

TRANSITIONAL JUSTICE IN PRACTICE: A WEEK LONG STUDY TRIP TO POST-GENOCIDE RWANDA (MARCH 20-26, 2016)

The sixth study trip to Rwanda is scheduled to begin on **Sunday 20th until Saturday 26th March 2016**. The purpose of this trip is to educate participants about Transitional Justice mechanisms adopted in Rwanda after the 1994 genocide against the Tutsi. Post-genocide Rwanda is a unique case study for a number of reasons, but at least three of them are crucial. First, the nature of the 1994 genocide is unique; the genocide that happened in Rwanda was the result of a long process of preparation and took place in the presence of the international community (UN soldiers, international media and NGOs). It is believed to have been the speediest genocide, involving massive participation of men and women of all ages and professions. Its unimaginable cruelty in terms of weapons used and torture, with extreme inhumane behaviour where for instance parents killed their children. So, it is important for participants to learn what went wrong for it to happen. A second reason that makes this study tour important pertains to the impact of the genocide. When the genocide was over, on a population of about seven million persons about one million innocent people had been killed in a period of just 100 days, about five million persons had been displaced, some living in IDP camps; the majority had fled to the neighbouring countries (mainly to present day DR Congo and Tanzania). All sectors in the country were destroyed. The third reason that makes post-genocide Rwanda unique regards the approaches adopted to deal with the challenges following the genocide. In the words of Rwanda's leadership, to deal with unconventional challenges, it was necessary to adopt unconventional approaches, mainly based on Rwandan traditional customs, to facilitate national reconciliation, promote peace, fight impunity, and entrench a culture of rule of law and human rights. Mechanisms of interest for the study trip include but are not limited to:

- Gacaca Courts, a quasi-judicial system that was put in place to prosecute cases of genocide, where Judges are men and women of integrity elected from their communities, while the members of the community serve as prosecutors, lawyers and witnesses;
- INGANDO (Solidarity camps), aimed at civic education where history and nationalism is taught to Rwandans of different categories;
- ITORERO (traditional Rwandan schools), where self reliance, nationalism and moral values of integrity and taboos are taught.

On top of this, the Government has developed poverty reduction projects aimed at creating economic interdependence and social cohesion like UBUDEHE, where members of communities work together on different income generating projects, and the GIRA INKA program, one cow per poor family, where a poor family is given a cow and is obliged to give the first born-calf to another poor family.

Twenty one years after the genocide, some good steps of governance can be mentioned. Two presidential elections have been held, as well as parliamentary elections with a highest percentage of women legislators in the world. The country is the least corrupt in the region and the most secure; registered significant economic growth; it is the second best business friendly in Africa; public institutions were rebuilt and reformed with a highly praised public service delivery. A number of refugees have been repatriated and former combatants either

reintegrated into the present Rwanda Defence Force or demobilized and successfully reintegrated into civilian population. About two millions cases of genocide have been tried. Survivors, victims and perpetrators of the genocide continue to live side by side. Universal 12 years basic education and public health insurance scheme is working at above 80%. Diseases like malaria and AIDS, maternal death and infant mortality rates have significantly reduced. Basically, Rwanda made significant achievements on all the just concluded eight Millennium Development Goals MDGs and is to host an African centre of excellence on Sustainable Development Goals (SDGs).

However, despite the fact that most of perception studies indicate that Rwandans are satisfied with these achievements and many more visible improvements, some international NGOs – like Human Rights Watch and Amnesty International – and International Media have maintained that these achievements come at the cost of other fundamental rights, like freedom of expression and political association. The government has vehemently denied such accusations. It retorts that critics are biased, whereas some seem just ignorant of the problems which are inherent to genocide and its aftermath and blame them for failure to suggest any better workable alternatives to handle such a complex situation. The government insists that it is impossible to achieve inclusive governance, education, healthcare and growth while restricting freedoms of the same people.

This study trip aims at understanding the extremely complex nature of re-building a society after genocide, and comprises of two components: a literature study and a study tour. Studying a post-genocide Rwanda through such existing contradictory and polarised scholarly writings and media outlets is not enough. We think that to better understand the present situation in Rwanda, in addition to desktop research, one should also listen to people involved in the process, and experience what is happening on the ground.

What participants are expected of?

As a first step participants choose a particular topic that can be considered a core issue with regard to the genocide and its aftermath in Rwanda. Political freedom for instance is one of those topics. Participants can make a literature study on political freedom, its general meaning in different parts of the world, in post-conflict states in general, in Rwanda in particular; then study all the comments that Rwanda faces with regard to political freedom for instance by national and international NGOs and the response to this criticism in Rwanda. Other examples of topical issues are reconciliation, identity, justice, the criminalisation of hate speech, gacaca as semi-traditional justice mechanism, nation building etc....

Based upon this literature study participants formulate questions to be answered during the study tour. As a result, participants enter Rwanda not so much with a pre-determined opinion but with a series of questions which reflect the complexity of the issues at stake. Questions such as: how to establish a multi-party system in a divided country? How to assess the importance of non-violent elections in a post-conflict society? What is reconciliation and how to achieve it? What does nation building imply and what is the role of leadership? How does the crime of genocidal ideology in Rwanda compare to similar crimes in other parts of the world, in particular Europe? How can reparations to victims be possible in a situation where the rest of

the population is in similar bad circumstances; how to find specific support for victims, that acknowledges their position of victims (for example having lost their "support network") without creating new envies or a backward position for the rest of the population (including but not only members of perpetrators' families). How is the trauma of perpetrators treated when most intervention programmes are designed towards helping victims? What is the role of international community in all of this?

Participants and the cost/fee of the programme

This study is open to not more than 20 participants. Added to this group will be a small group of Rwandan participants from various disciplines. The main language of conference will be in English, but Francophone students with a reasonable knowledge of English are also very welcome. In addition to funding their travel related costs to Rwanda, each participant is supposed to pay **1000 US Dollars** for tuition, accommodation, meals and transport within Rwanda during the week of the study tour.

Plan of the study

Apart from specific presentations on proposed core themes pertaining to transitional justice as part of international (criminal) justice, roundtable discussions shall consider specific research topics proposed by participants. Each day shall be a mixture of a theoretical presentation on the theme of the day and one field study, interaction/discussion with different stakeholders in Rwanda which will include but not be limited to visiting genocide memorial sites, the Unity and Reconciliation Commission, an Ex-combatant demobilization and Reintegration Solidarity Camp, the National Commission for the fight Against Genocide, the Ministry of Justice, the National Prosecution Authority and the Supreme Court, survivors and victims of genocide and their organisations, perpetrators of genocide who confessed, the Ministry of Defence and the National Police, and interact with University communities, and members of the Rwandan civil society (mainly the youth and women).

Application Procedure

Applicants should send a letter of motivation explaining their interest in the course together with their Curriculum vitae to Mr. Samuel Sibomana; sibosam@gmail.com or S.SIBOMANA@ur.ac.rw copying to Dr. Alphonse Muleefu; a.muleefu@ur.ac.rw not later than 10th January 2016, other important dates (deadlines) shall be subsequently provided to successful applicants.