

REPUBLIC OF RWANDA



MINISTRY OF FOREIGN AFFAIRS AND COOPERATION

Press Release

During the 100 days of the 1994 genocide in Rwanda an estimated one million Rwandans were brutally massacred by their neighbours, classmates, workmates, relatives, priests, pastors and militias known as Interahamwe at the instigation of the then Government of Rwanda and with the assistance the Rwandan Armed Forces (EX-FAR). Achieving accountability for the crimes committed during genocide while at the same time ensuring the stability of the Rwandan society has been the most intractable problem that Rwanda has had to confront since 1994. However in dealing with this issue, the Rwandan People have demonstrated their ingenuity.

In 1996, after two years of consultation with the people of Rwanda and the international community, the Government of Rwanda promulgated a genocide law with two major characteristics. On one hand the law categorises the suspects according their level of involvement in the planning and their zeal in the implementation of genocide and on the other hand it allows for a guilty plea and a reduction of sentences. This law enabled Rwanda to try an average of 1,000 suspects of mass murder per year. Though this was a commendable performance, it was nevertheless clear that at this pace it would require more than a hundred year to try those who were already in prisons. It became obvious that approaching this problem through the classical justice was simply not possible. There was need for other alternative judicial approaches.

Combining the traditional way of handling conflicts in the pre-colonial Rwandan society and the fact that genocide was carried out in the broad day light by unmasked people, the Government of Rwanda devised a new judicial approach called Gacaca with the following objectives:

1. Establish the truth on how and by whom the genocide was conceived, organized, planned and implemented;
2. Expedite the process of accountability of the crimes committed during genocide;

3. Eradicate the culture of impunity;
4. Reconcile the Rwandan people and rebuild her unity;
5. Demonstrate the capacity of people of Rwanda to manage complex problems;

Seven hundred fifty one (751) Pilot Gacaca courts were established in 2002 and have completed the task of collecting information, constituting individual criminal files and categorizing the suspects. On March 10, 2005 these pilot courts started the trials and are now handing sentences.

On January 15, 2005 Gacaca courts were launched nationwide and they are now involved in the process of collecting information on what happened in each and every village of Rwanda during the 1994 genocide.

Following the nationwide launch of Gacaca on January 15, 2005 and the beginning of Gacaca trials on March 10, 2005, some people suspected of being involved in the 1994 genocide realized that there was nowhere they could hide from their crimes. Afraid of being confronted with their horrible crimes some decided to flee, together with their families, to Burundi.

On April 27-30, 2005 the Minister of Local Administration, Good Governance, Community Development and Social Affairs accompanied with local administrators of Provinces and Districts bordering Burundi paid a working visit to Burundi to discuss this issue with the Government of Burundi.

During this visit the Minister and his delegation were able to address these Rwandans who fled to Burundi and explained to them that the objectives of Gacaca are primarily to gather the truth about genocide, to reconcile and unite the people of Rwanda, to stabilize the Rwanda society and not to administer punishment. Consequently the majority of these refugees expressed their willingness to come back to Rwanda. The Governments of Rwanda and Burundi have since been repatriating those who expressed the desire to come back to Rwanda. It is estimated that out of 5,000 people who had fled to Burundi only few hundreds remain in that country. However it is not impossible that even with the ongoing sensitization campaign and the return of a great number of these refugees, some of them may opt to remain in Burundi or to flee to other countries instead of coming back to Rwanda to be confronted with the crimes they committed during the 1994 genocide.

The Government of Rwanda wishes to inform the International Community that these Rwandans are not fleeing any persecution whatsoever. They are simple fugitives from justice and not refugees. The Government of Rwanda also wishes to inform the international community that it relentlessly shall continue to search for creative ways of managing the bitter legacy of the 1994 genocide, including the problem of justice, so as to enable Rwanda and the Great Lakes region to move forward towards security, stability and development.

Done in Kigali, May 10, 2005