RWANDA ASSESSMENT

April 2000

Country Information and Policy Unit

CONTENTS

I	SCOPE OF DOCUMENT	1.1 - 1.4
II	GEOGRAPHY	
A	Location and Climate	2.1 - 2.4
B	Population	2.5 - 2.7
C	Language	2.8
III	HISTORY	
A	Pre-Colonial Rwanda	3.1 - 3.2
B	Colonial Rule, 1899-1962	3.3 - 3.4
C	Independence and Hutu Rule, 1962-1990	3.5 - 3.6
D	Military and Political Conflict, 1990 - 1994	3.7 - 3.10
E	Genocide, April-July 1994	3.11 - 3.16
F	The Aftermath, 1994-2000	3.17 - 3.33
G	International Criminal Tribunal for Rwanda	3.34 - 3.42
H	The Economy	3.43 - 3.52
IV	INSTRUMENTS OF THE STATE	
A	Government	4.1 - 4.9
B	Judicial System	4.10 - 4.17
C	Prisons	4.18 - 4.21
D	Security	4.22 - 4.28
E	International Instruments and General Practice	4.29 - 4.30
V	HUMAN RIGHTS	

A	GENERAL ASSESSMENT	5.1 - 5.8
B	SPECIFIC CONSIDERATION	
	Freedom of Assembly and Political Association	5.9 - 5.13
	Freedom of Religion	5.14 - 5.17
	Freedom of Speech and of the Press	5.18 – 5.20
	Ethnicity	5.21 - 5.26
	Women and Children	5.27 - 5.34
C	OTHER ISSUES	
	Refugees, Freedom of Movement, Exit & Return	5.35 - 5.44
	International Involvement	5.45 - 5.51
	Regional Issues	5.52 - 5.53
	Foreign Relations	5.54 - 5.56
VI	**ANNEXES**	
A	CHRONOLOGY OF MAJOR EVENTS, 1899-2000	
B	PROMINENT PEOPLE	
C	COMMON ABBREVIATIONS / POLITICAL GROUPS	
D	BIBLIOGRAPHY	

I. SCOPE OF DOCUMENT

1.1 This assessment has been produced by the Country Information and Policy Unit, Immigration and Nationality Directorate of the Home Office, from information obtained from a variety of sources.

1.2 The assessment has been prepared for background purposes for those involved in the asylum determination process. The information it contains is not exhaustive, nor is it intended to catalogue all human rights violations. It concentrates on the issues most commonly raised in asylum claims made in the United Kingdom.

1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.

1.4 It is intended to revise the assessment on a six-monthly basis, while the country remains within the top 35 asylum producing countries in the United Kingdom. The assessment will be placed on the Internet (http://www.homeoffice.gov.uk/ind/cipu1.htm). An electronic copy of the assessment has been made available to the following organisations:

Amnesty International UK
Immigration Advisory Service
Immigration Appellate Authority
Immigration Law Practitioners' Association
Joint Council for the Welfare of Immigrants
JUSTICE
Medical Foundation for the Care of Victims of Torture
Refugee Council
Refugee Legal Centre
UN High Commissioner for Refugees

II. GEOGRAPHY

A. Location and climate

2.1 The Republic of Rwanda is a land-locked country in east-central Africa, just south of the Equator, bordered by the Democratic Republic of the Congo (formerly Zaire) to the west, by Uganda to the north, by Tanzania to the east and by Burundi to the south.**[3a]** Like Burundi, Rwanda is distinctive for the small size of its territory. Covering an area of only 26,338 square kilometres (10,169 square miles).**[3b]** The capital is Kigali.**[3a]**

2.2 The climate is tropical, although affected by altitude, being hot and humid in the lowlands but cooler in the highlands. The main rainy season is from February to May.**[3a]** Although the land supports a high population density, physical conditions are not very favourable. The land mass is very rugged and fragmented, with a series of sharply defined hills, deep valleys and marshy plains, whilst the north is dominated by a chain of volcanoes, the Virunga.**[3b]**

2.3 Following an announcement at the Organisation of African Unity (OAU) summit on 1 July 1999, Rwanda left the Central Africa regional grouping, (to which it had belonged), to join that of the East Africa group.**[43a]**

2.4 On 1 October 1999 the Rwandan government decided on a change to the country's national flag and motto. The new flag will be coloured blue and green and feature a sunrise in the middle. The new motto will be 'unity, work, patriotism' to replace 'liberty, co-operation, progress', which has been used in Rwanda since its independence from Belgium in 1962. The government has requested that contests be held to create a new national anthem, with suitable words, inspired by the new motto. Changing the flag, motto, anthem, names of streets and public places is a bid by the government to build national reconciliation. **It has not been announced when these new elements will become effective from**.**[38q]**

B. Population

2.5 The population of Rwanda is composed of three ethnic groups; about 85% is estimated to be Hutu, 14% Tutsi, and 1% Twa. The census of 15 August 1991, estimated Rwanda's population at 7,142,755. The genocide of 1994 was estimated to have resulted in the death or external displacement of between 35% and 40% of the total population.**[3b]** On 31 January

2000, Rwanda's total population was estimated at 7.9 million, with the majority (94%) living in the rural areas. Rwanda reportedly remains the least urbanised country in Africa.**[38x]**

2.6 Over a million refugees had returned to Rwanda by the end of 1996, **[12b]** and by January 1998, there were estimated to be 72,310 Rwandan refugees in surrounding African states, with the majority, around 37,000, in the Democratic Republic of the Congo (DRC). At that time, Rwanda was itself host to 31,000 refugees from the DRC and another 3,000 from Burundi.**[30b]**

2.7 There were reports in March 1999 that the Congolese rebel movement, Rassemblement Congolais pour la Democratie (RCD), would expel Rwandans from some regions in the DRC, on accusation that they were causing insecurity there. No mass expulsion occurred. After a rate of return of Rwandan refugees from northeast DRC, of over 3,000 per month through May, the weekly rate of return fluctuated between 200 and 760. Whilst it was thought likely that the Rwandan Patriotic Army (RPA) and the RCD had put pressure on some of the refugees to return to Rwanda, those returnees interviewed by the UNHCR said that their return was voluntary.**[14a]**

C. Language

2.8 The official languages are French, English (spoken widely by the Tutsi), and the native Kinyarwanda, a Bantu language with close similarities to Kirundi, the main vernacular language of Burundi.**[3b]** Whilst not an official language, Kiswahili is also widely spoken.**[3a]**

III. HISTORY

A. Pre-Colonial Rwanda

3.1 Rwanda's pre-history is a matter of some anthropological and political debate. The country's first inhabitants are thought to have been hunter-gatherers, whose modern-day descendants are the small minority of the Batwa. It is believed that later, successive migrations from the north and east brought farmers and then cattle-herders. Eventually, one clan of cattle-herders, the Nyiginya, members of what is now called the Tutsi group, arrived and came to dominate much of the centre of the country. As the centuries advanced, it consolidated its power, whilst absorbing much of the culture of the Hutu farmers it dominated. This is today reflected in the common language and cultural heritage of the Tutsi and the Hutu.**[5]**

3.2 It is thought that before the nineteenth century, the separation of the Batwa, Hutu and Tutsi largely corresponded to the occupational categories within a single differentiated group, the Banyarwanda. The vast majority of Batwa remained the marginalised hunter-gatherers of the north-western mountains or potters elsewhere, and were sometimes mistreated by both Tutsi and Hutu.**[1a]** However, Tutsi and Hutu were less sharply distinct, and as time progressed many Hutus brought cattle, a sign of wealth, and were assimilated into the Tutsi aristocracy, whilst some Tutsis lost their wealth and the privileged position that went with it. Intermarriage between the Hutu and the Tutsi was also not uncommon and contributed to the blurring of tribal distinction between the two. However, there can be little doubt that with time there evolved a sense of second-class citizenship amongst the Hutu, which crystallised as the nineteenth century progressed and the Rwandan state became more centralised and authoritarian under the Tutsi monarchy.**[5]**

B. Colonial Rule, 1899-1962

3.3 By the time of the arrival of the Europeans, Nyiginya Tutsi dominance was a reality for most of central and southern Rwanda, but power was concentrated in hands of a few and there were independent Hutu principalities in the north.**[1a]** Unlike most African states, Rwanda and its southern neighbour, Burundi, were not artificial creations of colonial rule. Germany was the first to colonise them in 1899, but they had been established kingdoms for several centuries. In 1916, during the First World War, the area was occupied by Belgian forces, and in **1919 [6a]** Rwanda became part of Ruanda-Urundi, administered by Belgium under a League of Nations mandate and later, following the Second World War, as a UN Trust Territory.**[3b]**

3.4 It suited the interests of the colonialists to rule through the existing Tutsi elite, who indicated a willingness to comply, to ensure the preservation of their wealth and position of privilege. In return, the Tutsi overlords were given extended powers over the lives of the Hutus, which allowed many minor Tutsi chiefs to exploit the Hutus and demand a higher contribution of their crops and longer working hours. In 1926, the Belgians introduced a system of ethnic identity cards, differentiating Tutsi from Hutu, which was made mandatory in 1933. This deepened social divisions and removed the possibility of changing one's ethnic identity.**[5]** Colonial encouragement of the notion of Tutsi racial superiority, apparent in the administrative favouring of Tutsi over Hutu and supported by then-fashionable but spurious arguments in European intellectual circles, raised to dangerous new levels existing tensions between Hutu and Tutsi.**[6a]** Dissension between the two existed for many years and in 1959, following the death of the Tutsi king, Mwaami Rudahigwa, led to a rebellion which killed between 10,000 and 100,000 Tutsis.**[5]**

C. Independence and Hutu Rule, 1962-1990

3.5 In September 1961, it was decided by referendum to abolish the monarchy and establish a republic. Internal autonomy was granted in 1961, followed by full independence on 1 July 1962.**[3a]** The further wave of killings that followed left as many as 200,000 Tutsi refugees in Uganda, whose absence helped the Hutu-led Parmehutu to follow its path to a corrupt one-party state. Discrimination against the Tutsi became widespread and systematic, and there were occasional violent attacks throughout the 1960s and beyond, for example in 1963, when Hutus killed an estimated 10,000 Tutsis, again in 1967, and in 1973, when there was also a large-scale purge of Tutsis from the universities.**[5]** Discrimination based on ethnic status persists.**[14a]**

3.6 In July 1973, the minster of defence and head of the national guard, Major-General Juvénal Habyarimana, under the pretext of restoring order, led a bloodless coup against President Kayibanda, proclaimed a second republic and established a military administration under his presidency. The normal legislative processes were suspended and all political activity was banned until July 1975, when a new ruling party, the MRND, was formed.**[3b]** The murder of Tutsis declined somewhat during the regime of Habyarimana,**[5]** who even appears to have made moves to lessen ethnic tensions by bringing a few Tutsis into his government and allowing some Tutsis to prosper in business. However, he also pursued a policy of discrimination, limiting Tutsi access to employment and education through a quota system based on census figures that understated the Tutsi population.**[6a]** The scapegoating that increasingly accompanied the discrimination reached its peak when guerrillas of the Tutsi-dominated RPF invaded Rwanda from Uganda in October 1990. Habyarimana seized the opportunity to divert criticism from the

government to the Tutsis, whom he blamed for the economic discontent that had increased with the collapse of the coffee price in 1989, which had led to severe hardship for hundreds of thousands of farmers.**[5]**

D. Military and Political Conflict, 1990-1994

3.7 With the help of French and Belgian troops, the Rwandan army managed to keep the RPF from reaching Kigali, but subsequent attempts to broker an effective ceasefire were largely unsuccessful.**[3a]** Meanwhile, many Tutsis were killed and more than 8,000 detained, on account of their ethnicity, political views, or family connection with government opponents, rather than because of any evidence that they had supported the RPF invasion.**[7a]** In late 1990, the Rwandan army began to train and arm civilian militias known as the Interahamwe. During the next three years, thousands of Tutsis were killed in separate massacres around the country, whilst opposition politicians and journalists were also the targets of persecution.**[5]**

3.8 Between 1991 and 1994, the principal political power struggle was between the northern-based MRND(D) and a Hutu-led political opposition, based in the centre and south, which sharpened following Habyarimana's reluctant opening up to political parties in 1991. In doing so, he not only faced the prospect of military defeat by the RPF, but also that of electoral loss at the hands of those new parties.**[1a]** Throughout this period, Habyarimana delayed on the establishment of a multi-party system with power-sharing, to which he had agreed in principle under pressure from western aid donors in July 1990.**[5]** However, some progress was made with the establishment in April 1992 of a broadly-based coalition government, incorporating the MDR, PSD, PL, and PCD, together with the ruling MRNDD.**[3b]**

3.9 Meanwhile, the conflict with the RPF, which launched frequent forays into Rwanda, continued throughout 1991 and 1992, resulting in thousands of casualties on both sides, killing and displacing many civilians, particularly in the border area.**[3b]** In February 1993, it launched a fresh offensive and guerrillas reached the outskirts of Kigali. French forces were again called in to assist the government, but fighting continued for several months. In August 1993, at Arusha in Tanzania, following months of negotiations, Habyarimana agreed to greater power-sharing with the Hutu opposition and also with the RPF. He also agreed to integrate its military wing, the RPA, into a new Rwandan army and to merge the presidential guard with elite RPF troops in a smaller republican guard. In December 1993, UNAMIR was established, with 2,500 UN troops deployed in Kigali, to oversee the implementation of the Arusha Accord.**[5]**

3.10 Between September 1993 and March 1994, Habyarimana delayed on the implementation of the Arusha Accord,**[5]** with ongoing disputes over the proposed composition of the new government and accusations of obstruction directed at Habyarimana, by the RPF and members of the Hutu parties in the transitional government.**[3b]** Meanwhile, the training of militias intensified and the extremist radio station, Radio Mille Collines, stepped up its propaganda campaign by broadcasting exhortations to attack the Tutsis.**[11a]** For a number of years prior to the genocide, Hutus throughout Rwanda had been exposed to a persistent campaign of anti-Tutsi indoctrination, through newspapers, radio and frequent public speeches. The main targets of the propaganda were the RPF, but the nature of the campaign was designed to instil a deep mistrust of the entire Tutsi population, all of whom were branded with the same accusation, namely that they were intent on renewing their domination of the Hutu. Human rights groups warned the international community of impending calamity, and in March 1994, many of their members

began to evacuate their families from Kigali in the belief that widespread massacres were imminent.**[5]**

E. Genocide, April-July 1994

3.11 On 6 April 1994, Habyarimana and the president of Burundi, Cyprien Ntaryamira, were killed when Habyarimana's aeroplane was shot down near Kigali airport. Extremists, opposed to the Arusha Accord which they suspect was about to be implemented, were believed to be responsible. On the same day, Radio Mille Collines told its audience that "Tutsis needed to be killed." That night, the killing began, and by the following day, the Rwandan armed forces and the Interahamwe had set up roadblocks and were going from house to house, killing Tutsis and moderate Hutu opposition politicians.**[5]** Any resistance, including joint resistance by Hutus and Tutsis, was soon overcome in most cases, whilst those who sought refuge in hospitals, schools or churches did not escape massacre either. Journalists, clergy, human rights activists, and senior civil servants, particularly those involved in the judicial system, were also targeted.**[1a]** Thousands died on the first day as UN troops were forbidden to intervene, on the grounds that this would breach their monitoring mandate.**[5]**

3.12 On 8 April, the establishment of a new interim government was announced, whose members were drawn largely from the MRNDD, and which soon fled to the town Gitarama to escape escalating violence in the capital. The legitimacy of the new government was immediately rejected by factions of the MDR, PL, PCD, PSD, and of course by the RPF**[3b]** which on 8 April launched a major offensive to end the killings and rescue 600 of its troops surrounded in Kigali, where they had been based as part of the Arusha Accord. On 21 April, the UN voted to reduce its number of forces from 2,500 to 250, following the murder of ten Belgian soldiers who had been assigned to guard the prime minister, Agathe Uwilingiyimana, who was also killed. Meanwhile, tens of thousands of refugees escaped into Tanzania, Burundi and the DRC, including Hutus fleeing the advance of the RPF.**[5]**

3.13 On 17 May, as the killing of Tutsis continued, the UN agreed to send 6,800 troops and policemen to Rwanda with powers to defend civilians.**[5]** In early June, the government was forced to flee from Gitarama to Kibuye in the west, as the RPF made significant territorial gains in the south.**[3b]** By 22 June, the deployment of mainly African UN forces had still not taken place, as a result of which the UN Security Council authorised the deployment of some 2,000 French forces in south-western Rwanda. There, under 'Operation Turquoise', they created a 'safe area' in territory controlled by the government. Whilst some were protected by the French, the killing of Tutsis continued in the 'safe area'.**[5]**

3.14 The genocide is estimated to have left up to one million dead, and vast numbers wounded, raped, terrorised, orphaned and separated from their families.**[5]** In May 1998, following further research, the Rwandan Ministry of Education put the number of those killed at over 1.3 million.**[34a]** The targets were not only Tutsis but also those moderate Hutus who did not oppose a power-sharing arrangement. It has been well-documented that the genocide was not caused simply by inter-ethnic conflict, but as a result of careful planning by a clique close to Habyarimana, who were opposed to the prospect of power-sharing with the Tutsi minority. The principal instruments of genocide included the presidential guard, the army, the police, the civil administration and the Interahamwe militia, which, as it entered areas, also forced local civilians to kill neighbours or even members of their own families.**[1a]** It is not known whether Habyarimana had intended the killing to reach the scale that it did after his death, but it can be

said that he had encouraged the most virulent anti-Tutsi propaganda, and did nothing to stem the violence that was being instigated by the army and militia.**[5]**

3.15 In July, the Rwandan army was defeated and the government fled to the DRC, followed by thousands more refugees, many of whom were subsequently killed by a cholera epidemic soon after their arrival. The French departed between July and August and were replaced by Ethiopian UN troops.**[5]** On 19 July, the RPF set up an interim government of national unity in Kigali, with a Hutu, Pasteur Bizimungu, as president, but with a majority of cabinet posts assigned to members of the RPF.**[3b]** Meanwhile, there were conflicting UN reports of a series of reprisal killings, involving the RPF. Several hundred civilians were said to have been executed, and the killing of Tutsis continued in refugee camps.**[5]** Whilst there is large-scale evidence of human rights abuses committed by the RPF, including reprisal killings,**[7b]** it does not appear to have participated in the systematic killing of civilians, that characterised the genocide.**[1a]**

3.16 In March 2000 the National Post, a Canadian newspaper, reported that Tutsi informants had told UN investigators in 1997 that they had helped shoot down the plane of President Habyarimana in 1994. The newspaper referred to a UN report dated 1 August 1997, in which they said three Tutsi informants had cited Rwandan Patriotic Front (RPF) leader Paul Kagame, now vice president of Rwanda, and an unidentified foreign government as being behind the attack. UN officials declined to discuss the newspaper's report.**[37g]** The Rwandan government dismissed the press speculation that the RPF had shot down the plane as "baseless propaganda" and "designed to justify the 1994 genocide against the Rwandan people".**[17j]**

F. The Aftermath, 1994-2000

3.17 The new Hutu prime minister, Faustin Twagiramungu, identified the immediate aims of the government as the restoration of peace and democracy, the reactivation of the economy and the repatriation of refugees. In November 1994, a multi-party protocol of understanding was concluded, providing for a number of amendments to the terms of the 1993 Arusha Accord, relating to the establishment of a transitional legislature. The most significant of the new provisions was the exclusion from the legislative process of members of those parties implicated in alleged acts of genocide during 1994, most notably the MRNDD and the CDR. A seventy-member transitional national assembly was installed on 12 December 1994. On 5 May 1995, the new legislature announced its adoption of a new constitution,**[3b]** also known as the fundamental law,**[14a]** based on selected articles of the 1991 constitution, the terms of the 1993 Arusha Accord, the RPF's victory declaration of July 1994 and the November 1994 multi-party protocol of understanding.**[3b]**

3.18 The deterioration of conditions in refugee camps in the DRC, where hunger and cholera were estimated to have killed more than 20,000 by the end of July 1994, continued to give cause for concern. By late 1994, Hutu displaced persons and refugees were continuing to resist the exhortations of the UN and the new Rwandan government to return to their homes.**[3b]** The reason for their reluctance to do so can be attributed largely to the Hutu militias' assumption of control in several camps in the DRC, most notably in Bukavu and Goma,**[11b]** and also in Tanzania, where Hutu civilians intending to return home were subject to violent intimidation, and some were undergoing enforced military training in anticipation of renewed armed conflict.**[3b]**

3.19 Another reason for the reluctance of refugees to return to their homes is likely to have been the allegations that the RPF's armed forces were conducting a systematic campaign of reprisals against returning Hutu civilians. The Rwandan government was quick to dispel these rumours, pointing out that it should not be held responsible for the frequent but individual acts of retaliation, many of whose perpetrators, including 50-70 RPF members, were awaiting trial, and two of whom had been executed in August 1994. Meanwhile, preliminary hearings against some 35,000 Rwandan nationals, imprisoned in Kigali on charges of direct involvement in the genocide, began in early 1995, but were soon suspended due to lack of funds. Lack of finance and personnel had led to the virtual collapse of Rwanda's judicial system, whilst it was estimated that the majority of suspects had been imprisoned without formal charge. The prosecutor's office in Kigali also estimated that as many as 20% of prisoners could be innocent individuals, denounced by others who intended to acquire their land or property. In October 1995, the supreme court was established by the transitional national assembly.**[3b]**

3.20 In June 1995, the UN established the International Criminal Tribunal for Rwanda (ICTR) in Arusha for a four-year term, to investigate allegations made against some 400 individuals of direct involvement in the genocide. Formal proceedings began in late November 1995, but due to their slow pace, the Rwandan government announced the creation of special courts within its existing judicial system in February 1996. Under these arrangements, Rwanda's chief supreme court prosecutor was to oversee investigations in each of the country's regions. By early 1997, the ICTR had indicted only 21 people and started just one trial, whilst the Rwandan courts had tried more than 120 cases, of which more than 40 had resulted in death sentences.**[3b]**

3.21 In August 1995, the UN agreed to suspend the arms embargo of Rwanda, which had been imposed against the previous administration in May 1994 for one year, in order to allow the new government to safeguard against the threat of an armed offensive by Hutu extremists encamped in neighbouring countries. In April 1996, the UN urged all central African states to observe an arms embargo against former FAR troops and to ensure that their territories were not used as a base for armed groups to launch cross-border raids into Rwanda. Despite President Mobutu's authorisation of the deployment of UN monitors in eastern DRC to record any violations of the arms embargo, western observers remained convinced that the DRC would continue to be a major source of weapons for them.**[3b]**

3.22 Refugees and displaced persons continued to experience problems both outside and within Rwanda. The Rwandan government embarked on a series of uncompromising initiatives to encourage returns, including the interruption of food supplies to camps, culminating in their forcible closure, through military intervention. In one of the worst instances, in late April 1995, RPA troops fired on displaced persons during an attempt to dismantle the Kibeho camp in southern Rwanda, amidst confusion arising from the activities of some hostile elements within the camp and a sudden attempt by large numbers to break through the military cordon. The incident was estimated to have resulted in as many as 5,000 deaths. Outside of Rwanda, following a widely criticised attempt to repatriate forcibly some 15,000 Rwandans from the DRC in August 1995, its government agreed to entrust the repatriation process to the UNHCR.**[3b]**

3.23 During 1995, the UNHCR assisted in the repatriation of 240,388 Rwandan refugees from neighbouring countries, but in March 1996, estimated that there were still some 1,684,645 scattered throughout several countries in the region, including 1,057,350 in the DRC, 531,016 in Tanzania, 92,279 in Burundi and 4,000 in Uganda. Concern regarding the security situation in Rwanda was cited as the single most important factor preventing the return of these refugees.

Reports at the end of February 1996, that violent acts of reprisal by the RPF against returning and fleeing refugees had claimed the lives of some 100,000 Hutus since April 1994, did little to assuage fears.**[3b]** Concern increased with reports that there had been a sharp escalation of killings both by the RPA and by armed opposition groups in the first half of 1996,**[7e]** which were to continue throughout that year,**[12a]** and during 1997.**[12c]**

3.24 Whilst the UNHCR was unable to deny or confirm the alleged scale of the killings, the Rwandan authorities are believed to have detained a number of returnees on suspicion of having participated in the 1994 genocide or having committed other related crimes.**[3b]** In January 1997, the UNHCR indicated that the number was quite substantial, with 500 returning Hutus having been arrested for alleged participation in the genocide in just a few weeks. The UNHCR also indicated that people were notifying the authorities of refugees whom they suspected, as they returned.**[21b]** Notwithstanding the risks, by the end of 1996, more than 1.3 million refugees had been repatriated, the vast majority between 15 November and 31 December,**[12b]** leaving the number of Rwandan refugees in neighbouring countries at the dramatically reduced figure of 257,000. As a result of the mass influx of refugees, the Rwandan government, together with the UN World Food Programme and other relief agencies, distributed food aid to the returnees in an attempt to avert a humanitarian crisis.**[3b]** In January 1999 approximately 2,200 Rwandans returned from the Democratic Republic of Congo (DRC), where they had been since the intensification of the insurgecy in early 1998.**[38a]**

3.25 The courts in Rwanda continued to try and sentence genocide suspects throughout 1999. A Ministry of Justice report stated that between January and June 1999, 86 genocide trials had been held and 634 prisoners were judged. 64 received the death penalty, 191 were sentenced to life imprisonment, 225 various other prison terms, 24 other penalties and 130 were acquitted. The vast majority of trials met international standards. No public executions occurred. **[14a]**

3.26 In early December 1998 the Rwandan Patriotic Army (RPA) claimed to have killed more than 250 Hutu insurgents during a two week operation.**[35e]** In 1999 the RPA committed significantly fewer extrajudicial killings inside the country than in 1998, due to its success in largely suppressing the insurgency in the northwest. The RPA pushed Hutu rebels, including the former Rwandan armed forces (ex-FAR) and the Interahamwe militia, inside the territory of the Democratic Republic of Congo.**[14a]** In May 1999, 178 RPA soldiers, including 12 officers, were dismissed from the RPA for chronic indiscipline and criminal offences.**[14a]**

3.27 On 30 April 1999 Fulgence Niyonteze, former mayor of Mushubati, became the first Rwandan war crime suspect to be convicted and sentenced by a European court. A Swiss military court sentenced him to life imprisonment for war crimes. Also in April the International Criminal Tribunal for Rwanda (ICTR) sentenced a medical doctor to life imprisonment and a businessman to 25 years after they were found guilty of inciting Hutus to kill Tutsis during the 1994 genocide.**[21f]**

3.28 In June 1999 Major Anne Marie Nyirahakizimana became the first female former FAR officer to receive the death penalty. She was found guilty of genocide and other crimes against humanity by a military court in Gitarama.**[14a]** A criminal court in Western Rwanda on 2 July sentenced nine people to death and sixteen others to life imprisonment for participation in the massacres of Tutsis in Kibuye Prefecture (western Rwanda).**[23j]** On 17 August 1999 a genocide court in southwestern Cyangugu Prefecture sentenced two people to death and gave ten others prison terms for their involvement in the genocide.**[23l]** On 19 August 1999 the Ruhengri court

in northwest Rwanda sentenced two people to death for genocide and other crimes against humanity in 1994.**[24m]** On 29 February 2000, in a joint trial of 40 people charged with genocide, a court sentenced four to death and thirteen to life imprisonment. Fifteen others received various prison terms, whilst eight were found not guilty.**[37f]**

3.29 In July 1999 both Rwanda and Belgium requested that Tanzania extradite former army officer Bernard Ntuyahaga, to stand trial for his role in the 1994 genocide. **[38c][42a]** Ntuyahaga surrendered himself to the ICTR in July 1998 asking to be protected as a witness because he feared for his life. He was subsequently indicted for the murders of 10 Belgian peacekeepers and the Rwandan Prime Minister, Agathe Uwilingiyimana, in April 1994. The ICTR dropped the charges and released him in March 1999. He was then arrested by Tanzanian authorities following the extradition requests from Rwanda and Belgium. Tanzania opted to pursue Rwanda's request. His lawyers are seeking to block the extradition order.**[53a]** If extradicted Ntuyahaga would be tried in a military court and could face the death penalty. Another suspect, also allegedly involved with the deaths of the Belgian peacekeepers and the Prime Minister, was arrested in Denmark on 15 February. Innocent Sagahutu was a high ranking military figure at the time of the genocide.**[17i]** On 2 March 2000 the ICTR officially asked Belgium to extradite genocide suspect Augustin Ndindiliyimana, for his alleged role in the murder of the Belgian peacekeepers.**[31g]**

3.30 Three former Rwanda Ministers were transferred from Cameroon to Tanzania, in early August, to appear before the ICTR on genocide charges. They are accused of promoting massacres in parts of the country where the killings were slow to start.**[38f][35h]** On 18 August all three appeared before the tribunal, together with a fourth former minister, jointly charged with the three. All pleaded not guilty to the charges against them.**[38j]** The ICTR, having been criticised for lack of progress of trial proceedings, aims to speed up prosecutions by grouping several suspects together in a single trial and charging them jointly with conspiracy to commit genocide. In the five years since the ITCR was set up it has secured only seven convictions. The tribunal's maximum penalty is life imprisonment.**[39a]** Prosecutors at the tribunal want "mega trials" in an attempt to conclude the tribunals work before its mandate expires in 2003. They want Theoneste Bagosora, the former Rwandan Army's chief of staff and the tribunal's most important suspect, tried with three others.**[35i]**

3.31 Former Rwandan Minister for Family and Women's Affairs, Pauline Nyiramasuhuko, who in 1997 became the first woman to be indicted by an international court for genocide,**[14a]** had additional charges brought against her in August 1999.**[35j][38i][40a]** The prosecution added rape charges to the indictment, for crimes committed by her subordinates.**[14a]** This is the first time in history that a woman has been charged with rape as a crime against humanity. Nyiramasuhuko stands jointly charged with her son Arsene Shalom Ntahobali, a former businessman and leader of a local militia.**[35j][38i][40a]**

3.32 The U.N. Security Council appointed Carla Del Ponte as the new Prosecutor of the International Criminal Tribunals for the former Yugoslavia and Rwanda on 11 August 1999. Del Ponte replaced Louise Arbour, U.N. Prosecutor since October 1996, who stepped down on 15 September 1999, to take up an appointment as a judge in Canada's Supreme Court.**[35k]** Prosecutors normally serve a four-year term and are eligible for re-election. Louise Arbour's final visit to the ICTR revealed difficulties in getting those countries which still have genocide suspects, to extradite them to the ICTR.**[24l]**

3.33 On 26 August 1999 the Gikongoro court in Rwanda sentenced eight people to life imprisonment and twelve to 10-year jail terms, for their involvement in the 1994 genocide. These included a 15-year old suspect.**[38k]** A specialised chamber in Gisenyi, northwestern Rwanda, on 15 November sentenced eight people to death, ten to life imprisonment and acquitted seven others, following a joint genocide trial.**[24o]** On 26 November a court in Cyangugu sentenced three to death and ten others to life imprisonment.**[54a]** A judicial source reported on 6 January 2000 that for the year 1999, 2,500 cases of genocide were settled. Of those cases 116 people were sentenced to death. 322 people were sentenced to life imprisonment, 235 were acquitted and more than 425 were sentence to various prison terms. In the previous two years only 1,200 cases were reportedly settled. A new proposed judicial system of 'gacaca' courts, aimed at speeding up the trial of genocide suspects, is hoped to be introduced this year. There will be over 10,000 gacaca courts throughout the country to try more than 125,000 suspects already detained and many more who have yet to be arrested on charges of genocide and other crimes against humanity. **[38t]** Parliament voted a law to establish Gacaca courts on 15 February. No provision existed in the Fundamental Law so it was necessary for the law to be passed.**[24r][38y]** The justice minister expected the bill to begin functioning around April 2000.**[38t]**

G. International Criminal Tribunal for Rwanda

3.34 Former Rwandan mayor Ignace Bagilishema, arrested in South Africa in February 1999, was transferred to the tribunal's detention facilities on 20 February. He pleaded not guilty in September 1999 to seven charges against him, including genocide, crimes against humanity and serious violations of the Geneva Convention.**[38n]** A ruling on the case is expected in due course.**[31e]**

3.35 In November 1999 the Government temporarily suspended cooperation with the ICTR and briefly denied a visa to its chief prosecutor following the appeals judges' ruling that due to lengthy delays and other procedural errors, ICTR detainee Jean-Bosco Barayagwiza must be freed.**[14a]** It was stated that his fundamental rights had been violated due to his prolonged detention without trial. He was arrested in Cameroon in November 1997 and detained for 19 months before being transferred to ICTR custody, where charges were finally filed.**[31a]** Barayagwiza is a former leader of the most extreme Hutu party who was charged with multiple counts of genocide and other crimes against humanity in 1996.**[14a]** The US State Department said that broadcasts on the private Radio, Libre des Mille Collines, for which Barayagwiza was a senior official, ultimately had a lethal effect and were an important factor in the spread of genocide.**[37b]** The Tribunal said this action by the Government would have serious consequences on their ability to conduct trials, given that most prosecution witnesses came from within Rwanda.**[37a]** Human Rights Watch (HRW) said they deplored prosecutorial incompetence at the ICTR which resulted in the release of Barayagwiza.**[11f]** Around 5,000 people demonstrated in the capital, Kigali, at the decision to release Barayagwiza. Protesters said his release made a mockery of justice.**[17c]** In December the judges agreed to reconsider their decision on the basis of the chief prosecutor's promise to introduce additional evidence.**[14a]** The chief prosecutor, Carla del Ponte, began her appeal on 22 February 2000. Barayagwiza remains in the UN's detention facilty in Arusha pending the outcome of the appeal.**[35s]** On 10 February 2000 Rwandan authorities resumed co-operation with the tribunal, encouraged by the arrests of two important genocide suspects in the U.K. and France.**[37e]** On 31 March the Appeals Chamber reversed its decision to free Barayagwiza and announced that the trial may proceed. The Chamber noted

that Barayagwiza's human rights had been violated, but that the violation was not very serious. This would be recognised by a reduced sentence (proportionate to the time spent in custody awaiting trial) if found guilty, or by a financial award if acquitted.**[35u]**

3.36 One of the first genocide suspects charged by the tribunal in 1995 was transferred to the ICTR's detention centre on 9 November 1999. Mikaeli Muhimana faces 25 charges.**[17a]** On 3 December 1999 judges at the ICTR granted a request by prosecutors to join the trials of two genocide suspects. The court has already granted other joint trials, those of four politicians and another for six prominent officials, which includes the first woman to be charged with rape.**[31c]** The ICTR sentenced Georges Rutaganda, the second vice-president of the Interahamwe militia, to life imprisonment on 6 December 1999, for genocide and crimes against humanity.**[31b]** A French appeal court ruled on 16 December 1999 to extradite Jean Dieu Kamuhanda the former Rwandan higher education minister. Kamuhanda was arrested in central France on 26 November 1999, where he had been living since March 1998. **[43e]** He is the first genocide suspect to be arrested in France. On 9 February 2000 Kamuhanda lost his appeal against the decision to extradite him.**[17h]** On 15 February a second suspect was arrested in France. Francois-Xavier Nzuwonemeye was a former Rwandan Mayor, but the charges against him are not yet known.**[17i]**

3.37 On 16 December 1999 the United Nations accepted the findings in a damning report, by an independent inquiry team, which accused it of failing to prevent the genocide in 1994. It said the UN had ignored evidence that genocide was planned and refused to act once it had started. The report concluded that the UN should apologise to the Rwandan people.**[17d]** On 17 December UN Secretary-General Kofi Annan announced on behalf of the UN that he acknowledged this failure and expressed his deep remorse.**[35p]**

3.38 A new law, making temporary amendments to the criminal law, was passed by the National Assembly on 30 December 1999. The law provides for an 18-month extension of the period of remand for those people in custody charged with genocide crimes and crimes against humanity committed between 1 October 1990 and 31 December 1994.**[24p]**

3.39 On 10 January 2000 it was reported that the United Nations was being sued for the first time in history for its alleged complicity in genocide. Two Rwandan women whose families were killed in the 1994 genocide, claim that UN soldiers, whose task it was to defend their families, either handed the families over to the Hutu militants or ran away.**[52a]**

3.40 A United States court on 18 August 1999 ruled that genocide suspect Elizaphan Ntakirutimana, a Rwandan Seventh Day Adventist Preacher, should be extradited to stand trial at the ICTR. He was arrested in Texas on 26 September 1996 and had up to now been successful against extradition.**[42b]** The US Supreme Court ruled on 25 January 2000 to extradite Ntakirutimana, to the ICTR.**[31d]** Ntakirutimana, 75, is the first person the US has handed over to the tribunal.**[35r]** US Secretary of State, Madeline Albright, signed the order transferring Ntakirutimana to Tribunal custody on 3 March 2000. He is expected to be transferred to Tanzania towards the end of March.**[31h]**

3.41 The ICTR sentenced Alfred Musema, a former Rwandan factory manager, to life imprisonment for genocide related charges on 27 January 2000. Musema was arrested in Switzerland on 11 February 1995 and is the first private citizen to be tried and convicted by the tribunal.**[37d]** Belgian authorities arrested Justin Ndiniliyimana, a former Rwandan

military police commander, on 29 January 2000. The ICTR confirmed his indictment for genocide charges. Arrangements have yet to be made for his transfer to the tribunal.**[50a]**

3.42 A former Rwandan army officer suspected of genocide and crimes against humanity was arrested in London on 5 February 2000, after an extradition warrant was issued by the ICTR. Tharcisse Muvunyi appeared at Bow Street magistrates' court on Monday 7 February, where he was remanded in custody until his transfer to the ICTR.**[17g]** He has been living in the U.K. with his wife and children since March 1998. He was indicted by the tribunal in January and faces five counts, including genocide and crimes against humanity. He denied any involvement in the genocide.**[31f]** Amnesty International said it welcomed the recent arrests by the UK and Belgian authorities.**[7k]**

H. The Economy

3.43 Rwanda's economic development has been hampered by its high level of population density, its remoteness from the sea, and by its turbulent political and ethnic history. As a result, it has traditionally relied heavily on foreign aid, and in recent years a decline in exports and a massive debt burden have resulted in increased reliance on foreign assistance. Agricultural production in many areas of Rwanda has diminished, because of erosion and over-intensive farming methods. Price instability on world markets for Rwanda's most lucrative cash crop, coffee, also resulted in reduced production, prompting attempts at crop diversification, including the cultivation of cotton, tobacco and tea.**[3a]**

3.44 Economic prospects were further undermined by the violent political events of 1994 and the overwhelming population displacement and environmental damage.**[3a]** This resulted in the neglect and widespread destruction of much of the country's economic infrastructure, including utilities, roads and hospitals. Most citizens are subsistence farmers and food production even before the war had barely kept pace with population growth. Dislocation led to disruption of the crop cycle and widespread food shortages.**[14a]** In August 1994, Twagiramungu stressed that economic recovery could only be achieved following the return of the displaced population to their farms and workplaces.**[3b]**

3.45 By mid-1996, an estimated 60% of pre-war industrial enterprises had recommenced activity, albeit at low levels of productivity.**[3a]** The government's three-year programme of rehabilitation and reconciliation aimed to restore the economy to the level of its achievements for 1990, by 1998.**[3b]** By the end of 1997, whilst small-scale commercial activities were on the increase, the industrial base remained neglected.**[14a]** Furthermore, whilst two-thirds of Rwanda's 1997 budget was said to come from foreign aid, 50% was appropriated by the army.**[6b]**

3.46 Severe food shortages towards the end of 1997 led to a government announcement of famine in four regions of Rwanda: Butare, Kibuye, Gikongoro and Umutare. Late rains in 1997 meant that the January 1998 harvest was insufficient for domestic needs. In October 1997, the World Food Programme said that estimates indicated that 29% of Rwandans were in need of assistance, as a result of which it increased food distribution, but at levels the Food and Agriculture Organisation reported as far below what was actually needed, primarily because of funding shortages and the late rains.**[8a]** Between December 1997 and April 1998, 400 people were reported to have died as a result of food shortages in the southern region of Gikongoro, while in the nearby Butare region there was said to be severe malnutrition, particularly amongst

children.**[24c]** By mid-1998, over 70% of the entire Rwandan population were said to be living below the poverty line, while life expectancy was put at just 39 years.**[36a]**

3.47 The Government continued to implement structural reforms in 1998, with the aims of privatizing all state enterprises by the end of 1999, restructuring the banking sector and reducing the number of civil service personnel. The government had also initiated a plan to combat poverty, which was estimated to affect 70% of households, by improving access to basic education and healthcare. Also by expanding the coffee and tea sectors. There was however some concern that the continuing unrest in the north of the country would jeopardize efforts towards a sustained recovery.**[14a][31a]**

3.48 In June 1999 Prime Minister, Pierre Celestin Rwigema, announced the government was to privatize the state-owned tea board by the year 2000. He said the tea sector was of considerable strategic importance to the country's economic development.**[23i]**

3.49 The contribution of the wider international community is essential for a resolution of Rwanda's problems, not least its reconstruction after several years of upheaval.**[27b]**

3.50 In June 1999 Government officials said Rwanda was moving towards the replacement of the current sales tax with value added tax (VAT). It is hoped that this change will have an impact on the Rwandan economy, notably in reducing the deficit and tax evasion. The business community has been encouraged to keep records, receipts and invoices to avoid double taxation.**[23h]** On 12 January 2000 it was announced that Rwanda would introduce VAT in July 2000.**[45b]**

3.51 In July 1999 Oxfam said that an initiative was signed in Cologne, during June, which aimed to grant swifter and deeper debt relief to enable deserving countries to tackle poverty. The initiative envisages writing off $70 billion in third-world loans. Rwanda would not however qualify for relief on its $1 billion debt before 2003.**[35g]**

3.52 On 12 November 1999 it was announced that Rwanda would close 10 of its 21 diplomatic missions in the financial year 2000. It would also reduce the country's ministries from 18 to 15 in a bid to save the state money. The country's budget for 2000 was given as 171 billion Rwanda francs (345RF = 1USD). The previous year's budget being 169 billion.**[43c]**

IV. INSTRUMENTS OF THE STATE

A. Government

4.1 The Tutsi-dominated RPF, which took power following the genocide in July 1994, is the principal political force and remains in control of the government of national unity. The Hutu president, Pasteur Bizimungu resigned for 'personal reasons' on 23 March 2000, **[43f][44f]** and Tutsi vice-president and minister of defence, General Paul Kagame, was named as interim president following the resignation.**[44g][48b]** Kagame is a member of the RPF. Pierre-Célestin Rwigyema, a member of the Hutu-dominated MDR,**[14a]** resigned as prime minister on 28 February 2000.[44e] Bernard Mazuka was named as the new prime minister on 8 March 2000.**[17k][35t]** and is responsible for relations with the national assembly.**[14a]**

4.2 The RPF has a minority of cabinet seats and assembly places, but it continues to dominate the government's policies.**[9a]** Whilst the coalition government appears to be fairly inclusive, with the participation of the MDR, PSD, PL and PCD, in addition to the RPF, it merely implements policies under the current system. Responsibility for defining policy appears to be concentrated in the hands of a few, and all the key positions in the power structure are occupied by RPA officers or former RPA officers, who came to Rwanda from Uganda, where they were based until 1994.**[6b]**

4.3 Two major problems for the Rwandan government remain the reintegration of returned refugees into society, including the sharing out of scant housing and land, and the security situation, particularly in the north-west of the country. The problem of refugee reintegration is exacerbated by the fact that the refugees include former members of the FAR and Interahamwe, who seem intent on causing instability. Their insurgency activity has raised Tutsi-Hutu tensions, particularly amongst survivors of the genocide,**[9a]** and provoked increasingly repressive security measures by the authorities.**[14a]** It remains to be seen whether the Rwandan government can effectively balance the two concerns of ensuring the smooth reintegration of the refugees, whilst preserving security.**[9a]** The deteriorating security situation during 1997 and into 1998, together with the increased segregation of Hutu and Tutsi, and of rural Tutsi genocide survivors and the urban Tutsi newcomers, suggests that it is not yet capable of doing so. In the circumstances of increased insecurity, ethnic separation and economic disparity, the government's proclaimed aim of ethnic reconciliation and an integrated society appears a long way from realisation.**[6b]**

4.4 The government has admitted that the important challenges it faced in the aftermath of the genocide, not least that of achieving national unity and ethnic reconciliation, have yet to be met.**[23a]** As for the people of Rwanda, the government has no perceived legitimacy among the Hutu masses, whilst the rural Tutsi survivors of the genocide are alienated from those in power, most of whom came to Rwanda after tens of years in exile, following the genocide. Meanwhile, all sectors of the Tutsi population, including those in government, are highly defensive, with the memory of genocide still very much present.**[6b]** The feeling of insecurity is enhanced by the apparently growing strength of the Hutu rebellion, primarily in the north-west of Rwanda and increasingly in more central areas.**[25a]** In such a climate, it seems unlikely that the Tutsi-dominated government, already on the defensive, will reduce its harsh security measures,**[6b]** or that it will feel secure enough to contemplate power-sharing with the majority group in the foreseeable future.**[19a]**

4.5 In March 1998 it was announced that local elections would be held at the end of the month, both at sector and at cell level. These were conducted using the queue voting method rather than the secret ballot.**[24g]** In March 1999 the Government held elections for local development committees at cell and sector level for the first time in 10 years.**[14a]**

4.6 On 2 July 1999 the cabinet met to discuss the proposed revision of the Fundamental Law (Article 5) of the Republic of Rwanda, concerning the period of office of the transitional government. It was decided that the transitional government period should be extended for a further four-year period effective from 20 July 1999.**[24g]**

4.7 Dr Augustin Iyamuremye, on 7 July 1999, replaced Amri Sued Ismael as Foreign Minister.**[24i]** An unnamed government official stated that Ismael had not been defending the

interests of the country in his declarations to the media and foreigners. Ismael had also allegedly been charged with embezzlement.**[23k]**

4.8 In early September 1999 the Rwandan Minister of Education admitted that funds, of around 26 million U.S. dollars, had been embezzled from the ministry's project to rehabilitate schools in the country following the 1994 genocide.**[38l]** A second probe into the loss of around one million U.S. dollars, involving three ministers, was also underway.**[38p]** On 7 October, two of the three ministers were forced to resign following a vote of no-confidence in parliament.**[38r]** On 30 October a report by a parliamentary commission, set up to investigate the embezzling of the World Bank funded education project, accused the Rwandan Prime Minister, Pierre Celestin Rwigema, of mismanagement of funds. The report accused Rwigema of diverting funds to construct two new schools in his home region of Gitarama, which were not proposed in the project.**[35o]** Rwigema escaped a vote of no-confidence by parliament on 23 December,**[43d]** but resigned from his post on 28 February 2000, amid mounting allegations of financial impropriety. President Bizimungu accepted the resignation.**[44e]**

4.9 On 6 January 2000 the Rwandan parliament speaker Joseph Kabuye Sebarenzi was asked to resign. He was accused on various issues including mismanagement of Assembly funds.**[38s]** Sebarenzi resigned on 7 January to avoid a campaign to remove him from his post.**[44c]** On 25 January he was reported to have fled to**[17e]** Uganda, where he was seeking asylum. Ugandan authorities arrested him after crossing into the country illegally.**[37d]** Amnesty International expressed concern over his arrest.**[44d]** A new speaker was elected on 19 January.**[45c]**

B. Judicial System

4.10 The Fundamental Law provides for an independent judiciary, however the government did not respect this provision fully. The judiciary is focused on resolving the enormous genocide caseload of around 130,000 prisoners. The government increased its use of group trials as one method of reducing the caseload. Approximately 40,000 prisoners remain without files. In December 1999 the National Assembly amended the law to permit the continued detention of genocide suspects through mid-2001.**[14a]**

4.11 The Fundamental Law provides for a system of communal courts, appeals court and a Supreme Court of six justices. A new Supreme Court was sworn in July 1999.**[14a]**

4.12 The Fundamental Law provides legal safeguards against arbitrary arrest and detention, however, authorities rarely observed them in practice. The Rwandan judicial system collapsed during the war and genocide of 1994. With help from the international community it began to rebuild and is beginning to function more normally.**[14a]** The government will not countenance mass amnesty for those suspected of involvement in the genocide, but the numbers currently in detention are beyond its capability to deal with in an internationally acceptable manner. With this in mind, the UN established the ICTR in Arusha, Tanzania, in June 1995, to investigate individuals suspected of direct involvement in the genocide.**[9a]** In general the law requires that authorities investigate, then obtain a judicial warrant befre arresting a suspect. The police may detain persons for up to 48 hours without a warrant, formal charges must be brought within 5 days of arrest. These provisions are widely disregarded.**[14a]**

4.13 Whilst Rwanda has progressed slowly in bringing to justice the perpetrators of the genocide within its borders,**[11c]** the government has made efforts to utilise its domestic legal system to try those accused of involvement. In February 1996, due to the slow pace of ICTR proceedings, the Rwandan government announced the creation of special courts, within its existing judicial system, to consider cases. Genocide trials began in December 1996,**[7g]** and by early 1997, whereas the ICTR had indicted 21 people and started only one trial, the Rwandan courts had tried more than 120 cases, of which more than 40 had resulted in death sentences.**[3b]**

4.14 In 1996 the National Assembly passed the Organic Genocide Law, a portion of which was designed to encourage confessions in exchange for reduced sentences for the vast majority of those involved in the genocide.**[14a]** The public executions in April 1998 resulted in a sharp increase in the number of applications for plea bargaining from people charged with genocide.**[8c]** To date over 15,000 prisoners have confessed. Only a small number have been processed due to the lengthy procedures.**[14a]** On 30 August 1996, a new law was adopted, establishing procedures for punishing those guilty of genocide and crimes against humanity.**[7g]** It divided perpetrators into four categories: first, those who planned, organised, instigated and led the genocide, as well as those who killed with particular malice or brutality; second, those who killed or committed assaults resulting in death; third, those who committed assaults that resulted in serious injury; and fourth, those who committed offences against property. Under the law, those accused are assigned to categories by prosecutors, whose decision cannot be appealed. Those convicted in the first category face death by firing squad, whilst those found guilty in the other categories face prison terms which may be reduced in exchange for full confessions.**[11d]** This law has been criticised, in particular for failing to provide adequate appeal rights.**[7g][14a]**

4.15 The judicial system in Rwanda continued to function on a limited basis during 1997, but in the circumstances of an overburdened system, the government had little capacity to ensure due process rights, including the right to a defence, provided for in Rwanda's constitution. Whilst arrest procedures improved during 1997, there were many cases where formal requirements were not met,**[14a]** in some areas unauthorised persons, including soldiers and local officials, made arrests often during military search-and-cordon operations, sometimes without subsequently informing the judicial authorities.**[11d]** Rwandan government sources admitted that arbitrary arrests are still a serious problem, but point to the justice ministry's introduction of a new investigative system, whereby after preliminary investigation, case files are opened on those detainees without them. However, investigators have been accused of using torture to extract confessions and of even straying from their mandate by arresting people themselves.**[8a]** During 1997, the authorities were arresting genocide suspects at the rate of some 800 per week, although this rate diminished somewhat towards the end of the year.**[14a]** Whilst these figures suggest that the Rwandan government is serious about bringing to justice those responsible for the genocide, there are many who participated who have managed to avoid arrest, both within and outside of Rwanda, whilst a significant proportion of those who have been detained and are facing genocide charges are believed to be innocent.**[7g]** Arrests are frequently based on oral complaints and, at times, on false accusations.**[7c]** The genocide suspects are primarily Hutu, and they amount to about 10% of the adult male Hutu population.**[14a]** International observers have criticised the conditions in which suspects are being held without prospect of imminent trial,**[9a]** as well as the conduct of trials that have been held, including a lack of legal representation for defendants,**[7g]** in contravention of the International Covenant on Civil and Political Rights.**[27d]** By the end of 1997, approximately 200 genocide cases had been completed by Rwanda's courts. Of these, around 100 resulted in death sentences,**[14a]** of which twenty-two were carried out in public on 24 April 1998.**[8c]**

4.16 On 3 July 1999 Parliamentarians in the National Assembly approved the voluntary resignations of top senior officials in the Supreme Court. They also welcomed the government proposal to sack the vice-president of the Supreme Court. The Minister of Justice said the resignations would not affect the general working of the judicial system and the court structure within the country.**[24h]**

4.17 On 10 July 1999 a court in Rushashi, Kigali sentenced four people to death in the first trial of suspects accused of playing a role in a two-year insurgency that killed thousands in the country's northwest. Six people were given life sentences, seven others jail terms ranging between one and twenty years, whilst seven others were set free.**[35f]**

C. Prisons

4.18 Overcrowding is a chronic problem and sanitary conditions are extremely poor. There were reports that prison conditions were beginning to improve. The Government does not reportedly provide adequate food or medical treatment.**[14a]** In August 1999 Rwanda's overcrowded prisons were accommodating more than 130,000 prisoners, mostly genocide suspects.**[14a][38h]** Those detained include men, women and children. Harsh prison conditions contributed to the deaths of 1,148 inmates during 1999. The prison population has remained stable since early 1998.**[14a]** Local courts have tried around 1,500 cases since genocide trials began in late 1996. More than 300 people have been sentenced to death for genocide crimes. Twenty two were publicly executed in April of 1998.**[2]** During 1998 more than 3,300 prisoners died.**[14a]**

4.19 Throughout 1997, the government released small numbers of suspects who had incomplete files, or were ill or elderly, and by the end of the year approximately 3,000 had been released. Some of these were subsequently rearrested following intense opposition from genocide survivors' groups, whilst there were reports of revenge killings of others who had been released. Meanwhile, the government undertook work on new detention centres, which remain under construction.**[14a]** In a fresh attempt to relieve pressure on the prisons, in October 1998 the government announced plans to release around 10,000 genocide suspects who have no concrete evidence against them.**[24e]**

4.20 In July 1999 thirty armed bandits were arrested in Kigali, following a massive police operation to catch those responsible for persistent attacks and robberies in the city suburbs. It is believed that about 2,000 bandits have been put in Kigali Central prison and other detention facilities between 1995 and 1998.**[38b]** Due to financial constraints and the increasing numbers of genocide suspects in jails, the Rwandan government opted for the use of traditional village courts, locally known as "Gacaca", to deal with the backlog of genocide related cases.**[38h]** The Minister for Justice, Jean de Dieu Mucyo visited Kigali prison in July to explain the "Gacaca" courts system to the genocide suspects. The courts would operate to reveal the truth about the killings in the 1994 genocide, so that the guilty are punished and the innocent set free. Prisoners expressed their support of these courts. In July, Kigali Central Prison had around 7,800 male and 650 female prisoners.**[24k]**

4.21 In August 1999 it was announced that more than 1.5 billion RF (4.435 million US dollars) would be spent on feeding those in Rwanda's overcrowded prisons, more than the actual Ministry's budget. This is lower than the 2 billion RF used in 1998, which was said to have been

insufficient and had been supplemented by the International Committee for Red Cross (ICRC). Whilst the government realise the burden on prison authorities to feed prisoners, it remains under pressure from the International Monetary Fund and the World Bank to cut down on government spending.**[38h]**

D. Security

4.22 The security apparatus consists of the RPA and the gendarmerie, which is largely made up of RPA soldiers. In addition, civilian police with limited powers of arrest operate throughout the country.**[14a]** The primary concerns of the security forces during 1997 were the threat of incursions by soldiers and militias of the former regime along the north-western border with the Democratic Republic of the Congo and the threat of insurgency within Rwanda's borders.**[11d]** In dealing with these threats, members of the security forces continued to commit numerous serious human rights abuses throughout the year. The RPA were responsible for thousands of killings, many of whom were unarmed civilians, in security sweeps and in revenge for earlier killings by insurgent militias. The RPA used particularly excessive methods to suppress the insurgency along the north-western border with the Democratic Republic of the Congo, in which over two thousand were killed, many of them civilians, in May and June 1997 alone.**[14a]** At least 6,000 people, the majority unarmed civilians, are estimated to have been killed between January and August 1997, and the RPA is accused of responsibility for most of these deaths.**[7h]** RPA troops are also believed to have been responsible for the killing of Hutu refugees in the eastern region of the Democratic Republic of the Congo in the early to middle part of the year.**[14a]** Between 150,000 and 180,000 are estimated to have been killed there by the then rebel forces of Laurent Kabila, with the support of the RPF, between October 1996 and May 1997. The Rwandan government has denied the accusations.**[32c]** In 1999 members of the security forces committed serious human rights abuses, although the total had declined from the previous year.**[14a]**

4.23 Throughout 1997, intense fighting continued in the north-west of Rwanda, between the RPA and armed opposition groups, believed to include former members of the FAR and Interahamwe militia who participated in the 1994 genocide. Casualties of attacks by both sides included large numbers of unarmed civilians residing in the affected areas, who lived in fear of both the RPA and the armed opposition groups, and who complained that the RPA did not intervene to protect them when they requested help.**[12d]** Many residents of the areas affected fled their homes and resulted in an increasingly large population of displaced persons, constantly on the move.**[7i]** In addition, there were many disappearances, with families not knowing whether relatives were alive or dead.**[7h]** During the last three months of 1997, the killing of unarmed civilians by the RPA and armed opposition groups increased, with possibly thousands of deaths in that period. These killings occurred mainly in the context of intensified armed conflict in the regions of Gisenyi and Ruhengeri, in the north-west of Rwanda. Towards the end of 1997, they increasingly took place in the more central regions of Gitarama and rural Kigali. During their searches for insurgents, RPA soldiers burned houses, crops and carried out looting, resulting in severe shortages of food and medical supplies.**[7i] [23d]** The civil war continued to claim thousands of lives during 1998,**[7j]** primarily in north-western Rwanda, but increasingly in more central regions.**[8c]** Disappearances were reported to be increasing alongside continuing killings of unarmed civilians by both the RPA and insurgents.**[7j]**

4.24 The insurgent militias, consisting largely of returned refugees, among them former members of the FAR and Interahamwe, were responsible for hundreds of killings, for political

reasons and in pursuit of the aim to eliminate Rwanda's Tutsis by violence.**[14a]** Potential witnesses, whom it is feared will testify against the killers of the 1994 genocide, have been at particular risk of murder and intimidation,**[1b]** including Tutsi genocide survivors, Tutsi refugees from the DRC, and local Hutu politicians. Attacks against them have increased friction between the security forces and the Hutu population, as well as created insecurity on the roads.**[14a]** In the autumn of 1997, insurgents staged several attacks on local communal jails, attempting to free Hutu prisoners, and in the process killed hundreds of individuals.**[15a]** Most of these attacks occurred in November and December, in the Gisenyi and Gitarama regions,**[7i]** and continued with increasing successes during 1998.**[35d]** The insurgent militias have also attacked hospitals, schools and refugee camps, indiscriminately killing their victims, whether they be men, women or children. Expatriate human rights monitors and aid workers were also killed.**[14a]** The attacks occurred with increasing brutality towards the end of 1997 and into 1998.**[19a]** This convinced many observers, including the UN, that security and state control had badly deteriorated in these areas and prompted speculation that a major, potentially genocidal crisis was once more brewing in Rwanda.**[8b]**

4.25 Throughout 1998 the RPA killed hundreds of civilians in the course of fighting the rebels in the northwest of the country. Some killings were for political reasons, some were acts of revenge and some were committed during security sweeps. The number of killings in the northwest declined towards the end of 1998 with improved security in the area.**[14a]**

4.26 The actions by the RPA in the northwest in the course of their activities to control the insurgents increased friction between the security forces and the Hutu population. An international human rights organisation reported an alleged incident in September 1999, in which some RPA members in the northwest of the country detained several civilians suspected of theft and beat them so severely over several days that one died. International human rights organisations received credible reports of military detention facilities, to which they have no access, in which civilians are sometimes detained.**[14a]**

4.27 On 3 August 1999 the United Nations Development Program and donor partners announced a $5.5 million programme aimed at strengthening police security in rural areas of Rwanda. The programme would provide training and accommodation for local police.**[38e]** The government accepted that a radical solution was needed to restore the rule of law. As part of this process the creation of a National Police Force**[24n]** to replace the National Gendarmerie and local defence force,**[38u]** was approved on 21 August 1999.**[24n]** In January 2000 it was announced that the law establishing the new force had been passed by Parliament. The new force would be comprised of existing soldiers of the Gendarmerie, local defence and the public, particularly university graduates.**[38u]**

4.28 Hutu Interahamwe militiamen armed with machetes reportedly killed around 30 civilians and wounded 40 others in an attack on the village of Tamira, northwest Rwanda on 24 December 1999.**[35q]** Forces of aggression perpetrated another massacre of around 100 civilians in Ngoya at the beginning of January 2000. Rwandan soldiers reportedly burnt 31 people at Kala-commune, then gathered together around 100 people, massacring them in groups inside three churches in Ngoya.**[51a]**

E. International Instruments and General Practice

4.29 Rwanda is a signatory to the 1951 UN Convention relating to the Status of Refugees and the 1967 Protocol. It has also acceded to the following UN international instruments: the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Convention on the Suppression and Punishment of the Crime of Apartheid; the International Convention against Apartheid in Sports; the Convention on the Prevention and Punishment of the Crime of Genocide; the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity; the Convention on the Rights of the Child; and the Convention on the Elimination of All Forms of Discrimination against Women.**[26a]**

4.30 The conflict in Rwanda since 1990, has meant that in practice there have been numerous breaches of the provisions contained in these international instruments, most notably during the 1994 genocide. The RPF-dominated government, in power since then, has also demonstrated scant attention to its international obligations, under these instruments. Whilst Rwanda's judicial system began to function on a limited basis in 1996, and continued to do so during 1997, its judicial institutions still demonstrate a lack of knowledge and application of human rights aspects of domestic legislation and of international human rights laws and instruments to which Rwanda is party.**[29a]**

V. HUMAN RIGHTS

A. General Assessment

5.1 The human rights situation in Rwanda continues to be affected by the repercussions of the armed conflict of October 1990 to July 1994, which culminated in the genocide that is believed to have taken up to a million lives. The vast majority of those in positions of authority at that time were killed or, having participated in the genocide, either fled the country in the aftermath or found themselves placed under pre-trial detention in the numerous prisons and local detention centres throughout Rwanda. Whilst the justice system had completely ceased to function and the capacity of the prison system had been seriously eroded, tens of thousands of men, women and children of all ages were also arrested and detained in overcrowded prisons and communal detention centres, on suspicion of direct involvement in the genocide or in other crimes against humanity, including massacres, perpetrated since October 1990. The nature and magnitude of the crimes, the methods employed and the brutality with which they were committed, clearly demonstrate an overwhelming and widespread disregard for human rights in Rwanda.**[29a]**

5.2 Reports indicate that the current Rwandan government has continued to commit numerous serious human rights abuses since it took power in July 1994, beginning with the reprisal killings of hundreds of civilians by the RPA in the aftermath of the genocide.**[14a]** Although reports of such killings temporarily diminished following the return of some 1.3 million refugees by the end of 1996,**[3b]** the security situation in Rwanda deteriorated rapidly in the first few months of 1997,**[30a]** which proved to be a year of further widespread human rights abuses by the authorities.**[14a]** There were a series of killings and attacks on unarmed civilians, linked to search operations conducted by the army in order to identify infiltrating former members of the Interahamwe and FAR.**[30a]** The RPA used brutal tactics and killed thousands, including civilians, for political and security reasons, but also simply as a revenge tactic. The

authorities have harassed and threatened journalists, whilst political activity and freedom of movement are restricted. Whilst various observers have accused local authorities of using excessive force in arrests and interrogation, there have been no reports of systematic torture. The fundamental law prohibits torture, however an NGO credibly reported that beatings at the time of arrest are common and some released detainees reported being tortured.**[14a]**

5.3 It has also been reported that former personnel of the FAR and Interahamwe, both principal instruments of the 1994 genocide, have continued to be responsible for serious human rights violations. In early 1997, they began a campaign of political assassinations,**[3b]** which were to continue throughout 1997 and were directed at Tutsi survivors of the genocide and Tutsi refugees from the DRC.**[14a]** They also killed a number of aid workers and UN monitors, which prompted aid agencies to reduce the size of their operations and to confine these to Kigali. In addition, the militias have attacked schools, missionaries and witnesses to the ICTR. In response, the RPA have carried out retaliatory attacks, resulting in the deaths of up to 3,000 civilians in just three months during 1997.**[3b]** Whilst the return of over a million Hutu refugees by the end of 1996 and the continued return of refugees from the DRC during 1997 removed a major external threat to the stability of the RPF-dominated government, the return of so many Hutus, among them former members of the FAR and Interahamwe, also exacerbated tension between Hutu and Tutsi within Rwanda. In particular, there is considerable disagreement over how to punish those guilty of involvement in the genocide, which led to increased inter-ethnic violence in some areas of the west during 1997.**[9a]**

5.4 Human rights violations have largely taken place in six of Rwanda's regions, namely, Ruhengeri, Gikongoro, Gisenyi, Byumba, Kibuye and Kigali. In view of the seriousness of the incidents, the UN placed a number of these areas under its highest security phase short of evacuation. In the wake of attacks against expatriate and local staff members of humanitarian organisations and aid agencies, the UNHCR and other international organisations can function in their roles of monitoring the return of and conditions for refugees, and the general human rights conditions in Rwanda, only under armed military escort in many areas. In these circumstances, the UNHCR suspended its promotion of voluntary repatriation of refugees to Rwanda.**[30a]** In December 1997, the UN High Commissioner for Human Rights blamed both the RPA and Hutu rebels for a dramatic increase in violence and serious human rights abuses towards the end of that year, and criticised the government for its failure to promote reconciliation.**[32a]**

5.5 The human rights situation in Rwanda continued to deteriorate during 1998, as the Hutu insurgency gathered strength, spreading from the north-western regions of Gisenyi and Ruhengeri to the central region of Gitarama. There was an increase in the number of disappearances and killings at the hands of the RPA and the insurgentsat the beginning of the year. Killings by the RPA appeared to decrease by the end of 1998.**[7j][14a]** Further escalation of the conflict within Rwanda's borders was threatened by events in the DRC in August 1998. President Laurent Kabila accused Rwanda of backing the rebellion there, which appeared to be spearheaded by Tutsis, both from the Congolese Tutsi community, known as the Banyamulenge, and from Rwanda and Burundi.**[18a]** The Rwandan government accused Kabila of instigating genocide against Tutsis in the DRC,**[32d]** and of providing military training for 10,000 Rwandan Hutu rebels, which it warned might compel it to intervene there in the interests of state security.**[33a]**

5.6 The Constitution prohibits arbitrary interference with privacy, family, home or correspondence and the authorities generally respect these prohibitions. Forced conscription has

been practiced by the RPA, particularly after they entered the DRC conflict. Citizens who served in the military may be recalled to compulsory duty at any time.**[14a]**

5.7 By the end of 1998 it was estimated that the insurgent militias had committed hundreds of killings over the year.**[14a]**

5.8 In January 1999 the National Assembly passed a law establishing a National Human Rights Commission. Members were selected in May.**[14a]** On 10 November 1999 the UN Human Rights Commission's special representative for Rwanda reported that the country was progressing out of the shadow of genocide and laying foundations for a democratic society. Positive developments in social and human rights over the year included, successful local elections, the establishment of a human rights commission, a unity and reconciliation commission and the proposal to use traditional justice systems (gacaca) to speed up genocide trials. In spite of progress prison conditions, whilst improving, continued to be unacceptable.**[46a]**

B. Specific Consideration

Freedom of Assembly and Political Association

5.9 Citizens do not have the right to change their government by democratic means. The power-sharing agreement, ratified by the Arusha Accord of 1993, was not fully implemented prior to President Habyarimana's death in April 1994, but it remains the basis of planning. After its military victory in 1994, the RPF brought representatives of four opposition parties into the government (MDR, PSD, PL and PCD), but none of these officials were elected. An appointed multi-party national assembly is functioning, with nine political parties represented, including the RPF.**[14a]** However, whilst the RPF has a minority of cabinet seats and assembly places, it continues to dominate the government's policies.**[9a]** Power appears to be concentrated in the hands of a few, all of whom are RPA officers or former RPA officers, and any dissent from their authority is not tolerated.**[6b]**

5.10 The fundamental law provides for freedom of peaceful assembly, however, the authorities restrict this right in practice. They legally may require advance notice for outdoor rallies, demonstrations and meetings. However, political activity below the level of the executive committees of political parties has been suspended with the agreement of the parties. The MRNDD and the CDR, both implicated in the planning and execution of the 1994 genocide, have been banned by law. As part of the Arusha Accord, the remaining political parties agreed to refrain from partisan public debate during the five-year transitional period, which was due to end in 1999, but which has since been extended for a further four-year period, effective from 20 July 1999.**[14a]**

5.11 The Constitution provides for freedom of association, however the Government restricts this right in practice. Private organisations are required to register and the government generally grants licenses without undue delay.**[14a]**

5.12 Political killings by both the insurgents and the RPA increased in 1997. At the beginning of the year, the insurgent militias (believed to then number some 15,000)**[16a]** began a campaign of political assassinations **[3b]** and were subsequently responsible for hundreds of killings. During 1997, the RPA was also responsible for thousands of deaths, including that of many

unarmed civilians, in security sweeps and in revenge for earlier killings by the insurgent militias, especially along the north-western border with the DRC, where it took particularly repressive measures.**[14a]** During early 1998, political killings by both the RPA and the insurgents escalated, with those suspected of collaboration with either side being targeted by the other, but with high numbers of innocent and unarmed civilians being caught in the middle.**[7j]**

5.13 The RPA continued to use brutal tactics throughout 1998 and killed hundreds of civilians in the course of fighting the insurgents in the northwest. The overall number of killings in the northwest declined towards the end of 1998. There were continued reports of the security services beating suspects, as well as continuing to use arbitrary arrest and detention.**[14a]**

Freedom of Religion

5.14 There is no state religion.**[14a]** Approximately half of the population adhere to traditional animist beliefs, and most of the remainder are Christians, mainly Roman Catholics. There are Protestant and Muslim minorities.**[3a]** The Constitution provides for freedom of religion, and the government generally respects this right in practice. However, priests and nuns have continued to be targeted by insurgents since the 1994 genocide. In early January 1998, Hutu rebels were reported to have killed nine nuns in north-western Rwanda, three of them Rwandan Tutsis, three Rwandan Hutus and three from the DRC, which suggests an indiscriminate attack directed at the Church.**[15b]** In March 1998 rebels kidnapped two Spanish nuns for a week, which appeared to be more of an attempt to warn the international community against support for the government.**[8c]** In July 1998, two Belgian priests were kidnapped for three days by around 150 rebels, in north-western Rwanda. Whilst this appeared to be primarily a publicity stunt, it was also the latest in a number of such incidents since 1994, in which expatriate and local religious workers had been killed or kidnapped.**[35c]**

5.15 Such attacks are reminiscent of the 1994 genocide, during which numerous churches were attacked in order to destroy the notion that people could be protected there. Also, because people tended to congregate there in great numbers, in order to escape the killers. The ranks of the priesthood were decimated, with Tutsi priests and nuns being particular targets, and with all denominations affected. Whilst the Church was criticised for not taking a firmer stand against the mass killing, in which some of its clergy have been accused of collaboration, many priests were known as critics of human rights abuses. Some were conspicuous in their efforts to resist the killers and protect the hunted.**[1a]** Before the civil war, there had been nine Roman Catholic bishops and 370 priests in Rwanda, but by the end of 1994, three bishops and 106 priests had been killed, with 130 priests having sought refuge abroad.**[4]**

5.16 On 20 August 1999 the trial against the former Bishop of Gikongoro**[14a]**, Augustin Misago, began at the Kigali magistrates court. Misago is charged with genocide and other crimes against humanity and faces the death penalty if found guilty. The Vatican sharply criticised the arrest and called for the bishop's release.**[35l]** Misago is the first Catholic bishop to be charged with genocide and is being detained at Kigali Central Prison.**[43b]** He has denied the charges against him.**[35n]**

5.17 A Rwandan priest accused of ordering over 2,000 ethnic Tutsis to be bulldozed in his church has been traced to Italy. Father Athanase Serumba is wanted on genocide charges in Rwanda. The destruction of his church at Nyange on 16 April 1994, was one of the most notorious massacres of the genocide. Two of Serumba's subordinate priests were convicted

and sentenced to death by the Rwandan authorities in 1999 for their role in the slaughter. Serumba is one of three dozen priests and nuns implicated in killings but who were, according to the human rights organisation, African Rights, reassigned by the church to parishes in Europe.**[49a]**

Freedom of Speech and of the Press

5.18 The Fundemental Law provides for freedom of the press, however, the Government restricted this right in practice. The government intimidated journalists whose reporting was contrary to official views. Most journalists practice self-sensorship due to fear of government reprisals. There are several privately-owned newspapers, the government owns the only national radio station (Radio Rwanda) and the only television station, which broadcasts for only 5 hours per day. The British Broadcasting Corporation (BBC) broadcasts on FM from Kigali in several languages.**[14a]**

5.19 The government continued to fail to act on a request for a licence by the Rwandan Journalist Association. Without a licence, the Association legally may not act on behalf of its members or apply for assistance from NGO's or other donors.**[14a]**

5.20 A leading female journalist working for the state-owned weekly newspaper 'Imvaho' ('truth') was arrested on 9 September 1999 on charges of genocide. She has been charged with using the paper to incite ethnic hatred both before and during the 1994 genocide.**[35m]**

Ethnicity

5.21 Before the 1994 genocide, an estimated 85% of citizens were Hutu, 14% were Tutsi, and 1% were Twa. The subsequent mass killings and migrations affected the ethnic composition of the population, but the extent of the changes is unknown. The government has eliminated references to ethnic origin from the national identity card, in accordance with the 1993 Arusha Accord. Tutsis returning from long years in exile took over many of the business and professional positions, formerly held by Hutus and Tutsis.**[14a]**

5.22 Those Tutsis who survived the genocide face a very different situation to that of those returned Tutsi exiles, who have managed to secure privileged positions in the towns. The genocide had almost completely destroyed the rural Tutsi community, and survivors now live in overcrowded resettlement plots, consisting of prefabricated rural slums in areas isolated from urban services and where there is little land to cultivate and an insufficient economic base to support their needs. Whilst the government is described as a Tutsi regime, the disparity between the urban and rural dwellers is striking, and the new power elite of the towns has little to do with the poor rural Tutsi.**[6b]** Meanwhile, the insurgent militias, many of whose members were responsible for the 1994 genocide, have pursued their aim to eliminate Rwanda's Tutsis by violence. Whilst they appeared to be operating with military tactics and objectives in the first part of 1997, by late summer their efforts had degenerated into a pattern similar to that existing during the genocide.**[14a]** In October 1997, it was reported that Tutsi genocide survivors in the north-western regions of Gisenyi and Ruhengeri were fleeing their homes to escape attacks and seeking refuge in churches and public buildings.**[8a]**

5.23 During 1998, Hutu rebels continued to direct their attacks primarily at Tutsis, and in particular at those who lived through the genocide period.**[8c]** The insurgents were said to be

better-organised than previously thought, and appeared to be continuing the genocide, with the aim of exterminating all Tutsis and restoring power to the previous regime.**[15c]** During 1998, attacks increasingly spread from the north-western regions of Gisenyi and Ruhengeri to the central region of Gitarama,**[20b]** even reaching rural Kigali, where 110 people were killed in August 1998.**[16d]** Attacks have also occurred in the western region of Kibuye,**[23f]** and even in the south-eastern region of Kibungo.**[23e]**

5.24 Hutus have also been attacked indiscriminately. Despite the government's public commitment to ethnic reconciliation, the precarious security situation, particularly in north-western Rwanda, has led many Tutsis, especially in the RPA, to attack Hutus indiscriminately in any repressive operation after an insurgent attack. Even Hutu civilian administrators, chosen by the present government, have been threatened or dismissed from their posts as suspected accomplices in attacks. Meanwhile, returning Hutu refugees appear to have been branded with a collective guilt for the genocide. Most of the urbanised Hutu had fled either because they were among the leaders of the genocide or because they feared the RPF, to a greater extent than did the Hutu in more rural and remote areas.**[6b]** The Hutu insurgents are reported to have pressed-ganged hundreds of their own ethnic group into death squads, killing those who refuse to join, which underlines the overriding political motivation of the insurgency.**[20d]**

5.25 Hutu returnees are subject to a high level of control and the reintegration process seems to be proceeding very slowly, if at all. Educated and qualified returnees who try to obtain salaried jobs have encountered many problems and some have taken up basic agricultural work instead. Others have found their homes to be occupied by Tutsis, particularly in the towns which seem to have become almost exclusively Tutsi preserves, where the majority of those 700,000 Tutsis who returned to Rwanda following the RPF victory in July 1994, have settled. Most of those returnees were either born or brought up abroad, tend to be educated and are therefore in a more advantageous position with regard to employment, whereas there is a strong tendency to keep the Hutus on the land. It is now highly unlikely that any Tutsis occupying Hutu homes would give up these properties, particularly as many claim that the homes were built on land that had previously belonged to them and which the Hutu had stolen during the violent years of 1959 until 1964. Since the Hutus remain fearful of the Tutsi security forces, they tend not to press too much for the restitution of their properties.**[6b]** Despite government declarations to the contrary, by early 1998 these properties were still being occupied, whilst some of the rightful owners had been subject to arbitrary arrest, designed to ensure that the illegal occupants of their properties were not disturbed.**[27e]** In such circumstances of increased segregation, there seems little hope of ethnic reconciliation and an integrated society.**[6b]**

5.26 The Batwa ethnic minority, indigenous survivors of the Twa (Pygmy) tribes of the mountainous forest areas bordering the DRC, remain marginalised and continue to be treated as inferior citizens by both Hutus and Tutsis. The Batwa have been unable to protect their interests, which center on access to land and housing. Few Batwa have gained access to the educational system, resulting in minimal representation in government institutions.**[14a]** Amounting to no more than 120,000 people in Rwanda, Burundi and the DRC, it has been estimated that during the 1994 genocide in Rwanda, some 10,000 Batwa were killed and another 3,000 imprisoned.**[27c]** However, there is no reliable information on specific human rights abuses perpetrated against the Batwa population since the 1994 upheaval.**[14a]**

Women and Children

5.27 Violence against women is common.**[14a]** Many of the women who survived the 1994 genocide did so only at the price of being abducted and raped by their captors. The Interahamwe regarded Tutsi women as the spoils of the killing, and many who were abducted and raped, were subsequently killed.**[1a]** Violence continued well after the events of 1994. In September 1996, a report compiled by international human rights groups accused Hutu extremists of engaging in the systematic abuse of Tutsi women. The report urged the ICTR to investigate the allegations and prosecute those responsible, but by July 1997, only one such case had been brought.**[3b]** Meanwhile, wife-beating and domestic violence occur frequently and are normally handled within the context of the extended family and rarely come before the courts. Despite constitutional provisions, women continue to face discrimination. They have limited opportunities for education, employment and promotion. In October the National Assembly passed a law on matrimonial regimes and inheritance, allowing women to inherit property from their husbands and fathers.**[14a]**

5.28 Over 85 per cent of children separated from, or who lost their parents during, the 1994 genocide and the massive repatriation in 1996, have been reunited with family members or placed in foster homes.**[14a]** Few children in Rwanda escaped unscathed: research indicates that almost 80% lost relatives, 40% lost both parents and 55% their siblings, whilst almost 70% witnessed murder.**[16c]** Many Tutsi children were also killed, whilst others were seriously wounded in the massacres or at roadblocks. Schools, children's homes and orphanages were attacked, and there are many orphans, physically handicapped and psychologically traumatised children in Rwanda.**[1a]** Many who are still children remain in the care of strangers or international organisations.**[14a]** Boys as young as ten years of age, whose fathers were members of the Interahamwe, directly participated in the massacres themselves, attacking children and even adults, whilst others were forced to kill. School teachers and others employed in education have also been accused of complicity in the killings.**[1a]** Although the penal code prohibits the imprisonment of children with adults, the ICRC reported that 298 children, mostly aged 2 or younger, were incarcerated with their mothers. The UNICEF/Ministry of Justice reported that at the end of 1999, 3,030 minors were incarcerated on genocide-related charges, but few had been tried for their offences.**[14a]**

5.29 Children have also been affected by ongoing hostilities, primarily in the north-west of Rwanda. This escalated during 1997 and 1998, and included attacks on schools in which Hutu and Tutsi children were killed together when they refused to separate.**[15c]** Women and children are also believed to be among the Hutu militia responsible for these atrocities.**[20c]** The Rwandan government has accused the rebels of press-ganging children into operating their complex propaganda and courier system, thereby exploiting the children's knowledge of particular areas and their ability to avoid government lines.**[35a]**

5.30 Although the law does not prohibit forced or bonded labour by children, such practices are not known to occur. The law prohibits children under the age of 18 from working without parents' or guardians' authorisation and they generally may not work at night. The minimum age for full employment is 18 years and 14 years for apprenticeships, providing they have completed primary school. The Ministry of Public Service and Labour has not reportedly enforced child labour laws effectively.**[14a]**

5.31 Around 300 English-speaking students at the bilingual Butare National University took to the streets of Kigali in protest on 16 August 1999. Many had failed their exams in courses offered in French. They claimed to be victims of the language barrier. The current

government, most of which understand English themselves, have encouraged the use of English and Kinyarwanda alongside French in an attempt to introduce a policy of multilingual education in Rwanda.**[45a]** All university students are expected to have proficiency in English and French in Rwanda. It was reported that the government provided major classes in both languages but that these students had refused to study French.**[14a]** University students who conducted their studies abroad in English-speaking countries, protested strongly against the education in French provided in Rwandan schools. (The students returned following the Rwandan Patriotic Front's (RPF) conquest of the country.) When the students tried to present their grievances at the Prime Minister's office in Kigali, police allegedly reacted by beating them with sticks and arresting six of the most outspoken of the demonstrators.**[41a]** On 8 September 1999 statistics stated that over 51.8 percent of the Rwandan population were illiterate.**[38m]** On 10 December 1999 over forty students applied for asylum in Uganda, claiming that they were being hunted by Rwandan security agents, following their demonstration in August.**[48a]** The UN High Commissioner for Refugees (UNHCR) said they would not provide humanitarian assistance to the students because there was no indication of persecution against them.**[47a]** The students left for an unknown destination on 24 December following the UNHCR's announcement that it would not help them attain asylum in a third country.**[44b]**

5.32 On 30 October 1999 following a screening exercise of Ugandan resettlement camps, over 60 Rwandans, mainly women and children, were found to be without documents. They face deportation back to Rwanda for not having been granted refugee status in Uganda and therefore staying in the camp illegally.**[44a]**

5.33 Rwandan security authorities arrested a nine-year-old boy on charges of multiple murder in November 1999. The police said the boy confessed to the murders. It is believed his father is in prison facing charges relating to the 1994 genocide.**[17b]**

5.34 On 11 January 2000 a country progress report stressed the need to promote women's fundamental rights to health. It reported that women enjoy less existing healthcare than men because of ignorance and financial incapacity for health services. It said health programs should be implemented to take into account women's specific needs, particularly for young girls and to ensure that primary health care was affordable. The Rwandan health sector is reportedly crippled by a devastated infrastructure and insufficient medical equipment.**[38v]**

C. Other Issues

Refugees, Freedom of Movement, Exit and Return

5.35 The constitution provides for freedom of movement, foreign travel, emigration and repatriation, however the government restricted them in practice. Citizens must show identification when requested.**[14a]** Insurgent warfare and ethnic violence since 1990, which again intensified during 1997, particularly in the north-western area of Rwanda, exacerbated the problem of displaced persons and refugees, and made whole regions there virtually inaccessible.**[7h]** The refugee problem is not new to Rwanda. Hundreds of thousands of Tutsi fled the country during the 1950s and 1960s and remained refugees for more than thirty years, one of the longest exiles in modern African history. Throughout the 1980s, the Hutu-dominated government refused to allow the Tutsi refugees to return en masse, arguing that Rwanda was already overpopulated, to which the RPF responded with its armed invasion of October

1990.**[13a]** Then began the first major phase of internal displacement in Rwanda. By the end of 1993, approximately one million people from the northern part of the country had been displaced as a result of the civil war, although some of these later returned to their areas of origin.**[27a]** The second major phase of internal displacement occurred during the genocide of April to July 1994, when a further two million,**[14a]** mainly Hutus in the south, fled the advance of the RPA.**[13a]** Over 600,000 persons were displaced in the northwest in late 1998 and moved into camps as a result of insurgency. During late 1998 and the first half of 1999, the displaced persons were moved into 183 villages under the Government's policy of villagization. The government claimed the moves were voluntary, observers however believe that many were compelled to move. In March 1999 the former chairman of the Mouvement Democratique Republican (MDR) political party, was arrested for presumed involvement in massacres of Tutsis in the 1960's.**[14a]**

5.36 During the genocide, approximately two-thirds of the population were uprooted. In addition to the two million people who were internally displaced, more than 1.7 million, including many of those who had organised and participated in the killings, fled to neighbouring countries.**[14a]** By the end of 1995, most of the internally displaced had returned to their homes,**[13a]** whilst an estimated 1.3 million refugees returned to Rwanda during 1996,**[13a]** the majority from the DRC in November and December, in the wake of the outbreak of civil war there and ensuing rebellion in North and South Kivu,**[14a]** in which the camps were surrounded and the militias that effectively controlled them dislodged.**[21d]** At the end of 1996, there were estimated to be approximately 257,000 Rwandan refugees in neighbouring countries, with the majority, about 200,000, in the DRC. At that time, Rwanda was itself host to some 20,000 refugees, including 15,000 from the DRC and 5,000 from Burundi. Malnutrition and poor sanitation in a number of refugee camps, for Rwandans and other nationals within Rwanda, were said to be serious problems.**[13a]**

5.37 Whilst the return of the vast majority of Rwandan refugees in late 1996 was officially welcomed by the Rwandan government and many in the international community, the size and suddenness of the repatriation posed enormous resettlement and reintegration challenges in a society where ethnic tensions have lingered in the aftermath of genocide.**[13a]** Among the refugees also came armed militias which, given the magnitude of the return, were able to cross the border with their weapons and subsequently intensify their campaign to destabilise the regime.**[21d]** As a consequence, violence in Rwanda increased dramatically during 1997.**[16a]**

5.38 Some refugees and international observers insisted that repatriation conditions in Rwanda were dubious.**[7f]** It was claimed that many Rwandan officials were not fully committed to the return of refugees, that government-sponsored radio broadcasts sometimes characterised refugees as murderers, and that many returnees were unable to reclaim their homes and properties (mostly occupied by Tutsi refugees who had returned in 1994 and 1995)**[30a]**, despite proclaimed government policy that assured them of their ability to reoccupy their homes within fifteen days. In addition, conditions in Rwanda were said to be unfit for repatriation on such a large scale, with a judicial system that was not fully functioning, continuing military attacks on civilians, and several hundred arrests and subsequent detentions of the new returnees from the DRC by the end of 1996.**[13a]** Since then, there has also been an increase in killings and attacks against genocide survivors and those associated with them, by returnees, possibly out of fear of denunciation for acts committed during the genocide.**[12b]** In such circumstances, the UNHCR had by July 1997 ceased its promotion of voluntary repatriation to Rwanda.**[30a]**

5.39 By the beginning of 1998, there were estimated to be 72,310 Rwandan refugees in surrounding African states, with the majority of 37,000 being in the DRC. At that time, Rwanda was itself host to 31,000 refugees from the Democratic Republic of the Congo and another 3,000 from Burundi.**[30b]** In the DRC, it is thought that many Rwandan refugees had been killed in the eastern region of that country by Laurent Kabila's rebel Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL), in its attempt to counter ex-FAR and Interahamwe operations. There have been allegations of massacres and widespread serious human rights violations in the region, including by the RPA, who have been accused of the systematic murder of refugees there.**[9a]** Between October and December 1997, the DRC forcibly expelled around 4,500 Rwandan refugees, many of whom had recently fled Rwanda to escape the persistent violence in the north-west of the country.**[7i]** This followed the DRC's announcement in early October that the border between Kivu and Rwanda was being closed and that all international agencies dealing with refugees had to leave the region. Although the Rwanda-Congo border was partially reopened in late October for diplomatic and economic purposes only, it remained firmly closed to potential refugees from Rwanda. President Kabila stated that the presence of Rwandan refugees in the DRC would not be tolerated.**[8a]**

5.40 Tanzania had expelled the majority of its Rwandan refugees by the end of 1997, including several hundred who had lived there since the 1950s, most of whom had no property or land in Rwanda.**[8a]** The Tanzanian government subsequently stated that those individuals of Rwandan origin who were in possession of Tanzanian citizenship cards, or spouses of Tanzanian citizens, including those who may have been wrongfully expelled, would be allowed to stay.**[24a]** Uganda and Burundi had also closed their borders to Rwandan refugees by the end of the year, which meant that for the first time since 1994, Rwandan Hutus were effectively trapped within Rwanda's borders, leaving them particularly vulnerable to the RPA and the insurgents.**[8a]** The vulnerability of refugees in Rwanda was underlined in December 1997, when insurgents killed up to one thousand Tutsis and wounded a further thousand at Mudende refugee camp in the north-western region of Gisenyi.**[23b]** Earlier reports had put the death toll at 230, and those killed are believed to have been Rwandan refugees who had returned from the DRC.**[20a]** It was the second attack on Mudende refugee camp, the first having occurred in August 1997, when more than 130 were killed.**[16a]**

5.41 During 1998, the continuing insurgency within Rwanda, together with the new rebellion in the DRC, exacerbated the problems of refugees and displaced people. Thousands of Rwandans were displaced as a result of the insurgency within Rwanda's borders, with 4,000 affected in the central region of Gitarama in April alone.**[8c]** Meanwhile, the outbreak of rebellion in the DRC in August 1998 brought a fresh influx of Congolese refugees to western Rwanda.**[23g]** A further development during 1998 was the reported refusal of the Rwandan government to issue its newly devised passport to some citizens, or to allow some citizens to leave the country, in contravention of the International Covenant on Civil and Political Rights, which Rwanda has ratified.**[27e]**

5.42 By late summer 1998 the RPA appeared to have gained the upper hand against the insurgents. Intense operations by the RPA combined with dissillusionment with the insurgency drove thousands of people who had abandoned their homes to return to the relatively safer areas controlled by the RPA.**[14a]**

5.43 From late May 1998 onwards almost 300,000 people, who had been living or hiding in the forest areas with the insurgents, returned to their homes in the northwest. A significant

proportion of people who had allegedly disappeared were believed to have been amongst the returnees. It is uncertain how many of these people had been forced to go with the insurgents.**[14a]**

5.44 The Government encouraged some of these returnees to settle temporarily in makeshift camps and centres where their security could be better assured. In December 1998 the UN Office of the Humanitarian Coordinator estimated that there were 625,713 displaced people in Ruhengeri and Gisenyi Prefectures. The Governement began relocating these people in Government selected village sites in the latter part of 1998.**[14a]**

International Involvement

5.45 The role of the international community with regard to Rwanda, has been the subject of harsh criticism since the genocide of 1994. France and Belgium have been accused of playing a prominent role in sowing the seeds of ethnic hatred during the colonial years, and of ignoring repeated massacres of Tutsis, which culminated in the genocide.**[23c]** France is further criticised for its support of the Habyarimana regime, and its offer of sanctuary to Hutus responsible for the genocide when the French established their 'safe area' in south-western Rwanda during and after the genocide, between June and August 1994.**[22a]** France faced renewed harsh criticism in January 1998, when reports emerged that it had exported arms to the former Hutu regime in Rwanda even after the genocide had started and after France itself had voted for the UN arms embargo in May 1994.**[16b]** Other countries accused of providing arms and other forms of military assistance, including training, to the perpetrators of the genocide even whilst they subsequently worked to rebuild their military infrastructure, largely in the DRC in 1995, include DRC itself, China and South Africa.**[11e]**

5.46 Meanwhile, the UN and the wider international community have been accused of failing to take measures to halt the genocide,**[2]** of being unwilling to devote the necessary political and financial resources for a regional solution,**[27b]** and of turning a blind eye to the fact that many refugee camps on Rwanda's borders were, for over two years, becoming the military training ground for forces to renew their acts of genocide in 1997.**[23c]** In November 1997, the UNHCR agreed with the Rwandan government's analysis that the root problem was the failure of the international community to separate former members of the Interahamwe and FAR from genuine refugees in the camps of eastern Democratic Republic of the Congo.**[8a]** They argued that only then would it have been possible to allow the genuine refugees to return home without risk of further violence and to bring more speedily to justice those responsible for the genocide.**[21d]** The US, whilst also acknowledging that such separation was necessary, has been accused of refusing to perform this task itself and of failing to encourage other states that were willing to do so.**[8a]** During his visit to Rwanda in March 1998, President Clinton publicly apologised for the failure to recognise the genocide early enough, or to act quickly enough to prevent it. Also, for allowing the refugee camps on Rwanda's borders to be used by the former Rwandan army and militia as recuperation and training grounds.**[8c]**

5.47 In March 1996, a four-volume international report, sponsored by governments and non-governmental organisations from thirty-seven countries, as well as UN agencies, concluded that the international community's response had been a political failure, and that had appropriate political decisions been taken early on in the crisis, much of the humanitarian work that was subsequently required would have been unnecessary.**[21a]** The Rwandan government, whilst insisting that it was capable of dealing with the military situation itself, appealed to the

international community to shoulder some of the responsibility for preventing, what it described at the end of 1997 as, a continuation of the genocide.**[16a]** However, several governments, including those of South Africa and the US, have been criticised for providing military equipment and training, respectively, to Rwanda during 1996 and 1997, in view of the current government's own poor human rights record both before and during this period.**[7h]**

5.48 Despite the inadequacy of international political efforts to halt the violence in Rwanda, there has been a very positive degree of humanitarian support by many countries.**[2]** Between 1994 and 1997, the UK,**[9a]** France, South Africa, Israel, and the US all made substantial contributions towards national reconstruction in Rwanda. This was particularly in the judicial, health, educational and agricultural spheres, including financial aid to various UN agencies, non-governmental organisations and international bodies administering relief programmes there.**[3b]** Between 1994 and 1996, the UNHCR assisted over 1.5 million Rwandans living in camps in Tanzania and the former Zaire. Whilst a UNHCR request at the end of 1996 for an international military force to assist in rescuing refugees caught up in the conflict in former Zaire was not met, rescue operations were subsequently conducted by UNHCR itself in co-operation with other UN agencies, the International Committee of the Red Cross (ICRC) and other non-governmental organisations, which had allowed some 250,000 Rwandans to return at the time of the mass repatriation.**[28a]** However, human rights observers claimed that the return of 1.3 million refugees at that time was not followed by the necessary monitoring and assistance to ensure permanent reintegration, and that those relatively few refugees remaining in the DRC and Tanzania appeared to have been forgotten.**[27b]**

5.49 Within its borders, the UN Human Rights Field Operation in Rwanda (HRFOR) had a mandate to carry out activities related to the promotion and protection of human rights and the investigation of the human rights situation there. Whilst the HRFOR was initially hindered by confusion, delays and lack of personnel and resources, by the end of 1995 it was said to be playing a useful role in the protection of human rights.**[7d]** Together with the UN High Commissioner for Human Rights/Centre for Human Rights (UNHC/CHR), it contributed significantly to the international response to the Rwandan government's appeal for assistance in its national reconstruction efforts.**[29a]** In addition to other international, as well as local, human rights groups, the ICRC has also been active within Rwanda's borders, most notably in its work to improve conditions for prisoners.**[14a]** However, the increase in violence during 1997, including the killing of foreign and Rwandan nationals working for international organisations, forced virtually all humanitarian and human rights organisations to withdraw their personnel from the north-western regions and to severely cut back or abandon their programmes. In humanitarian terms, the result was devastating, with those most in need of assistance, including returnees, being deprived of access to basic food and medical facilities.**[7h]** In July 1998, the HRFOR finally withdrew from Rwanda altogether because of the Rwandan government's increasing dissatisfaction with its monitoring role.**[35b]**

5.50 There has also been some international involvement in the work of bringing to justice those who participated in the 1994 genocide. In June 1995, the UN established the International Criminal Tribunal for Rwanda (ICTR) in Arusha for a four-year term, to investigate allegations made against some 400 individuals of direct involvement in the genocide. Formal proceedings began in late November 1995, but the ICTR has had many problems to overcome, including matters involving the safety of witnesses and arrangements for defence representation.**[3b]** At the end of 1997, there had been some administrative improvements,**[21e]** and the ICTR did appear to be pursuing a more effective arrest policy during that year.**[14a]** This was evident in

July 1997, when it announced that seven prominent people, including the former prime minister, Jean Kambanda, and the former senior military commander, Gratien Kabiligi, had been arrested in Nairobi for their part in the genocide. All were subsequently transferred to Arusha for investigation by the ICTR.**[21c]** In September 1998, Kambanda was sentenced to life imprisonment for six counts of genocide and crimes against humanity,**[9b]** and in October, Jean-Paul Akayesu, former teacher and mayor, was also sentenced to life imprisonment for his part in the genocide.**[18b]** The UK government attaches great importance to the work of the ICTR, to which it has committed its support.**[10a]**

5.51 In July 1999 an agreement was reached between the governments of Rwanda and the USA to allow planes from either country to have unrestricted access to each other's skies.**[24j]** On 4 August both sides lifted visa restrictions, effective immediately.**[38g]**

Regional Issues

5.52 Concerning Rwanda's neighbours, the government maintains close relations with President Museveni's administration in Uganda, home to the RPF until 1994. Rwanda also has close relations with Tanzania, the anglophone African states**[9a]** and, until July 1998,**[9b]** the new government of the DRC, which came to power with Rwandan military assistance,**[9a]** and was formally recognised by Rwanda in May 1997.**[3b]** The previous regime, under President Mobutu, had been a staunch supporter of the Habyarimana administration, had subsequently offered a place of refuge to those responsible for the 1994 genocide, and played a pivotal role in facilitating their re-emergence as a powerful military force.**[11e]** In January 1998, Rwanda's defence minister and vice-president, Paul Kagame, indicated that the DRC was collaborating with Rwanda, in dealing with the state of insecurity in its north-western regions, by helping to control the movement of insurgents between the two countries.**[24b]** However, by August 1998, Rwandan relations with the DRC had deteriorated dramatically, with President Laurent Kabila accusing Rwanda of launching an invasion of his country.**[9b]** As far as Burundi is concerned, the Rwandan government has maintained cool relations in public with the Tutsi government, led by Pierre Buyoya, who took power by coup in July 1996.**[9a]** In 1985, Rwanda and Burundi had signed an accord of co-operation, covering political, economic, commercial, technical, scientific, social and cultural affairs, but in recent years bi-lateral relations have been undermined frequently by the problems arising from the regular flow of large numbers of refugees between the two countries as a result of ethnic and political violence.**[3a]** On 29 July 1999 Rwanda and Burundi officials met and agreed to improve their bilateral relations. The aims are to allow free trade, free movement of goods and people in both countries. The sanctions imposed upon Burundi in July 1996 were lifted earlier this year.**[38d]**

5.53 The regional dimension to the Rwandan situation is of particular importance in view of the fact that the Banyarwanda peoples, comprising Hutu, Tutsi and Twa,**[1a]** and regarded as a single differentiated group by their neighbours, are present in substantial numbers in eastern DRC, south-western Uganda, and western Tanzania, in addition to Rwanda and Burundi. This encourages the view that a lasting solution to Rwanda's political problems must be found in a regional context and will therefore have to involve all the countries of the area.**[21a]** The effects of recent instability in the DRC on Rwanda and vice-versa, demonstrate vividly the close connection between these countries and the importance for each of regional stability.**[27b]** President Kabila's forces in the east had worked closely with Rwanda and Uganda, but relations deteriorated by mid-1998. In late July 1998 all foreign troops were given a week to leave. Congolese rebels, supported by Rwanda and Uganda, seized major towns in the east in early

August. Zimbabwe, Angola, Namibia and Chad intervened at Kabila's request. Chad withdrew its forces in late May. By June 1999 the rebels controlled large areas in the north and east. Africa led efforts to find a negotiated settlement, with President Chiluba of Zambia chairing a series of summits under the auspices of the Southern African Development Community. A ceasefire agreement was signed by Heads of State (or their representatives) in Lusaka on 10 July. Following further negotiations the MLC rebels signed on 1 August and the RCD on 31 August.**[9c]**

Foreign Relations

5.54 Rwanda and Burundi agreed in September 1999 to adopt a free visa policy to facilitate the free movement of people between the two countries. The Burundian delegation said the visa requirement has been maintained due to the security problems in the region at present. When the situation improves the visa would no longer be necessary.**[38o]** In early February 2000, clashes took place in western Burundi between Rwandan and Burundian rebel groups. It was reported that over one hundred people had been killed in the fighting.**[17f]**

5.55 On 21 December 1999 the UNHCR and the DRC government started an operation to integrate Rwandan refugees into Congolese society. The operation was to ensure that Rwandan refugees, who fled to the Congo more than two years ago, were fully integrated socially and economically into society.**[36b]** On 16 January 2000 the Rwandan president said his country would pull its troops out from the DRC once UN peacekeepers arrived and the peace envisaged by the Lusaka peace accord begins to hold.**[38w]**

5.56 On 12 February 2000 it was reported that Tanzanian authorities were expelling all Rwandans in the country without citizenship. Those not living in camps were said to be causing insecurity in the country.**[24q]**

ANNEX A - CHRONOLOGY OF MAJOR EVENTS, 1899-2000

1899 Germany colonises Rwanda, which is thereby absorbed into German East Africa.**[3b]**

1919 Under the Treaty of Versailles, the former German colony of Ruanda-Urundi is made a League of Nations protectorate to be governed by Belgium.**[6a]** The two territories, later to become known as Rwanda and Burundi, are administered separately under two different Tutsi monarchs.**[5]**

1926 The Belgians introduce a system of ethnic identity cards, differentiating Hutus from Tutsis.**[5]**

1933 A census of the Rwandan population is carried out by the Belgian authorities, and mandatory identity cards stating the ethnic identity of the bearer are extended.**[5]**

1957 Parmehutu is formed while Rwanda is still under Belgian rule.**[5]**

1959 The Tutsi king, Mwaami Rudahigwa, dies. Hutus rise up against the Tutsi nobility and kill thousands. Many others flee to Uganda, Tanzania, Burundi and Zaire.**[5]**

1962 Rwanda gains independence from Belgium. There is widespread killing of Tutsis and a further massive exodus of refugees, many to Uganda. The Hutu nationalist government of Grégoire Kayibanda's Parmehutu comes to power.**[5]**

1963 Further massacres of Tutsis occur, this time in response to a military attack by exiled Tutsis in Burundi. More refugees leave the country and it is estimated that by the mid-1960s, as many as half the Tutsi population is living outside of Rwanda.**[5]**

1967 Massacres of Tutsis are renewed, following a further unsuccessful attempt by exiles to return by force.**[2]**

1973 Tutsis are purged from the universities, whilst there is a further outbreak of killings directed at the Tutsi community. The chief of staff of the army, General Juvénal Habyarimana, seizes power and pledges to restore order. He installs a one-party state and introduces a policy of ethnic quotas in all public service employment, whereby Tutsis are restricted to 9% of available jobs.**[5]**

1975 Habyarimana's political party, the MRND, is formed. Hutus from the president's home area of northern Rwanda are given overwhelming preference in public service and military jobs. This pattern and the exclusion of the Tutsis continues throughout the 1970s and 1980s.**[5]**

1986 Rwandan exiles in Uganda are among the victorious troops of Yoweri Museveni's National Resistance Army, which takes power, overthrowing the dictator, Milton Obote.**[5]**

1988 The exiles then form the RPF, a Tutsi-dominated organisation, with a minority of Hutu dissidents.**[2]**

1989 Coffee prices collapse, causing severe economic hardship in Rwanda.**[5]**

1990 On **1** ***October***, the RPF invade Rwanda from Uganda, and after heavy fighting in which French, Belgian and Zairean troops are called upon to assist the government, a ceasefire is signed on 29 March 1991.**[5]**

90-91 The Rwandan army begins to train and arm civilian militias known as the Interahamwe. For the next three years, Habyarimana delays on the establishment of a multi-party system with power-sharing, to which he had agreed in principle, under pressure form Western aid donors, in July 1990. Also throughout this period, thousands of Tutsis are killed in separate massacres around the country, whilst opposition politicians and newspapers are also targeted.**[5]**

1991 In ***July***, assent is given to the creation of the first opposition parties, and the PCD, PL and PSD are subsequently formed.**[2]**

1992 In ***November***, prominent Hutu activist, Dr Leon Mugusera, appeals to Hutus to send the Tutsis "back to Ethiopia" via the rivers.**[5]**

1993 In ***February***, the RPF launches a fresh offensive and guerrillas reach the outskirts of Kigali. French forces are again called in to assist the government and fighting continues for several months.**[5]** In ***August***, at Arusha in Tanzania, following months of negotiations, Habyarimana agrees to greater power-sharing with the Hutu opposition and also with the RPF. He also agrees to integrate the RPF's armed wing, the RPA, into a new Rwandan army and to merge the presidential guard with elite RPF troops into a smaller republican guard. 2,500 UN troops (UNAMIR) are subsequently deployed in Kigali to oversee the implementation of the accord.**[5]** On **28** ***December***, a contingent of the RPF arrives in Kigali in accordance with the Arusha Accord.**[2]**

93-94 Between ***September*** and ***March***, Habyarimana delays the implementation of the Arusha Accord, whilst the training of militias intensifies and the extremist radio station, Radio Mille Collines, begins to broadcast exhortations to attack the Tutsis. Human rights groups warn the international community of impending calamity.**[5]**

1994 In ***March***, numerous human rights activists evacuate their families from Kigali, in the belief that massacres are imminent.**[5]** On **6** ***April***, Habyarimana and the president of Burundi, Cyprien Ntaryamira, are killed when Habyarimana's aeroplane is shot down near Kigali airport. Extremists, opposed to the Arusha Accord which they suspect is about to be implemented, are believed to be responsible. That night, the killing begins.**[5]** On **7** ***April***, the Rwandan armed forces and the Interahamwe set up roadblocks and go from house to house, killing Tutsis and moderate Hutu politicians,**[5]** including the prime minister, Agathe Uwilingiyimana.**[3b]** Thousands die on the first day as UN troops are forbidden to intervene, on the grounds that this would breach their monitoring mandate.**[5]** On **8** ***April***, the RPF launches a major offensive to end the killings and rescue 600 of its troops surrounded in Kigali, where they had been based as part of the Arusha Accord.**[5]** On **21** ***April***, the UN votes to reduce its number of forces from 2,500 to 250, following the murder of ten Belgian soldiers who had been assigned to guard the Hutu prime minister, Agathe Uwilingiyimana,**[5]** who was also killed on 7 April.**[3b]** Meanwhile, tens of thousands of refugees escape into Tanzania, Burundi and the DRC, including Hutus fleeing the advance of the RPF.**[5]** On **17** ***May***, as the killing of Tutsis continues, the UN agrees to send 6,800 troops and policemen to Rwanda, with powers to defend civilians. A further UN Security Council resolution states that "acts of genocide may have been

committed".**[5]** Also on **17** ***May***, the UN imposes an arms embargo on Rwanda for a period of one year.**[11e]** By **22** ***June***, the deployment of mainly African UN forces has still not taken place, as a result of which the UN Security Council authorises the deployment of French forces in south-western Rwanda. There, they create a 'safe area' in territory controlled by the government, but the killing of Tutsis continues there, although some are protected by the French.**[5]** On **17** ***July***, the Rwandan army is defeated and the government flees to the DRC, followed by many more thousands of refugees. The majority of the French depart and are replaced by Ethiopian UN troops.**[5]** On **19** ***July***, the RPF sets up an interim government of national unity in Kigali.**[3b]** A cholera epidemic kills thousands of refugees in the camps in the DRC. There are conflicting UN reports regarding a series of reprisal killings said to have been carried out by the RPF. Several hundred civilians are said to have been executed, whilst the killing of Tutsis continues in the refugee camps.**[5]** On **21** ***August***, the last French troops leave the 'safe area', causing further population movements. By the end of August, the security situation within the camps in the DRC has deteriorated due to the activities of ex-government army troops.**[2]** In ***November***, a multi-party protocol of understanding is concluded, providing for a number of amendments to terms of the 1993 Arusha Accord, relating to the establishment of a transitional legislature. The most significant of the new provisions is the exclusion from the legislative process of members of those parties implicated in alleged acts of genocide during 1994.**[3b]** On **12** ***December***, a seventy-member transitional national assembly, whose membership includes five representatives of the armed forces and one member of the national police force, is installed.**[3b]**

1995 In late ***April***, RPA troops fire on displaced persons during an attempt to dismantle the Kibeho camp in southern Rwanda, amidst confusion arising from the activities of some hostile elements within the camp and a sudden attempt by large numbers to break through the military cordon, which is estimated to have resulted in as many as 5,000 deaths.**[3b]** On **5** ***May***, the new legislature announces its adoption of a new constitution, based on selected articles of the 1991 constitution, the terms of the 1993 Arusha Accord, the RPF's victory declaration of July 1994 and the November 1994 multi-party protocol of understanding.**[3b]** In ***June***, the UN establishes the International Criminal Tribunal for Rwanda (ICTR) in Arusha for a four-year term, to investigate allegations made against some 400 individuals of direct involvement in the genocide of 1994. In ***August***, the UN agrees to suspend the arms embargo of Rwanda, which had been imposed against the previous administration in May 1994, for one year, in order to allow the government to safeguard against the threat of an armed offensive by Hutu extremists encamped in neighbouring countries.**[3b]** Also in ***August***, following a widely criticised attempt to repatriate forcibly some 15,000 Rwandans from the DRC, its government agrees to entrust the repatriation process to the UNHCR.**[3b]** In late ***November***, the ICTR begins formal proceedings.**[3b]**

1996 In ***February***, due to the slow pace of ICTR proceedings, the Rwandan government announces the creation of special courts within its existing judicial system.**[3b]** At the end of ***February***, reports emerge that violent acts of reprisal by the RPF against returning and fleeing refugees have claimed the lives of some 100,000 Hutus since April 1994.**[3b]** In ***March***, the UNHCR estimates that there are 1,684,645 Rwandan refugees scattered throughout several countries in the region, including 1,057,350 in the DRC, 531,016 in Tanzania, 92,279 in Burundi and 4,000 in Uganda. However, during 1996, more than 1.3 million refugees are repatriated and by the end of the year, the number of Rwandan refugees in neighbouring countries has fallen to 257,000.**[3b]** In ***April***, the UN urges all central African states to observe an arms embargo against former FAR troops and to ensure that their territories are not used as bases for armed

groups to launch cross-border raids into Rwanda.**[3b]** On **30** ***August***, a new law is adopted, establishing procedures for punishing those guilty of genocide and crimes against humanity.**[7g]** Between **15** ***November*** and **31** ***December***,**[12b]** more than 1.3 million refugees are repatriated, whilst the number of Rwandan refugees in neighbouring countries falls to 257,000. As a result of the mass influx of refugees, the Rwandan government, together with the UN World Food Programme and other relief agencies, distribute food aid to the returnees in an attempt to avert a humanitarian crisis.**[3b]**

1997 Between ***January*** and ***August***, at least 6,000 people, the majority unarmed civilians, are estimated to have been killed,**[7h]** by armed insurgents and by the RPA, in particular in the north-western regions of Rwanda, where conflict between the two intensifies.**[14c]** In ***July***, the ICTR announces that seven prominent people, including the former prime minister, Jean Kambanda, and the former senior military commander, Gratien Kabiligi, have been arrested in Nairobi for their part in the 1994 genocide.**[21c]** In ***October***, between 5,000 and 8,000 unarmed civilians are killed by the RPA at a large cave at Nyakimana in Gisenyi region.**[7i]** Between ***October*** and ***December***, the killing of unarmed civilians by the RPA and armed opposition groups increases, with possibly thousands of deaths in that period. The killings occur mainly in the context of intensified armed conflict in the north-west of Rwanda, in the regions of Gisenyi and Ruhengeri, but towards the end of 1997, they increasingly take place in the more central regions of Gitarama and rural Kigali.**[7i]** Also between ***October*** and ***December***, the Democratic Republic of the Congo forcibly expels around 4,500 Rwandan refugees, many of whom had recently fled Rwanda to escape the persistent violence in the north-west of the country.**[7i]** This follows the Democratic Republic of the Congo's announcement in early ***October*** that the border between Kivu and Rwanda is being closed and that all international agencies dealing with refugees have to leave the region.**[8a]** In ***November*** and ***December***, insurgents stage several attacks on local communal jails, attempting to free Hutu prisoners, and in the process kill hundreds of individuals.**[15a]** In ***December***, up to one thousand Tutsis are killed and a further thousand are wounded at Mudende refugee camp in the north-western region of Gisenyi.**[23b]** In retaliation, several hundred Hutu civilians in the area are killed by Tutsi civilians, assisted by the RPA.**[7i]** By the end of ***December***, Tanzania, Uganda and Burundi have all closed their borders to Rwandan refugees, which means that for the first time since 1994, Rwandan Hutus are effectively trapped within Rwanda's borders, leaving them particularly vulnerable to the RPA and armed insurgents.**[8a]**

1998 In ***March***, President Clinton publicly apologises for the failure to recognise the genocide early enough, or to act quickly enough to prevent it, and for allowing the refugee camps on Rwanda's borders to be used by the former Rwandan army and militia as recuperation and training grounds.**[8c]** On 24 ***April***, twenty-two people convicted of genocide are publicly executed.**[8c]** Meanwhile, rebel attacks increasingly spread from the north-western regions of Gisenyi and Ruhengeri to the central region of Gitarama.**[20b]** In ***May***, the Rwandan Ministry of Education puts the revised number of those killed during the genocide at over 1.3 million.**[34a]** By ***June***, the civil war has claimed thousands more lives, whilst disappearances are also said to be increasing.**[7j]** In ***July***, the HRFOR is compelled to withdraw from Rwanda because of the Rwandan government's hostility and subsequent refusal to allow it to continue in its monitoring role.**[35b]** In ***August***, President Laurent Kabila accuses Rwanda of backing the new rebellion in the Democratic Republic of the Congo.**[18a]** Meanwhile, the Rwandan government accuses Kabila of instigating genocide against Tutsis there,**[32d]** and of providing military training for 10,000 Rwandan Hutu rebels, which it warns might compel it to intervene in the interests of state security.**[33a]** Meanwhile, rebels strike in rural Kigali, where 110 are killed in a single

attack.**[16d]** In ***September***, former prime minister, Jean Kambanda, is sentenced by the ICTR to life imprisonment for six counts of genocide and crimes against humanity.**[9b]** In ***October***, Jean-Paul Akayesu, former teacher and mayor, is also sentenced to life imprisonment for his part in the genocide.**[18b]** Also in ***October***, the government announces plans to set free 10,000 genocide suspects with no concrete evidence against them.**[24e]** In ***December*** more than 250 Hutu rebles were killed by the Rwandan army during a two week operation in the northwest.**[35e]**

1999 In ***January*** more than 2,200 Rwandans who had crossed in the the Democratic Republic of Congo at the beginning of the armed Hutu insurgency at the beginning of 1998 have started to return to Rwanda.**[38a]** Also in ***January*** it was announced by Rwandan radio that about 900 genocide suspects had been convicted and sentenced by the Rwandan courts in 1998.**[24f]** In ***March*** local elections were held for the first time in 10 years.**[14a]** In ***April*** the first Rwandan war crime suspect was sentenced by a European court.**[21f]** In ***June*** the government announced the planned introduction of VAT.**[23h]** Major Anne Marie Nyirahakizimana became the first female ex-FAR officer to received the death penalty.**[14a]** In ***July*** Nine people were sentenced to death by a court in Western Rwanda.**[23j]** Four people are sentenced to death in Rushashi, Kigali **[24h]** Foreign Minister, Amri Sued Ismael is replaced by Dr Augustin Iyamuremye.**[24g]** In ***August*** the trial of a bishop charged with genocide began in Kigali.**[43b]** Prisons in Rwanda were thought to be holding around 130,000 prisoners, mostly genocide suspects.**[38h]** Students clashed with police over protests against the education in French provided by Rwandan schools.**[41a]** In ***October*** the government announced plans to change the country's flag, motto, anthem and street names.**[38q]** In ***November*** the Government temporarily suspended cooperation with the ICTR.**[14a]** Genocide suspect arrested in France.**[43e]** Rwandan security authorities arrested a nine year-old boy on charges of multiple murder.**[17b]** In ***December*** Georges Rutaganda, second vice-president of the Interahamwe was sentenced to life imprisonment by the ICTR.**[17h]**

2000 In ***January*** the US Supreme Court ruled to extradite a genocide suspect to the ICTR.**[31d]** Genocide suspect arrested in Belgium.**[50a]** The ICTR sentenced the first private citizen to life imprisonment for genocide related charges.**[37d]** Rwanda announced that VAT would be introduced in July 2000.**[45b]** Parliament passed a new law to establish a new National Police Force.**[38u]** In ***February*** courts continued to sentence people to death for genocide.**[37f]** Genocide suspect arrested in Denmark.**[17i]** Second genocide suspect arrested in France. **[17h]** Parliament voted for the law establishing 'Gacaca' courts.**[24r][38y]** Former army officer Tharcisse Muvunyi is arrested in the UK.**[17g]** Pierre-Celestin Rwigyema resigned as Prime Minister.**[44e]**

ANNEX B - PROMINENT PEOPLE

Jean-Paul Akayesu
A former teacher and mayor of the central village of Taba, who in October 1998 was sentenced by the ICTR to life imprisonment for his part in the genocide.**[18b]**

Vincent Biruta
One of the leaders of the PSD, formed in Kigali in 1991 by a breakaway faction of the MRND.**[3b]** Current minister of health.**[8a]**

Augustin Bizimungu
Army chief of staff during the genocide between April and July 1994, following which he, along with others in the government and army, fled to the DRC.**[11b]**

Pasteur Bizimungu
Former head of state and president of Rwanda,**[8a]** appointed by the RPF on 17 July 1994, for a period of five years.**[3b]** A Hutu**[14c]** and vice-chairman of the RPF.**[8c]** Resigned as President on 23 March 2000.**[43f][44f]**

Martin Bucyana
Leader of the CDR, who was murdered in apparent retaliation for the murder of the PSD's Félicien Gatabazi in late February 1994, provoking a series of violent confrontations resulting in some 30-40 deaths.**[3a]**

Félicien Gatabazi
Member of the PSD and minister of public works and energy, who was a prominent supporter of the Arusha Accord, and who was murdered in late February 1994.**[3a]**

Vincent Gwabukwisi
President of the UDPR, formed in Kigali in 1992.**[3b]**

Juvénal Habyarimana
Army chief of staff, who seized power and set up a one-party state in 1973. He subsequently introduced a policy of ethnic quotas in all public service employment and formed the MRND in 1975. In the early 1990s, he came under pressure to establish a multi-party system, and eventually agreed to power-sharing with the Hutu opposition and RPF in August 1993, but subsequently delayed implementation. On 6 April 1994, he was killed along with the president of Burundi, Cyprien Ntaryamira, when Habyarimana's aeroplane was shot down at Kigali airport. Extremists, suspecting that the president was about to implement the Arusha Accord, were believed to have been responsible.**[5]**

André Hakizimana
Leader of the PPJR, formed in Kigali in 1991.**[3b]**

Prosper Higiro
One of the leaders of the PL, formed in 1991, which split into two factions between late 1993 and early 1994: the pro-MRNDD faction, led by Justin Mugenzi and Agnès Ntambyariro; and

the anti-MRNDD faction, led by Higiro, Esdra Kayiranga and Joseph Nsengimana, who is the government's current minister of civil service and labour.**[3b]**

Sylvestre Hubi
Vice-president of the UDPR, formed in Kigali in 1992.**[3b]**

Augustine Iyamuremye
One of the leaders of the PSD, formed in Kigali in 1991 by a breakaway faction of the MRND.**[3b]** Current minister of agriculture, environment and rural development.**[8a]**

Gratien Kabiligi
Former senior military commander of the Rwandan army, arrested in Nairobi in July 1997 for his part in the 1994 genocide, and subsequently transferred to Arusha, Tanzania, to be investigated by the ICTR.**[21c]**

Robert Kadjuga
Leader of the Interahamwe, the 30,000 strong**[3b]** youth wing of the MRND, comprising civilian militias, trained and armed by the Rwandan army from 1990, to carry out a campaign of intimidation and terrorism against the Tutsis and moderate Hutus who supported democracy and negotiations with the RPF.**[2]** Kadjuga's father is known to have been a Tutsi who managed to change his ethnic identity to Hutu. Together with the Rwandan army, the Interahamwe was a principal instrument of the genocide between April and July 1994.**[1a]**

Paul Kagame
Vice-president, minister of defence and chairman of the RPF.**[8c]** Named as interim president on 24 March 2000 following the resignation of Pasteur Bizimungu.**[44g][48b]**

Jean Kambanda
Prime minister during the genocide of 1994, who was arrested for his involvement, in Nairobi in July 1997, and was subsequently transferred to Arusha, Tanzania, to be investigated by the ICTR.**[21c]** After subsequently pleading guilty to the charges, was sentenced to life imprisonment for six counts of genocide and crimes against humanity in September 1998.**[9b]**

Froduald Karamira
Leader of the pro-MRNDD faction of the MDR (formerly known as Parmehutu), which between late 1993 and early 1994, split into two factions: the pro-MRNDD faction, led by Karamira, with mainly Hutu support, and the anti-MRNDD faction, led by Faustin Twagiramungu, with multi-ethnic support.**[3b]** Karamira is the most senior politician to be tried for genocide crimes by Rwanda's courts, which found him guilty and sentenced him to death on 14 February 1997. His appeal was rejected on 13 September 1997,**[8a]** and the sentence was carried out in public on 24 April 1998.**[8c]**

Grégoire Kayibanda
Leader of Parmehutu, the Hutu nationalist party which was formed under Belgian rule in 1957 and came to power following independence in 1962.**[5]** He was overthrown in a bloodless coup led by Juvénal Habyarimana in July 1973.**[3a]**

Esdra Kayiranga

One of the leaders of the PL, formed in 1991, which split into two factions between late 1993 and early 1994: the pro-MRNDD faction, led by Justin Mugenzi and Agnès Ntambyariro; and the anti-MRNDD faction, led by Prosper Higiro, Kayiranga and Joseph Nsengimana, who is the government's current minister of civil service and labour.**[3b]**

Silas Majyambere
President of the UPR, formed by Hutu exiles in 1990 in Belgium, where it has since been based.**[3b]**

Bernard Makuza
Prime Minister from 8 March 2000. Makuza, a Hutu, is a member of the MDR.**[17k][35t]**

Justin Mugenzi
One of the leaders of the PL, formed in 1991, which split into two factions between late 1993 and early 1994: the pro-MRNDD faction, led by Mugenzi and Agnès Ntambyariro; and the anti-MRNDD faction, led by Prosper Higiro, Esdra Kayiranga and Joseph Nsengimana, who is the government's current minister of civil service and labour.**[3b]**

Augustin Mutamba
Leader of Parerwa, formed in Kigali in 1992.**[3b]**

Jean N Nayinzira
Leader of the PCD, formed in 1990, and the government's current minister of information.**[3b]**

Mathieu Ngirumpatse
Chairman of the MRNDD, banned by the RPF in 1994 from participation in transitional government and legislature.**[3b]**

Emmanuel Nizeyimana
Leader of the RTD, formed in Kigali in 1991.**[3b]**

François Nsabahimana
Chairman of the RDR, formed in 1995 by exiled former supporters of Habyarimana, which has drawn support from refugee camps in the Democratic Republic of the Congo and Tanzania.**[3b]**

Joseph Nsengimana
Leader of the PL, formed in 1991, which split into two factions between late 1993 and early 1994: the pro-MRNDD faction, led by Justin Mugenzi and Agnès Ntambyariro; and the anti-MRNDD faction, led by Prosper Higiro, Esdra Kayiranga and Nsengimana.**[3b]** The government's current minister of civil service and labour.**[8a]**

Dismas Nsengiyaremye
Member of the MDR and prime minister of the transitional coalition government between April 1992 and July 1993, when he was replaced by Agathe Uwilingiyimana, because of his insistence that the government include RPF representatives.**[3b]**

Jean Ntagungira
Leader of Pader, formed in Kigali in 1992.**[3b]**

Charles Ntakirutinka
One of the leaders of the PSD, formed in Kigali in 1991 by a breakaway faction of the MRND.**[3b]** Current minister of communications.**[8a]**

Agnès Ntambyariro
One of the leaders of the PL, formed in 1991, which split into two factions between late 1993 and early 1994: the pro-MRNDD faction, led by Justin Mugenzi and Ntambyariro; and the anti-MRNDD faction, led by Prosper Higiro, Esdra Kayiranga and Joseph Nsengimana, who is the government's current minister of civil service and labour.**[3b]**

Théogène Rudasingwa
Secretary-general of the RPF, which dominates the current coalition government.**[3b]**

Marc Rugenera
One of the leaders of the PSD, formed in Kigali in 1991 by a breakaway faction of the MRND.**[3b]** Current minister of tourism.**[8a]**

Pierre-Célestin Rwigyema
Prime minister from August 1995 - 28 February 2000 when he resigned.**[17k][35t]** Leader of the Hutu-dominated MDR.**[8a]**

Seth Sendashonga
Minister of the interior and communal development between July 1994 and August 1995, when he was replaced following his criticism of the security forces' handling of the refugee crisis. In 1996 became leader, together with Faustin Twagiramungu, of the newly-formed FRD, based in Belgium.**[3b]** In May 1998, was assassinated in Nairobi, and whilst the Rwandan government is suspected of involvement, it has denied the allegations.**[24d]**

Théodore Sindikubwabo
Speaker of the CND prior to the genocide, who on 8 April 1994, announced that he had assumed the office of interim president of the republic, in the wake of Habyarimana's death.**[3b]**

Emmanuel Twagilimana
Secretary-general of the UPR, formed by Hutu exiles in 1990 in Belgium, where it has since been based.**[3b]**

Faustin Twagiramungu
Former leader of the anti-MRNDD faction of the MDR (formerly known as Parmehutu), which split into two between late 1993 and early 1994. He was prime minister between July 1994 and August 1995, when he was replaced due to his criticism of the government's lack of adherence to the Arusha Accord with regard to power-sharing, and of the security forces' use of violence in their management of the refugee crisis. Currently leader of the FRD, formed in Belgium in 1996 with other Hutu moderates living in exile, which advocates the return of Rwanda to UN Trust Territory status, pending the resolution of its internal security difficulties.**[3b]**

Agathe Uwilingiyimana
Member of the MDR and prime minister between July 1993 and 7 April 1994, the first day of the genocide, when she, along with other prominent Hutu politicians, was murdered.**[3b]**

ANNEX C - COMMON ABBREVIATIONS/POLITICAL GROUPS

ALIR
L'Armée de Libération du Rwanda (Rwandan Liberation Army), emerged in 1998 as the armed wing of PALIR (see **PALIR**), comprising Hutu rebels of the former FAR and Interahamwe (see **FAR** and **Interahamwe**), which subsequently claimed responsibility for ongoing massacres in Rwanda, primarily in north-western regions.**[32b]**

CDR
Coalition pour la Défense de la République (Coalition for the Defence of the Republic), formed in Kigali in 1992.**[3b]** Extremist Hutu organisation, allied to the MRNDD (see **MRNDD**), it operates an unofficial militia known as Impuzamugambi (see **Impuzamugambi**), which together with the Interahamwe (see **Interahamwe**) participated in the genocide.**[1a]** Participation in transitional government and legislature was proscribed by the RPF-led administration in 1994.**[3b]**

CND
Conseil National du Développement (National Council for Development), the national assembly under the Habyarimana regime.**[6a]**

FAR
Forces Armées Rwandais (Rwandan Armed Forces), the Hutu army of President Habyarimana's regime, which attempted to halt the invasion of the RPF (see **RPF**) in October 1990. When stalemate ensued, Habyarimana came under pressure to agree to a power-sharing agreement which was eventually signed at Arusha, Tanzania, in August 1993. Following Habyarimana's death in April 1994, the new extremist Hutu government began the genocide against the Tutsis and those Hutu moderates who opposed them, with the backing of the FAR, which was eventually defeated by the RPF in July 1994.**[1b]** It then became based across the border in the Democratic Republic of the Congo (formerly Zaire), together with members of the former Hutu extremist government, where they threatened to renew the civil war.**[[14a]** Cross-border incidents continue to exacerbate the troubled security situation in Rwanda, particularly in the north-west.**[14c]**

FRD
Forces de Resistance pour la Démocratie (Forces of Resistance for Democracy), formed in 1996 by Hutu moderates in exile in Belgium, where it has since been based; advocates the return of Rwanda to UN Trust Territory status, pending the resolution of its internal security difficulties. Led by Faustin Twagiramungu.**[3b]**

FRI
Front de Résistance Intérieure (Interior Resistance Front), an armed front operating within Rwanda, whose creation was announced by PALIR (see **PALIR**), in June 1996.**[7e]**

GOM
OAU-sponsored Military Observer Group, established in July 1992, comprising representatives from the RPF and the transitional government of Rwanda, together with officers

drawn from the armed forces of Nigeria, Senegal, Zimbabwe and Mali, to contain the RPF frontline. Was incorporated into UNAMIR in December 1993.**[3b]**

HRFOR
UN-sponsored Human Rights Field Operation in Rwanda, following the genocide was given a mandate to carry out activities related to the promotion and protection of human rights and the investigation of the human rights situation in Rwanda. Whilst the HRFOR was initially hindered by confusion, delays, lack of expert personnel and resources, by the end of 1995 it was said to be playing a useful role in the protection of human rights.**[7d]** In July 1998, the HRFOR finally decided to withdraw from Rwanda because of government hostility and the subsequent refusal to allow it to continue in its monitoring role.**[35b]**

ICTR
UN-sponsored International Criminal Tribunal for Rwanda, comprising six members and headed by a Senegalese lawyer, Laity Kama, established in June 1995 for a four-year term. Based in Arusha, Tanzania, the tribunal intended to investigate allegations made against some 400 individuals of direct involvement in the planning and execution of the 1994 genocide, and started proceedings in late November 1995.**[3b]** In September 1998, it sentenced former prime minister, Jean Kambanda, to life imprisonment after he pleaded guilty.**[9b]**

Impuzamugambi = 'Those who have only one aim.'
The youth wing of the CDR (see **CDR**) and its civilian militia, which joined with the Interahamwe (see **Interahamwe**) in carrying out intimidation raids against the Tutsi population and Hutus who supported the implementation of democracy.**[2]** During the genocide, the two militias became indistinguishable.**[1a]**

Interahamwe = 'Those who stand together.'
The youth wing of the MRNDD (see **MRNDD**), comprising civilian militias, trained and armed by the Rwandan army (see **FAR**) from 1990, to carry out a campaign of intimidation and terrorism against the Tutsis and moderate Hutus who supported democracy and negotiations with the RPF (see **RPF**).**[2]** Together with the Rwandan army, it was a principal instrument of the Rwandan genocide between April and July 1994.**[1a]** It is estimated to have numbered around 30,000 at that time.**[3b]**

MDR
Mouvement Démocatique Républicain (Democratic Republican Movement), formerly known as Parmehutu (see **Parmehutu**). Between late 1993 and early 1994, it split into two factions: the pro-MRNDD faction, led by Froduald Karamira, with mainly Hutu support, and the anti-MRNDD faction, led by Faustin Twagiramungu, with multi-ethnic support.**[3b]** It was the main opposition party and, since July 1994, has been the main coalition partner.**[6a]** Its current leader, Pierre-Célestin Rwigyema, is also prime minister.**[8a]**

MRND(D)
Mouvement Révolutionnaire National pour la Démocratie et le Développement (National Revolutionary Movement for Democracy and Development, until April 1991 the National Revolutionary Movement for Development, **MRND**),**[3b]** formed by Juvénal Habyarimana in 1975, and remained in power until his death in 1994.**[5]** Sole legal party until 1991; draws support from hardline Hutu elements and operates the unofficial militia known as the Interahamwe.**[3b]** Many of its leaders were among the main organisers of the genocide.**[6a]**

Chaired by Mathieu Ngirumpatse. Banned by the RPF in 1994 from participation in transitional government and legislature.**[3b]**

OAU
Organisation of African Unity, formed in 1963, to promote unity and solidarity among African states, 52 of which are members, including Rwanda.**[3b]**

Pader
Parti Démocratique Rwandais (Rwandan Democratic Party), formed in Kigali in 1992, has a central committee of four members, whose secretary is Jean Ntagungira.**[3b]**

PALIR
Peuple en Armes pour la Libération du Rwanda (People in Arms for the Liberation of Rwanda), emerged in June 1996, when it announced the creation of an armed front within Rwanda, called FRI (see **FRI)**.**[7e]** In June 1998, its armed wing appeared to have been renamed, ALIR (see **ALIR**).**[32b]**

Parerwa
Parti Républicain Rwandais (Rwandan Republican Party), formed in Kigali in 1992, and led by Augustin Mutamba.**[3b]**

Parmehutu
Parti de l'Emancipation du Peuple Hutu (Party for the Emancipation of the Hutus), formed in 1957 during Belgian rule, and came to power under the leadership of Grégoire Kayibanda following independence in 1962.**[5]** It was the dominant party between 1962 and 1973, and was later renamed the MDR (see **MDR**).**[3b]**

PCD
Parti Chrétien Démocrate (Christian Democrat Party), formed in 1991**[2]** and led by Jean Nepomucène Nayinzira.**[3b]** The smallest of the four main opposition parties **[6a]** and current coalition partner.**[8a]**

PDI
Parti Démocratique Islamique (Democratic Islamic Party), formed in Kigali in 1992.**[3b]** Represents the small Rwandan Muslim community.**[6a]**

Peco
Parti Ecologiste (Ecologist Party), formed in Kigali in 1992.**[3b]** Closely allied with the MRNDD and later with the interim government in power during the genocide.**[6a]**

PL
Parti Libéral (Liberal Party), formed in 1991, and split into two factions between late 1993 and early 1994: the pro-MRNDD faction, led by Justin Mugenzi and Agnès Ntambyariro; and the anti-MRNDD faction, led by Prosper Higiro, Joseph Nsengimana and Esdra Kayiranga.**[3b]** Ranked third among the opposition parties,**[6a]** and current coalition partner.**[8a]**

PPJR

Parti Progressiste de la Jeunesse Rwandaise (Rwandan Progressive Youth Party), formed in Kigali in 1991 and led by André Hakizimana.**[3b]** Pro-MRNDD before and during the genocide.**[6a]**

PSD
Parti Social Démocrate (Social Democrat Party), formed in Kigali in 1991 by a breakaway faction of the MRND (see **MRNDD**).**[3b]** The second largest of the main opposition parties,**[6a]** and current coalition partner.**[8a]**

PSR
Parti Socialiste Rwandaise (Rwandan Socialist Party), formed in Kigali in 1991, concerned with the rights of workers.**[3b]**

RDR
Rassemblement pour le Retour des Réfugiés et la Démocratie au Rwanda (Association for the Return of Refugees and Democracy in Rwanda), formed in 1995 by exiled former supporters of Habyarimana; has drawn support from refugee camps in the Democratic Republic of the Congo and Tanzania. Chaired by François Nsabahimana.**[3b]** In June 1997, it announced that it intended to transform itself into a political party.

RPA
Armée Patriotique Rwandaise (Rwandan Patriotic Army), the RPF army (see **RPF**).

RPF
Front Patriotique Rwandais (Rwandan Patriotic Front), also known as Inkotanyi, it comprises mainly Tutsi exiles, but claims multi-ethnic support.**[3b]** Formed by exiles in Uganda in 1988,**[2]** following their participation in the victory of Yoweri Museveni's National Resistance Army against the Ugandan dictator, Milton Obote. In October 1990, its armed wing, the Rwandan Patriotic Army (**RPA**), invaded Rwanda from Uganda and after heavy fighting in which French and Zairean troops were called upon to assist the government, a ceasefire was signed on 29 March 1991.**[5]** However, conflict continued and subsequent attempts to broker an effective ceasefire were largely unsuccessful.**[3a]** In February 1993, the RPF launched a fresh offensive and reached the outskirts of Kigali. The fighting continued for several months until the Arusha Accord of August 1993, whereby Habyarimana agreed to the integration of RPF troops into a new Rwandan army, which was not to take place. On 8 April 1994, the RPF launched a major offensive to end the genocide and to rescue its 600 troops in Kigali, where they had been stationed under the terms of the Arusha Accord. Following the defeat of the Rwandan army, the FAR (see **FAR**), in July 1994, the RPF set up an interim government of national unity in Kigali, amidst reports that its own troops were carrying out a series of reprisal killings throughout the country.**[5]** It has remained in power since, and although it currently has a minority of cabinet and assembly seats, it continues to dominate the government's policies.**[9a]**

RTD
Rassemblement Travailliste pour la Démocratie (Workers' Association for Democracy), formed in Kigali in 1991, and led by Emmanuel Nizeyimana.**[3b]** Pro-MRNDD before and during the genocide.**[6a]**

UDPR

Union Démocratique du Peuple Rwandais (Democratic Union of Rwandan People), formed in Kigali in 1992, and led by Vincent Gwabukwisi (president) and Sylvestre Hubi (vice-president).**[3b]** Pro-MRNDD before the genocide, but then joined the opposition.**[6a]**

UNAMIR
United Nations Assistance Mission to Rwanda (incorporating GOM and UNOMUR), despatched to Rwanda in December 1993 for an initial period of six months, as a result of the Arusha Accord of August 1993, to guarantee the transition to peace and democracy.**[1a]** On 21 April 1994, its numbers were reduced from 2,500 to 250, following the murder of ten of its Belgian soldiers.**[5]** However, in June 1994, its mandate was extended for a further six months (**UNAMIR II**), with a view to expanding its numbers to 5,500. Its mandate was subsequently extended until March 1996, and by the end of the following month its last members had left Rwanda.**[3b]**

UNAR
Union Nationale Rwandaise (National Rwandan Union), formed towards the end of the period of Belgian rule in the 1950s, by Tutsis who wished to distance themselves from their colonial rulers, in anticipation of a post-independence battle for power with the Hutus.**[5]**

UNOMUR
United Nations Observer Mission Uganda-Rwanda, deployed on the Ugandan side of the border in June 1993, in order to ensure that no military supply lines would be maintained for the RPF. In December 1993, it was incorporated into UNAMIR (see **UNAMIR**), and its mandate was formally terminated in September 1994.**[3b]**

UNOR
United Nations Office for Rwanda, established following the departure of UNAMIR (see **UNAMIR**) in April 1996, and comprising a special representative, five officials and twelve local staff. Its mandate is to serve as a small co-ordinating, advocacy and advisory office, whilst the special representative is tasked with co-ordinating UN activities in Rwanda, including the repatriation of Rwandan refugees.**[3b]**

UPR
Union du Peuple Rwandais (Union of Rwandan People), formed in 1990 by Hutu exiles in Belgium, where it has since been based. Led by Silas Majyambere (president) and Emmanuel Twagilimana (secretary-general).**[3b]**

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