

## Post-Genocide Reconciliation Efforts and their Impact in Rwanda

### I. The problem facing Rwanda in late 1994

At the end of the genocide in mid-July, over a million people had been brutally killed in just a hundred days. Over 2 million refugees had fled to all of Rwanda's neighboring countries in fear of Tutsi reprisals, and a million more were internally displaced. Estimates of the number of women raped during the genocide range from 100,000 to 500,000, and a huge proportion of them were infected with HIV/Aids (often done through systematic rape by HIV+ men). More than a million children had been orphaned, and 42,000 households were headed by children below the age of 18<sup>1,2</sup>.

Over a million refugees were cramped into the camps in Goma (DRC) alone, and by late July starvation and diseases caused 3,000 deaths a day. Operation Support Hope by the UN, with the US as the main contributor, flew in massive support structures and supplies to quell the deaths, which quickly turned the situation around and reduced the number of deaths to below 500 a day<sup>3</sup>. However, genocidaire forces were never disarmed and ex-FAR (Force Armées du Rwanda) officers quickly took control over the camps. Tents were organized by sectors and prefectures etc. in a mirror image of local administration back in Rwanda. Many refugees had been coerced into becoming refugees by their former leaders, and failure to disarm military troops and neutralizing civilian leadership by the UNHCR prompted the re-creation of pre-1994 society in the refugee camps. The ex-FAR and Interahamwe troops used these camps for recruitment and as bases for attacks into western Rwanda, and the problem set the stage for the ensuing conflict in eastern DRC (i.e. the first and second Congo war, and continued military excursions into Western Rwanda by genocidaires)<sup>4</sup>.

### II. Gacaca

After the 1994 genocide, Rwanda's prison & judiciary system was overwhelmed with trying to accommodate and prosecute approximately 120,000 alleged genocidaires. Five years after trials began in 1996, only 6,000 cases had been tried – at that rate, it would have taken over a century to try all the perpetrators within a western judicial system. The slow pace would be a huge expense to the government, impede efforts to improve cramped conditions in prisons, and put the reconciliation effort at serious risk as survivors craved for justice. To this end the *Gacaca courts* were established nationwide in 2001. Gacaca courts are a participatory justice system traditionally used as a law enforcement procedure to settle disputes in local communities. They operate at a grass-root level, which speeds up the judicial process by having many smaller courts. The courts also have a huge reconciliatory component, as each local court is tasked with collecting information about the genocide and categorizing perpetrators according to which role they played. Trials are moreover held in public, and

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<sup>1</sup> <https://www.un.org/en/preventgenocide/rwanda/support.shtml>

<sup>2</sup> <http://survivors-fund.org.uk/resources/rwandan-history/statistics/>

<sup>3</sup> Operation Support Hope: [http://www.globalsecurity.org/military/ops/support\\_hope.htm](http://www.globalsecurity.org/military/ops/support_hope.htm)

<sup>4</sup> "The Rwandan Genocide and its Aftermath," UNHCR: <http://www.unhcr.org/publ/PUBL/3ebf9bb60.pdf>

everybody in the village is able speak to provide testimony for or against the accused. Those accused are encouraged to confess in return for reduced or commuted sentences, and this has proven a very successful tool for reconciliation since perpetrators do it in front of victims and often seek forgiveness.

Each local Gacaca court has 9 judges elected by the community, called *Inyangamugayo* or people of integrity. There are three categories of genocide crimes<sup>5</sup>:

Category One:

- Genocide planners, organizers and leaders
- Those in a position of authority who orchestrated murders, genocide or crimes against humanity
- Well-known murderers who distinguished themselves because of the zeal which characterized them in the killings or the excessive wickedness with which killings were carried out
- Perpetrators of rape and sexual assault.

Category Two:

- Authors, co-authors, accomplices of deliberate homicides, or of serious attacks that caused someone's death.
- The person who—with intention of killing—caused injuries or committed other serious violence, but without actually causing death
- The person who committed criminal acts or became accomplice of serious attacks, without the intention of causing death

Category Three:

- The person having committed offences against property

Gacaca courts have jurisdiction over category 2 and 3 cases, whereas category 1 cases must be tried by a conventional court or the ICTR in Arusha (International Criminal Tribunal for Rwanda). In 2008 however, rape and sexual assault cases were handed down to Gacaca courts from conventional courts. Over 11,000 community courts were established and have reportedly tried over a million cases by now. The trials were originally scheduled to wind up in mid-2010, but have been postponed several times. The official closing ceremony for Gacaca is scheduled for June 18<sup>th</sup>, 2012.

### **III. NURC strategies**

The National Unity and Reconciliation Commission was established in 1999 with the task of mobilizing and sensitizing Rwandans for the promotion of unity and reconciliation after the horrors of the 1994 genocide. The commission is working towards becoming more decentralized by focusing on community-based initiatives such as reconciliation associations, and aids them by providing training and

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<sup>5</sup> There were previously four categories, but category 2 and 3 were consolidated

grants. These associations often consist of both survivors and perpetrators, focusing on reconciliation awareness and income building activities. Reconciliation clubs in schools have also recently become popular, originally initiated by NURC but now often self-started, and the commission is today “trying to document all Reconciliation Clubs and associations countrywide and mainstream them into its reconciliation activities.”<sup>6</sup>

NURC also promotes national dialogue through the National Summit, considered their flagship program. Chaired by the President of Rwanda, it is attended by a cross section of Rwandans and international dignitaries. The summit was created as a forum for debate among Rwandans, and it “reviews progress and accomplishments in regard to unity and reconciliation and adopts recommendations in relation to people’s wishes.”<sup>7</sup> The national summit was first held in October 2000 with about 1,000 participants, and then held again in 2002, 2004 and 2006<sup>8</sup>.

When NURC was established it created a program of civic education camps called *Ingando*, aimed at building coexistence within communities. The program first targeted ex-combatants returning from DRC, but was later extended to include youths and students in secondary schools and higher education. By 2002 the program was expanded to include different social groups such as survivors, prisoners, community leaders, women and informal traders. Ingando covers five main themes: analysis of Rwanda’s problems, history of Rwanda, political and socioeconomic issues in Rwanda and Africa, rights, obligations and duties and leadership. Today, the program is carried out nationwide and has a National Ingando Center in the Northern Province that can accommodate up to 900 residents. The program lasts from 3 weeks to 2 months, and each year approximately 3,000 pre-university students undergo it<sup>9</sup>.

In 2007, the cabinet decided to establish another kind of civic engagement training camps called *Itorero* within the NURC. These are based on traditional schools from pre-colonial times, which taught history, sociology, oral literature, patriotism, and military sciences to youths. Today the Itorero schools are a place to discuss “issues like Good governance, National Unity, reconciliation, justice, economic development and other social problems affecting the country” for groups of youths, local leaders, and teachers. The program promotes a culture of positive values, patriotism, and recognition of positive achievements in society.

Another local initiative by the NURC is the training of people of integrity to serve as Abunzi, or local mediators, established in 2006. Abunzi literally means “those who reconcile,” and alongside the Gacaca courts it is another institution inspired by traditional Rwandan culture. The Abunzi are chosen on the basis of their integrity, and are state-mandated to handle local civil and criminal cases. Small cases below a specific value threshold can only be referred to conventional courts if they failed to be resolved in abunzi mediation<sup>10</sup>. After a pilot phase with 800 mediators, over 30,000 Abunzi have now been

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<sup>6</sup> <http://www.nurc.gov.rw/reconciliation-tools/community-based-initiatives.html>

<sup>7</sup> <http://www.nurc.gov.rw/reconciliation-tools/national-summit.html>

<sup>8</sup> <http://www.newtimes.co.rw/news/index.php?i=13999&a=19165#.T1ZAMdXAF10>

<sup>9</sup> <http://www.nurc.gov.rw/fileadmin/templates/Documents/Ingando.pdf>

<sup>10</sup> [http://www.accord.org.za/downloads/brief/policy\\_practice12.pdf](http://www.accord.org.za/downloads/brief/policy_practice12.pdf)

trained to operate nationwide at the cell level<sup>11</sup>. The Abunzi system was introduced by the government to decentralize justice, making it more affordable and accessible to citizens at every level<sup>12</sup>.

#### **IV. Government Policy**

In 1995 the government placed a moratorium on the teaching of Rwandan history in schools, arguing that the previous curriculum was biased. This resumed in 2010 based on a resource book for teachers produced in 2008, although no official textbook exists yet<sup>13</sup>. In schools today, the official policy is that Rwandans were always one people, and that it was only with the advent of colonialism that the socio-economic distinctions of “Hutu” and “Tutsi” became ethnic. It is taboo to speak of ethnicity, and the terms Hutu and Tutsi are rarely spoken out loud. This not only limits open discussion of Rwanda’s historical past, but also marginalizes the aboriginal Twa people (which were previously forest dwellers, and have always specialized in pottery making). The government’s mantra is “we are all Rwandans,” reflected in the official policy against discussing ethnic differences in schools.

In 2008 laws against genocide ideology were passed by the parliament which criminalized speeches, documents, spoken words or acts that express hatred, genocidal ideology, divisionism and any form of racism or discrimination. The law included tough punishments for those found guilty of ‘genocide ideology,’ including prison sentences of 10 – 25 years. Proponents of the law hailed it for finally criminalizing those found spreading divisionism, hatred and genocide ideology, while human rights groups have criticized its potential use for limiting freedom of expression or as political tool. According to MP’s, “the law aims at halting all the continued hostile agenda targeting Genocide survivor students in schools by the school authorities.”<sup>14</sup>

Another recent development a few years ago is the government’s official renaming of the genocide as “The 1994 genocide *against the Tutsi’s*”. This may cause Hutu’s to feel as if they are still blamed for the events until today, and critics say that it blatantly ignores the thousands of moderate Hutu’s and Twa’s who were killed alongside Tutsi’s in the genocide itself.

#### **V. Problems persisting in secondary schools**

On December 10<sup>th</sup> 2007, a damning parliamentary report was presented to the chamber of deputies highlighting the problem of persisting genocide ideology existing in secondary schools across the country. 11 schools in particular were singled out for having high incidence levels. Incidents reported included threatening letters, derogatory comments, trash thrown on the mattresses of genocide survivors and destroyed clothes<sup>15</sup>. The parliamentary probe, which did research in 32 schools across the country, reported that the ideology came both from home as well as from school teachers and

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<sup>11</sup> “Rwanda has 2,150 Cells across the Country within 30 Districts and a total of 32,400 Abunzi Committee members,” see <http://www.minijust.gov.rw/moj/mediationcommittees.aspx>

<sup>12</sup> [http://www.accord.org.za/downloads/brief/policy\\_practice12.pdf](http://www.accord.org.za/downloads/brief/policy_practice12.pdf)

<sup>13</sup> The Role of Education in Driving Conflict and Building Peace – The case of Rwanda (Lyndsay Mclean Hilker, UNESCO): <http://unesdoc.unesco.org/images/0019/001913/191301e.pdf>

<sup>14</sup> <http://www.newtimes.co.rw/news/index.php?i=13440&a=4152>

<sup>15</sup> “Damning Revelations,” New Times (<http://www.newtimes.co.rw/news/index.php?i=1376&a=2895>)

administrators in some cases<sup>9,16</sup>. Members of Parliament responded by setting up an anti-genocide campaign in schools across the country, and pushed for laws against genocide ideology<sup>17</sup> which were later enacted in 2008<sup>18</sup>. The campaign had MP's spend a week travelling across the country and visiting schools in all sectors, both primary and secondary, to speak with students and teachers<sup>19</sup>.

A report presented to Parliament in September 2010 however showed that the influences of genocide ideology were receding. The chairman of the Parliamentary Commission on Human Rights and Fighting against Genocide, Evariste Kalisa, noted in his presentation that although "the country has done tremendous work in fighting the ideology, especially in secondary schools, it still exists in homes."<sup>20</sup>

## VII. Alternatives to Government Policy

As highlighted in the UNESCO article on the role of education in building peace by Lyndsay M. Hilker, limiting secondary school teachers to only instructing students in the official, "singular" narrative of the roots of the genocide has two main problems. First, that it conflicts with the government's aspirations to "embrace modern, democratic teaching methods and foster the critical thinking thought to be essential for participation in the global economy." Second, the use of history teaching to shape a new national identity does not leave any space to "discuss the social realities of continuing ethnic identification and categorisation in Rwandan society in productive and non-divisive ways."<sup>21</sup> Although people may mouth the official government line, there are many concerns that large parts of the population will continue to think otherwise in privacy and instead grow resentful of the RPF-led government.

The UNESCO report highlights several key priorities that the author feels the Rwandan government should address, which I have copied below:

- (i) Expanding opportunities at post-primary /post-upper secondary level, especially vocational and other alternative or non-formal forms of education;
- (ii) Addressing ongoing inequalities of access to secondary education by giving financial support to all children in need, irrespective of their ethnic background or past experience;
- (iii) Ensuring measures are put in place so that the new language policy does not create tensions by putting certain groups at an (dis)advantage;

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<sup>16</sup> "Genocide Hatred Lingers in Rwanda Schools," BBC News (<http://news.bbc.co.uk/2/hi/africa/7246985.stm>)

<sup>17</sup> Shocked MP's condemn genocide ideology in secondary schools," New Times (<http://www.newtimes.co.rw/news/index.php?i=1377&a=2917>)

<sup>18</sup> Details on the law: <http://www.newtimes.co.rw/news/index.php?i=13440&a=4152>

<sup>19</sup> "MP's Launch Anti-genocide Ideology Campaign Across Schools," New Times (<http://www.newtimes.co.rw/news/index.php?i=13424&a=3804>)

<sup>20</sup> "Genocide Ideology on the Decline – Parliament," New Times (<http://www.newtimes.co.rw/news/index.php?i=14371&a=33139>)

<sup>21</sup> Hilker, pg. 13 (<http://unesdoc.unesco.org/images/0019/001913/191301e.pdf>)

(iv) In terms of history teaching, introducing the new history resources book, materials and method produced in the UCB-funded project;

(v) Supporting wider dialogue and peace education projects for children and young people, encouraging them to discuss and move beyond the conflict and tensions of the past and present.<sup>22</sup>

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<sup>22</sup> Hilker, pg. 17