

Truth Commission: Rwanda 99

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Truth Commission: National Unity and Reconciliation Commission

Duration: 1999 – today (permanent since 2002)

Charter: Law No. 03/99

Commissioners: 12

Report: Various public reports

Truth Commission: National Unity and Reconciliation Commission (Commission Nationale d'Unité et de Réconciliation)

Dates of Operation: March 1999 - present. (The Commission became a permanent body in 2002.)

Background: The Rwandan Civil War began in October 1990 when the Tutsi Rwandan Patriotic Front (RPF) invaded Rwanda from Uganda in an effort to unseat the government of President Juvénal Habyarimana. Government-controlled forces attacked minority Tutsi populations and moderate Hutus. In turn, the RPF attacked numerous Hutu civilian targets and reportedly recruited child soldiers.

A ceasefire agreement was reached in July 1992, and the war officially ended on August 4, 1993 with the signing of the [Arusha Accords](#). Despite the accords and the agreement on power-sharing, however, tensions persisted between Hutu and Tutsi factions. In the spring of 1994, President Habyarimana was assassinated, which sparked the genocide that took place over 100 days killing an estimated 500,000 to 1,000,000 people.

The Arusha agreement of 1993 required a Commission of Inquiry and a National Commission on Human Rights to investigate human rights violations committed by all parties in Rwanda. Due to the intervening violence, the National Unity and Reconciliation Commission was not officially set up until 1999, when it was established by the new Transitional National Assembly.

Charter: Article 16 of the 1993 Arusha Accords provided for the establishment of a Commission of Inquiry to investigate human rights violations committed during the war. The [Government of National Unity Law No. 03/99](#), passed March 12, 1999 set up the Commission. [Law No. 35/2002](#), November 14, 2002 made the Commission a permanent organ and specifies its mandate and powers.

Mandate: The National Unity and Reconciliation Commission was empowered to organize national public debates aimed at promoting reconciliation, foster tolerance and a culture of peace and human rights, and denounce any ideas aimed at disunity. It was tasked to educate Rwandese on their rights and the rights of others, draft laws to foster reconciliation and monitor whether authorities and the people in general "respect and observe the policy of national unity and reconciliation" as contained in the Political Code of Ethics of the Arusha Accord.

Commissioners and Structure: The now-permanent commission consists of twelve Rwandan members, appointed by presidential order on the advice of the Cabinet. The commission is currently chaired by Mr. Jean Baptiste Habyarimana (no relation to the late President), and Ms. Fatuma Ndingiza holds the position of the

Executive Secretary. The Commission is composed of a Council (twelve commissioners), an Executive Committee of three individuals and a permanent secretariat with three departments (Department of Civic Education, Department of Peace Building and Conflict Management, Department of Administration and Finance). The commission's mission is to coordinate the national programs to promote unity and reconciliation. It is not an investigative body but it may denounce acts, writings, and statements that are intended to promote discrimination, intolerance, or xenophobia.

Report: The National Unity and Reconciliation Commission has not produced a final report, but issued various reports on national consultations and on the Commission's activities. These reports are available on the [Commission's website](#).

- [National Summit Report, October 2000](#) (PDF-642KB)
- [Annual Report 2000](#) (PDF-177KB)
- [Annual Report 2001](#) (PDF-1395KB)

Findings:

Conclusions

- The commission's reports on national summits and reconciliation activities reveal that political and socio-economic issues are more responsible for divisions than any fundamental differences between Hutus and Tutsis. "Rwandans are now discovering, to their surprise, that the ethnic differences which have been so much magnified in the past are not the real differences. The issue in Rwanda was bad governance, the culture of impunity and social injustices by successive ruling cliques. These have affected almost every Rwandan in one way or another" (Aloisea Inyumba, former commissioner and executive secretary of Rwanda's Unity and Reconciliation Commission).

Recommendations

- The Commission proposed a law to the parliament that would punish all forms of discrimination.
- A history book for public schools was drafted by the Commission's Department of Civic Education. The Commission recommended that the Minister of Education adopts the manual and incorporate it in the school curricula.

Subsequent Developments:

Reforms

- Under the auspices of the ad hoc tribunal for Rwanda and with the help of Physicians for Human Rights, an international NGO, around 500 individuals were exhumed at the Roman Catholic Church in the western Rwandan town of Kibuye in December 1995. However, this was the only international forensic exhumation that occurred following the genocide in 1994 and it was found to be so traumatic to the local community that further investigations by internationals have not been permitted since.
- On October 24, 2001, Rwanda's transitional assembly passed an anti-discrimination law imposing a maximum two-year prison term, up to a Rwandese million-francs (approximately \$1,765 USD) fine and damages on any person practicing discrimination or segregation.
- As of early 2009, the proposed history book has not yet been adopted.

Prosecutions

- The International Criminal Tribunal for Rwanda (ICTR) and domestic trials were initiated but only after the 1994 genocide. The National Unity and Reconciliation Commission is not related to these prosecutions.

Special Notes: The first National Conference on Unity and Reconciliation was held in October 2000, followed by four subsequent summits, including one on children. The latest summit took place in late 2006. Foreign governments provide most of the Commission's annual budget of \$300,000 USD.

Sources:

Center for the Study of Violence and Reconciliation. "Justice in Perspective - Africa - Rwanda National Unity and Reconciliation Commission." Available at http://www.justiceinperspective.org.za/index.php?option=com_content&task=view&id=29&Itemid=59 (accessed September 11, 2008).

Commission nationale pour l'unité et la réconciliation (Rwanda). Rapport d'Évaluation Du Processus d'Unité Et De Réconciliation Nationales Du 23-Novembre-2001. Available at http://www.metafro.be/grandslacs/grandslacsdir0/2382.pdf/base_view (accessed September 11, 2008).

Inyumba, Aloisea. "Restoring Human Dignity and Reconciling the People of Rwanda." Stockholm, 2002. Available at <http://www.manskligarattigheter.gov.se/stockholmforum/2002/page1717.html> (accessed September 11, 2008).

IRIN Service Français. "Rwanda: Une Paix Durable, Condition Essentielle à La Réconciliation." Available at <http://www.irinnews.org/fr/ReportFrench.aspx?ReportID=80030> (accessed September 11, 2008).

IRIN and United Nations Office for the Coordination of Humanitarian Affairs. "Rwanda: Parliament passes Anti-Discrimination Law." October 24, 2001. Available at <http://www.reliefweb.int/rw/rwb.nsf/db900sid/ACOS-64BJ47?OpenDocument&query=rwanda%20discrimination&cc=rwa> (accessed February 16, 2009).

———. Rapport Des Consultations Nationales: Initiatives d'Unité Et De Réconciliation Au Rwanda 2000. Available at <http://www.grandslacs.net/doc/2400.pdf> (accessed September 11, 2008).

———. Rapport Sur Le Sommet National d'Unité Et De Réconciliation. Kigali: 2000. Available at http://www.metafro.be/grandslacs/grandslacsdir0/2383.pdf/base_view (accessed September 11, 2008).

Manga Fombad, Charles. Transitional Justice in Africa: The Experience with Truth Commissions, Hauser Global Law School Program, New York University School of Law, 2008. Available at http://www.nyulawglobal.org/Globalex/Africa_Truth_Commissions.htm (accessed June 30, 2008).

"National Unity and Reconciliation Commission." Available at <http://www.nurc.gov.rw/> (accessed September 11, 2008).

Stover, Eric, and Harvey Weinstein. *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity*. New York: Cambridge University Press, 2004.

Countries

[Rwanda Africa](#)