced independent reports after the district elections. The ERIS report, commissioned by DFID, included both technical and political issues.<sup>33</sup> Regarding technical matters ERIS recommended:

- Early distribution of legislative texts on elections;
- Significant modifications in the laws regulating electoral campaigns;
- A program of technical assistance to increase the NEC's capacity;
- Sufficient time to permit the NEC to finish its pre-electoral preparations, including the updating of the computerized list of voters.

<sup>31</sup> Countries and organizations that provided observers include, the United States (14), Belgium (6), CARE (5), GTZ (3), Africare (3), United Kingdom (2), Russia (2), Canada (2), Netherlands (2), Sweden (2), South Africa (2), European Union (1) and Tanzania (1).

<sup>32</sup> Le consultant-coordonateur de l'observation électorale internationale, *Rapport préliminaire de l'observation des élections des autorités aux échelons de base au Rwanda* (Kigali, March 2001).

<sup>33</sup> ERIS, *Rwanda, Post District Impact Study 2001* (Kigali, 23 September 2001).

The ERIS report also recommended a civic education program. A particular merit of the study is that it asked Rwandan citizens their views on how the district elections were conducted. Unfortunately, ERIS collected its data using focus groups, a technique that may result in a distorted picture because many Rwandans are not as likely to be candid in groups. Thus, the study gave a possibly misleading impression that Rwandans were almost unanimous in saying that the elections had been well-conducted and that they constituted a good basis for future elections.

The ICG evaluation was more political and critical. It denounced the RPF's "consensus democracy" as a form of authoritarian control. According to the ICG:

'...the March elections were far from being free even though they were fair in terms of the ballots cast. The people of Rwanda had little to do with the choice of district mayors or of the Mayor of Kigali, contrary to what the Government claims, but in most sectors, they did freely choose their representatives within the tight framework set by the Electoral Commission. A new generation of "wise men," fitting the RPF definition of good leadership, had the opportunity to come forward and contest for a limited mandate.'

'...Were these elections meaningful in terms of democratization? They were politically meaningful for the RPF regime as an element of its political strategy, but the tight political control applied to the entire process undermined its democratic potential. In the end, the elections allowed little meaningful expression of views, even at the local level, outside the proscribed framework of national unity and reconciliation. Their result was "virtual," an image of near perfection rather than a reflection of the diverse social reality of Rwanda.'

Two qualifications should be made to this assessment. First, comparative studies on democracy in deeply divided societies teach that the model of "consensus democracy" has allowed many such societies to reach a level of sufficient social and political stability to enable them to subsequently adopt more competitive democratic norms. This, however, does not mean that the Rwandan model features all main principles of a classic consensus democracy, especially the level of freedom of choice of principal political partners.<sup>34</sup> Secondly, members of the political elite and of the human rights organizations who constituted the most important sources for the ICG report were themselves often more partisan and critical than the population at large. At the same time, the popular preoccupation with stability and security often highlighted in other studies is nowhere to be found in this report.

#### *Monitoring of the May 2003 Constitutional Referendum*

The only international report on the referendum came from the European Union. It noted the importance of the Constitution's emphasis on promoting national unity among Rwandans and of the de-politicization of ethnic divisions. The report expressed concern, however, that the constitutional restrictions on political activity that were designed to prevent the resurgence of ethnic radicalism could also serve to limit fundamental freedoms. In particular, the report expressed concern at the recommendation to dissolve the MDR party.

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<sup>34</sup> Arend Lijphart, *Democracy in Plural Societies: a Comparative Exploration* (New Haven and London: Yale University Press, 1977).

Regarding the referendum itself, the European Union mission noted that the NEC had organized the referendum efficiently. Some difficulties and shortcomings were noted in how electoral lists were drawn up and in the absence of transparency during vote-counting. One key conclusion of the report is worth quoting in full:

‘If the new Constitution enables the establishment of durable democratic institutions, it is essential, in light of the presidential and legislative elections, that secondary legislation, especially the law on political parties and the electoral law, as well as their implementation, be able to provide the basis for electoral competition in accordance with internationally recognized norms.’<sup>35</sup>

Overall, the organization of the referendum was positively judged by the observers. The 89% participation rate and the 93% “yes” vote certainly impressed them. The generally satisfactory conduct of the referendum helped alleviate the crisis of confidence created between the government and many donors by the *de facto* dissolution of the MDR and the subsequent campaign of repression. It also enabled the donor community to give Rwanda the benefit of the doubt as it moved toward the presidential and legislative elections.

#### *Monitoring of the August 2003 Presidential Elections*

In August 2003, Rwanda held its first presidential election since the 1994 genocide. This was also the first multi-party election in Rwanda since independence in 1962. The candidates included incumbent President Paul Kagame, former Prime Minister Faustin Twagiramungu, who had recently returned from exile in Belgium, and a third independent candidate without much political caliber, Jean-Népomuscène Nayinzira. Paul Kagame won with 95.05% of votes, while Faustin Twagiramungu took 3.62%, and Jean-Népomuscène Nayinzira received 1.33% of the votes.

The main international monitoring missions included:

- European Union with 58 observers;
- European Parliament with 4 observers;
- African Union with 12 observers;
- Amani Forum of the Great Lakes Parliamentary Forum for Peace with 12 observers;
- Parliamentarians, officers, and members of South African civil society with 16 observers;
- Burundian parliamentarians with 7 observers;
- International Foundation for Election Systems (IFES) with 14 observers financed by USAID.

The preliminary reports of these missions can be divided into two categories according to their level of criticism. The most critical were the European Union Observation Mission (EUOM) and the European Parliamentary Mission. The EUOM denounced the climate of harassment during the pre-election period, including arrests of Faustin Twagiramungu’s collaborators and

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<sup>35</sup> Mission d’observation électorale de l’Union européenne, Rwanda Referendum constitutionnel du 26 mai 2003, Rapport final (Kigale, 2003), p.4.

the unexplained disappearances of opposition politicians which may have hindered Faustin Twagiramungu from mounting an effective campaign. The EUOM wrote:

‘...the accusation of “divisionism” has become a much deployed political argument, particularly against Twagiramungu. There was a constant risk of legal prosecution hanging over at least one candidate.’<sup>36</sup>

Moreover, the EUOM recorded that the requirement to provide equal airtime on State-owned media was respected. During the evening news broadcasts, however, President Kagame received a much more favorable and extensive coverage. It was also concluded that the actual voting was conducted in an orderly fashion. However, some irregularities were observed, notably the ubiquitous presence of RPF representatives at polling stations—representatives from other parties were normally absent—and a lack of transparency in the ballot counting procedures. Finally, Colette Flesch, the leader of the European Union Observation Mission, held a press conference on August 27, 2003, during which she stated that the presidential election represented a step forward for Rwandan democracy. This conclusion did not appear in her preliminary report. The EUOM’s reporting received wide press coverage in international media because of the mission’s high political profile.

The report by the European parliamentarians does not differ significantly from the EUOM report, though it has the merit of being more concrete in its documentation of irregularities and placing the election in the broader post-genocide context. This report also expressed doubts about whether non-RPF candidates would be able to compete fairly in the legislative elections.

Although the report by IFES was mainly a technical assessment, it did comment on the partisan behaviour of some NEC agents who openly campaigned for Paul Kagame. IFES pointed out that it was not clear what happened between the closing of polling stations at 3pm and the start of the official counting at 4pm. IFES also reported that some ballots were declared invalid because ink marks were made outside the space (even though the voter’s intention was clearly discernible). Another complaint was that the tally for each candidate was made on separate sheets of paper, so only the head of the polling station had access to the consolidated results. IFES recommended that the results of each polling station be compiled on the same sheet of paper in the future. Other information should also be reported including the number of registered voters, the number of people holding voter cards for that polling station who do not appear on the list of registered voters, the number of paper ballots provided to the polling station, and the number of unused ballots. The official tally should have been counter-signed by each candidate’s observers and brought directly to the district consolidation center.

IFES also stressed the almost exclusive presence of RPF representatives at the polling stations. These representatives were sometimes numerous and, in some cases, they actually took over the running of the polling stations. Finally, IFES noted that local observers were almost exclusively from one federation of organizations—POER. IFES recommended that other federations of civil society organizations be involved in future election monitoring and that the accreditation procedures for local observers be simplified.

The remaining mission reports are more affirmative in their evaluation of the presidential elections. The South African and Burundian missions issued unqualified positive assessments.<sup>37</sup>

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<sup>36</sup> Mission d’observation électorale de l’Union européenne, *Elections présidentielles Rwanda 2003, Déclaration préliminaire* (Kigali, 27 August 2003).

The African Union mission was impressed by the NEC's professionalism, voters' discipline, and the absence of coercion by security forces or party representatives. However, the African Union mission regretted a number of limitations, stating that "the absence of opposition party representatives in polling stations was detrimental to transparency, especially during the counting of votes." They also deplored the lack of seals and serialization of ballot boxes and the number of unused ballot papers, and they emphasized the need to have completely private voting booths.<sup>38</sup>

The report of the Amani Forum, made up of parliamentarians from Tanzania, Zambia, Kenya, Rwanda, Burundi, and Uganda, referred to weaknesses that had already been pointed out by the media and opposition candidates without detailing what those weaknesses were. The Amani Forum report concludes that through this presidential election, the Rwandan people had voiced their will to live in peace and continue to work for national development. In addition, it added that President Kagame had established a precedent that might serve as a model for other countries in the Great Lakes region. They wrote that:

'it is clear that the people of Rwanda have voted for reconciliation, democratic development, and sustainable peace. The Rwandan people have, therefore, validated the legitimacy of President Kagame.'<sup>39</sup>

In conclusion, these reports show that the NEC has clearly mastered the technical aspects of running elections. Some technical problems were noted throughout the various elections, but overall, they appear to be minor issues. The NEC was subject to significant criticism concerning more political dimensions such as impartiality and transparency of operations (particularly the consolidation of vote counting results). This contributed to make observers questioning, not Paul Kagame's victory, but the margin in his winning 95.05% of the vote. In addition, other critics have pointed out the unfair treatment of Faustin Twagiramungu by the NEC and the police during the pre-election period, as a result of which he has allegedly been prevented from mounting an effective campaign.

## 2.4. Impact Assessment of Electoral Assistance

### 2.4.1 The National Electoral Commission (NEC)

With regard to implementation of the NEC mandate, namely the organization of elections, one must make a distinction between the 2001 district elections and the 2003-election cycle. International aid covered more than half of the overall costs for the first elections, and this first post-genocide electoral experience generally appears to have been carried out relatively well. There was a large replacement rate of Burgomasters to be elected, but the process was highly controlled. By contrast, international assistance played a minor role in the national referendum

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<sup>37</sup> South African Observer Mission to the 2003 Presidential Elections in Rwanda, *Media Release* (Kigali, August 2003); and Mission d'observatoire de parlementaires du Burundi, "Rapport d'observation des élections présidentielles tenues au Rwanda le 25 août 2003" (Kigali, 2003).

<sup>38</sup> African Union, *Statement by the African Union Observer/Monitoring Team on the August 25 2003 Presidential Election in Rwanda* (Kigali, 26 August 2003).

<sup>39</sup> Amani Forum, *Press release: Rwanda 2003 Presidential elections* (Kigali, 26 August 2003).

and the presidential elections, contributing only around 20% for the presidential elections and not at all to the Referendum.

In general, direct international assistance has played a relatively important role in building NEC capacity. Much of this assistance had already begun flowing from the international community to the Government of Rwanda before the April-June 2003 crisis. Contributions to NEC technical capacity building appear to have been successful given the positive appraisal of its technical performance in the national referendum and the presidential elections (see also Annex 3). NEC weaknesses, also highlighted in the many reports, seem related more to political issues than to technical shortcomings.

It is important to highlight that election funding was plagued by delays and unkept promises that resulted in planning and organizational constraints. However, disbursements of donor funds after the referendum allowed for the elimination of some arrears, and the difficult financial context did not prevent the NEC from running both the referendum and the presidential and legislative elections efficiently.

#### *2.4.2. Election Monitoring Organizations*

##### *Election Monitoring Program in Rwanda (POER)*

The diversity of organizations represented by POER allowed it to be representative of Rwandan civil society groups. This inclusiveness, however, made it difficult to establish a common framework for carrying out its mandate. POER also had to tread a fine line between robust observation and critical analysis of the elections in a politically constrained environment.

For the district elections of 2001, POER produced a detailed monitoring manual for its observers and a monitoring report at the conclusion of the election. In July 2002, POER produced a Triennial Strategic Plan. The manual, the report, and the strategic plan were all produced thanks to the technical support of external consultants from the Irish NGO, Trócaire. The district election report seems to have been appreciated by the government as well as the donor community. The monitoring manual and the triennial plan are also of high quality. The other essential activity of the organization has been fundraising so that it can continue its work. POER relies almost entirely on donor community funding. In 2001 and 2002, POER received approximately \$100,000 from Trócaire, DFID, the Netherlands Embassy, and the Belgian organization 11.11.11.<sup>40</sup> A large part of this funding was allocated to monitoring activities related to the district elections. During the national referendum, POER performed its monitoring tasks unaided by external donors. It relied on in-kind contributions from member organizations. Initially, POER funding was provided directly by individual donors. In 2003, however, the donors decided to route POER's funding through the UNDP basket-fund, which delayed disbursements. For a more detailed analysis of the debate surrounding this controversial process opposing two local CSOs, POER and LIPRODHOR, see Annex 4.

In conclusion, the impact of international assistance on the organizational and institutional development of POER was rather limited. The organization has not been able to fortify its structures. Moreover, its main output, electoral observation reports, are generally weak and conceal as much as they reveal on what happened during observed elections. The amounts received by POER were relatively modest and earmarked for specific projects in connection

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<sup>40</sup> 11.11.11 was the only organization that provided supporting funds for POER's logistical and organizational costs. This contribution was provided to manage the crisis that arose when some donors reconsidered their promise to fund the constitutional referendum.

with the elections. Until the end of the 2003 presidential elections, the organization had not received any promised contribution from the UNDP-managed basket fund, either for the referendum or for the presidential election observation. The organization's inexperience, together with its cumbersome organizational structure and lingering doubts about the ability of Rwandan civil society organizations to conduct an independent electoral observation mission, certainly contributed to this state of affairs.

## 2.5. Impact of International Assistance on the Electoral Sector

In order to measure the impact of international assistance on the electoral process, several levels must be distinguished. In general, donor assistance has the potential to play a large role in Rwandan politics, since more than 70% of Rwanda's annual government development budget is covered by the international community. This dependence is unlikely to diminish significantly in the near future, despite improvements in tax collection. The preservation of international aid is thus of vital national interest to the Rwandan government, and this will certainly influence political decisions, including the manner in which elections are carried out.

Electoral assistance certainly contributed to the successful establishment of the NEC and helped to improve its logistical capacity to manage the technical aspects of the election. Aid's impact on the political process, however, seems to have been less effective. If the political impact of electoral assistance were to be measured in terms of donors' ability to shape the Rwandan political process according to their own views, then its impact was rather small. Indeed, the electoral program and the design of the electoral process were essentially determined by Rwandan actors. On several points, this political program did not receive the approval of the donor community. It is therefore fair to conclude that aid has an impact on the development of democratic practices in Rwanda only in as much as it meshes with the government's vision of democratization, which includes carefully controlled elections.

The limited impact of international electoral assistance was exacerbated by differences of opinions and hesitations among donors. In the wake of the *de facto* dissolution of the MDR and the allegations of disappearances of opposition politicians, most donors withheld their financial contributions for the referendum. The main financial contributor, the EU, did pose a number of political conditions. But the EU position was itself the product of compromise between member-states that did not share the same assessment of the political situation. As a result, some donors favored "constructive engagement" while others took a more critical stance. "Conditions" were only vaguely worded benchmarks or indicators with no clear mechanism for ascertaining when they were fulfilled.

Just as donor countries have various different attitudes about the political situation in Rwanda, so do the personnel within any particular donor agency. The more junior political desk officers of international agencies based in Kigali tend to be more critical, for instance, than the senior staff. Likewise, in some countries certain groups of parliamentarians take a harder line than their own government. In many cases, such divergences of opinion are a result of different understandings of the complex history and politics of Rwanda. This makes it difficult for initiatives to be formulated in light of Rwanda's unique history of conflict—which may require lowering one's expectations of what is actually possible.

Different assessments and views were also reflected in the reports of the various election monitoring missions, as has been shown in earlier sections. The most critical reports are those that failed to take context and history into account. This is not surprising, since in an ideal

world, the Rwandan elections would have been free from the numerous flaws that were observed. This does not necessarily invalidate the results of any mission, but helps us to understand why different observers had such radically different reactions to what they saw. Most African delegations saw a formerly war-torn country taking its first, almost miraculous, steps on the road to normal politics. Most European observers saw a weak opposition candidate, Faustin Twagiramungu, being steamrolled by a powerful ruling party.<sup>41</sup>

This is may be why the European reports did not investigate the allegations of divisionism leveled against Twagiramungu, whom the NEC and the Commission for Unity and Reconciliation accused of appealing to Hutu ethnicity to campaign for votes. It is, perhaps, understandable that European observers were reluctant to render a verdict on such a serious accusation. However, in light of Rwanda's political culture and history of genocide, divisionism has the potential to be a very serious issue. Nine years after the genocide; five years after the end of the insurgency in the north (carried out by armed organizations using genocidal methods and still operating in the Eastern Congo and dedicated to a Hutu supremacist political agenda); and after decades of State propaganda for violent ethnic sectarianism, it is understandable to suspect that this radical sectarian ideology has not disappeared.<sup>42</sup> Thus, the main weakness of the EUOM was that it neglected to consider this central topic (though the EU Parliamentarians did mention it). Neither African observer mission mentioned the division issue explicitly, but by referring to the context of the conflict, they took its essence into consideration.

A few days after the legislative elections on October 2, 2003, the Belgian Minister of Foreign Affairs, Louis Michel, underlined the importance of taking the political context into account when evaluating Rwanda's elections. He stated:

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<sup>41</sup> A short detour into theory may be enlightening to understand fears of a part of the population during the presidential electoral campaign and perceived danger where outside observers didn't. A classic conflict study echoing Rwandan experience teaches us that mobilization for political violence can be subtle and still have a powerful effect, especially when it recalls past experience: "Experimental studies indicate that discontented people tend to give selective attention to aggressive messages, which suggests that even if the aggressive content of communication is small it can reach potential audience".[...] "Invocation of a tradition of violence by a spokesman can, by recalling past collective action, set men to violence." Source: Ted R. Gurr, *Why Men rebel*, Princeton, Princeton University Press, 1970, p. 224 and 226.

<sup>42</sup> The little evidence available suggests that in some of his public speeches and in one leaflet Faustin Twagiramungu alluded to the ethnic question in Kinyarwanda. More evident were the actions by a group of people who took to themselves the task of promoting Twagiramungu's candidacy on a clear ethnic basis combined with promises of releasing genocide prisoners and reversing government policies like the constrained sharing of land in certain regions in case of victory. Also worth mentioning is the involvement in the presidential campaign of sympathisers of Palipehutu Forces Nationales de Liberation (FNL), the Burundian Hutu supremacist armed movement which promoted Hutu solidarity in Butare province near the border with Burundi. This information was confirmed by different sources in Butare even before the Executive Secretary of the Unity and Reconciliation Commission made it public on radio and television towards the end of the campaign. The level of sectarianism and aggressiveness of this clandestine campaign are not confirmed. However, it is not clear whether more space for expression and action for the official Twagiramungu campaign would have averted these clandestine actions or changed their nature. The URC compiled some of this information in an unpublished elections monitoring report in Kinyarwanda: *Komosiyo Y'Ubumwe n'ubwiyunge, Raporo Iyamamaza N'Itora rwu Mukuru W'Igihugu*. Kigali, Nzeri 2003 (Unity and Reconciliation Commission, Rapport the Presidential Elections, Kigali, September 2003). Human Rights Watch (HRW), for its part, suggests that the atmosphere of fear has been orchestrated by the RPF. Failing to recognize that the RPF campaign message prominently mentioned the importance of national unity, HRW reported: "Victorious militarily in 1994, the ruling Rwandan Patriotic Front (RPF) also won elections ending a transition period in 2003, bolstering its margin of victory by fraud, arrests, intimidation, and appeals to ethnic fears and loyalties." HRW, *World Report 2004* (New York, January 2004).

‘I find that a certain number of people made overly hasty judgments on the fairness of the election. I am not persuaded that all the people who expressed judgments knew the precise context, what precisely was at stake in these elections.’<sup>43</sup>

Although the direct impact of international electoral assistance on the real democratization of the country may have been limited, the elections themselves reflected two important achievements. First, through the 2003 elections, Rwandan citizens and observers have been able to evaluate how much progress has been made in political reconciliation. Significant progress has been made in social reconciliation, but the tensions and fears that surfaced—from all sectors of the population— during the presidential electoral campaign demonstrate that political reconciliation—that would allow real, competitive, and peaceful elections in Rwanda—is still a distant goal. Second, these elections should be viewed more as a starting point than an end point. It is possible that their most important contribution to the democratization process of the country is that, politically and psychologically, they have marked an end to the post-genocide political transition. They seem to have set in motion new political expectations, constructive or destructive, that would not be reversed either for very long or without costs.

## **2.6. Strengths and Weaknesses of International Electoral Assistance**

The main strength of the electoral assistance was that it existed. It would have been even more difficult for Rwanda to carry out elections in 2001-03 without foreign aid. However, this should not obscure the fact that the thinking behind the elections and a substantial amount of the financing came from Rwandans themselves.

Despite indications above that divisions within the donor community limited the potential impact of aid, this plurality of opinion may also (paradoxically) have had some merit. The election issue in the post-genocide Rwanda is a complex one, conducive to highly diverging, yet not necessarily mutually exclusive, viewpoints. This divergence of points of view also exists within the donor community, and it produced a serious debate on the complexity of the post-genocide elections that minimized the risk that these powerful actors might take drastic decisions lightly.

The main weakness was the constant hemming-and-hawing among donors about how much would be given, when, for what, and via which disbursement mechanisms. On occasion, certain donors even radically changed their positions. This did not so much have an impact on the organization of the elections as it did on domestic NGOs who, as a result, were unable to plan ahead. This uncertainty reflects the hesitation within the donor community in coming to some sort of consensus about the political situation in Rwanda. As post-election aid to Rwanda will certainly become more and more conditioned on concrete progress in democratization, this will increase the sensitivity of political management in Rwanda. The key question here is how to integrate the unavoidable political constraints of the post-genocide context in Rwanda with the imperative of democratization.

Finally, there is a certain opacity regarding the actual donors’ objectives for democratization of the country. Some donors have a vision that is based on citizenship and

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<sup>43</sup> Agence France Presse, *Rwanda-élections: la Belgique désavoue les observateurs de l'UE*, AFP News Bulletin (Kigali, 9 October 2003).

individual rights, while others tend to hold a more “communitarian” or ethnic viewpoint.<sup>44</sup> Among those championing the citizenship and individual rights approach, some support the government’s project of transcending politicized ethnic divisions through some form of conscious “social engineering” for the sake of stability, and others give priority to civil and political rights over stability and unity as conceived by the Rwandan government. Donors and analysts who hold communitarian views usually do not declare their views openly. This lack of transparency in the latter’s objectives and thus, the absence of clarity in the positioning of different donors, partially explains the deep feeling of distrust between Rwandan decision-makers and the donor community on the issue of democratization.

## 2.7. Recommendations

### 2.7.1. To the Government of Rwanda

- The government should open up the political sphere by allowing more room for the actions and expressions of political parties and independent media and researchers. Psychologically and politically, the official end of the transition period marks a transition from the special period following the genocide to a more normal political situation in Rwanda;
- The government should make the discourse on national unity and reconciliation more authentic and participatory. The tensions created by political mobilization itself and the accusations of political mobilization along ethnic lines during the presidential campaign have shown that this remains a priority. More straightforward scientific surveys should be conducted to measure Rwandans’ attitudes on these sensitive issues more accurately;
- The government should develop and encourage unbiased and non-partisan civic education programs for children and young people;
- Parliament should formulate a legal definition of “divisionism”. The law on discrimination and sectarianism should also be given more precise legal boundaries in order to enhance its relevance for a reassuring and democratic society;
- The government should encourage programs to reinforce the capacities of political parties in terms of leadership skills and political agenda development. More competent political parties that address the population’s concerns would reduce the temptation to manipulate primordial loyalties—such as ethnicity or region—as a tool for political mobilization.

### 2.7.2. To the Donor Community

- The donor community should take the social and political frailties of Rwanda into account in assessing its democratization program;

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<sup>44</sup> A diplomat explained during an interview that the objective of democratization in Rwanda was to modify the ethnic basis for power. For example, when Hutu peasants of Ruhengeri province were asked about their perception of power in Rwanda, “whether wrong or right” they answered “ni ingoma y’abatutsi” (it is the regime of the Tutsi). According to this diplomat, the objective of democracy should be to change such a situation.

- Donors should increase staff capacity to analyze the Rwandan political climate. One way of doing this is by hiring or taking into account more local and diverse Rwandan expertise;
- The donor community should apply the same standards of critical evaluation to each of the various Rwandan political and civil society actors;
- The donor community should encourage political pluralism within local NGOs;
- Donors should support non-partisan and transparent civic education programs with governmental institutions (agencies) and local NGOs;
- The donor community should support programs to increase the political and social analysis capacity and professionalism of both governmental and private media;
- Donors should support the National Unity and Reconciliation Commission for a possible reinforcement of its activities;
- The donor community should support joint programs of political party training, focusing on capacity, management, leadership, and message development.

## III. Human Rights Assistance

### 3.1. Introduction

International assistance can play a vital role in supporting human rights and re-establishing the rule of law in post-genocide Rwanda. This chapter considers the importance and impact of international assistance on human rights from historical and current perspectives. The context section provides an overview of the situation immediately before and during the conflict, which began with the October 1990 war and culminated in the April 1994 genocide. The third part of this chapter explores the nature and importance of international assistance allocated to the promotion and protection of human rights in Rwanda after the 1994 genocide. This section highlights the main beneficiaries, primary achievements, and key donors. The fourth part assesses the overall impact of international assistance on strengthening beneficiary organizations and improving the human rights situation in general. This is followed by an assessment of the strengths and weaknesses of international human rights assistance to post-genocide Rwanda. The final part presents conclusions, perspectives, and lessons learned. It also offers recommendations to key actors involved in the human rights field.

### 3.2. Human Rights Context

This section aims to shed light on the role of human rights organizations and the international community in the context of Rwanda's conflict and to work towards an accurate assessment of their respective contributions in terms of re-establishing post-conflict rule of law.

For this purpose it is important to recall the main human rights issues related to the history of the country, from the colonial period (1885-1962), to the "Hutu Republics" (1962-1973 with Kayibanda and 1973-1994 with Habyarimana), to the attempted opening of democratic spaces (1991-1994) and, finally, the genocide (1994). As such issues have been addressed in Chapter 1, three main points will be highlighted that still have a determinative impact on the current human rights situation. These include: ethnic and impunity-based exclusion, the background of massive human rights abuses, and the emergence of a human rights civil society movement.

#### 3.2.1. Ethnic and Impunity-based Political Exclusion

As indicated in Chapter 1, colonization created new divisions in Rwandan society and sharpened existing ones as it dislocated the very social, cultural, and political foundations of the country.<sup>45</sup> According to a number of analysts,<sup>46</sup> colonization introduced two new elements into Rwanda: ethnic-based identity and exclusion. Ethnic identity cards, disbursed by the Belgians, became a tool for identification and exclusion (the exclusion of Hutu before 1960 and the

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<sup>45</sup> It must be noted that colonization only exploited existing social inequalities, but is not their creator, as some opinions tend to imply.

<sup>46</sup> Antoine Mugesera, "Échecs et réussites des partis politiques rwandais: 1959-1962," *Cahiers Lumière et Société*, no. 14 (June 1999: 83).

exclusion of Tutsi between 1960-1994). During this period, successive regimes completely marginalized the Batwa minority (1%), subjecting their people to a life of abject misery.<sup>47</sup>

### 3.2.2 Background of Human Rights Violations

In Rwanda, as elsewhere in Africa, the fall of the Berlin Wall announced the end of monolithic regimes based on a one-party system. Three important elements mark this period: the October War, the attempted opening of political space, and the 1994 genocide. The following highlights some of the aspects that have influenced the human rights situation and continue to bring consequences today.

While acknowledging the massive human rights violations and genocide committed by the former regimes and their forces, one also needs to recognize that during the extended war period (October 1990- August 2003), both the government Army at the time and the RPF forces committed several war crimes and human rights violations that have never been addressed by any justice system.<sup>48</sup>

The MRND regime at the time used ethnicization as a political tool by reducing the conflict to historic categories of Hutu versus Tutsi and explaining it in terms of a battle between republicans and monarchists. Thus, the October War has been described as “an attempt to reverse ethnic hegemony by the Tutsi” and as “an anti-revolution” according to James Gasana.<sup>49</sup> “Anti-revolution,” Gasana explains, “because it is a break between, on the one hand, a part of the population comprising the Tutsi refugees abroad and the Tutsi that remained in Rwanda—who would become the basis for future RPF recruitment and for its political activity—and, on the other hand, a part of the remaining Hutu population attached to the defense of the outcomes of the Revolution.” This thesis was further developed and spread by the Genocide media,<sup>50</sup> the CDR<sup>51</sup>, as well as all Hutu power sides that participated in the 1994 ‘interim government’.

A climate of terror added to the ethnicization of the conflict, as recorded by the International Investigation Commission led by Human Rights Watch, the International Center for Rights and Democratic Development (CIDPDD), and the UIDH.<sup>52</sup>

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<sup>47</sup> Indeed, marginalisation of the Batwa dates far into the past. During the pre-colonial period, the Batwa’s chronic lack of hygiene ensured Hutu and Tutsi contempt. During the colonial period, the Batwa held little political power before the 1920s and 1930s. In addition, reforms were also been withheld from them. Given reorganization in favour of the Batutsi, the Batwa have benefited little from the services of modernism. They have been only slightly touched by evangelization and instruction due to their refractory spirit.

<sup>48</sup> The situation then has been equally reported inter alia by HRW, *Rwanda: Talking Peace and Waging War. Human Rights Since the October 1990 Invasion* (New York, 1992).

<sup>49</sup> James Gasana, “La guerre, la paix et la démocratie au Rwanda” in A. Guichaoua (editor), *Les crises politiques au Burundi et au Rwanda (1993-1994)*. (Paris/Lille: Karthala/Université des sciences et technologies de Lille, 1995).

<sup>50</sup> For more detail, see Jean Pierre Chrétien, “Presse Libre et propagande raciste au Rwanda. Kangura et les 10 commandements du Hutu,” *Politique Africaine*, no. 42 (June 1991: 109-120).

<sup>51</sup> The CDR is a Hutu extremist party said “to be committed to defend Hutu revolution and republican heritage”.

<sup>52</sup> Africa Watch, CIDPDD / ICHRDD, FIDH, UIDH, *Rapport de la commission internationale d’enquête sur les violations des droits de l’homme commises au Rwanda depuis le 1<sup>er</sup> octobre 1990* (Montreal / Paris / Brussels, March 1993).

### 3.2.3. *The Role of the Human Rights Civil Society Movement*

“And where was civil society?”<sup>53</sup> One is led to wonder why the civil society movement, in its counterbalancing role, did not apparently know what was happening or manage to use its influence during the course of events. The answer lies in the background of these NGOs, their identity, and their scope of action and role in the 1990s Rwanda. A number of observers, such as Peter Uvin,<sup>54</sup> assert that: before 1990, Rwanda had an extremely high civil society density.” The main weakness was that “all groups or NGOs were allowed to flourish, provided they were willing to program and coordinate... development actions... within the framework of national development priorities and abstain from politics.”<sup>55</sup> At the end of the day, by pretending to be apolitical and “by more or less voluntarily restricting their domain of activity, NGOs did not become vectors for challenging the multiple exclusions in Rwandan society.”<sup>56</sup>

As protest movements emerged during the 1990s, however, the political and human rights dimensions began to have a serious role in the actions of existing or nascent civil society organizations. Human rights organizations began to emerge, including: the Rwandan Association for the Defense of Human Rights (ARDHO) in 1990; the Rwandan League for the Promotion and Defense of Human Rights (LIPRODHOR) and the Rwandan Association for Human Rights and Public Liberties (ADL) in 1991; followed by the Association of Peace Volunteers (AVP) and Kanyarwanda; and, finally, umbrella networks including the Rwandan Collective of Leagues and Associations for the Defense of Human Rights (CLADHO) and the League for Human Rights in the Great Lakes Region (LDGL). These organizations played a key role in counterbalancing the government and informing the national and international communities about the massive human rights violations that were being committed in the countryside.<sup>57</sup> Unfortunately, the young human rights movement failed to make its voice heard, either by the warring parties or by the international community.

It is important to remember also that other partisan “human rights” organizations were being encouraged and sometimes financially supported by friends of the regime. These include the Independent League for the Defense of Public Liberties (LIDEL), the Rwandan Association for the Defense of the Rights of War Victims (ARDEVI-Tabara), the Rwandan Students League (LIDER), Misericordia, and others, established in order to rehabilitate the image of the regime and protect it from the impact of the local and international human rights movement.<sup>58</sup>

The context of the 1994 genocide, then, is one of an ethnicized conflict and massive and impunity-based human rights abuses within a divided civil society. In the aftermath, international assistance has had to play a role in supporting human rights initiatives.

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<sup>53</sup> Peter Uvin, *Aiding Violence: The Development Enterprise in Rwanda* (West Hartford: Kumarian Press, 1998).

<sup>54</sup> *Ibid.*: 166.

<sup>55</sup> *Ibid.*

<sup>56</sup> *Ibid.*: 177.

<sup>57</sup> For example, in a letter dated November 28, 1992, CLADHO and its members (ADL, AVP, ARDHO, LICHREDHOR) urged the UN Secretary General to exercise pressure on President Habyarimana to cease support for the partisan and extremist Interahamwe and Abahuzamugambi militias. The same letter also denounced President Habyarimana’s speech against the Arusha peace process delivered openly on November 15, 1992, as well as ethnicity-based speeches such as the one delivered by Léon Mugesera in Gisenyi on November 22, 1992, inciting Hutu to kill Tutsi. For further details, see the integral text in ADL, *Rapport sur les droits de l’homme au Rwanda. Septembre 1991 – Septembre 1992* (Kigali, 1992: 157-158).

<sup>58</sup> HRW, *Rwanda: Talking Peace and Waging War: Human Rights since the October 1990 Invasion* (New York, 1992).

### **3.3. The Nature and Importance of International Assistance for Human Rights**

Shortly after the genocide, the young RPF regime inherited a wholly destroyed country. International assistance was necessary to re-establish the State machinery and begin to restore all aspects of national life.

At this time, three levels of emergency international assistance emerged: assistance to international missions, support to the State and its institutions, and assistance to NGOs. This report examines international assistance to human rights in the following categories: support for international observation missions; for tribunals and courts; for legal and institutional reform, for law enforcement agencies; and for human rights organizations. It identifies the primary donors for these various institutions and gives a general overview of the significant contributions.

#### *3.3.1. International Human Rights Observation*

Generous international assistance went to various organizations and institutions immediately before and after the 1994 genocide. The primary mission of these groups was to record human rights violations and guarantee respect for the principles and agreements signed onto by the combatant parties. The organizations include the Neutral Military Observers Group (GOMN), the UN Observation Mission in Uganda and Rwanda (MONUOR), United Nations Assistance Mission to Rwanda (UNAMIR), Human Rights Field Operation in Rwanda (UNHRFOR), and the Office of the Special Representative of the High Commission for Human Rights (HCHR).

GOMN was created in 1992 with 50 troops and increased to 120 troops in August 1993. Its mandate was to ensure compliance with the cease-fire between the then Rwandan government and the RPF rebellion movement. When it failed to do this, the Security Council created MONUOR to monitor the weapons being supplied to the RPF from Uganda. Finally, after the signing of the Arusha Peace Accord between the government and the RPF, UNAMIR was put in place, followed by UNAMIR II after the April-July 1994 genocide. At the end of 1994, UNAMIR was supported by another UN monitoring mission, the UNHRFOR, with the goals of:

- Monitoring the human rights situation;
- Providing technical support for the justice sector, legal reform, and institution building;
- Contributing to promotion of and education about human rights.

This mission covered the whole national territory with an international staff of around 100 people and more than three hundred national staff, including NGOs workers involved in UNHRFOR activities.

In May 1998, the Rwandan Government suspended UNHRFOR and required it to revise its mandate.<sup>59</sup> Negotiations to prolong its mandate failed in July 1998, but the UN continued to exert pressure on the Rwandan government to initiate another type of monitoring mission. This led to the establishment of a Rwandan office of the Special Representative of the High Commission for Human Rights, a post held by Michel Moussalli until the expiration of its mandate in March 2000. The special representative submitted regular reports to the UN

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<sup>59</sup> The Government of Rwanda, in the name of its sovereignty, was not happy with what it felt to be an intrusive and imposed watchdog role of the UNHRFOR Mission.

Secretary General on the progress of the human rights situation and supported the process of establishing a National Commission of Human Rights.

It is difficult to assess the cost of these missions. The annual budget of UNHRFOR is close to that of the ICTR in terms of salaries and other expenses for international and local staff, administrative costs such as office rent, communications, vehicles, international trips, etc. (See below).

### 3.3.2. Assistance to War Crime Tribunals

In terms of the prosecution of war crimes, there are two levels of international assistance to consider: the international system represented by the ICTR, and the Rwandan judiciary system.

#### *International Criminal Tribunal of Rwanda (ICTR)*

The ICTR was established by the Security Council pursuant to its resolution 955 (1994) of November 8, 1994 with the aim of contributing to the process of national reconciliation in Rwanda and to peace-keeping in the region. It was assigned the mission of judging those presumed responsible for the acts of genocide and other grave violations of International Humanitarian law committed in the territory of Rwanda and to prosecute Rwandan citizens presumed responsible for violations of international humanitarian law and violations committed in the territory of neighboring countries between January 1 and December 31, 1994.

The ICTR received very generous international assistance. For the 2002-2003 exercise, for example, the General Assembly allocated a total of US\$ 177,739,400 (net) and 887 posts to the organization. ICTR personnel come from more than 80 nations. The countries providing significant financial support are especially the Netherlands, Switzerland, United States, United Kingdom, Canada, and Belgium.

The first arrest happened on February 1995 and trials began in 1997. Since then, the ICTR has overseen 65 prosecutions in which 21 sentences have been given.<sup>60</sup> This number was lower than the ICTR's own expectations. Indeed, during a press conference held in Arusha on July 18, 2003, ICTR spokesman, Roland Amoussouga, stated that the ICTR will have meted out only 22 sentences by the end of 2003.<sup>61</sup>

Among measures taken to speed up trials, the Security Council elected 18 judges *ad litem* in June 2003.<sup>62</sup> In August 2003, the UN Security Council stated that the ICTR office had to close prosecution by 2004 and close trials by 2008.

### 3.3.3. Assistance to the Rwandan Justice Sector

Emerging from conflict, Rwanda found itself with serious and long-term shortages of legal personnel because an overwhelming majority of the country's legal personnel had perished during the genocide. Post-genocide statistics indicate that over 80% of the country's trained legal personnel, including judges, prosecutors, and magistrates had either been killed or had fled the country following the outbreak of war in April 1994. According to statistics provided by USAID, of 800 people employed as magistrates in communes, prefectures, and tribunals before

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<sup>60</sup> Status at February 25, 2004 according to Agence Hirondelle.

<sup>61</sup> As quoted by Agence Hirondelle on July 18, 2003.

<sup>62</sup> *Ad litem* judges are those appointed to serve in one or more trials without enjoying the status of a full-time judge. For details, see The Statute of the International Tribunal for Rwanda, especially Article 12.

April 1994, only 40 remained after the genocide.<sup>63</sup> Statistics provided by the Government of Rwanda were as follows: of 750 judges in early 1994, only 244 were left after the genocide; of 87 prosecutors, 14 remained; of 193 Inspector Police Judiciaries (investigators), 39 survived; of 214 court clerks, 59 remained; and of 100 secretaries in parquets, 28 remained.<sup>64</sup> This staggering reality made efforts to reconstruct the legal and judicial system after the conflict exceptionally difficult.

Furthermore, the massive implication of the general population in the genocide meant an unprecedented number of prosecutions in Rwandan tribunals. According to UNHCRFOR, around 90,000 detainees were being held in the country's communal lock-ups and prisons in 1996. According to the Justice Ministry, the country's detention centers held an approximate total of 110,000 detainees in 2001.<sup>65</sup> Statistics from the Rwandan Interior Ministry indicate there were 92,541 people in central prisons at that time, and data from LIPRODHOR includes another 32,392 detainees held in district lock-ups known as *cachots*, a combined total of more than 120,000 detainees.<sup>66</sup> If we consider that only 20,000 detainees have been released since then, it appears that more than 100,000 detainees are still waiting to be sentenced.

In this context, international assistance has been especially visible in the following areas:

- Rehabilitation of judiciary infrastructure (prisons, administrative building of the justice ministry, courts, tribunals, and prosecution officers): For example, the Dutch government funded, through the UNDP, the construction of a modern prison in Kigoma (Gitarama province) with US\$ 4 million, and UNICEF funded the construction of a prison for minors in Gitagata;
- Training of magistrates and other judiciary personnel.

A recently published case study by the LDGL states, "Thanks to international assistance, it has been possible to reinforce the judicial system through the training and recruitment of new magistrates."<sup>67</sup> The report indicates an increase in the number of magistrates since 1994 as follows:

<b>Table 3.1: Number of Judiciary Staff (1994-99)</b>			
<b>Category</b>	<b>Before April 1994</b>	<b>November 1994</b>	<b>December 1999</b>
Judges (courts)	785	244	841
Prosecution magistrates	12	70	210
Prosecution agents	631	137	910

*LDGL, Etude sur l'Etat des lieux des juridictions Gacaca, 2003, p.4*

<sup>63</sup> USAID, "Rebuilding Post-War Rwanda: The Role of the International Community," USAID Evaluation, Special Study No. 76, (Washington DC, 1996).

<sup>64</sup> Government of Rwanda, "The Judicial System in Rwanda: A Report on Justice" <<http://www.rwanda1.com/>>.

<sup>65</sup> As quoted by LIPRODHOR, *Rapport final du projet "Programme de suivi des detentions dans les cachots communaux"* (Kigali, February 2001).

<sup>66</sup> Ibid.

<sup>67</sup> LDGL, "Étude sur l'état des lieux des juridictions Gacaca," (December 2003: 4).

Most of the training for new magistrates was carried out first at the Murambi Centre for Training (1995-1997) and since then at the National Center for Judicial Training (NCJT) of Nyabisindu Town (1997- present). Assistance from Belgian Technical Cooperation supported the institution until 2001.

The following table shows different support for training of magistrates received by the NCJT.

**Table 3.2: Donor Support for Judicial Training (2000-2002)**

**Tableau 1 : FINANCEMENT DES FORMATIONS**

AUTEUR DU FINANCEMENT	2000	2001	2002	MOYENNE
PACEDAR	11 084 379	29 836 653	21 600 267	20 840 433
P.N.U.D.	40 851 484	15 315 000		18 722 161
SERVICE DE CONSULTATION PSYCHOSOCIALE (S.C.P.S.)			647 680	215 893
COOPERATION TECHNIQUE BELGE		5 452 448	1 089 063	2 180 504
MINIJUST		847 715	48 827 000	16 558 238
AGENCE INTERGOUVERNEMENTALE DE LA FRANCOPHONIE			7 124 191	2 374 730
M.S.D. KIGALI			622 160	207 387
MINISANTE - Division Nutrition			1 446 930	482 310
JOHN HOPKINS UNIVERSITY		2 098 710		699 570
U.S.A.I.D.		2 908 860		969 620
CENTRE DANOIS DES DROITS DE L'HOMME		2 361 711		787 237
DISTRICT SANITAIRE DE NYANZA		253 000		84 333
COMITE NATIONAL DE RECONCILIATION		1 334 300		444 767
DIVERS	160 000	122 700		94 233
<b>TOTAL</b>	<b>52 095 863</b>	<b>60 531 097</b>	<b>81 357 291</b>	<b>64 661 417</b>
<b>SUBVENTION DE L'ETAT</b>			<b>13 712 740</b>	<b>4 570 913</b>

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From 1997-2002, the NCJT provided 100 training sessions for 3,732 participants with an average of ten days per session. Training and activities included:

- Seminars and workshops aimed at determining the policies and strategies appropriate for post-genocide justice. An international workshop was organized in 1995 under the auspices of the Presidency with support from UNHCR, UN High Commission of Human Rights, and Belgium, among others;
- The functioning of specialized chambers in charge of genocide trials. Primary supporters of this work since 1996 have been Belgium, Canada, Switzerland, Germany, the Netherlands, the European Union, and UNHCR. So far, these chambers have sentenced 6,000 of the 120,000 detainees;
- The establishment and functioning of the *Gacaca* participatory jurisdictions. These have a mission of rendering justice at the grassroots level, using the traditional methods of resolving conflicts with the full participation of the population. The lead donor in this area is Belgium followed by the Netherlands, Switzerland, the European Union, Sweden, and others. Launched in June 2002 with 10,864 courts and 256,208 judges elected by and among the population at a grassroots level, the *Gacaca* system

has not yet passed any sentence, and most donors are waiting for first results before deciding whether to fund it.<sup>68</sup>

#### *Assistance for Judicial and Institutional Reform*

Following the genocide, the Government of Rwanda was obliged to go through a series of both profound and gradual reforms in order to adjust to the multiple changes and challenges imposed by the new circumstances. The most significant of these reforms fall into six main categories.

- Revision of existing laws or adoption of new laws pertaining to genocide;<sup>69</sup>
- Revision of existing laws or adoption of new ones pursuant to the Arusha Accord;<sup>70</sup>
- Other legal initiatives aiming at improving the judiciary system such as law n°03/97 of March 19, 1997 on the establishment of the Rwandan Bar Association;
- Establishing a Justice Ministry commission to review laws. The commission was asked to make an inventory of all legal provisions that had become null and void or incompatible with the law in force, according to the hierarchy of norms;
- Establishing a legal reform commission at the Supreme Court level to carry out a thorough review of legal procedures and judiciary competence. Most of the proposals made by the commission were integrated in the new Constitution which was adopted by the referendum on May 26, 2003 and went into effect on June 4 of the same year;
- Establishing a Legal and Constitutional Commission in 2001 which designed and conducted the work that led to producing the new Constitution.

All these reforms received international assistance either indirectly via budget support allocated to the government, or directly with specific funds from donors namely from Belgium, the Netherlands, Canada, Sweden, United Kingdom, United States, UNDP, and European Union. Belgium, Canada, and the UNDP, in particular, provided Rwanda with international experts, and organizations such as Citizen Network (RCN) and Lawyers without Borders (ASF) excelled in capacity building (empowerment), the development of training manuals, and the dissemination of core legal instruments.

#### *3.3.4. Assistance to Law Enforcement Agencies*

Law enforcement agencies that received significant support from donors include *Parquet* (prosecution office), the security forces (first the *gendarmerie*, and then the National Police since 2000), and the penitentiary services.

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<sup>68</sup> There are four main levels of *Gacaca* courts: 92,015 cell courts, 1545 sector courts, 106 district courts, and 12 provincial courts.

<sup>69</sup> The adoption of the organic law on organization of prosecutions of the genocide crime or crimes against humanity, the law n°9/96 of September 8, 1996 on provisional modification of the criminal procedure code, the law n°02/98 of 22/01/1998 modified and completed by the law 02/98 of January 22, 1998 on the establishment of National Fund for the assistance of the most needy victims of the genocide and massacres committed in the territory of Rwanda.

<sup>70</sup> Different provisions of the Peace Agreement have been revised in order to allow the government to achieve suitable implementation measures through new laws: the Code on Organization and Judicial Competence and on Instituting the Military Court; Organic Law n°08/95 on Organization, Functioning and Competencies of the High Council of the Magistrate; Organic Law on Organization and Competencies of the Supreme Court, etc.

For *Parquet*, a particular emphasis has been put on the accelerated training of the personnel, supplying offices with computers, and the endowment of motorcycles and vehicles to facilitate investigations. Security forces include the *gendarmerie*, the National Police and, to a lesser extent, the Army. The *gendarmerie* is defined in the Arusha Peace Accords as “an armed force instituted to enforce laws so as to keep public order and security.” It especially benefited from the UNAMIR, UNHCR, UNHRFOR and Red Cross assistance for training on arrest and detention procedures as well as basic education on human rights. Between 1994 and 1998, the UNHRFOR organized more than 120 training sessions directed toward the *gendarmerie*.

Within the framework of the ongoing institutional reforms, the National Police replaced the *gendarmerie* in 2000. Such reform allowed a harmonizing and coordination of services that until then had been scattered (e.g., judiciary police inspection was under the Ministry of Justice, public prosecution officers under *Parquets*, the Communal Police under districts, the Division of Military Intelligence under the Army, Criminal Investigation Department under the *gendarmerie*, and so forth). In the restructuring efforts, the National Police has benefited from significant support, particularly in professional training, thanks to the collaboration of police services provided by foreign countries including South Africa, the United States, Sweden, and Norway.

Human rights training sessions for Army officials, Communal Police officers, prison wardens and those responsible for communal lock-ups (*cachots*) were also organized, as well as sessions on arrest and detention procedures, the rights of detainees, etc. A number of international actors played a big role in these sessions, particularly the HFOR, but so also did local organizations such as the Forum of Activists against Torture (FACT), Haguruka, and LIPRODHOR, which were each supported by different donors.<sup>71</sup>

### 3.3.5. Assistance to Human Rights Organizations

An analysis of international assistance to human rights organizations in post-genocide Rwanda can be viewed through three main beneficiaries: the Rwandan Commission for Human Rights (CRDH), certain governmental institutions in charge of protecting particular types of human rights, and local human rights NGOs.

#### *Rwandan Commission for Human Rights (CRDH)*

From its creation in May 1999, the CRDH (formerly known as the National Commission of Human Rights—CNDH) did not benefit from any particular attention from the international community. The exception to this was the HCHR, which politically, technically, and financially supported the Commission’s establishment. Thus, in its Resolution n° E/cn.4/RES/1999/20 of April 19, 1999, the United Nations High Commissioner for Human Rights (UNHCHR) “encourages the CRDH to organize as soon as possible, with the assistance of the Special Representative, a Round-table meeting aimed at assisting the CRDH to develop a plan of action for the promotion and better protection of human rights in Rwanda, urges the Government of Rwanda to work with the Special Representative to facilitate this meeting, and calls on the United Nations High Commissioner for Human Rights and on the international community to provide all necessary assistance within a mutually agreed upon framework for cooperation.”

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<sup>71</sup> According to an interview with Dr Kashaka Davis, President of FACT, since 2001 FACT has organized four different sessions for police officers in collaboration with a United States NGO called NOVA and with IRCT from Denmark.

The seven CRDH commissioners were elected in May 1999, for a renewable three-year mandate. They received specialized training in human rights at the Institute of Human Rights in Strasbourg, thanks to support from the UNHCHR. This enabled them to begin their activities with a shared vision for the mission assignments handed down by their institution.

In October of the same year, the CRDH organized a five-day round-table thanks to “the moral, financial, and logistic support by the Government of Rwanda, the special representative of the United Nations Commission on Human Rights, Michel Moussalli, the Office of the UNHCHR, and the UNDP.” The round-table was aimed at developing a three-year action plan, and to this end had gathered about hundred participants with delegates from other human rights commissions and internationally well-known organizations, as well as UN agencies, key ministries, and different governmental institutions, diplomatic and consular missions, Rwandan civil society organizations, private sector, and the media. At the close of the round table, a triennial action plan (1999-2001) was adopted, and a series of recommendations were formulated.<sup>72</sup>

During the same period, the UNDP made three experts available to the CRDH to draw up a 2001-04 action plan, and four senior staff of the CRDH received proficiency refresher courses in foreign institutes: the International Institute for Human Rights at Strasburg in France; National University of Benin in collaboration with UNESCO; and the Bureau for the Central Africa of the UN Commission for Human Rights at Yaoundé in Cameroon.

At the end of the day, however, the direct international assistance allocated to CRDH has been very little in comparison with the budget CRDH received from government. According to CRDH annual reports for 1999, 2000, and 2001, main donors include the following (see Table 10).

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<sup>72</sup> The UNHCR, as well as other UN agencies and bilateral cooperation missions, cannot fund a project without a prior approval from the government.

<b>Table 3.3: Donor Support to CRDH (1999-2001)</b>				
<b>Donors</b>	<b>Assistance per Year</b>			<b>Activities</b>
	<b>1999</b>	<b>2000</b>	<b>2001</b>	
High Commission for Human Rights				Commissioners' Training at Strasbourg; International Workshop
High Commission for Human Rights	90,000\$		23,465,000 FRW	New Communication System
UNDP	15,000\$			International Workshop
USAID			10,943,000 FRW	Training
Swiss cooperation			5,667,000 FRW	Training
Association Belge pour la Francophonie	5 laptops			Institutional Support
Helpage Rwanda			856295 FRW	Training
GoR	250,000,000 FRW	181,000,000 FRW	580,000,000 FRW	All activities
<i>RCHR (interview with Kayumba Deo, Vice-President)</i>				
<i>GoR: Government of Rwanda, FRW 600 = 1 \$</i>				

The information above shows that the CRDH depends on the government budget and that activities funded by international assistance are neither consistent nor crucial for the Commission's functioning.

#### *Other Governmental Institutions*

Parallel to the CRDH, the Government of Rwanda put in place other structures and institutions designed to promote certain facets of human rights. For example, since its creation in 1998, the National Commission for Unity and Reconciliation (NURC) has benefited from considerable technical, logistical, and financial aid especially from UNHCR; UNDP; the European Union; German, Belgian, Dutch, Canadian and Swedish donor agencies; and other international institutions and NGOs.

In the same vein, the Rwandan Constitution of June 4, 2003 institutes different specialized institutions and organs for the promotion and protection of specific rights. These are:

- The Commission for Fight against Genocide;
- The Office of the Ombudsman;
- The Public Service Commission;
- The Office of the Auditor-General of Public finance;
- The Gender Observatory;
- The Rwanda Academy of Language and Culture;
- The Supreme Press Council.

International donors have assisted on the development of the texts that regulate these institutions, and a few of them, such as the Ombudsman's Office, are already operational. In general, however, international assistance in this area has been very limited.

#### *Rwandan NGOs*

On the eve of 1994 genocide, local NGOs had only just regained the ability to pursue their activities. Tragically, a number of activists from these NGOs perished in the genocide and related massacres. Others went into exile and others, who remained in the country, were sought out to hold posts in the new government. In recent years, a host of new associations have been formed thanks to the generous support from UN agencies (namely the UNHCR, UNICEF, and UNDP), western governments, and international NGOs.

International assistance to human rights NGOs can be assessed in terms of institutional support, support for specific activities, and political and diplomatic support.

#### *Institutional Support*

A common characteristic of Rwandan NGOs is their nearly 100 percent dependence on international assistance. Thus, whether they survive and thrive depends largely on the generosity of funding agencies. Support granted is threefold: direct financial support, material and logistical support, and multiform technical support.

Direct financial support consists of giving an organization a comprehensive operational budget (for staff salaries, office rent, stationery and communication, mission expenses, etc). This type of support was especially strong during the emergency period (1994-98). Since then, only some NGOs (CLADHO, LIPRODHOR, CCOAIB, LDGL) have continued to benefit from this type of international support. Funds are provided by organizations such as 11.11.11 (Belgium), OXFAM, CORDAID and ICCO (Netherlands), CIDPDD (Canada), and OXFAM International.

Material and logistical support was crucial, especially during emergency period. UN agencies—particularly UNHCR, UNDP, UNHCHR, UNESCO and UNICEF—gave significant material and logistical support to local NGOs. Women's organizations such as *Réseau des Femmes*, *Duterimber*, and the *Mamans Sportives* Association have built their own offices supported by the UNHCR. Most local NGOs were equipped with vehicles, computers, photocopiers, etc.

In 1999, Swiss donors provided support aimed at endowing the Collective of Human Rights Defense Leagues and Associations of Rwanda (CLADHO) and its members, Haguruka, and LDGL with computing equipment coupled with technical mentoring by a computer specialist and an internet connection pre-paid for a whole year.

At the technical level, international assistance was mainly concerned with capacity building, either directly or via the international NGOs in place. In 1996, Dutch donors started a program to support Rwandan civil society through the Netherlands Development Organization (SNV). A study of the current situation of Rwandan civil society was carried out and followed up through a training program for activists from twelve organizations on management, human rights, lobbying, and advocacy. In 2000, another more broadly-funded UNDP program managed by SNV, the Institutional Support Program, took over that training program.

In 1998, an Irish organization, Trocaire, established the “Capacity Building of Rwandan Human Rights Organizations” project with Swiss and Dutch cooperation agencies. Its main goal was to address four aspects of institutional weakness named by key human rights NGOs. Those were: organizational, technical, financial, and communicational aspects. Nine local organizations benefited from this project: CLADHO, AVP, ADL, ARDHO, Kanyarwanda, LIPRODHOR, Haguruka, SERUKA, and LDGL.

Since 2000, USAID has also supported a large civic education program through CARE International, directly benefiting organizations already active in the field such as CLADHO, CCOAIB, Haguruka, SERUKA and LIPRODHOR.

The UK’s Department for International Development (DFID) has also provided supported through Care International NGOs to increase advocacy capacity.

#### *Support for Specific Activities*

International assistance allows NGOs to cover all human rights domains, particularly action for monitoring human rights abuses; follow-up on detainees’ rights and trials; the protection of vulnerable groups such as women, children, torture victims, genocide survivors, and the Batwa minority; training and awareness raising in human rights; the popularization of international and national legal instruments; etc.

#### *Political and Diplomatic Support*

International assistance is also evidenced through political and diplomatic actions taken by UN agencies, embassies and consular missions, NGOs, etc. in order to secure human rights organizations and actors. The following are two illustrations of this.

On December 10, 1996, the former president of CLADHO, Dr. Jean Baptiste Barambirwa, disappeared after closing a one-day ceremony marking the 48th anniversary of UDHR. Ironically, in his speech, Barambirwa had vigorously denounced the massive and repeated disappearances and detentions recorded by CLADHO and its members especially during the last trimester of 1996. Thanks to immediate and strong pressures and lobby actions initiated jointly by Human Rights Watch, Amnesty International, and the International Human Rights Federation (FIDH) in conjunction with UNHRC and some western embassies in Rwanda, Barambirwa was released the following day after spending more than twelve hours held incommunicado in a military camp!

A second example concerns LIPRODHOR’s ability to use political and diplomatic support to successfully confront the pressure, intimidation, and threats to its campaign coming from State machinery. In this case, a LIPRODHOR report had been published in February criticizing the hygienic conditions in prisons. In response, four provinces (out of twelve) suspended their collaboration with LIPRODHOR and put an end to its activities within their territories. The national government also refused to authorize UNHCR to fund a LIPRODHOR project aimed at educating newly elected local authorities in human rights principles. According to a diplomatic

source in Kigali, the recalcitrant provinces were obliged to allow LIPRODHOR to resume its work when some donors threatened to cut off their assistance to the government. The UNHCR funded project in question was funded by a German NGO, *Misereor*.

On the eve of constitutional and presidential elections, government groups and even some civil society sectors resumed a defamation campaign against LIPRODHOR. A Parliament Commission report of March 2003 accused LIPRODHOR of receiving funds from international community with the intent of supporting a divisionist and ethnic campaign in favor of the MDR.

In May 2003, the government newspaper, *Imvaho*, accused LIPRODHOR and some of its influential members of having contributed to the fact that the Cyangugu province had yielded the lowest results (only 80% in favor) in the constitutional referendum. On May 8, *Profemmes* organized a one-day meeting to discuss the Parliament Commission report, and some participants took this opportunity to accuse LIPRODHOR of being an “opponent of the Government of Unity and Reconciliation” and a “servant of international community.”

According to three diplomatic sources in Kigali, the LIPRODHOR issue has been discussed several times by the government and the donor community in Rwanda. Each time, the government officials have been angry that the donors have wanted to revisit the issue.

During the same period, the CRDH published a press release in which it criticized international actors like Human Rights Watch for supporting LIPRODHOR. In this case, it is clear that without the various strong diplomatic and external interventions, it would have been difficult for LIPRODHOR to have survived.

On the other hand, such diplomatic and external interventions are usually limited, selective, isolated, and without any long-term impact. This issue is discussed further below in the sections on impact and weaknesses.

Another form of political and diplomatic assistance is more controversial and concerns the political asylum generally accorded to human rights actors presumed to be in danger. Between 1995 and 2000, three CLADHO presidents went in exile thanks to Belgian and Canadian diplomatic facilities.

In conclusion, we can say that international assistance in the area of human rights in post-genocide Rwanda has been abundant and diversified, covering almost all human rights domains.

### **3.4. Impact of International Assistance on Human Rights**

#### *3.4.1 Introduction*

To assess the impact of international assistance, it is necessary to bring out the place, nature, and level of its influence on the process of making human rights a reality in post-genocide Rwanda. As shown above, international assistance has played an important role in post-genocide Rwanda and has done so in a number of key areas of national life. It would be impossible to exaggerate the omnipresent influence of international assistance on the human rights situation for three main reasons. First, international assistance, which represents more than 70% of the national development budget, has enabled the State machinery to get back on track with its key services, a *sine qua non* condition for promoting and protecting human rights. Second, emergency support allocated through humanitarian agencies allowed for a response to primary needs, while international missions, the diplomatic staff, and NGOs contributed with their presence, advice, pressure, and lobbying to prevent and limit human rights abuses. Finally, within civil society, international assistance allowed the undertaking of both diversified and

complementary actions, which contributed to the improvement of different human rights aspects.

Given that international assistance was also heavy in the years before the genocide, however, it is difficult to claim any natural link between the availability of international assistance and the improvement of human rights situation. That is why this report attempts to go beyond scattered achievements to look at specific efforts made by various stakeholders in an effort to eradicate the errors of the past and make sure the required space and conditions for improving human rights are present.

The analysis of this report, then, will focus on two points:

1. performance of the institutions and organizations that receive international assistance and the impact of that assistance on the improvement of the human rights situation, and;
2. the general trends and progress in human rights in Rwanda.

### *3.4.2. Performance and Impact of Institutions and Organizations*

A key issue here is the link between assistance and the performance of the beneficiary organizations, measured against their mandate and reason for being. This section focuses on five stakeholders, namely: UNHRC, ICTR, the Rwandan judiciary, the Rwandan Human Rights Commission, and NGOs.

#### *United Nations Human Rights Field Operation in Rwanda (UNHRC)*

The UNHRC role was determinant after the genocide. It organized numerous training and sensitization actions directed at authorities and civil servants at all levels. It monitored actions and issued regular reports on the ongoing human rights situation in the country. In spite of the many waste of resource and its often clumsy and unprofessional behavior with its multifaceted political and diplomatic protection, the UNHRC presence country-wide significantly limited the massive human rights violations taking place, such as killings, forced disappearances, arbitrary arrests, and illegal detentions. A number of weekly and monthly reports confirm the UNHRC's success in exercising a vigilant eye on the government, especially in 1996 and 1997. Unfortunately, the Rwandan government has never tolerated being monitored. This led to the suspension of UNHRC activities in May 1998 and the successfully lobbying of the UN Security Council for the termination of the UNHRC mission in July 1998. One has also to admit that UNHRC also laid itself to criticism by committing numerous errors and often not displaying the required level of professionalism and efficiency.

Commenting on that successful struggle, Anastase Gasana, who was then Rwandan Minister of Foreign Affairs and is now in exile as of December 2002, declared at the Voice of America on May 11, 1998:

'it is high time for the Government of Rwanda to revise the mission mandate. Rwanda does not need investigators anymore, rather counselors or educators to advise the Government of Rwanda about the promotion of human rights. They could also educate the Rwandan population about the respect of its rights.'<sup>73</sup>

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<sup>73</sup> VOA news, kinyarwanda section, 11 May 1998.

The sudden end of the UNHRCFOR mission had a negative impact on the human rights. In 1998, while fighting against Hutu militia in northwestern Rwanda, government troops committed several violations of humanitarian law. These have been reported and denounced by human rights groups such as Human Rights Watch, Amnesty International, LDGL, and LIPRODHOR.<sup>74</sup>

International NGOs, namely Human Rights Watch, FIDH, and Amnesty International, campaigned in vain for the UNHRCFOR to be allowed to remain in Rwanda and for monitoring and reporting to remain as part of its mandate.

#### *International Criminal Tribunal for Rwanda (ICTR)*

The work of the ICTR is rather controversial. It was established in November 1994, but to date only 65 people have been indicted and had criminal procedures started against them. A verdict has been reached in only 21 of these cases. In August 2003, the Security Council decided to close prosecution by December 2004 and trials by 2008. If such results appear to be satisfactory compared with the work done by other international tribunals such as the Nuremberg Military Tribunal or the International Criminal Tribunal for the former Yugoslavia, it is nonetheless far from meeting the expectations of the Rwandan people and independent observers.

Of course, none will argue with the moral impact of the tribunal. An IBUKA (meaning *remember*, the umbrella organization of genocide survivors associations) representative recounted the following: “By arresting the high officials of the genocide regime such as the prime minister, military commanders, local authorities, and actors of the hate media, this tribunal proves the international community’s determination to ensure that crimes like genocide do not remain unpunished whomsoever their authors.” Others interviewed believed that the existence of the ICTR “contributes, however modestly, to restore the victims’ confidence that somewhere, misfortunes that befell to them are considered and that they have right to recognition of their dignity.” This may be the case of the Contribution to Reconciliation initiative, which aims to help the victims, especially women victims of sexual crimes during the genocide. This initiative began in Gitarama prefecture in the Commune whose former mayor, Jean Paul Akayesu, was convicted for rape and sexual violence by the ICTR.

In April 1999, Amnesty International published a well-documented report expressing concern about several aspects of ICTR’s work, including a weak witness protection plan.<sup>75</sup> In September 1999, Amnesty International welcomed the first judgments of the ICTR, but regretted that it had taken the Tribunal so long to issue them.

Thus, without being as pessimistic as African Rights, which judged the ICTR to be a “waste of hope,” we must recognize along with the International Crisis Group (ICG) that serious weaknesses exist that undermine the ICTR impact.<sup>76</sup> These include poor administration, lack of required competence and commitment both for the prosecution office and lawyers, as well as the lack of space to maneuver *vis-à-vis* the RPF regime.

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<sup>74</sup> See for instance: HRW, *Rwanda: The Search for Security and Human Rights Abuses* (New York, April 2000); HRW, “Rwandan Refugees Ordered Out of Congo,” News Release (New York, April 29, 1999); Amnesty International, *Rwanda: The Hidden Violence: “Disappearances” and Killings Continue* (London, June 1998); LDGL, *Rapport sur la situation des droits de l’homme dans la région des Grands Lacs: Burundi, RDC, Rwanda* (Kigali, June 2000).

<sup>75</sup> Amnesty International, *International Criminal Tribunal for Rwanda: Trials and tribulations* (London, April 1999).

<sup>76</sup> ICG, TPIR, *L’urgence de juger*, ICG Rapport Afrique, no. 30 (New York / Brussels / Nairobi, 2001).

Another way of assessing the relevance of the ICTR is to consider its dual goal: contributing to the process of national reconciliation in Rwanda and to peace-keeping in the region. This goal is not only difficult, but also unrealistic, as subsequent events have illustrated.

Indeed, how can the ICTR reconcile Rwandan people when it is criticized and strongly denounced by both extremes? On the one hand, the government and genocide survivors accuse the ICTR of not paying much attention to genocide survivors' interests, of employing alleged authors of genocide, of treating prisoners too well (as compared with what they had to go through as genocide victims), of being politicized and corrupted, etc. On the other hand, the opponents of the RPF regime and some Hutu groups accuse the ICTR of being biased, incapable of prosecuting crimes committed by the RPF, and of consecrating the victors' justice.

This situation has worsened as, since the establishment of the ICTR, the international community has done nothing to prevent the deterioration in regional stability. Ironically, both Rwandan government troops and the rebel militia have played a catalytic role in the regional conflict especially in the Democratic Republic of the Congo and, to a lesser degree, in Burundi. Unless the ICTR mandate is extended to the war crimes and crimes against humanity committed in the region after 1994, as has been recommended by a number of Burundian and Congolese human rights groups, it will be unable to contribute to peace-keeping in the region.

The majority of people we managed to interview believed it would be more profitable to allocate the ICTR budget to *Gacaca* tribunals. Some suggested, however, that this could only happen if the *Gacaca* tribunals mandate were to be extended to all blood crimes committed in Rwanda from 1990 to the present. Again, the question is whether the Rwandan Government has the capacity to undertake this and if the international community has the good will and the ability to ensure that the government does it.

### *Judiciary*

As noted above, international assistance helped to put the justice machinery back on track through the recruitment and training of new magistrates; technical, material, and logistical support; etc. It is interesting to note that within a year, tribunals managed to try some 6,000 genocide cases, that is to say, only five percent of the total prison population. In order to speed up trials, the specialized chambers were taken over by popular *Gacaca* courts, which were officially launched in June 2002 in order to work through the genocide cases within five years. This is possible thanks to the significant number of judges and tribunals (estimated respectively at 256,208 and 10,864).

In terms of impact, the crucial issue to assess is the link between the justice outcomes and the human rights situation. The real impact of the justice machinery is to reaffirm the need to prosecute those who participated in the genocide. The strong message given would be that impunity would have no place in the country. This struggle against impunity had a positive echo within the group of genocide perpetrators as a significant number pledged to plead guilty.

However, the Rwandan justice machinery has committed several errors that can undermine the impact of the whole process. In most arrest and detention cases, the prosecution did not respect the law and then further violated basic human rights principles. LIPRODHOR and LDGL have expressed several times that detention becomes a principle and liberty the exception and that presumptions of guilt prevail over the presumption of innocence. In its 2002 annual report, LDGL stated that 60% of all detainees did not have a dossier or file of charges. This is, of course, because of the very real judicial vacuum at the beginning of this process, as noted above.

It is still too early to assess the *Gacaca* courts' effectiveness, as no trial has yet occurred. But, two problems risk compromising all hope in the *Gacaca* system. The first is that neither *Gacaca* courts nor the specialized chambers are competent to deal with crimes committed by RPF instigators or sympathizers at the same time they deal with the crimes of the 1990 war and 1994 genocide.<sup>77</sup> This brings the sense that there will almost certainly be impunity in RPF related cases. The second issue concerns the risk of government or influential people interfering with the *Gacaca* process for their own interests. In this context of fear and uncertainty, the conundrum is whether the Rwandan justice machinery will help improve the human rights situation.

#### *Rwandan Human Rights Commission (CRDH)*

It is important to bear in mind that the CRDH is largely funded by the government and that international assistance is very short in this area. Without minimizing what has already been achieved by the Commission and its privileged position as an expression of the Rwandan government's commitment to human rights, recent developments within the CRDH could compromise the possibility for success in its mission and *raison d'être* as an independent institution.

According to the CRDH itself, its:

‘most significant achievement during these four years of operation is undisputedly having established its image as an independent institution, capable of addressing human rights issues in Rwanda in all impartiality.’<sup>78</sup>

However, the truth is that since the dismissal of its former president, M. Gasana Ndoba, in December 2002, and his replacement by a member of the government, Mrs Kayitesi Zainabo, the Commission seems to have opted for silence. For example, its 2002 human rights report has yet to be published and neither has any critical information on several human rights issues. One exception was when the CRDH took a pro-government stance against critical positions from NGOs such as Human Rights Watch and LIPRODHOR.

According to a recent assessment report written by Dutch NGOs working in Rwanda, “many observers raised their eyebrows when apparently the new interpretation of the role of the CRDH was to monitor the steps of other human rights organizations, instead of the human rights situation itself.”<sup>79</sup> Less pessimistically, this report would assert that the Commission's impact has a great chance of being diminished even if it manages to maintain its important role in raising awareness about human rights values and issues among government and law enforcement institutions.

#### *Domestic NGOs*

Writing about Rwandan civil society on the eve of genocide, Peter Uvin observed, “for civil society to have an impact, there must exist a social and political space, or margin for

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<sup>77</sup> The RPF position is that the genocide should not be addressed alongside crimes committed during the war and that the two should be considered separately. This raises the question as whether to exclude war crimes from *Gacaca* competence. This would be controversial because the reconciliation process requires that the whole truth be stated by witnesses and known by all.

<sup>78</sup> According to an interview with Deogratias Kayumba, CRDH Vice-President.

<sup>79</sup> Cordaid, ICCO, KERKINACTIE, NOVIB, “Tell Our Government it is OK to be Criticized!” Rwanda Monitoring project, Report 2003 (The Hague, February 2004): 52.

*manoeuvre*.<sup>80</sup> This begs the question as to whether such space exists in Rwanda today. Without being overly pessimistic, there are many reasons for positing that such space does not exist. The social realm remains characterized by the wounds of genocide and a climate of fear that does not permit people from all walks of life to gain confidence in their capacity to undertake initiatives in the public sphere. Boundaries and divisions of regions, ethnicity, sex, and clan have not yet been transcended or crosscut, and attitudes and knowledge about politics, policies, management, negotiation and compromise are still nascent.<sup>81</sup> It is also important to recall that local NGOs are almost fully dependent upon international assistance.

The political reality is that human rights organizations exist within a narrow field, restricted both by the omnipresent and authoritarian State and by a self-imposed exclusion from the political and social realm of their scope. In so doing, NGOs have by and large followed, if not reproduced, the behavior and ideology of the dominant section of society under the RPF rule in the same way as they did before under the MRND authoritarianism.<sup>82</sup>

Two events illustrate the way in which civil society was supposed to have a common vision in order to increase their margin for *manoeuvre* and positively influence social and political spaces.

The first concerns the implementation of a law on NGOs that went into effect in April 2001. In July 2002, a draft of the “procedures and protocol guide” directed at implementing the NGOs law was presented by the government to NGOs for comment. This draft had a very restrictive spirit: it allowed government authorities to have a say in the selection of NGO staff (Article 8), mandated that NGO projects take place within the political line of the government, and that they be approved by authorities before being submitted to donors. The draft also proposed the establishment of a NGO forum as a legitimate interlocutor for all NGOs in business with government.

Surprisingly, Rwandan NGOs failed to challenge government on this vital issue. Instead, some NGOs welcomed a certain number of controversial provisions and started contacts with government and donors in order to translate the provisions into actions. Thus, the Consultative Council of Organizations to Support Grassroots Initiatives (CCOAIB) volunteered to help establish the national NGO Forum. Though pressure from donors and international NGOs obliged the government to delay the implementation of the guide, several Rwandan NGOs seemed to not object to the restrictive provisions, and others appeared to ignore its existence. It is, thus, difficult to see how NGOs might significantly influence the national sphere when they cannot even influence the legal framework within which they are working.

#### *LIPRODHOR and Profemmes*

Most people agree that Rwandan human rights NGOs are still divided along the same lines and into the same camps as society at large. This is another issue that compromises their impact on civil society. The Rwandan League for the Promotion and Defense of Human Rights

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<sup>80</sup> Peter Uvin, *Aiding Violence: The Development Enterprise in Rwanda* (West Hartford: Kumarian Press, 1998): 168.

<sup>81</sup> Uvin used such criteria to assess impact of Rwandan civil society on the eve of genocide.

<sup>82</sup> As described by Uvin, *op. cit.*: 178.

(LIPRODHOR)<sup>83</sup> and *Profemmes*<sup>84</sup> are two important NGOs that illustrate this sad reality. The achievements and perceptions of these groups, as summarized below, show that assistance policies and practices contribute much to maintaining the *status quo* and even encouraging prejudice.

The crux of this controversial issue revolves around what the government, NGOs, and the donor community understand as “independent” and how they react *vis-à-vis* other positions and critics. These organizations represent two extreme points of Rwandan civil society; *Profemmes* advocates a strategy of collaborating with the government while LIPRODHOR challenges this. The current strategies of both NGOs are rooted in the time before the genocide. Each strategy has its advantages and limitations.

*Profemmes* has played a very important role in fighting for women rights and removing cultural barriers to equal rights. *Profemmes* has worked successfully to improve three areas of women’s rights: inheritance laws, women in decision-making, and the active participation of women in the justice system—especially the *Gacaca* tribunals. Thanks to the support of its partners and members organizations, *Profemmes* has also increased training, information, awareness-raising, and advocacy actions. These are supported by research and publications on topics such as: the roots and genesis of the Rwandan conflict, violence perpetrated against women, the role of women in traditional conflict resolution, the reasons girls have not been educated in Rwanda, the involvement of women in decision making, and so forth.

*Profemmes* has collaborated with women in government and with wives of government officials to influence laws. One example is the amendment of the law regulating marriage in order to provide for more equal treatment of men and women. In addition, the new Constitution of Rwanda has incorporated the Beijing principle that women hold at least 30 percent of all government posts. This principle became reality when the new parliament was formed, and for the first time in Rwanda—and indeed in all of Africa—women now hold 48 percent of the seats. Likewise, while women have traditionally been forbidden court positions, now more than half of the 256,000 elected judges of the *Gacaca* tribunals are women.

It is difficult to establish whether these changes are a result of an original contribution of *Profemmes* or a result of government policy in which *Profemmes* contributed as stakeholder. In any case, the efforts of *Profemmes* have been recognized by the population and the government alike. *Profemmes* has also won some important international prizes: the First UNESCO Mandajeet Singh Prize for Non Violence and Tolerance in 1996, and the Peter Gruber Foundation Justice Prize in 2003.

LIPRODHOR’s work has been very different. About three-fourths of this organization’s work is with the justice system, and its most significant impact has been felt in this area.

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<sup>83</sup> Created in 1991, Rwandan League for the Promotion and Defense of Human Rights (LIPRODHOR) has always been very critical of the government. Its main activities include monitoring, documenting, and reporting on human rights abuses. LIPRODHOR is considered the only national independent human rights organization and has benefitted from a consistent flow of assistance from various international donors since 1994. It also faces serious pressure and harassment from the government.

<sup>84</sup> Created in 1992, *Profemmes* adopted the mission of eradicating discrimination against women, contributing to the promotion of peace and education for peace. From 1994 to 2003, *Profemmes* grew from 13 to 39 members with a national secretariat and four sub-regional offices. Its main achievements include a campaign in favor of inheritance rights for women, women’s involvement in decision-making processes, and the active participation of women in the *Gacaca* process. After being successfully funded by different donors (mainly UN agencies and international NGOs like *Novib* during emergency period) its main donors have become increasingly reluctant and some, like *Novib*, have cancelled their support, considering *Profemmes* to be a pro-governmental structure.

LIPRODHOR monitors and issues regular reports on arrest and detention conditions of those presumed guilty of genocide since 1994. It also conducts training and awareness-raising sessions targeting law enforcement agents, namely police officers, prosecution officers, and prison wardens. LIPRODHOR monitors and issues regular reports on genocide trials held in national tribunals and occasionally in the ICTR, and it has a follow-up program for released prisoners to ensure their social reintegration. LIPRODHOR has conducted studies on genocide survivors and their view of the justice system. Finally, LIPRODHOR is engaged in monitoring the *Gacaca* courts.

Because of these complementary initiatives, LIPRODHOR has become a national reference point for information on current events relating to the justice system in Rwanda and particularly on the genocide issue. This has reinforced its visibility and credibility in the eyes of the population and the international community.

Despite their achievements and role in society, however, both LIPRODHOR and *Profemmes* have had a mixed reception. LIPRODHOR has been subject to a great deal of pressure from the government, but the international donor community considers it a model independent NGO and is providing it with increasing assistance. Conversely, the government views *Profemmes* as a model Rwandan NGO and rewards this with great support. The international donor community criticizes this relationship, however, and is offering *Profemmes* less and less assistance.

Thus, in 2003, LIPRODHOR received funds from 13 international donors for a total of US\$ 600,000 while *Profemmes* had four donors that contributed a total of less than US\$ 300,000. On the other hand, while LIPRODHOR was at risk of having its activities terminated by the government, *Profemmes* actually received a gift of ten million Rwandan francs from President Kagame on its tenth anniversary.

It is clear that Rwandan civil society has had real impact and achievements, but its work is also limited and at risk. “Independent” NGOs can be limited by government restrictions while “pro-government” NGO initiatives can be limited by donor conditions. If the donor community denies funds to one side of civil society while the government paralyzes the activities of the other side, Rwandan civil society work may come to an end completely. The donor community should emphasize this issue while negotiating with the government and NGOs. This issue is addressed further below in terms of strengths and weaknesses.

Many of the local actors interviewed on this issue believe that there is an underlying philosophy and will on the part of donors to maintain dependency and clientelism. Some go even further to qualify this practice of imposing their agenda and their reluctance to let the recipient organizations taking initiatives to become self sufficient as colonialist, arguing that if the real concern were the reinforcement of local organizations, it would be wiser to use the funds allocated to intermediary implementing western agencies for management of programs to enhance local capacities. One Rwandan official recounted a Rwandan proverb: “nobody can eat more meat than the cow owner,” [meaning that one has not much to say on the use of other people’s money] before he told us in confidence, “if care is not taken, international assistance can become an easy path to neo-colonialism.” As a number of actors suggested, the situation is raising suspicions about donors’ hidden agendas. In any case, the donor community must keep in mind that an:

‘exclusive focus on a few human rights organizations may be counter-productive, as it causes antagonism against them, distracts from their own weaknesses (thus making

them more vulnerable to eventual implosion), and allows the destruction of civil society elsewhere to continue outside of the spotlight directed only on human rights organizations.’<sup>85</sup>

### 3.4.3. Latest Trends in Human Rights

Ten years after the genocide, the impact of international assistance on human rights can be assessed in light of the latest human rights trends and the ongoing expectations of the Rwandan people and international community. Of course, extremely important progress has been made with respect to the fundamental rights of the population to live and to not be tortured. The following section, however, focuses primarily on civil and political rights.

For this purpose, it is useful to consider the criteria for “political rights and civil liberties” as defined by Freedom House<sup>86</sup> with some comments and remarks based on:

- The latest trends from leading organizations such as Human Rights Watch, Amnesty International, International Crisis Group (ICG), and the US State Department annual reports;
- Our own experience and knowledge regarding the margin of *manoeuvre* for human rights groups;
- Some of the points of view of donors and independent observers regarding the level of respect for human rights-based memoranda of understanding.

#### *Political Rights and Civil Liberties (Freedom House Checklist)*

According to the political rights and civil liberties checklist conducted by Freedom House in June 2003, the Rwandan State was described as being not free and as being under an authoritarian regime. The country received a combined average rating of six points: seven for political rights and five for civil liberties on a scale of one to seven with one being “free” and seven being “not free”.<sup>87</sup>

Political rights here include the electoral process, political pluralism and participation, functioning of government, and some additional discretionary issues based on the context. For civil liberties, the criteria are freedom of expression and belief, associational and organizational rights, rule of law, and personal autonomy and individual rights.

According to Freedom House, Rwanda’s civil liberties rating improved in 2002 due to the introduction of the *Gacaca* justice system to deal with alleged genocide perpetrators.

<b>Table 3.4: Rwanda’s Freedom House Ratings (1993-2003)</b>											
Year	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003

<sup>85</sup> Peter Uvin, “Wake Up! Some Policy Proposals for the International Community” (June 2003).

<sup>86</sup> For further details, see Freedom House, *Freedom in the World 2003. The Annual Survey of Political Rights and Civil Liberties*, (Lanham, MD: Rowman and Littlefield, 2003); and the Freedom House website: <<http://www.freedomhouse.org/research/>>.

<sup>87</sup> Each country and territory in the annual Freedom House assessment is awarded from 0 to 4 raw points for each of 10 questions grouped into three subcategories in a political rights checklist, and for each of 15 questions grouped into four subcategories in a civil liberties checklist. The total raw points in each checklist correspond to two final numerical ratings of 1 (Free) to 7 (Not Free). These two ratings are then averaged to determine a status category of “Free,” “Partly Free,” or “Not Free.” 51 Ibid.

Rating	6.5	6.5	7.7	7.6	7.6	7.6	7.6	7.6	7.6	7.6	7.5
Status	NF										
<i>Source: Freedom House 2003, NF= Not free</i>											

It is quite worrying to note that Freedom House's current rating for Rwanda is worse than the period prior to genocide. The Freedom House explanation is that, contrary to the period preceding the genocide in which there was a room for opposition, independent NGOs, and media (except for the period April-July 1994), "the RPF continues to maintain its predominant role in the country's governing structures" since July 1994. This lack of optimism is indeed a common element of recent reports on Rwanda, especially those published after the presidential and parliament elections.

One such report is the *Country Report on Human Rights Practices – 2003*, released by the US Bureau of Democracy, Human Rights, and Labor,<sup>88</sup> which concludes that the "government's human rights record remained poor, and it continued to commit serious abuses." For each case of alleged abuse, the report provides apparently irrefutable examples. With the same conviction, Human Rights Watch's annual report published in January 2004 observes that:

'Ten years after the end of a genocide and war, the Rwandan government has created a veneer of stability by suppressing dissent and limiting the exercise of civil and political rights. It often cites the need to avoid another genocide as a supposed justification for such repressive measures. Victorious militarily in 1994, the ruling Rwandan Patriotic Front (RPF) also won elections ending a transition period in 2003, bolstering its margin of victory by fraud, arrests, intimidation, and appeals to ethnic fears and loyalties. A Constitution adopted after a national referendum in June 2003 includes guarantees of civil and political rights but also incorporates provisions that sap their effectiveness. The new government faces the major problem of delivering justice for the genocide, war crimes, and crimes against humanity.'<sup>89</sup>

Unfortunately, it is quite difficult to counterbalance these external points of view, as most local organizations do not publish reports on the ongoing human rights situation, and the few that do, namely LIPRODHOR and LDGL, are very critical and not necessarily free from the influence of external actors.

With regards to the Memoranda of Understanding on human rights, there are unfortunately few reports available from the donor community or independent observers. The one highlighted here is a Dutch NGO report published in February 2004.<sup>90</sup>

Taking into account a "basic academic insight into conflict," the report concludes "that conflict potential is growing in Rwanda" and that "it seems that the international community has not yet learned from previous experience." The report cautions the donor community against continued unquestioned support for the Rwandan regime in the name of internal security and regional stability:

<sup>88</sup> <<http://www.state.gov/g/drl/rls/hrrpt/2003/27744pf.htm>>.

<sup>89</sup> HRW, *World Report 2004* (New York, January 2004), and the HRW website: <<http://www.hrw.org/>>.

<sup>90</sup> Cordaid, ICCO, KERKINACTIE, NOVIB, "Tell our Government it is OK to be Criticized!" Rwanda Monitoring Project, Report 2003 (The Hague, February 2004).

‘it is our analysis that stability without legitimacy, based on political and economical exclusion and abuse of power, is not sustainable. A short-term choice for stability might well prove to be a longer-term choice for chaos.’<sup>91</sup>

The inescapable conclusion here is that despite consistent aid for human rights activities and various tangible achievements made by observation missions, ICTR, and Rwandan justice and human rights organizations, the problem of social and political spaces for improving human rights in Rwanda still is controversial.

### **3.5. Strengths and Weaknesses of International Assistance for Human Rights**

This section assesses the impact of international human rights assistance to Rwanda. Major strengths and weaknesses are noted in an effort to understand the intricacies of the current state of affairs and to make recommendations for the future.

#### *3.5.1. Strengths*

The following strengths are derived from the overall analysis of international human rights assistance to Rwanda and interviews conducted at a national level for this study.

##### *Emergency Assistance Proved Timely and Readily Available*

The first strength is that assistance was available at a time of extreme emergency need. By the end of 1994, the country already historically known for its poverty was covered in fire and blood. Thousands upon thousands were on their way to exile and still others were displaced within the country. Almost all infrastructure had been looted and destroyed. Without international assistance, nothing could function—neither State machinery, nor civil society.

##### *International Assistance Was Multifaceted and Diversified*

Another strength is that international assistance has taken many forms and come from a diverse array of donors. The multiform nature of assistance allowed interdependent needs to be met even as a climate was created to allow for human rights activities. All United Nations and international NGO initiatives to tie pure humanitarian aid (distribution of water, food, and blankets, building houses, and providing medical assistance) to human rights activities (human rights training and sensitization seminars, research on genocide, the denunciation of human right violations) have been very important.

##### *Sectoral Coordination*

From an operational perspective, another strength of international assistance to Rwanda is that some donors have begun to coordinate their work. Over the past five years, for example, Belgium has worked to coordinate the work of all donors in the field of justice, the UNDP has coordinated elections assistance and efforts to promote good governance, and the European Union has concentrated on support for decentralization policy, etc. This kind of coordination helps to focus efforts within specific domains and to avoid duplicating efforts and wasting resources. In the same vein, the UK, Sweden, and the Netherlands have worked together to

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<sup>91</sup> *Ibid.*: 4.

develop a Memorandum of Understanding on cooperation to be discussed with the government for their upcoming activities.

#### *Assistance Has Become More Participatory*

Various beneficiaries of international assistance have observed a manifest willingness on the part of donors to improve the system of assistance, especially since 1998-2000. This willingness is also translated through internal diagnostics (DFID, the Netherlands, USAID, Sweden, Belgium, etc.) that indicate donor commitment and concern to move forward in collaboration with beneficiaries—notably government institutions and civil society. Such willingness is also evidenced in the Memoranda of Understanding signed between donors and the government before the implementation of funded projects. This allows human rights concerns to be included on the agenda of both bilateral and multilateral cooperation.

A number of civil society actors are also very pleased with current dynamic among most donors to Rwanda to make a commitment to a participatory, tripartite (government-civil society-donors) partnership oriented toward sustainable change. This is primarily a result of strategic action plans being developed at the level of donor agencies (DFID, USAID), UN agencies (UNDP, UN AIDS, UNIFEM, UNPF, FNUAP), or diplomatic or donor missions (the Netherlands, Belgium, European Union, Sweden).

As noted by one of the DFID officials, the creation of a framework for tripartite dialogue and regular discussions on issues pertaining to the country provides a way to respond to priority needs expressed by each of beneficiaries within the context of a frank partnership and complementary approach.

#### *3.5.2. Weaknesses*

Despite its obvious strengths and positive impact, international assistance to Rwanda also has many weaknesses as identified below.

##### *Imposition of Donor-Driven Programs*

Often programmatic areas have already been established by donors on fashionable topics such as good governance, democratization, gender, and AIDS, etc. These topics are then imposed on the funded organizations. Local organizations and even the government may feel obliged to establish the priorities of the donors in order to receive funding, even if these are not their own real priorities. One telling example is the European Union's human rights funds offered during 2001-02. These funds benefited just a few local organizations that were already well-provided for in terms of human and financial resources, namely LIPRODHOR, *Haguruka*, and the Community of Indigenous Peoples of Rwanda (CAURWA).

An assessment of Rwandan human rights NGOs carried out by the SNV in 2000 indicated that “intervention domains are excessive when compared with organizations’ capacities ... there is a tendency to rivalry rather than collaboration among human rights organizations,” and “the donors’ priorities are more important than local preoccupations.”<sup>92</sup>

##### *Unrealistic Timeframes*

There can also be a lack of realism in setting-up workable timetables. On the one hand, donors often delay the releasing of funds after the signing of contracts. On the other hand, they often

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<sup>92</sup> SNV, “Projet d’appui aux organisations rwandaises des droits de l’homme,” (Kigali, June 1999).

exert pressure on beneficiaries to demonstrate their capacity to absorb the funds by the end of the project. “The absorption of funds becomes an aim on its own,” observed a human rights activist, “and when you request the contract’s extension to affect the remaining money because of start-up difficulties, you are reproached for not having all expended the full amount.”<sup>93</sup>

#### *Absence of Long-term Strategy*

A number of local actors reported that donors often spend a sizable sum for large-scale projects, which are later cancelled due to lack of continuing funds and whose results are not even reported. A typical example of this is the Detainees Data Base project, jointly executed by UNHRCFOR and Rwandan civil society during 1996-98, with UNHCR support of around \$US 1 million. The project established a computerized database on the detention situation in the country which was updated regularly thanks to a network of about fifty civil society field observers. However, the UNHRCFOR did not leave any trace of this project when its mandate expired in May 1998. There have been similar cases for a host of other projects undertaken by international agencies and organizations during the emergency period. Worse, these international agencies and organizations do not plan alternative scenarios to continue activities at the end of their respective missions or prepare local organizations to take them over.

#### *Weak Follow-up and Evaluation Mechanisms*

The lack of vision for the sustainability of projects is accompanied by weak follow-up and evaluation. In fact, few partners carry out ongoing and transparent evaluations of their interventions. Disregard for regular and ongoing follow-up and evaluations was evidenced during interviews with different funding partners in which very few had information about the history of assistance given since 1994. The question of transparency contributes to this and makes some donors reluctant to recount in detail the volume and nature of their assistance. Consequently, donors do not pay much attention to the real impact of their assistance on improving the human rights situation and therefore fail to learn from previous experience and, if need be, to repair damage done.

#### *Insufficient Consideration of Post-Genocide Context*

Called upon after the Rwandan tragedy, donors came to the people’s relief rapidly, but alas in a time of catastrophe. Unfamiliar with the local terrain and the population’s actual needs, some interventions completely failed in their missions after wasting a lot of resources. In other cases, a big share of assistance served to cover administrative costs (international staff costs, vehicles, sumptuous offices, etc.). The Rwandan government used this as a reason to expel about a hundred foreign NGOs that had been operating in Rwanda in late 1995 and early 1996.

Likewise, some international community actors did not know or consider sufficiently the delicacy and complexity of the post-genocide context. This has led to many occasions of mutual distrust and sometimes to strong reactions by Rwandan authorities. The violent closure of the Kibeho camp for displaced people, which was under UNAMIR protection, must be considered in this light.

#### *Double Standard in Intervention Policy*

There is a clear double standard in terms of assistance given to Rwandan local organizations vs. assistance allocated to international missions and foreign organizations working in Rwanda. The

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<sup>93</sup> Anonymous interview.

ICTR, for example, has received approximately US\$ 100 million per year in spite of its poor results. The international community has been reluctant to support the *Gacaca* tribunal system, however, even though its 10,000 tribunals and 260,000 some judges are potentially capable of trying 100,000 suspected genocide perpetrators in less than five years.

Likewise, the assistance granted to UNHRCFOR for the 1994-98 period is exponentially greater than the aid allocated to local human rights institutions and organizations, both public and private. This is difficult to accept since the latter perform the same work, sometimes with even more efficiency and visibility.

The same criticism also applies to the assistance given to international organizations that play an intermediary role between donors and local beneficiaries. According to USAID, for example, international organizations like CARE, International Rescue Committee (IRC) are asked to manage funds because of their credibility and efficacy, while local organizations have not acquired these capacities.<sup>94</sup>

### *Politicization of NGOs*

The politicization of organizations is linked to the issue of independence *vis-à-vis* national authorities, which often creates tensions on three levels: between authorities and some organizations, between organizations and some donors, and finally, among organizations themselves. In fact, the authorities do tend to view organizations unfavorably when they have consistent international assistance, especially for monitoring and denunciation activities. Conversely, donors show less enthusiasm towards organizations considered to be close to the government.

As the administrative facilities provided by the government play off against the financial facilities granted by international donors, a potentially dangerous situation is created in terms of the ability to consolidate local organizations by creating two sets of civil society organizations, one viewed by some as ‘working for the country’ and another ‘working for foreign interests’. Various actors have expressed that this situation has given rise to suspicions about donors’ hidden agendas.

## **3.6. Lessons and Recommendations**

### *3.6.1. Lessons*

The main lessons to be drawn from the experience of international human rights assistance in Rwanda since 1994 can be summarized by the following points.

#### *Repeated but Foreseeable Failures of International Missions*

Despite the serious reasons for the international community to set up international observation missions, there are only a few cases in which these institutions were allocated the adequate means to appropriately accomplish their mission. This is true especially for GOMN, MONUOR and UNAMIR. Even when resources for financial and logistical support are available, political space can be limited as it was when the Rwandan government imposed conditions for cooperation—some of them legitimate—on UNHRCFOR and ICTR.

Unfortunately, the recent experience of the UN Mission in the Democratic Republic of the Congo (MONUC) has demonstrated that the international community has not yet drawn any

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<sup>94</sup> This was mentioned during an interview with USAID-Rwanda staff.

constructive lesson from repeated failures of these types of budget consuming missions. MONUC had to be deployed, of course, but only on the condition that it could function better than UNAMIR did, i.e. protect civilians and establish peace among the warring parties. Unfortunately, the situations in Ituri in 2003 and in Bukavu in June 2004 have shown that MONUC's capacity to protect civilians is far from adequate.

#### *The Complexity of Human Rights Challenge in Rwanda*

An analysis of the post-genocide situation in Rwanda shows that human rights issues are very complex and linked to various and often contradictory perceptions as well as to the re-positioning of Rwandans and of the international community *vis-à-vis* the Rwandan crisis. Human rights issues are jumbled into a threefold problem that includes issues of social identity, domestic political management problems, and international relations.

The social identity issue is linked to the ethnic underpinnings of the genocide. References to social identity (generally Hutu-Tutsi) are unavoidable when it comes to assessing human rights cases directly related to the genocide and its aftermath: arrests, conditions of detention, trials, etc.

On the political level, government authorities justify the narrowing of political spaces for the exercise and enjoyment of human rights by saying this is necessary to avoid a "genocide ideology." At the same time, presumed criminals are able to point to the regime's abuses in order to pass themselves off as "innocent victims."

Concerning international relations, the RPF regime has used the unfortunate role played before and during genocide by some international actors (France and some political and social actors in Belgium) to claim there is an international plot against them and, thus, to justify some of its abuses.

#### *Conclusion*

The above evidence and analysis of strengths and weaknesses indicates that international human rights assistance is actually fragile.

In the specific case of Rwanda this is true first and foremost because the international community (the United Nations) failed terribly in its mandate and mission with regards to the appeal for protection for the most fundamental human rights before, during, and after the 1994 genocide.

The RPF regime continues to use this failure and most of the donors still seem to feel guilty about not having intervened. Unfortunately, the lack of change in the level of respect for civil and political rights could reverse the progress made on the most fundamental human rights and pave the way for renewed violence.

It is imperative that fundamental change occur both internally and externally to recast international assistance in a partnership approach, aiming to provide a free and fertile ground for political rights and civil liberties. The following recommendations provide some suggestions in this regard.

#### *3.6.2 Recommendations To the Government*

1. The government should strive to be more open and tolerant of criticism and alternative points of view from civil society, political opposition, and the international community, recognizing that their contributions aim to consolidate the rule of law. It

is in the interest of the government and the Rwandan people to learn from previous experience;

2. The government should establish a lawful and free framework for the peaceful exercise of political rights and civil liberties as a foundation for sustainable peace and development in the country;
3. The government should reinforce and increase “mobilizing frameworks” such as PRSP and Vision 2020 to better coordinate international assistance and allow more political space, independence, and accountability of those structures as well as all State-sponsored institutions such as the Rwandan Human Rights Commission (CRDH), the Ombudsman, etc. Government’s credibility and transparency will depend on the independence of these institutions.

#### *To Rwandan Human Rights Organizations*

1. Rwandan human rights organizations should ensure that their work is professional, relevant, and deserving of trust and credibility in the eyes of potential beneficiaries from all sectors of society. This is required in order to make their voices heard on all important questions of national life including democratization, handling of the consequences of genocide, the fight against impunity whomever its perpetrators, and the work to establish a culture of tolerance, mutual respect, and solidarity;
2. Rwandan human rights organizations should undertake multiple sustainable initiatives of critical cooperation with different public and private institutions oriented towards the institutionalization of a culture of human rights through civic and political education at all levels; in-depth research; the fight against impunity, mediocrity, arbitrary behavior, and corruption; and by contributing to the free and peaceful opening of democratic spaces, etc.

#### *To the Donor Community*

1. The donor community should learn from previous experience and ensure that its action and inaction do not compromise the improvement of human rights record in Rwanda. While taking into account the wounds of genocide and other human rights abuses for which the international community has had some responsibility, the “guilty behavior” of the international community has to give way to a frank, constructive, critical, and sustainable partnership, open to all sectors of the national life (government, civil society, democratic opposition) and ensure the provision of significant assistance to initiatives aimed at establishing a genuine social and political debate on all issues of national interest;
2. The donor community should support the emergence of a genuine diversity of pluralistic institutions and human rights organizations with substantial and sustainable resources. A particular emphasis must be to encourage new initiatives, especially in the area of research and information dissemination as well as in initiatives for youth and new specialized organizations, as long as those initiatives are independent and human rights-based;
3. The donor community should encourage and support cooperation between international missions and organizations and their local counterparts in order to contribute to the internationalization of human rights values and experiences. Such

cooperation may also constitute a good framework for lobbying and advocacy actions as well as protection mechanisms for local human rights NGOs and activists;

4. The donor community should implement the necessary measures to prepare the Rwandan judiciary system to take over from the ICTR, whose mandate will soon come to an end, and ensure that all crimes will be punished through free and fair trials.

## Chapter IV. Media Assistance

### 4.1. Introduction

Debates and research about the media in Rwanda focus almost exclusively on the role of the media during the genocide. As far as we know, no extensive study has been made before to assess the Rwandan media as a whole or the role of international assistance to that sector. Most existing studies that mention the media in Rwanda do so in the context of more general assessments of civil society. This chapter tries to fill this void and to ascertain the role of international assistance in building or strengthening media institutions after the 1994 genocide and war as part of the peace-building and democratization endeavors in the country.

This section gives a brief introduction to the chapter. Section two provides the media context in Rwanda, including an assessment of the sector before and during the genocide, in terms of coverage, ownership, standards, and quality. The media's role during the genocide is then examined within this context.

Section three is a description of international assistance to the sector since July 1994. Findings indicate that during the last nine years, donors have had no clear strategy for this sector and that input has been minimal and mostly uncoordinated. As a result, the impact of assistance is marginal, and sometimes controversial, especially in terms of political support.

Section four shows how the State still maintains a monopoly over the airwaves, owning and running the only television and radio stations in the country in a way that is reminiscent of the former Soviet Union's style of controlling expression and opinion. The press continues to be of poor quality, partisan, and fragile, and it shows a low level of professionalism. The concept of a free and independent media—understood by many as a prerequisite for genuine democratization—remains new and greatly misunderstood.

Some positive developments have also occurred, however, which may help media practitioners improve their work while providing a window of opportunity for Rwanda's bilateral and multilateral partners to make a mark in the development of a media for sustainable democratization. A Press Law that allows the opening and operation of private radio and television stations has been passed and, as of February 2004, five new radio stations (out of the seven that applied) have been allowed to start operations. One, *Radio 10*, was already operating. The Constitution now guarantees freedom of the press, opinion, and expression, and a "High Council of the Press" has been created to safeguard these freedoms. The School of Journalism and Communication (EJC) at the National University at Butare is fully operational. The process of decentralization offers an opening to involve and empower grassroots leaders to become the agents of transformation. Finally, some independent newspapers that started after the genocide are still on the streets, albeit with enormous problems. All of these provide avenues through which international donors can help to strengthen and develop a responsible and reliable media without being accused of interfering in internal politics.

Section five considers the strengths and weaknesses of international assistance while section six outlines lessons learned and offers policy recommendations.

## 4.2. Pre -Genocide Context

Until the late 1980s, the Rwandan State monopolized the mass media and tolerated no dissent. The Habyarimana regime controlled both print and electronic media. It owned and operated the only radio station in the country, the national *Radio Rwanda*, which still has a powerful influence today. It also owned a national television station (mainly targeting urban elite and international community) and two news journals called *Imvaho*<sup>95</sup> and *La Nouvelle Relève*.<sup>96</sup> *Kinyamateka*, a bi-monthly and moderately critical Catholic Church journal begun in 1933, was a notable exception to complete State control over the media.

*Radio Rwanda* covered the whole country on FM and short wave. It broadcast in French, Swahili, and Kinyarwanda (the national language), reaching as far as Kabale in south-western Uganda and parts of eastern Zaire (now the Democratic Republic of the Congo) and Burundi. Because Rwanda is mainly an agrarian peasant economy, where more than 90% of the population lives in rural areas and illiteracy levels top 60%, *Radio Rwanda* was a powerful medium of communication and influence in the country.<sup>97</sup> But as Human Rights Watch observes, “Until 1992, Radio Rwanda was very much the voice of the government and of the President himself.” Many times, especially during the war, the radio broadcast false information. Since there was no other reliable source to verify the information, its word became the “Gospel truth.”<sup>98</sup>

There is no consensus about the number of radio-sets in homes before and during the genocide, but some estimates show 25-29% of homes with radios,<sup>99</sup> a figure much higher than the rest of Sub-Saharan Africa, in part because the government had been distributing radios free of charge.<sup>100</sup>

National television had much more limited influence and reach. Begun in 1992, it broadcast only twice a week and primarily reached the city of Kigali.<sup>101</sup> The impact of the print media was small and its circulation was also limited to Kigali where it reached an already politically aware, literate elite.<sup>102</sup> Some do reports exist, however, of the Kigali elite bringing newspapers down to the hills on weekends and reading them to the local population. The fact that the written word was reinforced by easily interpreted cartoons may have also expanded the print media’s reach somewhat.<sup>103</sup>

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<sup>95</sup> *Imvaho* is the Kinyarwanda word for “undisputed truth.” The weekly journal began in 1962, is written in Kinyarwanda, the national language, and is owned and operated by government. When Habyarimana and the genocide regime were defeated in July 1994, the Rwanda Patriotic Front (RPF) dominated government changed its name to *Imvaho Nshya* which translates as “the new undisputed truth.”

<sup>96</sup> *La Nouvelle Relève* is a government journal that mainly targets the diplomatic and international community in Rwanda. It is bi-monthly and, like *Imvaho Nshya*, is owned and operated by the government through ORINFOR.

<sup>97</sup> Gerard Prunier, *The Rwanda Crisis: History of a Genocide* (New York: Columbia University Press, 1997: 133).

<sup>98</sup> Human Rights Watch, *Leave None to Tell the Story: Genocide in Rwanda* (New York, 1999: 67).

<sup>99</sup> Human Rights Watch argues that the number of radio sets in urban areas was much higher (58.7% as compared to 27.3% in more typical rural areas). HRW, *Leave None to Tell the Story. Genocide in Rwanda* (New York, 1999: 62).

<sup>100</sup> *Ibid.* 67.

<sup>101</sup> Despite the fact that television is currently broadcast daily, from 1pm to 11pm in the evening.

<sup>102</sup> Prunier, *op. cit.*: 133).

<sup>103</sup> Des Forges, Alison, “Face au Génocide, une réponse désastreuse des Etats-Unis et des Nations Unies” in A. Guichaoua (editor), *Les crises politiques au Burundi et au Rwanda (1993-1994)*, (Paris/Lille: Karthala/Université des sciences et technologies de Lille, 1995); HRW, *Leave None to Tell the Story. Genocide in Rwanda* (New York, 1999: 67).

In any case, it is clear that Rwanda's single party State did not tolerate independent media, and the Constitution before 1991 did not guarantee the freedom to express opinions without interference. The 1991 World Report, Article 19 observed that, '*Mouvement National pour le Développement* (MRND) is the sole political organization, outside of which no political views can be expressed or political activity exercised and to which all Rwandan citizens, including infants, automatically belong.'<sup>104</sup> Further, "No one can avoid the influence of MRND which extends (even) to those in exile. Brochures, pamphlets, and publications published in exile by members of Tutsi refugees are banned."<sup>105</sup>

The first crack in the armor of State-controlled media occurred in 1987 with the birth of an independent, critical journal called *Kanguka*. In the following years, with the collapse of communism and the end of the Cold War, new global trends brought further changes to Rwanda. During the late 1980s, international donor pressure on the Rwandan government increased, and a strong and vocal internal opposition emerged. War broke out in the north and northeastern areas of the country and forced President Habyarimana on the road to democratization.

The idea of an independent media continued to gather strength during the democratization experiment and rebirth of political pluralism in 1990-91 and gained even more currency immediately after the signing of the Arusha Peace Accords in August 1993. In 1990, eight new newspapers (*Ijambo*, *Urumuli Rwa Demokarasi*, *Isibo*, *Le Démocrate*, *Kangurwa*, *Ijisho Rya Rubanda*, *Rwanda Rw'Ejo*, and *Rwandese Review*) began publishing. A new Constitution in 1991 guaranteed freedom of the press and freedom of expression and opinion. A Press Law passed in November 1991 further entrenched freedom of the press (Art. 2, 3) and resulted in the publishing of independent newspapers (Art.6), radio, and television stations (Art. 16). In 1991 alone, 45 newspapers and journals were founded, and a total of 60 were founded between 1991 and 1993.<sup>106</sup>

Is Mpayimana Elie notes, many of the newspapers and journals that sprung up in the early 1990s, especially *Kanguka* and *Rwanda Rushya*, were genuinely interested in meaningful political change and political pluralism.<sup>107</sup> A strong polarization began, however, between those that supported the status quo and those that advocated change and sympathized more with opposition groups. Human Right Watch reports that 11 of the journals founded in 1991 were linked to the powerful *Akazu* group of the Habyarimana regime.<sup>108</sup> Journals like *Rwanda Rw'Ejo*, *Rwanda Rushya*, *Le Tribun du Peuple* and *Le Flambeau* sympathized with the RPF, and the other opposition political parties in the country each had their own journals.<sup>109</sup> The divide led to a confrontational kind of journalism, with journals and newspapers defending their political favorites and attacking each other.

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<sup>104</sup> Article 19, op cit.: 38.

<sup>105</sup> Article 19, op cit.: 36.

<sup>106</sup> Chrétien, op. cit.: 383-386.

<sup>107</sup> Mpayimana Elie is Chief Editor and proprietor of *L'Ere de La Liberté*, started in 1991, and is now a commissioner in the National Unity and Reconciliation Commission, NURC. Elie, from the Twa, is often mentioned by authorities as evidence that the RPF government is nondiscriminatory and recognizes minorities. They make this argument despite the fact that they publicly reject ethnic identification and call for "Rwandans to be Rwandans."

<sup>108</sup> *Akazu* is the Kinyarwanda word for a small hut. In local political jargon, it is understood as a powerful symbol representing the very few individuals who held real power during the Habyarimana regime. They mainly included the president's wife, Agatha Kanziga, his brothers, cousins and some senior military officers from the president's birthplace, Gisenyi prefecture. (Des Forges, of.cit: 67).

<sup>109</sup> See Chrétien, op. cit.: 383-386.

As Prunier notes, almost overnight, a vibrant press was born, “with all the titles openly defending (at times in terribly bad faith) the colours of their political favourites: *Kamarampaka*<sup>110</sup> was the MRND/D organ”, together with *Interahamwe* (before the name acquired the connotation of the devil); *La Nation* and *Isibo* defended MDR-Twagiramungu faction; *Le Soleil* was behind PSD; *Kangura* supported CDR extremist party; *Rwanda Rushya* sympathized with the RPF; *Paix et Démocratie* and *Umurangi* were behind the anti-Twagiramungu faction; and *Le Libéral* advanced the Liberal Party (PL) thought.<sup>111</sup> Observers have argued that much of the press that emerged after 1990 was characterized by lack of balance, objectivity, accuracy and low professionalism.

Unfortunately, the emerging diversity of political expression was neither professional nor ethical, and the media ended up being used to widen ethnic divisions and hatred. Extremists were empowered to hijack the nascent democratization process and create a “hate media” that incited ethnic violence, genocide, and crimes against humanity.

One example is Hassan Ngeze, one of the original founders of the moderately critical journal, *Kanguka*, created in 1987. As polarization increased, Ngeze broke away to form another newspaper, *Kangura*, which became one of the most outspoken Hutu extremist journals in the time immediately before and during the genocide.<sup>112</sup>

The situation appears to have been worsened by a lack of proper media training. Some journalists, like Hassan Ngeze, had only primary school level education. Other professionals who had higher levels of training—some at European media institutions in Belgium, France, and the former Soviet Union—espoused a theory of superior and inferior races, which significantly influenced the manner in which they reported, interpreted, and analyzed the conflict.

Some opposition and moderate politicians were very much aware of and concerned about the propaganda saturated media. As early as November 17, 1991, the major opposition parties (PL, PSD, MDR) sent a joint memorandum to President Habyarimana complaining that the use of government radio and television for MRND propaganda was standing in the way of democratization.<sup>113</sup> Habyarimana’s response was to request that the international community not be hypocritical: on the one hand pressuring him to democratize and liberalize the press and on the other, asking him to limit this freedom. He was often quoted as telling donors: “this is what you wanted: democracy and freedom of speech.”

Radio was also undergoing diversification. In late 1991, the RPF opened *Radio Muhabura* (The Beacon), which it used to appeal to the patriotism of its listeners and to praise RPF combatants. Some scholars have argued that the creation of RTLTM might have been a response to the need to counter this radio. However, to-date, there is no evidence to suggest that Muhabura incited or was bound to incite ethnic hatred. At first, the station’s coverage was

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<sup>110</sup> *Kamarampaka* is the Kinyarwanda word for referendum. It was the name given to the referendum of September 25, 1961, which banned kingship and the monarchy and paved the way for the independence of July 1, 1962. Using *Kamarampaka* as a name of the MRND newspaper was a reminder of the events of late 1959 and early 1961. In this case, MRND was not only presented as the guardian of independence, but also the custodian of the well-being of the majority Hutu people who had been, under the monarchy, enslaved. Prunier, op. cit.

<sup>111</sup> Prunier, op. cit.: 132.

<sup>112</sup> Hassan Ngeze, Jean Bosco Barayagwiza, and historian Dr Ferdinand Nahimana (former director of ORINFOR and later RTLTM) are now in jail at the Arusha detention facility accused of incitement to genocide and crimes against humanity. Their case is one of the biggest (hate) media trials of our time.

<sup>113</sup> Prunier, op. cit.: 134.

small, and the population was afraid to listen to it for fear of reprisals, but by 1992, its audience had increased steadily. According to Human Rights Watch, whereas *Radio Muhabara* "...glorified the RPF, it did so in a nationalistic rather than an ethnic context, consistent with the general RPF emphasis of minimizing differences between Hutu and Tutsi."<sup>114</sup>

In the context of increasing political uncertainty and ethnic polarization, however, the extremist *Radio Télévision Libre des Mille Collines* (RTLM) was founded in August 1993, aided by the staff and facilities of the official government owned station.<sup>115</sup> RTLM was probably established to fill a vacuum created by changes at the national *Radio Rwanda*, which had been banned from partisan reporting and directed to accommodate all political voices—including that of the RPF. RTLM used nationally owned transmitters around the country to relay its programs,<sup>116</sup> but it was funded primarily by Felicien Kabuga (a wealthy businessman whose daughter was married to Habyarimana's son) and Alphonse Ntilivamunda (the son-in-law of the president). It was also supported by other members of the political inner circle – the *Akazu*.

Though the RTLM claimed it would uphold democracy and journalistic ethics, it did not adhere to these principles in practice. The station's strategy was to use the new political space to resist the democratization process. It demonized the opposition and did its best to undermine the Arusha peace process as well as moderate members of the ruling circle. Among other tools, it used a mixture of popular music, street slang and popular expressions. With the incorporation of RTLM, the pro-Hutu press celebrated the "birth of a colleague"—a sister-organization that would promote the interests and awaken the "great mass" (of Hutus) who were, once again, facing their traditional enemies, the Tutsis.<sup>117</sup>

In the early days of April 1994, various media began to broadcast messages indicating that something sinister was being organized. On April 3, RTLM announced: "On the 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup>, heads will get heated up. On the 6<sup>th</sup> of April, there will be a respite, but a small thing will happen. Then on the 7<sup>th</sup> and 8<sup>th</sup> and other days in April, you will see something."<sup>118</sup> *La Médaille Nyiramacibiri*, a journal allied with MRND wrote in its February 1994 issue, "By the way, the Tutsi race could be extinguished." Hassan Ngeze's *Kangura* magazine wrote cold-bloodedly in its January 1994 issue No.55 that the President would die in March and asked, "Who will survive the March War?"<sup>119</sup> On April 6, Habyarimana's presidential jet was shot down by unknown assailants, and the following day, the RTLM hate media openly called for avenging his death.

Experts name RTLM as an important factor in the spread of genocide. Citing the US Department of State on Human Rights in Rwanda in 1994, Chalk notes that after President Habyarimana's death, RTLM broadcast strident anti-Tutsi and anti-RPF propaganda, which ultimately had a lethal effect, calling on the Hutu majority to destroy the Tutsi minority.<sup>120</sup>

During the three months of genocide, RTLM often made very direct calls to the Hutu to participate in the killings. At one point it announced: "You have missed some of the enemies in

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<sup>114</sup> HRW, op. cit.: 68.

<sup>115</sup> HRW, op. cit.: 68.

<sup>116</sup> This information was provided by Charles Nahayo, a long time technician at Radio Rwanda. Interview, Kigali, 1 July 2003.

<sup>117</sup> A reference to the 1961 referendum banning the Tutsi monarchy identified as a regime used to control the majority Hutu masses.

<sup>118</sup> Prunier, op. cit.: 223; cited by Chalk Frank in, "The Path of Genocide: From Uganda to Zaire", New York and London, 1999, 98.

<sup>119</sup> Prunier, op. cit.: 222-223.

<sup>120</sup> Frank Chalk in Astri Surhke, 1999, 96-97, citing U.S Congress, Senate, and House 1995, 204.

this or that place. Some are still alive. You must go back there and finish them off. The graves are not yet quite full. Who is going to do the good work and help us fill them completely?" On April 12, RTLM declared: "...the International Committee of the Red Cross is only saving the lives of Tutsi!"<sup>121</sup>

The role of the media in the Rwandan conflict cannot be overestimated. For the genocide, it was tantamount to "...the match that started the fire."<sup>122</sup> And even when the genocide regime was routed out of Kigali in July, RTLM was only off the air for a week. It continued to broadcast propaganda with mobile FM transmitters, calling on the Hutu masses to flee from the "invading cockroaches", the RPF, and by extension, the Tutsis.

In summary, the diversity of independent media that emerged in the early 1990s suffered from a severe lack of professionalism and journalistic ethics. In the end, the stronger, politically aligned, and economically supported extremist media overpowered other voices and facilitated the genocide agenda. Observers now note that *Kangura* newspaper articles and RTLM hate speech broadcasts were early warnings of the imminent genocide that were ignored by the international community. All of this has had enormous implications for the media in post-genocide Rwanda.

### 4.3. An Overview of International Media Assistance

This section examines the international assistance extended to the development, creation, and rehabilitation of the media sector. The total amount of assistance does not appear to be very high, and it appears to have been motivated by the need to: provide information to refugees and the displaced; empower State-run media outlets to pick-up the pieces and rebroadcast after the ravages of the war and genocide;<sup>123</sup> support the establishing and functioning of umbrella media organizations;<sup>124</sup> equip the newly created School of Journalism and Communication (EJC) at the National University of Rwanda (UNR); support the establishment of legal infrastructure; and provide some financial and political support to selected independent journals and journalists.<sup>125</sup>

The following table shows some of the international assistance received by the sector. It does not include assistance given in the form of physical equipment.

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<sup>121</sup> Prunier, op. cit.: 224, Frank Chalk in Suhrke, 98.

<sup>122</sup> Frank Chalk in Suhrke, 99, citing Berkeley, 18.

<sup>123</sup> This was done mainly by rehabilitating damaged equipment, studios, and offices, and by training staff of both public and the private media outlets – especially from *Radio Rwanda* and *Rwanda Television*.

<sup>124</sup> Major media umbrella organizations include the Press House and the Association of Rwandan Journalists (ARJ). Other media associations also include ARFEEM which brings together women journalists (not very active now); and other more specialized associations such as for sports journalists.

<sup>125</sup> Particularly *Rwanda Newslines* (which collapsed in 2000 due to insufficient funds and lack of qualified personnel), *Umuseso*, and *Indorerwamo*, which receive both financial and political support. One diplomat maintained that these received support because they appeared independent, but this is contested. There is no other explanation for the criteria used in funding them and not others.

<b>Table 4.1 International Assistance for the Media Sector (1992-2003) (not exhaustive)</b>				
<b>Period / Year</b>	<b>Amount</b>	<b>Source / donor</b>	<b>Beneficiary</b>	<b>Expected output / purpose</b>
1992-1997	12.4m DM (€6,340,019)	GTZ	ORINFOR / radio	Build Kalisimbi antennae, rehabilitation, training & equipment
1992	\$500,000 (€409,722)	French Cooperation	ORINFOR / TV	Start a national television
1994	\$300,000 €245,834	UNICEF	ORINFOR / radio	Logistical & technical support
2001	€37,000	Netherlands Embassy	RIMEG / <i>Umuseso</i> newspaper	Strengthen the independent media
2000-2002	€9,767,499	Netherlands Embassy	EJC	Equip school laboratories with computers & internet connections
2002	£10,000 (€14,167)	DFID	<i>Umuseso</i>	Cover printing costs, rent, salaries
2002-2003	€906,000	Netherlands Embassy	<i>Internews</i>	Produce videos of proceedings at ICTR in order to increase profile, consultancy
2003	€848,295	Netherlands Embassy	<i>Radio Bonevolencija</i>	Counteract trauma
2003	CAD \$ 22,000 (€13,230)	Canadian Co-operation	<i>Umuseso</i>	Cover printing costs, rent, salaries, equipment
<b>Total</b>	<b>€18,519,138</b> (FRW 13,333,779,598)			

*Source: Various documents and raw data. Amount of money is indicated in various denominations but converted in Rwandese Francs. The exchange rate for \$1=590, ?1=720, £1=1,020, Can \$1=433 (as of February 16, 2004). This table is not exhaustive of the funds received in the sector as figures from UNESCO, one of the major players, could not be accessed. Additional small projects from various foreign embassies and NGOs existed, but either their contribution could not be readily accessed or the beneficiary unwilling to disclose information. Therefore, this table serves only to analyze some projects.*

#### 4.3.1. Establishment of Alternative Media: Radio Agatashya

Even after the government that had carried out the genocide was defeated, RTLM continued to broadcast hate and genocidal messages and urge the Hutu population to flee the country. This led to increased fear among the population and caused hundreds of thousands to flee into neighboring countries, especially Zaire (now DRC), Tanzania, and Burundi. The mass movement of refugees caused international outrage and is believed to have swung international public opinion into action. On May 24, more than a month into the genocide, Philippe Dahinden addressed the United Nations Commission of Human Rights on behalf of Reporters Without Borders (RSF) and proposed the creation of a “free radio station” that would “...allow Rwandans to receive honest and independent information”<sup>126</sup> to counter propaganda that was worsening the refugee crisis and deepening the conflict. Thus, RSF International gave its Swiss division the mandate of creating a radio station that would serve humanitarian ends and fight the damaging effects of RTLM and related propaganda.

With assistance from the UN, UNHCR, and Switzerland, *Radio Agatashya* was created with offices in Bukavu (DRC).<sup>127</sup> This was the first international attempt to neutralize the hate media. The radio was created with authorization from the Kinshasa government of the time. It broadcast for the first time on August 4, 1994 in both Kinyarwanda and French, and later widened its horizon to include Swahili and English. In September-November, Dahinden set up a *Radio Agatashya* office in Kigali. However, in March 1995, Fondation Hironnelle took over the management and operation of this radio station. At that time, the radio had installed transmitters in Goma, Bukavu and Uvira, with the new capacity helping to reach as far as Bujumbura in Burundi, Eastern DRC, and north-western Tanzania.

In July 1995, Fondation Hironnelle signed an agreement with UNHCR to produce radio information magazines as part of the voluntary refugee repatriation program. The magazines were broadcast to several transmitters in the region, including *Radio Rwanda*, *Radio Agatashya*, *Radio Nationale Burundaise*, *Radio UNAMIR*, and *Radio Kwizera* (in neighboring Burundi). It widened its coverage to include broadcasts in Burundi (with the US NGO, Search for Common Ground) and daily news coverage of trials at the International Criminal Tribunal for Rwanda (ICTR) in Arusha.<sup>128</sup>

Broadcasting eight hours a day and reaching about four million listeners, of whom about one million were refugees,<sup>129</sup> *Radio Agatashya* served humanitarian purposes and claimed to offer unbiased news and information to refugees. Broadcasting ceased on October 27, 1996, however, due to the outbreak of hostilities in Zaire (now DRC), in the war that eventually ousted Marshal Mobutu Sese Seko.<sup>130</sup>

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<sup>126</sup> *Agatashya: The History of a Radio Station in 10 Dates*. See <http://www.hironnelle.org/hironnelle.nsf>.

<sup>127</sup> Fondation Hironnelle argued that Bukavu was a secure location. Ironically, the defeated *genocidaires* were also heading in this direction. Some RPF insiders believe that this made the organization suspect and led to it being denied permission to open offices and a station in Kigali.

<sup>128</sup> *Ibid.*

<sup>129</sup> *Ibid.*

<sup>130</sup> The new rebel group led by Joseph Desire Kabila is said to have been, with the influence of some regional forces, hostile to the radio and responsible for closing it down. Sources claim that the radio was seen by the new regime in Kigali as pro-Hutu and hostile to the RPF cause. Because of this, conspiracy theories abounded. This claim may have some merit especially since Fondation Hironnelle has never been seen as neutral nor warmly received by the RPF establishment.

#### 4.3.2. Radio UNAMIR and other Foreign Radio Stations

The United Nations Assistance Mission to Rwanda (UNAMIR) did not have a radio station of its own at first, so in July 1994, with permission from the Rwandan government, it used *Radio Rwanda* to begin broadcasting its programs. Then, on February 16, 1995, *Radio UNAMIR* began broadcasting on FM in Kigali. It broadcast four hours a day with programs in English, French, and Kinyarwanda. When the UNAMIR mission ended in March 1996, the radio closed down as well.

Neither the British Broadcasting Corporation (BBC) nor Voice of America (VOA) had Kinyarwanda or Kirundi language services before the genocide, but afterwards both started broadcasting on FM in these languages. BBC began with the broadcast of a 15-minute program in both Kinyarwanda and Kirundi in late 1994. The program offered regional news and refugee-related information. With increased demand and worsening conflict in the region, the program was expanded to 30 minutes and covered regional news, health, agriculture, and political developments in the region. It also started a 30-minute program called “Imvo N’Imvaho” focusing on political, social, economic, and cultural issues. It was, and still is, broadcast every Saturday morning. A consortium of British organizations, including the British Overseas Development Administration and UNHCR funded these programs.<sup>131</sup>

As the conflict expanded to eastern Zaire, VOA also started a 30-minute program in both Kinyarwanda and Kirundi languages on July 15, 1996. A grant from USAID was used to create a hotline program broadcasting the whereabouts of refugees, and it is estimated that this program helped reunite more than 500 families.<sup>132</sup> Later, as the conflict in Zaire worsened, an additional 60-minute program was initiated, broadcasting on Saturdays and Sundays. These programs cover regional news, conflict resolution programs, features on political developments, and democratization related programs in both Rwanda and Burundi.<sup>133</sup> Today, both BBC and VOA still broadcast on FM and maintain the programming initiated during the conflict. Research indicates that the two foreign radio stations are well-respected within the country.

#### 4.3.3 Support to Media Outlets and Organizations

The Rwandan Information Office (ORINFOR) is the government office in charge of information, managing the national radio, television, and two newspapers. It was one of the first media organizations to receive international support, and it probably received more assistance than any other media outlet or organization in the country. In 1992, German Technical Cooperation (GTZ) and the Government of Rwanda co-financed the construction of the Kalisimbi antennae, with GTZ contributing 2 million DM of the 4 million DM needed. In December 1992, the French offered US \$500,000 for construction and equipment of the national television (TVR). They also provided studio equipment and gave the outside broadcasting van. The Belgians constructed housing for the station and studio. This project was not able to be completed, however, due to the war and genocide, and it was not resumed after the genocide.<sup>134</sup>

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<sup>131</sup> Biener, Hansjoerg, “Radio for Peace, Democracy and Human Rights” (Documentation Radio for Peace, 2001: 1), see <<http://www.evrel.ewf.uni-erlangen.de/pesc/PESC-peaceradio.html>>, 1.

<sup>132</sup> Ibid.: 1.

<sup>133</sup> Both BBC and VOA programs are seen by regional observers as contributing to free speech and debate in the region, especially for Rwanda and Burundi where both free speech and debate remain constrained.

<sup>134</sup> According to various sources, the cold relationship between the RPF-led government and the French government may explain the non-completion of the project.

In September 1994, UNICEF promised US\$ 300,000 to meet logistical and technical needs of *Radio Rwanda*. In 1996-97, GTZ funded the 1.5 million DM rehabilitation of the principle Jali antennae. In 1997, they gave an additional 8 million DM (7 million for buying equipment and 1 million for training personnel).<sup>135</sup> Conditions for this assistance included: a commitment from the Government of Rwanda to support an open media with divergent opinions; putting in place clear regulations for ORINFOR; and embarking on reforms that would lead to the enactment of a Press Law.<sup>136</sup>

In 1995, RSF provided some financial support to independent newspapers in Kigali for printing costs. The assistance amounted to US\$ 1000 given to individual editors. Between ten to twenty editors<sup>137</sup> are said to have received funds enabling them to publish at least five issues of their respective newspapers. Later, in 1999, RSF had to pay legal fees for the news editor of *Rwanda Newsline* who had been accused, detained, and brought to court for publishing “false news”—a story, implicating a senior military officer in the corrupt purchasing of military helicopters. The editor was released after six months without being formally charged.

UNESCO was probably the biggest provider of assistance to media outlets and organizations after the genocide. In October 1994, following an international conference on the media in South Africa, it opened a resident office in Kigali at the request of the Rwandan Ministry of Information.

UNESCO began its work in 1995 by advising local journalists to set up a Press House aimed at bringing together all media organizations within country to facilitate assistance and strengthen the sector. The Press House was created in 1996, following the establishment of the Association of Rwandan Journalists (ARJ) in 1995. UNESCO equipped the Press House with a library and documentation center complete with chairs, printers, computers, telephone and fax machines, a restaurant, and café. The assistance gave members of the media a meeting place of their own and allowed the organization to provide affordable print production services to newspapers, journalists, and editors in the form of newspaper layout, scanning, and photocopying services at subsidized rates.

UNESCO provided almost all the equipment and paid rent for both the Press House and ARJ from 1996 until 2001, after which it phased out its “Project Rwanda Media.” UNESCO also provided funds to twelve independent newspapers, including *Ukuri* journal and *Rwanda Newsline* to produce at least five issues.<sup>138</sup> To ease transportation problems, UNESCO gave twelve Vitara vehicles to ORINFOR in 1995.

All this is in line with UNESCO’s strategic mission to Rwanda, which includes: development of a new corps of journalists; facilitating and exchanging information between non-partisan journalists and media outlets in the region; providing material assistance in order to assure survival of the existing independent media; creating new outlets to promote pluralism

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<sup>135</sup> The training included journalists, managers, and administrators. GTZ also funded the reconstruction of buildings housing both ORINFOR administration and the two studios at the station.

<sup>136</sup> République Fédérale d’Allemagne & la République Rwandais, *Réunions de Travail Concernant la Coopération Economique et au Développement* (Bonn, 2000).

<sup>137</sup> It is not clear exactly how many editors were actually funded. Sources mentioned anywhere between 10 and 20 individuals who received assistance.

<sup>138</sup> Due to the lack of managerial skills at Press House and ARJ, intrigue and embezzlement, and the fact that UNESCO phased out its assistance, the two organizations remain weak.

and counter propaganda; and supporting the establishment of conditions necessary to maintain freedom of the press.<sup>139</sup>

The British Embassy, through its “Small Grants Scheme,” funded one of the Press House’s major projects, *Le Messager*. This project established kiosks in all the provinces throughout the country to sell newspapers, journals, and magazines to encourage sales, while also catering to the needs of readers and improving the culture of reading in the country. (The lack of a culture of reading has been cited as a hindrance to the development of an independent vibrant media.)

<sup>140</sup>

The British Embassy also provided assistance by covering printing costs for the now defunct *Rwanda Newslines*, and the Department for International Development (DFID) provided similar support for the *Rwanda Herald*<sup>141</sup>.

USAID is another organization that provided assistance to the media sector. This assistance focused on publicizing the work of the newly created ICTR through providing assistance to *Internews* to produce a video about the tribunal’s proceedings. The videos are now shown in Rwanda as a way of increasing awareness about the tribunal and its work among Rwandans. Later, this assistance included coverage of the Gacaca courts (traditional communal justice system). USAID also paid for the upkeep and subsistence of ORINFOR journalists who reported on proceedings at the ICTR in Arusha.

The Royal Netherlands Embassy in Kigali has been, so far, the biggest contributor to the development of an independent media sector in the country, both in terms of financial and political support. In March 2001, the Embassy provided financial support totaling €37,000 to the Rwanda Independent Media Group (RIMEG). Since January 2003, it has spent €240,000 to support *Internews* consultants who are working on a project with the UK Department for International Development (DFID) and the Ministry of Local Government, Information, and Social Welfare aimed at establishing strategies for creating an independent media in the country. In January 2003, the Royal Netherlands Embassy agreed to give €848,295 towards the start-up and operation of *Radio Benevolencija* (yet to begin broadcasting). An initiative of Professor Ervin Staub of the University of Massachusetts, part of the radio’s agenda is to counteract trauma. So far, the Embassy has disbursed €720,000. For the “Media for Justice” initiative, the Royal Netherlands Embassy also funded *Internews* to the tune of €882,000 between 2002 and 2003 and plans to spend €400,000 in 2004 and €150,000 in 2005.

Finally, in 2003 the Canadian Cooperation provided CAD 22,000 to *Umuseso*, which was used to cover printing costs, rent, and salaries and to buy a generator. The *Umuseso* newspaper also received some assistance in the form of computers and other equipment from the German and British Embassies. DFID also provided UK £10,000 to *Umuseso* as a way of helping it meet its printing costs, rent, and salaries.

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<sup>139</sup> The British Embassy also provided some equipment to journals, including a fax machine to *Ukuri Gacaca*, a telephone set and fax machine to *The New Times*, and other equipment to the *Rwanda News Agency*. Likewise, other embassies and international NGOs offered small amounts of funding and equipment to various journals and newspapers. This includes assistance from the Netherlands Embassy and UNESCO to *Le Barometer*, then owned and operated by Deo Mushaid, who is now in exile in Belgium.

<sup>140</sup> Here “independent” is used in the context of other community radios already established by the government like the ones in Butare and Gisenyi provinces.

<sup>141</sup> The *Rwanda Herald* is now out of circulation due to the deportation of its chief editor and proprietor on grounds of functioning without a work permit.

#### 4.3.4. Training of Media Professionals

Prior to 1994, GTZ had provided regional training to journalists through the Community of Great Lakes Countries (CPGL), a regional body that includes Rwanda, Burundi, and former Zaire. This project helped to train journalists working for the national *Radio Rwanda* from 1986 to 1992.<sup>142</sup>

Belgium also provided training to 60 Rwandan journalists (30 in Rwanda and 30 in Belgium). Through its office in Arusha, Fondation Hironnelle has been providing annual training in international law and court reporting to selected journalists from both public and private media organizations, equipping them with the legal terminology and journalistic skills needed to cover proceedings at ICTR, genocide-specific tribunals in the country, and any other related judicial proceedings. The French also provided training for three Rwandan television journalists.

In 1997, GTZ provided 0.9 million DM for training *Radio Rwanda* journalists and technicians on topics like digital programming and editing. It also provided consultancy to *Radio Rwanda* managers aimed at restructuring and improving the quality of programs to make them more attractive and helpful to audiences.

Through ARJ and the Press House, UNESCO funded the training of journalists both inside and outside the country, including the funding of selected journalists to attend a diploma course in journalism in Uganda. Egypt and Sweden also sponsored journalist training through the Swedish International Development Agency (SIDA). In 2002, SIDA initiated a regional fund for a diploma program in environmental journalism.<sup>143</sup>

Care International also financed the training of twenty *Radio Rwanda* journalists, two at Cardiff University in Scotland. Deutsch Welle also trained four journalists from *Radio Rwanda* in 1996 and 1997, and Israel offers two scholarships every year.

Through the Thomson Foundation, DFID also extended assistance to ORINFOR in form of training and capacity building. However, this program was terminated before it could complete its mandate due to a misunderstanding between the two organizations.<sup>144</sup>

Also worth mentioning is assistance to the School of Journalism and Communication (EJC). The school started from scratch in 1996 with major support from UNESCO. Between 2000-2002, the Royal Netherlands Embassy in Kigali provided €2,000, which helped the school to construct its own laboratory complete with internet connection and computers. Various institutions of learning and other organizations have also formed relations with the school in order to help build its capacity. Lille in France, for example, signed a three-year

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<sup>142</sup> At the time, Rwandan institutions of higher learning neither offered journalism courses nor any kind of training for journalists. The first School of Journalism and Communication opened in 1996 at the National University of Rwanda.

<sup>143</sup> At a regional level, the SIDA project is managed by the Department of Mass Communication at Makerere University in Uganda. Nationally, it is managed by the School of Journalism and Communication at Butare. It is headed by a regional co-coordinator. So far, there have been two workshops to train about 60 journalists in the country from both public and private media outlets.

<sup>144</sup> In addition to training journalists, the Thomson Foundation funded a two-week study tour in the UK in 2000 in which the Director of ORINFOR and the Director of Information in the President's office were to visit media managers and organizations such as the BBC in the UK to work towards strengthening the management of ORINFOR and information management in government-owned media outlets. Unfortunately, the project collapsed before it could complete its mandate. ORINFOR officials say the project had not been well studied and therefore lacked focus and intended outcome. DFID officials, on the other hand, say that there was very little institutional willingness or readiness on the part of ORINFOR to facilitate and ensure the smooth running of the project.

partnership aimed at training journalists and students and sending lecturers to Rwanda. US journalism schools have also contributed through the Fulbright and Knight Fellowship programs.

#### 4.3.5. Assistance for Legal and Regulatory Reforms

The genocide not only derailed the democratization process, it also destroyed the media infrastructure put in place between 1991 and 1993. After the war, the press had to start practically from scratch, and it had the added disadvantage of the population's mistrust, given the media's role in the genocide. In 1998 and 1999, although the leadership in the transition government proved intolerant to independent media and therefore reluctant to guarantee freedom of the press, it did enact and pass the Press Law in early 2002. In May 2003, it also promulgated a national Constitution that guaranteed freedom of the press and opinion. The following are sections from Article 34 of the Constitution:

'Freedom of the press and freedom of information are recognized and guaranteed by the State.'

'Freedom of speech and freedom of information shall not prejudice public order and good morals, the right of every citizen to honor, good reputation, and the privacy of personal and family life. It is also guaranteed so long as it does not prejudice the protection of youth and minors...'

'There is hereby established an independent institution known as the 'High Council of the Press.'<sup>145</sup>

Although limited, there was some international technical and financial support for reforming the regulatory media framework. In 1997, the German government, for example, provided the Government of Rwanda with 8 million DM to help re-equip the national radio and train journalists on the condition that government commit itself to making reforms that would lead to the enactment of a Press Law.

#### 4.3.6. Political and Moral Support

Research indicates that substantial political support was given to some newspapers, especially *Rwanda Newslite* (now off the street due to financial and managerial problems), *Umuseso*, and *Indorerwamo* and to some journalists from the same newspapers. The findings indicate that had it not been for this kind of support from foreign missions within the country and international media and human rights organizations, all the above newspapers would have probably been closed down and some of the journalists working for them would be behind bars. This support mainly came from The Royal Netherlands Embassy; with some "behind the scenes" diplomacy coming from the British and German embassies.

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<sup>145</sup> Republic of Rwanda, *The Constitution of the Republic of Rwanda*. Official Gazette of the Republic of Rwanda, Year 42, Special Issue of 4 (June 2003).

#### 4.4 Impact Assessment of Media Assistance

To assess the impact of international assistance on the media sector, it is necessary to provide a brief description of the sector today. This will provide a base from which to assess impact, if any, and will show the general direction the sector has taken since the end of the war and genocide.

##### 4.4.1. The Media Sector Today

###### Introduction

At the beginning of 2004, the government of Rwanda still owned and operated the only radio and television station in the country despite efforts and hopes of liberalization.<sup>146</sup> Additionally, there are fewer newspapers in early 2004 as compared to 1993-4. Currently, 37 newspapers, periodicals, and journals are registered with the Ministry of Information, which is part of the Prime Minister's Office. Out of these, however, only eight can be described as regular publications that address political, economic, and social issues.<sup>147</sup> Some regular newspapers are owned by government under ORINFOR (*Imvaho Nshya*, *La Nouvelle Relève*) and others are associated with it through ownership.<sup>148</sup> In addition, *Ingabo* is owned and operated by the Army, and *The New Times*, started in 1995, is said to be owned by the RPF. Editors of newspapers believed to be associated with government or owned by political parties such as RPF deny the connection and insist on their private and independent status. No such independence is reflected in editorial content, however.<sup>149</sup>

There are only two independent journals remaining from the emergency phase (*Ubumwe*, started in 1992 by John Sendanyoye, and *Ukuri*, started in February 1996 by Casmiry Kayumba). The two independent newspapers that publish on a regular basis are: *Kinyamateka*, the oldest newspaper in the country, which is owned and operated by the Catholic Church; and *Umuseso*, which began in 2000 and survives today despite managerial weaknesses and a low level of professionalism.

A few newspapers and journals are owned and operated by organizations that specialize in human rights, women's issues, or other specific topics. These tend to address issues of concern for their parent organizations. For instance, *Amani* is a monthly journal owned and operated by the Great Lakes human rights organization, LDGL.<sup>150</sup> *Umukindo* and *Le Verdict* are owned by LIPRODHOR, a local human rights organization. *Haguruka*,<sup>151</sup> a monthly journal, highlights women's and children's rights and is owned by a local women's organization of the same name.

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<sup>146</sup> As of February 2004, five private stations had been allowed to operate and one, *Radio 10*, was already on air.

<sup>147</sup> The regular newspapers / journals include, *Imvaho Nshya*, *La Nouvelle Relève*, *The New Times*, *Ishakwe Y'iRwanda*, *Kinyamateka*, *Umuseso*, *Inganzo*, and *Ingabo*. Of these, only two, *Umuseso* and *Kinyamateka* are independent of government. The rest are either owned by government, a political party, or by powerful members of government.

<sup>148</sup> These include, but are not limited to, *Ishakwe y'iRwanda*, *The New Times*, *Inganzo*, and *Ingabo*.

<sup>149</sup> *The New Times* editors say they are totally independent, but insiders say the paper is owned by the RPF (some of whose influential members make up its board of directors) and managed from the President's office through some of his senior advisors. The newspaper refrains from criticizing the government and, like the officially government owned and run *Imvaho Nshya*, tends to feature and present government programs and policies without questioning them.

<sup>150</sup> *Amani* is the Swahili word for peace.

<sup>151</sup> *Haguruka* is a Kinyarwanda word meaning "stand up." The publication calls women to stand up for their rights.

*Inkiko Gacaca* promotes the work of the newly created traditional communal courts (*Gacaca* courts). Most of the other journals mainly exist only in name.<sup>152</sup>

<b>Table 4.2 Registered Newspapers, Periodicals, and Journals (as of July 2003)</b>				
<b>NEWSPAPER TITLES</b>	<b>FIRST YEAR OF PUBLICATION</b>	<b>OWNERSHIP</b>	<b>PERIODICITY</b>	<b>LANGUAGE OF PUBLICATION</b>
<i>Imvaho Nshya</i>	1960	Government	Weekly	Kinyarwanda
<i>La Nouvelle Relève</i>	1975	Government	Bi-monthly	French
<i>Kinyamateka</i>	1933	Catholic Church	Bi-monthly	Kinyarwanda
<i>Umuseso</i>	2000	Independent	Weekly	Kinyarwanda
<i>Ukuri</i>	1995	Independent	Irregular	Kinyarwanda
<i>Ishakwe Y'iRwanda</i>	2001	Semi-independent	Bi-monthly	Kinyarwanda
<i>Urubuga Rw'Abagore</i>	1999	Catholic Church	Monthly	Kinyarwanda
<i>Le Verdict</i>	1999	LIPRODHOR	Monthly	French
<i>L'Enjeu</i>	2000	Semi-independent	Irregular	French
<i>Rwanda Messenger</i>	2001	Independent	Irregular	English
<i>Amani</i>	1993	LDGL	Monthly	French
<i>Haguruka</i>		Haguruka	Monthly	
<i>Umurage</i>		Independent	Bi-monthly	Kinyarwanda
<i>Ubumwe</i>	1992	Independent	Irregular	Kinyarwanda
<i>Rwanda Business Information</i>	2003	Independent		
<i>Hosanna</i>	2003	Zion Temple - Church		Kinyarwanda
<i>Rwanda Tourist Magazine</i>				
<i>Ngwino Nawe Twubake</i>				
<i>Ingabo</i>	1995	Army	Monthly	Kinyarwanda
<i>Ukuri Gacaca</i>	1995	Independent	Irregular	Kinyarwanda
<i>Gasabo</i>	2001			Kinyarwanda
<i>Hobe</i>	1954	Catholic Church		Kinyarwanda

<sup>152</sup> For example, *Rushyashya*, *Rwanda Messenger*, and *Ukuri Gacaca* exist only in name. They publish only once every several months at most.

NEWSPAPER TITLES	FIRST YEAR OF PUBLICATION	OWNERSHIP	PERIODICITY	LANGUAGE OF PUBLICATION
<i>The New Times</i>	1996	Semi-independent	Bi-weekly	English
<i>Rushyashya</i>		Independent	Irregular	Kinyarwanda
<i>Umuco</i>				Kinyarwanda
<i>Grands Lacs Hebdo</i>	1996	Rwanda News Agency	Regular	French
<i>Umunzani w'Amajyambere</i>		Urwego		Kinyarwanda
<i>Umukindo</i>		LIPRODHOR	Monthly	Kinyarwanda
<i>Inganzo</i>		Semi-independent	Bi-monthly	Kinyarwanda
<i>Indorerwamo</i>	2003	Independent	Weekly	Kinyarwanda / French
<i>Impanda</i>				
<i>Irembo</i>				
<i>Ukuri-Ubwisanzure</i>				
<i>Ikondere</i>				
<i>Bulletin d'Information sur le SIDA</i>				
<i>L'ère de Liberté</i>				
<i>Inkiko Gacaca</i>	2003	Sixth Chamber		Kinyarwanda

*Note: The last eight titles in the table had deposited request dossiers but had not yet received ministerial permission to operate at the time the field work was done for this study (July 2003); Indorerwamo and Inkiko Gacaca were already on the streets despite lack of permission.*

Each year the birth of new newspapers and journals is counter-balanced by those that close down because of a lack of reliable sources of funding. Thus, the media seems to have shrunk with each passing year since the end of the war and genocide.

In addition to the print media, radio, and television, there is the Rwanda News Agency, the Press House, and the Association of Rwandan Journalists. The Rwanda News Agency is seen as semi-independent, inclined towards government, particularly the RPF. The Press House and ARJ were created for and are owned and run by journalists – both from the public and the private media.

#### *Application of (Self) Censorship and Repression*

In Rwanda today, one cannot talk of outright censorship by government. However, all sorts of intimidation, harassment, and unlawful arrests and detention occur that result in a kind of self-censorship. Some journals, to their credit, have defied this kind of persecution. *Umuseso* serves as a case study to gauge the level of this defiance as well as state harassment and the clamp-down on freedom of the press in recent years. This is not because *Umuseso* is the best or the

most independent newspaper, but because it has, to a certain extent over a period of three years, consistently defended its editorial line and defied pressure and harassment. Its journalists, particularly its editors, have on many occasions had problems with authorities. Its former managing editor, now in exile, was a regular visitor to the Kigali prosecution office and was locked up for six months in 1999. His successor, Ismail Mbonigaba, also faced similar problems and was jailed, allegedly, for embezzling the organization funds.<sup>153</sup> After Mbonigaba, the new managing editor, Sebufirira and his deputy, McDowell Kalisa were jailed for three weeks (between June and July 2002). The official reason given by authorities is that they assaulted a police officer. The journalists deny this, however, and claim they were arrested without warning, detained, and released without any charges filed against them.

The editors say they routinely receive intimidating phone calls and warnings from authorities. Government officials denounce them on both national radio and television. On a number of occasions the paper has been denounced by the authorities and attacked on the national radio for being “divisive.” Because of this kind of publicity, Sebufirira says,

‘At some point, even our readers started fearing reading the newspaper openly, although individuals and some in positions of authority privately tell us we are doing a great job!’ He adds, “Of course there are certain things which we don’t dare to write about.’

The editors had observed that things had been improving as there had been reduced incidence of intimidating phone calls and no bashing from the national radio in the previous few months. Mbonigaba had also agreed, saying the enactment of the Press Law had greatly improved working conditions. Unfortunately, more recent events indicate that the two journalists were being overly optimistic. Mbonigaba left for exile in October 2003, alleging persecution, and Sebufirira was arrested on the border with Uganda on November 20, 2003. The latest issue of *Umuseso*, fresh from the printer, was confiscated when Sebufirira was arrested. He and four of his colleagues spent 48 hours in custody but were subsequently released without charge.

Ten court cases have been brought against *Umuseso* in the last three years. Most of these were from people in government, although businesspeople and a journalist have also filed cases against them.<sup>154</sup> Some journalists contend that *Umuseso* itself is at fault, as it sometimes attacks individuals without sufficient evidence of wrongdoing. Since its first two managing editors identified themselves with political parties considered divisive and now banned (PDR-Ubuyanja and MDR), there may be grounds for authorities to be suspicious and wary. Interestingly, however, no one has ever won a case against *Umuseso*. Some of the cases have been dismissed or withdrawn, and some are still pending.

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<sup>153</sup> Mbonigaba’s successor, Robert Sebufirira, says Mbonigaba did embezzle US\$ 4,000 and that he channelled organization funds to a private account, but he believes that Mbonigaba was arrested because of a story and a cartoon he published that depicted the president in bad light. When Mbonigaba was released without being charged, he denied the embezzlement allegations and confirmed the cartoon story. Nonetheless, it was Mbonigaba’s colleagues who had filed the complaint to the police in the first place alleging embezzlement of the organization’s funds.

<sup>154</sup> The current President of the Association of Rwandan Journalists, Ms Marie Ingabire Immaculée, also brought a case against the paper, which was later withdrawn.

### *Remaining Challenges in the Media Sector*

#### a. Circulation and Reach

The reach and circulation of the press is mainly limited to Kigali, save for *Imvaho Nshya* and *La Nouvelle Relève*, which are distributed through ORINFOR offices in all the provinces, and *Kinyamateka* distributed through parishes throughout the country. Other regular papers are concentrated in Kigali and bought primarily by a few of the elite who can afford them. Most ordinary people who read newspapers do so at kiosks and stands around the city where they are sold. This is cited as one of the reasons why production and circulation are still very low. In addition, many people do not read newspapers because they cannot afford to buy them, because there is a high level of illiteracy among Rwandans, and because the culture of reading is not prevalent;

#### b. Intimidation and Harassment

As noted in the *Umuseso* case, independent journalists and editors from the independent press have been routinely harassed, intimidated, and forced into exile. In spite of a Press Law and the new Constitution, freedom of the press is curtailed in practice. The independent press is aware of this and responds mainly through self-censorship. Whenever a newspaper is suspected of having written articles critical of government, State operatives confiscate newspapers and periodicals. This happened to *Imboni* in 2002, *Indorerwamo* in 2003, and *Umuseso* in November 2003. According to LDGL<sup>155</sup> “freedom of speech is the major problem facing Rwandan society today.”<sup>156</sup> This view was expressed by a number of sources who argued that lack of openness and critical debate had a negative impact on the relationship between ordinary people and officials. One media practitioner commented that the current attitude of the Rwandan government toward the media has been similar to President’s Bush’s attitude about terrorism: “you are either with us or against us!”

Major actors agree that political protection and support from foreign missions has been crucial. In spite of this support, however, some journalists are still fleeing the country and there is a continued prevalence of intimidation, harassment, and imprisonment.

Conversely, some sources have argued that the irresponsibility of journalists caused some of the arrests. A mini-survey conducted by *Internews* revealed that while 53% of 49 respondents believed that lack of professional training was responsible for the poor quality of reporting, only 15% thought political manipulation was responsible.<sup>157</sup> Possible journalistic irresponsibility notwithstanding, the fact that most arrests are performed illegally is of major concern. Some examples include:

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<sup>155</sup> LDGL is an independent regional human rights organization. Quoted in the Danish Immigration Service, *Report on Political Situation, Security and Human Rights in Rwanda* (Copenhagen, May 2002: 34).

<sup>156</sup> See: LDGL, *Grands Lacs. Entre la violence impunie et la misère. Rapport sur la situation des droits de l’homme: Burundi, RDC et Rwanda. Années 2000-2001* (Kigali, May 2002). In this report LDGL argues that genocide is being used as a tool to silence any debate seen as critical to the government.

<sup>157</sup> *Internews* Survey, 22-23 October 2003, Kigali. Of 61 delegates of a seminar entitled “Discussions On Free Media: Journalists, Civil Society and the Private Sector, Working for Democracy in Rwanda,” 49 delegates returned questionnaires. This was “not a formal or statistically relevant survey,” as *Internews* recognizes, however it helps to gauge some general thinking about the media in the country considering that the delegates include a cross-section of people including journalists, editors, media managers, legislators, government officials, academics, and civil society representatives.

confiscation of newspapers without court authorization, arresting journalists without warrants, detaining them for longer than allowed by law, and releasing them without charges;

c. Media and Professional Fragmentation

Most newspapers and periodicals are individually owned and operated. Owners may not have either the financial resources or the professional capacity to run newspapers. Most rely either on government handouts (mainly in the form of advertisements) or on small grants from donors to occasionally publish their newspapers and periodicals. This has led to the proliferation of numerous unsustainable, irregular, and unprofessional journals and periodicals;

d. Lack of a Solid and Unified Media Voice

The Association of Rwandan Journalists (ARJ) was created to protect the interests of journalists. However, since its formation in 1995, it has been dogged by controversies that have diminished journalists' faith in the organization. McDowell Kalisa calls it a government public relations organization stocked with "government spokespersons." Ismail Mbonigaba argues that since the end of the genocide, "there seems to be a marriage between media organizations and government... Instead of journalists acting as journalists, they work as government spokespersons... Journalists "elected" to head ARJ and the Press House to represent our interests end up representing government interests." Because of this disharmony, there are no established mechanisms for protecting journalists, nor is there solidarity among them other than the occasional denunciations from international media and human rights groups;<sup>158</sup>

e. High Printing and Publishing Costs

The per-copy cost of printing is so high that, according to Burasa Jean Gilbert,<sup>159</sup> it exceeds the cost of a newspaper on the market. Casmiry Kayumba cites this as the reason why most independent newspapers and periodicals choose to print in Uganda, where costs are somewhat reduced. Gaspard Safari, Chief Editor of *The New Times*, argues that if government is really interested in developing a strong independent media, it should waive taxes on printing materials;

f. Registration Restrictions

Newspapers, periodicals, and journals are required to register with the Ministry of Information in the Prime Minister's Office.<sup>160</sup> After consultation, the High Council of the Press, [a state independent media regulatory body provided for by the Constitution], can either give or deny permission for any newspaper to register or operate. The High Council of the Press also retains, together with Cabinet, the right to allow or refuse the opening of any radio or television outlet. The process of opening radio and television stations is unnecessarily bureaucratic, involving the Ministry of Information in the Prime Minister's Office, the High Council of the Press, the Cabinet, then the Council again, and finally the Rwanda Utilities and Regulatory

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<sup>158</sup> Especially Human Rights Watch, Amnesty International, and the International Federation of Journalists.

<sup>159</sup> Burasa Jean Gilbert is the Chief Editor of *Inganzo* and proprietor of *Rushyashya*. Interview, Kigali, 25 August 2003.

<sup>160</sup> Between 1999-2003, the Ministry of Information was a department of the Ministry of Local Government. Now it is part of the Prime Minister's office.

Agency (RURA) of the Ministry of Transport and Telecommunications. This final government body issues operating licenses and broadcasting frequencies;

g. Lack of Reliable Sources of Advertising Funds

The Rwandan economy is small and the few existing companies prefer to advertise in the public media. Consequently, many registered newspapers do not obtain the funds to remain in circulation. The Rwandan business community does not seem to engage in advertising as a major strategy. The few that advertise do so in the government media rather than risk antagonizing authorities over what they consider an otherwise irrelevant activity. There are four possible explanations for this:

1. Major companies in the country are monopolies; they probably do not see the advantage of advertising. Whether they advertise or not, customers/clients will not have the choice of using an alternative product or service;
2. Most companies (the Bralirwa monopoly for beer and soft drinks, the MTN-monopoly of cell phones, etc.) are believed to have the blessing and support of government. Supporting the blacklisted press with advertising revenues might jeopardize their government favor. Robert Sebufirira and McDowell Kalisa argue that some individuals in government campaigned against advertising in independent newspapers like *Umuseso*. This strategy of economically crippling the independent press is also said to be used against potentially critical opposition politicians;
3. Since professionalism is low in the media outlets and since their reach and circulation is mainly limited to the capital, advertisers do not view advertising in such newspapers as worth the expense;
4. Clearly, government seems to be the main advertiser in the country; and, therefore, any newspaper that is viewed as not supporting government policies is denied advertisements.

*Windows of Opportunity in the Media Sector*

- a. The legal infrastructure, especially the 2003 Constitution and the 2002 Press Law, offers a window of opportunity for the sector's development.<sup>161</sup> Given that these legal instruments provide for the establishment of independent and privately owned and operated television and radio stations,<sup>162</sup> the sector is legally unconstrained (the law on "divisionism" notwithstanding) and open for the development of an independent, reliable, and democratic media;
- b. The internet is increasingly becoming an alternative source of information, especially for the elite in cities, students, and civil servants. However, very few can afford this

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<sup>161</sup> The Constitution adopted by the May 26, 2003 referendum, especially Articles 33 and 34, guarantee freedom of the press, information, opinion, and conscience (The Constitution of the Republic of Rwanda, op. cit.: 33-34). Overall, however, freedom of expression is still operationally constrained and journalists seem unaware of their responsibilities and how to honestly employ the freedoms as contained in these legal instruments. Compared with the pre-1990 period, there are some positive developments, including the High Council of the Press and the School of Journalism and Communication. Casmiry Kayumba, an independent journalist in Kigali and member of the High Council of the Press, is confident that if the Council is allowed to operate freely (which seems doubtful at the moment), it may reduce the problem of low professionalism and defend media freedom as well as ensuring the proper functioning of the private and independent media. However, critics maintain that the Council is a toothless dog without the means or power to sanction either an offending State or journalist.

<sup>162</sup> Seven individuals and private organizations applied to operate radio and television stations. By February 2004 when the second draft of this report was completed, five had been granted permission.

service, and its impact has been restricted to the capital city and other major towns. In addition to access and cost, there are still problems of connectivity and know-how for the best use of this technology;

- c. The third and probably most significant hope for media development in the country lies in the increasing focus and attention of development partners on the sector. The last two or three years (2001-2003) evidences an increasing realization that there can be no genuine democratization, let alone the advancement of the government declared policies of unity and reconciliation, without an independent, reliable, and vibrant media. Major development partners such as DFID and the Netherlands have joined hands towards this objective.

#### 4.4.2. Impact Assessment

##### *Overall: Contributions Were Essential but Largely Donor-Driven*

It is a difficult and complex task to assess the impact of international media assistance for democratization in post-genocide Rwanda. If the last nine years of assistance is evaluated in terms of its ability to help create a democratic, free media, it would certainly fall short. Nevertheless, some important results have been achieved in certain areas.

In general, assistance to the public media, specifically to radio, was critical to the reopening and strengthening of public broadcasting. Training initiatives were also crucial, given that most journalists had either been killed or were, by commission or omission, involved in the genocide. Training was also provided for journalists in the independent media. Unfortunately, however, a low level of professionalism remains one of the major problems facing the country's media as a whole.

One cannot evaluate the impact of international assistance without also analyzing the relationship between development partners and beneficiaries. Research findings indicate a troublesome client-patron relationship between Rwanda's media benefactors and beneficiaries. Regardless of the quality of local initiatives, donors appear to assert their own priorities and deal with locals not as real partners, but as implementers of "ready made projects." A number of sources complained about this "tyranny of international assistance." Too often assistance terms are seen as inflexible and as disregarding local initiatives, priorities, and problems.<sup>163</sup> Most sources indicated that they feel that Rwandan civil society organizations (CSOs) are viewed mainly as implementers of "foreign" programs that are brought to the country as finished products. Some CSO interviewees mentioned, in confidence, that because of this dynamic, funds from donors were sometimes diverted into organizational priority areas without consulting or involving donors. In the end, donors received well-written reports saying the funds have been used for what they were intended.

For Rwandans, it can seem that inflexible terms from some development partners are the price of assistance.

The moral/financial authority conferred to donor-benefactors may keep local CSO representatives from being assertive about their own priorities. In Rwanda, there are two terms for describing international assistance partners: The word *Abaterankunga* (those providing assistance) is more value neutral but the word *Abagiraneza* means "benefactors" Apparently, the average local CSO representative would rather swallow terms and conditions that do not

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<sup>163</sup> In order to not antagonize donors and recipients, these sources will remain anonymous. However, almost all our civil society sources complained about this "tyranny of international assistance."

address the organization's problems and priorities than directly confront the *Abagiraneza*. (Unfortunately, this may also be true for some government officials and representatives!) Rwandan organizations may have to learn to be more assertive about their needs, while donors may need to learn to project themselves as approachable *Abaterankunga* rather than authoritative *Abagiraneza* with a mission.

The client-patron relationship negatively impacts intended results and is characterized by little debate between development partners and CSOs. This is particularly true within the media sector and is nowhere more evident than in the running and management of the Press House. Some say that since the Press House was begun by a foreign organization (UNESCO), it has become a money making "house" rather than an organization seeking to put down roots to advance the cause for which it was founded. During the past five years, the organization has had four executive secretaries; three of them have left under allegations of embezzlement, and donors have not responded to this or tried to hold them accountable.

Likewise, *Umuseso* has been plagued by allegations of embezzlement and mismanagement of funds with little response from donors. Donors may say this is giving the CSO freedom to make decisions without interference. However, the reality is that donors often deal with individuals rather than governing bodies of the CSO. Similarly, decisions involving the use of funds are often made unilaterally by that same individual as well. That person writes beautifully worded reports aimed at pleasing the donors whether or not the money has been spent for what it was intended. In some cases, people feel that the key to obtaining donor support has not been so much about the problem or project at issue, but about how good a given CSO or representative is at speaking "donor language." This may explain the personalized, rather than institutionalized, nature of relationships between some media managers and donors.

The conflict in the patron-client relationship is discernable in the language of both beneficiaries and benefactors. Throughout the research for this report, local representatives said: "Donors can do this..." "They didn't do that..." "They should have done this..." etc. Donors tend to say, "We made this clear..." "I told those boys..." "Our priorities are..." "It wasn't value for our money..." "We channeled our money elsewhere..." etc. These expressions are not necessarily negative, but one does not perceive in them relationships of partnership and collaboration. They resemble, instead, the pre-colonial relations in Rwanda between *Umugaragu* (client) and *Sebuja* (patron).

Another problem is the lack of clear funding criteria to explain why certain organizations receive funding while others do not. The lack of clear criteria creates suspicion about the intention of donors and puts the organizations who do receive funding at risk of being criticized by the government or by organizations that do similar work.

It is probably too early to gauge the long-term impact of assistance to the sector during 2001-03, as distinguished from assistance during the emergency phase (1994-99). The progressive Press Law and the Constitution were passed after the emergency phase, and selected independent media organizations started receiving some financial, material, and political support after that. Additionally, in 2003, development partners (especially DFID and the Netherlands) started working in partnership with the ministry in charge of information and other stakeholders to devise a media strategy, and to fund the establishment of independent radio stations. Results have yet to be seen.

### *Enabling Radio Broadcasting*

The State-owned media, especially national radio, shows the impact of international assistance most visibly. Charles Nahayo, the head of the technical section at *Radio Rwanda*, commented on the state of radio after the war and genocide: “We could not broadcast. On July 19, 1994, when the transition government was sworn in, we had to install an antenna on a tree for the broadcast to be heard.”<sup>164</sup> Faustin Karangira, former director of *Radio Rwanda* and now director of national television, agrees, adding that without international assistance, especially from GTZ, it would have been hard for the radio to recover from the effects of the war. Now, the studios have been re-equipped, ORINFOR and radio buildings have been renovated, journalists and administrators have been trained, and the quality of (some) programs has improved. Karangira estimates that before assistance, the radio was operating at about 50% of its capacity. Now it is nearing 100%, as studios (government supported community radios) are being built and opened in provinces like Butare, Gisenyi. Others are planned for Kibungo and Umutara.

Faustin Karangira notes that as a result of technical advice and training from GTZ, “Programs are now more attractive...and reading news every hour and operating 24-hours are all a result of assistance in training and cooperation. Jean Marie Hakizimana, a peasant of Butare, is happy with the radio operating 24-hours per day: “You listen to it whenever you want,” she said. However, Alphose Gatete, another resident of Tumba in Butare province, disagrees: “I don’t think it was well thought out. From 11pm to 5am, all that is broadcast is music, nothing else. But not everyone is interested in music nor is our meager economy in Rwanda sufficient to cover this expense.”<sup>165</sup> Jean Pierre Gatsinzi, director of the School for Journalism and Communication (EJC), seems to agree with Gatete, arguing that in terms of balance, impartiality, and quality, the image of the radio hasn’t changed much; it remains, “a radio for the authorities...for propaganda purposes.”

### *Improved Journalism Standards*

Karangira accepts that *Radio Rwanda* still inclines toward official thinking, but he insists that training has left journalists, radio, and television programs far better off than they were eight years ago.<sup>166</sup> He adds, “Before the training of our journalists, some of the programs produced were irrelevant. Now, thanks to both technical and financial assistance from the German government, most of the programs suit our audience.” Programs are also more varied. Two popular programs directly attributable to international assistance are Sunday’s television and radio live broadcast of *Kubaza Bitera Kumenya* (“Asking is the Source of Knowledge”) and *Radio Mubaturage* (“Radio Among Citizens”). *Kubaza Bitera Kumenya* addresses mainly political, economic, and cultural issues and is lively; although it most often represents mainstream opinions and points of view.

Ismail Mbonigaba, the proprietor and Chief Editor of *Indorerwamo* and previously the managing editor of *Umuseso*, posits that programs like these that sometimes include critical voices exist as a result of journalists like himself who refused to be intimidated and from whom some Rwandans take courage. He argues, “These days on radio you hear people being critical. It is because of the morale we gave them through *Umuseso*. When we stood our ground, people said we were committing suicide, but now, due to our efforts, they are overcoming fear.” *Radio Mubaturage* is an interactive program that addresses issues from specific areas on a rotational

<sup>164</sup> Charles Nahayo, interview, Kigali, July 1, 2003.

<sup>165</sup> Alphose Gatete, interview, Butare, November 28, 2003.

<sup>166</sup> Faustin Karangira, interview, Kigali, July 1, 2003.

basis. Like *Kubaza Bitera Kumenya*, it is directly linked with the training of radio journalists. Jean Marie Hakizimana, the peasant from Butare, finds these programs interesting, “because they address different social issues.”<sup>167</sup>

Gaspard Safari, the Chief Editor of *The New Times* agrees with Karangira on the issue of training. “Because of the training our journalists received, *The New Times* of today is very different from the one of two years ago...this has led to increased sales due to improvement in quality,” he asserted.<sup>168</sup> This sentiment is also echoed by Fr. Dominique Karekezi, the president of the Press House and director of *Kinyamateka*, who says that journalist training has had an enormous impact, although it hasn’t been sufficient to eradicate sloppy and low professionalism.” This confidence in training journalists as the hope for a future vibrant media in the country was also indicated by 93% of respondents to the *Internews* mini-survey.<sup>169</sup> However, despite international support over the last nine years, 53% of the same respondents thought that the poor quality of Rwandan media was caused by a lack of training. This illustrates that despite the improvements, inadequate training remains one of the major stumbling blocks.

#### *Creation of School of Journalism and Communication (EJC)*

Assistance to the School of Journalism and Communication at the National University of Rwanda has also been significant. Rwanda opened its first school of journalism in 1995. With substantial assistance from UNESCO, the school has trained close to one hundred journalists in *Licence* (BA) programs of Mass Communication or Journalism. Graduates are now employed by State or private media agencies and organizations. Faustin Karangira observes, “...of course they are better. It is very easy to train them, and they understand very fast. They have had a very positive impact on our television, radio, and print mediums.” Fr. Dominique Karekezi of *Kinyamateka* agrees, “They have had a good impact...I have no doubt it will increase as we get more on the market.” Today, there are over 60 students of journalism in their first to fourth years at the school. Twenty-two of them will join the market in late 2004. This has been achieved in partnership with the Government of Rwanda, but international support should not be underestimated.

The EJC houses television and radio studios and an internet laboratory, all of which have improved the quality of education. More fundamentally, the school will soon be operating an FM community radio station, thanks to funding from the European Union through UNESCO. This is expected to further improve the quality of journalism graduates, contribute to free debate, and to the exchange of news and information.

#### *Building Domestic Media Institutions: The Press House, Association of Rwandan Journalists (ARJ), and Rwanda Independent Media Group (RIMEG)/Umuseso*

The idea to create the Press House came from UNESCO, which also sustained the organization financially until 2001 when it ended its Rwanda Media Project. Currently, the Press House does not have a building of its own due to lack of funds, but it still has computers, scanners, and printers that are used by interested journalists and editors to write stories, typeset newspapers, and print various documents at subsidized rates. It also continues to be the meeting place of

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<sup>167</sup> Jean Marie Hakizimana, interview, Butare, November 28, 2003. Hakizimana is a peasant from Nyakibanda, Kibingo District, Butare province.

<sup>168</sup> Gaspard Safari, interview, Kigali, June 26, 2003.

<sup>169</sup> See note 70 above.

journalists (both national and international). There is general consensus that without international assistance, it would have been very hard for Rwandan journalists to form and run an umbrella organization that brings together all journalists and newspapers without distinction.

However, assistance failed to reach the goal of making the organization self-sustaining. Assistance was given to build kiosks throughout the country to sell newspapers, journals, and periodicals, and the cafeteria and print production services were all part of the plan for sustainability. These sites and services did not become income-producers, however. The cafeteria closed down due to mismanagement, and the kiosks now scattered throughout the provinces neither generate income for the organization nor sell newspapers. (Rather, they sell soft drinks and Primus, a popular local beer.) Photocopying, printing, layout, and scanning services are still provided, but the income from these services is minimal compared to what is needed to sustain the organization.

Observers agree that both development partners and Rwandans themselves are to blame for the failure of the organization to achieve sustainability. Two criticisms are made of the donors:

1. Dealing with the Press House's first executive secretary directly as an individual led to alleged mismanagement and embezzlement of funds;
2. The decision to assist with rent for more than five years instead of providing assistance to build permanent offices (despite the president's offer of land for this purpose) proved unsustainable in the long run.

The members of this organization, however, are also greatly responsible for the problems. They have failed to prove that the executive director did, indeed, embezzle funds, and they have failed to improve the organization's condition since the departure of the executive director in 2000.

The Rwanda Independent Media Group (RIMEG) and specifically *Umuseso* have also been major beneficiaries of international assistance aimed at building and strengthening the nascent independent press. Unfortunately, assistance failed to strengthen RIMEG, and in some respects, helped to dismantle it. The organization first received assistance from the Royal Netherlands Embassy, but early mismanagement led to wrangles and internal divisions between the seven founding members. The split was caused in part by the fact that donors allowed money to be transferred to a personal account. Today, only one of the original seven remains a member (in exile). A second round of assistance came from CIDA, but the new team also fought and became divided over the money in the same manner: financial mismanagement and embezzlement allegations arose, once again, by the transfer of funds to a personal account! The matter was taken to the police and at the end of the day, the group split up; expelling the managing editor, Ismail Mbonigaba, who went on to found *Indorerwamo* (The Mirror), adding another to the list of unsustainable newspapers.

Although the existence of *Umuseso* is a certainly a credit to international donors (and *Umuseso* has received the lion's share of donor attention), it cannot be said that international assistance contributed significantly to the strengthening of the independent, critical and free press. For there to be a truly free press, more than one independent newspaper would have to exist. In fact, *Umuseso* became kind of a "martyr press" as relations worsened with the government. Its first two managing editors (John Eddie Mugabi and Ismail Mbonigaba) are now in exile, and the current managing editor has a strained relationship with government. Rather than enabling conditions for journalists to work freely and responsibly, it appears that assistance has managed only to support a few very critical voices for a few months or years before they are

forced to catch the plane to exile! If international assistance had been available and extended to other independent newspapers (such as *Ukuri*, *Ukuri Gacaca*, *Ubumwe*, etc), it is possible that the results would have been more positive and sustainable.

### *Opening up Media Space*

In spite of the limits set by the governing power, there appears to be more debate in the media today than a few years ago. This opening is not sufficient, however, to meet peoples' desire for more critical debate on the important issues that affect their lives. People are especially eager to talk about land distribution or about political issues like the alleged corruption among some senior government officials. This demand for more open discussion may help explain the popularity of *Umuseso* among both the ordinary people in Kigali and some senior officials. One of *Umuseso*'s popular columns is, called, "Ibihwehwehwa," loosely translated as, "What is said privately in a low voice." Although people really enjoy reading it, however, the column carries nothing more than what the people already know but are afraid to discuss publicly. The danger of these kinds of columns is that they can fuel the rumor, distrust, and disgruntlement already rampant in Rwanda.

Radio may still be toeing the government line without asking hard questions or entertaining critical views, but it has improved somewhat thanks to international assistance. International assistance also positively affected radio operations and its expansion.

Although evidence indicates that radio programming has generally improved, concerns persist about whether accurate, statistically supported information is being transmitted. Jean Pierre Gatsinzi, the Director of the School of journalism at the National university of Rwanda, argues that radio programs are not created based on research or audience interests. The last known survey of the radio audience was in 1968, except for one survey carried out by the Thomson Foundation in 1999 which was never published or given to the concerned authorities. ORINFOR continues to operate under an inflexible mandate and is tightly under the grip of government officials in spite of conditions placed on it by international donors (especially from the German government) for it to become more autonomous and to improve its efficiency and professionalism.

In terms of the print media, international assistance has been significant for only a few of the 37 newspapers, journals, and periodicals formally registered with the government. These are the newspapers owned and run by human rights organizations (*Amani*, *Le Verdict*, *Umukindo* and *Haguruka*) and the two independent newspapers, *Umuseso* and *Indorerwamo*. The latter two have served as a litmus test for the impact of international assistance. *Umuseso* and *Indorerwamo* are not more entrenched, reliable, balanced, objective, impartial, or professional than the rest, but they have managed to retain a degree of independence from the government. Without international assistance, they would probably be out of circulation. Robert Sebunfirira, managing editor of *Umuseso*, concurs: "It would be a lie to imagine *Umuseso* on the streets without international assistance."<sup>170</sup> Ismail Mbonigaba agrees: "Although the impact of international assistance to the media in Rwanda is not as outstanding, it is there."

### *Positive Influence of Foreign Radios (BBC & VOA)*

The British Broadcasting Corporation (BBC) and Voice of America (VOA) have had an enormous impact on lessening authorities' intolerance of divergent views (although not without taking a beating themselves). This has, in turn, benefited both private citizens and the local

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<sup>170</sup> Robert Sebunfirira, interview, Kigali, June 26, 2003.

media. Both radios give airtime to government officials and opposition politicians. What is said is then subsequently quoted in independent journals without the fear of reprimand. Robert Sebufiria argues that this has given *Umuseso* more breathing space. The same applies to many other local journals and newspaper, including *Ukuri*, *The Rwanda Voice*, and *Indorerwamo*.

Government officials seem more willing and available to talk to BBC and VOA than to the independent media in the country. The information is quoted locally, without the risk that people will be accused of spreading rumors and false news, and it has added variety to what is written in the local press.

Both the BBC and VOA have been (and continue to be) very instrumental in the government and UNHCR's program of repatriating Rwandan refugees from neighboring countries. The high degree of trust they enjoy has contributed to the return of many refugees since 1996.

One *Internews* mini-survey indicated that among the 66% of the 61 respondents who cited Radio as their primary source of news, 43% of them cited BBC as their favorite, followed by 20% for VOA. *Radio Rwanda* was the favorite for only 12% of those surveyed.<sup>171</sup>

However, foreign radios cannot be relied on entirely to address the still-thorny issue of open and honest debate. Jeremy Lester, the EU resident representative, identifies suspicion, deep distrust, and the lack of meaningful space for dialogue as some of the major problems affecting relations among citizens and between donors and government. Rupert Bladon, the governance advisor at DFID, notes, "The media in Rwanda is now worse than it was two years ago." This view is shared by Jeroen Corduwener, a journalist from the Netherlands and visiting lecturer at the School of Journalism and Communication, who posits that the local media has been deteriorating rather than improving during the last two or three years. It is hard to argue with them given that four independent newspapers have folded during that period and a number of journalists have fled to exile (*Rwanda Newslines* closed down due to financial and managerial problems and its editor, Eddie Muagbi, fled to exile in Holland; the *Rwanda Herald* was closed down by the State and its editor, Asuman Bisiika, was deported to Uganda; *Imboni* and *Le Messager* were abandoned by Deo Mushayidi who now lives in exile in Belgium; and *Umuseso* editors were arrested and newspapers confiscated at the border with Uganda on November 20, 2003.)

#### *International Political and Moral Support Essential for Survival of Independent Media*

Among independent journalists and observers, political and moral support is considered the most significant kind of assistance. Editors at *Umuseso* believe many journalists would be in prison if not for this kind of support. A diplomat in Kigali agreed, adding that while *Umuseso* may not be the best newspaper, it is a lone voice outside the government controlled media. The Royal Netherlands Embassy has been a very vocal advocate journalists like John Eddie Mugabi, Mbonigaba, Robert Sebufirira, and McDowell Kalisa have been arrested and illegally detained.<sup>172</sup> Other organizations like Human Rights Watch, Amnesty International, Reporters

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<sup>171</sup> See note 70 above. As indicated, this survey was neither formal nor statistically scientific, but represents an elite perception of foreign media versus local media in terms of preference. Even with the print media, Ugandan and Kenyan newspapers are more preferred and read than local newspapers, according to this survey.

<sup>172</sup> Unfortunately, despite this support, Mugabi and Mbonigaba are in exile, while Robert Sebufirira and McDowell Kalisa have been in detention since November 20, 2003 following the publication of an article alleging the retrenchment of former Army Chief of Staff, Major General Kayumba Nyamwasa alongside other senior Army officers.

Without Borders, and the International Federation of Journalists (IFJ) have also denounced the arrest and illegal detention of journalists. One diplomat in Kigali said, “Without our pressure on the government, those boys [journalists at *Umuseso*] would be in prison, and their newspapers would now be history.” Peter Sullivan, a South African journalist and experienced editor explains the importance of this, saying: “The journalist’s first responsibility is to survive in order to be able to tell the story.” Some diplomats have played a key role in helping journalists survive. They have provided political and moral support to keep channels of expression open and have, occasionally, given financial support to help critical journalists to tell their story.

Casmiry Kayumba, a respected journalist in Kigali, member of the High Council of the Press, and Chief Editor of *Ukuri* journal disagrees, however. “These journalists cause themselves unnecessary problems by running all the time to foreign embassies. This annoys some government officials,” Kayumba said. This view is echoed by some other journalists from both the public and private media organizations. The president of ARJ, Marie Ingabire Immaculée, agrees with Kayumba, but for a different reason. She suggests that the newspapers receiving assistance from development partners are not necessarily the best in the country, but rather simply ones that have “succumbed to serving the interests of foreigners.”

Although there is strong consensus that Rwanda urgently needs political support, such support is criticized for tending to be personalized and for causing unnecessary animosity between authorities and certain foreign embassies accused of having hidden agendas. In other words, while political support has helped the survival of newspapers like *Umuseso* and protected some journalists, it is also misinterpreted by the authorities. The protection given lacks a coherent strategy and gives the appearance of sympathizing with media outlets and individuals considered “negative” by the government. It also appears to address symptoms rather than causes of the strained relationship between the media and the State. The approach is unnecessarily confrontational and pits donors against authorities. It may also send the wrong signals to some journalists who see themselves as exclusively counter-power or opposition.

#### *Establishment of Regulatory Media Framework*

It is difficult to measure international input and influence on the adoption of the Press Law and the 1993 Constitution, but various international legal experts and organizations contributed enormously. One official from a major donor country said, for example, that the contribution of his institution to the establishment of the Press Law was decisive, especially with regard to deleting an article in the Press Law that included a death penalty.<sup>173</sup>

Research indicates that these laws have already started having an impact especially in allowing independent and private broadcasting (*Radio 10* started in early February 2004, *Radio Kibungo* has a license and will soon start, and three others are also expected to start very soon). Mbonigaba finds that “Since the coming in place of the Press Law, things have improved.” He says that even those who used to confiscate newspapers at the border before they could be put on the market no longer do it because whenever they try, “I show them what the law says and tell them they can’t break the law.” He says this makes them back off in a way they did not before the passage of the law. As stated previously, however, Mbonigaba was probably

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<sup>173</sup> This law was passed by Parliament but the President, allegedly because of pressure from donors, refused to sign it and referred it back to Parliament. In the end, the article was deleted and the President assented. It is the same law that provides for the establishment of independent radio and television stations.

premature in his optimism, as months later, he was forced to leave the country, alleging persecution.

#### **4.5. Strengths and Weaknesses of International Media Assistance**

Considering the low level of attention and contribution of international assistance to the media sector, it is difficult to pinpoint strengths, and those that exist fade in the face of the many weaknesses. Nonetheless, there have been some strong points worth mentioning.

##### *4.5.1 Strengths*

###### *Political Support*

Most sources, especially diplomats and journalists from the independent press (mainly *Umuseso* and *Indorerwamo*) view this kind of support as the most effective. In order to work, “we need to feel safe and protected first,” says Ismail Mbonigaba.

Nonetheless, political support remains minimal, misunderstood, and problematic. Authorities see it as meddling in internal affairs and offering special privileges to groups and individuals considered overly critical, insensitive, and pro-opposition. Yet, not offering political support would be out of question as it would be tantamount to endorsing oppression and a muzzling of the independent press. The best option is to tread a middle ground, letting the government know that suppressing the press is not acceptable, while extending the same kind of protection to all who are in need.

###### *Training of Journalists*

The second strength of international assistance to the media sector is the training of journalists from both the private and public spheres. As indicated previously, this assistance has, without a doubt, improved the quality of news reporting, program design, and presentation, especially at *Radio Rwanda*. Although there are no statistics indicating how many journalists have benefited since 1994, research points to a substantial improvement in journalist capacity even within the surviving private press houses.

However, contributions to training initiatives are not without criticism. In some cases, there is little consultation between benefactors and beneficiaries to determine which kinds of training are most appropriate. Thus, assumed rather than actual needs end up being the focus. This criticism was also expressed in other project areas.

##### *4.5.2. Weaknesses*

In view of the current state of the media relative to what it was in 1994, all the actors in this sector agree that the media has been the most neglected and least funded sector relevant to democratization. There are a number of possible reasons for this.

###### *Absence of a Clear Media Strategy*

Since 1994, Rwanda’s development partners have not had a clear media strategy to direct action/inaction and assistance. Instead, the undeclared policy has been one of “wait and see.” Donors may have decided to avoid the media sector because of its role in lighting the fires of the 1994 genocide and because of the new government’s distrust and suspicion of the independent media for that reason. It is also possible that the international community’s embarrassment at

not having done enough to stop the genocide caused it to lack the necessary confidence to engage in this highly sensitive and potentially controversial sector.

Much of the assistance given between 1994 and 1999 was emergency-related (aimed at poverty alleviation, resettlement, justice, etc). Later, aid was aimed at direct budgetary support and strengthening government institutions and capacity. Jeremy Lester, the head of the EU delegation, agrees that his organization paid little attention to the development of an independent media and provided almost no assistance to the sector. Other diplomatic sources echo this and say that, given the role of the media during the genocide and the emergency nature of period after the genocide, it was difficult for donors to draw up a common media strategy.

#### *Donor-Driven Agendas*

Most local interviewees complained about inflexible donor terms and the very little regard for local initiatives and priorities. In most cases, donors came with their own priorities, and that tended to kill local initiatives, encourage dependency and dishonesty, and affect out-put. Donor-driven agendas, along with the lack of clear funding criteria and the personalized nature of some assistance, negatively affected the results of the projects as well as relationships between donors, some unfunded CSOs, and the government.

#### *Fragmented and Uncoordinated Support*

The fragmented and uncoordinated support of donors motivated individual journalists to start newspapers with the hope of getting international assistance. Reporters Without Borders (RSF) offered support to editors and newspapers in 1995, and other agencies and foreign missions also made small contributions to allow editors to publish newspapers. This assistance was not only short-lived, it also encouraged the birth of numerous unsustainable newspapers, periodicals, and journals. General consensus is that this kind of assistance was by and large inconsequential, highly personalized, and without follow-up mechanisms. A large part of the assistance was directed to things for which it was not originally intended or created competition and tensions between different recipients of media assistance.

In some cases, the assistance became a source of and catalyst for quarrels, splitting up journalists who had otherwise agreed to work together. In comparison to other “independent” newspapers *Umuseso* received a substantial amount of funding. Rather than strengthen the newspaper and RIMEG, however, the assistance served to break up the organization on two separate occasions. This may have been due to lack of oversight on the part of some donors where funds intended for the organization were banked on individual bank accounts creating unnecessary wrangles and splits. A similar scenario happened at the Press House, where two top managers, on two separate occasions were accused of embezzling organization funds and concerned donors kept silent. This did not only raise concerns about the transparency and accountability of such funds (especially that these managers reported directly to funding agencies), but left the organization in decidedly worse shape.

#### *Little Attention for Professionalization of the Media*

Whereas journalist training has in some ways improved the quality of some newspapers, radio programs, and individual journalists, it has not addressed some of the larger problems afflicting the media industry. These include: a low level of professionalism, mismanagement (including financial mismanagement), and political challenges. Some journalists who received training ended up seeking employment outside of Rwanda’s media sector in foreign media outlets or other non-governmental institutions that offer financial and professional protection.

## 4.6. Lessons and Policy Recommendations

### 4.6.1. Lessons

Without a clear, coordinated strategy to develop a vibrant, independent, and critical media, and without a substantial amount of assistance to support that strategy, real democracy will be difficult to achieve. If donors had been able to give assistance within the framework of a deliberate strategy and policy, many of the current misunderstandings and conflicts between donors and government may have been mitigated or eliminated.

Projects imposed from the outside are not as successful, and local actors tend not to take ownership of the goals of these projects. It would probably be more productive to encourage and support indigenous ideas and initiatives. International assistance was decisive, for example, in the establishment of the Press House, but as Ingabire, the President of ARJ, says, its management and credibility has suffered because its creation wasn't an indigenous idea, but rather an "...idea from foreigners who said, because elsewhere, for example in Burundi, there was a similar organization, Rwanda should have one as well." Had it been an indigenous idea, it may have attracted more attention as well as enthusiasm and ownership among journalists.

Further, international assistance will not be helpful as long as it continues to focus on micro-level support as it has over the last nine years. Rather, it should focus on the overall media environment in the country. This focus should also aim at improving the level of political support. This support has been effective in the past, but has only benefited a few individuals and newspapers. In the future, support should seek to install mechanisms that can support the media sector as a whole.

Most importantly however, mechanisms should be put in place to ensure that international assistance does not become a source of conflict and destruction in local media organizations. Instead of trusting and working with individual journalists and editors to the point of sending assistance funds to personal bank accounts, development partners should work with media institutions and newspapers with bank accounts in the name of more than two individuals. This can easily be done, by working with already established organizations and by encouraging like-minded journalists to form partnerships and work together.

### 4.6.2. Policy Recommendations

#### *To the Government*

1. It would be in the best interest of government to authorize ORINFOR to deal directly with donors. This would reduce the risk of assistance being withheld for political reasons. In other words, ORINFOR should be given autonomy to function, not as a government department, but as an independent autonomous body. A manager at ORINFOR says, "Changing ORINFOR's mandate would be very good. It does some very good work, but it is still seen as a government body and therefore commands little confidence and trust from the public as long as it retains its current mandate." This view is popular both with ORINFOR employees and outsiders, including some donors;
2. The government should support programs to increase the political analysis capacity and professionalism of both governmental and private media;
3. The government should waive taxes on printing materials. Waiving taxes on printing materials, especially paper, would significantly reduce the currently high cost of

printing newspapers, according to journalists and editors. Fr. Karekezi and Gaspard Safari believe that their newspapers could effectively meet all their costs, even without government assistance, if taxes on printing papers and other related materials were lifted, waived, or at least subsidized. Safari argued, “Let the government not give us money, but let it lift taxes on printing materials;”

4. Government printing houses should be encouraged to work 24 hours a day instead of keeping to the current daytime schedule which affects output and the ability to meet deadlines. The government printing house should, through ORINFOR, accept the unrestricted printing of all newspapers, including private newspapers. This would not only increase the productivity of ORINFOR by boosting its income and reducing dependence on government, but would also reduce the cost of independent newspapers many of which print in Uganda at half the cost;
5. The government should change its attitude towards the independent media. The issue of independent media remains very sensitive and controversial, and the government always refers to the role of the media in the genocide as the reason not to allow a free media. But RTLM, *Kangura*, *Nyiramacibiri* and others were not independent, and they still promoted and supported the genocidal agenda. With a clear developmental direction, an independent media can serve both the developmental and reconciliation agendas. This would not only be in the interest of ordinary citizens, but of the government as well.

#### *To the International Community*

1. The international community should encourage the government to enforce and implement its own laws, including liberalizing broadcasting. Although the laws are restrictive in some ways, they are clearly stated and should be implemented;
2. As the country moves from the peace and security priorities of the post-conflict period to a time of prioritizing development and democratization, international partners must adopt informed, realistic, long-term, goal-oriented, and coordinated policies motivated by a need to establish, develop, and strengthen an independent professional media. Common strategies must be reached to assist the building of a genuinely democratic media, and a trusted partnership with government must be established based on the country’s laws;
3. The international donor community should adopt a strategy aimed at training journalists, editors, and senior government officials in charge of information on the role of independent, critical, and responsible media. The concept of a free and independent media is new and remains misunderstood. Although authorities and journalists agree on what it is—an arena for information, education, and entertainment, offering divergent opinions and ideas to allow the public to participate in public affairs knowledgeably—they disagree on how it should operate. Journalists see an independent and free media as a counter power, which means turning a blind eye to any good the government might have done. Authorities, on the other hand, want an independent and free media to advance its policies. Any attempt to differ is interpreted as opposition or classified as a “negative force.” This kind of training may not solve the problem, but it may serve to increase awareness among some of the officials handling the media;

4. Donors need to go beyond funding uncoordinated and often spontaneous journalist trainings and beyond offering equipment to a few selected media outlets. Clear and unambiguous benchmarks should be developed and used to indicate that donors will not tolerate, or be complicit with, the suppression and intimidation of an independent and critical press. This can easily be achieved as part of the donors' ongoing discussions with government. Every year, all development partners should agree on the common benchmarks to be discussed and include these along with follow-up mechanisms in their Memorandums of Understanding;
5. Donors should develop mechanisms to ensure the proper management of funds for media projects. This entails discouraging personalized patterns of funding and encouraging instead relationships to institutions. Dialogue based on trust and respect must occur between donors and local partners;
6. Donors should engage in and support new initiatives aimed at creating new and strong media outlets. Local initiatives will require technical assistance since forming a civil society organization requires much effort, knowledge, and expertise (in such things as drafting articles of incorporation, statutes, and by laws, for instance). This is especially important since a small media establishment can easily be manipulated or bought by the powers that be;
7. With airwaves opening up and private and commercial radio stations starting, the international community should continue supporting this process by funding some of these radio stations (especially community stations) and by supporting initiatives that will ensure their sustainability;
8. Lastly, and probably most importantly, donors must seek long-term engagement and make a commitment to building sustainable infrastructure (offices and buildings, printing houses, radio and television stations), offering long-term consultancy to independent media houses, etc. The Press House and the ARJ propose to form a printing house by establishing an association, in partnership with donors, that they would call, "Friends of the Rwandan Media." Another possibility is for donors to give a soft loan to media houses, possibly through the Press House, to establish such a printing house.

## Chapter V. Conclusions and Recommendations

### 5.1 Conclusions

The impact of international assistance during the post-genocide period has been extremely varied in relation to the three principle components of this study: elections, human rights, and media. The only area in which assistance has unquestionably led to significant and tangible results is human rights—specifically the reconstruction of institutions concerned with justice and the establishment of the rule of law. Serious questions remain concerning civil and political rights, however, in spite of the significant improvements made in these fundamental human rights conditions. Both positive and negative results can be attributed in large part to the RPF-dominated government which, unlike many other post-conflict governments, has played the leading role in the course of events.

The poorest results are recorded for assistance to the media sector, in part because of the international community's reluctance to invest in an area that played such a significant role in the genocide and in part because of government imposed restrictions on the freedom of expression. Finally, it is difficult to assess the impact of international electoral assistance, which is new to Rwanda. The study's review of this electoral assistance revealed hesitation, contradictions, and controversy.

### 5.2. Overall Impact of Democracy-Building Assistance

In gauging the overall impact of assistance toward building democratic institutions and practices in Rwanda, it is important to highlight the history of the international community's relationship with the RPF, which was finally victorious over the forces of genocide. The role of France, an important actor in Africa, has been particularly sensitive; France had helped to support the MRND as it fought against the RPF army, and it provided ongoing support to that regime both during and after the genocide.

It is also important to remember that the international community was present during the last year of the conflict—and throughout the whole period of the genocide—but did nothing to stop it. On April 21, 1994, two weeks into the genocide, UNAMIR, which had already provided protection to more than 20,000 Rwandans at specific sites, was ordered by the Security Council to reduce its troops from 2,000 to a token force of 270.<sup>174</sup> Effectively, this meant that the international community turned its back on Rwanda and left room for genocide to be accomplished. The Special Representative of the UN Secretary General attempted to minimize the extent and organized nature of the slayings and refused to admit that what was happening was a genocide committed by government institutions. Instead of issuing an imperative to stop the massacres, he interpreted events as an armed conflict between the RPF and government armies and emphasized the need for a ceasefire.

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<sup>174</sup> United Nations Security Council, Resolution S/Res/912(1994), April 21, 1994.

International support was slow to arrive after the genocide. From June 1994 to December 1995, the “crisis in Rwanda” was perceived by the international community first and foremost as a refugee crisis in Congo and Tanzania. During 1994-95, the majority of aid granted to Rwanda was directed to the refugee camps that housed the perpetrators (or forced perpetrators) of the genocide rather than to the genocide wounded and starving survivors themselves. Further, the very important UN Human Rights Mission that arrived in Rwanda in 1995 with the dual mission of documenting the genocide and ensuring respect for human rights only awkwardly fulfilled the second part of its mandate.

Another dynamic that was particularly important after the genocide was the arrival of new international partners that had not previously been involved in Rwanda. These include the Netherlands (in early 1995) followed by the UK and Sweden. The United States can also be added to this list. Although the US was a former partner of Rwanda, it also sought to compensate for inaction during the catastrophe. With significant financial contributions and sensitivity to the catastrophe, these countries managed to play an extremely essential bridging role between the international community and the RPF government.

Some of these dynamics help explain why the RPF has been so deeply suspicious of the international community and why many members of the international community have such deep feelings of guilt.

Contentious issues—such as the Kibeho massacres, the overcrowding and inhumane prisons conditions, the repression that followed the war against infiltrator forces in 1997-98, and the war in Congo—further complicated the relationships between the Rwandan government and various actors of the international community, and the high level of government dependence on international funding also added to the complexity of the dynamic. In the end, the international community applied heavy pressure when government abuses occurred, but it also had an understanding of the context and the difficult road that had to be traveled. Thus, for example, while the international community condemned illegal arrests and poor conditions in the jails where the genocide perpetrators were being held, it also invested in building and expanding those prisons.

In the context of such dynamics, it is important to highlight the government’s political will to take the lead in the reconstruction efforts. This has allowed Rwanda to optimize ownership of the process and to consolidate and build on its achievements.

The impact of international assistance on rebuilding institutions of governance and justice is relatively impressive. There is now a relatively functioning legal system and increasing professionalism of the parties in the system. Unlike a number of other countries that have suffered from serious crimes against humanity and genocide, Rwanda has not adopted an amnesty policy, either for the leaders or the foot soldiers of the genocide. The future of the Gacaca tribunals is still uncertain, but the strategies that have been developed to settle the genocide disputes benefited from a certain level of popular support. Persistent critics, including voices from the grass-roots level, focus on the failure to prosecute RPF soldiers and sympathizers for acts of retaliation, while others contend that the system is too lenient on the genocide perpetrators. This would not have been possible had there not been improvements in the treatment of prisoners, and improvements in the genocide trials, which created a minimum of trust in the judiciary institution. The recognition of genocide survivors and the small amounts of assistance they received must have helped as well. These are all the direct or indirect result of international assistance and the political leadership of the government.

The impact of international assistance on establishing the rule of law is quite clear—especially when comparing the current situation to that which prevailed shortly after the genocide. Progress is significant in terms of respect for the physical and moral integrity of the majority of the population, and throughout the country there is an appreciable feeling of security. This is especially significant considering that there was an intense armed conflict in the north-western part of country (1997-1999) even after the genocide when military and political forces responsible for the genocide attempted to invade the country from Congo in order to resume the politics of ethnic massacre. But, despite extreme civil warfare (1994) and despite the fact that a substantial portion of the population took part in the massacre of another substantial portion of the population during the genocide, the surviving victims and families of perpetrators (or perpetrators themselves) now live side-by-side in the same communities. Today, Rwanda enjoys a situation of relative stability, especially in comparison with its neighbors. Nevertheless, some of the progress achieved concerning the “social rapprochement” during the second part of the transition (1999-2002) seems to be reverting.<sup>175</sup>

The most serious problems have to do with political and civil rights. The freedoms of expression and association have been very restricted for several years, and most dissident voices are forced either into exile or prison. A president of the National Assembly and a prime minister both chose exile shortly after resigning, for example, and the previous president of the Republic is in prison. On the eve of legislative and presidential elections, an important political party was dissolved, and five opposition members have allegedly been disappeared. Finally, the independent press is often harassed by government. Thus, the rule of law, while successfully established in some areas is far from being satisfactorily entrenched.

It is important to examine why fundamental human rights are being respected while civil and political rights are not. Considering the long history of deep division in Rwanda and its culmination in the April- July 1994 genocide, is it possible that the current stability and security in the country is a direct result of limits placed on civil and political rights? Was it possible to have both stability and respect for civil-political rights in the Rwandan post genocide context? To what extent should a nation accept less stability and less security in favor of more liberty? Finally, at what point will continued restrictions on civil and political freedoms begin to work against the security and stability achieved thus far?

With the conclusion of the emergency phase, the government of Rwanda has embarked on a project of democratization. In this context, it will be important for the international community to assess the level of social cohesion and the political will of various actors to move from exclusionist ideologies and political practices to a more open society. These assessments will help donors determine how much to ask from the government in exchange for democratization assistance.

There are divergent opinions on this. Some international and local human rights organizations, for example, do not ask themselves such questions, since their mandate is to denounce violations of the international human rights instruments of which Rwanda is a part. Researchers also express various view points among themselves. In analyzing the overall political climate at the end of the transition in November 2002, the International Crisis Group (ICG) explains:

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<sup>175</sup> Report of the Parliamentary Commission of Inquiry into the killings that occurred in Gikongoro province and on the ideology of genocide in Rwanda, Kigali, June 2004.

‘In addition to its political management, the Rwanda government has made efforts towards reconciliation including the reintegration of ex-FAR Hutu soldiers into the Army, the work of the Unity and Reconciliation Commission and, recently, the setting up of the Gacaca courts. Yet the RPF’s ideology and persistent security problems have locked the transition into an authoritarian drift, undermining all efforts at reconciliation in the short-term and undermining the country’s stability in the long-term.’<sup>176</sup>

Thus, according to ICG, the social and political dissent originating from the recent conflict are no longer pertinent. The main obstacles to Rwanda’s democratization include the RPF’s paternalistic and authoritarian ideology and the residual security problems posed by armed groups situated mainly outside the country.<sup>177</sup>

Rwanda specialist, Peter Uvin, expressed a somewhat different view, however. In his opinion:

‘There exists a worrying Manichean vision of Rwanda in which all that is government is bad, and all that is society is good. A mirror version of this is that only those people or organizations that are highly confrontational to government are worthy of the appellation of “civil society.” Both are dangerous simplifications. The problems of Rwanda are deeply present in the non State sphere as well: authoritarianism, distrust, clientelism, and exclusion (including the ideology that allowed the genocide to happen) all exist within civil society as well; they are not sole preserve of government. That does not make government policies any better; it just makes the notion that somehow thwarting, or replacing, the current government as the solution a lot less realistic or promising.’<sup>178</sup>

This type of diverging appreciation of the social and political context in Rwanda is also found among the different donors to Rwanda.

Three broad positions illustrate such differences. Some countries, such as France, and some influential social and political actors (Belgian NGOs and researchers close to the Belgian Social Christian political party and/or of Flemish orientation) have historically opposed the RPF, which fought and defeated an allied regime. These international actors are wedded to the notion that in Rwanda, the ethnic majority is the same as a democratic majority, and they view the RPF-dominated government as intrinsically illegitimate. Still others, like international human rights organizations, apply a universalistic view of the democratic process and seek to establish the competitive democracy model currently the norm in most western countries. Lastly, some countries, like the UK and Sweden, emphasise the post-genocide context characterized by the continuing fragility of the Rwandan social fabric.

Choosing one perspective over the others requires a step back from the polarized microcosm of Rwanda. Comparative studies are helpful. Arend Lijphart’s pioneering study of democratization processes in divided societies is one useful work. Examining several divided western societies in the late 1960s and earlier (Belgium, the Netherlands, Austria, and

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<sup>176</sup> ICG, *End of the Transition in Rwanda: A Necessary Political Liberation*. ICG Africa Report no. 23 (Nairobi / Brussels, November 13, 2002: 9).

<sup>177</sup> *Ibid.*: 4-9.

<sup>178</sup> Peter Uvin, “Wake Up! Some Policy Proposals for the International Community” (June 2003).

Switzerland), Lijphart observes that deeply divided societies are unable to sustain strongly competitive democratic systems for a long time; they require more consensual political mechanisms.<sup>179</sup>

More recent assessments of democratization in Africa (1990-99) also demonstrate the importance of departing from the normative competitive democracy model, given the divided character of most African societies and the dire poverty levels that exist.<sup>180</sup> Distinguished Africanist, Crawford Young, wrote the following concerning democratization prospects for post-genocide Rwanda: “[...] democratic mechanisms seem to be out of question for a prolonged period in the wake of this deep trauma and the spread of armed conflict to the entire Great Lakes region in late 1996.”<sup>181</sup>

These studies tend to support Peter Uvin’s view over that of ICG; that is, the view that obstacles to democratization are found not only in the authoritarian State but also in the persistent divisions rooted in society.

This has important implications for the kind of political dialogue the donor community should engage in with the government and with civil society in order to achieve a political opening, including much more freedom of expression and political association.

Two important patterns of political dialogue between donors and the government exist currently. The first approach is for donors to act as mentors for government efforts through what could be called “constructive engagement” based on Memoranda of Understanding agreed upon by both partners, followed by a regular progress evaluation negotiated by both parties.<sup>182</sup> Direct budget support has been the primary means of assistance here. The second approach involves conditioning assistance on political opening through unilaterally determined benchmarks, with assistance given more on a per project basis. The first approach has tended to ignore civil society, whereas the second has tended to accord it great importance.

Both patterns have their advantages and disadvantages, but the difference between them becomes clearer as the country nears the end of the post-genocide transition and moves into the democratization phase. This report aims to identify conditions that would optimize each, rather than to praise one at the expense of the other.

The proposed approach requires an in-depth understanding of points raised during political discussions and a deep analysis of the political climate. In May and June 2003, a series of highly critical reports were published that observed a dramatic decrease in political space and freedom

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<sup>179</sup> Arend Lijphart, *Democracy in Plural Societies: a Comparative Exploration* (New Haven and London: Yale University Press, 1977: 27).

<sup>180</sup> Crawford Young, “The Third Wave of Democratisation in Africa: Ambiguities and Contradictions in R.A. Joseph (editor), *State, Conflict, and Democracy in Africa* (London: Lynne Rienner Publishers, 1999: 15-38); Jeffrey Herbst, “The Role of Citizenship Laws in Multiethnic Societies: Evidence from Africa” in *Ibid.*: 299-317; Donald Rothchild, “Ethnic Insecurity, Peace Agreements, and State Building”, in *Ibid.*: 319-337; Adebayo Olukoshi, “State, Conflict, and Democracy in Africa: The Complex Process of Renewal”, in *Ibid.*: 451-465.

<sup>181</sup> Young, *op. cit.*: 29.

<sup>182</sup> Critics of Memoranda of Understanding (MoUs) in Rwanda say that the system does not seem to work. While the MoU is not bad in itself, once it exists, the diplomats in charge of it do not dare to question it; they prioritize not rocking the boat over most other aims.

of expression. Among the most pressing issues were the dissolution of the MDR party and the harassment of the press and human rights organizations.<sup>183</sup>

At that time, certain international NGOs threaten to terminate funding of civil society organizations that had either supported the abolition of the MDR or had not protested the alleged disappearance of MDR members and well-known dissidents. This kind of action seems to be a trend: certain donors tend to reject the CSOs accused of collaborating with the government and favor those that are aggressively critical. In doing so, these donors disregard the achievements that may have been made through political engagement with the government – such as increased inclusion of women in the decision making process. This undermines and confuses issues around the selection criteria for CSOs seeking international assistance.

Another important and sensitive point is that ethnic bias is often a factor in whether CSOs choose strategies of collaboration or confrontation with the government. Therefore, if international assistance marginalizes one strategy, it also risks deepening ethnic divisions and creating counterproductive, even dangerous, conditions. It may deepen divisions among influential Rwandan organizations, from which Rwandans would otherwise expect regenerating social and political alternatives.

A third illustrative example is the European Union Observation Mission's preliminary declaration on the August 2003 presidential elections. This declaration only scrutinized the actions and behavior of the Electoral Commission, ORINFOR, and the Paul Kagame camp. It did not attempt to monitor and independently analyze the behavior of the challenger camp of Faustin Twagiramungu. Instead, it declared at first sight that accusations against the Twagiramungu camp were illegitimate and not based on fact. Whether or not the accusations were justified, it would seem a superficial or partial conception of democratization in post-genocide Rwanda to look only at the obstacles to democratization posed by the authoritarian behavior of the government. Nine years after the genocide, and only five years after the genocidal forces tried to return to power, democracy activists would be foolish to believe that the sectarian ideology that led to the genocide has somehow magically disappeared.

The limitations of the two previous approaches to international assistance suggest the need for a third way that would include engagement *and* independent vigilance of *both* the government *and* the opposition or civil society. This third approach might decrease social distrust and tension, signaling that the international community—a strong political actor since colonization—is providing independent vigilance rather than excluding certain groups. It would also reduce the risk of outside intervention in Rwanda's complex and dramatic political development. Finally, it would be reassuring to all sides in a context where fear seems to be the single greatest obstacle to real democratization.

This approach is not proposed as an exclusive alternative, however. The post-genocide period is ripe with lessons learned, and there has been a great variety of responses to the complex circumstances involved in the need to establish fundamental human rights. As Rwanda prioritizes democratization in this new phase, it begins another period of intense complexity in

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<sup>183</sup> However, departing from what most of these reports maintained *at the time*, in July 2003, we were surprised to hear the chief editor of *Umuseso* newspaper, Robert Sebufirira, and his former colleague, Ismael Mbonigaba, assert that over the course of the previous eight months, since the promulgation of the law on media, the police had given them a bit of peace. While they did corroborate the history of harassment by the police and other government officials, Sebufirira also informed us that some troubles they had undergone in the past were partly due to their own mistakes of relying on information that had not been verified. He also told us that in the past, they had been at times too closely allied with particular political parties and that some of their articles had lacked critical distance and balance.

which the availability of a variety of responses seems to be the most politically promising solution.

The other challenge for democratization concerns the professionalism of actors from both government and civil society. Assistance will yield better results and help minimize political polarization if it focuses on professionalism and capacity building. Freedom of expression—an essential sign of political opening—is vital for human rights organizations and political parties as well as for the media. This opening will be difficult in the current context, however, if government institutions do not increase their capacity to articulate a unity-oriented discourse in a diverse, thorough, and convincing manner. This may, however require a more fundamental re-evaluation of the unity and reconciliation national strategy in face of the resurgence of the single most important cause of conflict in Rwanda: the question of the organization of power.

As international assistance decreases for the establishment of the rule of law, donor coordination will be especially important for optimizing the assistance that remains and supporting, for example, the judiciary and the *Gacaca* courts. Given the divisions within the donor community it is not realistic to expect donor coordination in the more politicized areas of assistance, however. Nor is it clear whether this is really desirable. Donors will continue to have different views and attitudes according to their national political character and their historic relationship with Rwanda. This diversity of approaches is certainly more natural and constitutes a more authentic mode of political dialogue between peoples. The bottom line recommendation that Rwandans may offer them in a country where the issue of democracy is not so simple would be to: “Do no harm”.

On a more procedural and technical note, most local recipients (both governmental and non-governmental) have pointed to serious problems with the delivery of assistance. The most disturbing problem is that donors come with pre-established priorities and domains of work. Because of these, many organizations end up doing things that are not a priority for their target population. While this way of working may be informed by a “best practices” approach, the local context and reality should always be an important starting point.

The delay in releasing funds after the signing of contracts is cited as a problem as well, since this delay eats into the time required to implement the project. At the end of the project, the same beneficiaries are often pressured to demonstrate their capacity to absorb funds within a certain timeline. Delays in processing dossiers and disbursements are particularly relevant to initiatives coordinated by the UN, such as “baskets funds.” Local organizations—whether governmental or non-governmental—often prefer to deal with bilateral agencies rather than see their project transferred to this kind of institutional arrangement.

The absence of a long-term vision and the lack of follow-up given to terminated projects result in lost opportunities and wasted efforts. Some large scale projects, such as those undertaken by special UN operations, have failed to conclude with a clear strategy to gather their products and results and hand them over to another organization for further exploitation and development.

The lack of sustainable vision is part of a larger problem of weak follow-up and evaluation. In fact, few international partners undertake ongoing and transparent evaluations of their work. This is often aggravated by a weak institutional memory that makes it difficult to trace the work that occurred just a few years back. Little accumulated knowledge can only lead to little accumulated effect.

Last but not least, this study has highlighted the problem of chronic and almost total dependence of NGOs on external funding. Donors may criticize the NGOs’ inability to raise

funds from their members, but governance-oriented NGOs respond by saying that their members are often poor and that the non-poor members already have many social financial responsibilities. NGOs propose establishing income generating activities for more financial autonomy in the long term, but this suggestion is not well-received by donors who maintain the separation of for-profit and non-profit organizations.

### **5.3. Recommendations**

#### *5.3.1. To the Government*

1. The government should create a framework for enabling clear progress in democratic governance through more genuine exercise of rights and freedoms. This should be in the form of a permanent, critical, and constructive dialogue between government authorities and civil society on topics such as human rights, the media, and civic education. Further dialogue should extend to the donor community in order to maintain contacts, exchange ideas on national priorities, and further entrench an environment of trust;
2. Parliament should formulate a legal definition of “divisionism”. The law on discrimination and sectarianism should also be given more precise legal boundaries to enhance its relevance for a reassuring and democratic society;
3. The government should strengthen and multiply the exchanges around the progress and problems encountered in the implementation of “mobilizing frameworks” such as PRSP and Vision 2020. These should better harmonize the strategic actions of government, international assistance, and civil society and introduce the cross-cutting issues of human rights and citizen participation;
4. Government communication units should be reformed to make them much more autonomous and effective;
5. The government should grant ORINFOR the status of an independent public institution. Increase efforts to professionalize the institution’s staff, especially by creating conditions for more freedom of expression and better salaries in order to keep creative journalists and attract new ones;
6. Government think tanks should be created to improve the ability of the government to produce and publish proactive and well-researched reports on both unfolding events and structural issues related to democratic governance;
7. The government should streamline procedures for the legalization of new non-governmental, non-profit organizations.

#### *5.3.2 To the Donor Community*

1. When developing and implementing work plans, donors should take into account Rwanda’s political and social context determined by the distressing consequences of genocide, a history of exclusion and authoritarianism, fears pertaining to “ethnicization” of socio-political life, endemic poverty, and regional instability;

2. Donors should pay more attention to local context and realities when setting priority areas of work, and learn from past experiences as well as the history of other donors' work;
3. Donors should increase capacity to analyze the socio-political situation of the country by diversifying information sources. Continue using reports produced by foreign experts analyzing democracy and governance issues, risks, or political environment, but supplement these with similar studies conducted by local experts;
4. The international community should support the creation of a forum for debate where relatively independent voices from diverse political and social orientations can discuss current events or structural issues pertaining to democratic governance;
5. Donors should place particular emphasis on reinforcing independent youth organizations and new organizations that are emerging both within civil society and the media;
6. Donors should prioritize capacity building and professional development for civil society organizations and the media;
7. The donor community should support local NGOs (human rights, women, youth, professional) and encourage their increased openness and democratic behaviour;
8. Donors should support the reform of government communications institutions for better performance, more autonomy, and greater creativity to enable them to compete within an opening field of free expression;
9. Support the creation of a cooperative structure for printing private newspapers, journals, and magazines;
10. The donor community should further the creation of an independent and professional structure for the production of news and electronic media features (both private and governmental) based on the model of studio Ijambo in Burundi. Such a structure would allow for rapid improvement in the quality of private radio and TV programs;
11. Donors should support non-partisan and transparent civic education programs with governmental institutions and local NGOs;
12. Donors should give transparent support to joint capacity building programs for political parties in leadership, program, and political message development;
13. The donor community should create a framework to allow missions, international organizations and institutions concerned with human rights, civic education, or research to reinforce each other's work with mutual respect and ensure that domestic institutions really benefit from the presence of the international organizations in terms of experience and means;
14. The international community should prepare the national judiciary system to take over the ICTR whose mandate will come to an end soon;
15. Donors should support *Gacaca* jurisdictions;
16. Donors should further support the financial autonomy of civil society organizations by encouraging their income generating initiatives;
17. International donors should include long-term vision statements for funded projects, and determine and communicate how projects fit into the overall donor organization's mandate;
18. International donors should identify organizations to which the results and information generated by terminated projects can be transferred. Ideally this will be done before

the project's actual termination while project staff are still on-hand to ensure a smooth transfer of resources and information;

19. All donors should incorporate the practice of ongoing project evaluation. External evaluations should be considered for larger projects. Criteria for evaluation and results should be transparent and publicly available;
20. Donors should be transparent in criteria and selection practices for partner organizations;
21. Donors should be responsible and prompt in disbursement of funds to facilitate and ensure the funded organization's ability to meet planning and project requirements.

## Bibliography

- Adelman, Howard and Astri Suhrke. *Early Warning and Conflict Management. The International Response to Conflict and Genocide: Lessons from the Rwanda Experience. Volume 2* (Copenhagen: Danida, 1996).
- Africa Watch, CIDPDD / ICHRDD, FIDH, UIDH. *Rapport de la commission internationale d'enquête sur les violations des droits de l'homme commises au Rwanda depuis le 1<sup>er</sup> octobre 1990* (Montreal / Paris / Brussels, March 1993).
- Africa Watch-HRW. *Au Delà de la rhétorique. Les violations des droits de l'homme au Rwanda continuent* (New-York / Washington, June 1993).
- African Rights. *Hommage au courage* (London, 2002).
- African Rights. *Rwanda: Death, Despair and Defiance* (London, 1995).
- African Union. *Statement by the African Union Observer/Monitoring Team on the August 25, 2003 Presidential Election in Rwanda* (Kigali, 26 August 2003).
- Agence France Presse. *Rwanda-élections: la Belgique désavoue les observateurs de l'UE*, AFP News Bulletin (Kigali, 9 October 2003).
- Alexis, Monique and Inès Mpambara. *IMS Assessment Mission: The Rwanda Media Experience from Genocide* (Copenhagen: International Media Support [IMS], March 2003).
- Amani Forum. *Press release: Rwanda 2003 Presidential Elections* (Kigali, 26 August 2003).
- Amnesty International. *International Criminal Tribunal for Rwanda: Trials and Tribulations* (London, April 1999).
- Amnesty International. *Rwanda: The Hidden Violence: "Disappearances" and Killings Continue* (London, June 1998).
- Article 19. *Information Freedom and Censorship: World Report* (London: Library Association, 1991).
- Association Rwandaise pour la Defense des Droits de la Personne et des Libertés Publiques (ADL). *Rapport sur les droits de l'homme au Rwanda. Septembre 1991 – Septembre 1992* (Kigali, 1992).
- Association Rwandaise pour la Defense des Droits de la Personne et des Libertés Publiques (ADL). *Rapport sur les droits de l'homme au Rwanda. Octobre 1992 - Octobre 1993* (Kigali, 1993).
- AVEGA-AGAHOZO. *Etude sur les violences faites aux femmes au Rwanda* (Kigali, March 1999).
- Biener, Hansjoerg. "Radio for Peace, Democracy and Human Rights" (Documentation Radio for Peace, 2001). < <http://www.evrel.ewf.uni-erlangen.de/pesc/PESC-peaceradio.html>>
- Bigombe, B., Collier, P. and N. Sambanis. "Policies for Building Post-conflict Peace." *Journal of African Economies*, Vol. 9, No. 3 (2000) pp. 323-348.
- Caritas Diocésaine de Kigali. "La Presse écrite privée à Kigali," Cahiers du Bureau Social Urban. no. 140 (Kigali, March 2003).
- CAURWA. "Rapport d'activités 2002" (Kigali, 2003).
- Centre canadien d'étude et de coopération internationale (CECI). *Programme de renforcement de la société civile rwandaise* (Montreal, 1999).

- Chalk, Frank. "Hate Radio in Rwanda" in H. Adelman and A. Suhrke (editors). *The Path to a Genocide* (New Brunswick, New Jersey: Transactions Publishers, 1999).
- Chrétien, Jean-Pierre. "La crise politique rwandaise," *Genève-Afrique*, no. 2 (1992) pp. 121-137.
- Chrétien, Jean-Pierre. "Presse Libre et propagande raciste au Rwanda. Kangura et les 10 commandements du Hutu." *Politique Africaine*, no. 42 (June 1991).
- Chrétien, Jean-Pierre. *Le défi de l'ethnisme. Rwanda et Burundi: 1990-1996* (Paris: Karthala, 1997).
- Chrétien, Jean-Pierre (editor). *Rwanda: Les médias du Génocide* (Paris: Karthala, 1995).
- Collectif des ligues et associations de droits de l'homme au Rwanda (CLADHO). *Procès de génocide: 6 mois après* (Kigali, July 1997).
- Commission d'enquête CLADHO-KANYARWANDA. *Rapport de l'enquête –pilote sur le génocide et les autres violations des droits de l'homme commis au Rwanda à partir du 06 avril 1994* (Kigali, April 1998).
- Commission nationale des droits de l'Homme (CNDH). *Rapport annuel 1999* (Kigali, 2000).
- Commission nationale des droits de l'Homme (CNDH). *Rapport annuel 2000* (Kigali, 2001).
- Commission nationale des droits de l'Homme (CNDH). *Rapport annuel 2001* (Kigali, 2002).
- Commission nationale des droits de l'homme. *International workshop on the Programme of activities of the Rwanda's National Human Rights Commission* (Kigali, October 1999).
- Commission rwandaise des droits de l'Homme (CRDH). *Profil de la Commission Rwandaise des Droits de l'Homme* (no date).
- Commission rwandaise des droits de l'Homme (CRDH). *Profil de la Commission Rwandaise des Droits de l'Homme*. 2ème édition, (no date).
- Cordaid, ICCO, KERKINACTIE, NOVIB. "Tell our Government it is OK to be Criticised!" Rwanda Monitoring project, Report 2003 (The Hague, February 2004).
- Danish Immigration Service. *Report on Political Situation, Security and Human Rights in Rwanda* (Copenhagen, May 2002).
- Des Forges, Alison. "Face au Génocide, une réponse désastreuse des Etats-Unis et des Nations Unies" in A. Guichaoua (editor). *Les crises politiques au Burundi et au Rwanda (1993-1994)*. (Paris/Lille: Karthala/Université des sciences et technologies de Lille, 1995).
- Dyczok, Marta. "International Assistance and the Development of Independent Mass Media in Ukraine." Carnegie Endowment for International Peace Working Paper No. 8. (November 1999).
- Electoral Reform International Services (ERIS). *Rwanda, Post District Impact Study 2001* (Kigali, 23 September 2001).
- Emberland, M. "How to Recognize Human Rights Issues in Practice," in Høgdahl, K. *et al* (editors). *Manual on Human Rights Monitoring, An Introduction for Human Rights Field Officers* (Oslo: Norwegian Institute of Human Rights, 1999).
- Eriksson, M.K. and L. Sadiwa. "Non-Governmental Organizations," in Høgdahl, K. *et al* (editors). *Manual on Human Rights Monitoring, An Introduction for Human Rights Field Officers* (Oslo: Norwegian Institute of Human Rights, 1999).
- FACT. "Microsurvey Project: To Document the Torture Experiences and its Consequences on the People of the Three Prefectures of Gitarama, Kibuye and Kigali (PVK)." (Kigali, 2001).
- Fédération internationale des droits de l'homme (FIDH). *Droits humains et relations Nord-Sud* (Paris: L'Harmattan, 1985).

- Fédération internationale des droits de l'homme (FIDH). *Rwanda. Quelle réconciliation nationale sans pluralisme démocratique*. Déclaration publique (Paris, 4 June 2003).
- Freedom House. *Freedom in the World 2003. The Annual Survey of Political Rights and Civil Liberties*. (Lanham, MD: Rowman and Littlefield, 2003).  
<<http://www.freedomhouse.org/research/>>
- Gasana, James. "La guerre, la paix et la démocratie au Rwanda" in A. Guichaoua (editor). *Les crises politiques au Burundi et au Rwanda (1993-1994)*. (Paris/Lille: Karthala/Université des sciences et technologies de Lille, 1995).
- Gasimba, F.S. "Approche d'intégration de l'éthique des droits de l'homme dans la culture rwandaise" in LIPRODHOR. *Guide du formateur en droits humains* (Kigali, March 2002).
- Guichaoua, André (editor). *Les crises politiques au Burundi et au Rwanda (1993-1994)*. (Paris/Lille : Karthala/Université des sciences et technologies de Lille, 1995).
- Government of Rwanda. "The Judicial System in Rwanda: A Report on Justice."  
< <http://www.rwanda1.com/> >
- Gurr, Ted R. *Why Men rebel*. (Princeton: Princeton University Press, 1970).
- Herbst, Jeffrey. "The Role of Citizenship Laws in Multiethnic Societies: Evidence from Africa" in R.A. Joseph (editor). *State, Conflict, and Democracy in Africa* (London: Lynne Rienner Publishers, 1999).
- Hirondelle Fondation. *Radio Agatashya: Too Much News?*  
<http://www.hirondelle.org/hirondelle.nsf/0/2a2ed38426eb3a17c12565a200576747?OpenDocument>
- Human Rights Watch (HRW). "Rwanda: RPF Seeks to Eliminate Opposition. Elections Set to Solidify Power." News Release (8 May 2003).
- Human Rights Watch (HRW). "Rwandan Refugees Ordered Out of Congo." News Release (New York, 29 April 1999).
- Human Rights Watch (HRW). *Leave None to Tell the Story. Genocide in Rwanda* (New York, 1999).
- Human Rights Watch (HRW). *Preparing for Elections: Tightening Control in the Name of Unity*. Briefing Paper (May 2003).
- Human Rights Watch (HRW). *Rwanda: Talking Peace and Waging War. Human Rights Since the October 1990 Invasion* (New York, 1992).
- Human Rights Watch (HRW). *Rwanda: The Search for Security and Human Rights Abuses* (New York, April 2000).
- Human Rights Watch (HRW). *World Report 2004* (New York, January 2004).  
<<http://www.hrw.org>>.
- International Crisis Group (ICG). *Consensual Democracy' in Post-Genocide Rwanda: Evaluating the March 2001 District Elections*. ICG Africa Report no. 34 (Nairobi / Brussels, October 2001).
- International Crisis Group (ICG). *End of the Transition in Rwanda: A Necessary Political Liberation*. ICG Africa Report no. 23 (Nairobi / Brussels, November 13, 2002).  
In French, *Fin de transition au Rwanda: Une libération politique nécessaire*.
- International Crisis Group (ICG). Tribunal Pénal International pour le Rwanda (TPIR). *L'urgence de juger*. ICG Rapport Afrique, no. 30 (New York / Brussels / Nairobi, 2001).
- Joseph, Richard A. (editor). *State, Conflict, and Democracy in Africa* (London: Lynne Rienner Publishers, 1999).
- Kimonyo, Jean-Paul. "Interprétations du conflit rwandais." *Cahiers du Centre de Gestion des Conflits* (Butare: Editions de l'Université nationale du Rwanda, 2000).

- Kimonyo Jean-Paul. « Analyse comparative du processus de sortie de la transition au Rwanda », *Cahiers du Centre de Gestions des conflits no 8*, (Butare: Editions de l'Université nationale du Rwanda, Septembre 2003).
- Kimonyo, Jean-Paul. "La participation populaire au Rwanda de la Révolution au Génocide (1959-1994)." Doctoral dissertation. (Montreal: Université du Québec à Montréal, Septembre 2003).
- Le consultant-coordonateur de l'observation électorale internationale. *Rapport préliminaire de l'observation des élections des autorités aux échelons de base au Rwanda* (Kigali, March 2001).
- Lemarchand, René. *Rwanda and Burundi* (New York: Praeger, 1970).
- Ligue des droits de la personne dans la région des Grands Lacs (LDGL). "Étude sur l'état des lieux des juridictions Gacaca." (December 2003).
- Ligue des droits de la personne dans la région des Grands Lacs (LDGL). *Dynamiques de paix et logiques de guerre: Rapport annuel sur la situation des droits de l'homme. Burundi, RDC, Rwanda, Année 2002* (Kigali, May 2003).
- Ligue des droits de la personne dans la région des Grands Lacs (LDGL). *Grands Lacs. Entre la violence impunie et la misère. Rapport sur la situation des droits de l'homme: Burundi, RDC et Rwanda. Années 2000-2001* (Kigali, May 2002).
- Ligue des droits de la personne dans la région des Grands Lacs (LDGL). *La problématique de la liberté d'expression au Rwanda* (Kigali, 2002).
- Ligue des droits de la personne dans la région des Grands Lacs (LDGL). *L'État des lieux des juridictions Gacaca au Rwanda* (Kigali, March 2004).
- Ligue des droits de la personne dans la région des Grands Lacs (LDGL). *Rapport sur la situation des droits de l'homme dans la région des Grands Lacs: Burundi, RDC, Rwanda* (Kigali, June 2000).
- Ligue rwandaise pour la promotion et la défense des droits de l'homme (LIPRODHOR). *Programme d'actions de la LIPRODHOR. Plan triennal 2001-2003* (Kigali, 2003).
- Ligue rwandaise pour la promotion et la défense des droits de l'homme (LIPRODHOR). *Rapport final du projet "Programme de suivi des détentions dans les cachots communaux"* (Kigali, February 2001).
- Ligue rwandaise pour la promotion et la défense des droits de l'homme (LIPRODHOR). *Les procès de génocide au Rwanda: 6 ans après* (Kigali, December 2003).
- Ligue rwandaise pour la promotion et la défense des droits de l'homme (LIPRODHOR). *Rapport sur la situation des droits de l'homme au Rwanda en 2002* (Kigali, 2003).
- Lijphart, Arend. *Democracy in Plural Societies: a Comparative Exploration* (New Haven and London: Yale University Press, 1977).
- Lory, Georges. "Centenaire de la conférence de Berlin" in Fédération internationale des droits de l'Homme (FIDH). *Droits humains et relations Nord-Sud* (Paris: L'Harmattan, 1985).
- Ministère de l'Administration locale et des Affaires sociales. Direction de la Planification. *Dénombrement des victimes du génocide* (Kigali, March 2001).
- Mission d'observation électorale de l'Union européenne. *Elections présidentielles Rwanda 2003. Déclaration préliminaire* (Kigali, 27 August 2003).
- Mission d'observation électorale de l'Union européenne. *Rwanda: Référendum constitutionnel du 26 mai 2003. Rapport final* (Kigali, 2003).
- Mission d'observatoire de parlementaires du Burundi. "Rapport d'observation des élections présidentielles tenues au Rwanda le 25 août 2003" (Kigali, 2003).

- Moehlum, M. "Monitoring Human Rights" in Høgdahl, K. *et al* (editors). *Manual on Human Rights Monitoring: An Introduction for Human Rights Field Officers* (Oslo: Norwegian Institute of Human Rights, 1999).
- Mugesera, Antoine. "Échecs et réussites des partis politiques rwandais: 1959-1962." *Cahiers Lumière et Société*, no. 14 (June 1999).
- National Human Rights Commission. *Annual Report 1999* (Kigali, 2000).
- National Human Rights Commission. *Annual Report 2000* (Kigali, March 2001).
- National Human Rights Commission. *Annual Report 2001* (Kigali, October 2002).
- Newbury, Catharine. *The Cohesion of Oppression: Clientship and Ethnicity in Rwanda 1860-1960* (New York: Columbia University Press, 1988).
- Nkubito, Alphonse-Marie. "Le rôle de la justice dans la crise rwandaise" in André Guichaoua (editor). *Les crises politiques au Rwanda et au Burundi (1993-1994)* (Paris: Karthala, 1995).
- Nsanzuwera F.X. *La magistrature rwandaise dans l'état du pouvoir exécutif* (Kigali, 1993).
- Nsengiyaremye, Dismas "La transition démocratique au Rwanda (1989-1993)" in André Guichaoua (editor). *Les crises politiques au Rwanda et au Burundi (1993-1994)* (Paris: Karthala, 1995).
- OECD (2003) (Organization for Economic Cooperation and Development) *Geographical Distribution of Financial Flows to Aid Recipients: 1960-2001*. International Development Statistics, CD-ROM. (Paris, 2003).
- O'Neill, W.G. "Monitoring the Administration of Justice" in Høgdahl, K. *et al* (editors). *Manual on Human Rights Monitoring: An Introduction for Human Rights Field Officers* (Oslo: Norwegian Institute of Human Rights, 1999).
- Official Gazette of the Republic of Rwanda. Law Governing the Press. Year 41, no.13, 1 (July 2002).
- Olukoshi, Adebayo. "State, Conflict, and Democracy in Africa: The Complex Process of Renewal" in R.A. Joseph (editor). *State, Conflict, and Democracy in Africa* (London: Lynne Rienner Publishers, 1999) pp. 451-465.
- Ottaway, Marina. "Ethnic Politics in Africa: Change and Continuity" in Joseph, R.A. (editor). *State, Conflict, and Democracy in Africa* (London: Lynne Rienner Publishers, 1999) pp. 299-317.
- Préfecture de Butare. *Procès-verbal de la réunion du comité préfectoral de sécurité tenue le 16/12/83*.
- Préfecture de Butare. *Rapport trimestriel des mois d'octobre, novembre et décembre 1975*.
- Profemmes Twese Hamwe. *Mieux connaître le Collectif Profemmes Twese Hamwe* (Kigali, November 2002).
- Prunier, Gérard. *The Rwanda Crisis: History of a Genocide* (New York: Columbia University Press, 1997).
- Republic of Rwanda. Ministry of Finance and Economic Planning. *Vision 2020* (Kigali, 2002).
- Republic of Rwanda. *The Constitution of the Republic of Rwanda*. Official Gazette of the Republic of Rwanda. Year 42, Special issue of 4 (June 2003).
- République Fédérale d'Allemagne & la République Rwandais. *Réunions de Travail Concernant la Coopération Economique et au Développement* (Bonn, 2000).
- Reyntjens, Filip. *L'Afrique des Grands Lacs en Crise* (Paris: Karthala, 1994).
- Reyntjens, Filip. *Pouvoir et droit au Rwanda, droit public et évolution politique 1916-1973* (Tervuren, Belgium: MRAC, 1985).

- Rothchild, Donald. "Ethnic Insecurity, Peace Agreements, and State Building" in R.A. Joseph (editor). *State, Conflict, and Democracy in Africa* (London: Lynne Rienner Publishers, 1999) pp. 319-337.
- Rwandan News Agency. "Rwanda/Elections" (Kigali, 23 August 2003).
- Smith, Z.K., Longman, T., Kimonyo, J.-P. and T. Rutagengwa. *Rwanda Democracy and Governance Assessment*. Prepared by Managements Systems International for USAID Office of Democracy and Governance (Washington DC: November 2002).
- SNV. "Projet d'appui aux organisations rwandaises des droits de l'homme." (Kigali, June 1999).
- South African Observer Mission to the 2003 Presidential Elections in Rwanda. *Media Release* (Kigali, August 2003).
- Suhrke, Astrid., 1999. Terry, Fiona. *Condemned to Repeat? The Paradox of Humanitarian Action* (Ithaca: Cornell University Press, 2001).
- Trocaire Rwanda. *Projet de renforcement des capacités pour les ONG rwandaises de promotion et de défense des droits humains* (Kigali, 2000).
- Trocaire Rwanda. *Séminaire de formation sur le techniques d'enquêtes, de monitoring et de reportage des droits de l'homme* (Kigali, March 2000).
- Twagiramungu, Noel. "Rwanda: Quel dialogue et pourquoi faire?" in *Les actes du Colloque international sur le thème "La société civile face aux conflits en Afrique centrale - La parole au Terrain,"* organised by 11.11.11 et al. (Brussels, 2001).
- Twagiramungu, Noel. *Identity and Civil society in the post Genocide Rwanda* (unpublished).
- UNESCO. <<http://www.unesco.org/>>.
- UNHCR- HRFOR. *Rapport sur la situation des droits de l'homme au Rwanda* (October 1996).
- United Nations Security Council. Resolution S/Res/912(1994) (April 21, 1994).
- Unsworth, Sue and Peter Uvin. *A New Look at Civil Society Support in Rwanda? A Report* (London: DFID, October 2002).
- USAID. "Rebuilding Post-War Rwanda: The Role of the International Community." USAID Evaluation. Special Study No. 76 (Washington DC, 1996).
- USAID/Rwanda. *Fact Sheet* (Kigali, February 2003).
- Uvin, Peter. "Wake Up! Some Policy Proposals for the International Community" (June 2003).
- Uvin, Peter. *Aiding Violence: The Development Enterprise in Rwanda* (West Hartford: Kumarian Press, 1998).
- Young, Crawford. "The Third Wave of Democratisation in Africa: Ambiguities and Contradictions" in R.A. Joseph (editor). *State, Conflict, and Democracy in Africa* (London: Lynne Rienner Publishers, 1999).

## Annex 1: Major Donors of Post-Conflict Assistance to Rwanda (1994-2001)

Total ODA Gross ( USD Millions)									
Major Donors					Total Assistance (1994-2001)				
	1994	1995	1996	1997	1998	1999	2000	2001	
United States	194,0	101,0	10,0	9,0	23,0	39,8	22,9	31,1	<b>430,8</b>
EC	45,7	18,5	56,0	46,6	27,2	39,6	49,8	45,2	<b>328,6</b>
United Kingdom	44,6	34,5	19,3	10,0	20,6	26,5	52,7	36,8	<b>245,0</b>
Germany	46,6	52,1	45,6	26,0	20,6	18,8	13,8	14,6	<b>238,1</b>
Netherlands	32,2	46,7	41,1	29,2	29,0	20,3	20,4	19,2	<b>238,1</b>
Canada	18,2	16,8	20,4	21,4	10,1	6,2	6,7	6,7	<b>106,5</b>
Norway	8,8	16,3	24,5	11,1	8,8	4,8	4,3	2,0	<b>80,6</b>
Sweden	12,1	5,8	5,4	1,9	9,9	13,1	14,6	8,4	<b>71,2</b>
Japan	16,5	1,5	0,6	8,1	9,0	8,0	3,4	1,0	<b>48,1</b>
Italy	12,4	3,9	4,2	4,1	3,9	2,5	0,8	1,2	<b>33,0</b>
Denmark	0,3	0,9	0,4	1,8	2,1	1,4	1,2	2,7	<b>10,8</b>
UNDP	3,1	5,1	5,1	10,4	9,7	12,2	5,4	2,7	<b>53,7</b>
UNHCR	75,1	100,2	-	-	-	-	7,7	7,4	<b>190,4</b>
IDA (WB)	11,8	34,8	42,6	52,9	66,7	69,2	37,2	65,4	<b>380,6</b>
SAF & PRGF	-	-	-	-	16,1	29,3	25,1	11,5	<b>82,0</b>
Other	201,6	283,0	205,9	14,4	108,9	111,4	76,3	59,2	<b>1060,7</b>
<b>Total Donors</b>	<b>723,0</b>	<b>721,1</b>	<b>481,1</b>	<b>246,9</b>	<b>365,6</b>	<b>403,1</b>	<b>342,3</b>	<b>315,1</b>	<b>3.598,2</b>

Source: OECD (2003)

## Annex 2: List of Interviewees

Name	Affiliation	Date	Location
Tito Rutaremara	President, Judicial and Constitutional Commission	01/08/03	Kigali
(shortly) Chrisologue Karangwa	President, National Electoral Commission	07/07/03	Kigali
(shortly) Pierre Damien Habumulemyi	Executive Sec. National Electoral Commission	07/07/03	Kigali
Gerald Howe	Social Development Advisor, DFID	25/06/03	Kigali
Rupert Bladon	Governance Advisor, DFID	03/07/03	Kigali
Maxime Rwendeye	Executive Sec. POER	25/06/03	Kigali
Dominique Karekezi	President, Press House	26/06/03	Kigali
Safari	Director, new Times	27/06/03	Kigali
Jeremy Lester	Representative, European Union	28/06/03	Kigali
Francesca Pavarini	Program officer Justice and Human Rights, European Union	28/06/03	Kigali
Olivier Bahizi	Cooperation Department, ORINFOR	30/06/03	Kigali
Charles Nahayo	Director Technical Services, ORINFOR	30/06/03	Kigali
Marco de Sward	Principal Advisor, Civic Education Project, GTZ	30/06/03	Kigali
Rose Mukantabana	Executive Sec. Haguruka	03/07/03	Kigali
Florien Ukizemwabo	Executive Sec. LIPRODHOR	03/07/03	Kigali
Jeroen de Lange	First Secretary, Dutch Embassy		Kigali
Immaculée Ingabire	Presidente, ARJ, <i>Association rwandaise des journalistes</i>	04/07/03	Kigali
Jacqueline Rusilibya	President, <i>Pro-Femmes Twese Hamwe</i>	09/07/03	Kigali
Mathilde Kayitesi	Former President, <i>Pro-Femmes Twese Hamwe</i>	09/07/03	Kigali
Odette Kabaya	Executive Sec. <i>Pro-Femmes Twese Hamwe</i>	09/07/03	Kigali
Joanna Athlin	Second Secretary, Development Cooperation, Swedish Embassy	10/07/03	Kigali
Kim Pease	DG Program Support Officer, USAID	10/07/03	Kigali
Pierre Munyura	DG Program officer, USAID	10/07/03	Kigali
Peter Huyghebaert	First Secretary, Belgian Embassy		
Krishna Kumar	Senior Social Scientist, Bureau for policy and Program Coordination, USAID	April 03	The Hague

<b>Name</b>	<b>Affiliation</b>	<b>Date</b>	<b>Location</b>
Jacques Gourdin	Attaché of Cooperation, Belgian Embassy	12/07/03	Kigali
Regis Rukundakuvuga	Advisor, 6 <sup>th</sup> Chamber of the Supreme Court “Gacaca Jurisdictions”	10/07/03	Kigali
Casimir Kayumba	Chief Editor, UKURI Newspaper	10/07/03	Kigali
Gana Fofang	Program Director and Deputy Resident Representative UNDP		Kigali
Eugene Nkubito	Program officer, Governance, UNDP	14/07/03	Kigali
Deogratias Kayumba	Vice-President, Rwanda Human Rights Commission	18/07/03	Kigali
Pacifique Malonga	Head research and development, Rwanda Human Rights Commission; Former Special Advisor to the Head of Mission HRFOR	18/07/03	Kigali
Védaste Habimana	Judge, <i>Gacaca</i> Jurisdictions	21/07/03	Kigali
Jean Rudakubana	Judge, Supreme Court	21/07/03	Kigali
Francis G. Oke	Project Coordinator, IFES-Rwanda	22/07/03	Kigali
Todd Dusenbery	Program Coordinator, NDI-Rwanda	22/07/03	Kigali
Marie Violette Cesar	Deputy chief of Mission, European Union Electoral Observation Mission	17/07/03	
Jean-Michel Corre	Electoral Observer, European Union Electoral Observation Mission		
Miranda Clarke	Civil Society Technical Coordinator, Care International	01/03/03	Kigali
Ismael Mbonigaba		04/08/03	Kigali
Robert Serufirira	Editor in Chief, <i>Umuseso</i> Newspaper	05/08/03	Kigali
MacDowell Kalisa	Deputy Editor in Chief, <i>Umuseso</i> Newspaper	05/08/03	Kigali
Mpayimana Elie	Chief editor and proprietor, <i>L'Ere de La Liberté</i> newspaper	06/08/03	Kigali
Eugene Ntaganda	Coordinator, Center for Conflict Management, NUR	27/11/03	Butare
Jean-Pierre Gatsinzi	Director, School of Journalism and Communication, NUR	27/11/03	Butare
Dominique Nduhura	Lecturer, School of Journalism and Communication	28/11/03	Butare
Jean Claude Mwambutsa	Citizen	28/11/03	Butare
Eugene Hagabimana	Citizen	27/11/03	Butare
Egide Ndayisaba	Peasant	27/11/03	Butare
Emmanuel Musoni	Peasant	27/11/03	Butare
Jean-Marie Hakizimana	Peasant, Maraba District	27/11/03	Butare
Jean Baptiste Hategekimana	Peasant,	27/11/03	Butare
Fidèle Munyarugerero	Student, NUR	27/11/03	Butare

## Annex 3: The National Electoral Commission (NEC)

### Mandate

The National Electoral Commission (NEC) had its origins in the 1993 Arusha Peace Accords. Legally established by Law n°39/2000 of November 28, 2000, its chief mission is to ensure totally transparent, fair, and well-organized elections. The NEC's mandate includes preparing and elections at cell, sector, and district levels as well as presidential and legislative elections. According to Article 2 of the law establishing the NEC, it is an “autonomous” and “independent” institution.<sup>184</sup>

### Composition

The NEC is comprised of six permanent members and six temporary members. The Permanent Secretary is responsible for the Commission and is appointed by the Cabinet Meeting. He is supported by five assistants who are in charge of:

- a. Legal affairs;
- b. Administrative and financial affairs;
- c. Public relations;
- d. Electoral affairs and civic education;
- e. Communications and information.

These assistants are appointed by the Cabinet Meeting based on proposals by the Executive Secretary. The Commission's permanent members appoint Commission representatives at provincial and district levels. For these appointments, candidates are proposed by the Prefect of the Province and the Mayor of the District. These regional and local Commissioners are responsible for preparing, organizing, and supervising elections in their constituencies.

In addition to the permanent members, the Electoral Commission takes on six temporary commissioners who make up the Board of Directors of the Commission during the election period. The six temporary commissioners (a president and the five assistant commissioners) are appointed 60 days before elections take place and continue to hold office until 30 days after the elections. These six are appointed by Parliament, after being nominated by political parties represented in the Legislative Assembly. During the district elections, however, Celestin Kabanda's main MDR wing was not represented among the commissioners because, according to the ad-interim President of the NEC, they had not managed to submit candidates on time. During the 2003 election cycle, the MDR party had already been suspended and thus had no representative within the body of commissioners.

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<sup>184</sup> Law No. 39/2000 of 28/11/2000 establishing the organization and functioning of the National Electoral Commission (NEC).

Since the Permanent Secretary is appointed by the Cabinet Meeting and the six temporary commissioners are appointed by Parliament, the RPF dominates both of the electoral bodies. One ICG report produced in the context of the 2001 district elections questioned the independence of the NEC, pointing out that the first Permanent Secretary of the Commission, Christophe Bazivamo, and the first President Commissioner, Protais Musoni, were both important and influential RPF figures.<sup>185</sup> During the 2003 election cycle, the Permanent Secretary of the NEC was a lesser known figure, politically. The new President Commissioner, Professor Chrysologue Karangwa, is an RPF member who heads a State-controlled research center, The Scientific and Technology Research Institute.

### **Excerpts from International Monitoring Reports on NEC Performance**

For the March 2001 district elections as well as the 2003 election cycle, the majority of international monitoring teams reported positively on the NEC's technical performance and capacity to run the elections efficiently:

'Globally, the ballots and the counting were well carried out given that it was a first election for the very new Electoral Commission. In general, observers were impressed by the level of organization. Noted mistakes were often unintentional and rather due to lack of experience, lack of information, or procedures that were not established, poorly established, or poorly explained. The Electoral Commission clearly proved its capacity to organize a state of the art election. In another respect, if the election stake was most important (Presidential Elections, or Legislative Elections with several parties), the potential for manipulation or again for protest becomes of much more concern.'<sup>186</sup>

ICG wrote:

'The March district elections were undoubtedly an administrative success. The National Electoral Commission (NEC) proved that it could successfully conduct a poll on the behalf of the people of Rwanda and the Office of the President.'<sup>187</sup>

ERIS also noted the positive assessment of its observers regarding NEC performance:

'Interestingly, the election officials at both a local and a national level received high praise from all sides. Obviously, direct experience of the NEC is limited but their frontline staff certainly seem to have been excellent ambassadors for the role of the NEC. Although one could argue that the limited experience of elections would not perhaps provide participants with sufficient breadth of knowledge, their own

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<sup>185</sup> ICG, *Consensual Democracy' in Post-Genocide Rwanda: Evaluating the March 2001 District Elections*, ICG Africa Report no. 34 (Nairobi / Brussels, October 2001).

<sup>186</sup> Le consultant-coordonateur de l'observation électorale internationale, *Rapport préliminaire de l'observation des élections des autorités aux échelons de base au Rwanda* (Kigali, March 2001).

<sup>187</sup> International Crisis Group (ICG), *End of the Transition in Rwanda: A Necessary Political Liberation*. ICG Africa Report no. 23 (Nairobi / Brussels, 13 November 2002).

experience were very positive, quite possibly because they are seen as responsible for bringing democracy to the country in a very practical way.<sup>188</sup>

For the May 25, 2003 Referendum, the Electoral Monitoring Mission members from the European Union also mentioned the good technical performance of the NEC:

‘Globally, the LTO [long term observers] have appreciated the strictness, efficiency, and the good organization of electoral officials at all levels during the ballot preparation phase and during the Referendum. The electoral sub-Commissions often worked permanently during the period preceding the Referendum. However the high dependency in terms of human and material resources that the electoral administration showed vis-à-vis the territory administration puts into question its full autonomy and independence.’<sup>189</sup>

For the August 25, 2003 Presidential Elections, the African Union Monitoring Report again stressed the technical performance, but also noted certain weaknesses:

‘In general, the AU Team was impressed by the NEC’s professional approach to the presidential election. In the polling stations visited by members of the AU Team, the opening of many of the voting stations were punctual, ballots papers were simple, and elections attendants provided adequate assistance to voters; Voters were disciplined and there was no visible sign of coercive behavior either by security organs or by party representatives. However, we wish to highlight the following shortcomings that need to be improved: the absence of opposition representatives in polling stations as detrimental to transparency, especially during the counting of votes; lack of seals and serialization of ballots boxes; unserialized ballots papers, and the need to have fully enclosed voting booths.’<sup>190</sup>

The Amani Forum, for its part, hails the preparation and election day work of the NEC:

‘The National Electoral Commission of Rwanda must be commended for an incredible voter registration exercise, which saw over four million voters duly registered. (...) The NEC officers in polling stations around sites visited by our observers did a great job in opening and closing on time and ensuring a transparent process on Election day.’<sup>191</sup>

Finally, the Burundian Parliamentary Monitoring Mission says it:

‘was impressed by the high organization level of this [presidential] ballot.’<sup>192</sup>

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<sup>188</sup> ERIS, *Rwanda, Post District Impact Study 2001* (Kigali, 23 September 2001).

<sup>189</sup> Mission d’observation électorale de l’Union européenne, *Elections présidentielles Rwanda 2003, Déclaration préliminaire* (Kigali, 27 August 2003).

<sup>190</sup> African Union, *Statement by the African Union Observer/Monitoring team on the August 25 2003 presidential Election in Rwanda* (Kigali, 26 August 2003).

<sup>191</sup> Amani Forum, *Press release: Rwanda 2003 Presidential elections* (Kigali, 26 August 2003).

<sup>192</sup> Mission d’observatoire de parlementaires du Burundi, “Rapport d’observation des élections présidentielles tenues au Rwanda le 25 août 2003” (Kigali, 2003).

## Annex 4: The POER-LIPRODHOR Issue

POER represented an opportunity for a number of civil society organizations (particularly smaller ones) to participate in the electoral process in Rwanda. But the principal benefit of this did not come from POER itself as an institution, but rather from the capacity of its member organizations. By serving as the NEC gatekeeper, some argued that POER inhibited the emergence of a diversity of opinion amongst Rwandan NGOs concerning the elections. This was one of the reasons underlying the reluctance of donors to give funds to POER and to propose LIPRODOR as an alternative domestic observer.

However, when during the 2003 elections, POER submitted its request for election monitoring funds to the UNDP ‘basket-fund’<sup>193</sup>, certain donors informally decided that POER’s monitoring project could only be funded if LIPRODHOR was also funded for a monitoring program. The reason for this was that LIPRODHOR was felt by some donors to be more independent of the government. POER opposed this proposal on the grounds that LIPRODHOR was already part of POER because of LIPRODHOR’s membership in the League of Human Rights Defense Organizations in the Great Lakes, a POER member organization. LIPRODHOR decided to avoid an open conflict with POER because it would have been very difficult to obtain accreditation from the NEC.<sup>194</sup> In the end a compromise was reached whereby UNDP disbursed funds to POER to conduct election day monitoring, while LIPRODHOR received separate funding to write a report about the electoral process in general, *excluding* election day.

In addition, it is important to note that the donor community’s alternative observation plan – with LIPRODHOR – would not necessarily have been better. The board and management of this organization has a notable ethnic and regional bias. Furthermore, the organization is open to accusations of political inclination with its founder and long-time mentor, Theobald Rutihunza, being until end of 2002 a leading member of LIPRODHOR and an influential figure in the political bureau of the MDR Kabanda-faction<sup>195</sup>. This faction is accused by certain observers, the government and by many of its former members – at least some of them seeking political favour from RPF – of remaining dedicated to the ideology of Hutu supremacy.<sup>196</sup> In a political context in which the politicization of ethnicity is a major issue, an externally funded observation mission of the elections by LIPRODHOR would certainly have raised existing political tensions and hindered usual human rights activities of the organization.

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<sup>193</sup> The UNDP basket-fund then contained US\$ 300,000 from the European Union.

<sup>194</sup> In this connection, it is important to note that most Rwandan civil society organizations that are active in governance issues could only monitor the elections if they passed through POER, and carried out their activities under the POER umbrella. Furthermore, all monitoring activities by member organizations would have to be synthesized into a single final report. POER thus wielded enormous power.

<sup>195</sup> Interview with the political bureau of MDR- Kabanda faction including Mr. Rutihunza for the study Kay Zeric Smith, et. al., *Rwanda Democracy and Governance Assessment*. Prepared by Managements Systems International for USAID Office of Democracy and Governance (Washington DC: November 2002: 27)

<sup>196</sup> ICG, *End of the Transition in Rwanda: A Necessary Political Liberation*. ICG Africa Report no. 23 (Nairobi / Brussels, 13 November 2002: 10).

This episode illustrates the divisions that exist within Rwandan civil society, and the delicate balancing act all must perform in order to carry out their mandate while remaining on good terms with the government. Moreover, the example also illustrates how some donors use funding as a means to exercise leverage on the Government of Rwanda to open political space for certain critical Rwandan NGOs.

One of POER's chief strengths is its ability to reach a large swathe of civil society through its member organizations. This strength derives from the well-organized nature of Rwandan civil society with its multiple federations of organizations. The grouping of these federations within POER, however, constitutes a risk of monolithic blocking at the expense of a plurality of opinion.

## Annex 5: Repatriation of Refugees in Rwanda since 1994

<b>Numbers are number of refugees repatriated</b>											
<b>Host country</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>Total</b>	<b>%</b>
Burundi	338.000	39.649	150.000	5.579	1.257	477	-	36	354	<b>535.352</b>	<b>16.4</b>
Tanzania	210.000	125.521	483.445	25.652	2.505	1.058	2.091	4.687	25.288	<b>880.247</b>	<b>26.9</b>
Uganda	210.000	100.288	9.521	9.640	4.306	580	-	32	17	<b>334.376</b>	<b>10.2</b>
DRC	450.000	73.367	719.307	176.428	2.323	36.558	21.659	16.778	14.050	<b>1.507.778</b>	<b>46.2</b>
Congo-Brazza	-		-	1.216	-	-	-	25	16	<b>1.257</b>	<b>0.03</b>
Gabon	-		-	1.131	-	-	-	-	-	<b>1.131</b>	<b>0.03</b>
Kenya	-		-	32	-	-	-	47	24	<b>103</b>	<b>0.003</b>
Malawi	-		-	54	-	-	-	03	-	<b>57</b>	<b>0.000</b>
Egypt	-		-	01	-	-	-	-	-	<b>01</b>	<b>0.000</b>
Mozambique	-		-	-	-	-	03	03	-	<b>03</b>	<b>0.000</b>
Belarus	-		-	01	-	-	6	-	-	<b>07</b>	<b>0.000</b>
Others	-		-	12	19	120	722	13	20	<b>906</b>	<b>0.02</b>
<b>Total</b>	<b>1.208.000</b>	<b>338.825</b>	<b>1.362.273</b>	<b>219.746</b>	<b>10.410</b>	<b>38.793</b>	<b>24.478</b>	<b>21.624</b>	<b>39.769</b>	<b>3.261.218</b>	<b>100</b>

*Source: Rwandese Repatriation Commission (status as January 2003)*

## Annex 6: Print and Electronic Media Organizations

### Radio Rwanda: 1994-2003

#### *Ownership*

*Radio Rwanda* is owned and operated by the Rwandan Government under the control of the Office Rwandais d'Information (ORINFOR), which also manages the national television, two newspapers (*Imvaho Nshya* and *La Nouvelle Relève*) and a printing press. The radio was started in 1961, a year before independence. Since then, it has remained the only major source of popular mass communication in the country, and the government has used it as a weapon of information dissemination and of control. The war and genocide left the radio in shambles. Antennas and other equipment were destroyed, and studio equipment was stolen by retreating government forces and officials. Some of its employees, including journalists, were murdered or forced to flee into exile. Others participated in the genocide.

With international assistance, *Radio Rwanda* can now be heard throughout the country and beyond. It can also accommodate other private stations wishing to operate in the country as long as they have a license and can pay. At the moment, transmission services are provided to Deutsche Welle, BBC, and VOA. Charles Nahayo argues that *Radio Rwanda* could also provide similar services to the seven private radio stations that have already applied to the Ministry of Local Government, Information, and Social Services without interfering with the services they already provide.

However, according to Faustin Karangira, there are no mechanisms for assessing feedback from the audience. The last audience survey was done in 1967 when the radio was only six years old. Thomson Foundation did a small audience survey in late 1990s, but it was never published nor was it made available to *Radio Rwanda* administrators. This factor limits the capacity to gauge audience preferences, and Karangira agrees it might become a major issue when private radio and TV stations are eventually allowed to open.

#### *Access to Adequate Resources*

Under ORINFOR, *Radio Rwanda* presents its annual budget to the government including operating and development budgets. Much of the development budget is covered by international assistance. Proceeds from advertisements and announcements are banked on the ORINFOR (government) account, which meets its annual budget.

*Radio Rwanda* has received substantial support from the international community—mainly from GTZ and various other organizations like the Thomson Foundation. GTZ rehabilitated its war-devastated premises; repaired damaged antennas; provided consultancy and training to journalists, administrators, and technicians; and, above all, provided the station with new equipment that has allowed it to be heard both inside and outside the country. The old equipment has since been used to open up two community radios, the Butare and Gisenyi.

#### *Application of Self-Censorship*

According to Faustin Karangira, the station's mission is to "publicize government programs and policies." He adds: "Unless there is a change in the rules, regulations, and the law governing

ORINFOR, that is not going to change, although we aim at serving all Rwandans [...] and we don't broadcast only government programs everyday." There have been some proposals and pressure to make ORINFOR more "people centered," he says, and to give it a "degree of autonomy." The German government has been particularly vocal about ORINFOR policies and work, and it has been at the forefront of pushing for liberalization. This has not yet been achieved, however, and the radio (along with other ORINFOR auxiliaries) remains a mouthpiece for promoting government programs and policies. Many journalists privately refer to ORINFOR as the "department in charge of government announcements."

After the enactment of the Press Law, GTZ has continued to pressure for ORINFOR to become an independent public institution. Some employees of the institution also share this thinking.

### *Journalism Standards*

The quality of journalism at *Radio Rwanda* and ORINFOR is generally low. This is not so much due to a lack of qualified journalists as it is to the fact that it is totally controlled by a State that is hypersensitive to criticism in any form. This, no doubt, contributes to internal opinion that favors greater autonomy for the organization. Radio Rwanda has a very low capacity to keep good and qualified journalists, not only because of low pay and lack of motivation, but also because the most senior positions are given to individuals trusted by the government, regardless of their qualifications. Finally, the ORINFOR personnel who support greater autonomy (however covertly) do so at least in part out of a desire to improve the quality and diversity of news, analysis, and programs.

### **Umuseso**

*Umuseso*, which literally translates as "daybreak" started in 2000 and is the child of *Rwanda Newslines*, founded in 1996, and Rwanda Independent Media Group (RIMEG), founded in 1999 by a group of seven individuals (six independent journalists and a lawyer). *Rwanda Newslines* closed down in 2000 due to financial constraints and managerial problems.

Of the seven individuals who started RIMEG and *Umuseso*, only one continues to participate; he is former Managing Editor, John Edie Mugabi, now exiled in Holland alleging state persecution. The other five members left the organization due to financial and managerial wrangles. Its founding president, Deo Mushaidi, lives in exile in Belgium. This means that all of its current editors are individuals who joined after 2000 as journalists and inherited an organization with internal problems and a touchy relationship with the government.

### *Ownership*

*Umuseso* is still privately owned and operated. It is currently registered as an independent newspaper owned by three individuals; John Eddie Mugabi owes 60%; Robert Seburirira, its current managing editor, owns 20%; and McDowell Kalisa, assistant managing editor, owns the remaining 20% of shares.

Following reports that he had joined former president Pasteur Bizimungu's party PDR-Ubuyanja as information secretary, John Mugabi left the country for an international conference in the Netherlands where he sought and was granted asylum. However, he continues to have a decision-making role in the newspaper, and continues to make some of the major decisions—like replacing editors—by himself. Because the paper is critical and some of its former

managers belong to certain political parties, authorities have been hostile to the publication, viewing it as an opposition newspaper. On occasion, its current editors have been intimidated and imprisoned. Since the paper's founding in 2000, it has had ten court cases brought against it; many of these have either been dismissed or withdrawn.

#### *Size, Management, and Reach*

Theoretically, *Umuseso* is managed by RIMEG under a board of directors. The original board has departed, however, and now the managing editor, his deputy, and chief editor are the board members. According to Sebufirira, this board has never met since the disintegration of the original board in 2000.

The newspaper has sixteen employees, including editors, journalists, and the driver. In practical terms, it is headed by the managing editor, who is the overall head of administration and its legal representative. Below the chief editor, there is an editor who oversees the general running of the newspaper including assigning journalists, newspaper layout, and general details pertaining to the production and publication of the newspaper.

*Umuseso* has marketing and financial sections. The head of the marketing section oversees matters pertaining to sale and circulation of the newspaper. The financial officer deals with money and banking matters, such as paying salaries, maintaining equipment, transport matters, etc.

Like most of the newspapers, journals, and periodicals in the country, *Umuseso*'s circulation is mainly limited to Kigali, although it also sends a few copies to Butare (in the southwest), Umutara (northeast) and Gisenyi. Its production per issue ranges between 4000 and 8000 depending on availability of funds for printing. When funds are available, 8000 copies are produced, but when there are not enough funds, only 4000 copies are produced, says McDowell Kalisa. Interestingly, whether fewer or more copies are produced, all are sold.

#### *Access to Adequate Resources*

In Rwanda, advertising is a low priority for business establishments. The few who do advertise, prefer advertising in the government press or one that is associated with it so they will not be identified with the "enemy press." For this reason, *Umuseso* gets almost no revenues from advertising, except for occasional advertisements from a very few international organizations. For this reason, *Umuseso* has, over the past three years survived on international assistance and its meager sales. Its managing editor, Robert Sebufirira argues, "without international assistance, *Umuseso* would have closed down. And it seems to come at critical moments; when the paper is in a crisis." He adds, however, that at the moment, the newspaper is somewhat self-sufficient and can meet most of its operating budget, including printing costs.

#### *Journalism Standards*

If the standard of journalism is to be judged by credentials from a school of journalism, college, or university, there would be low professional expectations for *Umuseso*. None of its journalists have been to journalism school or been formally trained. Rather, they have learned the art of reporting from experience, or "on the job training." However, its managing editor and one of the reporters are second year law students at the National University of Rwanda.

Regarding quality, which is the best yardstick to judge the standard of journalism anywhere, *Umuseso* falls flat. Though it is considered an independent critical newspaper offering an alternative to the government-owned press, it does not qualify as a balanced, objective, accurate, and impartial newspaper. Rather, it is a one-sided newspaper that reports mostly on opposition

issues, carrying out interviews with opposition politicians. *Umuseso* members explain this by saying that government officials are always unwilling or “unavailable” for comment or interview. This is somewhat understandable but not entirely credible because some government officials also complain of not being contacted. A local journalist in Kigali noted that the journal “lacks informed investigative reporting” and the journalistic principles of checking and double-checking, verifying information and sources. Further, most of the paper’s commentaries and opinion pieces are rife with “dirty street jokes,” unsubstantiated and irresponsible allegations, and attacks against individuals, including fellow journalists from other newspapers. This has caused them problems with the law and earned them the reputation of enemy; in fact, they are simply young men and women interested in developing careers, but lacking professional guidance and counsel.

#### *Weaknesses/Problems*

- Managerial incompetence. The biggest problem for *Umuseso* and RIMEG has been, and continues to be managerial incompetence. *Umuseso* is always in financial crisis and does not even distribute enough newspapers to satisfy the demands of its readership. They say they do not have sufficient operating funds to print enough copies. It has the capacity to sell 8,000 copies per issue, but it only produces 4,000. This not only increases the cost per issue, but also results in the loss of potential sales. Clearly, this is a planning and marketing problem that could be rectified with good and competent management. Donations they received in the recent past could have been used to address this. Alternatively, although the newspaper industry is not generally seen as a worthy business industry, *Umuseso* could easily obtain a soft loan to develop its marketing potential and manage production details if it had solid management and proper planning;
- Lack of advertising. No independent newspaper can survive and develop without advertising. *Umuseso* does not have this revenue, nor will it, unless it improves its standing with authorities and the business community. This does not mean it must reduce itself to being a government newspaper or mouthpiece, but rather that it should do responsible, impartial, and credible reporting. This might be very difficult, for hard-nosed professional resilience will be required to keep it from losing its independence under government pressure;
- Lack of professionalism. As noted above, improving professionalism would be the best way to attract advertising that is currently unavailable because of poor public relations and marketing strategies. (This is probably the biggest challenge faced by the entire media sector.) *Umuseso* is not an opposition newspaper but both the government and the public perceive it as such since its reporting is often one-sided, inaccurate, and unbalanced. This fact discredits them in the situations in which they actually have a good case to present;
- Lack of qualified and trained journalists. Trained journalists would be more qualified than non-trained journalists and would also have greater confidence in certain areas. Most Rwandan newspapers suffer from a lack of ability to address the real issues that affect society. They get bogged down instead in peripheral details, gossip, scandals, and political squabbling. For example, in the recently concluded exercise of debating and passing the new Constitution, not a single newspaper analyzed what was good or bad about the draft Constitution. They managed only to inform readers on the stages

of the process and the dates when the referendum would be held. Likewise, no newspaper bothers to provide an informed analysis of the budgets passed every year or analyze the merits and demerits of the presidential candidates in an informed fashion. This is the kind of information that would be of enormous help to voters and allow them to make informed decisions;

- Fear, secrecy, and deep distrust is another general problem facing the media as a whole and society in general. Journalists tend to have a deep fear of authorities, but they also do not trust one another, nor does the public trust them. In times of crisis, the public will tend to trust what authorities say; meanwhile, journalists are not working together or supporting each other. If journalists developed a sense of solidarity, they could put an end to State intimidation and harassment, especially given international willingness to pressure and lobby government on journalists' behalf. This is especially possible now since the Press Law is in place and the Constitution guarantees freedom of the press.

### **The Press House**

The Press House was started in 1997-98 as a collective umbrella organization to bring together all media outlets in the country. According Ingabire, the idea of forming this collective organization was first expressed by UNESCO. Subsequently, a number of journalists and editors met to found the organization.

The Press House's primary aim is to bring together all media organizations to work collectively to solve the problems they face and to help individual newspapers and media outlets by providing affordable services such as layout services, editing, and scanning, as well as selling the products (newspapers, journals, magazines etc.) of each organization. Another idea was for media outlets to become more organized to receive assistance.

Press House has had substantial international assistance, and its current president, Fr Dominick Karekezi, attributes this to the fact that the House is not seen as a risk to the donors as it represents no particular interest other than the promotion of journalism.

#### *Organizational Structure and Mandate*

The Press House is composed of four administrative structures, as follows:

- **General Assembly:** composed of all the members of the organization. (This is about 36 media outlets at present. At its formation it had about 60, but many newspapers have collapsed and therefore ceased to be members). The General Assembly is the highest decision-making body of the Press House;
- **Council of Administrators:** a governing body elected by the General Assembly and headed by a president, vice president, and a treasurer. It normally has a mandate of two years, renewable once;
- **Supervising Committee:** composed of four commissioners who are charged with a watchdog role and supervising the work of all the other bodies of the organization. The supervising committee is charged especially with ensuring the proper use of the organization's resources and finances;
- **Secretariat:** the body charged with the daily running of the House. It is the only aspect of the Press House that is not elected and is headed by an executive secretary who is

an employee of the organization and exercises a leadership role with the other employees.

### *Size*

All media outlets and media related organizations (about 36) are members.

### *Activities*

- Bringing together media organizations and journalists. As noted above, the Press House aims to bring together all media organizations, including freelance journalists, to discuss and solve problems with and within the media and to provide affordable services, including scanning, editing, and layout of newspapers, journals, and magazines. The organization is relatively weak compared with its strength three years ago when it had just started and had an efficient and effective management. However, it has managed:
  - To bring all media outlets together;
  - Set up a kiosk project in all the provinces (jointly with the ARJ);
  - Set up a library and documentation center with assistance from the British Embassy In Kigali through its Small Grants Scheme;
  - Be an established channel through which journalists meet.
  
- Journalist training: Numerous journalists have received training in and outside of the country through the Press House, in conjunction with the Association of Rwandan Journalists (also a member of the Press House). Such training is normally funded by international assistance and administered sometimes by foreigners and in other cases by local journalists, especially through the School of Journalism and Communications at the National University of Rwanda in Butare. Journalists have also received training in Arusha that was funded by the Hironnelle Foundation through the Press House. Others have done diploma courses at Uganda Management Institute (UMI), etc.
- Contributed to drawing up the Journalist Code of Conduct and the Press Law. Through the Press House and ARJ, journalists drew up their Code of Conduct and contributed to the debate and establishment of the Press Law. However, some observers, including journalists themselves, say that the journalist Code of Conduct was actually haphazardly drawn-up and concluded via pressure from the Ministry of Local Government, Social Welfare, and Information. The Press House and ARJ were also criticized for not keeping the death penalty out of the Press Law when they were present in the Parliament for the debating of the law. Parliament passed the law with this clause, and the president refused to ratify it into law and sent it back to parliament where the clause was deleted. If the clause had been left, any journalist, editor, publisher, or vendor who contributed to the production and sale of a newspaper that incited violence and genocide could be hanged.

### *Nature of Dependence on External Sources of Financing*

The Press House was started by and continues to be maintained entirely by donor funding. Its principle donor has been UNESCO. Other donors include USAID and some foreign embassies in Kigali, including the British Embassy.

*Current State of Affairs*

Although the Press House started on a positive note, it has deteriorated and its functioning today is neither effective nor systematic. For example, one of its key projects, *Le Messager* (which run kiosks throughout the provinces to sell newspapers, journals, and magazines as a way of helping newspapers and organizations to increase sales while simultaneously catering to the needs of readers and improving the culture of reading in the country), has collapsed. Its infrastructure (like kiosks still in place) is now being used mostly to sell soft drinks and beer, items clearly unrelated to media development. In addition, whereas it used to have its own offices, where monthly rent was paid by UNESCO, currently, it is housed by Kinyamateka, a church journal. The cafeteria and restaurant of the initial structure have both collapsed mainly due to mismanagement.

Fr Karekezi noted that financial constraints and lack of efficient managers remain the biggest problems facing the organization. He also observed that lack of professionalism and permanence in the profession of journalism in the country has had a negative effect on the functioning and efficiency of the Press House because some of its member newspapers have collapsed. The lack of permanent premises for the Press House has been the single major problem facing the organization. President Kagame offered land for the organization to build its own premises but due to lack of funding, the land remains unused.

## About the Authors

### **Jean-Paul Kimonyo, Ph.D.**

Jean-Paul Kimonyo holds a Ph.D. in Political Science from the University of Quebec in Montreal. Among other posts, he has worked as Press Attaché to Vice-President Kagame (1996-1998). He has been founder and Director of the Center for Conflict Management at the National University of Rwanda. His research interests lie in genocide, popular participation and mobilization for political violence, social reconstruction and democratization of deeply divided societies, and in international ‘governance’ assistance to post-conflict societies. Currently Kimonyo is an independent researcher and consultant. Kimonyo has coordinated the writing of this report and is mainly responsible for the chapter on elections.

### **Noël Twagiramungu, BA**

Noël Twagiramungu holds a Bachelors of Arts in Human Sciences from the National University of Rwanda and is currently studying “International and European Protection of Human Rights” in a Masters level law program at Utrecht University in the Netherlands. Among other posts, Twagiramungu has been the promoter and/or coordinator of various civil society activities of Cladho, Liprodhor, FACT, and LDGL in Rwanda and the African Great Lakes Region for more than 10 years and has participated also in joint initiatives such as the Rwanda Elections Observation Program (POER) and the Program to Monitor the *Gacaca* Process (PAPG). He has been the Rwandan civil society representative within the UNHRFOR (1996-1998). His research interests include civil society, human rights, and justice and democratization issues. Twagiramungu is responsible for writing the human rights chapter in this report.

### **Christopher Kayumba, MA**

Christopher Kayumba holds a Masters of Arts degree in Peace and Conflict Studies from the University of Ulster in Northern Ireland a Bachelors of Arts in Mass Communication. He has been a journalist in various organizations and is currently a lecturer at the National University of Rwanda, School of Journalism and Communication. Mr Kayumba’s research interests include media and conflict (peace) studies, international assistance, civil society, popular participation, and democratization. He is responsible for writing the chapter on media.