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The Process of Unity and Reconciliation in Rwanda

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als is how to reconcile reconciliation and justice. Retributing justice and restorative justice: a justice which fights impunity and excess of justice which becomes revenge.

At present, Gacaca is more and more accepted in academic debates and political analyses. Many studies have been dedicated to this issue: they have allowed to gain better understanding of the process. But there are still points to be cleared up and enough space was not given to the beneficiaries of Gacaca to voice their views. Besides, Gacaca was not studied in what it is; it was analysed from the pre-established models which separate the objectives of reconciliation and those of justice.

Genocidal violence is what mostly interests international tribunals, truth commissions and individual psychology. Their approach privileges the crimes committed by those who have planned and orchestrated the genocidal acts: it fails to explain the popular violence and the creativity of local communities in the area of reconciliation and restorative justice. Gacaca originality is that it is situated in a local process: law on Gacaca grants judicial powers to local communities. The fundamental question is to know how these powers will be used.

Gacaca promoted research on transitional justice both at the theoretical and practical level which aims at giving contextual and historic responses to the dilemmas caused by political violence. Post-war European experiences privileged international tribunals (Nuremberg and Tokyo). Other forms appeared during the cold war: revolutionary justice in Portugal, amnesty in Spain. In Latin America (Argentina, Chile, El Salvador, Guatemala, and Haiti) under the 3rd wave of democratization, the debate focused on punishment and forgiveness after massive violations of human rights. Eastern Europe carried out some selected lawsuits.

In Rwanda, after the 1994 genocide, the question was to pursue at the same time the ideal of reconciliation and of justice. Law on Gacaca aims at fostering the participation of the citizens in court decisions, reducing prison sentences for those who confess their crimes, encouraging confessions and compensation for the victims, classifying in 4 categories the crimes according to the level of responsibility and substituting community service for detention.

Gains from Gacaca are unindeniable: accessibility of justice, ownership of conflict resolution by local communities, capacities of local leaders, opportunities of dialogue and cooperation. But there are also challenges and uncertainties which press heavily on Gacaca: the question of security of witnesses, social and psychological problems generated by the process, the interference of decision-makers at local and national level. The Gacaca positive impact can be handicapped by these negative dynamics which appear during its implementation process.

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The Process of Unity and Reconciliation in Rwanda, by Fatuma Ndangiza

The objective of the National Unity and Reconciliation Commission (NURC) is to build a

2 Presented by Alex Mugabo, NURC.
united country in which all Rwandans enjoy all the rights and play an active role in the governance and the development of their country.

The Rwandan model of unity and reconciliation is based on a national vision, the constitution and positive cultural values to build citizenship, good governance and economic development.

In Rwanda, reconciliation has two dimensions: a political level and an individual and inter-personal level. The political dimension implies a holistic approach which takes into account the culture of inclusion, institutions which promote unity and conciliation, the rule of law right and good governance.

The inter-personal dimension begins with oneself: to accept the reality of the tragic past and to reach the personal transformation which leads to repentance, confession, forgiveness and to the restoration of broken relations. Memory, the truth, justice, confession and forgiveness are at the heart of the process of reconciliation in Rwanda.

NURC has exploited, in its approaches, the mechanisms which draw inspiration from by the local culture (home grown approaches). It is the case of "ingando", which comes from the verb "kugandika" which means interrupting activities to think and to find solutions of the challenges which arise. Ingando were used at various community levels and for various audiences: former ex-Far soldiers, released prisoners, the youth, women, students, lecturers and community leaders. Ingando were an opportunity to discuss the causes of conflicts, the ways of solving them and the establishment of unity and reconciliation, sustainable peace and economic prosperity.

The other local mechanisms used are: reconciliation mobilizers (abakangurambaga); festive gatherings of ubusabane organized by communities, the traditional Gacaca which has given rise to Gacaca jurisdictions which deals with genocide issues: ubudehe: a community approach of mutual support and solidarity which currently used to fight against the poverty: community dialogue; njyanama (advisory council), mediators (abunzi), etc.

The main CNURC achievements in the political domain are: the obvious political will of the government to achieve national unity, the law against discrimination, repatriation and installation of the refugees, reintegration of the ex-combatants, implementation of good governance institutions, arrangements in the power sharing process at the level of the executive and of the legislative powers to favor inclusion and participation, the creation of a fund to support survivors with a contribution from the Budget, remembrance of the genocide and the establishment of a rule of law, etc...

At institutional level, one can mention as important achievements, the dialogue on issues of national interest through debates, workshops and seminars, grassroots consultations and various evaluation reports. The Rwandan Diaspora has been regularly associated to national summits on unity and reconciliation which regularly assess the progress achieved. The level of understanding of the concept of unity and reconciliation Rwandans has increased. This could be seen through individual or community initiatives of reconciliation, reconciliation clubs in schools and a network of 3.720 voluntary unity and
reconciliation mobilizers, who are active at the level of communities. This dynamism is a sign of ownership of the process of reconciliation by grassroots communities, of confidence and harmony which characterize henceforth the social relations among Rwandans: 72% of the population are of the opinion that the situation in the country has markedly improved. Finally, among other results there is room for sharing experiences with delegations and researchers from various countries, and the creation of a "Peace and Leadership Center." 56% of the Rwandan population know very well activities carried out by NURC.

Experiences gained by NURC have shown that establishing confidence and healing the trauma are the central aspects in the process of reconciliation, that the use of local culture was a determining factor, and that national unity and reconciliation concern various aspects of political and socioeconomic life, from which it follows that there is a need to adopt a holistic approach to facing these imperatives. Finally, it is the strong will and the determination of the Rwandans to get up to their feet again after the genocide which are at the origin of the progress achieved so far in the political, social and economic domains.

NURC does not ignore the huge challenges which remain: the compensation fund for genocide survivors, the living conditions of the latter, disclosing the truth in Gacaca jurisdictions and security of the victims and the witnesses, poverty and illiteracy, insecurity in the region and the obstinacy of the genocidal ideology.

Nevertheless, NURC achievements are quite impressive. More particularly, it has managed to popularize concepts and practices of unity and reconciliation at community level by creating tools and modern institutions based on integrative practices of Rwandan culture. In future, NURC should capitalize its successes by strengthening the capacities of communities at all levels so that they could undertake and realize reconciliation programs on by themselves.

**THEME III: SECURITY SECTOR REFORM**


History of military integration is as old as that of armed forces. Military integration is the result of the existence of segregation in armed forces or in society itself. It is an affirmative action which dissipates fear and frustration, guarantees individual and collective security and strengthens reconciliation and stability of a divided society.

Pre-colonial Rwanda had an inclusive army, composed of Hutus, Tutsis and Twas. It had the