



**DISCUSSION
PAPER
SERIES**

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**Promoting Reconciliation through
Exhuming and Identifying Victims in
the 1994 Rwandan Genocide**

Erin Jessee

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ACRONYMS

AVEGA	Association of the Widows of Genocide
CNLG	National Commission for the Fight against Genocide
GOR	Government of Rwanda
ICMP	International Commission on Missing Persons
ICTR	International Criminal Tribunal for Rwanda
KGMC	Kigali Genocide Memorial Centre
NURC	National Unity and Reconciliation Commission
PHR	Physicians for Human Rights
RPF	Rwandan Patriotic Front

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ABSTRACT

This discussion paper provides an overview of three different phases of exhumations that have taken place in Rwanda following the 1994 genocide. Drawing upon qualitative data resulting from interviews with 24 survivors from Kibuye, as well as meetings with Rwandan government officials, aid workers and other relevant experts, the paper argues that previous efforts to exhume and rebury the anonymous victims of the genocide with respect have failed to adequately address the harms affecting survivors. In particular, survivors desire new exhumations that prioritize locating and providing definitive identifications of the victims, after which point the remains should be returned to survivors to rebury in the manner of their choosing. This discussion paper represents an important first step toward bringing exhumations into conversation with transitional justice discourses and advances an ongoing conversation regarding the state of social reconstruction in post-genocide Rwanda.

INTRODUCTION

In the aftermath of the 1994 Rwandan genocide, in which an estimated 800,000 members of the minority Tutsi population were killed by Hutu extremists, Rwandan survivors’ efforts to locate, identify and repatriate the remains of their missing loved ones have passed through three overlapping phases.¹ First, upon returning to their homes, individual survivors — sometimes with the support of the government of Rwanda (GOR) — attempted to locate, identify and repatriate the bodies of the victims of the genocide. Second, in 1995 and 1996, the Office of the Prosecutor for the newly created International Criminal Tribunal for Rwanda (ICTR) commissioned Physicians for Human Rights (PHR) to conduct a series of mass grave exhumations in Kigali and Kibuye. The purpose of these investigations was to collect evidence for a series of indictments issued by the ICTR (Haglund, 1997: 1; Haglund and Kirschner, 1997: 3). Third, in recent years the GOR has taken a direct role in facilitating exhumations whenever human remains are located and bringing the recovered human remains to the nearest state-funded genocide memorial where they are reburied each year during the National Memorial Week.

This discussion paper considers the impact of these three initiatives to locate, identify and repatriate the anonymous victims of the 1994 genocide on survivors from Kibuye. Drawing upon interviews conducted with 24 Kibuye-based survivors, as well as GOR officials from around Rwanda, the paper argues that survivors — while appreciative of any effort to memorialize the 1994 genocide — are negotiating psychological and spiritual distress as a result of their inability to definitively identify and rebury the remains of their missing loved ones with respect. This distress, in turn, makes it difficult for them to envision a stable future for their community

¹ The number of victims of the 1994 genocide is a highly controversial subject, with conservative estimates by the international community maintaining that only 400,000 Rwandan civilians died, and generous estimates promoted by the GOR arguing that over one million Tutsis died. This paper adheres to the moderate estimate first suggested by the late Alison Des Forges. For more information, see Des Forges, 1999.

that includes multi-ethnic collaboration. For this reason, the paper asserts that the international community, in collaboration with the GOR and survivor communities around Rwanda, should pursue new humanitarian exhumations. These exhumations should be mandated to positively identify the anonymous victims of the 1994 genocide and return any identified remains to their surviving families for reburial. Interviewees were adamant that such an initiative would allow them to recover from some of the harms they experienced surrounding the genocide. Thus, this paper contributes to the growing literature on post-genocide Rwanda and transitional justice in the aftermath of mass atrocities.

THE PROJECT: SCOPE AND METHODOLOGY

The Rwandan genocide began on April 6, 1994, following three years of civil war between the regime of then President Juvénal Habyarimana and the Rwandan Patriotic Front (RPF) — a political party composed primarily of Tutsis whose families had fled the nation during previous periods of unrest and who sought the right to return to Rwanda as full citizens of the nation.² In an effort to force the Habyarimana regime to negotiate, the RPF invaded from Uganda, causing thousands of Rwandan civilians to flee south. These refugees brought with them allegations of the atrocities perpetrated by RPF soldiers and their collaborators, spreading fear of the RPF among the civilian population.

Simultaneously, the invasion caused the *akazu* — a select group of political elites close to Habyarimana’s wife, Agathe Kanziga — to adopt an increasingly extremist ideology toward Rwanda’s Tutsi minority population. While international pressure forced Habyarimana to negotiate a power-sharing deal with the RPF, the extremists within the Habyarimana regime prepared to eliminate the Tutsi threat. They purchased vast numbers of machetes and trained two Hutu youth militias — the *Interahamwe* and the *Impuzamugambi* — to defend their communities.³ The *Radio-Télévision Libre des Mille Collines* was established to spread anti-Tutsi propaganda to the masses and prepare them to defend their nation against the RPF and its supporters.⁴

The 1994 Rwandan genocide was triggered by the assassination of President Habyarimana on the evening of April 6, 1994, by unknown parties.⁵ Within hours of the confirmation of his death, the Presidential Guard moved through Kigali and assassinated prominent members of the

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2 For more information on the RPF’s foundation and invasion of Rwanda, see Mamdani, 2001.

3 The term *interahamwe* means “those who stand together” and was used to refer to the youth militia established by Habyarimana’s political party, *Mouvement républicain national pour la démocratie et le développement*. The term *impuzamugambi* means “those who have a single goal” and was used to refer to the youth militia established by the extremist political party, *Coalition pour la Défense de la République*.

4 For a more thorough overview of the events leading up to the start of the 1994 Rwandan genocide, see Des Forges, 1999.

5 There is substantial controversy over which parties to the conflict are responsible for Habyarimana’s assassination. For more information on the various accounts, see: Prunier, 1997: 213-214, Des Forges, 1999: 182; Republic of Rwanda, 2010; and Trédovic and Poux, 2010.

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political opposition — Hutus and Tutsis alike. By the following morning, the *Interahamwe* and *Impuzamugambi* had established roadblocks around the city and were murdering Tutsis who attempted to flee. In the following weeks, the genocide spread throughout the country, resulting in the deaths of an estimated 800,000 Tutsi men and women of all ages and the forced migration of an estimated two million refugees to neighbouring countries, such as the Democratic Republic of the Congo. The RPF finally gained control of the nation in August 1994 — formally ending the genocide — and has maintained political stability in the nation since this time.

Domestic and international media credits current President Paul Kagame for having cultivated national unity and created myriad opportunities for development and foreign investment (Kinzer, 2008). However, these accounts are criticized by human rights groups and experts on Rwanda for promoting a biased and poorly informed account of post-genocide Rwanda that fails to take into account the civil rights abuses inherent in the Kagame regime, particularly in rural communities (see, for example, Thomson, 2009). There exists a substantial body of literature that provides a more balanced overview of life in Rwanda in the aftermath of the 1994 genocide, and which is mindful of Kagame’s increasingly authoritarian leadership.⁶

In the aftermath of the 1994 genocide, the GOR actively promotes a policy of national unity and reconciliation, which, in addition to encouraging people to identify according to their shared Rwandan nationality, seeks to reconcile the nation by providing equal access to education and job opportunities (National Unity and Reconciliation Commission [NURC], 2009). However, many survivors feel that reconciliation with their neighbours, many of whom were allegedly complicit, if not directly responsible, for the harms visited upon them during the genocide, is impossible. In particular, survivors argue that there can be no reconciliation until those responsible for murdering their missing loved ones reveal the locations where their bodies have been deposited so they can be identified and reburied with respect according to Rwandan tradition. However, the location, identification and repatriation of the anonymous victims of the 1994 genocide has been largely overlooked by transitional justice initiatives in Rwanda, which have thus far been limited to international and domestic legal solutions, such as the ICTR and *gacaca*,⁷ and state-funded commemorative events and memorials (Gahima, 2012; Waldorf, 2009).

To complicate matters, few *genocidaires* are willing to reveal the locations of their victims, even when confessing before *gacaca*. Chantelle, an aid worker affiliated with a prominent survivors’ organization, claimed the *genocidaires*’ reluctance emerged from two factors.⁸ First, she claimed that

6 For more information, see Brandstetter, 2010; Buckley-Zistel, 2009; Burnet, 2008a; Burnet 2008b; Ingelaere, 2008; Ingelaere, 2010a; Ingelaere, 2010b; Straus and Waldorf, 2011; Thomson, 2009; Thomson, 2010; Waldorf, 2007; Waldorf, 2010; and Zorbas, 2009.

7 The term *gacaca* refers to a “traditional” dispute resolution mechanism that was reinvented by the GOR to address the small-scale atrocities that were perpetrated by extremists during the 1994 genocide. For more information, see Waldorf, 2010.

8 The author uses pseudonyms throughout this discussion paper to protect the confidentiality of her informants.

genocidaires feared that if they told officials where they disposed of the bodies of their victims, they risked being charged for additional murders and related crimes during the genocide. Second, Chantelle argued that by refusing to help survivors repatriate their missing loved ones, the *genocidaires* ensured that the survivors remained vulnerable and incapable of rejoining Rwandan society. She explained that “refusal is one of the major tools that extremists use to break the hearts of the survivors.” Whatever the motivations influencing individual *genocidaires* to maintain silence regarding the places where they disposed of their victims might be, Lars Waldorf notes that the expectation that *gacaca* and other transitional justice mechanisms would foster reconciliation was unrealistic, because Rwandan cultural norms “privilege secrecy and guarded emotions” (2010: 198). As a result, many survivors desire more tangible and effective mechanisms for promoting social reconstruction.

In light of this information, it is necessary to assess past efforts to assist survivors in locating, identifying and repatriating the anonymous victims of the 1994 genocide. The qualitative data that informs this paper emerges from thematic interviews with 24 Kibuye-based survivors of the 1994 genocide who have searched, or are currently searching for, missing loved ones. The thematic interviews were structured to elicit an overview of the events surrounding the 1994 genocide and its aftermath, with emphasis placed on the various types of mass grave exhumations that have occurred since the 1994 genocide. The goal was to elicit information related to how survivors were coping with their experiences of genocide and how their lives were impacted by the challenges associated with finding and repatriating their missing loved ones. In addition, informal interviews with Rwandan government officials, aid workers and Rwanda-based representatives of

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The Kigali Genocide Memorial Centre in Gisozi. (Photo by author)

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the US and Canadian governments provided background regarding the shifting political climate affecting the location, identification and repatriation of the anonymous victims of the 1994 genocide.

Simultaneously, this paper is informed by extensive ethnographic analysis. Since 2007, the author has periodically immersed herself in daily life in post-genocide Rwanda in order to elicit a “view from below” regarding the challenges facing Rwandans in the aftermath of the 1994 genocide, particularly in rural communities. This approach has facilitated a thorough understanding of how Rwandans — the majority of whom adhere to some form of Christianity — negotiate indigenous and Christian traditions and taboos surrounding death and dying, mourning and the handling of the dead, both in times of peace and in periods of mass violence. In particular, this experience has highlighted the dangers that many rural Rwandans associate with the failure to bury their dead according to tradition. As this paper explains, the angry spirits of those who have not been buried with respect are said to inflict a range of problems upon their surviving family, from mental and physical illnesses to crop failure and drought, and represents a significant source of emotional distress in many communities. To date, this project represents the only known initiative that examines the spirit world’s long-term negative impact on the lives of the living in post-genocide Rwanda. Nonetheless, as Erin Baines’ work in northern Uganda (2010) demonstrates, to successfully pursue transitional justice in the aftermath of mass atrocities, it is necessary for experts to pay greater attention to the role of spirits for impeding reconciliation and social reconstruction in rural communities.

The resulting interdisciplinary approach has been informed by the literature on transitional justice in the aftermath of mass atrocities. Transitional justice is an emerging paradigm that draws upon the disciplines of political science, anthropology, history, sociology, gender studies and international human rights. Early ventures in human security and transitional justice in the aftermath of mass atrocities typically revolved around criminal prosecutions, truth commissions and memorial projects, based on the assumption that truth-telling and retributive justice are central for promoting reconciliation and long-term political stability in the aftermath of mass human rights violations (Teitel, 2003: 78). Recently, however, practitioners have identified crucial disconnects between international solutions and local priorities and practices, establishing a foundation for more culturally appropriate responses to social reconstruction (Roht-Arriaza, 2006; Shaw and Waldorf, 2010). This paper is intended to contribute to transitional justice discourses by initiating dialogue on the important humanitarian role that international and domestic exhumations can play in the aftermath of mass atrocities — a subject that until now has been almost entirely absent from the field.⁹

9 In transitional justice literature to date, there are only two mentions of the application of the forensic sciences to mass atrocities. The first examines the application of the forensic sciences to the Extraordinary Chambers in the Courts of Cambodia’s efforts to bring the perpetrators of the Cambodian genocide to justice (Klinkner, 2008), while the second focuses on the process of exhuming clandestine mass graves in Guatemala as part of a larger discussion of local post-armed conflict initiatives (Arriaza and Roht-Arriaza 2010, 222–224). Outside transitional justice paradigms, the work of Eric Stover (Stover 2005; Stover and Peress 1998; Stover and Shigekane, 2004; Stover and Shigekane, 2002) and Sarah Wagner (2008) is more relevant for researchers interested in understanding the impact of forensic investigations on survivor communities.

PRELIMINARY FINDINGS: EXHUMATIONS TO DATE

Three types of exhumations have been employed in Rwanda in an effort to locate, identify and repatriate the anonymous victims of the 1994 genocide. First, immediately following the restoration of political stability by the RPF in August 1994, many survivors returned to their pre-genocide communities in the hopes of recovering their properties and locating and reburying the victims of the genocide with respect. Second, in Kigali and Kibuye, the ICTR commissioned PHR to conduct a series of mass grave exhumations with the goal of providing evidence for use by the prosecution as it pursued its first indictments of Rwandan government officials responsible for organizing and implementing the genocide. Third, at present, the GOR has assumed primary responsibility for locating, identifying and repatriating the anonymous victims of the 1994 genocide, although in collaboration with local survivors and the organizations that provide them with support. The following discussion will consider each of these initiatives in turn, with particular attention paid to how effectively they each addressed the post-genocide needs of Kibuye-based survivors.

PRIVATE EXHUMATIONS CONDUCTED BY SURVIVORS (1994–1996)

As survivors returned to their homes in the immediate aftermath of the 1994 genocide, many were distressed by the realization that not only had many of their loved ones been massacred, but their remains had been treated with disrespect. In most cases, the *genocidaires* left the bodies of their victims wherever they had been murdered, leaving churches, schools, government buildings, forests and swamps alike littered with human remains (Des Forges, 1999: 216). In other instances, the *genocidaires* dumped the bodies of their victims in pit latrines, caves, ravines and shallow mass graves in order to hide the smell of decomposition and to prevent the spread of disease (Jessee, 2010).

In Rwandan culture, it is taboo to treat the dead with such disrespect. As explained by a local religious leader, Fidèle:

If you rebury your people, it is a sign of respect...A human being must be respected and in Rwandan culture, we believe that there is a connection or communication between the dead and the living. So that is why we show respect for the people who died.

When asked whether the dead were capable of negatively impacting the lives of the living, he responded:

Yes, we believe this is so, because we think that it is good to bury your people by yourself and make sure they are resting well...Let us take an example of when some bad things are happening to you. We think that is an effect of someone who died and is buried in a disrespectful manner.

As a result, in the immediate aftermath of the 1994 genocide, many survivors immediately sought to locate, identify and repatriate with respect the remains of their missing loved ones, in order to avoid negative psychological and spiritual consequences. These early efforts were often collaborative, with

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survivors working together to determine who had died in a given location and where the bodies might have been dumped by the *genocidaires*. Once a likely location had been determined, survivors searched the area, sometimes with assistance from GOR officials. Fabrice, a child survivor of the massacre at Kibuye Roman Catholic Church, recalled:

What we did is just to collect all the human remains, clean them and bring them to the memorials. While collecting the bones, we didn't identify who those people were. Everybody treated the bones as though they belonged to his or her family. It was participatory work, where even those who didn't know where their people were buried contributed.

These early exhumations were often very traumatizing for the survivors. For example, Bernardine, a support worker at one of the local resource centres for survivors, recalled:

In those days, I was not living in the world. I became very afraid. I went with some other survivors who believed they knew where my family had been killed and buried. We found some remains. I saw a skull and felt I knew exactly who it belonged to. But later, it created a lot of sadness in my heart. I can never know for sure if those remains belonged to my family.

As a result of these experiences, Bernardine found it difficult to return to the area where her family had lived. The remains she tentatively identified were added to the mass graves at the local genocide memorial. While she appreciated the memorial on the grounds that “all the remains belong to my dead family,” she did not visit them. She claimed she already knew that



A small genocide memorial site near the Roman Catholic Church in Kibuye. (Photo by author)

“many innocent people had died for nothing” and did not need a reminder. Furthermore, because she did not know for sure that her family members were interred at the memorial, she felt she could not pay respect to them there. Her failure to definitively identify and repatriate the bodies of her missing family members continued to haunt her. Bernardine stated she was often visited by the ghosts of her deceased loved ones and that these encounters left her feeling unstable, depressed and “unable to live life like a regular human being.”

Only on rare occasions during this period were survivors able to definitively identify their missing loved ones and experience some relief. Fabrice had witnessed the deaths of his family members during the massacre at Kibuye’s Roman Catholic Church. He survived by hiding among the bodies of the victims and then fled once the attackers returned home. Months later, Fabrice returned to the church to find their remains, which had been left where they died. The bodies were decomposing, but with the help of other survivors, he moved the bodies to a nearby mass grave which later became a small memorial site. The act of reburial with respect gave Fabrice enormous comfort, for while he still mourned the deaths of his family, he at least knew that he had treated them with respect and that they were now resting peacefully. He concluded that the process was “really helpful spiritually and morally.”

THE PHR EXHUMATIONS (1995-1996)

The second phase of exhumations was conducted by PHR. In 1995, the ICTR commissioned PHR to conduct a series of mass grave exhumations in Kigali and Kibuye. These investigations were mandated to collect evidence for a series of indictments issued by the ICTR. Specifically, the investigators were charged with three tasks: determining the sex, age, cause of death and pattern of injuries for each individual whose remains were recovered; collecting and documenting any personally identifying information; and determining the circumstances surrounding the burial and time of death of the victims (Haglund, 1997: 1; Haglund and Kirschner, 1997: 3).

In Kibuye, the investigation focused on a massacre that happened on April 17, 1994. On this day, militias, police and armed civilians surrounded the Roman Catholic Church and Home St. Jean Complex, and attacked the Tutsi civilians who had sought refuge on the property. Those who escaped the massacres in the main buildings were chased down the hill toward the lake. In the following days, the bodies of the people who died inside the church and the complex were deposited by the attackers in four mass graves dug using heavy machinery, while the remains on the surrounding hillside were left exposed (Haglund and Kirschner, 1997: 1).

William Haglund, the senior forensic adviser for the ICTR, was sent to Kibuye in September 1995 to conduct a preliminary assessment of the mass graves and surrounding area. Upon finding human remains whose estimated time of death was consistent with survivor accounts of the massacre, the ICTR commissioned a formal investigation to take place between December 17, 1995 and February 22, 1996. This investigation was overseen by Haglund and Robert Kirschner, a forensic pathologist and

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the director of PHR's International Forensic Program. Fourteen forensic pathologists, archaeologists and anthropologists from North America, South and Central America and Europe also assisted the investigation (Haglund and Kirschner, 1997: ii).

PHR's team ultimately recovered the remains of an estimated 493 individuals, 66 percent of whom were women and children under 15 years of age. Of these individuals, 75 percent died of sharp or blunt force trauma, mostly to the head, while a small number of victims were killed using bullets, grenades and associated shrapnel, and other forms of penetrating trauma. The manner of death for the remaining 25 percent of the individuals was undetermined, likely due to the fact that the wounds responsible for causing their death only impacted the soft tissue and left no permanent marks on the bone (Haglund and Kirschner, 1997: iv).

In addition, the investigators were able to tentatively identify 16 individuals. Five identifications were established using personal documents associated with the clothing recovered with the remains, while an additional 11 people were identified by survivors who participated in Clothing Day (Haglund and Kirschner, 1997: v). According to Clea Koff (2004), the clothing recovered from the mass graves and surrounding area was cleaned and put on display so that survivors from the area could try to identify the anonymous victims. Following the investigation, the team also intended to use mitochondrial DNA comparison to confirm any preliminary identifications of the remains they had recovered (Haglund and Kirschner, 1997: v).

According to international accounts, the investigations were short-lived and far from exhaustive, due to unforeseen conflict with the Rwandan survivor communities in the areas where the mass grave exhumations occurred. Koff (2004) implies that the exhumations and associated Clothing Day were traumatic for survivors, as it forced them to confront graphic physical evidence of the 1994 genocide. She recalled:

[One woman] started walking toward the table with the body bag, but she didn't make it all the way because as she caught sight of what was in the bag she suddenly collapsed against the wall, turning away, sobbing...The women left, clutching their purses and barely able to put one foot in front of the other. We had given them nothing. Not even the assurance that it was really her uncle. We didn't know that yet. They didn't get his bones, they didn't get his clothes. And now the memory of him was replaced by this skull in this bag and these *wazungu*¹⁰ scientists. Seeing them at their nadir. It made me sick and I wanted to know how it could be done better. I felt there had to be a better way. (Koff, 2004: 68)

Meanwhile, in Kigali, a prominent survivors' association organized a protest aimed at discouraging future international forensic investigations (Cruvellier, 2009: 13). The reasons for this protest could not be confirmed 15 years later,

¹⁰ In Rwanda, the term *bazungu* (muzungu, sing.) is used more commonly to refer to foreigners — “those who wander aimlessly” — regardless of their ethnicity. *Wazungu* (pl.) is the Swahili equivalent of this term.

as few people had memories of this event. However, among those survivors who remembered the PHR investigation, there was confusion regarding its purpose and the nature of the work. Several survivors recalled seeing *bazungu* working in the area in 1996, but they thought they were Belgians who were trying to find their missing relatives, and who had no interest in investigating the overall atrocities. Yves recalled that several survivors in the community feared that the *bazungu* were collecting and measuring skulls because they were using the bones for black magic. With the exception of Theoneste — a community leader who, due to his prominence, had been informed about the nature and purpose of the exhumations — it seems the Kibuye-based survivor community knew very little about the research being conducted by PHR. And even Theoneste's knowledge was limited to the following explanation:

First, they carried out the exhumations and took some notes from the bones and clothes they recovered... They gathered the remains in one place, but they didn't tell us the main purpose of it. They also tried to identify how people were killed by looking at the remains. I think that was their main interest.

Thus, it is possible that the protests and other signs of frustration among survivors emerged in large part from not being directly consulted prior to the exhumations taking place and having no say in how the exhumations were conducted, as well as the circulation of rumours regarding the exhumations' potentially nefarious and unchristian purposes.

From the perspective of the international community, meanwhile, the PHR exhumations were also controversial. The resulting forensic evidence produced by PHR investigators fared poorly. Kathleen Reichs, expert witness for the defence during the proceedings at the ICTR, successfully convinced the court that the exhumations were neither scientifically nor legally rigorous enough to support the conclusions drawn by the investigative team. Specifically, Reichs' report on the Amgar Garage exhumations in Kigali criticized the PHR investigators for: lacking certification by the American Board of Forensic Anthropology, providing poor explanations for the estimates of post-mortem interval and the conclusion that the manner of death for all recovered remains was homicide, and using outdated or inaccurate methods when conducting laboratory analysis of the skeletal remains (1999: 1-2). As a result, the physical evidence, reports and expert testimonies of key team members were dismissed (ICTR, 1999). This outcome has not been widely publicized either within or beyond Rwanda.

GOVERNMENT EXHUMATIONS (1996-Present)

Meanwhile, as the survivor exhumations that began in the immediate aftermath of the 1994 genocide gained momentum, the GOR decided to take a more active role. Increasingly, survivors were encouraged to work through government initiatives such as *gacaca*, and in collaboration with non-governmental organizations and government agencies such as IBUKA, the Association of the Widows of Genocide (AVEGA) and the National Commission for the Fight against Genocide (CNLG). Upon learning the likely location of victims of the 1994 genocide from *genocidaires* who confessed

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during *gacaca*, the surviving family, together with representatives of the GOR, would search for the human remains. If located, the bones would be cleaned, wrapped in white cloth and then stored at the local genocide memorial until the start of Memorial Week.¹¹ At this point, the remains would be interred in a mass grave as part of a mass funeral organized by the government to commemorate the 1994 genocide.

According to officials associated with IBUKA, AVEGA and the CNLG, the main purpose of this collaboration was to ensure that any human remains that were recovered by survivors were incorporated into the state-funded genocide memorials during the memorial week of each year, rather than buried independently on family land. In 2008, the GOR even went so far as to pass a law that made independent burial of the victims of the 1994 genocide illegal (GOR, 2008: Article 4). The concern was that if the anonymous victims of the 1994 genocide were not incorporated into the state-funded genocide memorials, much of the evidence of the atrocities that occurred during this period would be lost, making it difficult to teach future generations of Rwandans and foreigners about the dangers of bad governance in Rwanda and the brutality of the genocide that had occurred under the watchful eye of the international community. For example, Prosper, a civil servant, acknowledged that there was a social movement brewing among survivors who sought to establish their right to bury the victims of the 1994 genocide outside of the state-funded genocide memorials. He argued, however, that granting survivors this right would complicate the situation. He claimed that if survivors were permitted to bury their dead on family land, the victims of the genocide would be forgotten when their families eventually sold their land and moved elsewhere. “Better that they be buried at the memorials, where they will be treated with respect forever,” he concluded.

According to many survivors, the state-funded genocide memorials were not always appropriate places in which to inter the victims of the 1994 genocide. The Kigali Genocide Memorial Centre (KGMC) in Gisozi is widely regarded by survivors as having achieved an appropriate format for commemorating the genocide, as it has enough funding to ensure that its exhibits are maintained in good condition and trained staff are always on hand to provide guided tours. Survivors also generally approved of having an overview of Rwandan history leading up to the 1994 genocide provided as part of the exhibit (although they did not necessarily approve of the specific content). In addition, many survivors approved of the minimal use of human remains as evidence of the atrocities perpetrated by the extremists during the genocide.

However, the state-funded genocide memorials in rural Rwanda are of a very different quality, causing the survivors from these regions to question the appropriateness of these sites. To return to the case of Kibuye, there are several small memorials located near the Roman Catholic Church, Home St. Jean Complex and the stadium in Kibuye where the worst massacres

¹¹ Memorial Week is observed once a year to commemorate the 1994 genocide. It typically begins on April 7 and lasts for one week, during which the Rwandan media focuses on accounts of the genocide and its impact on the Tutsi minority in Rwanda. For more information, see Brandstetter, 2010.

occurred during the genocide. There is also a larger memorial at Bisesero, where local Tutsis gathered together on a densely forested mountain top to resist their attackers using stones and other simple weapons.¹²

These rural memorials are heavily criticized by Kibuye’s survivors. First, survivors complain that because the memorials have been created in a region seldom visited by foreigners, they receive less funding. As a result, they are minimally staffed and are poorly maintained. The memorials offer little to no explanation of the events surrounding the 1994 genocide and are often so poorly marked that visitors walk past them without knowing what they are. This was particularly true of the memorial at the stadium in Kibuye, which lacked even basic signage indicating its importance. When asked to explain his dissatisfaction with the site, Sébastien, a university student, replied:

It is not showing that here there is real evidence of genocide...For example, when I pass by there on the road, I can’t know automatically without someone who can guide me that this is a memorial site, because there is no evidence. Even there is no cement [capping the mass graves]...There is no sign that there are dead people buried in this memorial.

Second, several of these memorials include prominent displays of human remains in addition to the obligatory mass graves. Many survivors perceive such displays to be culturally inappropriate, akin to treating the dead with disrespect. Fabrice argued that the best state-funded genocide memorials were the ones where there were few human remains on display. These sites provided survivors with a place to pay respect to their dead without forcing them to confront graphic evidence of the atrocities, thus avoiding retraumatization.

Third, the absence of the names of the victims interred in the state-funded genocide memorials was another point of contention among survivors, which even the KGMC failed to appease. Although there is a wall of names located among the mass graves at the KGMC, it is incomplete and to date contains only a handful of names. Other memorials, such as those located around Kibuye, have nothing that indicates who might be interred at the site. As part of the commemoration ceremony in his parish each year, Fidèle read aloud the names of the local victims of the genocide in order to provide their surviving families with some comfort. He explained:

It is important to recognize people. During the mourning week, I have tried to collect some names of those who are in the memorial site at the parish. And people were happy. Yes. They told me they are happy with what I have done. Because we have a mass, you know, to celebrate, and during the prayers we have to read their names. And people were hearing the names of those who died during the genocide, and they said “it is very, very important to do it.” And since then, I will do it every year...It took two hours, only to read the

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¹² For more information on the events at Bisesero and other resistance movements during the 1994 genocide, see Des Forges, 1999: 216–221.

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names. I write the names, and 10 people —10 or 12 — each take two pages and read.

THE FUTURE OF EXHUMATIONS IN RWANDA

To date, the exhumations that have been conducted in Rwanda have had little positive impact on the lives of survivors in Kibuye — a trend which would likely hold true for other communities in Rwanda. Central to survivors’ dissatisfaction with past exhumations is the realization that without definitive identification of the anonymous victims of the 1994 genocide, survivors are plagued with fear and guilt for having failed to rebury the remains of their missing family members according to Rwandan tradition. For example, Sandrine, a local cloth merchant whose entire family was murdered during the genocide, argued that she had experienced two main harms surrounding the genocide. First, she was the sole survivor of her extended family and, as such, acknowledged that she would never be able to recover from the violence of this loss. Second, Sandrine noted that she was distressed by her inability to locate, identify and bury with respect the remains of her family. She believed she could recover from this harm, if only she could convince their killers to reveal the locations where they had disposed of their bodies — something the *genocidaires* refused to do. As a result, Sandrine was haunted by the knowledge that her family members were not resting comfortably in the afterlife. She argued “I have wealth, but I can never be okay at all. I can only pretend to live. The ghosts of my family haunt me.”

While nothing can be done to repair the long-term suffering associated with the violent massacre of survivors’ family and friends, it is possible that some of the harms survivors experience as a result of their inability to locate, identify, and repatriate the remains of the victims of the 1994 genocide can be addressed, at least in part. Specifically, the Kibuye-based survivors interviewed for this project were unanimous in their support for new exhumations, assuming these exhumations are humanitarian in nature, and prioritize the definitive identification of the anonymous dead.

While DNA is not a widely understood concept for the Rwandans involved in this study, interviewees were adamant that the identification process be scientific to avoid the uncertainty that had accompanied so many of the tentative identifications based on clothing and personal effects made during previous exhumations. When discussing the use of DNA evidence — specifically, that the process would first require setting up a database on survivor DNA to compare with bone samples collected from any recovered human remains — survivors were similarly supportive.¹³ For example, Francine, a homemaker, stated “I can even do my best to give you a bottle

¹³ In particular, Rwanda might benefit from pursuing a strategy similar to that used by the International Commission on Missing Persons (ICMP) in Bosnia-Herzegovina (Bosnia). The ICMP, with the support of the international community, has established a database of survivor DNA samples, which it then cross-references with mitochondrial DNA recovered from bone samples taken from human remains exhumed from mass graves in the region. While Rwanda is dealing with a much larger number of missing persons, which in turn would require a longer timeframe and greater investment of time and resources, pursuing DNA analysis in country could create an important capacity-building opportunity for the nation. For more information, see Jessee, 2012.

of [DNA] so that I can identify my family who died during the genocide.”¹⁴ Likewise, none of the interviewees expressed dismay at the idea of taking bone samples from the human remains on display at the memorials or buried in the mass graves around Rwanda so as to attempt identifications using DNA. Of utmost importance to survivors was that the anonymous victims of the 1994 genocide be positively identified so that they could finally know what happened to their missing loved ones and rebury them with respect.

While they were willing to assist the exhumations in any way possible, many interviewees argued that the investigators should be trained to adhere to certain traditions when handling the dead by those responsible for the exhumations. For example, Aurore, a survivor and proprietor of a popular bar, noted:

They must consult with survivors in the communities where they will work. They must be respectful and handle the bones with both hands. They should have a good heart and clean the bones with care. And they should show their disgust for what has happened here — react to the bad smell and the horrors of what has been done.

Regarding repatriation, meanwhile, most interviewees requested that the victims of the 1994 genocide be buried according to Rwandan tradition. According to Faustin, a child survivor, during times of peace, the bodies of the dead are be cleansed, dressed in good clothes, placed in a coffin or shroud and buried two metres deep. The grave should be topped with cement or shrubs and wild flowers aimed at preventing people and wild animals from disturbing the site indefinitely. This ensures that the deceased has a permanent place close to their family where they will be remembered and treated with respect.

Survivors were quick to point out, however, that the extreme violence during the 1994 genocide made it impossible to bury the dead according to this tradition. Aurore argued that “some survivors lost so many members of their family, that they would not have had enough land on which to bury all of their dead.” As a result, many survivors were initially relieved when the GOR stepped in to provide assistance, appointing them land where the victims of the genocide could be reburied in mass graves, forming the foundation for the first state-funded genocide memorials. It was only over time that dissatisfaction with the memorials emerged, as some were better designed, constructed and maintained than others, and more respectful of Rwandan taboos regarding displaying the dead.

In the one instance, where an interviewee maintained complete support for repatriating the victims of the 1994 genocide to the state-funded genocide memorials, there were important differences between his experience and those of the other survivors from his community. Fabrice knew precisely

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¹⁴ Most commonly, buccal swabs and blood samples taken from maternal relatives are used by human rights organizations interested in establishing a database of survivors’ mitochondrial DNA. For more information, see Lorente et al., 2002.

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where his family had been killed, and had returned to the church after the genocide ended to ensure that their remains were reburied with respect. With the assistance of other survivors of the massacre, he was able to bury the remains of his family in one of several large mass graves that would eventually inter all of the victims from inside the church. The survivors then gathered together to hold a mass funeral at the church.

From this point forward, Fabrice was satisfied that he had done his duty and did not experience any spiritual or emotional trauma related to this particular aspect of his experience during the genocide. In fact, he was so satisfied with the treatment of his family's remains after the genocide that he believed that all human remains should be interred at the state-funded genocide memorials, where they would become part of a much larger tribute to the 1994 genocide. Likewise, Fabrice — perhaps because he knew for certain the fate of his murdered family members — was alone in advocating that if future exhumations take place, they not include the human remains already interred at the state-funded genocide memorials. He argued that these remains had already been buried with respect, and for this reason should not be disturbed, lest it retraumatize survivors and anger the spirits of the dead.

Among those interviewees who had yet to identify all of their missing family members in the aftermath of the 1994 genocide, however, there was a strong preference that any future exhumations incorporate the remains interred in the state-funded genocide memorials. Many survivors argued that they simply had no way of knowing if the remains of their missing family members had been incorporated into the memorials, and that either way, they should have the right to choose how these remains were handled. Aloisea, a homemaker and survivor of the 1994 genocide, was particularly outspoken in this regard. She had yet to identify a single person from among



The Home St. Jean Complex in Kibuye. (Photo by author)

her missing family members, a point which left her overwhelmed with sorrow and guilt. She believed that these emotions would be “eradicated completely, 100 percent” if she could locate their bodies and rebury them with respect. However, Aloisea — like many Rwandans — was adamant that she should be permitted to arrange a private burial for her dead, as there was already plenty of other forms of evidence that a genocide occurred in 1994. She noted “a traditional burial is simply more respectful than what is available at the memorials. We should have the right to give our dead the respect they deserve.”

CONCLUSION

Despite rare mention in transitional justice discourses of the role of domestic and international efforts to locate, identify and repatriate the anonymous victims of mass atrocities, this paper demonstrates that there is great need in Rwanda to promote exhumations as a means of facilitating social reconstruction. In the aftermath of the 1994 genocide, many survivors are struggling with psychological and spiritual distress related to their inability to locate, identify and rebury with respect the remains of their missing family members. This, in turn, makes it difficult — if not impossible — for survivors to reconcile with their neighbours, many of whom constitute “intimate enemies” (Theidon, 2006: 433). In many instances, survivors hold their neighbours directly responsible for impeding their efforts to repatriate their missing loved ones. As a result, few survivors are capable of envisioning a future for their communities that includes multi-ethnic collaboration. In Kibuye, many residents acknowledge deep ethnic divisions in the community, whereby intermarriage between survivors and the remainder of society is frowned upon and social venues, such as bars and restaurants, are segregated according to ethnicity, even 17 years after the genocide.

This paper asserts that some of the harms internalized by survivors surrounding the 1994 genocide could be repaired by pursuing humanitarian exhumations aimed at establishing definitive identifications of the anonymous victims of the 1994 genocide.¹⁵ Specifically, while it would be no small task, pursuing definitive identifications and repatriation could help relieve some of the guilt and depression internalized by many survivors as a result of having failed to rebury the remains of their missing family members according to Rwandan tradition. As such, this paper seeks to promote discussion among transitional justice practitioners, forensic experts and policy makers toward future collaboration between the GOR, the international community and Rwanda-based survivor communities to pursue new and culturally relevant exhumations in post-genocide Rwanda.

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15 For more definitive recommendations for future exhumations in Rwanda, see Jessee, 2012.

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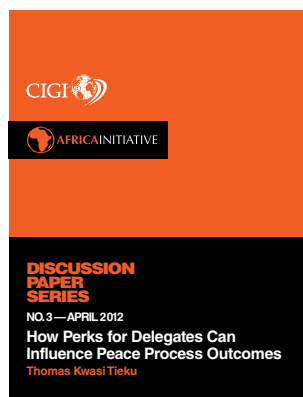
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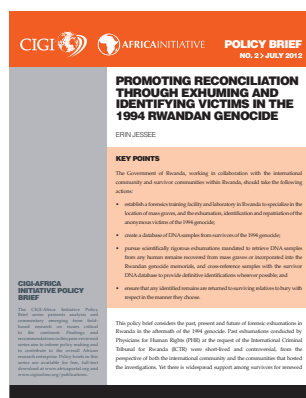
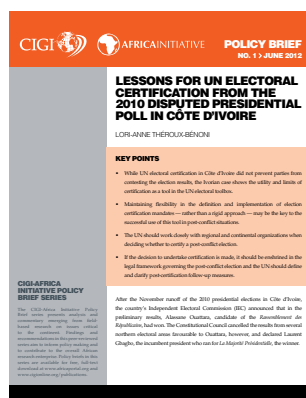
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