

Background¹

During the year 2003 Rwanda is scheduled to complete the transition phase that followed the 1994 genocide and which is based on a power-sharing agreement among eight political parties. This agreement, derived from the 1993 Arusha accords, marked the end of the civil war in the country. The adoption of a new Constitution by referendum and presidential and legislative elections, scheduled to be held within six months after the referendum, are meant to establish functioning democratic institutions. The Executive Secretary of the Rwanda National Election Commission invited the EU to observe the whole election process and the EU decided to deploy an Election Exploratory Mission (ExM) to collect factual elements on the advisability, feasibility and usefulness of an EU Election Observation Mission (EOM) to Rwanda.

Political Context

On the basis of the power-sharing agreement among existing political parties, which followed the military victory of the Rwanda Patriotic Front (French acronym FPR) in 1994, a Government of National Unity and a transitional National Assembly were established. While eight political parties are taking part in the transitional institutions, the FPR is holding the key positions in the public administration.

The government of Rwanda, and indeed the Rwandan society at large, are still seeking to cope with the consequences of the genocide. Currently, the government is trying to solve the problem posed by its overcrowded prisons, decrease the pressure on its overburdened judicial system and, eventually, achieve reconciliation among the population. In this context the authorities decided to resume traditional community trial system (Gacaca) and put at liberty about 40,000 detainees accused of lesser crimes, which has raised some worries among the population.

Not surprisingly, the consequences of the genocide continue to heavily influence Rwanda's political life and will determine to a large extent the features of the future constitutional set-up as well as the upcoming electoral process. One of the main tenets of the draft Constitution, currently under discussion, is in fact the promotion of national unity among all Rwandans, while ethnic cleavages are rejected. At the same time, several constitutional safeguards are deemed necessary in order to prevent ethnic radicalism to re-emerge in future. In particular, the Constitution will subject freedom of speech to strict criteria, and freedom of association will also be restricted, as political parties are, according to several interlocutors, directly linked by the population with the violence and chaos that, during the introduction of multi-party system in the years 1991-1994, paved the way to the genocide.

In the framework of the decentralisation policy, in 1999, 2001 and 2002, local elections were held at different administrative levels (cells, districts and sectors), however these elections were conducted on a non-party basis. Nevertheless they allowed the election administration to develop its technical capacities.

Beyond technical and administrative aspects, the forthcoming election process presents a number of challenges to the Rwanda authorities, as on the one hand the legal framework needs to be completed and clarified and on the other hand adequate modalities for effective enjoyment of fundamental freedoms need to be introduced.

¹ Extract from the exploratory mission report.