

Foreign Aid to Rwanda:

**Purely Beneficial
or
Contributing to War?**

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ABSTRACT

Some scholars believe it is morally wrong to hand out development aid based on political criteria and that donors should discriminate between aid recipients by the 'poverty criteria' only: those Third World governments with the poorest populations should receive most aid. Postulating that development aid only benefits those who are poor and needy, some scholars also argue that donors should support even the most misanthropic regimes, since the poor and needy in those countries will be punished twice if aid is withheld.

This dissertation discusses the validity of these arguments in relation to the Rwandan war effort in the Democratic Republic of Congo: is it true that aid to the Government of Rwanda and the private sector in Rwanda has no effect on the Rwandan participation in the Congo War, which since 1998 has claimed an estimated 2.5 million lives?

The dissertation analyses the Rwandan Army as such, the army's involvement in the Congo War, as well as what is known as 'Rwanda' and the 'Government of Rwanda', respectively. It is argued that there is in fact no Rwandan state; that the 'Government of Rwanda' is not a government but rather a euphemism meant to attract foreign aid that benefits a clan-based mafia called the Akazu; and that the army to a great extent wages its campaign in the Congo for the financial gain of the Akazu, of which the army forms a central part.

Although the Akazu systematically dominates all important aspects of the political, military and business life in Rwanda as well as all aspects of the war campaign in the Congo, it is not a coherent force. Infighting and struggles between different factions of the Akazu occur frequently and show that only one thing keeps the Akazu afloat, namely, access to wealth from three sources: domestic taxation, foreign aid, and the Congo War.

These findings have profound consequences for the impact of aid provided to the 'Government of Rwanda' and the private sector in Rwanda. I argue that the Akazu is so pervasive in political and business life in Rwanda that the given aid directly benefits Akazu members and thereby help stabilize the Akazu; a stability that is crucial to the Rwandan war effort in the Congo.

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The dissertation as a whole as well as relevant reference documents, such as private correspondence and articles, are available for download from the author's web page www.willum.com

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“Of course one has to be selective when one as a donor allocates aid, but one must not look at the political reforms but on the need for help and on where poverty is greatest [...] It is wrong to distinguish and favour those countries whose regimes conduct a policy that we like here in the West. One should rather distinguish according to the criteria of poverty and give to the poor. If you exclude countries on the basis of their form of governance, these countries will after all be hurt twice as hard [...] All experience shows that things go wrong when the donor countries force reforms on the development countries. It is better to show trust in and respect for the country and let it decide speed and the direction for itself. Then the donor country can act as supporter and adviser”

Director of the Danish Centre for Development
Research, Poul Engberg-Pedersen (27 March 2001)¹

¹ Translated into English by the author. *Politikens Netavis*, 'Hård dansk kritik af bistandsrapport fra Verdensbanken', 27 March 2001, at <http://politiken.dk/VisArtikel.sasp?PageID=153919>

“The Government of Rwanda assured us that it is not interested in the continuation of the war – which is satisfactory to us [...] We have no guarantees but we have their word”

World Bank economist Chukwuma Obidegwu in reply to a question as to whether an approved loan of US\$ 75 million would be used to sustain the Rwandan war effort in the Democratic Republic of Congo (8 February 1999)²

“Our impression was that the military activities had been financed by the [Rwandan] Government’s own resources until ’98, and that they continued to use their own resources [for this purpose], which was 4 % of GDP [...] There was not a need for a massive increase in resources [because of the Congo War] [...] We are not able to police possible illegal exploitation from the Congo. It is not the IMF’s task to travel to Congo to find out about this [...] The view we have taken on [the level of] military activities is that it was the same before and after the start of the war. We cannot exclude that natural resources are financing additional activities. [But] it is not our task to find it out”

IMF official in reply to a question on whether the Rwandan army receives extra-budgetary funding (4 June 2001)³

² Reuters, unnamed news article on IMF loan to Rwanda, 8 February 1999, quoted in Reyntjens, Filip, *Talking or Fighting? Political Evolution in Rwanda and Burundi* (Uppsala: Afrikainstitutet, 1999) (Current African Issues No. 21), p. 26

³ Confidential telephone interview with International Monetary Fund official, 2001

INTRODUCTION

Since late October 1996, Rwanda and Uganda have been actively involved in two consecutive wars in the neighbouring Democratic Republic of Congo (a.k.a. Congo-Kinshasa, or DR Congo), which have, according to the estimate of one international relief organization, cost the lives of as many as 2.5 million human beings.⁴ Most of these people died due to the almost total breakdown of the health system, while both regular armies and militias massacred hundreds of thousands. Though body counts are the object of heated political disputes, an increasing number of reports suggest that non-Congolese armies have been behind the premeditated murder of most of those victims who suffered a violent death.

At the same time, western donors have maintained an almost steady stream of aid to the governments responsible for this human disaster. Several of these deeply involved foreign countries are also on the World Bank's short list of so-called 'Highly Indebted Poor Countries' (HIPC). In fact, Uganda was even nominated by the World Bank and the International Monetary Fund (IMF) as the first country in the world to benefit from major debt relief under the HIPC initiative. A few days before New Year 2001, Rwanda was also included on this list as the two monetary institutions, also known as the Bretton Woods, recommended that donors write off US\$ 810 million of Rwanda's external debt. While aid to Zimbabwe, whose government has an estimated 11,000-12,000 troops in the Congo in support of the Congolese government, was actually curtailed during 2000, this step was not undertaken out of concern for the role played by the Zimbabwean troops in the war. Rather, the reason for the donors' dissatisfaction was Zimbabwean President Robert Mugabe's domestic political manoeuvring, such as the occupation of farms and factories by the so-called 'war veterans'.

Despite the fact that all indicators point to the Rwandan army, more precisely the *Rwandan Patriotic Army (RPA)*, as the top suspect for the heinous crimes committed in the former Eastern Zaire as well as in present-day Eastern Congo, the Government of Rwanda has certainly not been excluded from the club of the highly privileged countries that receive a lion's share of western aid to Africa. The World Bank and the IMF have – long after the outbreak of the Second Congo War in August 1998 - approved and disbursed loans worth hundreds of millions of dollars

⁴ International Rescue Committee, *Mortality Study, Eastern Democratic Republic of Congo (February-April 2001)*, 8 May 2001, at <http://www.theirc.org/news/display.cfm?releaseID=85>

to the Government of Rwanda.⁵ Foreign donors cover just above half of the Government of Rwanda's budget through grants and loans.⁶ Meanwhile, a host of international non-governmental organizations (NGOs) and the UN manage all sorts of projects covering health, refugee shelters, reconstruction of houses, the legal sector, and education.

The official explanation for continuing the payment of aid to, for instance, Rwanda rests primarily on two arguments.

The first argument says that the curtailment of aid to Rwanda will have unintended consequences and only hurt Rwanda's poor and weak population.⁷ Poor peasants, the argument continues, cannot send their children to school; homes for the survivors of the 1994 Genocide will not be reconstructed; hospitals will not be built; the 120,000 prisoners accused of participating in the Genocide and locked up in numerous overcrowded prisons will not receive a fair trial for years to come, etc. Aid only benefits the poor and the vulnerable, and a lack of such aid will therefore only be a setback for these groups, according to the first argument, which perhaps most pointedly has been expressed by the Director of the Danish Centre for Development Research, Poul Engberg-Pedersen:

It is wrong to distinguish and favour those countries whose regimes conduct a policy that we like here in the West. One should rather distinguish according to the criteria of poverty and give to the poor. If you exclude countries on the basis of their form of governance, these countries will after all be hurt twice as hard.⁸

The second argument, usually made by the same people who support the first argument, asserts that, given the previous Rwandan regime's presence in the Congo, the Government of Rwanda has if not a legal, then at least a moral right for its intervention in the Congo. From bases in the forests of Eastern Congo, these genocidal militias and ex-army elements have repeatedly staged

⁵ Much to the contrary, the Bretton Woods institutions and other donors for long turned their backs on Congo's new government and only in mid-2001 committed themselves to new aid projects. World Bank, External Affairs Department, *Development News*, 2 February 2001, at

<http://wbln0018.worldbank.org/NEWS/DEVNEWS.NSF/eb730c645da440418525673500723bf3/e3c0da0da815e775852569e7004f1a44?OpenDocument> and World Bank, External Affairs Department, *Development News*, 5 July 2001, at <http://wbln0018.worldbank.org/NEWS/DEVNEWS.NSF/eb730c645da440418525673500723bf3/f0128c398bfd5ee185256a80004a7669?OpenDocument&Highlight=2,Kinshasa#Story5>

⁶ Confer chapter on 'Rwandan Economy and Foreign Aid'

⁷ The Drop the Debt Campaign has made a very similar point with respect to a lack of debt relief. "Because whoever is to blame for the huge build-up of debt, the only people who suffer as a result are the poorest people in the world." *Drop the Debt*, 'Where we're at - a Drop the Debt briefing', n.d., at <http://www.dropthedebt.org/background/briefing.shtml>

attacks against Rwanda. Since both the former ruler of what used to be called Zaire, Mobutu Sese Seko, as well as the assassinated President of Congo, Laurent-Desiré Kabila, aided these militias, which posed a threat to Rwandan security interests, the second argument runs that Rwanda had – and still has – a right to intervene militarily in the Congo. Though most proponents of this second argument insist on a peaceful solution to the war, including a withdrawal of all foreign troops from Congolese territory, the tacit western support for the Rwandan intervention is well captured in a comment by British Minister of State for Foreign Affairs and the Commonwealth, Peter Hain:

We do not support the involvement of Rwanda or any of the parties in the DRC war, although we recognize it has legitimate security concerns⁹

Stated differently in an official statement by World Bank economist Chukwuma Obidegwu, the World Bank believes the Government of Rwanda's declaration that it is "not interested in the continuation of the war".¹⁰ Should Rwanda's security problem somehow be solved, Obidegwu seems to suggest that the RPA would be more than happy to pull out of the Congo.¹¹

Though the validity of these two arguments have occasionally been called into question by some scholars studying the region,¹² the overwhelming majority of NGOs and scholars do, on the one hand, not hesitate to condemn the flagrant human rights abuses in the Congo, but have, on the other, simultaneously been vigorous in their support for debt relief to the same governments that are involved in the Congo war. For instance, when donors in May 2000 temporarily refused to move ahead with the Ugandan debt relief program because of fighting between Rwandan and Ugandan troops over the Congolese diamond town Kisangani, the leader of the grand international Jubilee 2000 debt relief campaign was outraged:

⁸ Translated into English by the author. *Politikens Netavis*, 'Hård dansk kritik af bistandsrapport fra Verdensbanken', 27 March 2001, at <http://politikken.dk/VisArtikel.sasp?PageID=153919>

⁹ United Kingdom, Foreign and Commonwealth Office, *Adjournment Debate on the Great Lakes*, speech by British Minister of State for Foreign Affairs and the Commonwealth, Peter Hain, London, 14 November 2000, at <http://www.fco.gov.uk/news/newstext.asp?4378>. See also *Guardian*, 'British aid to help armies reform', 17 February 2000, also available at <http://www.guardian.co.uk/Archive/Article/0,4273,3964363,00.html>

¹⁰ *Reuters*, unnamed news article on IMF loan to Rwanda, 8 February 1999, quoted in Reyntjens, Filip, *Talking or Fighting...*, p. 26

¹¹ Similarly, the Danish Minister for Development in 2000 stated that although she was 'worried' about the Ugandan presence on Congolese territory, "as neighbouring country to a conflict area, Uganda really has to mind its own border security as well". Translated into English by the author. Bundegaard, Anita Bay, 'Danmark og bistanden til Uganda', in *Aktuelt* (Copenhagen), 30 January 2001

¹² See for instance André, Catherine, and Luzolele Lola, Laurent, *The European Union's Aid Policy Towards Countries involved in the Congo: Lever for Peace or Incitement to War?*, unpublished paper, May 2001

Uganda is the first and only country to get debt relief since the promises of Cologne [...] It's clear creditors should not be given the responsibility to cancel debt because they simply cannot bring themselves to do it.¹³

The UK-based group Oxfam, which has been highly critical of the role played by Rwanda and Uganda in the Congo, has nevertheless also called for massive debt relief for Rwanda.¹⁴ The French President Jacques Chirac, who has several times called for economic and political sanctions against the aggressor countries, has also shown this ambiguity.¹⁵ He has simultaneously argued for freeing debt to those same countries, and in January 2001 he announced that France would free debt owed to France by a number of third world countries, including Rwanda.¹⁶

One can summarize these two arguments as 'Cutting aid to countries involved in the Congo War will only hurt the poor and the weak' and 'Countries involved in the Congo War are only in the Congo out of security concerns'. While these arguments have often been presented, they have rarely been analyzed and questioned in depth. This is what the present dissertation aims to do.¹⁷

¹³ *Guardian*, 'Nation in waiting Row [sic!] over delay in debt relief for Uganda', 22 May 2000, also available at <http://www.guardian.co.uk/Archive/Article/0,4273,4020727,00.html>

¹⁴ *Guardian*, 'Rwanda needs debt relief to seal peace: Oxfam', 22 July 1999, also available at <http://www.guardian.co.uk/Archive/Article/0,4273,3885363,00.html>

¹⁵ *Reuters*, 'Sanctions on Congo aggressors "no problem" – Chirac', 19 May 2001

¹⁶ World Bank, External Affairs Department, *Development News*, 22 January 2001, at <http://wbln0018.worldbank.org/NEWS/DEVNEWS.NSF/eb730c645da440418525673500723bf3/b900a19c5e954567852569fb005231d6?OpenDocument> and World Bank, External Affairs Department, *Development News*, 14 May 2001, at <http://wbln0018.worldbank.org/NEWS/DEVNEWS.NSF/eb730c645da440418525673500723bf3/71094e969c666e4385256a4c004d6e2d?OpenDocument>

METHODOLOGY

I shall limit this dissertation to deal only with the role Rwanda has played in the war in the Democratic Republic of Congo. Further, I intend to discuss the two arguments mentioned in the introduction in the following way:

The overall aim of this dissertation is to establish how, if at all, international development assistance to the Government of Rwanda and the private sector in Rwanda aids the Rwandan war effort in the Democratic Republic of Congo (henceforth referred to as 'the Congo').

In order to establish this, I find it necessary first to analyze:

- the motivations behind Rwanda's participation in the war
- the composition, structure, and nature of the Rwandan Government
- the relationship between the Rwandan Government and the private sector in Rwanda
- the impact of aid on the Rwandan economy and the budget of the Government of Rwanda
- the political impact of aid on political and business life in Rwanda

The dissertation begins by a brief outline of the crisis in the Central African region since 1994 with particular focus on the role of Rwanda and the Government of Rwanda's participation in the two Congo Wars that have been fought since late 1996. It then analyzes the RPA's military-commercial exploitation of Congo. Next, there is an analysis of power structures within the Government of Rwanda as well as a discussion on whether the concepts of state and sovereignty apply to Rwanda. Following this, there is an analysis of the state of the Rwandan economy and the impact of foreign aid. In the chapter preceding the conclusion, I discuss the economic and political implications of development aid in relation to the Rwandan war effort in the Congo.

RWANDA IN THE CONGO

The Origins of the RPF and the 1994 Rwanda Genocide

In the late 1950s and early 1960s, many among Rwanda's minority Tutsis fled persecutors and settled in exile in Southern Uganda. For decades the idea of returning to Rwanda was kept alive in these refugee camps, not least among the second-generation refugees, and in the late 1980s a rebel movement - the *Rwandan Patriotic Front* (RPF) - was formed with the declared aim of returning to Rwanda. As in many other exile communities all over the world, the mother country was embraced in mythical terms and believed to be the promised land, 'the land of milk and honey'.¹⁸ Meanwhile, the people from Rwanda, the *Banyarwanda*, had helped Ugandan President Yoweri Museveni to power in 1986, but Museveni faced internal criticism because his power was based on what was considered to be foreigners. This brought the former refugees, who since 1986 had held high-ranking positions in the Ugandan government as well as in the army, in a precarious position, since the Rwandan President Juvénal Habyarimana in the early 1990s flatly refused to allow the refugees back into his already overpopulated country. These political tensions nourished the idea of returning home and fundraising events were frequently organized in support of the RPF.¹⁹

With the help, knowledge, and equipment of the Ugandan army, an attack was staged on 1 October 1990, against Habyarimana's government. Initially, the RPF suffered severe losses and most soldiers had to escape back into Uganda; others hid in the mountains in Northern Rwanda, where many froze to death or died of starvation.²⁰ But after reorganizing and re-arming, the RPF managed to build up strength, and it eventually seized more and more of Northern Rwanda. However, the French government under Francois Mitterand, a long-time friend of Habyarimana, stepped in and sent French paratroopers to the rescue, which effectively stopped the RPF from reaching the capital, Kigali. While French soldiers kept the RPF forces at bay, French army

¹⁸ Prunier, Gérard, *The Rwanda Crisis: History of a Genocide* (New York: Columbia University Press, 1995), first edition, p. 66

¹⁹ Ibid., pp. 61-92

²⁰ Ibid., pp 114-115 and Strizek, Helmut, *Kongo/Zaire – Ruanda – Burundi: Stabilität durch eneute Militärherrschaft?* (München: Weltforum Verlag, 1998) (Afrika Studien No. 125), pp. 143-144

instructors tried to strengthen the poorly organized, poorly trained and poorly equipped *Forces Armées Rwandaises* (FAR).²¹

Western-backed negotiations between the RPF and Habyarimana's government eventually led to the so-called *Arusha Accords* signed between the Habyarimana government and the RPF in mid-1993. In late 1993, the first batch of approximately 2,500 UN peacekeeping troops began to arrive in the country to oversee the implementation of the peace agreement, which included setting up a transitional government with the participation of both Habyarimana's government, the RPF and domestic political opposition parties.²²

Habyarimana, caught between Hutu extremists in his own government, who were rejecting the Arusha Accords, and western donors favouring the Accords, postponed the swearing in of the new government. Meanwhile, Hutu extremists armed and organized militias, and created a vociferous extremist radio station, the *Radio-Télévision Libre des Mille Collines* (RTLM), which in between the latest western hit music slipped explicit hate propaganda alerting its listeners to be aware of the treacherous Tutsis, who were seen as the incarnation of the devil, without whom the country would be better off. The calls of the RTLM, who despite its name did not have a television counterpart, was hailed by the well-controlled militias that terrorized the Tutsi population by carrying out small-scale massacres on Tutsis, whenever the implementation of the Arusha Accords moved yet another little bit ahead.²³

On the eve of 6 April 1994, the presidential Falcon-50 jet, carrying among others Habyarimana himself, was shot down while approaching Kigali, capital of the President's small Central African country.²⁴ All those who were aboard the jet were instantly killed as the plane crashed into the backyard of Habyarimana's palace. The hitherto unknown perpetrators thereby effectively ended the peace talks and triggered the well-planned Rwandan Genocide. The 1994

²¹ In addition, then Egyptian Foreign Minister Boutros Boutros -Ghali facilitated a purchase of Egyptian weapons, which was secured through a credit from the then state-owned French bank *Credit Lyonnais*. Melvern, Linda, *A People Betrayed: The Role of the West in Rwanda's Genocide* (London: Zed Books, 2000), pp. 66-67

²² *Ibid.*, pp. 82-98

²⁴ For subsequent investigations by the International Criminal Tribunal for Rwanda into the shooting down of Habyarimana's plane, see *National Post*, "'Explosive' leak on Rwanda genocide', 1 March 2000, also available at <http://www.hartford-hwp.com/archives/35/134.html>; *Vrai Papier Journal*, 'Bruguière traque le président rwandais', October 2000, also available at <http://www.obsac.com/OBSV4N10-VPJPean.html>, and in English translation at <http://www2.minorisa.es/inshuti/bruguiea.htm>; *Aktuelt* (Copenhagen), 'Ny kritisk efterforskning af Rwanda-massakren', 17 April 2000, available in English translation at http://www.willum.com/articles/aktuelt17april2000_1/index.htm; and Mugabe, Jean-Pierre, *Declaration on the Shooting Down of the Aircraft Carrying Rwandan Declaration on the Shooting Down of the Aircraft Carrying Rwandan President Juvénal Habyalimana and Burundi President Cyprien Ntaryamira on April 6, 1994*, 21 April 2000, available at <http://www.multimania.com/obsac/OBSV3N16-PlaneCrash94.html>

Genocide in Rwanda commenced in the early hours of 7 April, shortly after unknown assailants had grounded Habyarimana's presidential jet.

Though it appears that Hutu extremists in Habyarimana's government initially were surprised by the events, they managed within a few days to organize the well-armed militias under their control to wipe out most of the non-extremist Hutu social and political elite in Kigali. All real and imagined opponents of the regime, including the minority Tutsi community in general, were simply targeted for elimination.²⁵

When the sun rose on 7 April, several key politicians opposed to the Hutu extremist core in the government, such as the Prime Minister, had been murdered. A few days later, an 'interim government' controlled by the hardcore Hutu extremists had constituted itself, and the killings spread to other areas of the country. Estimates vary from 800,000 to more than one million people killed during the 100 days following 6 April.²⁶

Shortly after the massacres began, the RPF broke the cease-fire and the fighting between the armed forces of the RPF, the *Rwandan Patriotic Army* (RPA), and the FAR resumed, despite resistance from several high-ranking FAR officers.²⁷ UN-led negotiations for a permanent ceasefire made no real headway.²⁸ Despite being inferior in terms of material and men, the much better disciplined RPF managed to defeat the FAR. On 19 July, the RPF established itself as the new government of the country.²⁹ The composition and structure of this post-Genocide government will be examined in a subsequent chapter.

²⁵ Melvern, pp. 115-136

²⁶ For a discussion on the death toll, see Adelman, Howard, 'Genocidists And Saviours in Rwanda', in *Other Voices* Vol. 2, No. 1 (February 2000), also available at <http://www.othervoices.org/2.1/adelman/rwanda.html>, unpaginated version; and Prunier, Gérard, *The Rwanda Crisis...*, first edition, pp. 262-268

²⁷ See for instance Reyntjens, Filip, *Rwanda: trois jours qui ont fait basculer l'histoire* (Paris: L'Harmattan, 1995), p. 140

²⁸ The RFP's role is not as clear-cut as suggested by many western donors (and the RPF itself). In fact, according to Deputy Commander of the UN troops, Colonel Luc Marchal, the RPF itself was not very interested in a UN intervention, since it would rather conquer the country and defeat the badly armed troops in the deceased Habyarimana's Government. Few days into the Genocide, the RPF even warned UNAMIR commanders on the ground that it would resist a UN intervention by violent means. Interview with Colonel Luc Marchal, former Deputy Force Commander of the United Nations Assistance Mission in Rwanda (UNAMIR), Brussels, April 2000. Investigations at the International Criminal Tribunal for Rwanda have also suggested that the RPA could have been behind the shooting down of President Habyarimana's plane in order to provoke a conflict. See *National Post*, "Explosive" leak on Rwanda genocide', 1 March 2000, also available at <http://www.hartford-hwp.com/archives/35/134.html> and *Aktuelt* (Copenhagen), 'Ny kritisk efterforskning af Rwanda-massakren', 17 April 2000, available in English translation at http://www.willum.com/articles/aktuelt17april2000_1/index.htm

²⁹ Melvern, pp. 245-248

RPF War Crimes and the Role of the United Nations

Shortly after the massacres had begun, the Security Council withdrew most of the UN troops, which meant that they only managed to protect a few civilians that had sought refuge at a few UN-guarded locations.³⁰ Most members of the UN Security Council were not keen on providing the UN troops with a more pro-active mandate, but outside pressure from the media and human rights groups finally made the Security Council approve a new mission on 13 May that had a more aggressive mandate. However, an insufficient number of troops and materials were volunteered by other UN member states. Only too late did the Government of France at the end of June dispatch a force to suppress the massacres, but by then most killings were over and the Hutu extremist government had begun to flee the country.³¹

Likewise, the role of the UN in post-Genocide Rwanda has been complicated. According to a classified report by the UN High Commissioner for Refugees (UNCHR), reports by human rights organizations, and defected RPA officers, the RPA organized massacres of tens of thousands of civilians as its soldiers advanced in Rwanda. Apparently the motive was to revenge killings of Tutsis as well as to eliminate the Hutu political and social elite in the countryside to avoid future opposition to the RPF.³²

When a small UNCHR-sponsored team was about to release a report based on a 5-week field trip in the Rwandan countryside, UNCHR chief Sadako Ogata notified then UN Secretary-General Boutros Boutros-Ghali, who stopped the publication. He then sent Kofi Annan to Rwanda to inform the new RPF government that the report would not be published; according to Human Rights Watch: "because the international community understood the difficult context in which the new government was operating".³³ In other words, the UN top seemed afraid of destabilizing the

³⁰ As we shall see later, the RPF has successfully been able to capitalize on the U.N.'s failure and has never missed an opportunity to point out the role of the world body, including the unfortunate role played by Kofi Annan, then head of the Department of Peacekeeping Operations at UN Headquarters in New York. For an analysis of the role of the UN Headquarters in the 1994 Genocide, see Willum, Bjørn, 'Legitimizing Inaction Towards Genocide in Rwanda: A Matter of Misperception?', *International Peacekeeping* Vol. 6, No. 3 (Autumn 1999), pp. 11-30, also available at <http://www.willum.com/articles/intpeaceaug1999/index.htm>

³¹ Prunier, Gérard, 'Opération Turquoise: A Humanitarian Escape from a Political Dead End', in Adelman, Howard, and Suhrke, Astri, *The Rwanda Crisis from Uganda to Zaire: The Path of a Genocide* (London: Transaction Publishers, 1999), pp. 281-305

³² Human Rights Watch, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999), also available at <http://www.hrw.org/reports/1999/rwanda>, pp. 728-9 and Interview with former Prime Minister of Rwanda, Faustin Twagiramungu, Brussels, April 2000. On the RPF killings, see also Prunier, Gérard, *The Rwanda Crisis: History of a Genocide* (London: Hurst, 1998), third edition, pp. 358-262

³³ Another reason behind Boutros -Ghali's decision not to publicize the report was the desire to avoid discrediting the UN peacekeeping forces in the country, which had failed to realize the killings. Human Rights Watch, *Leave None ...*,

fragile RPF government, which was taking control of Rwanda. The team leader, Robert Gersony, instead wrapped up the main conclusions in an 8-page summary, in which he estimated that between 25,000 and 45,000 people has been killed by the RPA from April throughout August 1994.³⁴

The US State Department was also briefed on the Gersony report, according to several sources, but was reluctant to act on it.³⁵

Hutu Refugees in Eastern Zaire

What was left of the former regime, including most ministers, officers, high-ranking civil servants and militia leaders, managed to escape across the border to the Republic of Zaire and some also to Tanzania and Burundi. These ex-top leaders succeeded in bringing about two million people with them. These refugees, mostly ordinary Hutus, were either forced along or intimidated into doing so by shrewd propaganda aired on the notorious RTLM radio, which grossly exaggerated the number of Hutus massacred by the RPF in retaliation for the Genocide.³⁶

Outside Rwanda, primarily in Zaire's eastern provinces of South Kivu and North Kivu, large camps were established with the help of numerous international aid agencies to assist the displaced populations. However, it became clear that these camps – many of them erected just a few kilometres off the Rwandan border – quickly turned into hotbeds of crime. The former government politicians, militia leaders, and ex-army officers kept a tight grip on the camps, while they benefited from the humanitarian aid, and in many cases themselves distributed the aid provided, in so doing reinforcing their control over the camps' inmates. Anybody airing ideas of returning to Rwanda, as recommended by for instance the UNHCR, were harassed, raped, or

at <http://www.hrw.org/reports/1999/rwanda>, pp. 728-9 and Interview with former Prime Minister of Rwanda, Faustin Twagiramungu, Brussels, April 2000

³⁴ So far, only a few high-ranking UN officials have seen this so-called 'Gersony Report', and officially its existence is denied. *Information* (Copenhagen), 'FN holdt 'modfolkemord' i Rwanda skjult', 21 June 1999, also available at <http://www.information.dk/Indgang/VisArkiv.dna?pArtNo=19990621s03a01>; English translation available at <http://www.willum.com/articles/info rmation21jun99/index.htm>; and Prunier, *The Rwanda Crisis...*, third edition, p. 360

³⁵ It was also afraid of destabilizing the Rwandan government, despite the magnitude of the killings; thereby following the non-intervention attitude adopted by Clinton during the Genocide. A US government official explains the decision not to publicize in this way: "Even if they killed 50,000 people this was at least nothing compared to the number of people killed in the Genocide," adding that what the US and others least wanted was to have the genocidal government back in place. *Information* (Copenhagen), 'FN holdt 'modfolkemord' i Rwanda skjult', 21 June 1999, also available at <http://www.information.dk/Indgang/VisArkiv.dna?pArtNo=19990621s03a01>; English translation available at <http://www.willum.com/articles/information21jun99/index.htm>. US Assistant Secretary for African Affairs, Prudence Bushnell, nevertheless made some feeble attempts to check some of Gersony's findings, according to Human Rights Watch. Human Rights Watch, *Leave None ...*, at <http://www.hrw.org/reports/1999/rwanda>, p. 729

³⁶ Melvern, pp. 217-218

murdered by the still active militias, which were commanded by the government-in-exile. In addition, the Hutu extremist establishment ran all sorts of flourishing small businesses, and the surplus was for instance spent on purchasing weapons abroad in violation of a UN Security Council arms embargo.³⁷ Zaire's ageing dictator Mobutu Sese Seko neither clamped down on the Hutu extremists nor aided the repatriation process. Instead he actually provided luxurious mansions for the perpetrators of the Rwandan Genocide and supplied weapons to aid their efforts to overthrow the RPF regime in Kigali.³⁸ From the bases in Eastern Zaire, the Hutu militias and the ex-FAR made raids into Rwanda, thus making life in North-western Rwanda insecure.³⁹

The AFDL 'Rebellion' and Massacres in Eastern Zaire

In the summer 1996, Paul Kagame, the then Rwandan Vice-President and de facto head of state in Rwanda, travelled to Washington. Meeting with several high-ranking officials in the US government, Kagame warned that if the international community would not do something about the refugee camps, he would. It is quite likely that Kagame got some sort of tacit approval for his invasion of Zaire, although this has always been officially denied.⁴⁰ According to one anonymous Pentagon official, Washington feared that the RPA "would publicly launch a cross-border strike into Zaire to thwart the Hutu militias in the refugee camps". This Pentagon official, interviewed by the *Washington Post*, said that Kagame had discussed this "strike" option with US officials, but that he was counselled several times not to do that.⁴¹ Kagame followed the US instructions and avoided a show of force. Instead, he sought to conceal his hand in the hostilities that followed.

In October 1996, Rwanda and Uganda commenced the First Congo War, and attacked the refugee camps across the border in Zaire, shooting indiscriminately at men, women and children

³⁷ Credible evidence also suggests that France, a permanent member of the Security Council and thus a signatory to the embargo, flew in weapons. Human Rights Watch, 'Rearming with Impunity: International Support for the Perpetrators of the Rwandan Genocide', *Country Report Africa* Vol. 7, No. 4 (May 1995), pp. 6-9

³⁸ Read a fascinating report on a visit to these mansions in Jennings, Christian, *Across the Red River: Rwanda, Burundi & The Heart of Darkness* (London: Victor Gollanz, 2000), pp. 3-63

³⁹ Melvern, pp. 22-25

⁴⁰ Reyntjens, Filip, *La Guerre des Grands Lacs : Alliances mouvantes et conflits extraterritoriaux en Afrique centrale* (Paris: L'Harmattan, 1999), p 76. In a later interview, Kagame commended the United States for 'taking the right decisions' to let the war proceed. *Washington Post*, 'Rwandans Led Revolt In Congo', 9 July 1997, also available at <http://www.washingtonpost.com/wp-srv/inatl/longterm/congo/stories/070997.htm>

⁴¹ *Washington Post*, 'U.S. Military Role in Rwanda Greater Than Disclosed', 16 August 1997, also available at <http://www.udayton.edu/~rwanda/articles/usrole.html> and *Washington Post*, 'Africans Use Training in Unexpected Ways', 14 July 1998, also available at <http://www.mapinc.org/drugnews/v98/n576/a01.html?347>. See also World Policy Institute, Arms Trade Research Center, *Deadly Legacy: U.S. Arms to Africa and the Congo War*, Report, January 2000, at <http://www.worldpolicy.org/projects/arms/reports/congo.htm> and *WorldNetDaily.com*, 'Did U.S. Help Zaire's Rebels?', 5 May 1997, at http://worldnetdaily.com/news/article.asp?ARTICLE_ID=16481

alike.⁴² The camps were dissolved within days and most refugees returned back to Rwanda overnight. However, hundreds of thousands of other refugees were cut off from returning eastwards into Rwanda and were forced to flee westwards into the dense jungle.⁴³

In the Zairian jungle, the RPA hunted most of them down, probably killing several hundred thousand refugees, genocidal militias, and innocent refugees alike.⁴⁴ Journalists and humanitarian organizations were denied access to the massacre sites.⁴⁵ What is more, unsuspecting international humanitarian organizations were also used by the RPA to lure refugees out from their hideouts in the forests.⁴⁶ The systematic nature of the killings later made a UN investigation team describe these massacres as genocide.⁴⁷

Other refugees escaped by fleeing as far away as to the Central African Republic and the Republic of Congo (a.k.a. Congo-Brazzaville), over one thousand kilometres from the Rwandan border.⁴⁸

Strongly supported by the governments of the United States and the United Kingdom, the Rwandan authorities claimed that all genuine refugees had already returned from Congo at the

⁴² Human Rights Watch, "Attacked by All Sides": Civilians and the War in Eastern Zaire', *Country Report Africa* Vol. 9, No. 1 (March 1997), p. 10 and Interview with western humanitarian worker present in Zaire in 1996, Gisenyi, September 1997

⁴³ Stockton, Nicholas, 'The Great Vanishing Trick', *Crosslines*, Spring 1997, also available at <http://www.oxfam.org.uk/atwork/emerg/crosslin.htm>, , unpaginated version, and Human Rights Watch, 'What Kabila is Hiding: Civilian Killings and Impunity in Congo', *Country Report Africa* Vol. 9, No. 5 (October 1997), also available at <http://www.hrw.org/reports97/congo>, p. 10; and Lemarchand, René, 'The Fire in the Great Lakes', *Current History* Vol. 98, No. 628 (May 1999), p. 196

⁴⁴ Doctors Without Borders – USA, *Forced Flight: A Brutal Strategy of Elimination in Eastern Zaire*, Report, 27 May 1997; Gowing, Nik, *Dispatches from Disaster Zones – The Reporting of Humanitarian Emergencies*, Conference Paper, London, 27 May 1998, also available at <ftp://63.104.169.22/events/managing-info-chaos/gowing.pdf>, unpaginated version; Reyntjens, *La Guerre des Grands Lacs...*, pp. 100-122; Human Rights Watch, 'What Kabila is Hiding: Civilian Killings and Impunity in Congo', *Country Report Africa* Vol. 9, No. 5 (October 1997), also available at <http://www.hrw.org/reports97/congo>, p. 10; Physicians for Human Rights, *Investigations in Eastern Congo and Western Rwanda*, Research Report, 16 July 1997, at http://www.phrusa.org/research/health_effects/humcongo.html, unpaginated version; Amnesty International, *DRC: Deadly alliances in Congolese forests*, Report No. AFR 62/33/1997, 3 December 1997; Sunday Times, 'Killing Fields of Kisangani', 14 May 1997; and New York Times, 'In Congo, Forbidding Terrain Hides a Calamity', 1 June 1997, also available at <http://www2.minorisa.es/inshuti/atrociti.htm>

⁴⁵ *New York Times*, 'In Congo, Forbidding Terrain Hides a Calamity', 1 June 1997, also available at <http://www2.minorisa.es/inshuti/atrociti.htm>

⁴⁶ Gowing, *Dispatches from Disaster Zones...*, at <ftp://63.104.169.22/events/managing-info-chaos/gowing.pdf>, unpaginated version

⁴⁷ The team headed by Roberto Garretón published a report on 2 July 1997 stating that some of the alleged massacres could constitute acts of genocide. It also concluded that "there are reliable indications that persons belonging to one or other of the parties to the conflict [...] probably committed serious violations of international humanitarian law, particularly article 3 common to the four Geneva Conventions of 1949," and that "[s]uch crimes seem to be sufficiently massive and systematic to be characterized as crimes against humanity." United Nations, Economic and Social Council, Commission on Human Rights, *Report of the Special Rapporteur Charged with Investigating the Situation of Human Rights in the Republic of Zaire, Pursuant to Commission on Human Rights Resolution UN 1997/58, A/51/942*, 2 July 1997

end of November 1996. The Rwandan government described those who had not returned either implicitly or explicitly as murderers guilty of genocide, and by implication they were thus considered virtually free game.⁴⁹ Certain members of the diplomatic community in Kigali apparently still maintain this view.⁵⁰

In late 1996, quite a few international NGOs nevertheless insisted that hundreds of thousands of genuine refugees had been left in the jungle. But, eventually, the Rwandan information campaign gained the upper hand in the 'number game': A Canadian-led UN mission planned to ensure the safety of refugees as well as the delivery of humanitarian aid was cancelled at the last moment, despite protests by relief organizations.⁵¹ Afterwards Søren Jessen Pedersen, Deputy Chief of UNHCR, commented:

From one day to the next, there were no more refugees. We lacked about 500,000. A quite conservative figure, which was disputed by several countries, because there was no interest in implementing a military operation.⁵²

It is unlikely that the US government was unaware of what was going on, although it appears that even at the State Department a disinformation campaign was orchestrated by the Embassy in Kigali, which constantly sent reports claiming that Rwanda was not involved in the rebellion at all. Much to the consternation of the embassy in Kinshasa, whose reports back to Washington painted quite a different picture of the Rwandan involvement.⁵³ According to a US government official:

⁴⁸ See for instance *Christian Science Monitor*, 'Missing Refugees Found in Zaire – Despite US Claim', 16 January 1997.

⁴⁹ Amnesty International, *DRC: Deadly alliances in Congolese forests*, Report No. AFR 62/33/1997, 3 December 1997, p. 3

⁵⁰ *Information* (Copenhagen), 'Hør, hvad blev der af 200.000 flygtninge?', 16 February 1999, also available at <http://www.information.dk/Indgang/VisArkiv.dna?pArtNo=19990216s07a01>

⁵¹ *Electronic Mail and Guardian*, 'Genocide continues behind Kabila's lines', 20 June 1997, at <http://www.mg.co.za/mg/news/97june2/20june-genocide.html> and Gowing, *Dispatches from Disaster Zones...*, at <http://63.104.169.22/events/managing-info-chaos/gowing.pdf>, unpaginated version

⁵² Translated into English by the author. *Information* (Copenhagen), '500.000 flygtninge forsvundet på en dag', 25 July 2000, also available at <http://www.information.dk/Indgang/VisArkiv.dna?pArtNo=20000725s06a01>; English translation available at <http://www.willum.com/articles/information25jul00/index.htm>. The UK-based group Oxfam even alleged that in order to support claims that only a few refugees were left in the jungle, the US Embassy in Kigali had manipulated with aerial imagery of Eastern Zaire before it was released to the press. Stockton, Nicholas, 'The Great Vanishing Trick', *Crosslines*, Spring 1997, also available at <http://www.oxfam.org.uk/atwork/emerg/crosslin.htm>, unpaginated version

⁵³ Confidential interview with US Government official, n.p., 1999. This happened again during the subsequent Second Congo War. Confer section 'Battle Against Kabila - the Second 'Rebellion''. Confronted with questions on whether or not the US government supported the Rwandan and Ugandan-backed rebels, the US Ambassador to the Congo, William Swing, said on 17 October 1998 on Kinshasa TV, "We condemned the external military interference from

Already from October 1996, intelligence was pouring in from several independent sources as well as from our own people on the ground that Uganda and Rwanda had invaded Zaire, and that Rwanda's Army committed mass killings on the Hutu refugees [...] One had chosen sides and closed one's eyes to what they were doing.⁵⁴

The role of US officials and forces on the ground in Rwanda and Zaire has also been the subject of dispute. By April 1997, a State Department official, Dennis Hankins, had settled in a local Congolese hotel in Goma just across the border from Rwanda "as the first full-time American diplomat posted to the capital of the rebel alliance", according to the *Wall Street Journal*.⁵⁵

In addition, a number of US soldiers were in Rwanda when the war began, since US soldiers were training the RPA, though they officially masqueraded as 'civilian affairs'.⁵⁶ In August 1997, an internal US Department of Defense chronology revealed that US troops had indeed been on the ground in Rwanda in the months before the invasion of Zaire. Quite a few soldiers had also remained there after the beginning of the Zairian war, officially as land-mine-removal trainers, civil affairs, or public information instructors. While US officials publicly portrayed this assistance as classroom style or devoted almost entirely to the promotion of human rights, the training had also included psychological operations and tactical Special Forces exercises, which had lasted until a few weeks before the hostilities in Zaire.⁵⁷ The US instructors trained hundreds of Rwandan troops, and the operation was "not [...] as innocuous as it is being made out to be,"

countries such as Rwanda and Uganda back in August. It is President Clinton who accredited me to President Kabila and his government. This should represent for you a signal and evidence of where we stand in our relations with your country. I am here to support your government." *Executive Intelligence Review*, 'Rice caught in Iran-Contra-style capers in Africa', 20 November 1998, at http://www.larouchepub.com/other/1998/rice_2546.html This is quite different from official statements by high-ranking US government officials, who as already mentioned have taken a very sympathetic view of the Rwandan participation in the Second Congo War

⁵⁴ *Information*, '500.000 flygtninge forsvundet...', at <http://www.information.dk/Indgang/VisArkiv.dna?pArtNo=20000725s06a01>; English translation at <http://www.willum.com/articles/information25jul00/index.htm>

⁵⁵ Although the rebels apparently addressed him as 'Monsieur Ambassadeur Americain', he stressed in an interview with the *Wall Street Journal* that he was not an ambassador with powers to recognize the rebels as a new government: "I tell them over and over I am just a diplomat, and that I'm not here to recognize them as the new government of Zaire [...] What I am here to do is to acknowledge them as a very significant military and political player on the scene, and, of course, to represent American interests." *Wall Street Journal*, 'Lost In Africa: How the U.S. Landed on Sidelines in Zaire', 22 April 1997. The *Washington Post* also claims that a US Embassy official travelled to Eastern Zaire numerous times to see the AFDL's official leader, Laurent-Desiré Kabila, but it is uncertain whether this person was Dennis Hankins or someone else. *Washington Post*, 'Africans Use Training in Unexpected Ways', 14 July 1998, also available at <http://www.mapinc.org/drugnews/v98/n576/a01.html?347>

⁵⁶ Confidential telephone interview with former investigator at the International Criminal Tribunal for Rwanda, 2000

⁵⁷ United States, Department of Defense, *Report to Congress on U.S. Military Activities in Rwanda, 1994 - August 1997*, available at <http://www.defenselink.mil/pubs/rwanda/index.html>

according to a policy official interviewed by the *Washington Post*.⁵⁸ US Special Forces also trained 30 Rwandan soldiers for one and a half month in the United States during July and August 1996. In addition to the Special Forces training, a US *Joint Psychological Operations Task Force* mounted a training program for Rwandan soldiers that culminated in a propaganda campaign in November, which encouraged the hundreds of thousands of refugees camped in Zaire to return home to Rwanda.⁵⁹

It has also been alleged that US soldiers participated in the invasion as such, but I have found no evidence to prove this. In fact, reports containing such allegations are mostly – if not entirely - based on French intelligence sources. And since the French government, and in particular the French military, has largely sided with the forces of former President Habyarimana and provided these with weapons, both before, during, and after the Genocide, such sources cannot be considered reliable.⁶⁰

In keeping with US advice, the RPA and the Ugandan army, the *Uganda People's Defence Forces* (UPDF), sought to camouflage their involvement in the war against Mobutu and the Hutu refugees.⁶¹ In order to make the insurgency look like a popular uprising instead of a foreign invasion, the Zairian born Laurent-Desiré Kabila - who until then had made a living as a smuggler and a kidnapper - was appointed as the spokesman for an alliance of rebel movements fighting to liberate Zaire from the long-time dictator Mobutu Sese Seko.⁶²

As part of this strategy, both the Rwandan and Ugandan governments for a long time vigorously denied their involvement in the war.⁶³ Not until more than half a year into the war did the Rwandan Vice-President and Defence Minister, Paul Kagame, finally admit to the mere

⁵⁸ *Washington Post*, 'U.S. Military Role in Rwanda Greater Than Disclosed', 16 August 1997, also available at <http://www.udayton.edu/~rwanda/articles/usrole.html>

⁵⁹ United States, Department of Defense, *Report to Congress...*, at <http://www.defenselink.mil/pubs/rwanda/index.html> and *Washington Post*, 'U.S. Military Role in Rwanda Greater Than Disclosed', 16 August 1997, also available at <http://www.udayton.edu/~rwanda/articles/usrole.html>

⁶⁰ Human Rights Watch, 'Rearming with Impunity: International Support for the Perpetrators of the Rwandan Genocide', *Country Report Africa* Vol. 7, No. 4 (May 1995), pp. 6-9, and Callamard, Agnes, 'French policy in Rwanda', in Adelman, Howard, and Suhrke, Astri, *The Rwanda Crisis from Uganda to Zaire: The Path of a Genocide* (London: Transaction Publishers, 1999), pp. 157-183

⁶¹ See for instance Reyntjens, *La Guerre des Grands Lacs...*, pp. 51-65

⁶² Lemarchand, René, 'The Fire in the Great Lakes', *Current History* Vol. 98, No. 628 (May 1999), p. 199

⁶³ During the first weeks of the rebellion, then Rwandan Vice-President and Defence Minister, Paul Kagame, even made a fuss about being relaxed, playing tennis in Kigali all day long with diplomats in an effort to underline how uninvolved he was in the Zaire war. Confidential interview with diplomat, Kigali, August 1997

presence of the RPA in Zaire, which was by then common knowledge – except, perhaps, at official cocktail parties in Kigali.⁶⁴

On 25 May 1997, the rebels seized Zaire's capital Kinshasa, and Kabila was made the president of the rapidly renamed country, the Democratic Republic of Congo. However, RPA officers continued to pull the strings behind the scenes. They even forced a personal secretary on him, who decided whom the new President could meet. In this way, the Rwandan government was able to effectively block a subsequent UN investigation of the killings of Hutu refugees by denying researchers access to massacre sites.⁶⁵ The UN investigative team delivered its strongly worded but half-done 52-page report in July 1998, and UN Secretary-General Kofi Annan recommended to the Security Council that the responsible persons be brought to justice. However, the Security Council merely asked the Rwandan and Congolese governments to respond to the allegations. Despite calls by human rights groups for proper investigations and prosecution of the responsible persons, no one has been tried in courts anywhere for these crimes.⁶⁶

Given the US green light for the overall operation, speculations have arisen that the United States, one of the permanent members of the Council holding veto power, was not interested in a full and detailed report. UN sources confirm this interpretation, "The US made us understand that one was not interested in a clear-up of what happened to the refugees. They had their own interests," a high-ranking UN diplomat told the Danish daily *Information*.⁶⁷ The head of the UN investigative team, Reed Brody, voiced a similar opinion.⁶⁸ The fact that the US government was not helpful in passing on information to UN investigators that might have helped produce a more detailed report further substantiates this view. For instance, the US National Security Agency "maintained a communications intercept station in Fort Portal, Uganda, which intercepted military and government communications in Zaire during the first Rwandan invasion," according to

⁶⁴ *Washington Post*, 'Rwandans Led Revolt In Congo', 9 July 1997, also available at <http://www.washingtonpost.com/wp-srv/inatl/longterm/congo/stories/070997.htm>. One diplomat recounted how his delegation immediately had burst out laughing after a formal meeting with the Rwandan government, where the latter had denied any involvement in the Congo war and the former had pretended to believe it. Confidential interview with diplomat, Kigali, August 1997

⁶⁵ *Information* (Copenhagen), 'Kabla slipper billigt fra massakrer', 31 July 1998, also available at <http://www.information.dk/Indgang/VisArkiv.dna?pArtNo=19980731s05a01>

⁶⁶ *Ibid.*

⁶⁷ Translated into English by the author. *Information*, '500.000 flygtninge forsvundet...', at <http://www.information.dk/Indgang/VisArkiv.dna?pArtNo=20000725s06a01>; English translation at <http://www.willum.com/articles/information25jul00/index.htm>

⁶⁸ *Information* (Copenhagen), 'Kabla slipper billigt fra massakrer', 31 July 1998, also available at <http://www.information.dk/Indgang/VisArkiv.dna?pArtNo=19980731s05a01>

Wayne Madsen, a former NSA official.⁶⁹ Such interception of Rwandan radio communications could have provided information about those responsible for the massacres, which was one of the issues Brody said the UN investigators lacked the means to establish.⁷⁰

Though there is, as discussed above, no evidence to suggest that US forces actually participated directly in the war against Mobutu, the US Government really helped the RPA. While the US government throughout the conflict denied reports that Rwandan soldiers were involved in the war and thereby concealed their war crimes, it was at the same time training Rwandan soldiers and offering strategic advice, as stated aptly by *The Guardian*:

U.S. policy initially was divided between offering active support for Rwandan intervention and looking the other way [...] In practice, it did both: The Pentagon helped out while the State Department pretended it wasn't happening.⁷¹

Battle Against Kabila - the Second 'Rebellion'

While Kabila's rebel alliance, named AFDL, had been initially greeted in Kinshasa as heroes and liberators, the Tutsi domination in his government made both the newly arrived Rwandans as well as the Tutsi community in Kinshasa enormously unpopular. In an effort to unite the Congolese population behind him, Kabila in the summer 1998 asked his foreign protégés to leave the country while he at the same time orchestrated a campaign on national TV and radio denouncing all Tutsis in general. His former allies were given 72 hours to leave the country, while Kabila sent the security services to persecute Tutsis living in Kinshasa.⁷²

⁶⁹ Madsen, Wayne, *Suffering and Despair: Humanitarian Crisis in the Congo*, prepared statement before the US House of Representatives, Subcommittee on International Operations and Human Rights, Committee on International Relations, 17 May 2001, available at http://www.house.gov/international_relations/mads0517.htm

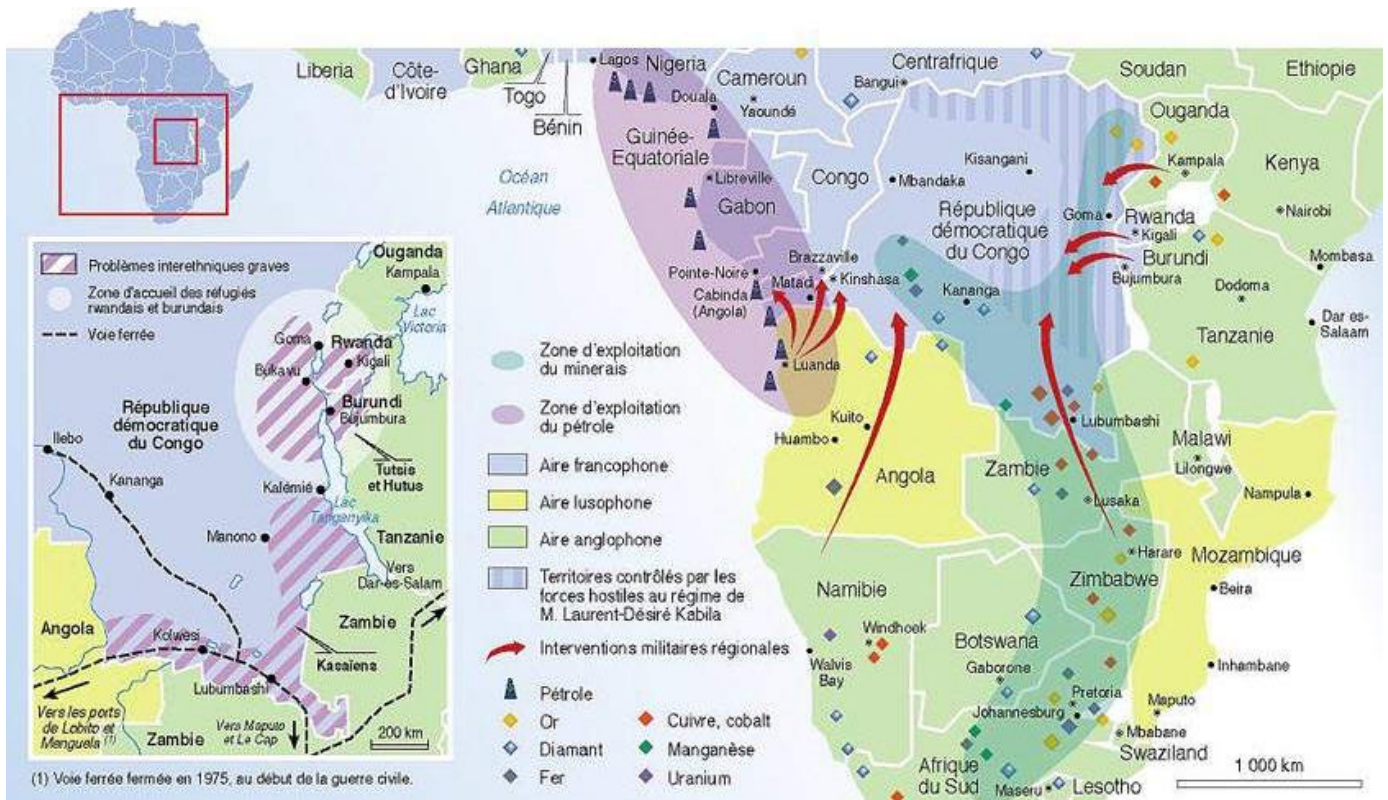
⁷⁰ Ibid. and *Information* (Copenhagen), 'Kabila slipper billigt fra massakrer', 31 July 1998, also available at <http://www.information.dk/Indgang/VisArkiv.dna?pArtNo=19980731s05a01>

⁷¹ *Guardian* quoted in *WorldNetDaily.com*, 'Did U.S. Help Zaire's Rebels?', 5 May 1997, at http://worldnetdaily.com/news/article.asp?ARTICLE_ID=16481

⁷² Lemarchand, René, 'The Fire in the Great Lakes', *Current History* Vol. 98, No. 628 (May 1999), pp. 199-200

Map 1 – The Regional Perspective of the Second Congo War

Frontlines accurate as of May 2000. Reprinted with the kind permission of Dr Philippe Rekacewicz, *Le Monde Diplomatique*, Paris



Source: *Le Monde Diplomatique*, 'Rivalités dans les Grands Lacs', map, May 2000, at <http://www.monde-diplomatique.fr/cartes>

Kabila's move prompted Rwanda and Uganda to immediately commence a war against him under cover of yet another rebel movement, the *Rassemblement Congolais pour la Démocratie* (RCD), which was hastily pieced together using the recipe from the first campaign: A native Congolese figurehead as official leader, who could claim that he had 'invited' the foreign armies

to participate in the 'liberation struggle'. Only this time around the enemy was Kabila instead of Mobutu.⁷³

However, the RCD did not last long in its original form. Already in 1999, it split into two separate movements: the *Rassemblement Congolais pour la Democratie – Mouvement de Liberation* (RCD-ML), initially based in Kisangani (hence a.k.a. RCD-Kisangani)⁷⁴, and the *Rassemblement Congolais pour la Democratie – Goma* (RCD-Goma), headquartered right at the Rwandan border. Besides these two new movements, there was also the *Mouvement pour la Libération du Congo* (MLC) operating in Northern and North-Western Congo and assisted by Uganda.

Uganda's army, the *Uganda People's Defence Forces* (UPDF), has tried to control the MLC and the RCD-ML, which both enjoy strong military support by the estimated 10,000-15,000 UPDF troops in the Congo.⁷⁵ While the MLC-chairman Jean-Pierre Bemba has retained control of his movement, the RCD-ML has been largely a puppet of the UPDF, much to the dismay of the former leader of the RCD-ML, Ernest Wamba Dia Wamba. In an interview with the Danish daily *Aktuelt* in January 2001, Wamba confirmed his lack of control over his own movement and complained that the Ugandan Commander-in-Chief in the Congo "doesn't understand that an alliance means consultations. He thinks, he rules a district in Uganda."⁷⁶ Since Wamba opposed a Ugandan-introduced merger between the MLC and the RCD-ML, he was sacked as head of RCD-ML by the UPDF in January 2001 and even had his home in North-Western Congo ransacked by Ugandan troops, who seized his satellite phone and took one of his close advisers as hostage.⁷⁷ The outcome of the Ugandan interference was the unification of the RCD-ML and MLC into a single movement known as the *Congolese Liberation Front* (CLF) under the leadership of Jean-Pierre Bemba.⁷⁸

⁷³ Lemarchand, René, *The Democratic Republic of Congo: From Failed State to Statelessness*, unpublished paper, December 2000

⁷⁴ Also referred to as RCD-Kisangani since the movement's headquarters was initially located in Kisangani

⁷⁵ 15,000 UPDF troops are in the Congo, according to the Institute for International and Strategic Studies, *The Military Balance 2000-2001* (London: Oxford University Press, October 2001), p. 286; while the International Crisis Group estimates that 'at least' 10,000 UPDF troops are in the Congo. International Crisis Group, *Scramble for the Congo: Anatomy of an Ugly War*, Africa Report N° 26, 20 December 2000, at <http://www.crisisweb.org/projects/showreport.cfm?reportid=130>, p. 38

⁷⁶ *Aktuelt* (Copenhagen), 'Oprørsleder bekræfter, hvad udenlandske donorer afviser: Uganda plyndrer Congo', 22 January 2001, also available at <http://www.willum.com/artikler/aktuelt22jan01.htm>, and in English translation at <http://www.willum.com/articles/aktuelt22jan2001/index.htm>

⁷⁷ United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), 'DRC: UN rapporteur condemns Bunia violence', 29 January 2001, at <http://www.reliefweb.int/IRIN/cea/countrystories/drc/20010129f.phtml>

⁷⁸ For the ongoing leadership struggles within the RCD-ML, see for instance United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), 'DRC:

Rwanda has evidently been more successful in controlling the other heir to the original RCD, which has been done by installing a number of trusted *Banyamulenge* associates in RCD-Goma, whose headquarters is comfortably situated right across the Rwandan-Congolese border in the trading town of Goma. The Banyamulenge is a group of people of Tutsi decent that primarily live in the Congolese provinces of North Kivu and South Kivu.⁷⁹

In August 1999, all governments and rebel movements involved in the war, except the Hutu militias, the ex-FAR, and the *Mai-Mai*, signed the so-called *Lusaka Accords*, according to which all foreign troops have to withdraw from the Congo in a peace agreement monitored by the UN. But Kabila, who refused to let in UN monitors behind the lines of his army, mostly stalled the implementation of this agreement. The RPA has however warned that it is unlikely to leave even when UN monitors have been deployed, unless the so-called 'negative forces' mentioned in the Lusaka Accords, i.e. the Hutu militias and the ex-FAR, will be dealt with by someone else. This is highly unlikely. Using this pretext, the RPA has made no serious preparation for a disengagement from the Congo.⁸⁰

Instead, the RPA and RCD-Goma has used several strategies with ethnic overtones in order to come to grips with the situation in the two Kivu provinces bordering Rwanda. In North Kivu and South Kivu, the remnants of the former Hutu extremist regime has sought to rearm and reorganize, supported partially by the government of the late Laurent-Desiré Kabila, who was assassinated on 16 January 2001. Virtually all top officers in Habyarimana's army, the *Forces Armées Rwandaises* (FAR), fled the country and the remainder of this army has merged with the various militias responsible for the Genocide into a rebel movement named the *Armée de Libération du Rwanda* (ALIR). The London-based International Institute for Strategic Studies has estimated the number of ALIR fighters to approximately 7,000 ex-FAR troops and 55,000 '*Interahamwe*', the name of the most well known Hutu militia during the Genocide.⁸¹ The International Crisis Group has a significantly lower estimate, suggesting that ALIR forces total between 30,000 and 40,000 fighters.⁸² Though these forces are thought to be armed only with

IRIN Interview with RCD-ML official Mbusa Nyamwisi', 3 August 2001, at <http://www.reliefweb.int/w/rwb.nsf/9ca65951ee22658ec125663300408599/5a6722fc99c5b58d85256a9d00521c49?OpenDocument>

⁷⁹ Lemarchand, René, *The Democratic Republic of Congo: From Failed State to Statelessness*, unpublished paper, December 2000

⁸⁰ RPA motivations for staying in the Congo are discussed at length in the next chapter

⁸¹ Institute for International and Strategic Studies, *The Military Balance 2000-2001* (London: Oxford University Press, October 2001), p. 279

⁸² International Crisis Group, *Scramble for the Congo...*, at <http://www.crisisweb.org/projects/showreport.cfm?reportid=130>, p. 4

light mortars, small arms, and primitive radio equipment, they are well organized and capable of carrying out well-prepared attacks.⁸³ Various reports have suggested that ALIR received weapons by airdrops from the late Laurent-Desiré Kabila's government. ALIR has even been reported to seize certain airfields in the two Kivu provinces and hold them just long enough for a small plane to land, deliver its shipment, and take off.⁸⁴

ALIR has largely pursued the same goals as the original Hutu extremist militias, namely a destabilization of Rwanda by means of cross-border attacks and massacres on Tutsis from time to time, both in the Congo and Rwanda. But the Hutu rebels have also teamed up with local Congolese warriors known as the Mai-Mai, a mix of nationalists and bandits operating in both the Rwandan and Ugandan controlled territory of Congo. Given the disorganized nature of the numerous groups of Mai-Mai, it is impossible to accurately estimate the number of Mai-Mai warriors, but they are surely tens of thousands. These groups have had a revival after the arrival of the Rwandan soldiers in the Congo, and some have teamed up with ALIR with the purpose of resisting the Rwandan occupation. The Mai-Mai members receive increasing financial backing from the local population, which detests the Rwandan invaders. The populations of the two Kivu provinces also manifest their political support by civilian disobedience, such as the 'ville morte': staying indoors in silent protest.⁸⁵

RCD-Goma and the RPA have responded to ALIR and Mai-Mai attacks "by massacring defenceless civilian populations with machetes, knives and guns, causing thousands of victims," according to the UN Special Rapporteur for Human Rights, Roberto Garretón.⁸⁶ Local and international rights groups confirm this pattern in many reports.⁸⁷ Human Rights Watch

⁸³ Institute for International and Strategic Studies, *The Military Balance 2000-2001* (London: Oxford University Press, October 2001), p. 279, and International Crisis Group, *Scramble for the Congo...*, at <http://www.crisisweb.org/projects/showreport.cfm?reportid=130>, pp. 14-15

⁸⁴ International Crisis Group, *Scramble for the Congo...*, at <http://www.crisisweb.org/projects/showreport.cfm?reportid=130>, p. 15

⁸⁵ See for instance Jackson, Stephen, "'Our Riches are being Looted!': War Economies and Rumour in the Kivus, D.R. Congo", *Politique Africaine*, forthcoming issue

⁸⁶ United Nations, Economic and Social Council, Commission on Human Rights, *Report on the situation of human rights in the Democratic Republic of the Congo, submitted by the Special Rapporteur, Mr. Roberto Garretón, in accordance with Commission on Human Rights resolution 1999/56, E/CN.4/2000/42*, 18 January 2000, also available at [http://www.unhcr.ch/Huridocda/Huridoca.nsf/0/87cbe9be9dc541db802568b300561be2/\\$FILE/G0010229.pdf](http://www.unhcr.ch/Huridocda/Huridoca.nsf/0/87cbe9be9dc541db802568b300561be2/$FILE/G0010229.pdf)

⁸⁷ See for instance Human Rights Watch, 'Eastern Congo Ravaged: Killing Civilians and Silencing Protest', *Country Report Africa* Vol. 12, No. 3 (16 May 2000), also available at <http://www.hrw.org/reports/2000/drc/Drc005.htm#TopOfPage>, unpaginated version; Amnesty International, *Democratic Republic of Congo: Rwandese-controlled east: Devastating human toll*, 19 June 2001, Report No. AFR 62/011/2001, at <http://web.amnesty.org/ai.nsf/Index/AFR620112001?OpenDocument&of=COUNTRIES%5CRWANDA>, unpaginated version; and Amnesty International, *Killing Human Decency*, Report No. AFR 62/07/00, 31 May 2000, at <http://www.amnesty.org/ailib/aipub/2000/SUM/16200700.htm>

researchers estimates that at least 10,000 civilians have been killed and 200,000 people have been displaced in North-Eastern Congo since June 1999.⁸⁸

In order to erode the support base for ALIR, the RPA has encouraged the return of Hutu refugees to Rwanda, where the country following a massive counter-insurgency campaign has been relatively stable and where it is easier for the RPA to deal with the refugees, including armed groups. There has thus, till now, been a continuous stream of refugees back to Rwanda.⁸⁹

The RPA is, however, also trying to 'Tutsificate' the two Kivu provinces by bringing back Congolese Banyamulenge refugees who fled these provinces during the first war in 1996; some 10,000 refugees have been resettled in Masisi in North Kivu, according to the International Crisis Group. Moreover, *Tous pour la Paix et le Développement* (TPD), an organization in existence since October 1998, has worked to resettle Tutsi refugees on the Rwandan-Congolese border, apparently with the hope that these people could act as a buffer for ALIR infiltration into Rwanda.⁹⁰ The Rwandan government has denied assisting these migrations, but as argued by the International Crisis Group, "it is hard to believe that the transportation of more than a thousand people across the border and through Goma by night could happen without the permission of Kigali."⁹¹ Border posts on both the Rwandan and Congolese sides keep a fairly strict control of those passing the Goma-Gisenyi border, in particular those passing in vehicles.⁹²

Though the border between Eastern Congo and Rwanda can be passed by RPA soldiers without any kind of formalities, Rwandan officials from time to time advocate that the Kivu provinces should be formally annexed to Rwanda, something that is vehemently resisted by the indigenous population because of the Rwandan suppression of any genuine local political

⁸⁸ Human Rights Watch researchers quoted in *Industry Standard Magazine*, 'A Call to Arms', 11 June 2001, also available at http://www.thestandard.com/article/0,1902,26784,00.html?printer_friendly

⁸⁹ According to the UNCHR's branch office in Rwanda, 60,576 refugees returned home to Rwanda during 1999 and 2000. 70% of those that returned in 2000 had come from North Kivu, although "there was also a significant number of returnees from South Kivu and Tanzania". *East African*, 'Rwandans Trickling back home', 1 Jan 2001, also available at <http://www.nationaudio.com/News/EastAfrican/08012001/Regional/Regional30.html>

On 1 February 2001, the Economist Intelligence Unit reported, "There are still an estimated 29,000 Rwandan refugees in the Kivu provinces, and their repatriation continues." Economist Intelligence Unit, *Country Report Rwanda*, 1 February 2001. Curiously, the Economist Intelligence Unit's sister magazine, the *Economist*, has shortly before, on 23 December 2000, written that the UNCHR's 'best guess' was that twice as many refugees, 60,000 that is, were still in the Kivu provinces. *Economist*, 'Thousands of Hutu refugees went missing in Congo in 1996. What happened to them?', 23 December 2000

⁹⁰ International Crisis Group, *Scramble for the Congo...*, at <http://www.crisisweb.org/projects/showreport.cfm?reportid=130>, p. 16

⁹¹ *Ibid.*, p. 17

⁹² The authors own observations from three visits to that border post during November 2000. In fact, according to several journalists in the region, the head of the border post on the Congolese side of the Goma-Gisenyi border, the busiest of its kind in RCD-Goma territory, is a Rwandan national. Interviews with journalists based in the region, Rwanda and Congo, November 2000

initiatives and the RPA's exploitation of profitable commodities.⁹³ Certain high-ranking US officials such as the newly appointed Assistant Secretary of State in the Bush administration, Walter Kansteiner, have also supported this view.⁹⁴

The alliance of certain Banyamulenge with the Rwandan invaders has also made the whole Banyamulenge group increasingly unpopular throughout Congo, but nowhere more than in the Kivu provinces. A number of local Maï-Maï militias have emerged working in close cooperation with ALIR to fight not only RCD-Goma and the RPA, but also ordinary Banyamulenge. Public busses are stopped on the road, and all Banyamulenge passengers are singled out for execution while others are left to escape.⁹⁵ Some Banyamulenge have reacted by creating defence forces, but others have begun distancing themselves from RCD-Goma and the RPA, well aware that the foreign occupation can end up costing them their lives.⁹⁶

⁹³ Confer the next chapter, 'The Rwandan Patriotic Army and Military Commercialism in Eastern Congo'

⁹⁴ According to Wayne Madsen, in an 15 October 1996 paper written by Kansteiner for the Forum for International Policy on the the n-eastern Zaire, Walter Kansteiner suggested voluntary repatriation of ethnic groups and the formation of ethnically pure states. Madsen, Wayne, *Suffering and Despair: Humanitarian Crisis in the Congo*, prepared statement before the US House of Representatives, Subcommittee on International Operations and Human Rights, Committee on International Relations, 17 May 2001, available at http://www.house.gov/international_relations/mads0517.htm

⁹⁵ Amnesty International, *Democratic Republic of Congo: Rwandese-controlled east: Devastating human toll*, 19 June 2001, Report No. AFR 62/011/2001, at <http://web.amnesty.org/ai.nsf/Index/AFR620112001?OpenDocument&of=COUNTRIES%5CRWANDA>, unpaginated version

⁹⁶ Lemarchand, René, *Exclusion, Marginalization and Political Mobilization: Road to Hell in the Great Lakes*, unpublished paper, December 2000, and Amnesty International, *Democratic Republic of Congo: Rwandese-controlled east: Devastating human toll*, 19 June 2001, Report No. AFR 62/011/2001, at <http://web.amnesty.org/ai.nsf/Index/AFR620112001?OpenDocument&of=COUNTRIES%5CRWANDA>, unpaginated version

THE RWANDAN PATRIOTIC ARMY AND MILITARY COMMERCIALISM IN EASTERN CONGO

From the outset, there have been significant power struggles within the military wing of the RPF, the *Rwandan Patriotic Army* (RPA). Only very few days after the RPA on 1 October 1990 launched its first attack on Rwanda from Southern Uganda, its commander, Major-General Fred Rwigyema, formerly the Chief-of-Staff of the Ugandan army, was assassinated under mysterious circumstances in Northern Rwanda. Shortly after, two high-ranking RPA officers were killed as well. When the news of Rwigyema's death reached the then acting head of military security of the Ugandan army, Major Paul Kagame, he rushed back from a military course in the United States and assumed command of the RPA.⁹⁷

The issue of the Rwandan monarchy, which was abolished in 1959, caused great tension within the RPA. Some RPA officers had been in favour of reinstalling the exiled king as the monarch of Rwanda, or had at least wanted a national referendum to be held on whether the king should be allowed back in his country, should the RPF ever fight its way to power. Kagame's faction, however, opposed this idea, which led to mutual distrust within the RPF. Political murders within the army were frequent, according to defected RPA officers, and unwanted soldiers or officers were secretly killed, usually with small hoes in order to avoid attracting the attention of enemy forces as well as to avoid a negative effect on the morale of other soldiers.⁹⁸

Defected RPA soldiers also say that ethnic discrimination took place on a large scale. But it was not only Hutus that were purged or discriminated against: Tutsis from other parts of Central Africa than Uganda, in particular French speaking Tutsis who appear to have been sarcastically referred to as 'intellectuals', were also suppressed or even murdered. Also, well-educated 'Ugandan' Tutsis were persecuted and killed during the guerrilla war, since Kagame and his backers considered them as rivals, according to former RPA soldiers. These killings - combined

⁹⁷ The new leadership under Paul Kagame asserted that Rwigyema had been killed in an ambush set up by Habyarimana's troops, while defected RPA officers claim that the murders of both Rwigyema and the two other high-ranking RPA officers had been organized by officers associated with Kagame's faction of the RPA. Kagame had been at odds with Rwigyema, the latter being enormously popular both within the RPA as well as among the many Banyarwanda living in Uganda. Otunnu, Ogenga, 'An Historical Analysis of the Invasion by the Rwanda Patriotic Army', in Adelman, Howard, and Suhrke, Astri, *The Rwanda Crisis from Uganda to Zaire: The Path of a Genocide* (London: Transaction Publishers, 1999), pp. 34-35; Confidential interview with ex-Rwandan Patriotic Army officer, n.p., 1999, and Prunier, Gérard, *The Rwanda Crisis...*, first edition, p. 93-93

⁹⁸ Mugabe, Jean-Pierre, 'The Killings Resume: Preparing for the Next Rwandan War', *Strategic Policy* Vol. 27, No. 4 (1999), also available at <http://www.strategicstudies.org/crisis/rwanda.htm#Uganda-Rwanda>, pp. 4-7

with an extremely tight discipline and harsh training programmes – caused many soldiers to desert the RPA.⁹⁹

RPA Order of Battle

When the RPF took power, it transferred its troops into a new national army, which was given the same name as the RPF's armed wing, the *Rwandan Patriotic Army* (RPA). Though several thousand soldiers from Habyarimana's army and new recruits have been integrated into the new RPA, the current army remains completely dominated by the original soldiers from Uganda.¹⁰⁰

In mid-1999, the London-based International Institute for Strategic Studies estimated the Rwandan military forces to compose of between 30,000 and 40,000 troops.¹⁰¹ In October 2000, the International Institute for Strategic Studies made an upward adjustment of this figure to between 49,000 and 64,000 troops, besides 7,000 paramilitary forces (so-called *Local Defense Units*) and 6,000 Gendarmerie officers.¹⁰²

The RPA has unofficially admitted to having 4,000 to 8,000 troops deployed in the Congo, according to the Economist Intelligence Unit, but this is believed to be a substantial understatement.¹⁰³ The International Crisis Group estimates that the RPA has between 17,000 and 25,000 troops deployed in the Congo, while a UN report on the exploitation of the Congo, says the RPA has a minimum of 25,000 troops in the Congo, an estimate the report attributes to "military specialists with a great deal of experience in the region".¹⁰⁴ In comparison, the

⁹⁹ Mugabe, 'The Killings Resume...', at <http://www.strategicstudies.org/crisis/rwanda.htm#Uganda-Rwanda>, pp. 4-7; and Dorsey, Michael, 'Violence and Power-Building in Post-Genocide Rwanda', in Doom, Ruddy, and Gorus, Jan, eds., *Politics of Identity and Economics of Conflict in the Great Lakes Region* (Brussels: VUB University Press, 2000), pp. 330-336

¹⁰⁰ Many other ex-FAR soldiers fled the country and have - as already described - been incorporated into ALIR, the heir of the Rwandan militias responsible for the Genocide

¹⁰¹ International Institute for Strategic Studies, *The Military Balance for 1999/2000*, (no page number provided), quoted in Economist Intelligence Unit, *EIU Country Profile 2000: Rwanda Burundi* (London: Economist Intelligence Unit, 2000), unpaginated

¹⁰² The Gendarmerie was controlled by the Ministry of Defence up until 2000, but was then disbanded and replaced with a police force under the control of the Ministry of the Interior. Economist Intelligence Unit, *EIU Country Profile 2001: Rwanda Burundi* (London: Economist Intelligence Unit, 2001), p. 15

¹⁰³ Economist Intelligence Unit, *EIU Country Profile 2000...*, unpaginated version

¹⁰⁴ United Nations, Security Council, *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo*, S/2001/357, 12 April 2001, also available at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 27

International Crisis Group estimates the much less disciplined RCD-Goma troops to number between 17,000 and 20,000.¹⁰⁵

Rwanda acquires its military hardware from a variety of countries, most of it via Uganda, according to the Economist Intelligence Unit.¹⁰⁶ During 1999, it also bought arms in South Africa. The RPA seeks to develop air power for the Second Congo War Congo war, and in 1999 acquired helicopters from a Ugandan intermediary, although the helicopters later turned out to be defective. Rwanda has reportedly also sought to purchase old Russian Mig fighter jets, but so far in vein.¹⁰⁷ For transport, the RPA relies on chartering private aircraft, typically Antonov airplanes, for instance from the international arms dealer Victor Bout.¹⁰⁸ The RPA owns 1 BN-2A Islander, 2 Mi-24, and 4 MI-17 MD helicopters, according to estimates by the International Institute for Strategic Studies. The United States has acknowledged that it has provided military training in the past, and the United States and the United Kingdom and are both believed to be providing military or police training at present as well. US military assistance to Rwanda amounted to more US\$ 0.5 million in 2000, according to estimates of the International Institute for Strategic Studies.¹⁰⁹

Systematic Exploitation of Congolese Resources

Eastern Congo is rich in a number of minerals, of which the most important are gold, diamonds, columbite-tantalite (a.k.a. coltan or col-tan), cobalt, cassiterite, manganese, uranium, copper, zinc, germanium, wolfram (a.k.a. tungsten), silver, lead, and iron. With the possible exception of uranium, all these minerals are being mined at the time of writing, despite the fact that most of the industrialized mining industry in the area under the control of the rebels and their foreign backers has come to a standstill years ago. Using simply equipment, lay people currently carry out the actual mining at dangerous, non-maintained mining sites.

¹⁰⁵ International Crisis Group, *Scramble for the Congo...*, at <http://www.crisisweb.org/projects/showreport.cfm?reportid=130>, p. 4

¹⁰⁶ Economist Intelligence Unit, *EIU Country Profile 2000...*, unpaginated version

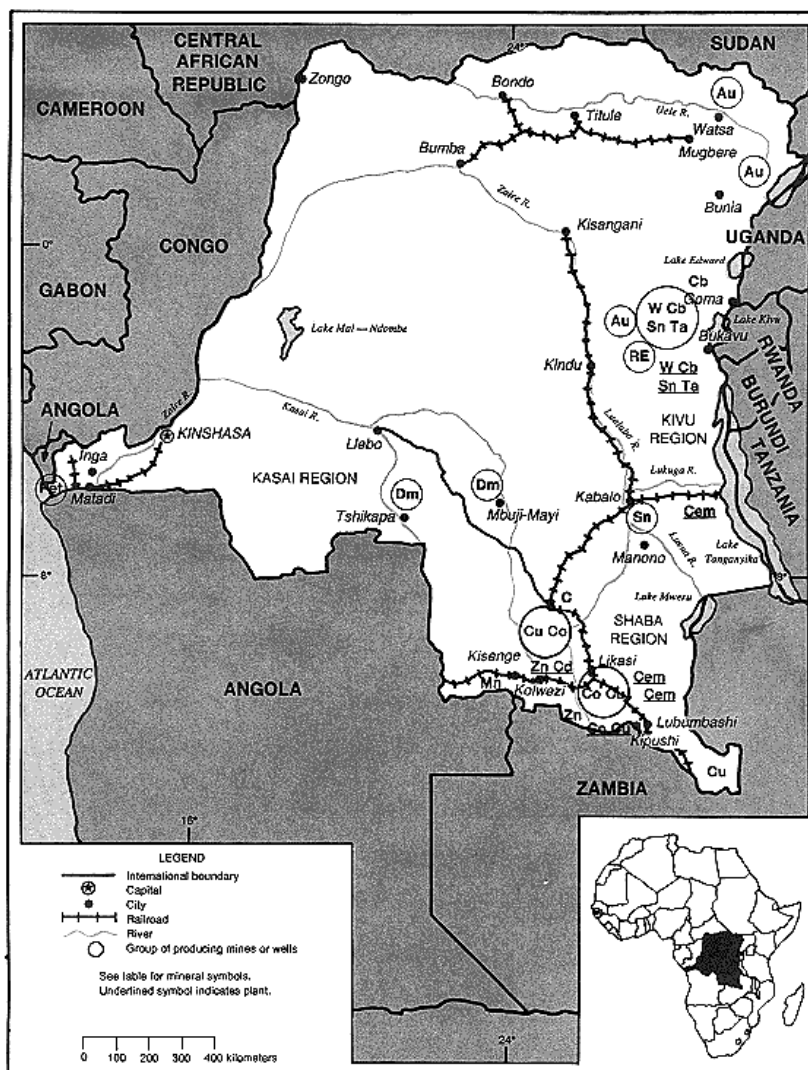
¹⁰⁷ *East African*, 'Rwanda, Congo Rebels Seek Fighter Jets', 6 October 1999, also available at <http://www.nationaudio.com/News/EastAfrican/041099/Regional/Regional7.html> and Economist Intelligence Unit, *Country Report Rwanda*, 26 January 2000, unpaginated version

¹⁰⁸ *Sunday Telegraph*, 'New address but business as usual for Africa's "merchant of death"', 22 July 2001

¹⁰⁹ Institute for International and Strategic Studies, *The Military Balance 2000-2001* (London: Oxford University Press, October 2001), p. 279 and United States, Department of Defense, *Report to Congress...*, at <http://www.defenselink.mil/pubs/rwanda/index.html>

Map 2 – Mineral Occurrences in the Democratic Republic of Congo

CONGO KINSHASA



Mineral legend:

Cb = niobium W = wolfram (a.k.a. tungsten) Co = cobalt Au = gold Ta = tantalum Dm = diamond

Sn = tin Zn = zinc Cu = copper Mn = Manganese Cem = cement RE = rare earths Pet = petroleum

Source: United States Geological Survey, Congo Kinshasa 'map' and 'key', undated documents, at <http://minerals.usgs.gov/minerals/pubs/country/africa.html#cg>

The lack of proper equipment and industrialized mining processes does not mean, however, that mining activities are not well organized. Much mining is carried out under the protection or by the order of the RPA and RCD-Goma. Although a lot of smuggling goes unnoticed, RCD-Goma and the RPA extract a variety of taxes from the trade in minerals, while at the same time they themselves engage in this trade. RCD-Goma has designed a fiscal system based mainly on the mining sector. About six different forms of tax exist, and they are applied on approximately eight different types of minerals, including the most important: coltan, gold, and diamonds. Minerals are being sold by RCD-Goma in exchange for cash or bartered for armaments and medicines to support the continuation of the war.¹¹⁰

But the trade in diamonds and other minerals originating in the Congo is first and foremost controlled by RCD-Goma's ally, the RPA. The exploitation and taxation is in fact organized centrally from a certain administrative entity known as the *Congo Desk*, which is located in a cell of Rwanda's Ministry of Defence named the Department of External Relations. Since 1998, this desk – until recently under the leadership of an RPA Major called Dan Munyuneza - has been licensing buying offices, known locally as *comptoirs*, in the area of Congo occupied by the RPA, according to a UN report on the exploitation of Congo.¹¹¹

Numerous journalists have also detailed how cargo flights operate between Kigali and various airports or even airstrips in Eastern Congo, flying in goods such as fuel or weapons, while bringing back minerals or other easily exportable items to Rwanda. Once in Rwanda, these goods are nearly always re-exported. For instance, in 1999 a security official at Kigali's Kanombe airport confirmed the illicit traffic from Congo to Europe via Rwanda to the *Christian Science Monitor*,

There are seven to 10 flights coming in every day from Congo [...] Most of the stuff they carry, diamonds, gold, and palm oil, doesn't even leave the airport. It gets loaded on planes for Europe and shipped right out.¹¹²

The planes operate in and out of the mineral-rich areas, most of which are extremely cumbersome to access by road, such as Kindu, Pinda, Punia, Walikale, Masisi, but cargo flights

¹¹⁰ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 32

¹¹¹ *Ibid.*, pp. 29-30

¹¹² *Christian Science Monitor*, 'Behind the Congo war: diamonds', 16 August 1998, also available at <http://www.csmonitor.com/durable/1999/08/16/fp1s4-csm.shtml>

also commute between larger towns such as Kisangani, Goma, and Bukavu.¹¹³ As I shall demonstrate, RPA officers, members of the RPF, or people closely affiliated with either, own nearly all of the companies involved in this trade.

Since it is not the specific task of this dissertation to detail in full the commercial networks behind the exploitation of the Congo, I will limit myself to explore the trade in three of the most profitable mineral exploitations that the RPA is involved in, namely the trade in coltan, gold and diamonds. The trade in these three valuable minerals will show the importance of the trade in precious Congolese commodities to the Government of Rwanda, notably the RPA. Before I will turn to exploring the trade in the three above-mentioned minerals, I will briefly analyze official Rwandan trade records and show how the volume of mineral exports does not match the domestic production.

The lack of infrastructure as well as the general lack of security in the Congo complicates the task of gathering relevant data. Only very poor statistics are available and most of the actors involved in the trade have a clear interest in manipulating publicly available data. A short discussion of sources is therefore necessary.

On 16 April 2001, a panel of experts appointed by the UN Security Council published its so-called *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of DR Congo* (henceforth referred to as the '*UN Exploitation Panel Report*').¹¹⁴ In this report, a final version of which is scheduled to be published in late October 2001, the panel members estimated the value of goods exploited by foreign armies involved in the Congo war, notably Rwanda and Uganda. The governments of these two countries then accused the Government of France of having pressured the panel into publishing a biased report. But while it is true that the report fails to properly footnote many of its allegations, the 'French connection' has not been substantiated. Furthermore, panel members were drawn from a variety of countries, including the United States, whose government is very sympathetic to both the governments of Rwanda and Uganda, so French bias is not a given. Since there are thus no reasons why the panel as a whole should have a particular interest in wrongly blackening the Rwandan and Ugandan side of the conflict, I regard the report as fairly credible.

¹¹³ See for instance Jackson, Stephen, "Our Riches are being Looted!"... Jackson, Stephen, "Our Riches are being Looted!"..., and *La Libre Belgique*, 'Les Rwandais pillent-ils le Congo?', 25 October 1999

¹¹⁴ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>

The Government of Rwanda does, quite on the contrary, have a clear interest in suppressing any information on its exploitation in the Congo; i.e. understating the export of precious goods from the Congo to Rwanda. Hence documents or statements by that government should not be accepted at face value. The same applies to documents and reports published by the World Bank and the IMF, since these institutions largely base their reports on material supplied by the Government of Rwanda.

Likewise, the Congolese government has a clear interest in inflating the figures of exploitation by Rwanda and Uganda, and can thus not be considered as a reliable source of information either.

RCD-Goma's interest in manipulating statistical figures is more ambiguous: On the one hand, the movement wants to present itself as an economically and politically autonomous movement, and therefore has an interest in showing proof of revenue - most of which comes as taxes on the mineral trade. On the other hand, it is clear that nearly any minerals or other precious goods being traded within its territory are exported to Rwanda, and hence statistics of taxes on minerals reveal the trade from Congo to Rwanda that the Government of Rwanda is interested in hiding. Compared to, for instance, the *UN Exploitation Panel Report*, RCD-Goma might not be a credible source of information, but because of this dilemma it is in many respects nevertheless a much better source of information than the Government of Rwanda.

Other available sources include international institutions, such as the British Geological Survey and the US Geological Survey. These two institutions are ultimately both under the control of two governments that are extremely sympathetic to the governments of Rwanda and Uganda, and political influence can therefore not be excluded. A (purely fictive) example would be if these institutions overestimated the domestic Rwandan production of, for instance, coltan in order to minimize the gap between domestic production and export, thereby hiding the re-export of Congolese coltan. I shall nevertheless consider these reputable institutions as fairly reliable, since I have no proof of such meddling with numbers, and since it would not be politically risk free for the governments of neither the United Kingdom nor the United States to order skilled professionals to 'distort' their figures. Much the same can be said about the statistical offices of western countries that were consulted, such as those of the United Kingdom, Germany, Belgium, or the United States.

Businessmen generally have an interest in understating the value of the trade, since they are usually taxed by RCD-Goma according to the volume traded.

Although journalists are obviously subject to the same constraints as anybody else in the field of data collection on mineral activities in the Great Lakes Region, I shall also consider the international press as a fairly reliable source of information, since journalists have no obvious interest in exaggerating or hiding the ongoing exploitation.

Official Rwandan National Accounts and Export Statistics

I shall in this section outline the discrepancy between the official domestic production of coltan, gold, and diamonds, as well as the official export statistics for these minerals. It shall be demonstrated that even the official records disclose re-exports of minerals originating from outside Rwanda. When converting between US Dollars (US\$) and Rwanda Francs (Rwfr) I shall throughout this dissertation use the exchange rates listed in Table 1 below.

Table 1 – Exchange Rates (Rwfr:US\$)

Exchange rates used by the author throughout the dissertation

	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>
				(a)	(b)
Average annual exchange rates (Rwfr:US\$)	306.8	301.5	312.3	333.9	389.7

(a) Estimates based on IMF, World Bank and national data.

(b) Economist Intelligence Unit estimate

Source: International Monetary Fund quoted in Economist Intelligence Unit, *EIU Country Profile 2001: Rwanda Burundi* (London: Economist Intelligence Unit, 2001), p. 38

As can be seen in Table 2, which is based exclusively on data provided by the Government of Rwanda, there is a huge discrepancy between the production and export of coltan. In a letter to the author, the National Bank of Rwanda stated that 603 tons of coltan were exported during 2000. Even if we assume that coltan had been stockpiled for several years in the hope of a price hike, this cannot explain the discrepancy between a coltan export of 603 tons for 2000 and a meagre domestic production figure - provided by the Rwandan Ministry of Finance - of 83 tons.

As can be seen from the calculations in the table below, the combined discrepancy for the last five years amounts to 706.7 tons, or nearly half of the total volume exported during this period.¹¹⁵

Table 2 – Official Rwandan Coltan Production and Export

<u>Source</u>	<u>Item</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	
Rwandan Ministry of Finance (a)	Total domestic production volume – in tons	97.0	224.0	224.0	122.0	83.0	
National Bank of Rwanda (b)	Total export volume – in tons	97.0	228.0	199.0	329.7	603.0	
National Bank of Rwanda (b)	Total export value – in million US\$	1.3	2.7	2.5	4.6	11.4	
Discrepancy between domestic production and export volume (domestic production minus export)		0.0	-4.0	25.0	-207.7	-520.0	
Discrepancy between domestic production and export volume for last 5 years combined (last 5 years' domestic production minus last 5 years' export)							-706.7

Sources:

(a) Economist Intelligence Unit, *EIU Country Profile 2001: Rwanda Burundi* (London: Economist Intelligence Unit, 2001), p. 35 and *Reuters*, 'Forget Congo - Rwanda enjoys its own mining boom', 12 June 2001

(b) Rwanda, National Bank of Rwanda, private correspondence to the author, 19 June 2001, available at <http://www.willum.com/nationalbankofrwanda19jun01.htm>

But Luc Tack of the geological research group at the Belgian Africa Museum suggests that Rwandan mines may not even have produced as much as the approximately 100 to 200 tons of coltan per year, which the Rwandan Ministry of Finance claims, but rather about 25 tons per year on average since 1994.¹¹⁶ A careful analysis of the data provided by the Government of Rwanda itself indicates that the domestic production figures might indeed have been inflated in order to

¹¹⁵ Even if we add the production for both 1994 and 1995 (for which years export figures are not available), a total of 111.1 tons, this still cannot explain the difference

disguise the re-export of Congolese coltan.¹¹⁷ As can be seen in Table 3 and Table 5, this owes to the fact that there is a huge discrepancy between the volumes reportedly produced and the total output value of the mining sector. 308 tons of cassiterite, 84 tons of wolfram, 122 tons of coltan, and 10 kilograms of gold were mined during 1999, according to the Government of Rwanda. But the 1999 market value of 122 tons of coltan in itself by far exceeded US\$ 0.60 million, the figure given for the total mining output 1999. With an average per kilogram price of US\$ 102 on the world market, 122 tons of coltan would be worth US\$ 12.4 million or more than 20 times the total mining output for 1999.

Table 3 – Total Official Mining Production in Rwanda – by Value

	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u> (estimates)
Total mining output - Rwfr billion	0.2	0.3	0.3	0.2
Total mining output – in US\$ million	0.65	1.00	0.96	0.60

Source:

International Monetary Fund and Rwandan Ministry of Finance quoted in Economist Intelligence Unit, *EIU Country Profile 2001: Rwanda Burundi* (London: Economist Intelligence Unit, 2001), p. 34

When it comes to gold, there is an even more substantial discrepancy; at least if one takes into consideration trade information provided by the Belgian Institut des Comptes Nationaux, a subsidiary of the Belgian National Bank. During 1997, Rwandan gold exports to Belgium

¹¹⁶ Tack, Luc, private correspondence to the author, 8 May 2001

¹¹⁷ There is an interesting underestimation of the value of the minerals, perhaps because of tax evasion. According to the US Geological Survey, 51 tons of coltan was exported from Rwanda to the US in 1997 in exchange for US\$ 984,000, which suggests an average per kilogram price of US\$ 19.3. The exports listed by the Government of Rwanda shows an average of only US\$ 11.8 per kilogram for 1997. Similarly, the US Geological Survey reports an export of 71 tons of coltan to the United States in 1998 in exchange for US\$ 1.61 million, which suggests an average per kilogram price of 22.7 US\$, while the Government of Rwanda statistics shows an average 12.6 US\$ per kilo. Rwanda, National Bank of Rwanda, private correspondence to the author, 19 June 2001, available at <http://www.willum.com/documents/nationalbankofrwanda19jun01/index.htm> and United States, Geological Survey, *Columbium (Niobium) and Tantalum*, 1998, at <http://minerals.usgs.gov/minerals/pubs/commodity/myb>, p. 11. In comparison, the average world market price for coltan was about US\$ 102 per kilogram in 1999 and US\$ 196 per kilogram in 2000, according to *Ryan's Notes*. Confer discussion on coltan in following chapter

amounted to roughly US\$ 35.5 million, according to these records shown in Table 4. For 1998, Rwandan gold exports amounted to US\$ 29.8 million. In 1999 and 2000, the gold exports from Rwanda to Belgium suddenly fell drastically to 2.6 US\$ and US\$ 0.7 million, respectively. These figures have to be compared to domestic production figures of only 10 kilograms annually for each of the years 1997, 1999, 2000, and 17 kilograms for the year 1998. With a market price for gold at roughly US\$ 12,000 per kilogram in 1997 and at about US\$ 10,000 per kilogram since then, the market value of the Rwandan domestic production – about US\$ 120,000 for 1997, about US\$ 100,000 for both 1999 and 2000, and about US\$ 170,000 for 1998 - compares as a drop in the ocean to the total export of gold.¹¹⁸

Table 4 – Official Belgium Imports of Gold from Rwanda

<u>Source</u>	<u>Currency</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>
National Bank of Belgium	Euro	31,425,000	26,625,000	2,428,000	716,000
National Bank of Belgium (*)	US\$	35,501,655	29,848,320	2,585,261	659,908

Source:

Belgium, National Bank of, Institut des Comptes Nationaux, selected import statistics made available to the author by Tom De Herdt, University of Antwerp

(*) The following exchange rates were used for converting the gold imports into US\$

Source:

Oanda FXTrade History, selected statistics on currency rates, available at <http://www.oanda.com/convert/fxhistory>

Euro:US\$	0.88517	0.89201	0.93917	1.085
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¹¹⁸ United States, Geological Survey, *Mineral Commodity Summaries: 2001* (Washington: US Government Printing Office, 2001), also available at <http://minerals.usgs.gov/minerals/pubs/mcs>, p. 70

Table 5 – Official Rwandan Production of Minerals – by Volume

All units in tons, except gold in kilograms

	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u> (**)
Cassiterite	358.1	247.0	330.0	327.0	330.0	308.0	437.0
Wolfram	n.a.	19.2	62.3	42.0	188.0	84.0	n.a.
Coltan	56.2	53.9	97.0	224.0	224.0	122.0	83.0
Gold (*)	10.0	17.0	10.0	10.0

Sources:

'Rwandese authorities' quoted in International Monetary Fund, *Rwanda: Statistical Appendix*, Country Report no. 01/30, 5 February 2001, at <http://www.imf.org/external/pubs/ft/scr/2001/cr0130.pdf>, p. 10

'Rwandan authorities' quoted in Economist Intelligence Unit, *EIU Country Profile 2001: Rwanda Burundi* (London: Economist Intelligence Unit, 2001), p. 35

'Rwanda Official Statistics (No. 227/01/10/MIN):' quoted in United Nations, Security Council, *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, S/2001/357*, 12 April 2001, also available at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 21

(*) In the Country Report quoted above, the International Monetary Fund leaves three dots (...) in the slots designated for gold production before 1997 but fails to explain whether this means that Rwanda did not have any gold production during these years or whether there was merely no data available

(**) The figures for 2000 appear to be estimates

Finally, it is interesting to note that although Rwanda has no diamond production, it still exported diamonds worth US\$ 1,888,035 to Antwerp in 2000, according to the Antwerp-based branch organization, the *Diamond High Council*.¹¹⁹

There appears thus to be little doubt that the major part of Rwandan mineral exports are indeed re-exports of goods having only transferred through Rwanda on its way to a final destination, something which is, as I shall detail below, confirmed by officials of RCD-Goma.

¹¹⁹ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 25

Diamond Exploitation

The total value of the annual Congolese diamond production is estimated at about US\$ 750 million, most of which is mined by small operators and artisans. In comparison, the total global supply of rough diamonds is estimated at about US\$ 8 billion for 2000.¹²⁰ The most profitable diamond mines in the Congo have throughout the Second Congo War been under the control of the Congolese government. The Rwandan forces and, to a minor extent, the Ugandan forces, nevertheless control lucrative diamond areas as well, in particular around the towns Kisangani and Banalia in North-Eastern Congo.

The control of diamond mines and trade centers for diamonds in the Ugandan and Rwandan zones have nevertheless been at the root of continued internal fighting between the two armies that have joined forces against the Congolese government. Before June 2000, the Ugandan and Rwandan armies jointly controlled the diamond offices in Kisangani, which is the most importing diamond trading town under their control, although they backed and protected different diamond dealers.¹²¹ However, frequent skirmishes erupted over time, and finally the two forces battled for the control of the town during a six-day-long war in June 2000. In the end, the Rwandan forces seized control of the town, while the Ugandan forces were forced to retreat about 100 km north to Banalia, a smaller trading center for diamonds. In July 2000, the RPA sold awarded two comptoirs the only licences to export diamonds from Kisangani.¹²²

But the fighting over Kisangani did not settle tensions between the UPDF and the RPA. On 18 November 2000, the RPA and RCD-Goma launched an attack on Banalia, then held by UPDF and MLC troops, in an attempt to seize this diamond-stronghold as well. The fighting over Banalia continued into the New Year, despite assurances by both RCD-Goma and MLC spokesmen that the skirmishes were only minor incidents caused by misunderstandings between local commanders.¹²³ In late December 2000, RCD-Goma and the RPA moreover launched attacks on several other diamond-rich areas controlled by the UPDF and the RCD-ML.¹²⁴

¹²⁰ "Supply of rough diamonds to the market was however almost US\$ 9 billion, as De Beers sold an additional US\$ 1.1 billion worth of diamonds from its stockpile." Rombouts, Luc, *Diamond Annual Review – 2000*, n.d., at <http://www.terraconsult.be/overview.htm>

¹²¹ Interviews with diamond traders, Kisangani, November 2000

¹²² United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 29. But the split between the two former allies had a negative impact on the diamond trade in Kisangani, since some of the trade was diverted to the Ugandan zone. Interviews with diamond traders, Kisangani, November 2000

¹²³ *BBC News Online*, 'Congo rebels clash over mining town', 20 November 2000, at http://news.bbc.co.uk/1/hi/english/world/africa/newsid_1032000/1032393.stm

¹²⁴ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 37

How large is the diamond trade in the area controlled by Rwanda? There are unfortunately only four very poorly-sourced estimates of the trade in the Rwandan zone. First, there are the official statistics provided by RCD-Goma that show an export of US\$ 7.7 million.¹²⁵ Second, the *UN Exploitation Panel Report* estimates the annual turnover to be about US\$ 80 million, though the source of this figure is not provided.¹²⁶ Third, the Kinshasa-based analysis group *Observatoire Gouvernance-Transparance* suggests that the provinces of Orientale, Maniema, and Equateur - all more or less occupied by Ugandan and Rwandan troops and their allies - represent a total annual turnover of between US\$ 60 and 75 million.¹²⁷ If we assume that the Rwandan forces - following their victory at Kisangani - have more than half of this trade in their territory, the estimate of the *Observatoire Gouvernance-Transparance* is significantly lower than the *UN Exploitation Panel Report* figure, perhaps only some US\$ 40 million. Fourth, another Kinshasa-based analysis group, the *Centre National d'Expertise* (CNE), estimates the production of the 'Kisangani' area, apparently understood as the diamond territories currently under the control of Uganda and Rwanda, to make up 14.5% of the total Congolese diamond production. CNE estimates the total Congolese diamond production for 1999 at US\$ 521 million,¹²⁸ including both official and unofficial production, which would make the production in the Ugandan-Rwandan areas approximately US\$ 76 million. If, as above, we assume that the majority of this trade takes place in the Rwandan zone, the CNE's figure implies an annual turnover of at least US\$ 40-50 million. However, the CNE cooperates with the Congolese government, and hence its figures could well be deliberately biased in order to overestimate the value of the foreign plunder.¹²⁹ Of all the four available estimates on the annual turnover in the Rwandan zone, I therefore find the second and the third estimates of about US\$ 40 million and US\$ 80 million, respectively, as the most reliable.

¹²⁵ International Peace Information Service, 'Mineral Exports by RCD-Goma in 2000', *Central Africa Minerals and Arms Research Bulletin* Edition 1 (14 June 2001), at <http://www.diamondstudies.com/docs/camarb1.html>

¹²⁶ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 29. The figure of US\$ 40 million is inferred from the information that the two monopoly diamond dealers in the Rwandan zone paid US\$ 4 million in total, which represented 5% of their annual turnover. (5% of US\$ 80 million is US\$ 4 million)

¹²⁷ Observatoire Gouvernance-Transparance, *Guerre en RDC: Enjeux économiques: Intérêts et Acteurs*, 10 April 2000, at http://www.c-df.org/tribune_raisons_guerre.html

¹²⁸ André, Catherine, and Marysse, Stefaan, 'Guerre et Pillage Economique en Republique Democratique du Congo', in Reyntjens, Filip, and Marysse, Stefaan, eds., *L'Afrique des Grands Lacs. Annuaire 2000-2001*, forthcoming

¹²⁹ It is worth noting that the Congolese institutions here provide the highest estimate. It is possible that this is incidental, but might also be because they are under political pressure to inflate the value of foreign plunder

How large is the revenue earned by the RPA? This is difficult to say, since both the RPA and diamond traders involved keep their cards close to the chest. According to the *UN Exploitation Panel Report*, a comptoir pays on average 5% of the diamond value to the Congo Desk.¹³⁰ However, according to an article in the *Washington Post*, RCD-Goma charges diamond dealers 10% of the cash they carry into the territory.¹³¹ According to Hugues Leclerq, a trader from the area interviewed by Catherine André and Stefaan Marysse of the University of Antwerp, the RPA could earn between 20% and 50% of the value of the diamonds traded. How Leclerq arrives at this conclusion is not clear.¹³²

Part of the difference between the figures provided by Leclerq and those provided by the other sources, might be explained by the (comparatively minor) revenue earned from the taxation of *small* diamond dealers. For instance, approximately 70 small diamond dealers are registered with RCD-Goma in Kisangani, and they also have to pay licence fees to operate. These small dealers can purchase diamonds from miners who make their way into Kisangani, but they are not allowed to export the diamonds, and are thus forced to resell any purchases to the two comptoirs holding the joint export monopoly within the Rwandan zone. For such a license each of the small dealers pays an annual fee plus a percentage of the turnover: one percent, according to some diamond dealers interviewed by the author in Kisangani in November 2000.¹³³ It is nevertheless unclear how much RCD-Goma and the RPA earned from taxing this group, since for obvious reasons traders are not always interested in declaring the full amounts to RCD-Goma officials.¹³⁴

Given the badly sourced data material, it is only possible to make inaccurate estimates of the RPA's revenue. If we use the lowest available profit rate and the lowest available annual turnover, i.e. a tax of 5% and a turnover of US\$ 40 million, the RPA would earn only some US\$ 2 million annually (5% of US\$ 40 million). However, if we believe that a 10% tax is charged and the annual turnover is US\$ 80 million, the total revenue would instead become US\$ 8 million (10% of US\$ 80 million) – presuming that the tax 'law' is being strictly enforced. In March 2001, the President of RCD-Goma, Adolphe Onusumba, stated that RCD-Goma's part of the revenue from the diamond trade amounted to "more or less \$200,000 per month", which is almost US\$ 2½

¹³⁰ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 29

¹³¹ It is not entirely clear from the article who the source is for this figure, but since Onusumba it quoted in the same paragraph, it gives the impression that this figure should be attributed to him

¹³² André and Marysse, 'Guerre et Pillage Economique...'

¹³³ Interviews with diamond traders, Kisangani, November 2000

¹³⁴ Interviews with diamond traders, Kisangani, November 2000

million per year.¹³⁵ Onusumba did not elaborate on the diamond revenue earned by the RPA, but since July 2000 the RPA and RCD-Goma have split the diamond revenue equally between them, according to the *UN Expert Panel Report*,¹³⁶ which suggests a total revenue of almost US\$ 5 million per year. Finally, if we choose instead to believe the figures of the trader Leclerq, the annual profit would be much higher: between US\$ 8 million (20% of US\$ 40 million) and US\$ 40 million (50% of US\$ 80 million).

Another source of diamond-related income is the export of Angolan diamonds from Rwandan territory in breach of a UN embargo on buying or selling Angolan diamonds. High-ranking representatives from the Angolan rebel movement, the *União Nacional para a Independência Total de Angola* (UNITA), have been allowed to 'market' their goods in Kigali with international diamond traders, undoubtedly providing kick-backs to the Congo Desk. This (obviously unofficial) permission goes back to August 1998, when out of mutual interest UNITA and the RPA formed an alliance against Kabila's government.¹³⁷ Allegations that some of the diamonds exported from Rwanda may originally have come from UNITA has been further substantiated by the fact that the average quality of diamonds exported from Rwanda is higher than that generally found in the Congo.¹³⁸ In order to circumvent the UN's monitoring mechanisms, attempts are being made to set up a diamond-cutting factory in Kigali by individuals that have arms and diamond-smuggling links with UNITA, according to a UN report on the state of the embargo on Angolan diamonds. The *Sunday Telegraph* suggested in an article from 22 July 2001, that the international arms dealer Victor Bout already owns such a diamond-cutting factory in Kigali; an important facility,

¹³⁵ *Washington Post*, 'Vital Ore Funds Congo's War', 19 March 2001, also available at

<http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node=digest&contentId=A16657-2001Mar16>

¹³⁶ <http://www.un.org/News/dh/latest/drcongo.htm>, p. 29

¹³⁷ Following the failed operation to quickly run over Kabila's government, two battalions of RPA soldiers were caught in the jungle in Western Congo in August 1998 afraid of being encircled by Kabila's forces. To avoid being run over, Kagame requested UNITA's permission to withdraw his forces into north Angolan territory controlled by UNITA. From there they regrouped and some soldiers were flown home to Rwanda. United Nations, Security Council, *Final report of the Monitoring Mechanism on Angola Sanctions Mechanism*, UN document number S/2000/1225, 21 December 2000, also available at <http://www.un.org/Depts/dpa/docs/Monitoring%20final.PDF> and <http://www.reliefweb.int/w/rwb.nsf/vID/876DFC2A50B5C0B9C12569C8003FD43B?OpenDocument>, unpaginated version. Since then, the RPA and the UNITA have cooperated; for instance Amnesty International received testimony from a pilot that a UK-managed aircraft based in the United Arab Emirates delivered arms to both the RPA in Goma as well as UNITA with the knowledge of Rwandan military officials. Amnesty International, *Democratic Republic of Congo: Rwandese-controlled east: Devastating human toll*, 19 June 2001, Report No. AFR 62/011/2001, at <http://web.amnesty.org/ai.nsf/Index/AFR620112001?OpenDocument&of=COUNTRIES%5CRWANDA>, unpaginated version

¹³⁸ United Nations, Security Council, *Final report of the Monitoring*, at

<http://www.un.org/Depts/dpa/docs/Monitoring%20final.PDF> and

<http://www.reliefweb.int/w/rwb.nsf/vID/876DFC2A50B5C0B9C12569C8003FD43B?OpenDocument>, p. 46

since it is virtually impossible to trace the geographical origin of diamonds once they have been cut.¹³⁹ There are however no estimates available for neither the volume nor the value of UNITA diamonds being exported through Kigali.

Coltan Exploitation

During 2000, the multiplication of the price of the high-tech ore coltan turned the trade in that mineral into the RPA's single most profitable source of revenue. Coltan consists of columbium (Cb) and tantalum (Ta), two elements that are usually found together in oxidized form, hence the full name for coltan is columbite-tantalite. In 2000, about 6.6 million pounds, or 3,000 tons, of pure tantalum, the most expensive of the two sub-components, was consumed globally, according to the *Industry Standard Magazine*.¹⁴⁰ Coltan is extremely resistant to both very high and very low temperatures, and has therefore become a vital component in most advanced mobile phones, pagers, jet engines, air bags, night vision goggles, fiber optics, and, perhaps most importantly, capacitors for computer chips.

The eastern parts of the mineral-rich Congo have large coltan deposits. However, US Geological Survey specialists caution that no proper reserve estimate has been carried out for nearly ten years.¹⁴¹

The Congolese coltan reserves under RPA control are located in the provinces of South Kivu, North Kivu and Maniema, but some coltan pockets in these provinces are controlled by the Mai-Mai and the ALIR.

Structure of the Trade

Back when the Congo was still Zaire, coltan was being mined in North Kivu and South Kivu by a Belgian-Zairian company named *Société Minière et Industrielle du Kivu* (Sominki). However, the Congo's coltan production waned with then Zairian President Mobutu Sese Seko's control of the

¹³⁹ *Sunday Telegraph*, 'New address but business as usual for Africa's "merchant of death"', 22 July 2001. A similar allegation was made in the UN report on Angola. United Nations, Security Council, *Final report of the Monitoring...*, at <http://www.un.org/Depts/dpa/docs/Monitoring%20final.PDF> and <http://www.reliefweb.int/w/rwb.nsf/vID/876DFC2A50B5C0B9C12569C8003FD43B?OpenDocument>, p. 46

¹⁴⁰ *Industry Standard Magazine*, 'A Call to Arms', 11 June 2001, also available at http://www.thestandard.com/article/0,1902,26784,00.html?printer_friendly

¹⁴¹ "By definition "reserves" are those portions of mineral deposits that can be mined economically under prevailing legal, political and market conditions. Ore 'resources' contain both currently economic material *and* associated material that could become economic in the future [if] market prices change, or technology innovations make it more economic to mine. 'Resources' can be as much as 2 to 4 times larger than the 'reserves' and could be more." Coakley, George, private correspondence to the author, 28 September 2001 and United States, Geological Survey, *The Mineral Industry of Congo (Kinshasa) - 2000*, Mineral Industry Survey, at <http://minerals.usgs.gov/minerals/pubs/country/africa.html#rw>

eastern territories. By the time of the Rwanda Genocide in 1994, mining production virtually ceased, when more than one million refugees, militias, and ex-FAR soldiers retreated to the Kivu provinces. The company nevertheless survived and guarded a decent stock at its facilities in the jungle, which was for unknown reasons not exported. During the following years, Sominki was cast into turmoil. The Belgian stockholders in 1995 decided to sell their 72% of the company to a Canadian mining consortium, *Banro*, while the remaining 28% of the company stayed with the Zairian government. In January 1997, Sominki's assets were transferred into a new company named *Sakima SARL*, apparently owned by both Banro as well as a local Zairian corporation named *RMA*.¹⁴²

But when Mobutu lost power in 1997, the new President, Laurent-Desiré Kabila, annulled the contract. When the RPA and the UPDF then re-entered Eastern Congo in August 1998 to oust Kabila, they quickly seized the mines and stocks of the old Sominki. According to the *UN Exploitation Panel Report*, Sominki had seven years' worth of coltan in stock in various areas. From late November 1998 to April 1999, the RPA and RCD-Goma organized the removal and transport to Kigali of between 1,000 and 1,500 tons of coltan and between 2,000 and 3,000 tons of cassiterite, unnamed sources told UN panel members. In August 2000, the RCD went a step further and expropriated Sakima and RMA – the heirs of Sominki, according to one version. The official explanation was that a new provisional management had been appointed by RCD-Goma in order to take care of what was somewhat euphemistically referred to as 'abandoned goods'. The original owners were encouraged by the chief of RCD-Goma's mining department, Nestor Kiyimbi, to "come and re-negotiate their purchasing contract".¹⁴³ At the time of writing, the state of the company remains in limbo.

Currently, coltan is therefore being mined by local people, mostly in abandoned tin mines, where the coltan can be found amidst abandoned tin slag.¹⁴⁴ Miners usually work using only simple equipment such as shovels - if any at all - and the work is dangerous, since the mining constructions are not properly buttressed nor regularly maintained, and the labour is unskilled. It is little surprise that casualties among miners are frequent.

¹⁴² Pole Institute and CREDAP, *Le Coltan et Les Populations du Nord-Kivu*, Research Report, February 2001, n.p., at <http://www.obsac.com/OBSV4N11-PoleInstColtan.html>, unpaginated version, and United States, Geological Survey, *The Mineral Industry of Congo (Kinshasa) - 1997*, Mineral Industry Survey, at <http://minerals.usgs.gov/minerals/pubs/country/africa.html#rw>

¹⁴³ Authors translation into English. *Tageszeitung*, 'Erzfeinde im Coltan-Rausch', 22 December 2001, also available at <http://www.taz.de/tpl/2000/12/22/a0078.nf/stext.Name,askfcEmH.idx,0>

¹⁴⁴ When the price of coltan was still low, it was regarded as less worth than the tin ore with which it is often found, and was often not extracted

The deprivation of the economy due to the war and plunder – later combined with the rising coltan prices – has nevertheless made local people dig for coltan. In certain areas in the Kivu provinces, it was last year said that mining coltan was what most young men spent their time doing.¹⁴⁵

The excavated ore is sold to middlemen, who either sell it on to other middlemen or themselves take the ore to the larger coltan comptoirs that are usually based in the towns of Goma and Bukavu right on the Rwandan border. RPA officers, RCD-Goma officials, and Rwandan traders own most of these comptoirs or have shares in them.¹⁴⁶ A notable exception to this Rwandan dominance was Aziza Kulsum (a.k.a. Madame Gulamali or Aziza Gulamali), a gunrunner and smuggler with an extensive business portfolio and many trading partners, including the Rwandan Hutu militias in exile. For a limited period during 2000 and 2001, she teamed up with the RPA and RCD-Goma to create a company that was awarded the export monopoly on coltan in the Rwandan zone.¹⁴⁷

In areas the RPA cannot or does not want to control, it still keeps an eye on what is going on. According to the *UN Exploitation Panel Report*, there have been several examples of the RPA tracking the coltan exploitation through informers. When large amounts of coltan had been mined and packed in bags by the Mai-Mai or the Interahamwe, the RPA mounted attacks and seized control of the mining areas in question for a few days, just enough for small aircraft to fly in and evacuate the coltan.¹⁴⁸ According to the *UN Exploitation Panel Report*, there are strong indications that most of the fighting between the RPA and the Mai-Mai has taken place over coltan-rich areas.¹⁴⁹

In other areas, where the ALIR and the Mai-Mai are too strong, the RPA has come to a profitable modus vivendi with their ostensible enemies. Through middlemen, the RPA simply buys the coltan, which - given the geographical circumstances and the collapsed Congolese infrastructure - is virtually impossible for the Mai-Mai or the ALIR to export by themselves.

¹⁴⁵ Jackson, Stephen, "Our Riches are being Looted!"...

¹⁴⁶ Independent observers told Amnesty International that the RPA is directly implicated in the extraction of coltan, and that of the 16 buying centres (comptoirs) of coltan and cassiterite identified in Bukavu in November 2000, 12 belong to RPA officers and Rwandan traders from Kigali, and the others belong to RCD -Goma leaders. Amnesty International, *Democratic Republic of Congo: Rwandese-controlled east: Devastating human toll*, 19 June 2001, Report No. AFR 62/011/2001, at <http://web.amnesty.org/ai.nsf/Index/AFR620112001?OpenDocument&of=COUNTRIES%5CRWANDA>, unpaginated version

¹⁴⁷ See for instance *Tageszeitung*, 'Erzfeinde im Coltan-Rausch', 22 December 2001, also available at <http://www.taz.de/tpl/2000/12/22/a0078.nf/stext.Name,askfcfEmH.idx,0> ; and

¹⁴⁸ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 37

¹⁴⁹ *Ibid.*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 37

According to the *UN Exploitation Panel Report*, the Mai-Mai chief, General Padiri, even once informed 'people in Kigali' that he was selling 60 tons of coltan.¹⁵⁰

According to several reports, the RPA has also flown in prisoners from Rwanda who are offered a reduced sentence and/or some small pay to labour as coltan miners. It still remains unclear when this practice was initiated, but five mining sites with Rwandan prisoners have been reported. From these mining fields, the RPA exports the excavated coltan directly to Rwanda by plane or Army helicopters.¹⁵¹

Although the President of RCD-Goma, Adolphe Onusumba, has not confirmed the use of Rwandan prisoners as miners, he indirectly acknowledged the RPA's direct coltan exports to Rwanda in an interview with the *Washington Post*: "There is cooperation, but Rwanda is not charging us the fees like Zimbabwe charges Kabila," Onusumba said with reference to the diamond mines offered by the Congolese government to the President of Zimbabwe, Robert Mugabe, in exchange for the lending of between 11,000 and 12,000 troops to support the badly trained Congolese government army. "It is a brotherhood [...] If the Rwandans come and they get col-tan from Punia or Walikale [in North Kivu], it's up to them," Onusumba said.¹⁵²

Exports via Rwanda

As discussed above, the RPA does not have an interest in revealing the real extent of its plunder of Congolese mineral resources. However, RCD-Goma has on several occasions acknowledged that coltan exported by comptoirs to Rwanda amount to at least 100 tons per month.¹⁵³ In an article in the *Tageszeitung* on 22 December 2000, Nestor Kiyimbi is quoted as having said: "Die Ankäufer deklarierten zusammen eine Ankaufsmenge von 40 Tonnen im Monat, aber wir wissen,

¹⁵⁰ Ibid.

¹⁵¹ *BBC News Online*, 'Rwanda denies using forced labour', 22 March 2001, at http://news.bbc.co.uk/1/hi/english/world/africa/newsid_1235000/1235293.stm. Even street children have been reportedly been used for this purpose. Amnesty International, *Democratic Republic of Congo: Rwandese-controlled east: Devastating human toll*, 19 June 2001, Report No. AFR 62/011/2001, at <http://web.amnesty.org/ai.nsf/Index/AFR620112001?OpenDocument&of=COUNTRIES%5CRWANDA>, unpaginated version

¹⁵² *Washington Post*, 'Vital Ore Funds Congo's War', 19 March 2001, also available at

<http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node=digest&contentId=A16657-2001Mar16>

¹⁵³ In official statistics for 2000 – up to and including 31 October only – obtained by the International Peace Information Service, RCD-Goma lists an export of 445 tons of coltan. Nevertheless, it is worth noting that the price of coltan first peaked around December 2000 and January 2001, and much coltan could have been exported during the last two months of that year. International Peace Information Service, 'Mineral Exports by RCD-Goma in 2000', *Central Africa Minerals and Arms Research Bulletin* Edition 1 (14 June 2001), at <http://www.diamondstudies.com/docs/camarb1.html>

dass sie bis zu 140 Tonnen im Monat ausföhrten."¹⁵⁴ In late November 2000, RCD-Goma estimated that territory under its control was producing between 100 and 200 tons of coltan per month, according to an article in the *Washington Post*¹⁵⁵ On 8 April 2001, the *Associated Press* wrote that the "rebels say they are sending about 100 tons of Congo Coltan to Rwanda a month."¹⁵⁶ In Butembo, traders told the *Corriera della Serra* that they exported 'about 50' tons of coltan per month from Butembo only, thus implying a much higher export rate from the entire Rwandan zone.¹⁵⁷

In Rwanda, the Congolese coltan is "generally stored in facilities owned by the Government," according to the *UN Exploitation Panel Report*. From there, most of it is exported to international markets by the companies *Rwanda Metals* and *Grands Lacs Metals*, both believed to belong to the RPA, although this is officially denied by the Government of Rwanda. According to the *UN Exploitation Panel Report*:

In mid-January 2001, some very reliable sources met with the senior management of Rwanda Metals in Kigali. During these discussions, the Director told them that Rwanda Metals was a private company with no relation to the army. He further explained that he was expecting key partners that very morning for discussions. As discussions continued, the so-called partners arrived as planned; unfortunately they were in Rwandan army uniforms and were top officers. This incident confirms accounts from various sources indicating that Rwanda Metals is controlled by RPF.¹⁵⁸

The stockholders of Grands Lacs Metals include Majors Gatete, Dan and Kazura, according to the *UN Exploitation Panel Report*. Major Kazura is the Chief-of-Security of the Rwandan Army in the Congo, while Major Dan Munyuneza, as his full name reads, is the former head of the Congo Desk. Clients are either contacted directly or through the Congo Desk, and Major Dan Munyuneza has personally signed some of the letters sent to potential clients in Europe and the US, according to the *UN Exploitation Panel Report*.¹⁵⁹

¹⁵⁴ Tageszeitung, 'Erzfeinde im Coltan-Rausch', 22 December 2001, also available at <http://www.taz.de/tpl/2000/12/22/a0078.nf/stext.Name,askfcfEmH.idx,0>

¹⁵⁵ *Washington Post*, 'Vital Ore Funds Congo's War', 19 March 2001, also available at

<http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node=digest&contentId=A16657-2001Mar16>

¹⁵⁶ *Associated Press*, 'Search for high-tech ore fuels Congo's war', 8 April 2001

¹⁵⁷ *Corriera della Serra*, 'La guerra del minerale misterioso Migliaia di morti in Congo per il Coltan, la sabbia nera "piu' preziosa dell' oro"', 26 April 2001

¹⁵⁸ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 16

Profits

In order to estimate the RPA's profit from the trade in coltan, I shall first try to estimate the market value of one kilo Congolese coltan ore at western markets. For this purpose, I shall use a comprehensive price index kindly made available by the industry journal *Ryan's Notes*. I shall then look at the costs associated with 'producing' and 'exporting' one kilo of coltan to western markets. The difference between these two estimates is the net profit earned on the export of one kilo of Congolese coltan.

Since the price of columbium is significantly lower than the price of tantalum, the tantalum content in coltan is of paramount importance. The branch custom is to denote the quality of tantalum ore as contained tantalum oxide (Ta^2O^5); the higher the content of Ta^2O^5 , the higher the price. Tracking the market price of coltan is therefore quite tricky, since the price depends not only on the volume of ore traded, but mostly on the contained volume of Ta^2O^5 .

Media reports nevertheless frequently cite very different price quotes specifying neither the source nor the pertaining Ta^2O^5 content.¹⁶⁰

Ryan's Notes quotes tantalum prices as "US\$ per pound of contained Ta^2O^5 , c.i.f. US port, based on 60% combined Ta^2O^5 and Cb^2O^5 ."¹⁶¹ In order to obtain this price quoted by *Ryan's Notes*, the seller must in other words pay for shipment to a US port. Also, it must be noted that the quotations do not specify how much is columbium and how much is tantalum, which makes a great difference since tantalum is much more expensive.

I am therefore obliged to make some estimates and assumptions in order to try to calculate the revenue earned by the RPA on coltan exports. First, I will therefore assume that '60% combined Ta^2O^5 and Cb^2O^5 ' means that there is an equal amount of columbium oxide and tantalum oxide in the ore, i.e. the ore quoted refers to 30% contained Ta^2O^5 .

Broadly speaking, the price quotes for coltan ore with a 30% tantalum oxide content corresponds fairly well with the coltan mined in Rwanda and Congo, since ore from both these

¹⁵⁹ Ibid., p. 29

¹⁶⁰ For instance, the *Associated Press* cited a coltan price of US\$ 350 per pound for December 2000, while the *La Libre Belgique* mentioned the December 2000 price 'reaching 200 dollars'. The *Tageszeitung* quoted a January 2001 price of 'almost 400 dollars' per pound. However, none of these media specified the quality of the ore with respect to Ta^2O^5 content. *Associated Press*, 'Search for high-tech ore fuels Congo's war', 8 April 2001; *La Libre Belgique*, 'Des sociétés belges impliquées dans le trafic de coltan', 12 April 2001; and *Tageszeitung*, 'Deutsches Geld für Kongos Krieg', 4 April 2001, also available at <http://www.taz.de/tpl/2001/04/04/a0090.nf/stext.Name.askhxapTj.idx,0>

¹⁶¹ *Ryan's Notes*, untitled, private correspondence to the author, 10 August 2001 and 10 September 2001

two countries throughout the 1990s displayed yearly averages of Ta²O⁵ content between 25% and 35% of the mined ore.¹⁶²

From *Ryan's Notes'* electronic archive, I retrieved a complete list of all the twice-weekly tantalum price estimates published from 1 January 2000 to mid-August 2001. The estimates – depicted in Figure 1 - showed that the average price per pound fluctuated from US\$ 46.5 in the period from January throughout May 2000, then rose to US\$ 75 in June where the price stayed for some months, until it hiked somewhat in both September and October. Finally, the price exploded to US\$ 215 within a few days in mid-November, before peaking at US\$ 275 in the period from mid-December 2000 to mid-January 2001, after which the price slowly fell again and reached US\$ 41.5 in August 2001.

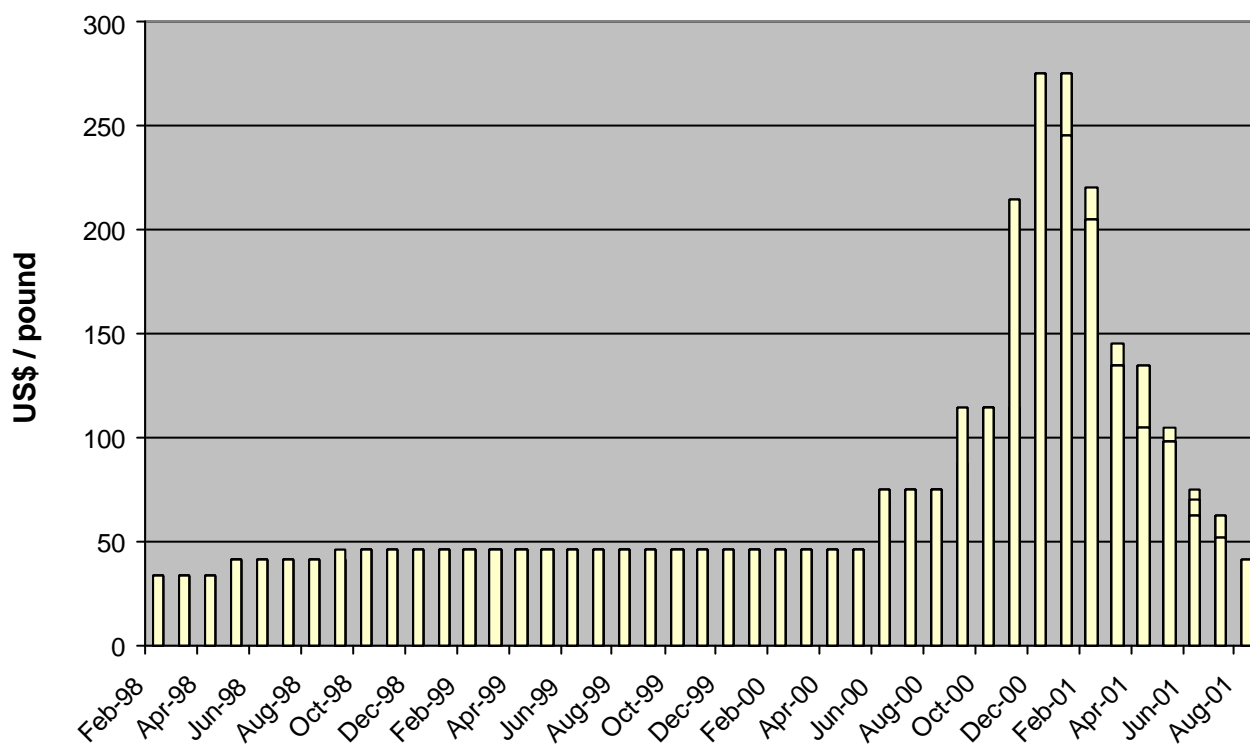
Given the fact that the tantalum price was quite low until May 2000, the average price for tantalum in 2000 was 'only' US\$ 88.95 per pound, or US\$ 195.94 per kilogram. For the first half of 2001, the average price was US\$ 149.36 per pound, or US\$ 329.00 per kilogram.¹⁶³

¹⁶² United States, Geological Survey, *The Mineral Industry of Congo (Kinshasa) - 1997*, Mineral Industry Survey, at <http://minerals.usgs.gov/minerals/pubs/country/africa.html#rw> and United States, Geological Survey, *The Mineral Industry of Zaire – 1994*, Mineral Industry Survey, at <http://minerals.usgs.gov/minerals/pubs/country/africa.html#rw>

¹⁶³ Authors calculation based on *Ryan's Notes*, all issues from 3 January 1995 to 17 August 2001, also available at <http://www.ryansnotes.com>

Figure 1 - Coltan Price Development

Average price, US\$ per pound of Ta²O⁵, c.i.f. US port, based on 60% combined Ta²O⁵ and Cb²O⁵, according to *Ryans Notes*. Data extracted from <http://www.ryansnotes.com> and reprinted with the kind permission of *Ryan's Notes*



Sources:

Ryan's Notes, all issues from 3 January 1995 to 17 August 2001, also available at <http://www.ryansnotes.com>

Ryan's Notes, untitled, private correspondence to the author, 10 August 2001 and 10 September 2001

What are the costs associated with purchasing one kilogram of coltan? The coltan mined by prisoners is obviously virtually free of charge, except for a few expenses related to the prisoners' food and the transport of coltan and prisoners back and forth from Rwanda.

However, the majority of the coltan is probably bought from small dealers who obtain the ore directly from local Congolese diggers. The price of such ore obviously varies according to quality (i.e. tantalum content), fluctuations of the world market price, and probably other circumstances as well. Generally, however, the price range is US\$ 10-30 per kilo. For instance, a digger around Masisi told the *Associated Press* that he received US\$ 5 for each pound separated ore, or roughly US\$ 11 per kilo.¹⁶⁴ In a place called Mumba, another digger told the *Washington Post* that he earned US\$ 10 per pound, or roughly US\$ 22 per kilo.¹⁶⁵ According to the *UN Exploitation Panel Report*, intermediaries can buy from the small dealers at about US\$ 10 per kilogram.¹⁶⁶ Stephen Jackson of the University College, Cork, interviewed a Congolese lady who bought coltan at the market in Walikale, North Kivu, at about US\$ 25 a kilogram and resold it to the commercial comptoirs in Bukavu at about US\$ 30 per kilogram.¹⁶⁷ The *Corriera della Serra* interviewed diggers in Butembo, who sold the ore for US\$ 10 to 30 dollars per kilo.¹⁶⁸

The cost of transport to Rwanda, and from there to international markets outside Africa, must be added to the cost price. According to the lady interviewed by Stephen Jackson, she paid US\$ 1.50 per kilogram air transport between Walikale and Bukavu.¹⁶⁹ Since most of the other mining sites are closer to Bukavu and Goma, where the comptoirs are situated, than Walikale, I assume that air freight charges from other sites are not more expensive than that.

From both Goma and Bukavu, the coltan can be taken by lorry to Kigali, which is very inexpensive compared to air transport.

Finally, there is the transport out of Africa to the US. For instance, Sabena Cargo, which is operated by SwissCargo, flies regularly between Kigali and Brussels, charges US\$ 2.20 per kilogram freight from Kigali to Brussels for a minimum of 500 kilogram 'non-volume restricted

¹⁶⁴ *Associated Press*, 'Search for high-tech ore fuels Congo's war', 8 April 2001

¹⁶⁵ *Washington Post*, 'Vital Ore Funds Congo's War', 19 March 2001, also available at <http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&node=digest&contentId=A16657-2001Mar16>

¹⁶⁶ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 29

¹⁶⁷ Jackson, Stephen, "Our Riches are being Looted!"...

¹⁶⁸ *Corriera della Serra*, 'La guerra del minerale misterioso Migliaia di morti in Congo per il Coltan, la sabbia nera "più preziosa dell'oro"', 26 April 2001

¹⁶⁹ Jackson, Stephen, "Our Riches are being Looted!"...

cargo', the category within which coltan falls.¹⁷⁰ Shipping air cargo to the United States is likely to be slightly more expensive.¹⁷¹

Thus, even if the RPA's companies pay a maximum of US\$ 30 dollars per kilogram of coltan ore, plus US\$ 1.50 per kilogram for air transport from the mining districts to the Rwandan-Congolese border, plus, say US\$ 0.50 per kilogram, for lorry transport to Kigali and, finally, say US\$ 5 per kilogram for air cargo to the United States, the expenses only add up to some US\$ 37 per kilogram.

How much has the RPA earned from the trade in coltan?

During 2000, the average US market price for tantalum was - as mentioned above - roughly US\$ 196 per kilogram. If we assume that 100 tons of an average grade of 30% contained tantalum was exported per month,¹⁷² this would generate a gross revenue of US\$ 235 million. Minus costs of US\$ 37 per kilogram, the net profit for 2000 would end at US\$ 191 million.¹⁷³

During the first half of 2001, the average US market price for tantalum was – as mentioned above - US\$ 329.00 per kilogram. If we assume that 100 tons of an average grade of 30% contained tantalum was exported per month, this would generate a net profit of US\$ 175 million for these 6 months.

In connection with these calculations, it is important to note that the RPA does not have a complete coltan monopoly. However, since the RPA, the RPF, and its members are involved in all levels of the trade through ownership of companies and mining land, taxation of competitors' companies, large-scale export to Europe and the US and so on, it is very likely that this group of people reaps the majority of the estimated profit.

Moreover, it is important to note that I have based the calculations above on the assumption that the coltan in question was mined and exported in a steady stream throughout the year; but in

¹⁷⁰ Telephone interview with SwissCargo official, 3 May 2001

¹⁷¹ Following the publication of the *UN Exploitation Panel Report* on 16 April 2001 as well as subsequent pressure from Belgian NGOs, Sabena Cargo has stopped transporting coltan from Rwanda. However, I do consider it unlikely that transport charges are significantly higher with other airlines. For instance, a UN investigator (not associated with the *UN Exploitation Panel Report*) told the BBC radio programme *File on Four* that following the Sabena decision, cargo planes operated directly between Goma and the Belgian airport of Oostende. *File on Four*, BBC Radio 4, 10 July 2001, transcript available at <http://www.bbc.co.uk/radio4/progs/genre/transcripts/fileonfourmobilephones.pdf>

¹⁷² As discussed above, RCD-Goma acknowledged that at least 100 tons were being exported per month. The *UN Exploitation Panel Report* further states that "according to the estimates of professionals, the Rwandan army through Rwanda Metals was exporting at least 100 tons per month." United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 29

¹⁷³ However, the profit is probably higher than that since coltan mined by Rwandan prisoners or captured from the Interahamwe and the Maï-Maï does not have to be paid for

fact it is almost certain that the export was most intensive when the price peaked at US\$ 606 per kilogram – more than 3 times the yearly average for 2000. The revenue might thus have been even higher than suggested.

In addition, the RPA benefited from the reported one-off export of between 1,000 and 1,500 tons of coltan from the Sominki stocks seized in late 1998, which were flown to Rwanda by the RPA between November 1998 and April 1999. In this period, *Ryan's Notes* quoted the average market value at US\$ 33.5 per pound, but beginning 1 May 1999, the price rose to US\$ 41.5 per pound. Depending on when this coltan was actually sold, the RPA would have made a gross profit of either between US\$ 33.5 and 50.3 million or between US\$ 41.5 and 62.3 million on this particular 'export' – minus expenses, which in this case are largely negligible since the coltan was not paid for.

Gold Exploitation

Compared to the trade in coltan and diamonds, there is even less accurate data available on the extraction and trade in gold in Eastern Congo. According to official RCD-Goma statistics quoted in the *UN Exploitation Panel Report*, an average of 60 kilograms of gold were extracted every month during 1999 from the area controlled by RCD-Goma, or 720 kilograms for the whole year. In 2000, the extraction was higher, 100 kilograms per month, or 1,200 kilograms for the whole year. Strangely, when the Brussels-based NGO International Peace Information Service contacted RCD-Goma, the latter provided a total extraction figure for 2000 of 1,400 kilograms.¹⁷⁴

According to the most recent *Mineral Commodity Survey* by the US Geological Survey, the average price for gold in both 1999 and 2000 was US\$ 9.877 per kilogram.¹⁷⁵ The estimated extraction for 1999, 720 kilograms, thus had a market value of US\$ 7.1 million. The extraction for 2000, 1,200 kilograms by one account and 1,400 by another, was worth respectively US\$ 11.9 million and US\$ 13.8 million.

As noted earlier, the Belgian *Institut des Comptes Nationaux*, a subsidiary of the Belgian National Bank, registered gold imports from Rwanda worth US\$ 35.5 million during 1997 and US\$ 29.8 million for 1998.¹⁷⁶

¹⁷⁴ International Peace Information Service, 'Mineral Exports by RCD-Goma in 2000', *Central Africa Minerals and Arms Research Bulletin* Edition 1 (14 June 2001), at <http://www.diamondstudies.com/docs/camarb1.html>

¹⁷⁵ United States, Geological Survey, *Mineral Commodity Summaries: 2001* (Washington: US Government Printing Office, 2001), also available at <http://minerals.usgs.gov/minerals/pubs/mcs>, pp. 70-71

¹⁷⁶ Belgium, National Bank of, Institut des Comptes Nationaux, selected import statistics made available to the author by Tom De Herdt, University of Antwerp

According to the *UN Exploitation Panel Report*, each miner in the Kilo-Moto mines in the Ugandan zone pay Ugandan soldiers 1 gram of gold per day for permission to access the mine.¹⁷⁷ Whether miners in the Rwandan zone are charged according to a similar system is not clear, but the trader Leclerq estimates that foreign forces earn roughly 50% of the world market value.¹⁷⁸ If we believe him, the RPA earned at the very least about US\$ 16.0 million in 1997 and about US\$ 14,5 million in 1998 on the gold that ended up in Belgium *only*.¹⁷⁹ It is very likely that gold was also exported to other countries, for which figures are unfortunately not available. For instance, the *UN Exploitation Panel Report* states that gold from Eastern Congo has also been exported to Sri Lanka via the capital Tanzania, Dar es Salaam.¹⁸⁰ In 1999, the Belgian gold imports from Rwanda decreased significantly, but it remains unclear whether this was caused by a shift in export routes or by a real change in the volume of gold traded.

Rwandan Military Expenditures

Following the occupation of the Congo, the economy of the RPA has become strained, apparently made even worse by massive corruption and embezzlement within the RPA. The RPA has attempted to save money by cutting certain expenses related to the war. In the autumn 2000, for instance, about 1,000 RPA soldiers were made to walk home to Rwanda from Ubundu near Kisangani - a distance of more than 400 km through the jungle - thereby saving an estimated US\$ 113,000 in the calculations of the *East African*.¹⁸¹ Besides this, neither the RPA nor RCD-Goma appear to waste their money paying the hotel bills of high-ranking officers or politicians in the Congo.¹⁸²

As can be seen in Table 6, army and police expenditures nevertheless weigh heavily on the Government of Rwanda's budget. According to the IMF, Rwandan military expenditures were

¹⁷⁷ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 12

¹⁷⁸ André and Marysse, 'Guerre et Pillage Economique...'

¹⁷⁹ Confer 'Table 4 – Official Belgium Imports of Gold from Rwanda'

¹⁸⁰ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 32

¹⁸¹ *East African*, 'RPA Soldiers Walk Home from Congo', 14 August 2000

¹⁸² *La Libre Belgique*, 'Les Rwandais pillent-ils le Congo?', 25 October 1999 and *La Libre Belgique*, "'On est injuste avec le Rwanda'", 26 October 1999. Let alone the paychecks of civil servants in areas under their control, although a Congolese NGO claims that when RCD-Goma in December 2000 had an economic boost from taxes levied on coltan, certain civil servants were paid a salary of 300 Congolese Francs – or roughly US\$ 4 – for the whole of 2000. [sic!] Association Africaine de Défense des droits de l'Homme, *République Démocratique du Congo: Une guerre prétexte au pillage des ressources et aux violations des droits de l'Homme*, 2000 annual report, April 2001, at www.congoline.com/as_adho.actu/html, p. 53

Rwfr 27.2 billion in 1998, Rwfr 27.0 billion in 1999, Rwfr 25.8 billion in 2000 (provisional estimate), and 23.9 billion is forecast in the budget for 2001. These figures include police expenditures, according to a background document from the Rwandan Ministry of Finance obtained by Catherine André of the University of Antwerp.¹⁸³

Table 6 – Official Rwandan Military Expenditures

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
			(estimates)	(budgeted)	(projections)	(projections)	(projections)
Military Expenditures - in Rwfr billion	27.2	27.0	25.8	23.9	23.5	23.4	22.5
Military Expenditures - in US\$ billion (*)	87.1	80.9	66.2	55.6			
Current Expenditures - in Rwfr billion	75.3	87.1	86.7	96.4	101.1	109.7	120.3
Total Expenditures - in Rwfr billion	117.4	127.5	134.4	153.3	166.8	183.5	201.2
Military Expenditures as part of Total Expenditures	23%	21%	19%	16%	14%	13%	11%
Military Expenditures as part of Current Expenditures	36%	31%	30%	25%	23%	21%	19%
Military Expenditures as part of GDP	4.3	4.1	3.8	3.2	2.9		

Source:

International Monetary Fund, African Department, *Rwanda-Staff Report for the 2000 Article IV Consultation and Requests for the Third Annual Arrangement Under the Poverty Reduction and Growth Facility And for Extension of Commitment Period*, 11 December 2000, p. 17 and p. 37

(*) A projected exchange rate of Rwfr:US\$ 430.0 was used for 2001

Source: Economist Intelligence Unit, *Country Report Rwanda*, 1 February 2001

It is however widely believed that the Rwandan military expenditures are kept artificially low in the official budget. As I shall demonstrate below, there are two good reasons to question the veracity

¹⁸³ Telephone interview with Catherine André, Antwerpen University, June 2001

of the official figures: first, the expense accounts of the RPA are unlikely to be met by the official military budget and, second, the RPA appears to have significant sources of extra-budgetary income.

Calculations of RPA Expenditure

The Rwandan military expenditures include the following main expenses: Air transport in the Congo, soldiers' pay, ammunition, weapons, spare parts, and vehicles.

The following calculation of the costs of Rwandan air transport needs in relation to the war in the Congo only is made in the *UN Exploitation Panel Report*:

An aircraft owner operating in the region has indicated that he charges on average \$2,000 per hour. Based on his experience of three rotations per day in a smaller area, the Panel estimates five rotations for Rwanda at an average of six hours each. A simple calculation gives a figure of \$1.8 million per month and \$21.6 million per year.¹⁸⁴

These figures seem in accordance with the estimates of other aircraft owners interviewed by the *East African*.¹⁸⁵

Concerning the pay of soldiers, the *UN Exploitation Panel Report* estimates that:

based on the minimum number of 25,000 soldiers in the Democratic Republic of the Congo and an average \$100 for pay and bonuses, the Panel has calculated a total of \$2.5 million per month and \$30 million per year. Transportation and pay of troops alone in the Democratic Republic of the Congo amount to \$51.6 million per year, which is about three quarters of the total Rwandan official defence budget. By taking into consideration the remaining 20,000 soldiers stationed in Rwanda and their average pay of \$50 per month, almost the total defence budget (\$63 million) is used on two items [i.e. aircraft leasing and soldiers' pay].¹⁸⁶

There is, however, one possible weak link in this calculation: press reports have questioned whether ordinary soldiers in the Congo are actually paid in full, if at all. Some soldiers chose to go on strike after they returned to Rwanda and discovered that their promised salaries had not been

¹⁸⁴ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 27

¹⁸⁵ *East African*, 'RPA Soldiers Walk Home from Congo', 14 August 2000

¹⁸⁶ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 27

paid out.¹⁸⁷ It is also worth noting that some of the soldiers dispatched to Congo are ex-FAR soldiers who have little option but to comply - whether or not they are paid.¹⁸⁸ On the other hand, the funds devoted to salaries might still have been spent, but only disappeared into the pockets of senior officers before reaching the private soldiers. Further, as is also mentioned in the *UN Exploitation Panel Report*, the RPA still needs to purchase weapons, armoured cars, trucks, spare parts and fuel for these vehicles, and, not least, ammunition, in order to be able to effectively continue the war effort. And if the official figures for military expenditures indeed include law enforcement expenditures, significant amounts of those funds must be spent on the national police force as well. In conclusion, US\$ 66.2 million (IMF's official estimate for defence spending in 2000) is hardly sufficient to cover the comprehensive defence needs of the RPA, and US\$ 55.6 million (IMF's official budget for defence spending in 2001) is absolutely not.¹⁸⁹

It is nevertheless arguable whether the calculations should stop here: since the RPA has created – and continues to control – RCD-Goma, one could argue that the latter's' military expenditures should be added to the expenditures of the RPA in order to find the real costs of the Rwandan war effort in the Congo. Though it is doubtful that RCD-Goma soldiers – estimated to number between 12,000 and 15,000 – are well paid, they still need equipment, transport, ammunition, and weapons. Although I do not have any statistics or estimates on the costs related to RCD-Goma, this would no doubt substantially drive up the total estimate.

Bogus Loans Conceal Extra-Budgetary Financing

On the income side, there is no evidence that the vast surplus gathered from the trade in Congolese commodities actually ends up in state coffers or the national budget as such. It rather lines the pockets of officers or is used directly for the war effort. In fact, the *UN Exploitation Panel Report* quotes President Paul Kagame as having said that the war is 'self-financing', which might be partly true in the sense that the plunder facilitates extra-budgetary army expenditures.¹⁹⁰

The RPA has nevertheless used a variety of methods to conceal the real size of the army budget and in particular its financing by mineral commodities from the Congo.

¹⁸⁷ Interview with former journalist at *Rwanda Newsline* Ignatius Mugabo, Copenhagen, June 2001

¹⁸⁸ *AfroAmerica Network*, 'Heightened Cronyism and Power Struggle within RPF', 29 March 2001, at <http://www.afroamerica.net/afroamerica.html>. See also Rwanda, Government of, *Reaction of the Government of Rwanda to the Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and other Forms of Wealth of the Democratic Republic of Congo*, Press Release, 22 April 2001, at http://www.rwanda1.com/government/04_22_01news_Response_To_UN_Report.htm

¹⁸⁹ Confer 'Table 6 – Official Rwandan Military Expenditures'

One of the methods mentioned in the *UN Exploitation Panel Report* has been the use of bogus loans to pay for military expenditures. An example in point involved a short-lived company called SONEX, which was created and owned by RCD-Goma, according to the *UN Exploitation Panel Report*. In 1999, the Kigali-based *Banque de Commerce, du Développement et d'Industrie* (BCDI), which through a web of other companies is owned in part by the RPF, approved a loan of US\$ 5 million to SONEX. This loan was never actually paid out to SONEX but was instead used to pay RPA suppliers for services related to the RPA war effort, such as aircraft leasing. RCD-Goma then repaid this loan using taxes levied on the mineral trade in, for instance, coltan. In this way, the RPA's budget received – through this particular transaction only – a covert influx of US\$ 5 million.¹⁹¹

'Voluntary' War Taxes

The Rwandan Government has repeatedly called on its citizens to make so-called 'voluntary contributions' to the war effort. In November 1999, the Rwandan Parliament proposed that security be maintained by 'voluntary contributions' from Rwandans according to their means. To set an example, members of the Parliament pledged to contribute three months salary.¹⁹²

The IMF's position on this matter is somewhat ambiguous. In a confidential report of 11 December 2000 to the members of the IMF's Executive Board, the IMF's African Department indirectly suggested that all such contributions had indeed been declared:

Regarding extrabudgetary operations potentially related to defense, the authorities have reported on the accounts with the voluntary contributions of citizens toward security and defense of the country. They produced evidence showing that there had not been any withdrawals from these accounts.¹⁹³

But the fact that the Government of Rwanda has produced such evidence does not exclude extra-budgetary financing by voluntary contributions. For instance, the Government could have

¹⁹⁰ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 27

¹⁹¹ *Ibid.*, p. 30

¹⁹² Human Rights Watch, 'Rwanda: The Search for Security and Human Rights Abuses', *Country Report Africa* Vol. 12, No. 1 (April 2000), also available at <http://www.hrw.org/reports/2000/rwanda>, unpaginated version

¹⁹³ International Monetary Fund, African Department, *Rwanda-Staff Report for the 2000 Article IV Consultation and Requests for the Third Annual Arrangement Under the Poverty Reduction and Growth Facility and for Extension of Commitment Period*, 11 December 2000, p. 17; and confidential telephone interview with International Monetary Fund officials, 2001

refrained from depositing all funds into those bank accounts known to the IMF – or it could simply have kept some of the funds in cash.

According to one IMF official, the IMF had no evidence of forced contribution. However, according to an investigation by Human Rights Watch:

Superiors in government bureaucracies dictated the sums to be provided by their subordinates. In the Ministry of Justice, employees were informed of a scale of expected contributions according to annual salary. But in most government services, as well as in certain other private sectors, salaried employees were told to provide the equivalent of one month's salary.¹⁹⁴

Another example is schoolteachers, who were allegedly forced to contribute a part of their salary. Bearing in mind that teachers form the bulk of the public-sector workforce, and wages for teachers in 1999 made up Rwfr 11.3 billion, or US\$ 35.6 million, the extra-budgetary input from teachers could very well boost the army budget by several million US\$.¹⁹⁵

Peasants, who account for approximately 90% of Rwanda's 8.3 million population, have also been made to pay, according to Human Rights Watch; usually the equivalent of US\$ 1 for each member of the household above the age of 16 years. If applied strictly, this income from farmers would suggest an extra-budgetary income of several million US\$ from peasants.¹⁹⁶

It would also have been interesting to look into the circumstances of the parliament members' decision to voluntarily sign away their salary. Bearing in mind the predominance of the RPA in political life, which will be discussed below, it is doubtful whether the parliament members actually had any choice but to give in to RPA pressure.

Estimates of the Unofficial RPA Budget

Given the above examples, it is widely believed that the official figures are being polished to please donor demands of minimized defence costs. For instance, the International Institute for Strategic Studies has estimated Rwandan military expenditures for 1999 at US\$ 135 million.¹⁹⁷ The International Crisis Group suggests that "estimates that account for the revenues of semi-

¹⁹⁴ Human Rights Watch, 'Rwanda: 'The Search for Security...', at <http://www.hrw.org/reports/2000/rwanda>, unpaginated version

¹⁹⁵ International Monetary Fund, *Rwanda: Statistical Appendix*, Country Report No. 01/30, 5 February 2001, at <http://www.imf.org/external/pubs/ft/scr/2001/cr0130.pdf>, p. 18

¹⁹⁶ Human Rights Watch, 'Rwanda: 'The Search for Security...', at <http://www.hrw.org/reports/2000/rwanda>, unpaginated version

¹⁹⁷ Institute for International and Strategic Studies, *The Military Balance 2000-2001* (London: Oxford University Press, October 2001), p. 279

public companies and illegal diamond trading put the real figure closer to 8 per cent [of the GDP for 1998].¹⁹⁸ Since Rwanda's GDP was Rwfr 631.7 billion for 1998, this would set the military

expenditures at Rwfr 50.6 billion or US\$ 161.8 million.¹⁹⁹ Even the Bretton Woods institutions seem to doubt the official figures that they themselves approve. According to Catherine André,

Le FMI a ainsi signalé en septembre 1998 que certaines dépenses civiles, des salaires d'enseignants, auraient été réallouées au poste des dépenses militaires - avant de préciser, en novembre 98, que les réaffectations concernaient l'ensemble des postes budgétaires. Les ressources extrabudgétaires proviennent de transferts de la part d'entreprises semi-publiques et de ressources minières en provenance du Congo-Kinshasa et d'Angola - dont le montant est difficilement évaluable.²⁰⁰

Likewise, according to the Stockholm International Peace Research Institute (SIPRI), the IMF contested the official tallies of 4.3% of GDP for defence spending in 1998.²⁰¹ Nearly three years later, the African Department of the IMF indirectly suggested that the Army might be funded with sources outside the regular budget. In an internal report of 12 December 2000, the African Department stated:

The government has committed under the 2001 program to identify all extrabudgetary funds, projects, and transactions – including any relating to defence – and to incorporate them the 2002 budget.²⁰²

On 27 March 2001, the Directors of the IMF acknowledged that there was still a problem of extra-budgetary funding of the Rwandan military:

[IMF] Directors encouraged the [Rwandan] authorities to bring about greater transparency in government operations [...] In this regard, Directors expressed concern over the extra-budgetary expenditures, especially those

¹⁹⁸ International Crisis Group, *Scramble for the Congo...*, at <http://www.crisisweb.org/projects/showreport.cfm?reportid=130>, p. 35

¹⁹⁹ Confer 'Table 7 – Rwanda: Selected Economic Indicators'

²⁰⁰ Catherine André quoted in *La Libre Belgique*, 'Trop de dépenses militaires', 2 November 1999

²⁰¹ Stockholm International Peace Research Institute (SIPRI), *SIPRI Yearbook 2000: Armaments, Disarmament and International Security* (Oxford: Oxford University Press, 2000), p. 297

²⁰² International Monetary Fund, African Department, *Rwanda-Staff Report for the 2000 Article IV Consultation and Requests for the Third Annual Arrangement Under the Poverty Reduction and Growth Facility and for Extension of Commitment Period*, 11 December 2000, p. 17; and International Monetary Fund, *IMF Concludes Article IV Consultation with Rwanda*, Public Information Notice (PIN) No. 01/31, 27 March 2001, at <http://www.imf.org/external/np/sec/pn/2001/pn0131.htm>

relating to military spending, and welcomed the authorities' intention to bring them into the 2002 budget.²⁰³

These hesitations have nevertheless not spurred the IMF to seriously challenge the RPA's budget as laid out by the Government of Rwanda. Quite to the contrary, the IMF and the World Bank have in their continuous reports by and large backed the figures put forward by the Rwandan government – with no comments about extra-budgetary funding of the RPA.

Provisional Conclusion

The RPA is completely dominated by Tutsis from the RPF's original army. Nevertheless, a great number of Hutus have been more or less forced into participating in the Second Congo War, but they are thought to have little choice. In the Congo, the RPA has created a token rebel movement, RCD-Goma, which is permeated by members of the Congolese Banyamulenge group, who are trusted by the RPA. Together, RCD-Goma and the RPA have brutally suppressed the local populations, which has led to the creation of numerous militias, referred to as the Mai-Mai, some of whom cooperate with the remnants of the Rwandan Hutu militias.

Officially, the Government of Rwanda maintains that it does not plunder the natural resources of the Congo. Nevertheless, the President of Rwanda, Paul Kagame has been quoted as saying that the war is self-financing, and RCD-Goma has openly acknowledged that substantial quantities of minerals are being mined in the areas under its control. Even the official Rwandan mineral production and trade figures show a significant re-export of precious minerals, such as coltan and gold.

The exploitation of Congolese resources is organized centrally at the Rwandan Ministry of Defence: the RPA and RCD-Goma tax the trade in precious minerals, and RPA officers and the RPF own companies that export the minerals to Rwanda and from there to international markets.

From coltan, I estimated that earnings were US\$ 191 million in 2000 and US\$ 175 million during the first 6 months of 2001, plus a one-off profit of about US\$ 34 million to 62 million around late 1998 and early 1999. It is most likely that profits were also made from the trade in coltan during the remainder of 1999 but I have no estimates for neither the size nor the value of this trade. Earnings on gold were more uncertain, but probably at least around US\$ 15 million per

²⁰³ International Monetary Fund, *IMF Concludes Article IV Consultation...*, at <http://www.imf.org/external/np/sec/pn/2001/pn0131.htm>

year since at least 1997. The revenue from the trade in diamonds was the most difficult to evaluate with profit estimates ranging from US\$ 2 million to US\$ 40 million. But the RPA and its partners also earn significant sums from the exploitation and trade in other significant minerals, such as cobalt, cassiterite, and pyrochlore, as well as from the occasional seizure of goods, such as cattle. It is therefore quite possible that the RPA earns US\$ ¼ billion per year; in fact, this is rather a conservative estimate. In this connection, it must however be noted that coltan world market prices fell significantly over the summer of 2000 to US\$ 41.5 per pound at the time of writing, which has had a great impact on the volume of coltan traded in Eastern Congo and hence also on the profits earned by the RPA and its associates.

These earnings should be seen in the light of the official military expenditures for 1999, US\$ 81 million, and the total government expenditures for 1999, approximately Rwfr 127.5 billion, or US\$ 382 million.²⁰⁴

In other words, the earnings from the Congo are extremely important and plenty enough not only to sustain the war effort, but also to provide powerful army officers with access to wealth. By virtue of the Second Congo War, it is clear that the RPA, its officers, and RPA-related businessmen earn much more than they can possibly make at home in Rwanda, where the export value of the two most valuable commodities, namely tea and coffee, made up only US\$ 26 million and US\$ 23 million, respectively, in 2000.²⁰⁵

IMF sources acknowledge that the IMF is not able to monitor to what extent the Rwandan participation in the war is being financed by the plunder, but it is implausible that the Rwandan military expenditures can be met by the official military budget alone. The army appears also to be financed to a lesser degree through the forced collection of contributions from civil servants and the Rwandan population at large.

The plunder from the Congo has thus not only become a means to finance the war, but also in itself a motivation for the continuation of it. The importance of the economic aspect of the war has also become clear by the fact that the RPA has fought pitched battles against its ally Uganda over several mining areas or mineral trading centers, while it has indirectly traded coltan with one of its enemies, the Mai-Mai. This point is also underscored by a study carried out by the UK House of Commons' *All Party Parliamentary Group on Rwanda, the Great Lakes Region and the*

²⁰⁴ Confer 'Table 6 – Official Rwandan Military Expenditures' and 'Table 1 – Exchange Rates (Rwfr:US\$)'

²⁰⁵ Economist Intelligence Unit, *EIU Country Profile 2001...*, p. 19 and p. 26. That year, tea and coffee accounted for as much as 80% of total export earnings

Prevention of Genocide, which stresses that RPA and RCD-Goma troops are concentrated in the mineral-rich areas deep inside Congolese territory, while only a few troops guard the actual border to Rwanda.²⁰⁶

²⁰⁶ United Kingdom, House of Commons, All Party Parliamentary Group on Rwanda, the Great Lakes Region and the Prevention of Genocide, *Visit to Democratic Republic of Congo 2nd - 6th August 2001*, forthcoming

RWANDA: STATE OR NETWORK?

In the previous chapter, I analyzed the RPA and its profitable commercial activities in the Congo. In this chapter, I shall analyze what Rwanda really is as well as the RPA's motivation for participating in the Congo War. I shall do this by asking whether Rwanda is indeed a state in the classic sense – or whether what is officially labelled 'the institutions of the state' are in reality dominated by a structure of closely-related power networks.

The Classic State

I shall not go through the entire body of theories on the state, since it is not relevant for this dissertation. However, in order to assess whether Rwanda is indeed a state in the classical sense, I shall briefly outline the characteristics of a classic state. In the words of E.D. Brown, the qualifying core characteristics for statehood are as follows:

The State in quest of recognition must have a stable government, which does not recognise any outside superior authority: it must rule supreme within a territory – with more or less settled frontiers – and it must exercise control over a certain number of people.²⁰⁷

With one exception, this corresponds well to Barry Buzan's line of thought set forward in his much discussed book *People, States and Fear*, where he suggests that besides sovereignty, the state is made up of three components, neither of which can be replaced by any of the others; the idea of the state (which is not mentioned by Brown), the physical base of the state and the institutional expression of the state. First of all, this means that there can be no state unless there is a discourse of the state. Without a discourse of the state, it would simply not exist. Or, put differently, the state does not exist outside the discourse. Second, the state must rule over a territory and a population, and, third, the state must have institutions that are able to regulate the affairs of its citizens.²⁰⁸

While for a long time what Buzan terms 'the idea of the state' has been shared among virtually all citizens of Europe, the discourse of the state was not firmly rooted on the African

²⁰⁷ E.D. Brown quoted Jackson, Robert H., *Quasi-states: Sovereignty, International Relations and the Third World* (Cambridge: Cambridge University Press, 1990), p. 53

continent until about the late 19th century. In other words, the state did simply not exist on the African continent until quite recently.

When decolonization gathered speed after World War II, the idea of the state was introduced and strong, nationalist movements initiated governments in many African states. Thanks to mass communication media, in particular radio broadcasting, the discourse of the state was introduced to a larger audience. The discourse of state has, perhaps surprisingly, survived numerous political upheavals, migrations, and civil and international wars. Paradoxically, the discourse of the state is tremendously strong among the inhabitants of one of the most fragmented African states of them all, the Congo. The Congolese people remain extremely devoted to the idea of a common Congolese state, despite more than 30 years of rule by a despot whose sole aim was to enrich himself at the expense of his subjects and gather power in his own hands and those of his family and allies from the region he came from. Suggestions by Rwanda or western politicians that a part of Eastern Congo – notably the North and South Kivu provinces - should be annexed to Rwanda are vehemently opposed by all kinds of Congolese. In fact, the Rwandan occupation has only worsened the notion that foreigners are plotting to exploit the Congo, and it has thereby helped fuelling Congolese nationalism as well as the discourse of the state in this otherwise fragmented country.²⁰⁹

As for the territorial claim – this is what Buzan refers to as the physical expression - the state must have the means to regulate activities across its borders.²¹⁰ This includes goods, services and persons. Regulating border activities has proven to be a serious problem for many African countries, in particular the Congo, where the borders are almost wide open.²¹¹

Likewise, the physical expression of the state implies that it must be able to reach all inhabitants within its territory, which is problematic for certain African countries that more or less permanently have parts of their territories occupied by foreign troops or rebel movements. Again, Congo is among those African countries that clearly cannot fulfil this criterion.²¹²

²⁰⁸ Buzan, Barry, *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era* (London: Harvester Wheatsheaf, 1999), pp. 63-67

²⁰⁹ Interview with Séverin Mugangu, Bukavu, October 2000; see also Jackson, Stephen, "Our Riches are being Looted!": War Economies and Rumour in the Kivus, D.R. Congo', *Politique Africaine*, forthcoming issue

²¹⁰ *Ibid.*, p. 95

²¹¹ Lemarchand, René, *The Democratic Republic of Congo: From Failed State to Statelessness*, December 2000

²¹² *Ibid.*

States must also be able to provide functioning institutions, which regulate the lives of its citizens, such as arbitrate, police, and collect taxes to name but the most important. In short, the state must have a government that is able to exercise control over people within its territory. In order to provide these services, the state must have a relatively stable government and ditto institutions.²¹³ Again, Congo comes to mind as a state that cannot meet the criteria of maintaining functioning state institutions, not even within those parts of the territory under the control of the Government Army.

As a side issue, Buzan argues that in order to fulfil the criteria of maintaining capable state institutions of defence, administration, and diplomacy, states typically need a relatively large population, simply in order to fulfil these tasks. Though no fixed threshold exists, Buzan suggests that the borderline is around 100,000 inhabitants. Some states, he points out, are still doing well with fewer people, although such microstates typically rely on other states for their physical protection, i.e. defence. "A population of 100,000 would generally be considered dangerously small," Buzan thinks, "but begins to approach the level of acceptability."²¹⁴

Though many social entities are able to meet all the above-mentioned criteria of a discourse of the social unit (such as the family or a corporation), a physical base (such as a home or an office), and the institutional expression (such as parents influencing the behaviour of their children and the company controlling its employees) – some international corporations might even meet the somewhat fuzzy criteria of a large population – neither the family nor large corporations can be called states as such.

Thus the defining and crucial component that distinguishes states from other large social entities is sovereignty. Sovereignty means supreme jurisdiction in all affairs within the territory of the state; in other words, a monopoly of violence. According to Buzan, "the mark of the true state is that it claims undivided sovereignty in all temporal affairs. Sovereignty is divided among states, but not within them."²¹⁵ Sovereignty is in other words absolute, indivisible and impossible to grade. Either a state is sovereign or it is not a state.

Sovereignty is thus a two-sided affair with both an internal and an external dimension. The internal dimension involves the exercising of control over its subjects through institutions. As elaborated on above, this includes defending its borders simply in order to be able to reach and

²¹³ Buzan, p. 66

²¹⁴ Ibid.

²¹⁵ Ibid., p. 67

regulate the lives of all citizens within its territory. Not only must the state be recognized internally, it must also be acknowledged externally. This aspect of sovereignty is crucial for certain war-ravaged African countries, where the idea of the state is less powerful – internally and externally. For instance, Somalia has not been able to secure outside support, because it does not have any recognized government. At some point UN troops were even deployed without the permission of any domestic authority – simply because there was no externally recognized government.²¹⁶

Externally, there are very few legal exceptions to the sovereignty of a state that meets the above-mentioned criteria. However, from an external point of view, the sovereignty of a country is in fact not absolute. Following the end of the Cold War, the extent to which other countries' sovereignty should be respected has been the subject of heated debate; how far can a government go in terms of harming its own citizens before foreign intervention is justified? According to international law, other states are allowed - in fact compelled - by UN conventions to intervene in the internal affairs of an otherwise sovereign state in order to prevent or stop genocide or other crimes against humanity.²¹⁷

²¹⁶ See for instance Chopra, Jarat; Eknes, Åge; and Nordbø, Torolv, 'Fighting for Hope in Somalia', *Journal of Humanitarian Assistance*, no volume (October 1996), at <http://www.jha.ac/articles/a007.htm>

²¹⁷ This posed a great problem for the Clinton administration during the Rwandan Genocide in 1994, where it felt a pressure to intervene, but did not want to do so for various political reasons. Top officials therefore instructed US Government spokespersons to avoid referring to the Genocide as simply 'Genocide', but instead to 'acts of genocide'. Burkhalter, Holly J., 'The Question of Genocide: The Clinton Administration and Rwanda,' *World Policy Journal* Vol. 11, No. 4 (Winter 1994-95), pp. 44-54. There is in fact no such difference between 'genocide' and 'acts of genocide' since what matters is intent to destroy in whole or part (in casu) an ethnic minority, not the numbers killed. United Nations, General Assembly, *Convention on the Prevention and Punishment of the Crime of Genocide*, Resolution 260 (III) A, 9 December 1948, also available at <http://www.preventgenocide.org/law/convention/text.htm>

The Network Rulers

At the end of the colonial period, a large number of poor, developing countries were made independent by being granted what Robert H. Jackson has termed negative sovereignty by their former colonial masters.²¹⁸ The governments that threw up themselves at the commencement of the post-colonial period were not capable of - or interested in - establishing functional institutions that could regulate the interactions between its citizens. They were merely granted the formal-legal right of freedom from outside interference, i.e. from their former colonial masters, but they were not capable - or willing - to police borders and enforce internal control. As argued by Robert H. Jackson:

What has changed is not the empirical conditions of states but the international rules and institutions concerning those conditions [...] The weakness or backwardness of countries is no longer a justification for conquest or colonialism. Nor is it a justification for international support of anti-government rebels in derelict Asian and African states [...]²¹⁹

While such non-interference from western states may not raise any eyebrows in today's political debates, the pre-World War II international legal framework "drew a sharp distinction between Europeans or people of European descent and non-Europeans: only the former were unquestionably entitled to sovereign statehood."²²⁰ Following World War II, public opinion and the international legal framework changed, and through the UN most former colonies achieved independence during the three decades following 1945. That is, they were – at least formally and legally through the UN - granted the privilege of exclusive legal jurisdiction or *laissez-faire* within their own borders, a *de jure* sovereignty.²²¹ These former colonies, however, did not – and many still do not – have governments exercising control over the territories they laid claim to. One can therefore argue that these former colonies were not – and are not – *de facto* sovereign entities.

During the Cold War, the two superpowers gave economic, military and diplomatic support to virtually any government or rebel movement that was ready to come up with the correct phrases in support of either the West or the East, regardless of whether those rulers had in fact the entire

²¹⁸ Jackson, Robert H., *Quasi-states...*, pp. 26-31

²¹⁹ *Ibid.*, p. 23

²²⁰ *Ibid.*, *Quasi-states...*, p. 16

²²¹ *Ibid.*, p. 27

domestic territory of their respective countries under control, were able to regulate transactions across their borders, or sustained stable and functional internal administrative hierarchies.²²²

With the decline of the Soviet Union, the United States and other western powers have been more reluctant to provide 'strategic aid', i.e. military aid, but this has not meant a complete drying out of resources going from the West to Third World countries. Humanitarian or development aid in the form of disaster relief or long-term aid has filled the income gaps. However, this change in the source of aid has not meant that rulers in many African states have gained better control of their countries, nor that they have built – or indeed acquired an interest in – functional and stable civilian institutions. But the shift from 'strategic aid' to 'development aid' and 'humanitarian aid' has meant that donors have – at least on the surface of things - been increasingly focused on the legitimacy and capabilities of the governments that they fund. Donors do not want to be seen supporting regimes that are not enjoying at least a modicum of popular support, and who are not willing or capable of providing for their subjects. In order to be recognized by donor governments, rulers in the post-Cold War era have therefore had an increasing interest in displaying to the outside world – or pretending - that their governments are legitimate, i.e. committed to representative parliamentary democracy, and that they are capable managers of sovereign states. In today's donor dependent Third World, rulers have therefore learnt to display at least a rhetorical commitment to sovereignty; otherwise donors would find it increasingly difficult to persuade public opinion in Europe or North America to provide them with sustaining aid. A fact those rulers are perfectly aware of. In the words of William Reno:

Rulers whose governments lack internal administrative capabilities deliberately manipulate supposed norms of sovereignty to extend the powers and interests of these regimes; in effect pretending that especially weak states exercise a degree of internal control that they in fact do not.²²³

This phenomenon of claiming internal control and legitimate public support merely for the sake of external recognition and support has been dubbed the "organized hypocrisy" by Stephen

²²² Steven David, 'Explaining Third World Alignment', *World Politics* Vol. 43, No. 2 (January 1991), pp. 233-56; Handel, Michael, *Weak States in the International System* (London: Frank Cass, 1981); and National Intelligence Council, *The US-Soviet Competition for Influence in the Third World: How the LDCs Play It*, Memorandum 82-10005, 1982

²²³ Reno, William, *War, Debt and the Role of Pretending in Uganda's International Relations*, Occasional Paper at the Centre for African Studies, University of Copenhagen, July 2000, available at http://www.teol.ku.dk/cas/Occ_Reno_internetver.doc, unpaginated

Krasner.²²⁴ The result has been that donors have provided Third World governments with aid in exchange for a by and large rhetorical commitment to the discourse of sovereignty.

Here I will contest the claim by Barry Buzan (and others) that "although conceptually difficult, sovereignty is usually easy to recognize in practice".²²⁵ The case of the European Union (EU) makes it possible to argue that EU member states are no longer completely sovereign, since they have given up exclusive legal jurisdiction on certain matters to a common body, the European Council of Ministers, which issues directives on the matters concerned that are binding for all member states. And since sovereignty is undividable, it can, in fact, be argued that the members of the European Union are no longer states.

The sovereignty status of many African countries is also intriguing, such as the Congo, Angola or Sierra Leone, which all have armed insurgents controlling large parts of the territory that the so-called governments of these countries lay claim to.

A similar claim as Buzan's is made by some positivist legal scholars who contend that it makes no difference whether a state is being recognized or not, since it will exist regardless of external recognition. However, as clarified by Reno, Krasner and others, it is of utmost importance for many of today's African regimes to be recognized, especially by western governments, since diplomatic and financial support often comes together with such recognition.²²⁶ With recognition follows aid as well as the possibility for legal acquisition of arms from western countries. Moreover, such recognition automatically means the non-recognition of other opponents in a civil war such as rebels or irredentists, who often find their access to outside support or weapon purchases severely curtailed.²²⁷

Many modern African rebel movements-turned-governments do not only use statehood to attract foreign aid and diplomatic support. Frequently, the "outcome is the involvement of those holding public office in weak states in commercial activities officially classified as criminal behaviour, both within those states and in international conventions."²²⁸ Rulers engaging in illicit trafficking are aided by their control of police forces and the lack of independent regulating services, such as

²²⁴ The title of Krasner, Stephen, *Sovereignty: Organized Hypocrisy* (Princeton: Princeton University Press, 1999)

²²⁵ Buzan, p. 67

²²⁶ Reno, William, *Stealing Like a Bandit – Stealing Like a State*, unpublished paper, 2000

²²⁷ This is *not* to suggest that it is impossible to acquire weapons in contravention of international conventions and UN Security Council resolutions. However, a lack of recognition in most cases makes the purchase of military equipment more expensive and troublesome

ombudsmen, as well as non-functioning legal systems. Again, many modern African leaders are highly skilled in exploiting statehood, indeed the entire concept of sovereignty, to further their lucrative and illegal businesses:

Some rulers use the façade of statehood to control markets, including illicit ones. Sovereign prerogatives give rulers opportunities to shield transactions from the eyes of outsiders, and then offer these services to foreign partners.²²⁹

Numerous examples of such exploitation of the official government power can be seen all across Africa, where multinational companies or powerful foreign individuals are granted access to valuable commodities in return for favours or a share in the profits. This has led several scholars to describe how a number of African states have been 'privatized' by rulers using those parts of the government apparatus that *do* function to legitimize and disguise their own business dealings. Rulers receive a personal trade-off from mineral exploitation, smuggling, and gunrunning – sometimes even from the trade with enemy forces or rebels. The aim of this 'privatization' is purely personal gain for those involved. In fact, government coffers may well pay for expenses involved in, say, a war under cover of which rulers can earn profitable amounts from smuggling or mineral exploitation.²³⁰

Even though a government might be an institution with little contact to rural populations, indeed without a popular mandate and lacking any real control over the territory or country they lay claim to, the combination of access to wealth, control of security forces, absence of western interference, and negative sovereignty, does not in the least render it irrelevant to hold 'government' offices.

Several scholars have used the concept of the 'network state' to describe how many African governments not only manage to survive disorder, but indeed depend on and manage disorder to their own benefit. The formation of functional institutions, such as tax revenue authorities,

²²⁸ Reno, William, *Stealing Like a Bandit – Stealing Like a State*, unpublished paper, 2000. See also Bayart, Jean-Francois, Ellis, Stephen, and Hibou, Béatrice, *The Criminalization of the State in Africa* (Bloomington and Oxford: Indiana University Press and James Curry, 1999), p. 16

²²⁹ Reno, William, *War, Debt and the Role of Pretending...*, at http://www.teol.ku.dk/cas/Occ_Reno_internetver.doc, unpaginated

²³⁰ See also Bayart et al, *The Criminalization of...*, pp. 13-18; and Reno, William, *Stealing Like a Bandit – Stealing Like a State*, unpublished paper, 2000

customs authorities, uncorrupted police forces or vigorous courts would seriously threaten the powers that be. Indeed, such rulers' strategy is to thrive on this criminalization of the state.²³¹

Among others Patrick Chabal of Kings College London has argued that it is important for movements to cling to power, "since the state represents the most obvious and logical way to obtain resources," i.e. through skimming off tax revenue, public companies, etc.²³² However, they argue, there is a second attraction associated with being in the government. Holding office is important for leaders since they need to be able to continue feeding an informal network of supporters, for instance by employing the latter in attractive positions:

The fact that formal structures exist in even the poorest and most conflict-ridden countries, makes it possible for the political elite to use the resources from the formal structures – income from foreign aid and so on – to feed the unofficial system.²³³

Such network feeding does not have to include the awarding of large sums of money, but may merely consist of handing over control with certain geographical areas or lucrative business sectors to supporters. The prime example of how formal structures can be exploited to keep alive and feed a network is the former Zairian ruler, Mobutu Sese Seko. Not only did he understand how to divert income from foreign donors and mining activities to himself and the people supporting him, he also used the state apparatus to allow his supporters to care for themselves by providing them with informal access to wealth. Vital civil servants, such as most army cadres, were deliberately not paid but instead left to help themselves through control and exploitation of mineral-rich provinces. By playing one section of the administration or army off against another, he thus managed to stay in power, since defending their turf kept all parties under him busy.²³⁴

In particular in countries with high unemployment, jobs are also an effective way to reward friends and supporters. Since high-ranking government officials and ministers usually have the

²³¹ See also Bayart et al, *The Criminalization of...*, pp. 1-31, and Chabal, Patrick, and Daloz, Jean-Pascal, *Africa Works: Disorder as Political Instrument* (Oxford: James Currey, 1999), pp. 141-163

²³² Translated into English by the author. *Månedsbladet Press*, 'Et afrikansk bistandsparadis - et brutalt netværk af berigelsesforbrydere', October 2000, also available at <http://www.willum.com/artikler/pressokt00C.htm>

²³³ Ibid.

²³⁴ Reno, William, *Warlord Politics and African States* (Boulder: Lynne Rienner Publishers, 1998), pp. 147-182. Zaire's second economy surpassed the official 'first' to such a degree that De Boeck has asked to what use it is 'distinguishing between formal and informal or parallel economies when the informal has become the common and the formal has almost disappeared?' De Boeck, Filip, 'Postcolonialism, Power and Identity: Local and Global Perspectives From Zaire', in Werbner, Richard, and Ranger, Terence, eds., *Postcolonial Identities in Africa* (London: Zed Books, 1996), p. 91, quoted in Jackson, Stephen, "Our Riches are being Looted!"...

power to pick and choose employees all the way down through the hierarchy, they have in their possession an effective means to take on board family, friends, and powerful connections.

This has two implications. One is that besides a more or less regular pay and perhaps associated benefits, such as cars or homes, many official positions also carry within them an opportunity to earn great sums of money through corruption. The second implication is that even in the case of donor financed projects, where corruption is perhaps somewhat more difficult to get by due to external revision, controlling who will be employed and who not imparts an immense power to sustain a network of supporters. Though Mobutu mainly used the control of mineral resources as 'rewards' to absorb powerful and potential rivals into his network, the same strategy is equably applicable in health or education sectors funded by foreign donors.

Is Rwanda a State?

So what is Rwanda? Is it a state, merely a geographical entity, or perhaps some kind of a 'quasi-state'? This is the question I shall seek to answer in this section.

The Official Veil of Formal Institutions

Officially, the RPF-led Government claims to base its legitimacy on the Arusha Peace Accords, which were signed in 1993 by the RPF and President Habyarimana's government. Among others, these peace accords outlined how a new post-war government should be composed of representatives of both Habyarimana's party - the *Mouvement Révolutionnaire National pour le Développement* (MRND), domestic opposition parties, and the RPF.²³⁵

Since July 1994, a near-complete formal government structure has been in place and presented both domestically and internally as a government in control of all government institutions, including the army and the police. From the outset in 1994, the RPF-led government appointed members of Rwanda's two major ethnic groups to high-level government posts. Although a Tutsi, former Defence Minister Paul Kagame, became President in April 2000, Hutus continue to head key ministries. The Prime Minister has been a Hutu throughout the RPF's years in office and some Hutus have even reached high-ranking positions within the army, while a Hutu minister from the old Habyarimana government is currently Defence Minister.²³⁶ All parties - except the *Mouvement Révolutionnaire National pour le Développement* (MRND) and the Hutu-

²³⁵ Melvern, p. 53

extremist *Coalition pour la Défense de la République* (CDR) - have been officially included in the new Government. Members of these parties occupy seats both in parliament and government, which has helped sustain the notion that the government is having some sort of democratic mandate. Through these figureheads, the government has been able to present itself as a somewhat politically representative and 'ethnically legitimate' government, much more inclusive than the Habyarimana government.

The Akazu Power Network

The final breach of the Arusha Accords became evident in February 1999, when government ministers were forced to resign by the President, Pasteur Bizimungu, who appointed new ministers without consulting the political parties and the National Assembly, as prescribed in the Arusha Accords.²³⁷ According to a report by the UK asylum office:

The RPF has a minority of cabinet seats and assembly places, but it continues to dominate the government's policies. Whilst the coalition government appears to be fairly inclusive, with the participation of the MDR, PSD, PL and PCD [all parties singled out for government posts in under the Arusha Accords], in addition to the RPF, it merely implements policies under the current system. Responsibility for defining policy appears to be concentrated in the hands of a few, and all the key positions in the power structure are occupied by RPA officers or former RPA officers, who came to Rwanda from Uganda, where they were based until 1994.²³⁸

Gérard Prunier writes of a dual power structure within Rwanda, "There is of course a government but this government carries out policies, it does not define them." As an illustrative example he mentions the lack of power by the former Finance Minister, who had often questioned the disbursement of large unauthorized sums of money to the military:

[In 1996] then Minister of Finance, Marc Ruganera, was asked point blank by an RPA colonel to give him US\$ 500,000 "to take care of urgent matters". When asked to state in greater detail what the money was for he said it was to pay his men. The Minister then asked him for a detailed list of

²³⁶ Economist Intelligence Unit, *EIU Country Profile 2001...*, p. 13

²³⁷ In addition, since 1997 the division of portfolios among the different parties had not been respected. Reyntjens, Filip, *Talking or Fighting...*, p. 5. Also, though of minor importance, the MRND and the CDR have both been banned by law. United States, State Department, Bureau of Democracy, Human Rights, and Labor, *Country Reports on Human Rights Practices – 2000: Rwanda*, February 2001, available at <http://www.state.gov/g/drl/rls/hrrpt/2000/af/index.cfm?docid=720>, unpaginated version

²³⁸ United Kingdom, Immigration and Nationality Directorate, Country Information and Policy Unit, *Rwanda Assessment*, April 2001, also available at <http://www.ind.homeoffice.gov.uk/default.asp?PageId=191>, unpaginated version

personnel for whom this money was earmarked and what their salaries were. Whereupon the Colonel exploded and told Rukanera that he would "hear about it". Later, Vice President and Minister of Defence Major General Paul Kagame phoned Rukanera and told him to pay the US\$ 500,000 to the Colonel "for the good of the country". Rukanera did not push the matter any further and arranged for payment of the monies [sic!]. This illustrates fairly well the relationship between the Army and the civilian government.²³⁹

All so-called top Hutu figures in the government have in reality had no real power and been subjected to frequent harassment by the army and the intelligence services, who watch their every move. For instance, the first prime minister in the post-war government, Faustin Twagiramungu, was once beaten in his own office by an army colonel, who thought that Twagiramungu had not been sufficiently swift to sign a government cheque for his daughter's medical care abroad.²⁴⁰ During his tenure as President, Bizimungu once sought to have a handful of passports issued for some acquaintances. Since the issuing of passports is something jealously guarded by the inner circles of the government in order to prevent unwanted critics from leaving the country, Bizimungu himself called the passport office and provided the details over the phone. The phone line appears to have been tapped by the intelligence services, because when the immigration official arrived at the President's office to deliver in person, soldiers forced him to surrender the passports.²⁴¹ Even such a crucial decision as going to war in Zaire in late 1996 was something Twagiramungu's successor, then prime minister Pierre-Celestin Rwigyema (a.k.a. Pierre Celestin Rwigyema), first heard about by reading it in newspapers, according to a written statement published by him after he fled for the United States.²⁴²

Behind the scenes, a small clique of RPF insiders call the shots. This inner network consists of mainly high-ranking RPA Tutsi top officers from the former refugee camps in Uganda. Though the Akazu has members from the diasporas in Zaire, Burundi, and elsewhere, the diaspora from Uganda, consisting of 'Ugandan' Tutsis, has the upper hand and most of the top officers come from a few specific camps in Southern Uganda and have either been related to each other for a long time or have become related through marriage.²⁴³ This power clique has become known as

²³⁹ Prunier, Gérard, *The Social, Political and Economic Situation*, Issue Paper formerly posted on <http://www.writenet.org>, June 1997, now available at <http://www.udayton.edu/~rwanda/articles/prunier.html>

²⁴⁰ Interview with former Prime Minister of Rwanda, Faustin Twagiramungu, Brussels, April 2000

²⁴¹ Interview with former journalist at *Rwanda Newsline* Ignatius Mugabo, Copenhagen, June 2001

²⁴² Rwigyema, Pierre Celestin, *Ikibazo cya Kongo-Zayire*, testimony on the war in the Congo, January 2001, at http://www.afroamerica.net/rwanda_testimonies.html

²⁴³ Dorsey, pp. 329-330

the Akazu, meaning 'little house' in the local Kinyarwanda, a power base of people based not so much upon ethnicity as upon clan affiliation. A clan is defined as a group of people of unilineal descent whose members trace patri- or matrilineal descent from an apical ancestor, but do not know the genealogical links that connect them to this apical ancestor.²⁴⁴ The reference to the 'little house' as an extended 'family' is clearly in line with this terminology. In the absence of common ancestors (or believed common ancestors), outsiders can become members of the Akazu 'family' through marriage.

The term Akazu was used before 1994 to denote the insiders of the old regime, which was also based on clan affiliations and whose stronghold had been a particular commune in North-Western Rwanda. This pre-1994 clan had also been called 'la Clan du Madame', since power had been centered around the Habyarimana's wife, Agathe Habyarimana, whose family enjoyed significant privileges, and whose members occupied top posts under Habyarimana.²⁴⁵ Before Habyarimana's era, which commenced with a coup d'état in 1973, power was centered around a (Hutu) clan in Southern Rwanda connected to Rwanda's first President Gregoire Kayibanda.²⁴⁶

While 'la Clan du Madame' detested all Tutsis and kept rival Hutus in Southern Rwanda at bay, the RPF has in a similar fashion excluded all Hutus from power and sought to contain the power of 'non-Ugandan' Tutsis. In anthropological terms, the current version of Akazu is a kinship organization with members being recruited among 'Ugandan' Tutsis. It is important to stress that far from all 'Ugandan' Tutsis are members of the Akazu, since eligibility, i.e. the right ethnic and family background, is not the same as membership, which must be exercised through loyalty to the 'family'.²⁴⁷ For instance, 'Ugandan' Tutsis founded the independent *Rwanda Newslite*, but due to their criticism of the Government of Rwanda, its journalists are not members of the Akazu but its enemies.²⁴⁸ However, once a member is adopted into the group, which does not take a formal ceremony, there is as such no degree of kinship: though the Akazu is not a homogeneous entity, Akazu brothers or sisters are considered 'insiders' or partners while outsiders are viewed as potential enemies.²⁴⁹ There are no in-betweens.²⁵⁰ Resignations are treated as high treason²⁵¹ and several ex-RPF members have been assassinated in exile.²⁵²

²⁴⁴ Keesing, Roger M., *Cultural Anthropology: A Contemporary Perspective* (New York: Holt, Rhinehart and Winston, 1976), p. 548, and pp. 550-551

²⁴⁵ Melvern, pp. 41-43

²⁴⁶ Prunier, Gérard, *The Rwanda Crisis...*, first edition, pp. 57-61

²⁴⁷ Keesing, Roger M., *Cultural Anthropology: A Contemporary Perspective* (New York: Holt, Rhinehart and Winston, 1976), p. 245

²⁴⁸ Confer the section 'Political Implications of Private Sector Funding'

²⁴⁹ Prunier, *The Rwanda Crisis...*, third edition, p. 366

In political life, Akazu insiders are offered influential posts from where they can control the population. Michael Dorsey lists how nearly all powerful posts in the current government are occupied by a group of 'Ugandan' Tutsis; in particular within the army, the police, and the intelligence services:

Within the army, of the 45 main positions – Ministry of Defence, RPA and Gendarmerie Chiefs of Staff, and unit commanders – 27 'belong' to the 'Ugandans', as against 10 to the 'Burundians', and 5 to ex -FAR members, 3 to the 'Rwandans' and just one to the 'Zairians'. Every one of the unit commanders of the RPA is 'Ugandan', as are three of the five Gendarmerie commanders. Among the five existing Intelligence Services in Rwanda, the same 'Ugandan' preponderance is present today. The head of the DMI [Department of Military Intelligence], following a temporary 'Burundian', is a 'Ugandan'. The head of the ESCO and his deputy are 'Ugandans'. The head of the Gendarmerie Intelligence Service was born in the Congo but educated in Uganda. There is also a 'Ugandan' at the head of Special Intelligence, with a 'Burundian' deputy.²⁵³

Though Hutus have, as mentioned, been appointed to seemingly powerful government posts, they hold little power. As Reyntjens has summarized in a report from 1999, non-RPF ministers are kept under strict surveillance in a 'tutsification' of the government machinery:

Even while the government, the country's international "business card", has grosso modo equal representation (14 Hutu, 12 Tutsi and 1 unidentified, out of the 18 general secretaries identified, 14 are Tutsi from the RPF; With the exception of two ministers, all the non-RPF ministers are flanked by a general secretary from the RPF. While the National Assembly already has a Tutsi majority, it continues to be subject to purges [...] Out of the twelve prefects, nine are Tutsi [...] The number of Tutsi mayors is estimated to be over 80%.²⁵⁴

In addition, the Hutu President Pasteur Bizimungu, who had been RPF's figurehead during the war against Habyarimana, was sent packing in late March 2000, and shortly after Paul Kagame was elected head of state.²⁵⁵

²⁵⁰ Keesing, Roger M., *Cultural Anthropology: A Contemporary Perspective* (New York: Holt, Rhinehart and Winston, 1976), p. 235

²⁵¹ Confidential telephone interview with Rwandan diplomat, 2000

²⁵² Confer the section 'Suppression of Political Dissent'

²⁵³ Dorsey, p. 327. See also Mugabe, 'The Killings Resume...', at <http://www.strategicstudies.org/crisis/rwanda.htm#Uganda-Rwanda>. As mentioned above, the Gendarmerie was dissolved in 2000 and replaced by a national police force.

²⁵⁴ Reyntjens, Filip, *Talking or Fighting...*, pp. 5-6. On the issue of 'tutsification', see also Prunier, *The Rwanda Crisis...*, third edition, p. 369

²⁵⁵ Confer section below, 'Suppression of Political Dissent'

The Akazu is first and foremost involved in illegal plunder and trade of precious goods from the Congo, and for this purpose the government structure is used to prevent checks and balances and shield the smuggling of profitable commodities from outsiders, the non-Akazu. Government institutions and parastatals are heavily penetrated by Army control through the appointment of ex-army officers at the top of government departments or as managers of public companies, such as the national telecommunications company, *Rwandatel*, and the national water and energy company, *Electrogaz*.²⁵⁶ Through the government, the Akazu is also able to favour private enterprises belonging to Akazu insiders, which obviously means that the Akazu dominates the private sector, which shall be discussed in the next chapter. In turn, this has meant that not only jobs in the public sector, but also well-paid jobs in the private sector, mainly go to 'Ugandan' Tutsis. Though it is already hard to find a job in Rwanda, where the estimated unemployment rate is 31%, ordinary Tutsis and Hutus thus have an even harder time finding a job.²⁵⁷ For Hutus returning from the camps in the former Zaire it is virtually impossible to find jobs, since suspicions can easily be floated that they linked to 'genocidaires'. This has led to a polarization of the Rwandan population: any Hutu is considered a potential collaborator of ALIR and hence an enemy.²⁵⁸ The government has, aided by donors, therefore herded a large number of Hutus together in makeshift camps in order to be able to better control them.²⁵⁹ As for the Tutsi Genocide survivors, the money spent on the war means their needs go unmet. As argued by the International Crisis Group, "Ultimately, as long as the war continues, there can be no sense of common interests between Rwanda's two ethnic groups."²⁶⁰

Power-struggles are also going on within the Akazu. There are so to speak competing networks within the Akazu network, typically based upon sub-networks or sub-clan membership, i.e. perceived descent from common ancestors. For instance, Dorsey claims that in 1998 some Akazu members sought to contain the influence of a Ugandan Akazu sub-network called the Gahini network, a group of 'Ugandan' Tutsis who had lived in the same refugee camps named Nyakivara and Nshungerezi in Uganda and called so because of their origin from Gahini in the

²⁵⁶ Mugabi, John, and Kanuma, Shyaka, *Dossier Journal Newslines*, statement circulated as e-mail medio January 2001, n.d., available at <http://www.multimania.com/obsac/OBSV3N16-DOSattentHabyari.html>; and Dorsey, pp. 324-326

²⁵⁷ Economist Intelligence Unit, *Country Report Rwanda*, 10 April 2000

²⁵⁸ Prunier, *The Rwanda Crisis...*, third edition

²⁵⁹ Human Rights Watch, *Uprooting the Rural Poor in Rwanda* (New York: Human Rights Watch, 2001), also available at <http://www.hrw.org/reports/2001/rwanda>, unpaginated version

Rwandan prefecture of Kibungo. They did this, according to Dorsey, by supporting the firing of two important members of this group from important government posts.²⁶¹ In this move, he claims, the much weaker Kadas network, comprising of members of the French-speaking diaspora, supported them.²⁶² But the struggle among sub-networks of the Akazu dates back to the beginning of the movement when especially 'Rwandan' and 'Burundian' Tutsis were targeted for persecution or right-out execution, according to several ex-RPA officers.²⁶³ Even high-ranking RPF members appear to be 'expendable', such as the former Ambassador to Kenya, Alphonse Mbayire, a 'French' Tutsi. Mbayire, who was known in Kenya under a different name, Alphonse Mbabane, was apparently murdered by the RPA after he was publicly associated with the killing of former Interior Minister Sendashonga.²⁶⁴ Growing dissent or internal struggles within the Akazu has led to many Hutus and Tutsis fleeing the country, including a number of high-ranking RPA officers from the ranks of the Akazu.²⁶⁵

Suppression of Political Dissent

Numerous political figures have been arrested, forced to flee, or simply murdered after having fallen out with core elements in the RPF-led government.

After defecting in December 1996, RPF Colonel Lizinde, a Hutu formerly serving with Habyarimana's government, chose to go into exile but was assassinated in the Kenyan capital Nairobi on 6 October 1998, only two days before a Rwandan businessman was abducted in Nairobi as well. Their bodies were found 20 km north of Nairobi.²⁶⁶

In August 1995, Prime Minister Faustin Twagiramungu and Interior Minister Seth Sendashonga decided to resign from the government because of continued RPF massacres, a decision which was 'not taken lightly', according to a recent statement by Sendashonga's wife.

²⁶⁰ International Crisis Group, *Scramble for the Congo...*, at

<http://www.crisisweb.org/projects/showreport.cfm?reportid=130>, p. 26

²⁶¹ Dorsey, pp. 329-330. According to former RPA intelligence officer Jean-Pierre Mugabe, those who created Akazu came from exactly these two refugee camps, Nyakivara and Nshungerezi. Mugabe, 'The Killings Resume...', at <http://www.strategicstudies.org/crisis/rwanda.htm#Uganda-Rwanda>, pp. 4-7

²⁶² Dorsey, p. 330. A similar power-struggle within the Akazu was reported in *AfroAmerica Network*, 'Joseph Mugenga, a new casualty of Power Struggle within RPF', 25 April 2001, at <http://www.afroamerica.net/afroamerica.html>

²⁶³ See for instance Mugabe, 'The Killings Resume...', at <http://www.strategicstudies.org/crisis/rwanda.htm#Uganda-Rwanda>, pp. 4-7

²⁶⁴ Confer below section 'Suppression of Political Dissent'

²⁶⁵ See for instance, *Reuters*, 'Disquiet Stirs in Tightly Ruled Rwanda', 29 May 2001; and *East African*, 'RPF Split Over Alleged Bias in Handing Out Govt Jobs', 2 October 2000, also available at <http://www.nationaudio.com/News/EastAfrican/08102000/Regional/Regional17.html>

²⁶⁶ United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), 'Weekly Roundup of Main Events in the Great Lakes region', 13 October 1996, at <http://stone.cidi.org/humanitarian/glr/96b/0038.html>

The power to Twagiramungu's house was cut and only by the intervention of foreign diplomats were Twagiramungu and Sendashonga allowed to leave the country.²⁶⁷ Once out of the country, Twagiramungu, who had settled in Belgium, and Sendashonga, who had chosen to live in Nairobi, founded an opposition party in exile, much to the dismay of the RPF government.²⁶⁸

In Kenya, Sendashonga's moves were frequently monitored and after reporting the case to the Kenyan Special Branch, one of the people following him was identified and, according to Sendashonga's wife, admitted that the Rwandan Embassy in Nairobi had commissioned him.²⁶⁹ In February 1996, Sendashonga survived an assassination attempt. Nearby, Kenyan police arrested a Rwandan diplomat literally with a smoking gun, but the Rwandan government refused to waive his immunity.²⁷⁰ In May 1998, Sendashonga and his bodyguard were assassinated; once again, it appears that the Rwandan Ambassador to Kenya, Alphonse Mbayire, was involved.²⁷¹

However, before the verdict had been passed, Mbayire was suddenly recalled to Kigali by the Government of Rwanda and shortly after found shot dead in Kigali. On 31 May 2001, the Kenyan Justice acquitted the three men, saying he found that none of the three accused had been present at the shooting, although he said the first accused might have known about the plot to kill Sendashonga. In his verdict, he also stated that he was "persuaded that the murder was political".²⁷²

²⁶⁷ *Internews*, 'Analysis: The Trial of Sendashonga's Assassins', 18 December 2000, available at http://www.internews.org/activities/ICTR_reports/ICTRnewsDec00.html#1218b; and Confidential interview with diplomat, Kigali, August 1997

²⁶⁸ *Internews*, 'Analysis: The Trial of Sendashonga's Assassins', 18 December 2000, available at http://www.internews.org/activities/ICTR_reports/ICTRnewsDec00.html#1218b

²⁶⁹ *Ibid.*

²⁷⁰ *Ibid.*

²⁷¹ Shortly after the murder, Kenyan police arrested three suspects, one Rwandan and two Ugandan. A police officer told the Nairobi High Court that the three men initially confessed to having committed the murder. The supposed mastermind behind the operation, the Rwandan named David Akiki Kiwanuka, initially motivated the murder by a desire to avenge his father, an alleged Director of Immigration in the office of the then Rwandan President, whom he claimed had been swindled of US\$ 54 million by then Interior Minister Sendashonga. Not only did this theory statement fit badly with Sendashonga's reputation as a man of high principles, but according to both the Finance Minister and the Foreign Minister at the time in question; the post-war country simply did not have such an amount of money to steal. Moreover, no man by the name of the accused person's father had held any such post in government, the former ministers said. In court, all three accused suddenly denied the charges they had previously confessed to and pleaded not guilty. However, they admitted having been at the stage of planning the murder of Sendashonga, but said someone else had come before them. During the trial, police officers testified that the Rwandan Ambassador to Kenya, Alphonse Mbayire, had often visited Kiwanuka's family. Mbayire, a former official of the Rwandan Department of Military Intelligence (DMI), had paid for the upkeep of Kiwanuka's family, police officers said that Kiwanuka's wife had told them. *Ibid.* and *Hirondelle Foundation*, 'Sendashonga Trio Acquitted of Murder', 31 May 2001, at <http://www.hirondelle.org/hirondelle.nsf/caefd9edd48f5826c12564cf004f793d/4b9ea21c40b3001bc1256609007b2870?OpenDocument>

²⁷² The Defence Counsel, John Waiganjo, said that he had received death threats, but that he was mostly worried about his client, Kiwanuka, whom he requested be placed under the protection of the United Nations High

Since the RPF came to power, many other politicians have also chosen to flee from the country, many after being intimidated. The Speaker of the National Assembly, Joseph Sebarenzi, in January 2000 had to flee to Uganda, while three army officers suspected of assisting him were imprisoned and tortured.²⁷³ Sebarenzi, who was forced to resign on 6 January 2000, was a popular Tutsi and highly critical of embezzlement in government circles.²⁷⁴ Aciel Kabera, an adviser to the Office of the President and a close friend and aide of Sebarenzi, was subsequently shot dead by unidentified gunmen in front of his house on 5 March 2000. Despite the fact that Kabera was murdered in an area heavily guarded by the army, the Rwandan authorities failed to apprehend the assassin and refrained from properly investigating the murder. His family accused the RPF of assassinating him.²⁷⁵

A particular effort has been done to limit the influence of the Mouvement Démocratique Républicain (MDR), which turned out to be the most important 'opposition party' within the new government, and it has been curtailed by effectively quashing its new initiatives.

On 23 May 1998, the MDR put forward a document alleging *inter alia* that the prevalent consideration in RPF circles that all Hutus are somehow responsible for the Genocide contributes to the insecurity in the country. The document caused a great outcry in RPF circles, where the common view was – and is - that nearly all Hutus willingly participated in the Genocide on the Tutsis, and only a few Hutus were actually killed by the Hutu extremist militias.²⁷⁶ The MDR was in no uncertain terms ordered to revise the document. The pressure had its effect: one week later, a completely rewritten document was tabled, acknowledging the RPF's point of view.²⁷⁷

In late July of that same year, the National Executive Committee of the MDR was dissolved, though it was "unclear by whom or according to which statutory provisions this move was

Commissioner for Refugees. Waiganjo said he feared for his life, apparently bearing in mind the fate of Mbayire, who had also had compromising information on the RPF-led government. *Hirondelle Foundation*, 'Sendashonga Trio Acquitted of Murder', 31 May 2001, at <http://www.hirondelle.org/hirondelle.nsf/caefd9edd48f5826c12564cf004f793d/4b9ea21c40b3001bc1256609007b2870?OpenDocument>

²⁷³ Human Rights Watch, 'Rwanda: 'The Search for Security...'', at <http://www.hrw.org/reports/2000/rwanda>, unpaginated version; and Amnesty International, *Great Lakes Region: Refugees Denied Protection*, Report No. AFR 02/02/00, May 2000, at <http://www.web.amnesty.org/ai.nsf/index/AFR020022000>, p. 5

²⁷⁴ *Ibid.*, p. 5

²⁷⁵ Supposedly, no one heard or saw anything, and it took the police two hours to arrive at the crime scene. Economist Intelligence Unit, *Country Report Rwanda*, 10 April 2000

²⁷⁶ In an interview with the author, RPF politician Tito Rutarimura claimed that a few thousand Hutu had died during the Genocide. Interview with RPF politician Tito Rutarimura, Kigali, August 1997. See also *Aktuelt* (Copenhagen), '125.000 lyserøde fanger venter', 28 December 2000, also available at <http://www.willum.com/artikler/aktuelt28dec00.htm>

²⁷⁷ Reyntjens, Filip, *Talking or Fighting...*, p. 6

made".²⁷⁸ Although the President of the party, Bonaventure Ubalijoro, contested this decision in a letter to the Interior Minister, nothing happened.²⁷⁹ Instead, Ubalijoro was arrested on the 27 February 1999, charged with alleged crimes committed back in the 1960s when he was the head of the old Department of Military Intelligence. Shortly after, two other dissidents, who had already been expelled from the MDR, were arrested.²⁸⁰ Ubalijoro was released 1½ year later, but by then the party only consisted of RPF-supporters. In this fashion, it is not surprising that the MDR – or any other political party – has lost touch with their constituencies or party grassroots.²⁸¹

On 23 March 2000, Pasteur Bizimungu, who had been President since 1994, was forced to resign after having fallen out with the RPA core. Bizimungu, a former close associate of President Habyarimana, was vehemently anti-Tutsi, but fell out with his ally and in August 1990 left the government to join the RPF.²⁸² With Bizimungu out of office, Kagame was elected President, and the 'ethnic balance' of the RPF-led government had been disturbed. Apparently in an attempt to compensate for this, the old MDR Prime Minister Twagiramungu was asked to return and, in October 2000, was even offered an opportunity to have a lengthy speech broadcast on *Radio Rwanda* during an official ceremony. Twagiramungu, viewed by some as the only Hutu with something resembling a constituency in the countryside, used the opportunity to rap the RPF-led government, but refused the offer to return.²⁸³

The Government held local elections at communal level in March 1999, but no parties were allowed nor were secret ballots used.²⁸⁴ According to the Arusha Accords, elections were originally scheduled for July 1999. However, in June 1999, the Government announced an extension of the transition period for another 4 years. Although government spokesmen point out that officially elections will be held latest in 2003 in which competitive party politics will 'probably' have a role, there are no signs that free and fair elections will take place.²⁸⁵

²⁷⁸ Reyntjens, Filip, *Talking or Fighting...*, p. 6

²⁷⁹ Ibid.

²⁸⁰ They were excluded from the Parliament "by a little-known parliamentary discipline committee with particularly untransparent working methods," according to the Economist Intelligence Unit. "Charges on which the committee found the deputies guilty ranged from alleged participation in the genocide to insufficient support for reconciliation." Economist Intelligence Unit, *Country Report Rwanda*, 30 April 1999

²⁸¹ Amnesty International, *Rwanda: The troubled course of justice*, 26 April 2000, Report No. AFR 47/015/2000, at <http://web.amnesty.org/ai.nsf/Index/AFR470152000?OpenDocument&of=COUNTRIES\RWANDA>, unpaginated version; and United States, State Department, Bureau of Democracy, Human Rights, and Labor, *Country Reports on Human Rights Practices – 2000: Rwanda*, February 2001, at <http://www.state.gov/g/drl/rls/hrrpt/2000/af/index.cfm?docid=720>

²⁸² Human Rights Watch, *Leave None...*, at <http://www.hrw.org/reports/1999/rwanda>, p. 53

²⁸³ Economist Intelligence Unit, *Country Report Rwanda*, 1 November 2000

²⁸⁴ *BBC News Online*, 'High turnout in Rwanda poll', 30 March 1999, at http://news.bbc.co.uk/1/hi/english/world/africa/newsid_306000/306680.stm#top

²⁸⁵ *Reuters*, 'Disquiet Stirs in Tightly Ruled Rwanda', 29 May 2001

After his dismissal, Bizimungu stayed away from politics for about one year, and then re-entered the political scene and in late May 2001 sought to launch a new party. But all present at the inauguration of the party - including reporting journalists - were immediately arrested by the security services. Leaving no room for interpretation, the official *Radio Rwanda* the same day broadcast a message declaring that, "There are well known political parties in the country. Anyone trying to launch a new political party will be punished in exemplary fashion."²⁸⁶ At the time of writing, the whereabouts of former Interior Minister Theobald Rwaka Gakwaya are still unknown after he disappeared on 27 April 2001. Rwaka was frequently at odds with the RPF and was dismissed in March 2001 after serving in the government for only one year. It has been reported that he belonged to the group trying to establish Bizimungu's party.²⁸⁷

Suppression of Free Media and Human Rights Groups

Local journalists are frequently harassed, even foreign correspondents have been severely harassed after publishing stories criticizing the government, while several local journalists have gone into exile after publishing stories revealing government fraud.²⁸⁸ In particular stories involving scams by high-ranking military officers have earned many a journalist death threats.²⁸⁹ Following the publication of a story about corruption in the Defence Ministry, the Editor-in-Chief of the English language opposition weekly *Rwanda Newslines* was jailed for several months. He was only released after pressure from donors and NGOs. During the first two months of 2001, the publication of *Rwanda Newslines* was furthermore suspended after death threats.²⁹⁰

Another journalist and former RPA intelligence officer, Jean-Pierre Mugabe, founded *La Tribune du Peuple*, but fled after being warned by RPA friends that his life was in danger.²⁹¹

Concerning human rights, the Government of Rwanda expelled UN monitors in 1998 and frequently harasses local human rights groups. The Government has set up a Human Rights Commission, but it does not have the power to subpoena people, nor to carry out proper

²⁸⁶ *BBC News Online*, 'Rwanda ex-president under arrest', 31 May 2001, at http://news.bbc.co.uk/1/hi/english/world/africa/newsid_1361000/1361820.stm

²⁸⁷ *BBC News Online*, 'Rwandan police admit former minister missing', 2 May 2001, at <http://news6.thdo.bbc.co.uk/1/hi/english/world/africa/newsid%5F1308000/1308867.stm>

²⁸⁸ Human Rights Watch, *World Report 2001* (New York: Human Rights Watch, 2001), also available at <http://www.hrw.org/wr2k1/index.html>, p. 66

²⁸⁹ *Monitor* (Kampala), 'Journalist Seeks Protection In Uganda', 14 September 2000

²⁹⁰ United States, State Department, Bureau of Democracy, Human Rights, and Labor, *Country Reports on Human Rights Practices – 1999: Rwanda*, February 2000, available at <http://www.state.gov/g/drl/rls/hrrpt/1999/index.cfm?docid=266>, unpaginated version. Mugabi, John, and Kanuma, Shyaka, *Dossier Journal Newslines*, statement circulated as e-mail medio January 2001, n.d., available at <http://www.multimania.com/obsac/OBSV3N16-DOSattentHabyari.html>

investigations, and it has refrained from seriously criticizing the military. According to Human Rights Watch, the commission also suffers from a lack of independence since several members of the commission are closely related to high-ranking government politicians.²⁹²

Good Governance Campaigns Justify Firing of Unwanted Critics

As part of the 'official veil', the so-called good governance campaigns²⁹³ are used by the Akazu to rid the government of unwanted critics, who can conveniently be accused of either corruption or participation in the Genocide. When former Prime Minister Twagiramungu and Interior Minister Sendashonga in July 1995 resigned in protest after having been completely marginalized in the government, the RPF fired two other prominent Hutu ministers and made it look as if they had all been fired because of mismanagement or participation in criminal activities. Michael Dorsey lists the official reasons given by the RPF:

Sendashonga was protecting a brother who had been implicated in the genocide. Nkubito was taking steps to block the enquiries into the crimes of genocide. Twagiramungu was denigrating the government of which he was a member and impeding government action.²⁹⁴

Though no evidence has been produced to substantiate the alleged misdeeds of these ministers, other accused persons may very well be guilty of the crimes they are accused of. However, the Akazu ringleaders cleverly wait to use such information until it is opportune for political reasons. A case in point is the former Prime Minister, Pierre-Celestin Rwigyema, who had in fact had charges of participating in the Genocide brought against him during his tenure as Prime Minister.

However, Kagame and other RPF strongmen several times vehemently denied these charges with reference to the usual anti-RPF 'Hutu extremist propaganda'. But when the Akazu wanted a new Prime Minister, allegations of Rwigyema's involvement in corruption deals during his previous job as Education Minister were disclosed.²⁹⁵ And when he shortly after fled the

²⁹¹ Interview with ex-Rwandan Patriotic Army officer, n.p., 1999

²⁹² Human Rights Watch, *Protectors or Pretenders? Government Human Rights Commissions in Africa* (New York: Human Rights Watch, 2001), also available at <http://www.hrw.org/reports/2001/africa/index.html>, unpaginated version

²⁹³ For instance, in a reply to a report by Human Rights Watch, the government wrote about an 'anti-corruption crusade'. Rwanda, Government of, *Reply to Human Rights Watch Report "Rwanda: The Search for Human Rights and Security"*, Press Release, May 2000, at <http://www.rwanda1.com/government/HRWresponce.htm>

²⁹⁴ Dorsey, p. 315. See also the charges brought against Parliament Speaker Joseph Sebarenzi once he left Rwanda, for instance in Rwanda, Government of, *Reply to Human Rights Watch Report "Rwanda: The Search for Human Rights and Security"*, Press Release, May 2000, at <http://www.rwanda1.com/government/HRWresponce.htm>

²⁹⁵ See Human Rights Watch, 'Rwanda: The Search for Security...', at <http://www.hrw.org/reports/2000/rwanda>, unpaginated version; and Economist Intelligence Unit, *Country Report Rwanda*, 26 January 2000. Similarly, allegations

country and started denouncing the regime from abroad, he was suddenly accused of being a top-level 'genocidaire', and the Rwandan Government made a fuss out of having a request filed at Interpol for the issuance of an international arrest warrant made out in his name.²⁹⁶ A very similar case is that of former President Bizimungu, who in the 1970s was an ardent anti-Tutsi politician and supporter of Habyarimana. But when relations between Habyarimana and Bizimungu subsequently soured, Bizimungu suddenly joined the RPF and became its official chairman. However, since he had been a Hutu extremist, the RPF Akazu has a squeeze on him, which it can use to smear his credibility if need be.

The local state-run or RPF-owned media has been used in campaigns to smear unwanted Hutu politicians, such as Rwigyema and Bizimungu, accepting and broadcasting RPF accusations without reservations.²⁹⁷ Before being fired in March 2001, Interior Minister Theobald Rwaka Gakwaya was suddenly subject to a media campaign in the state-owned press, which denounced him as a supporter of the Interahamwe militia.²⁹⁸ Dorsey also thinks that the press has been shrewdly used by certain members of the Akazu to target the Gahini network by revealing corruption and nepotism in ministries held by members of the latter network.²⁹⁹ It is probably needless to point out that if the press reveals the involvement of Akazu members in corruption scams or other criminal activities, the journalists - and not the Akazu members - are likely to end up in jail.³⁰⁰

A Sovereignty Discourse Justifies the Congo Campaign

The discourse of statehood and sovereignty has been consistently used in official statements to justify the intervention in the Congo with reference to the Hutu militias waiting in the Eastern

were levelled against Bizimungu just before he left the government. *BBC News Online*, 'Analysis: Why Bizimungu Mattered', 23 March 2000, at http://news.bbc.co.uk/hi/english/world/africa/newsid_688000/688587.stm

²⁹⁶ *CNN.com*, 'Warrant out for Rwandan Ex-PM', 11 April 2001, at <http://www.cnn.com/2001/WORLD/africa/04/11/rwanda.arrest>; and *BBC News Online*, 'Rwandan PM resigns in corruption row', 28 February 2000, at http://news.bbc.co.uk/hi/english/world/africa/newsid_659000/659842.stm

²⁹⁷ See for instance *BBC News Online*, 'Rwandan PM resigns...', at http://news.bbc.co.uk/hi/english/world/africa/newsid_659000/659842.stm

²⁹⁸ *BBC News Online*, 'Rwandan police admit former minister missing', 2 May 2001, at <http://news6.thdo.bbc.co.uk/hi/english/world/africa/newsid%5F1308000/1308867.stm>

²⁹⁹ Dorsey, pp. 329-330

³⁰⁰ Two instructive examples were John Mugabi of the independent *Rwanda Newsline* and Valens Kwitegetse of the Government-owned vernacular *Imvaho*, who both worked on two unrelated corruption stories involving RPA officers. Their stories earned Mugabi several months in jail, while Kwitegetse was asked by his superior, RPA Captain Rogers, to hand over all details of his sources, after which Kwitegetse fled the country for Uganda. Needless to say, none of the officers involved faced any consequences. Interview with Editor-in-Chief of *Rwanda Newsline*, John Mugabi, Kigali October 2000; Copenhagen, June 2001; and by telephone, September 2001; and *Monitor* (Kampala), 'Journalist Seeks Protection In Uganda', 14 September 2000

Congo to finish off the Genocide on the Tutsis. Communications with donors on this matter usually follows a certain pattern: first, donors make feeble demands for a withdrawal from the Congo. Then the Government of Rwanda – often with a sarcastic reference to the role of the West and the UN during the Genocide – invokes its right to defend its sovereign country from external threats by intervening in the Congo, since, it argues, no one else wants to prevent the Hutu militias from attacking Rwanda. Donors then point to the Lusaka Accords, which stress that Rwanda is supposed to withdraw from the Congo. Next, the Government of Rwanda stresses its ‘strong commitment’ to these Accords. This last argument is usually accepted by the donors (who then go on disbursing aid).³⁰¹

For instance, in the wake of the *UN Exploitation Panel Report*, Kagame was reported by the official *Radio Rwanda* as having said:

There have been accusations about human rights violations in eastern Congo. There have been accusations about plundering Congo's wealth [...] As far as I am concerned, true or not true, these are secondary. The main reason for our being in the Congo has to do with security concerns for our country [...] Congo became a sanctuary to the forces that threaten our security and maybe other people's security [...] That remains the problem.³⁰²

As is clear from Kagame's statement, an important element of the sovereign discourse has been to legitimize the Congo campaign as a quest for security in the ‘national interest’ of the country. Great efforts have therefore been used in downplaying or rejecting the exploitation and plunder aspect of the campaign.

First, official Rwandan statements have sought to legitimize the exploitation by invoking regional trade agreements and calling the exploitation legitimate trade between two independent nations.

Second, in January 2001 the Government of Rwanda for safety's sake announced on *Radio Rwanda* that new coltan ores had been discovered inside Rwanda, thereby trying to justify an increased export of coltan from Rwanda. These so-called new discoveries accounted for a sudden increase in production and export of coltan, some 120 tons per month as of April 2001,

³⁰¹ Confer the section ‘Donors and the ‘Government of Rwanda’ Agree on Lenient Conditions’

³⁰² United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), ‘Rwanda: International community “merciless” – Kagame’, 9 April 2001, at <http://www.reliefweb.int/IRIN/cea/countrystories/rwanda/20010409.phtml>

according to a statement produced in response to the *UN Exploitation Panel Report*.³⁰³ In previous years, the coltan production had been much lower, amounting to only 122 tons for the whole of 1999 and 83 tons for 2000, and the explosive increase is questioned by experts in the field.³⁰⁴ The high production is further questionable given that the Rwandan Minister for Mines and Energy stated that most mining sites had been closed due to accidents caused by poor maintenance. As pointed out in the previous chapter, RCD-Goma officials have repeatedly confirmed that massive amounts of Congolese coltan, usually referred to as at least 100 tons per month, are being exported from the Rwandan zone to international markets through Rwanda.³⁰⁵

Most donors nevertheless accept the argument of legitimate self-defence in the interest of national security. In particular American and British officials have used the sovereignty discourse to defend, at least in part, the Rwandan presence in the Congo. In a response to the UN exploitation report, the President of the Security Council and acting US ambassador to the United Nations, James Cunningham, nearly echoed Kagame's words. According to *Agence France Presse*, he said that "the United States believes the panel has painted a broadly accurate picture," while stressing that he did not believe the plunder had motivated the war, but that the plunder was rather a result of the conflict. "The longer the conflict goes on, the more the line becomes blurred," he was reported to have said.³⁰⁶ British Minister of State for Foreign Affairs and the Commonwealth, Peter Hain, one year earlier lent his country's in-between-the-lines support to the Rwandan war effort: "We do not support the involvement of Rwanda or any of the parties in the DRC [Democratic Republic of Congo] war, although we recognize it has legitimate security concerns."³⁰⁷ The recognition of Rwanda's 'legitimate security concerns' clearly implies that Hain considered Rwanda to be a sovereign state. The British Secretary of State for International Development, Clare Short, has gone even further by more or less rejecting any allegations of plunder in an interview with the *BBC Radio 4*.³⁰⁸

³⁰³ Rwanda, Government of, *Reaction of the Government*, at http://www.rwanda1.com/government/04_22_01news_Responce_To_UN_Report.htm

³⁰⁴ Confer 'Table 2 – Official Rwandan Coltan Production and Export'; *Agence France Presse*, 'Découverte d'un gisement de coltan au Rwanda', 21 Jan 2001; and Tack, Luc, private correspondence to the author, 8 May 2001

³⁰⁵ Confer the section 'Exports via Rwanda'

³⁰⁶ *Agence France Presse*, 'Rwanda and Uganda reject report into plundering of DRC', 4 May 2001

³⁰⁷ United Kingdom, Foreign and Commonwealth Office, *Adjournment Debate on the Great Lakes*, speech by British Minister of State for Foreign Affairs and the Commonwealth, Peter Hain, London, 14 November 2000, at <http://www.fco.gov.uk/news/newstext.asp?4378>. See also *Guardian*, 'British aid to help armies reform', 17 February 2000, also available at <http://www.guardian.co.uk/Archive/Article/0,4273,3964363,00.html>

³⁰⁸ *File on Four*, BBC Radio 4, 10 July 2001, transcript available at <http://www.bbc.co.uk/radio4/progs/genre/transcripts/fileonfourmobilephones.pdf>

Provisional conclusion

Although a formal government structure is in place in Rwanda, there are few functional administrative institutions, except for the Army, Intelligence Services, and to some extent the Police. There is no coherent support from the government to farming, health, education, justice, and infrastructure – these sectors are either non-functioning or their services are paid for by donors. Moreover, those institutions that actually function are not controlled by the people who are supposed to do so: the prime minister and his government. In fact, functional institutions that were in control of the formal government would pose a threat to the Akazu, and they are thus not desired by the latter. Only certain members of the government - those who are also members of the Akazu - are in fact in control and run the above-mentioned security-related institutions.

This means that some parts of the government does not want to reach the majority of the population, while those who want to are without the means to do so.

A good example is the justice sector. While the government has so far assured that the numerous prisoners charged with participation in the Genocide are kept locked up, donors and NGOs, such as the International Red Cross and Red Crescent, have fed and otherwise cared for those prisoners. A Danish-led effort to speed up the prosecution of the estimated 120,000 accused persons by training lawyers, who are in short supply in Rwanda, has been obstructed on several occasions by the Ministry of Justice.³⁰⁹ The court system also works arbitrarily: If Akazu members are suspected of having committed fraud or other crimes, these are not investigated, unless internal power struggles within the Akazu leads one sub-network to strike against another by means of the official institutions, such as the judiciary.

Another example is the housing sector. Donors, such as the UNCHR, built shelters and houses for the returnees from Zaire, but they were also used in a scheme by the Government of Rwanda to drive ordinary peasants from their homes into makeshift refugee camps. Once in the camps, the RPA was in a much better position to deal with these parts of the population. Driven away from their homes, peasants lost their homes and in some cases also access to their farming land. This was however not a concern to the RPF, who was preoccupied by controlling the population.³¹⁰

³⁰⁹ *Aktuelt* (Copenhagen), 'Dansk projekt under pres', 28 December 2000, also available at <http://www.willum.com/artikler/aktuelt28dec00B.htm>. See also Prunier, Gérard, *The Rwanda Crisis...*, third edition, p. 365

The government is, in other words, only interested in dealing with select parts of the population in relation to select aspects.

The RPF strategy therefore strongly resembles the strategy employed by the former Belgian colonial rulers. The Belgians sought to mobilize the 'society' behind the 'state' by turning the two groups, the Hutus and the Tutsis, which had until then been socially defined groups, into racially defined groups based on the 19th-century Hamitic myth: that Tutsis resembled intelligent Europeans and thus were born to rule, while the Hutus were typical Africans made to do manual labour. Before the Belgian era, social mobility had been possible in the sense that wealthy Hutus could become Tutsis and vice versa, but the Belgians created two rigidly defined groups out of an inhomogeneous population and through this sought to create a 'society' by force that included the *rulers* and the *ruled*. The Belgian colonial administration could not care less for the well being of the Hutus, but used the Tutsi caste to exploit the Hutus through hard compulsory labour, which cost many men their lives.³¹¹

In today's Rwanda, there have also emerged a class of rulers, the Akazu, and a class of ruled, which comprises the ethnic Hutu population as well a large part of the ethnic Tutsi population. The Government of Rwanda is thus not a government of a state but merely a network of powerful individuals who use the security services to further their criminal activities and to veil these activities. Apart from suppressing the population, the Government is neither willing to - nor capable of – effectively regulating the lives and interactions of its citizens.

What does this all mean for how one should term an entity such as Rwanda?

Whether Rwanda is a state obviously depends on the definition of a state.

For instance, Hinde and Halliwell question whether it is actually possible to have a core social or political unit, that is truly self-contained and self-determining: an entity that is able to rule truly independently of the outside world and any outside forces, such as global financial transactions.³¹² Certain aspects of international law backs such an argument, since international law *does* in fact provide for the suspension of the non-interference criteria in certain situations - the Rwanda Genocide being a perfect example. It can thus be argued that classic international law prevents states from being *completely* sovereign – and it thereby rocks the very foundation for states. With the EU, this problem becomes even more apparent with an increasing number of

³¹¹ Prunier, Gérard, *The Rwanda Crisis...*, first edition, pp. 1-40

³¹² Halliwell, Christine, and Hinde, Barry, "Culture", "society" and the figure of man', *History of the Human Sciences* Vol. 12, No. 4 (1999), pp. 13-16

majority decisions made by the European Council of Ministers on behalf of EU member states. We could thus be moving toward an international system that in some respects resembled the pre-Westphalia period with different bodies having spheres of supranational jurisdiction over specified matters. For the purpose of this dissertation, it is important to note that if sovereignty is impossible to achieve, it also becomes obsolete to judge the nature of Rwanda by sovereignty. Unfortunately, Hinde and Halliwell do not elaborate on which alternative criteria can be used to define a state.

If we use Buzan's definition of a state, which notably includes sovereignty, our task becomes somewhat easier. As elaborated on above, Rwanda clearly does not have proper institutions, and this undermines its control and hence its sovereignty. Several scholars have suggested that if the criteria of statehood can be fulfilled in some respects, but not in all, we should refer to a 'weak state', a 'quasi-state', or a 'network state'.³¹³ However, it is important to stress that according to Buzan's definition, states are only states if they fulfil *all* criteria, most importantly the criteria of sovereignty, which *can not* be graded. Otherwise, large corporations could also be called 'quasi-states' since they fulfil the majority of the criteria for statehood and are quite powerful indeed with budgets many times the size of those of poor African governments. In other words: either Rwanda is a state or it is not. And in this case, it is not. Rwanda is, in other words, a geographical entity, a country, but not a state.

But if Rwanda is not a state, how about its government?

From the outset, it is important to note that the wirepullers in the government merely consist of a network of mainly top army officers, a mafia, working secretly for their own economic gain. Since there is no state, the political entity known as the Government of Rwanda has no authority within the geographical entity called Rwanda, which is not to say that it has no power: it just exploits its position to further its criminal objectives. Taken to its logical conclusion, this means that since it has no authority it is not a government either, and thus ought to be referred to as something along the lines of 'the political entity known as the Government of Rwanda'. As a consequence of this – and for reasons of simplicity – I shall for the remainder of this dissertation put the 'Government of Rwanda' in quotation marks when referring to this political entity.

³¹³ See for instance Buzan, pp. 96-111; Steven, David, 'Explaining Third World Alignment', *World Politics* Vol. 43, No. 2 (January 1991), pp. 233-256; and Reno, William, *War, Debt and the Role of Pretending...*, at http://www.teol.ku.dk/cas/Occ_Reno_internetver.doc, unpaginated

RWANDAN ECONOMY AND FOREIGN AID

In this chapter, I shall first outline the situation of the Rwandan economy in general and the scope of international development assistance to the country, including the strings attached to the aid.

The Economy in General

Rwanda is generally an extremely poor country with few natural resources and little industrial production. The average life expectancy is only 40.5 years.³¹⁴ For 1999, Rwandan GDP is estimated to have been Rwf 641.0 billion, or US\$ 1.92 billion, and Rwf 712.2 billion for 2000, or US\$ 1.83 billion. The real change in Rwandan GDP is estimated by the Economist Intelligence Unit to have been 5.3% for 1999. In 1999, annual per capita income was US\$ 189.³¹⁵

Debt servicing has since 1994 been a major cause for a balance-of-payments deficit, but the most recent figures available seem even more aggravating. Based on IMF, World Bank, and national data, the Economist Intelligence Unit estimates the latest available debt figures as follows: the total debt had risen to US\$ 1.3 billion in 1999, and debt servicing to US\$ 48.2 million, representing 69% of the value of the US\$ 70.8 million merchandise exports.³¹⁶

Foreign investments account for more than 90% of total gross fixed investments, and due to the huge inflow of hard currency from donors, the Rwandan Franc has been reasonably stable despite the low exports.³¹⁷

There is a huge economic and social divide between the countryside and the urban areas. Economically, commercially, as well as seen from a wider developmental point of view, the urban areas – in particular the capital Kigali – are far better off in all respects.

³¹⁴ André, Catherine, and Luzolele Lola, Laurent, *The European Union's Aid Policy Towards Countries involved in the Congo: Lever for Peace or Incitement to War?*, Unpublished paper, May 2001, p. 26

³¹⁵ International Monetary Fund, *Rwanda: Statistical Appendix*, Country Report No. 01/30, 5 February 2001, at <http://www.imf.org/external/pubs/ft/scr/2001/cr0130.pdf>, p. 3

³¹⁶ Economist Intelligence Unit, *EIU Country Profile 2000...*, unpaginated version; and Economist Intelligence Unit, *EIU Country Profile 2001...*, p. 28

³¹⁷ Confer 'Table 7 – Rwanda: Selected Economic Indicators'; and Economist Intelligence Unit, *EIU Country Profile 2001...*, p. 19

According to the Economist Intelligence Unit, Kigali is thus "home to 94% of Rwanda's banks, 96% of its industry, 65% of the civil service, 80% of the informal sector and 90% of the hotel space. The city also has the most reliable supplies of water, electricity and telephone lines."³¹⁸

There are roughly 60,000 telephone lines in Rwanda, of which 90% are in Kigali. The national telecommunications company, Rwandatel, is slated for privatization in 2001 with 51% being offered to a strategic investor. MTN Rwandacell operates cellular phone services for some 20,000 subscribers. There are only about 2,000 Internet subscribers.³¹⁹

In the countryside, most people are farmers. About 90% of the Rwandan work force is employed in the agricultural sector, and the productivity in this sector is generally low. Agricultural production collapsed with the Genocide in 1994 and only started to recover two years later, although much of the improvement is because more areas are being cultivated.³²⁰

Also, the south-western part of the country has experienced drought and famine. Formal and informal unemployment is widespread all over the country, which is reflected in the fact that an estimated 70% of the population lives below the poverty line, and the vast majority of this group are from the countryside.³²¹

Table 7 – Rwanda: Selected Economic Indicators

	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u> (estimates)	<u>2000</u> (forecasts)
GDP at market prices - in Rwftr billion	431.1	562.5	631.7	641	712.2
Real GDP	15.8	12.8	9.5	6.1	5.8
Average consumer price inflation	9.0%	7.4%	4.0%	-2.4%	4.0%
Exports fob – in US\$ million	61.7	93.2	64.5	62.3	68.4
Imports fob – in US\$ million	218.5	278.2	234	224.5	245.9

Source:

Economist Intelligence Unit, *Country Report Rwanda*, 1 February 2001, unpaginated version

³¹⁸ Economist Intelligence Unit, *EIU Country Profile 2000...*, unpaginated version

³¹⁹ Economist Intelligence Unit, *EIU Country Profile 2001...*, pp. 17-18

³²⁰ Economist Intelligence Unit, *EIU Country Profile 2000...*, unpaginated version

³²¹ Ibid.

Tea and coffee are the main export items, comprising 80% of the value of total exports in 2000.³²² Rwanda earned US\$ 68.4 million from exports in 2000, up by US\$ 7.2 million from 1999, in spite of a drop of nearly US\$ 4 million in the value of its main export, coffee. Tea accounted for this improvement, since tea exports were US\$ 8.5 million higher in 2000 than in 1999 because of increased production.³²³ However, imports reached US\$ 245.9 million in 2000 and thus by far outweighed exports, and the balance of payments situation has not eased in the last few years.³²⁴ Little hope is in sight in this regard, since Rwanda's export capacity and ability to attract foreign investment capital is generally regarded as low and likely to remain so for at least a decade.³²⁵ Private and public transfers, which in 1999 covered 64% of the current deficit, are also diminishing.³²⁶ As a result, the balance of payment deficit in 1999 went beyond US\$ 100 million for the first time after 1994 took power and the trend is forecast by the IMF to continue.³²⁷

Catherine André therefore argues that the balance of payment deficit can either be financed by jeopardizing the stable monetary policy, i.e. accepting inflation, or by external means:

Ce solde négatif devra être couvert soit par les moyens propres du Rwanda [...] mettant en danger l'équilibre monétaire du pays ou par des financements extérieurs sous forme de dons ou d'emprunts supplémentaires.³²⁸

It is worth mentioning that Rwanda currently has sufficient foreign reserves to match imports at the current level for more than 10 months.

Official Development Assistance

I shall use the OECD's generally accepted definition of official development assistance (ODA), which is defined as grants and loans with at least a 25% grant element, provided by OECD and OPEC member countries and multilateral agencies, and which are administered with the aim of

³²² Economist Intelligence Unit, *EIU Country Profile 2001...*, p. 19

³²³ Economist Intelligence Unit, *EIU Country Profile 2001...*, pp. 26-27

³²⁴ Confer 'Table 7 – Rwanda: Selected Economic Indicators'

³²⁵ André, Catherine, and Tierens, Michel, 'Les Limites Structurelles de L'Economie Rwandaise Face aux Reformes Economiques et a L'integration Regionale', in Reyntjens, Filip, and Marysse, Stefaan, eds., *L'Afrique des Grands Lacs. Annuaire 1999-2000* (Paris: L'Harmattan, 2000), p. 68

³²⁶ *Ibid.*, p. 73

³²⁷ *Ibid.*, p. 68

³²⁸ *Ibid.*, p. 68

supporting development and welfare in the recipient country.³²⁹ It is important to stress that the OECD definition of ODA does not include military assistance.

Donors view aid as having a positive effect on both economic development and the political level. Economically, in particular the Bretton Woods Institutions argue that a structural adjustment programme, including a slimming of the public administration, privatization of public companies and a reduction in military spending, will benefit the economy as a whole and thereby also the poor people in Rwanda. Politically, donors argue that the economic reforms are an essential element to stabilize the socio-political environment in Rwanda and the Great Lakes Region.³³⁰ In other words, aid is seen as a means to bring lasting peace to the region. The exact process is hardly ever defined, but the argument seems to be that 'fat cats don't fight'; the wealthier the people are, the more unlikely are wars.³³¹ This is apparently why Rwanda is treated as a 'special case' by international institutions, such as the World Bank and the IMF, and provided with critical loans although they do not live up to IMF criteria.³³² The United States and the United Kingdom also support this view and give quasi-unconditional aid towards the budget and the external balance.³³³ The EU has followed the line set out by the Bretton Woods institutions and is a major donor of development aid, despite official protests against the continued war in the Congo. For instance, the European Commission in June 1999 issued a communication to the EU Council of Ministers and the EU Parliament reviewing the EU's economic cooperation with countries at war in the Congo. The report was intended to avoid the misuse of development funds, provided by the EU, for military purposes.³³⁴ However that may be, the EU has – long after the

³²⁹ Organisation for Economic Cooperation and Development, Development Co-operation Directorate, *DAC Statistical Reporting Directives*, 2000, at <http://www1.oecd.org/dac/htm/dacdir.htm>, pp. 9-13, p. 31 and p. 71

³³⁰ See for instance International Development Association, *Rwanda: Economic Recovery Credit*, Washington, 9 March 1999, p. 18

³³¹ This was for instance the conclusion in a report by the Center for War and Peace Research in Uppsala, Sweden. Radio Free Europe & Radio Liberty, *Swedish Report Emphasizes Role Of Poverty In War*, News Article, 20 June 2000, at <http://www.rferl.org/nca/features/2000/06/F.RU.000620135251.html>

³³² See International Development Association, *Rwanda: Country Assistance Strategy - Progress Report*, IDA/R99-135, 11 June 1999 and section 'Donors and the 'Government of Rwanda' Agree on Lenient Conditions'

³³³ André, Catherine, and Tierens, Michel, 'Role de L'aide dans la Relance et la Stabilité Economique de Procédure du Rwanda', in Reyntjens, Filip, and Marysse, Stefaan, eds., *L'Afrique des Grands Lacs. Annuaire 1998-1999* (Paris: L'Harmattan, 1999), p. 94

³³⁴ Also in June 1999, a presidential declaration expressed concern at the continuing flow of arms and military equipment to the Great Lakes and Central Africa regions. The statement called on member states to strictly adhere to the EU's own *Code of Conduct on Arms Exports*, and recalled that, under the EU code, countries agree not to authorize arms exports that might "aggravate existing tensions or armed conflicts in the country of final destination" or fuel human rights abuses. Human Rights Watch, 'Eastern Congo Ravaged...', also available at <http://www.hrw.org/reports/2000/drc/Drc005.htm#TopOfPage>, unpaginated version

commencement of the Congo War - disbursed massive amounts of aid, including budget support to the ministries of education, health and justice, as well as debt relief.³³⁵

Table 8 – Net Official Development Assistance to Rwanda

Grants and loans with at least a 25% grant element - disbursements minus repayments
All units in US\$ million

	1995	1996	1997	1998	1999
Bilateral	339.2	252	178.7	209	180.5
of which:					
US	101	10	9	23	39.8
UK	34.5	19.3	10	20.6	26.5
Belgium	13.9	31.3	21	23	20.9
Netherlands	46.7	41.1	29.2	29	20.3
Germany	52.1	45.6	26	20.6	18.8
Multilateral	363.1	213.3	50.4	140.9	192.4
of which:					
IDA	29	38.1	47.5	61.6	63.5
EU	17.9	55.4	46	26.7	39.1
WFP	150.7	80.7	-69.8	4.6	34
IMF	0	-1.3	-2.5	13.7	26.8
UNDP	5.1	5.1	10.5	9.7	12.2
Total	702	466.5	229.6	349.9	372.9
Of which:					
Grants	662.6	423.9	181.5	260.4	287.4

Source:

Organisation for Economic Cooperation and Development, *Geographical Distribution of Financial Flows to Aid Recipients: 1995/1999* (Paris: Organisation for Economic Cooperation and Development, 2001), pp. 216-217

Note: Organisation for Economic Cooperation and Development data is not necessarily complete. The Organisation for Economic Cooperation and Development caution that donors are not always accurately reporting aid flows to non-governmental organizations working in Third World countries. Telephone interview with Organisation for Economic Cooperation and Development official, June 2001

³³⁵ Confer the next chapter, 'Foreign Aid and the War Effort'

Much of Rwanda's debt servicing is, at present, paid for by a donor trust fund. Debt relief granted under the IMF and the World Bank's Highly Indebted Poor Countries (HIPC) initiative is planned to reduce debt servicing to US\$ 35 million per year in 2001 – if donors follow the recommendations of the Bretton Woods institutions as of late December 2000.³³⁶

As can be seen in Table 8, Table 9, and Table 10, Rwanda is generally highly dependent on aid in virtually all sectors. For instance, the country received US\$ 372.9 million in Official Development Assistance (ODA) during 1999, most of which (287.4 mil US\$) comprised grants provided by bilateral donors. However, net foreign assistance has been declining and is unlikely to exceed US\$ 180 million in 2001 and US\$ 170 million in 2002, according to the Economist Intelligence Unit, partly due to the Rwandan presence in the Congo and partly due to the termination of the 'emergency period' following the 1994 Genocide.³³⁷

The impact that the foreign aid has on the 'Government's' budget is no doubt significant although accurate information on the financial operations of the 'Rwandan Government' is difficult to come by. One of the reasons for this is the discrepancy between the figures provided by the IMF and those provided by the 'Government of Rwanda'. For 1999, the latest year for which the most comprehensive data is available, the IMF claims that the 'Government's' total expenditures were Rwfr 127.5 billion, or US\$ 382 million, while the Rwandan Ministry of Finance lists Rwfr 150.6 billion, or US\$ 451 million. As can be seen in Table 9 and Table 10, there is also a difference on the amount of the 'Government's' budget covered by loans and grants from foreign donors: 49% according to the IMF and 55% according to the Rwandan Ministry of Finance.

Likewise, It is unclear how many of these funds have been provided as direct budget support. According to the *UN Exploitation Panel Report*, foreign budget support "has steadily increased, from \$26.1 million in 1997 to \$51.5 in 1999".³³⁸ The IMF, however, estimates that Rwanda received direct budget aid worth US\$ 44.7 million in 1999.³³⁹ The direct budget support was mainly provided by the EU and the United Kingdom.³⁴⁰

³³⁶ Economist Intelligence Unit, *EIU Country Profile 2001...*, p.28

³³⁷ Economist Intelligence Unit, *Country Report Rwanda*, 1 February 2001, unpaginated version

³³⁸ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 38

³³⁹ International Monetary Fund, *Rwanda: Statistical Appendix*, Country Report No. 01/30, 5 February 2001, at <http://www.imf.org/external/pubs/ft/scr/2001/cr0130.pdf>, p. 32

³⁴⁰ United Kingdom, Department for International Development, *Building support for Rwandas development*, Press Release, 26 September 2000, also available at <http://www.dfid.gov.uk/public/news/pr26sept00b.html>

Table 9 – Financial Operations of the Central ‘Government of Rwanda’ - 1999**Source: ‘Government of Rwanda’**

	<u>Rwfr million</u>	<u>US\$ million</u>
Fiscal receipts	71,000	212.6
Non-fiscal receipts	3,500	10.5
Total revenue	74,500	223.1
Current expenditures	93,620	280.4
Capital expenditures(domestically financed)	5,000	15.0
Capital expenditures(externally financed)	46,200	138.4
Arrears payments (domestic)	5,700	17.1
Total expenditures	150,620	451.1
Overall balance incl. Others	-79,620	-238.5
Financing	79,620	238.5
Loans	30,611	91.7
Grants	51,511	154.3
Domestic financing	-2,502	-7.5
Foreign Loans and Grants as part of Total Expenditures	55%	

Source: Rwandan Ministry of Finance quoted in Economist Intelligence Unit, *EIU Country Profile 2000: Rwanda Burundi*(London: Economist Intelligence Unit, 2000), unpaginated version

Table 10 – Financial Operations of the Central ‘Government of Rwanda’ – 1998-2004**Source: International Monetary Fund**

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
			(estimates)	(budgeted)	(projections)	(projections)	(projections)
Current Expenditures - in Rwfr billion	75.3	87.1	86.7	96.4	101.1	109.7	120.3
Total Expenditures - in Rwfr billion	117.4	127.5	134.4	153.3	166.8	183.5	201.2
Net Foreign Financing - Grants	33.0	38.6	26.1	35.2	39.4	46.8	51.3
Net Foreign Financing - Loans	39.2	24.5	11.0	10.2	17.2	19.4	21.4
Net Foreign Grants and Loans as part							
Of Total Expenditures	61%	49%	28%	30%	34%	36%	36%

Source:

International Monetary Fund, African Department, *Rwanda-Staff Report for the 2000 Article IV Consultation and Requests for the Third Annual Arrangement Under the Poverty Reduction and Growth Facility and for Extension of Commitment Period*, 11 December 2000, p. 37

(*) A projected exchange rate of Rwfr:US\$ 430.0 was used for 2001

Source: Economist Intelligence Unit, *Country Report Rwanda*, 1 February 2001

'Donor-Imposed' Conditions

When pledging aid, donors usually agree on a set of principles with the recipient country. These usually include more or less specified promises from the recipient government to work for democracy, curb corruption, increase social expenditures, minimize military expenses etc.³⁴¹ Usually such promises – or indeed conditions for receiving aid - are written down in declarations addressed to the World Bank and/or the IMF. At other times, donors simply declare that continued support depends on the recipient government's adherence to such and such criteria.³⁴²

Donors and the 'Government of Rwanda' Agree on Lenient Conditions

Rwanda has been no exception in this regard. Donors have time and again stressed that continued aid is tied to both political conditions, for instance the respect of the Lusaka Accords, i.e. the withdrawal of Rwandan troops from the Congo as well as other issues, such as democratic progress, respect for human rights and what is loosely termed 'good governance'.³⁴³

In addition, donors also demand that Rwanda adheres to certain macroeconomic criteria, such as a minimum of net foreign assets in the National Bank of Rwanda, privatizations, and not least cutbacks in military expenditures.³⁴⁴ The economic criteria are primarily imposed by the IMF and the World Bank, though the issue of military expenditures is continuously mentioned by all donors. For instance, during his March 2000 visit to Rwanda, the EU Commissioner for Development and Humanitarian Aid, Poul Nielson, asked the 'Rwandan Government' to mind its military expenditures.³⁴⁵ At a major donor conference in November 2000, several influential donor countries reiterated concerns of the Rwandan presence in the Congo and stressed that further

³⁴¹ See for instance Kanbur, Ravi, 'Aid, conditionality and debt in Africa', in Tarp, Finn, and Hjertholm, Peter, eds., *Foreign Aid and Development: Lessons Learnt and Directions for the Future* (London: Routledge, 2000), pp. 409-422

³⁴² See for instance *East African*, 'Trim Spending or Risk Aid Cut, Kigali Told', 13 November 2000, also available at <http://www.nationaudio.com/News/EastAfrican/19112000/Regional/Regional15.html>

³⁴³ See for instance the memorandum of understand signed by Paul Kagame and Claire Short on 12 April 1999, reprinted in United Kingdom, Department for International Development, *Rwanda: Country Strategy Paper 1999*, September 1999, also available at http://www.dfid.gov.uk/public/what/strategy_papers/rwanda_csp.html, pp. 9-12

³⁴⁴ See for instance See for instance *East African*, 'Trim Spending or Risk Aid Cut, Kigali Told', 13 November 2000, also available at <http://www.nationaudio.com/News/EastAfrican/19112000/Regional/Regional15.html>; United Kingdom, Department for International Development, *Rwanda: Country Strategy...*, at

http://www.dfid.gov.uk/public/what/strategy_papers/rwanda_csp.html; International Monetary Fund, African Department, *Rwanda: Midterm Review under the First Annual Arrangement Under the Enhance Structural Adjustment Facility and Request for Waiver of Nonobservance of Performance Criteria*, 26 February 1998; and International Monetary Fund, *Rwanda – Midterm Review Under the First Annual Arrangement Under the Enhanced Structural Adjustment Facility and Request for Waiver of Nonobservance of Performance Criteria*, EBS/99/22, 26 February 1999

³⁴⁵ United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), 'Rwanda: EU restores development cooperation', 10 March 2000, at <http://www.reliefweb.int/IRIN/cea/countrystories/rwanda/20000310.htm>

cuts in military expenditures were necessary to ensure continued donor support.³⁴⁶ In a statement from early 2001, the IMF directors stressed that they ‘expected’ military spending to be shifted more and more towards social areas “as efforts to promote peace in the region advanced”. In fact, hardly any donor meeting goes by without donors asking Rwanda to decrease its military expenditures.³⁴⁷

With reference to the Genocide, donors have been extremely lenient toward the ‘Government of Rwanda’, claiming that the latter needs more aid, fewer conditions, and more patience from donors. A discourse largely invented by the ‘Government of Rwanda’, but accepted at face value by most donors. The discourse of ‘recovery from Genocide’ has been successfully introduced by the ‘Government of Rwanda’ and used gratefully by donors to explain why Rwanda should have just a little more time and be given just a little more rope before it could meet the criteria that are normally imposed on other African countries in return for development assistance at a much earlier stage.³⁴⁸

This argument has been used not only to legitimize political moves, such as the postponement of elections, the postponement of withdrawal from the Congo, the massive abuses, etc., but also to legitimize the necessity of maintaining higher military expenditures in order to come to terms with the former genocidaires. When the ‘Government of Rwanda’ negotiated with the IMF and the World Bank for structural adjustment loans and access to the HIPC Initiative, the Bank and the Fund accepted that the proportion of GDP spent on the military would for years remain higher than was normally the case under structural adjustment

³⁴⁶ *East African*, ‘Trim Spending or Risk Aid Cut, Kigali Told’, 13 November 2000; and World Bank, External Affairs Department, *Development News*, 9 November 2000, at <http://wbln0018.worldbank.org/NEWS/DEVNEWS.NSF/eb730c645da440418525673500723bf3/9f3ffe649923ece185256992004f6342?OpenDocument>; and United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), ‘Rwanda: Donors urge pullout from DRC’, 9 November 2000, at <http://www.reliefweb.int/IRIN/cea/countrystories/rwanda/20001109.phtml>

³⁴⁷ André, Catherine, and Luzolele Lola, Laurent, *The European Union’s Aid Policy Towards Countries involved in the Congo: Lever for Peace or Incitement to War?*, Unpublished paper, May 2001, p. 16. See also statements quoted in Amnesty International, *Democratic Republic of Congo: Rwandese-controlled east: Devastating human toll*, 19 June 2001, Report No. AFR 62/011/2001, at <http://web.amnesty.org/ai.nsf/Index/AFR620112001?OpenDocument&of=COUNTRIES%5CRWANDA>, unpaginated version, footnote 11

³⁴⁸ For instance, the UK’s Department for International Development (DFID) wrote in a memorandum that the “Government of the United Kingdom [...] believes that Rwanda should be treated as a special case for international assistance.” United Kingdom, Department for International Development, *Rwanda: Country Strategy Paper...*, at http://www.dfid.gov.uk/public/what/strategy_papers/rwanda_csp.html, p. 9. On 7 April 1998, the World Bank Board of Directors “endorsed the CAS [Country Assistance Strategy] proposal that Rwanda be treated as a special case for international assistance and given exceptional assistance to overcome the legacies of the genocide and make the transition to peace and development.” International Development Association, *Rwanda: Country Assistance Strategy - Progress Report*, IDA/R99-135, 11 June 1999

programmes. For several years, Rwanda was allowed to have military expenditures of approximately 4% of GDP.³⁴⁹

Conditions are Violated by the ‘Government of Rwanda’

In 1998, several budgetary requirements were not met. The official military budget - excluding extra-budgetary revenue - was exceeded by 0.4% of GDP, there was underspending on basic social services, an end-September 1998 performance criteria deadline on net foreign assets of the National Bank of Rwanda was not met, while the repayment of domestic arrears owed by the ‘government’ had been delayed. A deadline for submitting certain legislative proposals to parliament had also not been met, and an audit of the national telephone company Rwandatel was carried out several months too late.³⁵⁰

.... but Donors either Waive the Conditions...

But when the ‘Government of Rwanda’ did not meet these criteria, in particular with respect to staying with the record-high allowance for military expenditures, it faced no consequences. The IMF response was to agree to a request by the ‘government’ for waiving these criteria arguing that the financial targets “were broadly met” and that the ‘government’ maintained a ‘strong commitment’ to the programme.³⁵¹ Three years later, in late March 2001, the IMF Board of Directors “expressed concern over the extra-budgetary expenditures, especially those relating to military spending”, though no amounts or estimates were mentioned. Again, the ‘Government of Rwanda’ faced no consequences, but the IMF Board of Directors merely “welcomed the authorities’ intention to bring them into the 2002 budget”.³⁵²

.... Turn a Blind Eye on Violations ...

The Bretton Woods institutions have failed to investigate how minerals exploited from Congo fund the Rwandan military outside the recorded budget. And this despite a recorded export of various minerals that are either not mined in Rwanda or not in the quantities in which they are exported, and despite the fact that the mineral exploitation in the Rwandan zone of Congo has been openly

³⁴⁹ Confer ‘ Table 6 – Official Rwandan Military Expenditures’

³⁵⁰ International Monetary Fund, Rwanda – Midterm Review Under the First Annual Arrangement Under the Enhanced Structural Adjustment Facility and Request for Waiver of Nonobservance of Performance Criteria, EBS/99/22, 26 February 1999, p. 3

³⁵¹ Ibid.

acknowledged by RCD-officials on a number of occasions.³⁵³ The establishment of a handful of diamond comptoirs in Kigali has also not prompted any reaction by donors or Bretton Woods officials.³⁵⁴

No political analysis and no thorough investigations seem to have been carried out by neither the IMF nor the World Bank on this issue. In fact, several IMF sources acknowledge that they do not see it as their job to find out whether revenue earned from the trading in precious commodities funds the Congo campaign. One official thought it was 'anybody's guess' whether exploitation was going on and whether this contributed to the RPA's warfare:

We are not able to police possible illegal exploitation from the Congo. We can not exclude that resources are being taken away on an individual basis. It is not the IMF's task to travel to Congo to find out about this [...] The view we have taken on [the level of] military activities is that it was the same before and after the start of the war. We cannot exclude that natural resources are financing additional activities. [But] It is not our task to find it out.³⁵⁵

The fact that the RPA's military expenditures has gone down after the war started following the Congo, the IMF official said, was tied to the IMF's conviction that the RPA was only "assisting the rebels". With respect to the level of military expenditures following the Rwandan invasion of Congo in August 1998, the official said:

Our impression was that the military activities had been financed by the government's own resources until '98, and that they continued to use their own resources [for this purpose], which was 4 % of GDP. The bulk of activities already took place [...] Since the Rwandese army was there in the area [in connection with the counter-insurgency campaign in North-Western Rwanda], it was just displacing the activities across the border. There was not a need for a massive increase in resources.³⁵⁶

This statement seems a bit far-fetched for (at least) two reasons. First, the premise of the calculation, namely that the RPA only 'assists' RCD-Goma is doubtful. The RPA is largely

³⁵² International Monetary Fund, *IMF Concludes Article IV Consultation with Rwanda*, Public Information Notice (PIN) No. 01/31, 27 March 2001, at <http://www.imf.org/external/np/sec/pn/2001/pn0131.htm>

³⁵³ Confer the above section 'Exports via Rwanda' and 'Table 2 – Official Rwandan Coltan Production and Export'

³⁵⁴ Lemarchand, René, *The Democratic Republic of Congo: From Failed State to Statelessness*, unpublished paper, December 2000, p. 17; and *Chicago Tribune*, 'Torrents of civil war pound ravaged Congo: Nation of riches impoverished by legacy of greed', 10 December 2000, also available at <http://www.pulitzer.org/year/2001/international-reporting/works/congo1.html>

³⁵⁵ Confidential telephone interview with International Monetary Fund official, 2001

³⁵⁶ *Ibid.*

controlling RCD-Goma, which was created by the RPA only one day after the (re-)invasion on 1 August 1998. RCD-Goma, deeply resented by the local Congolese population, would be nothing without the RPA, and this makes the line between RCD-Goma expenses and RPA expenses fluid at best.

Second, it is simply not true that RPA activities have just been displaced across the border. Rwandan troops are operating deep inside the jungle, hundreds of kilometers away from Rwanda, in areas by and large only reachable by expensively chartered airplanes or through army helicopters. Such transport of material and troops is bound to incur substantial extra expenses compared to a situation in which the RPA stayed put inside the Rwandan borders. Ammunition, the replacement of weapons lost in battle etc. also incur extra expenses.

Moreover, the Bretton Woods institutions seem not to have investigated extra-budgetary financing through the so-called 'voluntary contributions', claiming there was no evidence of people being forced to contribute and that any such contribution made had been disclosed to donors.

Donors appear to have decided to refrain from investigating whether conditions are being respected, instead quietly 'believing' in the good intentions of the Rwandan 'government', which is, for instance, expressed in the following statements by a high-ranking World Bank economist, Chukwuma Obidegwu, and a press release from the Dutch Foreign Ministry, respectively:³⁵⁷

The government of Rwanda assured us that it is not interested in the continuation of the war – which is satisfactory to us [...] We have no guarantees but we have their word³⁵⁸

In a letter to [the Dutch Minister for Development Cooperation, Eveline] Herfkens, President Kagame said that he was cooperating fully in implementing the Lusaka peace agreement. This was enough to persuade Ms Herfkens to include Rwanda on the list [of countries receiving bilateral Dutch aid].³⁵⁹

³⁵⁷ See also *File on Four*, BBC Radio 4, 10 July 2001, transcript available at

<http://www.bbc.co.uk/radio4/progs/genre/transcripts/fileonfourmobilephones.pdf>

³⁵⁸ *Reuters*, unnamed news article on IMF loan to Rwanda, 8 February 1999, quoted in Reyntjens, Filip, *Talking or Fighting...*, p. 26

³⁵⁹ Netherlands, Ministry of Foreign Affairs, *Development aid countries now "18+4"*, Press Release, n.d., at <http://www.minbuza.nl/english/Content.asp?key=310533&pad=257569,257774>

.... or Accept Manipulated Figures

The Bretton Woods institutions have steadfastly backed questionable statistics put forward by the 'Government of Rwanda' and even continued to publish manipulated and incompatible figures by the 'Government of Rwanda'. The clearest example of such incompatibility are the huge gold exports to Belgium, worth US\$ 35.5 million and US\$ 29.8 million for 1997 and 1998, respectively. These figures are totally incompatible with both the total Rwandan exports to Belgium, listed at US\$ 4 million for both years in question, as well as total Rwandan gold exports.³⁶⁰ According to ex-RPA officer Deus Kagiraneza, he was approached by World Bank staff in Rwanda, who already back in 1998 asked Kagiraneza to explain this gap. Kagiraneza, a former employee at the Congo Desk, says he told the World Bank staff that he was not able to offer an explanation.³⁶¹ But neither the World Bank nor the IMF have written a single line about this discrepancy in their subsequent reports on Rwanda, which are used by virtually all other donors to evaluate the economic progress of the country.

In Any Event, Aid Contributes to Development, Donors Say

To most donors, neither the extra-budgetary revenue nor the Congo war have as such prevented the continuation of aid to Rwanda. Because aid, donors argue, contributes to development in Rwanda. But the reasons for the continuation or expansion of aid to Rwanda have varied considerably, though two concepts have always been at the center of discussions: progress on the one hand and backwardness, or need, on the other.

Before 1994, donors used to emphasize Rwanda's economic *progress* and disbursed so much aid that the country received one of the highest per capita rate of foreign aid in Africa.³⁶²

During and after the Genocide, both government donors and NGOs rapidly shifted the discourse and emphasized the great *need* in Rwanda (as well as in Eastern Zaire).

Following enormous amounts of post-Genocide 'emergency aid' as it usually termed, donors have the past few years stressed *both progress and need* in Rwanda. Some examples illustrate this.

³⁶⁰ Confer 'Official Rwandan National Accounts and Export Statistics' and Economist Intelligence Unit, *EIU Country Profile 2001...*, p. 27. The gold export is also inconsistent with the official total export for 1998, which was US\$ 64.5 million, most of which was coffee and tea, thus leaving only US\$ 9.8 million USD for 'other products'. International Monetary Fund, *Rwanda: Statistical Appendix*, Country Report No. 01/30, 5 February 2001, at <http://www.imf.org/external/pubs/ft/scr/2001/cr0130.pdf>, p. 35

³⁶¹ *La Libre Belgique*, 'A qui profite le coltan de l'est congolais?', 23 December 2000, and Telephone interview with ex-Rwandan Patriotic Army officer, Deus Kagiraneza, June 2001

³⁶² Prunier, Gérard, *The Rwanda Crisis...*, first edition, p. 79

Progress has been lauded by donors in numerous statements. According to an IMF statement, its executive board commended the Rwandan authorities for their "success in maintaining macroeconomic stability with solid growth and low inflation [...] This has provided the basis for the completion of the review and a consolidation of Rwanda's good track record of policy performance"³⁶³ In March 2000, the EU Commissioner for Development and Humanitarian Aid, Poul Nielson, praised Rwanda's economic reform efforts when he signed an aid contract for € 110 million.³⁶⁴ Rwanda has also been performing well, according to a strategy paper prepared by the UK's Department for International Development (DFID) in connection with the signing of a UK£ 30 million aid donation: "[e]conomic progress has been made through a number of central reforms in foreign exchange, fiscal, monetary and trade areas."³⁶⁵ The Dutch Foreign Ministry also emphasized the progress achieved by the 'Government of Rwanda' when the former decided to put Rwanda on the list of countries receiving bilateral Dutch aid, setting aside NLG 50 million for Rwanda in 2000: "Rwanda has made progress economically and in the area of governance, which justifies further Dutch aid and a place on the country list."³⁶⁶

However, the same donors have also used backwardness to justify aid. The Government of the United Kingdom has in its above-mentioned strategy paper argued that:

Rwanda is one of the poorest countries in the world. It is recovering from tragic human and economic destruction (institutional and productive capacity has been decimated) which has few parallels [...] Capacity constraints are acute and constrain efforts to improve Rwanda's public sector management and the productivity and competitiveness of its private sector.³⁶⁷

An IMF team visiting Rwanda in January 2001 declared that great challenges remained in terms of tackling the poverty situation, a theme also stressed at a major donor conference in Kigali

³⁶³ See also United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), 'Rwanda: Economic basic sound, poverty issues remain', 22 January 2001, at <http://www.reliefweb.int/IRIN/cea/countrystories/rwanda/20010122.phtml>

³⁶⁴ Irin United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), 'Commissioner calls for cut in military spending', 10 March 2000, at <http://www.reliefweb.int/IRIN/cea/countrystories/rwanda/20000310.htm>; and Economist Intelligence Unit, *EIU Country Profile 2000...*, unpaginated version

³⁶⁵ United Kingdom, Department for International Development, *Rwanda: Country Strategy...*, at http://www.dfid.gov.uk/public/what/strategy_papers/rwanda_csp.html, p. 3

³⁶⁶ Netherlands, Ministry of Foreign Affairs, *Development aid countries now "18+4"*, Press Release, n.d., at <http://www.minbuza.nl/english/Content.asp?key=310533&pad=257569,257774>

³⁶⁷ United Kingdom, Department for International Development, *Rwanda: Country Strategy...*, at http://www.dfid.gov.uk/public/what/strategy_papers/rwanda_csp.html, p. 1

convened in November 2001 to discuss the eradication of poverty.³⁶⁸ After having signed the above-mentioned € 110 million aid package, the EU Commissioner for Development and Humanitarian Aid, Poul Nielson, said that additional EU money would be available to Rwanda "in the light of the country's general situation and needs", thereby suggesting that the provision of aid was tied to the backward situation in the country.³⁶⁹

As demonstrated above, two opposite depictions of the situation in Rwanda - backwardness and progress - have been used side-by-side to justify increased or sustained aid. For instance, the DFID

...recognises that without substantial, sustained and flexible support from the donor community it will not be possible for the Government [of Rwanda] to manage the difficult transition from conflict to peace and stability and to attain the sustainable growth necessary to reduce the extreme poverty of the Rwandan people.³⁷⁰

Without aid, the DFID argues, there will be no effective development. Aid must thus be given on a 'flexible' basis and not tied to rigid criteria: The "move to sustainable growth requires a shift of international financial support from humanitarian assistance to longer term, flexible and sustainable support for development." Similarly, in connection with the release of funds to the education sector, the UNDP stressed that such aid projects contributes to development in the Rwanda. "Following the genocide, there is a very urgent need to rebuild human resources and I believe that these projects are absolutely key to that process,"³⁷¹ the UNDP resident representative stated in 1999. In 2001, the (new) UNDP resident representative stated that the "UNDP is proud to support these critical components that will help Rwanda move toward

³⁶⁸ United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), 'Rwanda: Economic basic sound, poverty issues remain', 22 January 2001, at <http://www.reliefweb.int/IRIN/cea/countrystories/rwanda/20010122.phtml>

³⁶⁹ United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), 'Rwanda: EU restores development cooperation', 10 March 2000, at <http://www.reliefweb.int/IRIN/cea/countrystories/rwanda/20000310.htm>

³⁷⁰ United Kingdom, Department for International Development, Rwanda: Country Strategy Paper..., at http://www.dfid.gov.uk/public/what/strategy_papers/rwanda_csp.html, p. 9

³⁷¹ United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), 'UN and other donors approve governance fund', 11 December 2000, at <http://stone.cidi.org/humanitarian/irin/ceafrika/00b/0028.html>; and United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), 'Rwanda: \$6.7 million pledge for education and civil service programmes', 24 August 1999, at <http://www.reliefweb.int/IRIN/cea/countrystories/rwanda/19990824.htm>

increased levels of sustainable human development".³⁷² NGOs have also strongly backed the view that aid contributes to development. For instance, Oxfam has argued that:

the debt problem, left unresolved, will contribute to wider pressures endangering Rwanda's development prospects. Rwanda's debt burden is a fundamental obstacle to the reconstruction and rehabilitation efforts of the Rwandan Government and members of the international community.³⁷³

Thereby stressing the simultaneous progress, i.e. the 'rehabilitation efforts' of the 'Government of Rwanda', as well as the great need and backwardness in Rwanda.

In short, donors claim that aid is bound to contribute to development in Rwanda: the progress seems to imply that aid money will not go to waste, while backwardness or need implies that money is spent on needy people. Donors thereby end in the circular logic that was sarcastically lauded by Professor Peter T. Bauer of the London School of Economics:

Whatever happens in the recipient countries can be adduced to support the maintenance or extension of aid. Progress is evidence of its efficiency and so an argument for its expansion; lack of progress is evidence that the dosage has been insufficient and must be increased. Some advocates argue that it would be inexpedient to deny aid to the speedy (those who advance); others, that it would be cruel to deny it to the needy (those who stagnate). Aid is thus like champagne: in success you deserve it, in failure you need it.³⁷⁴

The donors' perception of Rwanda fits this description quite well. I have come across no donor statements implying that the absence or diminution of aid, let alone sanctions, would contribute to development in Rwanda.

Provisional Conclusion

Rwanda is a very poor country with very few valuable exports, mainly tea and coffee, and imports outweigh exports by a factor of nearly four. The country is extremely dependent on donor loans

³⁷² United Nations, Office for the Coordination of Humanitarian Affairs, *Integrated Regional Information Network for Central and Eastern Africa* (IRIN-CEA), 'Rwanda: UN and other donors approve governance fund', 11 December 2000, at <http://www.reliefweb.int/IRIN/cea/countrystories/rwanda/20001211.phtml>

³⁷³ Oxfam, *Debt relief for Rwanda: an opportunity for peace-building and reconstruction*, Policy Paper, n.d., available at <http://www.caa.org.au/oxfam/advocacy/debt/rwanda/relief.html#section2>

³⁷⁴ Bauer, Peter, *Equality, The Third World and Economic Delusion* (London: Weidenfeld & Nicolson, 1981), (no page number provided), quoted in Hancock, Graham, *Lords of poverty: The Free-wheeling Lifestyles, Power, Prestige and Corruption of the Multi -Billion Dollar Aid Business* (London: Macmillan, 1989), pp. xiv-xv

and grants, which finance roughly half of the government's budget. Despite the fact that the 'Government of Rwanda' has violated several important economic agreements with the Bretton Woods institutions, *inter alia* by financing its military by precious commodities obtained under cover of the war in the Congo, donors have nevertheless been unwilling to limit the aid to Rwanda. Aid helps – regardless of the situation, donors say.

FOREIGN AID AND THE WAR EFFORT

I shall in this chapter discuss answers to the dissertation question, namely whether foreign aid contributes to the RPA's war effort in the Congo. Since it is arguable that different kinds of aid are likely to provide different answers to this question, I shall divide the discussion into several sub-sections in which I discuss the various types of aid given to Rwanda. I shall start the discussion by outlining the crucial theory of fungibility and use this as a backdrop for discussing how recipient governments – in this case the 'Rwandan Government' - react financially to different types of aid, such as unspecified budget aid or specific project aid. Finally, I shall look at the political implications of this aid.

Is aid to Rwanda fungible?

From the outset it is important to note, as David Dollar of the World Bank does, that,

...[foreign aid success] can be assessed at two levels – at the micro of project level, which typically shows high rates of success or at the macro level of economywide growth and poverty reduction, where [...] there is less visible success.³⁷⁵

In other words, the key question is whether aid impacts on the overall composition of the state budget. Will aid given to one sector or project, say building a school or paying schoolteachers, mean that more funds are going to be spent on this particular sector or project, or will recipient states simply transfer freed resources to other priority sectors of their own choice, say, the army?

This is where the argument of fungibility comes into the picture. Fungibility is defined as the possibility for aid recipient countries to reduce their own resources in the sector that receives aid and transfer them to other sectors of the budget.³⁷⁶ From the definition follows, most importantly, that fungibility only is an issue if donors and recipients disagree on the overall composition of the budget. If they share the same preferences for how much money should be spent on which budget items, donors do not have to worry that resources freed by support to one sector will be spent on a different sector that donors do not wish to be funding.

³⁷⁵ World Bank, *Assessing Aid: What Works, What Doesn't, and Why*, World Bank Policy Research Report (New York, Oxford University Press, 1998), also available at <http://www.worldbank.org/research/aid/aidtoc.htm>, p. 60

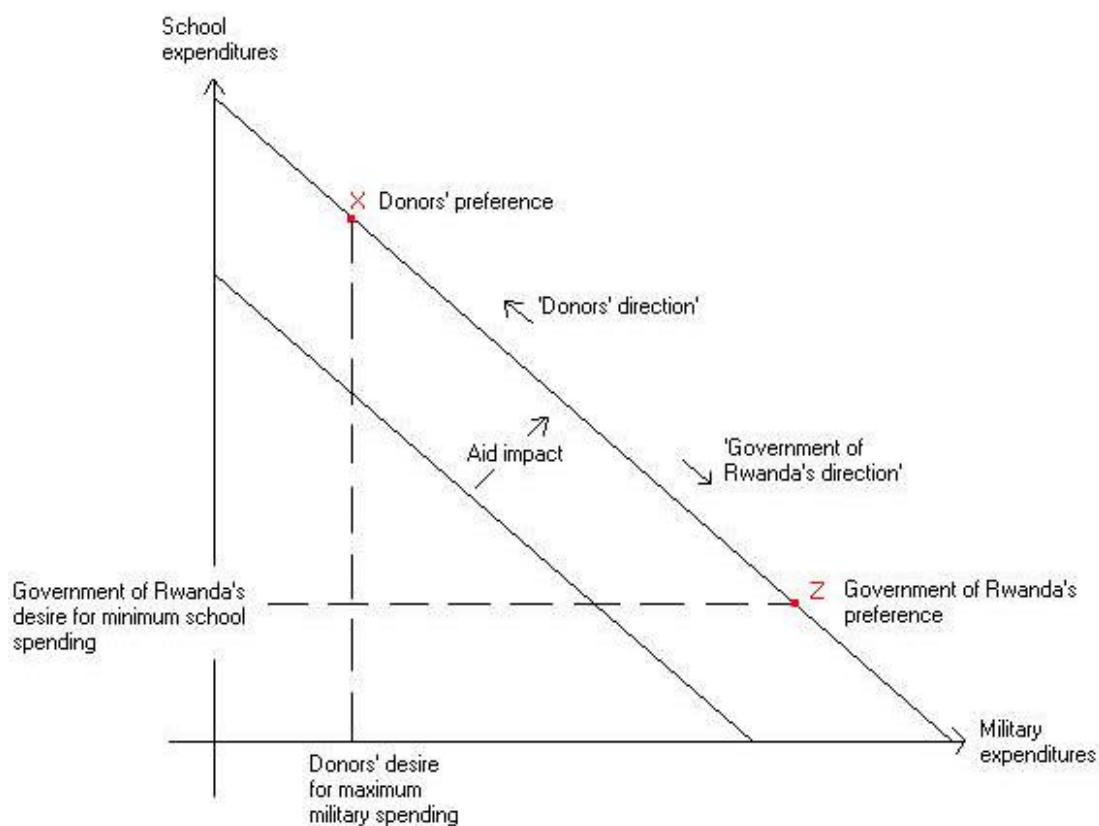
³⁷⁶ *Ibid.*, p. 130

From the definition also follows that the issue of fungibility only is relevant if the recipient country already spends money on that sector or on the project that donors have singled out for receiving aid. If the government in the recipient country does not spend (or does not intend to spend) any money on, say, the education sector, then funds allocated to that sector will not impact on the overall composition of the budget, nor on the size of other budgetary posts. In such cases, where aid is not fungible, "evaluating the overall effect of aid is easy: it is simply the collective effect of individual projects."³⁷⁷ If donors hand out money for a school (and we presume the school is built without money disappearing into corruption) then donors get what they see: a school, which would not have been built without the donor money. In this case, the so-called '*what-you-see-is-what-you-get*' principle applies.

However, if we assume that the recipient government has an interest in building one school and would indeed have allocated the appropriate resources had donors not supported the project, then what you see might not be what you get. For instance, if donors have a preference for building as many schools as possible and only spend limited funds on the military, while the government is content with one single school and wants the rest of its resources spent on the army, then fungibility does apply, as illustrated in the figure below. The amount of money offered simply enhances the budget that is available to the government, and it will choose to spend the extra money on the army. The end result is indeed one school, but the school would have been built anyhow, and, still worse, donors' aid in fact means that the government will be able to spend more money on the military. Under such circumstances, funding a school will in reality mean the same as providing unspecified budget aid, although there is no diversion of funds as such.

³⁷⁷ Ibid., p. 60

Figure 2 – The Fungibility Diagram



Source: Adopted with minor changes from World Bank, *Assessing Aid: What Works, What Doesn't, and Why*, World Bank Policy Research Report (New York, Oxford University Press, 1998), also available at <http://www.worldbank.org/research/aid/aidtoc.htm>, p. 62

Sometimes, donors decide to provide Third World governments with unspecified budget aid or other forms of assistance not confined to a particular project or spending sector. If donors decide that no conditions are attached to such aid, the recipient government is free to spend the aid as it

pleases, and the unspecified budget aid merely enhances the financial options of the recipient government. In such cases, the aid is completely fungible. In Figure 2 above, the end result would be at 'Z'.

Whether fungibility applies, thus depends on two factors:

- 1) Does the donor have the same preferences as the recipient government with respect to the overall composition of the budget and, if applicable, with respect to the particular project being funded?³⁷⁸
- 2) Is the aid provided as *unspecified budget aid* or as *specific earmarked project aid*?

How does this apply to Rwanda?

First, it is important to note that there is a difference between the agenda of the 'Government of Rwanda' and those of its donors.³⁷⁹ The 'Government' has sought to hide the true size of military expenditures from donors, using the income from the mineral exploitation to finance the warfare. In other words, was the 'Government of Rwanda' free to decide, it would prefer to spend much more on the military as compared to 'standard' donor preferences, such as health, education, the justice sector, infrastructure and privatization.

Second, I shall now take a look at which kind of aid, i.e. unspecified or specified, that is provided to Rwanda.

Unspecified Fungible Aid

Unspecified aid includes unspecified budget aid, unspecified loans on concessional terms, and debt relief. In case of Rwanda, the World Bank and the IMF have been the main lenders, providing a US\$ 75 million loan package to the 'Government of Rwanda' over the past three years. In January 2001, the World Bank awarded a further US\$ 15 million loan due to increasing world fuel prices.³⁸⁰ On 26 September 2000, the DFID announced that it would provide UK£ 63 million over 3 years in order to "support the 'Government of Rwanda's' budget". A press release

³⁷⁸ Ibid., p. 62

³⁷⁹ At least on a rhetorical level

³⁸⁰ World Bank, External Affairs Department, *Development News*, 5 January 2001, at <http://wbln0018.worldbank.org/NEWS/DEVNEWS.NSF/eb730c645da440418525673500723bf3/8376d9a692349421852569cb00519c84?OpenDocument>

stated that the funds would be “linked to supporting the Government’s own policy issues, including the reduction of poverty, economic growth and good governance initiatives.” Also, it was specified that UK£ 21 million of this amount would “help improve Rwanda’s education system”. It is thus not immediately clear whether this money would be given as unspecified budget support or merely as some kind of budget support to, for instance, the ministries of education or finance.³⁸¹

A donor-financed trust fund has serviced most of Rwanda’s debt, which cost US\$ 35.5 million in 1997, US\$ 37.7 million in 1998, and an estimated US\$ 55.4 million in 1999.³⁸² On top of this, the EU in May 2001 announced that it is to forgive all outstanding debts to the world’s least developed countries, including Rwanda. Previously, the UK and other European nations have cancelled bilateral debt owed to them by Rwanda.³⁸³ The most significant point to mention in this respect is the recommendation by the two Bretton Woods institutions in December 2000, which said that donors write off US\$ 810 million of Rwanda’s external debt, something which a number of donors, for instance France and the EU, have indicated their willingness to do.³⁸⁴

Social Sector Aid Diverted to the War Effort

As mentioned earlier, it has been alleged by Human Rights Watch and others that the RPA has collected a so-called voluntary war tax to help fund the war: in particular civil servants have been forced to contribute a substantial share of their wages to the war effort.

Through the EU’s substantial budgetary support to the ministries of health, education and justice, the EU aid has thereby indirectly funded the RPA’s campaign in the Congo. The United Kingdom is also a significant contributor to the education budget with over UK£ 21 million over

³⁸¹ United Kingdom, Department for International Development, *Building support...*, at <http://www.dfid.gov.uk/public/news/pr26sept00b.html>

³⁸² International Monetary Fund, *Rwanda: Statistical Appendix*, Country Report No. 01/30, 5 February 2001, at <http://www.imf.org/external/pubs/ft/scr/2001/cr0130.pdf>, p 33; and United Kingdom, Department for International Development, *Rwanda: Country Strategy Paper...*, at http://www.dfid.gov.uk/public/what/strategy_papers/rwanda_csp.html, p. 7. See also World Bank, External Affairs Department, *Development News*, 9 June 2000, at <http://wbln0018.worldbank.org/NEWS/DEVNEWS.NSF/eb730c645da440418525673500723bf3/20ce7ca0e47b27fe852568f9004aa12c?OpenDocument>

³⁸³ World Bank, External Affairs Department, *Development News*, 15 May 2001, at <http://wbln0018.worldbank.org/NEWS/DEVNEWS.NSF/eb730c645da440418525673500723bf3/15ec46a0f5eae76285256a4d004a58fa?OpenDocument>

³⁸⁴ International Monetary Fund, *Rwanda to Receive US\$810 Million in Debt Service Relief: The IMF and World Bank Support Debt Relief for Rwanda Under the Enhanced HIPC Initiative*, Press Release No. 00/84, 22 Dec 2000, at <http://www.imf.org/external/np/sec/pr/2000/pr0084.htm>

three years. As previously calculated, the extra-budgetary input from teachers' salaries alone might well boost the army budget by several million US\$.

Fungible Project Aid

There are however also projects – or parts of projects – in which both the 'Government of Rwanda' and donors have a common interest. To take a cynical approach, one could presume that leading RPA officers and top 'government' officials would want at least their own children to go to school, as they would probably also have a keen interest in paying at least some prison guards to ensure that the 120,000 prisoners accused of participating in the Genocide stay locked up. Top officials would probably also want to organize a minimum of road maintenance to ensure that roads between major towns and from Kigali to the airport are passable. Finally, the Army has a clear interest in a proper airport that can be used to fly goods and soldiers to and from Congo, and top officials and members of the 'government' also have an interest in being able to fly abroad. Expenditures that are perfectly legitimate in donors' eyes, since the infrastructure, education, and the justice sector is seen as contributing to the development of the country. However, as Catherine André and Laurent Luzolele Lola make clear, "in a post-conflict phase [...] reconstruction efforts will primarily benefit the tertiary and secondary sectors located in the towns."³⁸⁵

In Rwanda, the urban elite (besides expatriates) first and foremost include the military and political elite in power, which are therefore direct beneficiaries of many development projects. It is therefore likely that many of the projects now funded by donors benefit the Akazu and would thus have been paid for by the 'Government of Rwanda' in donors' absence. It is in other words fungible project aid.

Quite a significant amount of aid falls within this category. This includes EU funds spent on reconstructing Kigali airport, worth € 5.5 million, maintaining roads, worth € 24 million, and EU budget line support to the ministries of health, education, and justice through a 'First Structural Adjustment Programme' (SAP 1), worth € 51.2 million for 1999-2000.³⁸⁶ Also included are the promised € 59.62 million through a 'Second Structural Adjustment Programme' (SAP 2) "as a

³⁸⁵ André, Catherine, and Luzolele Lola, Laurent, *The European Union's Aid Policy Towards Countries involved in the Congo: Lever for Peace or Incitement to War?*, Unpublished paper, May 2001, p. 29

³⁸⁶ During the period from 1999 to 2000, the EU contributed €51.2 million through a Structural Adjustment Programme (SAP 1), which "was particularly targeted on the reduction of the internal debt and the budgetary expenditures for the health, education and justice sectors." European Union, Desk officer for Rwanda Alfonso Pascual, *Aide Communautaire 2000-2001*, private correspondence to the author, 7 May 2001

contribution to the external financing gap for 2001 and 2002". The SAP 2 will "support the recurrent budget in the sectors of education, health and justice," according to a statement. Finally, UK£ 30 million provided by the United Kingdom during the period from 1998 to 2001 for debt relief and budget support to the social sectors are also included.³⁸⁷

Non-Fungible Aid

There are also those projects in the justice, health and education sector that we assume the 'Government of Rwanda' do not care for? According to the fungibility theory, there would be no problem in funding such projects - if we presume that one were able to separate those social expenditures that the 'government' would under no circumstances pay for from those particular items in the health, education and justice sector that the 'government' was going to pay for anyway if donors were not there. Viewed from a practical angle, this is extremely complicated and hardly feasible, since it would involve judging the 'government's' intentions with regard to specific projects; intentions the 'government' for obvious reasons would not have an interest in revealing.³⁸⁸ Moreover, donors would need an iron-cast guarantee that funds spent on, say, a rural school, would not be transferred to build a school for RPA officers' children, or that once built, school inventory or other removable parts would not simply be confiscated and taken elsewhere. This is a real possibility in a country where soldiers act with impunity.

Political Implications of Aid Disbursement

So far I have considered the strictly budgetary conflict of interest that arises from channelling aid into the budget of the 'Rwandan Government', whom I have assumed to have a different spending agenda than the donors. However, even if we assume that all aid is provided to 'legitimate' projects and is not directly or indirectly transferred to other sectors, there are still political implications of disbursing aid to both the public and the private sector.

³⁸⁷ United Kingdom, Department for International Development, *Rwanda: Country Strategy Paper...*, at http://www.dfid.gov.uk/public/what/strategy_papers/rwanda_csp.html, p. 7

³⁸⁸ As aptly put in the above mentioned World Bank study, "It is not just a question of saying that if a donor provides an additional \$1 million that spending on the activity financed must increase by \$1 million because spending might have increased by that amount in the absence of the extra aid. To ensure additionality, donors would have to make governments promise that they are spending \$1 million more than they would have had they not received the aid. But they would say that in any case, wouldn't they?" World Bank, *Assessing Aid...*, at <http://www.worldbank.org/research/aid/aidtoc.htm>, p. 80

Political Implications of Funding the 'Government'

As discussed at length in previous chapters, the RPF-led 'government' consists of a network of strongmen, the Akazu, which is centered around a core of 'Ugandan' Tutsis. The network is held together by members' access to power and wealth. In a poor country with massive unemployment, this includes the ability to award supporters with jobs in the civilian administration and punish political enemies or party line deviationists by keeping them from attractive 'government' jobs.³⁸⁹ Funding ministries that in donors' eyes pursue legitimate policies still means feeding the network.³⁹⁰ Any programme implemented through the 'Government of Rwanda' is thus bound to indirectly support this network, since donors have no influence on who will be employed and who will be left out in the cold.

That external support holds together an otherwise dysfunctional state is not a new phenomenon. Tilly described how this phenomenon prevailed in the Middle Ages:

Where the ability of rulers to draw revenues from commodity exports, or from great power military aid [...] allows them to bypass bargaining with their subject populations, large state edifices have grown up in the absence of significant consent or support from citizens.³⁹¹

I argue that this is exactly what has happened for Rwanda in the post-1994 period: no Hutus wield any significant influence and with the broad majority of the population being marginalized. It is thus no surprise that the Akazu network is extremely unpopular inside Rwanda - much more so than the pre-1994 Akazu. The 'Rwandan Government' would basically have gone bankrupt had it not been for the aid it received from abroad, and the commodities its army steals in the Congo. And since the state in this connection means a network of criminals, the absence of aid would pose a severe threat to this network; there would be no jobs, no salaries and no 4-wheel-drive cars or other associated benefits to hand out to followers and to deny outsiders. As has been made abundantly clear in previous chapters, the Congo War has also effectively become a profitable 'licence to plunder'. A job in the Ministry of Education, a business concession, a

³⁸⁹ See for instance *East African*, 'RPF Split Over Alleged Bias in Handing Out Govt Jobs', 2 October 2000, also available at <http://www.nationaudio.com/News/EastAfrican/08102000/Regional/Regional17.html>

³⁹⁰ A recent example is former President Bizimungu who was allowed to stay in the Presidential palace with associated benefits even after he resigned, but had these privileges withdrawn the very day he sought to launch a new party.

Associated Press, 'Rwanda Blocks New Political Party', 31 May 2001

³⁹¹ Charles Tilly, *Coercion, Capital and European States, AD 990-1990*, (London: Basil Blackwell, 1990), p 207, quoted in Reno, William, *War, Debt and the Role of Pretending in Uganda's International Relations*, Occasional Paper at the Centre for African Studies, University of Copenhagen, July 2000, available at http://www.teol.ku.dk/cas/Occ_Reno_internetver.doc, p. 6

'licence to plunder', or an official residence all belong to a wide spectrum of fringe benefits the Akazu can use – and uses – to award its followers and to discourage political deviation. Economic 'rewards' are the be-all and end-all of the Akazu without which there would be no organized violence, let alone a war campaign. In turn, this means that with fewer resources available, fewer rewards can be handed out and this would clearly threaten the Akazu's economic cohesion. Without a stable network, it would be much more difficult to fund and fight the well-organized campaign in the Congo, simply because the network would break apart and rivalry among different factions inside the 'government' would start fighting for the spoils. How this can split an otherwise cohesive alliance has been demonstrated many times in the Congolese jungle, where the former allies of Rwanda and Uganda have fought pitched battles over the control of lucrative mineral resorts.

Political Implications of Private Sector Funding

Donors such as the European Union and the Bretton Woods institutions have been keen on helping the Rwandan private sector.³⁹² As part of this, the European Union has contributed € 20 million for rehabilitation of the tea sector, and € 5 million for rehabilitation of the coffee sector. In his March 2000 visit to Rwanda, EU Commissioner Poul Nielson further invited Rwanda to apply for funding from a private sector investment facility worth € 2.2 billion that is open to countries in the so-called 'Africa, Caribbean and Pacific (ACP) Group'.³⁹³

Also, the Bretton Woods institutions are pushing for the privatization of parastatals, some of which have already been privatized, for instance companies in the coffee sector. The monopoly holder of landline telecommunications, *Rwandatel*, is slated for privatization in 2001 with 51% being offered to a strategic investor. The national water and energy company, *Electrogaz*, is also slated for privatization, but will be split into three entities responsible for electricity, water, and gas, respectively, prior to being sold.³⁹⁴ The national tea company, *Ocir-Thé*, and the mining company, *Redemi*, will also be privatized in the not too distant future. Some of the major donors have taken the view that strengthening the private sector will have a positive effect on the economy in general.

³⁹² On 19 April 2001, the World Bank announced that Rwanda will "receive a loan of \$40.8 million to help build a sounder business community in the strife-torn African nation." World Bank, External Affairs Department, *Development News*, 20 April 2001, at <http://wbln0018.worldbank.org/NEWS/DEVNEWS.NSF/eb730c645da440418525673500723bf3/2c86dcf1dc4ca72185256a34004f020d?OpenDocument>

³⁹³ Economist Intelligence Unit, *EIU Country Profile 2000...*, unpaginated version

A discussion of the implications of this massive private sector funding requires an analysis of the Rwandan private sector and in particular the role that the RPF and its associates play.

While still in Uganda, the RPF founded a company called Tri-Star Investments SARL. (a.k.a. Tri-Star or Tristar), headed today by a certain individual referred to simply as 'Dr Ben'.³⁹⁵ This company grew enormously and is today involved in a number of the most dominant and profitable businesses in Rwanda. The company has from its inception been shrouded in secrecy and the management of Tri-Star did not respond to the author's request for a clarification of its portfolio and ownership.³⁹⁶ According to a document by the World Bank's International Finance Corporation, Tri-Star has a "portfolio comprising telecommunications, construction, agriculture, trading, and banking."³⁹⁷ Tri-Star is no doubt a major player in Rwandan business life, though the exact composition of its portfolio remains to be established. Based on documents, interviews, and media articles, I have made the following incomplete (and possible slightly erroneous) attempt of a compilation of the portfolio of the company:

- ❑ shares (41%) in *MTN Rwandacell SARL*, a mobile telephone company, which in February 1998 won the first and only license to establish a GSM mobile network in Rwanda³⁹⁸
- ❑ owns *Intersec*, a security company, which provides security guard services mainly to businesses, embassies, and international NGOs working in Rwanda³⁹⁹
- ❑ owns *Impremerie Nouvelle*, a printing house, formerly the National Printing Press⁴⁰⁰

³⁹⁴ Economist Intelligence Unit, *EIU Country Profile 2001...*, pp. 17-18

³⁹⁵ Interview with Editor-in-Chief of *Rwanda Newslines*, John Mugabi, Kigali October 2000; Copenhagen, June 2001; and by telephone, September 2001; and *AfroAmerica Network*, 'RPF delegates on recruiting and public relations spree', 4 May 2001, at <http://www.afroamerica.net/afroamerica.html>

³⁹⁶ See also *Christian Science Monitor*, 'Behind the Congo war: diamonds', 16 August 1998, also available at <http://www.csmonitor.com/durable/1999/08/16/fp1s4-csm.shtml>

³⁹⁷ World Bank, International Finance Corporation, untitled World Bank Public Information Center (PIC) Operational Document on MTN-Rwandacell, n.d. but was projected to be presented to the 'International Finance Corporation's Board of Directors on 25 April 2000, at <http://www.worldbank.org/pics/ifcspi/rws9445.txt>

³⁹⁸ *Ibid.* and *Business Times Online*, 'MTN safari reaches Rwanda', 15 February 1998, at <http://www.btimes.co.za/98/0215/comp/comp12.htm>

³⁹⁹ Interview with Editor-in-Chief of *Rwanda Newslines*, John Mugabi, Kigali October 2000; Copenhagen, June 2001; and by telephone, September 2001

- ❑ owns *Highland Flowers*, a company exporting roses to Europe⁴⁰¹
- ❑ owns or has shares in *Mutara Enterprises*, a furniture and office tools company that primarily supplies ministries with equipment⁴⁰²
- ❑ shares in an unnamed construction company⁴⁰³
- ❑ shares in *Le Meridien*, a four-star Kigali hotel⁴⁰⁴
- ❑ shares in *Banque de Commerce, du Développement et d'Industrie* (BCDI),⁴⁰⁵ which provided loans to a short-lived RCD-Goma company that spent the money paying RPA military expenditures and eventually repaid the loans with revenue earned from the mineral trade⁴⁰⁶
- ❑ shares in *Banque de Commerce et du Développement* (BCD), which was created by Laurent-Desiré Kabila when he came to power in Kinshasa, but now firmly under the control of the RPF and Rwandan-backed businessmen⁴⁰⁷

⁴⁰⁰ Interview with Editor-in-Chief of *Rwanda Newsline*, John Mugabi, Kigali October 2000; Copenhagen, June 2001; and by telephone, September 2001. Apparently *Intersec* purchased *Impremerie Nouvelle . La Libre Belgique*, 'Après la reconstruction, la stagnation', 2 November 1999

⁴⁰¹ World Bank, International Finance Corporation, untitled World Bank Public Information Center (PIC) Operational Document on MTN-Rwandacell..., at <http://www.worldbank.org/pics/ifcspi/rws9445.txt>; and Interview with Editor-in-Chief of *Rwanda Newsline*, John Mugabi, Kigali October 2000; Copenhagen, June 2001; and by telephone, September 2001

⁴⁰² Interview with Editor-in-Chief of *Rwanda Newsline*, John Mugabi, Kigali October 2000; Copenhagen, June 2001; and by telephone, September 2001

⁴⁰³ According to a report by the World Bank's international Finance Corporation, Tri-Star holds "a portfolio comprising of telecommunications, *construction*, agriculture..." (own emphasis added). World Bank, International Finance Corporation, untitled World Bank Public Information Center (PIC) Operational Document on MTN-Rwandacell..., at <http://www.worldbank.org/pics/ifcspi/rws9445.txt>

⁴⁰⁴ Interview with Editor-in-Chief of *Rwanda Newsline*, John Mugabi, Kigali October 2000; Copenhagen, June 2001; and by telephone, September 2001

⁴⁰⁵ 11.6% of the shares in BCDI are owned by Tri-Star, according to a report by the trade organization called Common Market for Eastern and Southern Africa (Comesa). Common Market for Eastern and Southern Africa, *Rwandan Banking Information*, memorandum, n.d., at <http://www.comesa.int/states/rwanda/qrwabact.htm>

⁴⁰⁶ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 7

⁴⁰⁷ *Ibid.*, p. 15

Outside Rwanda, Tri-Star holds an estimated 10-15% of the shares in the Ugandan mobile telephone company *MTN Uganda*.⁴⁰⁸ According to the Editor-in-Chief of *Rwanda Newslines*, John Mugabi, Tri-Star also had shares in *Coffex*, a coffee trading company that was dissolved after the expatriate manager resigned, complaining that RPF members forced him to employ their unqualified friends or relatives.⁴⁰⁹ Either RPA officers or the RPF party as such appear to own the *New Times*, a bi-weekly pro-'government' English newspaper.⁴¹⁰ The same is true for *Rwanda News Agency*, a pro-'government' news agency.⁴¹¹

Besides this, RPF members and RPA officers own or otherwise control influential companies: Rwanda Metals – according to the *UN Exploitation Panel Report*, the biggest coltan export company with an estimated export of 100 tons per month – is owned by RPA officers. Grands Lacs Metals, another major coltan export company dealing with Congolese coltan, has according to the *UN Exploitation Panel Report* Majors Gatete, Dan and Kazura among the shareholders. Simba Manasse, a former army officer and member of the RPF, runs another unnamed coltan export company.⁴¹² Manasse is also a shareholder in the BCDI, which counts Rwandan Prosecutor-General Gerard Gahima, an RPF insider, on its board. Alfred Khalissa (a.k.a. Kalisa), yet another of the RPF's long-term backers, founded the bank in mid-1995 and has the vast majority holding. Khalissa also holds shares in the BCD of which he is the former manager.

The Sonex-BCDI deal, which helped channel extra-budgetary funds to the RPA's war effort, was handled by Major Dan, chief of the Congo Desk, according to the *UN Exploitation Panel Report*. He is related by marriage to Emmanuel Kamanzi, former head of RCD-Goma's Finance Department.

Banque à la Confiance d'Or (BANCOR) also started in mid-1995 and was until 2000 owned almost exclusively by members of a Ugandan family named Alam. Under suspicious circumstances, the RPF businessman Tibere Rujugiro (a.k.a. Rujigiro), by many considered as one of the main bankrollers of the RPF war from 1990 to 1994, suddenly purchased the bank in

⁴⁰⁸ *East African*, 'How MTN Modernised Uganda's Phone Network', 4 December 2000, also available at <http://www.nationaudio.com/News/EastAfrican/11122000/Business/Business12.html>

⁴⁰⁹ Interview with Editor-in-Chief of *Rwanda Newslines*, John Mugabi, Kigali October 2000; Copenhagen, June 2001; and by telephone, September 2001

⁴¹⁰ The *New Times* appears to have RPF members on its board, such as for instance Joseph Bideri, the Director of Irinfor, the Rwandan Government's Information Office. Interview with Editor-in-Chief of *Rwanda Newslines*, John Mugabi, Kigali October 2000; Copenhagen, June 2001; and by telephone, September 2001

⁴¹¹ *Ibid.*

⁴¹² *Reuters*, 'Forget Congo - Rwanda enjoys its own mining boom', 12 June 2001

early 2000 at an apparently low price.⁴¹³ According to the Kinshasa-based *Observatoire Gouvernance-Transparance*, Rujugiro also has a vast network of trading in the Congo, involving cigarette plantations in the Rwandan-controlled territory as well as a virtual monopoly of cigarette trading in that area.⁴¹⁴

Banque Continentale Africaine – Rwanda (BACAR SA) is owned almost exclusively by another main backer of the RPF, Valens Kajeguhakwa, who was also a member of the Rwandan Parliament until 1999.⁴¹⁵

According to Michael Dorsey, the general managers of both the *Kigali Bank* and the *Rwandan Development Bank* are RPF-members, the manager of the latter bank being the husband of Paul Kagame's personal secretary.⁴¹⁶

According to *AfroAmerica Network*, a certain Joseph Mugisha runs *Fair Construction*, a company owned by him, the Rwandan ambassador to South Africa, Colonel Karemera, and Rwandan President Paul Kagame. The company also has branches in Uganda.⁴¹⁷

The *AfroAmerica Network* also claims that a Rwandan businessman acquired *Kibuye Guest House* and *Hotel des Chutes* in Cyangugu under the privatization program imposed by the Bretton Woods institutions "as a reward for his contribution to the RPF war".⁴¹⁸

According to Michael Dorsey, a garbage-collection contract for Kigali was assigned to an unnamed RPF officer with no lorries. However, once he had the contract in his hands, the BCDI was helpful to lend him money to purchase the necessary vehicles.⁴¹⁹

In order to further strengthen the Akazu network, RPA officers have been appointed to senior positions in most important 'government' parastatals, from where they are able to promote RPF-members' businesses and create obstacles for non-RPF businesses.⁴²⁰

⁴¹³ United Nations, Security Council, *Report of the Panel of Experts...*, at <http://www.un.org/News/dh/latest/drcongo.htm>, p. 15

⁴¹⁴ *Observatoire Gouvernance-Transparance*, *Guerre en RDC: Enjeux économiques: Intérêts et Acteurs*, 10 April 2000, at http://www.c-df.org/tribune_raisons_guerre.html

⁴¹⁵ Reyntjens, Filip, *Talking or Fighting...*, p. 6. It appears that in the summer 2001, Kajeguhakwa fled to the US. *AfroAmerica Network*, 'Kajeguhakwa, the new RPF casualty', 31 July 2001, at <http://www.afroamerica.net/afroamerica.html>; and Kajeguhakwa, Valens, untitled statement, 23 August 2001, at http://www.afroamerica.net/rwanda_testimonies.html

⁴¹⁶ Dorsey, p. 327

⁴¹⁷ *AfroAmerica Network*, 'RPF delegates on recruiting and public relations spree', 4 May 2001, at <http://www.afroamerica.net/afroamerica.html>

⁴¹⁸ *Ibid.*; and *AfroAmerica Network*, 'Kagame's visit causes an uproar in USA', 31 January 2001, at <http://www.afroamerica.net/afroamerica.html>

⁴¹⁹ Dorsey, p. 325

⁴²⁰ *Ibid.*, pp. 324-327; *Monitor* (Kampala), 'Journalist Seeks Protection In Uganda', 14 September 2000; and Mugabi, John, and Kanuma, Shyaka, *Dossier Journal Newslines*, statement circulated as e-mail medio January 2001, n.d., available at <http://www.multimania.com/obsac/OBSV3N16-DOSattentHabyari.html>

The case of the weekly independent newspaper *Rwanda Newslines* illustrates this point well. *Rwanda Newslines* started coming out in November 1999, and was joined in July 2000 by its sister Kinyarwanda publication, Umuseso. Both papers sold well with *Rwanda Newslines* selling an average of 4,000 copies per weekly issue throughout 2000. Given the lack of private media in the country, advertisers flocked to the paper and thereby created the necessary financial foundation for the paper. In particular, the then newly founded MTN Rwandacell repeatedly placed huge adverts comprising 5-6 full pages in some issues. With the financial backing from private advertisers and a keen readership, it was initially not an insurmountable problem for the paper that 'government' agencies were prohibited from advertising in the *Rwanda Newslines*.

But when this measure seemed insufficient to stall the paper, which was moderately critical of the 'government', the RPF in December 2000 enlarged the unofficial ban and made it clear to all private companies that they had to refrain from advertising in *Rwanda Newslines*, if they wanted to remain on good terms with the 'government'. Virtually from one week to the next, advertisement revenue dried out, and this combined with death threats caused a two-month closure of the paper. According to the Editor-in-Chief of *Rwanda Newslines*, John Mugabi, some enterprises nevertheless kept paying the newspaper but merely asked not to have adverts posted since they were afraid of losing their jobs. At the time of writing, the situation is still such that the pages of *Rwanda Newslines* are virtually without adverts.⁴²¹

This grotesque situation is highlighted by the fact that the National Tender Board, responsible for 'government' purchases and a supposed leader in fighting corruption and promoting transparency, every week publishes lengthy privatization adverts in the Tri-Star-owned pro-'government' paper, *New Times*, but refrains from advertising in *Rwanda Newslines*. Before the state-owned National Printing Press was sold to Tri-Star, that company also contributed to the harassment by denying available printing capacity to *Rwanda Newslines*. As a result, *Rwanda Newslines* staff thought it safer to print the paper in Ugandan capital Kampala.⁴²²

In a society saturated with security services, and with a justice system that is geared to succumb to the wishes of the RPF and the RPA – the State Attorney is Gerald Gahima, an RPF-insider, it is unlikely that bidders for parastatals can avoid being intimidated into either refraining from tendering or ending up paying huge bribes to win a tender. Victims of such intimidation will simply have nowhere to turn. Coupled with the fact that the official Privatization Secretariat does

⁴²¹ Interview with Editor-in-Chief of *Rwanda Newslines*, John Mugabi, Kigali October 2000; Copenhagen, June 2001; and by telephone, September 2001

⁴²² Ibid.

not have to choose the company giving the highest offer, it is very possible indeed that companies are going to be sold off cheaply to Akazu insiders.

The Bretton Woods-imposed privatization programme in neighbouring Uganda offers an illustrative example of what can happen in Rwanda. Here, three 'government' ministers and a highly-placed senior Army officer, Ugandan President Museveni's half-brother, Major-General Caleb Akandwanaho (a.k.a. Salim Saleh), with complete impunity scammed the public for many million US\$ by threatening other bidders, acquiring insider information, violating purchasing agreements, and purchasing parastatals at a very low price.⁴²³

Although these major privatization scams have been revealed by a critical and vibrant domestic press, much more daring than its Rwandan counterpart, there have been no prosecutions of the high-level officers involved. Since the Rwandan Akazu is a much more organized and tightly knit structure than their Ugandan equivalent, it is more than likely that the same things might happen in Rwanda. Given the complete dominance of business and political life by the RPF and the RPA, it is extremely difficult to support the business community in Rwanda without at the same time de facto supporting the business interests of the Akazu. The most clear example of this is perhaps the plan by the World Bank's International Finance Corporation to team up with Tri-Star and the other behind MTN Rwandacell investors and contribute US\$ 6 million into a total investment pool of US\$ 19 million that is meant to extend MTN Rwandacell's coverage in Rwanda.⁴²⁴

Provisional Conclusion

Donors provide the 'Government of Rwanda' with a variety of aid, given both as direct support to the general budget, loans, budget support for specific ministerial budgets, and aid earmarked to specific projects.

If ever it will be possible to separate politics and business from each other, this has not certainly not happened in Rwanda. The RPF and the RPA are completely enmeshed in Rwandan business life. Nearly all major companies are either owned by the state – and thus in control of

⁴²³ Tangri, Robert, and Mwenda, Andrew, 'Corruption and Cronyism in Uganda's privatization in the 1990s', *African Affairs* Vol. 100, No. 398 (January 2001), also available at http://www3.oup.co.uk/afraj/hdb/Volume_100/Issue_398/pdf/1000117.pdf, pp.117-133

⁴²⁴ World Bank, International Finance Corporation, untitled World Bank Public Information Center (PIC) Operational Document on MTN-Rwandacell..., at <http://www.worldbank.org/pics/ifcspi/rws9445.txt>

RPF who have employed a number of Army officers as their managers, the RPF-owned Tri-Star investment corporation, individual RPA officers, and their supporters. Private sector support therefor directly benefits the Akazu, one of the most evident examples of this being a World Bank co-financing of a business project with Tri-Star. The Akazu thus has vested interest in the foreign aid. And given the biased, pro-RPF legal system, it has furthermore a great interest in the World Bank-sponsored privatization initiative that is likely to provide Akazu members with an opportunity to rip of public enterprises state just as happened in neighbouring Uganda.

Besides this, the Akazu has an indirect interest in the aid flows to the 'government', because the aid allows it to reward its supporters by employing them in lucrative jobs or award 'government' tenders to RPF -businesses.

With regard to the amount of the budget devoted to the Army and its war in the Congo, I found it extremely difficult to ensure that money spent in one sector, say health or infrastructure, does not free resources that the 'government' could then use in a different sector, i.e. the war. This is particularly relevant because many of the (in donors' eyes) 'legitimate' projects that are financed by donors, such as those in the infrastructure sector, first and foremost benefit the ruling elite and thus might have been paid for by the 'government' in the absence of donors.

However, it remains an open question whether fungibility applies, since this pre-supposes that donors have actually left it up to the 'Rwandan Government' to spend the available budget as it pleases. On the one hand, donors have set conditions for the aid that on paper prohibited the 'Government' from, say, spending more than a certain amount of its budget on the Army and the Police. On the other hand, donors have overlooked or forgiven the 'government's' violation of a number of conditions, notably on excessive military expenditures, which in this connection is relevant. I found two aspects of this violation: inside the budget, indirect taxes were levied on civil servants that were directly channelled to the Army, which in turn means that a greater proportion of the official budget was spent on the war than has been recognized in IMF reports. Outside the budget, the plunder from the Congo has provided the Army with extra funds. The extent to which both of these manoeuvres have funded the Army (and thereby its war) is not clear.

However, even if we assume that the donors to some degree still have forced the 'government' to spend less of its total budget on the military, it is still not clear whether more money would be spent in the absence of donors, since donors fund 49-55% of the total budget.

CONCLUSION

Following the 1994 Genocide, a clan of mainly 'Ugandan' Tutsis from the RPF created the so-called 'Government of Rwanda', which it has used to completely dominate political and business life in Rwanda. This clan, called the Akazu, is kept together by access to wealth.

Foreign aid and taxes are used directly and indirectly to reward supporters with jobs in the 'government' apparatus, and Akazu members receive 'government' tenders or business licences. On the contrary, non-Akazu members are not admitted to 'government' jobs and non-Akazu companies are rarely awarded 'government' tenders. The only exception to this is a small minority of Hutu who for the sake of appearances have been allowed to occupy very senior positions in the 'government' to convey the image of an ethnically and politically representative 'government'.

The 'Government of Rwanda' contains two groups of people: the insiders and the outsiders. The insiders, those who are members of the Akazu, are not interested in dealing with the poor population in the countryside in so far as that population does not disturb the self-enrichment activities of the Akazu. Whether the outsiders, who are not members of the Akazu, actually have such a desire – for instance by developing institutions capable of dealing with and caring for the vast majority of Rwanda's poor – is in a sense irrelevant: they simply do not have the power to do so.

The fact that select parts of the 'government' only deals with select parts of the population on select matters means that the 'Government of Rwanda' is not really sovereign within the borders of Rwanda and that Rwanda therefore is not a state, since this requires such a sovereign government.

The nature of the 'Rwandan Government' has also had a significant impact on its involvement in the Second Congo War. Because besides Rwandan tax-payers money and foreign aid, the Congo War is a significant source of income for the Akazu. The plundering of Congolese resources has been an integrated, well-planned, and well-organized part of the war since its inception in August 1998. I have shown that even official records prove that Rwanda has a significant re-export of coltan, gold, and diamonds. The RPA, individual officers, and businessmen closely associated with the RPA have benefited substantially from the economic exploitation of a variety of mineral resources, as well as from the occasional seizure of precious

goods and money. Estimates show that this group of people is likely to have landed profits of at least US\$ ¼ billion during 2000. In other words, enough to both supplement the official military budget of US\$ 83 million *and* to fill their own pockets.

The strategic aspects of the war – to fight the Hutu militias and the 'Government of the Congo' – have been seriously compromised by the RPA's indirect trade in coltan with these militias, as well as by the fighting with allied troops from the Uganda People's Defence Forces over lucrative mining areas. The issue of security is thus clearly not the only motivation for Rwanda's continued war in the Congo. In fact, the Akazu's desire for quick profits has superseded the officially declared policy of the war, namely to secure Rwanda's borders from further attacks. In other words, the war is not primarily fought in what some scholars would term 'the national interest' of the country, but rather in the interest of the Akazu.

Although Rwanda is not a state, its 'government' not a government, and the war in the Congo is not fought for the benefit of the people of Rwanda or to protect - or rather establish - a Rwandan state, it is nevertheless important to note that the Akazu skilfully exploits the very notions of statehood and sovereignty for a wide range of political purposes. First, the 'government' uses the concepts of statehood and sovereignty to argue for outside assistance, notably foreign aid, since many donors are very wary of openly supporting non-state actors. Second, the 'government' uses the concept of sovereignty to argue for non-interference in its internal affairs, such as the repression of political opposition and the trade with illegally acquired goods from the Congo. And third, it seeks to justify its participation in the Congo War by reference to the need for protecting the 'sovereign state' of Rwanda.

From the point of view of the Akazu, this strategy has so far worked amazingly well, among others because donors have failed to seriously question the presumption at heart of this string of arguments: that Rwanda is a state. If Rwanda had not been considered a state and the 'government' had not been considered a government, donors would have found it difficult to persuade public opinion in Europe or North America of sustaining aid to the RPF; they were unlikely to have defended the RPA's human rights abuses; and they would certainly not have accepted a moral right for the RPA's intervention in the Congo - let alone spending western taxpayers' money on it through loans and budget aid to the RPF.

Through the 'government's' scrupulous rhetorical commitment to sovereignty and statehood, it has obtained extremely lenient aid criteria from donors, which is particularly true with regard to the Bretton Woods institutions. The conditions attached to IMF and World Bank loans have

become 'paper conditions' that are never actually meant to be completely fulfilled. Most importantly, proper checks and balances of military expenditures are not carried out, since the IMF does not consider it among its tasks to analyze in-depth the role of the Congo War in the Rwandan economy. Statements from Bretton Woods officials seem to imply that on the matter of extra-budgetary funding, they rely to a large extent on the goodwill of the Rwandan Government, combined with something in between extreme naivety and criminal stupidity, notably the contention that the participation in the Congo War does not entail increased military expenditures. Since the RPA had already been conducting a counter-insurgency campaign in North-Western Rwanda prior to the August 1998 re-invasion of Congo, one IMF official said, "it was just displacing the activities across the border," adding that it was therefore no surprise that the level of official military expenditures had *gone down* after the start of the war.⁴²⁵ However, as the *UN Exploitation Panel Report* pointed out, the chartering of private aircraft to fly troops and equipment in and out of the vast Congolese jungle is in itself likely to cost the RPA more than US\$ 20 million annually.

Apparently, the IMF official was not strongly impressed by this logic either, and quickly acknowledged that that IMF was, in fact,

...not able to police possible illegal exploitation from the Congo. It is not the IMF's task to travel to Congo to find out about this [...] We cannot exclude that natural resources are financing additional activities. [But] it is not our task to find it out.⁴²⁶

It is for these reasons remarkable that the Bretton Woods institutions have kept endorsing and publishing – without comment – statistics by the 'Government of Rwanda' on *inter alia* Rwandan military expenditures that must be known to be of – at the very least – questionable quality.

I therefore argue that not only has the Akazu been able to obtain lenient criteria from some of its major donors, it has in fact turned them into partners in its skilful deception game to draw a veil over the criminal activities that it is engaged in. In a broader sense, this is in fact also true for several bilateral donors, such as the UK and the US, that have defended the 'Government of Rwanda' on matters of corruption, human rights abuses, and high military expenditures much more than they have criticized it.⁴²⁷

⁴²⁵ Confidential telephone interview with International Monetary Fund official, 2001

⁴²⁶ Ibid.

⁴²⁷ Among the best examples of this are the interviews with the EU Commissioner for Development and Humanitarian Aid, Poul Nielson, in *Information* (Copenhagen), 'Nielson: Rwanda skal have ro', 23 June 1999, also available at

As the statements above make clear, donors have tacitly accepted that the 'Rwandan Government' conducts two military budgets: an official budget and an unofficial one. With respect to the official budget only, it is unlikely that the 'government' only spends approximately one fifth of its total budget (or roughly 4% of the GDP) on its military (as the 'government' and the IMF claims), since civil servants have been made to pay unrecorded shares of the salary as a direct contribution to the Army. However, it is likely that the 'government' has somewhat restricted its spending on the military, although it is unclear to what extent.

However, the unofficial military budget is funded by the plunder from the Congo – and there is no threshold on this 'budget' as such. In a sense, it is therefore nonsense to claim that donors' 'conditions' have restricted Rwanda's military spending; however, it appears that donors to some extent have restricted the amount of funds taken from the *official budget*.

In order to assess the impact of foreign aid on the Rwandan warfare in the Congo, I shall imagine a situation in which donors withdrew their aid to the so-called 'Government of Rwanda'.

For a start, donors could make their aid truly conditional on a withdrawal from the Congo – i.e. make the 'government' choose between a withdrawal from the Congo and continued donor aid. As the situation was in 2000, it is nevertheless an open question whether such a 'proposition' would have forced out the RPA from the Congo; simply because of the profitable nature of the Congo War. Although we do not know how much *extra* funds the RPA needed to fight the Congo War, it appears that the Akazu's profits of about US\$ ¼ billion for 2000 compared well to the foreign aid and loans that the 'government' received – Rwfr 63.1 billion, or US\$ 189 million for 1999, the latest year for which figures are available.⁴²⁸ Even if we subtract those money that the RPA must have taken from the trade in minerals and spent on the war in supply of the official budget, the Akazu probably benefited more from the plunder than from the aid and the loans. However, with this year's significant fall in the coltan world market price, the revenue from the Congo might not be that high next year. By then, donors might be in a better position to pressure the RPA out of the Congo by making it choose between the war and the aid.

If the RPA still refused to give in to donors, and donors then turned their backs on the 'Rwandan Government', in all likelihood a greater *proportion* of the 'government's' budget would

<http://www.information.dk/Indgang/VisArkiv.dna?pArtNo=19990623s01a05>, and the interview with British Secretary of State for International Development, Clare Short, in *File on Four*, BBC Radio 4, 10 July 2001, transcript available at <http://www.bbc.co.uk/radio4/progs/genre/transcripts/fileonfourmobilephones.pdf>

⁴²⁸ Confer 'Table 10 – Financial Operations of the Central 'Government of Rwanda' – 1998-2004' Source: International Monetary Fund'

be spent on the war. However, since the total budget at the same time would be slashed to between 45% and 51% of the current size, it is arguable whether *in absolute terms* more money could actually be spent on the military. Even if the 'government' ruthlessly cut all social expenditures, there would still be non-military costs, such as certain infrastructure and private sector projects as well as the pay of civil servants, the defrayal of which could hardly be avoided without seriously affecting the war effort as well as functions vital to the Akazu, such as tax collection. If donors withdrew from the Congo, it is thus far from certain that more Army funds would become available from the *official budget*.

Furthermore, the fact that the 'government' is not a true government, but rather a clan-based mafia, has serious implications for the political impact of the aid. Since the aid is channelled through the 'government', it indirectly helps the Akazu, because the latter independently controls the access to 'government' bureaucracies and thereby uses 'government' funds, such as jobs, licences, or tenders, to award people from the network or, alternatively, to incorporate new supporters. I also found that a significant amount of aid directly benefits the Akazu since it finances projects that are of immediate utility to the Akazu, such as infrastructure projects, salaries of high-ranking 'government' officials, private sector aid, and to herd people into makeshift camps.

In the event that donors withdrew their aid, the Akazu therefore would face a serious shortage of means to award clan members. Some have argued that an aid cutoff would only invite the Akazu to intensify the plunder of the Congo in order to compensate for the lack of resources at home. But I found no indications that the Akazu is holding back in its extremely well-organized exploitation of the Congo. Moreover, if the exploitation could easily be extended, the RPA and the UPDF would not have fought pitched battles over Congolese mining areas.

When certain Akazu supporters are excluded from the receiving end of the line, this is likely - if not certain - to jeopardize the internal stability of the Akazu, which has already been shaken by desertions, infights, mutual distrust, and assassinations. A lack of stability means more desertions, more infights, and possibly even battles within the Akazu similar to those that the UPDF and the RPA have waged against each other. In other words, problems that are certain to have a substantial negative effect on the warfare. In reverse, this means that by keeping the aid flowing, donors ensure the stability of the Akazu and thereby also the continuation of the war in the long term.

I therefore conclude that foreign aid to the 'Government of Rwanda' indirectly contributes to the continuation of the Rwandan war effort in the Congo.

EPILOGUE: THE WEAKNESS OF THE STRONG AND THE STRENGTH OF THE WEAK

Some scholars have argued that the governments of the UK and the US have supported Rwanda financially, politically, and to some extent militarily, because it is in their 'national interest' to ally themselves with the Rwandan 'government' and/or its campaign in the Congo.

However, in whatever way one interprets 'national interest', say, in terms of economics, security, or stability, there is no evidence to support such an argument. No major US or UK companies are involved in the exploitation on the ground in the Congo, and although most of the minerals do end up in western consumer products, they would probably have done so regardless of whoever were in control of the mines in the Congo; the seller would just have been Congolese, Angolan, or Zimbabwean, instead of Rwandan (and Ugandan). And, crucially, the price would still have been the same, which is to say the world market price. Likewise, it is extremely difficult to see why the US, the UK, or indeed any other western power should benefit security-wise from an alliance with Rwanda (or Uganda). They might as well have allied themselves with the Congolese 'government'. Finally, there are also those – supposedly well-meaning – scholars or activists who claim that in the interest of stability western donors should cooperate with the repressive 'Rwandan Government'. They point to the 1994 Genocide and argue that a collapse of the 'government' could lead to further destabilization in the whole region,⁴²⁹ which will cost the West dearly in terms of expensive disaster relief. For two reasons, this argument is also dubious. First, the argument is somewhat off the wall since western donors could – in keeping with their 'national interest' – simply choose not to bother about African refugees in far-away places. Second, although it is obviously difficult to prophesy the outcome of a weakened Akazu, there is little evidence to support the argument that a destabilization of the Akazu would plunge the Great Lakes Region into renewed war. In fact, there are more signs that point in the opposite direction.⁴³⁰ As I have already argued in my conclusion, the very stability of the Akazu is at the root of the Congo War, which in only 3 years has cost the lives of more than 2½ million people and displaced some further millions. Moreover, the 1994 Genocide was not the result of anarchy or a collapse of the state; it was rather a deliberate choice of a modern elite mafia that *used* the exceptionally centralized state Rwandan apparatus to organize massacres in an attempt to cling

⁴²⁹ See for instance Mikkelsen, Jakob Eilsøe, 'Rwanda - analyse af et sammenbrud', *Politica* Vol. 29, No. 2 (1997)

⁴³⁰ This issue is also discussed in Strizek, *Kongo/Zaire...*, pp. 165-171 and pp. 193-195

to power.⁴³¹ And, notably, a mafia that had grown strong by skimming the state and using development aid to widen its network and influence.⁴³²

I propose a different reason for western leniency toward the RPF: the internal dynamics of donor states.

The fact that aid flows continue even when conditionalities are violated is not unique to Rwanda. Citing a 1992 study by the Bank's own *Operations Evaluation Department*, Ravi Kanbur writes that "although compliance rates on conditions were below 50 per cent, tranche release rates were close to 100 per cent".⁴³³

Kanbur, a former resident representative of the World Bank in Ghana, accounts how donors, NGOs, businessmen, and the World Bank itself were among the first to try to persuade him to disburse an aid tranche despite a serious violation of agreed modest government spending in connection with the run-up to that country's first general election in 1993:

Some of these [donors] had 'fiscal year' concerns – they feared the consequences within their agencies of not releasing the funds in the fiscal year for which they were slated [...] I include in this list of donors the World Bank itself – implementation of old projects, and development of new ones, would be severely affected so long as the impasse lasted.⁴³⁴

This is a phenomenon also known in management literature as 'downstream pressure': if funds are not disbursed during the fiscal year for which they are designated, political superiors are likely to cut the budget of the institution in question and spend next years' funds on something else. From this perspective, Rwandan failure to comply with program schedules would not only affect the recipient 'Government of Rwanda', but also its donors, who therefore become more prone to abstain from questioning dubious figures.

The basic point is that donors and recipients are so enmeshed, at the level of governments, agencies and individuals, that it is actually not clear where the strengths and weaknesses lie [...] Conditionality is no doubt 'imposed' on unwilling recipients at the time of signing a document, but the recipients know, the donors know, and in fact everybody knows, that these are paper conditions; the outcome will be driven by the need of both sides to maintain normal relations and the flow of aid. It is not clear how else one can explain [...] that not only have aid flows not helped in the development of Africa,

⁴³¹ Human Rights Watch, *Leave None ...*, at <http://www.hrw.org/reports/1999/rwanda>, p. 1 and pp. 6-9

⁴³² Uvin, Peter, *Aiding Violence: The Development Enterprise in Rwanda* (West Hartford: Kumarian Press, 1998)

⁴³³ Kanbur, Ravi, 'Aid, conditionality and debt in Africa', in Tarp, Finn, and Hjertholm, Peter, eds., *Foreign Aid and Development: Lessons Learnt and Directions for the Future* (London: Routledge, 2000), p. 413

⁴³⁴ *Ibid.*, pp. 414-415

they have not even helped in the development of policies they were meant to be conditional on.⁴³⁵

Kanbur's argument rocks the foundation of one of the most tenacious mantra in international relations theory: that the state is a unitary actor. A mantra that as mentioned above completely fails to answer the question that inevitably arises from my conclusion; namely why donors continue to aid the 'Government of Rwanda'. However, institutional interests within donor governments certainly provide a possible explanation for why donors continue aid flows rather than critically examine the political impact of the aid they provide.

And this insight has not been wasted on the Akazu that has joined rhetorical forces with donor institutions by orchestrating a carefully-planned public relations campaign to exploit the notion of being the 'victim' of the 1994 Genocide, which, it has insisted, entitles it to some kind of political and economic compensation, a 'Genocide credit'.⁴³⁶ A strategy that has worked amazingly well, since the 'Genocide credit' discourse has been accepted not only in official donor documents and statements, but also by NGOs, scholars, expert panels, and not least the media as a nearly limitless justification for foreign aid.⁴³⁷

In this way, the Akazu has skilfully manipulated the mechanisms of non-unitary states by using the strength of the weak to exploit the weakness of the strong. A strategy that (neo)-realist-inspired western scholars, journalists, and commentators with their focus on unitary states working rationally to maximize their 'national interest' have failed miserably to apprehend.

⁴³⁵ Ibid., p. 416

⁴³⁶ See for instance Filip Reyntjens' remarks in *Information* (Copenhagen), 'Rwanda-rapport kunne have reddet liv', 28 June 1999, also available at <http://www.information.dk/Indgang/VisArkiv.dna?pArtNo=19990628s03a01>. The RPF's contention that it is somehow the 'victim of the Genocide' has by and large been accepted at face value among western scholars, NGOs and journalists. However, as the Deputy Force Commander of UNAMIR, Colonel Luc Marchal, pointed out to the author, those Tutsis who were killed in the Rwanda Genocide were those inside Rwanda, and they were viewed by the RPF as traitors, simply because they had stayed behind with the Habyarimana Government. Only very few RPA soldiers actually died compared to the victims inside Rwanda. Interview with Colonel Luc Marchal, former Deputy Force Commander of the United Nations Assistance Mission in Rwanda (UNAMIR), Brussels, April 2000

⁴³⁷ For instance, a so-called *International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda and the Surrounding Events* appointed by the Organization of African Unity concluded that in return for western failure to stop the Genocide, "Rwanda's onerous debt, much of it accumulated by the governments [sic!] that planned and executed the genocide, should immediately be cancelled in full". Organization of African Unity, International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda and the Surrounding Events, *Rwanda: The Preventable Genocide*, Project Document, 7 July 2000, available at <http://www.oau-oua.org/Document/ipep/ipep.htm>, unpaginated version, chapter 24

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