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RWANDA

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The continuing armed struggle (mainly in the northwest) between Government forces and Hutu militia causes immense suffering for the civilian population.

BACKGROUND

Until mid-January 1999, the continuing armed struggle between Government forces and armed insurgents in the northwest of the country, compounded by the rebellion in the DRC, was becoming increasingly bitter and a major source of human rights violations in areas of confrontation. Attacks in the northwest of Rwanda were usually led by members of the former Forces armées rwandaises (ex-FAR)/Interahamwe and other extremist groups (principal authors of the 1994 genocide). The Hutu rebels in the northwest did not hide their intention to eliminate all Tutsis and to "finish or complete" the 1994 genocide. Their political and immediate goal was, however, to prevent the minority Tutsi government in Kigali from governing effectively. The confrontations in the northwest have led approximately 630,000 Rwandans to regroup in makeshift camps gathered principally around communal offices. Conditions in the camps are miserable with poor sanitation and dwindling food supplies. The displaced are seeking military protection. Consequently, the Rwanda Patriotic Army (RPA) was able to avoid civilian casualties while conducting operations against the rebels. The Rwandan army has led several "clean-up" operations to quell the insurgents, resulting in several thousands of deaths - the casualties are reported by various sources including the United Nations and Human Rights Watch - Africa. However, since mid-January 1999, the majority of displaced persons living in camps have returned to their communes of origin and agricultural activity has resumed. It now appears that calm and security has returned to the northwest.

Since August/September 1994, more than 130,000 people have been arrested for alleged participation in the 1994 genocide. Conditions in the overcrowded prisons and especially the "cachots communaux" are appalling. A small number of accused have been brought to trial following the promulgation of the September 1996 Law which deals with the genocide. The first genocide trials were met with harsh criticism by human rights groups, who complained especially about the lack of legal representation for defendants and the lack of respect for defendants' rights prescribed by international conventions and Rwandan law. With the growing experience of the judicial personnel - some of whom were trained with foreign support - as well as with other foreign assistance, a number of these issues are being corrected.

In September 1998, 1,500 prisoners were freed for various reasons, including old-age and sickness. In November 1998, the government announced the release of approximately 10,000 detainees whose files were non-existent or incomplete and against whom the government did not have evidence.

The International Criminal Tribunal for Rwanda (ICTR), located in Arusha, Tanzania, is picking up speed, three years after its creation. The chief prosecutor, Madam Justice Louise Arbour, has begun dealing with the main mismanagement issues. Although 32 prisoners are already in captivity in Arusha, only three trials have taken place. The Tribunal has handed down a sentence of life imprisonment in two cases.

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