

government affirmed its concern to end the culture of impunity that had reigned in the country for years and to make sure that the genocide would be punished. In any case it seemed obvious to all observers that there could be no national reconstruction without justice. However, the government did not have the least idea how to set about achieving this.

The country was completely devastated and there were urgent needs on all sides with drastically limited human, financial and material resources available to meet them. This ruined country, with continuing insecurity and the genocide like an open wound in the country's psyche, was in no condition to hold a calm debate on how justice should be rendered.

The first priority was to set up the judicial machinery, which was virtually non-existent in September 1994. The new Justice Minister was housed in a building without telephones or windowpanes. He and his team of four did not even have paper or typewriters. Every piece of equipment had disappeared from official buildings, most of which were in ruins. The judicial staff was reduced to around 20 investigators and a few secretaries and court clerks (*greffiers*), and only 19 lawyers remained for the whole country.

The prisons were in no better state. Run by the army, it was clear that they would soon be full with an incarceration rate of over 1,000 new detainees per week, all suspected of participation in the genocide.

Everything had to start from scratch.

3. The period from July 1994 to December 1998

In July 1994, the justice question was naturally closely tied to the genocide and massacres. The problem seemed particularly complex. The government had already clearly indicated its desire for justice in July 1994. However, since then and still today, this is an issue that is unavoidably influenced by the prevailing tension in the country. How can justice help to console the victims? How is it possible to avoid the suspicion that this is a victor's justice? How can justice act as cement for the future ?

The judiciary system was completely discredited under Habyarimana's regime. Some of the country's new leaders, coming from an Anglo-Saxon tradition, did not trust a Roman-Germanic legal system that operated in French. There were very few human resources. Rwanda had never had many lawyers in any case. The magistrates and civil servants associated with the former regime had fled the country. Almost all Tutsi civil servants and magistrates had been killed, along with a large number of their Hutu colleagues who had shown signs of independence under the former government. The human resources available had therefore been dramatically reduced in number, and experienced people from the Hutu community were not trusted. There were few trained lawyers among the new arrivals from the diaspora and those there were had hardly any legal experience.

It could also be added that the judiciary is a high-spending institution that provides no financial return. Its reconstruction depends entirely on