

The Rwandan Experience

How Palestine Can Benefit from It



Within the project

**The Palestinian Consortium for Non-violence:
towards a regional movement on Non-violence**

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Introduction

The Rwandan experience accomplished a success in dealing with conflicts, making an example for countries that are suffering from civil wars, internal divisions, or armed conflicts now. It demonstrates the ability to rebuild a modern state if an actual willingness is available in spite of the existence of tremendous historical epic violence, oppression or armed conflict. Since the beginning of the nineties, Rwanda has been the scene of the most horrific genocidal wars which caused nearly a million lives of people to be gone. These crimes prompted the resignation of President Bisi Mungu, who was unable to control the country after it plunged into chaos. As a result, a civil war broke out in Rwanda between the government and the Rwandan Patriotic Front. The Hutu majority confronted the Tutsi minority. Their conflict continued until the outbreak of a three-month genocidal war. The massacres, which occurred during the conflict period, are considered the fourth largest genocide in the modern history.

This paper seeks to analyze this conflict and present its historical causes, roots and the repercussions of the genocide on the African society as well as the political parties intervening in the conflict to serve their economic and political interests. The analysis aims to benefit Palestinians, locally, and internationally from this experience, which established a pioneering model for dealing with and resolving conflicts. The purpose of this paper is not to make a comparison and a measurement to reach congruence or rapprochement between countries, which is almost a mission impossible at all levels. Instead, sharing humanitarian experience as a method to reestablish a community and a state which suffered internal conflicts and domestic ways is both vital and inspirational. Through this research paper, we will analyze the Rwandan experience with an attempt to reflect it on the Palestinian case to promote national unity with peaceful approaches.

The Origin of the Rwandan Civil War

The Rwandan conflict dates back to the 1960s when the foreign colonial policies and practices left a major impact on the Rwandan society and civil peace. These led to deep divisions between the Tutsi minority, comprising 10%, and the Hutus majority, comprising 85% of the population. The Belgian colonization deliberately favored the minority at the expense of the majority. For examples, the education and the governmental and administrative positions were preserved for Tutsi minority. Thus, the Hutu's sense of injustice and abuse increased, and it led to a thirst for power. They seized the opportunity upon the evacuation of colonization to transform the brutal reality characterized by practices of exclusion and discrimination against them, into practices of revenge and violence against the Tutsi. Between 1991 and 1994, a raging civil war have started between the Tutsi and the Hutus.

On April 6th, 1994, unidentified assailants fired a missile at the Habyarimana plane. It resulted in the killing of all its passengers, including the President of Rwanda and Burundi, who was returning from several meetings for reaching a peaceful agreement to end the conflict between the Hutu-government and a Tutsi rebel group. Subsequently, Hutu extremists seized power and launched a campaign of extermination against the Tutsi. They incited genocide by spreading racist stereotypes of Tutsans as "Ethiopians" who wanted to re-impose a feudal monarchy and enslave the Hutu majority. Meanwhile, the government ministries was issuing some orders, most of the Hutu population in the country turned against the Tutsi minority with criminal and cruel scenes of revenge. In 100 days about a million people including, women, and children have died. Throughout the country, nearly 75% of the Tutsi population was subjected to genocide by sniping and beatings to death. These crimes were carried out by most of the Hutus, even those who were former friends and neighbors with the Tutsi. At the same time, more than 30,000 moderate Hutus, who refused to

participate in committing this genocide were also killed, as they were considered "traitors". As a result, two million Rwandans sought asylum in the neighboring countries by August 1994.

Consequently, the International Monetary Fund stated: "There has been a collapse of the administrative capacity at the central and local government levels, and a complete paralysis has occurred in the provision of social and financial services.". In the following years of the genocide, all state sectors have been impacted. It produced a reality in which "80% of public employees were without a high school diploma, and only 3.5% of the Ministry of Health employees were qualified doctors or nurses, by 1998." Additionally, the administrative capacity at the local government levels, and the provision of social and financial services have been completely paralyzed and collapsed.

Main Pillars to resolve conflict and rebuild Rwanda

Several attempts towards peace agreements between the regime and the opposition were conducted. However, these attempts were futile because of the reluctance of the rivals to compromise and restore political agreement. Considering the continuing violence between the armed opposition militias and the regime's army in addition to the inferior view that each party had against each other, the Arusha Peace Agreement was reached in Tanzania under regional auspices, and it had a major role in ending the epic civil war. These attempts succeeded because the conflicted parties observed the heavy losses that occurred. There was nothing left to them, but to believe in the principle of acceptance and tolerance.

The German GTZ Institute indicates that conflict management is an attempt to organize the conflict by working to prevent or to end violence. The conflict management is a process that seeks to bring constructive practical solutions from all conflict parties. Some studies of the Swedish Ministry of Foreign Affairs indicate that conflict management is a

process that includes a wide space of promising and important measures to deal with problems whether military, humanitarian or socio-economic and political, and to deal with the institutional environment in various stages of the conflict.

After the genocide ended, the government formed a committee called, the National Commission for Unity and Reconciliation. This committee deals with the Rwandan society which has greatly suffered from the ravages of the genocide. The government has also reconsidered the local solutions (home grown solutions) rooted from the inherited Rwandan culture; it contributes in providing successful solutions to rehabilitate the land and its people. Several strategies have been established to control this crisis. The most highlighted ones were: -

First: Collective Tribunals and Traditional Courts (Gacaca)

The Rwandan government realized that one of the most important strategies of achieving justice and reconciliation in Rwanda is to prosecute all those accused of plotting genocide or committing serious crimes including rape. By mid-2006, national courts have tried about 10,000 suspected genocide crime perpetrators. Due to the large number of defendants, the Rwandan government worked in 2005 to establish a traditional community court system called Gacaca (GA-CHA-CHA). This system has existed previously during the pre-colonial Rwanda time; it proceeds according to the prevailing customs and traditions. However, Rwanda government intervened in this stage and restored social and legal shape of the courts under the availability of an official oversight over them. It also has employed some observants to take notes during the trials.

The Rwandan government has set the objectives of the courts to “knowing the truth about what happened, speeding up the legal procedures for those accused of committing genocide, eradicating the impunity culture, conducting a reconciliation process between

Rwandans and strengthening their unity, using the Rwandan capabilities in the community to deal with their problems through a just system based on Rwandan customs.” Judges were chosen through elections to enhance courts’ trust. The courts issued various penalties on the accused who are involved in committing crimes. The penalties on repentant people who sought reconciliation with the society, were less harsh. In many cases, the confessed detainees returned to their homes without additional penalties, and some were punished with providing service to the community.

More than 12,000 community courts were launched, and they supervised over 1.2 million cases. On May 4, 2012, the Gacaca courts were officially closed. In order to determine who will be subjected to these courts, some crimes classifications have developed. These suspected of committing genocide and crimes against humanity were subject to Gacaca courts, and the accused could appeal their verdicts to Gacaca appeals court. Besides, the organizers of the violent acts were tried by the ordinary courts. The trial procedure included reparation for every harmed person who suffered from the crimes committed. The reparation process took several forms, including material elements such as cash payments or health services and symbolic forms such as a public apology or a Remembrance Day.

Second: Rebuilding the Rwandan Army and Security Forces

the Rwandan authorities, led by the president of Rwanda Paul Kagame, ordered to restructure the military authorities in the country through transforming, reintegrating, and demobilizing the irregular military forces. Also, to disarm and strip former combatants with the aim of rehabilitation of the irregular military forces. The new authorities increased the size and the budget of the new army alongside with transforming its doctrine for an absolute loyalty to the Rwandan state. Thus, it helped absorbing the huge number of the previous combatants and encouraged them to respect the new rules of the country. These plans have

contributed in providing job opportunities for thousands of other Rwandan refugees who returned to the country after 1994.

The Rwandan government has made a great effort to integrate all former forces into the army, including the former Hutu forces, and to foster a solidarity spirit and discipline by initiating an active military integration and solidarity program. It was introduced and implemented immediately after the genocide. The solidarity program included an intensive political education program for all members of the army, and it evoked the history especially the role of the pre-colonial national army in serving the country without ethnic discrimination. The program also aimed to strengthen the historical unity of the Rwandans and build friendship bonds within the army through living together and working side by side without ethnic distinction. Also, people were deployed in their former communities to perform different social services, as they contributed to “spreading a good image” of equality and integration under the new government. Hereby, the army institution became a model of awareness, commitment, and equality among Rwandans. The Rwandan army quickly became known as one of the most highly qualified and combat capable forces, and one of the best disciplined forces in Africa.

Third: Promoting Unity and Reconciliation in Rwanda

The new government focused on ending the conflict based on the reconciliation through reconstructing the Rwandan identity and achieving a balance between equality, reality, peace, and security. These were included in the new constitution guidelines, which stated that “all Rwandans have equal rights” and laws were passed to prevent discrimination and genocide. The new constitution also prohibited the use of the names Hutu and Tutsi and criminalized the use of any ethnic discourse characteristic. Gradually, this plan began to have

a positive resonance in the society, as refugees returned to their country and the organizations were taking effort for restoring the victim's rights.

In 1999 the National Commission for Unity and Reconciliation was established. It undertook the basic responsibilities for the making reconciliation in Rwanda with using the following approaches to promote national unity and reconciliation:

- Engando: Peace Education Program. From 1999 to 2009, more than 90,000 Rwandans participated in this program. It aimed in clarifying the Rwandan history and the secession origins between the people as well as promoting the unity and fighting the genocidal ideology.

- Itorero: Itorero was founded in 2007. It is a leadership academy for promoting the Rwandan values for consummate leaders who strives for community development. between 2007 to 2009, 115228 people participated in this academy. Through this academy, young citizens were educated to understand and to be attached to their own culture. Participants were encouraged to discuss various national programs and the positive values of the Rwandan culture that could help in developing their abilities to practice governance, psychology, work, mutual assistance, life, and cooperation. This approach has been one of the best methods in addressing the development challenges in Rwanda, and it has already recorded significant achievements. It is an opportunity to meet other citizens and stand side by side in order to find solutions and alternatives to specific problems by using the traditional tools.

- Seminars: These seminars aim to train popular leaders, political parties' leaders, youth and women in providing advice on trauma, conflict mitigation, conflict resolution, and early warning systems.

- National Summits: Since 2000, many national summits have been organized about different topics that are related to justice, good governance, human rights, national security, and national history.

- Research: The National Unity and Reconciliation Commission has published a number of studies regarding the causes of the conflict in Rwanda and how to mitigate and resolve it.

Fourth: Establishing Plans for the Economic Growth, Development, and State Building

The development of Rwanda arose after the swamp of war and blood with Paul Kagame, who took the power in 2000. He set out a clear strategy and vision to manage the country and save it from the chaos that devoured its wealth and its people. Kagame's first goal was to unify the people and extract them from poverty. Despite the resulted state of despair that followed the grinding war and invaded the Rwandans hearts, the country's government had a different position. It drew up a plan to develop agriculture with the help of several foreign experts, established a telephone network for the agricultural information, an office for exportations and transportation of crops. The government also provided fertilizers with cheap prices and agricultural equipment with favorable rates.

The government provided soft loans to farmers. After only 5 years, coffee production increased from 30 thousand tons after the war to 15 million tons after the five years following the war, and more that 70% of the population of Rwanda became employed in the agricultural sector. Therefore, poverty levels decreased when food productivity increased. From 2010 to 2014, the value of food production increased from \$ 1.2 million to \$ 2 million, an increase of 60 percent. According to writer Grace Ellison, the experts pointed out that the rapid growth in agricultural productivity and food security resulted from a set of multiple government practices and reforms. For example, the crop intensification program and the land use support

laws, which were respectively implemented in 2007 and 2008, provided farmers with the essential resources and trainings to increase the production.

The government development programs were not exclusive to the agriculture; rather it encouraged foreign investment. Whereas a businessman normally needs weeks or months to obtain a license to work, Rwanda developed a new investment law and established what is known as the "one-stop shop" system, which enables the investor to complete all procedures in the country in one place and within a few hours. Also, it established an advisory council for investment and development, and its members were highly qualified Rwandans who are in various countries in the world. Rwanda canceled visas for all foreigners, whether they are Africans, Europeans, or any others. Thus, Kigali, which is the capital, is the most welcoming capital for foreign tourists today, given these facilities and the flexible procedures in its international airport. These practices and plans contributed in the development of the raw internal production within 13 years. In 1994, it did not exceed 900 million dollars, but it reached 9.14 billion dollars in 2017.

Consequently, it turned into one of the most important emerging economies in the world with an average growth rate of 7.5% in the year. According to the COMESA report for the year 2016, it was classified as the first country in Africa to attract investors and businessmen. Subsequently, several detailed plans that seek to promote a culture of unity and national reconciliation were drawn up. It included the development of education, youth capabilities, and re-teaching the history that promote a culture of civil peace.

How Palestinians can benefit from the Rwandan Experience

One of the most important reasons that contributed in bringing radical transformations in Rwanda is the people agreement to resolve differences with “neither a victor nor a defeated” motto, which means the loss was for all parties. Based on that, Rwanda was able to recover

from its conflict and civil wars. Likewise, in the political level, the state parties whether in the government or the opposition have agreed on certain points, which are considered as the red lines that cannot be crossed despite any disagreement among them. In addition, they implement a participatory justice system and established a committee for unity and national reconciliation. After reviewing the historical roots and the dramatical events of the conflict in Rwanda, we wonder about the possibility of benefiting from the Rwandan experience in Palestine to end the political secession, which took a number of innocent people lives.

There are numerous similarities between both experiences, the Palestinian and the Rwandan. These similarities are represented in the motives of each conflict, which are mainly based on the non-acceptance of the other, the intolerance and the failure of resolving the political disputes by peaceful means. However, there are differences regarding each experience results. For instance, the number of victims, the destruction of the state institutions, property looting, cases of torture, the occurrence of political division density are varied. For that reason, the history and context of these struggles in both cases are not exactly the same, as the brutality of racial discrimination in Rwanda included violations of human rights and dignity took a different character. It is difficult to fully compare the two experiences, as the conflict in Palestine has a special character that differs from what happened in Rwanda, despite the aforementioned similarities; However, through this paper, we will try to benefit from the Rwandan experience, by reviewing the Palestinian case and trying to develop solutions adapted and inspired by the Rwandan experience with some amendments that can help in applying them to the Palestinian case.

The Palestinian political division between Fatah and Hamas parties is the main obstacle to the reconciliation between the Palestinian parties. This is similar to the dispute that existed between the Hutu and Tutsi tribes in Rwanda. In 2007, the lack of trust between the two political parties have rooted from their division. Hamas controlled the Gaza Strip

after its victory in the 2006 legislative council elections and a period of violent clashes between the security forces of Fatah and Hamas movements. It left more than 490 Palestinians dead, hundreds of injuries, cases of torture and unlawful detentions in the West Bank and the Gaza Strip, destroyed official institutions and weakened the Palestinian National Authority with all its components.

Since the secession occurred and until the present day, Hamas and Fatah movements signed several reconciliation agreements. Several regional and international external parties intervened in order to end the secession and promote unity and social reconciliation, but all these agreements, initiatives and attempts failed due to the lack of determination and real willingness to implement reconciliation. The matter was limited to mere speeches and media slogans, so the Palestinian citizens have lost confidence in any attempt to end the division. In order to overcome this real crisis that threatens the Palestinian state, and to avoid repeating the failure of the previous attempts, we must learn from previous international experiences in ending conflicts and strengthening civil peace and national reconciliation. On top of which is the Rwandan experience. Everyone is required to press towards moving according to a clear plan to benefit from international experiences with transitional justice basis. For this, the Palestinian national reconciliation process must proceed according to the following points:

First: Prosecutions

The prosecution process is one of the most important approaches used to implement the transitional justice. The prosecution is based on ensuring that all officials and those involved in committing serious violations of the domestic law or the international humanitarian law, as well as serious violations of international human rights law are prosecuted. These trials are conducted in accordance with the international standards of a fair trial, and to punish the perpetrators as appropriate. These trials should be conducted with an

objective and non-discriminatory manner regardless of the identity of the alleged perpetrators, so that it would be considered legitimate and credible. It is a crucial step to achieve a significant progress in the Palestinian reconciliation process. Accordingly, that requires a competent national capacity for investigation and prosecution, an independent and effective judicial power as well as to provide protection and support for witnesses and victims, and an adequate legal defense for the accused people.

It is necessary to make a comprehensive reform of the Palestinian judiciary system. It has become controlled by the executive authority, which is politicized and has lost citizens' confidence in it. Consequently, it prompted people to resort to informal justice mechanisms instead of placing their trust in the courts. In order to achieve a real reform of the Palestinian judiciary system, it is imperative to benefit from the experiences of other countries in the reforming process such as Rwanda. Rwanda have worked to promote a new principle that contributes to preserving civil peace. It has implemented fundamental reforms in the judiciary system characterized in the absolute prohibition of discrimination between individuals for any reason and the rehabilitation of all its employees. Furthermore, it prohibit the interference by the executive authority in the judiciary for any reason. Rwanda have strengthened these reforms by protecting them through the Rwandan constitutional law.

Despite the serious violations committed by both sides during the period of internal fighting, Hamas and Fatah did not make any effort to investigate these crimes committed by the forces under their control. This file, which many avoid talking about or open it, is considered to be one of the most important pillars to build a national reconciliation and transitional justice. It is also a vital mean to encourage victims and their families to tolerate and go beyond the past, especially when they see the perpetrators of these crimes receive their punishment. These mechanisms are what the new government of Rwanda has taken in order to overcome its conflict and internal civil wars; the accountability process is a deterrent

method against committing new violations and a formal condemnation of the crimes committed.

Second: Reparation and the Reinforcement of Reconciliation

The reparation programs seek to provide compensation for the systematic human rights violations committed during the internal disputes. The reparation process take various forms, including restitution, monetary compensation, rehabilitation, medical and psychological services, health care, satisfaction, guarantees of the non-repetition, and the official public apologies, building museums and memorials. When examining the Rwandan experience, we find that the government has been keen to apply the principle of reparation to the victims and their families. Thus, it contributed in acknowledging the violations that occurred against them and preparing to move to the stage of unity and development.

As for the Palestinian case, Community Reconciliation Committee was established due to the Cairo Agreement in 2011, in order to encourage civil peace and support reconciliation between Hamas and Fatah. The committee objectives are: restoring the Palestinian unity by ending the most substantial cases of the internal strife victims, ending the tension and the disagreements between families who lost some of its members during the fighting, to put an end to the justifications that cover the crimes' perpetrators, and to encourage social reconciliation to end the secession. Despite these ambitious goals of the Commission, it did not meet regularly, and did not fully fulfill its role.

In fact, it is noticed that the issue of compensation in the Palestinian context has not received full attention despite its importance and danger. Still, there are efforts that have been practiced in order to recompense the harm. These efforts were exemplified by the role played by the Islamic National Committee for Development and Social Solidarity through paying financial compensation to some of the victims' families. This committee resolved about 174

cases by paying \$ 50,000 for each. Despite the similarities of this committee with the National Commission for Unity and Reconciliation, which assumed primary responsibility for reconciliation efforts in Rwanda, the committee formed in the Gaza Strip did not reach satisfactory results for its work. Due to several reasons, the most important of which are; the committee did not gain Palestinian consensus due to its formation being limited to some Palestinian political parties, which affected the way that Palestinians dealt with it and the results achieved by this committee. Also, the way this committee works to compensate harms was not satisfying to all the families of the victims. Some of the victims' families categorically rejected the method by which the committee carries out financial compensation without taking legal and punitive measures against the perpetrators of the crimes. Moreover, this committee was formed only in the Gaza Strip, not the West Bank.

The idea of forming the reconciliation based on the material compensation instead the amnesty is a clear violation of the victims' rights, and it is an obvious protection for the perpetrators of crimes. Therefore, the process of reparation must be complete and comprehensive of all means and tools that preserve the rights of victims and ensure the punishment of the perpetrators of crimes. The reconciliation process needs a clear and specific strategy that is agreed on from all Palestinians. Everyone should contribute in formulating it, provided that it includes social awareness programs and tools and integrating reconciliation concepts in programs and curricula.

Third: Institutions Reform

Reforming public institutions is an essential process to promote a transitional justice. This can happen if public institutions that supported the secession turned into institutions that support the transitional process and preserve the rule of law. The internal fight have produced devastating repercussions on the Palestinian institutions and its workers. The official

institutions have converted to serve a systematic policy of repression and enfranchisement. It has also violated the law and employed it for partisan interests and instructions. The institutional reform in Palestine is a way to ensure managing crimes and providing constitutional and legal guarantees to protect people. The reform process must include several areas in the Palestinian case. The most prominent of which is a constitutional reform, as well as ensuring judiciary independence and development, supervising the security institutions, confirming transparency and accountability, and training state employees. The institutional reform must depend on a transitional justice in order to proceed; the Palestinian legislation must be unified with the legislative council, political parties and others who are responsible for implementing justice within the country's public policies.

Fourth: Forming Truth Commissions

Countries and governments that have experienced conflicts and internal disputes forms committees to find truth by investigating human rights violations. The need to understand the causes of disputes arises during the transitional phase. The tyranny is used to hide the human rights violations committed during the internal fighting in term of their dimensions, density, and scope. The truth commissions are non-judicial or quasi-judicial investigation bodies. It undertakes the investigation of violence models committed in the past, and the disclosure of the causes and consequences of these destructive acts. Therefore, it facilitates the reform process, ends internal fighting, deals with its effects, and avoids its occurrence again.

In numerous international experiences, especially the Rwandan experience, the process of forming truth commissions succeeded in facilitating dialogue and making real progress towards reconciliation. Therefore, such committees has become a necessary condition for achieving transitional justice and limiting the internal fighting effects.

Regarding the Palestinian situation, there has never been during the reconciliation rounds a talk about forming a truth commission. This clearly indicates the absence of willingness towards a real national reconciliation. The reforming process is mainly based on establishing a truth-finding commission.

In 2017, the Independent Commission for Human Rights presented an idea about founding equity and reconciliation Commission. This would serve as a truth committee for promoting transitional justice, specializing in evaluating, researching, investigating, and proposing recommendations about the events that occurred during the internal dispute. It decide on compensation requests submitted by individuals, its work is limited to violations that affect human rights within specific timeline. The equity and reconciliation commission is formed by law that defines its terms of reference, composition as well as its working mechanisms, and provides it with guarantees of independence. We can only obtain its advantages when ensuring its neutrality and individualistic, and independence.

Conclusion

It became clear that a comprehensive national and social reconciliation is possible to be achieved, regardless of the crimes scale and violations. This depends on the political party's willingness to end the division and apply the effective approaches and mechanisms. To sum up, reconciliation process does not mean obliterating the truth and turning the page without reading it. Rather, it is a goal to be achieved through the completion of all the above-mentioned components of prosecution, reparation, institutional reform, the formation of committees, and the truth. It is imperative to preserve memory to enable people learn from previous mistakes to not repeat them. There is no doubt that the reconciliation process has many entrances and methods, including political and legal, dialogue mechanism, common

identity promotion among the Palestinian parties, and finally formulating a common social strategy defended by people.

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