

**RWANDA AT THE END OF  
THE TRANSITION: A NECESSARY  
POLITICAL LIBERALISATION**

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## **RWANDA AT THE END OF THE TRANSITION: A NECESSARY POLITICAL LIBERALISATION**

### **EXECUTIVE SUMMARY AND RECOMMENDATIONS**

Nine years after the 1994 genocide, Rwanda has reached another crossroads. The transition period defined by the Arusha Accords will be concluded in less than a year by a constitutional referendum and by multi-party elections which should symbolize the successful democratisation of the country. Today, however, there are multiple restrictions on political and civil liberty and no sign of any guarantee, or even indication, in the outline of the constitutional plan that the political opposition will be able to participate in these elections on an equal footing with the Rwandan Patriotic Front (RPF), in power since 1994.

Control over the activities of political parties was until now partly justified by the fragile security situation that Rwanda has experienced since 1994, during which it has been in a state of almost permanent war with the Hutu heirs of the Habyarimana regime on the DRC territory. The constant political and military support provided to the Rwandan Hutu militia by the successive Kabila regimes since 1998, has maintained a continuing security threat to the country. The restrictions on political participation can also be explained by the RPF's distrust of multi-party politics and unrestricted electoral competition, inspired directly by the experience of the country's political disintegration in the early 1990s leading into the genocide.

Faced with the risk of electoral competition based exclusively on ethnic lines, the RPF wants first and foremost to restructure Rwandan political culture through popular education and the increased accountability of political leaders. The Rwandan leadership argues, in effect, that the transformation of existing states of mind is the prerequisite for the

restoration of full civil and political rights. Thus, for the past three years, the political parties have either been dismantled or forced to accept the consensus imposed by the RPF, the independent press has been silenced, and civil society forced to exist between repression and coercion. The RPF wields almost exclusive military, political and economic control and tolerates no criticism or challenge to its authority. The opposition has been forced into exile, and anti-establishment speeches relegated to secrecy. In the name of unity and national reconciliation, the various segments of Rwandan society are subjected to a paternalistic and authoritarian doctrine and cannot express themselves freely.

But the RPF should recognise that its authoritarian actions, whatever their motivation, has worked against its own stated objectives and is creating its own opposition. The government's repression of critical voices creates a vicious circle by radicalizing the opposition both inside and outside Rwanda. A blood pact, or "Igihango", has even been sealed between certain heirs of the "Hutu power" and survivors of the genocide. This kind of alliance lends a dangerous legitimacy to an armed Hutu opposition whose position regarding the genocide remains ambiguous. Given the unstable regional dynamics, the rise to power by the opposition forces and the propagation of genocide denial pose a serious threat to the stability of the country, particularly at a time when the Rwandan government is preparing to liberate tens of thousands of prisoners through *gacaca* courts and to repatriate and demobilise a large part of its army and rebel combatants.

The Rwandan government has honoured its commitments to the Congolese peace process and has

withdrawn its troops from the Kivus. It should now display the same goodwill for the end of the transition. The RPF must allow public criticism and stop being judge and jury, as well as participant, in the process of political competition. A neutral institution, such as an ombudsman's office – equipped with political, administrative, and financial independence – must be allowed to establish equitable standards for political competition and to define the limits of freedom of expression and association, in order to avoid abuse bound to lead to ethnic tensions.

ICG does not argue that all surveillance and all restraint should be removed from party, media and civil society activities. The external security situation, and the fragility of the internal reconciliation process, make continuing caution appropriate. But the regulation of political parties should be seen to be above partisan manipulation, with standards imposed not by the RPF but a wholly independent authority. The government must give Rwandan society the chance to regulate itself, to assume its own responsibilities towards the genocide and to create the foundations for general reconciliation, and not seek to impose every element of that process. It must not destroy the institutions of common ground where Hutus and Tutsis can meet, talk, argue and ultimately agree on the future of the country. It must reach out to the opposition in exile and offer it participation in a national debate on the country's future.

The year to come will be a crucial one for the credibility of Rwandan constitutional reform, electoral deadlines and post-transition institutions. The international community cannot remain silent accomplices to the authoritarian actions of the Rwandan government. It cannot finance elections that offer no political guarantees for a minimum of equity among the forces present. Today, eight months before the end of the transition period, the Rwandan government must bring itself to accept political liberalisation and reform.

## RECOMMENDATIONS:

### To the Government of Rwanda:

1. Cease all harassment of civil society and revise the law on associations to allow them to operate freely in the entire country without the constant control of government agents;

2. Encourage the emergence of a responsible and independent press by allowing it to regulate its activities in the framework of its professional associations;
3. Liberalise political activities across the entire country; and engage in a national debate on the rules of integration for all political constituents in the country in preparation for the next elections;
4. Allow the return and the participation of political parties in exile in time for the next elections, on condition that they cut all links with the armed groups, clearly and convincingly acknowledge and deplore the genocide, and commit themselves to a reconciliation process;
5. Create an ombudsman's office, directed by a committee of "wise men" representing different sections of Rwandan society and equipped with political, administrative, and financial autonomy from any branch of government. This office would have the responsibility of determining the rules of good conduct for politicians, establishing clear distinctions between legitimate criticism and genocide-denying or hatred-inciting behaviour. The ombudsman could also be mandated to recommend appropriate measures to deal with similar concerns arising in the press and civil society.

### To the opposition in exile:

6. Make contact with the International Criminal Tribunal for Rwanda (ICTR) and participate in the transfer of *génocidaires* within the framework of the Pretoria agreement;
7. Stop immediately armed opposition and station, demobilise, and repatriate all its troops;
8. Clarify its own political agenda for the future of Rwanda and spell out the programs by which it would advance reconciliation;
9. Make clear its acknowledgment and deploring of the genocide and its rejection of revisionist sentiment;
10. Participate in a national political conference in Kigali with the aim of debating the constitutional framework of the post-transition period, as well as its own participation in future elections.

**To the international community and donors to Rwanda:**

11. Demand the unconditional release of Pasteur Bizimungu, Charles Ntakirutika, Jean Mbanda, Pierre Gakwandi and all other Rwandan political prisoners;
12. Support the establishment of an ombudsman's office and grant it the means of financial independence;
13. Refuse to finance the 2003 elections and the establishment of post-transitional institutions unless they are preceded by the liberalisation of political activities and a marked improvement in respect for basic freedoms of association and expression;
14. Support immediately the creation of a program to monitor the electoral campaign and the elections themselves.
15. Actively support the peace process in the Democratic Republic of the Congo and particularly the disarmament, demobilisation, repatriation, reintegration, and resettlement (DDRRR) program for the Hutu rebels and commit to a serious surveillance of the security situation in Eastern Congo to allow the government of Rwanda to pursue its reconciliation and political program in a peaceful environment.

**To the Government of South Africa**

16. Convince Rwanda to liberalise its internal political environment and to adopt an open-door policy towards exiled political parties, provided that they reject all links with the armed groups, contribute to the arrest and prosecution of known *genocidaires* at the ICTR, condemn genocide and clarify their stand regarding reconciliation in the country.
17. Engage in cooperation with The United Nations Observer Mission to the Congo (MONUC) in a negotiation with other African countries on the resettlement of the Democratic Forces for the Liberation of Rwanda (FDLR) combatants who are ready to lay down their arms but refuse to be repatriated to Rwanda.

**Nairobi/Brussels, 13 November 2002**

## RWANDA AT THE END OF THE TRANSITION: A NECESSARY POLITICAL LIBERALISATION

### I. INTRODUCTION

Rwanda has now reached a critical moment in its political reconstruction. Eight years after the genocide, the country is nearing the end of its transition<sup>1</sup>. This period will conclude in March 2003 with a constitutional referendum, followed in July by multi-party elections, both legislative and presidential, through direct universal suffrage<sup>2</sup>. Eight months away from this deadline, the time has now come for the government to ensure responsible political competition.

With elections less than a year away, questions of political freedom, pluralism and multi-party politics must take centre stage in the debate over the end of transition. The consideration given to these issues will greatly affect the democratic credibility of the June 2003 elections and the post-transition political system. If the opposition is not given a real voice, and the chance to campaign and ultimately to act as a check on the government's actions within the new political institutions, then the return to the

democratisation process that was interrupted by the genocide could end in failure<sup>3</sup>.

For the moment, there are no political signs that the July 2003 elections will take place in a context of genuine pluralism, or even that the main RPF opponents will be allowed to participate on an equal footing with the RPF. On the contrary, over the last three years, police control over all forms of opposition, both within and outside the regime, has steadily increased. The press, associations and opposition parties have been silenced, destroyed or co-opted. Fearing for their lives, critical politicians, members of opposition parties, former supporters or founding members of the RPF have chosen to leave the country and join other exiled opponents. Some of these have attempted to set up a diverse coalition dubbed Igihango, "a pact sealed in blood", made up of the heirs of "Hutu Power" and genocide survivors.

This authoritarian drift can be explained by two factors. Firstly, the RPF's ideology, which imposes the boundaries of "political correctness" in modern Rwanda, is borrowed from a promethean historical materialism, where the transformation of political mindsets is a precondition for the exercise of civil liberties. The Rwandan population will only be able to exercise its full democratic rights once it has abandoned the ethnic distinctions that led to the genocide. At present, the RPF considers that granting political freedom would risk playing into the hands of divisionist and pro-genocide forces and undermine national unity and reconciliation. In addition, the

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<sup>1</sup> The Arusha Accords, signed by the Rwandan Patriotic Front (RPF) and the government of Juvénal Habyarimana on 4 August 1993, set the end of the transition period for the year 2000. Since it won power in July 1994, the RPF government has persistently seen the accord as a fundamental law, and has added a ten-point declaration to it. However, the parliament prolonged the transition period by four years in 1999 in order to fully implement the programme laid down by the accord, including, most notably, constitutional reform based on elections.

<sup>2</sup> President Kagame announced that the elections will be based on universal suffrage at a press conference on 2 July 2002.

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<sup>3</sup> The first Rwandan transition, which began in 1990 with the arrival of the multi-party system and was marked by the civil war between the RPF and the regime headed by Juvénal Habyarimana, ended in rampant political instability, which encouraged the rise of extremist parties and resulted in the genocide of April-June 1994.

RPF is prioritising economic and social rights above civil and political rights, deeming that the Rwandan peasantry is still at the mercy of primary material needs such as food, health and education.

The post-genocide situation is clearly exceptional and requires its leaders to demonstrate an equally exceptional sense of responsibility. But this also runs the risk of arbitrarily imposing a definition of this responsibility without the right to challenge it.

This explains why, since 1994, the RPF has turned “consensual” politics into a veritable mode of governing, and marginalised the importance of criticism or opposition. In practice, the doctrine and politics of unity directly contradict the exercise of political freedom and pluralism. When the regime’s viewpoint is not respected, accepted or understood, it is simply imposed. In this context, the political parties that exist today in Rwanda are only tolerated if they agree not to question the definition of political life drawn up by the RPF. Their existence serves to maintain the facade of compliance with the Arusha Accords on power sharing, negotiated with the Habyarimana government in 1993.

Loyal to their years of education in Uganda in the ideas of Yoweri Museveni<sup>4</sup>, the leaders in Kigali prefer a non-partisan political system to a multi-party system, in which political leaders are judged on their individual performance and integrity. This explains the ban imposed on political parties taking part in the local elections of March 2001, and the priority given to candidates’ personal qualities in the partisan electioneering<sup>5</sup>.

The restrictions on civil and political liberties are imposed in the name of stability and the duty to promote unity and reconciliation after the genocide. Civil society, the media and politicians, whether they belong to the RPF or another party, are forced to remain in this political straitjacket. Yet excluding part of the Rwandan elite from political life has served to radicalise the opposition in exile. For a growing number of opponents, armed resistance is

seen as an increasingly attractive option, which in turn fuels security pressures on the regime.

It is clear that over the last eight years, security issues inherited from the genocide remain a real threat. When it first came to power, the RPF managed to establish a fragile control of Rwandan territory by the end of 1994. Later, it launched the first Congo war aimed at eliminating once and for all the heirs of Hutu Power who had taken refuge in the Kivus. However, at the end of 1997, the insurrection led by armed Hutu groups in the north-western provinces proved that the task had not been accomplished. The task became dangerously more complicated when Rwanda and its allies started a second war in August 1998 against Laurent Kabila, who responded by employing the armed Hutu groups as his infantry to stem the advance of Rwandan troops.

Since then, the Congolese government has constantly sought to maintain the security threat to Rwanda by arming the ex-FAR soldiers and *Interahamwe* and their new recruits who have been mobilised from the two Kivus, to contain the RPA’s military advance and “send the war back to where it came from”. When Joseph Kabila succeeded his father in January 2001, he even proclaimed himself, through his minister Mwenze Kongolo, the official sponsor of the armed opposition, offering a platform and backing to the Democratic Forces for the Liberation of Rwanda (FDLR), the latest reincarnation of Hutu Power<sup>6</sup>.

It is encouraging that FDLR representatives were expelled from Kinshasa in September 2002 and that several alleged organisers of the genocide were finally arrested by the Congolese government and its allies<sup>7</sup>. However, the 10-15,000 men<sup>8</sup> serving in the FDLR’s armed wing and stationed in Congo and the Kivus, still have to be disarmed and demobilised.

Since 1999, the feud between Kigali and Kampala that resulted in three deadly clashes for control over the Congolese town of Kisangani and the repeated attempts at destabilisation on both sides have also transformed the RPF’s spiritual leader, Yoweri Museveni, into an alternative sponsor for the

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<sup>4</sup> Museveni’s National Resistance Movement advocated the politics of “movement” over partisan politics in Uganda, which contributed to a policy driven by ethnic division under the regime of Idi Amin and Milton Obote.

<sup>5</sup> ICG Africa report N°34, “*Consensual Democracy in post-genocide Rwanda, Evaluating the March 2001 District Elections*”, 9 October 2001.

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<sup>6</sup> ICG Africa Report N°38, “*Disarmament in the Congo: Jump-starting DRRR to Prevent Further War*”, 14 December 2001.

<sup>7</sup> In August 2002, General Augustin Bizimungu was arrested in Angola, Jean-Baptiste Gatete in September in Congo-Brazzaville and Colonel Tharcisse Renzaho was arrested at the beginning of October in Kinshasa.

<sup>8</sup> Estimated figure regrouping all the units from all territories.

Rwandan opposition. Since 1999, Kampala has become the favourite refuge of deserters from the Rwandan Patriotic Army (RPA) and a mandatory stop for politicians fleeing Kigali. They are guaranteed support and reassurance in the home of a former mentor only too happy to nourish the anxiety of Rwandan leaders<sup>9</sup> over perceived security threats.

Added to this already complex national and regional context, Rwanda will have to face three other extremely delicate political processes in the coming year. These may well provide an armed opposition with the means to garner support inside the country. The launch of the *gacaca* courts will result in the release of over 80,000 prisoners in the medium term<sup>10</sup>, whose poor conditions of detention will have doubtless generated resentment. Moreover, Rwanda has just withdrawn at least 23,000 troops from the Congo, including a significant Hutu contingent. In the medium term, the Rwandan government must carry out a massive demobilisation of members of its army purely for reasons of economic and financial survival. These men will themselves be easy pickings for any dissident or opposition movement, armed or unarmed. Finally, under the terms of the Pretoria Accord signed on 30 July 2002 with the DRC government, at least an equal number of Hutu soldiers from the FDLR are supposed to be repatriated to Rwanda. This amounts to a veritable pool of candidates for political mobilisation by the radical opposition in the hills of Rwanda on the eve of elections.

For the moment, the FDLR troops have neither been disarmed nor demobilised. It is likely that the demobilisation of the RPA will also be delayed as long as the Hutu rebellion remains active. The withdrawal from the Congo, without even speculating over the internal opposition that this is likely to spark within the government, risks dragging the conflict that began in 1990 back into the country. Rwanda's authoritarianism has created a vicious circle by radicalising the unarmed opposition which is being pushed into an alliance with revisionist extremists. In turn, this exacerbates the existing security problems and consequently reinforces the authoritarianism of the regime.

This report on the political landscape at the end of transition provides a detailed analysis of this vicious circle and offers a number of suggestions to overcome it. The report primarily focuses on the political process underway but also takes into account the outcome of efforts for justice, reconciliation and reconstruction in Rwanda. It concludes that it is not too late to reverse the current authoritarian tendency and build a genuinely inclusive and lasting political model that has not existed in Rwanda since independence. Until now, the process of constitutional reform has provided no guarantees of political freedom and appears to be exacerbating the current tensions. However, this reform, along with the pre-election period of campaigning and debates, offers an opportunity to defuse the situation and to lead Rwanda towards an end of transition that makes a real contribution to the stabilisation of the country.

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<sup>9</sup> Cf. ICG Africa Report N°14, "Rwanda and Uganda: Friends or Enemies?" 5 May 2000, and ICG Briefing "Rwanda/Uganda: a Dangerous War of Nerves", 21 December 2001.

<sup>10</sup> Report by Penal Reform International, 2002, Kigali.



## II. POLITICAL FREEDOMS AND THE MULTI-PARTY SYSTEM IN THE CONSTITUTIONAL DEBATE

The issue of the liberalisation of political life in Rwanda must be understood in the context of the experience of democratisation from 1990-1994, which took place at exactly the same time as the civil war between the Habyarimana regime and the RPF. The RPF justifies its control over political life on its analysis of this period. It considers that the political leaders at the time were incapable of maturity and responsibility. The RPF's political platform is informed by the belief that the population must be re-educated and political leaders must develop a greater sense of responsibility as a prerequisite for democratisation. Political liberalisation is thus contingent on a change of mindset, meaning, in effect, the achievement of the ideological objectives laid down by the RPF.

### A. THE RPF'S ANALYSIS OF THE PROCESS OF DEMOCRATISATION FROM 1990 TO 1994

From 1991 onwards, political liberalisation in Rwanda enabled opposition parties to emerge, notably the Republican Democratic Movement (MDR), the Social Democrat Party (PSD), the Liberal Party (PL) and the Christian Democrat Party (PDC). However, behind the democratic discourse preached by all the parties, strong regional divisions remained. The MRND (National Revolutionary Movement for Development) represented the prefectures of Ruhengeri and Gisenyi, the fiefdom of President Habyarimana, and the symbol of Hutu power in the north. The MDR PARMEHUTU, a revival of the party led by the first President, Grégoire Kayibanda, represented the southern prefectures of Gitarama and Butare and brings together the pro-south Hutu political class that was excluded from power in 1973 by the pro-north regime of President Habyarimana. The PSD also brings together the excluded southerners, mostly from Butare. The PL drew Tutsi support and was rapidly absorbed by an internal wing of the RPF,

which launched its first military operations from Uganda on 1 October 1990<sup>11</sup>.

This era of political liberalisation coincided with a period of civil war. This resulted, inevitably, in the gradual polarisation of political lines. The Hutu extremists, represented by the Coalition for the Defence of the Republic (CDR, extremist Hutu party), and the MRND, managed to mobilise the opposition parties and build an anti-Tutsi bloc to counter the RPF threat. The MDR split into two factions: the MDR Power clan symbolised by the concept of PARMEHUTU, born out of the 1959 "social revolution"<sup>12</sup> on the one hand, and an extremely moderate clan on the other. In the end, the politics of ethnic division proved more powerful than the regionalist, democratic stance, and resulted in the formation of the "Hutu power" bloc that planned the genocide. For the RPF, it is clear that the multi-party system was incapable of stemming the extremist tide that led to the genocide. From then on, the movement was convinced that the only way to banish ethnic divisions would be to impose a discourse of unity.

Paul Kagame<sup>13</sup> summed up this sentiment in 1995 when he stated: "If you try to organise elections, to authorise parties to grow like mushrooms and allow competition, you will be making an even bigger problem for yourself than the one you already have: dividing people who are already divided. What does the multi-party system mean in our African societies? That I will use every tactic to distinguish myself from my neighbour with the aim of winning more votes than he wins. (...) You will never have a united country. We will never have democracy: people will pounce on each other. One party would emerge to defend those who perpetrated the genocide, then another would arise saying that members of the former should be tried. (...) You would have a great

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<sup>11</sup> *Political Crises in Burundi and Rwanda* (1993-1994), supervised by André Guichaoua, University of Lille Press, 1995.

<sup>12</sup> In 1959, the emerging Hutu elite rebelled against the Tutsi monarchy and demanded its share of power. This uprising remained a symbol of social liberation for the Hutu community but went out of control when independence was achieved and resulted in the anti-Tutsi pogroms of 1962 and 1963, carried out with the tacit support of Belgium and the Catholic Church. Cf. Gérard Prunier, *The Rwanda Crisis, History of a genocide*, Hurst and Company, London, 1995.

<sup>13</sup> President of the Rwandan Republic since April 2000, Vice President from 1994 to 2000. He has been the leader of the RPF since the start of the civil war in Rwanda in 1990.

war. We must analyse the problems that are in store for us and those that we are going to solve<sup>14</sup>.”

## **B. THE RPF'S KEY OBJECTIVE: TO CREATE A NEW RWANDAN LEADERSHIP**

Since 1990, the RPF has advocated the application of political and economic reforms, under a new leadership, aimed at creating a “New Rwanda”. These political reforms are rooted in the concept of a “participatory approach” in which the population and the leadership work together to transform the country. Two main goals are required before beginning this process: educating the population and making the elite more responsible. Once this has been achieved and the effects of bad governance by previous regimes has disappeared, the Rwandan people will be emancipated from their current obscurantism and able to fully exercise their civil and political liberties. This emancipation should be based on three principles:

### *Educating the population*<sup>15</sup>

The decades of authoritarianism, from the long monarchical tradition through to the one-party regime led by President Habyarimana, resulted in the concentration of political and economic power, and the reinforcement of top-down administrative control over the population. This control was so tight that the government was able to manipulate the population into committing genocide. For the RPF, it is important to help the population resist such political manipulation by tackling key issues such as hunger, illiteracy and obscurantism and by gradually instilling democratic principles.

### *Giving leaders a sense of responsibility*<sup>16</sup>

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<sup>14</sup> François Misser, “Towards a New Rwanda?”, Karthala, 1995. Interview with Vice-President Kagame in 1995.

<sup>15</sup> “Democracy must follow a “process”, and help to find solutions to Rwandans problems.” “To give the floor and freedom to the people, so that they can talk about their problems and how they can be solved. A Rwandan citizen has never been given the floor, he has always been waiting for instructions from his superiors and he has always been guided by them. It is necessary, therefore, to look for “mechanisms” of giving the floor to people”. “There must also be trainings for the people, in order to raise their awareness of talking about their problems and looking for solutions to them (sensitization)”. Cf. “Report on the reflection meetings held in the office of the President of the Republic”, Kigali, August 1999, p. 46.

The RPF does not foresee banning political parties, but rather obliging them to subscribe to its overall plan for a new Rwandan society. A strict code of conduct was designed to govern all political activity. On a local and national level, the people will monitor the behaviour of their leaders through the power of their vote.

### *Reforming the institutions*<sup>17</sup>

The first stage in implementing this objective was to introduce decentralisation<sup>18</sup>. This involved setting up local government structures elected by the people, and close to them. The drafting of a new constitution should ensure a balance between central and local government. It should also provide an institutional framework to consolidate the RPF's political platform. The new constitution does not envisage the immediate arrival of democracy, but proposes a framework in which this would be achievable. Only at the end of this process of re-education will the respect for political liberties be guaranteed. For the time being, a strong, “enlightened” leadership is required to maintain the country's unity.

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<sup>16</sup> “Because “leaders” have much responsibility for the people, trainings for those leaders must be prepared (political schools).” “To examine the existing political parties and the role they should play”. “It was adopted that democracy which makes Rwandans really participate in the way they are governed and in deciding the actions regarding them. Which was then called “participatory democracy”. To enable the people to participate and be given the floor, it came the idea that leaders should be elected, starting from the basic structures”. Op. cit.

<sup>17</sup> “To enable the people to really participate in their way of being governed, appropriate strategies must be taken: To bring near the people decision-making institutions in which they would actively participate. To set up structures (Forum) in which the people give their ideas about how problems would be solved. Evaluating how leaders are working (Evaluation). Controlling how leaders are working (Contrôle) (...). To make Rwandans understand that it is them who are mainly concerned by problems and their solutions. To make Rwandans like shared government. Which is not detained by one individual, because this helps not using force and injustice and controlling each other in the way of governing (Equilibre des pouvoirs). To endeavour to train Rwandans and raise their awareness so that they become more educated. To prepare a very clear and concise document containing instructions relating to the leaders good conduct and behaviour (Code de conduite des leaders)”. Op. cit., p. 53.

<sup>18</sup> ICG Africa Report N°34, “Consensual Democracy in post Genocide Rwanda, Evaluating the March 2001 District Elections”, 9 October 2001.

### C. MAINTAINING SECURITY PRESSURE AND THE “EXCEPTIONAL” PERIOD

The eight years of transition from 1994 to 2002 were marked by a situation of almost permanent war, due to the ongoing military threat from armed Hutu groups based in the region and the countries that backed them. This situation had a negative impact on the planned process of political reform, and most of all on political liberties.

From 1994 to 1996, the ex-FAR and *Interahamwe* regrouped and infiltrated Rwanda from the refugee camps in Kivu. At the end of 1996, the RPA decided to destroy the refugee camps in the Congo in an operation that resulted in a manhunt throughout Congo. In May 1997, President Mobutu was overthrown and Laurent-Désiré Kabila was parachuted in as the Congolese head of State by Rwandan troops. The first invasion of Congo did not, however, put a stop to the threat by the armed militia. From 1996-98, a section of the Hutu guerrilla unit re-stationed itself in north-western Rwanda, as evidenced by the fresh wave of armed insurrection in the provinces of Ruhengeri and Gisenyi from November 1997 to February 1998.

In August 1998, after a clash with his Rwandan and Ugandan backers who tried to overthrow him, Laurent-Désiré Kabila sealed an alliance with the ex-FAR and *Interahamwe* and helped them re-infiltrate into Kivu. The north-western rebellion had hardly been quelled when the regional war caused the threat of these groups in Kivu to resurface. For more than four years (until September 2002), Rwanda occupied Congo, hoping to keep the war outside its borders and provoke a regime change in Kinshasa favourable to Rwanda. Meanwhile, the situation in Rwanda itself stabilised, the regime reinforced its administrative and territorial control over the country and there was no infiltration to upset the relative peace. The last attempt by armed Hutu groups (known as ALiR) to infiltrate Rwanda ended in complete failure.

Developments in the peace process in the DRC could put an end to this situation of externalising the civil war in Rwanda. The recent announcement of Rwanda's withdrawal from Congo and the setting up of a DDRRR programme (Disarmament, Demobilisation, Repatriation, Reinstallation and Reinsertion) for Hutu soldiers are welcome signs, but could seriously endanger the internal security of the country. If relations between Rwanda and Congo

remain difficult, the rebel groups are not disarmed, and internal political life does not return to normal, the civil war begun in 1990 could well be imported back to Rwanda.

This context of external hostility has prompted the government to tighten its grip on internal political life. Its aim is not only to avoid the rise of an ethnically based political movement inside Rwanda, but also possible connections between internal opposition groups and armed external movements. Yet the current process of constitutional reform, which must be approved by referendum before the 2003 presidential elections, is a continuation of this logic and for the moment does not seem to offer the promise of political liberalisation for the foreseeable future.

### D. CONSTITUTIONAL REFORM - CONTINUITY OR A BREAK WITH THE USUAL PRACTICES?

The draft constitution is currently being written and will probably be made public at the end of 2002. However, its broad outline has already been announced in proposals made by the Constitutional Commission, and especially the Presidency. For the first time in Rwandan history, these proposals are based on popular consultation in line with the government's participatory approach. Nevertheless, it appears that this consultation process has not really opened up the debate on the future of Rwanda, and there has been no challenge to the political strategy enforced by the regime.

#### 1. Highly supervised popular participation

The Constitutional Commission, whose creation was provided for in the 1993 Arusha Agreement, was set up at the end of 2000 on the basis of law n° 23/99 of 24 December 1999. Its president, Tito Rutaremara, was appointed on 23 November 2000 by the National Assembly of Transition (ANT). One of the RPF's ideologists, he was previously president of the Forum of parties and head of the RPF group at the National Assembly, as well as being the first RPF deputy in 1993. Twelve other members were elected by the ANT on 10 July 2000<sup>19</sup>. The composition of Commission members exactly mirrors the political make-up of the ANT. The Commission is charged

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<sup>19</sup> “Progress of Activities at the Legal and Constitutional Commission,” (CJC) October 2001.

with drafting the new constitution and has divided its work into five phases<sup>20</sup>. The first stage, which is now complete, was an awareness-raising campaign and process of popular consultation, held between January and June 2002. As commissioner Jacques Kabale pointed out, “the Commission has the merit of asking the opinions of an uneducated population”<sup>21</sup>. The education phase focused on democratic principles but also on the RPF’s political doctrine, which it integrated into its training and awareness-raising module for the population in May 2001. It includes, for example, the official line on political parties:

Political parties should, in their own way, rectify or change the bad behaviour attributed to them by the population; the parties must disclose their political beliefs and the real platform that shows how they will contribute to solving the country’s problems; the parties must avoid sowing the seeds of divisionism among Rwandans; the parties must accept that electoral defeat will not be a source of insecurity or the destruction of the country; the behaviour of party leaders should set an example to their members and all Rwandans.<sup>22</sup>

From May to August 2002, more than 590 meetings were held throughout the country, attended by between 200 and 2000 people. The Commission felt that the population’s participation was widespread enough to prove its commitment to the project. However, the number of people present at the meetings could be a misleading sign of popular support. Since the monarchy and during the succession of republics, the Rwandan peasantry developed an acquiescent response to statements made by officials, which are often perceived as instructions from the State. The proposals made by the people could be interpreted as an echo of the discourse that is delivered to them by representatives of the Commission, and a way of avoiding confrontation with the government. It is not certain that the latter, who sees the population as uneducated and is convinced that they need close

supervision, will take the trouble to distinguish between the peasant population’s game of avoidance and the genuine expression of their opinions.

There is a risk that the people’s voice will be appropriated in order to impose principles that have already been decided on by the regime. By getting the population to say that “it does not want political parties,” and that “politics should be done in Kigali and not among the people”,<sup>23</sup> this neutralises any challenge to the new constitution and defuses all international criticism. The ideas that are supported at a grass-roots level will bypass partisan politics, and above all clearly suggest that any desire for local mobilisation is illegitimate. It will also allow the government to build its own political base with no real competition.

## 2. Predictable constitutional proposals and legal reforms

The final draft of the Constitution has not yet been written but its main ideas are already apparent. Members of the Commission, after a year of consultation, have agreed on its broad outline and the contribution made by the office of the president completes the overall vision proposed by the Commission.<sup>24</sup>

President Kagame took a decisive step in declaring that the presidential and legislative elections would be held by direct universal suffrage and secret ballot<sup>25</sup>. All his opponents had called for this form of election, accusing the government of wanting to impose indirect elections in order to control the selection of local representatives and be assured of their support. Soldiers and certain RPF politicians (including Tito Rutaremara, the president of the Commission),<sup>26</sup> also advocated a mode of indirect elections, fearing the “Buyoya” syndrome and the RPF’s inability to find popular support among Hutus.<sup>27</sup> Despite this internal RPF wrangling, President Kagame went ahead with the challenge of direct universal suffrage, after receiving backing

<sup>20</sup> “Action Plan and Budget”, CJC, December 2000, “Progress of Activities at the Legal and Constitutional Commission,” CJC, October 2001. Cf. presentation of the five phases in appendix IV.

<sup>21</sup> ICG interview, Mr. Jacques Kabale, commissioner, June 2002.

<sup>22</sup> Training and Awareness-Raising Module in constitutional Matters, May 2001, p. 24.

<sup>23</sup> ICG interview, Tito Rutaremara, Kabale, June 2002.

<sup>24</sup> Contribution by the presidency to the constitutional debate, June 2002. Document translated by ICG.

<sup>25</sup> Press conference by President Kagame, AFP, 2 July 2002.

<sup>26</sup> ICG interview, RPF member, June 2002.

<sup>27</sup> The President of Burundi Pierre Buyoya held presidential elections in 1993, convinced that his democratisation policy would win him Hutu votes. He lost the elections to the FRODEBU candidate Melchior Ndadaye.

from the political wing, notably secretary general Charles Murigande.

In exchange for this important concession, the rules governing the exercise of political activities will be extremely strict. Political speeches by parliamentary candidates must endorse unity and reconciliation, and the same rule will doubtless apply to presidential hopefuls.<sup>28</sup> The political arena will be governed by the law on political parties, the code of conduct for politicians and the rules of the Forum for political parties. The proposal submitted by the presidency contains the implicit condition that parties will only be allowed to campaign on a grass-roots level if their politicians demonstrate exemplary behaviour and present their ideology and platform clearly.<sup>29</sup> There are also indications of the desire to limit campaigning in the capital or the provinces. The office of the president has explained that “the setting up of political structures was delayed by a problem of political maturity”.<sup>30</sup>

This institutionalisation in the Constitution of the rules governing political activities, based on current practices, poses a problem for the immediate future of political freedom in Rwanda. It leaves no room for the gradual liberalisation of politics or for the process of developing a sense of responsibility, as required by the government’s political doctrine.

Firstly, the main supervisory body for political activity, the Forum on political parties, does not seem to be challenged in the constitutional proposals that have come to light, or in the legal texts that accompany the constitution. Yet through the Forum, the RPF currently controls all political life, sanctioning any politician who challenges the government’s line or calls for a new, credible alternative (see below).<sup>31</sup>

The Forum has no legal status at present, but the current draft law intended to institutionalise it after the transition is a sure sign that the government is satisfied with its instrument of control. The law would authorise the Forum to: “take disciplinary measures against any politician or political party that does not comply with the rules of the forum, the code of conduct for political parties and politicians and the

directives of the forum’s general assembly.”<sup>32</sup> The law on political parties and the code of conduct, designed to complement the new constitution, could open the way to all kinds of authoritarian practices.

In May 2001, a select committee from the Forum presented the office of the president with a draft bill on the regulation of political parties.<sup>33</sup> The bill proposed to regulate the activities of political parties according to the degree of security constraints in the country. During a “normal” period, political leaders will have to respect a bible establishing the limits of political correctness and good political behaviour.<sup>34</sup> The following examples of the text reveal a moralising, determinist tendency in defining the profile of the “new Rwandan leader”:

It is forbidden to have or to display attitudes that undermine credibility such as drunkenness, lies, licentiousness, breach of trust or betrayal, manipulation, expropriation, corruption, double talk; a reputation of divisionism or discrimination must be avoided; it is forbidden to display obsequiousness; it is forbidden to plot against others; it is forbidden to betray one’s country; it is forbidden to work in secret.

Such a law could be used to justify all kinds of authoritarian acts, including the following example. During one of its meetings in mid-October, the Forum of authorised parties “named and shamed” a certain Jean Népomuscène Nayinzira. This founding member and president of the PDC, now the Democratic Party, had just been ousted by his peers for unacceptable behaviour (womanising, not recognising paternity, etc.) On 22 October 2002, the Forum gave the PDC party two weeks to officially request Nayinzira’s exclusion from parliament. If the motion was not filed within the deadline, and the man was not withdrawn, he would be ousted from parliament at the Forum’s request. On 26 October 2002, Nayinzira announced he was leaving the PDC, after being expelled from the assembly, thus putting an end to his political career. He asked for an enquiry

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<sup>28</sup> Constitutional proposal from members of the presidency.

<sup>29</sup> To be legalised, they must have 100 members for each province.

<sup>30</sup> Constitutional proposal from members of the presidency.

<sup>31</sup> ICG interview, Brussels, Kigali, June 2002.

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<sup>32</sup> Draft bill on the establishment and functioning of the Forum of parties.

<sup>33</sup> 3 May 2001, Bill on the code of conduct of political parties – a bill on the establishment and functioning of the Forum of parties.

<sup>34</sup> Forum of political parties, “Draft bill on the code of conduct for political parties” (select committee of May 2001).

to be launched and for a court to rule on the truth of the accusations. One might suspect that such practices are an indirect way of getting rid of a potential candidate in the presidential elections.<sup>35</sup>

The “exceptional” period is defined as follows: a period of war, unrest, catastrophes, transition, political instability, or a power void. The constraints allowed during an exceptional period are so strict that they completely eliminate any possibility of political mobilisation or opposition.

During such a situation politicians and political parties are forbidden to do the following:

- Take any action, make speeches or produce writings that undermine or discourage the country’s strength.
- Highlight or promote the concerns or interests of their camp or party during an exceptional situation (state of emergency).
- Take advantage of the painful situation of victim populations in order to serve the interests of the camp or the party.
- Disagree with or oppose provisions allowing for the appointment or installation of a head of State.

During the exceptional period, a politician or political party is required to:

- Make an active contribution to and take initiatives in the fight against political arguments or criticism that may be used by enemies to attack Rwanda.
- Mobilise the population through speeches, actions and writing to help it prepare for war and carry out acts of sacrifice for the country.

It must be noted that the current transition period is included in the exceptional period, which is an admission in itself that for the last eight years the political arena and civil liberties have been completely restricted. If this law on political parties is passed and applied before the presidential elections, the election campaign of June-July 2003 will be hardly much more than a farce. No candidate or party will be allowed to emerge as a credible

alternative. On the excuse of preventing the rise of extremist parties, the end of the transition runs the risk of producing a parody of a democratic electoral process, in which the RPF will be the only party allowed to campaign and be elected. If the international community gives its financial backing to the elections, it will be an accomplice to the preservation of the status quo.

In addition to its political management, the Rwandan government has made efforts towards reconciliation, including the reintegration of ex-FAR Hutu soldiers into the army, the work of the unity and reconciliation commission and, recently, the setting up of the gacaca courts. Yet the RPF’s ideology and the persistent security problems have locked the transition into an authoritarian drift, undermining all efforts at reconciliation in the short term and undermining the country’s stability in the long term.

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<sup>35</sup> *UMUSESO*, N 103 28 October-3 November 2002, N 102 21-27 October 2002. AFP Kigali, 26 October 2002.

### III. THE AUTHORITARIAN DRIFT OF THE RWANDAN REGIME

Although the discourse of the Rwandan authorities emphasises reconciliation, national unity and the respect for the rights of all, Rwanda has been in the grip of a hazardous authoritarian drift over the last three years (corresponding with the extension of the transition period). Civil society, the press, national NGOs and exiled, threatened or imprisoned politicians constantly complain that they are the victims of human rights violations.

The domain of public criticism has been whittled away to nothing and an artificial pluralism installed not only in national bodies and political parties, but also in the opposition forces of the press and civil society. No means of expression is possible for voicing the dissatisfaction and demands of the different segments of the population.

#### A. “CONSENSUAL MODE OF GOVERNING” - RWANDAN-STYLE UNITY

##### 1. The façade of pluralism

###### a. *The official absence of political opposition*

Eight political parties<sup>36</sup> participate in the so-called consensual mode of governing, in line with the spirit of the Arusha Accords for transition. Of these, only the Rwandan Democratic Movement (MDR) and the Liberal Party (PL) have made sporadic attempts to challenge the party line and counter the RPF's growing power.

In the government set up after the RPF's military victory in July 1994, the MDR obtained the post of prime minister for Faustin Twagiramungu. Yet from 1995, the government coalition that was supposed to be led by the MDR collapsed. After a major dispute with the RPF, the leading lights of the MDR retreated into exile. Since 1995, despite keeping the post of prime minister for the MDR, the RPF has played on the ambiguities in the party and worked to destroy its main opponent<sup>37</sup>. The MDR was and

remains divided between the supporters of the hard-line approach taken by the ex-PARMEHUTU, and the partisans of more inclusive politics. When the party's steering committee<sup>38</sup> changed on 23 July 1999 and Pierre Célestin Rwigyema, the MDR prime minister<sup>39</sup> went into exile in 2000, the party lost a leader of national stature<sup>40</sup>. Weakened by its internal squabbling and by its inability to garner support in the hills, the party was no longer any real opposition for the RPF, to such an extent that its general secretary declared it would not be fielding a candidate in the 2003 presidential elections<sup>41</sup>.

The PL, which until 2000 was considered an RPF ally, showed signs of a desire for independence by attempting to take over the cause of genocide survivors. The former president of the National Assembly, Joseph Sebarenzi (PL), also attempted to re-establish the Assembly's role as an opposition force by launching parliamentary investigations into certain RPF ministers. However, since he was considered to be the voice of genocide survivors, he offered a Tutsi alternative to the current regime and challenged the legitimacy of the RPF's line on the genocide. He was forced to resign from his post at the assembly in January 2000, and went into exile in America via Uganda<sup>42</sup>.

The rise of influential politicians in the official parties was thus systematically halted, leaving the latter deprived of credible leaders. The Forum of parties, established in 1994, controls and coordinates the activities of parties and presides over the appointment of deputies, without having to obey any rules of transparency. The ban on local political meetings and the creation of local branches prevents opposition parties from spreading across the country.

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Yet the advocates of MDR Parmehutu see themselves as the heirs of these events.

<sup>38</sup> Following the drafting of the “Contribution by the Democratic Republican Movement in the search for solutions to problems encountered by Rwanda”, claiming that the events of 1959 were indeed a social revolution, a provocative message for the RPF.

<sup>39</sup> Following accusations of corruption by the National Assembly and of participation in the genocide.

<sup>40</sup> Plus the arrest of Pierre Gakwandi (former secretary general of the MDR) following an interview in *le Partisan* on the RPF's involvement in the MDR's internal politics. He is still awaiting judgement.

<sup>41</sup> ICG interview ICG, Marara, Secretary-General of the MDR, Kigali, June 2002.

<sup>42</sup> Human Rights Watch (HRW), “Rwanda: From the Search for Security to Human Rights Abuses.” April 2000.

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<sup>36</sup> RPF, PL, PSD, MDR, PDC, PDI, PSR, UPDR.

<sup>37</sup> The events of 1959 are not seen by the RPF as a social revolution, but the continuation of a divisionist policy enacted by the colonial power and seconded by the Catholic Church.

With no grass-roots structures, they are little more than an elite group of leaders whose political combat is limited to obtaining positions of responsibility. Even if their activities were liberalised once the new constitution is adopted in 2003, they would not be in a position to re-establish themselves in three months and campaign for the July 2003 elections. In any case, they were only consulted in an extremely marginal fashion for the drafting of the new constitution.

At the other extreme, while the RPF has banned grass-roots political meetings, it allows itself to co-opt local elites in a systematic fashion. Every weekend, RPF meetings are held on a sectoral<sup>43</sup> level, bringing together all educated persons<sup>44</sup>. People are summoned by personal invitation, with the threat of repressive measures hanging over them if they choose not to participate. The RPF is clearly in a phase of open recruitment and systematic mobilisation, yet at the same time bans other parties from doing this.

#### b. *The concentration of power around the RPF*

The RPF's monopoly on power is not only reflected in the disappearance of opposition parties and the official imposition of consensus-based government for affairs of State. The way positions of responsibility, both in the public domain and the private, are distributed is also significant. Here are a few examples<sup>45</sup>:

- 11 out of 12 prefects are affiliated with the RPF. They will be supervising the elections.
- 13 out of 15 ambassadors are affiliated with the RPF.
- 7 out of 9 security services are headed up by the RPF. The two others are supervised by the RPF in junior posts.
- The chief prosecutor, head of the Court of Cassation and head of the Constitutional Court are all RPF members.
- 8 out of 9 Rwandan banks are managed by RPF members.

- All the institutes of higher education are run by RPF members.
- 25 out of 29 leaders of the top state-run companies in Rwanda are RPF members.

In the present system, ministers are drawn from all the political parties, but the vast majority of secretary-generals at the ministries are RPF members. 12 out of 16 ministries have an RPF secretary general, and at the remaining four ministries, the ministers are RPF. Exiled opponents who were once ministers criticise this practice, saying it amounts to giving the ministers a post but no power, while the pro-RPF secretary-generals wield the real power<sup>46</sup>.

In response to criticism, the RPF justifies this concentration of power by the state of emergency that prevailed after the genocide. Most of the moderate politicians were killed, and those in the Hutu power branch went into exile. To make up for the lack of politicians, the RPF had to urgently appoint qualified individuals from its own ranks. But since 1995 this monopolisation has intensified. All attempts to challenge it have ended in exile, or imprisonment on the charge of divisionism, the sudden accusation of implication in the genocide or embezzlement.

## 2. **The exile or arrest of opponents**

Since 1994, there has been a real discrepancy between the consensual discourse of the RPF and the ostracising of numerous Hutu politicians (accused of genocide denial or divisionism) and Tutsi politicians (accused of corruption).

The first schism emerged within the transition government as early as 1995, with the departure of Seth Sendashonga (Minister of the Interior RPF/Hutu) followed by Faustin Twagiramungu (Prime Minister MDR/Hutu) and Colonel Theoneste Lizinde (APR headquarters/Hutu). A section of the Hutu moderates disassociated themselves from the government, accusing the RPF of monopolising power and betraying the spirit of the Arusha Accords of which it claimed to be the guardian. They were soon followed by their supporters. Five years later, it was the turn of the representatives of genocide survivors, symbolised by Joseph Sebarenzi, to leave the country. This second fissure is indicative of the

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<sup>43</sup> ICG interview, Kigali, October 2002.

<sup>44</sup> The higher the level of education, the higher the level of recruitment (district, province).

<sup>45</sup> ICG document, see full list in appendix.

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<sup>46</sup> ICG interview, Brussels, June 2002.



tensions that appeared inside the Tutsi elite. This was not limited to the political class, but was also evident within the Rwandan Patriotic Army (RPA). A number of soldiers decided to desert its ranks. The RPF accused the survivors of being monarchists and of planning the return of King Kigeri V through armed attack by creating the King's army<sup>47</sup>.

The exclusion of individuals who challenged the party line became even more far-reaching with the banning of the Party for Democracy and Regeneration (PDR) in 2001, followed by the arrest of its founder, Pasteur Bizimungu, President of Rwanda from 1994 to 2000<sup>48</sup>. The saga of the PDR-Ubuyanja is the most telling example of the RPF's authoritarian drift. Faced with the dissident opinions of one of its own, the RPF was incapable of accepting criticism or even of feigning indifference. Moreover, when Bizimungu and his entourage decided to ignore the threats and pressure aimed at blocking the launch of the PDR – including a ban on the party in May 2001, putting its leader under house arrest in June 2001, an interview with Bizimungu by *Jeune Afrique* in July 2001, the arrest of alleged members, and the arrest of Bizimungu and Ntakirutika in April 2002 – the regime showed itself to be incapable of taking political criticism and responding to it, and preferred to shelter behind the law. It appears that in private, many people report that the ex-president intended to campaign along ethnic lines. But it was not until long after the accused had appeared in court, that the case was revealed to be a complete non-starter, and the prosecution's arguments turned out to be unconvincing and contradictory<sup>49</sup>.

In total, since 1995 no fewer than forty Rwandan political leaders have taken the path of exile. According to the RPF, these exclusions are a necessary stage in purging the political class of its corrupt or reactionary elements.

This approach is part of the ideological logic of rebuilding the political class on a new foundation<sup>50</sup>. But this ultimately reinforces the monopolisation of power and annihilates any possibility of national

critical debate. Moreover, the excluded opponents generally try and find allies and fight against the government from the outside, thus increasing the security threat.

Eight years after the start of the transition period, the exile of politicians and imprisonment of Pastor Bizimungu are chipping away at the image of consensus-based government that the regime would like to portray. In fact, there is no genuine, legal, political opposition in Rwanda today. In view of the political control that also hangs over civil society and the media, a similar observation can clearly be made.

## B. A DISCIPLINED CIVIL SOCIETY

Starting in 1990, Rwandan civil society began to benefit from the democratisation process under the Habyarimana regime and to focus its activities on defending human rights. Of course, the genocide broke its momentum since the majority of its members were killed or went into exile. Barely reconstructed, it now suffers from the new leaders' obsession with political control. The activities of Rwandan associations are only tolerated as long as they are compatible with the official government line. The minute they introduce any dissonance or difference of opinion about how the country is governed, or about repression or co-optation in the State apparatus, the independence of these associations is threatened.

The collective of genocide survivor associations called *Ibuka*, is the most notable example of this phenomenon. Through *Ibuka*, the survivors have tried to demand an improvement of their economic and financial situation and to obtain significant representation of survivors in the country's institutions<sup>51</sup>. They have also violently challenged the political manipulation of justice and the way in which the lists of genocide suspects are managed by the government. They contest the fact that, for internal political reasons, the current government is co-opting Hutu personalities who are suspected of having participated in the genocide, while at the same time keeping "files" on their possible guilt in order to

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<sup>47</sup> HRW, "Rwanda: From the Search for Security to Human Rights Abuses." April 2000.

<sup>48</sup> Pasteur Bizimungu rallied the RPF in 1990, led the negotiations in Arusha for his movement, and then became president of Rwanda from 1994 to 2000.

<sup>49</sup> Cf. Appendix C, the case of PDR-Ubuyanja.

<sup>50</sup> Cf. chapter I.

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<sup>51</sup> The survivors feel excluded from the running of the government and accuse the government of failing to pay them a significant amount of financial compensation. ICG interview with survivors in Rwanda and in exile.

guarantee their docility and support for governmental consensus<sup>52</sup>.

*Ibuka's* ability to mobilise and contest was neutralised by applying increasing political pressure on its most anti-establishment leaders. Former *Ibuka* vice president, Josué Kayijaho, for example, was assaulted by soldiers on two occasions before he went into exile in 2000. His brother, Assiel Kabera, who was suspected of being a dissident and leading the French-speaking survivors in a fight against RPF leaders<sup>53</sup>, was assassinated in 2000 in murky circumstances. The replacement of Josué Kayijaho and the arrival of Antoine Mugesera as *Ibuka's* leader brought an end to the criticism that the survivor organisation was anti-government. The new president, who was appointed in 2000, was one of the co-founders of the internal branch of the RPF in 1990. A member of the RPF's Politburo, he was also an advisor to the Minister of the Interior, appointed to serve on the boards of directors of quasi-public companies and held a high-ranking position in Rwandex, the main coffee exporter<sup>54</sup>.

As a general rule, in a country where educated executives are few and far between, the ability of associations to remain dynamic and to survive by meeting the criteria of donors frequently falls upon one or two people. Consequently, in order to weaken an association, one need only "offer" a government post to one of its leaders. It is an "offer" that is hard, even dangerous, for such leaders to refuse. For example, Solina Nyirahabimana, a human rights activist in charge of the women's association called *Haguruka*, was appointed to be a presidential advisor in 2000 and was subsequently recruited as a member of the RPF (and elected as a commissioner during the last convention).

For several years, two human rights associations, the LDGL (League of People's Rights in the Great Lakes region) and *Liprodhor* (League for the Promotion and Defence of Human Rights), have been especially exposed to the wrath of the government. In particular, the government accuses *Liprodhor* of being too political and of supporting the Hutu

opposition<sup>55</sup>. For example, *Liprodhor* was threatened when it published a communiqué on the arrest of alleged members of the Party for Democracy and Regeneration (PDR), even though it was only criticising the lack of compliance with legal procedures.

These associations continue their activities in spite of everything, thanks to the support of some Western chancelleries<sup>56</sup>. In order to avoid confrontation with international donors, the Rwandan security apparatus simply watches them closely, but these associations work in fear on a daily basis and have to censure themselves in order to survive<sup>57</sup>.

Thus, Rwandan leaders feel that a divisionist political drift clearly exists in civil society and they have decided to regulate the activities of civil society through freedom-destroying legislation. Law number 20/2000 on associations legitimises total political control over the activities of civil society, giving the executive branch the means to suspend any association at any time in a totally discretionary way<sup>58</sup>. Associations must be able to produce documents concerning their activities for the authorities at any time. In fact, they may even be banned for investigating human rights violations by government agents. As the LDGL pointed out:

"The draft legislation on the protocol for implementing the law on ASBLs [associations] illustrates another type of barrier to freedoms. Indeed, this legislation stipulates that NGOs must belong to the district 'forums' (...), that their projects must receive prior authorisation from administrative authorities before being submitted to donors, that their staff must be registered with the authorities, that the entire patrimony of NGOs belongs to the government as a matter of law, etc. Since the promulgation

<sup>52</sup> The most obvious example is the case of former Prime Minister Rwigyema. Even though *Ibuka* has been accusing him of genocide since 1997, it was not until after he went into exile that the government looked into these accusations.

<sup>53</sup> HRW, "Rwanda: From the Search for Security to Human Rights Abuses", April 2000.

<sup>54</sup> ICG interview, Kigali, June 2002.

<sup>55</sup> In particular with respect to its June 2002 communiqué concerning the arrest of members of the PDR.

<sup>56</sup> ICG interview with LDGL and *Liprodhor*, Kigali, June 2002.

<sup>57</sup> ICG interview, Kigali 2002.

<sup>58</sup> For example, Article 24: "The Minister having justice in his portfolio upon request by the authority mentioned in Article 8 of this law and considering any organisation's actions are likely to be [a] threat to law, public order and good moral standards, may order the suspension for a three-month period of the organisation's activities. In case after this period the Ministry does not disclose its opinion, the organisation may continue its activities."

of the new law on ASBLs, only *Ibuka* has obtained legal status.<sup>59</sup>

The case of the association AMI (Modest and Innocent Association)<sup>60</sup>, some of whose members have been accused of “national security offences,” speaks volumes. These members were arrested following the publication of articles deemed to be too divisive in *Ubuntu* magazine. This magazine uses the term *Ubuyanja* (which means convalescence, “Rwanda is like a sick person recovering from a lengthy illness”). However, *Ubuyanja* is also the concept that former President Pasteur Bizimungu used for his dissident political movement, the Party for Democracy and Regeneration (PDR). With the creation of the PDR and its appropriation of the word *Ubuyanja*, the expression has become politically incorrect. Consequently, *Ubuntu* magazine<sup>61</sup> was targeted by the authorities. The accusation advanced by the government is that of “sedition, illegal publication of *Ubuntu* magazine with respect to press law no. 54/91 of 15 November 1991 and illegal operation of AMI in violation of law no. 20/2000 of 1 April 2002 on non-profit associations<sup>62</sup>.” Because of the law on associations, and because AMI was not legally registered, the courts can put an end to AMI’s activities, whether or not the charges are valid, without offering any form of appeal<sup>63</sup>.

### C. AN ATROPHIED AND MUZZLED PRESS

The role of the media in the rise of “Hutu power” and in the organisation of the genocide has made the issue of communication media a sensitive one. Due to the existence of *Radio des Mille Collines* (RTLM) and Radio Rwanda’s swing to “Hutu power”, only two local non-governmental radio stations, which are funded by international projects, were authorised in Rwanda after the genocide.

After the RPF came to power, the press had begun to be more diversified. Newspapers such as *Newslines*

and *Le Tribun du Peuple* participated alongside the insipid government press, *Imvaho* and *La Nouvelle Relève*, in the debate on the reconstruction of Rwanda. In addition to these newspapers was a private news agency *L’Agence Rwandaise d’Information/Rwanda News Agency* (ARI/RNA), founded in 1995. These media also helped to create an open forum for public debate, which had never existed in Rwanda except during a short period from 1992 – 1993<sup>64</sup>. Beyond covering regional news, many of their articles dealt with the problems of daily life in the urban populations, the high cost of living and the difficulties linked to the omnipresence of the government and police apparatus. These various media stood out in particular because they criticised the problems of nepotism and corruption among groups of leaders.

Since 1998, each stage in the concentration of power seems to have been accompanied by additional restrictions on the subjects the press could cover. The founder of *Tribun du Peuple*, Jean-Pierre Mugabe, went into exile in 1998. Former president of the Parliament Joseph Sebarenzi Kabuye, who was formerly a member of the editorial board of this newspaper and a journalist with *Rwanda Libération*, continued to work with and encourage the press. After he went into exile in January 2000, *Imboni* newspaper published a special edition on the role the RPF played in his dismissal. The same newspaper also mentioned the increase in the number of Rwandan citizens in exile, especially genocide survivors<sup>65</sup>.

The first edition of the paper had barely been published on 22 February 2000 when the newspaper was banned by the authorities and all copies on sale were seized<sup>66</sup>. A few days later, during a public press conference on 4 March, Paul Kagame directly attacked the journalists who had contributed to this special edition, asserting that they had been hired by the international community to torpedo public order. The next day, the two journalists, Déo Mushayidi and Jason Muhayimana, left the country. The third journalist, Jean-Claude Nkubito, followed shortly thereafter, officially leaving for Nairobi on an assignment for AFP (his regular employer). One

<sup>59</sup> LDGL, “Entre la violence impunie et la misère” May 2002.

<sup>60</sup> Catholic organisation for human rights, forum for discussion and action for national peace and reconciliation. Fact finding mission to Rwanda, 30 May 2002.

<sup>61</sup> Three editions were published between 2000 and 2001. Communication vehicle of the AMI association.

<sup>62</sup> Tony Kurumba, 7 February (ARI).

<sup>63</sup> The two prisoners were released but cannot leave Butare as the proceedings are still underway. This is a typical example of a case that should be heard by an ombudsman.

<sup>64</sup> During this period, there was a climate of liberalisation and journalistic euphoria in Kigali.

<sup>65</sup> ICG interview with Rwandan journalists, Kigali, January 2002.

<sup>66</sup> ICG interview with Rwandan journalists, Kigali, January 2002.

week later, the printer, Boniface Rutayisire, left the country after his offices and all the buildings of his central publishing house were ransacked.

In addition to these mounting pressures, the Rwandan Information Agency (ARI), a private information agency, was forced to change stockholders and became totally subservient to the RPF. The composition of its board of directors in 2000 is indicative: Major Emmanuel Ndahiro (RPA officer and advisor to Paul Kagame), Major Wilson Rutayisire (RPA officer who died in 2000 and former director of the Rwandan office of information – ORINFOR), Dr. Donald Kaberuka (Minister of Finance, RPF), Gérald Gahima (Attorney General, RPF), Seth Kamanzi (former Secretary-General of the Ministry of Foreign Affairs and currently Ambassador to Nairobi, RFP), Ndoba Mugunga (businessman and husband of Jeannette Kagame's sister, Chamber of Commerce), Alfred Kalisa (CEO of the *Banque de Commerce de Développement et d'Investissement* – BCDI, and economic advisor to Paul Kagame), Charles Murigande (Secretary-General of the RPF), Privat Rutazibwa (in charge of writing the history of the RPF movement, RPF officer, former priest and official founder of the information agency), Jean-Baptiste Kayigamba (journalist, co-founder of the agency, RPF officer), Jean-Claude Nkubito (journalist, co-founder of the agency, RPF officer), and Philibert Muzima (journalist, co-founder of the agency). Further to pressure from the new board of directors, three of the four co-founding journalists left the agency<sup>67</sup>.

In 2001, the English language newspaper *Newslines* was one of the last remaining independent newspapers. However, it faced numerous difficulties. Its often critical coverage of the conflict in the DRC provoked the wrath of the government, which pressured its main advertiser, Rwandacell, to stop advertising in the paper. Without any advertising, *Newslines* found itself in a difficult financial situation and was forced to publish the paper on an irregular basis. For the past eighteen months, three of the five newspapers considered to be the most independent in Kigali<sup>68</sup> have also stopped publishing because of political pressure<sup>69</sup>.

- ❑ *Newsline*. In May 2001, its editor, John Eddy Mugabi left the country for Holland. Accused of being a member of the PDR, he fled and his paper ceased to exist.
- ❑ *Le Partisan*. In January 2002, Amiel Nkuliza, owner and editor, also took the path of exile. He was imprisoned and then released after publishing an article criticising the RPF's stronghold on the MDR.
- ❑ *Rwanda Herald*. On 19 May 2002 in Kigali, the paper's Ugandan director, Asuman Bisiika, was escorted to the border by the authorities. He had criticised the imprisonment of Pasteur Bizimungu, as well as Rwanda's immigration policy.
- ❑ *Umuseso*. Journalist Shyaka Kanuma left the country in May 2001 after attempting to interview Pasteur Bizimungu. The paper became the government's enemy. Its journalists were subject to intimidation for over a year<sup>70</sup>. On 17 and 18 July 2002, three *Umuseso* journalists were imprisoned. Their involvement in the alleged events was unclear. They were released following an investigation.

In a report published in May 2002, the LDGL also drew attention to the detention of three journalists from Radio Rwanda: Dominique Makeli, Tatiana Mukakibibi and Joseph Ruyenzi, two journalists from the national television station: Gédéon Mushimiyimana and Ladislas Parmehutu, and a journalist from *Indorerwamo* magazine: Joseph Habyarimana. They were allegedly kept in detention "on unclear charges". The report therefore concludes that "Rwandan public opinion is petrified and does not dare speak out on issues of public interest that concern the political management of the country"<sup>71</sup>.

The draft legislation on the press proposed by the Parliament in 2001 intensified the debate on the muzzling of the media. The bill indicated that journalists could receive the death penalty for incitement to genocide. In the end, Paul Kagame refused to have the bill adopted as drafted because in

<sup>67</sup> ICG interview with ARI journalists.

<sup>68</sup> The last two to be published are *Kinyamateka* and *Umuseso*.

<sup>69</sup> RSF Reports 2002, LDGL publication in May 2002, Human rights report "*Fact-finding mission to Rwanda*" 30 May 2002.

<sup>70</sup> "*Threatening Messages and Visit to Umuseso*" RIMEG, 1 February 2002. On 18 and 25 May 2002, Ismail Mbonigaba was interrogated twice on the subject of an ironic article on one of Kagame's speeches. On 13 November 2001, Elly Mcdowell Kalisa was arrested at the Gatuna border post and copies of *Umuseso* were confiscated.

<sup>71</sup> "Entre la violence impunie et la misère", Report on the human rights situation, LDGL, May 2002.

his opinion, and rightly so, the ban on denying the genocide should not be limited to the press. According to the Head of State, Rwanda should instead adopt a general law on issues of genocide denial, incitement to genocide and divisionist activities. The main issue, therefore, is distinguishing between those ideas that are divisionist and genocidal and those that are not. This cannot reasonably include all alternative political expression.

However, in the bill that was finally passed, the government came back with same idea by placing the press under supervision. Indeed, the bill that was adopted in May 2002 provides that:

- A High Council of the Press shall be established, which shall not be independent from the government, Article 73, “The High Council shall be attached to the President of the Republic’s office,” Article 75, “The structure, organisation and functions of the High Council of the Press shall be determined by Presidential decree.”
- Criminal responsibility is extended to sellers of newspapers. Article 88, “The following persons listed in order below, shall be prosecuted as perpetrators for offences committed using the written press: the Director of the publication or the publisher, failing that, the editor-in-chief, failing that, the authors, failing that the printers, and failing that, the sellers, distributors or bill posters.”

This law does not protect journalists. Fear of being accused by the government of being a genocidal media silences even the slightest desire to challenge the establishment. For example, Minister Nyandwi compared *Le Partisan* and *Umuseso* to the hate paper *Kangura* without any proof to back up his accusations<sup>72</sup>. Granted, the press does not always behave in a professional and responsible manner. And, revisionism and genocide denial are realities in contemporary Rwanda that can appear in the print media and must be opposed<sup>73</sup>. However, the RPF cannot use this as a pretext to suppress all criticism of the way in which it manages the affairs of the State.

In Rwanda, as elsewhere, the media must have an independent corporatist structure that is made up exclusively of members of the profession and that is

responsible for ensuring professionalism and compliance with the code of ethics by its members. The judicial arsenal should only be used as the final penal recourse in cases of serious violations of the code of ethics. In the end, the absence of a critical public forum and the lack of challenge to the establishment encourages the development of parallel discourse and runs the risk of ruining the efforts at reconciliation.

#### **D. THE RISE OF A PARALLEL DISCOURSE**

Rwanda is a country where appearances are deceptive. Order, security and the state of infrastructures are tangible realities that can be attributed to the government. However, these appearances tend to hide the persistence of certain ways of thinking such as rumours, prophecy, and veiled criticism. Without a public forum, these criticisms circulate privately in limited groups within families or at best, in bars. The patterns used to explain events such as the genocide and the crimes committed during the war are still partisan and the two communities are deeply entrenched in antagonist stereotypes that in essence are mutually exclusive.

##### **1. Reinforcement of revisionism and genocide denial**

The fact that some of the Hutu elite have a hand in running the government is deemed in private to be merely a window dressing. Part of this elite, in breaking with the system, feels that the government does not give them any decision-making posts and does not trust them at all<sup>74</sup>. Whether officially included in the government or not, there is resentment building among this elite. Some of its members even explain their collaboration with government structures as a wait-and-see strategy, as they look forward to the hour of change that will reverse the balance of power<sup>75</sup>. The belief of some in prophecies or rumours from soothsayers, who proclaim that a new war is on the verge of erupting and that this war will cause the demise of the current government, provides an irrational justification of this resentment. In private, some Hutu leaders also decry the “ongoing humiliation”

<sup>72</sup> Liprodhor communiqué, June 2002.

<sup>73</sup> Cf. the editorial in *Le Partisan* published in Appendix A.

<sup>74</sup> Bizimungu speech, *Jeune Afrique*, July 2001, ICG interview, Brussels, June 2002.

<sup>75</sup> ICG interview with a Hutu member of the RPF.

that “these arrogant and aristocratic leaders” inflict on them<sup>76</sup>. Consequently, Hutus vehemently reject the generalised guilt that weighs on them and equate reconciliation, as proposed by the RPF, to submission to the authorities. The lack of public debate on the genocide, the crimes committed by the RPF during the war, and the fact that it is impossible for Hutus to claim their dead and give them a proper burial facilitates the development of revisionist sentiment and denial of the genocide.

At the beginning of the 1990s, regional (North-South) differences within the Hutu political class constituted the main political divide in Rwanda<sup>77</sup>. The increase in political parties and the war with the RPF at the start of the 90s further weakened the popular support base of the Habyarimana regime. The genocide of the Tutsis proved to be a perverse means of creating a scapegoat and imposing cohesion on the Hutu community around the gains of the 1959 social revolution<sup>78</sup>. By forcing massive participation by the rural population, one of the primary effects of the genocide was to break the strong neighbourly ties between Hutus and Tutsis<sup>79</sup> and to eliminate one of the main obstacles to ethnic awareness amongst the rural populations.

The legacy of the genocide includes not only the severing of regional ties and the dominance of ethnic-based identifiers, but also the claiming of victim status by all the communities. In the Hutu community today, talk of government repression and of the massacres of refugees in Eastern Congo in 1996 and 1997 has become the main source of ethnic conscious raising and justifies the latent or explicit denial of the genocide against the Tutsis.

Discussion of past violence is centred around the death of relatives who died either in 1994-95 in Rwanda or in 1997-98 in the DRC. In fact, the scale of the violence inflicted upon the Tutsis during the genocide is being minimised, even denied. Some Hutu intellectuals have developed a structured negation of the genocide that is based on two elements<sup>80</sup>: the double genocide theory, which circulated in refugee circles after the genocide, and a rejection of the victim rhetoric that the current leaders developed. According to this theory, the RPF

is responsible for the war of 1990-94 and the genocide of the Tutsis was only a response to the violence committed by the RPF. The massacres of refugees from 1996-98 during the two wars in the Congo have only reinforced this conviction. Likewise, among certain Hutu intellectuals, the commemoration ceremonies and the construction of memorials to the genocide victims give rise to a parallel discourse of genocide denial. According to them, the bodies that are displayed are, in fact, those of Hutus killed by the RPF and the memorials only serve to shed limelight on this or that Minister from the region where the memorial is being built<sup>81</sup>. This denial is extremely dangerous since it tends to reduce the genocide to an instrument of propaganda fabricated by the government.

Consequently, one of the main political stakes in Rwanda today is in the way in which the official memory of the genocide is managed. The political battle is being fought through historical truths and non-truths. The fact that the Democratic Forces for the Liberation of Rwanda (FDLR)<sup>82</sup> has revisited the revisionist and denial theories is undoubtedly contributing to a wider diffusion of such theories.

In the urban areas, denial of the genocide also tends to be an outlet for the feelings of marginalisation that some educated Hutus feel. In reality, ethnicity is still very much a secondary factor in discrimination. Even more than ethnicity, often one's personal ties are the prevailing factor in the allocation of jobs, and the genocide severed a lot of family ties between Hutus and Tutsis. Decades long exile has also weakened family relationships between the diaspora and those who remained in the country.

The weakening of inter-ethnic family ties is coupled with divisions in terms of social life. The high cost of living and barely making ends meet at the end of the month have caused many to frequent bars less often. These bars are essential places in male social life. The scars of the genocide and the ethnic divide are especially apparent in these social outlets. In Kigali, that fact that Hutus do not frequent bars that Tutsis frequent leads to a vicious circle of distrust. A Hutu from Nyamirambo might say that he does not frequent bars in Kicyukiro out of fear of Tutsi soldiers and of having his conversations overheard and interpreted as being hostile to the government. A

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<sup>76</sup> ICG interview, Kigali, June 2002.

<sup>77</sup> Guichaoua, op. cit. Braud, op. cit., Prunier, op. cit.

<sup>78</sup> Idem

<sup>79</sup> ICG interview, Kigali 2000, 2001, 2002.

<sup>80</sup> ICG interview, Kigali/Hutu Diaspora, 2000, 2001, 2002.

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<sup>81</sup> ICG interview, Kigali, February 2001.

<sup>82</sup> www.fdlr.org – see: press releases. ICG interview, FDLR, Brussels, June 2002.

Tutsi from the same neighbourhood might consider this absence of Hutus to be an indication that Hutus are organising secret meetings.

Another form of revisionism is also on the rise among the survivors, who clearly accuse the RPF of having continued the war even though it was fully aware of the risks to Tutsis inside the country. Consequently, they blame the RPF for having sacrificed Tutsis in the country in order to take power<sup>83</sup>.

## 2. The increase of disagreements in the tutsi communities

Finally, just like the rise of Hutu revisionism and denial, the inability to freely express criticism and the lack of possibilities to express discontent also reinforce tension among the different Tutsi groups from the various diasporas. As much as the security apparatus is united around the threat of a resurgence of anti-Tutsi genocidal movements, it is just as divided with respect to the consequences of power being concentrated among the “Ugandan group” in the government.

The tensions are fuelled by the difficulties of daily life and the feeling among the Burundian and Congolese diasporas that they are marginalised from power. In returning to Rwanda, the various diasporas are hoping to find a land of “milk and honey” and the reformist voluntarism of the RPF should allow for a rapid return to prosperity. However, the range of structural difficulties in the Rwandan economy have been underestimated. Among these difficulties are subsistence farming, the setting up of territorial enclaves, the lack of industries and the absence of an independent private sector – a factor that gets glossed over. Moreover, the genocide committed by the “Hutu power” has destroyed what few infrastructures were in the country. At first, the desire to get beyond the aftermath of the genocide encouraged former Tutsi refugees to mobilise around the issue of reconstruction. However, eight years after the genocide, the ongoing material difficulties have given rise to a growing feeling of dissatisfaction (cost of daily life, housing problems, lack of

infrastructures, etc.)<sup>84</sup> that boils below the surface since there is no possibility of expressing it.

Within the Burundian and Congolese diasporas<sup>85</sup>, just as with the Tutsi survivors, these difficulties lead to a stigmatisation of the “Ugandans” or the “left-hand drivers” – the nickname given to the members of the former Ugandan diaspora<sup>86</sup>, who like the members of the British Commonwealth, “drive on the wrong side of the road.” In the army, for example, the leading “Burundian” officers are perceived as being still under the control of the “Ugandan” officers<sup>87</sup>. In the government, members of the diaspora who returned from Bujumbura note that the last time there was a “Burundian” in a decision-making position was in 1997.

The mistrust among the diasporas simultaneously results in a permanent atmosphere of plotting and an irrational feeling of inevitable violence which, in a society as traumatised as Rwanda, can prove to be particularly dangerous. Thus, two prophecies are circulating around Kigali. The first, which was started in the Kigali town square by a preacher from the Congolese diaspora, is a subjective interpretation of a speech given by President Kagame during the ceremonies commemorating the genocide in Kibuye<sup>88</sup>, during which he took stock of the government’s actions. Now in the traditional Rwandan imagination, this speech is similar to the speeches that former kings gave at the end of their reign. Thus, some are predicting the end of the Kagame reign, even going so far as to claim that the electoral campaign in the northern provinces will be disastrous for him<sup>89</sup>. The second prophecy is more subtle and reveals the trends in the Ugandan clan.

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<sup>83</sup> Some even go so far as to accuse the RPF of having assassinated President Habyarimana.

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<sup>84</sup> In Kigali, the water distribution company is promising access to drinking water for all inhabitants by 2025...

<sup>85</sup> During the rebellion led by Major Masunzu in South Kivu, the Banyamulenge community in Kigali conducted a fundraising campaign to support him, which caused a shock in the Tutsi community.

<sup>86</sup> Each Diaspora has a nickname, and all are pejorative: “left hand drivers” for the “Ugandans” and, because of their assumed illiteracy, they might also be called *Waragi*, from the name of a Ugandan alcohol that they supposedly abuse; “Dubai” for the “Zairians” since they are considered to be as unreliable as merchandise from this city; GP (Presidential Guard – the former praetorians of Habyarimana) for the “Burundians” and “Sopex” for the Tutsis living in Rwanda.

<sup>87</sup> Those in charge of the army, the police, foreign intelligence, military intelligence and emigration/immigration are from the “Ugandan” group.

<sup>88</sup> In April 2002. ICG interview, Kigali, June 2002.

<sup>89</sup> ICG interview, Kigali, June 2002.

There is an old prediction that foretells a major catastrophe (the genocide), and says that a Mweka king (clan of queens in the Rwandan monarchy and the native clan of Paul Kagame) will come and think he has ended the catastrophe, but that chaos will reappear, which is when a second Mweka will succeed him<sup>90</sup>. It seems that even within the leaders' circles, this prophecy is taken very seriously<sup>91</sup>.

In such a context, the increase of disagreements reinforces the obsession that the current leaders have with security. A few quickly quelled incidents confirm this analysis. In August 2002, a grenade destroyed the house of Jack Nziza, head of military intelligence<sup>92</sup>. Without overly speculating on the role the opposition played in this event, it is nonetheless important to wonder about the positioning of the opposition in exile in these attempts to destabilise the country.

#### **IV. THE STRENGTHENING OF THE OPPOSITION IN EXILE**

The landscape of the opposition in exile has evolved since 2000. In particular, the fact that some of the Tutsi survivors and a few of the Hutu personalities who did not have any responsibility for the genocide fled Rwanda clearly showed that the political fight from outside the country was no longer being waged solely by the leaders of "Hutu power". The creation of the Rwandan Democratic Alliance (ADR), the Alliance for Democracy and National Reconciliation (ADRN) – IGIHANGO<sup>93</sup> has strengthened the perception of diversity among the opposition.

##### **A. THE ORIGINS OF THE UNARMED EXTERNAL OPPOSITION<sup>94</sup>**

In April 1996, Faustin Twagiramungu, former Prime Minister, and Seth Sendashonga, former Minister of the Interior, fled Rwanda and founded the "Resistance Forces for Democracy" (FDR), based in Nairobi. These two Hutu personalities, one from the moderate wing of the MDR and the other from the RPF, had no responsibility in the genocide and enjoyed a certain political credibility in Rwanda. However, once they were operating from outside the country, they were cut off from their support base in Rwanda and were faced with a Hutu refugee community that was becoming more and more radical, whether or not it had participated in the genocide. The exile from Rwanda due to the RPF victory in 1994, the attack on the Hutu refugee camps, the deaths of tens, even hundreds of thousands of Hutus in the various massacres during the first war in the Congo, and the difficulties of refugee life all accentuated the extremist position. Given this general trend, the FDR could not find a moderate political base. Consequently, the movement was obliged to align itself with the Democratic Rally for the Return of Refugees (RDR)<sup>95</sup>, which emanates directly from "Hutu power". Seth Sendashonga paid for this alliance with his own life. In May 1998, armed men assassinated him right in the streets of

<sup>90</sup> ICG interview, Kigali, Brussels, Nairobi, 2002.

<sup>91</sup> ICG interview, Kigali June 2002

<sup>92</sup> ICG interviews, July/August 2002, Kigali

<sup>93</sup> ADRN is made up of the FDLR (Hutu allegiance), ARENA (Tutsi allegiance) and Nation (Tutsi monarchist movement).

<sup>94</sup> ICG interviews with members of the opposition in Nairobi, Brussels, Paris, Kigali and Kampala.

<sup>95</sup> See ICG, "Disarmament in the Congo: Jump-starting DRRR to prevent further war," 14 December 2001, ICG Africa Report N°38.



Nairobi. This act led to the neutralisation of the FDR and the flight of dissident politicians, many of whom left East Africa and contact with the refugees and sought refuge in the West.

Since 2000, Tutsi politicians who are genocide survivors and Tutsi deserters of the RPA have joined the Hutu diaspora. The survivors feel they are the big losers in the RPF victory. Having lost their families during the genocide, they feel that the government response to their suffering is insufficient and they criticise the government for excluding them from power in a government dominated by English speakers. Joesph Sebarenzi, former President of the Assembly, was the first on a long list of Tutsi opponents to leave Rwanda (December 1999/2000) and join former founding members of the RPF who have become dissidents, or Hutu politicians who never found their place in Kigali.

The Alliance for National Regeneration (ARENA) was established in March 2001 in the United States, while NATION was founded in Belgium in February 2001. These two francophone movements are considered to be Tutsi-run movements. ARENA brings together many personalities from the political class that emerged in Rwanda after the genocide and the RPF victory and proposes as its platform to fight against the RPF's drift towards authoritarianism. Among the ranks of ARENA are Joseph Sebarenzi (Tutsi genocide survivor and former president of the Parliament until 2000), Pierre Célestin Rwigyema (former Primer Minister, MDR), Augustin Kamongi (Rwandan refugee in Burundi and member of the RPF in the USA from 1990 to 2000), Deus Kagiraneza (RPA deserter and former RPF deputy in the transition Assembly), Joesph Ngarambe (formerly PSD from 1991 to 1994 and a moderate Hutu who is renowned for his fight against the genocidal ideology, and in particular, for working with the ICTR to track down and try the perpetrators of the genocide). This movement is the first opposition force to be born out of disagreements within the RPF.

A clan of monarchists also exists, but it is extremely divided. The NATION movement proposes implementing a system of parliamentary monarchy in Rwanda, hoping to recreate a context favourable to national unity and reconciliation by returning to a system of cultural and historical values that are familiar to Rwandans. However, the movement has not convinced the Hutus who remember the royal government as being a Tutsi government, nor has it

convinced the RPF, which sees the king as a rival<sup>96</sup>. Finally, the followers of King Kigeri feel that the proposed parliamentary monarchy only gives the king symbolic power to represent the Rwandan nation<sup>97</sup>. King Kigeri does not seem to support the idea and his followers are not willing to accept a powerless monarchy with no ability to allocate posts. Nevertheless, the NATION movement continues to assert that the executive branch should be in the hands of a Prime Minister.

## B. THE METAMORPHOSIS OF THE ARMED OPPOSITION

Since the end of 1996, the dismantling of the refugee camps and the dispersion of people and units into the forests of the Congo and into neighbouring countries has considerably weakened the RDR, which was founded in the refugee camps after the Rwandan government fled Kigali in 1994. Between 1998 and 2000, groups of Hutu rebels who survived the AFDL's efforts to track them down in the Congo were essentially operating thanks to support from Kinshasa and the anarchy that reigned in Eastern Congo, but were not represented by any visible political structure. The Democratic Forces for the Liberation of Rwanda (FDLR) appeared in May 2000<sup>98</sup>. This was the first political movement to call itself the spokesperson for the Rwandan Hutu military forces active in the Congo<sup>99</sup>.

The FDLR is a political structure created by the Army for the Liberation of Rwanda (ALiR) in an attempt to eliminate the movement's negative image. Its political representatives did not participate in the genocide, either because they were not in Rwanda during the 1990-1994 war, or because they were part of the opposition but do not necessarily distinguish themselves from its ideology.

Officially, the FDLR denies its ties with the ALiR, which organised the insurrection in the Northwest in 1997-1998, and claims to have separate military units. Moreover, the FDLR considers the ALiR to be

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<sup>96</sup> ICG interview, Brussels, June 2002.

<sup>97</sup> ICG interview in Brussels with members of NATION, June 2002.

<sup>98</sup> First communiqué on 6 July 2000.

<sup>99</sup> See ICG Africa Report N°38: "Disarmament in the Congo: Jump-starting DDRRR to prevent further war", 14 December 2001.

non-existent<sup>100</sup>. However, most observers agree that the military leadership of the FDLR is still dominated by ex-FAR officers, some of whom have changed their names. Even though the majority of the troops are not ex-FAR or militiamen, the movement has not gained credibility. The recent arrests of Tharcisse Renzaho in the DRC and Augustin Bizimungu in Angola are not enough to exonerate the FDLR or to prove that the underlying ideology behind their action is not violently anti-Tutsi.

The four leading figures in the movement are:

- Dr. Ignace Murwanashyaka, President of the FDLR. An economist by training, he left to study in Germany in 1989 and was not in Rwanda in 1994. Currently, he still lives in Germany. He was president of RDR-Germany in 1998 and 1999. The RDR was closely linked to the ex-FAR headquarters in the former Hutu refugee camps in the Kivus. The president of the FDLR evolved in this circle of Hutu intellectuals close to the “Hutu power” theory.
- Alexis Nshimiyimana, FDLR spokesperson and administrative secretary of the ADRN. A journalist, he left to study in Austria in 1992 and was not in Rwanda in 1994. He founded Radio Afrika in Vienna in 1997. He has received several prizes in Austria for his commitment to journalism. Nevertheless, the Rwandan government accuses him of belonging to the circle of intellectuals who started the “Hutu power” ideas. He was a member of the Circle of Progressive Republicans (CRP) in 1992<sup>101</sup>. The role of this organisation has still not been clearly identified, but is under investigation by the ICTR. Alexis Nshimiyimana was also the founder of an association called National Youth Organisation (ONAJER), which the Kigali government suspects of having served to recruit *Interahamwe* from among the Hutu youth.
- Christophe Hakizabera, member of the FDLR steering committee and Vice-President of ADRN-IGIHANGO. He was an officer in the Rwandan National Guard from 1971 to 1973. Following the Habyarimana coup d'état, he left for Uganda, where he worked for an Italian NGO operating in northern Uganda. He joined

the RPF in 1988. Then, at the end of 1995, he left the RPF and sought refuge in Bukavu. At that time, Hakizabera denounced the massacres perpetrated by the RPA between 1990 and 1995 in Rwanda and distanced himself from the movement because he deemed it to be criminal. He crossed the Congo on foot, fleeing ADFL rebel troops and Rwandan troops. He took refuge in Congo-Brazzaville and then in Italy. He then integrated himself into the Hutu rebel groups and joined the FDLR<sup>102</sup>.

- Dr. Jean Marie Vianny Higiroy, FDLR member, founding member of the MDR in 1991 and former director of ORINFOR from 1993 to April 1994. Dr. Higiroy is a prominent moderate Hutu intellectual who took a stand against the genocidal ideology very early on. Prime Minister Faustin Twagiramungu offered him the post of Minister of Information in 1995. He accepted but stated that he had not wanted to return to Rwanda given the RPF's lack of respect for human rights. His presence lends moral support to the movement.

The presence of important figures who were not officially involved in the genocide lends an air of credibility which is neutralised by the fact that some of the members, such as the President and the spokesperson, belong to parties born out of the intellectual circles that instigated the radical Hutu ideology. Moreover, the political leadership of the FDLR is paralysed by its military leadership (derived from the FAR general staff, including persons wanted by the ICTR), which does not dare to show itself, but rather, tries to lead the movement from behind the scenes.

The FDLR appeared on the international political scene thanks to support from the government of the DRC. When they were officially presented in Kigali at the end of 2001, Congolese officials such as Mwenze Kongolo, the Minister for Internal Security, were present at their press conference. Likewise during the meeting that sealed an alliance between the opposition groups in Bad Honnef, Germany in May 2002, the FDLR were again accompanied by Congolese soldiers<sup>103</sup>. However, it should be noted that Kinshasa never gave the FDLR the means to

<sup>100</sup> ICG interview, FDLR, Brussels, June 2002.

<sup>101</sup> 22 February 1992, Ruhengeri, national debate, recording of speech by Mr. Nshimiyimana.

<sup>102</sup> ICG interview with Christophe Hakizabera, Brussels, June 2002.

<sup>103</sup> ICG interview with members of the Igihango Alliance, June 2002.

conduct a large-scale military offensive against the RPA. President Kabila merely provided minimal logistic aid in order to contain the external threat and prevent his own allies from turning into a threat against his government.

For the DCR, the logic behind their patronage of the FDLR is twofold. First, it is a means of requesting reciprocity in the peace process. The main FDLR demand for an inter-Rwandan dialogue accurately reflects the Rwandan demand, which was imposed through the Lusaka accords, for an inter-Congolese dialogue aimed at ousting Kabila from the government and stripping him of his powers. It is also likely that the Congolese government wanted to “thank” the groups of armed Hutus for their support in the war in DCR by lending a certain credibility and visibility to their political demands and in so doing, preparing their return to Rwanda.

However, the progress made in the peace process with the signing of the Pretoria accord and the partial withdrawal of Rwanda led the DRC to change its policy. At the beginning of October 2002, Kinshasa declared the FDLR to be *persona non grata* and even arrested approximately ten members who were attempting to cross back into the DCR through Brazzaville<sup>104</sup>.

The other source of armed opposition to the Kigali government is based in Kampala. RPA deserters are trying to take advantage of the Rwandan-Ugandan conflict in order to obtain assistance from Uganda and to be able to organise an armed rebellion if need be. For example, Kigali accuses Major Alphonse Furuma, formerly an NRA officer before joining the RPA, of wanting to start an armed rebellion from Uganda. However, in Kampala, the rivalries between English-speaking and French-speaking Rwandan dissidents prevent the deserters from coming together. Furuma attempted to unite them but his former close ties with RPF leaders destroyed his credibility with the genocide survivors and especially the French-speaking survivors, who see him as a Kagame “clone.” In fact, since he monopolises access to the Ugandan government, Furuma is seen as the major obstacle to forming a united opposition in Kampala. Finally, some deserters are also suspected of being double agents who report information back to Kigali. Kampala is extremely

careful and has not allowed them to raise a sizeable force.<sup>105</sup>

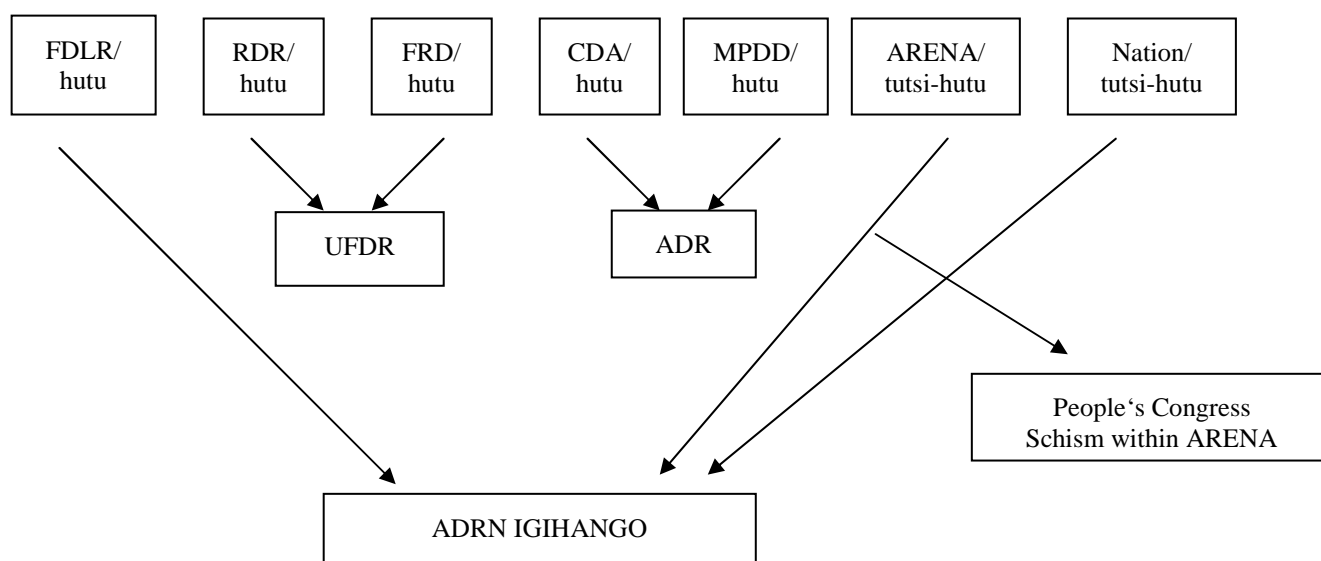
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<sup>104</sup> AFP, 9 October 2002.

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<sup>105</sup> ICG interview with RPA deserters, Kampala 2002.

### C. ATTEMPTS TO FORM ALLIANCES



#### 1. The moderate Hutu opposition restructures itself (1998-2002)

The rapprochement between Seth Sendashonga's FRD and the RDR heirs of "Hutu power" had led to the creation of the Union of Rwandan Democratic Forces (UFDR) back in September 1998. However, the genocidal image tied to the RDR prevented this alliance from getting off the ground. Moreover, one of the FRD's preliminaries was unequivocal recognition of the genocide by the DRC. This position caused a fracture in the movement and the hard-liners split off. Many of these hard-liners joined the FDLR in 2000<sup>106</sup>.

The support base of the Democratic Rally for the Return of Refugees (RDR) was also divided between hard core and moderate "Hutu power" supporters. The UFDR tried to merge these movements into a legitimate, non-genocidal opposition to the RPF regime and instil a deeply rooted movement among Hutu refugees, who were still promoting genocidal theories. These attempts resulted in a split within the RDR and in-fighting that prevented a strong political personality, namely Faustin Twagiramungu from

heading up the union.<sup>107</sup> Since then, attempts to unify the external opposition in order to reconcile the conflicting differences among the various anti-RPF political movements have increased.

On 31 December 2001, the African Democratic Congress (CDA) and the Movement for Peace, Democracy and Development (MPDD), two small parties of exiles and independent politicians, formed the ADR Isangano (Rwandan Democratic Alliance). These two parties were fringe groups but their alliance and the presence of strong personalities from the FRD, the MDR and moderate parties (Rwandan Socialist Party, PSR) added prominence to this movement, thanks especially to the participation of Sixberg Musangamfura (MDR) and Jean-Baptiste Mberabahizi (former PSR who collaborated with the RPF, member of the FRD with close ties to Seth Sendashonga, and founding member of the CDA). They filled in the void left by the FRD by positioning themselves as a Hutu opposition party that was more moderate than the UFDR. In addition, the ADR's ties with Tutsi RPA deserters increased its credibility.

The movement now portrays itself as political and non-violent, but it also claims to have ties with Major Furuma, who has been based in Kampala since

<sup>106</sup> Such as the president of the FDLR, Dr. Ignance Murwanashyaka.

<sup>107</sup> ICG interview, June 2002.

2000.<sup>108</sup> The ADR is seeking military support in Uganda, but has yet to find it, owing in part to the divisions between the francophones and anglophones who reign in Kampala. Major Furuma himself is isolated and does not have a real force. At most, he has some 300 men – RPA deserters, Banyamulenge soldiers and Hutu militias who have broken ranks with the ALiR – whose only common ground is their desire to take revenge on the RPF. Since Uganda refuses to openly support a rebellion launched from its territory, the ADR is contemplating activating this force from North Kivu with Ugandan assistance.<sup>109</sup> This option remains uncertain.

In addition, the birth of IGIHANGO (see below), a vast alliance between the main unarmed opposition parties in exile and the FDLR, has weakened the ADR and the UFDR, relegating them to the back burner. IGIHANGO is short-circuiting the ADR's relations with the RPA deserters, especially its French-speaking members.<sup>110</sup> Conscious of the fact that IGIHANGO is gaining strength, the ADR and the UFDR have subsequently entered into negotiations with this movement and its lead mediator, Valens Kajeguhakwa<sup>111</sup>. However, the mediator's withdrawal in July 2002 and the current status quo seem to indicate that the attempts to form alliances are at a standstill for the time being. In fact, the main obstacle is the persistent refusal of some groups to align themselves with the FDLR.

## 2. IGIHANGO, A "Pact Sealed in Blood"

The FDLR's inability to shake their image of a "negative force" has led them to initiate a second phase through political rapprochement with the Tutsi-allegiance movements, in particular, ARENA and Nation. To do so, they called upon Valens Kajeguhakwa,<sup>112</sup> a former RPF financier who has severed ties with the regime. Kajeguhakwa agreed to play the role of mediator and began to bring the groups together. The approach phase lasted three months and ended with the creation of the Alliance for Democracy and National Reconciliation (ADRN)

- IGIHANGO, a "pact sealed in blood" in Bad Honnef, Germany on 27 March 2002.<sup>113</sup>

The FDLR are the main beneficiaries of this alliance, which gives them the political legitimacy they sought. In particular, they are taking advantage of their contacts with Tutsi exiles within the RPA and plan to use them to infiltrate and destabilise the RPA.

ARENA initially held out a lot of hope, but it has been weakened by internal rivalries and the perception that it is just another Tutsi party – too similar to the RPF. Some of its members feel that ARENA has only given ceremonial positions to the few Hutus among its ranks.<sup>114</sup> In addition, it does not have a military force. Aware that without a military force, the Kigali regime will never be inclined to negotiate, ARENA needs to find other ways to pressure the government. Thus, the presence of FDLR in the alliance with IGIHANGO gives ARENA and NATION, the other Tutsi group, the ability to apply military pressure and provides them with political support among the Hutu population.

ARENA and NATION also counted on using the FDLR to profit from Kinshasa's financial and material support. It was becoming urgent for these two movements to find funds.<sup>115</sup> However, this choice of alliance also caused the departure of some members, such as Alexandre Kimenyi, former RPF representative to the United States, who dissociated themselves from ARENA and formed a new party, the People's Congress.

The objectives of this Alliance are political and military. The members realise that they will not be able to inflict a military defeat on the RPA, but they also know that harassing the RPA can push them to commit errors, or more importantly, cause an internal implosion due to political disagreements in its ranks. They are betting on weakening support for the RPF from the international community. They are even expecting to receive financial and diplomatic support from the international community (primarily France, Belgium and the United States).<sup>116</sup> They feel that only international political and financial pressure can

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<sup>108</sup> ICG interview with ADR, Brussels, June 2002.

<sup>109</sup> ICG interview, Kampala, May 2002.

<sup>110</sup> ICG interview, Kampala, May 2002.

<sup>111</sup> ICG interview with the UFDR and the ADR, Brussels, June 2002.

<sup>112</sup> Former RPF member of parliament and former president of the BACAR, who has been exiled from Rwanda.

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<sup>113</sup> See Bad Honnef Act, Charter of the Alliance for Democracy and National Reconciliation.

<sup>114</sup> ICG interview with ARENA, Brussels, June 2002.

<sup>115</sup> ICG interview, Brussels, June 2002.

<sup>116</sup> The Alliance asserts that the American government will take them more seriously because of their political merger and they are hoping to obtain funding from the U.S.

bring Rwanda to the negotiating table. According to their calculations, when this day comes, they will have built up enough of a military force to make them a credible negotiating partner.

### 3. Political platform

All the aforementioned movements have officially recognised the genocide. After a meeting in Brussels in July 2002, the FDLR consented to the publication of the following communiqué: “The IGIHANGO Alliance unequivocally recognises the genocide of the Tutsis and reiterates its categorical condemnation. The Alliance clearly recognises and condemns the crimes committed against the Hutus ....”<sup>117</sup> Agreement on this joint communiqué was obtained only after heated discussions and not without difficulty. Of course, the ultimate test of sincerity of the FDLR’s new position will be whether or not they cooperate with the ICTR in arresting those who perpetrated the genocide, and agree to Kinshasa handing over perpetrators as well. Such is the price this unnatural alliance will have to pay in order to become credible.

The three main movements, IGIHANGO, ADR and UFDR, are proposing a consensus-based political system. The ethnic mix of the main two movements and the presence of moderate Hutus in the UFDR has led to a discussion based on power sharing and a real balance of power between the various political circles of influence (Hutus, Tutsis, North, South, Tutsis in Rwanda and the Burundian, Ugandan and Congolese diasporas). All the players realise that a classic “one person, one vote” model of democracy will give a victory to the Hutus and consequently, will not end the country’s perpetual conflicts. Unlike the Rwandan government, the IGIHANGO Alliance is not denying the ethnic problems and is seeking institutional solutions such as a bicameral assembly with equal representation or representation by quota for the Senate. It is also demanding veto power for cases in which a group would be threatened by a bill.<sup>118</sup>

The opposition has also proposed a draft constitution, which is basically similar to that of the government. This draft shows that the antagonists have mastered a sterile discourse that allows each party to maintain its credibility with the international

community. This discourse is a far cry from the calls to kill launched by some of the parties between 1990 and 1994. The UFDR’s political platform,<sup>119</sup> for example, is extremely close to the RPF’s presidential project. On the other hand, the IGIHANGO Alliance and the ADR do not agree on the semi-presidential system and are opting for a consensual or concordance-based parliamentary system.<sup>120</sup> The goal for these two movements is to block Paul Kagame’s road to re-election and prevent one man from controlling all the power.

Finally, all the forces in exile are calling for an inter-Rwandan dialogue arbitrated by the international community.<sup>121</sup> They feel that President Kagame will not make any real overtures unless he is pressured by his donors or unless there is stronger pressure exerted on the RPA in Rwanda. This call for an inter-Rwandan dialogue will become more and more important if there is not any political opening in Rwanda.

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<sup>117</sup> ADRN press release, 23 July 2002.

<sup>118</sup> ICG interview, Brussels, June 2002.

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<sup>119</sup> UFDR Political Platform, pg. 17

<sup>120</sup> *Note sur la démocratie de concordance*, Jean Baptiste Mberabahizi (personal contribution); The Guidelines of Consensus-Based Democracy proposed by the Igihang Alliance.

<sup>121</sup> ICG interview with the ADRN, ADR and UFDR, Brussels, June 2002.

## V. CONCLUSION

In this pre-elections year, President Kagame has one chance to show himself to be a truly conciliatory president and to reverse the authoritarian trend of the government during this exceptional period that has lasted since 1994. The progress made in the peace process in the DRC will lead to the return of thousands of Hutu soldiers through the DDR process – both those who are integrated into the RPA and FDLR soldiers. At the same time Hutu prisoners will be released and the *gacaca* trials conducted. The combination of these various events is potentially dangerous unless it is accompanied by freer debate, and not used as an excuse to intensify the vicious circle of repression inside Rwanda. This only causes the frustrations and the opposition to carry more weight. The Rwandan government must assume its responsibilities, accept criticism and prevent these frustrations from festering by providing a forum for expression for the entire population.

A neutral institution, such as an ombudsman's office, with political, administrative and financial independence from the government should be able to establish fair rules for political competition and define the limits on freedom of speech and association in order to keep these freedoms from being criminalised. The Rwandan government must give society the opportunity to assume its own responsibilities vis-à-vis the genocide and to lay its own foundations for reconciliation, rather than forcefully imposing the terms of reconciliation on society. The government should also extend its hand to the opposition in exile by offering to allow it to participate in a great national debate on the future of the country.

The drafting of a new constitution and the pre-electoral period are opportunities for the RPF to join together and engage in this open, national debate on the future of the country. The law on political parties, the code of conduct, the party forum and the draft constitution must be discussed and approved by the movements in exile. In exchange, these movements must reject armed struggle, participate in the arrest of persons wanted by the ICTR, dismantle their military units, and clearly condemn the genocide and genocidal ideology. If the RPF continues to be both the judge and the jury in political life, the wall between the leaders and those they govern will only loom larger, accentuating the lack of understanding and the risk of violence.

The upcoming year will be crucial for the credibility of the constitutional reform, as well as the credibility of the dates set for elections and the post-transition institutions. The international community cannot keep silent and be complicit in the Rwandan government's drift towards authoritarianism. It cannot finance elections that do not offer any political guarantees for a minimum of fairness between the opposing forces, knowing that sanctioning the status quo will not provide the space needed for the desired reconciliation. Today, eight months before the end of the transition period, the Rwandan government must resign itself to an obligatory political liberalisation.

The international community must also do everything in its power to guarantee progress in the peace process in the Democratic Republic of Congo, and in particular, the DDR program for Rwandan Hutu soldiers. Political life in Rwanda cannot be normalised unless there is security in Eastern Congo.

**Nairobi/Brussels, 13 November 2002**

## APPENDIX A

### EXAMPLE OF A REVISIONIST EDITORIAL PUBLISHED BY THE NEWSPAPER LE PARTISAN (N°50, DECEMBER 2000)

Translation from Kinyarwanda by *Grands lacs Hebdo* (Great Lakes Weekly):

*“Mea culpa for you who have governed the country like a dictator for 21 years and ...opposed the return of refugees...Mea Culpa, as this brought an armed return to destroy the goods and hearts of Rwandans... Mea culpa for you who went to war believing that you would save the inhabitants but caused the death of over a million inside, three million in Congo, the detention of over 100,000 peasants and intellectuals awaiting the Gacaca...let it be known that the Gacaca only concerns crimes committed between 1990 and 1994, purposely forgetting that Rwandans have been killed throughout the ages even after the genocide. Mea culpa for you who after taking power basked in the celebrations and rested on your laurels while other conflicts were taking place between parties inside and outside the country. Mea culpa for you who during the genocide massacred innocent people, their only crime being their ethnic group, on the pretext of keeping you in power. Mea culpa for you who shot at refugees in Kibeho and Mahoko, on whom you took revenge out of anger because your own had just been decimated, who took innocent citizens and threw them in open graves, or had them thrown in...Mea culpa for you who multiplied these graves instead of replacing them by building more schools for the children of survivors on both sides. Mea culpa for you, on your knees, who appropriated the goods of citizens and refused to hand them back on the pretext that they belonged to the Interahamwe, while those who did not even kill a fly find themselves homeless and look on resignedly at their parents’ property. Mea culpa for you who are the root of so much trauma caused by unemployment despite their qualifications, of people who must resort to exile in order to flee famine; for you who give loans to build buildings but give nothing to fight against poverty. Mea culpa for you who forbid those who return and choose to progress in a democracy based on a multi-party system...”*

Two points in this editorial reveal the irresponsibility of the press:

- It accuses the RPF of considerable responsibility for the genocide. This theory is shared by several exiled Hutu opposition leaders. This is not a genocide denial argument in itself, but rather a revisionist theory, that is, a reinterpretation of the genocide<sup>122</sup>.
- It only touches very superficially on the genocide in its rapid presentation of the country’s history. This, compared to accusations made against the RPF, tends to deny the genocide. The speech can therefore be interpreted as genocide denial. It is one thing for the journalist to argue that the responsibilities and acts of the RPF have not been recognised, but quite another to negate the genocide in order to give weight to his arguments, which is clearly unacceptable.

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<sup>122</sup> See genocide denial and revisionism taking root in 3.D.



## APPENDIX B

### LIST OF RPF OPPONENTS WHO HAVE GONE INTO EXILE SINCE 1995

The explanation for the departure of the persons below is subject to different interpretations from the government and the persons themselves. However, their number and the posts they held are an indication of the current tensions.

	Théoneste Lizinde	RPF headquarters and Hutu deputy
	Eugène Ndahayo	MDR/ Hutu
	Jean de Dieu Tulikimana	MDR/Hutu
	Sixbert Musangamfura	MDR/ Hutu (intelligence services at the office of the Prime Minister)
	J Baptiste Mkuriyngoma	MININFOR
	Christophe Hakizabera	RPF/ Hutu
	François Xavier Nsanzuwera	Kigali Prosecutor/ Hutu
1996	Jean Baptiste Mberabahazi	PSR/FRD/ Hutu
1998	Iyakaremye Jean Bosco	CA Ibuka
1999	Bonaventure Ubalijoro	MDR President
	Major Kwikiriza	APR deserter
	King's Army, 200 young people from Nyamirambo	Believed to belong to the King's Army
2000	Joseph Sebarenzi Kabuye*	President of the Assembly
	Dr Josué Kayijaho*	V. Pres. of IBUKA/ Tutsi
	Anastase Murumba	Secretary General of IBUKA
	Déo Mushayidi	Director of <i>Maison Presse</i> / Tutsi
	Jason Muhayimana*	Imboni Journalist/ Tutsi
	Jean -Claude Nkubito	AFP Journalist/ Tutsi
	Deus Kagiraneza	RPA soldier, ex-deputy/ Tutsi
	Pierre Célestin Rwigyema	Prime Minister MDR/Hutu
	Valens Kajeguhakwa	Former RPF deputy/ Tutsi
	J Bosco Rutagengwa	Director of Engen, founding president Ibuka/ Tutsi

	Gérard Karangwa	Customs Director /Tutsi
	Assiel Kabera*	Advisor to President Bizimungu /Tutsi
	Jean Mbanda	Former MDR deputy/ Tutsi
	Boniface Rutayisire	Printer
	Pierre Byakunda	Priest in Mubuga ( Kibuye)
	Osée Niyibizi*	Secretary General of the Survivors' Fund
	Edouard Kayihura*	Kigali deputy public prosecutor (Kibuye)
	Gérard Ntashamaje	Major in the RPA
	Dr Narcisse Gakuba	CA Ibuka/ PL
	Sisi Evariste	Member of Ibuka/ PL deputy
	Chantal Kayitesi	Coordinator of Avega
	Major Furuma	RPA deserter
	Alexis Ruzindana	RPA Major/ deserter
2001	Rwaka Gakwaya	Minister of the Interior and Security
	Espérance Uwambyeyi	Coordinator of Avega
	John Mugabi	Newsline Journalist
2002	Yvonne Uwanyirigira	Director of <i>Maison de la Presse</i>
	Sylvie Kabagwira	Avega (genocide widow)
	Mutake Tarcisse	Former CA Ibuka

\*Born in Kibuye.

## APPENDIX C

### THE CASE OF THE PDR UBUYANJA

Pasteur Bizimungu stepped down as President of the Republic in March 2002. On 30 May 2001, when he was preparing to announce the formation of a political party – the Party for Democracy and Regeneration, PDR “Ubuyanja”, he was sequestered in his home. In June 2001, he was arrested, placed under house arrest and stripped of his privileges as former president. The courts accused him of having violated the law on political parties by forming the PDR<sup>123</sup>. The Rwandan government banned the PDR in June 2001 even though there was no law prohibiting the formation of a new party. A series of arrests of alleged members ensued and they were charged with advocating ethnic hatred. An interview with Bizimungu in July 2001 by *Jeune Afrique* magazine upped the tensions a notch. His words were interpreted as advocating divisionism and denial of the genocide. In reality, his words were more a warning concerning the deteriorating situation than a call to return to the “Hutu power” ideas.

*“We are persuaded that if things continue, the Hutus will prepare for war and in fifteen or twenty years, they will have driven out the Tutsis, with the conceivable consequences that would entail. Mechanisms need to be set up so that each community can truly have a hand in the government, until we have forged a national identity that transcends Hutu/Tutsi divisions. (...) Rwanda is not a constitutional state and it has enormous problems. The inequalities in the promotion system stir up much discontent. If the situation does not change, the only possible outcome is violence. The war of 1990 is not over.”<sup>124</sup>*

On 8 August 2001, Pasteur Bizimungu was assaulted in the Remera neighbourhood. On 16 August, Charles Ntakirutinka, the secretary general of the party, was attacked while driving in a car. On 17 August, RPA soldiers took Pasteur Bizimungu to an undisclosed location. Later on in the day, the same happened to Charles Ntakirutinka. Both were released later that night after their homes had been searched and all documents pertaining to the PDR

had been confiscated. On 26 December 2001, one of the founders of the party, Gratien Munyarubuga, was killed in Kigali by unknown assailants<sup>125</sup>. The crime became political and the opposition likened it to a warning to party members. On 10 December 2001, Catherine Mujawamaliya, PDR secretary, was arrested and imprisoned. She was not released until the beginning of February. She upset the government by accusing the RPA of having assassinated her family in 1994 in Kigali.<sup>126</sup>

On 7 April 2002, the campaign against the PDR resumed. President Kagame set the tone in his speech during the 8<sup>th</sup> commemoration of the genocide. He stated, “Although they hold high political offices in this country, they are still advocating division among the Rwandans and spend their time looking for support at the Embassies”, followed by “the day our patience runs out, these milieus will no longer be of any use to them.”<sup>127</sup> The message was a barely veiled threat. On 19 April 2002, Pasteur Bizimungu and Charles Ntakirutinka were taken into custody. The opposition saw the link between the two events and accused the Rwandan government of persecuting the opposition solely because it did not wish to conform to RPF ideology. The indictments and their veracity should therefore be examined.

Tony Kuramba, police spokesperson stated, “We received information that these two men were continuing the activities of their political party which has been banned by the authorities. We therefore proceeded to search their homes on Friday morning (...) during these searches, we found documents calling for civil disobedience and the division of the Rwandans, and undermining national security.”<sup>128</sup>

The arrests of the two leaders were topped off by a wave of arrests in the provinces of Gisenyi and Kigali. The grounds for the accusations were the same – “national security offences by means of secret meetings of the PDR, among other things.” In total,

<sup>123</sup> Human rights report “*Fact-finding mission to Rwanda*”, 30 May 2002.

<sup>124</sup> *Jeune Afrique*, No. 2112 of 3-9 July 2001.

<sup>125</sup> HRW press release, 9 January 2002.

<sup>126</sup> Human rights report “*Fact-finding mission to Rwanda*”, 30 May 2002.

<sup>127</sup> *Amani*, no. 35-36, April-May 2002 “Bizimungu Takes the Stand”, pg. 17.

<sup>128</sup> AFP, 20 April 2002.

25 people were arrested, taken to the police station and then to the central prisons. LIPRODHOR was concerned about the lawfulness of the procedures. "For those whom the prosecutor has decided to request detention pending trial, most are going before the council judge, sometimes hastily, without the assistance of a lawyer. Even more worrisome is the fact that the detention is upheld by a judge despite the lack of compliance with the rules of procedure, especially the rules governing the maximum time for police custody."<sup>129</sup> This hunt for alleged members of the PDR installed a climate of fear. The arrests of party leaders and the attempts to intimidate reveal the outline of a repressive military that does not tolerate any dissidence.

The police refute the idea that the arrests were directed from the president's office, and feel that the evidence against the accused persons is consistent. The charges against them are as follows<sup>130</sup>:

- The documents seized at their homes prove that the PDR was still active, despite the official ban on the party. Correspondence with their supporters abroad discussed the handling of weapons, which is a threat to State security. However, the evidence has not been disclosed and the accused say that all the documents that do not appear in the [police] report that they signed have been doctored<sup>131</sup>.
- Bizimungu is charged for his interview with *Jeune Afrique*, which was deemed to be divisionist, for illegal possession of a firearm, and 16,000 dollars. Bizimungu retorts that there is no law prohibiting the possession of a sum of money in one's home and that the firearm was not revoked by police when he was stripped of his privileges as former head of State.<sup>132</sup>

Bizimungu asserts that his party "encourages the participation of all Rwandans in all institutions of the country (...) that at no time did they ever say that such and such a group should be excluded, emphasising the fact that exclusion has been Rwanda's plague and that if this logic continues, the same policy would produce the same effect, and consequently, the fight between Tutsis and Hutus

must stop."<sup>133</sup> It is true that behind his public discourse, the President privately criticised the exclusion of Hutus from the government, in a very demagogical and simplistic way. However, the real problem lies in the issue of electoral competition. The PDR is recruiting as many Hutus as Tutsis and its leader, who served the RPF leaders for years, is also capable of building an extended support base among Hutus. Thus, he would have been a serious challenger running against Paul Kagame in the upcoming presidential elections.

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<sup>129</sup> Liprodhor press release, June 2002.

<sup>130</sup> *Amani*, no. 35-36, April-May 2002, "Bizimungu Takes the Stand", pg. 16

<sup>131</sup> *Ibid.*

<sup>132</sup> *Ibid.*

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<sup>133</sup> *Amani*, no. 35-36, April-May 2002, "Bizimungu Takes the Stand", pg. 17

## APPENDIX D

### THE FIVE PHASES OF THE RWANDAN CONSTITUTIONAL CONSULTATION

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#### **Phase one: Training, information, awareness raising, communication and consultation (July 2001 – July 2002)**

The members of the Commission were trained and then they collected the maximum amount of data on the various examples of constitutions throughout the world. Out of this work was born a preliminary "Reference Document for General Information on the Constitution." Distributed to the people in the form of a small book also called a "training module," this booklet lays out a table of all the constitution models in existence. From July 2001 to December 2001, 10,000 representatives of the local authorities<sup>134</sup> were introduced to constitutional concepts. They then went out to train the people in the various districts. Each commissioner is assigned to a province in order to ensure the smooth conduct of the awareness campaign. The commissioners also met with representatives of civil society. The grassroots community leaders continued the popular awareness campaign in the sectors and cells. The Commission seemed unanimous on the results of this stage: "The people are pleased with the participatory and inclusive approach the Commission used."

The popular consultation (CP) that followed was based on the use of two tools: questionnaires and interview guides. The questionnaire, which is multiple choice, was distributed to the population starting in January 2002. It discusses all the themes that come up during the drafting of a constitution (from the type of regime to citizens' rights) and the reader has the opportunity to indicate all of his/her choices. However, the questionnaire is a bit too long and too specific or too complete to be addressed to the entire Rwandan population. Rather, it seems to have been written for the educated population. Given its limited distribution (75,000 for less than 1 per cent of the population), and the number of questionnaires that the Commission had hoped to gather (50,000), it is clear that the questionnaire was not designed to gather proposals from the peasant populations.

The interview guide was designed to gather proposals from all Rwandans through meetings of the people. It is structured according to the themes to be discussed. The commissioner is supposed to lead the discussion as a "neutral facilitator" so as to let the people react and lead the discussion. The Commission records the ideas advanced during these meetings on the interview guide. Later, during the writing phase, all these ideas will be taken into account.

#### **Phase Two: Collection and Analysis, Data Processing and Writing the First Draft (August – November 2002):**

The data will be processed by members of the Commission working with a wide-ranging panel of experts. Given that it will be impossible to process all the data, only 7 per cent of the estimated 50,000 returned questionnaires will be analysed. This sampling is supposed to represent the opinions of districts and groups. A summary will be written from the interview guides, bringing together the 106 districts, in 12 province reports. Based on this data, a national report on all the consultations will be written by the end of August 2002. The draft will be based on this report and will be presented to a sampling of consulted groups so that they may validate it before it is submitted to the ANT and to the government. The validation meetings will be held in all districts and on the national level. The goal is to present the proposed main points and the points to be clarified in September/October 2002. Following this consultation, a draft will be written and confirmation will follow in October/November 2002.

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<sup>134</sup> The local authorities: the members of the executive committee of all districts and towns (5 members x 106 districts and towns), and the members of the political-administrative committee for all the sectors. This committee is made up of a sector coordinator, a committee secretary, a security officer and an information officer, and finally, an education and training officer in the Commune Development Committee (CDC) from each sector and the elected council member from each sector.

**Phase Three: Validation of the Draft Constitution by the transition National Assembly, and Finalisation of the Draft Constitution (November 2002 – April 2003)**

**Phase Four: Referendum on the Draft Constitution (April 2003)**

The referendum will be the final stage in this process of popular participation. It will be held in April 2003 if the calendar is followed. The three months leading up to the referendum will be reserved for an informational campaign. This campaign will be organised by either the Constitutional Commission or the Electoral Commission. Obviously, there will be organisational and financial problems. These problems have not yet been solved. Most likely, Rwanda will need to call upon its donors. The donors will need to set up an independent verification commission.

**Phase Five: Preparation of the Draft Legislation Governing the Final Period of the Transition (December 2002 – June 2003)**

All the groups and institutions concerned by the final period in the transition government will be consulted in order to identify laws, and to then write a draft of this legislation.

## APPENDIX E

### POLITICAL AFFILIATIONS OF THE MAIN RWANDAN LEADERS

<i>I. High-ranking State Leaders</i>	Name	Position	Political Affiliation
	Paul Kagame	President	RPF
	Vincent Biruta	President of ANT	PSD
	Bernard Makuza	Prime Minister	MDR
	Siméon Rwagasore	President of the Supreme Court	RPF

### *II. Ministries*

2.1	Regional Administration and Social Affairs	Désiré Nyandwi	Minister	RPF
		Odette Nyiramirimo	Secretary of State	PL
		Protais Musoni	Secretary General	RPF
2.2	Internal Security	Jean de Dieu Ntiruhungwa	Minister	MDR
		Zac Nsenga	Secretary General	RPF
2.3	Foreign Affairs	André Bumaya	Minister	PDI
		Joseph Mutaboba	Secretary General	RPF
2.4	Finance and Economy	Donald Kaberuka	Minister	RPF
		Célestin Kabanda	Secretary of State	MDR
		Ben Karenzi	Secretary General	RPF
2.5	Trade, Industry and Tourism	Alexandre Lyambabaje	Minister	PSD
		Agnès Kayigire	Secretary General	RPF
2.6	Land, Relocation and Environment	Laurent Nkusi	Minister	PL
		Drocella Mugorewera	Secretary of State	PDC
		Patricie Hajabakiga	Secretary General	RPF
2.7	Agriculture	Ephraim Kabayija	Minister	RPF
		Aaron Makuba	Secretary of State	PSD
		Habamenshi C.	Secretary General	PSD

2.8	Gender and Women	Angelina Muganza	Minister	RPF
		Marie Claire Mukasine	Secretary General	MDR
2.9	Youth, Sport and Culture	François Ngarambe	Minister	RPF
		Marie Agnès Mukazibera	Secretary General	RPF
2.10	Justice	Jean de Dieu Mucyo	Minister	RPF
		Edda Mukabagwiza	Secretary General	MDR
2.11	Health	Ezechias Rwabuhiri	Minister	RPF
			Secretary General	RPF
2.12	Education	Romain Murenzi	Minister	RPF
		Emmanuel Mudidi	Secretary of State	RPF
		J. Damascène Ntawukulilyayo	Secretary of State	PSD
		Eugène Munyakayanza	Secretary General	RPF
2.13	Defence	Emmanuel Habyalimana	Minister	
		Col. Caesar Kayizari	Secretary General	RPF
2.14	Work and Public Services	Sylvie Kayitesi Zainabo	Minister	RPF
		Fidèle R.	Secretary General	RPF
2.15	Transportation and Communication	Silas Kanamugire	Minister	
		Ephrem Rutaboba	Secretary General	RPF
2.16	Energy	Marcel Bahunde	Minister	RPF
		Emmanuel Nsanzumuganwa	Secretary General	RPF

### **III. Members of Parliament**

3.1	RPF	Total: 13
3.2	RPA	Total: 6
3.3	PL	Total: 13
3.4	PSD	Total: 13
3.5	MDR	Total: 13
3.6	PDC	Total: 6



3.7 PDI	Total: 2
3.8 PSR	Total: 2
3.9 UDPR	Total: 2
3.10 Youth	Total: 2
3. 11 Women	Total: 2

#### **IV. Provincial Leaders**

1. Town Hall, Kigali town	Théoneste Mutsindashyaka	RPF
2. Rural Kigali	Aloysia Inyumba	RPF
3. Gitarama	Fulgence Nsengiyumva	RPF
4. Butare	Pierre Karemera	PSD
5. Gikongoro	Augustin Mutijima	RPF
6. Cyangugu	Elisée Bisengimana	RPF
7. Kibuye	Déo Nkusi	RPF
8. Gisenyi	Fidèle Mitsindo	RPF
9. Ruhengeri	Boniface Rucagu	RPF
10. Byumba	Appolinaire Rugemintwaza	RPF
11. Umutara	Ntabana Innocent	RPF
12. Kibungo	James Kimonyo	RPF

#### **V. Diplomatic Missions**

1. Washington		RPF
2. New York		MDR
3. London		RPF
4. Paris		RPF
5. Brussels		RPF
6. Berlin		RPF
7. Geneva		RPF
8. Beijing		MDR
9. India		RPF

10.	Addis Ababa		RPF
11.	South Africa		RPF
12.	Uganda		RPF
13.	Tanzania		RPF
14.	Kenya		RPF
15.	Burundi		RPF

### ***VI. Security Services***

1.	Chief of Staff	James Kabarebe	RPF
2.	Chief Inspector of Police	Frank Mugambage	RPF
3.	Secretary General of Security	Nyamwasa Kayumba	RPF
4.	First Secretary of Police	Ephrem Rurangwa	RPF
5.	Second Secretary Police	Gacinya	RPF
6.	Internal Security	Jean Pierre Bizimana	MDR
7.	External Intelligence	Patrick Karegeya	RPF
8.	Military Intelligence	Jack Nziza	RPF
9.	Immigration and Emigration	Richard Masozera	RPF

### ***VII. Commissions and Other State Institutions***

1.	President of the Constitutional Commission	Tito Rutaremara	RPF
2.	Executive Secretary of the Constitutional Commission	Jean Mutsinzi	RPF
3.	President of the Electoral Commission	Protais Musoni	RPF
4.	Executive Secretary of the Electoral Commission	Christophe Bazivamo	RPF
5.	President of the Commission for Unity and Reconciliation	Jean Baptiste Habyarimana	PSD
6.	Executive Secretary of the Commission for Unity and Reconciliation	Fatuma Ntangiza	RPF
7.	President of the Human Rights Commission	Ndoba Gasana	RPF

9.	National Office of Government Contracting Services	David Mukwali	RPF
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### **IX. Banks**

1.	National Bank of Rwanda	François Kanimba	MDR
2.	Commercial Bank	John Rutayisire	RPF
4.	Bank for Rwandan Development	Edith Gasana	RPF
7.	BCDI	Alfred Kalisa	RPF

### **X. Higher Education Establishments**

1.	National University of Rwanda	Emile Rwamasirabo	RPF
2.	KIST	Silas Rwakabamba	RPF

### **XI. State-run Companies and Joint Ventures**

1.	Electrogaz	Sam Nkusi	RPF
5.	CHR	Hope Murerwa	RPF
6.	Rwandex	Antoine Mugesera	RPF
8.	RRA	James Musoni	RPF
10.	ISAR	Mugunga Muhinda	RPF
13.	ONAPO	Ruzibuka John	RPF
14.	RAMA	Dr. Ndushabandi	RPF
15.	OCIR-Thé	I. Kayitare	RPF
16.	SONARWA	Marie Mukantabana	RPF
17.	Onatracom	I. Gatwabuyenge	MDR
18.	OCIR-café	Anastase Nzirasanaho	PSD
20.	FARG	Janvier Kanyamashuri	RPF
21.	ORINFOR	Joseph Bideli	RPF
23.	PNLM	Dr Rwagacondo	RPF
24.	RIPA	Bonaventure Niyibizi	RPF
28.	CAPMER	Murenzi	PSD

29.	Imprisco	Murangira	RPF
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***XII. Justice***

1.	Chief Prosecutor	Gerald Gahima	RPF
2.	Court of Cassation	Hodari	RPF
4.	Constitutional Court	Ndorimana	RPF
5.	Courts and Tribunals	Tharcisse Karugarama	RPF
7.	National Audit Office	Mukandamage	MDR

## APPENDIX F

### GLOSSARY

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ADR:	Rwandan Democratic Alliance, opposition party in exile.	RPF:	Rwandan Patriotic Front, President Kagame's party.
ADRN IGIHANGO:	Alliance for Democracy and National Reconciliation, opposition party in exile.	FRD:	Resistance Forces for Democracy, opposition party in exile.
ALiR:	Army for the Liberation of Rwanda, Rwandan Hutu rebels including ex-FAR and Interahamwe.	Ibuka:	Collective of associations of genocide survivors.
AMI:	Modest and Innocent Association, Rwandan association in Butare.	LDGL:	League of People's rights in the Great Lakes region. Human rights association.
ANT:	Transition National Assembly.	Liprodhor:	League for the promotion and defence of human rights. Human rights association.
ARENA:	Alliance for National Regeneration, opposition party in exile.	MDR:	Democratic Republican Movement, party member of the government coalition.
ARI:	Rwandan Information Agency, press agency.	MINADEF:	National Defence Ministry.
CDA:	African Democratic Congress, opposition party in exile.	MINIFIN:	Ministry of Finance.
Congrès du Peuple:	Movement created from the ARENA split, opposition party in exile.	MPDD:	Movement for Peace, Democracy and Development, opposition party in exile.
CDR:	Coalition for the Defence of the Republic, extremist Hutu party.	MRND:	National Revolutionary Movement for Development. Party of President Habyarimana.
CJC:	Legal and Constitutional Commission.	NATION:	Monarchist Movement, opposition party in exile.
CRP:	Circle of Progressive Republicans, Hutu extremist group.	NURC:	National Commission for Reconciliation and Unity.
DRC:	Democratic Republic of Congo.	ONAJER:	National Organisation of Rwandan Youth.
DMI:	Directorate of Military Intelligence, Rwandan military intelligence service.	ORINFOR:	Rwandan Information Office.
FAR:	Rwandan Armed Forces, former Rwandan national army.	PDC:	Christian Democrat Party. Member of the government coalition.
FDLR:	Democratic Forces for the Liberation of Rwanda, a political-military opposition movement in exile.	PDR:	Party for Democracy and Regeneration. Party of President

	Pasteur Bizimungu, currently a political prisoner.	RPA:	Rwandan Patriotic Army. Armed wing of the RPF, the Rwandan national army.
PL:	Liberal Party, member of government coalition.	TPIR:	International Criminal Tribunal for Rwanda.
PSD:	Social Democrat Party, member of government coalition.	UFDR:	Union of Rwandan Democratic Forces, opposition party in exile.
PSR:	Rwandan Socialist Party, member of government coalition.		
RDR:	Democratic Rally for the Return of Refugees. Opposition party in exile.		

## APPENDIX G

### ABOUT THE INTERNATIONAL CRISIS GROUP

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The International Crisis Group (ICG) is an independent, non-profit, multinational organisation, with over 80 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

ICG's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, ICG produces regular analytical reports containing practical recommendations targeted at key international decision-takers.

ICG's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made generally available at the same time via the organisation's Internet site, [www.crisisweb.org](http://www.crisisweb.org). ICG works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The ICG Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring ICG reports and recommendations to the attention of senior policy-makers around the world. ICG is chaired by former Finnish President Martti Ahtisaari; and its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

ICG's international headquarters are in Brussels, with advocacy offices in Washington DC, New York and Paris and a media liaison office in London. The organisation currently operates eleven

field offices (in Amman, Belgrade, Bogotá, Islamabad, Jakarta, Nairobi, Osh, Pristina, Sarajevo, Sierra Leone and Skopje) with analysts working in nearly 30 crisis-affected countries and territories across four continents.

In *Africa*, those countries include Burundi, Rwanda, the Democratic Republic of Congo, Sierra Leone-Liberia-Guinea, Somalia, Sudan and Zimbabwe; in *Asia*, Indonesia, Myanmar, Kyrgyzstan, Tajikistan, Uzbekistan, Pakistan, Afghanistan and Kashmir; in *Europe*, Albania, Bosnia, Kosovo, Macedonia, Montenegro and Serbia; in the *Middle East*, the whole region from North Africa to Iran; and in *Latin America*, Colombia.

ICG raises funds from governments, charitable foundations, companies and individual donors. The following governments currently provide funding: Australia, Austria, Canada, Denmark, Finland, France, Germany, Ireland, Luxembourg, The Netherlands, Norway, Sweden, Switzerland, the Republic of China (Taiwan), Turkey, the United Kingdom and the United States.

Foundation and private sector donors include The Atlantic Philanthropies, Carnegie Corporation of New York, Ford Foundation, Bill & Melinda Gates Foundation, William & Flora Hewlett Foundation, The Henry Luce Foundation, Inc., John D. & Catherine T. MacArthur Foundation, The John Merck Fund, Charles Stewart Mott Foundation, Open Society Institute, Ploughshares Fund, The Ruben & Elisabeth Rausing Trust, the Sasakawa Peace Foundation and the United States Institute of Peace.

**November 2002**

## APPENDIX H

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\*\* The Algeria project was transferred to the Middle East Program in January 2002.



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\* The Algeria project was transferred from the Africa Program in January 2002.

## APPENDIX I

### ICG BOARD MEMBERS

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