

understood by the populace than would be the case in more conventional contexts. Doubtless they do not have the formal and technical quality of decisions rendered by seasoned jurists.

There has also been an evolution in the severity of sentencing. Between December 1996 and December 1997, 45% of those accused were given the death penalty, and 6% were acquitted. In 1998 the proportion of death sentences fell to 16% and acquittals rose to 17%.

Factual proof is obtained almost exclusively through witness statements. This is a delicate subject. It is important that the voices of witnesses for the defence should be heard just as clearly as those for the prosecution. Despite some clear improvement, it is regrettable that prosecutors still have a tendency not to call defence witnesses. The courts, at first reluctant to deal with this problem, have now agreed to remedy it, although this will result in inevitable delays.

Another important step in the justice process was taken last July, when several thousand detainees decided to resort to a form of plea-bargaining (*la procédure d'aveu*). This represents both an important innovation in regard to the genocide law, and a significant gamble on the part of the authorities. It is not known whether the decision for so many detainees to admit their guilt was prompted by the executions carried out in April 1998, or whether it results from the information campaigns conducted inside the prisons. Whatever the reason, the fact remains that by December 1998 almost 9,000 detainees had chosen this procedure. Their cases are given priority treatment. The initiative is greatly accelerating the pace of investigations. It also produces a favourable climate for the social dynamic expected from the trials.

The trials themselves have changed shape. Today, the preference is for trials grouping together all those involved in the same acts in a particular geographic area. This makes it possible to better understand what took place and more easily distinguish the degree of responsibility of each suspect.

Sentences were passed on 330 people in 1997; in 1998 the figure almost doubled to around 600. It would appear that improving the quality of justice produces a corresponding improvement in the number of cases dealt with. Nevertheless, at this rate it will take 160 years to put everyone on trial. This is an argument used by some who question whether the judicial path should now be abandoned. The answer is clear: certainly not. If the chief criminals were not put on trial, justice would be denied and the national conscience violated. However, the government believes that the country is ready for an alternative to conventional court trials for genocide suspects.

2. Major difficulties: insecurity and a lack of resources

The difficulties that remain are far from negligible. There are far too few judicial staff given the number of cases to be dealt with. From the figures available, it appears that about 20% of them have deserted their posts. The low salary levels go a long way towards explaining this. However, the