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Rwanda’s Demobilization: Creating the Environment for Investment

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Executive Summary

A secure environment is a prerequisite for sustainable growth. Without security, it is not possible to plan for the future, and resources that could be used for growth are instead spent on defending property and livelihoods.

In Rwanda, after the military victory of the Rwandan Patriotic Front (RPF) that halted one of the worst genocides in history, it was essential to provide security for the country’s population. When the RPF took power in 1994, Rwanda was in a fragile, fragmented state, with a shattered economy and a population at constant risk from attacks by insurgents. Since then it has achieved the transition to a secure country that has made exceptional efforts at reconciliation and seen significant progress, both in raw growth statistics and in terms of poverty reduction and human development.

While in exile, the RPF developed a strategy for the development of Rwanda that focused on the unity of the state and the (re)creation of a strong sense of Rwandan identity, transcending ethnicity. They brought with them skills and international experience developed in exile. Their early years in power were marked by high resource flows into the country, enabling them to realize their agenda for national transformation at an extraordinary pace. From the start, the RPF identified achieving security as essential before state building could commence. It was their first priority, a policy that directly responded to the needs and wants of the poor majority of the population.

As trust and confidence grew, communities came forward with information about the activities of insurgents. Today people in the northwest live in peace, something inconceivable just four years ago.

The RPF created and promoted a National Unity and Reconciliation Commission whose mandate was to organize open discussions across the country in order for any and all Rwandans to air their views on the causes of past divisions and provide new ideas for national reconciliation.

The government focused on reconciliation with ex-combatants from armed groups previously (sometimes recently) opposed to the new administration and on reconciliation between perpetrators of genocide (génocidaires) and the populace. One of its main policy instruments in looking to achieve reconciliation has been the innovative Gacaca system. An evolution of a traditional Rwandan system of justice, Gacaca encourages truth-telling and reconciliation between perpetrators and victims. The process aims to embed a sense of security, helping communities shift from security provided by the threat of force to an environment marked by mutual respect and the impartial rule of law.

The pilot phases of Gacaca resulted in the identification of greater numbers of genocide suspects (some 50,000), prompting a debate about the need to amend the Gacaca law to ensure that the aim of speeding up the judicial process would still be met. Ensuring the success of Gacaca will need to remain a priority for the next five years.
Rwanda has a very complex and potentially conflictual situation regarding claims for land. The government has resolved differing land claims and land needs, but conflicts still exist and present measures are now being supplanted by a new land policy.

**Growth and poverty indicators: progress made**

Rwanda has made remarkable progress since 1994, both in raw growth statistics and in terms of poverty reduction and human development. Through sound macroeconomic management, the government has seen Rwanda’s economy rebound by 70 percent between 1994 and 1997; it grew by an average of 7.7 percent between 1998 and 2002. Inflation has been reduced from 64 percent in 1994 to 3 percent in 2000–2002.

The fiscal deficit has declined; Rwanda is highly indebted and is looking to meet enhanced Highly Indebted Poor Countries initiative targets that will allow it to access US$810 million of relief over the coming years. Economic growth has been broad-based, although improvements in living standards have been primarily urban. Agriculture and construction have been the main sources of growth since 1998, stimulated by the return of refugees and international development programs. Other key subsectors, such as utilities, manufacturing, and tourism, are still below the levels of the early 1990s.

Improvement and significant progress is being made in meeting the Millennium Development Goals, such as infant mortality and immunization rates. HIV/AIDS remains a key challenge, however, and the government is addressing this with HIV/AIDS education efforts. The net primary school enrollment rate has increased. A real GDP growth of at least 7 to 8 percent is estimated to be necessary over the next 15 years to ensure such continued poverty reduction.

The correlation between security and justice reforms and the growth and poverty reduction indicators is suggestive; however, a secure environment is critical to a poverty reduction agenda.

**Institutional reforms**

Because of its early focus on security, other reforms have only recently begun to be implemented. These include measures to make the Rwandan business environment more attractive; they also include an innovative overhaul of the system of land registration to reduce conflicting claims and encourage investment. By 1998, the government of Rwanda had formalized its goals in its flagship development document, Vision 2020, which sets out the steps to be taken for Rwanda to become a middle-income country. Public policy in Rwanda is continually evolving; goals have been refined and—critically—have a poverty-reduction focus. Importantly, Rwanda is widely perceived as one of the least corrupt African countries. Rwanda’s budget has been supplemented by international aid flows, but it has made significant progress in trade liberalization and banking and has been active in efforts to attract international business investment.
Key challenges: the justice system and land policy

Although the Gacaca are beginning to take some of the strain, the formal justice system in Rwanda is overburdened and under-resourced. People in rural areas have little access to formal justice and there is a general lack of legal literacy and awareness of rights, as well as a very limited supply of paralegal and legal services offering free advice to litigants. There are only about 100 lawyers in Rwanda, operating mainly in Kigali.

International and local NGOs have been useful partners to the government in helping to address the capacity issues in the judicial sector. The government has created an independent Law Reform Commission which has developed comprehensive reforms that include the expedition of cases in lower courts; pre-trial mediation; the establishment of an independent, better-paid judiciary; and the development of a code of ethics.

Rwanda is densely populated, with low urbanization and high land fragmentation. Further fragmentation is not sustainable and consolidation is necessary. A new land policy has been developed, in close consultation with all stakeholders, including donors and civil society. The new land policy mandates that consolidation will be voluntary and will use a market mechanism, as well as government interventions.

Lessons learned

Security and reconciliation, as well as being ends in themselves, have proved to be essential to recovery and progress in the economic and social spheres. Conversely, in conjunction with political efforts, sustained economic growth has made a relapse into conflict less likely.

Rwanda has had to deal with the largest exodus and return of refugees in recent memory. With a focused government plan, logistical assistance from international agencies, and the presence of grassroots NGOs to help with mediation, such large movements of people and their reintegration can be managed successfully.

The Gacaca experience has shown that for extraordinary challenges, bold, unconventional responses are sometimes necessary. With determination and a willingness to involve the people, such experiments can be made to work.

Rwanda has also shown that a relatively closed political system is still able to involve its citizens in political processes via bottom up democratization, similar to that seen in China. Rwanda has been able to use the tight social organization of its society to rapidly reach and consult with a broad sector of the population. However, now that security has been achieved, and partly because of external pressures, with the first nationwide elections held in 2003, Rwanda is beginning to open up its national political environment.
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In the decade since it experienced one of the worst genocides in history, Rwanda has transformed itself from a fragile, fragmented state with a shattered economy and a population at constant risk from attacks by insurgents to a secure country that has experienced sustained economic growth for 10 years. This remarkable transformation was achieved through exceptional efforts at reconciliation, an emphasis on the unity of the state, and the (re)creation of a strong sense of Rwandan identity that transcends ethnicity.

Several lessons can be learned from the extraordinary progress Rwanda has made since the genocide. Other states emerging from conflict can learn much from the way Rwanda entrenched security and created an environment conducive to progress and development.

**The 1994 genocide**

It is often argued that people living in exile develop a strong sense of national identity. For the Rwandans exiled from their country following the massacres of 1959, this feeling manifested itself in the 1987 formation of the Rwandan Patriotic Front, who, according to one of its founders, was driven by a need to reclaim and rebuild the country (box 1).

During the early 1990s the Rwandan Patriotic Front launched a series of incursions into Rwanda, but in 1993 it signed a peace agreement with the Mouvement Révolutionnaire National pour le Développement (MRND), in Arusha, Tanzania. But the agreement, known as the Arusha Accords, acted as little more than a smokescreen for the international community: hardliners in the MRND stalled implementation of accord while planning the atrocity that followed.

**Box 1. A brief history of Rwanda**

Unlike many African countries, Rwanda has been a recognizably distinct “state” for centuries. Originally inhabited predominantly by the Twa ethnic group, by the mid-18th century the country was predominantly ethnic Hutu but ruled by a Tutsi mwami, or king. Before the ascension of the Kigeri IV in the mid-19th century the country had been characterized by clan hierarchies rather than ethnicity. It was Kigeri who molded Rwanda into a Tutsi-dominated structure to consolidate his power.

Rwanda became a German protectorate in the 1890s and then came under Belgian control after World War I. The Belgians did not significantly adjust the social structures of the country, but they did entrench ethnic identities by introducing an ethnic identity card system.

In 1959 tensions between the Tutsis and the Hutus forced some 100,000 Tutsis to flee the country. Since Belgium granted Rwanda independence in 1962, Rwanda has experienced periodic outbreaks of violence, which culminated in the events of 1994.

The origins of the Rwandan genocide have been the subject of much examination, discussion, and debate, but the horrifying process itself has been well documented. For months leading up to April 1994, extremist elements in the MRND government, known as the *Akazu*, had been planning to kill a large number of Tutsis, whom they referred to as cockroaches. The Hutu population was subjected to a barrage of anti-Tutsi propaganda and told to fear for their lives. Radio and other media were used to incite violence. To prepare for the massacre, the *Akazu* purchased machetes and grenades and drew on Rwanda’s well-developed administrative structure and its population’s traditions of obedience. Extremists maneuvered into key positions, and a militia, the *Interahamwe*, was trained...
by the Akazu. Numerous terrorist atrocities such as bombings and assassinations were carried out. The government blamed the Rwandan Patriotic Front, but today most commentators suspect that the Akazu were using “action as propaganda” to instill fear and whip up further hatred of the Tutsis.

Rwandan President Juvénal Habyarimana, a Hutu, was killed on April 6, 1994, when his plane was shot down on the way back from Dar es Salaam, where African heads of state had insisted on implementation of the Arusha Accords, to end the conflict. This event appeared to trigger the genocide in which more than 800,000 Tutsis and moderate Hutus were killed. About 2 million Rwandans fled to neighboring countries. Another million became internally displaced. The massacre was halted with the military victory of the Rwandan Patriotic Front in July 1994 (box 2).

While fleeing the country, former members of the Forces Armées Rwandaise looted Rwanda, adopting a scorched-earth policy in their retreat. The Interahamwe militia destroyed all the fixed installations they could and drove most available vehicles across the border to the Democratic Republic of Congo. In the towns, fleeing forces often cut off water and electricity.

The interim government that had planned the genocide took all of the central bank’s foreign currency reserves with it when it fled Kigali. Nothing was left in the public coffers.

Following the military victory the Rwandan Patriotic Front formed a government of national unity on July 19, 1994. Rwanda’s first postwar prime minister, Faustin Twagiramungu, outlined an eight-point program to steer Rwanda toward stability. In some ways, this government was a return to the one envisaged in the Arusha Accords: it was created along power-sharing lines, with only the MRND and other extremist groups excluded from power.

The government was led by the Rwandan Patriotic Front, which brought skills and international experience developed in exile. But the government faced many challenges and the price of failure was high—the likely recurrence of civil conflict. The first priority during the early years was therefore security, a policy that directly addressed the needs of the poor, who prioritize security above justice (Republic of Rwanda, 2001b). But security could not be achieved by military means alone. In a country where a large share of the population had directly participated in a genocide, reconciliation was essential to prevent further outbreaks of violence.

As well as reconciling Rwandan civilians, the new government faced the demobilization of thousands of soldiers and accommodation of millions of returning refugees, some of whom who had been in exile since the 1960s. In short, the challenges were immense and the response had to be extraordinary.

The government’s ultimate goal was to achieve stability, unity, and reconciliation by creating a Rwandan identity that is unrelated to ethnicity. According to Protais Musoni, the minister of state in the local government ministry, “The new ideology of the oneness and unity of all Rwandans was something different from the winner-takes-all scenarios of the past. Sectarian politics have no place in the new Rwanda and are best confined to history.”
Box 2. Chronology of events in Rwanda before and after the 1994 genocide

April 6, 1994  President Juvénal Habyarimana’s plane is shot down.
April 7, 1994  The genocide of more than 800,000 Tutsis and moderate Hutus begins.
July 19, 1994  The Rwandan Patriotic Front takes power. A government of national unity is sworn in. The government launches an eight-point development plan.
1996  Rwanda routs extremist elements in refugee camps in the Democratic Republic of Congo. The Demobilisation and Reintegration Commission is set up.
1997  At the instigation of the Office of the President, village meetings are held throughout the country. Rwanda’s development plan, Vision 2020, is launched.
1999  The National Unity and Reconciliation Commission begins broad-based consultations.
March 1999  First local elections held for committees at the local administration levels of the cellule and the sector.
2000  National police force is disbanded, and local police forces are set up.
2001  A revised Gacaca system is instituted for trying people suspected of having participated in the genocide.
March 6, 2001  First local elections held in communes. Decentralization goes into effect.
July 27, 2001  The Law Reform Commission is set up.
Late 2002  Rwanda Defense Forces pull out of the Democratic Republic of Congo.
April 2003  The Sun City Peace agreement is signed in the Democratic Republic of Congo.

Achieving and embedding security

For some time after the expulsion of Forces Armées Rwandaise in July 1994, the northwest—Rwanda’s breadbasket—suffered from insurgent-led insecurity. At the same time, about 1 million people were displaced within Rwanda’s borders, and close to 2 million more had fled—to Tanzania, Burundi, and eastern Democratic Republic of Congo (then Zaire). The challenge facing the Rwandan Patriotic Front was to repatriate this displaced population while defending the people of Western Rwanda against the Forces Armées Rwandaise troops that had fled to the Democratic Republic of Congo.
Responding to attacks by the Forces Armées Rwandaise

The massive movement and external settlement of refugees hid the reconstituting of the civil and military structures of the Habyarimana administration from many outside observers. Militias from the Forces Armées Rwandaise established themselves in refugee camps in eastern Democratic Republic of Congo, across from northwest Rwanda. Described by one officer of the Rwandan Patriotic Army as “a transplanted refugee administration,” the camps were used to regroup, recruit, train, rearm, and then attack. All of this took place under the eyes of the international humanitarian community, which was ill-equipped to differentiate between genuine refugees and perpetrators of genocide (de Waal 1997).

Mid-1994 saw several incursions in the northwest. The incursions continued regularly for two years, creating a climate of fear and insecurity. The situation improved markedly after a concerted response to a series of attacks in early 1996. Brigadier Kayumba Nyamwasa, the former chief of the defense staff, outlined the Rwandan position. “Despite efforts to bring this problem to the attention of everyone, regionally and internationally, no one has contained the militias in the camps,” he asserted. “Rwanda cannot afford to sit and look on as this security threat builds and explodes on us once again.” Forces of the Rwandan Patriotic Front entered the Democratic Republic of Congo and, in alliance with Zairean rebel groups, broke up the camps that sheltered those who had carried out the genocide.

Repatriating refugees

Even as it was continuing to deal with the external threat from former Forces Armées Rwandaise troops, the government focused on the return of refugees. It was at pains to stress that all would be welcomed back, regardless of “ethnic” origin.

Rwanda is the most densely populated country in Africa, with an average of 410 people per square kilometer. With the huge numbers of returning refugees, the potential for violent conflict over property was high. Between November 1996 and January 1997, about 1.1 million people returned to their homes, the largest and swiftest repatriation in the history of the office of the United Nations High Commissioner for Refugees. Many of those who flooded back to the country in the mid-1990s were the survivors of the pogroms of the late 1950s, 1960s, and 1970s—“old case refugees”. Rather than the usual procedure of keeping returnees in camps, the government insisted on their immediate return to permanent settlements.

The Arusha Accords stipulated that all Rwandans had a right to land and that those in exile had a right to return, but it did not give refugees the right to reclaim land they had lost through ethnically motivated attacks. Instead, it was agreed that the government would help returning refugees find alternative land. Vacant government land, including parts of the Gishwati Forest and Akagera National Park, was identified for settlement.

Rather than settle in these areas, however, many “old case refugees” returned to the land that they once owned, which was empty. Later, “new case refugees” (survivors of the genocide) found “their” land occupied by the original owners. Facing these complex and potentially
conflictual situations, the government either persuaded competing claimants to share the land (with the support of local NGOs) or settled people in villages on vacant government land—a policy known as imigugudugu (villagization). By the end of 2000 more than 100,000 homes for returned refugees and other displaced or vulnerable households had been constructed, at an estimated cost of $183 million. Conflicts remain, however, and these short-term measures are now being supplanted by a new land policy.

Reintegrating former combatants

The government also recognized the need to demobilize and reintegrate former troops of the Forces Armées Rwandaise and the Rwandan Patriotic Army into civilian life. In 1997 a demobilization program was set up to run through June 2005. The program successfully demobilized and began reintegrating 18,692 soldiers between 1997 and 2001.

Box 3. Putting down arms: returning to civilian life in Rwanda

“Life as a civilian cannot be compared to that in the army. The life we are living is definitely a lot better than before,” says Hassan Kayumba, a former member of the Rwandan Patriotic Front. Today Kayumba is the leader of the Ubumwe (Unity) Collective set up by demobilized former combatants in 2001, with assistance and initial funding from the Demobilization Commission. The collective, which includes four former Forces Armées Rwandaise soldiers and four civilians, performs carpentry work and owns several small shops. It earns about 100,000 Rwanda francs ($178) a month.


Beginning in 2001, under the framework of the World Bank’s Multi-Country Demobilisation and Reintegration Plan, the demobilization plan was stepped up. Ex-combatants attend demobilization and reintegration camps, where they are given advice on how to use their reintegration packages and how to access grants and loans to establish cooperatives and small businesses. They are also sensitized to the need for national reconciliation and taught about civilian life in modern Rwanda. Ex-combatants are provided with medical screening, including voluntary HIV testing and counseling, and they are given “basic needs” kits and follow-up advice and support to facilitate their reintegration. Of the estimated 40,000 former members of the Forces Armées Rwandaise who returned to Rwanda in 1996 after the dissolution of the refugee camps in the Democratic Republic of Congo, the government has reportedly reintegrated some 15,000 into society, in accordance with the Arusha Accords (box 3).

Responding to attacks in the northwest

Despite this success, the northwest continued to suffer incursions throughout 1997 and 1998, as the Democratic Republic of Congo began to provide military assistance to armed groups from the former Rwandan Army. The rural poor of the northwest suffered disproportionately from these incursions, intended to destabilize the Rwandan administration. Unable to exploit the potential of the land, Rwanda’s breadbasket could not provide food to the country, resulting in sporadic food insecurity.
In August 1998 the Rwandan Patriotic Front and Ugandan forces again entered the Democratic Republic of Congo. The security situation improved along the border, but a complex multiparty war in the Democratic Republic of Congo was ignited, and sporadic insurgencies continued in northwest Rwanda. (A ceasefire, the Lusaka Agreement, was signed in July 1999 but was not implemented immediately. The conflict was finally halted only following concerted international pressure in mid-2003, with the signing of the Sun City Agreement and installation of a transitional national government in the Democratic Republic of Congo, although doubts about its durability remain.)

**Working toward unity and reconciliation**

While the Rwandan Patriotic Army tried to secure the country’s borders, the government engaged in vigorous domestic efforts to entrench the peace. As part of its commitment to unity and reconciliation, the government was assiduous in consulting broad sections of the population in developing public policy through, for example, village meetings, begun at the behest of the president in 1997. These meetings have had an impact on a number of government policies and in 1999 gave rise to the implementation of a key component of the Arusha Accords, the creation of a National Unity and Reconciliation Commission.

> "The thing that marks out Rwanda is that it has been so single-minded about reconciliation. I don’t think I have come across a country that is so single-minded about it. Look at Gacaca (the process of truth-telling and reconciliation between perpetrators and victims), for example. To implement the policy must have taken a lot of courage, keeping in mind the kind of wounds it would open and the fury it could cause between Tutsis and Hutus. That they have gone ahead with programs like these is testimony of how courageous the Rwandans are.”
> —Baroness Lynda Chalker, former British minister for overseas development

The mandate of the National Unity and Reconciliation Commission was to organize open discussions across the country so that all Rwandans could air their views on the causes of past divisions and provide new ideas for national reconciliation. Government ministers were required to visit communities around the country to explain and discuss government policies and national unity. Ministers also visited refugee camps outside Rwanda to explain the government’s policies and encourage refugees to return home. In March 1999 Rwanda consultations began at the grassroots level, with special efforts to reach marginalized groups, including women and the Batwa ethnic group. Within a year consultations had been held in 154 of Rwanda’s 180 communes.

**Promoting decentralization and democratization**

The village meetings also provided the impetus for the government’s decentralization and democratization program. The government’s aim is to build democracy from the bottom up by empowering local communities to engage with local government and by improving basic services. It believes that democracy built in this way, with its emphasis on social participation and inclusion, will act as a counterbalance to political divisionism and extremism. Elections of officials to committees at the *cellule* (the smallest administrative unit) level were held in March
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1999, followed by a more formal decentralization law in late 2000. Fiscal decentralization occurred in 2001, when local councils were given revenue-raising powers.

“I would say that everybody has worked well in contributing to making a difference from the 1994 situation. In the current situation there is stability, there is progress and reconciliation, we have been involved with decentralization where provinces, districts are taking a lot of activities in their hands, the responsibilities are being handed over to the population. It is very difficult to imagine you could overcome this very complex situation in such a short time.”

—President Paul Kagame, June 2003, BBC

Some observers argue that the political system in Rwanda has been influenced by Ugandan President Yoweri Museveni’s ideology of a “single-party democracy” and that for this reason the government moved slowly in opening up political debate. The Arusha Accords envisaged a transition to an elected government in 22 months, but in 1999 the government extended the transitional arrangements another four years. It felt that given the fragility of the country and Rwanda’s devastating experience with the power of hate radio, greater reconciliation and security needed to be achieved before political openness could be increased.

Establishing the international criminal tribunal for Rwanda

In 1994 the legal system in Rwanda was stripped bare. The Supreme Court had been disbanded in 1978 and the judiciary placed under the direct control of the executive—there was thus no recent tradition of an independent and impartial justice system to build on. To make good on the social contract and to achieve reconciliation and security, the government needed to show genocide survivors that justice would be done.

The international community attempted to help bring justice to Rwanda by establishing the International Criminal Tribunal for Rwanda (ICTR), set up by Security Council Resolution 955 on November 8, 1994, with the purpose of contributing to the process of national reconciliation and maintaining international peace and security in the region. The aim of the ICTR was to prosecute people responsible for genocide and other serious violations of international humanitarian law committed in Rwanda between January 1, 1994, and December 31, 1994. From the start, however, there were several concerns about the appropriateness of the tribunal—a mechanism of international law used to address the reconciliation needs of a deeply traumatized country. Rwanda had a seat on the UN Security Council in 1994 and was the only country to vote against the establishment of the court.

The ICTR had indicted more than 70 genocide suspects, more than 60 of whom were arrested. Thirteen trials were completed, resulting in 12 convictions and 1 acquittal; 8 trials, involving 20 defendants, are currently in progress. Those convicted include Jean Kambanda, the prime minister of Rwanda during the genocide and the first head of government ever to be convicted on genocide charges. Fourteen ministers of the previous government are in custody awaiting trial.

While useful precedents in international criminal law have undoubtedly emerged from the ICTR, most Rwandans perceive that the court has been unable to deliver justice for the survivors of the genocide. The court’s slow arrests and prosecutions and its high operating costs (the ICTR
has spent $537 million since 1996) are causes of skepticism, frustration, and even indifference for many survivors. This undermining of the tribunal’s standing in the eyes of the ordinary Rwandan citizen make it difficult for strong contribution to national reconciliation. The government has to look to other options.

**Using Gacaca to try genocide suspects**

Influenced by Western norms of justice, the government initially rejected the South African Truth and Reconciliation Commission model, believing that only when the guilty had been punished would it be possible for Rwandans to create a joint future together. With some donor support, Rwanda set about rebuilding the justice sector. More than 100 projects have been established, including projects to train lawyers, judges, investigators, and police officers and to conduct exercises on administrative procedures and court reform. Despite these efforts, however, by early 2000 only about 3,000 suspects had been processed through the conventional court system, and it was clear that the justice system could not work any faster to clear the backlog of cases. Of the more than 100,000 prisoners in Rwanda in 2003, 85 percent were awaiting trial for genocide-related crimes. By one estimate, moving at the pace of conventional courts, it would take 150 years to try all of these genocide suspects.

As early as 1998 the government began to consider how a traditional, community-based means of conflict resolution—*Gacaca*—could be transformed into the principal mechanism for trying those accused of participation in the genocide. The new *Gacaca* system was created by the government in 2001. It is made up of about 11,000 jurisdictions, each with 19 elected judges known for their integrity in their communities. For many generations Rwanda has been a hierarchical society with an efficient local administrative apparatus. This apparatus was capitalized on when open-air elections were held and more than 254,000 *Gacaca* judges elected in October 2001. These judges received training in 2002 before the courts began to function.

The genocide law passed by the government in 1996 divides suspects into four categories:

- Planners, organizers, and leaders of the genocide; people who acted in a position of authority; well-known murderers; and people who committed rape and sexual torture.
- People guilty of voluntary homicide, people who participated—or were complicit—in voluntary homicide or acts against people that resulted in death, people who inflicted wounds with intent to kill or committed other serious violent acts that did not result in death.
- People who committed violent acts without intent to kill.
- People who committed crimes against property.

Suspects in the first category are judged by the regular courts; all other cases are tried by *Gacaca*.

Former Rwandan ambassador to the United States Richard Sezibera explains, “Traditionally, *Gacaca* would be a method of arbitration between families, a situation in which wise men would sit together. It would only deal with minor infractions, or minor disputes….”
When we revived *Gacaca*, we wanted to tap into the tradition of arbitration that it embodied, but to use it to deal with the genocide. But note that we do call what we’re setting up ‘*Gacaca* courts,’ not just plain ‘*Gacaca*’…. We’ve looked at other arbitration systems, in the United States and elsewhere. But no one has ever tried to use such a system to deal with a genocide. Mainly, we’re trying to merge our traditions with current international law” (quoted in Cobban 2002).

The main aims of *Gacaca* are to speed up trials, reduce prison populations, and reconcile victims and perpetrators through truth-telling. Critics have noted that using *Gacaca* to try crimes is inconsistent with international norms and principles of due process, since defendants are under pressure to incriminate themselves and there is no legal representation, legally reasoned verdict, or separation between prosecutor and judge. Defenders of the use of *Gacaca* note that these elements of due process were not designed to try crimes arising from circumstances in which as many as 1 million people died nor were they designed to make a significant, identifiable contribution to national reconciliation.

Initially disparaged by commentators used to Western norms of justice, *Gacaca* is now regarded as a bold, innovative socio-judicial experiment that is reducing the cost of upkeep of prisons; speeding the processing of genocide suspects, thereby ending the feeling among victims that there is a culture of impunity; and helping reintegrate people who committed genocidal acts into society through community service sentences. Such sentences can be passed for category 2 suspects who confess or category 3 or 4 suspects who are convicted. Services consist of unpaid work within the community for a fixed period of time in a specialized institution.

**The reform agenda: Rwanda’s eight-point plan**

From the beginning, Rwanda’s new government recognized that economic growth and an environment characterized by the rule of law are important guarantors of continuing security. In July 1994 Faustin Twagiramungu, Rwanda’s first postwar prime minister, outlined an eight-point plan for development. In addition to reconciliation and the restoration of peace, the plan includes development of the economy and consolidation of democracy as key goals for the new administration.

By 1998 the government had formalized these goals in its flagship development document, Vision 2020, which sets out the steps to be taken for Rwanda to become a middle-income country. Building on the more secure environment achieved in Rwanda by mid-1998 and running parallel to the efforts at reconciliation, the government’s program of reform has ensured economic growth and confirmed its determination to rebuild the country to benefit all Rwandans. The program is continually evolving as the government collaborates with external partners and consults with civil society through village meetings.

**Achieving macroeconomic stability and spurring growth**

The government has tried to maintain the macroeconomic stability needed for sustained growth. In March 1995 it liberalized the exchange regime. In 1997 a revised central bank statute was
adopted that gives the Banque National de Rwanda independence with respect to monetary policy. Current account restrictions have been abolished. Domestic price controls have been eliminated for the majority of commodities, and laws are being modified to reflect the policy of price liberalization. Budget allocations for social sectors have increased since 1998 (and are protected from cuts), and spending on defense has fallen, dropping from $31.2 million in 1999 to $14.9 million in 2003. Economic governance has been improved through the creation of a number of parastatal institutions, described below.

**Liberalizing and promoting trade**

Rwanda has made significant progress in liberalizing trade, with the maximum tariff rate reduced from 100 percent before 1995 to 25 percent in early 1999. State marketing boards for coffee and tea have been put on a commercialized footing, and the tariff on coffee was eliminated in early 1999. The government has engaged consultants to help develop primary product sectors by differentiating products and encouraging Rwandan industries to move up the value chain. Rwanda joined the World Trade Organization in 1996 and the Common Market for Eastern and Southern Africa (COMESA) in 2003. Rwanda’s external partners have recognized these efforts at creating a free trade environment. As a result of the changes, for example, Rwanda qualifies for tariff-free exports of certain products to the United States under the Africa Growth and Opportunity Act (AGOA).

**Creating semi-autonomous parastatals**

The government recognized the need to establish relatively autonomous agencies in certain key economic areas and to staff these agencies with highly qualified personnel. Although they report to the Ministry of Finance, Rwanda’s parastatals are semiautonomous institutions with outcome-based strategic plans. By offering enhanced pay scales, they have been able to attract and retain skilled staff.

The National Tender Board, created in 1997, promotes transparency, economy, and equity in the public procurement process. The Rwanda Revenue Authority (RRA), also established in 1997, is as an independent body devoted to tax reform. In addition to introducing the value-added tax in 2001 and reforming income and property tax regimes, it has engaged in a vigorous public information campaign to encourage Rwandans to meet their tax obligations. The result has been a high level of compliance with the tax regime—about 90 percent, according to the RRA—by larger businesses in Rwanda.

In 1998 the government created the Rwandan Investment Promotion Authority (RIPA), a body tailored to facilitate inward investment. RIPA guides international businesspeople through the process of registering and running a business in Rwanda and informs them of the tax concessions available to those willing to make a serious commitment to investing in the country. Some bankers have noted that it is currently very difficult to obtain a court order to sell property held as security and that bribery on the part of debtors can delay this process. These problems are being addressed through comprehensive law reforms.
In 1999 the government established the Auditor General’s Office. This body examines the budgets and expenditures of government departments and reports its findings to Parliament. An ombudsman was recently created with responsibility for eliminating and preventing corruption and injustice in both the public and private sectors and providing a mechanism for receiving complaints on the implementation of judicial decisions.

**Establishing the rule of law**

Although the Gacaca are beginning to lighten the burden on the formal justice system, the courts remain overwhelmed by cases relating to the genocide. In addition, in rural areas, where 90 percent of Rwandans lived, people have little access to formal justice, and there is a lack of legal literacy and awareness of rights, as well as a very limited supply of paralegal and legal services offering free advice to litigants. Rwanda has only about 100 lawyers, most of them practicing in Kigali.

International and local NGOs have proved to be useful partners in helping address these capacity issues in the judicial sector. The Danish Centre for Human Rights has helped create a corps of judicial defenders—numbering 115 as of 2003—located in each of Rwanda’s provinces. Their principal task is to provide assistance during genocide cases, but they also offer advice in other cases. A few NGOs and the National University in Butare also provide legal and paralegal advice. The NGOs Haguruka and AVEGA offer advice to women at the local level. The government is also making efforts to improve civic education (through the ministry of education) and human rights education (through the National Human Rights Commission).

Rwanda has acknowledged problems of corruption in the judicial sector. For example, in order to be exempted from paying court fees, poor citizens must reportedly obtain a certificate of impoverishment from their local administration—a process that, ironically, can involve paying a bribe. There are also problems of corruption among magistrates: defendants sometimes pay to have cases against them delayed significantly.

Reform of the judiciary is now a priority for the country and has been championed by the president. The government created an independent Law Reform Commission in 2001 that has developed comprehensive reforms that are currently before Parliament. These reforms include the expedition of cases in lower courts; the development of pretrial mediation; the establishment of an independent, better-paid judiciary; and the development of a code of ethics. To improve the business environment, the government is in the process of establishing a “fast-track” court for the processing of commercial cases.

**Adopting a new constitution that promotes unity**

The Constitution has been developed with input from the Rwandan people themselves. The long consultative process, begun by the government in 1995 through village meetings, culminated on June 4, 2003, with the adoption of a new constitution. Rather than simply condemning the past, it seeks to learn lessons from the experience. The first two sections of the preamble commit the state to fighting the ideology of genocide and eradicating divisions, ethnic or otherwise. The
constitution recognizes these aspects as prerequisites for economic development and social progress. It also recognizes the “privilege of having one country, a common language, a common culture, and shared history,” confirming that the people of Rwanda are determined to build on the historical unity that once existed.

The constitution emphasizes the importance of national unity. Article 50 refers to activities that promote “national culture.” Article 54 prohibits political organizations based on race, ethnic group, or tribe. These aspects derive from the government’s commitment to eliminating discrimination on the basis of ethnicity. The constitution also mandates that women should hold 30 percent of posts in decisionmaking organs, a mandate that will help Rwanda meet the third Millennium Development Goal. Currently, 49 percent of parliamentarians in the National Assembly are women—the highest percentage of any country in the world.

**Ensuring citizens’ rights**

The constitution contains an extensive exposition of the rights of every Rwandan citizen. While the detailed legislation and implementation of some rights are still being worked out in some cases, the fact that rights to equality, liberty, and life are enshrined in the constitution represents an important pledge to the people of Rwanda. The right to property—now widely recognized as an essential component of a pro-poor developmental agenda—is guaranteed in the constitution.

**Opening up the political process**

Rwanda held its first national elections on September 30, 2003. Although criticized by some observers, they marked an important step on the road toward a fully democratic state. In keeping with Rwanda’s continuing focus on consultation and unity, the country’s model of democracy will continue to differ somewhat from the traditional Western parliamentary model, however. Political parties are organized in a “consultative forum” in order to facilitate the exchange of ideas and consolidate national unity. Citizens will participate in political processes not only by voting but also through continuing consultation and input into government policy. The constitution confirms this, identifying “the constant quest for solutions through dialogue and consensus” as a fundamental principle. The judiciary (in particular the Supreme Court) is accorded a significant function in reviewing or amending laws and therefore constitutes an important check on the power of the executive.

**What has Rwanda achieved in terms of development?**

What have been the results of Rwanda’s efforts at reconciliation and reform? Significant progress has been made since 1994—in economic performance, poverty reduction, and human development.

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1 Statistics in this section draw predominantly on Obidewu 2003, Republic of Rwanda (2002, 2003), United Kingdom, Department for International Development (2003), and World Bank (2003).
**Economic performance**

Post-conflict countries grow rapidly, because their starting point is often very low (box 4). Even within this context, however, Rwanda’s achievements have been significant. Through sound macroeconomic management, Rwanda’s economy rebounded by 70 percent between 1994 and 1997, and it grew by an average of 7.7 percent a year between 1998 and 2002; inflation was reduced from 64 percent in 1994 to 3 percent in 2000–02. The Ministry of Finance and Economic Planning estimates that given rapid population growth, real GDP growth of at least 7–8 percent will be needed over the next 15 years to ensure continued poverty reduction.

**Box 4. How the genocide affected Rwanda’s economy and demographics**

Statistics on Rwanda in 1994 are sparse, but an estimated 78 percent of the population was living below the poverty line when the Rwandan Patriotic Front took power (Republic of Rwanda 2002). After the genocide real GDP fell 50 percent, and the rate of inflation rose to 64 percent—up from 12.4 percent in 1993. Government revenue declined to 5.8 percent of GDP in 1995, and Rwanda became largely dependent on foreign assistance.

The genocide also dramatically changed Rwanda’s demographics. The population became predominantly female (54 percent) and young, with large numbers of widows, orphans, and children. More than 3 million Rwandans became refugees or internally displaced persons.

The fiscal deficit, excluding donor grants, declined from 13.8 percent of GDP in 1995 to 9.5 percent in 2001, while the current account deficit declined from 19.1 percent of GDP to 16.4 percent over the same period. Rwanda is highly indebted, with an external debt of about $1.5 billion. It is looking to meet enhanced Heavily Indebted Poor Countries (HIPC) Initiative targets that will allow it to access $810 million of relief over the coming years.

Economic growth has been broad based, although improvements in living standards have been primarily urban. Agriculture and construction have been the main sources of growth since 1998, stimulated by the return of refugees and internally displaced persons. Other key subsectors, such as utilities, manufacturing, and tourism, are still below the levels of the early 1990s.

**Human development**

It is extremely difficult to determine whether a particular episode of growth benefits the poor disproportionately (Ravallion 2001). Although figures are sparse, those that are available show that improvement and significant progress is being made in meeting the Millennium Development Goals. Rwanda’s infant mortality rate fell from 210 per 1,000 live births in 1995 to 95 in 2003, and the incidence of poverty fell from about 70 percent in 1994 to 60 percent in 2002 (United Kingdom, Department for International Development 2004).

In the health sector the immunization rate for childhood diseases for 2002 was 80 percent, which compares favorably with the Sub-Saharan average of only 58 percent of one-year-olds immunized against measles. HIV/AIDS remains a key challenge, which the government and
partners are addressing. HIV/AIDS education efforts have boosted awareness of the disease to 70 percent of the population.

Education indicators are now stronger than they were before 1994. In 2002 the net primary school enrollment rate was 75 percent, up from 65 percent in 1990.

**Figure 1. Real GDP and GDP growth in Rwanda, 1982–2002**

![Graph showing Real GDP and Real GDP growth in Rwanda, 1982–2002](image)

*Source: Cropper 2003.*

**What accounts for this progress?**

Direct causal links cannot be drawn between the improving security environment and reforms on the one hand and economic growth and reduction in poverty on the other—but the correlation is suggestive. A secure environment is itself a critical component of a poverty reduction agenda. Businesses cannot function in a climate of insecurity, and the poor, who cannot afford private protection, will always suffer disproportionately. In addition to the secure environment, the government’s commitment to sound economic management, trade promotion, and institutional reform has enabled the country to bounce back rapidly over the past 10 years. Challenges remain, in the areas of land policy and justice, but they are being addressed following broad countrywide consultations, consultations that in their openness characterize the formulation of public policy in Rwanda.
The role of the government. The broad consultation process used by the government in developing its policies has meant that they are widely accepted—as suggested by the relatively high percentage of taxes paid. Although the consensual nature of Rwandan democracy has meant that development of policies is sometimes rather slow, it also means that when agreement is reached policies can be implemented rapidly. In addition, on issues where urgent leadership is needed, the presidency has shown itself willing to act with focus and determination. The president has also shown a personal commitment to the eradication of corruption. Providing civil servants with short-term contracts, coupled with the cultural expectation that a job in government is not necessarily a “job for life,” has meant that when corruption is detected it is addressed.

The strong growth exhibited by the Rwandan economy must also be partly attributed to the government’s single-mindedness and determination. Perhaps building on its military origins, the government has exhibited discipline and resolve to realize its agenda for change. While listening to input from other sources, the government has not let itself be distracted. Tough choices have been translated into necessary reforms.

The role of donors. Rwanda’s budget has been supplemented by international aid flows, with nearly $2.2 billion disbursed by bilateral and multilateral donors between 1995 and 1999. These external inflows have financed Rwanda’s large current account deficit. The provision of resources has allowed donors to have an influence on government policies, such as the creation of parastatal institutions, which donors supported. The government has quickly embraced policies that it recognizes as beneficial to its overarching goals of developing the country.

Conclusions and lessons

The Rwandan experience holds some key lessons for other post-conflict societies. The enormous scale of the problems overcome by the government should provide hope that similar achievements can be made elsewhere.

Early on the government recognized that security and reconciliation, as well as being ends in themselves, were essential to economic and social recovery and progress. Conversely, in conjunction with political efforts, sustained economic growth has made a relapse into conflict less likely.

Rwanda’s recent history demonstrates the dangers of ethnic fragmentation and extremism but also the progress that can be made in creating a national identity that transcends ethnicity. The forging of such an identity is a political project to which the government has devoted immense effort.

Rwanda had to deal with the largest exodus and return of refugees in recent memory. In addition to this logistical challenge, it had to prevent conflict between “old case” and “new case” returnees. A key lesson is that, with logistical assistance from international agencies and the presence of grassroots NGOs to help with mediation, large movements and reintegration of people can be managed successfully.
The *Gacaca* experience has shown that for extraordinary challenges, bold, unconventional responses are sometimes necessary. In the context of countrywide trauma, the need for “restorative” justice was acute, and the ideals of due process and formal trials proved to be far too time consuming to address these needs. The government has shown that with determination and a willingness to involve the people, such experiments can be made to work.

Rwanda has also shown that a relatively closed political system is able to involve its citizens in political processes through “bottom up” democratization, similar to that seen in China. Rwanda has used the more than 11,000 administrative areas in the country to rapidly reach and consult with a broad sector of the population.

Many challenges remain, and the results of the most recent reforms are still pending. But Rwanda’s remarkable progress toward reconciliation and poverty reduction shows what a determined, focused, and receptive government can achieve.
References


**Abbreviations**

GDP  Gross domestic product  
ICTR  International Criminal Tribunal for Rwanda  
MRND  Mouvement Révolutionnaire National pour le Développement  
NGO  Nongovernmental organization  
RIPA  Rwandan Investment Promotion Authority  
RRA  Rwanda Revenue Authority