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Rebuilding Postwar Rwanda

The Role of the International Community

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by

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Summary

RWANDA IS A SMALL, mountainous, densely populated country in Central Africa whose history has been marked by ethnic violence. The economy is based on the largely rain-fed agricultural production of small, semisubsistence, and increasingly fragmented farms. The ethnic makeup of Rwanda before the recent civil war was 90 percent Hutu, 8 percent Tutsi and less than 1 percent Twa (an aboriginal group). For 500 years the traditionally cattle-herding Tutsi dominated the agriculturalist Hutu and hunter–potter Twa.

In 1962 the Hutu revolted against their increasing marginalization on ethnic grounds. The revolt succeeded, largely because Belgian administrators shifted their support from the Tutsi aristocracy to the Hutu majority in response to the democratic fervor sweeping across Africa. The recently exiled regime, which came to power by coup in 1973, appeared to make important economic and social gains. But the apparent tranquillity and progress concealed unresolved social and political tensions as well as structural weaknesses within the economy.

This was the context when, in October 1990, the Tutsi-led Rwanda Patriotic Front (RPF) launched from Uganda an offensive that had been in preparation for years. Concerted peace negotiations led ultimately to the August 1993 signing of the Arusha (Tanzania) peace accords. It was during

continued negotiations, in August 1994, that unknown forces shot down the plane carrying the Rwandan president as he was returning from Arusha. Relative to the force it could have brought to bear on the situation, the international community stood by silently and watched in horror as Rwanda erupted into a grim civil war: the RPF advancing to stop annihilation of Tutsi; the Hutu extremist-controlled army and militia bent singlemindedly on exterminating their enemy.

In May 1995 a team from the Center for Development Information and Evaluation (CDIE) of the U.S. Agency for International Development (USAID) visited Rwanda for a firsthand assessment of international assistance to that country in the wake of the civil war. This report synthesizes the team's findings.

Assistance to Rwanda

Helping the people of a war-torn nation rehabilitate and reconstruct their society is a politically delicate process requiring substantial financial commitment and programmatic coherence from the international community. With Rwanda, the challenge has been especially daunting because of the genocide, which resulted in the deaths of 600,000–800,000 people and the subsequent exodus of 2 million. From April 1994 through the end of the year, the international community directed efforts largely

at saving lives by providing food, shelter, and medical and sanitary services to refugees and internally displaced persons. Emergency food aid was and continues to be massive. It has prevented large-scale starvation and malnutrition.

Attention began to shift toward rehabilitation and reconstruction in September 1994, when the international community grasped the enormity of the devastation. As the year progressed, the level of pledged assistance grew to slightly more than \$1 billion. The United States, largely through USAID, has been a major provider of funds and other resources.

Disbursing financial assistance to the new Tutsi-led government raises a range of problems, such as absorptive capacity and issues of legitimacy and accountability. In light of potential social, political, and economic costs of delays, financial support for national recovery has been painfully slow. According to the UN Development Program, by September 1995, nine months from the initial pledging conference, about one third (US\$245 million) of the initial funds pledged had been disbursed. By year's end, roughly half the funds initially pledged had been disbursed.

Of the more than US\$2 billion spent on the Rwandan crisis since April 1994, the vastly larger share has gone to maintenance of refugees in Zaire, Tanzania, and Burundi. Although such a disproportionate allocation is understandable—refugees must be supported—it appears to Rwandans who have lived through the horror of genocide that the international community is more concerned about the refugees than the survivors.

Promoting Human Rights and Building a Fair Judicial System

USAID and other donors have supported human rights initiatives in three key areas to promote national rebuilding: 1) establishment of the International Tribunal for Rwanda, 2) reconstruction of the justice system, and 3) assistance to the UN Human Rights Field Operation. By May 1995, six months from its establishment, the tribunal had made only limited progress. From the outset, it had been facing problems of logistics, funding, and staffing, causing long delays. With staffing changes in October 1995, the pace of investigations stepped up. Thirteen months from its establishment, the tribunal issued its first indictments of suspected war criminals, four alleged leaders of the genocide. Despite recent progress, delays in establishing the tribunal and making it operational have postponed reconciliation, which can hardly be expected to occur in the absence of justice.

If Rwanda is to establish a legal system that helps ensure the rights of all citizens, it must construct a justice system that substantially improves on that which previously existed. Several assistance initiatives are under way. But these programs do not approach the level of assistance that was broadly recognized as being required to restart the justice system. The real challenge, however, is not so much one of marshaling sufficient human and technical resources as of putting into place a new political culture in which differences are settled through discussion and accommodation and not through violence and bloodshed.

The UN commissioner for human rights and the Government of Rwanda agreed to deployment of 147 human rights

field officers, one for each of the country's communes. The Human Rights Field Operation for Rwanda aims to investigate the genocide, monitor the human rights situation, help reestablish confidence, and provide technical assistance in administration of justice. Informed observers feel the human rights operation has failed to accomplish its stated mission. Its impact in preventing human rights violations and promoting human rights has been minimal. It should, however, be recognized that many factors, some of which were beyond the control of the field operation, have contributed to its poor performance. Clearly the entire blame for failure cannot be laid on the leadership of the field operation and its parent organization, the UN Center for Human Rights. In October 1995, a new chief assumed leadership of the field operation. Initial reports indicate he is reexamining the entire operation to make it more relevant and effective. It is too early to tell the outcome of his efforts.

Support for the Economic Sector

In consultation with the World Bank and the International Monetary Fund, the government has taken measures—demonetization and reduction in money supply, devaluation and reliance on market determination of exchange rates—confirming its seriousness about economic reform. The United States has been one of the principal donors in covering the government's arrears to unblock World Bank funds and in reequipping ministries. The government and international financial institutions face two major challenges. They are 1) maintaining macroeconomic policy in favor

of growth and development 2) and keeping public recurrent expenditure under control.

USAID and others have been largely responsible for funding agriculture rehabilitation programs. The most notable of these have been providing seeds and tools to farm households, multiplying local varieties of major crops, and assisting the Ministry of Agriculture. In particular, over two seasons, each household received a "package" of bean, maize, sorghum, and vegetable seeds and one or two hoes. Fifty percent of farmers were reached in the first season, 80 percent in the second. But some relief personnel fear such aid has begun to induce dependency of some recipients. Many farmers who have received material assistance for agriculture are squatters on land vacated by people who were killed or who fled during the war. An unanticipated effect of seeds and tools distribution may be to entrench and appear to validate their hold on the land.

Rehabilitating Health and Education

By mid-July 1994, Rwanda's entire health delivery system had collapsed. More than 80 percent of its health professionals had been killed or had fled the country. Private voluntary organizations (PVOs), UN agencies, the International Committee of the Red Cross, and bilateral donors arrived with trained health professionals, medicines, supplies, and equipment. They reestablished basic curative services and helped restore damaged water systems.

On balance, the impact of international assistance for public health has been positive. Health delivery systems have largely been brought back to prewar levels. Ham-

pering interventions, however, have been weak initial needs assessments, absence of program strategy development, and ineffectual program monitoring and evaluation by some agencies. Inability or unwillingness of some PVOs to formally engage the Ministry of Health in project assessment, design, and approval has further diminished successes in public health.

International assistance for rehabilitation of education, initially directed at the primary level, has played a limited but valuable role. It has emphasized emergency supplies of material, rehabilitation of structures, and food-aid salary supplements to teachers. The largest and most visible intervention was the UN Teacher Emergency Package Program. A self-contained mobile “classroom” for 80 students and a teacher, TEP was provided to most of the primary schools that opened in September 1994. Despite these interventions, international assistance in education has been largely characterized by ad hoc emergency interventions with limited impact.

Assistance to Vulnerable Groups and Initiatives for Healing

Genocide and war altered the country’s demographic composition so radically that women and girls now represent between 60 and 70 percent of the population. By some estimates, between a third and a half of all women in the most hard-hit areas are widows. Further, several thousand women were raped. During the initial stages of emergency assistance, women were not given special treatment as a group. Rather, it was assumed that they would benefit from the assistance provided to various sectors.

Under Rwandan law, property passes through male members of the household. As a result, widows and orphaned daughters risk losing their property to male relatives of the deceased husband or father. Thus an urgent need exists to change judicial guidelines and legal interpretations of laws pertaining to property, land, and women’s rights. But one year after the genocide, no national programs of family support for survivors had been set up. Over time, PVOs working in the community began to recognize the distinctive needs of women—widows, victims of violence, and heads of households. These organizations developed ad hoc initiatives to support communities in caring for the most vulnerable.

Estimates of the number of unaccompanied children in the region vary between 95,000 and 150,000. A wide array of PVOs and Rwandan nongovernmental organizations are carrying out mostly ad hoc programs for unaccompanied children. Main areas of intervention are in registration, tracing, and reunification; provision of foster care; and capacity-building. By the third quarter of 1995, 11,500 children in Rwanda and the camps had been reunited with their families. Some PVOs rushed into the country opening up new orphanages and centers for unaccompanied children without any long-term planning and without the guidance and direction of a strong coordinating body. Collaboration with and support of national organizations was lacking.

Little attention has been paid to psychosocial healing. Donor efforts have concentrated on trauma counseling for children. Some organizations, mostly those religious in nature, have tried to confront the ethnic animosity directly through reconciliation workshops and community healing initia-

tives, and indirectly within the context of their other programs. What few programs there have been for psychosocial healing have tended to overlook the needs of women. Also, the international community may be misapplying its experience with posttraumatic stress disorder. Missed opportunities in exploring indigenous concepts of mental health and methods of healing conceivably stem from initial lack of understanding of Rwandan society, psyche, and culture. Language skills, so vital to confidential communication, also are lacking.

Return of Refugees and Internally Displaced Persons

After the victory of Rwanda Patriotic Front forces in July 1994, the so-called old-caseload refugees, primarily Tutsi who had left Rwanda beginning in 1959, began returning in large numbers. The government estimates that more than 700,000 have returned. Old-caseload returnees have benefited from international assistance through direct aid to families, rehabilitation of commune structures and services, and assistance to the Ministry of Rehabilitation. But the slow disbursement of money pledged for repatriation and reintegration hampers the government's rehabilitation efforts.

Further, despite efforts of the international community, little has been accomplished in the repatriation of 2 million new-caseload refugees who fled to Burundi, Tanzania, and Zaire in 1994. Most of these refugees were intimidated or terrified into flight through an orchestrated attempt by hard-line elements of the fleeing government to maintain leverage and a claim to legitimacy. The many accounts (both true and false) of violent reprisals and arbitrary

arrests and detentions of Hutu in Rwanda have also discouraged repatriation. Only a small number of new-caseload refugees have returned thus far, no more than 200,000 in 1994 and fewer than 100,000 in 1995.

Although the pace of repatriation can be accelerated, the international community should prepare itself for the eventuality that a substantial portion of the refugee population is still unlikely to repatriate soon, for three reasons. First, between 10 and 15 percent of the refugees in the camps are alleged to have participated directly in mass killing. These refugees and their families would understandably be reluctant to return. Second, transmigration of people has been common in the Great Lakes region in the past. Refugees are not in totally foreign milieus; bonds of language and history help mitigate refugees' nostalgia. Finally, the experience of past complex emergencies—man-made crises—shows that it usually takes years, even decades, before significant voluntary repatriation takes place. Given these circumstances, the international community must demonstrate more realism in planning its initiatives for the refugees than it has done so far. It must consider a wider range of solutions to the crisis.

As for facilitating the return of internally displaced persons, the record of the international community is mixed. The camps posed a potentially explosive threat to national security and prolonged the transition from emergency to rehabilitation and reconstruction. The international community agreed to the need for closures but was unprepared for the aggressive tactics employed by the government. The events at the Kibeho camp, in which thousands of displaced Hutu were killed by forces of the

Rwanda Patriotic Front, epitomized the gulf between government exigencies and relief agencies' moral stance and mandates. They also underscored the tragic consequences of lack of communication.

Recommendations and Lessons Learned

USAID is only one of the major international actors in Rwanda. It cannot accomplish much alone. But it can make a critical difference in the performance and impact of assistance by working closely with other donors and taking the lead in various activities. Toward this end, the CDIE team made the following recommendations:

- Continue assistance to the Government of Rwanda for building institutional capacity. Without restoration of institutional capacity, it is unrealistic to expect greater accountability and transparency. USAID should lead donors in supporting 1) training of officials, 2) purchase of office equipment, and 3) rehabilitation of educational and training facilities.
- Continue support for the UN Human Rights Field Operation. Though the operation initially proved to be ineffective, a recent shakeup in the leadership could change that. The Agency should provide six months of secure funding for the field operation. Further funding should be conditioned on results in the field.
- Push countries in which suspected Rwandan war criminals have taken asylum to cooperate fully with the investigations of the international tribunal's prosecutor. The Agency should also

make support to reconstruction of the justice system a top priority.

- In cooperation with other donors, develop and implement short-term economic rehabilitation programs for women who have lost their husbands and other male family members. The Agency should also support removal of legal barriers to women's ownership of land and other property.
- Push for prompt repatriation and resettlement of refugees. USAID and other donors can add impetus to this effort by such measures as pressuring the UN High Commission on Refugees to reduce social services in refugee camps and inducing the government to form peace committees in each commune to monitor and protect the security of refugees.

The evaluation team drew these principal lessons applicable to future complex emergencies:

1. *The international community failed to comprehend the consequences of the genocide.* The systematic attempt by some Hutu to exterminate the Tutsi transformed the social, political, and economic landscape of Rwanda. Above all, it undermined the social trust that binds people together. The international community has largely failed to incorporate the implications of genocide in the design and implementation of assistance programs in Rwanda, treating the crisis like any other civil war. The cultural insensitivity of the international community has at times devalued the tragic social and human dimensions of the genocide as perceived by the Rwandans. Most lamentable has been the rush to promote reconcili-

ation over the understandable resistance of those who suffered immensely.

2. New mechanisms are needed for rapid delivery of rehabilitation assistance. During the initial response phase, donors expeditiously delivered massive humanitarian assistance to Rwanda and camps in neighboring countries. Postemergency programming, however, reverted to established procedures, which usually take one to two years. The delay means that much needed resources are not available for meeting urgent rehabilitation needs.

3. Self-regulation by PVOs would improve impact. Some PVOs lacked essential experience and expertise to function effectively in developing societies. Others failed to coordinate their operations with fellow PVOs and relief agencies. Still others lured experienced staff from the government by

offering higher salaries and benefits. Had the PVO community followed a well-formulated code of conduct for its operations, the organizations would have used their resources more efficiently and had greater impact.

4. Mechanisms for collecting, analyzing, and sharing background information about the crisis need to be institutionalized. Lack of in-depth knowledge of the historical, political, social, and economic context of the crisis undermined the effectiveness of international interventions. For example, in their ignorance of the extent of involvement of political leaders in the genocide, relief agencies allowed former leaders to deliver assistance in refugee camps. This enabled the very people who commanded the genocide to reestablish their command over the refugees.

Introduction

THE CRISIS IN RWANDA has tested the capacity of the international humanitarian community to respond. More than half a million people were massacred in less than 10 weeks of genocide and civil war. Unprecedented numbers of people were then uprooted from their homes and fled to internal or external asylum. Hundreds of thousands of refugees suffered immeasurably or died en route to, or within, camps. The exceedingly brutal and widespread nature of killing in Rwanda makes the crisis one of this century's most profoundly tragic and least understood. The depth of destruction to the social and cultural institutions has been so great as to be nearly complete.

Purpose and Scope

This report is based on a study conducted in 1995 by the Center for Development Information and Evaluation (CDIE) of the U.S. Agency for International Development for a multidonor evaluation of emergency assistance to Rwanda. Its primary objective is to examine the effectiveness, impact, and relevance of international assistance on repatriation, rehabilitation, reconstruction, and long-term development in Rwanda. Three points have been taken into account in framing and answering the evaluation questions. First, the evaluation examines activities of international donors and relief and development agencies. Second, an

evaluation by definition concentrates on completed or ongoing activities. It is not meant to be a needs assessment. Finally, the study seeks to draw lessons from the experience of the international community in order to formulate specific recommendations for Rwanda and for future complex emergencies.

Methodology

The evaluation began with interviews with aid agencies. From these and a comprehensive literature review, a background paper was developed to provide an in-depth view of the changing situation in Rwanda that directly fed into the two field studies. The evaluation team conducted in-person and phone interviews with staff of international organizations involved in repatriation, rehabilitation, reconstruction, and development issues in Rwanda. Meetings were held in the New York offices of the UN Departments of Humanitarian Affairs, Political Affairs, and Peace Keeping Operations, and UN Development Program (UNDP), UN High Commission on Refugees (UNHCR), and UN Children's Fund (UNICEF).

Nongovernmental organizations (NGOs) met with during this initial phase of research included Save the Children/UK, International Rescue Committee, the International Committee of the Red Cross, Human Rights Watch/Africa, CARE, Catholic Relief Serv-

ices (CRS), InterAction, and the U.S. Committee for Refugees. In addition, major bilateral and multilateral donors were interviewed about their funding for rehabilitation and reconstruction activities. They included the United States, Belgium, Germany, Holland, Japan, Canada, the European Union, the World Bank, the African Development Bank, and the International Monetary Fund. Phone interviews with the home offices of non-U.S.-based relief agencies were also conducted including Trocaire, Action Nord-Sud, World Council of Churches, MSF/Belgium, and Tear Fund.

Comprehensive literature review was conducted to improve the formulation of questions for the Rwanda evaluation and to provide a validity check for its findings and conclusions. The review concentrated on lessons from past disasters. The findings were presented in a roundtable discussion, during which experts convened to share lessons from Bosnia, Cambodia, Central America, Mozambique, Somalia, and other emergency areas.

Subsequently, two field studies were conducted. One examined the progress and prospects for repatriation and rehabilitation of refugees and displaced persons; the other explored questions about rehabilitation, reconstruction and development, and cross-cutting issues. To gather the needed data and information, the field study teams 1) conducted key informant interviews with knowledgeable individuals in Rwanda and asylum countries, 2) visited many organizations and governmental institutions at national and local levels, and 3) interviewed a sample of the affected population through group meetings and informal surveys in the

countryside and in and around camps for refugees and internally displaced persons.

The first field study, conducted by a five-member team, was carried out in Burundi, Kenya, Rwanda, Tanzania, and Zaire from April 21 to May 18, 1995. The team met with UN, NGO, and church officials; current and former government representatives; soldiers; local civic association leaders; and new- and old-caseload refugees and returnees. Team members toured refugee camps, transit centers, open relief centers, communes, and camps for internally displaced persons.

A five-member team visited Rwanda from May 9 to June 3, 1995, to conduct the second field study. The team visited markets, seed multiplication projects, farmer cooperatives, food aid distribution centers, primary and secondary schools, rural health clinics, hospitals, orphanages, and prisons. The team met with UN officials, donor representatives, Rwandan government officials (president's office, prime minister's office, Ministries of Rehabilitation, Planning, Health, Education, Agriculture, Justice, and Women's Affairs, and central bank officials), NGOs, representatives of Rwandan civil society, farmers, small business people, and individual households.

From June to September a three-person synthesis team, assisted at times by specialists who had written subreports, prepared a comprehensive evaluation report. After receiving comments from the steering committee (made up of donors and UN, relief, and development agencies), the team made further revisions.

Organization

The report is presented according to major topics. The next section provides a political and economic background of Rwanda. Following that is an overview of the major programs for rehabilitation and reconstruction. Next is an examination of assistance to the national judicial administration, of the record of human rights monitors, and of support for the international war crimes tribunal. The next section assesses efforts to support macroeconomic policy reforms and capacity building, provide a stable monetary and fiscal foundation for recovery, and rehabilitate agriculture and the rural economy.

Interventions to rehabilitate two key social sectors (health and primary education) are covered in the subsequent section. The next section analyzes assistance given

to especially vulnerable populations (widows, orphans, and unaccompanied children) and assesses programs for social and psychological healing and reconciliation. Next, international efforts to facilitate the return and eventual resettlement of refugees and internally displaced people are analyzed. In the following section issues that cut across all interventions (consequences of the genocide, relations between NGOs and the Government of Rwanda, and prospects for the return of refugees) are discussed. This section also reviews issues related to longer term development, highlighting the window of opportunity afforded by rehabilitation assistance. The final section presents recommendations for continued assistance to Rwanda as well as lessons learned from the Rwanda experience for other complex emergencies.

Glossary

CDIE	Center for Development Information and Evaluation (USAID)	RPF	Rwanda Patriotic Front
CRS	Catholic Relief Services	TEP	Teacher Emergency Packages
E.U.	European Union	UNAMIR	UN Assistance Mission to Rwanda
FAO	Food and Agricultural Organization	UNDP	UN Development Program
HRFOR	Human Rights Field Operation for Rwanda (UN)	UNESCO	UN Educational, Scientific, and Cultural Organization
IARCs	International Agriculture Research Centers	UNHCHR	UN High Commission on Human Rights
ICRC	International Committee for the Red Cross	UNHCR	UN High Commission on Refugees
LACU	Legal Analysis and Coordination Unit	UNICEF	UN Children's Fund
NGO	nongovernmental organization	UNREO	UN Rwanda Emergency Office
PVO	private voluntary organization	WFP	World Food Program
RPA	Rwanda Patriotic Army		

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Political and Economic Background

RWANDA IS A SMALL, mountainous, landlocked, and densely populated country in Central Africa whose history has been marked by ethnic violence. It is bordered on the south by Burundi, which shares a similarly troubled and violent history. To the west, the Kivu region of Zaire has a large ethnic Rwandan population. To the north, Uganda also has a Kinyarwanda-speaking population. On the east is Tanzania, whose northwestern region has traditionally been an area of Rwandan migration. High, well-distributed rainfall, and good soils, especially in the volcanic regions, have permitted the sustenance of large populations in Rwanda.

Economic Context

Before the 1990 civil war intensified and degenerated into genocide and mass migration (between April and July 1994), more than 9 in 10 of the Rwandan population of nearly 8 million lived on farms. The Rwandan economy is based on the largely rain-fed agricultural production of these small, semisubsistence, and increasingly fragmented farms. It has few natural resources to exploit other than its ecotourism potential, and it has a small, relatively un-

competitive industrial sector. Production of coffee and tea, however, is well suited to the small farms, steep slopes, and cool climates of Rwanda and has ensured access to foreign exchange over the years. Nonetheless, Rwanda is extremely poor and faces the stark prospect of an even poorer future because of the juxtaposition of rapid population growth (despite the large number of people killed) with continued reliance on semisubsistence agriculture.

From the 1960s through the early 1980s, a generally conservative approach to economic management, combined with favorable terms of trade for Rwandan commodities (primarily coffee and tea), led to slight positive trade balances and a stable currency and contributed to a congenial environment for development projects. Agricultural production kept pace with and even exceeded population growth rates. By the mid- to late 1980s, however, the collapse of world coffee prices and continuing high public expenses led to an economic crisis. The crisis peaked in 1990, when the first measures of a structural adjustment program were carried out. Although the program of structural adjustment was not fully implemented before the war, key measures

such as two large devaluations and the removal of official prices were enacted and had powerful effects on civil servants and the urban population. Juxtaposed against the developing rebel insurgency from Uganda, the hiring freezes and other cost-containment measures of structural adjustment contributed to the perception of largely Hutu elites that their future was bleak.

At the same time, agriculture, the mainstay of the economy, was undergoing a crisis. While population had grown at the high rate of 3 percent a year, agricultural technology had progressed very little. Consequently, per capita production of food had been declining. Population density in 1994 was 466 people per square kilometer of arable land. Farm sizes were declining and by 1994 were on average smaller than one hectare. Near-continuous use of farmland with little use of fertilizer led to soil exhaustion and erosion. Outmigration, used frequently in the past as the solution of last resort, was becoming less tenable as populations (and resentment of immigrants) in neighboring countries were growing. The realization that too many people were occupying too little land facilitated (but did not cause) widespread participation in politically motivated massacres of ethnic minorities and moderate Hutu.

Ethnic Composition and Relations

According to the 1991 census, the ethnic makeup of Rwanda before the war was roughly 90 percent Hutu, 8 percent Tutsi, and less than 1 percent Twa. The postwar composition is unknown. The agriculturalist Hutu are commonly believed to have

migrated into the region nearly a thousand years ago. The cattle-herding Tutsi began to appear in the region 400 years later (15th century) and were assimilated by the Hutu. The Tutsi took on the language and traditions of the Hutu and lived among them. Although there were clear ethnic distinctions, clan affiliation, which cut across ethnic lines, seems to have been more important in precolonial times.

Gradually, Tutsi military rule and administration was established over the Hutu and Twa in Rwanda as in Burundi. During much of the colonial period, the Belgian administrators, operating under a racist myth of Tutsi superiority, entrenched Tutsi hegemony by removing Hutu chiefs, favoring Tutsi in education, and concentrating administrative positions in the hands of Tutsi. Furthermore, Belgian policy reinforced and stiffened ethnic identity, changing what had been a more fluid ethnic and socioeconomic classification. In 1959, however, with the support of Belgian colonial rulers, Hutu overthrew the Tutsi monarchy to begin what turned out to be 35 years of political dominance in Rwanda.

Political History

The Hutu revolted against being increasingly marginalized from political life on ethnic grounds. Their revolt was successful largely because Belgian administrators shifted their support from the Tutsi aristocracy to the Hutu majority in response to the democratic fervor sweeping Africa. The first republic (1962–73) was marked throughout by ethnic confrontations in which many Tutsi, especially chiefs and subchiefs, were killed or forced to flee. There were cycles of raids by Tutsi exiles,

and repression and massacres of Tutsi by the Hutu-dominated government and military. Finally, this period saw the end of all Tutsi-dominated political parties and overt Tutsi participation in politics.

The recently exiled regime came to power by coup in 1973 as the Second Republic. Until the mid-1980s it was widely regarded as relatively incorrupt, serious about development, and a good steward of international assistance. Throughout that period, Rwanda appeared to make important gains in the economic and social spheres. Roads and other communications infrastructure were built and maintained, access to social services was increased, and soil conservation works were expanded. Ethnic tensions seemed to have declined; there were few incursions by Tutsi exiles during most of the 20 years of the Second Republic (1973–94).

The apparent tranquillity and progress concealed important unresolved social and political tensions and structural weaknesses within the economy. Rwanda's development policies and programs were increasingly characterized by lack of vision, increased regional and ethnic bias, and inadequate emphasis on development of human resources. Large infusions of development assistance contributed significantly to bolstering a system of patronage, reinforcing the perception of the state as employer and provider of first resort and later enabling a massive military buildup.

This was the internal context when, in October 1990, the Tutsi-controlled Rwanda Patriotic Front (RPF) launched an offensive from Uganda. It had been in preparation for many years. The Rwandan Army, with Zairian, French, and Belgian military assis-

tance, repulsed the attack. This led to a protracted period (1990 to mid-1992) of simultaneous fighting and negotiating. Concerted peace negotiations began in Arusha, Tanzania, in June 1992 and led ultimately to the August 1993 signing of the Arusha peace accords.

Throughout this period of intense negotiations, the government was seriously fractured. Earlier, under pressure from the international community, the president had been obliged to allow formation of political parties to compete for power in a new multiparty democracy. Some of these opposition parties were included in the transition government; some were more closely allied to the RPF than to the ruling party, the National Movement for Democracy and Development. Among the key negotiators in Arusha were members of opposition parties who shared the RPF's distrust of the ruling party. This led to the Hutu hard-liner perception that their interests were being ignored and fostered strong opposition to implementation of the peace agreement. As soon as the peace agreement was signed, the opposition parties began to split, largely along ethnic lines. It was during continued negotiations on power sharing and the composition of the new government of transition that the president's plane was shot down upon his return on 6 April 1994 from meetings in Arusha.

Genocide and Killings of Moderate Hutu

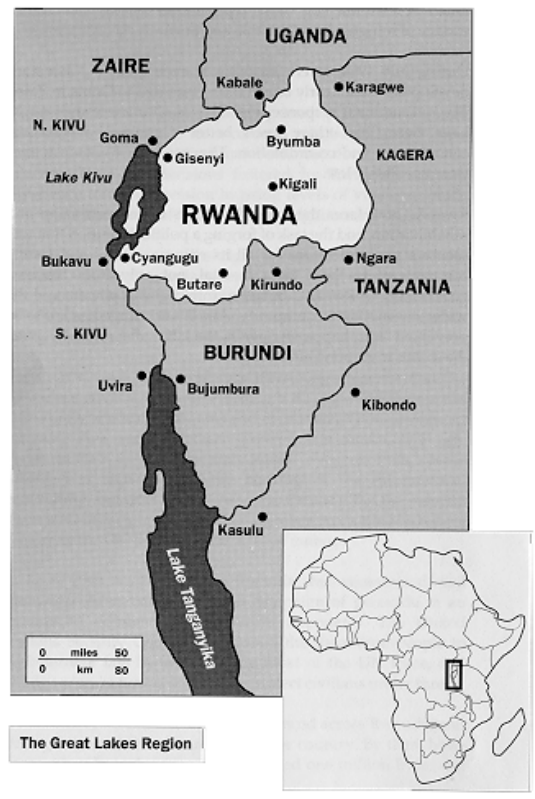
Immediately after the plane was downed, elimination of opposition leaders began. Ironically, what was ultimately to become an attempt to annihilate the Tutsi began with the assassination of moderate

Hutu in the coalition government. Although there is not yet any proof of who shot down the presidential plane or who ordered its downing, circumstantial evidence—such as motive and access—points to elements within the former president’s own entourage. Determining who killed the president is critical to interpreting the resulting events. In the first few days, political and ethnic killings and fighting between government forces and RPF took place largely within Kigali. With the evacuation of expatriates and the retrenchment of the UN Assistance Mission to Rwanda peacekeeping troops, and ultimately their reduction in force, the hunt for Tutsi spread throughout the countryside. The advance of the RPF continued ostensibly to stem the genocide.

Compared with the force it could have brought to bear on the situation, the international community stood by silently and watched in horror as Rwanda was gripped by the grim race against time: the RPF advancing to stop the annihilation of Tutsi, and the Hutu extremist-controlled army and militia determinedly set on the extermination of their enemy. By the time the Hutu extremists had enacted as much of their scorched-earth policy as possible and fled the country under the pursuit of the RPF, more than 500,000 people (mostly Tutsi) had been killed, and more than 2 million (mostly Hutu) had been taken out of the country. As the enormity of what had happened in Rwanda began to dawn on the rest of the world, the response became massive but also disproportionate. The vast majority of resources went to maintain refugee populations in asylum countries. Many of these refugees were complicit in the genocide of Tutsi and the massive killing of moderate Hutu.

Migration of Refugees

The migration of refugees began as early as April 1994 with the flight of Tutsi fortunate enough to have been living along the borders of Rwanda or to have had access to vehicles and to have evaded the militia. This flight was dwarfed by the massive outflows of Hutu ahead of the RPF advance, first into Tanzania and then into Zaire.



In just two days at the end of April 1994, an estimated 250,000 people fled to Tanzania. By the end of the month 1.3 million people had left their homes. As the RPF gradually secured control of the west, vast numbers of Hutu took refuge in the newly

established French safe zone in the Southwest, while others fled to Goma, Zaire, creating the largest short-term human migration in recorded history. By the time the RPF had unilaterally declared a cease-fire (18 July 1994) approximately 25 percent of the Rwandan population had fled the country. The migrations into Zaire, especially, were characterized by premeditation, orchestration, and leadership by hard-line Hutu government and community authorities. In an intensive propaganda campaign, they spread fear among the population of reprisals by advancing troops of the Rwanda Patriotic Army (RPA), the armed wing of the Rwanda Patriotic Front. Some were forced to flee by threats of physical violence. In Goma, refugees camped on volcanic rock offering virtually no water or trees for firewood and building shelters. Extremely poor sanitation contributed to the ensuing cholera and dysentery epidemics that killed 50,000 people.¹

Besides refugees, many people were uprooted and displaced within the country. Initially, Tutsi and moderate Hutu fled their homes to churches, schools, stadiums, and other public places traditionally used for asylum. Many of those fleeing were killed in these places. Some survived and returned to their homes; others settled away from their homes for fear of their neighbors. Some camps for internally displaced persons, especially those established in the French Zone (“Zone Turquoise”) became

havens for Hutu-extremist militia. As such, they were considered highly threatening to the new government and were targeted for closing. The process of closing the camps for internally displaced persons culminated in the deadly April 1995 confrontation at Kibeho in which many thousands of people were killed, largely by RPA troops.

Composition of the New Government

The government that took power with the end of the war was in principle a coalition government of transition, made up of representatives of various political parties. It took the Arusha accords as its inspiration and claim to legitimacy. Accordingly, the position of prime minister was given to the Hutu president of the moderate wing of the fractured Democratic Republican Movement party. A Hutu RPF leader was named president. In reality, however, the power behind the new government was Tutsi-RPF: the military leader of the victorious RPF became vice president and minister of defense. The alliance between military and civilian, RPF and other coalition members, and Hutu and Tutsi has been uneasy. After repeated conflicts with RPF members of the government over human rights abuses and other excesses of the RPA, the prime minister resigned (or was fired), a little over one year from formation of the government. At the same time, four ministers were fired.

¹

“Public Health Impact of Rwandan Refugee Crisis: What Happened in Goma, Zaire, in July, 1994?” *The Lancet* (February 1995).

2



An Overview of Assistance to Rwanda

Prewar Development Assistance to Rwanda

RWANDA HAS over the years received large sums of foreign aid relative to the size of its population and economy; average annual receipts from 1985 through 1991 amounted to \$238 million.² In 1991, per capita official development assistance was nearly five times the average for all low-income countries (twice the average, excluding China and India).³ From 1980 to 1992, per capita development assistance grew by 60 per cent.⁴ Development assistance grew to nearly one quarter of gross domestic production 1992, from 10 percent in the 1980s and under 5 percent in the 1970s.

Growth in development assistance in the earlier period reflected a consensus that Rwanda had the right development priori-

ties and the ability to absorb the resources granted or loaned to it. By the late 1980s and early 1990s, however, the large amount of assistance provided was to keep the Rwandan economy afloat, to counter the effects of external shocks such as the decline in world prices for its exports, and to help the government get through a period of structural adjustment.

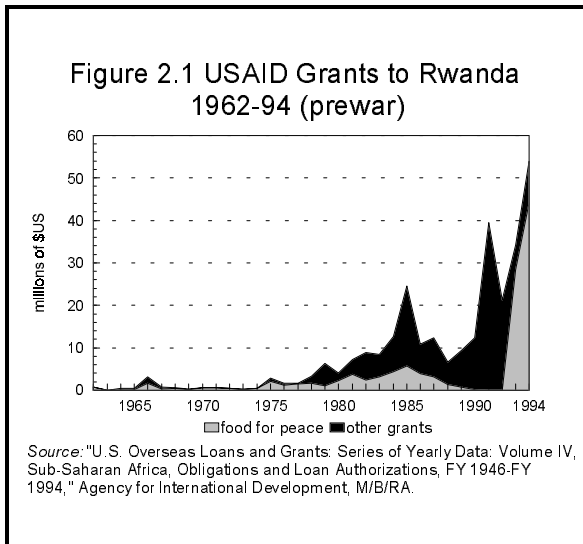
Principal development partners of Rwanda traditionally have been Belgium, France, and Germany. The contribution of USAID, however, has grown over the years (see figure 2.1). The prewar goal of USAID's program in Rwanda was to "increase participatory economic growth by decreasing the population growth rate, increasing real income in the private sector, and improving democratic governance."⁵ USAID hoped to slow the growth in population through increased use of modern con-

² World Bank. 1994. "World Development Report 1994, World Development Indicators." Oxford University Press.

³ Ibid.

⁴ The Economist Intelligence Unit. 1994. "Country Profile: Rwanda, Burundi, 1994-95." London.

⁵ "Rwanda Overview Profile." 1993. USAID. Photocopy.



traceptive practices, increased accountability of the government in economic and social policies, and increased commercial output by small- and medium-scale enterprises and farms. The large increase in USAID assistance to the government from 1989 through 1993 was largely to facilitate structural adjustments.

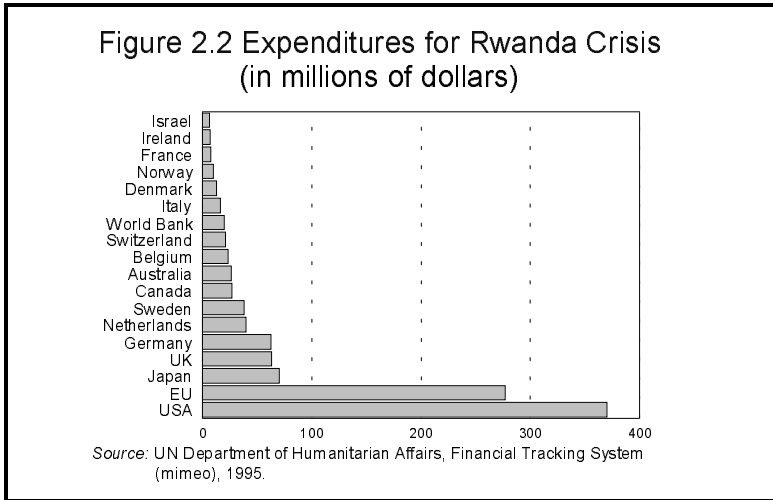
Postwar Humanitarian Assistance

From April 1994 through the end of the year, the international community directed its efforts largely at saving lives by providing food, shelter, and medical and sanitary services to refugees and internally displaced people. The vast majority of the assistance was expended to maintain refugee populations in Zaire, Tanzania, and Burundi. Emergency food aid, provided mostly by the United States and European Union, was and continues to be massive. It has undoubtedly prevented large-scale starvation and malnutrition among the affected population. Because of varying financial-costing methods employed, there is no consensus on the

total value of resources used in response to the Rwanda crisis. Nonetheless, going by grants or other assistance reported to the UN Department of Humanitarian Affairs, well over \$1 billion was expended during fiscal year 1994 (see figure 2.2), and probably more than \$2 billion through 1995.

Attention began to shift toward rehabilitation and reconstruction in late September 1994, when the international community realized the severity of devastation brought about by the civil war and genocide. Since then, UN and donor agencies have supported a wide array of projects and programs in different sectors and regions throughout the country. One year into the crisis, about 130 nongovernmental organizations (NGOs) were represented in Rwanda in May 1995. Relations between NGOs and the Rwandan government, however, have been characterized by wariness, bordering on suspicion and hostility in some cases. In December 1995, 38 NGOs were expelled. An additional 18 had their activities suspended pending further negotiations. Most NGOs, 102 in all, remained operational.

The \$200 million World Bank Emergency Recovery Program was among the first major initiatives specifically aimed at reconstruction. It included a \$50 million emergency recovery credit for private sector needs assessment and rehabilitation. By the end of 1995, direct funding to the government under this credit had not yet been disbursed. Assistance to the private sector had been released, and the terms of the credit allowed some reimbursement of expenses incurred back to November 1994. In addition, the UN Development Program (UNDP) designed the Rehabilitation and Reintegration Program in Rwanda in late



have been the Food and Agricultural Organization, UNHCR, UNICEF, and the World Food Program.

The most critical postemergency event in international assistance to Rwanda was the UNDP-sponsored January 1995 Roundtable Pledging Conference for Rwanda Reconstruction. A shared framework, around which rehabilitation and reconstruction assistance has been organized (including programs explained above), was formulated at the conference and recorded in a document referred to as the Rwanda Recovery Program. Table 2.1 presents the amount of assistance requested by the government in January 1995, the amount pledged (as revised in May), and amounts committed and disbursed as of September 1995. As the table demonstrates, pledges in support of the Rwanda Recovery Program have been substantial. As the year progressed, the level of pledged assistance grew to slightly more than \$1 billion. The United States, largely through USAID, has been a major provider of funds and other resources through the roundtable and the Appeal.

1994. Its purpose is to mobilize resources for small-scale projects to build infrastructure and generate income. The UN Assistance Mission to Rwanda also submitted a comprehensive normalization plan identifying priority areas in infrastructure, essential services, and vital socioeconomic needs. In addition to the Secretary General's Trust Fund for Rwanda, established in July 1994 for emergency aid, a second trust fund was established by UNDP at the request of donors in November 1994 to accelerate disbursement of funds for rehabilitation. These funds have been used largely for providing administrative support to the government, rehabilitating the judicial system, and refurbishing the city of Kigali.

The UN Consolidated Inter-Agency Appeal of January 1995 (referred to hereafter as the Appeal), while still primarily a program of emergency assistance, had important rehabilitation and reconstruction components. In fact, most rehabilitation work up through the middle of the year was funded through the Appeal. The agencies most closely associated with rehabilitation and reconstruction activities in the Appeal

Problems and Prospects

Delayed Disbursement of Pledged Funds

Disbursement of emergency assistance to Rwanda through initial UN agency and NGO appeals was relatively rapid. But do-

nors have been slow to provide assistance to the government for national recovery. Less than 10 percent of the pledged amount had been disbursed nearly halfway through the year. This situation began to improve substantially toward the end of the year (see table 2.1). Nine months from the initial pledging conference, about one third (\$245 million) of the pledged funds had been disbursed. By the end of the year roughly half had been disbursed.

Many factors account for the delay in disbursement of pledged funds. They include

- Suspended donor direct assistance because of opposition to excessive government force used in closing camps, specifically in Kibeho
- Procedures that can take from one to two years to design, assess, and approve development projects
- Implicit and explicit conditions by

some donors on assistance that have influenced the pace at which funds are released

- Limited absorptive capacity (limited technical and administrative staff) of the government and unwillingness to accept foreign technical assistance
- Reasonable concerns about the political legitimacy and durability of the new government that have made it difficult to disburse funds directly through it

Overall, regardless of the causes, delays in disbursement of funds are undermining the government's capability to pursue timely initiatives for economic recovery and political stability.

Disproportionate Allotment of Assistance

Of the more than \$2 billion spent on the Rwanda crisis since April 1994, the vastly

Table 2.1 January 1995 Roundtable Conference: Financial Tracking (in millions of dollars)

	Requested ^a	Pledged ^b May 1995	Committed Sept. 1995	Disbursed Sept. 1995
Financial support	189.6	186.2	111.2	50.1
Repatriation and reintegration	273.7	65.6	42.7	25.5
Rehabilitation and reconstruction	300.9	314.2	284.5	94.1
Outside roundtable process and unallocated ^c	0.0	141.3	84.6	75.3
Total	764.2	707.3	523.1	245.1

^aRequested in January 1995 by the government through the Rwanda Recovery Program.

^bPledged amounts, as revised after the conference; committed and disbursed amounts as per UNDP/Rwanda Ministry of Plan document, "Donors Contributions for Rwanda Since Geneva Roundtable Conference," facsimile copy received 26 September 1995.

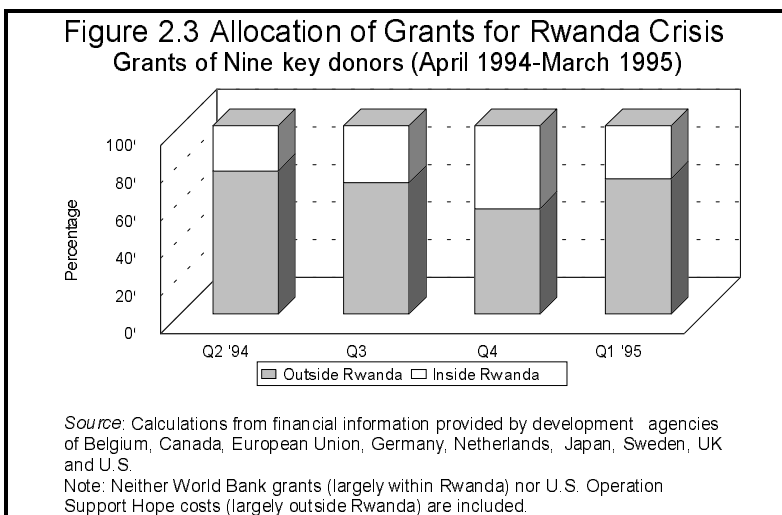
^cFunds not matching Rwanda Recovery Program or unallocated within the subprograms.

larger share has gone to maintenance of refugees in asylum countries. The European Union has estimated that as of May 1995, it alone was spending \$400,000 a day to maintain the refugee camps.⁶

Figure 2.3 shows quarterly allocation of grants, or use of funds, for humanitarian assistance related to the crisis for the one-year period from April 1994 through March 1995 from the eight largest bilateral donors⁷ and the European Union. As the figure suggests, roughly two thirds of all assistance, both emergency and rehabilitation aid, was provided outside Rwanda. Furthermore, only about 11 percent of the grants of these same nine donors during the one-year period was provided specifically for rehabilitation and reconstruction.

Gross measures such as these cannot give the full picture, but they do suggest a disproportionate response, especially in light of the nature of Rwanda's refugee crisis. Such a disproportionate allocation is understandable, though hardly justifiable. Despite attempts on the part of some major donors to balance their assistance, it appears to Rwandans who have lived through the horror of genocide that the international community is more concerned about the refugees than the surviving victims of the genocide. Further, the refugee camps, which are totally dependent on international assistance, pose a serious security threat to Rwanda because they have been heavily armed by shipments from abroad. Moreover, increased rehabilitation and reconstruction expenditures to promote economic

growth and social reconciliation could provide an inducement to some refugees to return home. (The above discussion is not intended to convey the impression that international assistance to Rwanda and refugees is a zero-sum game in which assistance to one comes at the expense of the other.)



⁶ Interview with European Union delegation chief Achim Kratz, May 1995.

⁷ The United States, Germany, Japan, the United Kingdom, Canada, the Netherlands, Sweden, and Belgium.

3



Promoting Human Rights and Building a Fair Judicial System

THE LEGAL infrastructure and law-enforcement system, which collapsed in the aftermath of the civil war, remain a shambles. Court facilities had not been revived substantially nearly midway through 1995; 3 of 11 courts of first instance did not have a functioning prosecutor's office. Law enforcement duties continue to be performed primarily by men and officers of the military, either in their capacity as RPA soldiers or in their redeployed status as gendarmes. There are almost no defense attorneys, and of 800 people employed as magistrates in the communal and prefecture tribunals before April 1994, only 40 remain.

Prisons continue to be severely overcrowded, the government having squeezed 41,000 prisoners into a central prison system designed to house only 12,250 inmates. As of December 1995, an additional 15,000 to 20,000 prisoners were housed in communal prisons throughout the country, and arrests and detention continue. Since August 1994, hundreds of prisoners have died of asphyxiation and diarrhea, primarily illnesses tied directly or indirectly to sanitary

conditions created by overcrowding. In April 1995 an average of 1,500 additional people were being arrested each week. The number declined to roughly 500 people per week in September.

Constructing a viable judicial system and ensuring protection of human rights in present-day Rwanda are critical for several reasons. Refugees in neighboring countries are reluctant to return unless they are assured of justice and security at home. Additionally, conviction and punishment by legally constituted courts of those who were involved in the massacres are likely to alleviate the desire to exact revenge on suspects and begin to address a culture of impunity. Moreover, the UN, as well as member states, has an obligation under the Genocide Convention to take action for the "prevention and suppression of acts of genocide." But above all, an effective judicial system that guarantees basic human rights is a prerequisite to political stability and evolution of a democratic ethos in Rwanda.

USAID and other donors have supported human rights initiatives in three main

areas: establishment of the International Tribunal for Rwanda, reconstruction of the justice system, and the UN Human Rights Field Operation. The impetus for these initiatives was the findings of the UN special rapporteur and a Commission of Experts, which looked into alleged human rights violations.

International Interventions

The Special Rapporteur and the Commission of Experts

In May 1994, the UN Commission for Human Rights authorized the appointment of a special rapporteur to Rwanda to investigate the human rights situation and gather and compile information on possible violations of human rights, including acts of genocide. The special rapporteur submitted his first report to the commission in June 1994 stating that gross violations of human rights had occurred in Rwanda. Further, in July 1994 an impartial three-member Commission of Experts found that both the RPF and the former Rwandan government forces had perpetrated serious breaches of international humanitarian law and crimes against humanity. Forces of the former Hutu-dominated government were also found to have committed acts of genocide. The commission stated, however, that it had not uncovered any evidence that Tutsi elements had perpetrated acts committed with the intent to destroy the Hutu ethnic group.

Both the special rapporteur and the Commission of Experts called for establishment of a war crimes tribunal. On the basis of the reports submitted by the special rapporteur and the preliminary report issued by the Commission of Experts, as well as reports of the UN secretary general and the request of the Government of Rwanda, the Security Council on 8 November 1994, established the International Tribunal for Rwanda, pursuant to its powers under chapter VII of the UN Charter.⁸ Although the mandate for the Commission of Experts has lapsed, the special rapporteur for Rwanda continues to perform several functions. They include following the progress of the Human Rights Field Operation in Rwanda, investigating the genocide, and looking into recent events such as the tragedy at the internally displaced persons camp at Kibeho.⁹

International Tribunal for Rwanda

The International Tribunal for Rwanda, along with the International Criminal Tribunal for the Former Yugoslavia, is the first attempt of the international community to prosecute violations of international humanitarian law since the close of the Second World War. The tribunal consists of 11 judges. Of these, five are shared with the tribunal for the former Yugoslavia, and six are specific to the Rwanda tribunal. Arusha, Tanzania, was chosen as the seat for the tribunal, and the Security Council appointed the prosecutor of the tribunal for Yugoslavia

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See UN document S/res/955/1994. The vote was 13 in favor of the resolution, one against (Rwanda), and one abstention (China). It is generally believed Rwanda voted against the resolution because it precluded application of the death penalty.

⁹

See UN document E/CN.4/1996/7 (28 June 1995), p. 1.

to serve also as prosecutor for the Rwanda tribunal. A deputy prosecutor has been appointed. A director of investigations was hired with the collateral duty of establishing a prosecutor's office in Kigali. The six trial judges of the Rwanda tribunal were elected by the UN General Assembly after governments submitted nominations to the Security Council. They were sworn in at The Hague in June 1995 and were beginning their work a year later.

High Rwandan officials have repeatedly voiced dissatisfaction with the tribunal. At its creation in November 1994, the Rwandan government strongly opposed the provision of the Security Council resolution that prohibited imposition of the death penalty. Rwandan government officials also urged that Kigali be named the seat of the tribunal, arguing that Rwandans were entitled to direct access to the proceedings. Finally, the government pressed for temporal jurisdiction of the tribunal to begin as early as 1992, instead of January 1994. That was so that planners, instigators, and organizers of massacres of Tutsis before commencement of the actual genocide in April 1994 could be brought to justice. The officials were, however, unable to convince the Security Council on any of these points. Additionally, and perhaps unrealistically, both survivors and government officials believed the tribunal would begin prosecutions before the end of 1994. They were disappointed when it did not.

At the time of the May 1995 CDIE field visit, the tribunal was facing problems of logistics, funding, and staffing, all of which caused long delays. Although such delays were not totally unexpected, the tribunal seemed unable to profit from prior relevant experience and resources of other UN agen-

cies. For example, it failed to avoid the same funding conundrums as those experienced by the tribunal for the former Yugoslavia. Staffing the prosecutor's office and all that task entails—recruitment, hiring, and deployment of personnel—encountered long delays for unclear reasons. One year from the beginning of the crisis, only 5 prosecutors and investigators were serving the tribunal, although 31 investigators, seconded from the United States, the Netherlands, and other governments, were expected to supplement the investigative staff. The registry was not yet operating, and judges of the trial chambers had just been nominated by the Security Council.

Hindered by an inadequate budget, the prosecutor was at first unable to establish a visible presence within Rwanda. Problems with tribunal finances appear to be twofold. First, the funds given to the tribunal were, at first, inadequate. Second, control over use of the funds was not at first fully vested in the tribunal, as would be necessary to ensure quick and efficient expenditures. The tribunal received \$2.9 million to cover the period January through March 1995. In May 1995, an additional \$7 million was pledged by donor nations. Because of the tribunal's low budget, restrictions were initially imposed limiting personnel contracts to three months.

By year's end, the financial situation had improved; \$9.5 million of the pledged amount of \$9.9 had been disbursed, most of it (\$7 million) by the Netherlands. Further delays and inconvenience have been caused because the prosecutor lacked authority to hire staff or travel out of the country without approval of the UN's Office of Legal Counsel in New York. These problems were compounded when the UN secretary general

froze all UN funds in September 1995. Until negotiations were completed exempting the tribunal from the generally imposed freeze, recruitment and travel at the tribunal ceased. Since October, when the tribunal installed a new director of investigations, the pace of investigations has noticeably increased. On December 12, the tribunal issued its first eight indictments.

In establishing the tribunal, the Security Council stated that its aim was, in part, “to contribute to the process of national reconciliation and to the restoration and maintenance of peace.” Delays in establishing the tribunal and making it operational have postponed reconciliation; there can be no reconciliation without justice. The prosecutor has taken steps to address the tribunal’s deficiencies. Nonetheless, progress remains to be made in addressing the timeliness of investigations. There is need as well for progress in addressing the public perception, inside and outside Rwanda, of the prosecutor’s lukewarm commitment to the success of this tribunal. Should the tribunal succeed in these endeavors, it is hoped that trust in its work will grow.

Administration of Justice

The justice system of Rwanda was manipulated by the former regime, despite constitutional provisions ensuring its independence. Human rights abuses relating to arrests, detention, trial without counsel, and widespread corruption were frequent in the past. If Rwanda is to establish a legal system that ensures the rights of all citizens, it must construct a justice system that substantially improves on what existed previously in the country.

There is a broad consensus in the international community and the Rwandan government that substantial short- and long-term assistance is needed. In December 1994, UNDP and the government estimated it would cost \$66 million over two years to restart the justice system. In January 1995, donor nations pledged \$44.6 million for human rights and the administration of justice, not including funds being spent on prison rehabilitation. Several assistance initiatives are under way (see box 3.1). These programs, however, have not yet approached the level of assistance broadly recognized as required to restart the justice system. Nearly midway through the year, projects being executed totaled \$5 million of the \$44.6 million pledged. By the end of the year, \$28 million had been pledged for administration of justice programs alone (not including human rights initiatives), of which \$21 million had been committed, and \$13 million disbursed, largely by the Netherlands.

More than 55,000 people were awaiting trial on genocide-related charges in September 1995, but no trials had taken place. Interviews with several magistrates indicated prosecutions were not likely to go forward soon. During the first week of November 1995, however, President Bizimungu hosted a conference in Kigali: “Genocide, Impunity, and Accountability.” Participants discussed proposals to expedite domestic trials of the detainees in Rwandan prisons. By the end of the conference, government representatives indicated they would be making decisions “soon” concerning initiatives agreed to in large part by conference participants, including those that proposed realistic mechanisms for going forward with the cases of the detained. In the interim, the role the RPA is playing in

the functioning judicial system is unclear. The departure to Belgium of the chief prosecutor for Kigali, who alleged interference by the RPA, raises concern regarding the role of the army in the judicial system. Nonetheless, the September swearing-in of the Supreme Court's president and five vice presidents was an important step in the right direction. Official appointment of existing magistrates is expected in the near future.

Box 3.1 Examples of International Assistance for the Judicial System

- Training of magistrates and judicial police by Citizens Network, a Belgium NGO, funded largely by Belgium, the Netherlands, and Switzerland. By May 1995, 150 judicial police inspectors had been trained and 120 more inspectors and 30 army personnel had joined the program.
- Support for the salaries of Ministry of Justice personnel by the European Union, Belgium, Germany, the Netherlands, and Canada.
- Establishment of a Legislation Review Commission, funded by Germany, to adapt Rwanda's legal structure to the Arusha accords.
- Support for recruiting foreign magistrates to serve in Rwanda's judicial system.
- Support for the revival of the law school in Butare by Citizen's Network.
- Repair of court facilities by a project funded by Switzerland and Norway.
- Supplies and equipment worth \$1 million, funded by the United States, for the justice system.

Obviously, it will take time before the modest programs initiated and supported by the international community bear tangible results. More concerted efforts are necessary before the country's judicial system can be revived, much less reorganized and reconstructed to meet minimum standards for human rights. The real challenge is not of marshaling sufficient human and technical resources, but of institutionalizing a new political culture in which differences are settled through discussion, accommodation, and sound civil institutions, not through violence and bloodshed. The international community can play a limited, though significant, role in helping the government meet this challenge.

Human Rights Field Operation for Rwanda

The Human Rights Field Operation for Rwanda (HRFOR) was the first field operation to be undertaken under the auspices of the UN High Commission on Human Rights (UNHCHR) and to be administratively supported by the UN's Center for Human Rights in Geneva. In late August 1994, the UNHCHR reached an agreement with Rwandan officials to deploy 147 human rights field officers, one for each of the country's communes.

The objectives of the field operation were to

- Carry out investigations into violations of human rights and humanitarian law
- Monitor the human rights situation and, through its presence, prevent future human rights violations
- Cooperate with other international agencies in establishing confidence and thus aid the return of refugees and dis-

placed people and the rebuilding of civic society

- Implement programs of technical cooperation in human rights, particularly in administration of justice.

To pursue these objectives, the field operation established three units: the Field Coordination Unit, the Technical Cooperation Unit (responsible for local training and education programs), and the Legal Analysis and Coordination Unit (responsible for special investigations). The UN Center for Human Rights recruited and hired most field officers and has provided overall management and logistical support for the operation. In October 1995, the original chief of mission for HRFOR was succeeded by a new one.

At its outset in September 1994, HRFOR faced a dilemma. Governments, the United Nations, and nongovernmental human rights organizations demanded that the high commissioner immediately deploy a human rights monitoring mission, but they failed to provide adequate funding for even the minimal prerequisites. The high commissioner complied with the request but had minimal support. More resources were available by December 1994, but recruitment and training of the personnel for HRFOR has been widely criticized.¹⁰ The

chief of mission was not involved in the original selection of staff, and many of the monitors initially did not have relevant background and experience. Moreover, no official announcements of the openings for HRFOR appeared in relevant newspapers and periodicals, limiting the pool of qualified applicants. The high commissioner's office, in cooperation with the European Commission, appears to have instituted more stringent recruitment standards, and the sophistication of field monitors has presumably increased.¹¹ There is, however, still substantial room for improvement.

Field monitors arriving in Kigali received no orientation or training until at least December 1994.¹² At that time, a small grant to the Center for Human Rights provided field officer training in Geneva and Kigali by the U.S. National Peace Corps Association. At first, the training program aimed at preparing field officers to work in a foreign environment, with little emphasis on operational aspects of their work. As HRFOR further developed its training program over the year, it grew to include additional topics such as the major human rights instruments. By April 1995, a total of 152 HRFOR personnel, including 114 field officers, had participated in at least some form of the training program. Nonetheless, it is unclear whether the content of the training

¹⁰

For example, Amnesty International, 1995. "Rwanda and Burundi: A Call For Action By the International Community," September 1995, p. 11; and African Rights, 1995. "A Waste of Hope: The United Nations Human Rights Field Operation," pp. 48-49.

¹¹

Seven of 12 monitors surveyed were "satisfied" with the selection process, at least with regard to the E.U. contingent. See Roel von Meijenfeldt, 1995. "At the Frontline for Human Rights: Final Report," Appendix H, p. 4. No survey has been conducted for non-E.U. monitors.

¹²

From "Response of the High Commissioner on Human Rights to Recommendations Contained in 'Rebuilding Post-War Rwanda: Evaluating the Impact of International Assistance with Regard to Human Rights,'" p. 12.

program is still adequate. In fact, several monitors surveyed indicate that important deficiencies remain.¹³

At the January 1995 Roundtable Conference and in subsequent revisions early in the year, donors committed approximately \$9 million to human rights monitoring. By the end of the year, \$14 million had been committed to the HRFOR, all of which had been disbursed, largely by the European Union and the United Kingdom.

Investigating Genocide

An eight-member team of experts arrived in Rwanda in late October 1994 to support the special rapporteur and the Commission of Experts, as part of the HRFOR unit then called the Special Investigations Unit. After about a month, they were succeeded by an American trial lawyer who, in turn, was replaced by a Swiss prosecutor and some forensic scientists at first from Spain. From the very beginning the investigations unit lacked a well-defined purpose and direction. It was expected to investigate violations of international humanitarian law, but, as one former member of the unit put it, “for whom or for what purpose was unclear.”

In December 1994, the tribunal’s prosecutor met with HRFOR in Kigali to request essentially that all investigations aimed at collecting evidence of those to be tried by the tribunal be henceforth conducted by tribunal staff only.¹⁴ Further, he

requested that evidence collected to date by HRFOR be organized and turned over to the tribunal. At that time, therefore, the Special Investigations Unit was left with a mandate to work for the special rapporteur and the Commission of Experts, to the extent their work did not touch on prosecutions within the mandate of the tribunal.

Before the December meeting between the prosecutor and HRFOR, the investigations unit had encountered several problems fulfilling its own understanding of its mandate. It was to work in support of the Commission of Experts and special rapporteur but report to the Center for Human Rights in Geneva and the HRFOR mission chief in Rwanda. Because neither the center nor the mission chief in Kigali was supervising investigations, no one could offer any significant direction; nor, apparently, did anyone assume responsibility for addressing, in any manner, the multifaceted problems encountered by the unit.

Furthermore, the unit lacked sufficient manpower and the necessary technical expertise and equipment to conduct a thorough and competent investigation of genocide. The performance of the unit was further hampered by uncertainty over whether it had the authority to request official records from government officials within and outside Rwanda. Without access to government officials and documents, collection of critical evidence for prosecutions was all but impossible.

¹³ See Roel von Meijenfeldt, 1995. “At the Frontline for Human Rights: Final Report” Appendix H, pp. 5–6.

¹⁴ Additionally, there was discussion between the prosecutor and HRFOR concerning preservation for the tribunal of the massacre sites for its own expert staff.

Within this context, the members of the Special Investigations Unit directed their investigative work at collecting witnesses' statements and physical evidence at 25 massacre sites. Collection of this information was relevant, but insufficient for the investigative process envisioned by members of the unit. The leadership of HRFOR at the time seemed unable to resolve the resource-expertise-personnel problems or problems associated with access to official records, even those located in Rwanda.

Although the high commissioner for human rights communicated in one letter to the United States the need for more expert personnel and adequate resources, neither this effort nor any effort on the part of the HRFOR mission chief brought significantly more resources. The usefulness of the Special Investigations Unit was, by most accounts, very limited.¹⁵ Nonetheless, the high commissioner's office reports that when he handed over most of the HRFOR-collected evidence to the deputy prosecutor of the International Tribunal for Rwanda in March 1995, the deputy termed them "most valuable."¹⁶

In April 1995, after a visit of the special rapporteur, the Special Investigations Unit became the Legal Analysis and Coordination Unit (LACU), and its mandate was modified. However, HRFOR, primarily

through its field officers, became involved in documenting the genocide through a variety of activities carried out by the Field Coordination Unit of HRFOR coordinating with LACU and the newly appointed coordinator for the special rapporteur.

Monitoring Human Rights

Since the beginning of 1995, the focus of field operations has shifted from investigating violations of international humanitarian law to monitoring the ongoing human rights situation and cooperating with other international agencies in reestablishing confidence in Rwanda. Field officers hear complaints about human rights violations, investigate them, then file their reports, which are aggregated at the level of the prefecture and forwarded to the Field Coordination Unit. The unit writes a report based on a summary of the information contained in these reports. The mission chief periodically sends this summary to the high commissioner.

Until October 1995, HRFOR leadership had developed no discernible strategy for using these reports. According to the high commissioner's office, the reports were made available by him, "as appropriate," to the secretary general, governments, UN agencies, and intergovernmental and

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See, for example, Human Rights Watch. 1995. "Human Rights in Rwanda—1995," p. 8; Adam Stapleton, "Amateurs Posing As Professionals," in *Human Rights Tribune*, June–July 1995, pp. 13–15; African Rights, 1995. "A Waste of Hope: The United Nations Human Rights Field Operation," pp. 7–10.

¹⁶

From "Response of the High Commissioner on Human Rights to Recommendations Contained in 'Rebuilding Post-War Rwanda: Evaluating the Impact of International Assistance with Regard to Human Rights,'" p. 4.

¹⁷

See African Rights. 1995. "A Waste of Hope: The United Nations Human Rights Field Operation," pp. 14–28.

nongovernmental organizations.¹⁸ Amnesty International has criticized this “as appropriate” distribution as ineffective for enhancing accountability for human rights violations in present-day Rwanda, but HRFOR failed either to adopt or articulate a policy concerning the reasons for its distribution policy. Consequently, it is not clear if these reports formed the basis for any actions or decisions.

In addition to the controversy over report distribution, the reliability of information contained in the reports was questioned—at first privately, later publicly.¹⁹ HRFOR was unable to defend against such criticisms because it had not developed a comprehensive methodology for collecting information.²⁰ Additionally, HRFOR did not develop centralized policies, strategies, or guidelines for its field officers or unit leaders in Kigali for interaction with local or national officials during investigation and follow-up of alleged human rights violations. Because there was no agreement or missionwide understanding on these points within HRFOR, different officers in the field acted in different ways.

As of October 1995, the new mission chief undertook to review and overhaul the structure and substantive work of HRFOR

in the field and at its center. Establishing effective working relationships with ministerial-level officials appears to be a priority. Such relationships are essential to exchanging vital information and ensuring immediate action on allegations of current human rights violations.

A problem in monitoring current human rights violations is that the Rwandan government considers reporting partisan and unfair. Leaders feel the government is being subjected to critical scrutiny, whereas the perpetrators of genocide are being fed by the international community. One explanation for this criticism is that HRFOR has failed to adequately publicize its assistance to the judicial system and information it has collected about the genocide.²¹ Another explanation is that the Human Rights Field Operation may have directed its attention toward current violations with little regard for the desperate need to take a leading role on justice issues as they relate to perpetrators of genocide.²² A welcomed change recently began with HRFOR’s efforts to work systematically with Rwandan officials on arrest and detention procedures.

¹⁸

From “Response of the High Commissioner on Human Rights to Recommendations Contained in ‘Rebuilding Post-War Rwanda: Evaluating the Impact of International Assistance with Regard to Human Rights,’” p. 7. However, the high commissioner’s office fails to note whether these reports were regularly provided to the Government of Rwanda for comment, and if so, whether and when its response was distributed.

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See African Rights. 1995. “A Waste of Hope: The United Nations Human Rights Field Operation,” pp. 14–28.

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In April 1995, HRFOR hired a senior officer to head the Field Coordination Unit and address that weakness.

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Amnesty International. 1995. “Rwanda and Burundi: A Call For Action by the International Community.” AI Index: AFR 02/24/95, p. 12.

²²

Africa Rights. 1995. “A Waste of Hope: The United Nations Human Rights Field Operation.”

A Special Note on HRFOR

Monitoring the return of refugees *to* Rwanda and monitoring detention centers *in* that country are two tasks that deserve special consideration. Until April 1995, HRFOR's monitoring of returnees from neighboring countries was characterized by the same local variability as its other monitoring activities. Effectiveness depended on the persistence and talent of individual field officers. When Zaire expelled 15,000 Rwandans in August 1995, HRFOR tried to implement a coherent monitoring strategy. Field officers initially played a supporting role to UNHCR teams with regard to the logistics of moving and tracking returnees to all relevant locations, especially prisons. Later, field officers traveled to communes and worked with local authorities to assist in the reentry process. They monitored alleged killings, property disputes, numbers of individuals detained, and living conditions in the communes. At the national level, the Field Coordination Units contacted the relevant ministries to coordinate activities.

HRFOR has also been monitoring conditions for inmates in central, communal, and military prisons. Field monitors have reported serious maltreatment in both communal and central prisons and, at times, have been able to persuade local authorities of their duty to investigate and discipline. They have also raised with local authorities the issue of illegal detention of people accused of crimes not related to genocide. Coordination between HRFOR and the International Committee of the Red Cross in

prison monitoring has been problematic since the inception of the mission. There were several reasons for it, one of which is the special, independent mandate that the Red Cross must follow. Nonetheless, only recently did HRFOR create written reporting procedures to be used by HRFOR and provide them to the Red Cross for better coordination.

Technical Cooperation Program

The Technical Cooperation Unit of HRFOR has become increasingly important. It has attempted to coordinate foreign assistance for rebuilding Rwanda's judicial system. By March 1995, the Technical Cooperation Unit had completed a nationwide survey (conducted in cooperation with UNDP and the Ministry of Justice) of short- and long-term material and personnel needs for rehabilitating the judicial system. Then field officers distributed to the prefectures the material assistance needed for the short term. More elaborate material assistance so desperately needed has failed to materialize, in large part for reasons beyond the control of HRFOR. In this context, HRFOR and UNDP may have jointly miscalculated the desire of the Rwandan government for a proposed plan to deploy 50 foreign legal experts who would have provided assistance to the judicial system as legal advisers. For the moment, the program has been suspended until it can be reexamined by the new minister of justice.²³

²³

From "Response of the High Commissioner on Human Rights to Recommendations Contained in 'Rebuilding Post-War Rwanda: Evaluating the Impact of International Assistance with Regard to Human Rights,'" p. 11.

The unit has organized training and seminars on human rights for the local population, women, and government officials. In June 1995, the unit sponsored a seminar on human rights and press freedoms. More recently it implemented a series of prefecture-level workshops on arrest and detention procedures. Increasingly, HRFOR has taken responsibility for training gendarmes at the National Gendarmerie School. Success of these efforts appears to rely more on the training and background of the individual field officer than on a specific strategy or program developed by the unit, although Rwandan judicial personnel seem to appreciate the assistance.

Problems and Prospects

The International Tribunal

The International Tribunal is the one area where primary responsibility for action lies squarely with the international community, not the Rwandan government. Rapid, decisive, and committed action to investigate and try suspected war criminals, whatever their past and present affiliation, is a prerequisite for internal peace and prosperity. Yet the process of establishing the tribunal, undertaking investigations, and issuing indictments has been slow.

The problems are many. Not the least of them is the unwillingness of some countries to comply fully with international humanitarian law or even accept that genocide occurred. Funding problems, which led to recruitment problems, have been addressed to

the extent that adequate numbers of personnel have been hired.

There remain moral justice issues that must be addressed if all Rwandans, Hutu and Tutsi alike, are to receive the intended message of Rwanda war crimes trials. One is the real possibility that lesser war criminals, most likely tried through the Rwandan judicial system, will receive harsher sentences than their leaders, who will mostly be tried in the international tribunal. The Rwandan penal code allows for capital punishment; international humanitarian law does not. The other is the need for prosecutors to meticulously avoid the appearance of carrying out "victor's justice."

Administration of Justice

Since it involves delicate issues of sovereignty, assistance to the judicial system will continue to be difficult and sensitive. The government has shown unwillingness to use foreign jurists as judges or even as legal advisers, apparently claiming in the first instance a constitutional bar on foreign judges.²⁴ The October 1995 suspension, at the government's request, of a UN plan to send 50 foreign jurists as legal advisers, rather than as judges and investigators, further diminishes the latitude for international action. It is also an additional sign of government mistrust of the international community and unwillingness to relinquish any part of its sovereignty.

The October 17 swearing-in of the new Supreme Court was a positive step toward restarting the judicial process, a prerequisite

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"Rwanda Rejects UN Legal Experts." Reuters. Electronic copy.

for establishing lower courts. The presidentially hosted conference on genocide, impunity, and accountability was another step in the right direction. It remains for the Government of Rwanda to demonstrate political willingness to progress beyond these two developments. The international community can be most effective by 1) continuing to provide financial assistance to train judicial and police personnel and to rebuild physical infrastructure and 2) pressuring the government to ensure development of a fair judicial system and significant progress in processing cases of detainees.

The Human Rights Field Operation

A perception exists among experts and informed people that the human rights operation in Rwanda has failed to accomplish its stated mission.²⁵ Its impact on prevention of human rights violations and promotion of human rights has been minimal.²⁶ As a former field officer put it to the evaluation team, “We simply failed, period. . . .” In the judgment of the team, such a perception is fully justified.

It should be recognized, though, that many factors, some beyond the control of the HRFOR, contributed to its poor performance. Informants identified the following factors: 1) a broad and ambiguous mandate, 2) poor preparations prior to deployment, 3) limited logistics and resource support, 4) inept leadership, 5) absence of a coherent strategy, 6) poor coordination between headquarters and field staff, 7) bureaucratic infighting within the UN system, 8) apathy if not hostility of the Rwandan government, and 9) a highly politically charged environment. Obviously, the entire blame for failure cannot be laid on the leadership of the HRFOR and the Center for Human Rights.

As mentioned earlier, a new chief assumed leadership of the field operation in Rwanda in October 1995. Initial reports indicate he is reexamining and reevaluating the entire operation to make it more relevant and effective. It is too early to tell the outcome of his efforts.

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The team interviewed a cross-section of experts, former human rights monitors, NGO representatives, officials of donor agencies, and government officials throughout 1995. With the exception of officials of the HRFOR, Center for Human Rights, and two European Commission representatives, respondents were uniformly critical of the performance of the field operation.

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The documents provided by the Center for Human Rights describe only the activities of the field operation. They give no data or evidence about the *impact* of field operations.

4



Support to the Economic Sector

ECONOMIC ASSISTANCE to Rwanda has come in various forms. They include payment of arrears to multilateral banks, consultation on economic and public management, provision of equipment and material to facilitate public management, and sectoral assistance. This chapter looks at two aspects of economic rebuilding: 1) policy action and international assistance in macroeconomic and public management and 2) rehabilitation initiatives in the key productive sector of agriculture

Macroeconomic and Public Management

The war destroyed the macroeconomic and institutional infrastructure needed for balanced growth of a modern market-based economy. Banks were shut down, the administrative capacity of the government was obliterated, and a significant portion of the money supply was taken out of circulation to refugee camps. In July, the fleeing interim government took 24 billion Rwanda francs and allegedly substantial amounts of hard currency that had been in coffers of the central bank. The amount of local currency looted was twice that in circulation at the

time. The gross domestic product is estimated to have declined by more than half from 1993's already low level, and the rate of inflation reached 40 percent. The new government, formed in July 1994, found itself with very limited capacity: less than one third of the civil service and only 3 percent of the professional staff had returned to work by the end of the year.

"In a small country such as ours, without natural resources, the only viable option...is that of an outward-oriented economic strategy allowing for the development of a dynamic private sector that can begin and sustain the economic diversification process."

—*Towards a New Rwanda:
Declaration of the Rwandan Government
on the Principles of a Recovery Policy*

The new government came to power with a basic set of principles regarding macroeconomic policy and public admini-

stration as articulated in its first comprehensive policy document: greater market liberalization, disengagement of the state from commercial and productive activities, greater regional trade, and reduced public expenditures.²⁷ Leaders propose to expand the objectives of the stalled 1990 Structural Adjustment Program. Basically, the government envisions development of an outward-looking, export-oriented economy based on diversified exports controlled largely by the private sector. To finance these activities, the government requested \$206.9 million for 1995 in the Rwanda Recovery Program (\$189.6 million for financial support and \$17.3 million for economic management and public administration).

The conditions of demand and supply of Rwanda francs became highly volatile and unpredictable during and immediately following the war. Large sums of money in the hands of former leaders outside the country constituted a double threat to the new government. First, it represented vast resources for the defunct government with which to procure weapons and ammunition and to feed its army and militia. Second, it provided a lever by which the old government could destabilize the macroeconomic balance within Rwanda. To eliminate these twin threats, the new government, with approval of the International Monetary Fund (IMF), demonetized a portion of the currency in circulation, issuing new bills that were exchangeable only by people residing in the country in early January 1995. Although there is some debate on actual fig-

ures, the demonetization was thought to bring a useful anti-inflationary contraction in the money supply as well. IMF officials have expressed confidence in the new bills.

In early March 1995 the government accepted the principle and practice of market determination of the rate of exchange for cash transactions. Through much of the period from July 1994 through early 1995, there was virtually no banking system. Currency exchange was almost exclusively the preserve of private currency traders; virtually no trades were made at the official exchange rate. A flexible exchange rate was easily accepted since the government did not have (nor does it yet have) the ability to effectively manage a fixed rate. There was also a large infusion of foreign currency, mostly U.S. dollars, which eased downward pressure on the Rwanda franc. Opposition to devaluation of the franc was muted because new leaders were more likely to have their wealth stored in foreign currency than in Rwanda francs. However, with increased demand for imports and salaries paid in Rwanda francs, there will be increased pressure on monetary authorities to maintain the value of the franc.

On the fiscal side, the public sector appears to be growing rapidly, and the government appears unable to practice real fiscal conservatism. Control over the public sector wage bill has proven particularly difficult, because of the nature of the coalition government. Each political party represented in the coalition controls at least one ministry and tends to resist any attempts to

²⁷ Government of Rwanda. *Towards a New Rwanda: Declaration of the Rwandan Government on the Principles of a Recovery Policy*.

curb its control and expansion of agencies under its control.

The United States has been one of the principal donors for economic and public management. Aid from the United States, the Netherlands, and Canada was largely responsible for unblocking World Bank funds by covering the government's arrears through June 1995. Additionally, \$12 million was committed to re-equip key ministries and to the Trust Fund for projects identified by the government and UNDP. Midway through 1995, \$4 million had been disbursed by USAID to re-equip eight ministries. Belgium, Germany, the Netherlands, and the United Kingdom (the latter two through funding of the Trust Fund) had begun programs of assistance for training magistrates for the Ministry of Justice, technical assistance to the Ministry of Planning, and salary supplements to the civil service.

In addition, various UN agencies and NGOs have provided ad hoc assistance to support administrative capacities of ministries or local government bodies with which

"The new people are much more market-friendly."

—*Official of UN agency, Kigali*

"While it is still too early to judge the real degree of commitment to economic reforms, once liberalization has been unleashed it is hard to bottle it up."

—*Rwandan official of development bank*

they have been working. Furthermore, the UNDP, World Bank, and IMF have sent consultative missions, conducted studies, and otherwise supported efforts to identify priority needs for economic and administrative management. Of \$200 million pledged during the Roundtable Conference, most was committed by year's end, and half had been disbursed. Hence the picture looks substantially better than it did midway through the year, when only 12 percent had been disbursed.

Assistance to Agriculture

War and genocide devastated the rural economy. By the time fighting ended, large tracts of farmland had been abandoned, the coffee harvest had declined by half, and more than 80 percent of the cattle population had been lost. Much of the equipment and material for household-based enterprises had been destroyed or looted. An assessment by the Food and Agriculture Organization (FAO) and the World Food Program (WFP) concluded that the 1994B (March–August) season crop, which should have been harvested in August and September, yielded only 45 percent of 1993B levels. Further, the government estimated hundreds of hectares of natural mountain forests had been damaged by displaced persons. In the aftermath of the war, only 2 of 60 researchers with the national agriculture research system remained in the country, and none of the 9 research stations and labs remained operational. Services of the Ministry of Agriculture also suffered extensive losses.

USAID and the development agencies of European Union, Belgium, Germany, the Netherlands, and the World Bank have been

largely responsible for funding agriculture rehabilitation programs. Many NGOs have made important contributions at the local level.

Seeds and Tools Programs

The primary emphasis in the rural sector was rehabilitating agriculture for food security. Starting in August 1994, through a series of weekly coordination meetings, FAO, WFP, NGOs and the Ministry of Agriculture helped ensure that all regions needing productive inputs, tools, and food aid were covered.²⁸ Early interventions for the rehabilitation of agricultural production, referred to as “seeds and tools” programs, were initially conceived for returning refugees and internally displaced persons but quickly became general in scope. Targeting was not considered feasible, cost-effective, or politically advisable in the context of an already highly polarized and tense situation in much of the countryside.

Sixty-two percent of farmers received seeds and 72 percent received tools. More than 10,000 metric tons of bean, maize, vegetable and other seed, and 700,000 hoes were distributed. Despite this massive undertaking, purchases and personal stocks were the most important sources of seed for the average farm household. In conjunction with the distribution of seeds and tools for resumption of agricultural production, relief agencies, guided by WFP, provided food aid for “seeds protection.” This activity was guided by the logic that provision of food aid would reduce consumption of more ex-

“Seeds programs can be considered political.”

—*Official of relief agency, New York*

“We generally did not target food aid for fear of creating conflict. Targeting requires greater political will than we were able to bring to bear on the situation. Everyone was ‘vulnerable.’”

—*Representative of UN agency, Kigali*

pensive (and scarce) selected seeds. In most regions, the general distribution of food aid to farmers continued for two seasons as well.

Other Interventions

To reestablish a national seed program, the International Agriculture Research Centers (IARCs), through the Seeds of Hope Initiative, provided seeds for multiplying bean, maize, potato, and sorghum in Rwanda and in the region. Criticized by the government and by agencies working in Rwanda for essentially remaining outside Rwanda, the IARCs have been asked by the government, NGOs, and the FAO to quickly get involved in in-country research, seed multiplication, and capacity-building. In their absence, it is largely NGOs such as

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Interview with Wilmer Collete, FAO representative, Kigali, May 1995.

World Vision and Catholic Relief Services/Caritas International that are assisting with multiplication and rudimentary testing of seeds for distribution.

In the Rwanda Recovery Program, the government asked for \$700,000 to rehabilitate coffee processing centers and tea plantations. Subsequently it increased the farm gate price of parchment coffee to stimulate production. Only the European Union and the African Development Bank have pledged funds specifically for rehabilitation of export agriculture (\$24.9 million and \$2.2 million, respectively).

Nearly halfway through the year, \$15.4 million had been committed, but no funds had been disbursed.²⁹ By the end of the year, the European Union had increased its pledge to \$50 million and had disbursed \$6.4 million for rehabilitation of coffee and tea processing. Before the inflow of some donor funds directly to the Ministry of Agriculture, WFP, UNICEF, and FAO, along with numerous relief agencies, provided in-kind salary supplements, material, and logistical assistance to the ministry primarily on an ad-hoc basis. The ministry also benefited from a USAID grant of \$4 million to purchase equipment and supplies for key ministries: Agriculture, Finance, Health, and Planning. It is now operational down to the prefectural level but is obviously unable to perform many of the functions that it performed before the war.

Problems and Prospects

Economic and Public Management

Initial steps to gain some degree of control over the economy appear to have been successful. Despite the successes, though, there remain some areas of concern and issues requiring resolution. The World Bank responded rapidly and effectively to the humanitarian crisis by granting \$20 million to UN agencies to lay the foundations of a broad-based reconstruction and development program, but its relative slowness in releasing the \$50 million emergency recovery credit has diminished its effectiveness.

A large part of the credit is intended to restore the economic foundation of the country and rehabilitate the private sector by reactivating the financial system and increasing the availability of credit. Delays in disbursement have retarded overall reconstruction and consequently deepened the economic and political crisis. The December 1995 resignation of Rwanda's central bank governor, while not attributable to the impasse between the World Bank and the Rwandan government, is worrisome evidence of turmoil within the government's macroeconomic management apparatus.

A relatively small amount of the money for rehabilitation of economic and administrative capacity has been provided directly to the government. Although there are many reasons for this, the government's limited absorptive capacity is a major factor. Further, the multitude of agencies working in

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Government of Rwanda. Ministry of Planning. *Situation des engagements du PRRRSE*.

Rwanda, with higher salaries and more congenial work environments, has reduced the number of qualified staff available to the government, thereby weakening rather than strengthening absorptive capacity. For example, of the 12 percent of pledged assistance that had been disbursed for “financial support” and “public management” midway through the year, one third was for payment of development bank arrears.

Assistance to Agriculture

The consensus is that programs for the rehabilitation of agricultural production and the rural economy were successful. There are, however, some areas of concern. Delays in procuring and distributing seeds and tools during the first agricultural season after the war were understandable. When the war had ended and attention was turned to rehabilitation, the planting period was imminent. It was evident that the alternative to helping farmers produce their own food was an unsustainable and massive food-aid program to millions of people. The first season of seeds and tools distribution (1995A)³⁰ was not well coordinated and resulted in distribution of poorly adapted seed that often failed to germinate. Later distributions were better thought out and better implemented.

There is little rationale to continue general distribution of seeds and tools or food aid into the third season, yet it is likely the Ministry of Agriculture, local officials, and farm households will exert great pressure to do so. Some farmers have begun to take free

“I am actively dissuading free distribution [of seeds and tools] for a third season. As of July, I expect the Ministry of Agriculture to discourage free distribution. Seeds should be kept for vulnerable groups.”

—*Rwandan official of UN agency, Kigali*

“The impact of food distribution is inhibiting agricultural production. . . . People in the countryside expect food aid to continue.”

—*Rwandan official of NGO, Kigali*

seeds, tools, and food for granted. Many farmers who received seeds and tools did not need them to ensure survival. A certain amount of redundancy is normal in the first round of distribution and is probably less costly than stricter targeting or provision of food aid. But as time passes and information about the status of households improves, targeting is possible and desirable.

The international community’s failure to rapidly rehabilitate export agriculture represents a significant missed opportunity. Rapidly ensuring fair market access for coffee growers and farmers picking coffee from abandoned fields is probably the most efficient and effective means to remonetize the rural economy. Ironically, at the same time that relatively little is being done to

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1995A, the first season in which seeds and tools were distributed, refers to the months preceding the September 1994 planting for 1995 season A, which runs from September 1994 to February 1995. Since the war ended in July 1994, this means distribution during the end of July, August, and September.

reconstruct the coffee marketing and processing system, relief agencies are rushing to develop projects to inject funds into the rural economy. Well-timed and well-placed assistance to the coffee sector would have had significant benefits.

Two critical issues that cut across sectors and are extremely sensitive politically are property rights and land tenure. Many Tutsi returnees from earlier conflicts are using recent exiles' farmland and occupying their homes. The Arusha accords make it clear that recent exiles retain rights to land they have abandoned. Nonetheless, the longer returnees are allowed to farm land on which they are squatting, the more likely they are to begin to consider the land theirs. Providing seeds and tools and other assistance, although necessary, is likely to further entrench their hold on the land.

With the assistance of rehabilitation programs, farmers and rural tradespeople

have restarted their activities, though under generally adverse conditions of insecurity, psychological and physical trauma, and labor and capital shortages. Agricultural production for the 1995A season (on a population base estimated at 70 percent of prewar levels) is considered to have been a little more than half the average of the five previous years, and the prospects for the 1995B season are good.

The UN Consolidated Inter-Agency Appeal of January 1995 included about \$54 million in programs aimed specifically at first-stage rehabilitation (seeds and tools programs, etc.) of the rural economy. During the Roundtable Conference, donors pledged \$79 million for long-term rehabilitation of agriculture and the rural economy, of which 4 percent had been disbursed midway through 1995, and 42 percent by the end of the year.

5



Rehabilitating Health and Education

VIRTUALLY ALL social services were destroyed by the war and genocide. This chapter examines health and primary education, because of their overriding importance to recovery.

By mid-July 1994, Rwanda's health system had collapsed and was in complete disarray. More than 80 percent of the country's health professionals were dead or had fled the country. Extended looting and physical destruction of buildings left almost no equipment or structures usable. The education system fared no better. More than half the teachers are believed to have been killed; many fled or became internally displaced. Most schools suffered extensive looting and some physical damage. Relief agencies have provided important nationwide assistance in health and education. Of the two, health has received better coverage.

International Intervention in Health and Sanitation

International assistance in the health sector was inarguably critical: it saved lives and alleviated pain and suffering. The massive efforts of the international community included building institutional capacity,

running national health education campaigns, rebuilding primary health delivery systems, and rehabilitating water and sanitation systems.

"NGOs have had many problems because of logistics, inexperience, and the CNN factor, but they did a hell of a job in providing medical services to the people. They did a marvelous job."

—*Official of a UN Agency*

"I would be the first to admit that you [international community] did a lot of good to the people. . . . There were no doctors, no nurses, no medicines. You gave people the help they needed."

—*Rwandan government official*

The international community was remarkably successful in delivering primary health services to the populace and later in rebuilding capacity. As early as May 1994,

the International Committee of the Red Cross (ICRC) and some NGOs, such as Médecins sans Frontières, began to operate and refurbish clinics and hospitals in Kigali and in the Northeast. As NGOs gained access to other areas of the country, they helped repair and reconstruct medical structures and systems, review needs, and reestablish vaccination programs. They also provided medicines, medical supplies, on-the-job training of auxiliary health workers, and assistance for health education and information campaigns. UNICEF provided 150 health centers and NGOs with emergency health kits so they could reestablish basic primary health care.

But the international community has provided only limited assistance to the government for strengthening the health sector's management, coordination, and information systems capacities. Many NGOs have continued to superimpose independent administrative structures on the health care system, structures that are neither efficient nor cost-effective. The U.S. Public Health Service, the World Health Organization (WHO), UNICEF, and Save the Children Fund/U.S. have provided management support and seconded technicians directly to the Ministry of Health to help in designing national health policies, guidelines, standards, and training curriculums. With the exception of WHO and a joint U.S. Public Health Service/Ministry of Health training-of-trainers workshop, training needs are largely being addressed on the job. That is insufficient to develop a sustainable health delivery system.

The Ministry of Health, in collaboration with UNICEF, has reconstituted the country's vaccine stocks, immunization equipment, and the cold chain (the chain of

refrigeration throughout the distribution process) for the national expanded program of immunization. The National AIDS Prevention Program is again receiving direct support from WHO and USAID. The Agency is also supporting AIDS prevention programs, which include educational campaigns for high-risk groups and condom social marketing. UNICEF is supporting information and education campaigns through youth animators—young people trained to informally educate other youth—and school-based training. Several NGOs have included sexually transmitted disease/AIDS awareness in their community education programs.

Actual fighting destroyed some water and sanitation facilities, but most were damaged through neglect during and immediately after the war. UNICEF, the UN Assistance Mission to Rwanda (UNAMIR), ICRC, Oxfam, and Britcon, along with others, worked to restore the water supply to Kigali. Other urban water systems, however, continue to suffer from water cuts owing to leakage, lack of power generators, or a shortage of fuel for pumping stations. Several partners, including UNICEF, UNDP, Canada, Finland, Norway, and the United Kingdom, have supported capacity-building for the appropriate ministries in policy development and service delivery of water, sanitation, and hygiene.

International Interventions in Education

International assistance for rehabilitation and reconstruction of the education sector, initially directed at primary education, has played a limited but valuable role. It has emphasized emergency supplies of mate-

rial, rehabilitation of structures, and food aid salary supplements to teachers. Because it represents the core of international assistance in the sector, primary education has also been the focus of the evaluation.

The largest and most visible intervention was a joint program of UNICEF and the UN Educational, Scientific, and Cultural Organization (UNESCO). Begun in August 1994, the Teacher Emergency Packages (TEP) program is a self-contained mobile “classroom” for 80 students and a teacher. The program is designed as a four- to five-month bridge to provide teachers and students with immediate psychological support and to prevent total breakdown of educational services. Campaigns in cholera and mine awareness, as well as an education-for-peace component, were adapted for Rwandan needs and added to the basic TEP program. By March 1995, UNICEF and UNESCO, with the assistance of various NGOs, had distributed 7,400 teacher emergency packages throughout the country and 1,300 kits in camps in Tanzania, Goma, and Bukavu. More than 600,000 Rwandan children have benefited from the packages, and 7,500 teachers have been trained.

To assist in reopening primary schools, a number of organizations helped pay the salaries of teachers, administrators, and civil servants. UNICEF funded one-time incentive payments of \$30 to teachers and staff to jump-start primary schools. The payments totaled \$800,000. In the largest effort, from September 1994 through February 1995, World Food Program provided almost 5,200 metric tons of food as salary supplement to primary school teachers and civil servants in a modified food-for-work program. The value of the food payment was roughly equivalent to 50 percent of

primary school teachers’ prewar salaries. This critical initiative provided basic necessities to 17,500 teachers, administrators, civil servants, and their families until their salaries could be paid. By June 1995, World Food Program had determined it necessary to continue food support to primary school teachers because of irregular salary payments. In addition, the Red Cross has provided food support to 18,000 secondary school students in boarding schools in six prefectures.

Both UNICEF and UNESCO provided direct assistance to the Ministry of Primary and Secondary Education to purchase basic office equipment, supplies, and vehicles, and to reprint textbooks. Jointly they supported training of teachers and ministry personnel. They are now supporting re-creation of a national teacher training center as well as informal education and literacy programs. UNHCR has concentrated its efforts on upgrading damaged schools.

In addition, NGOs have carried out many small-scale efforts to repair structural damage. Between Aide et Action and Jumelage Rhenanie-Palatinat, two of the larger efforts, some 450,000 students have been helped with materials and have benefited from school building repairs. However, the many interventions in rehabilitating school facilities have not been well coordinated or aligned with emerging national education guidelines.

“Education is the biggest hope for our country.”

—A Rwandan mother

Problems and Prospects

Health and Sanitation

International emergency assistance in the health sector played an important role in managing disease outbreaks, avoiding widespread malnutrition, and reestablishing basic health delivery systems. Performance, however, has not been commensurate with cost. Some problem areas are briefly identified here. First, NGO program and technical constraints (including weak initial needs assessments, absence of program strategy development, and ineffectual program monitoring and evaluation) weakened the responsiveness and effectiveness of health interventions. Established emergency operations were rolled into rehabilitation activities without proper planning and consultation with the Ministry of Health. The need for systematic evaluation of NGO rehabilitation interventions is more than justified by the enormous resources consumed by such agencies.

Second, as emergency relief assistance shifted into the rehabilitation phase, donor agencies failed to recognize properly the government's lack of institutional capacity and formally engage the ministry in the project assessment, design, and approval process. The tendency of donor agencies to act unilaterally in financing NGO interventions, without full consultation with the government or recognition of Ministry of Health structures, has further damaged coordination and reinforced the fragmentation of health care services.

Third, financial reporting from donor agencies and NGOs that delineates emergency and rehabilitation budgets would assist the ministry in determining health sector rehabilitation needs and shifting priorities. Current priority needs, in training, public health, curriculum development, human resource development, and institutional capacity building, are not being adequately addressed by donors or NGOs. International aid organizations purport to espouse establishment of a rehabilitation and recovery approach that builds capacity and empowers people to meet their own needs. But the continued presence of more than a hundred international NGOs (health and other) and many UN and international organization programs contradicts the rhetoric.

Finally, slow disbursement of health sector assistance pledged during the Roundtable Conference is heightening mistrust and tension between the government and the international community. It is also placing unreasonable internal pressures on the government to act. Donors pledged \$37.2 million for health and health-related projects.³¹ Nearly midway through 1995, only \$8.7 million had been disbursed. By year's end, however, pledges had increased to \$58.7 million, disbursements to \$31.3 million. The government had requested \$38.5 million.

Education

International assistance in education has been characterized largely by ad hoc

³¹ \$28.2 million for rehabilitation of health structures and systems and \$9 million for rehabilitation of schools and hospitals.

emergency interventions of limited effect. The international community's weakness in support for rehabilitation and restoration of education is due in part to programming limitations on emergency funds. Education activities are for the most part excluded from these funds because they are not deemed lifesaving. It is, however, up to donors to adapt and design funding mechanisms to provide immediate support to education.

The international community's continued rhetoric about healing will ring hollow if it overlooks the potential of education. Education provides a structured return to daily life—the most important need of Rwandan children and, by extension, invaluable for their families and communities. Basic and accessible education services throughout the country are necessary to help break the cycle of violence and set Rwanda on a new path to peace and relative prosperity. Donors have an immediate opportunity to contribute to curriculum reforms, improve accessibility of education, and assist the government in its efforts to create a future for Rwanda's youth.

As an emergency intervention, the Teacher Emergency Package (TEP) Program provided an immediate structure for children and teachers that prevented a prolonged disruption in schooling and contributed to a return to normalcy. However, there were serious shortcomings in regional and school grade coverage and in the timeliness of distribution. In June 1995, the teacher emergency packages were still being distributed to some communes even though

more substantial education programs had since been reestablished.

This late distribution underscores questions about the TEP's appropriateness. The program attempts to shape a prefabricated intervention to the needs of the country. For instance, the limited teacher training that accompanies the TEP Program enables teachers to use the packet; however, that training should be adapted to the needs of the country's existing education program. Children in Rwanda would have been better served if the international community had set about to rehabilitate the collapsed education system rather than investing scarce resources in the TEP Program, particularly so many months after the emergency. Overall, the TEP Program is better suited to a country at war or for children in refugee camps.

In the Rwanda Recovery Program, the government estimated rehabilitation costs for primary and secondary education alone would be \$18 million (and an additional \$16.6 million for higher education). Thus far, \$20 million has been pledged to reconstruct the education system. Midway through 1995 no monies had been disbursed through the Roundtable process, although Germany had committed \$5 million. By year's end, pledges had reached \$50 million, of which \$36 million had been committed and \$4 million disbursed, primarily by the Netherlands (Rwanda National University) and Germany. Much more of the \$10.5 million in emergency funds, solicited by UNICEF and some of its NGO partners through the 1995 Appeal, has been forthcoming, as has been direct assistance from NGOs.

6



Assistance to Vulnerable Groups and Initiatives for Healing

IN THE AFTERMATH of war and genocide those least responsible for the crisis—women, children, the elderly, and infirm—have become exceptionally vulnerable. This is especially so for women and young children. The war and genocide altered Rwanda’s demographic composition so radically that women now represent 60 percent to 70 percent of the population. Children throughout Rwanda have been severely traumatized, and many have been orphaned or abandoned. Postwar, postgenocide Rwanda is a scarred society in need of healing at group and individual levels. This chapter assesses the extent to which the international community has adequately recognized the needs of vulnerable groups and begun to address the psychosocial trauma suffered by Rwandans.

International Interventions for Vulnerable Groups

Assistance to Women

By some estimates, between a third and a half of all women in the most hard hit areas are widows.³² There is a disproportionate number of female-headed single-parent households (see table 6.1). In many cases these women lost their belongings, their homes, and their families in the genocide. Their livelihoods were disrupted, and many are still caring for their dead relatives’ children along with their own. Several thousand women were raped and are now having to cope with the births of unwanted children. Beyond question, women have suffered immeasurably.

³²

Government of Rwanda. Ministry of Family and the Promotion of Women. *Rapport d’Enquête sur la Situation de la Femme et de la Famille dans l’Environnement Socio-Économique du Rwanda de l’Après-Guerre.*

Table 6.1 Demographic Effects of the War and Genocide (percent)

	1992	1995
Female share of population	52	60–70
Female-headed households	21	29–40
Widows	4	n/a

Sources: “National Demographic and Health Survey,” Rwanda Population Office, 1992; “UNICEF Rwanda Progress Report, May 1994–March 1995.” The FAO/WFP “Vulnerable Groups Identification Survey” estimates the percentage of female-headed households at 29 percent.

During the initial stages of emergency assistance, women were not given special treatment as a group. Exceptions were World Food Program and Caritas/Catholic Relief Services food support programs specifically targeted toward vulnerable groups, including female heads of households. Generally, food and nonfood material aid was provided to families with the expectation that all members of the household would receive their fair share and benefit from the aid. Although there is no hard evidence on this, the way in which assistance was provided—at community centers rather than to homes—and the extreme vulnerability of many women is likely to have limited their access.

One aspect of their vulnerability is that women have traditionally been unable to own land; they have generally farmed the land of their fathers, then of their husbands. Under Rwandan law, property passes through male members of the household. As a result, widows and orphaned daughters

risk losing their property to male relatives of the deceased husband or father. Judicial guidelines and legal interpretations of laws pertaining to property, land, and women’s rights urgently need to be changed.

Save the Children Fund/U.K., Save the Children Fund/U.S., and UNICEF are supporting the Ministry of Family and the Promotion of Women, the Ministry of Rehabilitation, and women’s groups in their advocacy efforts in this area. They are also funding technical assistance to the judiciary. Numerous local NGOs are disseminating information and creating awareness of the problem both in the community and among decision-makers. Ultimately, though, the legal issue of women’s property rights requires resolution among Rwandans.

One year after the genocide, no comprehensive national programs of family support existed for the survivors. Over time, however, NGOs working in communities began to recognize the distinctive needs of women—widows, victims of violence and rape, and heads of households—and developed ad hoc initiatives to support communities in caring for their most vulnerable. Further, as women have begun to seek common solutions to the problems of reconstruction and reconciliation, grass-roots women’s organizations and NGOs have begun to form. These groups have developed extensive networks throughout the community and are one of the best conduits to reach some of the society’s most vulnerable groups. However, many are not formalized or officially recognized, making it difficult for the international NGOs and UN agencies to discern their legitimacy. Their lack of capacity has also been a problem. Where identifiable, women’s associations such as DUTERIMBERE (a national self-help organization

Table 6.2 Response of 64 Rwandan Children About the War (percent)

Someone in family was killed	91
Brother or sister killed	67
Saw someone being killed or injured	56
Both parents were killed	38

Source: UNICEF Rwanda Progress Report, May 1994-March 1995.

predating the war) are being supported by international NGOs.

Unaccompanied Children

Children throughout Rwanda have been severely traumatized (see table 6.2). The regional problem of unaccompanied children—legal minors who have been orphaned or temporarily separated from their parents or primary caregivers—has reached record proportions. A government survey found that an average of two children per household were orphans.³³ Published estimates of the number of unaccompanied children in the region vary between 95,000 and 150,000, although the numbers are debated. Some relief agencies believe the number substantially exceeds the higher figure. Some individuals point to built-in upward bias because of parents' practice of placing their children in centers, with bene-

factors, or with relatives in times of difficulty or danger. This probably contributed to the large number of registrations of unaccompanied children who later turned out to be in the company of family.

One year from the beginning of the crisis, more than 26,000 children were living in 117 official unaccompanied-children centers throughout the region; 67 centers inside Rwanda were caring for 12,700 children.³⁴ In addition, the Ministry of Rehabilitation estimates that as of May 1995, 135,000 children were living with foster families.³⁵

Ultimately, the purpose of all programs targeting unaccompanied children is to reunite them with their parents, relatives, or guardians in the least amount of time and with the least distress to the children. The government designated Save the Children Fund/U.K. as the lead agency in tracing and reunification. For its part, ICRC has responsibility for children in camps, for cross-border operations, and for centralizing data on unaccompanied children throughout the Great Lakes region. In addition, UNICEF has initiated a joint photograph identification project with the other two agencies. Through a \$1 million grant to UNICEF, USAID provided timely assistance to programs for unaccompanied children. The USAID funds were used to support UNICEF trauma and reunification assistance to unaccompanied children.

³³ Family survey conducted in November by the Ministry of Family and the Promotion of Women.

³⁴ UNICEF. *1995 Program Plan of Action: Children in Especially Difficult Circumstances*.

³⁵ Government of Rwanda. Ministry of Family and the Promotion of Women. *Rapport d'Enquête sur la Situation de la Femme et de la Famille dans l'Environnement Socio-Economique du Rwanda de l'Après-Guerre*.

Save the Children Fund/U.K. initiated a strategy to register all children and to train commune-based social workers prior to beginning actual tracing activities. Because of the large numbers involved, however, the registration phase was not completed until June 1995. During this period, though, many NGOs, church groups, local organizations, and others succeeded in reunifying children with their families through word of mouth, radio messages, and organizational networking. As of April 1995, 8,500 children in Rwanda and the camps had been reunited with their families.³⁶

Implementing foster care programs is difficult given the size of the population, the enormous human resources demanded, and the lack of long-term national strategies on unaccompanied children. International assistance has provided substantial material support, but its role has been marginal in supporting the government in creating a policy and legal framework to ensure guardianship within the community.

The de facto foster system, in which relatives or neighbors care for unaccompanied children, places extreme financial and psychological pressure on temporary caregivers. However, targeting individual families for official fostering is likely to create resentment and ultimately a breakdown in the spontaneous and existing response at the community level. It is therefore imperative to emphasize income-generating activities, rehabilitation programs, and education at the commune level to enhance the community's ability to care for orphans. Despite numerous ad hoc foster

"This [issue] is a serious problem. . . . But you should recognize that not all the children in the centers are orphans or were necessarily lost during massacres. Many parents deliberately left their children so that they would get food."

—UN official

care initiatives begun by NGOs, there is an absence of concrete assessment, planning, and design of family-targeted support intervention. Furthermore, the government advocacy and legal training support program designed by Save the Children/U.S. has yet to receive committed funding. It has thus been prevented from helping to resolve policy and legal issues on foster care, adoption, and child inheritance.

Psychosocial Healing and Reconciliation

The brutal nature and extent of the slaughter, along with the ensuing mass migration, swiftly destroyed Rwanda's social foundation. Relatively little attention has been paid to the problem of psychosocial healing. This is partly because of government opposition to what it perceived as initial overemphasis by the international community on reconciliation rather than justice.

Most of the training programs in trauma counseling are directed at people work-

³⁶

UN Department of Humanitarian Affairs. 1995. *Humanitarian Situation Report*.

"In a normal situation, one can get support and assistance from school, extended family, work, the state. All these are gone. You can't trust anyone. . . . There is no protection. The teachers, the mayors, even the family have killed."

—*Trauma training participant*

"It's terrible to have your husband killed, but when it was your husband's best friend who killed him, it's even worse."

—*Genocide survivor*

"We created the forum where they could meet with each other and discuss it among themselves. . . . During the symposium, the aspect of genocide did not come out really and we didn't push it that way. To reconstruct the pieces of their country is up to them. We can't interfere."

—*NGO symposium organizer*

"Any outside NGO is a bit like a blind man digging in a garden, not knowing if you are hurting some by helping others."

—*NGO representative*

ing with the 4 million children under 18, children UNICEF has identified as being "of concern." Some forms of counseling are based on Western psychotherapeutic models; others use more indigenous approaches to the healing process. Some training concentrates specifically on trauma recovery, while other forms consider the wider psychosocial environment, including school, peer groups, family, and the social milieu. All training programs encourage participants to recount their experiences during the genocide; express their feelings through drama, song, art, or dance; and to share the recovery process with other children and with adults.

Several NGOs have attempted to bring together people through workshops and dia-

logs that address the conflicts within Rwandan society. For instance, African Humanitarian Action held a symposium in February 1995 for more than 50 government officials and NGO representatives to discuss reconstruction, psychosocial trauma, and reconciliation. Various other initiatives are under way that promote peace and community healing, including a peace radio program initiated by *Reporters sans Frontières*, UNICEF's "Education for Peace Program," and the African Community Initiative Support Teams sponsored by the All-Africa Conference of Churches. Also, several NGOs, such as *Feed the Children*, *Caritas*, and the *Salvation Army* actively promote ethnic integration within their normal programs by providing a legitimate and organized venue for interaction.

Problems and Prospects

Vulnerable Groups

Women have suffered disproportionately, and more community-based rehabilitation programs should be supported to meet their needs. Special programs aimed at helping rehabilitate the livelihoods of female-headed households, especially those headed by surviving victims of genocide, present good prospects for accelerating the national process of reconciliation. Improving the conditions of women is the most effective way to enhance the lives of children, as far more orphaned children are being cared for by neighbors and relatives than through official centers. Continued support is needed to reform laws that permit women to better control the fruits of their labor and that allow female inheritance.

International interventions were critical in saving lives and improving the well-being of thousands of unaccompanied children. However, creation of unaccompanied-children centers was a necessary short-term response not intended as a long-term solution. Some NGOs rushed into the country staking claim to, or opening up, new unaccompanied-children centers and orphanages without any attention to long-term planning and without the guidance and direction of a strong coordinating body. The establishment of centers has provided a livelihood to too many people to be discontinued easily. The continued trend toward institutionalizing children directly contradicts the Rwandan government's policy of closing existing centers and integrating care into the community.

Poorly planned and irregularly monitored interventions have been particularly

detrimental to traumatized children who, above all, need stability, continuity, and security. There was not much collaboration with and support to local organizations, particularly after the situation stabilized. Nor was there much effort at capacity-building either at the national level or within civil society. Both should be an integral part of any international strategy.

Several large NGOs wish to terminate operations in Rwanda but are unwilling to do so knowing the government does not yet have adequate capacity to care for children. The problems are complicated and multifaceted and, given the inexperience of officials, slow progress can be expected. International relief agencies must understand, however, that the long-term care of unaccompanied children and orphans is the concern and responsibility of Rwandans. Ultimately, programs for their care must be adapted to Rwanda's socioeconomic conditions.

Donors have been slow in responding to the urgent funding needs for the care of unaccompanied children and support to vulnerable populations. At the Roundtable Conference, the government requested \$19 million for programs aimed at vulnerable groups, especially unaccompanied children (25 percent) and women (16 percent). Donors initially pledged \$6.3 million for roughly the same categories of programs. By the end of 1995, pledges had risen to \$19 million, of which \$6 million had been disbursed, mostly through relief agencies.

Psychosocial Healing and Reconciliation

Attempting to comprehend the deep wounds within Rwandan society and to find

ways to assist in the healing process is a formidable undertaking. The lack of justice for the surviving victims of genocide and the continual nationwide fear of renewed violence pose seemingly insurmountable obstacles to peace. In addition, there is evidence of rising anger and mistrust among Rwandans aimed at each other, specific organizations, and the international community in general. Some of the latter stems from a sense the international community abandoned Rwanda during the time of greatest need.

Nevertheless, the international community's early recognition of the need for psychosocial healing initiatives is commendable. Trauma-counseling training programs

have promoted children's recovery and succeeded in sensitizing a small portion of the population to psychological trauma. Similarly, open discussions of conflicts are a necessary beginning to the long and arduous road to recovery in postgenocide Rwanda. The healing process requires a great deal of time and patience. Given the difficulty of discussing the horror of the massacres, much less responsibility or atonement for acts of violence, community healing programs have not been very successful thus far. Informal efforts at reconciliation, within the context of other programs, have been more effective than direct, more Western approaches.

7 ~

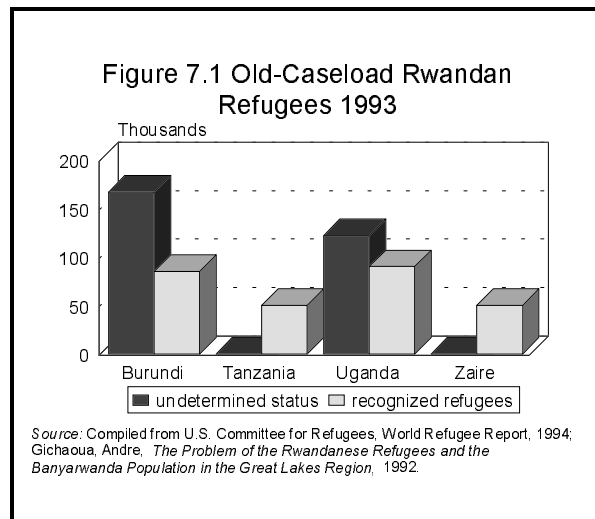
Return of Refugees and Internally Displaced Persons

SINCE 1959, successive purges of political and ethnic rivals have resulted in periodic mass displacements and forced exile. As a result, by August 1994, there were largely three categories of displaced Rwandan people: 1) old-caseload refugees, primarily Tutsi who left Rwanda beginning in 1959 and began returning in large numbers in July 1994, 2) new-caseload refugees, primarily Hutu, who fled during the crisis of 1994, and 3) internally displaced persons from the recent crisis, also Hutu, who largely settled in camps in Southwest Rwanda. For each group, the international community has had highly complex issues to address in assisting return and reintegration.

Old-Caseload Refugees

Beginning in 1959, and periodically throughout the next 30 years, hundreds of

thousands of Tutsi Rwandans fled the country, escaping ethnic and political violence. By 1993, an estimated 600,000 Tutsi and Rwandans of undetermined status were living in a refugee-like situation mainly in Burundi, Tanzania, Uganda, and Zaire (see figure 7.1).³⁷



³⁷

Significant numbers of Tutsi also resided in West Africa, Canada, and Belgium and other European countries. However, the exact number of Tutsi refugees has been the topic of much debate. Tutsi refugees left Rwanda in a succession of forced migrations, in large numbers during the crises of 1959–61, 1963–64, and 1973. The Government of Rwanda estimates an old-caseload population of almost 1.1 million. See Ministry of Rehabilitation and Social Integration. *Problèmes du Repatriement et de Reinstallation des Réfugiés Rwandais: Propositions de Solutions*.

A consistent feature of Rwandans in exile during this time was the intention to return home, reinforced by exclusionary policies that marginalize Rwandan refugees in nearly all sectors of national life in Burundi, Uganda, and Zaire, though less so in Tanzania.

Old-caseload refugees began returning to Rwanda after the victory of RPF forces in July 1994. In May 1995, the government estimated that more than 700,000 old-caseload refugees had returned.³⁸ Old-caseload returnees form a large constituency and base of support for the government; consequently, their resettlement is a major priority for political leaders.

The primary obstacle in resettling these people is the extreme shortage of land. The government has reaffirmed its commitment to the agreement made during the Arusha peace negotiations that abrogates the right to claim property abandoned before 1982. Although the government, assisted by international donors, has begun to prepare new settlement sites in areas with lower population density (including national parks), many are still without homes. Others are occupying houses left empty by new-caseload refugees. The risk of reigniting tensions over occupancy may be a significant factor in what appears to be government reluctance to promote new-caseload repatriation.

Old-caseload returnees have benefited from international assistance through direct aid to families, rehabilitation of commune

structures and services, and assistance to government ministries—particularly the Ministry of Rehabilitation and Social Integration. Way stations initially intended to ease the return of new-caseload returnees in fact have primarily assisted return of earlier refugees. Donors have provided much-needed technical assistance to the government in identifying and preparing land for new settlements. However, the slow process of disbursing money pledged for repatriation and reintegration during the Roundtable Conference hampers the ability of the government to facilitate the process. Although many old-caseload refugees returned with capital assets, the delay in assistance for reintegration depletes those savings and creates an unhealthy dependence on donor assistance. Another issue with new-caseload returnees concerns the 700,000-plus head of cattle they have brought with them from Uganda. The cattle have created environmental problems in the northeast. This problem has received too little international attention too late.

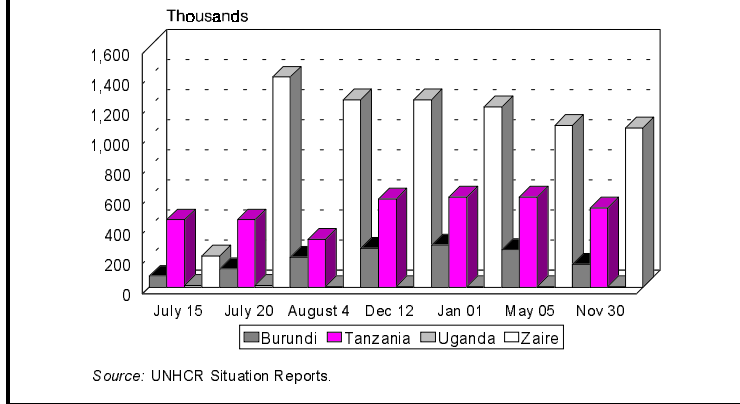
New-Caseload Refugees

The sheer numbers of refugees (see figure 7.2) mandated the use of existing structures and familiar systems to expedite distribution of assistance and maintain order in the camps. Thus at the onset, UNHCR allowed camps to be organized on the basis of administrative structures present in Rwanda (prefecture, commune, sector, and cell) and employed community leaders to distribute

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Government of Rwanda. 1995. Ministry of Rehabilitation and Social Integration. *Returnee Figures According to the Rwandan Government*.

Figure 7.2 Refugee Population,
15 July 1994-30 November 1995



tion in the camps. This became very clear following the forced return of 15,000 refugees by the Zairian government in late August 1995. The leadership resisted the forced repatriation and, moreover, publicly denounced the intentions of the international community to repatriate Rwandan refugees in Zaire by the end of 1995.

relief supplies. By all accounts, alternatives such as registration and use of international relief workers to distribute aid down to the family level would have been impossible, given the massive numbers of refugees, the inhospitable setting, and the speed of the exodus. Hence, although UNHCR and the NGOs working in the camps understood the potential ramifications of a standard operational practice, even in retrospect there appeared to be no real alternatives.

The unintended effect of this policy, however, was to reassert the authority of the former government, military, militia, and community leaders, many directly involved in genocide. The consequences have had far-reaching effects on the current situation. The leadership has succeeded in leveraging some of the donor community's assistance into human and material resources for a potential future armed return to Rwanda, and the camps are used as a recruiting ground to increase the ranks of the military.

Thus a key element for the former Rwandan leadership in preparing for an invasion is maintaining the refugee popula-

Repatriation July–December 1994

Overall, return has been minimal despite the international community's programs for repatriation. The largest repatriation took place at the end of July and during August 1994; exceptionally high disease-related mortality in the Goma camps and the absence of acute conflict inside Rwanda made repatriation a relatively attractive option. UNHCR, although not promoting repatriation, began providing transportation (in cooperation with the International Organization for Migration), food, and domestic items for refugees wanting to return home. Relief agencies established way stations inside Rwanda and, beginning in December, multisectoral assistance in the home communes.

By late August, however, with conditions in the camps stabilized, the number of refugees returning dropped significantly, while the number of people leaving Rwanda increased. During this period, a UNHCR-supported fact-finding mission on security conditions inside Rwanda stated that systematic retaliation against returnees was be-

ing carried out with the knowledge and support of the central government in Kigali.³⁹ This report, never publicly released, compelled UNHCR to abruptly halt repatriation plans, citing protection concerns. It was not until year's end that formal repatriation efforts commenced.

Also in August, the number of security incidents in the camps increased dramatically. By November, 15 relief agencies working in Goma threatened to withdraw their operations if camp security were not improved. Zairian troops were sent in to quell the troublemakers and were able, to some degree, to coerce greater cooperation by camp leaders with the humanitarian assistance community. Throughout the latter part of the year, despite the absence in the camps of formal assistance for repatriation, a small number of refugees managed to voluntarily return home. Once inside Rwanda, they were assisted with transportation. Not until September, however, did UNHCR conduct negotiations with Zairian authorities to improve security in the camps.

There are large discrepancies in the figures from different sources for new-caseload returnees in 1994. The Rwandan government estimates that 600,000 new-caseload refugees returned; the U.S. Committee for Refugees reported 100,000.⁴⁰ UNHCR did not have independent new-caseload return figures and thus used government estimates. From an overall estimate

of 800,000 total returnees (old- and new-caseload combined) between April and December, however, UNHCR has deduced the new caseload return in 1994 did not exceed 200,000.⁴¹ Return figures are highly politicized. The argument that nearly a third of recent refugees (government estimate) have returned grants greater legitimacy to the government and supports the accusation that remaining refugees are implicated in genocide. Conversely, low return figures support camp leaders' accusation of arrests, torture, and killings, and generalized insecurity within Rwanda.

Repatriation, 1995

By January 1995, events around the region demonstrated the infeasibility of continued support to refugee camps, at least as they are currently situated—along the borders. In Burundi, heightened conflict between Hutu and Tutsi resulted in more killings and further population displacement, with clear implications for the Rwanda situation. At the same time, growing evidence of large arms flows into donor-supported refugee camps in Zaire increased mistrust and distance between the Rwandan government and the international community, not to mention the direct repercussion of greater regional instability. Further, the vulnerability of relief workers to violence in the camps had yet to be resolved. Perhaps most imposing, continued support of the refugee

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Interview with UNHCR officials in Kigali and Bukavu, May 1995. Also based on briefing, attended by study IV team leader, given by head of the fact-finding mission.

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See *Returnee Figures According to the Rwandan Government* and U.S. Committee for Refugees, *World Refugee Survey 1995*. Washington.

⁴¹

UNHCR. *Voluntary Repatriation to Rwanda: UNHCR's Position and Strategy*.

camps, costing donors more than \$1 million a day, was becoming increasingly less viable.⁴²

UNHCR developed a repatriation plan recommending a broad range of measures directed at both sides of the border. It proposes

- Preparing areas for return, ensuring implementation of minimum rehabilitation, and coordinating with local authorities, UNAMIR, and human rights monitors to enhance the security of returnees and involve NGOs in establishing community services and distributing relief supplies
- Where necessary, establishing open relief centers at communal levels to act as points for distribution of relief materials and to accommodate at night those returnees and internally displaced persons who find it unsafe to sleep in isolated homesteads
- Mobilizing international assistance for reintegration projects and overall reconstruction programs for the country with special emphasis on preparation of new sites and settlement areas for refugees who left the country some 30 years ago and who upon their return have had to occupy the property of others.⁴³

UNHCR's plan underscores helping old-caseload families move to new settlements as a critical factor in national recon-

ciliation. The plan emphasizes improving security in refugee camps, disseminating accurate information on conditions inside Rwanda, and promoting visits by refugee leaders to home communes. The plan also promotes visits by ambassadors of donor countries to the camps. And the plan calls for a safe corridor inside Rwanda for those returning home.

Despite the plan, repatriation programs have had little impact on new-caseload return, and insufficient progress has been made in carrying out the broad measures recommended for creating conditions conducive for return. Improvements have been made through rehabilitation of communes, and open relief centers have been established as part of an undertaking called Operation Retour. However, new sites and settlements for old-caseload returnees are not in place, and these refugees continue to occupy other people's homes and land. Moreover, conditions inside the camps remain insecure. It has been difficult to mount an effective information campaign to counter propaganda and rumors disseminated by the leadership. Finally, a safe corridor inside Rwanda for returnees is becoming increasingly unlikely in the wake of heightened tensions and insecurity throughout the country.

Lack of progress in the return of refugees has generated understandable frustration in neighboring countries that host refu-

⁴² Interview with UNHCR officials in Kigali in May 1995. The figure of \$400,000 cited elsewhere in this report refers to activities of the European Community Humanitarian Office alone.

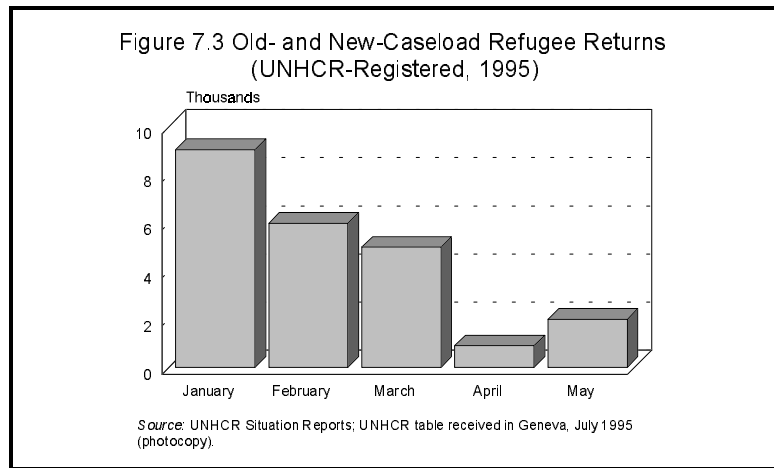
⁴³ UNHCR. *Voluntary Repatriation to Rwanda: UNHCR's Position and Strategy*; and Department of Humanitarian Affairs. *UN Consolidated Inter-Agency Appeal for Persons Affected by the Crisis in Rwanda, January–December 1995*.

gees. Because of the political and economic strain caused by the presence of 2 million refugees, these countries have become restive and are demanding effective action by international agencies. A near crisis was generated in August 1995 by Zaire when it moved to expel refugees. Fifteen thousand refugees, mostly women and children, were returned to Rwanda. Later Zairian and UNHCR representatives met and agreed the latter would take all necessary measures to ensure the complete return of refugees by year's end.⁴⁴ The agreed-on target was a return of 6,000 refugees every day, which is undoubtedly ambitious. However, the pace of repatriation, which had picked up in the wake of the Zairian ultimatum, declined after Zaire's president, Mobutu Sese Seko, appeared to disavow his government's policy and indicated the refugees should not be forced to return.⁴⁵

New-caseload refugee population remains high, especially in Zaire and Tanzania (see figure 7.2). The most recent statistics from UNCHR show the total population in November 1995 at 1.74 million (Zaire, 1.06 mil-

lion; Tanzania, 527,000; Burundi, 153,000; Uganda, 4,000).⁴⁶ Average monthly repatriation rates for new-caseload refugees in 1995 were 6,000–7,000, well below UNHCR's targeted *daily* average of 6,000, much less the figure of 10,000 *per day* agreed on at the Carter Center–initiated Cairo Summit (see figure 7.3).⁴⁷

Presumably the Cairo Summit agreement, signed by the heads of state of Rwanda, Burundi, Tanzania, Uganda, and Zaire, referred to new-caseload returns. Average registered return of new-caseload refugees for 1995 was around 250 a day. In the wake of the Zairian action taken in August, the average daily rate has increased only to 400.



⁴⁴ Government of Rwanda, Humanitarian Assistance Coordination Unit update 16–30.1995. “UNHCR, Rwanda, Zaire Plan For Return of Refugees.” Electronic copy.

⁴⁵ Mobutu interview with Marie-France Cros. 26 October 1995. “La Libre Belgique.” Electronic copy. Personal communication with USAID Rwanda desk officer.

⁴⁶ From UNHCR. 1995. “Rwandese and Burundi Refugees, 22 November 1995.” Facsimile received from UNHCR, New York.

⁴⁷ The figure of 6,000 a day is reported in USAID. 1995. “Final Repatriation Sitrep—Oct. 15.” Facsimile.

Internally Displaced Persons

By 15 July 1994, UNHCR estimated that 1.2–1.5 million people had fled into the French safe zone in southwest Rwanda, the majority to displaced persons camps. A month later, in anticipation of French withdrawal from the zone, 60,000 of the 800,000 internally displaced persons, about half of whom were in identifiable camps, left for Zaire.

The presence of large numbers of internally displaced persons delayed the process of recovery from the tragic events of the year. Citing the threat to national security, the government maintained that massive repatriation of refugees would not be feasible until the IDP camps had been disbanded. The donor community agreed to the need for the closures but was slow in responding to the urgency expressed by the government. In early September 1994, the UN Rwanda Emergency Office (UNREO) adopted a strategy that shifted the emphasis from planning relief and repatriation to facilitating return of internally displaced persons. Government ministries, donors, and relief agencies together established a task force and mode of operation. By 31 October 1994, 93,000 displaced persons had returned home.⁴⁸

Partially in response to several forced closings by the Rwandan Patriotic Army, UNREO launched Operation Retour at the end of December 1994, in an effort to contribute more to the process. The operation

entailed a phased approach involving returnee registration and transport to community open relief centers where food, medical care and protection would be provided. This was accompanied by a gradual reduction in food rations in the camps and increased distribution of food, seeds, and tools to home areas. Local government authorities met with returnees in the relief centers to explain their rights and the responsibilities of local officials.⁴⁹

According to UNHCR, as a direct or indirect result of Operation Retour, nearly half the remaining 350,000 internally displaced persons returned home in January, many unassisted. In the remaining camps, UNREO and community leaders intensified information campaigns about conditions and available services. In February, however, Operation Retour was not yielding the same results as the previous month. Although the government maintained its commitment to voluntary return, the international community sensed the attitude of some officials was hardening, leading to foreseeable forced camp closures. The government in turn was frustrated by the international community's seeming indifference to the security threat posed by the camps and subsequently announced it would close the remaining 11 camps over a period of three months.

A watershed event occurred following the first anniversary of the genocide. In an effort to close Kibeho, the remaining camp in the southwest, vast numbers of people

⁴⁸ UN Department of Humanitarian Affairs. 1994. *Humanitarian Situation Report*.

⁴⁹ Terms of Reference for the IDP Task Force and Integrated Operations Center, UN Department of Humanitarian Affairs, and interviews with a senior DHA official and the minister of rehabilitation and social integration, May 1995.

were killed in an unanticipated exchange between those entrenched in the camp and RPA forces.⁵⁰ The impact of the incident was far reaching. The relationship between the government and the international community deteriorated even further. The immediate reaction of the international community to Kibeho—temporary suspension of assistance—in contrast to its lack of response to earlier genocide, further angered the government. Furthermore, Kibeho gave credence to refugee extremists' allegations of insidious government intentions. The international community, by failing to respond adequately to government concerns, shares responsibility for the escalation of tensions that led to the standoff. Further complicating the situation was the role played by some NGOs in actively discouraging people in the camps from leaving.

Problems and Prospects

Largely without international assistance, old-caseload refugees have returned spontaneously, and camps for the internally displaced persons have been closed and their inhabitants returned to their home communes (although in some cases with substantial violence). But despite efforts of the international community, very little has

been accomplished in repatriating the nearly 2 million new-caseload refugees.

Explanatory Factors

Several factors explain the limited return of new-caseload refugees: 1) complicity of many in the exile community and their families in the genocide; 2) control of the camps by old leaders who are hostile to the present government, and their intimidation of refugees who want to return; 3) domination of the government by former RPA insurgents; 4) concerns for safety and security inside Rwanda; 5) disputes between old and new refugees about ownership of land; and 6) lack of a clear policy on culpability for the crimes of genocide. These factors have been widely discussed and debated inside and outside Rwanda.

Refugee interviewees identified three main factors that adversely affected their decision to return.⁵¹ The first was intimidation in refugee camps, which they ranked as the number one constraining factor. Leaders maintain a powerful grip on them by ordering people to remain, and by torturing, maiming, or killing those thought to be planning to return.⁵² Added to threats of physical violence and death is social pressure that defines repatriation as treason

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See Report of the International Commission of Inquiry on the Events at Kibeho. May 1995. Kigali.

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Gender-matching interviews were conducted with approximately 50 refugees in the Goma, Bukavu, and Ngara camps during site visits made in April–May 1995. There were marked difference in the responses between men and women. The men ranked insecurity inside Rwanda as the primary factor inhibiting return. According to the men, repatriation was not possible so long as the RPF-led government was in power. The team felt the women responded more openly and less polemically. Twenty women were asked to rank factors that prevented them from leaving the camps. All ranked intimidation first followed by concern for security inside Rwanda and uncertainty over property rights. According to the women interviewed, camp leaders have ordered the people to remain in the camps until they are told to leave.

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See UNHCR Situation Reports, August 1994–April 1995.

against the Hutu community and its leaders. In the same way that a Hutu identity was created by leaders' forcing complicity in the genocide, "Hutuness" is now being defined by loyalty to the former regime. A return to Rwanda not only compromises the anonymity, resources, and power of the camp leaders, but by default grants legitimacy to the new government.

Refugees ranked physical security inside Rwanda as the second major inhibiting factor. The many accounts, both actual and false, of violent reprisals, arbitrary arrests, and detentions significantly discouraged repatriation. Many fear the government is passively allowing RPA soldiers to attack recent returnees. Moreover, refugees cited the fear of being wrongly accused of taking part in the genocide, in the absence of clear policy guidelines determining degree of guilt for prosecution. The increase in the reported number of arrests and detentions accompanying the return of internally displaced persons, and the incident at Kibeho, gave credence to their fears. Clearly, the historical relationship between ethnicity and the state in Rwanda plays a powerful role in shaping perceptions.

Concern for property rights ranked third among refugees interviewed. They based their concern on the critical issue of disputed claims and reported occupation of their houses by other returnees and, even more contentious, by RPA soldiers. Reports of arrests and detentions of returnees accused of crimes, and of abrogating their property rights, worsens their fear. Furthermore, under Rwandan law, widows who have lost their male relatives have no clear legal rights to property. Officially, the government proclaims two uneasily reconciled principles on the right to house and land

ownership, recognizing both 1) the property rights of new-caseload returnees and 2) the rights of old-caseload returnees to land and reintegration into economic life. Even without significant repatriation of new-caseload refugees, the problem of land and housing is acute, because of the large numbers of old-caseload returnees.

The Role of the International Community

Donor and humanitarian agencies cannot be held solely accountable for the reluctance of refugees to return. Nonetheless, many acts of omission and commission have contributed to the repatriation deadlock and political instability in regions where camps are located. The inability of the international community to disarm former Rwandan military forces in or around the camps allows former leaders to maintain control over the camps and intimidate refugees who want to return. Delay in providing better security in refugee camps (resolved only in March 1995 with deployment of the Zairian Presidential Guard) further undermined attempts to permit free departure of refugees. In addition, the (conceivably inadvertent) employment of suspected criminals to distribute aid in the camps reinforces the power of leaders and helps sustain the military. Moreover, delay in establishing the International Tribunal creates the perception the international community isn't committed to bringing the leaders of genocide to justice.

The ineffectiveness of human rights monitors, the nebulous mandate of UNAMIR, and the absence of a functioning judiciary and civilian police has heightened the refugees' sense of insecurity inside

Rwanda. The international community has delayed aid to rehabilitate these critically important institutions. Furthermore, it has failed to exert sufficient pressure on the government to adopt policy guidelines for determining degrees of guilt in 1994's genocide and disseminating guidelines to refugees.

By contrast, an example of effective and coordinated action in addressing the security issue is the town of Cyanguu, on the border adjoining Bukavu, in Zaire. The presence of an Ethiopian battalion, the relative competence of the human rights monitoring team there, and commitment of the local prefect to support human rights have resulted in little flight among returnees back to refugee camps.

Delay in disbursing funds to the government for resettlement of old-caseload returnees has extended the period of potential conflict over individual property rights. The large number of old-caseload returnees occupying homes vacated by new-caseload refugees is a significant deterrent to return. Moreover, disputes over property continue in an atmosphere of tension and uncertainty. Beyond that, the international community has not given enough attention to the plight of women returnees, nor have donors exerted enough pressure on the government to address the legal rights of women to family property.

Future Prospects

Unless the present political crisis is satisfactorily resolved, substantial voluntary return of refugees is unlikely. Even if the crisis is resolved (which is unlikely to happen soon) large-scale voluntary return is improbable because of the struggle for

scarce resources and a long history of political and ethnic conflict.

However, the international community can take steps to encourage more refugees to return home. First, it can help undermine the control of refugee-camp leaders by insisting that exleaders can hold no political office or administrative position and cannot be employed by NGOs unless they are widely considered not to have participated in genocide. With the cooperation and assistance of asylum countries, the international community should try to separate the extremist leaders from the rest of the refugee populations.

Second, the international community can counter disinformation by launching massive information campaigns about the security situation in Rwanda.

Third, it can endeavor to send delegations of present Rwandan leaders, government officials, and representatives of the international community to meet with refugees. The purpose of these encounters would be to address the issue of safety and security within Rwanda and to help allay refugees' fears.

Fourth, the international community can encourage the government to form peace committees in communities to which refugees might return. These committees can comprise government officials, leaders of both ethnic communities, and staff of national and international voluntary organizations.

Fifth, the international community can help the government frame precise guidelines to set levels of culpability in the genocide.

Finally, as suggested elsewhere in this report, the international community should speed delivery of promised assistance to Rwanda for rehabilitation and reconstruction.

8



Crosscutting Issues and a Vision for the Future

FOUR ISSUES of great relevance to the overall success of rehabilitation and reconstruction are reviewed in this chapter. Although they have been touched on in different sections of the report, they are discussed separately here to underscore their importance. Three are factors shaping the impact and effectiveness of international assistance. The fourth pertains to the long-term stability and prosperity of Rwanda. The international community and Rwanda itself face major policy choices in addressing these issues.

Consequences of Genocide

Postgenocide Rwanda is dramatically different from Rwanda before April 1994. Genocide has transformed the social, political, and economic landscape. The systematic killing of more than half a million people has changed the demographic profile of the country, led to the migration of 2 million people to neighboring states, and shattered Rwanda's social structure. It has also profoundly affected political and cultural institutions. But, above all, it has undermined the social trust that binds people together. Just as the Holocaust redefined the Jewish identity, so has genocide left a profound

imprint on the psyche of Tutsi and Hutu Rwandans.

The international community took steps to investigate the genocide and punish perpetrators by establishing an international tribunal; however, it has largely failed to incorporate the implications of genocide in the design and implementation of assistance programs in Rwanda. It has treated and continues to treat the present crisis like other civil wars in which the international community intervened and assisted a suffering population. Such an approach has distorted assistance priorities, undermined the effectiveness of the assistance programs, and alienated the government.

For example, the international community has tended to overlook the plight of survivors of genocide. There are still no nationwide programs directed at them, especially for widows, rape victims, or bereaved families. By and large, these survivors have not been treated any differently from other segments of the population. By contrast, the international community has spent immense resources on refugees. It is not that the refugees do not deserve assistance, but that such assistance should be balanced with assistance to survivors.

The international community's apparent lack of understanding of the psychological impact of genocide has also contributed to the distrust, and even open hostility, of the Rwandan government toward the UN Human Rights Field Operation. As mentioned earlier, a primary role of field operation officers has been to hear complaints about human rights violations, investigate them, and forward their findings to the high commissioner for human rights. Management and implementation problems have plagued the operation since its beginning. More important, HRFOR's legitimacy has been vastly compromised because it is perceived as one-sided, concentrating on current human rights violations instead of on crimes against humanity. Although the situation has improved slightly with the ongoing reorientation of the field operation, much damage has been done to its credibility and effectiveness.

Overall, three institutional factors have limited the international community's ability to respond adequately to the unique consequences of genocide. They are 1) limited mandates of the bilateral and multilateral agencies, 2) inflexible approaches for allocating resources, and 3) inappropriate procedures for delivering aid in the field. But beyond institutional roadblocks, the cultural insensitivity of the international community has at times devalued the tragic social and human dimensions of the genocide as perceived by Rwandans. Perhaps the most lamentable example is the rush to promote reconciliation over the understandable resistance of those who have suffered immensely.

Relationship Between NGOs and the Government

Within weeks after the collapse of the previous regime, hundreds of NGOs came to Rwanda and its neighboring countries to deliver humanitarian assistance. Despite many shortcomings, these organizations have provided invaluable assistance in delivering and maintaining essential social services, caring for refugees and internally displaced persons, and reaching out to vulnerable groups in the countryside. Roughly 150 NGOs were operating in Rwanda in December 1995 before the Rwandan government expelled or restricted the activity of 56, leaving about 100 NGOs active in the country.

Although some tensions have always existed between the government and NGOs, not surprisingly they have become more visible and serious over time. During the acute crisis, NGOs enjoyed unprecedented freedom and access. They formulated their own strategies and activities on the basis of their perceptions of the needs of beneficiaries and their capacities and mandates. The fragile government was hardly in a position to exercise control.

As it began consolidating its position, though, the government started asserting its authority over NGOs, insisting that they work within the framework of its policies, priorities, and procedures. The government now requires NGOs to register with the Ministry of Rehabilitation and formulate their programs in consultation with the concerned ministries. While most NGOs have submitted applications for registration and are working within guidelines established by the government, some still resist the new requirements.

The vast resources at the command of the NGO community are at the heart of the problem. NGOs, often funded by donor agencies, are able to design and implement their programs, whereas the government has little or no money even to pay salaries. On a more mundane plane, NGOs generally enjoy excellent office and transport facilities. In contrast, government officials are obliged to perform their tasks with little or no equipment. Clearly, some resent the presence of NGOs.

The situation has been aggravated by two additional factors. First, many NGOs have drawn experienced staff away from the government by offering higher salaries and fringe benefits, further undermining institutional capabilities of line ministries. Unaware, some have even created parallel structures in the field. Second, because senior staff of NGOs have generally come from Europe and North America, a relatively large expatriate community has emerged in Kigali. Its affluent lifestyle arouses understandable envy among local elites.

Some developments, however, are encouraging. In some ministries a working partnership has emerged between the ministry and concerned NGOs. Such partnerships are evolving in agriculture, in health, and in education. Many NGOs are reducing their operations and expatriate staff, increasing training opportunities for indigenous staff, and carrying out capacity-building measures. It appears established NGOs with professional staff are earnestly trying to adjust to the new realities. The government also

seems more appreciative of the contributions of some NGOs and the leverage they have with the donor agencies.

Unrealistic Expectations for Repatriation

The voluntary return of Rwandan refugees is viewed by the international community as a cornerstone for any durable solution to the present crisis. Indeed, the presence of two million refugees on the borders poses a serious security threat and undermines the economic and political stability of the country. It also is a severe drain on humanitarian assistance, which the international community can ill afford in the present climate. Consequently, the international community fully supports voluntary repatriation of refugees within the next year or two.

As late as September 1995, under duress from the Zairian government, UNHCR promised to try to facilitate repatriation of all refugees by the end of the year. UNHCR's announced goal was to promote the return of 6,000 refugees a day: 3,000 from Zaire, 2,000 from Tanzania, and 1,000 from Burundi. But actual numbers have fallen far short of that. The most recent official return statistics suggest a daily return rate of no more than 500 people (including old- and new-caseload refugees).⁵³ An agreement among regional heads of state at the Cairo Summit seeks to increase that number to 10,000 a day. More than realism, the pact reflects frustration with the

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“Progress Report of the Secretary-General on the United Nations Assistance Mission for Rwanda.” 1995. Electronic copy.

huge and politically volatile refugee population.

The numbers sought by UNHCR and the Cairo Summit seem unrealistic, but changes in the leadership structure in the camps and general improvements in security in Rwanda could, given the right circumstances, speed up the pace of repatriation. The camps need to be restructured to break the hold of the present leadership over the refugees and prevent the leaders from intimidating and punishing those who want to go back. Further, disinformation campaigns need to be countered. At the same time, the government needs to improve the human rights situation, ensure that refugees' land and property are restored, and spell out its position on the degrees of culpability for genocide. Procedures for the arrest and prosecution of the participants need to be clarified. The international community by itself cannot institute these changes; it has to depend on the cooperation of the governments of Rwanda and its neighboring countries. As matters stand, there is little cause for optimism.

Even if suggested changes occur, a substantial proportion of the refugee population is still unlikely to repatriate soon, for three reasons. First, 10–15 percent of refugees (adult and adolescent) in the camps may have taken part directly in mass killing. These refugees and their families are understandably reluctant to return.

Second, transmigration has been common in the Great Lakes region in the past. Many Kinyarwanda-speaking “ethnic Rwandans” live in Burundi, Tanzania, Uganda, and Zaire. Consequently, refugees are not in totally foreign milieus; bonds of

history and language help mitigate refugees' nostalgia.

And third, experience of past complex emergencies shows unmistakably it usually takes years, even decades, before significant voluntary repatriation occurs. Even then, rather than going back to their country of origin, many refugees settle in host countries or move to third countries.

Given these considerations, it is imperative that the international community demonstrate more realism in planning its initiatives by considering a wider range of solutions to the crisis. It should prepare for the eventuality that a significant percentage of refugees may not return and will need assistance to resettle in other countries.

Long-Term Development of Rwanda

The vast humanitarian assistance that has poured into Rwanda and neighboring countries has without question saved thousands of lives, provided essential services to millions of people, and restored some confidence in the future. However, humanitarian assistance alone cannot solve the present crisis; it has provided only a temporary window of opportunity. At this juncture, the international community can continue to assist Rwanda and its neighbors in searching for a durable solution. Alternatively, it can waste its chance in the fond hope the problem will somehow be solved without critical and sustained support.

In examining the question of long-term development of Rwanda, two considerations should be kept in mind. First, the success of Rwanda's march toward a politically stable and economically sustainable society

will depend on a complex set of conditions and circumstances. For example, it will be shaped by the vision shown by its leaders, by emerging regional alignments and interests, and by its distinctive social, cultural, and economic institutions. The international donor community can influence such factors but cannot control them. Second, the transition is not likely to be smooth. Rather, as has been the case with many complex emergencies, the process is most likely to be characterized by ups and downs, stagnation, even regression. There is a need to take a long-term perspective.

A consensus seems to be emerging that the country should give top priority to building an effective judicial system based on the rule of law; ensuring physical security of returning refugees and survivors of genocide; and promoting rapid economic growth in agriculture and small business. In this regard, donors should avoid a business-as-usual approach to rehabilitation and reconstruction using past social and economic policies as the models for Rwanda's future. Unlike the past, when the emphasis was on

economic growth, the country will have to follow a strategy of integrated development that emphasizes human resources. The government will also have to face the problem of ethnicity and political participation, and encourage a culture of tolerance and respect for democratic principles and human rights.

But it appears increasingly probable that efforts at the national level alone are insufficient to solve the refugee return problem. Because of growing political and ethnic tensions in Burundi, the presence of 2 million Rwandan refugees in neighboring states, and the high population density of Rwanda herself, a regional approach will be key to longer term resolution of the crisis. Such an approach may require resettling populations, redrawing national boundaries, or promoting greater regional political and economic integration. Whether Rwanda, its neighbors, and the international community are ready to take the bold steps necessary to achieve a durable regional solution to this complex problem is a question history alone can answer.

9



Recommendations and Lessons Learned

Recommendations for Rwanda

USAID IS ONLY ONE of the major international actors in Rwanda. It cannot accomplish much alone. But it can make a critical difference in the performance and impact of assistance programs, as it has often done in the past, by working closely with other donors. Consequently, the underlying premise behind these recommendations is that mere changes in USAID programs and policies are not enough; the Agency should also exert its influence with other bilateral and multilateral agencies to make necessary changes in approaches and activities.

1. Assistance to the Government of Rwanda for Institutional Capacity-Building

USAID was among the first to provide assistance to the new government for institutional capacity-building. Although now many donors provide such assistance, the total volume of resources available to the government has been meager. This is unfortunate because there is a critical shortage of technical manpower in key sectors to imple-

ment rehabilitation and development programs. Most ministries are understaffed. The situation is worse at the local level. Often government agencies lack funds to pay employees struggling to perform their duties in the absence of essential equipment and facilities. There is little doubt that unless donors help the government reestablish its institutional capacity, it will be unrealistic to expect greater accountability and transparency.

Recommendation: Continue to provide a large share of pledged assistance to build institutional capacity of the government at national and local levels. USAID should lead donors in supporting a) short- and long-term training of government officials, b) purchase of essential office equipment, and c) rehabilitation of educational and training facilities devastated by the war and genocide.

2. Conditional Support of UN Human Rights Field Operation

USAID took a lead in supporting a UN Human Rights Field Operation that initially proved to be ineffective and counterproduc-

tive because of poor leadership, a contradictory mandate, lack of training, bureaucratic infighting, and failure to comprehend the impact of genocide on the political culture of the country. Although some implementation problems seem to be resolved, much remains to be done to restore confidence of the people in the effectiveness and credibility of the human rights operation. The first year HRFOR was running appeared to have had little positive impact. After the first year, however, important leadership changes were made that could improve the effectiveness of the field operation.

Recommendation: Continue to assume a leadership role in strengthening the Human Rights Field Operation. Particularly, the Agency should

a. Give the new leadership of the Human Rights Field Operation six months of secure funding while conditioning continued funding on formulation and implementation of new strategies and activities that will produce results in the field.

b. Commission an in-depth evaluation of the field operation's effectiveness, outputs, and impact conducted in May–June 1996 by a consortium of international human rights organizations.

3. International Tribunal and Administration of Justice

Owing to problems of logistics, funding, and staffing, the International Tribunal for Rwanda has made only limited headway. As of September 1995, the tribunal had no indictments before it, nor any suspects in custody. The long delay has led many observers to doubt the commitment of the international community to punish the perpetrators of genocide. It has conveyed the

impression the community is more concerned about the isolated cases of human rights abuses than about the systematic killing of more than half a million people. It is imperative the tribunal expedite its operations and issue indictments.

Recommendation: To expedite operations of the International Tribunal, USAID should

a. Push countries in which suspected Rwanda war criminals have taken asylum to cooperate fully with the investigations of the prosecutor. This should include transparent policies on extradition and clear acceptance of the right of the prosecutor to indict.

b. Make support to reconstruct the justice system (ultimately an independent judiciary) a top priority and develop a systematic approach to it.

4. Programs for Women Who Are Survivors of Genocide and Heads of Households

Women have suffered most from the aftermath of the genocide. By some estimates, a third to a half of adult women in the most hard hit areas are widows. There is now a disproportionate share of female-headed households, particularly among the minority community. Thousands of women have been raped and brutalized. Although ad hoc initiatives for women are being started by the international agencies at the community level, no *nationwide* programs to help women existed at the time of the evaluation.

Recommendation: In cooperation with other donors, USAID should

a. Develop and implement short-term economic rehabilitation programs for

women who have lost their husbands and other male family members. Such programs may, for example, provide assistance to women for repairing their burned or vandalized houses, loans for agriculture and microenterprise activities, and even financial support for a year or two.

b. Support a comprehensive program to remove legal and other barriers to women's ownership of productive resources, particularly land.

c. Enhance the capability of families, female-headed households, and communities to cope with the support and care of orphans and unaccompanied children, and complement NGO-implemented income-generating activities.

5. Repatriation and Resettlement of Refugees

The international community has not succeeded in facilitating large-scale voluntary repatriation of refugees to Rwanda. Several factors—such as intimidation by militia in refugee camps, continuing human rights violations in Rwanda, economic instability, concern for security, possibility of property litigation, and fear of prosecution—explain the reluctance of refugees to return home. The presence of nearly 2 million people in refugee camps poses a serious threat to national security and is a tremendous drain on the resources of international donors. Moreover, Zaire's threat to expel refugees by the end 1995 and growing restiveness in other host countries have added a new urgency to the problem of repatriation.

Recommendation: To promote timely repatriation of refugees, USAID and other donor agencies should

a. Exert pressure on UNHCR to reduce social services in refugee camps to encourage refugees to return home.

b. Request the government to facilitate formation of peace committees in each commune to monitor and protect the security of returnees. Such committees should comprise representatives from the Hutu and Tutsi populations, local government officials, and community leaders.

c. Encourage, and provide support for, the government to define precisely degrees of culpability for genocide, and spell out procedures for arrest and prosecution for participants. Such information should be widely disseminated in refugee camps to induce innocent people to return to Rwanda.

d. Demand that the government enforce its stated policy of restoring land to new-caseload refugees and publish and disseminate in refugee camps regulations related to ownership and recovery of property.

e. Promote programs to send delegations consisting of senior officials of donor agencies and the government to refugee camps to ensure the safe return and rehabilitation of refugees who did not actively participate in genocide.

6. Enhancing USAID's Capacity to Rapidly Develop and Implement Transition Programs

Routine procedures for designing and implementing projects are time consuming, resulting in unnecessary delays and missed opportunities. As indicated in the report, because of these cumbersome procedures, many timely initiatives could not be carried out by international donor agencies.

Recommendation: To design and implement rehabilitation and development projects rapidly, USAID should consider a) using the concept of Disaster Assistance Response Teams during the transition stage, b) providing greater flexibility in the use of nonproject assistance, and c) exploring new mechanisms for channeling assistance through local NGOs and even private sector companies.

Lessons Learned for Future Complex Emergencies

The scope of lessons learned for international interventions in future complex emergencies is limited in two ways. First, only lessons that follow directly from the findings of the CDIE evaluation are presented here. Second, the lessons pertain to the rehabilitation and development phase only, the particular subject of the USAID study.

1. New Mechanisms Are Needed for Rapid Delivery of Rehabilitation Assistance

During the initial response phase, USAID and other donors expeditiously delivered massive humanitarian assistance to Rwanda and neighboring countries. Relief programming bypassed all but the most essential administrative regulations. Post-emergency programming, however, reverted to established processes for financing development projects, which usually take one to two years. The delay in releasing pledged assistance means that much needed resources are not available for meeting urgent rehabilitation needs. Consequently, both the people and the government are frustrated, exacerbating conditions that

threaten increasing instability and renewed conflict. The Rwanda crisis thus suggests the need for rapid delivery of rehabilitation assistance.

The international donor community might

a. Develop rapid and flexible procedures for disbursing rehabilitation funds along the same lines as procedures for emergency assistance. A study of the flexible mechanisms of the Netherlands and the United Kingdom would be instructive.

b. Delegate more authority and resources to field-level operations to design and fund rapid-impact projects.

c. Channel a greater proportion of resources in the form of untied aid to local and central government agencies. Such channeling should, of course, be based on mutual agreement about such agencies' strategies and plans, and be followed up with performance monitoring and evaluation.

2. Self-Regulation by NGOs Would Improve Impact

During the emergency, international NGOs provided invaluable assistance in establishing and maintaining delivery of essential services, caring for refugees and internally displaced persons, and reaching out to communities. They are now playing a critical role in rehabilitation and reconstruction.

Nevertheless, the inexperience of many of these NGOs undermined some positive achievements. For example, some NGOs, particularly in the health sector, lacked essential experience and expertise to function effectively in developing societies. Others initially failed to coordinate their operations

with fellow NGOs and relief agencies. Still others lured experienced staff from the government by offering higher salaries and benefits, undermining institutional capabilities of ministries. Finally, some NGOs have refused or shown reluctance to register with the government, creating unnecessary tension between themselves and the government. There is little doubt that had the NGO community followed a well-formulated code of conduct for its operations, the organizations would have used their resources more efficiently and had greater impact.

The impact of NGOs in the rehabilitation and reconstruction phase of complex emergencies would be improved if donors would

a. Assist NGOs in developing and adopting a comprehensive code of conduct addressing a wide range of policy and operational issues, including coordination and division of labor among NGOs, standards of qualifications and experience for relief workers, adherence to standardized salaries for local staff and minimum requirements for operating in each sector, commitment to local capacity-building, and timely, appropriate exit strategies.

b. Require NGOs to establish a consortium with a recognized coordinating body immediately on arrival at a disaster site. Such a consortium would cooperate with the overall coordination structure of the UN Department of Humanitarian Affairs and facilitate exchange of information about program strategies, priorities, and activities.

c. Mandate greater accountability for funding NGO activities, including justification for expatriate staff, cooperation and transparency with local and national

authorities, commitment to local institutional capacity-building, and development of assessment, planning, and exit strategies.

d. Condition funding on adherence to the code of conduct and commitment to coordinate operations with other NGOs and relief agencies. There are costs associated with coordination, and such expenses should be allowable under donor grants to NGOs.

3. Mechanisms for Collecting, Analyzing, and Sharing Background Information About the Crisis Need to Be Institutionalized

Lack of in-depth knowledge of the historical, political, social, and economic context of the crisis undermined the effectiveness of international interventions in Rwanda. For example, in their ignorance of the extent of involvement of political leaders in the genocide, relief agencies allowed former leaders to deliver assistance in refugee camps. This enabled the very people who commanded the genocide to reestablish their command over the refugees. As discussed in chapter 7, these leaders have obstructed the return of the refugees, impeding the process of rehabilitation. The Rwandan crisis underscores the need for sharing information about contextual variables—historical, social, cultural, political, and economic—among donor and NGO technical and managerial staff in the field.

To meet the above information needs, the international community can

a. Develop systematic intra- and inter-organizational information-sharing procedures. This would involve collection of short background papers, briefing notes, situ-

ational analyses, and political and military intelligence and their dissemination in succinct form among the field staff.

b. Strengthen and implement Relief Web/Response Net electronic bulletin board concepts that would disseminate information to and from a broad cross-section of

people, including field staff and headquarters.

c. Regularly involve the government, local authorities, indigenous NGOs, and community leaders in planning and implementing of international interventions so that activities reflect local knowledge and experience.