

**USAID/Rwanda  
Civil Society in Rwanda:  
Assessment and Options**

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*Submitted to:*

USAID/Rwanda  
Kaya Adams, Task Order CTO  
Office of Democracy and Governance



*Submitted by:*

ARD, Inc.  
159 Bank Street, Third Floor  
Burlington, Vermont 05401  
*telephone: (802) 658-3890*  
*fax: (802) 658-4247*  
*e-mail: ard@ardinc.com*



Task Order No. 802  
Under USAID Contract No. AEP-I-00-99-00041-00  
General Democracy and Governance Analytical Support and  
Implementation Services Indefinite Quantity Contract

CTO for the basic contract:  
Joshua Kaufman,  
Center for Democracy and Governance, G/DG  
Bureau for Global Programs, Field Support, and Research  
U.S. Agency for International Development  
Washington, DC 20523-3100

## **ACKNOWLEDGEMENTS**

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This report is the result of a team effort organized under the auspices of USAID/Rwanda and ARD, Inc. It was prepared by Sheldon Gellar, Research Associate at the Harry S. Truman Institute for the Advancement of Peace in Jerusalem; Sharon Morris, Research Fellow at USAID/Washington's Center for Democracy and Governance; and Anicet Kayigema, a Rwandan historian, consultant, and development practitioner. The team spent a total of five weeks in Rwanda, gathered many documents, interviewed close to a hundred people, and traveled widely within the country.

The report could not have been done without the help and support of many people. The team thereby wishes to express its thanks and appreciation for the efforts of those who made this report possible. First, the team would like to thank Kaya Adams of USAID/Rwanda who worked hard to make sure that we stayed on track and who offered detailed and much welcomed comments and constructive criticism of our early drafts. We also appreciated our meetings and discussions with Christian Barratt, Mervyn Farroe, Stephen Giddings, Dick Goldman, Heather Goldman, Ken Lizzio, Pierre Munyura, and Serge Rwamasirabo of USAID.

The team owes a special debt to Marcel Pelletier, the Chief of Party of the ARD/SUNY Legislative Project in Kigali sponsored by USAID/Rwanda, and his competent staff – Antoinette Abinshuti, Jean-Marie Nkaka, and Lafontaine Rucyahana – for organizing the logistics and facilitating our travel arrangements and communications. Thanks also to Stevens Tucker of ARD in Vermont who backstopped the team's efforts. The team would also like to thank Cary Johnson of Africare for providing us with long lists and addresses of civil society organizations operating in Rwanda that made it easier for us to find them.

In Cyangugu, Jean-Claude Demarais of IRC shared with us his long experience in working on decentralization and the revitalization of grassroots associations and arranged for the team to meet with a wide variety of people. In Butare, Eugène Ntaganda, the new director of the Conflict Management Center (CMC) at the National University of Rwanda in Butare went out of his way to make it possible for the team to meet with faculty from the CMC and the School of Journalism and to acquaint us with the campus.

Finally, we would also like to express our appreciation to all the people who took time out to meet with us and to share their views and hopes for the country. Their names can be found in our list of persons contacted.

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## ACRONYMS

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AER	Association of Rwandan Employers
AMUR	Association des Musulmanes du Rwanda
ARDHO	Association Rwandaise de Défense des Droits de l'Homme
ARDI	Association Rwandaise Pour la Promotion du Développement Intégré
ARJ	Association Rwandaise des Journalistes
ASF	Avocats Sans Frontières
AVEGA	Association des Veuves du Génocide Avega-Agahozo
AVP	Association des Volontaires de la Paix
BEC	Basic Ecclesiastical Communities
CCM	Center for Conflict Management
CDC	Community Development Committee
CDR	Coalition for Defense of the Republic
CEPR	Conference Episcopale du Rwanda
CPR	Conseil Protestant du Rwanda
CESTRAR	Centrale Syndicale des Travailleurs de Rwanda
CIDA	Canadian International Development Assistance
CLADHO	Collectif des Ligues et Associations de Défense des Droits de l'Homme
CCOAIB	Conseil de Concertation des Organisations d'Appui aux Initiatives de Base
COODAF	Coopérative pour le Développement Agricole et Forestier
COSYLI	Conseil de Concertation des Organizations Libres au Rwanda
CRS	Catholic Relief Services
CSC	Centre de Services aux Coopératives
DRC	Democratic Republic of the Congo
EU	European Union
FAAB	Fédération des Associations des Artisans de Butare
FRW	Rwandan Francs

GDP	Gross Domestic Product
GOR	Government of Rwanda
GTZ	German International Cooperation Agency
HIV	Human Immunodeficiency Virus
ICFTU	International Confederation of Free Trade Unions
INGO	International Non-Governmental Organization
IRC	International Rescue Committee
IBRD	International Bank for Reconstruction and Development
ICRC	International Committee of the Red Cross
LGI	Local Government Initiative
LIPRODHOR	Ligue Rwandaise pour la Promotion et la Défense des Droits de l'Homme
MDR	Mouvement Démocratique Républicain
MIGEPROFE	Ministry of Gender and Promotion of Women's Development
MINALOC	Ministère de l'Administration Locale et des Affaires Sociales
MRND	Mouvement Rwandais National Pour le Développement
NGO	Nongovernmental Organization
NHRC	National Human Rights Commission
NUR	National University of Rwanda
NURC	National Unity and Reconciliation Commission
OATUU	Organization of African Trade Union Unity
PAI	Projet d'Appui Institutionnel
PFN	Prémière Fondation de la Nation
POER	Programme d'Observatoire des Elections au Rwanda
RPA	Rwandan Patriotic Army
RPF	Rwandan Patriotic Front
RPSF	Rwandan Private Sector Federation
SNV	Organisation Néerlandais de Développement
UNDP	United Nations Development Programme

UNHCR	United Nations High Commission for Refugees
UNICEF	United Nations Children's Education Fund
UNTC	Union Nationale des Travailleurs du Congo
USAID	United States Agency for International Development

## EXECUTIVE SUMMARY

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The Democracy and Governance (DG) office of USAID/Rwanda commissioned ARD, Inc. to conduct an assessment of civil society in Rwanda and to assist in developing a strategic plan for strengthening the development of this sector. The assessment team consisted of an expatriate political scientist, a Rwandan development specialist with an in-depth knowledge of Rwandan civil society organizations, and a researcher from USAID/Washington's Center for Democracy and Governance. The team spent a total of five weeks in Rwanda from March 3 to April 7, 2001 and met with more than a hundred representatives of civil society, government, USAID/Rwanda, and the international donor and NGO community. Field trips outside of Kigali included visits to Giterama, Butare, Cyangugu, Ruhengeri, and Gisenyi.

Civil war and the 1994 genocide of the Tutsi populations tore apart the social fabric of the country and destroyed much of its infrastructure. The Rwandan Patriotic Front (RPF), the leadership of which is made up primarily of Tutsi returnees who headed the army that brought them to power, dominates the present government. The memory of genocide, their minority position in the country, and the temptation to hold on to power explain the reluctance of the Tutsi elite to accelerate the pace of democratization and to loosen state control over society.

After examining the political climate, the team concluded that the strengthening of civil society in Rwanda depends largely on the following factors:

- the ability of Rwandan society to overcome the legacy of ethnic hatreds and genocide, and to move towards genuine peace and reconciliation;
- the willingness of the state to reduce its tight control over political and associational life and to share power in an inclusive manner; and
- the will and capacity of Rwandan civil society to overcome traditions of passivity and dependency on the state and foreign donors and to take a more active role in mobilizing resources and energies to participate more fully in national and local decision-making.

Many obstacles stand in the way of making progress towards strengthening democracy and civil society institutions. These include mutual distrust between Tutsis and Hutus; the presence of more than 120,000 Rwandans in prison awaiting trial on genocide charges; the absence of democratic traditions and culture; state control over the media and information flows; the passivity of grassroots associations vis-à-vis the regime; the large gap between national-level civil society associations in Kigali and civil society organizations outside the capital; and lack of institutional capacity due to the decimation of large numbers of educated and trained cadres as a result of war and genocide, and aggravated by widespread poverty.

Several positive signs indicate that opportunities exist for nurturing democracy and the development of civil society in Rwanda. These include the relative peace and political stability since 1998; the creation of the National Unity and Reconciliation Commission (NURC) in 1999; the organization of a traditional justice (Gacaca) to address the issue of those in jail awaiting trial; the Government of Rwanda's (GOR) decentralization policies; improvements in Church-State relationships; the presence of a dense network of grassroots associations and national nongovernmental organizations (NGOs); and the extraordinary dynamism of women's groups and associations.

The assessment covered a wide range of categories of civil society organizations that included development NGOs, cooperatives and pre-cooperatives, private sector business associations, trade unions, women's organizations, the media, human rights organizations, religious institutions, and youth and sports associations.

One striking aspect of civil society organization in Rwanda is the tendency of most national-level associations in a given civil society sector to join an umbrella group that discusses common issues,

exchanges information, coordinates activities, and presents their members' concerns to the GOR, INGOs, and the international donor community. The umbrella groups are financially weak because of the general financial weakness of their member associations.

In the interior, at the other end of the spectrum, grassroots civil society associations tend to be small, locally based with few ties to national-level organizations, and formed by neighbors and kin living on the same *colline* (hill) who know each other.

The poor state of the economy contributes to the weakness of private sector organizations, cooperatives, pre-cooperatives, and labor unions. Trade unions appear to be democratic in organization and seeking to expand their base. Development NGOs depend heavily upon external financing by donors and INGOs to function. Many development NGOs provide training and technical assistance to local grassroots organizations. Women's groups and associations like Pro-Femme, Haguruka, Avega, and *Réseau des Femmes* constitute one of the most dynamic sectors of civil society and lobby for inheritance rights for women and gender equality, promote the well-being of widows and orphans of the genocide, and organize a wide range of women's economic activities.

The independent press is very small, not always credible in its reporting, and in need of greater professionalism. The GOR still maintains its total control over radio and television broadcasting. Though very active in protesting against violations of human rights, human rights groups are sometimes plagued by ethnic tensions and competition. Government sensitivity to criticism and fear of reprisals deters representatives of the press, human rights organizations, and political parties from being more openly critical of government policies.

Because of their commitment to peace and reconciliation, the country's Catholic, Protestant, and Muslim religious institutions are key components of Rwandan civil society. The membership of religious institutions transcends ethnic lines and divisions and makes inter-ethnic dialogue more feasible. The religious institutions also have the institutional capacity to transmit messages and information to a mass constituency and to mobilize considerable financial and human resources.

After discussions with USAID/Rwanda, the team recommended a strategy to build the capacity of Rwandan civil society groups to act as a bridge between the interests and concerns of citizens at the local level and their elected and appointed representatives. This strategy would provide support to civil society organizations seeking to mobilize participation around local problems and engage Community Development Committees (CDCs), women and youth councils, and elected officials in an ongoing dialogue to resolve these problems. The government's new decentralization policy provides the institutional setting to make this strategy feasible.

Building on previous USAID/Rwanda efforts to promote democracy and the rule of law, the strategy would also test the government's commitment to explicitly political participation. The present policy of the GOR is to focus on civil society as essentially apolitical development associations working to promote social and economic development in conformance with national development policies.

The proposed strategy for strengthening democracy and civil society include three main program components: (a) civic education; (b) encouraging the free flow of information; and (c) supporting peace, conflict resolution, and reconciliation activities. Civic education programs would be designed to introduce citizens to rules of democratic political systems and their rights and obligations; to convey values such as political tolerance and compromise, trust in the democratic process, and respect for the rule of law; and to encourage responsible and informed political participation. The free flow of information would be enhanced by improving the capacity of civil society groups to disseminate information and the capacity of the independent media to cover political participation at the local level in a professional manner. This component would also encourage the establishment of independent private and community radio stations and a media code providing safeguards against libel; dissemination of misinformation; and promotion of religious, ethnic, and religious discrimination. Finally, the strategy includes various options to support peace, conflict resolution, and reconciliation

activities by providing assistance to theatre groups, the Center for Conflict Management, and human rights organizations involved in monitoring the Gacaca justice system. The wide range of options presented in this strategy offer promising areas of intervention to reinforce civil society and democratic processes in Rwanda.

# Civil Society in Rwanda: Assessment and Options for USAID

During the years following the 1994 genocide, donors devoted considerable resources to support the rebuilding of government institutions in justice, local government, and the Parliament while allocating a smaller share of resources to strengthening civil society. Now donors, in general, and USAID/Rwanda, in particular, are looking towards increasing their support to Rwandan civil society as part of their democratic governance portfolios.

This assessment has two main purposes:

- Provide the Mission with a detailed analysis of civil society and the current climate for promoting the development of civil society in Rwanda.
- Provide guidelines, promising areas of intervention, and options for a Mission strategy to reinforce civil society and democratic institutions in Rwanda.

## **I. HISTORICAL BACKGROUND**

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For several centuries before the advent of colonial rule, a Tutsi monarchy controlled large areas of Rwanda. During this period, Rwandan society was organized along very hierarchical lines and based on diverse forms of clientelist relationships centering on exchanges of cattle, food, land, and services between the Tutsi rulers and the rest of the population.

Rwanda became part of German East Africa in 1899. Following Germany's defeat in World War I, Rwanda came under the control of Belgium. The German and Belgian colonial rulers both maintained the pre-colonial monarchy and privileged status of the Tutsi ruling elite vis-à-vis the Hutu and Twa peoples.

Until the 1950s, Belgian colonial rule was characterized by:

- highly authoritarian and centralized administrative structures;
- the emergence of the Catholic Church as a “state within a state” whose power and influence rivaled that of the colonial administration;
- the use of Tutsi officials to enforce unpopular colonial measures such as taxation, forced labor, and pressures to grow cash crops;
- the preference given to Tutsis concerning access to education and administrative posts;
- the establishment and distribution of ethnic identity cards that formalized the division of Rwandans into distinct ethnic groups, polarized society, and contributed to the perpetuation of ethnic and racial stereotyping;
- the absence of democratic institutions (e.g., civil rights, elections, and representative government institutions);
- the absence of civil society and associational life outside of religious institutions; and
- the weak development of the market economy, low levels of urbanization, and a steady reduction in the size of family farms due to population increases and inheritance systems which fragmented landholdings.

During the 1950s, Rwanda experienced three major developments that led to a radical shift in power relationships within the country. First, elements within the Catholic Church decided to reverse the patterns of discrimination, which had previously favored the Tutsi elite, and to promote the upward mobility of the Hutu majority. Second, one saw the emergence of a wide range of economic, social, cultural, and religious associations throughout the country that often organized around ethnic lines. Third, the growing demands throughout the continent for self-government and independence pressured the Belgians to open up the political system by permitting Rwandans to participate in non-partisan local elections and then to organize political parties in 1959.

Although reflecting a certain measure of democratization, these developments exacerbated ethnic divisions, rivalries, and conflict. Civil society associations became highly politicized and provided a broad organizational base for ethnically based political parties. The two main Hutu political parties equated majority rule with Hutu rule and portrayed themselves as social revolutionaries seeking to throw off the yoke of Tutsi oppression.

A series of massacres took place in late 1959, which provoked the flight of tens of thousands of Tutsis. When independence came in 1962, Grégoire Kayibanda, the head of MDR-Parmehutu, took power. Kayibanda was closely identified with the Catholic Church hierarchy based in Kabgayi and had been the secretary-general of TRAFIRO, the largest cooperative in the country.

An attempted invasion by Tutsi exiles in 1963 failed and was followed by more massacres of Tutsis remaining in the country. Kayibanda, who favored the Hutu elite from the center of the country, established a highly repressive one-party state that did little to develop civil society. In 1973, a military coup led by Juvénal Habyarimana, a northern Hutu, overthrew the Kayibanda regime and established a one-party regime dominated by the *Mouvement Rwandais National Pour le Développement* (MRND). Habyarimana promoted the rapid organization and expansion of agricultural cooperatives and pre-cooperatives under the banner of development. Donors poured large amounts of resources into the country and hailed Rwanda's dense network of vibrant grassroots associations despite the fact that these associations were highly dependent upon and tightly controlled by the state.

The density of associational life did little to contribute to the development of a democratic society. On the contrary, Habyarimana's regime favored northern Hutus in setting up a regional and ethnic quota system that restricted Tutsi and southern Hutu access to higher education, government posts, and employment in the private sector. Under pressure from the West and within the country, Habyarimana took steps towards political liberalization (1990-1994) by allowing the return of political parties and the creation of the country's first human rights associations.

The October 1990 invasion of Rwanda by the Rwandan Patriotic Front (RPF) hardened the regime's attitude towards the Tutsi population and moderate Hutus, and prepared the way for the 1994 genocide. By 1992, extremists had organized the Hutu militia, Interahamwe, and had begun to intensify hate campaigns directed against the Tutsis and alleged Hutu traitors. Peace negotiations between the government and the RPF led to the August 1992 Arusha Agreement in which both parties agreed to end hostilities and to establish a national unity coalition government. However, Habyarimana moved slowly to implement the agreement. The shooting down of the plane carrying Habyarimana and the president of Burundi in April 1994 was followed by a carefully planned and executed massacre of the Tutsi population, moderate Hutus, and a small number of religious officials and human rights activists who had spoken out against the genocide.

The rapid military defeat of the extremist Hutu regime by the RPF in 1994 was accompanied by the flight of two million ethnic Hutu into the Congo, Burundi, and Tanzania and the return of most of the Tutsi exiles to Rwanda. A government of national unity dominated by the RPF was set up that pledged to advance peace and reconciliation and to move the country towards democracy. The new government also appealed to all Rwandans to return home. In 1996, most of the Hutu who fled returned to the country. Incursions led by Hutu rebels based in the Democratic Republic of the Congo (DRC) fostered an atmosphere of insecurity in the western part of the country in 1997 but were repelled by the Rwandan Patriotic Army (RPA) which drove out the rebels and pursued them into the DRC. Since 1998, the RPF government has enjoyed a certain measure of success in rehabilitating the infrastructure destroyed by the war, resettling the returning populations, introducing decentralized local government structures, and working for peace and reconciliation along non-ethnic lines.

## **II. THE CLIMATE FOR DEMOCRATIZATION AND CIVIL SOCIETY DEVELOPMENT**

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Following the war and 1994 genocide that tore apart the social fabric of the country and destroyed much of its infrastructure, Rwanda now must grapple with the issues of how to promote genuine peace and reconciliation and make the transition to a genuinely democratic political system.

The present government is dominated by the RPF, the leadership of which is made up primarily of Tutsi returnees who left the country and genocide survivors who remained in the country. This elite has the difficult challenge of creating the conditions and putting in place the institutions needed to ensure peace, reconciliation, and the development of a democratic society. Now firmly in power, the new political rulers may be tempted to use their control over the levers of the state to perpetuate their presence in power by rigging the system in their favor. Moreover, the specter of the genocide experience and their minority position in the country are important factors explaining the reluctance of the Tutsi elite running the government to accelerate the pace of democratization and to loosen state control over society.

A strong vibrant civil society committed to democratic values is needed to serve as a counter-weight to state power. The strengthening of a democratic civil society in Rwanda will, to a large extent, depend upon the following factors:

- the willingness and ability of the state to reduce its control over political and associational life and to share power in an inclusive manner;
- the ability of Rwandan society to overcome the legacy of ethnic hatreds and genocide and to move towards genuine peace and reconciliation; and
- the capacity of Rwandan civil society to overcome traditions of passivity and dependency on the state and foreign donors, and to take a more active role in mobilizing resources and energies to participate more fully in national and local decision making.

### **A. Potential Obstacles**

Despite the GOR's policy of cautiously moving to establish democratic institutions in the country, several obstacles still exist that can adversely affect the climate for positive change.

#### **1. *The Trauma Left Over from the Genocide***

**Security.** The bitter feelings of many survivors and the belief that the world did nothing to stop the genocide in time has led the Tutsi minority to place a heavy emphasis on security issues. Security has been defined as an important function of all levels of government. Local militias have been established to defend the country against external attack. Local government rules include clauses that permit local government to call in central government security forces when necessary. The military holds six of the 74 seats in the Transitional National Assembly. Rwanda still has large numbers of troops fighting the enemy in the Congo. The emphasis on security may slow down the demilitarization of Rwandan society and drain scarce resources away from social and economic investment.

**A polarized sense of justice.** More than 120,000 Rwandans are in prison. The great majority are charged with various crimes related to genocide. The genocide experience risks dividing Rwandan society into perpetrators of genocide and victims of genocide along ethnic lines, and makes it difficult for Tutsis and Hutus to see the "Other" as victims when warranted. Fear of reprisals and guilt on the part of Hutus make it difficult for Hutus to openly accept responsibility for acts of genocide and for Tutsis to accept responsibility for massacring Hutu civilians in the course of war and post-war reprisals.

**Mutual distrust.** Tutsi genocide survivors find it difficult to trust the Hutus as a group because of the mass involvement of Hutus in the genocide. Many Hutus believe that they can not trust the Tutsis to give Hutus in jail a fair trial and expect to suffer discrimination and other forms of retribution at the hands of the Tutsi minority. The horrors that took place during the genocide have also left psychological scars on Tutsi survivors and Hutu perpetrators. Tutsi women who saw husbands, brothers, and children dragged out to be brutally murdered and who experienced rape and other physical humiliations were obviously traumatized by such events. Catholic priests interviewed also spoke of the anguish experienced by some Hutu who felt the need to confess their crimes and seek forgiveness.

## 2. *The Hierarchical Organization of State-Society Relationships*

**Absence of democratic traditions and culture.** Pre-colonial, colonial, and post-colonial Rwanda has been governed by a series of autocratic rulers who had little tolerance for free democratic institutions and respect for the rights of others.

**Top-down management style of government.** Major decisions affecting the direction to be taken by society are made by a small group of government decision-makers. Leaders expect their instructions to be carried out without questioning. Decisions are often taken without consulting the parties concerned. For example, the GOR recently instituted an unpopular new health insurance policy for government workers without consulting the unions representing public employees. The GOR rejected the complaints coming from government workers who claimed that they could not afford to pay the higher premiums on the grounds that it knew what was good for the workers.

**Highly centralized state control of the media and flow of information.** The GOR still exercises a monopoly over radio and television broadcasting which it uses to transmit the regime's messages to the people. The current regime is reluctant to loosen its control over the media and is very sensitive to criticism emanating from the national press, which exercises a high degree of self-censorship.

**Passivity of grassroots associations vis-à-vis the regime.** In Rwanda, the initiative for organizing grassroots associations has generally come from external forces. During the colonial period, the churches were the main forces behind the organization of Rwanda grassroots associations. The number of grassroots associations increased sharply during the 1970s and 1980s, thanks to initiatives and support provided by the state and donors. Rather than lobbying the government to support local priorities and concerns, these associations generally were used to implement policies and agendas set by the state and donors. Participatory modes of decision-making are not part of Rwandan cultural traditions and need to be nurtured (Uvin 1999, pp.155-163).

## 3. *The Concentration of Political and Economic Power in the Hands of a Small Tutsi-Dominated Elite, Recruited Mainly from Former Tutsi Exiles Returning to the Country Following the Victory of the RPF*

Tutsi returnees also tend to control leadership and management positions in many of the country's leading civil society organizations, especially in national-level collectives regrouping associations from different civil society sectors (e.g., women's groups, human rights organizations, national development NGOs). It remains to be seen the extent to which the Tutsi elite will share power with other elements in Rwandan society.

#### 4. *The Large Gap between National-Level Civil Society Organizations Based in the Capital and Local Grassroots Organizations Outside the Capital*

Major national civil society associations are concentrated in Kigali. Most have little representation below the regional level. Local grassroots development associations, for example, are also heavily dependent upon national NGOs for services that, in turn, are dependent upon International NGOs for financing. Differences in literacy levels, resources, worldviews, and priorities also contribute to maintaining the gap.

#### 5. *Lack of Institutional Capacity*

The war and 1990 genocide led to the loss of large numbers of educated and trained leaders and technicians and mass population movements in and out of the country that have placed serious constraints on the country's institutional capacity to deal with its problems, including:

**Decimation of educated and trained leaders.** The 1994 genocide wiped out thousands of Tutsi intellectuals, cadres, and teachers as well as Hutu moderates. The flight of large numbers of highly trained Hutu elites running the government, local administration, and civil organizations also deprived the country of a large pool of trained cadres needed to rebuild the country. For example, more than half of the country's 19,000 teachers were killed during the war and genocide while many others fled the country or became internally displaced (UNHCR, September 2000).

**The tremendous strain on institutional resources to resettle and reintegrate the huge numbers of Rwandans returning to the country.** Between 1994 and 1999, more than three million Rwandans returned home. These included over 800,000 ethnic Tutsi who had been in exile as far back as 1959 who returned in 1994, and over 2 million ethnic Hutu who fled during or following the genocide and war in 1994 or who left in 1996 and 1997 because of insecurity and rebel attacks. Thousands of families still have no permanent housing and are living under plastic sheeting. Although massive donor assistance has contributed to the rehabilitation of much of the infrastructure that was destroyed during the war, large portions of the newly resettled populations, particularly in areas where villagization programs have concentrated large numbers of people in new areas, still lack access to basic infrastructure facilities – schools, health centers, roads, and electricity. The costs of supporting RPA forces operating in the DRC also contribute to the strain on resources.

**Poverty, deteriorating environmental conditions, and lack of integration of much of the population into a market economy.** With a per capita income of only \$250, Rwanda is one of the world's poorest countries. The war and genocide led to a sharp drop in living standards. In 1997, 70 percent of Rwandan households lived below the poverty level. Rwanda GDP has not yet returned to pre-war levels. Some observers have claimed that genocide in Rwanda can be explained by the country's extreme poverty and limited availability of land resources. Many ethnic Hutus killed their Tutsi neighbors to obtain their land and cattle. The war, high population growth, and land shortages have also contributed to the deterioration of Rwanda's natural resource base and declines in productivity. The low GDP and limited monetization of the economy also make it difficult to mobilize national and local financial resources to fund development projects and social services.

### B. **Opportunities**

Despite the long list of obstacles listed above, there are many positive signs indicating that opportunities and conditions exist to nurture democratization processes and civil society development.

## **1. *Peace and Political Stability***

Since 1998, the country has not experienced any major attacks from Hutu rebels. The country is secure and the streets are safe. Although the RPF seems firmly in control, the defection of prominent Hutu leaders like Kabuye Sebarenzi, the former speaker of the TNA, the resignation and flight of former president Pasteur Bizimungu who was replaced by Paul Kagame in 2000, and efforts by exiles to bring back the monarchy point to potential sources of conflict and instability in the future.

## **2. *The GOR's Commitment to Peace and Reconciliation***

A consensus exists within the government that peace and reconciliation are major priorities and preconditions for rebuilding Rwandan society. The creation of a National Unity and Reconciliation Commission (NURC) in 1999 marked an important step forward in moving towards implementation of this goal. Although dominated by Tutsi exiles, the government has tried to reassure the rest of the country that it is committed to fighting the kind of ethnic and racial discrimination that precipitated the 1994 genocide.

## **3. *Recent Improvements in Relationships Between Religious Institutions and the State***

The Catholic Church's complicity in supporting ethnically based repressive regimes, its failure to intervene to stop the 1994 genocide, and the participation of many priests in the slaughter have fueled tensions between the RPF regime and the Catholic Church. The failure of the Catholic hierarchy and Rome to accept responsibility for its role in the 1994 genocide has been a major bone of contention. In recent years, young Rwandan priests have been increasingly outspoken in their criticism of the Church's role in the genocide and have taken the lead in pressing for reconciliation. The participation of President Kagame in the Church's Jubilee celebrations in 2000 commemorating 100 years of Christianity in Rwanda reflected some thawing in relationships between the Church and the RPF regime. The Catholic Church has also supported the government's plan to introduce Gacaca justice, participates in the National Reconciliation and Unity Commission, and has encouraged congregants involved in the genocide as witnesses or perpetrators to speak out and ask forgiveness. Protestant and Muslim religious associations have also been collaborating with the Catholic Church and the government in promoting national reconciliation. Religious institutions are key players because they are capable of transcending ethnic and regional differences and cutting across class lines in addressing all components of Rwandan society.

## **4. *GOR Policies to Build a Society based on the Rule of Law***

The GOR is making a serious effort to rebuild the judicial system and to find a solution to the problem of providing justice for the thousands of prisoners charged with various crimes related to genocide. Human rights and women's associations have also been very active in seeking to protect the rights of victims of genocide who seek the punishment of perpetrators, while also working to give those in prison on genocide charges a mechanism through the proposed Gacaca jurisdictions that will ensure them a fair trial. Another positive sign is the government's program and ideology of fighting against the "culture of impunity" that characterized previous governments. Although much of the emphasis has been on seeing that the perpetrators of genocide get punished, the GOR has used the army to evict high-ranking officials who illegally occupied houses and lands belonging to others. In other instances, officials have been sacked for abusing their powers. On the other hand, few key officials within the RPF suspected of corruption have been prosecuted and brought to trial.

## **5. *The GOR's Decentralization Policies***

Although the GOR is closely controlling the management of decentralization, it has become increasingly clear that its recent decentralization policies are providing a legal framework for greater local participation in decision-making. The GOR has recently passed legislation providing for the transfer of many powers from the central government to local government authorities. For the first

time in Rwanda's history, local government will be run by officials elected by the population rather than those named by the state. However, it appears that many of the newly elected mayors had been Burgomestres appointed by the GOR before the decentralization reforms were put in place. Moreover, local government's lack of financial resources also reduces the possibility of implementing local development programs. Local civil society will need to be mobilized to take advantage of the space opened up by the new laws and to participate more actively in local decision-making.

**6. *The Presence of Large Numbers of Local-Level Associations and National NGOs with Experience in Working Together on the Ground***

During the 1980s, local-level associations involved in economic activities as cooperatives and pre-cooperatives expanded rapidly while national-level NGOs were created to provide training and technical assistance. Their activities were funded largely by the international donor community and international NGOs. Economic crisis, the war, and genocide disrupted developmental activities. Because of the existing density of associations, there is no need to start from scratch and create many new associations. The main problem is how to get existing grassroots associations to take more initiative and to learn how to manage their own affairs. However, one needs to be careful to avoid supporting civil society organizations dominated by one ethnic group that exclude other ethnic groups and women from leadership roles.

**7. *The Dynamism of Women's Groups and Associations***

One of the major developments following the 1994 genocide has been the emergence of dynamic women's groups and associations in all sectors of civil society, particularly at the national and regional levels. Women's groups have been particularly active in supporting the Gacaca justice initiatives; lobbying for assistance and justice for widows, orphans, and other vulnerable groups in Rwandan society; and providing credit for women's associations engaged in economic activities. The GOR has acknowledged the importance of women in Rwandan society and, through the Ministry for Gender and Women's Development, has shown strong support for women's groups and associations.

### **III. DEMOCRATIC INSTITUTIONS AND LEGAL FRAMEWORK FOR THE DEVELOPMENT OF CIVIL SOCIETY**

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The RPF regime is one in transition. The National Unity government was set up in 1994 to implement the 1992 Arusha Agreement which preceded the 1994 genocide and military defeat and collapse of the Hutu extremist regime that took power after the death of Habyarimana. The present government is a direct consequence of the military victory of the Rwandan Patriotic Army (RPA) and its civilian arm, the Rwandan Patriotic Front. Since 1994, there have been no national elections to elect a president or Parliament. The head of the RPA, Vice President Paul Kagame, became president in 2000, a move that formalized the fact that he was the real power in the country. Although other political parties have ministers in the government, the key Cabinet posts, such as Defense and National Security, Finance and Economic Planning, Local Government and Social Affairs, Education, and Youth, are held by RPF leaders.

#### **A. Political Parties and the Transitional National Assembly**

To date, the regime has not permitted political parties to organize openly or to contest elections. This had led to the creation of a situation in which the representatives of political parties who sit in the 74 member Transitional National Assembly (TNA) do not represent any electoral base. Although the National Assembly has the power to approve laws, it rarely takes initiative in drafting them. The RPF with 13 seats and the RPA, which has six representatives sitting in the TNA, constitute a minority within the Parliament. Although RPF deputies chair only three of the nine parliamentary committees, these are the key ones – Political Affairs, which examines most of the legislation relating to the political, administrative, and legal organization of the country; the Foreign Affairs and Cooperation Committee; and the State Budget and Property Committee. A representative of the RPA chairs the Committee on National Security. The seven non-RPF parties in the TNA were established in the early 1990s, advocated negotiations between the Habyarimana government and the RPF, and did not participate in the 1994 genocide. The Forum of Political Parties, also chaired by the RPF, represents the political parties sitting in the TNA and has the power to approve and depose members of Parliament.

The TNA has the task of legislating and reviewing the action of the government. In April 1997, the TNA passed a law giving that body extensive power to review and investigate government activities and obliging state representatives to provide information and give testimony when requested. The investigative capacities of the TNA, however, are quite limited. USAID and other donors are financing projects to strengthen the institutional capacity of the TNA.

#### **B. Constitutional Framework**

Rwanda's Basic Laws incorporate the July 1991 Constitution; the August 18, 1992 Peace Agreement between the Republic of Rwanda and the RPF; a 1994 RPF declaration banning the *Coalition pour la Défense de la République* (CDR) and the *Mouvement Rwandais Nationale* (MRND), the two political parties implicated in the 1994 genocide; and a protocol between the RPF and other political parties.

The first section of the Arusha Peace Agreement addressed most of the concerns of the RPF in abolishing the monarchy, proclaiming equality before the law, repudiating exclusionist policies, and affirming the right of return for refugees as an inalienable right. The second section dealt with principles for establishing a democratic system and called for free, fair, and transparent elections; a multiparty system; and the rejection of coups d'état as a mechanism for changing regimes and ideologies based on religious, racial, and ethnic intolerance. The Arusha Peace Agreement also declared that the principles enshrined in the 1948 Universal Declaration of Human Rights took precedence over corresponding principles found in the 1991 Constitution.

A National Constitutional Commission has been charged with drafting the elaboration of a new constitution for Rwanda. This constitution will determine the basic rules of the game determining how Rwandan democracy will work. It remains to be seen whether the new constitution will opt for a multiparty or no-party political system. The regime in power has favored non-partisan elections at the local government level. The drafting and approval of the new constitution, first by the TNA, and then by referendum projected to be scheduled before the end of 2002, will end the transition period to democracy.

### **C. Rule of Law, Justice, and National Reconciliation Issues**

The 1990-1994 war and genocide made a shambles of the existing legal system. After the establishment of the National Unity government in mid-1994, justice was often administered by military courts. In 1996, the new regime pledged to establish an independent judiciary and to rebuild the legal system. Over the course of the next two years, the government reorganized the Supreme Court, created a bar society to certify lawyers, defined different categories of genocide and other crimes against humanity, developed procedures for prosecuting offenders, and instituted different degrees of penalties depending on the nature of the crime. Donors intervened to help the GOR rebuild the legal system by training lawyers, rebuilding courthouses, and providing training for the national police force.

The post-genocide government placed a heavy emphasis on eradicating the “culture of impunity” which had led to the 1994 genocide. Until then, those who had massacred Tutsis in earlier pogroms had gone unpunished. The RPF-dominated government declared its determination to punish the perpetrators of genocide as well as to assist the victims. The government’s drive to prosecute perpetrators and accomplices to genocide led to the imprisonment of more than 125,000 Rwandans. The inability of the classic legal system to provide the accused with a speedy and fair trial meant that most of the prisoners stayed in jail for several years waiting for trial. By June 2000, only 3,751 persons accused of genocide had been brought to trial and judged (LIPRODHOR 2000, p.3).

This situation has heightened social tensions in Rwandan society between families of the victims of genocide who want the perpetrators to be swiftly and severely punished and the families of those in prison accused of genocide who claim that their family members are innocent and languishing in prison without a fair trial. To remedy this situation, the government has recently passed a law establishing Gacaca jurisdictions in the country whereby traditional Rwandan ways of resolving conflicts will be introduced to speed up the process of justice, contribute to the emptying of Rwanda’s overcrowded prisons, and hopefully to promote national reconciliation. The Gacaca system is expected to become operational before the end of the year.

### **D. Legal Framework for Civil Society Organizations**

Rwanda’s Basic Laws guarantee the right of association to all groups. The GOR is currently revising many old laws governing the organization and functioning of civil society associations.

#### ***1. Non-Profit Associations***

The TNA has recently passed a new law regulating the creation of non-profit associations which has not yet been published in the Official Gazette. This law defines non-profit associations as groups whose members pool their knowledge and activities to pursue social works. Associations in this category have as their principal objective the exercise of religious, philanthropic, scientific, cultural, and sports activities. Rwandan non-profit organizations can be formed without prior authorization by the government. However, in order to be recognized as a legal entity, they must comply with the law and provide the information called for in the new law. Non-recognized associations have no legal status and, therefore, no access to credit as an organization. However, they are allowed to operate. For

example, the government has not recognized several Twa associations because of their overtly ethnic base. These groups still have the right to meet and hold meetings.

The new law replaces the April 25, 1962 law concerning non-profit associations. The granting of legal status to non-profit associations under the 1962 law was more or less automatic as long as the association provided a list of its officers, objectives, and governance statutes. Unlike the new law, the 1962 law did not call on the state to monitor the activities of non-profit association or give the state the power to suspend the activities of associations in case of conflicts among its members.

Unlike Rwandan associations, foreign NGOs need government approval before being able to operate in the country. MINALOC will have the power to approve the hiring of expatriate employees. According to the new law, foreign NGOs will also need to show that their programs are in line with national policies and that they have the human and financial resources to implement their programs.

## **2. *Non-Governmental Organizations***

Although non-profit associations, NGOs also have a special status. Thus, a ministerial *arrêté* to be signed between MINALOC and NGOs will provide for close government monitoring of NGO activities. The proposed agreement defines NGOs more narrowly than the association law. A NGO is thus defined as an apolitical, non-profit, nongovernmental, and humanitarian organization using its own resources to participate in activities related to the national effort of eradicating poverty and improving the well being of the people. This definition implies that NGOs should focus primarily on development activities and conform to the government's development priorities. The new agreement stresses that NGOs and beneficiaries of NGO services should work closely with the Community Development Committees (CDCs). Contributing to peace and justice are also listed as part of the NGO mission. However, the emphasis is clearly on creating apolitical, development-oriented NGOs.

## **3. *Cooperatives***

The GOR makes a distinction between:

- cooperatives, which are defined as democratic private enterprises that distribute surpluses (profits) equally to all its members; and
- *groupements* or pre-cooperatives, to designate organizations following cooperative principles, but which do not have the same legal status of cooperatives. Agricultural associations set up by groups of young men or women to gain access to state-controlled land are examples of pre-cooperatives. These pre-cooperatives did not establish the same kind of formal operating rules required to become a full-fledged cooperative.

The government is considering new legislation to streamline the process of official recognition of cooperatives and to reduce state tutelage over the cooperative movement. The new legislation may also eliminate some of the privileges previously enjoyed by cooperatives such as exonerations from paying taxes on surpluses. Unlike categories 1 and 2, which are non-profit organizations, cooperatives seek to earn a profit/surplus that is redistributed among its members.

## **4. *Private Sector Organizations***

The law defines private sector organizations as economic enterprises seeking to make a profit. This definition fits in more with the concept of capitalist profit-seeking enterprises. Recent GOR policies have stressed privatization of state enterprises and economic functions such as technical assistance to cooperatives.

## **5. Trade Unions**

The Basic Laws guarantee workers the right to organize trade unions. The Labor Code governs collective bargaining relationships between workers and employers and provides for Labor Tribunals to arbitrate disputes between labor and management. As in many other areas, the GOR is contemplating changes in the Labor Code.

## **6. Political Parties**

Although freedom of association gives people the right to organize political parties, the GOR is currently preventing existing political parties recognized in the 1992 Arusha Agreement from openly seeking public support or competing in elections. However, during the March 6, 2001 local government election campaign, it was widely reported that political parties were participating actively in the recruitment of candidates and providing support for their members who wished to run for office. The future legal status of political parties still remains murky. The Constitutional Commission drafting the new Rwandan constitution will decide between adopting a multiparty or no-party political system.

## **7. Human Rights Groups**

The Basic Laws affirm the dignity of man and the inviolability of human rights. Human rights groups received official recognition for the first time only 10 years ago. They are legally classified as non-profit associations.

## **8. The Media**

Although the Rwandan Basic Laws guarantee freedom of expression, it has no specific references to freedom of the press and media. Rwanda lacks a legal framework that clearly spells out mechanisms for ensuring freedom of the press and media as well as sanctions to be taken in case of libel and diffusion of false information. However, the TNA is currently studying a new Press Law bill that addresses some of these issues.

## **9. Women's Associations**

The Basic Laws guarantee women equality before the law. Women's associations fall under a wide range of legal statuses depending upon their activities – non-profit associations, cooperatives, pre-cooperatives, and private enterprises.

## **10. Religious Institutions**

The Basic Laws guarantee religious freedom. The new law on associations lumps religious institutions with youth, cultural, sports, and other groups, and imposes restrictions on religious institutional governance practices which are impractical and unenforceable. For example, those heading a religious hierarchy in Rwanda are not elected by the congregants, yet association rules call on associations to have democratically elected boards of directors.

## D. Donor Civil Society Interventions

Until the 1994 genocide, Rwanda was one of the major recipients of international aid in Africa and its government praised by the international donor community for its seriousness (Uvin 1999, pp. 45-56). Most of this aid went to finance development projects. The outbreak of war in the early 1990s led to a shift toward emergency aid. In 1992 and 1993, the United States and Switzerland launched projects to reinforce civil society and democracy. The USAID Democratic Initiatives and Governance project sought to facilitate and increase participation by supporting civic associations, the press, and a multiparty National Assembly. In 1993, Belgian NGOs financed by Belgian bilateral aid created programs and conducted studies related to human rights while Oxfam financed a series of workshops on reconciliation in collaboration with the Christian churches.

In 1995, donors like Australia (\$400,000) and Belgium (\$280,000) began to devote more resources to projects promoting peace and democracy (Uvin 1999, p. 91). Belgium (\$750,000) and the Netherlands (\$750,000) financed projects in human rights education. Switzerland (\$800,000), Canada (\$3 million), and the United States (\$8 million) have identified rehabilitation of Rwanda's legal system as a major priority. During the late 1990s, USAID initiated a Local Government Initiative (LGI) to strengthen MINALOC and promote decentralization.

Currently, very few donors have programs of direct support to civil society. Most money that does reach these groups is funneled through government ministries.<sup>1</sup> Currently, the largest program of direct support is the European Union's new initiative in the justice sector. Out of a 7.2 million Euro three-year budget, roughly 2 million Euro will be dedicated to Rwanda civil society groups working on human rights, national reconciliation, and other justice sector issues.

CIDA spends roughly \$800,000 Canadian out of an \$8 million Canadian a year program on support to civil society groups working in the areas of gender, human rights, democratic development, and regional peace initiatives. They anticipate that a new focus will be on strengthening the media.<sup>2</sup> The British, while not currently working with civil society groups, are also considering a program of support to the Rwandan media, and will be undertaking a major study of the media sector in the next few months.

The Swiss aid program devotes roughly \$1.3 million a year to justice, governance, and human rights. While most of this goes to government bodies, such as MINIJUST, CNUR, and CNDH, a portion goes toward direct support for several Rwandan human rights NGOs, including Haguruka and LIPRODHOR. They used to have a program of support for eight Rwandan human rights organizations, but found that the program proved difficult to manage.

Several trends are apparent from the discussion above. First, while donor funds do go to Rwandan civil society groups working in a range of sectors, most is funneled through government ministries such as MIGEPROFE or MINALOC. This practice, while unavoidable for many donors, runs the risk of undermining the autonomy of civil society relative to the government and tends to reinforce Rwanda's traditional emphasis on apolitical service delivery rather than advocacy as the most appropriate role for civil society. Second, most direct support currently goes to women's groups and groups working in the justice sector. Third, there appears to be a new shift in emphasis toward working with the media, although support to date has been quite limited.

<sup>1</sup> This section is based on discussions with representatives of DFID, *Coopération Suisse*, *Coopération Canadienne*, EU, World Bank, and UNDP.

<sup>2</sup> The Dutch also are considering this, and may already provide some limited support.

## IV. RWANDAN CIVIL SOCIETY: AN ASSESSMENT

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### A. Definitions and Components of Civil Society

Theorists of democracy often regard civil society as a counter-weight to the state and a vehicle for articulating the concerns and defending the interests of different sectors of the population vis-à-vis the state. Many maintain that a strong and autonomous civil society is necessary for the functioning of a healthy democracy.

Civil society can be defined as encompassing all institutions between the family and the state. It can also be defined more narrowly as referring to all institutions entering into confrontation or dialogue with the state. This assessment regards civil society as encompassing all institutions between the family and the state. However, it is primarily concerned with analyzing the potential of diverse civil society institutions in Rwanda for promoting democratization and presenting different options and strategies for using civil society as an instrument for building democracy.

In his analysis of Rwandan civil society before the genocide, Peter Uvin (Uvin 1999) challenges the assumption that the existence of a dense network of diverse associations labeled civil society necessarily contributes to democracy, pluralism, and efficiency. Although Rwanda had a reputation among donors as having a highly developed and vital civil society, its civil society did nothing to stop genocide. Uvin argues that the conditions for a “true” civil society (i.e., one that is based on democratic values, not dependent upon the state, and enjoying a certain degree of freedom and political and social space) did not exist in Rwanda.

Uvin lists five components of civil society operating in Rwanda before the 1994 genocide:

- Cooperatives
- Peasant Associations
- Tontines and Informal Associations
- Foreign and Local NGOs
- Churches.

These civil society components did little to promote or to reflect tolerance and pluralism in Rwanda. During the colonial period, the Christian churches propagated ethnic stereotypes, which pitted one group against the other. During the post-colonial period, a state based on ethnic exclusion closely controlled the development of associational life and stifled the emergence of a democratic culture. In this context, civil society reflected the country’s political and ethnic divisions. Thus, NGOs, cooperatives, peasant associations, and church groups in Rwanda were often run by extremists. The promotion of a development ideology that purported to be apolitical and concerned with improving economic conditions masked the fact that Rwanda was essentially an authoritarian and repressive state that showed little or no concern for human rights.

Although this assessment shares much of Uvin’s critique of Rwandan civil society under the First and Second Republics, it regards civil society as being more complex and having more components than the five categories listed above. It also includes media, trade unions, women and youth groups, human rights organizations, and the private sector. On the other hand, while recognizing the involvement of international NGOs in the country’s associational life, this assessment does not consider international NGOs to be a component of Rwandan civil society.

## **B. Civil Society Sectoral Analyses**

### **1. Sectoral Umbrella Groups and Colline-Level Grassroots Associations**

One striking aspect of civil society organization in Rwanda is the tendency of most national-level associations within a given civil society sector to join a larger umbrella group. Thus, most of the larger Rwandan development NGOs are members of the *Conseil de Concertation des Organisations d'Appui aux Initiatives de Base* (CCOAIB) which claims to reach 500,000 people. The CCOAIB has 22 member organizations, including several women's organizations. The GOR is also encouraging the establishment of cooperative unions, federations, and confederations that will represent the entire cooperative sector.

Trade unions and private sector associations also have their own umbrella groups. CESTRAR is the main union body in Rwanda with seventeen affiliated unions and a total membership of 72,000, of which 39,600 are women. Before the war, CESTRAR had as many as 300,000 members. Created in December 1999, the Rwanda Private Sector Federation (RPSF) encompasses fourteen employer associations from different sectors of the economy.

Umbrella groups also encompass different organizations within non-economic civil society sectors. For example, Pro-Femmes/Twese Hamwe, which began as an umbrella organization for thirteen member associations during the early post-genocide period, now incorporates 38 different women's associations. Founded in 1991, the *Collectif des Ligues et Associations de Défense des Droits de l'Homme* (CLADHO) is the main umbrella group for five human rights member organizations, while the *Maison de la Presse* regroups various media associations.

The umbrella groups serve as a meeting ground for diverse associations within the same civil society sector to discuss common issues, exchange information, coordinate activities, and to present their members' concerns in discussions with the GOR, INGOs, and international donor community. They tend to be financially weak because of the general financial weakness of their member associations.

Shortly before the March 6, 2001 local government elections, eight civil society-based groups joined forces to participate in a program to encourage participation and to monitor the elections (*Programme d'Observatoire des Elections au Rwanda-POER*). The participants included most of the national umbrella groups listed above (e.g., CLADHO, *Maison de la Presse*, CESTRAR, Pro-Femme, CCOAIB) as well as national churches and IBUKA, the genocide survivors' organization. It remains to be seen whether this group will reconstitute itself as a global umbrella group for civil society sectoral umbrella groups.

At the other end of the spectrum of civil society organizations are grassroots associations organized at the colline level. These associations are generally small, locally based, and formed by neighbors and kin who know each other. They include rotating credit and micro-credit associations, youth and women's groups, pre-cooperatives, and local religious groups. Thousands of grassroots associations exist at the local level, which account for the high density of associational life in Rwanda. Their relationships with national and regional-level civil society associations differ considerably. Tontines, for example, usually have few contacts outside their own membership. Pre-cooperatives often receive technical assistance and training from national development NGOs. National human rights groups rarely have direct connections with colline-level associations. Some national women's groups have been successful in connecting with locally based women's groups in the area of micro-credit and aid to widows and orphans. The Catholic, Protestant, and Muslim religious institutions are the only nationally based organizations to reach down to their constituents at the colline grassroots level. The Catholic Church, for example, has four levels of organizations: (1) the ecclesiastic basic communities, which regroup ten to twenty families living on the same colline; (2) *centrale*, which regroups representatives of different basic communities; (3) the diocese, which covers the equivalent of one or more prefectures; and (4) the National Episcopal Council, which is the national-level Church body.

These organizational linkages facilitate the Catholic Church's efforts to communicate its messages down to the grassroots level.

Historically, the colline-level grassroots organizations have exerted little or no influence on national decision-making or on nationally based development-oriented NGOs or civil society organizations.

## **2. *Development NGOs***

Most Rwandan development NGOs were created after 1985. The sharp increase in development assistance during the 1980s fueled their expansion and set their agenda. The government used development NGOs to service the needs of smaller peasant associations engaged in a wide range of economic activities encouraged by the state, international NGOs, and donors. Most of the key positions in these NGOs were held by technicians, former government officials, clergy, and expatriates approved by the government. The disruption caused by the 1990-1994 war and genocide led to a sharp decline in the activities of these development NGOs. Massacres and flight also decimated the ranks of the cadres managing these development NGOs.

The destruction of the economy and basic social infrastructure, the horrors of genocide, and the need to resettle three million people led to a massive influx of foreign aid in the post-genocide era. Donors relied heavily upon international nongovernmental organizations (INGOs) to execute emergency relief, rehabilitation, and resettlement programs. The INGOs, in turn, relied heavily upon Rwandan cadres and development NGOs to execute their programs on the ground with the following results. INGOs weakened Rwandan NGOs by recruiting some of their best people to work directly for them. National development NGOs expanded rapidly and increased the number of its personnel. National development NGOs depended almost exclusively upon INGOs and donors for financing their activities. With the return to normalcy in 1998 following the end of hostilities and the resettlement of most of the returnees, donors reduced the amount of aid to Rwanda for rehabilitation and resettlement projects, and INGOs cut back on subcontracting national NGOs to execute their programs. As a result of cutbacks and dependency on external financing, most Rwandan development NGOs have been forced to reduce their personnel. Most of the recent annual reports of development NGOs examined by the assessment team referred to cutbacks in personnel and the need to find new sources of financing.

Their institutional capacity is adversely affected by several weaknesses:

- insufficient material, human, and financial resources;
- heavy dependency on external financing;
- precariousness of financial position and need to constantly look for new projects;
- tradition of top-down relationships with partners whom they service;
- risks of political takeover by elements close to those in power;
- social tensions and mistrust among members;
- concentration of personnel in the capital; and
- lack of communication and coordination between organizations within the umbrella group.

Organizations in this group have some of the following strengths:

- good knowledge of the rural milieu in which they work;
- experience in working with grassroots associations and communities;
- relatively qualified personnel;
- understanding of the importance of networking;
- desire to increase communications among members;
- willingness to contribute dues to support CCOAIB; and
- effort to increase capacity to mobilize their own resources in order to reduce dependency upon external resources.

The *Association Rwandaise pour la Promotion du Développement Intégré* (ARDI) has an interesting profile which provides insights concerning the strengths and weaknesses of national development NGOs and efforts to adapt to a difficult situation. ARDI works with 309 agricultural and livestock associations and 70 associations specializing in honey production whose total membership is more than 7,000 people. Nearly half of its personnel are based outside of Kigali. ARDI provides its grassroots partners with technical assistance and training in leadership, management and accounting, animal traction, and construction and management of beehives; and distributes improved stock of pigs, rabbits, and goats, animals and agricultural inputs to farmer associations. Although heavily dependent upon foreign donors and INGOs for financing, ARDI is also making an effort to finance its activities with profits made by the sale of products produced by the groups that they service. Its annual budget is over 173 million Rwandan francs. It now finances nearly twenty percent of its activities through the sale of products and services and has set a goal of financing forty percent of its activities through its own resources. In working with the grassroots associations, ARDI stresses participation and self-management. It is also encouraging the smaller associations to federate in order to raise funds so that they can finance their own training programs and eventually dispense with ARDI's services. ARDI also encourages its own personnel to look for training to improve their skills. ARDI receives training and funding from nine different external partners. It sees CCOAIB as an effective organization that provides training for its members and serves as a forum for discussing common interests and strategies. Like many other NGOs, it is interested in using Internet to communicate and share information with other NGOs and associations.

### 3. *Cooperatives and Pre-cooperatives*

The first cooperative in Rwanda was set up in 1949. Cooperatives expanded rapidly in the 1960s and 1970s as commercial tea and coffee planters were organized into cooperatives to collect and market their crops. During the 1960s, state intervention was weak. The Habyarimana regime increased the state's control over the cooperative movement, which went into eclipse in the mid-1980s following sharp declines in coffee and tea prices. The war and massive population movements disrupted the economy. Cooperatives became discredited because of their association with the old regime. The number of cooperatives declined from 707 before the war to only 263 cooperatives in 2000.

The GOR (MINALOC 2001) is now making plans to revitalize and democratize the cooperative sector whose present weaknesses are characterized by:

- the small scale of its size;
- limited capital;
- poor management;
- lack of true cooperative spirit;
- its inability to generate surpluses (profits);
- insufficient participation of women, youth, and the handicapped in cooperatives; and
- the organization of coops initiated by external pressures by the state, NGOs, and donors.

The GOR's policy to revitalize the cooperative movement reflects a top-down approach that emphasizes the importance of the state's role in coordinating cooperatives' policies and activities. On the other hand, the state will no longer approve the nomination of cooperative managers and get involved in cooperative decision-making as in the past. The Cooperative National Policy Plan emphasizes the democratic nature of cooperative governance and says that the government will try and involve women in planning and executing cooperative policies. The GOR also hopes to orient international aid towards the cooperative movement, provide incentives to cooperatives by offering exoneration from paying certain taxes and to teach cooperative principles in the schools.

The GOR will also encourage cooperatives to be organized in the service sectors to offer savings and credit, insurance, literacy training, auditing and accounting management, legal advice, and feasibility

studies. We encountered one cooperative in Ruhengeri that offered technical advice and inputs to potato farmer associations.

The initiative for reviving the cooperative movement seems to be coming from the top rather than from the grassroots and seems to be based more on philosophical principles than a response to what is happening on the ground. Past experiences with state-initiated cooperative policies in Africa suggest that cooperatives are not very likely to take hold, especially when not initially supported by heavy state subsidies or donor assistance.

#### **4. *The Private Sector***

During the colonial period, a modern private sector hardly existed because of the small size of the market economy. The first Chamber of Commerce in Rwanda was set up in 1982 as a quasi-state institution under the supervision of the Ministry of Commerce. The one-party state obliged private sector businessmen to join and to pay dues to support the functioning of this institution. The Association of Rwandan Employers (AER) regrouped businessmen in the modern sector of the economy. Both institutions disappeared after the war. In 1995, the payment of obligatory dues to the Chamber of Commerce was eliminated and the government began to encourage the private sector to reorganize itself. In December 1999, organizations representing fourteen different sectors of the modern economy met to create the Rwanda Private Sector Federation (RPSF).

The Federation's major objectives are to defend the interests of its members and represent them in the government, promote its members' interests, support and represent its members in negotiations and consultations with trade unions and the government, and be an organ of permanent dialogue between the private sector and the public sector. It also seeks to expand its membership to include agribusiness enterprises, artisan associations, and associations representing the liberal professions – lawyers, doctors, veterinarians, and journalists.

The RPSF is still a fledgling organization and very weak. Membership fees are not enough to cover operating costs. Moreover, several of the member associations have very weak organizations and can not afford to support their own secretariat. The private modern private sector is currently struggling to survive. Rather than lobbying for liberal investment codes and privatization, it is putting the emphasis on having the state pay its suppliers and providing tax relief. It is currently consulting with the Ministries of Finance and Commerce and the TNA concerning legislation affecting the private sector.

Rwandan artisans have one major national organization (KORA) representing their interests based in Kigali. KORA has representation in six of Rwanda's twelve prefectures. The GTZ has supported the creation of a Regional Federation of Artisans in the prefecture of Butare (FAAB), which regroups 69 associations representing 1,189 artisans in many different fields. The artisans have a democratically elected board that has been trained in management skills. The artisans manage their own outlet for selling their members' products. Although having no formal links with KORA, FAAB does exchange information with that organization.

#### **5. *Labor Unions***

Rwanda has a labor force of roughly 3.6 million, out of an estimated population of 7.5 million (1996 figures). More than 90 percent of the labor force is engaged in subsistence farming, with only about seven percent working in the wage-earning sector. About 45 percent of those workers who are active in the modern wage sector are members of labor unions.

The constitution of Rwanda provides for the right to create professional associations and labor unions, and union membership is voluntary and open to all salaried workers. There are no restrictions on the right of association, but all unions must register with the Ministry of Labor for official recognition. There are no known cases in which the government has denied such recognition. The constitution also provides for the right to strike, although unions are required to first go through a series of

negotiation before going on strike. Government employees are not allowed to strike, although the government has told the ILO that it intends to amend this law.

The government is currently drafting a new labor code, although there has been little consultation with unions on the legislation. It is said that the new code will allow non-nationals to be elected to trade union office and will also have provisions guaranteeing that all workers, including agricultural workers, will be protected against anti-union discrimination.

Despite the right to strike, there has been only a limited amount of activity on this front. In April 1998, armed police surrounded the headquarters of Central Union of Rwandan Workers (CESTRAR) in order to stop a strike by ATRACO, the minibus drivers union. Despite the police presence, the union went ahead with the strike the following day. Workers at the National Printing Works (*Imprimerie Nationale*) attempted to organize a strike after most workers received termination notices citing privatization as the reason for dismissal. However, they were unable to receive government approval for the strike. Subsequent negotiations between the union and the government led to an agreement granting workers six months' salary as severance. As with many other civil society groups, the limited amount of activity seems to stem largely from self-censorship, rather than overt repression, although according to reports from Rwandan trade unionists, some private sector enterprises systematically violate trade union rights and prevent workers from forming or joining unions. In our discussions with CESTRAR, the leadership spoke frequently about it currently not being the right "climate" for aggressive union activity.

CESTRAR is the main union body in Rwanda. Created in 1985, it currently has seventeen affiliated unions, with a total declared membership of 72,000 and an estimated potential membership of 300,000. Currently, 39,600 members are women, and CESTRAR has four women in its top seventeen leadership positions. CESTRAR services to affiliated unions primarily focus on strengthening capacities for membership drives, unionization, legal assistance, and computer training. CESTRAR also carries out a range of lobbying activities on privatization, income taxes, and the new labor code. In this last area, it has worked in concert with other civil society groups on issues of mutual concern. For example, CESTRAR worked with Pro-Femmes, Haguruka, and Forum of Women Parliamentarians on the issue of maternity leave. The organization also provides health services and banking services at reduced rates for members in Kigali, Gisenyi, Cyangugu, Kibungo, Butare, Mugambazi-Kigali Rural, and Ruhengeri.

In addition to its more traditional mission of protecting and promoting work rights, CESTRAR has also launched several civic education campaigns on democracy, good governance, and the fight against corruption. With support from CECI/PADD, they produced a comprehensive training manual that covers topics such as definitions of democracy, the role of government in a democracy, understanding abuses of power, citizen rights and responsibilities under democracy, elections, and participation by citizens and union members. They are currently looking for funding to launch an AIDS education program.

*Le Conseil de Concertation des Organisations Libres au Rwanda* (COSYLI), a collective of seven unions, was created in 1993 as an independent alternative to CESTRAR. It was officially recognized in 1997. It currently has 5,749 members, up from 3,341 in 1997. Women make up 51.2 percent of its members. It shares many of the same goals as CESTRAR, and has as its central mission the defense of worker rights in disputes with employers, but it also appears to have a more explicit focus on women's and children's rights. It has just published the first issue of a journal on worker rights, published a report on gender equality in the workforce, and has a small project on fighting AIDS in the workplace that is funded by the government. COSYLI is loosely affiliated with the other major umbrella group, *Association des Syndicats Chrétiens* – UMURIMO, which was created in 1991 and currently has 3,540 active members. While these two groups have a considerably smaller base than CESTRAR, the leadership we met with is very dynamic, and appears to be more aggressive in defense of worker rights than CESTRAR, which appears to focus more on training. While there appear to be

tensions between the major groupings, all three umbrella associations have worked together and have issued joint press releases, most recently about the proposed labor law.

The final major labor association is Imbaraga, which was founded in 1992 and represents agricultural workers. It has activities covering most portions of the national territory, with the exception of the northern provinces, and is the only major union with fairly well developed urban-rural linkages. It estimates that its activities in the area of worker rights, union organizing, educational initiatives, and advocacy touch, directly or indirectly, 200,000 households in Rwanda. Immediately after the war, like many other civil society groups, it shifted to service delivery. However, it recently undertook a review of its programs and came to the conclusion that the provision of services, while useful, was diluting its central mission of advocacy and organizing. It therefore has shifted most of its activities back to advocacy and organizing around a number of key issues. One of these is finding equitable solutions to conflicts surrounding land reform and land tenure issues; another major focus is on improving the level of equality between male and female agricultural workers.

The trade union movement has been rebuilding slowly since the genocide, although its membership is still significantly lower than pre-1994. The small number of workers in non-agricultural sectors also limits the reach of all of the main associations, with the exception of Imbaraga. All of the groups we spoke with appear to be internally democratic, at least on paper, and hold elections at every level. Women also make up a significant portion (over half) of the membership base, there are a number of women in leadership positions, and every organization devotes at least part of its agenda to women's issues.

One real strength of the union movement is the potential for self-financing through union dues. For example, individual members of CESTRAR pay 100 FRW a month, 75 FRW go to the affiliated union, and 25 FRW go to CESTRAR. Of CESTRAR's annual budget of 49 million FRW, roughly 25 percent currently comes from dues, up from nothing in 1997. Unions also have sources of funding from international labor groups, which gives them a level of autonomy from traditional sources of donor funding that is lacking in most other civil society sectors, with the exception of religious groups. CESTRAR currently has a lock on most relationships with external labor groups; for example, it is affiliated with the Organization of African Trade Union Unity (OATUU) and the International Confederation of Free Trade Unions (ICFTU). In the aftermath of the genocide, the ICFTU appealed to its affiliates for assistance to Rwandan unions, and as a result of this appeal, CESTRAR received money and assistance from AFL-CIO, ILO, HISTADROUT (Israel), *Union Nationale des Travailleurs du Congo* (UNTC), and others.

## **6. Women's Organizations**

Women's groups have a long history of activity in Rwanda. Beginning with the First Republic, official government policy supported the creation of women's social centers in each prefecture focused primarily on addressing the needs of rural women. The rapid expansion of development NGOs, grassroots associations, and cooperatives under Habyarimana in the late 1970s and early 1980s also contributed to the growth of the sector, since many of these organizations devoted at least part of their activity to women's issues, mainly in the areas of health, nutrition, and economic activity. A survey of 1,457 organizations in 1986 showed that about one-third (493) were women's socioeconomic groups, and 143 were registered as women's NGOs (*Réseau des Femmes*, August 1999).

As with other sectors in civil society, women's groups were decimated by the genocide. However, they have rebuilt quickly. The growth in women's organizations since 1994 has been impressive. A study conducted by *Réseau des Femmes* in 1999 lists 120 women's organizations operating at the prefectural level, 1,540 at the level of the commune, 11,560 at the sector level, and 86,290 at the cell level. The growth in this sector can be attributed to several factors including a long history of activity, high levels of donor assistance, and strong government support. Following the genocide, the government established a Ministry of Gender and Promotion of Women's Development

(MIGEPROFE), and placed an official representative in each prefecture and commune. These officials are charged with placing pressure on local government authorities to bring attention to women's concerns.

The largest of these groups is Pro-Femmes/Twese Hamwe, an umbrella organization that expanded from a base of thirteen member associations in the early post-genocide period to 38 in 2001. Pro-Femme's member associations offer a broad range of services, including emergency material assistance, trauma counseling, vocational training, legal assistance, and support for income-generating activities. Many of the groups belonging to Pro-Femmes focus on a particular category of women. For example, Avega Agahozo provides assistance to widows and orphans of the genocide. Founded by a handful of widows in 1995, Avega now has over 25,000 members nation-wide and representatives in 105 of Rwanda's 155 communes. It has expanded far beyond its original mission of providing emergency assistance to include activities such as legal assistance and advocacy on behalf of Rwandan women who were victims of the genocide. Other groups focus on the needs of Rwandan women in general. Haguruka, one of the oldest and institutionally strongest women's groups, focuses primarily on legal advocacy. Another long-standing women's NGO, Duterimbere, has a micro-credit program for women, and also works to strengthen awareness of women's economic rights through civic education, lobbying, and advocacy.

Although there are many similarities between the activities undertaken by women's groups both before and after the genocide, one key difference is the adoption by many groups of a more explicitly political agenda and a clear shift toward activities that encourage greater engagement by women in the political realm. In one of the earliest examples of this shift, Pro-Femmes launched the Campaign for Peace in 1994, which is essentially a blueprint for national reconstruction that emphasizes encouraging a culture of peace, combating gender discrimination, promoting socioeconomic reconstruction, and building the institutional capacity of women's groups. The Campaign seeks to increase women's involvement in addressing national problems such as those concerning housing, refugees, and survivors, and also calls for greater participation by women in national, regional, and international efforts to promote peace.

Within this broader campaign, a number of member associations have taken up the issue of women's rights. Haguruka, for example, led a coordinated campaign to revise inheritance laws. Largely as a result of this campaign, in 1999, the National Assembly passed a law that allows women to inherit property from their husbands and fathers and also allows couples to choose the type of property rights they wish to adopt. With UNHCR funding, Haguruka has also trained 65 paralegals and set up a Mobile Legal Clinic to inform Rwandans about laws concerning property and inheritance, divorce, and sexual abuse.

Another example of this shift to a more explicit political agenda is the work that *Réseau des Femmes* has done to draw attention to women's political participation. It published a major report in 1999 on the constraints and opportunities that currently face Rwandan women's participation in decision-making, and it tracks the number of women currently holding elected or appointed political positions. It also runs leadership training for women around the country.

In assessing the strength of women's organizations, it is important to note that a number of the larger groups based in Kigali have been able to forge ties to a range of smaller rural women's organizations, and many conduct a significant portion of their activities in areas outside the capital. For example, *Réseau des Femmes* has fairly well-established branches in Butare, Cyangugu, Gikongoro, Gitarama, Kibuye, Kigali, Kigali Rural, and Byumba, and the organization is currently working to strengthen its programs in Gisenyi, Ruhengeri, Kibungo, and Umutara. We met with a very dynamic group of women in Ruhengeri representing a range of local organizations that had recently allied with Seruka, an organization based in Kigali that has focused on helping vulnerable women in rural areas since the early 1990s. There also appears to be considerable autonomy for regional representatives to set priorities appropriate to their location, participate in decision-making at the level of the national headquarters, and receive independent funding. However, only a few of the main women's groups can

pursue projects that are truly national in scope. Even those that can be limited in what they can do by a lack of trained personnel, particularly in areas outside Kigali, an inability to communicate effectively and disseminate important information, and a general lack of institutional capacity.

Another strength of women's groups is their ability to organize coalitions around important issues of concern, not only with other women's groups but also with other civil society actors. One example is the coalition between women's groups and two of the main labor union organizations, CESTRAR and COSYLI, built around the issue of women's rights as workers. Similarly, Haguruka is working with branches of the Peace and Justice Commission around the country in order to disseminate information that it has produced on women's rights in general, and inheritance rights in particular.

Key weaknesses within the movement include a lack of human and material resources, tensions and competition between groups within the movement, and heavy donor dependence. While women's groups as a whole have benefited from the new ideas and higher levels of education that many women returning from exile brought with them, this has also contributed to competition within the movement and a sense of resentment between those women who remained in Rwanda and those who did not experience genocide firsthand. Tensions also exist between groups that formed after the genocide, primarily those that emerged to address the needs of survivors, and groups that have a longer history of operation in Rwanda and consequently deeper ties to Hutu women such as *Réseau des Femmes*, Haguruka, and Duterimbere.

As with many other civil society groups, women's organizations are still characterized by heavy dependence on donor support, although a number of groups are also looking for ways to increase their own sources of financing. *Réseau des Femmes*, for example, receives some funding through consulting fees earned by its members. However, this is still a very small portion of its budget. Many of the groups belonging to Pro-Femmes also have nominal membership fees; for example, Duterimbere has membership fees of 2,000 FRW and an annual subscription fee of 1,000 FRW. However, in general, fees are not enough to cover even basic administrative costs, let alone project costs.

## 7. *Media*

Because of the role played by the press, particularly *Radio Television Libre des Mille Collines* and *Kangura (Reveille-le)*, in creating a climate of hate in the period leading up to the genocide, the press has a difficult time operating in post-genocide Rwanda. There is a significant lack of trust in the media, not only on the part of government authorities, but also by large segments of the population. Certainly, there were elements within the media vehemently opposed to the policies of the Habyarimana government. For example, two independent papers, *Rwanda Ryusha* and *Kanguka* both questioned and criticized government policies in the period leading up to the genocide. The editors of these two papers, one from each major ethnic group, were both killed during the genocide. However, despite these exceptions, it is difficult for the media to defend against the charge that it played a large role in the events leading up to the genocide and, in part because of this, the government, so far, has left the independent press little room to maneuver.

The government still controls all forms of electronic media, both radio and television, and also controls a range of English, French, and Kinyarwanda newspapers. The independent press is limited to a handful of primarily English and French language newspapers. *Rwanda Newslines* is the only independent paper with a reasonably regular (weekly) circulation, and in recent months it has been coming under increasing pressure by the government. Given that Rwanda's literacy rate is low, and lower still for English or French, the reach of the independent press is limited to educated elites in urban centers.

Several other factors inhibit the development of a free and independent press. One is that the legal framework governing the rights and responsibilities of the press is ambiguous. The 1991 Press Law, still the only legal framework in place, is highly restrictive. While it is generally not rigorously

applied, the fact that it could be leads to extremely high levels of self-censorship. A new press law was recently submitted to Parliament, and most people we spoke with expressed the hope that it would be promulgated before the end of the next parliamentary session. Rwandan journalists, including members of the Rwandan Press House and the Rwandan Association of Journalists, have had the opportunity to comment on the law, and the Press House is planning a series of meetings between journalists and parliamentarians over the coming year to discuss the proposed legislation. However, to date there has been no systematic scrutiny of the framework by experts in media law.

Another key difficulty faced by the Rwandan media is a severe shortage of material and human resources, particularly human resources. Independent journalists were targeted during the genocide, and many of those now working in Rwanda are self-made with very little formal training. All too often journalists, even those working for the independent press, accept the statements of government officials without question, and few appear to have a real understanding of the critical role the media can and should play in a democracy. In addition, many journalists expect per diem, funds for transportation, and other perks in order to cover a story. This tends to compromise their integrity, and contributes to a widely held perception that people with the means to buy coverage can manipulate journalists. It also severely limits the types of stories the press will cover since most organizations and individuals are not in a position to pay to have their stories covered. Most people the team spoke with recognized this as a serious problem, but also seemed to think that it would be very difficult to change this practice among already established journalists.

On the demand side of the equation, civil society groups, while frustrated with the lack of coverage their work receives, particularly in rural areas, are not very aggressive about seeking out press coverage or exploring alternative means of information dissemination. Even national NGOs have little to no experience in public relations or communications.

Despite the difficulties faced by this sector, there are a number of positive signs. First, the School of Journalism at the National University of Rwanda (NUR) in Butare, has recently restructured the department, reduced the number of students they accept, and put stricter entry requirements into place, all in an effort to improve the quality of graduating journalism students. They are working to establish a university radio station that will primarily be used as a teaching tool for students; however, the acting director hopes that it might turn into an open forum for the exchange of ideas within the university. The university also has a very dynamic theater department under the leadership of Koulsy Lamko that uses performance to explore pressing social and political issues such as gender violence, HIV/AIDS, and peace and reconciliation. Finally, the Rwandan Press House, long plagued by financial mismanagement and corruption, is now under new leadership and has made a concerted effort to repair relations with donors, build independent sources of financing, and expand its programs to better serve the needs of independent journalists.

## 8. *Human Rights Organizations*

Human rights organizations are a relatively new phenomenon in Rwanda. They were first created in the early 1990s during the short-lived period of political liberalization. Several human rights leaders were killed during the genocide. The human rights movement has been revived. It is now estimated to reach nearly a million people with its messages. Five human rights groups are members of a collective (CLADHO):

- *Ligue Rwandaise pour la Promotion et la Défense des Droits de l' Homme* (LIPRODHOR)
- *Association Rwandaise pour la Défense des Droits de l'Homme* (ARDHO)
- *Association des Volontaires de la Paix* (AVP)
- *Association Rwandaise pour la Défense des Droits de la Personne et les Libertés Publiques* (ADL)
- Kinyarwanda

CLADHO, as an umbrella organization, has several weaknesses. Its members are concentrated in the capital, and it is suffering from under-financing of its activities. Another weakness of the human rights community is its politicization and divisions along ethnic lines. Some groups are primarily concerned with defending the rights of one ethnic group at the expense of the other. The Rwandan government is particularly sensitive to criticism of its human rights record. CLADHO, for example, is more cautious in its criticism of government violations of human rights than LIPRODHOR, which has been critical of the state of the country's prison conditions.

In 1999, CLADHO elaborated an ambitious three-year action plan, which called for seventeen projects to be implemented by its member associations. To date, it has received financing for only one of these projects. CLADHO originally had plans to establish regional offices with paid personnel in all twelve prefectures. Because of lack of funding, it has had to scale down its plans. It now seeks to train 100 teachers in three urban centers in each of the country's twelve prefectures to provide information about human rights legislation and issues in their schools and community.

Of all the major civil society sectors in Rwanda, the human rights organizations are the most dependent upon external financing for their survival. Nearly 100 percent of their funding comes from external sources. Dues from members provide less than one percent of their budgets. Reports show that most of the human rights associations lack sufficient personnel to attain their objectives. In recent years, LIPRODHOR seems to have been the most effective organization in finding donor funding to finance a wide range of human rights activities. The organization also seems to be the most outspoken in its criticism of government violations of human rights. Human rights groups have recently received funding for computers and Internet hookups.

In addition to providing general information about human rights, the human rights community is now collaborating closely with the government and other civil society actors to prepare the people for implementing Gacaca participatory justice procedures, which will start before the end of the year. The poor conditions in the prisons are another major human rights issue.

In addition to observing and defending human rights and confronting the state and other actors involved in human rights abuses, human rights organizations are also very active in providing civic education concerning human rights, genocide, the need for tolerance and reconciliation, and mechanisms for preserving human rights.

IBUKA, an organization comprised primarily of Tutsi survivors, has taken a tough stand on the punishment of perpetrators. It has occasionally criticized the government for not doing enough to compensate survivors or for being too soft on people accused of genocide and accepting people accused of having been collaborators in the government. IBUKA means "Remember" in Kinyarwanda. The *Prémière Fondation de la Nation* (PFN) is active in defending the rights of the Twa, who constitute only 1 percent of the population. During the colonial period, the Twa were closely aligned with the Tutsi ruling class. During the genocide, many Twa were pushed into participating in the slaughter of the Tutsi to demonstrate their loyalty to the Hutu. After the RPF came to power, many Twa were jailed for participating in the genocide. Recognizing the government's hostility to ethnically based associations, the PFN claims to defend the human rights of all groups in Rwandan society. Other explicitly Twa-based associations have not received formal recognition.

## **9. Religious Institutions**

Historically, the Christian churches have been the most important institutions in Rwandan civil society. In addition to providing moral guidance, the Belgian-dominated Catholic Church worked very closely with the colonial administration. For many years, the churches were the main providers of health and education services in the country. After independence, the Catholic Church continued to be closely associated with those in power. The Church hierarchy supported the Hutu takeover of the country.

The Christian churches have been rethinking their role and part in the 1994 genocide and are playing a major role in preaching peace and reconciliation and collaborating with the government and other sectors of civil society in promoting these objectives.

Unlike other civil society organizations that have a generally small membership and few financial resources, religious institutions encompass a mass audience, which transcends ethnic boundaries. More than 50 percent of the population are members of the Catholic Church; at least another 35 percent are Protestant; and eight to ten percent are Muslim. The Muslims are organized nationally through the *Association Musulmane au Rwanda* (AMUR).

Since the genocide, Rwanda's religious institutions have moved towards democratizing their governance structures and have been working together in interfaith dialogue to promote peace and reconciliation. The Presbyterian Church has set aside 50 percent of its lay leadership positions for women. Because of the loss of large numbers of priests due to genocide, massacres, and flight, the Catholic Church has turned more and more to its lay members for managing the day-to-day affairs of the church.

Protestants (*Conseil Protestant du Rwanda*, CPR), Catholics (CERP), and Muslims (AMUR) each have their own national organizations that speak for their respective churches and have the clout to engage in serious dialogue with the government and their own communities.

Although their primary mission is evangelization, the Christian churches have been active in the following areas:

- financing and constructing church schools and health facilities;
- mobilizing resources for development activities and programs;
- disseminating information about AIDS;
- mediating conflict and preaching reconciliation and forgiveness between Hutus and Tutsis;
- disseminating information concerning human rights;
- linking membership in the Christian community with the obligation to be a good citizen;
- promoting the social and economic status of women; and
- providing support for widows, orphans, and other vulnerable groups.

The Christian churches also have links with Christian-based INGOs. The Catholics have strong links with CRS and Trocaire; Protestant churches have links with World Vision Lutheran and other Christian INGOs working in the field of development.

The Catholic Church is particularly well organized and has groups organized at the grassroots level, (Basic Ecclesiastical Communities-BECs), the *centrale* level, and the diocese level. The two main instruments for achieving results at the grassroots levels are the Diocesan development committees and the Diocesan Peace and Justice Commissions, which deal with justice issues, have been particularly active in the post-genocide era. In the two main strongholds of Catholicism, Kabgayi and Nyungo, which cover four prefectures, the Church has dynamic civic education programs based on Catholic religious values.

While collaborating closely with the government's National Unity and Reconciliation Commission (NURC), the national-level Christian Churches are seeking to maintain a certain distance from the government in order to assert their own autonomy, to stress their special spiritual vocation, and to serve as a counter-weight to potential abuse of state power.

As civil society institutions, the religious institutions have certain limitations, which include:

- government and Tutsi mistrust of the Christian churches, especially the church hierarchy because of its silence during the genocide and its collaboration with undemocratic regimes;

- competition among the various religious institutions for influence and conversions; and
- their domination by a male hierarchy.

#### ***10. Youth and Sports Groups***

Youth and Sports groups are one of the most important components of civil society. The government has recognized the importance of youth by giving them representation in government institutions at all levels and providing training in civic education for youth about to start university studies. Young people also constitute the bulk of the security forces, particularly the army and the local-level militias. University students constitute another important part of civil society because of their elite status and potential to become the nation's potential leaders. These facts all point to the need and importance of civic education geared towards youth.

Some donors have supported sports projects as a useful mechanism for promoting national reconciliation. Sports can be helpful in breaking down racial and ethnic barriers. Several sports associations exist in every prefecture.

High youth unemployment, lack of access to land, and problems raised by the demobilization of young troops are all important civil society issues that may weigh heavily on the future of the country if not addressed and dealt with soon.

## V. GUIDELINES FOR A STRATEGY TO REINFORCE CIVIL SOCIETY AND DEMOCRATIC INSTITUTIONS

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### A. Defining the Problem

Consensus appears to be emerging around developing a civil society strategy that works to increase the accountability of elected officials by encouraging effective and informed political participation at the local level. The strategy would work to build the capacity of Rwandan civil society groups to act as a bridge between the interests and concerns of citizens at the local level and their elected and appointed representatives.

Political structures are now in place at the local level that, in principle, guarantee a certain measure of popular participation in decision-making. By providing support to civil society groups that seek to mobilize participation around local problems and then engage CDCs, women and youth councils, and elected officials in a continuing dialogue about resolving these problems, this strategy would not only build on previous USAID work, but also test the government's commitment to explicitly *political* participation rather than apolitical participation geared toward implementing pre-set development priorities.

One possible model would be to focus on one or two regions, and work with national civil society groups that have a demonstrated ability to form coalitions with NGOs and associations at the local level and that have a record of advocacy and lobbying on behalf of their constituents. The definition of the particular problem to be addressed could be left to the community and national NGO partners, depending on their priorities and relative strengths. Therefore, while it could concern development priorities already laid out in CDC programs, such as education or health, this approach would also leave room for other issues to emerge, such as land reform, the economic and political rights of rural women, or peace and reconciliation.

### B. Criteria for Choosing Civil Society Partners

In order to implement the type of project described above, national-level civil society groups would need to meet certain criteria. These include:

- national or regional reach;
- demonstrated ability to form partnerships with groups at the local level;
- demonstrated ability to pursue an explicitly political agenda, whether through advocacy, lobbying, or civic education;
- representative leadership and an inclusive membership base in terms of ethnicity, socioeconomic status, and gender; and
- some demonstrated ability to sustain a project beyond initial USAID support, whether by mobilizing other donor funds or self-financing initiatives.

### C. Program Design

To make the process of picking national partners more transparent and less arduous, USAID could solicit short, three-to-five-page proposals from national-level NGOs that would lay out the broad outlines of the problem the organization would address at the local level and demonstrate the degree to which the organization meets the criteria outlined above.

Following the selection of three or four partners, the program could fund an intensive training course that would cover the various roles civil society groups can play in a democracy, civic education, media outreach and information dissemination, advocacy, program design, performance monitoring, and fundraising. The advantage of this approach is that it draws regional representatives into the initial training program. This means that there is likely to be less information lost in transmission to

the regional and local levels. It also allows USAID to focus on developing the capacity of implementing partners and tailoring the training to their particular needs and priorities.

However, one disadvantage is that the training program covers a series of topics that are broadly relevant to all civil society groups operating in Rwanda, whether or not they are chosen for the USAID program. Therefore, one recommendation is to conduct a parallel training course for other (ten to fifteen) national-level NGOs.

Similarly, one component of any program should be an emphasis on disseminating the results, successes, and failures of the local partners, either through regular meetings with other civil society groups or through the supervision of a steering committee formed from representatives of other groups. This will ensure that lessons learned benefit civil society in Rwanda as a whole, and will help position other groups to participate in future projects sponsored either by USAID or other donors.

## **D. Program Components**

Whichever option USAID chooses, the final program submitted by the national civil society partner will need to incorporate several discrete tasks or goals:

1. Mobilization of participation at the local level through a civic education program that works to define a community problem or priority and identify possible solutions.
2. Effective engagement with civil society groups and associations at the local level.
3. Direct and sustained dialogue with elected representatives at the local level, CDCs, and women's and youth councils about finding solutions to local problems and about the relative distribution of responsibility between citizens and elected officials.
4. Engagement with national-level officials through town hall meetings and advocacy at the national level.
5. A detailed plan of information dissemination at both the local and national levels.

### **1. Civic Education**

Most of the objectives listed above (#1-3, and the first part of #4) can be met through a well-designed civic education program. Civic education programs are geared toward achieving three broad goals. These are:

- to introduce citizens to the basic rules and institutional features of democratic political systems, and to provide them with knowledge about democratic rights and practices;
- to convey a specific set of values thought to be essential to democratic citizenship such as political tolerance, trust in the democratic process, respect for the rule of law, and compromise; and
- to encourage responsible and informed political participation, defined as a cluster of activities including voting, working in campaigns, contacting officials, lodging complaints, attending meetings, and contributing money.

The types of civic education programs that have been implemented to promote these goals cover a broad range, from the adoption of new curricula in schools to teach young people about democracy, to programs that focus on the social and political rights of women, to problem-solving activities at the local level. No matter the type of program, however, civic education programs must meet a number of criteria to be successful. If civic education programs are well designed and well taught, use participatory methods, stress learning by doing, and focus on issues that have direct relevance to participants' daily lives, they can have a significant, positive impact on democratic behaviors and attitudes. If courses do not meet these criteria, participants will gain little from the program.

One of the surest ways to increase local political participation over the longer term is to tap into or build opportunities for political participation directly into civic education programs, whether through

using civil society groups as a bridge between citizens and elected officials, through direct meetings with local government officials, or through town hall meetings that bring in representatives from the national level.

Also, to be most effective, civic education programs should be designed around themes that are immediately relevant to people's daily lives. In the Rwandan context, these issues can be drawn either from the development programs laid out by the CDC or could be other issues that have not been identified as development priorities, such as land reform or peace and reconciliation issues. Building civic education around immediate community priorities, while not always explicitly focused on issues of democracy and good governance, nevertheless offer important avenues for incorporating civic education lessons since they often implicitly rely on democratic methods and practices to mobilize, lobby, and achieve results. As such, they frequently produce civic education results – that is, individuals who are better equipped to articulate their interests and engage in the political process.

Civil society organizations and citizens should be encouraged and trained how to actively present their concerns to their local government representatives and to provide their input to the various commissions making up the district councils (e.g., Economic and Technical Commission; Commission for Culture and Social Welfare; and the Administrative, Political and Legal Commission). At the present time, the GOR regards local government bodies primarily as technical apolitical bodies responsible for development activities. Citizens and civil society groups should be made aware that they have the right to express their concerns about explicitly political issues (e.g., the state of local prisons, defense of human rights, land reform, corruption). USAID's experience in working with MINALOC through its local government initiative can be used as a foundation for developing dialogue among the local administration, local government, and grassroots community organizations. In time, an increasing number of civil society members who have demonstrated their ability to serve their communities should emerge as candidates for public office.

## 2. *Encouraging the Free Flow of Information*

A central problem mentioned by many of the civil society groups that we spoke with is the difficulty of getting information out to the general public about the work that they do. There are three broad approaches to encouraging the broader dissemination of information. These are:

- improving the ability of civil society groups to disseminate information about their programs, successes, and continuing challenges to a wider audience, whether through training on how to pitch stories to the media or improving their ability to utilize alternative means of information dissemination, such as theater, town hall meetings, religious institutions, independent publications, or the Internet;
- improving the capacity of the independent press, whether electronic or print, to cover political participation at the local level. This might involve training for journalists or strengthening the capacity of organizations that represent journalists, such as the *Maison de la Press* or the Rwandan Association of Journalists; and
- initiating a dialogue among donors, civil society, and the GOR that would encourage the establishment of independent private and community radio stations and a media code that would provide safeguards against libel, dissemination of false information, and the promotion of racial, ethnic, and religious discrimination. This might entail supporting Rwandan government and civil society leaders to travel to other African countries like Senegal or Mali to see how other countries have succeeded in liberalizing the media and/or supporting pilot community radio stations in one or more prefectures.

These approaches are not mutually exclusive. For example, one could focus the bulk of available resources on the first approach, but make a parallel grant to a media group or to the journalism

program in Butare to fund coverage of local initiatives such as discussions with local elected officials, successes and remaining challenges, and town hall meetings with parliamentarians.

### **3. *Supporting Peace, Conflict Resolution, and Reconciliation Activities***

Peace, conflict resolution, and reconciliation have been defined as major priorities by the GOR, civil society, and the international donor community. USAID intervention in these areas could constitute still another option to provide opportunities for strengthening civil society and a democratic culture. Support in these areas could consist of the following:

- provide assistance to the excellent Butare University Theatre Arts group to produce plays and to organize regional troupes that would diffuse themes related to peace, reconciliation, and other important issues;
- provide assistance to the Center for Conflict Management (CCM) at the NUR in Butare University to establish outreach programs that would teach conflict resolution and dialogue techniques to different civil society groups and publics throughout the country;
- support greater cooperation between different civil society organizations and religious organizations in generating and disseminating printed and audio-visual materials related to peace, conflict resolution, and reconciliation by subsidizing the costs of producing and distributing materials; and
- provide assistance to human rights organizations involved in monitoring the Gacaca justice system and to organizations preparing the local populations to participate in Gacaca justice procedures and their aftermath.

The recommendations and options presented above derive from the team's assessment of the current state of civil society in Rwanda and offer promising areas of interventions and options to the Mission in pursuing its objective to reinforce civil society and democratic processes in Rwanda.

## **PERSONS CONTACTED**

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### **USAID/Rwanda**

Kaya Adams, Program Officer, Democracy and Governance

Christian Barratt, Public Health Program Officer

Mervyn Farroe, Deputy Program Officer

Stephen Giddings, Deputy Director

Dick Goldman, Mission Director

Heather Goldman, Special Projects

Ken Lizzio, Democracy and Governance Officer

Pierre Munyura, Governance Specialist, Local Government Initiative (LGI)

Serge Rwamasirabo, Food Security Specialist

### **American Embassy**

Ergibe Boyd, Public Affairs Officer

Ron Capps, Political Officer

### **Donors**

Mark Allen, Canadian Embassy

Giles Bolton, First Secretary, Department for International Development, British Embassy

Edward K. Brown, Resident Representative, World Bank

Odille Douillard, Program Director, Swiss Agency for Cooperation and Development

Suzanne Fafin, UNDP Governance Program Manager

Marc George, Program Director, Justice, Swiss Agency for Cooperation and Development

Lisa Jones, Protection Officer, United Nations High Commissioner for Refugees (UNHCR)

Marie Laetia Kayisire, Program Officer/Gender Focal Point, UNDP

Laura McGrew, Protection Officer and Coordinator of Peace and Reconciliation Network, UNHCR

Jeanette Seppen, First Secretary, Dutch Embassy

Tosten Striepke, Technical Advisor, Promotion of Batare Artisans Project, GTZ

Franziska Walter, Program Officer, European Union (EU)

### **International NGOs And Consultants**

Jock Baker, Harvard University, Imagine Coexistence Program, Rwanda Liaison

Don Brown, Agricultural Policy Consultant

Maureen Capps, Country Representative, Catholic Relief Services

Christian Davenport, University of Maryland, Center for International Development and Conflict Management

Paul Delucco, ACDI/VOCA Rwanda Country Representative

Jean Claude Demarais, International Rescue Committee (IRC),  
Chief Technical Advisor, Community Development Program

Liz Egan, International Alert Program Officer Africa/Great Lakes Women's Program

Brian Ganson, Harvard University, Imagine Coexistence Program, Bosnia Liaison

Cary Alan Johnson, AFRICARE Country Representative

Juliane Kippenberg, Human Rights Watch, NGO Liaison Officer

Marcel Pelletier, ARD-SUNY Legislative Project

Anne Marie Pitsch, University of Maryland, Center for International Development and Conflict Management

Sara Rakita, Human Rights Watch, Researcher

Ben Siddle, TROCAIRE, Program Officer

Stefanie Sobel, Country Representative, Oxfam/GB

Carola Weil, University of Maryland, Center for International Development and Conflict Management

### **Rwandan National Institutions**

Christophe Bazivamo, Executive Secretary, National Electoral Commission

Evariste Kalisa, Member of Parliament and President of IBUKA Memory and Documentation Committee

Hildebrand Kanzira, Secretary General, National Unity and Reconciliation Commission

Bernardin Rubayiza, Permanent Secretary, National Human Rights Commission of Rwanda

## **Rwandan Civil Society Organizations: Kigali**

### ***Development NGOs***

Anicet Kayigema, Executive Secretary, ARAMET and former president of CCOAIB

Evariste Ntawuyirusha, Executive Secretary, ARDI

### **Private Sector**

Piplani Hakizabera, Executive Secretary, Rwanda Private Sector Federation

### ***Trade Unions***

Jerome Habarugira, Association des Syndicats Chrétiens, Permanent Secretary

Florida Mukandamutsa, CESTRAR, Deputy Secretary-General in Charge of  
Gender Issues and Social Affairs

Abdon Nkotanyi, CESTRAR, Treasurer General

James Nsengimana, Imbaraga, Permanent Secretary

Fulgence Sengoga, COSYLI, Permanent Secretary

### **Human Rights Organizations**

Jean-Marie Makombe, LIPRODHOR

Silas Sinyigaya, Executive Secretary, CLADHO

Charles R. Uwiragiye, President, Première Fondation de la Nation

### **Women's Associations**

Betty Gahima, Benishyaka Association, Coordinator

Odette Gatoyi, BENIMPUHWE

Jeaninne Kambanda, Executive Secretary, PRO-FEMMES/TWESE HAMWE

Judith Kanakuze, Réseau des Femmes, National Coordinator

Grace Mukagabiro, Réseau des Femmes

Hilaire Mukamazimpaka, AVEGA, National Coordinator

Anne Marie Mukamgambura, DUTERIMBERE, Coordinator

Rose Mukantabana, Haguruka, Executive Director

Oswald Samvura, SERUKA, Program Officer

Monique Umubyeyi, Club Mamans-Sportives

### **Religious Institutions**

Sheikh Saleh Habiman, Mufti, National Leader of Muslim Community

André Karamaga, President of Protestant Council of Rwanda (CPR) and  
head of Presbyterian Church in Rwanda

### **Media**

Geoff Adams-Spink, BBC Radio

Alex Bahisi, *Rwanda Herald*, journalist

Yvette Ciza, *Journal Ukuri*, journalist

Yves Didier Umwungeli, *Rwanda Newslines-Umuseso*, journalist

Tony Geraghty, journalist

Eustache Rutabingwa, independent journalist

Yvonne Uwanyirigira, Maison de la Presse du Rwanda, Director

### **Butare**

Alice Karekezi, jurist, Conflict Management Center, NUR

Koulsy Lamko, Writer and Director of Butare University Arts Center, NUR

Inez Mpambara, Professor, School of Journalism, NUR

Ezéchiel Murwanashyaka, Animateur, Fédération des Associations des Artisans de Butare (FAAB)

Antoine Museminali, Director of School of Journalism and Communication, NUR

Eugène Ntaganda, Director of Butare University Conflict Management Center, NUR

### **Cyangugu**

Thiaciana Mutumwinka, Community Development Technical Advisor, SNV-VA/ Cyangugu

Abbé Thomas Nahimana, Editor-in-Chief, *Le Prix de la Paix*  
(Journal of Great Lakes Non-Violent Movement)

Alphonse Rubagumya, Coordinator, SNV-PCA/Cyangugu

Alphonsine Rubagumya, Duterimbere, Cyangugu

Evariste Rubyagira, Sub-Prefect for Economic and Technical Affairs, Cyangugu Prefecture

### **Gitarama**

Father Elias, Peace and Justice Commission, Kabgayi

Théogène Gasana, Coordinator, Centre de Services aux Coopératives de Giterama

### **Ruhengeri**

Amthere Iyakremye, Vice President, COODAF

John Mugabo, Mayor of Ruhengeri Municipality and former Bourgemestre

Denis Munyero, Coordinator, COODAF

Paul Muvunyi, Representative, SOPYRA

### **Gisenyi**

Alexis, Habiyambere, Bishop of Nyundo Diocese

Alexis Kayitzinga, Peace and Justice Commission, Nyundo Diocese

Emmanuel Nyamaswa, Africare, Local Government Initiative, Gisenyi Prefecture

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# Rwanda Civil Society Strategic Assessment

## Scope of Work

### Objective

The Democracy and Governance (DG) office of USAID/Rwanda seeks a two-member team of experts (one expatriate, one Rwandan) to: 1) conduct an assessment of civil society in Rwanda, and 2) develop a strategic plan for assisting the development of this sector.

### Background

Fully six years after the genocide, Rwanda is still recovering from its devastating effects. The war destroyed the country's social fabric, human resource base, institutional capacity, and infrastructure. In the area of democracy and governance, Rwanda struggles not only to reconstitute former government ministries, but also to build democratic structures anew, as it has had little experience in democratic self-governance.

While substantial donor assistance has been provided to support the rebuilding of many government institutions in justice, local government, and the parliament, civil society has received a disproportionately small share of assistance. There are also many impediments to development of civil society in the country. One obstacle unique to Rwanda is a longstanding tradition of popular acquiescence to direction and control by an authoritarian central government. In addition, the social effects of Rwanda's profound poverty, such as a high illiteracy rate, and a feeble educational system mitigate against education and mobilization of the population, essential components of an engaged civil society. Poverty also calls into question the sustainability of civil society associations over the long term. Other impediments include a weak private sector and an unskilled labor force. Finally, women are not full participants in society and continue to suffer from discrimination as regards access to education, training, land, and credit.

Recently, as government institutions approach a modicum of normal functioning, donors are increasingly turning their attention to the development of civil society. Assistance has been limited, however, and largely ad hoc in nature, usually in the form of capacity building of NGOs or execution of micro projects in human rights. To date there has been no strategic analysis of prospects for developing civil society. USAID/Rwanda plans a major, long-term intervention in this sector to complement its D&G support to government institutions and to explore cross-cutting approaches involving existing USAID programs in health and agriculture.

### Tasks

#### 1) *Sector analysis*

Consultants will conduct an assessment of the current climate for development of civil society, noting major issues, obstacles, and opportunities for intervention. Specifically, consultants will analyze:

- The policy and legal environment that governs the growth of civil society in terms of registration requirements and tax laws for civil society groups.
- The government's political will to foster the growth of civil society; evidence of repressive measures taken by the government against unpopular or reformist organizations.
- Constitutional provisions (existing or planned) concerning referendums, public hearings, freedoms of speech and assembly, and other means of formulating public policy and petitioning the government.
- Degree of control exercised by regulatory laws on broadcast and press.
- The capacity/strength of Civil Society Organizations in terms of nature and size of constituencies, level of popular representation, agendas, policies and willingness to form coalitions.

- Analysis of the current status of political parties sanctioned in the Arusha Accords and their prospects for meaningful participation on the democratic process.
- Analysis/identification of “spoiler organizations,” i.e., entities that promote divisiveness or could undermine development of civil society.
- Willingness and ability of urban and rural populations to participate in civic processes both locally and nationally.
- Experience/plans of other donors in civil society.

## 2) *Strategic Assessment*

Based on the findings of the sector analysis, consultants will develop a strategic plan (three to five year) for development of civil society in Rwanda. Given the serious constraints, identify key opportunities in terms of sectors and organizations where assistance will produce the greatest impact. In other words, provide specific recommendations on promising areas of intervention, e.g., public education, legal reform, media, grassroots development, government relations. For each recommended intervention, a specific methodological approach should be indicated such as training, fundraising, institution building, constituency building, and so forth. The strategic assessment will also address the following general issues concerning civil society development:

- The degree and pace at which civil society should be developed in a country recovering from serious instability.
- Prospects for effective multi-party participation in the democratic process.
- Role the private sector can play in support of civil society.
- Feasibility of cross-sectoral approach to civil society development using agriculture and/or health networks and organizations.
- Feasibility of using existing or planned local structures (*gacaca* tribunals, CDCs, etc) to increase civic participation and awareness.
- Effective methodologies for civic education and activism.
- Capability of local NGOs to manage a large civil society/NGO-building grant.
- Prospects for sustainability of civil society.

Also, the strategic plan will address the capacity of specific sectors and organizations to play an effective role in civil society. Where organizations within a sector are identified, consultants will include an assessment of organization’s membership base, regional coverage, financial status, mobilization potential, as well as organizational, management, and financial strength. Specifically, the viability of the following types of organizations will be addressed:

- Organizations or groups successfully promoting national identity and civic awareness.
- Organized and progressive elements/groups that are pressing for democratic reform.
- Organizations or groups able to assure government compliance with the rule of law, i.e., watchdogs, ombudsman organizations, media.
- Organizations or groups able to contribute to local and national decision making.
- Important advocacy groups in the area of human rights, women’s, youth, and environmental issues.
- Business associations.

## **LEVEL OF EFFORT AND TEAM**

Five weeks: Four weeks in Rwanda with authorization for a 6-day work week.  
One week in home office for preparation and report completion.

Team: One expatriate consultant bilingual in French and English with previous experience in similar evaluations, preferably in Africa, will head a three-person team and will ultimately be responsible for the successful completion of the project. USAID/Washington will provide a second team member from its sustainable development program. Provided a qualified Rwandan candidate can be found, USAID/Rwanda will hire the third team member locally.

### **Deliverables**

- 1) Analysis of civil society sector
- 2) Strategic plan for assistance to civil society

Final report due within ten days of departure from Rwanda.