

CASE NO: I-IR-98-41-1
EXHIBIT NO: 845 306
DATE ADMITTED: 19-1-2007
TENDERED BY: DEFE
NAME OF WITNESS.....

Document 46:

Government of Rwanda Response to February 1993 Human Rights Report

US document from the US Embassy in Kigali to the Secretary of State (Washington DC);
25 March 1993; Subject: Democracy/Governance and A.I.D. Budget Allocations

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30791

Printed: 12/31/1997 DOC_NUMBER: 93KIGALI01270
FileName : .../t930338/aaaabczx.tel

CHANNEL: n/a

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P 250945Z MAR 93
FM AMEMBASSY KIGALI
TO SECSTATE WASHDC PRIORITY 3414
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Dept. of State, RPS/IPS, Margaret P. Grafeld, Dir.
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STATE FOR AF/EPS, AF/RA, AF/C, AND HA
STATE PASS AID FOR AFR/EA, AFR/ARTS, AWD AFR/ONI
USIS FOR AF/ROCHESTER AND VERON-SULLIVAN

E.O. 12356: N/A
TAGS: EAID, PHUM, KDEM, RW
SUBJECT: DEMOCRACY/GOVERNANCE AND A.I.D. BUDGET
ALLOCATIONS

REFS: (A) STATE 70000, (B) 92 STATE 73590,
(C) 92 KIGALI 1152, (D) KIGALI LLB4

1. THIS IS A JOINT STATE/USAID/USIS CABLE.

OVERVIEW

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2. RWANDA MADE SUBSTANTIAL PROGRESS TOWARD DEMOCRACY
IN THE PAST YEAR. A MULTI-PARTY TRANSITION GOVERNMENT
LED BY AN OPPOSITION PRIME MINISTER HAS BEEN IN PLACE
SINCE APRIL. HALF THE MINISTERS REPRESENT PARTIES
OPPOSED TO THE PRESIDENT AND HIS FORMER SINGLE PARTY.
THIS ARRANGEMENT HAS SHIFTED SUBSTANTIAL POWER AWAY
FROM THE PRESIDENT TO THE PRIME MINISTER AND HIS
MULTI-PARTY CABINET. PEACE NEGOTIATIONS AIMED AT

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Date Printed: 12/31/1997 DOC_NUMBER: 93KIGALI01270
FileName : .../t930338/aaaabczx.tel

CHANNEL: n/a

ENDING A TWO-YEAR-OLD WAR AND BRINGING THE REBELS INTO AN ENLARGED COALITION GOVERNMENT HAVE ENTERED WHAT IS EXPECTED TO BE THE FINAL ROUND. LOCAL OFFICIALS SUSPECTED OF PROMOTING ETHNIC OR POLITICAL VIOLENCE HAVE BEEN SUSPENDED AND ARE ABOUT TO BE REPLACED. POLITICAL PARTIES FUNCTION FREELY.

A LIVELY PRIVATE PRESS IS FLOURISHING.

3. THESE GAINS HAVE NOT COME WITHOUT PAIN. VIOLENCE HAS UNFORTUNATELY BEEN USED THROUGHOUT THE YEAR AS A POLITICAL TOOL BY SEVERAL OF THE PARTIES TO THE DEMOCRATIZATION PROCESS. THE VIOLENCE HAS BEEN CLOSELY TIED TO THE TIMING OF DIFFICULT POLITICAL DECISIONS ALONG THE ROAD TO DEMOCRACY, MOST RECENTLY IN THE CONTEXT OF NEGOTIATIONS FOR PEACE WITH THE RPF. THE INTENSITY OF THE VIOLENCE HAS BEEN A BAROMETER OF THE DIFFICULTY OF THE CHOICES FOR THE INDIVIDUALS AND GROUPS INVOLVED.

4. A CEASE-FIRE IN THE TWO-YEAR OLD WAR AT THE UNANDAN BORDER AND PROLONGED PEACE TALKS BETWEEN THE

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COALITION GOVERNMENT AND THE REBEL RWANDAN PATRIOTIC FRONT (RPF) DOMINATED THE LAST HALF OF 1992. FORWARD MOMENTUM TOWARD PEACE AND DEMOCRACY STALLED WITH THE FEBRUARY 8, 1993 ATTACK BY THE RPF THAT BROKE THE SIX-MONTH OLD CEASE-FIRE AND BROUGHT REBEL FORCES TO WITHIN 30 KMS OF KIGALI. A NEW CEASE-FIRE HAS BEEN DECLARED AND PEACE TALKS ARE AGAIN UNDERWAY WITH EARLY CONCLUSION OF A PEACE ACCORD THE PROFESSED GOAL OF BOTH SIDES. THE ACCORD WILL SET THE STAGE FOR THE NEXT PHASE OF RWANDA'S TRANSITION TO A MULTI-PARTY POLITICAL SYSTEM, NAMELY, A NEW TRANSITION GOVERNMENT THAT WILL INCLUDE THE RPF IN DECISION-MAKING LEADING TO MULTI-PARTY ELECTIONS.

5. DESPITE THE DIFFICULT MOMENTS AND SOME TEMPORARY STALLING OR BACKSLIDING DURING THE PAST YEAR, THE MOMENTUM IS UNDISPUTABLY FORWARD. IT APPEARS TO US THAT THE PROCESS OF DEMOCRATIZATION HAS BECOME IRREVERSIBLE. THERE IS A COMMITMENT ON THE PART OF ALL THE PARTIES THAT HAS ENABLED THEM TO PULL BACK FROM EACH PRECIPICE THEY HAVE REACHED TO MORE SOLID

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GROUND ROOTED IN COMPROMISE.

6. IF WE ARE RIGHT, THE TIME SHOULD COME SOON WHEN WE WILL WANT TO BE ABLE TO CONTINUE TO ENCOURAGE THE PROCESS WITH SUBSTANTIAL ASSISTANCE SO THAT RWANDA'S LEADERSHIP, THAT HAS STRUGGLED TO STEER A STEADY COURSE THROUGHOUT THE LAST YEAR, CAN CONSOLIDATE ITS GAINS AND MOVE THE ECONOMY FORWARD SO THE PEOPLE WILL REBEL THE BENEFITS OF THE PROCESS TOWARD DEMOCRACY. WE ALSO WANT TO DEMONSTRATE OUR SUPPORT FOR THE

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PROMOTORS OF DEMOCRATIC CHANGE AT THIS CRUCIAL POINT IN RWANDA'S POLITICAL AND ECONOMIC DEVELOPMENT.

FREEDOM OF THE PRESS

7. LEGAL GUARANTEES/CONSTRAINTS

-- RWANDA'S CONSTITUTION PROVIDES FOR FREEDOM OF SPEECH AND PRESS. THE 1991 PRESS LAW PROVIDES STIFF PENALTIES FOR INSULTING THE PRESIDENT AND REQUIRES

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Date Printed: 12/31/1997 DOC_NUMBER: 93KIGALI01270
leName : .../t930338/aaaabczx.tel

CHANNEL: n/a

RPE-01 /067W

-----AB6433 251006Z /38

P 250945Z MAR 93
FM AMEMBASSY KIGALI
TO SECSTATE WASHDC PRIORITY 3415
USIA WASHDC 8848

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STATE FOR AF/EPS, AF/RA, AF/C, AND HA
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EDITORS TO FILE COPIES OF EACH EDITION OF THEIR
NEWSPAPER WITH SPECIFIED AUTHORITIES, INCLUDING THE
MINISTRY OF JUSTICE AND THE PUBLIC PROSECUTOR PRIOR
TO DISTRIBUTION. THERE IS NO REQUIREMENT IN THE LAW
FOR PRIOR APPROVAL OF CONTENT.

B. OWNERSHIP AND CONTROL
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-- RWANDA HAS HAD AN INDEPENDENTLY-OWNED AND MANAGED
PRESS SINCE 1933 WHEN THE CATHOLIC CHURCH LAUNCHED
KINYAMATEKA, A NATIONAL LANGUAGE BIMONTHLY.

-- WITH THE NEW CONSTITUTION OF JUNE 1991 AND THE
ADVENT OF POLITICAL PARTIES, THE PRIVATE PRESS
BLOSSOMED TO OVER 60 NEWSPAPERS. IN ALL, SOME 200
HAVE APPEARED, BUT AT PRESENT ABOUT 30 PUBLISH
REGULARLY. IN ADDITION, TWO PRIVATE BUSINESS
MAGAZINES HAVE BEEN SUCCESSFULLY LAUNCHED.

-- THERE ARE NUMEROUS PRIVATE PRINTING COMPANIES FOR
NEWSPAPERS TO CHOOSE FROM, ALTHOUGH THE CHEAPEST IS
GOVERNMENT-RUN. THERE, HOWEVER, NEWSPAPER PRINTING
JOBS SOMETIMES SUFFER DELAYS IN FAVOR OF SENIOR
OFFICIALS' PRINTING NEEDS. NEWSPRINT IS IMPORTED AND
SOLD BY BUSINESSMEN WITHOUT GOVERNMENT INTERFERENCE.

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NATIONAL DISTRIBUTION IN RWANDA, EVEN BY THE GOVERNMENT, IS INFORMAL, RELATIVELY DISORGANIZED, AND NOT AT ALL TIMELY. THE PRIVATE MEDIA IS TRYING TO DEVELOP ITS OWN COMMERCIAL DISTRIBUTION MEANS BUT SO FAR WITH LIMITED SUCCESS.

9. FREEDOM OF EXPRESSION IN THE MEDIA

-- THE GOVERNMENT DOES NOT SEEK TO CENSOR OR CONTROL THE PRIVATE PRESS. RECENTLY, HOWEVER, THE MINISTER OF INFORMATION ESTABLISHED A THREE-PERSON COMMITTEE TO SCREEN NEWS BROADCASTS OF THE GOVERNMENT-CONTROLLED RADIO STATION TO ELIMINATE MATERIAL

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PRJUDICIAL TO THE PEACE PROCESS AND NATIONAL RECONCILIATION. THERE IS NO EVIDENCE THAT THIS COMMITTEE IS FUNCTIONING.

-- HARASSMENT OF JOURNALISTS VIRTUALLY CEASED AFTER THE MULTI-PARTY TRANSITION GOVERNMENT TOOK OFFICE IN MID-APRIL 1992. THE THEN MINISTER OF JUSTICE PLEDGED THAT NO JOURNALISTS WOULD BE TAKEN INTO CUSTODY UNLESS TRIED AND CONVICTED. SECURITY CHARGES ARE PENDING AGAINST THREE JOURNALISTS, BUT THE SECURITY COURT IS MORE OR LESS DEFUNCT PENDING ITS DISSOLUTION.

-- THERE IS NO TRADITION OF THE GOVERNMENT BANNING OR SUSPENDING PUBLICATION OF PRIVATE NEWSPAPERS IN RWANDA. THE ONE-YEAR OLD TRANSITION GOVERNMENT HAS NOT SEIZED ANY PUBLICATIONS. HOWEVER, IN EARLY APRIL 1992, BEFORE THE CURRENT GOVERNMENT TOOK OFFICE, ONE ISSUE OF A PRIVATE BIMONTHLY NEWSPAPER WAS CONFISCATED, REPORTEDLY OVER ALLEGATIONS LINKING THE PRESIDENT TO ARMS TRAFFICKING.

-- THERE IS NO EVIDENCE THAT PAST REPRISALS HAVE RESULTED IN SELF-CENSORSHIP OF THE PRESS. INDEED, PRIVATE JOURNALISTS CLAIM THEY DO NOT TEMPER THEIR ARTICLES OR CARTOONS FOR FEAR OF REPRISALS.

FREEDOM OF ASSOCIATION

10. WITH THE 1991 OPENING OF THE POLITICAL SYSTEM, THERE HAS BEEN ENORMOUS GROWTH IN RWANDA'S CIVIL

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SOCIETY. RWANDA'S 1991 CONSTITUTION PROVIDES FOR
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FREEDOM OF ASSOCIATION AND ASSEMBLY. PERMITS,
REQUIRED FOR OUTDOOR RALLIES, DEMONSTRATIONS, AND
MEETINGS IN PUBLIC PLACES ARE ROUTINELY GRANTED,
UNLESS THE REQUEST FAILS TO CONFORM TO ADVANCE NOTICE
REQUIREMENTS OR SECURITY IS CONSIDERED A PROBLEM.
ASSOCIATIONS AND POLITICAL PARTIES ARE REQUIRED TO
REGISTER WITH THE DEPARTMENTS OF JUSTICE AND
INTERIOR, RESPECTIVELY. REGISTRATIONS ARE ALSO
ROUTINELY GRANTED.

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P 250945Z MAR 93
FM AMEMBASSY KIGALI
TO SECSTATE WASHDC PRIORITY 3416
USIA WASHDC 8849

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30789

Date Printed: 12/31/1997 DOC_NUMBER: 93KIGALI01270
leName : .../t930338/aaaabczx.tel

CHANNEL: n/a

STATE FOR AF/EPS, AF/RA, AF/C, AND HA
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E.O. 12356: N/A

TAGS: EAID, PHUM, KDEM, RW

SUBJECT: DEMOCRACY/GOVERNANCE AND A.I.D. BUDGET

11. POLITICAL PARTIES. A JULY 1991 POLITICAL PARTIES LAW, IMPLEMENTING THE MULTI-PARTY SYSTEM INTRODUCED WITH RWANDA'S 1991 CONSTITUTION, PERMITS ANY GROUP OF 30 OR MORE PERSONS TO APPLY TO THE GOVERNMENT FOR RECOGNITION AS A POLITICAL PARTY. SIXTEEN POLITICAL PARTIES ARE CURRENTLY REGISTERED AND ACTIVELY PARTICIPATE IN THE POLITICAL LIFE OF THE COUNTRY.

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POLITICAL PARTY RALLIES ARE ROUTINELY HELD THROUGHOUT THE COUNTRY, EXCEPT IN THE COMBAT ZONE, WITHOUT OFFICIAL INTERFERENCE OR OBSTRUCTION. LEGAL PROTEST DEMONSTRATIONS OCCURRED ON SEVERAL OCCASIONS IN THE PAST YEAR. IN SOME CASES INTIMIDATION AND VIOLENCE HAVE BEEN USED BY POLITICAL PARTIES TO ENCOURAGE PARTY AFFILIATION OR DISSUADE DEFECTIONS. UNAUTHORIZED POLITICAL DEMONSTRATIONS AND CLASHES OF OPPOSING PARTY YOUTH HAVE RESULTED IN MATERIAL DAMAGE, DEATHS, AND NUMEROUS INJURIES. ALTHOUGH SOME LOCAL PARTY OFFICIALS HAVE BEEN ARRESTED IN THE WAKE OF PARTY VIOLENCE, NO PARTIES HAVE BEEN BANNED OR OTHERWISE RESTRICTED IN THEIR ACTIVITIES. FOLLOWING RENEWED HOSTILITIES IN FEBRUARY BETWEEN GOVERNMENT AND REBEL FORCES, THE PRESIDENT CALLED ON POLITICAL PARTIES TO REFRAIN FROM HOLDING PARTY MEETINGS FOR THE TIME BEING. PARTY LEADERS AND THE COALITION GOVERNMENT OFFICIALLY REJECTED THIS PROSCRIPTION. HOWEVER, NO POLITICAL RALLIES HAVE BEEN HELD SINCE THE PRESIDENT'S STATEMENT.

12. PROFESSIONAL AND BUSINESS ORGANIZATIONS. SUCH ORGANIZATIONS CONTINUED TO PROLIFERATE IN 1992. THERE ARE NO PROSCRIPTIONS ON THEIR ACTIVITIES. HOWEVER, THE GENERAL LACK OF FINANCIAL RESOURCES AND ORGANIZATIONAL ABILITY HAVE LIMITED THEIR EFFECTIVENESS AS ADVOCACY GROUPS.

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Date Printed: 12/31/1997 DOC_NUMBER: 93KIGALI01270
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13. HUMAN RIGHTS ORGANIZATIONS. THE FIVE HUMAN RIGHTS ORGANIZATIONS ACTIVE IN MONITORING AND PROVIDING ADVOCACY SERVICES IN 1992 ARE THE EXCEPTION
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TO THE ABOVE. IN 1992, THESE GROUPS EXPANDED THEIR ACTIVITIES AND STRENGTHENED THEIR ABILITY TO PLAY AN EFFECTIVE WATCHDOG ROLE. TOGETHER OR INDIVIDUALLY THESE GROUPS INVESTIGATED INSTANCES OF ETHNIC VIOLENCE, PARTY VIOLENCE, AND ALLEGATIONS OF OTHER HUMAN RIGHTS ABUSES. THEY PUBLISHED REPORTS AND PRB8S RELEASES, MADE REPRESENTATIONS TO PUBLIC OFFICIALS, AND WERE INSTRUMENTAL IN PROMOTING EARLY INTERVENTIONS TO REDRESS OR CONTAIN ABUSES. THE HUMAN RIGHTS GROUPS INVITED AN INDEPENDENT INTERNATIONAL COMMISSION TO RWANDA IN JANUARY 1993 TO INVESTIGATE HUMAN RIGHTS ABUSES SINCE THE OUTBREAK OF WAR IN OCTOBER 1990 (SEE BELOW FOR FINDINGS). THE GOVERNMENT HAS NOT INTERFERED WITH THE ACTIVITIES OF THESE ORGANIZATIONS. TO THE CONTRARY, THE HUMAN RIGHTS GROUPS DEVELOPED A USEFUL WORKING RELATIONSHIP WITH THE MULTI-PARTY TRANSITION GOVERNMENT. NEVERTHELESS, HUMAN RIGHTS MONITORS, REPORTED THROUGHOUT THE YEAR INSTANCES OF HARASSMENT AND INTIMIDATION, INCLUDING DEATH THREATS AND ATTACKS ON THEIR FAMILIES, FROM UNIDENTIFIED SOURCES. IN EARLY 1993, TWO ADDITIONAL HUMAN RIGHTS ORGANIZATIONS WERE FORMED. BOTH GROUPS HAVE INDICATED THEIR INTENTION TO CONCENTRATE GREATER ATTENTION ON ABUSES BY THE REBELS ON VICTIMS OF THE WAR, INCLUDING DISPLACED PERSONS. NEITHER GROUP HAS YET HAD MUCH IMPACT.

14. LABOR ORGANIZATIONS. CESTRAR, THE CENTRAL UNION OF RWANDAN WORKERS THAT BECAME INDEPENDENT OF THE FORMER SINGLE POLITICAL PARTY IN 1991, CONTINUES TO BE THE MOST SIGNIFICANT OF RWANDA'S LABOR UNIONS.
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NEVERTHELESS, FOUR OTHER UNIONS HAVE BEEN RECOGNIZED BY THE GOVERNMENT IN THE PAST TWO YEARS. STRIKES ARE

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CHANNEL: n/a

PERMITTED UNDER THE CONSTITUTION. THE UNIONS HAVE NOT CALLED ANY STRIKES IN THE PAST YEAR. HOWEVER, UNORGANIZED WORKERS AT A NUMBER OF BUSINESS ESTABLISHMENTS CONDUCTED BRIEF STRIKES TO PROTEST WAGES OR CONDITIONS OF WORK OR BOTH. THE GOVERNMENT

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P 250945Z MAR 93
FM AMEMBASSY KIGALI
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STATE FOR AF/EPS, AF/RA, AF/C, AND HA
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HAS NOT INTERFERED WITH THESE LABOR ACTIONS;
INSTEAD, IT ACTED AS FACILITATOR IN NEGOTIATIONS
BETWEEN THE WORKERS AND MANAGEMENT.

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Printed: 12/31/1997 DOC_NUMBER: 93KIGALI01270
FileName : .../t930338/aaaabczx.tel

CHANNEL: n/a

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15. GENDER ORGANIZATIONS. WOMEN'S ORGANIZATIONS HAVE CONTINUED TO STRENGTHEN AND PROLIFERATE DURING 1992. NON-PARTISAN WOMEN'S ORGANIZATIONS HAVE JOINED

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TOGETHER IN A CONSORTIUM TO FACILITATE COLLECTIVE ACTION ON ISSUES OF MUTUAL INTEREST. ONE WOMEN'S GROUP, ORGANIZED IN 1991, HELD A SERIES OF SEMINARS IN FEBRUARY 1993 (USING U.S. DEMOCRACY AND HUMAN RIGHTS FUNDS) TO TRAIN WOMEN IN THE PRINCIPLES AND PRACTICES OF DEMOCRACY IN ORDER TO INCREASE THEIR PARTICIPATION IN THE DEMOCRATIC PROCESS. THE GOVERNMENT HAS NOT INTERFERED WITH THE FORMATION OR THE ACTIVITIES OF THESE WOMEN'S ORGANIZATIONS. THE GOVERNMENT MINISTRY FOR WOMEN'S AFFAIRS, ESTABLISHED BY THE COALITION GOVERNMENT AND HEADED BY A MINISTER FROM THE PRESIDENT'S PARTY, HAS COOPERATED WITH THE INDEPENDENT WOMEN'S ORGANIZATIONS ON SOME ISSUES; ON OTHERS THEY HAVE BEEN IN COMPETITION. MANY OF THE POLITICAL PARTIES HAVE ESTABLISHED WOMEN'S WINGS; THEY HAVE SO FAR PLAYED LITTLE IF ANY ROLE IN THE POLITICAL PROCESS. A WOMEN'S POLITICAL PARTY HAS ATTRACTED LITTLE SUPPORT SINCE IT WAS REGISTERED IN MID-1992.

16. FARMER OR RURAL GROUPS. RURAL COOPERATIVES EXIST THROUGHOUT RWANDA. SOME HAVE BEEN FORMED AT THE INSTIGATION OF LOCAL GOVERNMENT OFFICIALS. MOST, HOWEVER, ARE SPONTANEOUS GROUPS OF RURAL RWANDANS. ALL COOPERATIVES MUST BE REGISTERED WITH THE GOVERNMENT, BUT THEY ARE PERMITTED TO BEGIN FUNCTIONING EVEN BEFORE THE APPLICATION IS APPROVED. RURAL WOMEN'S GROUPS NUMBER IN THE THOUSANDS, ACCORDING TO A SURVEY BY THE WOMEN'S DEVELOPMENT ARM OF THE FORMER SINGLE PARTY.

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17. RELIGIOUS ORGANIZATIONS. RELIGIOUS FREEDOM IS GUARANTEED BY RWANDA'S CONSTITUTION. RWANDANS ARE

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CHANNEL: n/a

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OVERWHELMINGLY CHRISTIAN, WITH CATHOLICISM PREDOMINATING. MUSLIMS CONSTITUTE A SMALL MINORITY BUT FREELY PRACTICE THEIR RELIGION THROUGHOUT THE COUNTRY. IN A POLICY REVERSAL, JEHOVAH'S WITNESSES WBRB GRANTED THE RIGHT TO PRACTICE THEIR RELIGION IN RWANDA IN APRIL 1992. A JOINT CATHOLIC-PROTESTANT "CONTACT GROUP" PLAYED A SIGNIFICANT ROLE DURING 1992 IN KEEPING THE DEMOCRATIZATION AND PEACE PROCESSES MOVING FORWARD. AT SEVERAL CRITICAL POINTS, THE "CONTACT GROUP" INTERVENED TO BREAK AN IMPASSE BY RECOMMENDING A COMPROMISE SOLUTION AFTER HEARING THE CONCERNS OF ALL SIDES.

HUMAN RIGHTS

18. DURING 1992, THE EXERCISE OF THE FREEDOMS OF SPEECH, ASSEMBLY, ASSOCIATION, AND MOVEMENT INCREASED IN RWANDA, THUS STRENGTHENING AND REINFORCING DEVELOPMENT OF A CIVIL SOCIETY. NEVERTHELESS, RWANDANS EXPERIENCED SIGNIFICANT HUMAN RIGHTS ABUSES IN THE PAST YEAR. MANY ABUSES WERE RELATED TO THE CONFLICT WITH THE RPF IN WHICH BOTH SIDES HAVE BEEN RESPONSIBLE FOR INJURIES AND DEATH TO CIVILIANS. THE NUMBER OF PERSONS DISPLACED BY THE WAR JUMPED TO 350,000 FOLLOWING RPF ATTACKS IN JUNE AND SKYROCKETED TO NEARLY ONE MILLION FOLLOWING RENEWED RPF ATTACKS IN FEBRUARY 1993. OUTSIDE THE CONFLICT AREA, ETHNIC VIOLENCE, POLITICAL STRIFE, BOMB EXPLOSIONS AND ARMED ASSAULTS CREATED A CLIMATE OF INCREASING INTERNAL

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INSECURITY. ETHNIC VIOLENCE IN THE PAST YEAR RESULTED IN MORE THAN 600 DEATHS AND THE TEMPORARY DISPLACEMENT OF UP TO 20,000 PEOPLE. POLITICAL PARTISANS, ESPECIALLY THE YOUTH WINGS OF THE POLITICAL PARTIES, USED VIOLENCE AND INTIMIDATION AGAINST OPPONENTS IN EFFORTS TO CONTROL THE POLITICAL PROCESS.

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Date Printed: 12/31/1997 DOC_NUMBER: 93KIGALI01270
leName : .../t930338/aaaabczx.tel

CHANNEL: n/a

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	RPE-01	/067W					

-----AB64DE 251011Z /38

P 250945Z MAR 93
FM AMEMBASSY KIGALI
TO SECSTATE WASHDC PRIORITY 3418
USIA WASHDC 8851

UNCLAS SECTION 05 OF 08 KIGALI 01270

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19. REPORTS OF EXTRAJUDICIAL KILLINGS, TORTURE,
DISAPPEARANCES, ARBITRARY ARREST, AND BEATINGS OF
DETAINEES VIRTUALLY CEASED AFTER THE COALITION
GOVERNMENT TOOK OFFICE IN APRIL 1992. HOWEVER,
FOLLOWING THE RPF ATTACK OF FEBRUARY 1993, THESE
ABUSES BEGAN TO RECUR. IN THE PAST MONTH, HUMAN
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RIGHTS ORGANIZATIONS HAVE DOCUMENTED RESPONSIBILITY

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Printed: 12/31/1997 DOC_NUMBER: 93KIGALI01270
FileName : .../t930338/aaaabczx.tel

CHANNEL: n/a

OF SECURITY FORCES IN ARBITRARY ARRESTS, BEATINGS, DISAPPEARANCES, AND EVEN DEATH OF PERSONS SUSPECTED OF BEING RPF SYMPATHIZERS OR POLITICAL OPPONENTS OF THE FORMER RULING PARTY. THEY HAVE ALSO IMPLICATED THE INTERAHAMWE, THE YOUTH GROUP OF THE PRESIDENT'S PARTY, IN KILLINGS OF TUTSIS NOT FAR FROM KIGALI. THE BJGOGWE, A TUTSI SUB-CLAN, CONTINUE TO DISAPPEAR AND TO BE KILLED AT THE HANDS OF GOVERNMENT AUTHORITIES AND LOCAL CITIZENS.

20. SINCE ITS FEBRUARY OFFENSIVE BEGAN, THE REBEL RPF HAS BEEN RESPONSIBLE FOR AN UNDETERMINED NUMBER OF CIVILIAN CASUALTIES, THE DISPLACEMENT OF UP TO ONE MILLION CIVILIANS, AN UNDETERMINED NUMBER OF TARGETED ASSASSINATIONS AND TERRORIST EXECUTIONS, DEPORTATION OF SOME CIVILIANS TO UGANDA, AND PROBABLY SOME LOOTING. ALLEGATIONS OF DELIBERATE RPF MASSACRES OF LARGE NUMBERS OF ASSEMBLED CIVILIANS CANNOT BE CONFIRMED.

21. IN JANUARY 1993, AN INDEPENDENT INTERNATIONAL COMMISSION, INVITED TO RWANDA BY A GROUP OF HUMAN RIGHTS ORGANIZATIONS, SPENT TWO WEEKS INVESTIGATING COMMUNAL VIOLENCE AND HUMAN RIGHTS ABUSES ASSOCIATED WITH THE TWO-YEAR OLD WAR. THE COMMISSION DOCUMENTED 1990, 1991, AND 1992 MASSACRES RESULTING IN THE DEATHS OF OVER 2,000 PEOPLE AND DETERMINED THAT MILITARY AND CIVILIAN OFFICIALS WERE IMPLICATED IN DIRECTING THESE KILLINGS. THE COMMISSION NOTED THAT THE PRINCIPAL VICTIMS OF THESE MASSACRES WERE

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MINORITY TUTSI AND POLITICAL OPPONENTS OF THE FORMER SINGLE PARTY, THE MRND. THE COMMISSION SAID ITS WITNESSES CONFIRMED THE EXISTENCE OF A GROUP OF PEOPLE AROUND THE PRESIDENT WHO ORGANIZE MASSACRES, POLITICAL CONFRONTATIONS AND ASSASSINATIONS. THE COMMISSION NOTED THAT NO OFFICIALS HAD BEEN DISCIPLINED ADMINISTRATIVELY OR JUDICIALLY FOR THEIR ROLE IN THESE HUMAN RIGHTS ABUSES. THE COMMISSION ALSO REPORTED THAT WITNESSES TESTIFIED TO RPF ATTACKS ON CIVILIANS, SUMMARY EXECUTIONS, KIDNAPPINGS, AND THE DISTRUCTION AND LOOTING OF CIVILIAN PROPERTY.

22. THE COMMISSION CONTENTED THAT THE MASSACRES AND

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OTHER HUMAN RIGHTS ABUSES IT DOCUMENTED SUPPORTED THE CONCLUSION THAT THERE EXISTS A DELIBERATE POLICY IMPLEMENTED BY THE "HIGHEST LEVELS OF THE GOVERNMENT" TO EXACERBATE HUTU-TUTSI TENSIONS IN ORDER TO STRENGTHEN ITS HUTU POWER BASE AND SLOW DOWN DEMOCRATIC REFORM. (COMMENT. THIS CONCLUSION, IN THE VIEW OF THE MISSION, IS A POLITICAL JUDGMENT THAT CANNOT BE SUPPORTED ON THE BASIS OF THE EVIDENCE PRESENTED IN THE REPORT. END COMMENT.)

PUBLIC SECTOR TRANSPARENCY AND EFFECTIVENESS

23. THE COMMENTARY IN REF B REMAINS VALID IN 1993. WHILE THIS HAS BEEN A YEAR OF CONSIDERABLE POLITICAL MANEUVERING AND SOME MATURING OF THE POLITICAL PROCESS AS IT AFFECTS PUBLIC SECTOR TRANSPARENCY, THE MAJOR FOCUS HAS BEEN ON RESOLUTION OF THE REBEL CONFLICT. CREATION OF THE MULTI-PARTY GOVERNMENT,
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WITH THE MINISTRY OF FINANCE GOING TO ONE OF THE OPPOSITION PARTIES, CLEARLY EXPANDED THE "INSIDER" GROUP. NOW, AT LEAST THE FIVE MAJOR PARTIES HAVE A MORE COMPLETE PICTURE OF THE BUDGET SITUATION.

24. USAID HAS GAINED ADDITIONAL INSIGHT INTO THE GOVERNMENT BUDGET PROCESS AND THEIR ACCOUNTS THROUGH THE REVIEWS OF DISBURSEMENTS UNDER THE PMPR PROGRAM.

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ACTION AF-01

INFO . LOG-00	AID-01	AMAD-01	CIAE-00	C-01	OASY-00	DODE-00
EB-01	HA-09	H-01	TEDE-00	INR-00	IO-19	LAB-04
L-03	ADS-00	NSAE-00	NSCE-00	OIC-02	PA-02	PM-02
PRS-01	P-01	SIL-00	SP-00	SR-00	STR-17	TRSE-00
RPE-01	/067W					

-----AB650D 251013Z /38

P 250945Z MAR 93
FM AMEMBASSY KIGALI
TO SECSTATE WASHDC PRIORITY 3419
USIA WASHDC 8852

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STATE FOR AF/EPS, AF/RA, AF/C, AND HA
STATE PASS AID FOR AFR/EA, AFR/ARTS, AWD AFR/ONI
USIS FOR AF/ROCHESTER AND VERON-SULLIVAN

E.O. 12356: N/A
TAGS: EAID, PHUM, KDEM, RW
SUBJECT: DEMOCRACY/GOVERNANCE AND A.I.D. BUDGET

THE MINISTRY OF FINANCE READILY OPENED ITS BOOKS FOR
FULL REVIEW BY MISSION STAFF AND BY RIG AUDITORS.
THERE WAS NO RESISTANCE AND NO COVERING UP. BOTH THE
LOCAL CURRENCY EXPENDITURES FOR RETIREMENT OF DEBT
ARREARS AND THE HARD CURRENCY IMPORT DATA WERE MADE
AVAILABLE TO US WITHOUT QUESTION. WHILE WE CANNOT
SAY THAT ANY RWANDAM OFF THE STREET COULD GET THIS
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KIND OF ACCESS, IT DOES REFLECT TRANSPARENCY.

25. IN THE DEBT RETIREMENT PORTION OF THE PMPR
PROGRAM, THE MINISTRY OF FINANCE PUBLICLY ANNOUNCED
ITS PROGRAM TO RETIRE "UNAPPROVED ARREARS" TO GIVE
ALL CREDITORS AN OPPORTUNITY TO PRESENT THEIR CASES.
THE PROCESS OF REVIEW AND APPROVAL OF THESE
"UNAPPROVED ARREARS" WAS BASICALLY TRANSPARENT AND WE
HAVE HEARD NO SUBSTANTIVE COMPLAINTS FROM THE
BUSINESS COMMUNITY.

26. CONCERNING THE ADDITIONAL QUESTIONS IN REF C

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REGARDING THE MILITARY BUDGET, THE KEY FACTOR IS THAT RWANDA IS A COUNTRY AT WAR. THUS THE MILITARY EXPENDITURES HAVE BEEN HIGH. AS REPORTED IN REF D, OUR COMMENTARY ON THE ECONOMIC SIDE FOR THE ALLOCATION PROCESS, MILITARY SPENDING AMOUNTED TO SEVEN PERCENT OF GDP BY MID 1992 COMPARED TO A TARGET OF TWO PERCENT AND A HISTORICAL AVERAGE BEFORE THE CONFLICT OF TWO-THREE PERCENT. DEVELOPMENT SPENDING, OUTSIDE OF EXTERNAL GRANT FUNDS, HAS DECLINED SIGNIFICANTLY WITH THE SOCIAL PROGRAMS BEING PARTICULARLY HARD HIT. OUR BOTTOM LINE WOULD BE: YES, THE MILITARY EXPENDITURES ARE EXCESSIVE AND CROWDING OUT DEVELOPMENT EXPENDITURES, BUT NO, THEY ARE NOT UNREASONABLE GIVEN THE INVASIVE THREAT OF THE RPF. THE ONLY SOLUTION TO THE FISCAL ILLS IS PEACE.

27. THIS USE OF FINANCIAL RESOURCES FOR DEFENSE DOES NOT SHOW IN THE BUDGET PREPARED AT THE BEGINNING OF THE YEAR, BECAUSE IT WAS PREPARED UNDER THE

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ASSUMPTION OF AN END TO THE CONFLICT AND THUS REDUCED MILITARY EXPENDITURES. HOWEVER, THE BUDGET IS NOT CURRENTLY A GOOD INDICATOR OF ACTUAL EXPENDITURES. THE MILITARY BUDGET IS OVERSPENT AND THE SOCIAL SERVICES BUDGET UNDERSPENT.

28. THE GOVERNMENT IS CURRENTLY ESTIMATING THE COST OF THE FEBRUARY RENEWED CONFLICT AT 20 BILLION RWANDAN RRANCs FOR THE MILITARY AND ANOTHER 20 BILLION FOR THE ONE MILLION DISPLACED. THE ARUSHA ACCORDS THEMSELVES WIL LAY DOWN A YET UNDETERMINED BUT CLEARLY SIGNIFICANT DEMAND ON FUTURE BUDGET RESOURCES WITH THE COSTS OF INTEGRATING ARMIES, DEMOBILIZATION, REINSERTION OF THE DISPLACED AND RETURN OF REFUGEES. IT APPEARS THAT THESE COSTS WILL BE PRESENTED VERY TRANSPARENTLY AS THE GOVERNMENT SEEKS DONOR FINANCING.

29. CRYSTAL BALL. THE GOVERNMENT HAS A SOLID COMMITMENT TO IMPROVING ITS BUDGET PROCESS AND MANAGEMENT OF ITS BUDGET. WHEN USAID INITIATED ITS DISCUSSIONS OF THE BUDGET REFORM PROGRAM WITH THE GOVERNMENT, WE FOUND STRONG SUPPORT AND ENTHUSIASM FOR THIS PROGRAM FROM THE MINISTRY OF FINANCE AT THE

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LEVEL OF THE MINISTER AND AT THE TECHNICAL LEVEL.
THE MINISTRIES OF PLANNING AND FOREIGN AFFAIRS WERE
ALSO VERY SUPPORTIVE OF THIS MAJOR INITIATIVE TO
INSTALL RIGOR IN THE BUDGET AND FINANCE SYSTEMS.
THESE MINISTRIES REPRESENT BOTH THE MRND (PRIOR
SINGLE PARTY) AND OPPOSITION PARTIES AND, THEREFORE,
WE WOULD JUDGE THAT THE GOODWILL AND COMMITMENT ARE
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THERE BUT, UNTIL THE CONFLICT IS RESOLVED, THERE IS
LITTLE HOPE OF REAL PROGRESS.

PUBLIC ACCOUNTABILITY

30. ABILITY TO CHANGE POLICIES.

-- THE RIGHT OF RWANDANS TO CHANGE THEIR GOVERNMENT,
EMBODIED IN THE 1991 CONSTITUTION, WAS NOT TESTED IN

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ACTION AF-01

INFO	LOG-00	AID-01	AMAD-01	CIAE-00	C-01	OASY-00	DODE-00
	EB-01	HA-09	H-01	TEDE-00	INR-00	IO-19	LAB-04
	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02	PA-02	PM-02
	PRS-01	P-01	SIL-00	SP-00	SR-00	STR-17	TRSE-00
	RPE-01	/067W					

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P 250945Z MAR 93
FM AMEMBASSY KIGALI

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File Printed: 12/31/1997 DOC_NUMBER: 93KIGALI01270
FileName : .../t930338/aaaabczx.tel

CHANNEL: n/a

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TO SECSTATE WASHDC PRIORITY 3420
USIA WASHDC 8853

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STATE FOR AF/EPS, AF/RA, AF/C, AND HA
STATE PASS AID FOR AFR/EA, AFR/ARTS, AND AFR/ONI
USIS FOR AF/ROCHESTER AND VERON-SULLIVAN

E.O. 12356: N/A

TAGS: EAID, PHUM, KDEM, RW

SUBJECT: DEMOCRACY/GOVERNANCE AND A.I.D. BUDGET

FREE AND FAIR ELECTIONS IN 1992. A DRAFT ELECTORAL
LAW SETTING OUT A MULTI-PARTY ELECTORAL PROCESS AND A
DRAFT LAW TO CREATE AN INDEPENDENT ELECTORAL
COMMISSION, PENDING CONSIDERATION BY THE GOVERNMENT
SINCE MARCH 1992, HAVE BEEN PUT ON HOLD UNTIL PEACE
NEGOTIATIONS ARE CONCLUDED AND AN ENLARGED TRANSITION
GOVERNMENT TO INCLUDE THE RPF IS ESTABLISHED.

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-- THE TIMING OF ELECTIONS REMAINS A
N ISSUE. THE
FORMER SINGLE PARTY AND ITS ALLIES ADVOCATE EARLY
ELECTIONS, WHILE THE OPPOSITION PARTIES AND THE RPF
WANT TO PUSH THEM OFF UNTIL THEY CAN BE ASSURED THE
ELECTION PROCESS WILL BE FREE AND FAIR, I.E., NOT
CONTROLLED BY OFFICIALS APPOINTED OR ELECTED UNDER
THE FORMER SINGLE-PARTY REGIME. THE COALITION
TRANSITION GOVERNMENT ADDRESSED THIS ISSUE IN ITS
PROGRAM OF "ASSAINISSEMENT", OR REVITALIZATION, OF THE
LOCAL ADMINISTRATION. THE PRESIDENT'S PARTY BLOCKED
FOR SIX MONTHS CONSIDERATION OF THE REPORT OF A
COMMISSION TASKED WITH EVALUATING THE PERFORMANCE OF
LOCAL OFFICIALS AND RECOMMENDING REPLACEMENT OF THOSE
WHOSE BEHAVIOR WAS FOUND MOST EGREGIOUS. NOW,
HOWEVER, SINCE THE RPF'S FEBRUARY OFFENSIVE, THE
GOVERNMENT IS BEGINNING TO MAKE HEADWAY ON CHANGING
LOCAL OFFICIALS. FOLLOWING A NOMINATION PROCEDURE
THAT WILL INVOLVE CURRENT OFFICIALS AND CIVIL
SERVANTS AS WELL AS REPRESENTATIVES OF POLITICAL AND
SOCIAL GROUPINGS, 41 NEW LOCAL ADMINISTRATORS ARE TO

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Date Printed: 12/31/1997 DOC_NUMBER: 93KIGALI01270
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CHANNEL: n/a

BE APPOINTED WITHIN THE NEXT MONTH TO FILL VACANCIES DUE TO DEATH, RESIGNATION, OR SUSPENSIONS. LITTLE BY LITTLE, THE FORMER RULING PARTY IS LOSING ITS NATIONWIDE GRIP ON THE ADMINISTRATION OF GOVERNMENT BUSINESS, ALTHOUGH IT IS EXPECTED TO RETAIN ITS CONTROL IN REGIONS WHERE ITS FOLLOWERS PREDOMINATE.

-- RWANDA'S 70-PERSON LEGISLATURE, ELECTED UNDER A SINGLE-PARTY PROCESS IN 1988, IS STILL DOMINATED BY THE FORMER RULING PARTY, ALTHOUGH NEARLY A THIRD OF
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THE LEGISLATORS HAVE DECLARED THEMSELVES FOR OTHER PARTIES. THE REPRESENTATIVES HAVE A GEOGRAPHIC BASE AND MAKE AN EFFORT TO RESPOND TO THEIR CONSTITUENTS. THE INTRODUCTION OF LEGISLATION IS THE CONSTITUTIONAL PREROGATIVE OF DEPUTIES AND THE PRESIDENT. IN PRACTICE, DRAFT LAWS GENERALLY EMENDATE FROM THE GOVERNMENT. NO PROCESS CURRENTLY EXISTS FOR INVOLVING CITIZENS GROUPS IN LEGISLATIVE DELIBERATIONS. SESSIONS ARE OPEN TO THE PUBLIC, HOWEVER, AND MORE AND MORE FREQUENTLY MINISTERS ARE CALLED BEFORE THE LEGISLATURE TO EXPLAIN AND ANSWER FOR THEIR ACTIONS.

-- THE GOVERNMENT AND THE RPF HAVE AGREED TO REPLACE THIS LEGISLATURE DURING THE NEXT TRANSITION PERIOD WITH AN APPOINTED BODY TO INCLUDE REPRESENTATIVES FROM ALL 16 POLITICAL PARTIES AND THE RPF. THE DRAFT ELECTORAL LAW, WHICH THE FORTHCOMING LEGISLATURE IS EXPECTED TO CONSIDER, CALLS FOR A MIXED SYSTEM OF DIRECT REPRESENTATION OF DELINEATED CONSTITUENCIES AND PROPORTIONAL REPRESENTATION BASED ON NATIONWIDE PARTY VOTES.

31. INDEPENDENT, FUNCTIONING AND FAIR JUDICIAL SYSTEM

-- RWANDA'S CONSTITUTION PROVIDES FOR AN INDEPENDENT JUDICIAL SYSTEM. NEVERTHELESS, THE JUDICIARY IS DEPENDENT ON THE EXECUTIVE BRANCH AND DOMINATED BY PERSONS APPOINTED BY AND LOYAL TO THE FORMER SINGLE PARTY. THE PRESIDENT APPOINTS AND DISMISSES JUDGES, ALBEIT UPON THE RECOMMENDATION OF THE SUPERIOR

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COUNCIL OF MAGISTRATES, THE MINISTRY OF JUSTICE
CONTROLS THE OPERATING BUDGET OF THE JUDICIAL SYSTEM,
AND SECURITY CASES PASS THROUGH THE MINISTRY OF
JUSTICE BEFORE REACHING THE RESPONSIBLE PROSECUTOR'S
OFFICE. FURTHERMORE, THE RECONSTITUTED SUPERIOR
COUNCIL OF MAGISTRATES, ALTHOUGH CONTESTED ON
TECHNICAL GROUNDS, WOULD EFFECTIVELY ENSURE THAT
PERSONS SYMPATHETIC TO THE PRESIDENT'S PARTY WILL
CONTINUE TO CONTROL ASSIGNMENTS OF JUDICIAL OFFICERS

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ACTION AF-01

INFO	LOG-00	AID-01	AMAD-01	CIAE-00	C-01	OASY-00	DODE-00
	EB-01	HA-09	H-01	TEDE-00	INR-00	IO-19	LAB-04
	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02	PA-02	PM-02
	PRS-01	P-01	SIL-00	SP-00	SR-00	STR-17	TRSE-00
	RPE-01	/067W					

-----AB6559 251016Z /38

P 250945Z MAR 93
FM AMEMBASSY KIGALI
TO SECSTATE WASHDC PRIORITY 3421
USIA WASHDC 8854

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STATE FOR AF/EPS, AF/RA, AF/C, AND HA
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Date Printed: 12/31/1997 DOC_NUMBER: 93KIGALI01270
FileName: /t930338/aaaabczx.tel

CHANNEL: n/a

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E.O. 12356: N/A
TAGS: EAID, PHUM, KDEM, RW
SUBJECT: DEMOCRACY/GOVERNANCE AND A.I.D. BUDGET

AND APPOINTMENTS TO THE JUDICIARY. THIS SUGGESTS THAT OPPONENTS OF THE PRESIDENT AND HIS PARTY WILL CONTINUE TO BE MORE LIKELY TO BE PROSECUTED THAN WILL MRND LOYALISTS.

-- RWANDA'S JUDICIAL SYSTEM IS NEARLY PARALYZED BY ITS SUSCEPTIBILITY TO GOVERNMENT INFLUENCE AND
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MANIPULATION, APPARENT ESPECIALLY IN SECURITY OR POLITICAL CASES, BUT ALSO IN ROUTINE CASES, WHERE BRIBES OFTEN INFLUENCE JUDGMENTS. THE EFFECTIVENESS OF THE JUDICIAL SYSTEM IS ALSO HAMPERED BY THE LOW EDUCATIONAL LEVEL OF THE VAST MAJORITY OF JUDICIAL OFFICIALS, THE LACK OF MATERIAL AND EQUIPMENT FOR THE COURTS, AND THE ABSENCE OF COMPILED JURISPRUDENCE.

-- THE MINISTER OF JUSTICE OF THE COALITION TRANSITION GOVERNMENT, A MEMBER OF THE OPPOSITION LIBERAL PARTY, RESIGNED EARLY IN 1993 CHARGING THAT THE JUDICIAL SYSTEM COULD NOT BE EXPECTED TO IMPROVE INTERNAL SECURITY IN THE COUNTRY WITHOUT THE COOPERATION OF THE MINISTRIES OF INTERIOR AND DEFENSE WHICH CONTROL THE FORCES OF LAW AND ORDER.

-- AGREEMENTS REACHED IN THE PEACE NEGOTIATIONS ARE AIMED AT REVITALIZING THE PARALYZED JUDICIAL SYSTEM. SIGNED ACCORDS CALL FOR REESTABLISHMENT OF A SUPREME COURT AND REDUCED DEPENDENCY OF THE JUDICIARY ON THE EXECUTIVE BRANCH. THE RPF SEEKS IMMEDIATE APPOINTMENT OF SOME OF ITS MEMBERS TO JUDICIAL POSITIONS.
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