

Small States in an Unstable Region—Rwanda and Burundi, 1999–2000

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Abstract

Rwanda is undergoing a profound crisis, which became particularly visible during the first months of 2000. The resignation of the Speaker of the National Assembly, the Prime Minister and the President of the Republic—all within the space of three months—has been its visible face, but the conflict has deeper roots. The rift between the RPF and the Tutsi survivors of the 1994 genocide seems beyond repair and even within the old diaspora conflict runs high. The very core of the regime is affected by the crisis, the more so since divisions also affect the army. Institutionally, Burundi has been less affected by change, although new alliances have once again modified the political landscape.

The Burundi peace talks in Arusha have continued with Nelson Mandela as the new facilitator. More outspoken and impatient than his predecessor Julius Nyerere, Mandela has engendered resistance, particularly in small but powerful Tutsi circles in Bujumbura. In the meantime, the civil war continues at the price of serious violations of human rights. While success is by no means guaranteed in the Burundi talks, the Rwandan regime refuses to talk to anyone, although several opposition platforms in exile demand negotiations; in particular, challenges from monarchist groups have been a source of concern for the regime.

Although fewer people have been killed in both countries, the human rights situation remains very poor. In particular the prolonged detention of 125,000 genocide suspects in Rwanda is a cause for concern, which has led to a legislative initiative aimed at the establishment of a highly decentralized system of local courts.

The regional situation impacts on both countries. Their armies are engaged in the Congo war, in which Rwanda plays a prominent role. Wars are waged extraterritorially and alliances shift constantly, thus allowing government armies and rebel groups to seize the opportunities offered by joining competing coalitions. The latest shift is the dramatically deepening rift between Rwanda and Uganda, an evolution which opens the potential for a full scale war between these two former allies.

I. Introduction

While in Burundi there has been a continuity in the evolution of the political situation, Rwanda has been the site of considerable changes which are only the visible aspect of a serious political crisis. Since 2000, the replacement of the President of the National Assembly, the Prime Minister and the President of the Republic, may appear to be spectacular events in their own right, but they hint at a deeper conflict, which goes to the very heart of the regime. The rift between the Tutsi survivors of the genocide which was already perceptible last year is now open, and even within the ranks of the various components of the old diaspora that returned after the RPF victory in 1994, opposition is expressed increasingly openly. Also within the army, which seemed to be the pillar of the regime, coherence is no longer ensured; there were rumours of a coup d'état, military personnel were arrested, the army was stuck in the protracted war in the Congo, and the perception of favouritism caused resentment and frustrations.

Burundi remains committed to the Arusha peace talks, now directed by Nelson Mandela following the death of Julius Nyerere. It is not certain that the change in style effected by the new facilitator is likely to increase the chances of

political realignments which are a Burundian speciality and the rejection of any form of compromise by an active and powerful Tutsi minority in Bujumbura constitute considerable handicaps to a negotiated solution.

The regional context, characterised by shifting alliances and wars waged extraterritorially, impacts heavily on the internal evolution of both countries. The Rwandan and Burundian armies fight on the side of the rebel coalition in the Congo; rebel groups seize the opportunities offered by their inclusion in the alliance supporting Kabila; the strategies and the balance of forces change according to the military situation. A further factor since mid-1999 is the deepening rift between Rwanda and Uganda—a very dangerous development which could lead to a full-scale war between these two countries. Rwanda is already faced with a serious internal crisis and could find itself isolated, fragile and confronted with the risk of a violent implosion.

achieving an accord; moreover, the continual

2. Governance and Institutions

2.1 Rwanda

In Rwanda the year under review has been very eventful, particularly at the end of the period. Only a few months after his appointment as Minister for Foreign Affairs, Amri Sued was dismissed on 7 July 1999, apparently because of the way in which he negotiated the Lusaka accord concerning the Democratic Republic of Congo.¹ A source at the Rwandan Ministry for Foreign Affairs stated that there was a disagreement concerning the identification and the disarmament of the *Interahamwe* militia;² President Bizimungu criticised Amri Sued's "desertion of duty", while a "high-ranking authority" accused him of embezzlement,³ a claim which has not been brought up again. Amri Sued was replaced by Augustin Iyamuremye, till then the Minister for Information. On 6 October, Ministers Charles Ntakirutinka (Social Affairs) and Anastase Gasana (Minister in the President's office) were forced to resign following a motion of censure in the National Assembly, after a parliamentary commission found them guilty of corruption. The Minister for Trade, Mark Rugenera, escaped censure by one vote. On 23 December, it was the turn of the Secretary of State for Agriculture, Laurien Ngirabanzi, to resign in the same circumstances. Moreover, the National Assembly continued its inquiry into two RPF Ministers, Patrick Mazimhaka (Minister in the President's office) and Emmanuel Mudidi (Education).⁴ Spurred on by their young president, Joseph Sebarenzi, the parliament was obviously attempting to assert its independence and to assume its function of controlling governmental action. In particular, the fact that the powerful Minister in the President's office, Mazimhaka, was the subject of an inquiry was to be at the origin of a serious confrontation.

¹ It was the Minister the President's office, Patrick Mazimhaka, who took over as head of the Rwandan delegation in the negotiations which were to end with the signing of the accord on 10 July.

² Africa News Service, Lusaka, 9 July 1999.

³ Agence rwandaise d'informations (ARI-RNA), Kigali, 8 July 1999.

⁴ ARI-RNA, Kigali 6 October 1999.

At the beginning of 2000, a profound political crisis broke out. On 6 January, Sebarenzi suddenly presented his resignation as President of the National Assembly. Four members of parliament from his own party, the Liberal Party (LP), were said⁵ to have started a dismissal procedure, followed by 57 members of parliament from various parties. Sebarenzi was accused of seeking "cheap popularity", of showing "dictatorial tendencies", of bad administration of the parliament and of seeking a confrontation with the government and the supreme court. A more serious political allegation, from sources within the LP and the RPF stated that Sebarenzi was plotting with exiles who were in favour of a return of the monarchy. While he was obviously the victim of conflicts within his own party,⁶ the incident went far beyond this institutional framework and must also be set in the context of the fear of certain members of the new *akuzi*⁷ of being exposed by the ongoing parliamentary inquiries; the minister, Mazimhaka, the RPF member of parliament, Tito Rutaremara and General Kayumba Nyamwasa, the Chief of Staff of the RPA, were said to be behind the campaign against Sebarenzi,⁸ who was alleged to be too popular and, as a result, capable of one day aspiring to the Presidency of the Republic. The association "Rwanda Notre Avenir" (cf. below) considers that "the departure of Mr Sebarenzi is an operation which also serves as a warning to all those who might take

⁵ The conditional is used since the information is indirect and comes from press agencies: see DPA, Kigali, 6 January 2000; ARI-RNA, Kigali, 6 January 2000.

⁶ *Imboni*, special issue, February 2000 refers to the postponement of the December 1999 elections for the presidency of the party because of the fears of the president in office, Pie Mugabo, that he would be defeated by Sebarenzi. *Imboni* also states that influential members of the RPF (P. Musoni and D. Polisi) had also been involved in the manoeuvre on behalf of Vice-President Kagame.

⁷ *Akazu* (literally "the little house") refers to a small powerful group alleged to exploit positions of authority; on this, see F. REYNTJENS, *Talking or Fighting? Political Evolution in Rwanda and Burundi, 1998-1999*, Uppsala, Nordiska Afrikainstitutet, Current African Issues, No. 21, 1999, p.5.

⁸ The members of parliament had been forced to sign the petition requesting dismissal "prepared by the general secretariat of the RPF" (*Libre Belgique*, 20 January 2000).

it into their heads to put a stop to the activities of a Rwandan mafia, the real controller of the country's affairs".¹

While Sebarenzi was replaced as speaker by the Minister for Transport and Communications, Vincent Biruta (Social Democrat Party, SDP), subsequent events revealed the gravity of the incident. In the speech he made when Biruta took office, President Bizimungu declared that "the task of parliament is not to inquire into and dismiss ministers".² More serious still, Sebarenzi, in fear of his life, fled to Uganda around 25 January; his wife and children were arrested at the Gatuna border post. According to some sources, the seven soldiers who had helped Sebarenzi in his flight were arrested and summarily executed. Uncertainty as to the fate of Sebarenzi lasted for several weeks and prompted Amnesty International to write an open letter to President Museveni. The Ugandan president stated that Sebarenzi would have to go to a third country thus expressing the widening rift between Museveni and Kagame (a problem to which we shall return in our conclusion); he excluded the possibility of returning him to Rwanda "where his life would be in danger", which contradicted the assurances given by Kagame.³ And in fact Sebarenzi left Uganda for the United States via Norway. Since his family remained "as hostages" in Rwanda, he refrained from making outspoken declarations and—like those who preceded him⁴—adopted a low profile.

No sooner had the Sebarenzi affair ended than a new crisis broke out on 28 February, when the Prime Minister Pierre-Celestin Rwigema announced his resignation. Already accused of complicity in the 1994 genocide,⁵ since the end of October 1999, he has been the subject of a parliamentary inquiry for corruption and embezzlement. On 22 December 1999, he narrowly escaped a motion of censure (by 34

votes to 27). A new commission was set up by parliament on 17 February 2000 on the initiative, apparently, of the member of parliament and vice-president of his own party (the Democratic Republican Movement, DRM), Stanley Safari.⁶ In his letter of resignation to the head of State, Rwigema wrote that "the much debated interpretations of the reasons for my summonses (by parliament) and the ensuing media campaigns, create a climate which prevents the smooth carrying out of my functions and are at the basis of my decision to resign".⁷ Considered as a "token Hutu" by some, a subject of official media campaigns⁸ and challenged within his own party (cf. the conflict with Safari), the position of Rwigema had become untenable and his resignation was not really a surprise.⁹ In accordance with the Arusha accord, the DRM suggested a successor in the person of Bernard Makuza,¹⁰ ambassador to Germany, a choice which President Bizimungu immediately ratified. On the other hand, the formation of the new government proved to be more difficult, since it took three weeks of intense discussions to persuade Bizimungu to accept the new team, and in particular the departure of the Minister in his office, Patrick Mazimhaka, who we have just seen was the subject of a parliamentary inquiry. During the negotiations for the formation of the government, Bizimungu had already threatened to resign if Mazimhaka was not kept in office but in the end he gave in. However, this episode was the prelude to a further crisis which we shall now discuss.

The new government, which took office on 20 March, included 18 Ministers and 5 Secretaries of State; its composition reflected even further than before the hold of the RPF on the institutions. Ten ministers came from the RPF, while the DRM now only had two ministerial portfolios; we are very far from the distribution provided for in the Arusha accord, even as

¹ Rwanda Notre Avenir, *Déclaration suite à la démission du Président de l'Assemblée Nationale de Transition*, Brussels, 13 January 2000.

² DPA, Kigali, 19 January 2000.

³ "Government will foot referendum bill, says Museveni", *The East African*, 13 March 2000.

⁴ Thus, it was only when his wife and youngest daughter were able to leave the country, also via Uganda, that the former Minister for Justice, Faustin Nteziryayo spoke (see F. NTEZIRYAYO, "Enlèvement du système judiciaire et dérive des droits humains au Rwanda", *Dialogue*, No. 213, November–December 1999, p. 3–17).

⁵ See F. REYNTJENS, *Talking or Fighting?*, op.cit., p.6–7.

⁶ It was after his disagreement with Rwigema, the president of the party, that he was suspended from the DRM for a period of six months beginning on 16 January 2000 (*Imvaho Nshya*, No. 1319, 17–23 January 2000).

⁷ AFP, Kigali, 28 February 2000.

⁸ Thus, the government owned weekly *Imvaho Nshya* accused him of misappropriating five cows imported from Germany at the airport of Kigali.

⁹ In July 2000, Rwigema sought asylum in the USA, claiming that his life was in danger in Rwanda.

¹⁰ The son of Anastase Makuza, one of the historic leaders of the DRM-Parmehutu and an important figure in the 1959–1961 revolution.

amended in 1994.¹ The reshuffling was considerable since, as well as the Prime Minister being replaced, important departments like the Interior and Foreign Affairs changed hands. Since the move away from the model of the “national union government” had taken place gradually, from one reshuffle to another, the comparison between the new government and the one set up after the military victory of the RPF in 1994 is very revealing. We should note at the outset that General Kagame was the only “survivor” of the first government. What is more important is that the evolution on the political and ethnic levels was spectacular. While the RPF held 8 of the 21 portfolios in the 1994 government, it provided 11 of the 18 ministers in the 2000 one; the 1994 government included 12 Hutus and 9 Tutsis, whereas in 2000, 12 of the ministers were Tutsis, and 6 were Hutus.² As a result, the “RPF-isation” and the “Tutsisation” of the less visible echelons of the State which had been an ongoing process for several years now also extended to the international “business card”—the government itself. When the new cabinet took the oath, President Bizimungu once again addressed the National Assembly in bitter terms, accusing them of being involved in settling accounts with certain ministers (it being understood these were Hutus), while others (the Tutsis) were left in peace, and of not heeding the law and sowing confusion.

The inevitable took place on 23 March. In a brief letter addressed to the President of the Assembly, Bizimungu presented his resignation “for personal reasons”. On the same day, he told the RPF President, Paul Kagame, that he was resigning from his posts of responsibility within the party but that “he would continue to serve the country and the movement as an ordinary member of the RPF”.³ On the same day, accusations were immediately launched against the resigning president: he was said to have registered lorries in the Congo to avoid Rwandan

taxes; to have illegally dispossessed the residents of Masaka of their lands; and to have opposed the anti-corruption campaign for fear of being investigated himself.⁴ And the possibility of his past catching up with him in this “washing of the dirty linen in public” could not be excluded; his role in the “committees of public salvation” which in 1973 had carried out an anti-Tutsi campaign is public knowledge. The day after his resignation, Uganda once again issued a reminder that the relations between the two countries were not good when the Minister for the Presidency, Ruhakana Rugunda announced that his government was ready to grant Bizimungu political asylum.⁵

The debate then opened on the succession. Contrary to the provisions of the Arusha accord,⁶ which provided for the interim period to be secured by the President of the National Assembly, it was the vice-president, Kagame, who assumed this function, an option which was confirmed on 25 March by the supreme court in a decision which has no clear legal basis. Politically, the support for Kagame was however unanimous, at least on the part of those who could afford to express themselves: on 27 March, the DRM welcomed Bizimungu’s resignation and approved the decision to entrust the interim period to Kagame; on 29 March, seven political parties asked the RPF to name Kagame as the candidate to the presidency, an appeal which was reiterated on 31 March by the local authorities and the representatives of women and youth. On 1 April the political bureau of the RPF appointed Kagame as candidate by 74 votes out of 75; the second candidate⁷ was the general secretary of the party, Charles Murigande, who got 43 votes. On 17 April, General Kagame was elected President of the Republic by 81 votes to 5 during a joint session of the government and the National Assembly.

Thus, since the beginning of the year, Rwanda has been faced with the replacement of the President of the Assembly, of the Prime Minister and of the President of the Republic.

¹ We should add that with the appointment of André Bumaya to Foreign Affairs, the PDI (Parti Démocratique Islamique), which was excluded from the Arusha power sharing at the level of the Executive, came into the Government.

² On 29 April, the ex-FAR Colonel Emmanuel Habyarimana was appointed Minister of Defence to take over from Kagame, who had become President of the Republic (cf. *infra*).

³ ARI-RNA, Kigali, 23 March 2000. Since the departure of Bizimungu, not a single Hutu remains in the RPF governing bodies; this state of affairs further reinforces, if this were necessary, the Tutsi nature of the party in power.

⁴ AP, Kigali, 23 March 2000. During a special parliamentary session on 24 March, Bizimungu was, moreover, accused of “political crimes” and of “serious violations of the constitution” (PANA, Kigali, 24 March 2000).

⁵ Radio Uganda, 24 March 2000, according to BBC Worldwide Monitoring.

⁶ Protocol on power sharing, art. 48, 2.

⁷ Art. 48, 3 of the protocol on power sharing provides for the presentation of two candidates at the elections by the party of the former President of the Republic.

Beyond the change of personnel at the very top of the State this episode is above all the visible aspect of a profound political crisis which affects the very core of the regime. It is not an expression of the ethnic conflict but of an intra-Tutsi conflict; on the one hand the survivors of the genocide versus other fractions (mainly “Ugandan”) of the former diaspora and, on the other, groups within the RPF. Already in 1997, conflict emerged between the RPF and the Ibuka association (a survivors’ group). The fears of the latter, which were already real following Sebarenzi’s—himself a survivor—misadventures, increased when an advisor to the Presidency, a survivor who was close to Sebarenzi, Assiel Kabera, was killed on 6 March by men in uniform; several other assassinations including that of a Liberian working for the WFP and a Lieutenant of the RPA in the first months of the year 2000, have not been cleared up. Leaders of Ibuka, as well as journalists and survivors who had denounced the abuses of the regime (cf. below) went into exile. Similarly, soldiers, including commanding officers, left the country; others were arrested¹ in a context of rumours of a coup d’état and accusations of complicity with the monarchist movement (also see below). Moreover, the army being inextricably tied up in the Congo, the losses suffered there and the discontent concerning the looting practices of some officers contribute to the malaise in the RPA. Given all this, tension was considerable in the first quarter of the year and the situation recalled that which prevailed at the beginning of 1994, during the months preceding the genocide. In an interview given in Norway, his place of exile, Joseph Sebarenzi summed up this feeling: “The situation is becoming uncontrollable, there are deep divisions today particularly among Tutsis and these tendencies could lead to a catastrophe (...). There are many similarities with the period which preceded the 1994 genocide, particularly as the economic situation is deteriorating”.² The narrowing of the power basis is striking, just as it was under the two

“Hutu” Republics, but much more rapidly.³ Dorsey shows to what extent the army and the intelligence services have become the keystones of the system and how the strict control of populations has been an obsession since the beginning of the war in 1990; the instruments of power and enrichment are concentrated in small networks based on a shared past in certain refugee camps in Uganda, belonging to the same schools and kinship links.⁴

We have to make a brief reference to a number of other political facts. To begin with, through a law for the revision of the constitution,⁵ the “transitional period” proclaimed on 17 July 1994 by the RPF was extended by four years to 20 July 2003. Marie-France Cros points out that “we can thus say, to speak frankly, that the RPF has decided to remain in power for four more years and that those who are not members of the RPF who have governmental posts have submitted to its decision—as usual”.⁶ This new “transitional period” should obviously enable the RPF to consolidate its positions at all levels of the State, insofar this has not already been achieved. Under the heading of “democratisation”, on 17 March 2000—in the middle of the political crisis following the resignation of the prime minister—the government announced that the elections at *commune* (local authority) level and for the *Préfets* (district governors), would take place in September 2000. It remains to be seen how these elections will be organised, particularly in the light of the experience of the March 1999 elections at local level⁷ about which there exists no thorough study. A brief report by the Liprodhor human rights league, which observed these operations in 31 local areas (cellules) in the North-West, speaks of “pressure by soldiers” and of the “fear (of the population) of being imprisoned”. “Many people are said to

³ Under the first and the second Republic, we witnessed first the elimination of the Tutsis, then the Hutus from the South, followed by the Hutus from the Centre in 1973; after the “Northerners” had taken power, first Gisenyi and Ruhengeri clashed, then, within Gisenyi, the Bushiru and Bugoyi regions clashed. Since the accession of the FRP in 1994, first the Hutus and then the Tutsi survivors of the genocide, have been marginalised; the diaspora which does not come from Uganda feels increasingly ill at ease, while divisions are emerging even in the ranks of the “Ugandans”.

⁴ M. DORSEY, “Violence and Power-Building in Post-Genocide Rwanda”, R. DOOM and J. GORUS (Eds.) *Politics of Identity and Economies of Conflict in the Great Lakes Region*, Brussels, VUB University Press, 2000, pp.311–348.

⁵ *Journal officiel*, Special issue, 19 July 1999.

⁶ *La Libre Belgique*, 11 June 1999.

⁷ See F. REYNTJENS, *Talking or Fighting?*, op.cit., p.7.

¹ Some, including the singer Ben Rutabana and two members of the military intelligence service (Bertin Murera and Innocent Byabagamba) were brought back from abroad by the ESO (External Security Organization). On 20 February 2000 the National Commission for Human Rights voiced their concern for them; see also an Urgent Action by Amnesty International on 24 February 2000 (AFR 47/07/00).

² AFP, Kigali, 4 April 2000.

have been put in local lock-ups because they discussed possible candidatures (...) The population says that the electoral operation was merely a way of legitimating what was previously illegitimate".¹

We have already referred to the continuation of the purges which no longer affect only the Hutu, but increasingly apply to the Tutsi and the survivors of the genocide in particular. The destruction of the main opposition party DRM has continued: the expulsion of some ten of its members of parliament and the resignation of several members of its political bureau in 1999, the arrest of its former president Bonaventure Ubalijoro,² the fate meted out to his successor Rwigema, the way in which the party follows the line of the RPF and, above all, its political silence: the DRM, just like the other parties, has in reality ceased to exist as a genuine political actor. Similarly, the Catholic Church, the last sphere not controlled by the RPF and whose hierarchy is still mostly Hutu, but which remains profoundly weakened by its attitude during the genocide, has been forced into a position of defence. We shall refer later to the trial of Mgr. Augustin Misago, but, more generally, the authorities have waged a well-organised campaign. The *Osservatore Romano* of 19 May 1999 speaks of "a real campaign of defamation against the Catholic church", which it illustrates by means of examples; however, the newspaper's adherence to the thesis of the "double genocide" weakens the force of its argument.

The attempts to muzzle voices from the opposition abroad have continued, even though campaigns of denouncement begin to encounter obstacles. Thus, we referred last year to this type of defamatory activity in Switzerland³. By a judgement of 27 October 1999, the criminal court of the Sarine district condemned two "denouncers" for defamation against Rwandans living in Switzerland, accused, in particular in the newspaper *L'Objectif*, of complicity in the genocide. On 9 October 1999, the journalist Jean Musy was condemned by the police court in Geneva for a grave breach of the reputation and honour of the Hirondelle Foundation, a judgement which was confirmed in appeal on 10 April 2000. The Hirondelle Foundation has long been

targeted by the Kigali regime and Jean Musy, with the help of a few RPF militants in Switzerland, has acted as an intermediary in this campaign, in particular in *L'Objectif*. At the beginning of March 2000, the Rwandan newspaper *Dialogue*, which left Kigali for Brussels in 1994, was informed of the "decisions" of a new "executive committee", accredited by the Rwandan Minister for Justice which ordered it "to immediately cease the publication and sale" of the journal and to "... immediately cease all withdrawals from the journal's account" (the Kigali committee moreover tried, unsuccessfully, to have the foreign accounts of *Dialogue* stopped). The letter was signed by the new legal representative, Antoine Mugesera, who was also a member of the central committee of the RPF. Obviously, *Dialogue* is a nuisance

We have seen that, even if these indications of intra-Tutsi conflicts were visible in previous years, it was not until 1999 that open confrontation broke out between survivors and the old diaspora, and even within the old diaspora.⁴ In May 1999, public hostilities opened with a very lively exchange between the RPF and Ibuka, concerning an accusation of complicity in the genocide formulated by the survivors' association against a candidate as an RPF member of parliament. Jean-Pierre Mugabe, a survivor and editor of the newspaper *Le Tribun du Peuple*⁵ reformulated the accusation made against the regime, giving specific details.⁶ The fact that he published his views in English and in a journal appearing in the United States, the principal "godfather" of the Rwandan powers-that-be, was a cause for concern in Kigali and undoubtedly explains the virulent reaction on the part of the director of the Rwandan Information Office (ORINFOR), which accused Mugabe of being impelled by "opportunist personal motives" and of having distributed reports "full of lies, defamation, and politically motivated vendettas".⁷ The departure into exile of more and more Tutsis is evidence of the tension: these include military men, journalists, students and

¹ LIPRODHOR, *Observation des élections locales (Region du Nord-Ouest du Rwanda)* Gisenyi, 4 April 1999.

² Ubalijoro was however released in May 2000.

³ F. REYNTJENS, *Talking or Fighting?*, op.cit., p.15.

⁴ The splits are numerous, in particular between "French speakers" and "English speakers" and even between "Ugandans" with challenges to the powerful "Gahini group".

⁵ F. REYNTJENS, *Talking or Fighting?*, op.cit., p.7-8.

⁶ J.-P. MUGABE, "The Killings Resume: Preparing for the Next Rwandan War", *Defense & Foreign Affairs Strategic Policy*, 1999, N.4, p.4-7.

⁷ W. RUTAYISIRE, *Mugabe has stretched his opportunism too far*, Kigali, no date.

administrators from voluntary organisations, including the general secretary and the vice-president of Ibuka. In February 2000 the Burundi press agency, Azania, reported rumours of a coup d'état in Kigali and of a wave of arrests of soldiers.¹ The unrest is at least in part due to the fact that monarchist supporters are getting organised and expressing themselves both inside and outside the country; they seem to be attracting increasing support within the very heart of the sociological basis of the RPF. We shall return to this development.

Military management and physical control, both inside and outside the country, continue to serve as political project. Even if military expenditure represents approximately 30 per cent of current expenditure, a figure in itself enormous, the official public accounts only show part of this reality. The RPA finds other sources of financing and of funds "outside the budget" in its presence in the Congo, the embargo on Burundi until the beginning of 1999, the imposition of unofficial "taxes", even of "voluntary" contributions to the war effort,² theft and extortion, payments by public enterprises like Rwandex, Sonarwa and Rwandatel.³ Part of the economy is thus used for the war effort; although it contributes to the criminalisation of the economy, this straddling does not appear to worry the international financial institutions, the European Union or certain bilateral sponsors (the United Kingdom in particular) in their very generous policy towards Rwanda. However the international "genocide credit" of the regime is continuing to decline: the practices of governance, the violations of human rights, the inextricable involvement in the war in the Congo, new accusations involving the RPF in the attack against President Habyarimana's plane⁴ and, perhaps above all, the publication in March 2000, of a UN report accusing Rwanda of

collaboration with UNITA,⁵ have all contributed to a marked decline in the image of the "new Rwanda", which has won the war but appears to be losing the peace.

2.2 Burundi

Compared to Rwanda, institutional changes have been limited in Burundi. We note in the first instance two cabinet reshuffles. On 31 July 1999, President Buyoya appointed Darius Nahayo (Frodebu) as head of the Ministry of Trade, Industry and Tourism replacing Nestor Nyabenda, also from Frodebu, who was implicated in scandals of speculation on essential commodities and in the granting of a license for the tax-free zone (*zone franche*) contrary to the advice of the consultative commission on the tax-free zone regime.⁶ The reshuffle which took place on 12 January 2000 was more important in its scope and political significance. The holders of the portfolios of Finance, Health, Trade and Industry, and Post and Telecommunications were replaced, while two other ministers exchanged portfolios. However, the most conspicuous appointment was that of Buyoya's principal military private secretary, Colonel Cyrille Ndayirukiye, to Defence, to replace Colonel Alfred Nkurunziza.

The latter was challenged by a movement of "discontented people" in the army, which was confronted with a problem as old as the Burundian armed forces, "regionalism". Already in March 1999, a "Front d'action pour la vérité" (FAV, Action Front for Truth), took the minister, Nkurunziza, violently to task, denouncing "the injustice, regionalism and cult of mediocrity which has long been established by the army leaders in Bururi". With the aid of statistics, the FAV showed the domination of officers from Bururi; the "Base of the Armed Forces" camp at Bujumbura was even said to have become a "family affair" dominated by officers from the Bayanzi clan⁷ from the Matana district. The

¹ Azania, Bujumbura, 18 February 2000.

² See Human Rights Watch, *Rwanda. The Search for Security and Human Rights Abuses*, April 2000.

³ Examples can be found in M. DORSEY, "Violence and Power-Building...", op.cit.

⁴ See in particular: C. HAKIZABERA, *L'ONU dans l'état des lobbies du Front Patriotique Rwandais (FPR)*, Cotonou, 10 August 1999; S. EDWARDS, "Explosive Leak on Rwanda Genocide", *National Post*, 1 March 2000; J.-P. MUGABE, *Declaration on the Shooting down of the Aircraft Carrying Rwandan President Juvénal Habyalimana (sic) and Burundi President Cyprien Ntaryamira on April 6, 1994*, Alexandra Va., 21 April 2000.

⁵ United Nations, Security Council, *Report of the panel of experts on violations of Security Council sanctions against UNITA*, 10 March 2000 (S/2000/203).

⁶ The admission to the free zone has always been a sensitive and recurrent theme. The name of the Goetz family and its firm, AFFIMET, whose license had been withdrawn by the government set up after the June 1993 elections, was mentioned in the context of the October 1993 coup d'état. The firm CCA-Maintenance, which was granted the license challenged in 1999 also belongs to the Goetz. Minister Nyabenda was dismissed six months after his appointment (cf *infra*).

⁷ There are also long-standing quarrels between clans in the Burundi army; in particular, the Bayanzi (to which former President Bagaza belongs) and the Bashingo (of President

“Third World” officers (those not from Bururi) were said to be subject to discrimination and persecution.¹ Furthermore, in a declaration on 4 December 1999, the National Alliance for Change (ANAC, see below) protested against the sending of soldiers to the front “while others in the army are engaged in mercantile racketeering”. Even though his name does not appear in this document, Nkurunziza is undoubtedly amongst the officers targeted, since he was mentioned in connection with various illicit forms of trading, in particular in sugar. His replacement by an officer from Muramvya, and therefore from the “Third World”, who is not accused of racketeering, probably constitutes an attempt on the part of Buyoya to contain the unrest in the army. Moreover, Ndayirukiye has followed the negotiations in Arusha closely (see below) and he has good knowledge of both the positions of the army and of the rebel groups concerning the reforms which the security forces will have to undergo.

The shifting of alliances within and between the political parties has continued. Last year we referred to the divisions within the Frodebu²; in May 1999, the party published a document about this, in which it accused the authorities of manipulating some of its members in order to “divide and rule”.³ There were conflicts between the two wings of the party about, for example, an attempt on the part of the “dissidents” excluded from the party in April, 1999, Augustin Nzojibwami and Thomas Bukuru, to organise a special congress and about the composition of the Frodebu and governmental delegations to the talks in Arusha. The support of the two wings for competing political platforms (cf. below) only confirmed the split. Nor can harmony be said to reign in the Uprona: on 7 February, 2000, the former president of the party, Charles Mukasi, who leads a dissident faction, was even arrested during a demonstration in opposition to the peace negotiations which are supported by the “official” wing.

Buyoya) from Bururi are constantly competing with one another; on this, see R. LEMARCHAND, *Burundi, Ethnocide as Discourse and Practice*, Cambridge, Cambridge University Press, 1994, p.139–142.

¹ Front d’Action pour la Vérité, *Communiqué no. 01*, Ngozi, 1 March 1999; the document is signed by Captain Juste Tuzotsinda (doubtless a pseudonym; the name means “We shall overcome”).

² F. REYNTJENS, *Talking or Fighting?*, op.cit., p.9–10.

³ Sahwanya-Frodebu Party, *Tentative de division du parti Sahwanya-Frodebu*, Bujumbura, May 1999, 54p.

The extremely shifting and unpredictable nature of the political scene in Burundi was confirmed once again towards the end of 1999. On 2 October the “National Convergence for Peace and Reconciliation” (CNPR) was founded, which includes the pro-governmental factions of the Frodebu (Nzojibwami wing) and of the Uprona (Rukingama wing), as well as various small parties. In reaction, at the beginning of December, the Frodebu (the Minani wing, which exists both inside the country and abroad), the Parena and some other parties and movements set up the “National Alliance for Change” (ANAC); the ethnic-political spectrum covered by this new platform was spectacular and its cohesion is undoubtedly due more to aversion for the authorities in power than to any precise political project. These new realignments, which seemed to replace the G7 and G8,⁴ do contribute something fresh in that, in both cases, they include parties which are predominantly Hutu and Tutsi. With the creation of the ANAC, the Buyoya regime found itself for the first time since its accession in 1996, faced with a formidable front, which linked the popularity of the Frodebu with the ascendancy of Parena over (a part of) the army and the Tutsi business circles, and even extended to the capacity of the Sojedem to mobilise the radical young Tutsis in Bujumbura.⁵ On 9 May 2000, the ANAC declared its support for the deployment of an international force if a peace accord was signed,⁶ thus breaking with the long-standing resistance to this idea in Tutsi circles.

⁴ Cf. F. REYNTJENS, *Talking or Fighting?*, op.cit., p.20.

⁵ There was clearly a degree of panic in the regime’s reaction: on 9 December 1999, the Minister of Defence asked the public prosecutor to start legal proceedings against the signatories of the ANAC founding declaration; on 20 December, the Frodebu member of parliament, Gabriel Gisabwamana, a member of the ANAC, was killed by soldiers in the Gasenyi area in Bujumbura.

⁶ AFP, Arusha, 9 May 2000.

3. Human Rights

3.1 Rwanda

In Rwanda, the human rights' situation improved in 1999–2000, particularly in the sphere of the most important right, that to life. Whereas in 1997 and 1998, tens of thousands of civilians were killed, mainly by the RPA, in the context of the revolt in the North-West, this number has fallen considerably. The actions carried out against the populations by the RPA have decreased in intensity and violence as a result of a combination of factors, in particular the “regroupment” of the inhabitants of the region and the operations of the Rwandan army in the Congo, where the bases for attack and withdrawal of the ALIR rebellion were destabilised. However, these two strategies have given rise to new forms of violation of human rights. On the one hand, hundreds of thousands of people “rounded up” in the prefectures of Gisenyi and Ruhengeri have been settled in villages (*imidugudu*) during 1999; these displacements are usually against the people's wishes and the sanitary situation in these sites is deplorable.¹ At the end of 1999, numerous lawsuits about landed property had not been settled and only 60 per cent of the arable land in the prefecture of Ruhengeri was effectively farmed, which explains in part the very high rates of malnutrition in a region which is nevertheless very fertile.² Villagisation is also continuing elsewhere, even if the disparities in populations “rounded up” are enormous, falling from 92 per cent in Kibungo to 1.2 per cent in Gikongoro.³ The warnings expressed by scientific studies⁴ do not appear to particularly alarm the Rwandan authorities who are relentlessly pursuing this

ambitious social and security-aimed form of social engineering. On the other hand, in the Congo, the RPA and its allies of RCD-Goma are guilty of large-scale massacres of civilians, often as reprisals for actions carried out by the *mai-mai* and rebellious Rwandan elements who remain active in the Kivu provinces. In this respect, Rwanda is continuing to wage its civil war in an extraterritorial manner; moreover the behaviour of the RPA in the Congo contributes considerably to anti-Rwandan resentment in the region.

A brief reference must be made to other concerns in the sphere of human rights. Since the trials are only advancing very slowly, the prisons, communal lock-ups and other places of detention remain massively overcrowded and the sanitary conditions are life-threatening; almost 1,200 detainees died in 1999, the majority as a result of curable diseases.⁵ Moreover, according to several sources, prisoners are willingly or forcibly enlisted in the RPA to fight in the Congo; for those who do so willingly, the price of liberty is often paid with their lives. The practices of arbitrary arrest and illegal detention continue, but on a smaller scale than before. Amnesty International for example inquired into the case of six people arrested by the RPA and detained in the military camp at Mukamira where they were tortured, which led to the death of one of them.⁶ Moreover, people are regularly arrested in raids, for example, the one in Kigali in June 1999. Some of these people later “disappeared”, as did some of those repatriated from the Congo in the first half of 1999, detained in the ETAG or the MULPOC at Gisenyi. Even though the diversity of the press has not completely disappeared, freedom of expression is extremely restricted, and the journalists who do not practise self-censorship either find themselves in prison (about ten in 1999), or in exile (Jean-Pierre Mugabe and John Mugabi over the last year). However, in another sphere linked to

¹ Republic of Rwanda, *Etudes sur les conditions de vie des déplacés vivant dans les camps du Nord-Ouest du Rwanda*, Kigali, March 1999.

² In this connection, see Human Rights Watch, *World Report 2000*, Rwanda; US Department of State, *1999 Country Reports on Human Rights Practices*, Rwanda.

³ S. TAKEUCHI and J. MARARA, *Agriculture and Peasants in Rwanda: A preliminary report*, Chiba, Institute of Developing Economies, 2000, p.30.

⁴ For a recent study, see D. HILHORST and M. VAN LEEUWEN, *Imidugudu. Villagisation in Rwanda. A Case of Emergency Development?*, Wageningen Disaster Studies, 1999, No. 2, 49p.

⁵ US Department of State, op.cit.

⁶ Amnesty International, *Rwanda. No business of the military: unlawful, arbitrary detentions and ill-treatment of civilians in Mukamira military camp*, February 2000 (AFR 47/01/00).

the press, indications of open-mindedness remain astonishing: the bookshops in Kigali supply their readers with books which are highly critical of the present power structure.

Two recent reports by Human Rights Watch and Amnesty International¹ which firmly denounce the worrying situation of human rights in Rwanda have been given the reception which the government usually reserves for criticism. On 29 April 2000, the Minister for Foreign Affairs stated that the simultaneous publication of these documents was part of a "political strategy" of the opposition to the government acting "under the cover of international human rights organizations".² Another Human Rights Watch report which accused the RPA of massacring civilians and practising rape on a large scale in the Congo³ was described as "malicious, baseless and biased" by Joseph Bideri, the government spokesman: "These are not human rights reports, but just political documents (...) These documents are authored by one Dr Alison Des Forges who wants to slander the Rwandan government in the face of the donor community".⁴ And when the RPF was accused of being involved in the attack on President Habyarimana's plane (cf. above), the Rwandan authorities declared they were the victims of a "deliberate" and "revisionist campaign" to discredit them.⁵ In short, Rwanda is the victim of a large-scale conspiracy...

3.2 Burundi

Even if, as in Rwanda, the number of victims of the violation of the right to life continued to fall, the human rights situation has remained a considerable cause for concern in Burundi. A report by the Iteka human rights league, to whose action we shall return later, lists a certain number of cases of massacres of civilians by the army and the rebel movements: in the overview

¹ Human Rights Watch, *Rwanda. The Search for Security ...*, op.cit.; Amnesty International, *Rwanda. The troubled course of justice*, 26 April 2000.

² PANA, Kigali, 29 April 2000.

³ Human Rights Watch, *Eastern Congo ravaged: Killing civilians and silencing protest*, May 2000.

⁴ *The Monitor*, 13 May 2000; it is surprising that the British Minister for Overseas Development Cooperation, Clare Short, on a visit to Rwanda, made exactly the same accusations on Rwandan television. The position of the United Kingdom towards the present regime is comparable to that of France towards that of President Habyarimana.

⁵ See for example, *National Post*, 14 March 2000; AP, United Nations, 17 March 2000.

given, 189 civilians were the victims of the rebels, and 272 civilians were killed by the army.⁶ Since this is a sample which is far from being complete, these precise figures are not very important, but they demonstrate that the various armed opponents are guilty of similar types of crimes against humanity which go unpunished.⁷ The number of victims is obviously much higher than the total of 461 listed by Iteka.

Other abuse remains frequent. According to the reports referred to above and numerous other sources, the "disappearances" and arbitrary arrests by the security services, torture and cruel, inhuman and degrading treatment in places of detention, as well as rape, were practically routine and very rarely gave rise to disciplinary measures, and even less to judicial proceedings. The situation in the prisons and the detention centres remained a considerable cause for concern, even though the resumption of the activities of the ICRC and the actions of some NGO's contributed to a fall in the death rate, which was approximately 2.5 per cent in 1999,⁸ compared to 10 per cent for the first quarter alone in 1998. Freedom of the press remained restricted: in 1999, five newspapers were suspended and three newspaper and press agency editors arrested. At the time of the beginning of the operation of the forced rounding up of the population in rural Bujumbura (cf. below), the Minister of Defence, Nkurunziza, announced to his officers that journalists who strayed into this province should be considered as enemies and, as a result, were legitimate targets.⁹

A major source for concern in the sphere of human rights in 1999–2000 was the policy of "regrouping" populations, especially in the province of rural Bujumbura. While there remained hundreds of thousands of people "regrouped" in other provinces, at the beginning of September 1999 the Burundian army undertook the forced rounding-up of the population in rural Bujumbura. The action, which according to some sources was forced on President Buyoya under threat of a coup d'état, was officially

⁶ ITEKA League, *Rapport annuel sur les droits de l'homme*, 1999 edition, Bujumbura, April 2000.

⁷ The State Department and Human Rights Watch come to the same conclusion: US Department of State, *1999 Country Reports on Human Rights Practices*, Burundi; Human Rights Watch, *World Report 2000*, Burundi.

⁸ ITEKA League, op. cit.

⁹ Reuters, Paris, 10 September 1999.

presented as a measure of protection.¹ In reality, as in the past, it essentially constituted a counter-insurgency strategy. Not only is the rounding-up of the population done against their will, but it puts the civilians concerned at risk: the possibility of cultivating is limited, sanitary conditions are dreadful, killings and other forms of abuse are committed by the army ...² On 18 November *Médecins sans Frontières* (Doctors without Borders) decided to stop its operations on the sites, which the organisation compared to “concentration camps”. The policy of rounding-up is moreover also highly contested by the diplomatic community in Bujumbura and even by the countries in the region.³ At the end of 1999, a total of 806,000 people were in the “protection areas”, of whom almost 320,000 came from the province of rural Bujumbura alone (73 per cent of the population of this province!). When we add up the “re-grouped” population, the Tutsis who have been “displaced” since the events of the end of 1993 and the refugees abroad, almost 20 per cent of the Burundian population is not living where it should—an enormous number which is a testimony to the tragedy being enacted in the country.

Last year, we mentioned that Iteka, the Burundian Human Rights League, had regained its independence and that it had no hesitation in denouncing abuses whatever their author⁴. It has advanced further in this direction during the period under review and, in this respect, constitutes an actor of considerable moral importance. We have already referred to the annual report which is exemplary in its independence. Furthermore, on 24 September 1999, Iteka launched an “Action against violence in Burundi” campaign. Evoking the similarity with Rwanda in the months preceding the genocide in 1994, it states that the crimes committed by

the various actors “have enjoyed, enjoy and will always enjoy impunity at both national and international level. Consequently, these crimes have become for them powerful and preferential ways of making political demands, and for keeping or taking over power”. In a letter addressed to the President of the Republic, the presidents of the political parties, certain associations and rebel movements, which Iteka asked those who supported its action to sign, it was stated that “we intend to keep you personally informed that we are considering participating in the campaign against impunity”, in particular by taking legal proceedings against the addressees in the Burundi and international courts and by having a number of other sanctions adopted against them at international level. Even though this action has not been, as far as we know, put to the test, it is highly symbolic in a country and a region where a long-standing practice of impunity has contributed to a constant decline in human rights.

¹ *Déclaration du gouvernement sur l'organisation de sites de protection des populations rurales*, Bujumbura, 13 November 1999.

² See, for one example, C. McGREAL, “800,000 held in Burundi Camps”, *Mail and Guardian* (Johannesburg), 17 December 1999.

³ The eighth regional summit on the Great Lakes, meeting at Arusha on 12 December 1999, “expressed its disappointment over the continued programme of establishing new Regroupment camps notwithstanding the earlier commitment by the Government of Burundi to dismantle those in existence. In this regard, the Summit calls upon the Government of Burundi to immediately disband all the regroupment camps”.

⁴ F. REYNTJENS, *Talking or Fighting?*, op.cit., p.24, fn. 97.

4. Justice

4.1 Rwanda

When the supreme court was renewed on 12 July 1999, the predominance of the Tutsis in the judiciary was again confirmed: of the presidents of the court and its five departments, four are Tutsi and two are Hutu. The former general prosecutor, Siméon Rwagasore, became the president of the Supreme Court, while the former general secretary of the Ministry of Justice, Gérard Gahima, succeeded him as the general prosecutor.¹ Three of the four presidents of the appeal courts are also Tutsis, as are the majority of the presidents of the county courts (tribunaux de première instance) and the state prosecutors.

Two structural elements during the period under review should be mentioned. In the first instance, as was to be expected,² the time allowed for the regularization of preventive detention, which was extended until 31 December 1999 by the 26 December 1997 law, was extended once again by 18 months until 30 June 2001. This means that people arrested in mid-1994 will have spent seven years in detention, without the legality of the latter having been subject to the slightest form of judicial control; numerous detainees have never even seen a judge. Secondly, also at the end of December, the general prosecutor to the supreme court published an updated list of the first category of persons pursued or accused, prescribed by the 1996 organic law on the genocide.³ Just like the previous list, this one was controversial, in particular because it contained the names of persons who have died, some of whom, moreover, were killed by the RPF. For certain other people, the list appeared to be more of an instrument for political intimidation than a judicial instrument. The case of Leonidas

Rusatira is illustrative. A general in the ex-FAR who was “re-integrated” into the RPA at the beginning of 1995, he left Rwanda in November 1995 and went into exile in Brussels, from where he expressed positions critical of the regime. Denouncing the “purely political nature” of his inclusion on the list, Rusatira declared that “the system in force in Kigali wishes, by trivializing the genocide to make of it an endless source of political exploitation, to put an end to the slightest expression of protest and demands by resorting to all possible means to gag all the leaders of opinion and to eliminate potential interlocutors”.⁴ This interpretation is shared by the former Minister for Justice, Faustin Nteziryayo, who considers that “the drawing up of this list has served more as a political agenda to eliminate the personalities of the former regime who are considered political opponents, or other people who have a certain influence in civil society, than in advancing pursuits enabling the identification of those who are genuinely responsible for the Rwandan drama”.⁵ Furthermore, in the opposite direction but following the same logic, the name of Boniface Rucagu, who now serves the regime as Préfet of Ruhengeri has disappeared from the list.

Amnesty International is concerned by the persistence of inadmissible practices: prolonged illegal detention, political and arbitrary arrests, torture and putting to death in the places of detention (particularly in the military establishments access to which is forbidden to foreign observers), re-arrests after release and even the assassination of people who have been released and of their families.⁶ Nevertheless, the quality of justice in the genocide trials has continued to improve. We only have the data for the first half of 1999,⁷ but the trends are clear: we observe an

¹ Gahima was replaced at the Ministry of Justice in February 1999 in the context of an operation which was aimed at calming public opinion which was anxious about the hold of the *akazu* on the institutions; however, just like Gahima, the other personalities who were dismissed at the time have since found other important jobs.

² F. REYNTJENS, “Evolution politique au Rwanda et au Burundi, 1997–1998”, *L’Afrique des Grands Lacs. Annuaire 1997–1998*, Paris, L’Harmattan, 1998, p.83.

³ *Journal officiel*, Special issue, 31 December 1999.

⁴ Letter sent on 8 February 2000 by L. Rusatira to the general prosecutor, G. Gahima.

⁵ F. NTEZIRYAYO, “Enlèvement...”, *op.cit.*, p.6.

⁶ Amnesty International, *Rwanda. The troubled course ...*, *op.cit.*

⁷ Sources: Project Justice for All in Rwanda, *Rapport semestriel*, 1st semester 1999; LIPRODHOR, *Regard rétrospectif sur les procès de génocide au Rwanda*, Kigali, October 1999.

increase in the acquittals and the temporary prison sentences, a fall in the death sentences and life-imprisonments and a rise in the parties represented by lawyers. On the other hand, the situation of the people freed (barely 3,880 in 1999) remains life threatening¹ and the phenomena of false denunciation and the bribing of witnesses both for the defence and the prosecution are far from having disappeared.² Moreover, the trial which was headline news, that against the bishop of Gikongoro, Mgr. Augustin Misago, demonstrated that a procedure carried out respecting international norms can last as long in Kigali as in Arusha. The trial began on 20 August 1999 and the judgement was handed down only on 15 June 2000; Misago was acquitted of all charges. Finally, in mathematical terms, the judicial problem has remained intact. Even though the number of sentences was 634 during the first half of 1999, which, by extrapolation, constitutes an increase of approximately 40 per cent in relation to the 1998 total (895 persons judged), almost 125,000 detainees are awaiting trial; even at the rate of 1,500 sentences a year, it would take almost a century to deal with the total prison population judicially and individually. This is why less judicial and more decentralized paths have been recommended since 1998, a consideration which has culminated in a legislative initiative aiming to set up so-called *gacaca*³ courts.

The ICTR⁴ continues to operate extremely slowly. Barely four defendants were tried during the period under review: Clément Kayishema (21 May 1999), Georges Rutaganda (6 December 1999) and Alfred Musema (27 January 2000)⁵ were condemned to life imprisonment, while Obed Ruzindana (21 May 1999, in a joint trial with Kayishema) was sentenced to 25 years in

prison;⁶ furthermore, since July 1999, Georges Ruggiu has been involved in a procedure of confession. The arrests in third countries and the extraditions to Arusha are taking place at a much higher speed than the course of justice in the ICTR: some ten suspects, the majority being politicians and army officers, have been arrested on behalf of the Tribunal in Belgium, Cameroon, Denmark, the United States, France, the United Kingdom and Tanzania. While group trials, which would enable the procedures to be accelerated, are under consideration, the penitentiary facility at Arusha is fast becoming saturated which risks raising, sooner or later, the problem of the “reasonable delay” of preventive detention; the haste to arrest suspects is all the more astonishing as the place of residence of most of them is well known and there is no risk of them avoiding justice. It nevertheless has to be recognized that the ICTR has something of an advance over the ICTY since it has a considerable number of “big fish” in detention.

After the incident opposing Rwanda (and Belgium) and the TPIR over Ntuyahaga,⁷ a new—much more serious—conflict broke out in the context of the Barayagwiza affair. By a unanimous decision of 3 November 1999, the ICTR appeals chamber, invoking errors of procedure, rejected the indictment of Jean-Bosco Barayagwiza⁸ and ordered his immediate release. The Rwandan authorities reacted furiously: they “suspended” their cooperation with the Tribunal and announced that they would take “other resolutions” if the appeals chamber did not reconsider its decision. A spokesman from the Rwandan Ministry of Foreign Affairs “specified that the suspension (of cooperation) lifts the guarantees of security which the Rwandan state offered to the agents of the ICTR”. The threat was barely veiled and the feeling that Rwanda was engaged in blackmail was reinforced by the argument developed by the prosecutor, Carla Del Ponte, during the revision procedure: “We have to take into consideration the fact, whether we like it or not,

¹ LIPRODHOR, *Problématique des libérations des accusés de génocide rwandais*, Kigali, July 1999.

² See for example *La Libre Belgique*, 5 November 1999.

³ See Amnesty International, *Rwanda. The troubled course...*, op.cit.

⁴ Note that the South African judge Navanethem Pillay succeeded the Senegalese Laïty Kama as president on 4 June 1999 and that Carla Del Ponte (Switzerland) was appointed on 12 August 1999 as public prosecutor to succeed Louise Arbour who resigned to join the supreme court in Canada.

⁵ The Musema affair produced the most debatable condemnation since the beginning of the ICTR. Musema’s defence of alibi was strong and could have led the Tribunal to accept a reasonable doubt. When one reads the judgement, the burden of proof imposed on the defence was very heavy and amounted—or almost—to the obligation to prove the innocence of the accused. Moreover, two judges produced separate opinions regarding the alibi.

⁶ As in the past, all those sentenced appealed. The sentence of Omar Serushago to fifteen years imprisonment in 1998 was confirmed on 14 February 2000 by the appeals chamber; Serushago is thus the first accused to be sentenced definitively.

⁷ See F. REYNTJENS, *Talking or Fighting?*, op.cit., p.16.

⁸ One of the main leaders of the CDR extremist party, of which he was one of the important ideologists, shareholder in the RTLM “hate radio”, Barayagwiza was a director at the Ministry of Foreign Affairs before and during the genocide.

that our capacity to pursue procedures and investigations depends on the goodwill of the government of Rwanda".¹ Although the "new facts" required to provide a foundation for the revision were extremely tenuous, on 31 March 2000, the appeals chamber revised its decision of 3 November 1999. Barayagwiza was kept in detention and will be judged. While the course and the culmination of this incident might seem to confirm the impression that the ICTR practises the "justice of the winner", revelations in the press corrected this perception. Based on indiscretions in the prosecutor's office, on 21 February 2000 the Canadian newspaper, *The National Post* and, two days later, its Danish colleague *Aktuelt*, revealed that a small team was discreetly carrying out inquiries into the crimes committed by the RPF; the public prosecutor was to confirm this information.² Furthermore, on 6 April 2000, Maître Jacques Vergès lodged a complaint with the ICTR against General Kagame in the name of the widow of President Habyarimana and two of her children.

A last point to be briefly mentioned is that of proceedings in third countries. The Swiss precedent, in which a former burgomaster was condemned to life imprisonment (reduced to fourteen years in appeal) has for the moment remained unique. Announced in the first instance for autumn 1999, the trials of four Rwandan suspects in Belgium have still not been fixed, even if, in January 2000, the Minister of Justice announced "a rapid referral".³ In France, no visible progress has been announced in the case opened against Abbé Wenceslas Munyeshyaka.

4.2 Burundi

In Burundi, the situation in the penitentiary establishments has not changed. Although, in quantitative terms, the problem is infinitely less

serious than in Rwanda, almost 10,000 people remain in detention, in a prison capacity of about 3,600 places. Almost 80 per cent of the prison population is in preventive detention awaiting trial, the majority for over five years. The slow pace is partly explained by the fact that only three criminal chambers (in the appeal courts of Bujumbura, Gitega and Ngozi) are competent to judge crimes punishable by the death penalty or life imprisonment. Since in 1999, 436 sentences were passed, at this speed it will take about 25 years to deal with the cases pending. We should moreover note that, contrary to the positive evolution we pointed to in Rwanda, the number of death sentences (22.5 per cent of the total) and life-imprisonments (29 per cent) remains very high and the number of acquittals (25 per cent) is low.⁴ The trend is even rising for death sentences: according to Amnesty International, 90 people were condemned to death in 1999, as opposed to 47 in 1998; during the month of January 2000 alone, 28 death sentences were passed, "virtually all after unfair trials".⁵

Amnesty International observed that most of the people detained for participation in armed opposition groups are Hutus and that the members of the Tutsi militia "generally escape any form of punishment. In some cases, they were armed by the government".⁶ Moreover, in the rare cases in which army personnel are tried, the organization notes that the practice of "double standards" continues: "Hundreds of people known to be guilty of having participated in the massacres—mainly of Tutsi civilians—which followed the assassination of President Ndadaye have been condemned to heavy prison sentences, even to death, while the few soldiers convicted of similar crimes have received much lighter sentences—often only a few months imprisonment".⁷ The European Union heads of mission agreed wholeheartedly: "In this way the legal system is dispensing a biased form of justice which gives preference to the Tutsi minority over the Hutu majority (...). The prison population is mainly composed of Hutus, victims of a form of selection at the outset of the initiation of judicial proceedings. Thus the

¹ *Fondation Hirondele*, Arusha, 22 February 2000.

² *Aktuelt*, 17 April 2000. In August 1999, Louise Arbour had already stated, without being specific, that "it would be completely appropriate to consider participation apart from those directly involved in the genocide" (*Fondation Hirondele*, Kigali, 7 August 1999). We are very far from the attitude which today can only be considered negationist, of the first prosecutor, Richard Goldstone, who said he was shocked in 1995 when the author of these lines told him that there was *prima facie* evidence that the RPF had committed crimes which were within the jurisdiction of the ICTR. Goldstone "did not want to know" and, like other "politically correct" people, he has a share of the responsibility for the continuation of impunity in the Great Lakes region.

³ Belgian Senate, *Compte-rendu analytique*, 27 January 2000.

⁴ These figures are taken from the ITEKA League, *op.cit.*

⁵ Amnesty International, *Urgent Action*, 13 April 2000.

⁶ Amnesty International, *Burundi. La protection des droits humains: une étape essentielle dans la recherche de la paix*, January 2000.

⁷ Amnesty International, *Burundi. Pas de répit ...*, *op.cit.*, p.40.

legal system along with the army forms an instrument of ethnic discrimination par excellence".¹

There were however a few measures which endeavoured to improve a very unsatisfactory situation. First the positive role played by the new General Prosecutor, former Frodebu Justice Minister Gérard Ngendabanka, must be noted. He instructed district prosecutors to visit the prisons and look into cases of inmates held during years without having appeared before a judge; he also asked prison directors only to accept people whose arrest papers are in order. Thanks to financing by the Dutch NGO NOVIB, the Iteka League, faced with the realization that numerous procedural delays were linked to the absence of witnesses and civil parties, began a transport project: in 1999, more than 2,500 people called to appear before the criminal courts were transported. Moreover, in 1999 the ICRC resumed activities in the prisons which contributed to the decline in the death rate. Finally, in the context of an ambitious plan for reform,² a new code for legal procedure came into force on 1 January 2000; however, while it introduces considerable improvements—particularly concerning the rights of those charged—its implementation demands increased means which the budgetary allowances do not provide for.³

Apart from the trials in the criminal courts, two affairs were in the news. Last year, we pointed to the unsatisfactory nature of the ruling of the supreme court in the affair of the 1993 coup d'état.⁴ On 11 June 1999, the public prosecutor lodged an appeal, followed on 18 June by six civil litigants. Almost one year after lodging these appeals, the supreme court had still not given a ruling on this very sensitive political case. On the other hand, justice proved to be faster and more severe in the affair of the plot by those close to the former President Bagaza, against Buyoya. On 9 January 2000, at the end of

a trial which only lasted two days, twelve of the accused were sentenced to 15 years in prison, nine others to 10 years and three to shorter sentences; two of the suspects were acquitted. Although they were Tutsis, those who were sentenced were opponents to the regime and it will be noted moreover that these sentences were pronounced in a context of anxiety on the part of the regime faced with the creation of the ANAC (cf. above) of which the Parena of Bagaza was a leading member.

¹ *Rapport des chefs de mission de l'UE au Burundi concernant la situation en matière des Droits de l'Homme*, Bujumbura, January 2000.

² Republic of Burundi, Justice Ministry, *Plan de réforme et de modernisation du système judiciaire et pénitentiaire burundais*, Bujumbura, March 1999, 63 p.; *Plan d'actions du Ministère de la Justice (1999–2001)*, Bujumbura, no date.

³ In his opening speech of 1 September 1999, the general prosecutor, while announcing to the various judicial bodies that "in future, nothing will be the same in the management of legal procedure", referred at various points to the problem of both human and material resources.

⁴ F. REYNTJENS, *Talking or Fighting?*, op.cit., p.16.

5. Civil Wars, Opposition and Political Dialogue

5.1 Rwanda

We have already indicated that the combination of the military operation in the Congo and the rounding-up of the population from the North-West, first in camps, then in embryonic villages, has considerably diminished the situation of open rebellion in Rwanda. About ten attacks carried out by the ALIR in December 1999 (Mukamira, Nkuli, Bigogwe, Kidaho, Mutura ...) had no repercussions, and it would seem that the RPA, backed up by the LDU (Local Defence Units), has the situation under control. On the other hand, it is in the extraterritorial war being waged in the Congo that the Rwandan army is suffering losses—impossible to evaluate, but estimated at several battalions—at the hands of the Hutu rebels and their Congolese allies, in particular the *mai-mai*.

The relative calm within Rwanda obviously does not mean the end of the civil war. Even if, on one occasion, General Kagame is said to have suggested the possibility of negotiations with the rebels,¹ in reality there is not even the beginning of a dialogue. However, there is no lack of requests for a political debate. Organizations existing for several years (UFDR, CDA, RDR, UNAR ...), as well as others set up more recently (e.g. Canadian Congress of Rwanda, CCR, and Organization for Peace, Justice and Development in Rwanda, OPJDR, in the United States) have continued to take positions on the political events and insist on the need to open a dialogue. A new political force has moreover emerged in a more marked and threatening manner for the Rwandan authorities than in the past. Monarchist political platforms are now very active, both in Rwanda and abroad; they constitute an increasing source of worry for the RPF for two reasons: on the one hand, they appear to be finding increasingly strong support among the sociological base of the party; on the other hand, they are bi-ethnic and the participation of the Tutsis in these movements prevents this type of opposition from being

discredited as “genocidal”, which is the routine qualification by the regime of its opponents.

On 16–18 July 1999, the new association “Rwanda Notre Avenir” (Rwanda—Our Future) organized a seminar at St Hubert (Belgium) which, over and above the customary observations about bad governance and violations of human rights, considered that “constitutional monarchy seems to us to be the only instrument within our reach capable of preserving national unity and promoting reconciliation amongst Rwandans”. The participants requested the government to “envisage the dialogue” and to “commit itself to the process suggested by the Round Table, instead of the new transitional period which it had decreed”.² Even if, for reasons of security, the participants from within Rwanda were not able to be present, this meeting brought together Hutus and Tutsis from various countries in Africa, Europe and North America. The fact that the head of the ESO, Colonel Patrick Karegeya, has been to Belgium on at least two occasions to gain information about this initiative is the measure of the anxiety which it arouses in Kigali.

However the monarchists have difficulty in concretely articulating how, and in what way, the constitutional monarchy that they advocate will resolve the political problems in Rwanda, particularly as “the king reigns, but does not govern” and, as a result, the question of the organisation of the exercise of power remains an open question. Moreover, the motivations for joining the monarchists’ platform are not necessarily uniform: while some militants, especially amongst the Tutsis, are genuine royalists, others—not knowing where to turn in the Rwandan impasse—have grasped at this straw; some members are not monarchists at all, but consider support for this project to be an efficient tool for campaigning against the RPF. Rwanda Notre Avenir has subsequently continued to take positions in an intelligent fashion on

¹ *The Guardian* (Dar Es Salaam), 16 February 2000; however, Kagame added that “the problem is that there is not a single rebel capable of entering negotiations, since they are all killers who fight with neither an agenda nor a cause”.

² Rwanda Notre Avenir, *Rwanda, Sortir de l’impasse et construire l’avenir*, St Hubert, 16, 17, 18 July 1999, 6p.

topical events and to draw up proposals¹ along the lines of the St Hubert seminar. Furthermore, the journalist Jean-Pierre Mugabe, in exile in the United States, a former member of the RPF who had already denounced the abuses of the regime (cf. above), published a text in which he reiterated his accusations, giving specific details, and declared himself firmly in favour of the return of the monarchy.²

Similar opinions were also heard in Rwanda itself. On 20 June 1999, during a discussion organized by the national radio on this issue, the general secretary of the RPF described those who support the monarchist idea as “pawns of the Christian-Democrat International³ (Internationale Démocrate-Chrétienne), missionaries and other friends of the old regime whose declared intention is to divide the Tutsis, the RPF and the Rwandan people in general”.⁴ In a document, whose authenticity is however debatable,⁵ members of the Rwandan army in operation in the Congo expressed their allegiance to the king.⁶ Poems circulating secretly in Rwanda express similar ideas. Thus, in a text of an extreme semantic violence entitled “Umuwumvo w’Umwami w’Inkotanyi Paul Kagame” (“The curse of the King of the Inkotanyi, Paul Kagame”), the author expresses his desire for the return of the king, while at the same time insulting Kagame whose name he transforms by a play on words into KagOme (the criminal).⁷ We have also seen that one of the criticisms made of Joseph Sebarenzi after his resignation as Speaker of the parliament concerned his

presumed monarchist sympathies, which even go as far as his exhortations to soldiers to desert the RPA to join the ranks of an “army of the king”.⁸

5.2 Burundi

Despite the Arusha negotiations (see below), the civil war continued in Burundi. The year was marked by an intensification of rebel operations around Bujumbura, including in the suburbs of the capital, and elsewhere in the province of rural Bujumbura. Contrary to the experience in North-Western Rwanda and elsewhere in Burundi, the massive rounding-up of the civilian populations (cf. above) has proved to be a relatively inefficient measure. It seems that elements of the FNL are the most active in this region⁹ where they have the upper hand over the FDD. On the other hand, in the South-East, in the provinces of Ruyigi and Makamba in particular, the rebellion is led by the FDD everywhere. The latter, and the FNL, have also carried out more limited operations in the provinces of Bubanza, Gitega, Muramvya and Rutana.

The Burundi rebels are objectively reinforced by the war in the Congo. Whereas, at the outset, the rebellion against Kabila, backed by Uganda, Rwanda and Burundi, appeared to destabilise the FDD, subsequently their alliance with Kabila gave them access to weapons and various sorts of equipment and training. The Lusaka accord, which provides—amongst other things—for the disarmament of the “negative forces” in the region, has led to their withdrawal, both into Tanzania¹⁰ and into the interior of Burundi. Another effect of the interaction of the alliances around the war in the DRC is that as early as November 1999 the Zimbabwean press was reporting the training of FDD elements in Zimbabwe.¹¹ The *Zimbabwe Independent*, 24 December 1999, stated that in June an agreement on training, equipment, financing and diplomatic assistance had been concluded between

¹ For example, *Pour une sortie durable de la crise et de l’impasse rwandaise*, Brussels, 1 October 1999, 19p.

² J.-P. MUGABE, “The Killings Resume: Preparing for the Next Rwandan War”, *Defense & Foreign Affairs Strategic Policy*, 1999, no. 4. This journal is published by the International Strategic Studies Association (ISSA) based in the State of Virginia. The ISSA has apparently decided to support the cause of the monarchy in Rwanda: in 1998, King Kigeri V was presented with its “Award for outstanding contributions to strategic progress through humanitarian achievement”, it publishes positions supporting this cause (for example, *Rwanda. Substantial Movement Toward New Rwandan War*, 9 August 1999) and it employed Mugabe as a consultant.

³ This is rather an easy target; to our knowledge, the IDC has no position on the question and does not support the monarchist platforms.

⁴ According to ARI/RNA, n 146, 23 June 1999.

⁵ It was forwarded through the internet by a source which also reflects the ALIR positions.

⁶ *Appeal of the Rwandan Patriotic Army (RPA/RPF) to Kigeli*, Goma, 27 July 1999.

⁷ In true Rwandan tradition, he also hopes that the testicles of Kagame will soon decorate the royal Kalinga drum ...

⁸ DPA, Kigali, 19 January 2000.

⁹ Human Rights Watch, *Burundi: Neglecting Justice in Making Peace*, 23 March 2000.

¹⁰ The rebel activities from the refugee camps in Tanzania are already a cause for concern for the Burundi government and regularly provoke changes of mood between the two countries. See in this connection, International Crisis Group, *Burundian Refugees in Tanzania: The Key Factor to the Burundi Peace Process*, 30 November 1999.

¹¹ See *The Zimbabwe Standard*, 21 November 1999; 10 December 1999.

President Mugabe's party, the ZANU-PF, and the FDD. The training of several hundred men from the FDD at the Suri Suri base to the west of Harare was subsequently confirmed by several sources, even if the information was denied by the Zimbabwean army.¹

Thanks to a Human Rights Watch report which we have already quoted, we know a little more about the organization of the FNL, the Palipehutu dissidence led by Cossan Kabura. The numbers in the Bujumbura region are said to be between one and two thousand men. Rwandans are said to constitute a considerable proportion of the fighters, but, contrary to a widespread idea, they are mainly ex-FAR personnel and not *interahamwe*. Cooperation between Burundian and Rwandan rebels does not always run smoothly: at the beginning of February, at least a hundred Rwandans were killed by Burundian elements in the FNL. The possibility that some of these Rwandans were acting on behalf of the Burundian army and that their mission was to eliminate the FNL command cannot be excluded; the fact that Burundi does not intend to hand over the survivors of the February massacre to Rwanda points in this direction.² An alliance of ex-FAR elements with the Burundian army would be one of the surprising reversals of alliance which seem to be the speciality of the region of the Great Lakes (see below), particularly if the information concerning RPA operations in Burundi were confirmed.

Parallel to the civil war, the Arusha negotiations continue without really advancing.³ The facilitator, Julius Nyerere, died on 14 October 1999. To replace him, the names of two former Tanzanian prime ministers, the former president of Zambia, Kenneth Kaunda, and of Botswana, Sir Ketumile Masire, were first put forward, but both the Burundi government and several political parties insisted on the appointment of Nelson Mandela. The latter, involved in the Middle East, initially refused, but the Heads of State present at the eighth regional Great Lakes summit held at Arusha on 1 December 1999 appointed him

and Mandela accepted the challenge.

The new facilitator made a change in style: more direct and more hurried than his predecessor, he attempted to expedite matters. He insisted on the rebel movements being directly associated with the talks and he took the Burundian political elite severely to task for its "inflexibility": "Each and every one of you is responsible for the massacre of men, women and children every day (...) Your lack of sense of urgency implicates you all".⁴ In very Burundian style, the delegations applauded the speech enthusiastically; Mandela was doubtless unaware of what the Burundi left unsaid. And he did it again: on 24 January 2000, he condemned Burundi for keeping hundreds of thousands of civilians in "concentration camps";⁵ on 21 February, he considered that there would be no peace in Burundi if the Tutsis kept the monopoly of power in the political, military and economic sphere. "This situation cannot continue."⁶ While previous declarations had already given rise to hushed rumblings of discontent, this time eight "Tutsi" parties reacted, but not until after the departure of Nelson Mandela from Arusha. On 23 February they published a joint declaration accusing the facilitator of being biased, indicating that his opinion did not correspond to the social and historical reality of Burundi and stating that it ran the risk of justifying the continuation of the "genocide against the Tutsis".⁷ Mandela pretended not to hear. On 25 March, he observed that both the Burundian army and the rebels were more serious than the Arusha negotiators "in very important spheres (...). They are head and shoulders above you" and he added that the situation of the detainees "who are languishing in prison, merely because they do not agree with the head of state" and of the population which had been regrouped was "totally inadmissible".⁸

Some began to regret Nyerere. While some "Tutsi" circles (for example, the Mukasi wing of the Uprona and the AC-Genocide Cirimoso association) had already previously openly

¹ IRIN, *Zimbabwe: IRIN focus on arms links to Burundi*, Johannesburg, 3 February 2000; *Saturday Star*, 5 February 2000.

² Human Rights Watch, *Burundi: Neglecting Justice ...*, op.cit.

³ A very useful overview of the state of the question can be found in International Crisis Group, *The Mandela Effect. Prospects for Peace in Burundi*, 18 April 2000, 67p. While recognizing the pitfalls, this report is on the whole fairly (over?) optimistic.

⁴ C. NELSON, "Mandela Criticizes Burundi Talks", AP, Arusha, 16 January 2000.

⁵ B. MSETEKA, "Mandela says UN criticism of Burundi justified", Reuters, Johannesburg, 24 January 2000.

⁶ AFP, Arusha, 21 February 2000; *Fondation Hirondelle*, Arusha, 21 February 2000.

⁷ *Fondation Hirondelle*, Arusha, 23 February 2000; *Internews*, Arusha, 25 February 2000.

⁸ *Fondation Hirondelle*, Arusha, 28 March 2000.

opposed the peace process, the cut-and-dried positions of Mandela reinforced this resistance. On 7 February “Tutsi” associations demonstrated in Bujumbura; on 26 February a message from the Burundian government sent a warning, in a discreet and ambiguous manner, to the facilitator: “No solution will be imposed or precipitated (...) The government intends (...) to play the dominant role”;¹ finally, on 3 April, five organizations from the radical Tutsi opposition, including the Uprona-Mukasi and “Pamasekanya Auto-Défense” threatened to take up arms to fight any accord with the “authors of the genocide”.²

Even if the vacuum left by Nyerere and the opposition of certain groups to the Arusha process may have had a negative impact on progress, there have long been other obstacles. We listed some of them in our previous chronicle.³ To these have to be added the war in the Congo, in favour of which the rebel movements are tempted to opt for the reversal of the regime by force, each time that circumstances seem to be in their favour. In the face of the multiple stalemates, the projected time limit for the signing of an accord is constantly postponed which contributes to the lassitude of the brokers and funders. Moreover an increasing number of sources refer to the phenomenon of “professional negotiators” who have every interest in dragging out the procedure. The Iteka League calculated that by economizing on their *per diem*, delegates can “earn” in a week at Arusha the equivalent of five months salary.⁴ Even though limited progress is made from time to time⁵ and the principle⁶ of participation of the rebel movements has been adopted, the slow pace, the lack of real commitment, the endless challenging and the constant realignment of the political landscape irritate international and regional observers; amongst the latter, on 1 December

1999, President Museveni considered that the dragging out of the talks was having a negative impact on the whole region because it was prolonging the suffering of the Burundians, giving rise to useless expenditure and “taking up a disproportionate amount of the time of the leaders of the region”. Finally, the Rwandan (Arusha 1993) and the Angolan (Lusaka 1994) precedents invite caution. If, under regional and international pressure, the various Burundian parties were induced to sign an accord, would they really adhere to it? In other words, can we rely on respect for an undertaking, if one or other actor, capable of derailing the process, considers that its implementation is contrary to its interests?

¹ *Message du gouvernement du Burundi sur l'évolution du processus de paix*, Bujumbura, 26 February 2000.

² AFP, Bujumbura, 3 April 2000.

³ F. REYNTJENS, *Talking or Fighting?*, op.cit., p.19–20.

⁴ ITEKA League, *Rapport Annuel ...*, op.cit.; see also an ironical text by G. PRUNIER, *Les conversations de paix sur le Burundi à Arusha (6 au 17 juillet 1999)*, 23 July 1999.

⁵ For an overview; Fondation Hirondelle, *Resumé des travaux des commissions*, 3 March 2000.

⁶ Only the principle, since the FDD demand as a preliminary the dismantling of the “nazi-type concentration camps” and the liberation of political prisoners (Fondation Hirondelle, Arusha, 29 March 2000), conditions which are politically difficult to implement for the Burundian regime even if, as we have seen, Mandela supports them.

6. Conclusion and Perspectives

The political evolution of Rwanda and Burundi has to be set in a context of great regional instability, of which the war in the Congo and the continual fluctuation of alliances which surround it are the most visible expression.¹ Rwanda, and to a lesser extent Burundi, are waging their civil wars extraterritorially: the RPA operates in an area which is very many times larger than its national territory, while the ex-FAR fight on the side of the coalition which backs Kabila and large pockets of anti-governmental combatants remain active in the East of the DRC; the Burundian army is present on the Congolese bank of Lake Tanganyika and Burundian rebels, especially the FDD elements, have allied with Kabila and those who support him. Other high risk realignments are ongoing at the time of finishing this issue: the dramatic deterioration in Rwandan-Ugandan relations, which has already been expressed on several occasions extraterritorially (the battles at Kisangani and elsewhere in the Congo), seems to be moving towards a dynamic of open war between the two countries.² This would be a disastrous development which would compromise still further the implementation of the Lusaka accord which is already in very poor shape. Moreover the current developments mark the increasing isolation of Rwanda, which in reality cannot afford the military effort and which is at the same time confronted with a profound political crisis at the very core of the regime.

The “international community” is proving powerless in the face of these local and regional dynamics. The deployment of the peace-keeping force MONUC in the Congo is a long time in coming, and the failures of operations in Somalia, Rwanda, Angola and recently in Sierra Leone are not of a nature to encourage an involvement on the scale required by the situation. Similarly, the endeavours aimed at finding political solutions for the various national prob-

lems in the region are not very conclusive: the setting up of the “inter-Congolese dialogue” has come up against numerous obstacles; the inter-Burundi negotiations at Arusha are characterized by ambiguity and continuous political realignments, which extend as far as total rejection by minority but powerful forces; in Rwanda, dialogue is not even envisaged, the regime obviously considering that it is possible to manage a political space, both national and regional, by force of arms. Moreover, the “entrepreneurs of insecurity”³ have every interest in the continuation of situations of state failure and instability, from which they draw considerable unearned income.

Consequently, the perspectives are not encouraging. The war zone in the region extends from Luanda to Asmara, the ethnogenesis of “Bantus” versus “Nilotics”⁴ has become stronger, new extra-territorial and territorial confrontations are in the offing, the political solutions are discredited in favour of the option of looting and violence. The populations of the region are the main victims of these state and non-state criminalised powers: displaced, subject to extreme violence (which has become a form of government) and to death as an everyday occurrence, impoverished and looted, forcibly recruited, excluded from education and from health care ... Will they take their revenge?

Antwerp, July 2000

¹ See in this connection, F. REYNTJENS, *La guerre des grands lacs. Alliances mouvantes et conflits extraterritoriaux en Afrique centrale*, Paris, L'Harmattan, 1999.

² See International Crisis Group, *Uganda and Rwanda: Friends or Enemies?*, 4 May 2000, 31p.

³ S. PERROT, “Entrepreneurs de l'insécurité”, *Politique africaine*, no. 75, October 1999, p.60-71.

⁴ F. REYNTJENS, *Talking or Fighting?*, op.cit., p.25-26.

Acronyms

ALIR	Armée de libération du Rwanda
ANAC	Alliance nationale pour le changement (Burundi)
CDA	Congrès démocratique africain (Rwanda)
CDR	Coalition pour la défense de la République (Rwanda)
CNPR	Convergence pour la paix et la réconciliation (Burundi)
DRC	Democratic Republic of the Congo
DRM	Democratic Republican Movement (Mouvement démocratique républicain) (Rwanda)
ESO	External Security Organisation (Rwanda)
FAR	Forces armées rwandaises
FAV	Front d'action pour la vérité (Burundi)
FDD	Forces pour la défense de la démocratie (Burundi)
FNL	Front national de libération (Burundi)
Frodebu	Front pour la démocratie au Burundi
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
LIPRODHOR	Ligue pour la promotion des droits de l'homme au Rwanda
LP	Liberal Party (Parti Libéral) (Rwanda)
Palipehutu	Parti pour la libération du peuple hutu (Burundi)
Parena	Parti pour le redressement national (Burundi)
RCD	Rassemblement congolais pour la démocratie (DRC)
RDR	Rassemblement pour la démocratie et le retour des réfugiés (Rwanda)
RPA	Rwanda Patriotic Army
RPF	Rwanda Patriotic Front
RTL	Radio-Télévision libre des mille collines (Rwanda)
SDP	Social Democrat Party (Parti social démocratique) (Rwanda)
UFDR	Union des forces démocratiques rwandaises
UNAR	Union nationale rwandaise
Uprona	Union pour le progrès national (Burundi)
WFP	World Food Programme