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## PRESS STATEMENT

### **Rwandan Genocide Survivors' Speak of Experiences with Justice – New Report**

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A new report released by African Rights and REDRESS on the eve of the 60<sup>th</sup> Anniversary of the adoption of the Universal Declaration of Human Rights, offers new insights which bring into question the meaning of justice after genocide. *'Survivors and Post-Genocide Justice in Rwanda: Their Experiences, Perspectives and Hopes'*, based on nearly 100 interviews with Rwandan genocide survivors in Rwanda and Europe, offers them a unique platform to speak about their experiences for the past 15 years and their aspirations for the future.

The research looks at the various objectives of national and international policy makers from the viewpoint of the survivors. It asks them what they think justice is, or should be? It considers whether they regard "justice" as an appropriate or central objective? Does it resonate with their daily experiences, and if so how? What does it mean for survivors to be asked to move *beyond* the genocide? Is this indeed possible?

The report, which took eight months to research and document, and also includes perspectives of Rwandan government officials and civil society groups, sought to obtain first hand accounts of how survivors actually interacted with justice, what these interactions meant to them and how, and to what extent, their lives were affected by the justice process.

*"Justice is a fundamental human value and a central component of the Universal Declaration of Human Rights. Yet, for survivors of genocide in Rwanda, justice remains elusive,"* said Carla Ferstman, REDRESS' Director.

*"Much more needs to be done to make justice a reality for survivors,"* said Rakiya Omaar, Director of African Rights. *"We need to listen to their concerns, help to protect them from reprisals and further trauma and support those in need of psychological and financial assistance,"* she added.

#### **For Further Information:**

Report available at: [www.redress.org/reports/Rwanda%20Survivors%2031%20Oct%2008.pdf](http://www.redress.org/reports/Rwanda%20Survivors%2031%20Oct%2008.pdf);

Hardcopy available from the authors

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## ***Survivors and Post-Genocide Justice in Rwanda: Their Experiences, Perspectives and Hopes: A Summary***

Almost fifteen years have passed since the genocide of 1994 in which up to one million mainly Tutsi men, women and children were massacred and which left behind countless orphans, widows and severely handicapped and traumatised individuals. Immense personal losses are compounded by the virtual destruction of their wider community. The human, economic and social consequences of the genocide continue to affect them all, and it is impossible for them to look at justice in isolation from the reasons they have come to be known as survivors. Unlike other victims of state-orchestrated genocidal violence, survivors in Rwanda live in unique circumstances in that they must mingle with, and live next door to, the people who sought to exterminate them so recently. This reality introduces layers of complexity and sensitivity that make justice in Rwanda a daunting task. The genocide casts a long and profound shadow over all aspects of life in Rwanda, and this necessarily helps to shape if, and how, people engage with justice.

Post genocide Rwanda has become a laboratory for multiple justice “experiments” both national and international. A crime against humanity, on the scale of Rwanda in 1994, was unprecedented and it was essential to develop appropriate judicial responses in the national and international spheres. Justice was necessary to acknowledge the massive atrocities that had been committed; to restore a sense of security within the country; and to establish the rule of law after the decades of impunity which had greatly facilitated the massacres. It was vital to curb the persistent genocidal ambitions of perpetrators who continued to target survivors and witnesses from their bases in exile, and to deny their crimes. Equally, innovative approaches to the delivery of justice were required to deal appropriately with the massive numbers of arrests which started in July 1994. Justice was also necessary to restore dignity to survivors and to honour the memories of the dead.

Assessments of the success of these experiments depend largely on the parameters used to define success and who is defining and evaluating them. The goals of the various initiatives have differed significantly. The United Nations Security Council and the international community sought to reassert the legitimacy of the international legal order. They had an obligation to uphold the principles embodied in the 1948 Genocide Convention with regard to punishment, having failed in their duty to act to prevent the atrocities. In a general sense, the International Criminal Tribunal for Rwanda (ICTR) was also set up to contribute to the process of national reconciliation in Rwanda, to the maintenance of peace in the region and also to counter negative sentiments about the international community’s inaction in the face of the genocide. More recently, the few countries like Belgium, Switzerland, Canada, the UK, the US, Finland, The Netherlands, Germany and New Zealand, which have sought to investigate and prosecute genocide suspects found on their territories, were concerned about the political implications of being seen as providing a safe haven for genocide suspects.

International priorities diverged from those of the Rwandan Government, which faced unique challenges in the post genocide context. Within a few years, there were more than 100,000 genocide suspects detained in overcrowded prison cells, and others in exile in neighbouring countries or living side by side with survivors of the genocide. The Government pursued sometimes incompatible goals with limited resources. Its attempt to deliver accountability, re-establish security, and elicit confessions through the Organic Law on genocide prosecutions of 1996 proved unworkable. In introducing gacaca, it sought to expedite justice in order to decongest the prisons, promote social harmony and reconciliation, and move the country *beyond* the genocide. Some of the limitations of these parallel, sometimes competing, domestic and international tribunals, have already been identified from the perspective of international law or human rights. Flaws in the administration of justice are not surprising, given the limited time and

resources the international community was, and continues to be, willing to expend and the legal, institutional and structural weaknesses within Rwanda.

## **Survivors: Outside the Decision-Making Process**

Rarely, in the development of these projects or in evaluations of them, have the views of survivors been directly called upon. Justice has never been an area over which victims have felt ownership or real engagement. They have been, and continue to be, the silent and largely passive observers of this abstract notion called *justice*, despite the direct impact its decisions have on their daily lives, their peace of mind, their ability to conceive of plans for the future, and their sense of responsibility to the people they loved and lost in the genocide. They feel tormented by their experiences testifying before domestic and international courts, and at the same time often feel excluded from the decision-making processes. Both in Rwanda and outside, individuals, policy makers, donors and governments appear to be tired of hearing about victims, and about the atrocities of the genocide. Most want to move forward *beyond* genocide, to put this ugly chapter to rest.

*Survivors and Post-Genocide Justice in Rwanda: Their Experiences, Perspectives and Hopes* offers new insights which bring into question the meaning of justice after genocide. *African Rights* and REDRESS look at the various objectives of the policy makers from the viewpoint of the survivors of the genocide. It asks them what they think justice is, or should be? It considers whether they regard “justice” as an appropriate or central objective? Does it resonate with their daily experiences, and if so how? What does it mean for survivors to be asked to move *beyond* the genocide? Is this indeed possible?

Certainly, justice for the crimes of the genocide can never be fully realised and all those who were interviewed recognised that justice could only ever be a partial response to the crimes. There are no adequate or appropriate remedies for crimes of this nature. Nonetheless, the multiple justice solutions that have been applied in the context of Rwanda have left many victims feeling vulnerable rather than acknowledged and supported, alienated rather than reconciled, angry and fearful instead of positive with hopes for the future. Justice is meant to have a transformative effect, but this report seriously questions whether this has been achieved.

One of the consequences of their lack of agency is the prevalence of rumours, suspicion and innuendo in all matters relating to justice. Survivors’ experiences commingle with what they hear from their neighbours and friends, what they surmise and what they fear. This underscores the lack of sufficient objective information that is accessible and easy to understand about what is happening, and most importantly, why particular decisions are taken. This comes across most strongly in respect of survivors’ reactions to releases at the Tribunal in Arusha, and not guilty verdicts issued by ordinary and gacaca courts.

Neither the research nor this report claim to be an exhaustive catalogue of survivors’ views about post-genocide justice processes, which would in any case be an impossible undertaking. Though the experiences, opinions and hopes which have been highlighted by the survivors we interviewed are not necessarily shared by *all* survivors, the richness and breadth of the material reflects a very broad range of views and serves to underline a number of key trends. They were remarkably consistent in highlighting experiences and challenges. While their reactions are influenced by the nature of their particular circumstances before, during and after the genocide, survivors speak as one about justice. Whether an impoverished peasant in a rural village or a highly educated professional in Kigali, male or female, whether they were young or adults during the genocide or whether they live in Rwanda or abroad, every person emphasised the need for those who participated in the genocide to be punished. None felt that nearly enough had been done in this regard. Some of the challenges have been documented by others

writing generally on post-genocide justice, though the survivor's perspective, as a key stakeholder in justice processes, has been decidedly absent. The purpose of this report is to give due attention to survivors' voices. Their views, varied as they are, have important implications for the success of justice, whether in gacaca courts, domestic trials or international prosecutions, for reconciliation and for society at large.

## **The Pursuit of Justice: Defining What it Means to be a Survivor**

*Survivors and Post-Genocide Justice in Rwanda: Their Experiences, Perspectives and Hopes* reveals that “justice” for most survivors is of paramount importance in their lives. Indeed, the yearning and search for justice, in so many ways, defines what a survivor is. In addition to their daily struggles, survivors continue to battle, mostly in vain, for some measure of justice that is meaningful to them. Their perceptions of justice depend on a variety of factors both directly related and extraneous to their justice experiences. Their encounters with foreign investigators, for example, cannot be divorced from their views on justice more broadly, nor can they be separated from their engagement, or disengagement, from conventional and gacaca courts in Rwanda, nor their views on the work of the ICTR.

It analyses the physical threats survivors have endured in their communities from suspects and their families as well as the responses to such threats. It outlines the trauma and despair that is intertwined with survivors' experiences of justice as well as the hope and sense of satisfaction that has very occasionally resulted. It catalogues the variety of misuses and abuses that have frequently framed the justice experience, including corruption and abuse of power by some officials. The report explores the changes that have occurred in survivors' perspectives of justice as a result of their direct experiences and the implications these changing views have on longer term prospects for reconciliation and social harmony. REDRESS and *African Rights* conclude by offering a number of recommendations to the various national and international actors involved in the different justice processes.

## **Testifying About the Genocide: The Courage it Takes**

Testifying to the traumatic effects of the genocide is difficult, painful and dangerous. The pursuit of justice necessarily forces survivors to revisit the horrors they lived through and to confront the losses—most importantly of their loved ones—which they must endure for the rest of their lives. However, it is not only the trauma of the past that casts a shadow over their lives: it is the constant fear about the present that is all too real in their lives. Overcoming their sorrow, and in spite of the enormous risks involved, thousands of survivors have lined up, day after day, to challenge perpetrators and to give evidence at gacaca proceedings, specialised chambers of the conventional courts, before the ICTR, or prosecutions in foreign courts.

Many of those who have done so have been intimidated and threatened. Some survivors and Hutu witnesses have been killed, others have been assaulted. Fearful they will suffer similar exactions, many are now reluctant to come forward, despite their overwhelming need for justice. Some do suffer the consequences, especially in the countryside, where insecurity for survivors and witnesses has been a constant in gacaca. Stones are thrown at their roofs at night, houses have been burnt down, their livestock killed and their crops destroyed. Others have received leaflets warning them that they will be massacred. Neighbours isolate the survivors, refusing to speak to them when they pass each other, the audiences in gacaca sessions whisper, hiss or laugh whilst survivors give their evidence. The fear of going to tend their fields reinforces the economic fragility of the many who are already impoverished.

Louis, who has worked for a long time in Butare with Ibuka, the national organization of survivors, says the situation in that region is getting worse, not better. He spoke of three survivors who have been

assassinated in the district of Huye in Butare; Costasie Mukamana and Hope Uwantege from Gisagara, and Paul Rutayisire, a gacaca judge in Karama sector who was chopped to pieces on a path near his house.

The continued threats, taunts and reprisals faced by many survivors, particularly in rural areas, compounds their existing trauma which they had difficulty in expressing directly, but which comes across clearly in their testimonies. The lack of understanding and support at the grassroots level for victims suffering from trauma leaves them feeling even more isolated.

## **The Conventional Courts**

The genocide left the justice system in tatters; it lacked personnel, equipment, resources and it lacked credibility. The number of suspects was unprecedented, given the extraordinary degree of popular participation. The immense practical difficulties of reconstructing the judiciary from the ashes had to be attempted in the context of a broader economic and social crisis.

For all its drawbacks, many victims felt encouraged and protected by the lawyers and the public prosecutor's office. The fact that, for the most part, the judges did not have a strong relationship with the accused or the civil party, was an enormous asset, and meant there was less opportunity for corruption. But survivors criticised the long distances they had to travel to attend court hearings, which were often suspended or delayed, adding to the costs they had to bear. Appeals were rendered even further from their homes as there were only four appellate courts in the whole country. Victims were not always made aware of the hearings and verdicts were delivered in their absence. They also complained about acquittals because of uncorroborated testimony and the slow reaction of the prosecutor's office in appealing acquittals which enabled certain suspects to flee the country. The problem which virtually every interviewee commented on were the delays, owing to the enormous caseload and nascent legal infrastructure. The pace led Alphonse in Butare, and many others, to despair of ever seeing justice.

One trial could drag on for more than a year which meant that genocide trials were never going to finish. I didn't see how it could deliver justice to us.

## **Gacaca**

The great majority of survivors were apprehensive when the system of gacaca was first conceived, worried that it would enable perpetrators to elude appropriate punishment. But, unwilling to be seen as the reason why justice failed, they relented, but approached gacaca with caution. With time, many came to appreciate certain aspects of gacaca, especially the open nature of the proceedings which, commented one, "brought justice to the doorstep." They were especially heartened by the information it enabled them to discover about how their loved ones died and where they were buried. These positives were overwhelmed by sentiments of anger and despair at the progressive reductions in, and commutation of, sentences and the confession and guilty plea system. Many also spoke of their experiences of corruption.

Today, assessments of gacaca vary, but for the most part gacaca has not met survivors' expectations. Their fears, particularly about the leniency of the sentences, have been borne out by the process. Some, like Etienne, a lawyer who said he was "heartbroken" at the decision to allow gacaca to sit in judgement over genocide crimes, feel they have been vindicated in their refusal to engage with gacaca. At the other extreme, Alphonse, a gacaca judge in Butare, though aware of its many shortcomings, is "convinced that for survivors, gacaca remains the only system of justice in which we can have confidence." Yet for others who are sharply critical of the way gacaca functions in practice, there is no workable alternative. François, a farmer in Cyangugu, spoke for many of them when he commented:

I don't see any other way out of the crisis which was created by the insufficient number of ordinary courts, and the impossibility of meting out justice within a short time frame.

The overwhelming majority of the 97 men and women interviewed across Rwanda have given up on gacaca. Some, especially the very poor living in remote rural areas, have rejected the process to such an extent that they refused to be interviewed. Their anger and bitterness was raw and palpable. Many of the educated, like Bosco in Gikongoro town, have also turned their backs on gacaca. "I can't tell you what improvements I would like to see in gacaca because the damage is irreparable." Servilien, who had been a gacaca judge for several years, spoke at length and with fury.

I don't appreciate it at all. In terms of percentages, I wouldn't give it more than 20% [as a rate of success]. The survivors are in total despair. A huge number of have abandoned gacaca because they don't want to continue seeing judges, related to genocide suspects, whitewash, to an extraordinary degree, the crimes of the génocidaires. And it is these judges who make up the overwhelming majority of gacaca jurisdictions.

He wants people to look beyond statistics.

A lot of people see gacaca as an effective medicine which has resolved the problem of genocide. They point to statistics and speak about a large number of trials that have been concluded and the substantial number of detainees who have been freed. I agree with them, if we speak only about the economic burden on the Government.

As far as survivors are concerned, gacaca is far from being an effective solution. So many are still mired in the confusion of wanting to know where their relatives were buried. Worse still, they are living among the executioners of their loved ones without even being aware of it. Even those who have been freed don't want to go and ask the survivors for pardon. They say they have already been pardoned by the Government and don't need forgiveness from the survivors.

He no longer participates in gacaca.

I felt betrayed by the other judges who plot together to see how to free the suspects who are their relatives and friends.

In common with all other interviewees, he is particularly despondent about the impact of the progressive gacaca reforms.

Each time there is a modification in the law governing gacaca, the reform is leading towards an all out release. This arrangement has now been capped by the decision to try first category suspects. The survivor is almost forgotten in these decisions. I don't see anything which is done for the sake of survivors. No one wants to give back what they looted. And when a survivor puts pressure on the concerned person to give him back his belongings, he is considered an enemy of the génocidaire's family. That's why so many survivors prefer not to try and reclaim material possessions through the legal system.

The multiple reforms, in a short space of time, which most survivors argue were implemented without adequate explanations, go a long way in explaining why so many feel alienated from the gacaca process.

A significant number of survivors are not willing to abandon gacaca altogether, but called for a judicial structure that combines the best of gacaca and of the conventional courts. Gilbert, a parliamentarian, is convinced that this merger would promote justice in Rwanda.

We are in danger of having two levels of justice: a good one for the educated people arrested abroad and an inferior one, or even a bad one, for those at home. We can prevent this from happening by doing the following: establish conventional courts, with trained jurists as judges which function on the gacaca model. Suspects arrested in Rwanda will then have access a system of justice almost identical to those coming from abroad, and we will avoid the shortcomings of gacaca, that is more emotion and less rule of law, inadequate training for judges, lack of remuneration and susceptibility to corruption etc...

## **The International Criminal Tribunal for Rwanda**

The establishment of the ICTR in 1994 was an important recognition of the gravity and scale of the atrocities that had been committed. Victims' perceptions of justice, as they relate to the ICTR, have been complicated from the outset. The Tribunal was far from the victims and others it was meant to serve, both in terms of the physical distance, based as it is in Arusha, Tanzania, and the failure to make its proceedings and decisions relevant to the daily lives of Rwandans. Many survivors harboured suspicions about a United Nations court from the very beginning, bitter that it had failed them in their most urgent time of need. However, precisely because they continue to yearn for both justice and acknowledgment, many have withstood the ordeal and repercussions of testifying in Arusha. What most found, however, is that the ICTR, by and large, failed to specifically address and take into account their needs, broadly speaking, and that it has only minimally satisfied their hopes and expectations. Fourteen years after it was set up, the enormity of what remains to be done, even within the confines of the limited tasks it had set itself, helps to explain why most people interviewed for this report did not want to engage in a discussion about the ICTR.

The ICTR has made a number of key rulings, setting precedents in international law, particular with regard to sexual crimes. It has also indicted and prosecuted some of the key architects and leaders of the genocide. However, the numbers of successful prosecutions are exceedingly low when compared to the vast numbers of suspects who remain unpunished. Survivors have also been deeply affected by the release of well-known genocide leaders, by what they regard as derisory sentences and by the failure to adequately take into account the prevalence of rape and other crimes affecting women. Insufficient protection for witnesses both in Arusha and in Rwanda has widened the gulf.

Beyond criticisms of specific issues, survivors' views of the ICTR are permeated by a profound feeling that the ICTR, and particularly its judges, do not "understand" the genocide, as many put it, and have therefore concluded that it is not capable of rendering the quality of justice they had expected.

The huge resources which the international community has invested in the ICTR was invariably mentioned. Laurent of Ibuka does not believe that survivors have drawn benefits commensurate with the money that has been granted to the tribunal.

The ICTR spends the equivalent of US\$500,000 each year, but we do not see any corresponding gains for the survivors who are seeking justice. Even though resources are available, the trials are very slow. The court looks after the defendants as opposed to the victims who suffer from the consequences of the crimes committed by the accused. And yet it is the accused who are better treated than the victims. Their situations are extremely uneven.

He brought up another common concern.

Some of the Rwandese who work there are themselves génocidaires, or have relatives who are, especially among defence investigators.

What he regards as its most important contribution is the jurisprudence which helped to define and codify the killings between April and July as a genocide.

The only positive thing I can point to has to do with the legal system. As a result [of the ICTR's work], the accused will not be able to defend themselves by saying, as they did at the beginning, that genocide did not take place.

Saying "there is no place for the victims at the ICTR", Théophile, a lawyer with extensive experience of genocide justice in Rwanda, and who has represented many survivors, concluded that "their role has been confined to that of a witness."

And not all witnesses are invited to Arusha, obviously because of budget constraints.

He reserved his strongest criticism for the failure to address the issue of compensation.

Worse still, nothing is being done about compensation. And yet, reparations are essential in this type of forward-looking process which seeks to address so many wounds.

## **The Perception of Survivors in Rwanda About Investigations and Prosecutions Abroad**

There have been so few trials and convictions in foreign countries, no extraditions and only one deportation that most of the survivors interviewed in Rwanda preferred to speak about other aspects of justice. Where they had heard about previous foreign trials, they were most struck by what they regarded as "lenient" sentences. With virtually no exception, they expressed a strong preference for trials to take place in Rwanda where the crimes were committed, saying it is there that the evidence exists, most of the witnesses reside and where the accused will come face to face with the maximum number of victims. They point to the abolition of the death penalty, the establishment of special facilities and improvements in human resources within the judiciary to question the wisdom of trials abroad. Laetitia, a farmer from Gitarama, summed up extraterritorial trials as "only half-justice." Underlying the preference for domestic trials is the deep sense of hurt and the profound anger that survivors feel at the failure of the international community to intervene in 1994. Most also found it difficult to understand how foreign judges, who have never been to Rwanda and who have no familiarity with the country, can grasp the complex reality of the genocide.

## **Sexual Violence: A Lack of Attention**

Rwanda's laws on genocide justice reflect a determination to address crimes of sexual torture in a serious manner. Those responsible for rape and violence of a sexual nature were subject to the most severe sentences. And when the law on gacaca was introduced, rape was made a category one crime that could not be dealt with by gacaca but was left to the classical courts. Gacaca judges were told to verify what had been said, as far as they were able to, and to forward the information to the ordinary courts in a discreet manner. Awareness of the firm legal ground for their claims may well have encouraged women to bring charges against their persecutors when they might otherwise have kept silent.

The reality, however, is that very few women have seen their abusers prosecuted. Some women have resorted to the courts, despite pressure from their families and friends, and harassment from the relatives

of the men they identified, or directly from the men themselves. Some later gave up, demoralized by the long delays in the administration of justice, the release of prisoners or the lack of legal assistance. For those intent on pursuing justice, all had, in one way or another, explained how the process, whether domestically or internationally, left them feeling more vulnerable physically and psychologically.

All the women who were interviewed were sharply critical of the recent decision to extend the competence of gacaca to cases of rape and sexual torture, despite measures put in place to improve confidentiality which they did not trust.

What she has heard and seen has convinced Enatha in Nyamata to remain silent, whatever the cost.

Rape trials are supposed to be closed hearings, but it is not a secret when you tell someone who you neither know, nor trust. The *inyangamugayo*, who are sworn to secrecy, only wait until they leave the court room before they begin spreading the news.

Phidentia, also in Nyamata, put forward suggestions that she said would encourage her, and other rape victims, to put their trust in gacaca.

Rape cases should be tried by very honest *Inyangamugayo* [gacaca judges] from different regions, or by creating special courts and letting us elect *inyangamugayo* who we believe can guard our secrets with care. We could use *inyangamugayo* from Butare here in Nyamata. But first we must establish that they don't know the people in Nyamata and so won't reveal what they heard. It is also very necessary to make sure they are very honest.

Whilst the ICTR has had little practical success in prosecuting rape and other forms of sexual violence, a number of its jurisprudential developments, particularly those concerning the definition of rape in international criminal law and the assessment of what constitutes individual or command responsibility, were groundbreaking in advancing gender jurisprudence. Despite this early promise, the record of prosecutions and convictions on rape charges reveals that crimes of sexual violence have rarely been viewed as central to its prosecution strategy.

In common with rape survivors from Cyangugu, Assumpta cannot understand why the ICTR failed to hold Emmanuel Bagambiki, the préfet of Cyangugu, responsible for the extensive rapes committed by the militiamen who acted under his commands.

I became suspicious about the ICTR as soon as I arrived in Arusha. I told them that I wanted to speak about the rape which my daughter and I endured at the hands of the interahamwe who committed the massacre in Kadasomwa, just after the departure of Bagambiki. An employee of the ICTR stopped me from bringing up this crime, saying that it wouldn't have any impact on the charge against Bagambiki. But I, who had been the victim of this crime, I saw very clearly the relevance to the responsibility of Bagambiki.

## **Justice, Remorse, Reconciliation and Forgiveness**

Survivors are angered by the current discourse on reconciliation. They regard remorse and acknowledgement as fundamental preconditions to reconciliation and believe that neither have materialised, or even been emphasised, at either the individual or societal levels.

The Government recognises that asking the survivors to “forgive and forget” is an impossible demand. With the introduction of the guilty plea and confession system in 1996, it sought to promote reconciliation

through justice. It was hoped that this initiative, by giving genocide perpetrators the opportunity to shed light on what happened through full and truthful confessions, would make it possible for justice to become an agent of reconciliation. Significantly, it did not ask the perpetrators to express remorse and seek forgiveness from survivors. The perception that sentence reductions offer a watered down version of justice lay at the heart of survivors' rejection of the confession procedure. Delays in the administration of justice and the low rates of confessions in any case reduced the potential of the procedure to contribute to reconciliation.

Survivors asked why the State and the Church, the two main institutions promoting reconciliation, have not fostered large-scale national initiatives to encourage those guilty of genocide to ask for forgiveness from their victims.

Simon, currently serving as a gacaca judge in Kibungo, said he was drawn to gacaca not only to advance justice, but also because he wanted "to contribute to the unity and reconciliation which it was hoped gacaca would bring about."

But I had my own vision about unity and reconciliation. I assumed that first the perpetrators would acknowledge what they had done in front of the victims of the genocide. So now I'm very surprised to hear local officials, and some religious institutions, tell the survivors to forgive the génocidaires even though the génocidaires themselves have not taken any initiatives in this regard.

Strongly opposed to the confession system when it was in operation, Daniel in Kigali rural sees no reason to have changed his mind since the launch of gacaca. The major drawbacks he saw in confessions, namely the failure of prisoners to "tell the whole truth" and to seek forgiveness, are also features he recognizes in gacaca.

The objective of unity and reconciliation seems to me difficult to attain, especially as some of those guilty of genocide, and their relatives, don't want to reveal the full truth about what happened during the genocide. This is my situation. I cannot go against the government's decision to reduce the sentences. But neither can the Government force me to reconcile with those who killed my family. Worse still, some don't even bother to approach survivors to ask for their forgiveness. How can I reconcile with someone who does not want to tell me he is sorry?

## **Towards a Future of Action**

The perspectives of survivors documented in this report should not be taken as a barometer of endurance. What they require of those who read their stories is not horror, but understanding and compassion and, above all, action.

What this report makes clear, above all else, is the fundamental importance which the pursuit of justice holds for survivors, their extraordinary tenacity in the face of impossible odds and the price so many have paid, and continue to pay, for their determination. We hope that *Survivors and Post-Genocide Justice in Rwanda: Their Experiences, Perspectives and Hopes* will at least accord them the most basic consolation—the recognition they deserve, and that this will in turn lead to reforms and initiatives that will mark a break with the past.

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