

**Komisiyo y'Igihugu y'Ubumwe n'Ubwiye**  
**Commission Nationale pour l'Unité et la Reconciliation**  
**National Unity and Reconciliation Commission**  
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**NURC-GTZ Conference on the Presentation of the  
grassroots consultation and evaluation Report**

***Kigali, Hotel des Mille collines 25th of July 2002***

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## **INTRODUCTION**

In accordance with the National Unity and Reconciliation Commission's (NURC) mandate of providing the platform for free expression on matters concerning unity and reconciliation and in conformity with the recommendations of the National Summit held in Kigali in the year 2000, the Commission initiated nation-wide grassroots consultations on the process of unity and reconciliation.

Those consultations had two major objectives namely

To reveal indicators of unity and reconciliation to the political authority responsible for decision taking. Getting from the population, the positive and negative indicators that respectively foster or hinder reconciliation process and the remedial suggestions.

To develop appropriate strategies to respond to the results of the consultations in collaboration with line Ministries and Institutions.

The results of the consultations were presented to the public and Government representatives in each Province on November 23<sup>rd</sup>, 2001.

At the National level, the ceremony took place in Kibuye and was presided over by His Excellency the President of the Republic of Rwanda.

The conference that took place at the Hotel des Mille Collines on 25th July 2002 was the follow-up of presentations made in the Provinces and had the following objectives

Presentation of the condensed and harmonised national report.

Soliciting political commitment in finding solutions to the obstacles revealed in the report.

Considering that the consultations were made between April and August 2001, certain attempts have since been made to handle some of the negative indicators. That is why the following exposes will indicate remedial measures already taken, but the report also contains many ideas that were of paramount importance to the participants and could contribute a great deal to the revitalisation of the unity and reconciliation process.

### **I. Opening Speeches.**

I.1 Main ideas in the speech delivered by the president of the National Unity and Reconciliation Commission.

Before the official opening of the conference, The president of the National Unity and Reconciliation Commission Dr. Habyarimana Jean Baptiste welcomed all the participants in general and in particular, the Speaker of the Transitional National Assembly Dr. Vincent Biruta who was the guest of honour.

He gave a brief introduction to the process that led to this day's event and explained that the conference was a follow-up of the report presented to the Nation after the nation-wide consultative debates that took place between April and August 2001. He reminded that the report of the evaluation on the progress made in the area of unity and reconciliation was presented on 23/11/2001, with the national event taking place in Kibuye where it was presided over by the President of the Republic, His Excellency Paul Kagame.

The President of the Commission pointed out that organising such debates was one of the Commission's functions and in line with the recommendations of the National Summit on unity and reconciliation, held in the year 2000.

He remarked that rebuilding the unity of Rwandans after the Genocide was not an easy task, despite the fact that it was the only reasonable option.

The President of the Commission thanked the Government for the trust accorded him and his team by appointing them to the Board of Commissioners and he took the opportunity to also thank those Commissioners who preceded them, on the good work done.

He then called upon the guest of honour to officially declare the meeting open and to chair the subsequent discussions.

## **1.2 Summary of the speech by the Speaker of the Transitional National Assembly, Honourable Dr. Vincent Biruta.**

In his opening address, the Speaker of the Transitional National Assembly, Honourable Vincent Biruta, thanked the National Unity and Reconciliation Commission for organising the conference to present the report of the National Evaluation of unity and reconciliation activities and he, in particular thanked all those who had come to participate.

He reminded those present that our country experienced prolonged periods of bad governance and discrimination which started during the colonial time through the era of decolonization when political parties, based on divisionist policy, started emerging.

This policy of divisionism that characterised the successive post independence regimes led to massive human rights abuse, which culminated, into the 1994 Genocide.

He also mentioned that the Arusha Peace Accord had identified unity and reconciliation process as fundamental to peace and sustainable development. The law n° 03/99 of 12th March 1999 instituting the National Unity and Reconciliation Commission, therefore, marked a major milestone in changing, fundamentally, effects of bad governance based on discrimination and sectarianism.

He reminded the participants that Article n°3 of the law gives the Commission the mandate to organise national debates which aim at promoting unity and reconciliation among the people of Rwanda.

He advised that promoting unity and reconciliation was not the responsibility of the Commission alone, but also that of every institution and indeed of every Rwandan.

Honourable Biruta also highlighted the achievements made by the Government of National Unity in this direction and the obstacles that still hinder the reconciliation process.

Overcoming these obstacles, he said, required selflessness on the part of everybody who has Rwanda at heart.

He ended his remark by requesting every stakeholder to point out what has been done to overcome these obstacles and at the same time give strategies on how to tackle the remaining problems. He requested Rwandans in general to actively participate in both the Gacaca and Constitution making processes, which he said, were fundamental to genuine reconciliation. He emphasised that unity and reconciliation of Rwandans were possible.

He took the opportunity to request the international community and all the friends of Rwanda to support the Government of National Unity in its reconstruction endeavour.

He then declared the conference officially open.

## **2. The Summary of the Report on the progress made on the way to Unity and Reconciliation.**

The summary of the Report was presented by the Executive Secretary of the National Unity and Reconciliation Commission, Miss Fatuma Ndagiza, who before giving the categories of the results, emphasized the methodology used in carrying out the consultation in order to show they were authentic outcome of the community's analysis.

The Executive Secretary said that the facilitators who had been carefully selected, were at the same time trained in the DELTA approaches prior to the consultations, with the aim of empowering them to conduct productive discussions and to help participants arrive at mutually accepted conclusions.

In order to have fruitful discussions, a sample of 300 adult participants were selected at the level of Districts and they comprised of Rwandans of varying socio-economic background. Gisenyi province was not fully covered during these consultations because of the prevailing insecurity at the time.

The Executive Secretary explained that the actual discussions focused on three major axes namely;

- a) Positive Indicators of Reconciliation
- b) Negative Indicators that still hinder social cohesion and

c) General recommendations from the community.

**On the positive indicators of Unity and Reconciliation, She said the community mentioned the following:**

- Everybody has now equal opportunity to education and the policy of allocating places in schools is based on ability.
- People have learnt to denounce any divisive indoctrination. They disassociate themselves with the infiltrators and denounce their acts of terrorism. People also appreciated the idea that they are now involved in the keeping of the security in their areas.
- Most of the Rwandese refugees have been repatriated.
- The two armies, ex-FAR and RPA, which a few years back fought as enemies have been integrated to form one national army.
- Orphans and unaccompanied children who were in children's centers have now been reunited with their own families or put in foster families.
- The properties illegally occupied immediately after the war, have been returned to their rightful owners.
- Grassroots elections were organised and conducted in transparency and people were elected according to their ability.
- Gacaca courts which have been instituted will help in recreating confidence and trust among the Rwandans.
- The ethnic label, which used to appear in the national identity cards has been removed.
- The Government put in place different Commissions that cater for the welfare of the community and those, which provide forums, that allow freedom of expression.
- People now have equal opportunity to employment. Jobs are competed for and are offered according to applicants' ability.
- Recruitment in the army and police is based on the will and ability of the candidate.
- The Government enacted the law of inheritance which now gives equal rights to both the male and female child.

- The Government also initiated youth and women's councils in order to provide due attention to such groups and accord them visible participation at the levels of decision taking.

**On the Negative Indicators, the following were highlighted**

- Infiltrators who are still bent on activities of destabilization.
- Some people do not participate in the burying of the remains of the Genocide victims and do not give the Genocide commemoration period its due value.
- Slow process in trying genocide cases denies justice to possible innocent suspects who otherwise should be acquitted. Failure to speed up verdicts also delays compensation and reparation due to the survivors.
- Leaders who flee the country after losing their positions and their double-tongued characteristic.
- Conflicts emanating from land related issues especially those related to the sharing of plots of land formally belonging to one individual.
- Rampant corruption and unlawful detention in the judicial system have increased people's suffering.
- There are many unchallenged rumours, which confuse the population.
- Contradicting way of understanding the functions of IBUKA as an organisation.
- Discrimination observed in the administration of FUNDS established to provide aid to orphans and widows of genocide.
- Unpaid arrears of Teachers and termination without due benefits.

After the positive and negative indicators, the Executive Secretary also presented the General Submissions, which emerged out of the consultations.

- Speeding up the enactment of the Law governing land use and land ownership
- The citizens should be sensitized on the laws governing them so as to use them for their protection instead of meeting a law only when it is used to punish them.
- Funds designed to aid the vulnerable persons should do so without discrimination whatsoever.

The Genocide Survivors' Fund should be better governed in order to avoid the possibility of it becoming a source of conflicts.

- Bad leaders should be identified, discovered and exposed when they are still in their positions instead of waiting to do so when they have fled the country or when they are no longer in power.
- Radio Rwanda, the media in general and the leaders of this country, should denounce and counteract rumours propagated by international media or disgruntled elements before they become destructive.
- Termination of teachers should be done in transparency, dignity and only when the termination benefits due to them are readily available. They should get their salaries on time like all other civil servants.
- All Government Institutions responsible for social justice should endeavour to go near the people in the community and ensure justice is done and is seen to be done.
- There should be a deliberate effort on the part of government officials to pay visits to the community and explain the government policy. This will help people to distinguish intended bad actions by individuals from actual government policy.
- There should be a plan to build the capacity of grassroots leaders in order for them to work more efficiently.
- Rwandans should distance themselves from useless divisions, which take more of their energy and time that could otherwise be used for synergy.

### **3. Remedial approaches as presented by various ministries concerned.**

After the presentation of the report, Ministers or Representatives of different ministries, took turns to explain what their ministries are doing or intend to do in order to remove indicated obstacles that hinder the unity and reconciliation of Rwandans.

#### **3.1. The Ministry of Foreign Affairs and Regional Cooperation. In his address,**

Honourable Minister André BUMAYA explained that the question concerning his ministry was that of infiltrator and other elements bent on destabilizing the security of the country. He gave his own explanation, but said that a representative also accompanied him from the Ministry of Defense who would also give further clarifications. The representative from the Ministry of Defense was Brigadier Laurent MUNYAKAZI.

The Minister explained that the major preoccupation of the Government of National Unity since it came to power was the repatriation of refugees. He said that this had been done and that Rwandese refugees remaining in exile were very few indeed. He pointed out that even the UNHCR now gives Rwanda as an example of a country that has been most successful in repatriating its refugees in the shortest possible time.

Some of the measures taken by his ministry include the following

- In collaboration with the Commission responsible for the repatriation of refugees, UNHCR and the host countries, now refugees are even free to come to the country, see new developments for themselves and decide whether they want to be repatriated or not. He said this was an exceptional circumstance that is accorded only to Rwanda. (Normally refugees lose the refugee status once realised that they can visit the country of origin and get out of it, at will).
- He pointed out that a department responsible for the Rwandan Diaspora has been formed in his Ministry and that Rwandan Embassies abroad have direct contacts with their compatriots living in those countries. Last year, his Ministry through Rwanda's Embassy in South Africa, organised a Diaspora Meeting here in Kigali.
- Whenever Rwandan leaders visit countries where refugees are, they also make sure they meet them and encourage them to return home. He said this has produced tangible results.
- Minister Bumaya said the Government was doing everything possible to Ensure that the infiltrators currently living in the DRC are deterred from their destabilization activities. One of the option used is the diplomatic approach in the framework of the Lusaka Peace Agreement.

### **3.2. The Ministry of Local Government and Social Welfare.**

The second expose was that of the Secretary of State in the Ministry of Local Government Mrs Odette NYIRAMIRIMO who was responding to the obstacles directly concerning her Ministry. Those obstacles are as follows

- The leaders who flee the country and are characterised by double tongued behaviour.
- Corruption among the local leaders
- The funds that assist survivors of Genocide and vulnerable groups
- Rumours that are not quickly challenged.

On the question of leaders who flee the country and use double standards and begin mudslinging the Government they once served. Mrs Nyiramirimo clarified that those leaders use a different kind of talk just because they want to get political asylum in the host countries.

She cited specific examples as being former Prime Ministers, Twagiramungu Faustin, Celestin Rwigema, and Sebarenzi, the former Speaker of the National Assembly.

Other people she mentioned were Pasteur Bizimungu and Charles Ntakirutinka who had started destabilization activities in order to serve their selfish political ends.

She pointed out that what her Ministry does is mainly to explain to the world the reasons that lead to the dismissal of such leaders. Where individuals use speeches

that are intended to incite the public, the Ministry uses the law. The Secretary of State gave the example of Pasteur Bizimungu and Charles Ntakirutinka as the case in point. She revealed that now the choice of leaders is carefully done, in consultation with Political Parties' Forum, which scrutinizes the candidature and gives recommendations.

Other methods used include sensitising the community on their democratic rights and their powers when it comes to demanding accountability from leaders they have elected. This is done through different agents, including the Human Rights Commission.

As for the corruption, she said that leader are sensitized about the consequences of corruption. Some of those consequences are ; dismissal from their position, facing justice etc. She also pointed out that the Government's policy of democratization and decentralisation is one way of curbing such malpractices since it empowers the people to reject a leader whose conducts do not measure to their expectations.

Concerning the question of rumours, she said that they are counteracted through the media, the explanations of leaders both inside and outside the country. Rwanda's Embassies abroad also have the obligations of denouncing and counteracting such rumours by explaining the reality of any questionable situation.

In connection with the Funds, the Secretary of State explained that there are TWO different Funds. There is FARG which is exclusively set aside to cater for the most needy of the survivors of Genocide and another one that is directly in the MINALOC and assists all the needy people without discrimination. She clarified both funds have limited outreach services, since they also have limited funding sources. She emphasised that the differences must be explained clearly. She added that the two funds work in transparency. She added that FARG is presently being decentralised in order to bring it closer to the people it serves and those who really know the most deserving cases.

### **3.3. The Ministry of Justice and Institutional Relations.**

The Minister of Justice and Institutional Relations, Jean De Dieu Mucyo reacted on the following obstacles

- Corruption in the judicial system
- The delay experienced in the Genocide cases and
- The verdicts that are not passed quickly so that reparations reach those they are supposed to assist in time.

Minister Mucyo took pains to explain the devastating situation caused by the 1994 Genocide and explained that though every institution was affected, the judicial system was the worst hit. The situation left his ministry without the personnel and the facilities in prisons could not measure to the huge numbers of people suspected of

committing genocide and related crimes. He went ahead to explain that at the time Rwanda did not even have a law punishing genocide.

According to the minister, the above constraints, eventually led to the instituting of the Gacaca courts, which he hoped were going to speed up the trials. He added that the Gacaca courts were currently in the experimentation phase and that so far the going was as expected.

He, however, warned that the success of Gacaca would depend on the participation of every Rwandan. A campaign to sensitise the community has been going on.

On the question of corruption, the Minister said that corruption was not peculiar to the Ministry of Justice alone. It could be found anywhere else. But whenever a case of corruption is found the following actions are taken.

- The culprits face the law of the land.
- The culprits are exposed and the community is sensitized on exposing such cases whenever they appear.
- A draft law that wills punish corruption and related crimes is now in Parliament awaiting approval.

Concerning the sensitization of people on the laws governing them, the Minister explained that there is now an office responsible for that in his ministry. He also said that the Human Rights Commission is doing the same. The ministry also uses the media and it is in the process of 'widening' the distribution of the Government's Official Gazette.

Minister Mucyo revealed that a Draft Law on reparation is being worked upon.

### **3.4 The Ministry of Land.**

Minister Laurent NKUSI reacted on the question concerning the Land Law and the sharing of plots of land previously belonging to one person.

The Minister explained that the problem of land in Rwanda has a long history and that the problem was made even more difficult by the ambiguity of the Arusha Peace Accord arrangement on land which claimed that a person had the right to his or her property, but on the other hand stated that refugees who had been outside the country for a period exceeding 10 years were not supposed to claim their land.

He explained the ministry's effort to resettle people in a part of the Akagera National Park and Gishwati Forest. He, however, said that despite the effort, these portions of land were too small for the population that needed to be resettled.

He mentioned that the sharing of land in Kibungo and elsewhere was done in consultation with the people concerned. This fact was also confirmed by the Executive Secretary of Ruhengeri Province who explained that he himself had been involved in sensitizing the communities in Ruhengeri and one time in Umutara and that he did not find any problem. The Minister said the problem is















