After Dictatorship

Instruments of Transitional Justice in Post-Authoritarian Systems

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Julia Viebach

Rwanda: Transitional Justice after Genocide

Introduction

After the 1994 Genocide against the Tutsi (hereafter, Genocide or 1994 Genocide), the Rwandan government under the leadership of the Rwandan Patriotic Front (RPF) embarked on a comprehensive, complex and creative transitional justice strategy to rebuild the country. Until around 1998 the RPF followed a maximal accountability approach to end the cycle of impunity in the country; reconciliation and therefore a truth commission were not an option at that point. At the end of the 1990s, however, Paul Kagame – Rwanda's president – changed course and introduced comprehensive and wide-reaching measures to embed the accountability approach into societal and civic education measures that included the creation of the National Unity and Reconciliation Commission (NURC) and national commemoration events, as well as the establishment of memorials. In its approach, the government used especially 'traditional', home-grown solutions, of which *gacaca* is perhaps the best known.

For many commentators, Rwanda has made remarkable progress in economic development, nation-building and peace-building, whilst for others Rwanda remains an authoritarian regime that has imposed 'victors' justice' over its Hutu population, thus limiting democratic space and the opportunity to talk openly about what happened in 1994. Some scholars have declared a 'tutsification' of society and politics and have even warned of civil unrest and violence, but these predictions have not materialized thus far. Rwanda remains, however, a contested and highly politicized country, in the 'real world' and in academic scholarship alike.

This report does not take a neutral stand towards these critiques, nor does it romanticize Rwanda's efforts in coming to terms with the past. It attempts to paint a balanced picture of the many successes as well as the shortcomings in Rwanda's transitional justice programme. Any transitional justice process is imperfect, and social repair processes are necessarily complex, messy and, at times, even violent – this is the starting point for this report. In drawing out the complexities of transition, the report will first give a brief overview of the history of Rwanda and the events that culminated in the explosion of violence there. In the second part it will critically assess criminal prosecutions on the local (*gacaca*) national (Specialized Chambers) and international (International Criminal Tribunal for Rwanda, hereafter ICTR or the Tribunal) level, discuss (the lack of) reparations, reconciliation measures such as the NURC and detail memorialization in form of archives, memorials and commemoration, before critically assessing some of these institutions.

It is difficult to provide a 'measurable' assessment of Rwanda's long, comprehensive and ever-changing process of dealing with the past. Therefore, this report does not claim to be exhaustive and to cover all aspects of Rwanda's transition 27 years

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after the Genocide. The report is based on an analysis of secondary literature and more than ten years of research experience in the country, and with Rwandans in the diaspora. The use of the terminology 'Genocide against the Tutsi' does not imply a positive bias towards the government, but is rather an attempt to use the official United Nations (UN) terminology that was introduced in 2003.

1 The Experience of Dictatorship

1.1 Relevant Period

There are several critical junctures in the history of Rwanda that can help explain the long way to the 1994 Genocide and the particular choices made in the national response to its legacy. The history of Rwanda is contested, and several different narratives thereof, especially concerning the role of ethnicity and inter-communal relations, exist in the scholarship and in Rwanda itself. As will be shown later, the Rwandan government has pursued a particular historical narrative that depicts Rwandan community life as peaceful and harmonious before the arrival of the German colonizers. Independent of instrumentalized historical narratives, one can locate critical junctures at (1) the colonial period and the 'social revolution', (2) the First republic, (3) the Second republic and finally (4) the unresolved crisis of 'case-load' refugees.

1.1.1 Colonial Period and the 'Social Revolution'

Rwanda was colonized in 1899 by the Germans. They introduced a system of indirect rule and elevated the power of the *mwami* (Tutsi dynasty). In the wake of rising race ideology in Europe at that time, the German colonial powers declared the Tutsi the superior race both in mental and physical capacity. Hence, they put Tutsi chiefs in control of the population. Tutsi, Hutu and Twa, however, were originally social castes and therefore fluid in nature. The Tutsi were pastoralists (and constituted the *mwami* royal family), the Hutu agriculturalists and the Twa hunter-gatherers who lived at the bottom of the social hierarchy. However, it was possible to 'climb up' the social hierarchy and become Hutu or Tutsi through the generation of wealth, especially in the form of cattle and land. The groups had lived together (though not without conflict) in communities for centuries and shared the same customs and beliefs. Hutus were more and more controlled and forced into precarious patron-client relations, and increased shortage of land led to an increase in the institutionalized exploitation of the lower classes even before colonialism (1860 – 1895). Rwandan society and culture were organized and structured along this classsystem, so that the establishment of indirect rule unbalanced cultural norms and societal rules and at the same time

furthered the exploitation of the Hutu and Twa – now under a racial lens – even more. Racial education became an important strategy in colonial rule[1] and ultimately led to the formation of ethnic identities, which justifies the use of the term 'genocide'.

With the loss of World War I, Germany was forced to give up its colonial territories, and Rwanda was handed to Belgium, which had already violently conquered and ruled neighbouring Congo (which was property of King Leopold). Under Belgian rule, the control of the Hutu population tightened (in the form of forced labour), and colonial authorities emphasized racial identities. In a census of 1933, everyone with more than 10 cattle (usually cows) was identified as Tutsi; everyone was given an identity card declaring their 'race' or 'ethnic group', which was often used during the Genocide to identify the Tutsi at roadblocks.[2]

In 1946, after World War II, Rwanda had become trustee territory of the UN, which allowed the international body to investigate the situation in its territories. The discrimination of the Hutu was noted as a problem in the governance of the country and the demands for political representation of the Hutu increased. The Church played an important role in the emancipation of the Hutu population, which was open to conversion to Christianity, whilst especially the *mwami* continued to hold on to their customary beliefs. In 1957, the Hutu Manifesto was published, with the help of Belgian priests, by Hutu elites, amongst them the future president Grégoire Kayibanda. The Manifesto recognized the legal distinction between the 'races' and demanded egalitarian representation of the Hutu in political positions; it furthermore demanded the end of colonialism and the Tutsi monarchy, arguing that the Tutsi had invaded Hutu land (the so-called Hamite thesis).[3] The end of the 1950s saw the rise of political parties along ethnic lines and 'ethnic' tensions that broke out in open anti-Tutsi violence in 1959, which resulted in the death of the incumbent king (under mysterious circumstances). As a response to the civil unrest and in support of the Hutu, colonial authorities replaced Tutsi chiefs with Hutu ones. This move led to even more violence and consequently more than 100,000 refugees, also called 'old-case load' refugees, sought refuge in neighbouring countries. The Hutu 'social revolution' was born. In the wake of the 'social revolution', the King fled to Uganda and the monarchy was officially abolished in 1961.

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1 Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda* (Princeton: Princeton University Press, 2001), 19.

2 Since Tutsi, Hutu and Twa are not racial groups, they cannot be distinguished by physical markers, although the race ideology of the European colonizers clearly invented physical distinctions between the groups; e. g. the Tutsi were supposed to be tall with filigree, long limbs and fine facial features. These physical differences were later also used in the propagation of the so-called Hamite thesis that declared that the Tutsi were foreigners originating from Ethiopia.

3 Catharine Newbury, *The Cohesion of Oppression: Clientship and Ethnicity in Rwanda, 1860–1960* (New York: Colombia University Press, 1988), 191.

1.1.2 Republic under President Kayibanda

Rwanda gained independence from colonial rule on 1 July 1962 after elections under the auspices of the UN favoured a clear majority for the *Parti du Mouvement d'Émanicpation Hutu*, PARMEHUTU (founded by Kayibanda). In late 1963, Tutsi exiles invaded Rwanda in order to bring the Tutsi back into power, but failed in their attempt. As a consequence, 'ethnic' violence against the Tutsi population and political opponents reached unprecedent brutality and proportions. In over three years of the 'social revolution' approximately 10,000 people died and another 130,000 were forced into exile.[4]

1.1.3 Republic under President Habyarimana

The years 1972 and 1973 were characterized by further turmoil and change partially rooted in developments in neighbouring Burundi, where a coup against the military Tutsi junta failed, which led to the revenge massacre of around 200,000 Hutus. This triggered an influx of Hutu refugees into Rwanda that not only created a volatile situation, but also saw further violence against the Tutsi to revenge the death of Hutus in Burundi. In 1973, General Juvénal Habyarimana ousted Kayibanda and declared himself president. Under his totalitarian rule, the Tutsi were further discriminated against and cast out of public offices. With Habyarimana, the southern dominated rule of the PARMEHUTU came to an end and opened the door for a far more radical Hutu elite from the north, who later became the masterminds of the Genocide and who were key figures in Habyarimana's *Mouvement Révolutionnaire National pour le Développement* (MRND).

1.1.4 The unresolved refugee crisis

There are several developments under Habyarimana's totalitarian reign that are important for understanding the background to the 1994 Genocide. In the late 1980s, his power began to crumble due to the fall in coffee and tea prices. Whilst he became a close ally of France and in particular François Mitterrand, he proved more and more unable to control the radical forces in his own party. At the same time, with the end of the Cold War and the 'third wave of democratization', international demands to pluralize the country became louder. But perhaps the most important aspect was the unresolved refugee crisis of Tutsi who had fled the 'ethnic' violence in the wake of the 'social revolution' and the 1963 and 1973 turmoil. Many of them in

4 Paul J. Magnarella, 'The Background and Causes of the Genocide in Rwanda,' *Journal of International Criminal Justice* 3(4) (2005), 809–810.

Uganda (the country that hosted the majority of Tutsi refugees) had joined Musevini's revolutionary army and were extremely well-trained in warfare and guerrilla tactics; they helped Musevini's National Resistance Movement (NRM) fight then president Obote's (1980 – 1985) national army in Uganda's five-year civil war. In return, Musevini had promised them citizenship, a promise which was to remain an unfulfilled due to protests by Ugandans once he took power in 1986. So too had the MDNR continuously refused to allow the Tutsi refugees to return to Rwanda. The hopes of thousands of Tutsi to come home were thus shattered, and must be seen as the main reason for the RPF's invasion of Rwanda on 1 October 1990.

1.2 Political Background

The historical junctures outlined above constitute the indirect causes of the Genocide of 1994. With the military invasion driven by the Rwandan Patriotic Army (RPA)[5] under Major Paul Kagame, the Rwandan civil war began. The invasion caused an outcry within the Western world, which was largely sympathetic to the Habyarimana regime, which had brought relative peace and stability to the region, and prompted France (under Mitterrand) to send troops to Rwanda to help push back the RPA. Despite its initial failure, the RPA continued to run insurgency operations in the north of Rwanda and destabilized the region. The MDNR quickly realized that this war – given the extraordinary military training of the RPA – could not be won. Under pressure from the African Union (then the Organization of African Unity, OAU), the Rwandan government entered negotiations with the RPA. In August 1993, the Arusha Peace Accords were signed after more than a year of negotiations. The Arusha Accords stipulated a power-sharing regime representing all (ethnic) factions including the RPF, and the UN was to deploy a peacekeeping force (United Nation Assistance Mission for Rwanda, UNAMIR)[6] to monitor the smooth running of the political and military reform process and to provide humanitarian assistance.[7]

The radical forces within the MDNR saw their power crumbling in the wake of the peace agreement and feared the prospect of a power-sharing government that would allow the Tutsi to gain back control of political affairs. Between 1992 and 1993 there were already rumours that the radical wing of the MDNR was organizing

5 The RPA was the military wing of the Rwandan Patriotic Front (RPF), which was founded in Uganda in the 1980s. RPA and RPF are used interchangeably.

6 UNAMIR was established by UN SC resolution 872 on 5 October 1993. The peacekeeping force, however, did not have the power to use force (only in self-defence) to implement their mission; they were to be sent to Rwanda in a supporting and monitoring function; i.e. they were not deployed under a Chapter VII mandate but under a Chapter VI one only. This was largely because the United States wanted to avoid another Somalia debacle.

7 See further on the mandate of UNAMIR, accessed 23 January 2021, https://peacekeeping.un.org/sites/default/files/past/unamirFT.htm.

death squads, and the peace negotiations fuelled an extremism that was communicated to the population in form of hate propaganda.[8] This increased the fear of many Hutu that a new Tutsi regime would be installed.[9] Habyarimana was largely powerless against the radicalization of his party and his closest allies, who increasingly and openly resisted his moderate course and his willingness to cooperate with the RPF, which was seen as giving in to the international community's demands of democratization.

In sum, between 1990 and 1994 Rwanda fell into a deep, multifaceted and escalating crisis. Three years of civil war and violent politics (there were small-scale massacres of the Tutsi in 1992 and 1993 already) had brutalized the country, leaving thousands of internally displaced people in the north and thousands of Burundian refugees in the south. Despite the peace agreement, both parties were rearming and preparing for war. Hutu hardliners continued their efforts to remain in power by irregular means and started the training of militias, developed assassination plans and funded racist propaganda.[10]

1.3 Ideological Justification

The so-called *akazu*[11], a circle of influential politicians, military personnel, businessmen and intellectual elites around Habyarimana's wife Agathe Kanziga, was the central force behind the Hutu Power movement and the increasing radicalization of the MDNR. According to their extremist ideology, Rwanda should be a nation of and for the Hutu only. They cast the Tutsi as invaders from Ethiopia who wanted to reinstall the monarchy and exploit the Hutu. The invasion of the RPA gave the Hutu Power movement a boost, as they used this as a welcome opportunity to mobilize the population against the Tutsi, spreading fear and using dehumanizing language such as *inyenzi*, cockroach, to refer to Tutsi. In 1990 Hutu Power published the notorious *Hutu Ten Commandments*, which called on all Hutu to refrain from any relation with the Tutsi, in particular Tutsi women, and encouraged the Hutu to uphold the values of the 'social revolution'.

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8 Gérard Prunier, *The Rwanda Crisis: History of a Genocide* (New York: Colombia University Press, 1997), 170–173.
9 Mamdami, *When Victims Become Killers*.
10 Scott Straus, *The Order of Genocide: Race, Power, and War in Rwanda* (Ithaca and London: Cornell University Press, 2006), 31–32.
11 *Akazu* means 'small house' and was traditionally used to describe the circle of courtiers around the *mwami*. Most of this inner circle was later indicted by the ICTR, except Agathe Kanziga, who escaped with the help of France and still lives there today. The RPF ever since has tried to convince French authorities to extradite her to stand trial in Rwanda, which would make an important case in proving their claim that the Genocide was planned long before its execution.

Hutu Power founded the newspaper *Kangura* and the radio station Radio Télévision Libre des Mille Collines (RTLM), which broadcast their racist propaganda and during the Genocide incited killings, including the publication of lists of Tutsi to be killed as well as orders of where to set up roadblocks (see ICTR media case in section 2.9). Music also played a role in fuelling anti-Tutsi propaganda.[12] Crucially, Hutu Power formed the *Coalition pour la Défense de la République* (CDR) and founded the 'youth wing' of the MDNR, the notorious *Interahamwe*, which committed the majority of massacres during the Genocide.

1.4 Structures of Persecution

1.4.1 The Genocide and the International Community

The Genocide started on the night of 6 to 7 April, when the plane of president Habyarimana was shot down over Kigali. The killings started all over the country the same night. With the death of Habyarimana, Prime Minister Agathe Uwilingiyimana, a moderate Hutu, had become head of state. She was killed by the Presidential Guard as early as 7 April, together with the Belgian UN blue helmets who were ordered to protect her. Jean Kambanda, a member of Hutu Power, then became head of state and further incited violence and planned the military strategy against the RPA (especially together with Colonel Théoneste Bagosora), which had resumed their military operations again and crossed the northern border from Uganda.

The UNAMIR peacekeepers were passive witnesses to the massacres unfolding around them.[13] They were even more weakened by the decision of the Belgian government to withdraw their contingent after the murder of ten of their soldiers. The force was reduced from more than 2,500 to only 270 peacekeepers in UN resolution 912 of 21 April 1994, whilst the special forces of Western nations evacuated their citizens but left the Tutsi behind to die.[14] The UN SC and especially its permanent members from the United States and the UK refused to declare that the massacres unfolding in Rwanda constituted genocide, which would have obliged the SC to intervene

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12 See, e.g., Prosecutor vs. Simon Bikindi, ICTR-99–52-T. Bikindi was a MDNR propagandist and singer who called on the population to 'be vigilant against Rwanda's enemies' (Straus 2006, 29).
13 See for a detailed account Dallaire 2003. Dallaire was the Canadian commander of the UN troops. Thanks to his wholehearted intervention, thousands of Tutsi were saved. In a deal with the *Interahamwe*, he negotiated the exchange of Tutsi civilians. Dallaire never came to terms with the failure of the UN and the horror he had witnessed; he attempted suicide several times.
14 It is uncontested that the elite forces that evacuated their citizens together with the UN troops and further stationed US marines in Bujumbura and further Western armies in Nairobi and Eastern Africa could have easily ended the Genocide by military means in its very early stages in April 1994; see further Alison Des Forges, *Leave None to Tell the Story: Genocide in Rwanda* (New York: Human Rights Watch, 1999).

according to the 1948 Genocide Convention.[15] Only in June 1994, when the scale of the massacres could no longer be ignored, did France suggest the humanitarian intervention *Opération Turquoise* to the Security Council. The intervention would open a safe corridor to save the Tutsi in the southwest of Rwanda. However, it turned into a disaster, enabling a safe haven for the killers and providing them shelter from the RPA whilst the massacres continued.[16] Through the *Zone Turquoise*, many *génocidaires* escaped to Zaire and were later involved in massacres in the Zairian refugee camps.

The RPA won the civil war and ended the Genocide by military means on 4 July 1994.

1.4.2 Extent and structure of the violence

Two peculiarities characterize the Genocide in Rwanda compared to other genocides of the twentieth century[17]: one is the *mass participation* of the population.[18] Neighbours killed neighbours and, even within families, people were forced to kill their loved ones.

The second unique aspect of the Genocide was its *extreme level of brutality*. In particular, traditional weapons and agricultural tools such as machetes, (nail-studded) clubs and spears were used. Until that point, machetes had only been used for work on the farms and banana plantations. These weapons humiliated, mutilated and maimed the bodies of their Tutsi victims, often causing a slow and tremendously painful death. In addition, within the Hutu radical ideology, the Tutsi were depicted not only as traitors, enemies and foreigners[19], but also as 'blocking beings': those who could potentially 'impede the movement of the material/symbolic material necessary to the social reproduction of human beings'[20]. The killers therefore ascribed and inscribed cultural symbolism on the bodies of their victims. The cutting off of the Achilles tendons, arms and legs can be understood in this way. Cruelty served

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15 See for a detailed analysis of the failure of the international community Linda Melvern, *A People Betrayed: The role of the West in Rwanda's Genocide* (London: Zed Books, 2019); Linda Melvern, *Conspiracy to Murder: The Rwandan Genocide* (London: Verso, 2006).
16 Prunier, *The Rwanda Crisis*, 288 – 290.
17 This analysis of the genocidal violence is taken from Julia Viebach, 'Mediating "absence-presence" at Rwanda's genocide memorials: of care-taking, memory and proximity to the dead,' *Critical African Studies* 12(2) (2020): 245 – 247.
18 For a compelling account of the rationale of the killings that goes beyond fear or ethnic hatred, see Lee Fujii, *Killing Neighbors: Webs of Violence in Rwanda* (New York: Cornell University Press, 2011).
19 Cf. Mamdami, *When Victims Become Killers*; Prunier, *The Rwanda Crisis*.
20 Christopher Taylor, 'The Cultural Face of Terror in the Rwandan Genocide of 1994,' in *Annihilating Difference: The Anthropology of Genocide*, ed. Alexander Laban Hinton (Berkley: University of California Press, 2002), 164.

to humiliate, dehumanize and inflict unimaginable suffering on the bodies of Tutsi as a group. However, the level of cruelty differed according to area and region. Some early reports by local actors like IBUKA (survivor umbrella organization, see further section 2.10), which investigated the methods of killing, concluded that instruments such as clubs and machetes were used across the country, but that the patterns of use differed within regions.[21] Nyarabuye, for instance, is known amongst survivors for cannibalism, whereas Nyamata is infamous for sexual violence against Tutsi women.

Another aspect of the cruelty was the widespread horrendous and systematic *sexual violence against women*. The cruelty can be linked to culturally encoded beliefs and customs around the flow and blockage of body fluids.[22] Taylor describes the impalement of women, often from the vagina to the mouth, or anus to head, as being associated with the 'body of conduit' which was, in pre-colonial times, connected to an idea of forming social relations by the flow of conduits through the digestive and reproductive systems of the human body.[23] Accounts of sexualized violence were retold in interviews the author conducted with individuals who survived these atrocities. For instance, the Nyamata memorial crypt displays the coffin of a woman named Annonciata Mukandoli, who was gang-raped together with a group of women whilst she still had her baby on her back. Today, her coffin symbolizes the violation of the female Tutsi body during the Genocide, which is closely linked to Hutu ideology (in particular the *Hutu ten Commandments*, see above) and the belief that Tutsi women were superior to Hutu women (personal interview, 10.09.2014). Killers not only humiliated the bodies of their victims ante-mortem, as the case of Annonciata exemplifies, but also post-mortem: they were often thrown in latrines or buried (sometimes alive) in mass graves or left naked on the ground to be eaten by dogs and other animals.[24]

An estimated 49.9 percent of surviving women and girls (living in Rwanda in 1994) were (gang-) raped, held as sexual slaves, forced into 'marriages' and/or sexually tortured and mutilated during the Genocide;[25] approximately 25,000 contracted HIV/AIDS through this strategically deployed and devastating 'weapon of war'.[26]

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21 Remi Korman, 'The Tutsi Body in the 1994 Genocide: Ideology, Physical Destruction, and Memory,' in *Destruction and Human Remains: Disposal and Concealment in Genocide and Mass Violence*, ed. Jean-Marc Dreyfus and Elisabeth Anstett (Manchester: Manchester University Press, 2014), 8.

22 Taylor, 'The Cultural Face of Terror in the Rwandan Genocide of 1994.'

23 Taylor, 'The Cultural Face of Terror in the Rwandan Genocide of 1994,' 155, 165–166.

24 This is one of the reasons that the laws introducing the gacaca jurisdiction listed the crime of humiliating dead bodies; see further section 2.2.2.

25 Jennie E. Burnet, 'Rape as a Weapon of Genocide: Gender, Patriarchy, and Sexual Violence in the Rwandan Genocide,' *Anthropology Faculty Publications* 13 (2015), 1. Many Hutu women also endured sexual violence, and Burnet argues that an unknown number of women and girls independent of ethnicity were pressured into sexual relations with RPF soldiers after they had reached the IDP camps in RPF territory (Burnet 2012, 98).

1.5 Victim Groups

The primary victims of the Genocide were Tutsi. The plan was to eradicate Tutsi, so killers did not spare women, the elderly, children or babies. Particularly in the countryside, where people knew each other very well, it was easy to identify who was Tutsi, and escape was almost impossible except with the help of neighbours or kind strangers.

Especially in the beginning of the Genocide, the intellectual Hutu elite, politicians, journalists and academics were killed, too. Furthermore, some Hutu who resisted the killings or were found hiding Tutsi were murdered. The Twa were less targeted but also fell victim to the massacres; there is much less information on their fate than about Tutsi and Hutu victims. An estimated 800,000 to one million Tutsi and approximately 200,000 Hutu were killed.[27]

The Genocide left around 100,000 orphans and hundreds of thousands more were separated from their parents during forced repatriations between 1995 and 1997. 'Estimates suggest that 10 per cent of children aged 0–18 years old lost one or both parents, 110,000 children are living in child-headed households due to parental death or imprisonment, 7,000 children live on the street and 19,000 children under 14 years old are infected by HIV/AIDS'.[28]

The Hutu were also victims of (systematic) killings, namely by the RPA during the civil war and towards the end of the Genocide.[29] Human rights groups estimate that between 25,000 and 30,000 people were killed by the RPA in 1994.[30] The infamous Gersony Report of 1994 estimated 30,000 RPF killings in the north-west and Kibungo alone.[31] A further 4,000 civilians were massacred in April 1995 during the forceful repatriation of internally displaced people from the Kibeho refugee

26 Mary Kayitesi-Blewitt, 'Funding development in Rwanda: the survivors' perspective,' *Development in Practice* 16 (2006), 318. See for a detailed description of sexual violence during the Genocide, Human Rights Watch 1996 Shattered Lives, accessed 23 January 2021, https://www.hrw.org/reports/1996/Rwanda.htm.

27 There are contestations around the exact number of Genocide victims. De Forges reports 800,000 victims, whilst the government promotes a number of 1 million victims. Most frequently used in the literature is the figure of 800,000 victims.

28 Kirrily Pells, ''Rights are everything we don't have': Clashing Conceptions of Vulnerability and Agency in the Daily Lives of Rwandan Children and Youth,' *Children's Geographies* 10(4) (2012): 427–440.

29 Prunier identifies three periods of RPF killings (1997, 361): large and frequent killings right at the start of the Genocide until around mid-1995; a second period of semi-respect for human rights until early 1996 in an attempt to control revenge killings; and finally, renewed killings in 1996 when the cross-border raids from the Kivu became more frequent and the RPF started to kill civilians as reprisal for supporting the guerrilla (counterinsurgency tactic).

30 Des Forges, *Leave None to tell the story*, 734.

31 Accessed 30 January 2021, https://richardwilsonauthor.files.wordpress.com/2010/09/gersony_report.pdf.

camp.[32] The killings were justified as self-defence, but commander Colonel Ibingira was put on military trial in 1996. The killings in Kivu must be seen against the backdrop of the 'Kivu crisis' in former Zaire (today DR Congo) and an eroding situation in Burundi. Extremist Hutu who had fled the advancing RPF forces saw a chance to reconquer Rwanda from the destabilized Kivus or to install a separate Hutu state in the region. Moreover, the extremists were collaborating with local Hutu and subsequently started killing Tutsi in the region and intensified the cross-border raids into Rwanda (1995–1996). A further 6,000–8,000 are believed to have been killed during the violent dismantling of the refugee camps in the DR Congo, which marked the beginning of the First Congo War and the descent into violent chaos of the Great Lakes Region (GLR).

1.6 Responsible Persons

The Genocide was well-planned and highly structured. Especially in Kigali the Presidential Guard killed all 'primary targets' within the first 36 hours (starting the night of 6 April) but they were supported by the militias too, comprised of ordinary citizens who had received military training (that was partially provided by French military).[33] These militia death squads that existed everywhere in the country were aided by the Rwandan army and the gendarmerie in the villages and towns. The killers were controlled and directed by civil servants in the central government, *préfets, bourgemestres* and local councillors in the capital and the regions. The highly centralized governance of the country facilitated these command structures. These civil servants encouraged (and sometimes forced) the local population to 'go to work', i.e. hunt down and kill Tutsi.[34]

The number of perpetrators involved is contested. Straus estimates 170,000 to 210,000 individuals, excluding military, gendarmerie or Presidential Guards.[35] Others claim that there were hundreds of thousands[36] or as few as tens of thousands.[37] The Rwandan government claims there were approximately three million perpetrators.[38] These discrepancies are due to different definitions of who constituted a perpetrator and obvious ideological underpinnings. The exact number of perpetrators will likely

32 The advance of the RPF and the military defeat of the genocidal regime in summer 1994 had caused a large flow of refugees into neighbouring countries and internally displaced people seeking refuge at Rwanda's borders.
33 Prunier, *The Rwanda Crisis*, 246.
34 Many of the defendants before the International Criminal Tribunal served in such a civil servant, military or clerical role.
35 Straus, *The Order of Genocide*.
36 Cf. Des Forges, *Leave none to tell the story*; Mamdami, *When Victims Become Killers*.
37 Bruce D. Jones, *Peacemaking in Rwanda: The Dynamics of Failure* (Boulder, CO: Lynne Rienner, 2001).
38 MINALOC 2002.

remain unknown, but it is crucial that numbers should not criminalize an entire 'ethnic' group or become instrumentalized to relativize or even deny the Genocide.

1.7 Places of Persecution

Massacres took place throughout Rwanda, but with regional variance as to the level of brutality and number of killings. Prominent places were churches, nunneries, schools and stadiums where Tutsi had fled to find refuge or were herded together. Many memorial sites in Rwanda constitute such 'places of persecution'. However, many Tutsi were also killed at roadblocks, on their homesteads or thrown into latrines, rubbish pits or rivers. In some instances, as for example in Gisenyi, Kinazi or Kigali (the latter related to the ETO school massacre), Tutsi were forced to march to prepared mass graves, into which there were often thrown alive.

Further sites of persecution are related to the government's attempt to dismantle refugee camps on Rwandan and Congolese soil between 1994 and 1997 (see section 1.5).

2 Transitional Justice

2.1 Political and Institutional Changes and Elite exchange

Many commentators describe the post-genocide transformation as 'victors' justice'. With the military victory over the genocidal regime, the RPF was able to mould the political landscape to its favour without having to follow a negotiated power-sharing agreement. That said, in the immediate aftermath of the Genocide, the RPF did (loosely) implement the Arusha peace agreement and installed a 'government of national unity' (GU). Whilst it excluded the Hutu extremist parties (e.g. CDR), it included ministers from former opposition parties, even the MDNR, the Social Democratic Party (SDP) and *Parti Libéral* (PL). MDNR leader Faustin Twagiramungu, a Hutu, was appointed prime minister; Pasteur Bizimungu, a Hutu RPF member became president, and Paul Kagame secured the post of vice-president and minister of defence. Many of the new political elite came either from RPF cadres or were Tutsi returnees who grabbed the chance of a new beginning in a 'liberated' (and now Tutsi-friendly) Rwanda. This form of elite exchange enabled the RPF and Kagame to exercise control: 'where a Hutu led a ministry, a Tutsi RPF officer (usually a former refugee from Uganda) serving as second- or third-ranking post actually called the shots'.[39] Twagiramungu and other Hutu ministers resigned in 1995 over

39 Timothy Longman, 'Limitations to Political Reform: The Undemocratic Nature of Transition in

the lack of control. In 2000, his replacement, Prime Minister Pierre-Celestin Rwigema, a Hutu from the MDNR, and President Bizimungu[40] were forced from office, which made room for Kagame to become president and hand-pick his new PM and speaker.[41] In 2003, the parliament voted to ban the MDNR, which had popular support amongst the Hutu population and perhaps posed the greatest threat to RPF dominance.[42] The ban was preceded by the disappearances of leading party figures, their arrests on the grounds of divisionism and their escapes to other countries. These concerning early developments have prompted some scholars to speak of the 'tutsification' of Rwandan politics. The crackdown on political opponents is a strategy still used until today, as, for example, the case of Boniface Twagirimana demonstrates, a leading opposition leader who 'disappeared' (2018) from a prison, or the arrest of Diane Rwigara, who challenged Kagame in the run-up to the 2017 elections.[43]

Unsurprisingly, Rwanda falls short of the standards of liberal democracies and has been continuously categorized as 'not free' by the Freedom House Index.[44] Elections are held under a presidential multi-party system introduced after the Genocide. In 1999, the National Assembly approved a four-year extension of the GU, which was governed by the Fundamental Law which encompassed the 1991 constitution, the Arusha Accords, the RPF Declaration of 17 July 1994 and a memorandum of understanding between the eight participating political parties. Local level elections took place in 1999; district-level elections took place in 2001. The first presidential and parliamentary elections took place in 2003. Kagame was elected with 95.5 percent of the vote, and the REPF won with almost 74 percent. In 2008 the RPF won again by a large margin and secured 42 seats in parliament. Kagame was re-elected in the 2010 election with 93 percent; in the 2013 parliamentary elections the RPF received 76 percent.[45] The 2017 elections followed a similar pattern.

Human Rights Watch and Amnesty International have continuously complained about limited free speech and the lack of political space in which elections take

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Rwanda,' in *Remaking Rwanda: State-Building and Human Rights after Mass Violence*, ed. Scott Straus and Lars Waldorf (Wisconsin: Wisconsin University Press, 2011), 32.

40 In 2001, Bizimungu formed a new political party which was immediately banned. Bizimungu and a former minister of his government (Charles Ntakirutinka) were imprisoned and one of the party members assassinated.

41 Filip Reyntjens, 'Rwanda, Ten Years on: From Genocide to Dictatorship,' *African Affairs* 103(411) (2004): 177–210.

42 Cf. Longman, 'Limitations to Political Reform: The Undemocratic Nature of Transition in Rwanda.'

43 Accessed 27 January 2021, https://www.theguardian.com/world/2018/nov/07/rwandan-dissident-politician-diane-rwigara-protests-innocence-as-trial-opens; https://www.bpb.de/internationales/weltweit/innerstaatliche-konflikte/54803/ruanda.

44 Cf. Longman, 'Limitations to Political Reform: The Undemocratic Nature of Transition in Rwanda.'

45 *Setting the Scene for Elections: Two Decades of Silencing Dissent in Rwanda*, accessed 27 January 2021, https://www.refworld.org/pdfid/595fa1774.pdf.

place,[46] which in fact secured landslide wins for Kagame and furthered the dominance of the RPF in the parliament. The National Electoral Commission (NEC) holds the power to block candidacies and has introduced limitations on free speech on social media. The next elections are to be held in 2024; it is assumed that the only real opposition to the RPF will be the Green Party, which was also under massive attack in the run-up to previous elections but managed to secure, for the first time, seats in parliament.

2.1.1 In the Name of the Developmental State

According to critiques, the RPF has more and more co-opted the vibrant civil society along often ethnic lines and limited freedom of press and freedom of speech. Disrespect for human rights is either denied or framed as necessary 'in the name of the developmental state'. Therefore, as Longman claims, particularly Hutu groups that existed prior to the Genocide have faced increased restrictions and pressure to change leadership over time. Human rights organizations, many of which formed in the early 1990s in the wake of the country's democratization process, faced similar pressures of co-optation and coercion to align to RPF ideology, which includes a narrative of itself as heroic liberator, which automatically excluded investigations into RPF crimes. As some commentators note, the pressure put on civil society organizations in some instances culminated in assassination and disappearances. Whilst Hutu organizations were shut down or leadership ousted through accusations of divisionism or genocide ideology, Tutsi organizations were harassed on grounds of corruption or mismanagement of funds. Several IBUKA[47] members had to flee the country, and in 2010 senior officials were arrested on the above-mentioned grounds. Filip Reyntjens, one of the most vehement critics of the regime, concluded in 2004 what in many commentators' view remains true today: 'in sum, civil society is controlled by the regime'[48]. The international community has raised critiques but continues to support the Rwandan state in its pursuit of reconciliation, unity and development. As Longman argues, Rwanda managed well to build an image of 'technocratic competence' and to follow a strategy of 'performance legitimation' addressed to international donors, but also to Rwandan citizens, in the belief that donors and 'the public will not care about political liberties if the government brings them prosperity'.[49]

46 *Rwanda Politically Closed Elections*, accessed 27 January 2021, https://www.hrw.org/news/2017/08/18/rwanda-politically-closed-elections#.
47 IBUKA is the genocide survivor umbrella organization. See section 1.5.
48 Reyntjens, 'Rwanda, Ten Years on: From Genocide to Dictatorship,' 185.
49 Cf. Longman, 'Limitations to Political Reform: The Undemocratic Nature of Transition in Rwanda,' 41.

2.1.2 Constitutional Amendments and (Juridical) Reforms

In 2003 Rwanda introduced, by referendum, its new constitution (replacing the constitution of 1991 that governed the transition period) which officially ended the transition period.[50] It grants broad powers to the president, who is given the authority to appoint the PM and to dissolve parliament.[51] The constitution also made provisions for the establishment of the Commission for the Fight Against Genocide (CNLG, see section 2.9) and acknowledges the need of survivors for compensation and rehabilitation (see section 2.3). In a 2015 referendum, Rwandans voted for the amendment of the 2003 constitution with almost 100 percent of the votes. The amendment retained a two-term limit for the presidency and shortened the terms from seven to five years. It explicitly stated that Paul Kagame would be eligible for one additional seven-year term, after which he could run for two of the new five-year terms. Under the new constitution, he could technically rule until 2034.[52]

As part of the government's far-reaching nation-building programme, the judiciary underwent substantial reforms in order to provide for the establishment of *gacaca* (see section 2.2.1) and for the prosecution of crimes against humanity and genocide in the national courts (see section 2.2.2); Rwanda's organic laws concerning criminal prosecution and reparations were amended several times as recently as 2012 (see further section 2.2). Rwanda abolished the death penalty in 2007, but the last death sentences were imposed in 2003. The last executions were carried out in 1998, when 22 people were found guilty of genocide-related crimes.[53]

2.2 Prosecution

There were three levels of justice concerning crimes committed during the Genocide: (1) *gacaca*; (2) National courts; (3) The International Criminal Tribunal for Rwanda (ICTR).

The criminal prosecutions put in place after the Genocide in Rwanda focused on crimes committed during the Genocide such as murder, rape, torture and property crimes, whilst prosecutions on the international level concentrated primarily on genocide and crimes against humanity, i. e. on establishing the broader pattern, and only tried the most responsible, the planners (*génocidaires*) of the Genocide. All relevant

50 The 1991 constitution introduced the multi-party system, separation of powers and the rule of law, but was never applied due to the start of the civil war. Together with the Arusha Peace Accords and additional protocols on the rule of law, it constituted the constitutional framework during the transition period.

51 Accessed 26 January 2021, https://freedomhouse.org/country/rwanda/freedom-world/2019.

52 Accessed 26 January 2021, https://freedomhouse.org/country/rwanda/freedom-world/2019.

53 Accessed 26 January 2021, https://www.amnesty.org/download/Documents/60000/afr470102007en.pdf.

jurisdictions were temporally restricted to crimes committed during the time period 1994 (ICTR) and 1990 – 1994 (national courts and *gacaca*). It is important to note that only crimes against the Tutsi population as part of the Genocide were prosecuted. War crimes and revenge killings committed by the RPF during the civil war and in the aftermath of the Genocide (e. g. as part of the Zaire/Congo war and the dismantling of refugee camps) remain unaddressed until today.

2.2.1 National justice: Rwanda's courts

At the Kigali National Conference in 1995 it was decided that the Penal Code and the national judiciary should be reformed to allow the prosecution of genocide suspects. The full destruction of the pre-Genocide judiciary led to overcrowded prisons and detention centres. Particularly in the 1990s, international organizations criticized the Rwandan government for its pretrial detention practice that resulted in human rights violations which, at their worst, amounted to cruel, inhuman and degrading treatment.[54] Prunier estimates that 'from 1000 prisoners in August 1994, the numbers had risen to 6000 at the end of the year and kept growing exponentially to reach 23,000 by March 1995'[55]. The forceful closure of refugee camps in Kibeho in 1995, in the DRC in September 1996 and 1998, led to a stark rise in the prison population, which in turn saw detention conditions deteriorate.[56] Amnesty International estimated that by 1997 more than 100,000 people were detained, the majority charged with genocide.[57] This dire situation in Rwanda's prisons built the background for the reform of the juridical system and the introduction of new laws to regulate and mitigate the backlog of genocide cases.

Organic Law No. 08/96 was ratified on August 30th 1996, with the aim to establish criminal proceedings against those accused of acts sanctioned in the Penal Code as constituting genocide and crimes against humanity.[58] It followed the government's 'policy of maximal accountability' in which all senior and low-level participants would be held accountable, designed to end any practices of impunity, which was

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54 Nicola Palmer, *Courts in Conflict: Interpreting the Layers of Justice in Post-Genocide Rwanda* (Oxford: Oxford University Press, 2015), 98.

55 Prunier, *The Rwanda Crisis*, 9.

56 Mark A. Drumbl, 'Rule of Law Amid Lawlessness: Counselling the Accused in Rwanda's Domestic Genocide Trials,' *Colombia Human Rights Law Review* 29 (1997 – 1998): 545 – 639.

57 Palmer, *Courts in Conflict*, 100.

58 The crime of genocide and crimes against humanity did not exist in Rwanda's penal code, which made this reform necessary. The Specialized Chambers had jurisdiction over these crimes (as well as offences in connection with the events surrounding the genocide and crimes against humanity) committed since 1 October 1990, whereas the ICTR was temporarily restricted to crimes committed in 1994 only.

later also used to justify the establishment of *gacaca*.[59] The preamble of the Organic Law (OL) 16/2004 speaks directly to the government's policy of maximal accountability:

> Considering the necessity to eradicate forever the culture of impunity in order to achieve justice and reconciliation in Rwanda, and thus to adopt provisions enabling rapid prosecutions and trials of perpetrators and accomplices of genocide, not only with the aim of providing punishment, but also reconstructing the Rwandan Society that had been destroyed by bad leaders who incited the population into exterminating part of the Society. (Preamble, Organic Law 16/2004)

This policy of maximal accountability can be understood as a response to the pre-Genocide amnesty law that granted impunity for crimes committed against the Tutsi population in the service of the Hutu 'social revolution'.[60] Murder and other serious criminal acts committed by Hutu who challenged Tutsi political domination were effectively forgiven. This amnesty law also built the backdrop for the modernization and constant change (at least until 2012) of the rule of law in Rwanda.[61]

Some cynical commentators have argued that maximal accountability was the government's strategy to eradicate any (military) opposition to their transitional and post-genocide policies.[62] Given that prisons were overcrowded and in inhumane conditions, one might wonder why maximal accountability was given priority. However, the OL of 1996 established regulations that would accelerate the trial process. It was decided that cases of genocide and crimes against humanity should be tried before Specialized Chambers[63] that would rule according to Rwanda's Penal Code, which had adopted International Criminal Law standards with regard to the Genocide Convention, the Geneva Conventions, war crimes and crimes against humanity. It was noted that 'the exceptional situation in the country requires the adoption of specially adapted measures to satisfy the need for justice of the people of Rwanda' (Article 39, OL 08/96), which pertained to the categorization of offenders according to the gravity of the crimes they had committed and the introduction of a plea-bargaining system. These measures were to facilitate the effectiveness and expedition of the juridical process.[64] A Specialized Chamber could have several benches presided

59 Nicholas A. Jones, *The Courts of Genocide: Politics and the Rule of Law in Rwanda and Arusha* (New York: Routledge, 2010), 80.

60 Augustine Brannigan and Nicholas A. Jones, 'Genocide and the Legal Process in Rwanda: From Genocide Amnesty to the New Rule of Law,' *International Criminal Justice Review* 19(2) (2009): 192–207.

61 Brannigan and Jones, 'Genocide and the Legal Process in Rwanda'.

62 Cf. Palmer, Courts in Conflict.

63 Article 1 stipulated that the Specialized Chambers should adjudicate genocide and crimes against humanity perpetrated by civilians in ordinary courts, whereas those crimes committed by members of the defence forces should be tried by specialized chambers in the military courts.

64 Usta Kaitesi, 'Genocidal Gender and Sexual Violence: The legacy of the ICTR, Rwanda's ordinary courts and gacaca courts' (PhD Thesis: Utrecht University, 2013), 60; Olivier Dubois, 'Rwanda's na-

over by a president, and the bench consisted of three judges who were chosen from the ordinary judges of the court of first instance. Judgements given by the Specialized Chambers could be appealed on the basis of law or procedural errors. Decisions from the appeals chamber were not appealable (except in very limited cases).

The OL 08/96 introduced the categorization of crimes to mirror the different levels of participation and gravity of crimes, which was later used in *gacaca* to divide juridical responsibilities between the different courts. Until the establishment of *gacaca*, however, the Specialized Chambers built on this categorization in the juridical process. A new OL 16/2004 which also governed the functioning of *gacaca* reduced the categories to three; Category 2 and 3 crimes against persons were merged to Category 2 and property crimes were put into Category 3.[65]

The plea-bargaining system formed a cornerstone of the OL of 1996. It would not only expedite the cases but would also encourage confession and collaboration with the justice system and elicit apologies to victims.[66] In practice, this meant that defendants who offered a complete confession including a detailed description of the acts committed, the names of accomplices and an apology to the victims could benefit from a significant reduction in their sentences if they pled guilty. Depending on when in the criminal process the confession was made, convicted individuals in Category 2 had their sentence reduced by seven to eleven years, and those in Category 3 were given only one-third of the sentence. However, the plea-bargaining system was especially for Category 2, 3 and 4 crimes. Until 2007 (when Rwanda abolished the death penalty), Category 1 perpetrators could expect the death penalty if found guilty, whereas Category 2 defendants risked life imprisonment. A prison sentence was never served for property offences (Category 4), which technically amounted to civil damages only.

The first trials began on 27 December 1996 but were vehemently criticized because international observers noted the violation of the rights of the defence. A report by the UN High Commissioner for Human Rights states that by the end of June 1997, 142 judgments had been handed down by the Specialized Chambers, which included six acquittals and 61 death sentences, 13 of which were against individuals on the list of Category 1 cases; of those early 142 convictions, 25 were delivered after the acceptance of a confession and guilty plea.[67]

The revisions of the OL of 1996 in 2004 formed part of another substantial reform of the juridical system. The Specialized Chambers were abolished in 2000 and the

tional criminal courts and the International Tribunal,' *International Review of the Red Cross* 79(828) (1997): 717–730.

65 Barbora Hola and Hollie Brehm, 'Punishing Genocide: A Comparative Empirical Analysis of Sentencing Laws and Practices at the International Criminal Tribunal for Rwanda (ICTR), Rwandan Domestic Courts, and Gacaca Courts,' *Genocide Studies and Prevention: An International Journal* 10(3) (2016): 62.

66 Dubois, 'Rwanda's national criminal courts and the International Tribunal.'

67 Dubois, 'Rwanda's national criminal courts and the International Tribunal,' 730.

national courts (where the Chambers had been based) were given authority to try genocide cases. Following the 2004 reform, 15 courts had jurisdiction over genocide cases. The appeal process was also improved by allowing the High Courts to preside over such cases, and a request for review could even be lodged at the Supreme Court. 'Arguably, the standards applied in genocide-related trials improved as a consequence of these reforms'.[68]

Official court statistics are unavailable, and the scholarly exploration of the domestic genocide trials in Rwanda is sparse. It is therefore difficult to reach an informed assessment of the trials (see in more detail section 2.1). According to Hola and Brehm, approximately 4,122 individuals had been tried by the end of 2001.[69] Jones notes that an additional 2,332 Rwandans had been tried in 2002 and 2003[70], and the United Nations reports that by mid-2006 approximately 10,000 individuals had been prosecuted.[71] With the nationwide establishment of *gacaca* in 2005, however, most cases were transferred to the lower courts, and only Category 1 cases were kept under the jurisdiction of the national courts. Even those cases were transferred to *gacaca* from 2008 onwards, and only those most responsible for the killings were tried before the national courts.

In 2012 the juridical system underwent yet another reform:[72] in February 2012 a Special Chamber at the High Court was set up to try international crimes. The Chamber tries individuals accused of genocide, crimes against humanity and war crimes extradited to Rwanda from other countries and the International Criminal Tribunal.[73] This new Chamber has six judges including then president Athanase Bakuzakundi. The first accused person to appear before the Special Chamber was Léon Mugesera, who was deported from Canada after a long legal battle against his extradition. He had been wanted since 1995 in connection with a 1992 speech (he was then vice-president of the Gisenyi prefecture) in which he incited Hutu to kill Tutsi. The second person was Pastor Jean Uwinkindi, who was the first person to be transferred from the ICTR to the Rwandan national courts.

68 Hola and Brehm, 'Punishing Genocide", 63.
69 Hola and Brehm, 'Punishing Genocide", 63.
70 Jones, *The Courts of Genocide*, 88.
71 UN Outreach Programme on the Rwanda Genocide and the United Nations, *Justice and Reconciliation in Rwanda*. Background Note (2012) accessed 18 January 2020, http://www.un.org/en/preventgenocide/rwanda/about/bgjustice.
72 This paragraph is based on justiceinfo.net *Rwanda Creates Special Chamber for International Crimes*, 16 February 2012, accessed 19 January 2021, https://www.justiceinfo.net/en/24222-160212-rwandajustice-rwanda-creates-special-chamber-for-international-crimes.html.
73 As of 2018, Rwanda had sent out 845 indictments to different countries, but only 17 individuals were transferred, the majority from European countries. In 2018 the new facility for the Chamber and the International Crimes Unit of the National Public Prosecution Authority was inaugurated in Nyanza. See *International Crimes High Court Chamber inaugurated in Nyanza*, accessed 19 January 2021, https://www.newtimes.co.rw/news/international-crimes-high-court-chamber-inaugurated-nyanza.

2.2.2 Localized justice: Inkiko *Gacaca*

Given the complete destruction of the political and legal infrastructure, it would have taken an estimated 100 years to try all the defendants in the national courts. Soon after the Genocide, the government of national unity started negotiations on 'traditional' ways of dealing with the backlog of prisoners. It was clear from the very start for Rwandan officials that the South African model of a truth and reconciliation commission would not be enough to deal with the magnitude and extent of the killings and the foregoing decades of impunity regarding ethnic targeting of Tutsi since independence in the 1960s (see section 1.1.2).

Against this backdrop, the idea to revise and modernize *gacaca* was born.[74] *Gacaca* was a traditional conflict resolution mechanism that had been used in the country already in pre-colonial times to mitigate and resolve low level community conflicts involving elders, the *inyangamugayo*,[75] who would preside over the proceedings and decide on appropriate ways of conflict resolution that usually pertained to restorative measures. An expert committee appointed by the government was tasked to adapt and revise these community courts to fit crimes against humanity and genocide, which had both been ratified and codified in national legislation. *Gacaca* was adapted to encompass punitive as well as restorative elements, so that it is seen in the literature as a hybrid model of criminal prosecution. It follows a complex structure encoded in several OLs that were revised multiple times during the duration of *gacaca*.[76] The courts started in a pilot phase in 2002. On the eve of the election of the *inyangamugayo* in 2002, President Kagame formulated the expectations for *gacaca* in the following words:

> What Rwanda expects from the gacaca courts is to establish the truth about what happened, to expedite the backlog of Genocide cases, to eradicate the culture of impunity and to consolidate the unity of our people. Furthermore, if the gacaca courts function as we anticipate, it will be an important contribution to the understanding and advancement of international law.[77]

Surely *gacaca* should have sped up the trials given the number of genocide suspects and the many victims that expected a fair and speedy trial, so as to roll back the long-established culture of impunity. The objective of expeditious justice, however, had to be reconciled with the objective of unity and reconciliation. 'Thus gacaca

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74 *Gacaca* means 'sitting in the tall grass'.

75 Which means 'person of integrity'.

76 See section 2.6 on laws for a full list of laws related to *gacaca* and criminal prosecution in Rwanda more broadly. The revisions of the OL demonstrates the fast-changing character of *gacaca* but also the willingness of policy-makers to respond to (unforeseen) problems. At the same time, it also points to the many challenges *gacaca* posed in its nationwide implementation.

77 Address to the nation by H. E. Paul Kagame, President of the Republic of Rwanda on the eve of the election of Gacaca Judges on 3 October 2001, accessed 19 January 2021, www.rwanda1.com/government/07 11 01 add.htm.

courts were historically and circumstantially brought within the perspective of contemporary judicial system of Rwanda'.[78]

In a nutshell, their working and structure can be summarized as follows:

The *gacaca* laws provided for *different crime categories:* (1) those participants who planned and organized the Genocide, who were high-ranking officials within religious or state institutions or the militias, who incited to violence, supervised or led others to commit violence. Rape, sexual torture, murder and the violation of dead bodies also fell within Category 1 crimes, reflecting the gravity of the crime rather than the level of involvement. There were an estimated 70 – 80,000 suspects in this category, of which there were around 7,000 indicted for rape and sexual torture.[79] (2) Category 2 crimes pertained to those who distinguished themselves by the zealousness or excessive wickedness with which they participated in the Genocide; torture (though sexual torture remained under Category 1 throughout the juridical revisions), those who violated victims post-mortem; killers; and those who intended to kill but did not succeed. (3) Category 3 crimes entailed property crimes. Whilst such acts, by definition, do not fall under the definition of genocide, Rwandan laws had included this category because the destruction and theft of property originated in the same rationale as to why Tutsi were hunted and killed.[80] Property stolen or destroyed often constituted symbols of Tutsi wealth such as cows and homes. Personal belongings such as clothes and even personal photographs were stolen to further humiliate and make Tutsi suffer.

Community involvement meant that lawyers or formally trained judges were not part of the process, so as to avoid the traditionally adversarial juridical setup; together with the plea-bargaining, this constituted the restorative element of *gacaca*. The *inyangamugayo* judges were elected by the community (everyone older than 18 was allowed to vote) and the whole community was asked to take part in the proceedings and had the possibility to appear as witnesses. The judge's role did not require a legal education (although they received a brief legal training in the run-up to the courts' working), but a judge had to be at least 21 years old, could not have prior criminal convictions or have participated in the Genocide or held a position within the government at the time of election. More than 250,000 men and women were subsequently elected as *inyangamugayo*. The trials usually occurred on a weekly basis in communities throughout Rwanda, and community participation was a duty (Art. 29, OL 16/2004).

Punitive and restorative measures were to be applied by the bench of lay judges according to sentencing guidelines. Judges had the ability to sentence defendants to 25 years, imprisonment or to community service, so-called *travaux d'intérêt général* (TIG), depending on the severity of the crime and a defendant's display of remorse

78 Kaitesi, *Genocidal Gender and Sexual Violence*, 66.
79 Kaitesi, *Genocidal Gender and Sexual Violence*, 68.
80 Kaitesi, *Genocidal Gender and Sexual Violence*, 69.

(e.g. asking for forgiveness or disclosing the whereabouts of bodies). For instance, defendants had to help build communal roads or even memorials.[81] Judges could also sentence them to TIG helping repair or maintain survivors' houses.[82]

OL 40/2000 established **courts** operating on different political levels of decentralization that were tasked with distinctive crime categories: the cell/cellule or *akagari* level (the smallest political entity)[83] was responsible for evidence collection in the investigation phase, which involved the entire community; at this stage it was important to make lists of those who were killed or presumed missing and to take stock of looted property. The cell level was also responsible for trying property crimes (Category 4, later Category 3), whereas the sector *umurenge* level tried Category 2 crimes and dealt with appeal cases. Category 1 cases were in the beginning referred to national courts but in 2008 were tried before *gacaca* sector courts. According to the report of the National Service of Gacaca Courts, there were a total of 9,013 cell courts, 1,545 sector courts, and 1,545 courts of appeal.[84] Each level of court was comprised of a general assembly, a bench of judges, a president and a coordinating committee.

After the pilot phase, in 2005, *gacaca* was implemented nationwide under the slogan 'the truth heals'. The government and local authorities campaigned for the population to take part in the proceedings and help find out what exactly happened during the Genocide. The *gacaca* courts ended their work in 2012; they had tried 1,003,227 individuals in 1,958,634 cases (see also Tab.1).[85] According to an evaluation study, *gacaca* had reached its objectives with an average of 85 percent.[86] Worldwide, *gacaca* is the largest and furthest reaching localized criminal prosecution after genocide and dictatorship. Yet it has from the very start been critiqued by international human rights experts and non-governmental organizations; likewise, its success is contested in Rwanda itself. Section 2.10 presents a detailed assessment of *gacaca*.

81 Author fieldwork notes August 2014.
82 Personal interview, February 2017.
83 The court levels matched the provincial and local administrative structures of Rwanda at the time. Kigali being the only provincial/city of Kigali courts. Following the juridical reforms in 2003 and 2004, the provincial level was merged with the sector level.
84 National Service of Gacaca Jurisdictions, *Report on the Activities of the Gacaca Courts*, 5.
85 Hollie Brehm, Christopher Uggen, Jean-Damascène, 'Genocide, justice, and Rwanda's Gacaca courts," *Journal of Contemporary Criminal Justice* 30(3) (2014), 333–352.
86 See *Gacaca Courts Genesis Implementation and Achievements*, accessed 19 January 2021, http://rpfinkotanyi.org/wp/?p=1958. This report provides a summary of the courts from the state's perspective.

Tab. 1: Decisions by gacaca courts (total number of cases: 1,951,388 as of 31 January 2012)[87]

Category	No. of Cases	Guilty	Not Guilty
First	31,453	24,730 (79 %)	6,723 (21 %)
Second	649,599	433,471 (67 %)	216,128 (33 %)
Third	1,270,336	1,270,336 (96 %)	49,865 (4 %)

2.2.3 International Justice: The International Criminal Tribunal for Rwanda (ICTR)

The ICTR was established by the UN Security Council (hereafter SC) under Chapter VII in resolution 955 as response to the gross human rights violations committed in Rwanda.[88] It aimed to 'put an end to such crimes and to take effective measures to bring to justice the persons who are responsible for them (…) [and] to contribute to the process of national reconciliation and to the restoration and maintenance of peace' (S/RES/ 955 1994, 1–2).

Some commentators[89] opine that the SC established the ICTR due to the international community's failure to recognize the crimes as genocide and intervene accordingly under a UN Chapter VII Mandate (which would have allowed the use of force). The ICTR was an ad hoc tribunal founded to try the planners of and parties most responsible for the Genocide, the *génocidaires*. Its jurisdiction encompassed crimes against humanity, genocide, war crimes and its statute set out to try serious violations of international humanitarian law committed in the territory of Rwanda, against Rwandan citizens and in neighbouring countries between 1 January 1994 and 31 December 1994.[90]

It was based in Arusha[91], Tanzania so as to avoid political interference from the Rwandan government, which had originally requested the establishment of the court, but ultimately voted against the UN resolution, citing the following reasons:[92]

87 The overall cases in this table vary slightly from the those reported by Brehm et al.; table taken from the Kigali Bar Association's report *Lessons from Rwanda's National and International Transitional Justice*.

88 See further Security Council, Resolution 955 (1994), November 8, 1994, UN Doc. S/RES/955 (1994).

89 Payam Akhavan, 'Justice and Reconciliation in the Great Lakes Region of Africa: The Contribution of the International Criminal Tribunal for Rwanda,' *Duke Journal of Comparative & International Law* 7 (1997): 325–348.

90 ICTR Statue, 1994.

91 Resolution 955 postponed a decision on the seat of the Tribunal. For political, economic and geographical reasons Arusha was established as a location in Resolution 977 of 22 February 1995.

92 See for the full reasoning Security Council, Forty-ninth Year, 3453rd Meeting, 8 November 1994, S/PV.3453. Cf. Hola and Brehm, *Punishing Genocide*; Dubois, *Rwanda's national criminal courts and the International Tribunal*; Gerald Gahima, *Transitional Justice in Rwanda: Accountability for Atrocity* (New York: Routledge, 2013).

the temporally limited jurisdiction that only included crimes committed in 1994 (whereas the national courts and *gacaca*, see above, tried crimes committed between 1990 and 1994); its location outside of Rwanda and the therefore lack of opportunity for Rwanda to influence the functioning of the ICTR, but also the missed opportunity for the Tribunal to play an explanatory and representative role among the Rwanda population; that sentences were to be served outside of Rwanda and excluded capital punishment. And finally, the Rwandan representative to the UN stated that the Tribunal was inadequately equipped for the task at hand, given that the Appeals Chamber and the Prosecutor were to be common to the Tribunals for both Rwanda and the former Yugoslavia[93].

The ICTR consisted of three trial and appeal chambers. In total, 53 judges served at the Tribunal; they were elected by the UN General Assembly for a four-year term and were eligible for re-election. The majority of judges were men; 34 percent came from the African continent and 34 percent from Europe.

The ICTR closed its doors on 14 December 2015. In total, the ICTR indicted 90 individuals for war crimes, crimes against humanity and genocide.[94] It prosecuted cabinet members, regional and local politicians, military leaders and members of the *Interahamwe* militia. Some prominent businessmen and media representatives were also prosecuted for the incitement of violence. A total of 73 individuals were tried and received a verdict, and of these 14 were acquitted and 59 were convicted.[95] 52 of the 59 convicted individuals (88 percent) were found guilty of genocide and were convicted of participation in killings and other offenses against persons.[96]

In 2010 the UN SC created the International Residual Mechanism for Criminal Tribunals (hereafter IRMCT or Mechanism) in resolution 1966 (of 22 December 2010) in order to help 'guarantee that the closure of the two pioneering ad hoc tribunals does not open the way for impunity to reign once more (President Theodor Meron, UN SC, 7 June 2012).[97] It started operating on 1 July 2012, divided into a branch in Arusha continuing the work of the ICTR and a branch in The Hague ensuing the work of the ICTY.[98] For the first three years the IRMCT operated alongside the two

93 The International Criminal Tribunal for the Former Yugoslavia (ICTY) was set up by the United Nations SC in 1993 through resolution 827 as response to the war crimes committed in the Balkans in the 1990s. It is often referred to as the sister Tribunal to the ICTR. They both influenced each other in the advancement of international criminal law/international humanitarian law and especially the juridical application and further delineation of genocide as an international crime. (Dubois, *Rwanda's national criminal courts and the International Tribunal.*).

94 Hola and Brehm, *Punishing Genocide*, 61.

95 See for a detailed discussion on figures Hola and Smeulers, *Rwanda and the ICTR*, 2016.

96 Hola and Brehm, *Punishing Genocide*, 61.

97 Accessed 20 January 2021, https://www.irmct.org/en/about.

98 It consists of a Trial Chamber for each branch and a joint Appeals Chamber, the Registrar and Office of the Prosecutor; it draws on a roster of 25 judges from 24 different countries and staff representing 65 nationalities (as of 2016), accessed 20 January 2021, https://www.irmct.org/en/about/organization.

Tribunals but has since 2015 operated as stand-alone international institution. It is mandated to perform a number of essential functions previously carried out by the ICTR (and ICTY) so as to 'maintain the legacies of these two pioneering ad hoc international criminal courts and strives to reflect best practices in the field of international criminal justice' (President Theodor Meron, UN SC, 7 June 2012).

In accordance with its mandate, the Mechanism has the following responsibilities:[99] (1) the tracking and prosecution of remaining fugitives, especially related to the six individuals at large who will be expected to be tried in Rwanda; (2) the completion of remaining appeal proceedings; (3) review of proceedings, i.e. of judgements if, for instance, new facts are discovered that could have been a decisive factor in reaching the judgement; (4) retrials (currently only conducted at the ICTY branch of the Mechanism); (5) trials for contempt and false testimony committed in the course of proceedings before either Tribunal or the Mechanism; (6) the monitoring of cases referred to national courts; (7) the protection of victims and witnesses for ongoing and completed cases (out of 7,000 witnesses/victims who testified before the Tribunals, 46 percent were granted protective measures); (8) the supervision of enforcement of sentences and decision of requests for pardon or early release (made by the President of the Mechanism); (9) assisting national jurisdictions; (10) the preservation and management of archives.

Some of the ICTR's most prominent cases include the media case, the military and the landmark Akayesu case, which built a cornerstone in the delineation of the definition of genocide and sexual violence (see a detailed analysis of the legacy of the ICTR section 2.10). As such, work on the international level in bringing the planners and most responsible to justice is ongoing through the work of the Mechanism and via trials taking place under universal jurisdiction in foremost European countries and Canada.[100] The arrest of one of the three remaining fugitives, Félicien Kabuga, sparked much media attention in late May 2020. Kabuga had lived under a false name in a suburb of Paris. He was wanted for seven counts of genocide, attempt to commit genocide, conspiracy to commit genocide and persecution and extermination in his role as an influential businessman prior and during the 1994 Genocide.[101] He controlled many of Rwanda's coffee and tea plantations and co-owned the notorious *Radio Télévision Mille Collines*, which incited violence, including publishing the names of Tutsi who should be killed.[102] A High Court in Paris decided to

99 Accessed 20 January 2021, https://www.irmct.org/en/about/functions.

100 In June 2020 Karenzi Karake, a high-ranking RPA military commander, was arrested in London over allegations of serious crimes, including crimes against humanity between 1990 – 2002 in Rwanda and the DRC. He is the first RPA member arrested for such crimes, currently fighting an extradition request from Spain. Accessed 20 January 2021, https://www.hrw.org/news/2015/06/26/dispatches-ending-genocide-rwanda-does-not-excuse-murder-0.

101 Accessed 20 January 2021, https://www.reuters.com/article/us-france-rwanda-arrest-neighbours/he-wouldnt-say-a-word-rwanda-genocide-fugitive-lived-incognito-in-paris-idUSKBN22T0RE.

102 Accessed 20 January 2021, https://www.bbc.co.uk/news/world-africa-52690464.

transfer Kabuga to the Mechanism branch in The Hague, where he currently awaits trial.[103]

2.3 Reparations

Reparations are civil remedies designed to redress harm resulting from an unlawful act that violates the rights of a person.[104] 'They should seek to restore victims' sense of dignity and moral worth, remove the burden of disparagement often tied to victimhood, and return their political status as citizens.[105]

In Rwanda, debates around reparations centre on what is owed to genocide survivors for their experience of victimization and the losses suffered and, crucially, which actors bear the burden of repair.[106] 27 years after the Genocide, survivors are still waiting for reparative justice, i. e. their right to reparations as outlined in international human rights law and national legislation in Rwanda. The UN Basic Principles and Guidelines on the Right to a Remedy and Reparations for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (hereafter Basic Principles) clearly state the right of victims to different types of reparation such as restitution (to the status quo ante), compensation (monetary) rehabilitation (medical, psychological, legal and social), satisfaction and the right to non-recurrence, and outline a positive duty of the state to 'provide victims with adequate, effective and prompt reparation' (Principle 15).[107] The Rwandan state endorsed these international principles in its 2003 constitution, which promises that 'the state shall, within the limits of its capacity, take special measures for the welfare of the survivors who were rendered destitute by the genocide against the Tutsi committed in Rwanda from October 1st, 1990 to December 31st, 1994' (Art. 14). As will be shown, the governments' interpretation of 'within the limits of capacity' is narrowly defined, so that reparations in the form of any compensation

103 Accessed 29 June 2022, https://www.voanews.com/a/kabuga-fit-to-stand-trial-over-rwanda-genocide-un-tribunal/6616463.html.

104 Lisa J. Laplante, 'The plural justice aims of reparations,' in *Transitional Justice Theories*, ed. Susanne Buckley-Zistel et al., 40 – 66 (New York: Routledge, 2014).

105 Felix Ndahinda Mukwiza, 'Debating and Litigating Post-Genocide Reparations in the Rwandan Context,' in *Reparations for Victims of Genocide, War Crimes and Crimes against Humanity*, ed. Carla Ferstman and Mariana Goetz, 629 – 655 (Leiden: Brill Nijhoff, 2020), 631.

106 Ndahinda, 'Debating and Litigating Post-Genocide Reparations in the Rwandan Context,' 640.

107 In addition, several international human rights treaties impose obligations on the State to provide effective remedy, redress and – in the case of Rwanda in particular important – an enforceable right to fair and adequate compensation: Art 2 of the International Covenant on Civil and Political Rights (ICCPR); Art 14 of the UN Convention against Torture and other cruel, inhuman and degrading treatment or punishment (UNCAT); Art 7 of the African Charter on Human and Peoples' Rights (ACHRP).

remain largely unfulfilled.[108] The government does not seem to see the burden of repair as falling on it, which is demonstrated in its refusal to pay compensation and in the conviction that the FARG (see below) constitutes reparative justice, an idea which survivors vehemently and openly reject. Reparations shall carry ‘an acknowledgment on the part of the transgressor that what he is doing is required of him because of his prior error’.[109] This is clearly not the case here.

2.3.1 Legal Provisions

In the national courts (Specialized Chambers, see 2.2), survivors – or in legal terms, victims – constitute *partie civile* and as civil claimants can join the criminal proceedings. That means that the Specialized Chambers could order compensation payments either against the individual convict or the State.[110] Between 1996 and 2001 an estimated two-thirds of cases were attended by survivors and 50 percent of survivors who filed for compensation against individual perpetrators were awarded compensation. The amounts awarded do not follow any guidelines. For instance, for the loss of a husband courts awarded between approximately 400 and 13,000 US dollars without detailing how they arrived at this figure.[111]

The civil verdicts of compensation payments against the State rendered by the Specialized Chambers were never implemented[112], despite the acknowledgement of the civil liability of the state in the 2001 OL on *gacaca* which states ‘in return for the percentage of the annual budget that the State must reserve each year to the Compensation Fund, and having accepted its role in the genocide and crimes against humanity, any civil action filed against the State is to be declared inadmissible’ (Art. 91, para. 2). That means in practice that whilst the Rwandan state is obliged to finance FARG, it cannot be held liable for not paying compensation. Survivors therefore are reliant on the compensation fund (*Fonds d’Indemnisation*, FIND) to implement the compensation orders issued by the courts and *gacaca*.[113] However, despite several draft laws, FIND has yet to be established. With the revised OL of 2008, the rights of victims to claim reparations against the orders of both *gacaca*

108 Noam Schimmel, *Advancing International Human Rights Law Responsibilities of Development NGOs: Respecting and Fulfilling the Right to Reparative Justice for Genocide Survivors in Rwanda* (New York: Palgrave Macmillan, 2020).
109 Bernard R. Boxill, ‘The Morality of Reparation,’ *Social Theory and Practice* 2(1) (1972): 118.
110 Heidy Rombouts and Stef Vandeginste, ‘Reparation for Victims in Rwanda: Caught Between Theory and Practice,’ in *Out of the Ashes: Reparation for Victims of Gross and Systematic Human Rights Violations*, ed. Karl De Feyter et al. (Antwerp: Intersentia, 2005).
111 Stef Vandeginste, ‘Reparation pour les victimes de genocide, de crimes contre l’humanité et de crimes de guerre au Rwanda,’ *L’Afrique des Grands Lacs Annuaire 2000–2001* (2000–2001): 10.
112 Vandeginste, ‘Reparation pour les victimes de genocide, de crimes contre l’humanité et de crimes de guerre au Rwanda,’ 10.
113 Rombouts and Vandeginste, ‘Reparation for Victims in Rwanda”.

and the courts has been further limited. It is the Fund (FARG) only that is henceforth 'entitled to undertake civil action on behalf of the victims of the Tutsi genocide, and other crimes against humanity, against persons convicted of crimes classifying them in the first category' (69/2008, Art. 20).[114]

The 2001 OL also makes provisions for civilly liable individuals before *gacaca*. As part of the evidence-finding process at cell level (see 2.3), a list of victims and damages/losses was drawn up and bodily harms noted. According to Article 67, all judgements must indicate the amount of compensation awarded. However, the amount must be within the scales foreseen under the law regarding the creation of the prospective FIND; the latter would be mandated to oversee the implementation of the compensation order.[115] Persons who committed offenzes against property during the Genocide were liable to pay 'civil damages determined by amicable agreement between the parties with the assistance of the community' (OL 08/96 Art. 2, para. 14). According to statistics, 1,320,554 cases fell under category 3/4: offenzes of looting and destruction of property. The Ministry of Justice released a report in 2018 stating that only 54,160 cases remained unsettled, with the prospect of approximately 25,187 to be settled in the future, whilst 28,973 cases could not be as convicts had either died, fled the country or did not have enough property to compensate victims.[116] Since *gacaca* tried foremost ordinary citizens who had participated in the Genocide, it is not surprising that they had not the financial means to pay any damages to those they had harmed, and even if they could offer compensation, e. g. in helping survivors in agricultural activities or repair their houses (as a form of TIG), this hardly amounted to the actual property damages caused. It also left the convicts' families in a precarious situation if labour had to be divided between (poor) households. In this case, it is the state's obligation (as codified in international human rights law) to take up the burden of repair, so that victims can be compensated for their material losses (not even mentioning the damages caused by injury, e. g. rape and loss of family members, i. e. restitution and rehabilitation). As Ndahinda argues,[117] the absence of an overreaching approach to reparation for survivors, including first and second category offenses, remains an unfulfilled governmental commitment to deliver reparative justice as initially codified in OL of 1996.

In sum, whilst some legal provisions have been put in place, the actual implementation of reparation orders is missing, and there does not seem to be the political will (mirrored in the failure to put in force the law on the compensation fund, for ex-

114 On a positive note, the 2008 amendments expanded the definition of beneficiaries to include not only those targeted for their Tutsi identity (as defined in OL of 1998) but 'the neediest survivors', and the Fund is entitled to undertake civil action on behalf of the victims of the Tutsi genocide and other crimes against humanity'. However, in the 2013 amendments to the OL the reference to victims of other crimes was dropped, so that the beneficiaries are solely genocide survivors.

115 Rombouts and Vandeginste, 'Reparation for Victims in Rwanda'.

116 Ndahinda, 'Debating and Litigating Post-Genocide Reparations in the Rwandan Context,' 640.

117 Ndahinda, 'Debating and Litigating Post-Genocide Reparations in the Rwandan Context,' 641.

ample) to address the gap in reparation payments to the most vulnerable of Rwandan society. With the withdrawal of the Compensation Law in 2002 by the Ministry of Justice, 'a definition of who merits compensation and to what extent has never been legally defined in Rwanda, and, consequently, never implemented'.[118]

Jean-Pierre Duzingizemungu, President of IBUKA, the main organization of genocide survivors, denounced these shortcomings', saying, 'for survivors, reparation means restitution and compensation for moral and material damage, rehabilitation and guarantee of non-repetition'. For Naphthal Ahishakiye, Executive Secretary of IBUKA, this legal vacuum in the *gacaca* constitutes, for the survivors, 'a major denial of justice'. 'All in all, it's as if all the judicial bodies didn't want to render us justice, he concluded.[119]

2.3.2 FARG

In 1998, the government created FARG, the Fund for Support and Assistance to the Neediest Survivors of the Genocide Against the Tutsi (*Fonds d'Assistance pour les Rescapés du Génocide*, hereafter the Fund), which offers assistance in the areas of education, housing, health, human rehabilitation and income generation.[120] The government opted for this type of assistance to survivors rather than direct financial compensation, reasoning that the current Rwandan state was not responsible for the crimes. The government is bound to pay six percent percentage of its annual budget (which remains an unfulfilled promise) to the FARG, which is substituted by funding from international organizations.[121] The Fund operates along five lines, providing medical care to the sick and assistance to the most vulnerable, financial

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118 Schimmel, Advancing International Human Rights Law Responsibilities of Development NGOs, 74.

119 Accessed 26 January 2021, https://www.justiceinfo.net/en/40610-rwandan-reparations-fund-breaks-ground-but-is-still-not-enough-say-victims.html. The ICTR did not have the mandate to order reparations (as the ICC has) and the attempt of ICTR judges (in a recognition that the justice rendered before the Tribunal was incomplete without reparations) to better care for and include victims in the proceedings and to order reparations was rejected by the SC (see for a detailed analysis, Ndahinda, 'Debating and Litigating Post-Genocide Reparations in the Rwandan Context;' Rombouts and Vandeginste, 'Reparation for Victims in Rwanda'.). However, the ICTR launched a formal request in 2013 to study how a programme of reparative justice for survivors could be developed and implemented. In 2014 the 'Task Force to Remember Survivors 20' was launched to advance genocide commemoration and to coordinate the campaign for reparative justice. The Task Force comprises the organized survivor community in Rwanda and represents over 300,000 survivors. Its objectives are, among other things, to realize the creation of a trust fund that will implement compensation payments and support rehabilitation and non-recurrence efforts. See further Schimmel, *Advancing International Human Rights Law Responsibilities of Development NGOs*.

120 Accessed 26 January 2021, https://www.farg.gov.rw/about-farg.

121 Accessed 26 January 2021, https://www.justiceinfo.net/en/40610-rwandan-reparations-fund-breaks-ground-but-is-still-not-enough-say-victims.html.

support for children in education and the building of houses. It thus focuses on rehabilitation and satisfaction matters in its approach to reparations.

FARG has a Board of Directors of seven members appointed by the Prime Minister's Office for a three-year term; however, survivors or survivor organizations are currently not selected as members of the Board. The Board is responsible for the strategic vision, approving the budget, performance evaluation and, crucially, deciding 'upon those people who shall be assisted, the quantity and nature of the assistance as well as criteria for its distribution' (OL 59/2008 Art. 9, para. 9).

After 20 years, the fund has in total paid for medical care on over 2 million occasions; nearly 110,000 children and orphans have been enrolled in the education programme at all levels up to university; the Fund has also enabled the construction of approximately 45,000 housing units, some of which are in 'reconciliation villages' (see section 2.5), and has helped 54,000 people in income-generating activities; approximately 270 million Euro have been spent to assist Genocide survivors.[122]

These figures cannot distract from the critique launched at the FARG for its many shortcomings in implementing its objectives and even for corruption.[123] Schimmel identifies the distribution of funds to district governments as a major structural problem, as this creates opportunities for corruption.[124] In addition, the Fund was slow in operating and was dealing with a backlog of thousands of cases lasting for years. Only in 2016 did it begin to address housing shortages that had been known about for more than six years. A CNLG survey in 2016 concluded 'about 9000 genocide survivors who completed secondary school are still waiting for support to go to university while 2105 student survivors who dropped out of primary school and 3582 who didn't complete secondary school need special support' (CNLG 2016).[125]

Especially orphans, elderly survivors and women who suffer from profound mental and physical damage inflicted by rape – those who are identified as 'neediest' in legal provisions and policy documents – agonize over the lack of state support. Orphans are often not able to commit to their education because they are caring for family members despite lacking means to do so, and hence fall into a poverty trap. They are unable to complete secondary school or go to university and are therefore unprepared for the job market, which renders them vulnerable. With regard to this shortcoming, SURF's 2013 annual report states that 'existing programmes are

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122 Accessed 26 January 2021, https://www.justiceinfo.net/en/40610-rwandan-reparations-fund-breaks-ground-but-is-still-not-enough-say-victims.html.

123 Schimmel, *Advancing International Human Rights Law Responsibilities of Development NGOs*, 85.

124 See also above, accessed 26 January 2021, https://www.justiceinfo.net/en/40610-rwandan-reparations-fund-breaks-ground-but-is-still-not-enough-say-victims.html. The article states, 'embezzlement, houses built in a shoddy way to last only 5 to 10 years, corruption in the selection of beneficiaries, even allowing former militiamen to benefit. In 2010, following an assessment, more than 17,000 cases of malpractice were detected, and 47 dishonest entrepreneurs identified and brought to justice'.

125 Accessed 26 January 2021, https://survivors-fund.org.uk/news/cnlg-survey/.

largely inaccessible or ineffective, as they do not accommodate for the multifaceted needs of young survivors'.[126] 80 percent of the survivor population in need of scholarship assistance is excluded from FARG's social provisions.

Widowed genocide survivors who are often HIV/AIDS positive have received 'paltry assistance' despite being the most vulnerable in the survivor population. In a report on their situation, issued in 2013, AVEGA paints a desolate picture: of 1,462 widows who took part in the survey, 60 percent had no living relatives; over 65 percent had some difficulty or needed help with the most basic physical tasks of daily living such as walking 100 metres; 89 percent reported health problems and chronic illness; 75 percent were in need of direct and regular support and 60 percent reported that their houses needed renovation.[127] Trauma remains a continuous issue among the survivors in Rwanda, which is purported by poverty, homelessness and the lack of access to resources. Rombouts contends that psychological assistance has been almost non-existent.[128]

One survivor summarized the critique of the inadequacies of the FARG in stark words which are worth citing at length:

> Since its establishment, the Government has injected into FARG over 200 billion Rfrw, at least on paper, but where is the impact? Objectively speaking, very little impact – if any, at least as long as income generation and self-reliance of survivors – is concerned. 21 years since the genocide, survivors are getting poorer. Many survivors are still without a roof over their heads, others – especially the elderly – are dying day by day due to genocide consequences. HIV/ AIDS positive women raped during the genocide are dying due to lack of treatment and proper diet, many young survivors who dropped out secondary schools in order to cater for their young siblings are unable to resume their studies (…). Programmes such as the income generation projects are technically great if they are well designed and monitored. But in light of FARG's weaknesses such programmes should be implemented by a separate institution such as micro-finances that have necessary expertise in project management, monitoring and evaluation for low-income communities.[129]

Despite the establishment of FARG as early as 1998, the situation of survivors in Rwanda remains desolate and their right to reparative justice denied. By many, they are seen as a burden to society, a perspective which fails to acknowledge their plight and pain (informal conversation, January 2018). In the process of rebuilding the nation, fighting impunity and the commitment to the sustainable development goals (SDGs), survivors of the Genocide have been left behind. This includes victims of other crimes against humanity and war crimes that were harmed during

126 Schimmel, *Advancing International Human Rights Law Responsibilities of Development NGOs*, 87.
127 Schimmel, *Advancing International Human Rights Law Responsibilities of Development NGOs*, 94.
128 Heidy Rombouts, *Victim Organisations and the Politics of Reparation: a case study of Rwanda* (Antwerp: Intersentia, 2004).
129 Accessed 26 January 2021, https://survivors-fund.org.uk/awareness-raising/holistic-approach/ https://justice-survivors.com/2015/05/08/rwanda-genocide-survivors-getting-poorer-as-farg-changes-strategy/.

the civil war and in its aftermath. The lack of reparations and care for survivors potentially also hampers the governments' reconciliation efforts. To conclude, there seem to be 'purported fears that reparative justice will somehow hinder Rwanda's national development and be perceived [as] unfairly favouring survivors.'[130]

2.4 Reconciliation

Reconciliation can be broadly defined as the restoration of trust and positive relations between formerly adversarial groups. It is therefore a dynamic process that requires change to occur at the individual and the societal level.[131]

Since around 1998, the RPF promoted a strong narrative of national unity and reconciliation to reach reconciliation on both levels, as reflected in the many legal provisions that were created and several mechanisms that were put in place to further this vision of a reconciled peaceful and prosperous Rwanda, such as *gacaca* and the National Unity and Reconciliation Commission (NURC); therefore the National Unity and Reconciliation policy, formally introduced in 2007, is directly linked to the governments' socio-economic development *Vision 2020*.[132] Much of the transitional justice strategy that was designed follows this vision and is in fact an ambitious social engineering project to foster reconciliation between genocide survivors and perpetrators but also between citizens and the state (horizontal and vertical reconciliation).[133] However, the government's national unity and reconciliation efforts have been heavily criticized by international commentators and scholars alike for being overly elite-driven and neglecting the struggle of everyday lives of ordinary citizens and even of triggering open and subtle acts of resistance.[134] In their view, the vision of a rehabilitated nation closed down discussions of how ethnicity shaped the violence during the Genocide and led to a one-sided acknowledgement of victims being Tutsi only. Unity and reconciliation were furthermore promoted through the

130 Schimmel, *Advancing International Human Rights Law Responsibilities of Development NGOs*, 105.

131 Laura Blackie and Nicki Hitchcott, 'I am Rwandan': Unity and Reconciliation in Post-Genocide Rwanda,' *Genocide Studies and Prevention: An International Journal* 12(1) (2018): 24.

132 Andrea Purdeková, '"Civic Education" and Social Transformation in Post-Genocide Rwanda: Forging the Perfect Development Subjects,' in *Rwanda Fast Forward: Social, Economic, Military and Reconciliation* ed. Maddalena Campioni and Patrick Noack, 192–213 (New York: Palgrave Macmillan, 2012); Scott Straus and Lars Waldorf (eds.), *Remaking Rwanda: State Building and Human Rights after Mass Violence* (Madison, WI: University of Wisconsin Press, 2011).

133 Jennifer Melvin, 'Correcting history: mandatory education in Rwanda,' *Journal of Human Rights in the Commonwealth* 1(2) (2013): 14–22.

134 Cf. Susan Thompson, *Whispering Truth to Power: Everyday resistance to reconciliation in postgenocide Rwanda, Africa and the Diaspora: History, Politics, Culture* (Wisconsin: University of Wisconsin Press, 2013); Eugenia Zorbas, 'What does reconciliation after genocide mean? Public transcripts and hidden transcripts in post-genocide Rwanda,' *Journal of Genocide Research* 11(1) (2009).

legal abandonment of ethnicity from public and political life. In 1999, the Office of the President stated, 'traditional value which must be reasserted, reinforced and taught to all Rwandans is considered to be 'the basis of future peace and security'[135]. Rwandanness was imposed as a strategic tool to foster unity and reconciliation. *Ndi Umunyarwanda* means 'I am Rwandan', which especially encourages youth to better understand their heritage. As such, Rwandanness adds to the official government narrative of colonialism having introduced and made salient ethnicity as a social and political concept. Critical commentators accuse the Rwandan government of using *Ndi Umunyarwanda* as a tool with which to silence critics and political opponents rather than to educate the younger generation about the country's history.[136]

As aforementioned, there were two main institutions introduced in order to facilitate reconciliation. As a restorative justice instrument, *gacaca* was supposed to reconcile through its robust truth-finding element and broad community participation. But perhaps the strongest mandate to foster reconciliation was held by the NURC,[137] founded in 1999 by the RPF government as a body fully accountable to parliament. Its council of commissioners, who act in an advisory function under the guidance of the chairperson, are all appointed by the president directly. In its activities, the NURC focuses on civic education and conflict management as well as peacebuilding. In line with the national unity policy, NURC was established to sensitize the population to the need for reconciliation and to emphasize (through educational programmes) shared aspects of history, such as culture and language, and the nation's historical oppression under colonial rule, which introduced divisive politics. The audience of NURC's activities, however, is not only the broader population but also the government, private sector, civil society and the media. Therefore, its primary task is to 'reinforce national unity and reconciliation, denounce and fight against acts, writings and utterances which are intended to promote any kind of discrimination or intolerance' (NURC 2007).[138] As outlined in their citizen charter of 2008, NURC is strongly committed to 'homegrown approaches', which they foster through *ingando* (solidarity camps), *itorero ry'igihugu* (traditional Rwandan school that instills moral values that have been modernized to promote unity and truth and work towards *Vision 2020*), *umuganda* (community work in the interest of national reconstruction) and *girinka* (one cow per family).[139] In 2015, NURC found in their Reconciliation Barometer that the status of reconciliation in Rwanda was at 92.5 percent, that 95.4 percent trusted in their leaders, 93.7 percent believed in apology and forgiveness, and that

135 Thompson, *Whispering Truth to Power*, 111.

136 Cf. Susanne Buckley-Zistel, 'Nation, narration, unification? The politics of history teaching after the Rwandan genocide,' *Journal of Genocide Research* 11(1) (2009).

137 Accessed 9 Januar 2021, https://www.nurc.gov.rw/index.php?id=69.

138 Under law no 35/2008 of 08/08/2008, NURC was given eight core functions.

139 Accessed 9 January 2021, www.nurc.gover.rw.

95.1 percent trusted their fellow citizens.[140] These figures show a high level of compliance with the unity and reconciliation strategy and in turn demonstrate the government's success in introducing social cohesion as a broad societal norm, although various other factors might have affected this. As alluded to earlier in this section, some scholars opine that the population has internalized this societal norm out of fear of repression, denunciation and, at worst, imprisonment.[141] Without empirical evidence for these claims, however, it is difficult to assess the 'real' state of reconciliation in Rwanda: what is obvious is that the inter-ethnic violence feared and predicted by many scholars has not occurred, and it is unlikely that it will in the mid to long-term future. Whether this is because of 'real' reconciliation, fear or a felt duty to forgive, apologize and reconcile must remain an unanswered question.

One of the most recent reconciliation initiatives supported by the government and under the auspices of the NURC are the so-called reconciliation villages. As of 2019, there were six such villages established by Prison Fellowship Rwanda, a Christian non-governmental organization. Funding comes mainly from the USA and the United Nations to promote healing and reconciliation. In the villages, perpetrators, survivors and their families live together and are financially supported with housing and school fees. Around 3,000 Rwandans live in these villages.[142] There has not been any sustained research undertaken into the level of 'reconciliation' in these villages or what their inhabitants think about their lives in these spaces.

According to the author's own research with survivors[143], they are often very sceptical of the government's top-down approach of an enforced reconciliation policy that requires survivors to forgive and reconcile. In many interviews, survivors preferred to speak about 'co-existence' with those who took part in the Genocide and sometimes even expressed anxiety about living next-door to people who had killed their family members.[144] To some extent, the need at least to share communal spaces again with alleged perpetrators became virulent when in 2003, by presidential decree, thousands of prisoners were released from prison and returned to their villages. Hence, survivors were forced to embrace the idea of reconciliation, but there was also a felt obligation to prevent further violence, which encouraged survivors to embark on the long and difficult process of coming to terms with the violence inflicted on them.[145] Blackie and Hitchcott found that in testimonies (translated from the Geno-

140 Accessed 20 January 2021, https://www.nurc.gov.rw/fileadmin/Documents/Others/Rwanda_Reconciliation_Barometer_2015.pdf.

141 Cf. Lars Waldorf, 'Revisiting Hotel Rwanda: genocide ideology, reconciliation, and rescuers,' *Journal of Genocide Research* 11(1) (2009); Filip Reyntjens, 'Constructing the truth, dealing with dissent, domesticating the world: Governance in post-genocide Rwanda,' *African Affairs* 110(438) (2011).

142 Ignatius Ssuuna, '25 years genocide can Rwanda heal? 6 villages try,"'*AP News*, 6 April 2019, accessed 11 January 2021, https://apnews.com/article/719ac8f0c4da4d2b80976057d869562a.

143 See e. g. Thompson, *Whispering Truth to Power.*

144 Personal interviews 2014; 2017.

145 Blackie and Hitchcott, 'I am Rwandan'.

cide Archive Rwanda, see 2.6), Rwandans often named pragmatic reasons to embrace reconciliation: the government strategy provided them with continuous political stability and economic development. At times they also cited benefits from taking part in NURC activities that fostered empathy between survivors and perpetrators. In conclusion, reconciliation is a complex and messy reality in Rwanda; it remains contested by Rwandans and foreign commentators alike.

2.5 Laws Relating to Transitional Justice

2.5.1 Laws Concerning Memorialization

- Law No. 56/2008 of 10/09/2008 Governing Memorial Sites and Cemeteries of Victims of the Genocide Against the Tutsi in Rwanda.[146]
- Law No 15/2016 of 02/05/2016 governing ceremonies to commemorate the Genocide against the Tutsi and the organization and management of memorial sites for the Genocide against the Tutsi, sets out new rules regarding the management of memorial sites.
- Presidential Order No. 061/01 of 20/05/2019 determining modalities for consolidation of memorial sites for the Genocide against the Tutsi.

2.5.2 Laws Concerning Reparation

- Law No. 2/1998 of 22 January 1998 Establishing a National Assistance Fund for the Neediest Victims of Genocide and Massacres Committed in Rwanda Between 1 October 1990 and 31 December 1994.
- Law No. 11/1998 of 1998 Amending and Completing the Law No. 2/1998 of 22 January 1998 Establishing a National Assistance Fund for the Neediest Victims of Genocide and Massacres Committed in Rwanda Between 1 October 1990 and 31 December 1994.
- Article 14 of the 2003 Rwandan constitution as amended to date provides, ‘the state shall within the limits of its capacity, take special measures for the welfare of the survivors who were rendered destitute by genocide against the Tutsi committed in Rwanda from October 1st, 1990 to December 31st 1994 (…)’.
- Law No. 69/2008 of 30/12/2008 Relating to the Establishment of the Fund for the Support and Assistance to the Survivors of the Tutsi Genocide and other Crimes Against Humanity committed between 1st October 1990 and 31st December 1994, and determining its Organisation, Powers and Functioning.

146 The list of laws and regulations is taken from www.refworld.de and accessed 18 Januray 2021, https://cnlg.gov.rw/index.php?id=115.

– Law No. 81/2013 of 11 September 2013 establishing the Fund for Support and Assistance to the neediest Survivors of the Genocide against the Tutsi Committed Between 01 October 1990 and 31 December 1994 and Determining its Mission, Powers, Organisation and Functioning, OG. No. 45 of 11 November 2013.

2.5.3 Laws Concerning Criminal Prosecution

– Law No. 16/1997 of 26 December 1997 Modifying the Law No. 9/1996 of 8 September 1996 Relating to Provisional Modifications to the Criminal Procedure Code.
– Organic Law No. 08/1996 of 31 August 1996 on the Organization of Prosecutions for Offenses constituting the Crime of Genocide or Crimes Against Humanity committed since 1 October 1990.
– Law No. 33/2003 of 2003 Repressing the Crime of Genocide, Crimes Against Humanity and War Crimes of 6 September 2003.
– Law No. 13/2004 Relating to the Code of Criminal Procedure.
– Organic Law No. 40/2000 of 26 January 2001 Setting Up 'Gacaca Jurisdictions" and Organising Prosecutions for Offences Constituting the Crime of Genocide or Crimes Against Humanity, Committed Between October 1, 1990 and December 31, 1994.
– Organic Law No. 33/2001 of 2001 Modifying and Completing Organic Law No. 40/2000 of 26 January 2001.
– Organic Law No. 16/2004 of 19/6/2004 Establishing the Organisation, Competence and Functioning of Gacaca Courts Charged with Prosecuting and Trying the Perpetrators of the Crime of Genocide and Other Crimes Against Humanity, Committed Between October 1, 1990 and December 31, 1994.
– Organic Law No. 28/2006 of 27/06/2006 Modifying and Complementing Organic Law No. 16/2004 of 19/06/2004 Establishing the Organisation, Competence and Functioning of Gacaca Courts Charged with Prosecuting and Trying the Perpetrators of the Crime of Genocide and Other Crimes Against Humanity, Committed Between October 1, 1990 and December 31, 1994.
– Organic Law No. 10/2007 of 01/03/2007 amending Organic Law of 2004.
– Organic Law No 11/2007 of 16/03/2007 concerning the Transfer of Cases to the Republic of Rwanda from the International Criminal Tribunal for Rwanda and from Other States.
– Organic Law No. 13/2008 of 19/05/2008 amending previous Organic Laws.
– Organic Law No. 04/2012/OL terminating Gacaca Courts and determining Mechanisms for solving Issues which were under their Jurisdiction, adopted on 15. June 2012.

2.5.4 Laws Concerning Transitional Justice Institutions

- Law No. 03/99 of 12/03/1999 establishing the National Unity and Reconciliation Commission, O.G. No. 6 of 15/03/1999.
- Law No. 04/99 of 12/03/1999 establishing the National Commission of Human Rights, O.G. No. 6 of 15/03/1999.
- Law No. 09/2007 of 16/02/2007 on the Attributions, Organisation and Functioning of the National Commission for the Fight Against Genocide.

2.5.5 Others

- Law No. 18/2008 of 23/07/2008 relating to the punishment of the crime of genocide ideology that defines genocide ideology and sets out specific penalties.
- Law No. 47/2001 of 18/12/2001 on Prevention, Suppression and Punishment of the Crimes of Discrimination and Sectarianism which effectively builds the foundation on which 'divisionism' is invoked for which no specific law exists.
- Law No. 02/2013 on regulating media (Media law) adopted 11 March 2013.
- Law No. 41/2013 of 16/06/2013 establishing the National Itorero Commission and determining its mission, organisation and functioning.

2.6 Access to Files

Archives are an important cornerstone in the fight against impunity after mass atrocity and genocide, as outlined in the updated set of UN principles of 2005 for the protection and promotion of human rights through action to combat impunity, also referred to as the Joinet (after former UN Special Rapporteur Louis Joinet) / Orentlicher Principles (named after Diane Orentlicher who updated the principles; E/CN.4/2005/102/Add.1).[147] According to 'The Right to Know', access to archives is especially highlighted as a means for a society to be informed about its own history and for victims and kin of victims to know about the injustices that occurred.[148] In a recent report of 2020 by the UN special rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, access to archives was marked as a crucial step in reaching justice and in satisfying the right of victims to know the truth of what happened (A/HRC/45/45).[149]

Several institutions within and outside of Rwanda have collected files detailing specific aspects of the 1994 Genocide: (1) ICTR archive (2) *gacaca* archive (3) Geno-

147 Accessed 15 January 2021, https://undocs.org/E/CN.4/2005/102/Add.1.
148 See principles 2,4; principles 14–18 outline measures to guarantee access to archives and their preservation.
149 Accessed 15 January 2021, https://undocs.org/A/HRC/45/45.

cide Archive Rwanda (GAR) (4) the Shoah Archive. However, access to those files is regulated by each body individually, and especially the *gacaca* archive is not easily accessible either from within and from outside of Rwanda. Together these archives offer a rich and comprehensive account of the Genocide from various perspectives.

2.6.1 The ICTR Archive

The most extensive archive is the ICTR archive, which has thousands of metres of records and more than 3 petabytes of digital records including photographs, audio files and video files. The majority of files are accessible online through a database which allows a keyword and search for specific cases. Records include audio files as well as objects (see e.g. ICTR online exhibition 'Glimpse into the Archives').[150] Many files were redacted so as to protect the identity of witnesses. Many files, however, are not accessible online but can be viewed upon request on-site in Arusha at the MICT headquarters. The UN built a state-of-the-art building to allow for a safe holding environment for the archives.

Similar to the holdings of the ICTR's sister tribunal, the ICTY, there was and still is an ongoing debate about the custodianship of the archive. The Rwandan government requested the return of the documents to Rwanda and claims that they are the heritage of the Rwandan people, whilst the UN declared the ICTR archive the heritage of humanity and has refused to return any of the data to the Rwandan state out of fear that the government will restrict access to the archive.

2.6.2 The *gacaca* Archive

The *gacaca* archive is the most extensive local record of the Genocide. Due to the nature of the courts, it provides a very different narrative of the Genocide compared to the ICTR archive. All proceedings were recorded in writing, and trials include a list of victims, property stolen, injuries inflicted on survivors and/or dead bodies and the testimonies of defendants and witnesses. However, the decision-making of how the bench decided on a judgement was not noted. The archive's custodian is the CNLG, which regulates the access policy, something that is not formulated in any official document. It is only possible to get access through a lengthy permissions process, and some cases, such as those involving rape cases, are not accessible for international researchers or historians, at least momentarily. However, the proclaimed aim of the archive is to make past events accessible to the wider population and in particular to victims. In practice, though, access has not been provided to these population groups. Access for national researchers is given, however, and does not re-

150 Accessed 15 January 2021, https://www.irmct.org/specials/glimpse-into-the-archives/index.html.

quire a lengthy permission process. The *gacaca* archive is also used internationally for evidencing asylum claims brought forward by Rwandans abroad.

The archive is well protected, housed in a police station after a grenade attack in the 2000s. The Aegis Trust has been commissioned to catalogue and digitize the records. As of 2018, the process was not yet complete. The Aegis Trust is supported in its endeavour by the Dutch research organization NIOD, King's College London and the Shoah Foundation Centre at the University of Southern California, which offer training workshops and advise on international standards of cataloguing and digitization practices.

2.6.3 The Genocide Archive Rwanda

The GAR is a comprehensive collection of survivor testimonies gathered after the Genocide to specifically document the journey of survivors, but they also collected perpetrator testimonies and preserved the testimonies of elders; the collection is supported by IBUKA. Their interview methodology follows an oral history approach so that viewers and listeners are also informed about the socio-political context before, during and after the Genocide. It is run by the Aegis Trust and housed at the Kigali Genocide Memorial Centre (KGM). It was established in 2010. The majority of the interviews are accessible online to the wider national and international public, although many interviews were not translated from Kinyarwanda. As part of the archive, the team – mainly consisting of Genocide survivors themselves – also preserves photographs of those who perished during the killings. These photographs are often given to the archive by surviving family members in order to preserve the memory of the dead. More recently, the archive has substantially extended its website to include testimonies of perpetrators, some recorded at *gacaca*, and those of rescuers. In addition, they built an interactive online map of genocide memorials that offers geographical location and a brief history of the place.

2.6.4 USC Shoah Foundation Visual History Archive

The Visual History Archive has in close cooperation with the Genocide Archive Rwanda collected a further 86 audio-visual testimonies of survivors and witnesses of the 1994 Genocide.[151] It is to date the largest archive containing survivor testimonies outside of Rwanda. The Foundation furthermore supports the digitization and preservation of the *gacaca* files.

151 The Visual History Archive covers diverse mass atrocities and genocides globally, including those in Cambodia, Armenia, Guatemala and ongoing conflicts in the Central African Republic, South Sudan and the violence against the Rohingya.

2.7 Memorial Sites

As recently as 2020, the UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence issued a report on the pillars of transitional justice emphasizing memorialization as a crucial aspect of any transition process and suggested adding memorialization as the fifth pillar (alongside the right to truth, the right to justice, the right to non-recurrence, the right to know; see section 2.6). Memorialization concerns the establishment of memorials, commemorative events, renaming of buildings, streets etc. and the introduction of history textbooks, as well as the preservation of the documentation of abuses and archival material. Furthermore, memorialization can be understood as symbolic reparation[152] for victims, as it honours the dead and keeps the memory of the injustices experienced alive.[153]

2.7.1 National Memorials

Rwanda has undertaken all of these memorialization measures (as discussed in different sections in this report) but has perhaps put most emphasis on the establishment of genocide memorials. These were, however, never framed around symbolic reparation and are not seen as such by survivors, either. Today, around 243 memorials exist in Rwanda, although this number is in constant flux due to the dislocation of some memorials on the cell level and their (combined) re-location at the district level. Law No. 56 sets out that a memorial site includes mass graves, is dedicated to the memory of the Genocide and further delineates the specificities of national memorials, of which today eight exist in total. These national memorials have an elevated significance because of either a particularly high number of victims killed, particularly gruesome massacres or because they have historically been sites of persecution. These are

– Kigali Genocide Memorial
– Bisesero Memorial
– Nyanze Memorial
– Ntarama Memorial
– Nyamata Memorial
– Nyarabuye Memorial

152 Legally symbolic reparations fall under satisfaction; see section 2.3. Whilst in Rwanda courts have not ordered any satisfaction measures, the symbolism of the memorials, their sheer number and the acknowledgement of the past that come with the commemoration are a steady reminder of the violent past.

153 Julia Viebach, 'Principle 3: The duty to preserve memory,' in *The United Nations Principles to Combat Impunity: A Commentary*, ed. Frank Haldemann and Thomas Unger (Oxford: Oxford University Press, 2018).

- Nyange Memorial
- Murambi Memorial.

These national memorials, but also most other memorials in Rwanda, are 'authentic' places where massacres were carried out. They therefore narrativize a powerful traumatic story that conveys the horrors of the 1994 events. The memorials Nyamata and Ntarama in the Bugesera district, near Kigali, for instance, are churches where thousands of Tutsi were killed. The inside of the Nyamata church is still covered in the blood of the many victims, and clothes were laid out all over the church benches to give the onlooker an idea of the sheer quantity of individuals killed at the site, and ultimately their absence. The Nyamata church has several crypts where thousands of remains are housed and which are accessible to visitors. The nearby smaller Ntarama church displays clothes, personal belongings as well as skulls and bones, but in addition features a small garden and a wall of names which is still incomplete. Some adjunct buildings to the smaller church were left in the violent disarray in which they were found after the massacres, which underlines the authenticity of the place and creates a feeling of intimacy to both the violence and the victims. The national memorials are gated buildings that comprise a collection of textiles, artifacts and human remains that shall bear witness – through the careful curation of these materials – to victimhood, the dead, the scale of violence and stand as evidence of the Genocide. An interpretation of the events that took place is given by staff, who are often survivors from these sites themselves. More recently, however, the staff of national memorials has been replaced by staff from the CNLG,[154] which was established in 2007. The CNLG is mandated to coordinate commemorative activities, oversee the memorials on the national level, educate and research about the Genocide, and has become more recently the custodian of the *gacaca* archive after the national *gacaca* commission was closed. The national memorial sites are mainly funded by the state, which receives in turn funding from international donors to preserve the sites and technical support from selected partners that advise on the preservation of textiles and the forensic analysis of human remains.[155]

Two national memorials stand out in design and authenticity: the Kigali Genocide Memorial and Murambi in the Southern Province. The KGM was founded in 2004 with the financial help of Western donors, including the Israeli government, and with the technical expertise of Aegis Trust (see section 2.9 on commemorative events), a UK-based charity that runs the Nottingham Holocaust Museum. The KGM features permanent exhibitions on the Genocide, including one on children which narrates the fates of little ones (even babies and toddlers) who were killed during the Genocide. The exhibition follows a linear narrative that fits into the govern-

154 Accessed 15 January 2021, https://cnlg.gov.rw/index.php?id=2.
155 Randall Mason, 'Conserving Rwandan Genocide Memorials,' *The Journal of Preservation Technology* 50(2/3) (2019): 17–26.

ment's meta-narrative of how the division in Rwanda was created by the colonists, was further fostered by 'bad governance' and finally resulted in the explosion of murderous violence in 1994. It also features some panels on the rescuers, however. The museum displays clothes, and one room features some skulls and bones in glass vitrines. In another room visitors can listen to the stories of genocide survivors, some of whom work at the memorial. The beautiful memorial gardens house the remains of approximately 200,000 Genocide victims and a wall of names which has not been completed yet. The KGM has more recently expanded and now houses a peacebuilding training centre and a small amphitheatre where plays and poetry are performed. The KGM follows the global model of 'memorial museums', with a strong imperative of 'never again'.[156]

The Murambi Memorial is located in the Southern Province near Huye (formerly Butare), the second biggest city in the country; it was created in 1995. Around 50,000 people who had sought refuge there were murdered in the polytechnic school (which never opened its doors) within only a couple of days. The victims were hastily buried in mass graves in the school compound. Today, around 800 of these victims' bodies are on 'display' in the classrooms of the school – often still in the exact posture they were killed. The main school building houses an exhibition that details the official narrative of the Genocide but which also narrates the history of the region and the particularities of the killings in that place. Its opening was delayed because of a disagreement as to the specific narrative of the exhibition, and some donors withdrew their financial support. However, the exhibition finally opened in 2011 and is an important addition to the display of the remains, as it contextualizes the violence for visitors. In the long-term, however, the CNLG plans to drastically reduce the number of remains and to put only very few of them in glass coffins, integrated into the main exhibition. Currently, the CNLG together with international partners is undertaking forensic examination of the remains in order to discover how they were murdered.

2.7.2 Local Memorials

Whilst the national memorials are directed to an international audience (in particular KGM and Murambi), the much smaller local memorials honour the dead and stand as a stark local reminder of the horrors of 1994. These memorials are often managed by survivors themselves in cooperation with local authorities. They do not follow specific designs or global norms of how to memorialize human rights violations. Despite Law No. 56, which only mandates national memorials to display human remains, many local memorials display remains in various and creative ways. At Kaduha, for instance, the remains are housed in glass coffins and the me-

156 Paul Williams, *Memorial Museums: The Global Rush to Commemorate Atrocities* (Oxford: Berg, 2007).

morial building is surrounded by a flower beds that cover the mass graves. They are intimate spaces where the world of the living meets the world of the ancestors and where communication between those worlds can take place.[157] Many of these memorials are funded through private donations, which makes their long-term preservation a real concern for survivors. The government's plan to significantly reduce the number of memorials by exhuming and relocating genocide victims to district memorials is problematic because it closes the space for such local memorials to function as sites of mourning and reflection. IBUKA is especially involved in these local memorials and is dedicated to the preservation of the memory of the Genocide. In conversations with the association, they revealed plans to install plaques for roadblocks that were erected across the country in 1994, where many people were killed, and they discussed funding for building a memorial to the victims who were killed in the swamps of Bugesera (near the Ntarama Memorial). It seems unrealistic that in the current climate and without donor support such plans will be realized in the near future.

2.7.3 Memorials from a Survivors' Perspective

Rwanda's particular way of memorializing the dead has been heavily critiqued by scholars and presented as a 'spectacle of bones'[158] that supports a dominant, state-controlled performance of, fixation upon and reinterpretation of the past.[159] It is clearly not without controversy, and there have been contestations within Rwanda, too, as to how the dead should be remembered and for what purpose. After the Genocide, it was first and foremost survivors who decided how to commemorate their dead and to do so at authentic sites. At the Murambi Memorial, the idea to display lime-powdered bodies originates from survivors who founded the survivor organization 'Amagaju' in 1995; they lobbied to preserve 'facts for history'.[160] The display of human remains was later co-opted by the state and embedded in its attempt to create a single meta-narrative partially based on remains as 'evidence' or 'proof' of genocide.[161]

Some survivors, 'care-takers'[162], have pledged their lives to the care of these dead at the memorial sites, and in particular local memorials. Research has shown that

157 Viebach, 'Mediating "absence-presence" at Rwanda's genocide memorials'.
158 Sara Guyer, 'Rwanda's Bones,' *Boundary 2* 36(2) (2009): 155–175.
159 Timothy Longman, *Memory and Justice in Post-Genocide Rwanda* (Cambridge: Cambridge University Press, 2017).
160 Viebach, 'Mediating "absence-presence" at Rwanda's genocide memorials', 240.
161 However, this is also a view often stated by survivors working at the memorials (Viebach 2019).
162 Julia Viebach, 'Aletheia and the Making of the World: Inner and Outer Dimensions of Memorials in Rwanda,' in: Memorials in Times of Transition, ed. Susanne Buckley-Zistel and Stefanie Schaefer (Antwerp: Intersentia, 2014).

human remains have an ‘affective force’ that brings survivors closer to their loved ones. The memorials constitute a ‘place-bound proximity’ to the dead and open up communication to dead loved ones; they are material places where survivors can mourn and honour their deceased loved ones.[163]

2.8 Commemorative Events

The annual commemoration period in Rwanda lasts from April to July, with 7 April marking the opening and 4 July, ‘liberation day’, the end. The origin of this commemorative period lies in a number of initiatives by survivor associations, in particular the umbrella survivor organization *IBUKA*. Immediately following the Genocide, it was primarily small-scale, self-reliant initiatives that were dedicated to the memory of the dead (personal interview, January 2013). Only since about 1998 has there been a national mourning period with corresponding events. The official commemoration week on a national level takes place from 7 April to 13 April only.[164] During the night of 6 April to 7 April 1994, the presidential airplane carrying then President Juvenal Habyarimana aboard was shot down, marking the beginning of the Genocide, which started immediately after the plane crash. The dates of the national mourning period play a significant role: commemoration events largely take place at the original sites on the respective/calendric days of a given massacre. However, at the national level the opening and closing events constitute an exception. Traditionally, the mourning period is opened by President Kagame and his wife igniting the ‘eternal flame’[165] at the Kigali Genocide Memorial Centre. The ignition of the ‘eternal flame’ is a performative act that signifies hope and a better future. The light of the flame must be seen against its referential frame: darkness. In conversations with survivors, but also in famous commemoration songs and the memorial museum exhibitions at KGM and Murambi, the Genocide is referred to as the ‘time of darkness’. But the flame also implies a political connotation rooted in the foundation myth of the Rwandan nation during the feudal system under the *mwami* king.[166] Here, the flame signifies an eternal life that is equated with the eternity of the nation. During commemoration the flame symbolizes this foundation myth of the nation, which is

163 Julia Viebach, ‘Of other times: Temporality, memory and trauma in post-genocide Rwanda,’ *International Review of Victimology* 25(3) (2019): 277–301; Viebach, ‘Mediating “absence-presence” at Rwanda’s genocide memorials’.

164 Since 2008, the national mourning period takes place every year under a new theme. In 2012 the theme was ‘We learn from our history for a better tomorrow’. In 2013, the commemoration ceremony’s title was ‘Striving for Self-Reliance’.

165 This flame burns continually until the end of the mourning period, but not so during the remainder of the year. A similar flame, the Flame of Hope, is ignited during the commemoration ceremonies at the Nyaza memorial, which was established at IBUKA’s head quarter in 2012.

166 Personal interview, Kigali, February 2012.

deeply embedded in the national discourse of a new-born united Rwanda after the Genocide.

Since the 2014 commemoration there have been several changes with regard to the number and type of activities planned by state actors, which will be outlined below. Whilst the ignition of the flame still marks the beginning of the mourning period, several new activities such as the 'walk of remembrance', and especially a strong online presence that reaches a global audience, have been added. The commemoration has proven to be open to change over the last couple of years, mainly due to some new actors involved (described below) and an increasingly global outlook.

Amahoro Stadium Opening Ceremony: After the ignition of the flame, the country's official and largest mourning event takes place at Kigali's Amahoro Stadium. The stadium's history bears a connection to the genocide as well: throughout the Genocide, the Amahoro Stadium was used by the remaining UN troop contingents (UNAMIR) as a safe haven. During the commemoration event, President Kagame and other leading politicians give memorial speeches, highlighting in particular the international community's responsibility for the Genocide, as well as national progress made to date regarding economic development, reconciliation and coming to terms with the past.[167] Furthermore, since 2012 the so-called 'walk of remembrance' takes place in the afternoon of April 7, followed by a night vigil at the Amahoro stadium. The 'walk of remembrance' is led by President Kagame and takes the crowd from the Parliament to the Amahoro Stadium. During the night, vigil plays and commemoration songs are performed, accompanied by the lighting of candles and a large fire. The 2014 commemoration saw the performance of a theatre play that sparked many instances of PTSD among survivors in the stadium audience. Generally, trauma is a huge concern during commemoration. For instance, at the 2012 opening ceremony at the Amahoro stadium alone there were 377 cases of trauma; overall, at the 2012 events at the Amahoro stadium, in Nyamirambo, Nyanza, Rebero and Gisozi there were 613 trauma cases, in 2005, 627 such cases were registered.[168]

The 25th commemoration in 2019 was for the first time not held in the stadium but in Kigali's prestigious Convention Centre and was directed to an international and elite audience rather than the Rwandan population and survivors.

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167 Attendance on April 7, 2012, speeches by Paul Kagame in 2008, 2009, 2010, 2011, 2012, accessed 15 January 2021, https://www.paulkagame.com/speeches/.

168 Gishoma and Brackelaire, cited in Rachel Ibreck, 'The Time of Mourning: The Politics of Commemorating the Tutsi Genocide in Rwanda,' in *Public Memory, Public Media, and the Politics of Justice*, ed. Philip Lee and Pradip Thomas, (London: Palgrave Macmillan, 2012): 98 – 121, 112. See also Freddy Muhanga, 04.12.2012 GIZ-ZFD regional conference. Kibuye based on data by the Rwandan Ministry of Health.

Rebero Closing Ceremony: The closing event of the national mourning week takes place at the Rebero[169] memorial site in Kigali. It is only open to senior figures in politics and society at large.[170] At this ceremony politicians give speeches, in which they point to the heroic traits of those murdered in 1994 as a model for civil courage and a future against violence.[171] As is the case with the political speeches, the commemoration ceremonies are deeply ritualized, performative, and symbolic.

2.8.1 Memory-entrepreneurs

There are several key actors in the commemoration of the 1994 Genocide in Rwanda. Such actors have been described by the scholar Jelin as 'memory-entrepreneurs'[172]: actors who seek to define and advance memory (or their version thereof) in the (global) public sphere. The Ministry for Sports and Culture was the official government body involved in the organization (in collaboration with survivor associations) of the commemoration ceremonies before the establishment of the CNLG. There are the following memory-entrepreneurs: 1) survivor associations, especially IBUKA 2) CNLG 3) Aegis Trust.

1) Survivors have a prominent role in the memory-making process in Rwanda:[173] initiatives to build memorials and to organize commemoration on the local level are one part of survivors' and in particular **IBUKA'**s commitment to memory and justice after the Genocide. Before the state's involvement (some would speak of the co-opting of the commemoration by the state, see below), survivors organized their own commemorative ceremonies and searched for and buried bodies. IBUKA was successful in lobbying for the change of commemoration dates from 1–7 April to 7–12 April and has from the very beginning committed a hundred days of mourning to honour their loved ones[174], whereas the state officially commemorates only for those seven days.[175]
2) The second local memory entrepreneur and national body is the **Commission for the Fight Against Genocide,** inaugurated in 2007. The 2003 Rwanda constitution made provisions for such a commission under Article 179, but it took sev-

169 Politicians who were murdered during the genocide are buried there; in particular, at the beginning of the Genocide approximately 200,000 moderate politicians, journalists and other leading figures who had previously stood up to the regime.
170 An invitation is required to attend the ceremony.
171 Field notes commemoration Rebero, 13.04.2012.
172 Elisabeth Jelin, *State Repression and the Labors of Memory* (Minnesota: University of Minnesota Press, 2003).
173 Viebach, 'Mediating "absence-presence" at Rwanda's genocide memorials'.
174 Personal interview January 2013.
175 Kwibuka, however, has taken on survivors' demands, given that IBUKA is part of it and has extended its coverage of commemoration activities up until the beginning of July.

eral years for the commission to take up its work. The commission's mission is to prevent genocide, fight against genocide ideology, conduct research on the genocide and tackle its consequences. Furthermore, it advocates for the cause of genocide survivors nationally and abroad and is responsible for planning and coordinating all activities related to genocide commemoration (RC Art. 179, para. 1–4, 32). The CNLG has therefore been entrusted to manage the national memorials throughout the country in consultation with IBUKA. They have also established a genocide research and documentation centre. Although the CNLG is on paper an independent national organ, it clearly has the mission to promote the government's ambitions related to memorialization and to promote its hegemonic meta-narrative of the past. Over the last couple of years, the commission has increasingly collaborated with international actors in the organization of the national commemoration.

3) There has been an increasing interest on the part of international actors to engage in commemoration practices in the field of peacebuilding and peace education more generally. **Aegis Trust** is one such organization in the 'memory business who can offer a material template for remembering' and who 'often move in to at least partially construct and run them [memorials]'[176]. The motivation to engage in memorialization is often the prescriptive idea of promoting reconciliation and contributing to genocide prevention. Aegis is a UK-based organization that has specialized in Holocaust memory, genocide prevention and peace education. It was founded by Dr James Smith in response to the Kosovo crisis.[177] Aegis runs the National Holocaust Museum Centre in the UK and has used it as a template to build the Kigali Genocide Memorial Centre.

Since the 20th commemoration in 2014, these actors have merged into **Kwibuka**[178], which combines traditional features of Rwandan Genocide commemoration with a globalized vison of the commemoration of human rights violations, so that something new and distinct has emerged. Part of these new features is an increased online presence enabled by social media and website activities, for example. Emphasis is put especially on reaching a diffuse global audience to spread the message of 'never again', which in turn transforms the Genocide into an atrocity that concerns all of humanity.

176 Johanna Mannergren Selimovic, 'Making peace, making memory: peacebuilding and politics of remembrance at memorials of mass atrocities,' *Peacebuilding* 1(3) (2013): 340.

177 Accessed 24 May 2017, https://www.holocaust.org.uk/our-history, ed. https://www.nationalholocaustcentre.net/our-history.

178 Julia Viebach, unpublished manuscript.

2.8.2 Commemoration on the local level

Further commemoration events at different massacre sites throughout the country take place during this national week of mourning. However, many ceremonies are held until July, depending on the calendric date the massacres took place. In contrast to many of the national commemoration ceremonies, these are held at the sites (now often memorial sites) where the massacres took place. At Ntarama, survivors and next of kin of Genocide victims take part in a solemn march to the swamp lands where so many Tutsi were hunted down and brutally killed in 1994.[179] The march honours especially those whose bodies were never retrieved from the swampland; according to local estimates, thousands of bodies are hidden in the swamps of Bugesera. The majority of local commemoration events are organized by IBUKA and local authorities. The population is expected to attend those ceremonies; they are not directed towards an international audience. They are highly symbolic due to the burials that take place as part of the ceremony. Today, remains of genocide victims are still being discovered, which are usually buried during commemoration ceremonies. As part of the localized commemoration, night vigils take place that mirror customary funerary rites, when the deceased was conventionally accompanied to the world of the ancestors by family members and friends.[180] Night vigils are an opportunity for survivors to tell their stories in an informal setting that allows them to narrate their experience outside of the structured testimony-giving during the official commemoration ceremonies. In some instances, the night vigils are joined by perpetrators who have confessed their crimes and those in the community who want to show their support to survivors.

2.8.3 Importance of commemoration for survivors

The time of mourning is an incredibly significant but also difficult time for survivors in Rwanda. The way the state has decided to commemorate the Genocide has led to difficulties for survivors in finding a space outside the prescribed discourse of unity and reconciliation and politically-laden ceremonies to honour their dead loved ones. The decision to show images and even short videos of the Genocide during earlier commemoration ceremonies has led to an outcry by survivors due to the stark increase of trauma cases and mental health issues. IBUKA and other survivor associations have lobbied for a more 'sensitive' approach regarding trauma during commemoration time. In the meantime, the state has improved and increased mental health services to support survivors. Commemoration is a time where survivors'

179 See for a detailed description of the hunt of Tutsi in the Bugesera swampland Jean Hatzfeld, *Life Laid Bare: The Survivors in Rwanda Speak* (New York, NY: Other Press, 2007).
180 Cf. Déogratias Bagilishya, 'Mourning and Recovery from Trauma: In Rwanda, Tears Flow Within,' *Transcultural Psychiatry* 37(3) (2000).

plight can be publicly acknowledged within their communities; it also opens up space to give testimony before the community and to share the experienced pain. Commemoration therefore constitutes for many survivors a form of 'memory-justice'.[181]

2.8.4 The politics of commemoration

Many commentators have stated that the memorialization of the Genocide is a key political instrument of the RPF government in its pursuit of power. Vidal, for example, argues that the RPF instrumentalized the genocide commemoration for the pursuit of power and to uphold law and order in the country.[182] Similar claims are made by de Lame, who concludes that annual commemoration of the Genocide is put centre stage in its nation-building project and its attempt to construct a national identity as 'Rwandans'.[183] Another strand of the literature has put forward a similar critique aimed at the RPF's attempts to construct a unified Rwanda by abandoning ethnic identities. This work contests the notion of a unified Rwanda and points out that the commemoration ceremonies exclude Hutu who were killed during the civil war in whose wake the Genocide was committed.[184] In particular, Lemarchand makes a strong case for these excluding patterns of commemoration, which he couches in a framework of 'thwarted and manipulated' memory.[185] However, such views tend to neglect the agency of ordinary Rwandans and survivors in particular to shape their own remembrance and meaning-making processes alongside and underneath this broader politics of commemoration.[186]

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181 Julia Viebach, 'Aletheia and the Making of the World: Inner and Outer Dimensions of Memorials in Rwanda,' in *Memorials in Times of Transition*, ed. Susanne Buckley-Zistel and Stefanie Schaefer (Antwerp: Intersentia, 2014): 69 – 96.

182 Claudine Vidal, 'Les commémorations du génocide au Rwanda,' *Temps Modernes* 56(613) (2001): 1– 46.

183 Danielle De Lame, *Une colline entre mille: Transformations et blocages du Rwanda rural* (Tervuren: Musée Royal de l'Afrique Centrale, 1996).

184 Susanne Buckley-Zistel, 'Remembering to Forget: Chosen Amnesia as Strategy for Local Co-Existence in Post-Genocide Rwanda,' *Africa. The Journal of the International African Institute* 76(2) (2006): 131– 150; Anna-Maria Brandstetter, 'Contested Pasts: The Politics of Remembrance in Post-Genocide Rwanda,' in *The Ortelius Lecture*, edited by Netherlands Institute for Advanced Studies in the Humanities and Social Sciences (University of Antwerp: Wassenaar, 2010).

185 Rene Lemarchand, *The Dynamics of Violence in Central Africa* (Philadelphia: University of Pennsylvania Press, 2009).

186 Viebach, 'Mediating "absence-presence" at Rwanda's genocide memorials.'

2.9 Transitional Justice Institutions

This section will return to the transitional justice institutions outlined in section 2.2/2.7 with a focus on the assessment of their functioning and their legacy. Especially (1) *gacaca* (2) ICTR (3) memorials.

2.9.1 *Gacaca*'s Contested Legacy

The literature on Rwanda's *gacaca* courts has mushroomed over the last two decades and offers rich insights into the courts' workings, the state's co-optation and the perspectives of ordinary citizens on this 'traditional' transitional justice mechanism. Accordingly, diverse and contested is the assessment of *gacaca*'s success depending on whether scholars focus on the state, legal provisions or an anthropological perspective that contextualizes state intervention, legal shortcomings and the social embeddedness of the courts.

The government perceives *gacaca* as a full success, stating that 'the courts are credited with laying the foundation for peace, reconciliation and unity in Rwanda'. Assessed against its objectives of reaching justice and reconciliation, this perspective is credible, particularly when read together with the NURC's Reconciliation Barometer findings (see section 2.4) and compared to the large number of speedy trials *gacaca* enabled. However, this view lacks an in-depth and critical assessment of *gacaca*'s legal underpinnings and societal implications.

Assessment of legal provisions: gacaca has been especially criticized from a human rights perspective. Many NGOs such as Human Rights Watch, Penal International and Amnesty International have doubted *gacaca*'s fair trial standards and the right to defence. They accuse the government of sacrificing justice (especially the rights of the defendant) in favour of expedited trials through the transformation of the customary *gacaca* into a 'more formal, state-run juridical apparatus'.[187] HRW further states that the infringement of the right to a lawyer was merely based on the fact that the government wanted to speed up the trials (ibid.). Ultimately these critiques fail to acknowledge *gacaca* as a hybrid model of criminal prosecution that entails restorative justice elements which include the lack of legal representatives as a cornerstone. Moreover, as a (semi-)restorative justice institution, *gacaca* did not solely focus on punishment of perpetrators, but was flexible enough to take into account locally defined objects such as community participation. Human rights reports claim, however, that *gacaca* was 'mob justice' (rather than community justice) and therefore failed to apply core and minimal human rights standards such as the impartiality of the justice system; these reports paint a picture of *gacaca* as a 'story

187 *Justice Compromised*, 17, accessed 28 January 2021, https://www.hrw.org/sites/default/files/reports/rwanda0511_cases.pdf.

of stagnation and radical exclusion'.[188] Like many other commentators, international human rights organizations have critiqued *gacaca* 's 'selective justice' in terms of the vacuum left in the prosecution of crimes committed by the RPF. Human Rights Watch and Amnesty International conclude that *gacaca* was at best a mixed success, since it failed to ensure important safeguards against violation of due process and to prompt the government to 'correct the grave injustices that have occurred through this process'.[189] They acknowledge, however, that *gacaca* contributed to truth-telling and ended the cycle of impunity that had dominated Rwandan legal and political structures since the Hutu 'social revolution'. As Clark writes, 'much criticism reflects legal rigidity towards the unprecedented challenges confronting post-genocide Rwanda – and a limited understanding of the aims of the community courts. *Gacaca* was inevitably imperfect, but also highly ambitious and innovative'.[190]

In terms of delivering judgements and perhaps even rendering (legal) 'justice', *gacaca* can be seen as a success. As indicated above, more than one million cases were tried before *gacaca*, whereas the ICTR only tried 90 cases. In comparison with the ICTR, *gacaca* cost about 400 million US dollars, the ICTR more than 1 billion US dollars. Many cases ended in acquittals or sentences were served as community work, so that the backlog of genocide cases in the prisons could be tackled and funds released for reconstruction purposes (ibid.). Moreover, *gacaca* individualized criminal individuality – one of the main objectives of international criminal justice (see below) – and ended decades of festering impunity. Fighting impunity is a major aim of transitional justice and has been codified in soft law on the international level in the Orentlicher Principles (see section 2.6). Contrary to the ICTR, *gacaca* tried planners and low-level perpetrators so that defendants were equal in status before the courts. The 2008 revision of the OL enabled *gacaca* to try former majors and prefects in the very spaces they had exercised their power and control over the population. Impunity was therefore combatted with regard to low and high-level perpetrators.

Assessment of societal impact

The choice to apply a community-based justice system after the Genocide reflects the government's scepticism towards war crimes tribunals such as the ICTR and emphasizes the need to embed (any form of) justice efforts in a broader societal context of psychological healing, reconciliation and truth-telling. Therefore, it is crucial to take

188 Benjamin Thorne and Julia Viebach, 'Human Rights Reporting on Rwanda's Gacaca Courts: A Story of Stagnation and Failure,' in *Rwanda since 1994: Stories of Change*, ed. Hannah Grayson and Nicki Hitchcott, 41–62 (Liverpool: Liverpool University Press, 2019), 42.

189 *Justice Compromised*, 125, accessed 28 January 2021, https://www.hrw.org/sites/default/files/reports/rwanda0511_cases.pdf.

190 *How Rwanda Judged its Genocide*, accessed 28 January 2021, https://www.africaresearchinstitute.org/newsite/publications/how-rwanda-judged-its-genocide-new/.

into account the *societal context* in which *gacaca* operated. It is also important to note that *gacaca* was not a homogenous system but played out very differently according to communities' histories, inter-communal relationships, willingness to engage with the process and openness to telling and hearing about the horrific events of 1994. As such, *gacaca* became entangled with not only people's everyday lives but became an expression of the messy, unequal and at times violent social repair process:

> public, participatory, routinized, and based on oral testimony – and this contextualization formed the basis of its situated relevance to people's efforts to shape forms of sociality. People used gacaca sessions to negotiate the micro-politics of reconciliation, which included debating definitions of 'genocide citizenship', guilt, innocence, exchange, and material loyalty. [191]

Particularly important in *gacaca* were community participation and *truth-telling* ('the truth heals'). Participants of *gacaca* have stressed that truth-telling has led to a release from shame and social dislocation through confessing and apologizing in front of victims. Survivors have emphasized that the communal act of bearing witnesses led to an acknowledgement of their pain. However, truth-telling and truth-hearing have also led to fear and social dislocation where ways of truth-telling and, importantly, truth-acceptance could not be negotiated. As a messy process, *gacaca* led to community distrust in the process of truth-telling until a version could be accepted. Many survivors expressed doubt about perpetrator confessions, especially if only partial truths emerged (e.g. a defendant would confess the murder of one person, but remained silent about the death of another individual or with whom crimes were committed) and remained sceptical about the sincerity of apologies. In interviews, survivors often accused defendants of disingenuous apologies only uttered to reduce their prison sentences. Survivors also complained about the fact that the state had put a 'duty' to forgive upon them without considering the burden they carried by the mere fact of having survived. However, for survivors, *gacaca* was crucial in finding the bodies of their dead loved ones and in discovering what happened to them, i.e. how they had died. Many families were separated during the Genocide, so that the fates of family members was often unknown. It was therefore tremendously important for survivors to be able to learn the location of mass graves during *gacaca* so as to bury their loved ones in dignity.

Whilst *gacaca* has unearthed the 'truth' about what happened during the Genocide and brought closure to some participants, the expectation to reach reconciliation was perhaps too lofty. As a community process, *gacaca* opened up space for debate about the events of 1994 and to what extent individuals had participated in it, and therefore broadened democratic space on the micro-level. But *gacaca* as a process of social repair rather than a mere legal process was perhaps never fit to lead to

191 Kristin Doughty, 'Law and the architecture of social repair: gacaca days in post-genocide Rwanda,' *Journal of the Royal Anthropological Institute* 21(2) (2015): 419.

reconciliation as an end goal, but was one that could in the long-term – precisely because the seal of secrecy around 1994 had finally been lifted – lay the foundation for a reconciliation process.

2.9.2 The ICTR's Legacy

In the context of international criminal tribunals, scholars have defined legacy 'to mean a lasting impact, most notable on bolstering the rule of law in a particular society by conducting effective trials while also strengthening domestic capacity to do so'[192]. The UN OHCHR further defines legacy as a lasting impact on promoting the rule of law through effective trials to end impunity and strengthen domestic capacities.[193]

Assessment of ICTR's reconciliation objective: One of the main objectives of the ICTR as outlined in its statute and emphasized by some commentators was to bring about reconciliation in Rwanda (and the Great Lakes Region) by assigning individual responsibility for the horrific crimes committed. It was believed that replacing the idea of political responsibility with individual criminal responsibility and therefore avoiding regional political or ethnic grounds for collective behaviour would be the most crucial step to reconciliation among Rwandans.[194] However, that proved problematic for several reasons: despite the aim of eradicating collective guilt and diminishing the grounds for demarcating ethnicity, the ICTR had to confirm that Tutsi were an ethnic group and hence that the other ethnic group, Hutu, had attempted to eradicate them. In this process, judgements talked of 'Hutu', 'the local population', a 'mob of Hutu men' etc, which assigned collective responsibility.[195,196] Furthermore, by establishing ethnicity, international justice's attempt at reconciliation contradicted local efforts to abolish ethnic categories and introduce Rwandanness (see section 2.4 on reconciliation). Another reason is that the ICTR had little influence in Rwanda: what Clark has described as 'distant justice'[197] in the context of

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192 Milena Sterio, 'The Yugoslavia and Rwanda Tribunals: A Legacy of Human Rights Protection and Contribution to International Criminal Justice,' in *The Legacy of Ad Hoc Tribunals in International Criminal Law: Assessing the ICTY's and the ICTR's Most Significant Legal Accomplishments*, ed. Michael Scharf and Milena Sterio, 11–24 (Cambridge: Cambridge University Press, 2019), 13.
193 Office of the UN High Commissioner for Human Rights, *Rule of Law Tools for Postconflict States, Maximizing the Legacy of Hybrid Courts*, 4–5, UN Sales No. HR/PUB/08/2 [2008].
194 Jean Marie Kamatali, 'The Challenge of Linking International Criminal Justice and National Reconciliation: the Case of the ICTR,' *Leiden Journal of International Law* 16(1) (2003): 115–133.
195 Jean Marie Kamatali, 'The Challenge of Linking International Criminal Justice and National Reconciliation: the Case of the ICTR,' *Leiden Journal of International Law* 16(1) (2003): 121–123.
196 Prosecutor vs. Akayesu, ICTR-96–4-T; Prosecutor vs. Clement Kayisheme and Obed Ruzindana, ICTR-95-I-T; Prosecutor vs. Ignace Bagirishema, ICTR-95-I-AT.
197 Phil Clark, *Distant Justice: The Impact of the International Criminal Court on African Politics* (Cambridge: Cambridge University Press, 2018).

the International Criminal Court holds true for Rwanda as well. ICTR judges showed little interest in Rwandan culture or society so as not to jeopardize their objectivity. The ICTR was hardly known among Rwandans and failed in establishing a rigorous outreach programme – despite an office in Kigali – to inform the public about their work and the judgements rendered. In addition, victims could only appear as witnesses at trials and were denied legal representation and civil party to the trial, so that reparation claims could not be made and clemency granted in consultation with those most affected by the crimes tried before the Tribunal.[198] A link between victims and crime was therefore not established; in the rare cases that apologies were made, as, for instance, in the Omar Serushago trial, where the defendant apologized for the crimes committed and expressed his hope for reconciliation in Rwanda, the apology was made before the Tribunal, but not before the victims in Gisenyi where the killings had taken place.[199] Clemency and pardon can be given on grounds of a guilty plea and display of remorse (Art 27, ICTR Statute); however, the current practice of the Mechanism is questionable. High level convicts such as historian Ferdinand Nahimana (who was behind the creation of RTLM), Father Emmanuel Rukundo (who helped the massacres at Kabgayi) and Colonel Bagosora (one of the military masterminds of the Genocide) were granted early release[200] or had their lifesentences reduced respectively, which caused an outcry by Rwandan victim organizations in Rwanda itself and in the diaspora.[201]

In conclusion, the Tribunal did not achieve its goal of reconciliation among Rwandan groups; therefore, its legacy on the societal level remains limited. Nevertheless, the assessment of its jurisdictional legacy can be seen in a more positive light.[202]

Assessment of the ICTR's jurisprudence: The ICTR played a crucial role in the further delineation of international criminal law five decades after the Nuremberg trials through the development of legal doctrines (in their case law) and the solidification

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198 This shortcoming of the role of victims in international criminal justice was corrected in the pursuing institutions, the Extraordinary Chambers in the Courts of Cambodia (ECCC) and later at the International Criminal Court (ICC).

199 Prosecutor vs. Omar Serushago, cited in Jean Marie Kamatali, 'The Challenge of Linking International Criminal Justice and National Reconciliation: the Case of the ICTR,' *Leiden Journal of International Law* 16(1) (2003): 130.

200 It is common practice in international criminal justice that defendants request early release after having served two-thirds of their sentence.

201 It seems that after former President of the Mechanism Judge Theodor Meron was heavily criticized for his early release practice, pursuant President Carmel Agius introduces changes to this policy. He accepted a request by the Rwandan government (in September 2020) to reject the early release request by Laurent Semanza (who was sentenced to 35 years imprisonment) and emphasized that the Mechanism would follow a more consultative approach with the Rwandan government in the future. See further, accessed 22 January 2021, https://www.justiceinfo.net/en/45474-rwanda-wins-on-ictr-convict-early-releases.html.

202 For a more positive spin on the ICTR's contribution to reconciliation, see Nsanzuwera 2005.

of human rights norms more broadly. The Akayesu case became the first trial in which an international tribunal interpreted the definition of genocide as set forth in the 1948 Genocide Convention. The ICTR was the first tribunal after Nuremberg that issued a judgement of genocide against a former head of state[203] (Jean Kambanda), defined rape as means of genocide and convicted members of the media for inciting the public to commit acts of genocide (so-called 'media case', Bosco Barayagwiza, Nahimana and Ngeze). Therefore, the 'Tribunals have done much to make the law of genocide workable'[204].

Genocide had never before been legally defined, and it was unclear what precisely the prosecutor had to prove in terms of individual responsibility for the crime. Moreover the 'national, ethnic, racial or religious' group which the Convention protects was difficult to establish given that Tutsi were originally believed to be a social category rather than an ethnic group, i.e. there was a lack of distinct cultural or social identity. Moreover, Tutsi were neither a racial or religious group, so legally, the Convention might not have applied to Tutsi although the term Genocide was widely used (after the end) to describe the heinous crimes committed. The ICTR took a broad approach in interpreting the Convention and hence defined Tutsi as a 'stable and permanent' group, which widened the possibility of future prosecution on these grounds. In addition, the Convention in terms of perpetration speaks of the destruction of a stable and permanent group (the intent to destroy in part or whole). Here, the Tribunal decided upon a broad reading again and emphasized the 'special intent' of destroying a group, whether or not the destruction had actually taken place. In conclusion, the judges decided in the Akayesu case that proof of the killing of one person of a stable group with this 'special intent' is enough to prove individual responsibility for genocide. Therefore, it is now possible to prosecute genocide regardless of the number of individuals of one particular group being killed as long as there is proof of the intent to destroy this group.[205]

The Akayesu case provided a further milestone in the development of international criminal law. For the first time, the judges defined rape in international criminal law and furthermore recognized rape as a form of crimes against humanity and

203 It therefore challenged the principle of 'sovereign immunity' and clarified that even heads of state can be held accountable as subjects bound to international legal obligations for breaches of such. See further Hassan Bubacar Jallow, 'The Contribution of the International Criminal Tribunal for Rwanda to the Development of International Criminal Law,' in *After Genocide: Transitional Justice, Post-Conflict Reconstruction and Reconciliation in Rwanda and Beyond*, ed. Phil Clark and Zachary D. Kaufman (London: Hurst, 2008): 261–279, 277.

204 Darryl Robinson and Gillian MacNeil, 'The Tribunals and the Renaissance of International Criminal Law: Three Themes,' *American Journal of International Law* 110(2) (2016): 196.

205 In fact, the Akayesu judgement had direct implications for the rulings of the ICTY that previously had not included genocide in the charges. As a consequence, from the 1998 Akayesu judgement, in 2011 the Tribunal convicted Radislav Krstic of genocide (cf. Jallow, 'The Contribution of the International Criminal Tribunal for Rwanda to the Development of International Criminal Law,' 270–271).

genocide.[206] The trial chamber found that rape constitutes, as outlined in the Convention, 'serious bodily or mental harm' and therefore should be seen as a means of genocide. Importantly the judges found that rape was used intentionally during conflict to control and destroy Tutsi and therefore that such crime was perpetrated as 'an integral part of the process of destruction'[207]. The judgement acknowledged that rape 'cannot be captured in a mechanical description of objects and body parts' and defined rape as 'a physical invasion of a sexual nature, committed on a person under circumstances which are coercive'[208]. This definition goes much further than even national jurisdictions, which often focus on consent and penetration. The definition of sexual violence was equally broad, such that the crime need not have entailed physical contact but even just the mere (forced) performance of nudity. The Akayesu ruling widened the possibility to prosecute rape and sexual violence as a means of genocide and crimes against humanity and for the first time took a liberal approach in clearly defining these crimes. Given the prevalence of rape as 'weapon of war' in countless conflicts globally, the Akayesu judgement is monumental.

The so-called media case constitutes a further milestone in the ICTR's development of jurisprudence. The judgement defined the boundaries between free speech and freedom from discrimination and further delineated the root causes of genocide through (mass) communication. This was enabled by the broad interpretation of incitement to genocide as outlined in the Convention. It found that especially *Radio Télévision Libre des Mille Collins* and the *Kangura* newspaper were used for more than just disseminating information or expressing opinions. The media case proved that these outlets were used to directly incite killings and that the orator (and founders) had genocidal intent in doing so (through an assessment of not only words and texts but also editorial policies). One such 'graphic impression of genocide intent' was showing a machete alongside the question: what weapons shall we use to conquer the Inyenzi once and for all?'[209] The media case judgement made clear how to distinguish between political speech, the dissemination of information and genocidal incitement through these and artistic forms.

In conclusion, the ICTR has significantly contributed to the development of international criminal law and has, through its case law, furthered jurisprudence in international criminal justice, which constitutes a lasting legacy to be applied by the ICC and other international tribunals.

206 Previously rape fell under the rubric of inhumane treatment as a part of crimes against humanity and war crimes; cf. Sterio, 'The Yugoslavia and Rwanda Tribunals'.

207 The prosecutor vs. Akayesu, ICTR-96 – 4, 731, cited in Jallow, 'The Contribution of the International Criminal Tribunal for Rwanda to the Development of International Criminal Law,' 272.

208 ICTR-96 – 4, 687 – 688, cited in Jallow, 'The Contribution of the International Criminal Tribunal for Rwanda to the Development of International Criminal Law'.

209 Cited in Jallow, 'The Contribution of the International Criminal Tribunal for Rwanda to the Development of International Criminal Law,' 274.

2.9.3 Memory at the Crossroads

Much of the transitional justice literature sees memory as something that can be harnessed and deployed. Memorials in this reading shall contribute to reconciliation and contribute to critical thinking and a form of human rights education. These are lofty expectations hardly evidenced in the messy world of social reconstruction. Accordingly, in post-genocide Rwanda, remembrance remains, on the one hand, a politicized process co-opted by the state and, on the other, a very individual process of meaning-making.[210] Despite much of the literature on Rwandan memorialization, it is possible that these two forms of remembrance exist alongside and underneath each other. Scholars have stressed the 'overreach'[211] of the state but have neglected that ordinary citizens have agency in their choices as to how and who to remember, be it in private or in public.

It is questionable whether the memorials further reconciliation. They are rather a steady reminder of the wrongdoings of the past. Some survivors have even opined that the memorials are a form of punishment for the perpetrators, who are reminded of their deeds on a daily basis after serving a prison sentence. In further interviews it was often posited that memorials foster critical thinking and therefore would lead to reconciliation without detailing in their responses how precisely reconciliation should be achieved. Other research has shown in addition that despite the government's attempt to create a homogenic narrative of the past, attitudes towards memorialization are complex and not necessarily determined by ethnicity. Rwanda 'presents an interesting case study of the limits of a government's ability to shape the collective memory of a population'.[212]

2.10 Victims' Associations

Particularly in post-conflict contexts, it is common that groups of victims establish formalized associations to lobby for their interests, which often pertain to reparation or compensation claims (see section 2.3). In Rwanda, Hutu do not have any formal or even informal representation as victim groups, as their victim status is not officially acknowledged.

The lack of state support in the rehabilitation of survivors makes the work of the organized survivor associations even more important. There are several very wellorganized victim associations, some of which have close ties to the government but do

210 Viebach, 'Mediating "absence-presence" at Rwanda's genocide memorials.'
211 Bert Ingelaere, *Does the Truth Pass Across Fire without Burning? Transitional Justice and its Discontents in Rwanda's Gacaca Courts* (Antwerp: Management IoDPa Discussion Paper, 2007).
212 Timothy Longman and Theoneste Rutagengwa, 'Memory and Violence in Postgenocide Rwanda,' in *States of Violence, Politics, Youth and Memory in Contemporary Africa*, ed. Edma G. Bay and Donald L. Donham, 243 (Charlottesville and London: University of Virginia Press, 2006).

not necessarily function as their mouthpiece. The most important ones are members of the 'Task Force To Remember Survivors 20' as outlined in section 2.3. These are:[213]

- AVEGA, Association of Widowed Survivors
- IBUKA, umbrella organization of Genocide survivors
- GAERG, National Students, Association of Genocide survivors
- AERG National Graduate Student Association of Genocide Survivors
- Kanyarwanda, a human rights organization that manages the Centre for Rehabilitation of Victims of Torture and Repression, which provides services for survivors
- Barakabaho Foundation, which provides homes for orphaned Genocide survivors
- SURF Survivor's Fund, a UK charity that promotes the human rights of Genocide survivors.

The next section will focus on a brief description of especially 1) IBUKA, 2) AVEGA 3) AERG and GAERG and finally 4) SURF, which are the survivor associations best organized in terms of funding and operational structure and which therefore have the most political and social influence.

2.10.1 IBUKA

IBUKA literally means 'we remember'; it is the victims' umbrella organization in Rwanda, which has much weight when it comes to policies around memorials and commemoration.[214] IBUKA was founded in 1995 and has since lobbied on behalf of victims to improve their living conditions, access to medical treatment and trauma counselling and has helped survivors to claim support from FARG (see section 2.3). 'The vision of IBUKA is that Rwandan society should be a place where the memory of the genocide is preserved and where all the genocide survivors are socially included, financially able and live with full dignity'.[215] IBUKA comprises of 15 member organizations. Furthermore, it has conducted its own studies into the perpetration of the Genocide in the different regions of the country and wrote a report on the stories and fate of rescuers – those persons who saved Tutsi during the Genocide, often under life-threatening conditions for themselves and their families. With the help of international donors, they were able to train their own counsellors (mostly survivors themselves) who support survivors with mental health issues in the remote parts of the country. IBUKA has been extremely successful in influencing commemoration

213 Schimmel, accessed 10 January 2021, *Advancing International Human Rights Law Responsibilities of Development NGOs*.

214 Rachel Ibreck, 'The politics of mourning'; Viebach, 'Mediating "absence-presence" at Rwanda's genocide memorials.'.

215 Accessed 10 January 2021, www.survivors-fund.org.uk.

and memorialization policies. IBUKA runs the non-national memorials and cares for their maintenance and preservation. As such, the preservation of the memory of the Genocide and those who died is a crucial part of their vision.

2.10.2 AVEGA

AVEGA[216] is the Association of Widows that was founded in 1995 by women who lost their husbands during the Genocide. AVEGA is comprised of approximately 20,000 widows and 70,000 of their beneficiaries, mainly orphans.[217] As the majority of men were killed during the Genocide, widows and a large number of orphans are one of the legacies of the Genocide. Oftentimes, women were forced to take on the role of breadwinner after 1994. The organization works for social justice for widows of the 1994 Genocide by improving access to healthcare and socio-economic opportunity. As an organization that is for both Hutu and Tutsi widows, it is able to foster social capital. As part of their work, AVEGA works directly in the communities and informs especially women about their civic rights and particularly rights to justice and socio-economic well-being. Similar to IBUKA, they also offer counselling services, which fill an important gap in the lack of psychological support provided by the FARG and social services. A more recent project is concerned with the collection and digitization of widows' testimonies as part of their conflict transformation and peacebuilding programme.

2.10.3 AERG and GAERG

AERG[218] (*Association des Etudiants et Éleves Rescapés du Genocide*) is the association of student survivors created at the National University of Rwanda in 1996. Its main mission is to connect and represent all student survivors whose parents and relatives were killed during the Genocide and who are in the higher education system or attend secondary school. They provide financial support, help with trauma-related health issues, homelessness and financial problems. It is presented at 27 universities and 300 secondary schools across Rwanda with a total membership of 43,397.

GAERG[219] represents university graduates and students in higher learning institutions; they work closely together with its sister organization AERG. They support survivors in their daily lives and the younger siblings of graduates so as to build

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216 AVEGA is the abbreviation of Association des Veuves du Genocide Agahozo. Agahozo means 'a place where your tears dry'; accessed 10 January 2021, https://avega-agahozo.org/.

217 Schimmel, *Advancing International Human Rights Law Responsibilities of Development NGOs*.

218 Accessed 10 January 2021, https://gaerg.org.rw/.

219 Accessed 10 January 2021, https://survivors-fund.org.uk/about/our-work/local-partners/aerg/.

'a new family' for these young adults and children who lost their own families during the Genocide.

2.10.4 SURF

SURF[220] is the only international organization dedicated to the promotion and support of Genocide survivors in Rwanda. It was founded in the UK, in 1995, by Mary Kayitesi Blewitt, a Rwandan citizen. SURF assists the Rwandan survivor associations with financial and technical support and is a conduit for development aid from diverse agencies such as UK's DFID. It is committed to support survivors in their right to reparative justice and supports the documentation of all legal cases of unresolved genocide-related crimes. SURF's annual reports provide an excellent overview of the situation of survivors in Rwanda and the many legal, social and psychological challenges they still face today.

2.11 Measures in the Educational System

2.11.1 *Itorero ry'igihuhu*

As part of the government's National Unity and Reconciliation Programme of 2007, the NURC introduced *itorero ry'igihuhu*, an education programme aimed at teaching cultural values and which can be seen as the broadest of its education programmes. The NURC defines *itorero* as

> a homegrown initiative inspired by the Rwandan culture that was formerly a traditional Rwandan school to instil moral values of integrity, and capacity to deal with one's problems which has today been revived to promote values of unity, truth, culture of hard work and avoiding attitudes and mindsets that deter development all aimed at attainment of Vision 2020, MDGS and EDPRS.[221]

The general population, and implicitly Hutu, is in this vision depicted as demonstrating 'bad behaviour, mindset and engaging in bad practices'[222] which– from the government's perspective – makes a change of their mindsets through civic education necessary.[223] As worded in the policy

220 Accessed 26 January 2021, https://survivors-fund.org.uk/about/our-work/.
221 NURC, National Policy of Unity and Reconciliation (Kigali, 2007).
222 NURC, Understanding Itorero Ry'igihugu (Kigali, 2011), 1.
223 A rationale behind this thinking is the mass participation in the Genocide. It is therefore believed by the political elite that the authorities could easily manipulate the population because they were not educated enough and that traditional pre-colonial values had been lost. Consequently,

> Unity and reconciliation in Rwanda… It requires every citizen to change their mind completely; hence the country will have unity spread all over the nation, where Rwandans will be free and the country which is always eager to have a better future for every Rwandan.[224]

Itorero was introduced as a one-year pilot after its parliamentary ratification in November 2007. Until the end of 2012 more than three million Rwandans – around 27 percent of the population – should have passed the training programme. The *Itorero* Task Force at the NURC oversaw its implementation until 2011 when the newly founded National Itorero Commission (NIC) took over and extended the programme function to a National Service (*urugerero*) for 18 – 35 years old adults, including mandatory military and civil service.[225]

Itorero is structured around the idea of 'drivers of change', meaning that particular promising individuals divided into specific groups such as family, village, school, public administration, university etc. are selected to be 'mentored' through *itorero.*[226] This mentoring takes place on cell, sector and district level (mirroring the decentralized political governance units) in a comprehensive training process and complex structure. In the training session, a strong association between cultural values from the past, good governance in the present and development in the future is made and, according to NURC, critical thinking fostered.[227] Sessions include physical exercise, a civic education module, character building and a community service module. Training sessions are held in public facilities and last a few days to several weeks. In the graduating ceremony, graduates pledge to the *Itorero* Code of Conduct and sign the *imihugo* performance contract, committing themselves to achieve a set of developmental goals; their performance is monitored through an administrative structure which oversees the *itorero* groups across the country and participants are evaluated according to the achievements of the goals set out in their *imihugo.*[228]

These drivers of change are called *intore*,[229] which refers to 'the chosen ones', pre-colonial Tutsi elite warriors who underwent *itorero*, an old military institution.[230] These 'new Rwandan citizens' are to further the achievement of Vision 2020 and the government's overall nation-building project. According to NURC, an *intore* is regard-

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in this view, the re-education of the general population furthers peacebuilding and conflict prevention.

224 NURC, National Policy of Unity and Reconciliation, 2.

225 Erika Dahlmanns, 'New Community, Old Tradition: The Intore Warrior as a Symbol of the New Man. Rwanda's Itorero-Policy of Societal Recreation,' *Modern Africa: Politics, History and Society* 1 (2015): 120.

226 NURC, Strategic Plan of Itorero ry'Igihugu 2009 – 2012 (Kigali, 2009), 15 – 19. Accessed 25 January 2021, https://www.nic.gov.rw/fileadmin/user_upload/Itorero_strategic_plan_English_2009_-_2012.pdf.

227 Melvin, 'Correcting history'.

228 Dahlmanns, 'New Community, Old Tradition,' 134 – 137.

229 The warrior dance *Intore* has survived in popular culture until today.

230 Dahlmanns, 'New Community, Old Tradition.'.

ed as a driving force of national development and a shining example to his fellow citizens. Anyone living up to the principles of the programme, meeting the performance commitments shall be an *intore*.[231] The best *intore* are celebrated in ceremony in different categories and the country-wide best *intore* are acknowledged on the national level on *Itorero ry'Igihugu* Day, whilst the lowest performers are publicly shamed as *ibigwari*, coward or 'weakling', thereby establishing 'a meritocratic hierarchy of *Intore*'.[232]

For the majority of scholars *itorero* is another government strategy to construct a homogenized narrative of the past and indoctrinate the population into their ambitious social engineering project of creating new and 'good citizens'[233] in a prosperous and reconciled Rwanda.[234] However, a more nuanced assessment of *itorero* is provided by Dahlmanns, who contends that it might further national unity, as it promotes cooperation to achieve a common objective; in addition, it serves nation-rebuilding by defining all Rwandans as victims of a loss of culture and at the same time as heroic promoters of a cultural and moral revolution crystallized in the figure of the *itore*, who stands for the return of a 'Golden-Age'-like state.[235] She concludes that *itorero* 'exemplified numerous facets of harnessing and the complex impacts of a reinterpretation of an old tradition for the purpose of designing a new political order and overcoming inner divisions'.[236]

2.11.2 *Ingando*

Ingando[237] is a further civic education in unity and reconciliation spearheaded by the NURC (originally started by the Ministry of Sports and Culture), which describes this pre-colonial military custom as an activity that has 'facilitated the smooth reintegration of former returnees, ex-FAR, and provisionally released prisoners back into their communities. Target groups include women, youth groups, students joining university and local leaders.'[238] These 'solidarity camps' were particularly important in the 1990s to build national unity and were at that time financially supported by

231 NURC, Strategic Plan of Itorero ry'Igihugu 2009 – 2012, 15, 23.
232 Dahlmanns, 'New Community, Old Tradition,' 137.
233 Simon Turner, 'Making Good Citizens from Bad Life in Post-Genocide Rwanda,' *Development and Change* 45(3) (2014): 415 – 433. doi: accessed 27 April 2022, https://doi.org/10.1111/dech.12093.
234 Cf. Straus and Waldorf, *Remaking Rwanda*.
235 Dahlmanns, 'New Community, Old Tradition,' 143 – 144.
236 Dahlmanns, 'New Community, Old Tradition,' 144.
237 *Ingando* derives from the Kinyarwanda word 'kuganika', which refers to using reflection and time away from daily activities to resolve problems of national concern, free of distractions (Turner, 'Making Good Citizens from Bad Life in Post-Genocide Rwanda').
238 NURC, accessed 25 January 2021, https://www.nurc.gov.rw/index.php?id=81.

UNHCR and the WHO.[239] They can be understood as a predecessor of the less militarized and more community-centred *itorero* schools, which do not take place in encamped and therefore confined spaces (see above). The origin of *ingando* is contested, however. Whilst the government claims it derives from pre-colonial times, researchers have found that it was used during the guerrilla war in Uganda and then again during the 1990 – 1994 civil war by the RPF to solidify a common political ideology in RPF-held territory.[240] Some scholars have therefore unsurprisingly suggested that *ingando* aimed at 'mainstreaming participants into the RPF political ideology'[241], whilst others have highlighted civic education aspects and the significance of the re-education of released prisoners and defendants given the strong prevalence of genocide ideology.[242] The camps could last for weeks or months and happen periodically or once. Camp sessions included military training, physical exercise and – crucially – Rwandan history modules and civic education similar to the later established *itorero*. *Ingando* targeted different types of populations: old and new caseload returnees, ex-FAR soldiers and demobilized adult and youth combatants, provisionally released prisoners, those serving TIG, prison-born children, university students upon entrance into higher education, head teachers, civil servants, *inyangamugayo* and even street children.[243] It seems, though, that there were two different types of camps: 'solidarity camps' for politicians, church leaders, students and civil society more generally, and 're-education camps' for ex-soldiers, released prisoners, convicted *génocidaires*, street children and prostitutes.[244] In particular, released prisoners, ex-soldiers and returnees from the DRC had to undergo the *ingando* camps before returning to their home communities. The government saw this particular group as in special need of 're-education' and 'reintegration' exercises, including education about history, learning about 'overcoming bad governance', 'how to resist divisive and genocidal policies', 'how to become agents of change' and civic values.[245] The solidarity camps were mandatory following high school graduation and for those entering university or receiving government scholarships. Accurate figures of how many Rwandans underwent these camps are lacking. Rwandapedia reports that 50.6 percent of provisionally released prisoners underwent *ingando* and

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239 Andrea Purdeková, 'Rwanda's Ingando camps: Liminality and the reproduction of power,' *Refugee Studies Centre*, *University of Oxford Working Paper* 80 (2011).

240 Purdeková, 'Rwanda's Ingando camps'; Phil Clark, *The Gacaca Courts, Post-Genocide Justice and Reconciliation in Rwanda: Justice without Lawyers*, *Cambridge Studies in Law and Society* (Cambridge: Cambridge University Press, 2010).

241 Chi Adanna Mgbako, 'Ingando Solidarity Camps: Reconciliation and Political Indoctrination in Post-Genocide Rwanda,' *Harvard Human Rights Journal* 18 (2005): 201–224; cf. Turner, 'Making Good Citizens from Bad Life in Post-Genocide Rwanda'.

242 Cf. Clark, *The Gacaca Courts, Post-Genocide Justice and Reconciliation in Rwanda*.

243 Purdeková, 'Rwanda's Ingando camps'.

244 Turner, 'Making Good Citizens from Bad Life in Post-Genocide Rwanda,' 425.

245 Clark, *The Gacaca Courts, Post-Genocide Justice and Reconciliation in Rwanda*, 105 – 106; Purdeková, 'Rwanda's Ingando camps'.

41.1 percent of high school graduates entering higher education went through the solidarity camps.[246]

2.11.3 History Textbooks

Research in the field of education after emergency has shown that the promotion of an official narrative in support of the ruling regime is not unique to Rwanda but is commonplace in post-conflict societies.[247] 'Syllabi result from political processes that vary between different state formations and political systems. The common denominator is that syllabi express values that the state sees as desirable for the citizenry'.[248]

It is not surprising against that backdrop that the introduction of history textbooks in Rwandan schools follows the RPF's political objectives of national unity and reconciliation, promoting a specific version of the country's history that mobilizes a shared Rwandanness against a colonialism that is seen as the main cause of the ethnic division. Prior to the Genocide, history was taught with books written by colonial authorities that, according to the government, promoted 'divisionism' and 'genocide ideology'. Therefore, authorities imposed a moratorium on the teaching of history for fear of another genocide.[249] But there was also a lack of material and human resources as well as disagreement over the significance of different events leading up to and during the Genocide, and there were concerns over the promotion of 'divisionism' by teachers.[250] For many, the participation of teachers in the violence and the location of massacres in schools led to 'the total erosion of faith in the education system'.[251] Some scholars have concluded differently regarding the reasons for the lengthy ban, arguing that the RPF exploited the vacuum to introduce a homogenized version of Rwandan history to align with their ambitious social engineering project.

The NURC was entrusted with the development of a new history book – *Histoire du Rwanda* – that would later facilitate the introduction of the official history syllabi and be used for *itorero* and *ingando*. The NURC formulates the need for education as follows

> Young people need to know the origins and causes of the deep divisions that have shaped recent relations between Rwandans. Otherwise, future generations will have a partial vision of the past,

246 Accessed January 25, 2021, http://rwandapedia.rw/explore/ingando.
247 Paul Thomas and Kristin Skinstad van der Kooij, 'The history syllabus in post-genocide Rwanda,' *Cogent Education* 5(1) (2018): 154–195.
248 Thomas and van der Kooij, 'The history syllabus in post-genocide Rwanda,' 2.
249 Buckley-Zistel, 'Nation, narration, unification?'; Elisabeth King, 'From classrooms to conflict in Rwanda,' *African Affairs* 114(454) (2014): 156–158.
250 Melvin, 'Correcting history'.
251 Melvin, 'Correcting history,' 17.

> fuelled by emotional or popular stories gleaned from parents, friends, newspapers, and other writing or simply from the street.[252]

Only in 2008 did the government introduce the first official history syllabus. The Rwanda Education Board has four publicly available history syllabi at Ordinary Level (2008 and 2015) and Advanced Level (2010 and 2015). Content analysis of these texts has revealed that the blame attribution around ethnicity is in tension with the overall goal of reconciliation, because the Hutu population at large is mainly blamed for the murderous violence of 1994; and some obviously oppressing social structures such as the feudal arrangements *ubujae* and *uburetwa* are portrayed in a positive light, while the literature considers these oppressive clientele systems as benefitting the Tutsi elite.[253] In addition, the RPF's victory over the genocidal regime and its post-genocide nation-building politics are laid out in messianic terms that leave little to no room for the 'critical thinking' that the syllabi attempt to foster.[254] It must also be acknowledged that the pedagogical objectives of these textbooks are to be implemented by teachers who are in some instances terrified to teach about Rwandan history, and especially the Genocide, in an 'incorrect' manner.[255]

2.12 Coming to Terms with the Past through Art

There is a significant extent of artistic reappraisal of the Genocide inside and outside of Rwanda in television, radio, film, literature and, more recently, theatre. One of the best known international films about the Genocide which has been heavily criticized inside Rwanda is Terry George's 2004 'Hotel Rwanda', which tells the story of the prominent *Hôtel des Mille Collines* in Kigali where hundreds of Tutsi sought refuge during the Genocide. The hotel manager Paul Rusesabagina is depicted as the hero who saved many lives. In reality, his role is heavily contested, and in particular survivors who were at the hotel at that time tell quite a different story of the events in question.[256] Hitchcott demonstrates how such 'prosthetic memory' of the Genocide narrated from the standpoint of and for an international audience can have potential harmful consequences for survivors of trauma.[257] The film might also explain the international outcry over the arrest – which was described by international media as

252 NURC, Histoire du Rwanda: des origines à la fin du xxe siècle (Kigali, 2011), 11.
253 Thomas and van der Kooij, 'The history syllabus in post-genocide Rwanda,' 6.
254 Thomas and van der Kooij, 'The history syllabus in post-genocide Rwanda,' 6.
255 Informal conversation, November 2016.
256 Informal conversation with survivors, February 2019.
257 Nicki Hitchcott, 'Seeing the Genocide against the Tutsi through someone else's eyes: Prosthetic memory and Hotel Rwanda,' *Memory Studies* (online first, 2020).

unlawful – of Paul Rusesabagina in 2020, who was charged with terrorism and murder.[258]

Furthermore, similarly to the Holocaust, we can witness the development of survivor novels that tell vivid and heart wrenching stories of despair and survival. Among the most prominent are Immaculée Illibagiza's 'Left to Tell: Discovering God Amidst the Rwandan Holocaust' (2006); Scholastique Mukasonga's 'Our Lady of the Nile' (2012) and Yolande Mukagasana's 'Not My Time to Die' (translated by Zoe Norridge in 2019). This form of writing can be seen as an act of remembrance in itself to honour those who perished in 1994 but also to fight genocide denial and raise awareness of the 1994 Genocide.

3 Stocktaking: Successes and Failures of Transitional Justice in Rwanda

3.1 Successes in Coming to Terms with the Past and their Causes

Implementation of Transitional Justice

After the Genocide, the government introduced a comprehensive, complex and creative transitional strategy that addresses the main goals of transitional justice such as truth, reconciliation and justice. It is perhaps one of the most comprehensive transitional justice strategies in the world and certainly on the African continent.

Fight against impunity

Despite the destruction of the judiciary in 1994, Rwanda reformed and built a completely new judicial system that was equipped to try crimes against humanity and genocide. This enabled Rwanda to fight impunity and try high-level as well as low-ranking perpetrators. More than a million cases were tried before the *gacaca* courts and thousands more before the Specialized Chambers in the national courts. The ICTR contributed by prosecuting 90 planners of the Genocide and through its case law furthered the development of international criminal law.

Truth-telling

Truth-telling and truth-hearing are a cornerstone of transitional justice initiatives globally. The *gacaca* courts were successful in uncovering what happened during the killings in 1994, who participated to what extent, who was bystander and who

258 Accessed 28 September 2021, https://www.bbc.co.uk/news/world-africa-54147759.

rescued. Truth-telling as a social repair measure was, however, a messy, contested and, at times, a violent process.

Memorialization

The government and survivor associations have established a comprehensive and far-reaching memorialization strategy including the establishment of memorials, preservation of the *gacaca* archive and commemorative events. Especially for survivors, this is a significant development, since their suffering is publicly acknowledged and the memorials offer a material space to mourn their loved ones.

Traditional Justice and civic education

Rwanda was very successful in finding 'home-grown' solutions (e.g. *gacaca*, *itorero*, *umuganda*) to tackle the legacies of the Genocide that were sometimes at odds with international ideas of transitional justice, especially criminal prosecution and truth-telling mechanisms. Through teaching pre-colonial military and political customs and societal norms, it was possible to create a sense of Rwandanness among the population and redirect blame for the Genocide to colonialism. The *abunzi*, the successor of *gacaca*, successfully regulate community conflicts today.

Development

Rwanda has been praised by international donors for its implementation of development plans. It has reduced poverty, introduced social service provisions including free health care, invested in the IT, energy and transport sectors. It aspires to become a middle-income country by 2035. Growth averaged 7.5 percent over the decade to 2018, per capita GDP grew five percent annually.

Political stability

Despite, or perhaps precisely because of the lack of respect for basic human rights, the RPF has built political stability not only for the country but the Great Lakes Region as a whole. It is highly unlikely that the country will experience an outbreak of violence again or face political violence as witnessed in neighbouring Burundi and recently Uganda.

3.2 Failures in Coming to Terms with the Past and their Causes

Reparations
The government has not provided meaningful reparations for survivors. In particular, compensation orders were not implemented and the state sees reparation as a favour rather than a human right of survivors.

Human rights
Democratic liberties are extremely limited, freedom of press and freedom of speech heavily restricted; the Freedom House Index categorizes Rwanda as 'not free'. Political and clerical opponents have been systematically persecuted, harassed, imprisoned, disappeared or even murdered. The human rights record of the government has been critiqued by international human rights organizations since the RPF took power in 1994.

'Victors' Justice'
The crimes against humanity and war crimes committed by the RPF during the civil war and in its aftermath have not been addressed. The justice mechanisms put in place exclusively addressed crimes related to the Genocide.

Memorials' impact on reconciliation
The memorials do not lead to reconciliation. Rather, they are a steady reminder of the wrongdoings of the past. There is no empirical evidence for claims in Rwanda and in the literature that memorials lead to reconciliation.

Marginalization of survivors
Survivors in Rwanda surprisingly constitute a vulnerable group in society. It seems that the more the Genocide moves into a distant past, the less understanding there is in society with regard to their plight and the burden they carry – society moves on. The state is concerned with the development of the country but leaves survivors behind.

Bibliography

Aalen, Lovise et al. *Ethiopian since Dergue: A decade of democratic pretension and performance.* London: Zed Books, 2002.
Abdurrahmani, Bledar. 'Transitional Justice in Albania: The Lustration Reform and Information on Communism Files.' *Interdisciplinary Journal of Research and Development* 5(3). Durrës: Aleksandër Moisiu, 2018.
Able, Richard L. *Politics by Other Means: Law in the Struggle against Apartheid, 1980 – 1994.* Cambridge: Cambridge University Press, 1997.
Abraham, Kinfe. *Ethiopia From Bullets to the Ballot Box: the Bumpy Road to Democracy and the Political Economy of Transition.* Lawrenceville: The Red Sea Press Inc., 1994.
Abrahan, Manuela and Mariana Risso. 'Llena de hondos silencios: Los debates en torno a la aprobación de la ley de Sitios de Memoria Histórica del Pasado Reciente No. 19.641.' In *Servicio Paz y Justicia – SERPAJ Uruguay*, *Derechos Humanos en el Uruguay. Informe 2018*, 50 – 65. Montevideo: SERPAJ, 2018.
ACHPR (Ethiopia). *HaregewoinGabre-Selassie and IHRDA (on behalf of former Dergue officials) v. Ethiopia* (Decision), 12 October 2013, Comm. No. 301/2005.
Achugar, Mariana, Amparo Fernández and Nicolás Morales. '(Re)presentando el pasado reciente: la última dictadura uruguaya en los manuales de historia.' *Discurso & Sociedad* 5(2) (2011): 196 – 229.
Adler, Sabine. 'Umstrittene Erinnerungskultur: Erste Museen zur Hoxha-Diktatur in Albanien.' *Deutschlandfunk*, 16. 08. 2017. https://www.deutschlandfunk.de/umstrittene-erinnerungskultur-erste-museen-zur-hoxha.691.de.html?dram:article_id=393639 (last accessed 14. 01. 2021).
Acuña, Carlos H. and Catalina Smulovitz. 'Guarding the Guardians in Argentina: Some Lessons about the Risks and Benefits of Empowering the Courts.' In *Transitional Justice and the Rule of Law in New Democracies*, edited by A. James McAdams, 93 – 122. Notre Dame and London: University of Notre Dame Press, 1997.
Acuña, Carlos H. and Catalina Smulovitz. 'Militares en la transición argentina: del gobierno a la subordinación constitucional.' In *Juicio, castigos y memorias. Derechos humanos y justicia en la política argentina*, edited by Carlos H. Acuña et al., 19 – 99. Buenos Aires: Ediciones Nueva Visión, 1995.
Adorno, Theodor W. *Gesammelte Schriften*, vol. 10.2 Frankfurt am Main: Suhrkamp, 1977.
Ahlbrecht, Heiko. D*er Fall Pinochet (s): Auslieferung wegen staatsverstärkter Kriminalität?* Baden-Baden: Nomos, 1999.
Ainley, Kirsten. *Evaluating Transitional Justice: Accountability and Peacebuilding in Post-Conflict Sierra Leone.* London: Springer, 2015.
Akhavan, Payam. 'Justice and Reconciliation in the Great Lakes Region of Africa: The Contribution of the International Criminal Tribunal for Rwanda.' *Duke Journal of Comparative & International Law* 7 (1997): 325 – 348.
Alegría, Diego et al., eds. *Poesía Chilena en Dictadura y Postdictadura.* Santiago: Universidad de Chile, Gramaje ediciones, 2020.
Alfonsín, Raúl. *Memoria Política: Transición a la democracia y derechos humanos.* Buenos Aires: Fondo de Cultura Económica de Argentina, 2004.
Alia, Ramiz. *Shpresa dhe zhgënjime.* Tiranë: Dituria, 1993.
Allier Montaño, Eugenia. 'Lugar de memoria: ¿un concepto para el análisis de las luchas memoriales? El caso de Uruguay y su pasado reciente.' *Cuadernos del CLAEH* 2(31) (2008): 87 – 109.

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https://doi.org/10.1515/9783110796629-012

Allier Montaño, Eugenia. 'Recordar para reparar: la imagen de los desaparecidos uruguayos en el "Memorial a los detenidos-desaparecidos".' *ILCEA – Revue de l'Institut des langues et cultures d'Europe, Amérique, Afrique, Asie et Australie* 26 (2016): 1–21. https://doi.org/10.4000/ilcea.3968 (last accessed 11.04.2022).

Allo, Awol and Tesfaye, Beza. 'Spectacles of illegality: mapping Ethiopia's show trials.' *African Identities* 13 (2015): 279–296.

Aliçka, Ylljet. *Metamorfozae një kryeqyteti*. N.N.: Onufri 2019.

Aliçka, Ylljet. *La valse du bonheur*. N.N.: L'Esprit du temps, 2019.

Aliçka, Ylljet. *Les slogans de pierre*. N.N.: Edition Climates, 1999.

Alonso, Fabiana. 'La dictadura militar argentina (1976–1983) en los textos de Ciencias Sociales e Historia para el tercer ciclo de la Educación General Básica.' In *Dictadura y Educación: Tomo 3: Los textos escolares en la historia argentina reciente,* edited by Carolina Kaufmann, 227–245. Salamanca: FahrenHouse, 2018.

Alonso, Jimena. 'La prisión masiva y prolongada en perspectiva de género: Mujeres presas durante la dictadura uruguaya (1973–1985).' In *El tiempo quieto: Mujeres privadas de libertad en Uruguay*, edited by Natalia Montealegre Alegría, Graciela Sapriza, María Ana Folle Chavannes, 53–73. Montevideo: Facultad de Humanidades y Ciencias de la Educación, Universidad de la República, 2016.

Alonso, Jimena and Fabiana Larrobla. 'Memorias femeninas en el uruguay pos-dictadura.' *Aletheia* 5(9) (2014): 1–14. http://www.memoria.fahce.unlp.edu.ar/art_revistas/pr.6417/pr.6417.pdf (last accessed 11.04.2022).

Alonso, Jimena, Fabiana Larrobla and Mariana Risso. *Avanzar a tientas: Cronología de las luchas por verdad y justicia 1985–2015.* Montevideo: Scielo, 2016.

Altuzarra, Cristancho. José Gabriel. 'Memoria, oposición y subjetividad política en el cine argentine.' *Imagofagia* 10 (2014): 1–62.

Ambos, Kai. 'Zur "rechtlichen" Struktur der Repression und strafrechtlichen Vergangenheitsbewältigung in Argentinien: Ein Kommentar aus juristischer Sicht.' In *Vergangenheitsbewältigung in Lateinamerika*, edited by Detlef Nolte, 86–95. Frankfurt am Main: Vervuert, 1996.

Ambos, Kai and Mohamed Othmann. *New Approaches in International Criminal Justice: Kosovo, East Timor, Sierra Leone & Cambodia.* Freiburg im Breisgau: Max-Planck-Institut für ausländisches und internationales Strafrecht, 2003.

Amesti, Nadia et al. 'La estructura del poder militar durante la dictadura.' Montevideo: Universidad de la República del Uruguay, 2018. https://sitiosdememoria.uy/sites/default/files/2020-01/Estructura.pdf (last accessed 11.04.2022).

Amnesty Interational, 'Äthiopiens Ex-Diktator Mengistu nicht verhaftet.' *AI-Journal* (January 2000). https://web.archive.org/web/20160304074225/http://www.amnesty.de/umleitung/2000/deu05/264?lang=de%26mimetype%3dtext%2fhtml (last accessed 24.11.2021).

Amnesty International Publications, *Albania Political Imprisonment and the Law.* London: Shadowdean Limited, 1984.

Amnesty International, *Safer to Stay Silent* (London, 2010). https://reliefweb.int/sites/reliefweb.int/files/resources/CBCBF4D4CFC49B494925779000199C1B-Full_Report.pdf (last accessed 06.12.2021).

Anonymous, 'Clouds over Attempts to Reconcile with the Past.' The New Humanitarian, December 15, 2006. https://www.thenewhumanitarian.org/fr/node/229198 (last accessed: 14.07. 2021).

Anonymous, 'Gericht: Kein Foto von Ex-Terroristin.' Der Tagesspiegel, 27 March 2007. https://www.tagesspiegel.de/gesellschaft/medien/gericht-kein-foto-von-ex-terroristin/827642.html (last accessed 22.03.2022).

Anonymous, 'The Senate Adopts the Report on Consolidation of the Genocide Memorial Sites.' https://www.parliament.gov.rw/news-detail?tx_news_pi1%5Baction%5D=detail&tx_news_pi1%

5Bcontroller%5D=News&tx_news_pi1%5Bnews%5D=16027&cHash=de69d119fd24304a4de10b09a66272d0 (last accessed 06. 12. 2021).Antonio Pereira. 'Análisis de los informativos televisivos durante el proceso de aprobación de la ley de caducidad.' Cuaderno de Historia 9 (2012): 125 – 149.

APDH (Asamblea Permanente por los Derechos Humanos). Memoria, Verdad y Justicia: Herramientas para la comunicación desde los derechos humanos. Buenos Aires: Asamblea Permanente por los Derechos Humanos, 2019.

Arapi, Lindita. *Schlüsselmädchen*. Berlin: Dittrich Verlag, 2013.

Arapi, Lindita. *Wie Albanien albanisch wurde – Rekonstruktion des Albanienbildes*. Marburg: Tectum Verlag, 2006.

Arce, Luz. *El Infierno*. Santiago: Editorial Planeta, 1993.

Aronson, Jay D. 'The Strengths and Limitations of South Africa's Search for Apartheid-Era Missing Persons.' *International Journal of Transitional Justice* 5(2) (2011): 262 – 81. https://doi.org/10.1093/ijtj/ijr013 (last accessed: 14. 07. 2021).

Asociación Madres de Plaza de Mayo. *Historia de las Madres de Plaza de Mayo*. Buenos Aires: Editorial de las Madres, [2]2003.

Assmann, Aleida. *Erinnerungsräume: Formen und Wandlungen des kollektiven Gedächtnisses*. Munich: C. H. Beck, 2009.

Assmann, Aleida. *Formen des Vergessens*. Göttingen: Wallstein, 2016.

Auer, Kira. *Vergangenheitsbewältigung in Ruanda, Kambodscha und Guatemala: Die Implementierung normativer Ansprüche*. Baden-Baden: Nomos, 2014.

Austin, C. Robert and Jonathan Ellison, 'Post-Communist Transitional Justice in Albania.' *East European Politics and Societies* 22(2) (2008): 373 – 401.

Austin, C. Robert and Jonathan Ellison. 'Albania.' In *Transitional Justice in Eastern Europe and the Former Soviet Union: Reckoning with the communist past*, edited by Lavinia Stan, 176 – 199. New York: Routledge, 2009.

Baberowski, Jörg. *Verbrannte Erde: Stalins Herrschaft der Gewalt*. Munich: Fischer, [2]2019.

Backer, David. 'Watching a Bargain Unravel? A Panel Study of Victims' Attitudes about Transitional Justice in Cape Town, South Africa.' *International Journal of Transitional Justice* 4(3) (2010): 443 – 456. https://doi.org/10.1093/ijtj/ijq015. (last accessed 14.07. 2021).

Bagilishya, Déogratias. 'Mourning and Recovery from Trauma: In Rwanda, Tears Flow Within.' *Transcultural Psychiatry* 37(3) (2000): 337 – 353.

Baines, Gary. 'Site of Struggle: The Freedom Park Fracas and the Divisive Legacy of South Africa's Border War/ Liberation Struggle.' *Social Dynamics* 35(2) (2009): 330 – 344. https://doi.org/10.1080/02533950903076428 (last accessed: 14. 07. 2021).

Bajohr, Frank. 'Holocaustforschung–Entwicklungslinien in Deutschland seit 1945.' In *Aufarbeitung des Nationalsozialismus*, edited by Magnus Brechtken, 122 – 142.

Bakiner, Onur. *Truth Commissions: Memory, Power, and Legitimacy*. Philadelphia: University of Pennsylvania Press, 2016.

Balé, Cinthia. 'Usos del archivo y políticas de la memoria: un análisis del proceso de 'apertura" de los archivos militares en Argentina (2003 – 2015),' Nuevo Mundo Mundos Nuevos *(2018)*, http://journals.openedition.org/nuevomundo/73860 (last accessed 11. 04. 2022); DOI: https://doi.org/10.4000/nuevomundo.73860.

Balza, Martín Antonio. '"Das Ziel rechtfertigt niemals die Mittel." Fernsehansprache des Stabschefs des argentinischen Heeres, General Martín Antonio Balza, vom 25. 4. 1995.' In *Vergangenheitsbewältigung in Lateinamerika*, edited by Detlef Nolte, 96 – 99. Frankfurt am Main: Vervuert, 1996.

Barahona de Brito, Alexandra. *Human Rights and Democratization in Latin America: Uruguay and Chile*. Oxford: Oxford University Press, 1997.

Barahona de Brito, Alexandra. 'Truth, Justice, Memory, and Democratization in the Southern Cone.' In *The Politics of Memory. Transitional Justice in Democratizing Societies*, edited by Alexandra Barahona de Brito, Carmen González-Enríquez and Paloma Aguilar, 119 – 160. Oxford: Oxford University Press, 2001.

Barbano, Rodrigo. 'Wikipedia y derechos humanos: construyendo memoria en territorios digitales, in Servicio Paz y Justicia – SERPAJ Uruguay.' *Derechos Humanos en el Uruguay. Informe 2018*. Montevideo: SERPAJ, 2018.

Barrera, Giulia. 'Of condors and judges: archival musings over a judicial investigation.' *Archival Science* 9 (2009): 203 – 214.

Bassiouni, M. Cherif. *International Criminal Law: International Enforcement*. Leiden: Martinus Nijhoff Publishers, [3]2008.

Bauerkämper, Arnd. 'Transnationale Dimensionen der "Vergangenheitsaufarbeitung".' In *Aufarbeitung des Nationalsozialismus*, edited by Magnus Brechtken, 20 – 37. Bonn: bpb, 2021.

Behrendt, Urs. *Die Verfolgung des Völkermordes in Ruanda durch internationale und nationale Gerichte: Zugleich ein Beitrag zu Inhalt und Funktion des Universalitätsprinzips bei der Verfolgung von Völkerrechtsverbrechen*. Berlin: Berliner Wissenschaftsverlag, 2004.

Beinart, William, and Peter Delius. 'The Historical Context and Legacy of the Natives Land Act of 1913.' *Journal of Southern African Studies* 40(4) (2014): 667 – 688. https://doi.org/10.1080/03057070.2014.930623 (last accessed: 14. 07. 2021).

Berghoff, Hartmut. 'Zwischen Verdrängung und Aufarbeitung: Die bundesdeutsche Gesellschaft und ihre nationalsozialistische Vergangenheit in den Fünfziger Jahren.' *Geschichte in Wissenschaft und Unterricht* 49 (1998): 96 – 114.

Berhe, Aregawi. *A Political History of the Tigray People's Liberation Front (1975 – 1991): Revolt, Ideology and Mobilisation in Ethiopia*. PhD diss., Amsterdam: Vrijie Universiteit Amsterdam, 2009.

Bertoia, Luciana. 'La agenda de Memoria, Verdad y Justicia en tiempos de cambios: Tensiones, rupturas y continuidades en el discurso del gobierno macrista en torno al terrorismo de Estado.' *Aletheia* 7(13) (2016). http://www.memoria.fahce.unlp.edu.ar/art_revistas/pr.7622/pr.7622.pdf (last accessed 11. 04. 2022).

Besoky, Juan Luis. 'Como dos extraños: dilemas del joven historiador frente al archive.' *Hilos Documentales* 1(1) (2018). https://revistas.unlp.edu.ar/HilosDocumentales/article/view/5956/5332 (last accessed 11. 04. 2022).

Bhandari, Ram Kumar. *The Role of Victims' Organisations in Transition from Conflict: Families of the Disappeared in Nepal*. PhD diss., Hamburg: University of Hamburg 2011.

Biberaj, Elez. *Albania in Transition: The Rocky Road to Democracy*. Boulder Colorado: Westview Press, 1998.

Bickford, Louis. 'Human Rights Archives and Research on Historical Memory: Argentina, Chile, and Uruguay.' *Latin American Research Review* 35(2) (2000): 160 – 182.

Bilbija, Ksenija and Leigh A. Payne. *Accounting for Violence: Marketing Memory in Latin America*. Durham: Duke University Press, 2011.

Birantamije, Gérard. 'Civil Society Organisations and Transitional Justice in Burundi: When Making is Resisting.' In *Resistance and Transitional Justice*, edited by Briony Jones and Julie Bernath, 77 – 100. London: Routledge, 2017.

Bisset, Alison. *Truth Commissions and Criminal Courts*. Cambridge: Cambridge University Press, 2012.

Blackie, Laura, and Nicki Hitchcott. '"I am Rwandan": Unity and Reconciliation in Post-Genocide Rwanda.' *Genocide Studies and Prevention: An International Journal* 12(1) (2018): 24 – 37.

Boddy-Evans, Alistair. 'Pass Laws During Apartheid.' ThoughtCo, 2019. https://www.thoughtco.com/pass-laws-during-apartheid-43492 (last accessed: 02. 11. 2022).

Boeninger, Edgardo. *Democracia en Chile: Lecciones para la Gobernabilidad*. Santiago: Editorial Andrés Bello, 1997.
Boiani, Micaela et al. 'Otro 20 de mayo.' In Servicio Paz y Justicia – SERPAJ Uruguay, *Derechos Humanos en el Uruguay. Informe 2020*. Montevideo: SERPAJ, 2020.
Bois, Francois du. 'Judicial Selection in Post-Apartheid South Africa.' SSRN Scholarly Paper. Rochester, New York: Social Science Research Network, 2006. https://doi.org/10.2139/ssrn.2283148 (last accessed: 14.07.2021).
Bonacker, Thorsten. 'Global Victimhood: On the Charisma of the Victim in Transitional Justice Processes.' *World Political Science* 9 (2013): 97–129.
Bond, Patrick. *The Elite Transition: From Apartheid to Neoliberalism in South Africa*. Pluto Press, 2000.
Bonner, Michelle D. 'Never Again: Transitional Justice and Persistent Police Violence in Argentina.' *International Journal of Transitional Justice* 8 (2014): 235–255.
Bornkamm, Paul Christoph. *Rwanda's Gacaca Courts: Between Retribution and Reparation*. Oxford: Oxford University Press, 2012.
Bottinelli, Eduardo. 'Las carreras políticas de los senadores en Uruguay: ¿Cambios o continuidades ante el triunfo de la izquierda?' *Revista de Sociologia e Política* 16(30) (2008): 29–43.
Boxill, Bernard R. 'The Morality of Reparation.' *Social Theory and Practice* 2(1) (1972): 113–123.
Brandstetter, Anna-Maria. 'Contested Pasts: The Politics of Remembrance in Post-Genocide Rwanda.' In *The Ortelius Lecture*, edited by Netherlands Institute for Advanced Studies in the Humanities and Social Sciences / University of Antwerp. Wassenaar, 2010.
Brannigan, Augustine, and Nicholas A. Jones. 'Genocide and the Legal Process in Rwanda: From Genocide Amnesty to the New Rule of Law.' *International Criminal Justice Review* 19(2) (2009): 192–207.
Brauman, Roy, Stephen Smith, and Claudine Vidal. 'Rwanda: Politique de terreur, privilege d'impunite.' *Esprit* 266/267 (8/9) (2000): 147–161.
Bravo, Nazareno. 'H.I.J.OS. en Argentina: La emergencia de prácticas y discursos en la lucha por la memoria, la verdad y la justicia.' *Sociológica* 27(76) (2012): 231–248.
Brechtken, Magnus, ed. *Aufarbeitung des Nationalsozialismus: Ein Kompendium*. Göttingen: Wallstein, 2021.
Broquetas, Magdalena. *Huellas de la repression: Identificación de centros de detención del autoritarismo y la dictadura (1968–1985)*. Montevideo: Centro Municipal de Fotografía, 2008.
Broszat, Martin, Hans-Adolf Jacobsen and Helmut Krausnick, *Konzentrationslager, Kommissarbefehl, Judenverfolgung* (*Anatomie des SS-Staats*, vol. 2). Olten and Freiburg im Breisgau: dtv, 1965.
Brüne, Stefan. 'Ideology, Government And Development: The People's Democratic Republic Of Ethiopia.' *Northeast African Studies* 12(2) (1990) 189–199.
Bubenzer, Ole. *Post-Trc Prosecutions in South Africa: Accountability for Political Crimes After the Truth and Reconciliation Commission's Amnesty Process*. Leiden and Boston: Brill, 2009.
Buchheim, Hans. *Die SS – Das Herrschaftsinstrument: Befehl und Gehorsam* (*Anatomie des SS-Staates*, vol. 1). Olten and Freiburg im Breisgau: dtv, 1965.
Buckley-Zistel, Susanne. 'Remembering to Forget: Chosen Amnesia as Strategy for Local Co-Existence in Post-Genocide Rwanda ' *Africa. The Journal of the International African Institute* 76(2) (2006): 131–150.
Buckley-Zistel, Susanne. 'Nation, narration, unification? The politics of history teaching after the Rwandan genocide.' *Journal of Genocide Research* 11(1) (2009): 31–53.
Buckley-Zistel, Susanne. 'Vergangenes Unrecht aufarbeiten: Eine globale Perspektive.' *Aus Politik und Zeitgeschichte* (2013): 25–26. https://www.bpb.de/apuz/162889/vergangenes-unrecht-aufarbeiten-eine-globale-perspektive?p=all (last accessed 22.03.2022).

Bühlmann, Marc Wolfgang et al. 'Demokratiebarometer: Ein neues Instrument zur Messung von Demokratiequalität.' *Zeitschrift für Vergleichende Politikwissenschaft* 6 (2012): 115–159. https://doi.org/10.1007/s12286-012-0129-2 (last accessed 23.11.2021).

Bulcha, Mekuria. 'Genocidal Violence in the Making of Nation and State in Ethiopia.' *African Sociological Review* 9(2) (2005): 1–54.

Bulman, Gail. 'Moving On? Memory and History in Griselda Gambaro's Recent Theater.' *Studies in 20th & 21st Century Literature* 28(2) (2004): 379–395.

Bundeszentrale für politische Bildung, *Gedenkstätten für die Opfer des* Nationalsozialimus, vols. 1 and 2. Bonn, 1999. https://www.bpb.de/shop/multimedia/dvd-cd/33945/gedenkstaetten-fuer-die-opfer-des-nationalsozialismus (last accessed 09.11.2021).

Burbach, Roger. *The Pinochet Affair*. London and New York: Zed Books, 2003.

Buriano, Ana. 'Ley de Caducidad en Uruguay y esencia ético-política de la izquierda.' *Perfiles Latinoamericanos* 38 (2011): 173–203.

Buriano, Ana and Silvia Dutrénit. 'A 30 años de la ley de caducidad uruguaya ¿Qué y cómo debemos conmemorar?.' *Antíteses* 10(19) (2017): 351–375.

Burnet, Jennie E. 'Whose Genocide? Whose Truth? Representations of Victim and Perpetrator in Rwanda.' In *Genocide, Truth, Memory and Representation*, edited by Alexander Laban Hinton and Kevin Lewis O'Neill, 80–113. Durham: Duke University Press, 2009.

Burnet, Jennie E. 'Situating Sexual Violence in Rwanda (1990–2001): Sexual Agency, Sexual Consent, and the Political Economy of War.' *African Studies Review* 55(2) (2012): 97–118.

Burnet, Jennie E. 'Rape as a Weapon of Genocide: Gender, Patriarchy, and Sexual Violence in the Rwandan Genocide.' *Anthropology Faculty Publications* 13 (2015): 1–3.

Burt, Jo-Marie, Gabriela Fried Amilivia and Francesca Lessa. 'Civil Society and the Resurgent Struggle against Impunity in Uruguay (1986–2012).' *The International Journal of Transitional Justice* 7 (2013): 306–327.

Buruma, Ian. *Erbschaft der Schuld: Vergangenheitsbewältigung in Deutschland und Japan*, translated by Klaus Binder and Jeremy Gaines. Munich and Vienna: Carl Hanser, 1994.

Busquets, José Miguel and Andrea Delbono. 'La dictadura cívico-militar en Uruguay (1973–1985): aproximación a su periodización y caracterización a la luz de algunas teorizaciones sobre el autoritarismo.' *Revista de la Facultad de Derecho* 41 (2016): 61–102.

Butka, Uran. *Lufta civile në Shqipëri 1943–1945*. Tiranë: ISKK, 2015.

Caetano, Gerardo. 'Los archivos represivos en los procesos de "justicia transicional": una cuestión de derechos.' *Perfiles Latinoamericanos* 37 (2011): 9–32.

Caetano, Gerardo. 'Los archivos represivos y el debate sobre los criterios para su mejor utilización como instrumento de justicia y de derechos.' *Claves. Revista de Historia* 3/5 (2017): 155–183.

Caetano, Gerado and José Rilla. *Breve historia de la dictadura (1973–1985)*. Montevideo: Grupo Editor, 1987.

Calic, Marie-Janine. *Südosteuropa: Weltgeschichte einer Region*. Munich: bpb, 2016.

Camay, Phiroshaw and Anne J. Gordon. 'The National Peace Accord and Its Structures.' Johannesburg: Co-operative for Research and Education, 2000. https://omalley.nelsonmandela.org/omalley/index.php/site/q/03v02424/04lv03275/05lv03294/06lv03321.htm (last accessed: 14.07.2021).

Carreras, Sandra and Barbara Potthast. *Eine kleine Geschichte Argentiniens*. Frankfurt am Main: Suhrkamp, ²2013.

Castro, Alicia. 'Derechos humanos y delitos de lesa humanidad: Un análisis de la jurisprudencia de la Suprema Corte de Justicia sobre imprescribilidad de delitos de la dictadura.' *Revista de Derecho Público* 27 (2018): 7–34.

Catoggio, María Soledad. 'Activismos no violentos bajo dictaduras militares en Argentina y Chile: el Servicio de Paz y Justicia, 1974–1983.' *Jahrbuch für Geschichte Lateinamerikas* 52 (2015): 291–314.

Catoggio, María Soledad. 'La última dictadura militar argentina (1976–1983): la ingeniería del terrorismo de Estado.' In *Online Encyclopedia of Mass Violence* (2010). http://www.massviolence.org/PdfVersion?id_article=485 (last accessed 11.04.2022).

Catsam, Derek. 'Permanently Removed from Society: The Cradock Four, the TRC, Moral Judgments, Historical Truth, and the Dilemmas of Contemporary History.' *Historia Actual Online*, 1 January 2005.

Cavanna, Federico A. and Luis Fernando Cerri. 'Enseñanza de historia reciente en Uruguay: pasado y laicidad en el juego de la identidad.' *Archivos de Ciencias de la Educación* 3(3) (2009): 99–112. http://www.fuentesmemoria.fahce.unlp.edu.ar/art_revistas/pr.4085/pr.4085.pdf (last accessed 11.04.2022).

CELS – Centro de Estudios Legales y Sociales. *Derechos Humanos en la Argentina: Informe anual enero – diciembre 1998*. Buenos Aires: Centro de Estudios Legales y Sociales, 1999.

CELS – Centro de Estudios Legales y Sociales. *Derechos Humanos en Argentina: Informe anual 2000*. Buenos Aires: Centro de Estudios Legales y Sociales, 2000.

Centro de Derechos Humanos Universidad Diego Portales. *Informe anual sobre derechos humanos en Chile 2019* (2019). https://derechoshumanos.udp.cl/informe-anual/informe-anual-sobre-derechos-humanos-en-chile-2019-2/ (last accessed: 11.12.2022).

Chandler, David. 'Cambodia Deals with its Past: Collective Memory, Demonisation and Induced Amnesia.' *Totalitarian Movements and Political Religions* 9 (2008): 355–369.

Chapman, Audrey R. and Patrick Ball. 'The Truth of Truth Commissions: Comparative Lessons from Haiti, South Africa, and Guatemala.' *Human Rights Quarterly* 23(1) (2001): 1–43.

Chapman, Audrey R. and Hugo van der Merwe. *Truth and Reconciliation in South Africa: Did the TRC deliver?* Philadelphia: De Gruyter, 2008.

Chargoñia, Pablo. 'Caso Elena Quinteros: El ex canciller de la dictadura y el Batallón 13 en el centro de las investigaciones.' In *Derechos Humanos en el Uruguay. Informe 2004*, 119–125. Montevideo: SERPAJ, 2004.

Chargoñia, Pablo. 'Avances, retrocesos y desafíos en la lucha judicial contra la impunidad.' In *Luchas contra la impunidad. Uruguay 1985–2011*, edited by Gabriela Fried and Francesca Lessa, 163–174. Montevideo: Trilce, 2011.

Chargoñia, Pablo, Leonardo Di Cesare and Fiorella Garbarino. 'Después de la disolución del Grupo de Trabajo por Verdad y Justicia: Comentarios sobre la Ley No. 19.822 que comete la búsqueda de personas detenidas desaparecidas a la Institución Nacional de Derechos Humanos y Defensoría del Pueblo,' Servicio Paz y Justicia – SERPAJ Uruguay, *Derechos Humanos en el Uruguay. Informe 2019*. Montevideo: SERPAJ, 2019: 70–78.

Cherry, Janet. *Spear of the Nation: Umkhonto WeSizwe*. Athens: Ohio University Press, 2012. https://www.bookdepository.com/Spear-Nation-Umkhonto-weSizwe-Janet-Cherry/9780821420263 (last accessed: 14.07.2021).

Christie, Kenneth. *The South African Truth Commission*. Basingstoke, London and New York: Palgrave, 2000.

Christodoulidis, Emilios and Scott Veitch, eds. *Lethe's Law. Justice: Law and Ethics in Reconciliation*. Oxford: Hart Publishing, 2001.

Cingranelli, David L. and David L. Richards. 'Das Menschenrechtsdatenprojekt von Cingranelli und Richards (CIRI).' *Human Rights Quarterly* 32 (2010): 401–424. https://www.researchgate.net/publication/236759507_The_Cingranelli_and_Richards_CIRI_Human_Rights_Data_Project. (last accessed 23.11.2021).

Clapham, Christopher. 'Re-writing Ethiopian History.' *Annales d'Éthiopie* 18(1) (2002): 37–54.

Clark, Phil, and Zachary D. Kaufman, eds. *After Genocide: Transitional Justice, Post-Conflict Reconstruction and Reconciliation in Rwanda and Beyond*. London: Hurst, 2008.

Clark, Phil. *The Gacaca Courts, Post-Genocide Justice and Reconciliation in Rwanda: Justice without Lawyers*, *Cambridge Studies in Law and Society*. Cambridge: Cambridge University Press, 2010.

Clark, Phil. 'Negotiating Reconciliation in Rwanda: Popular Challenges to the Official Discourse of Post-Genocide National Unity.' *Journal of Intervention and Statebuilding* 8(4) (2014): 303 – 320.

Clark, Phil. *Distant Justice: The Impact of the International Criminal Court on African Politics*. Cambridge: Cambridge University Press, 2018.

Coleman, Max. ed. *A Crime Against Humanity: Analysing the Repression of the Apartheid State*. Cape Town: David Philip Pub, 1998.

Collins, Cath. *Post-Transitional Justice: Human Rights Trials in Chile and El Salvador*. Pennsylvania: Pennsylvania State University Press, 2010.

Collins, Cath, Katherine Hite and Alfredo Joignant. *Las políticas de la memoria en Chile: Desde Pinochet a Bachelet*. Santiago: Ediciones Universidad Diego Portales, 2013.

Comblin, José. *The Church and the National Security State*. Maryknoll: Orbis Books, 1979.

Comisión Nacional de Verdad y Reconciliación. Informe (1991). https://bibliotecadigital.indh.cl/handle/123456789/170 (last accessed 11. 04. 2022).

Comisión Nacional sobre Prisión Política y Tortura. Informe (2014). https://www.indh.cl/destacados-2/comision-valech/ (last accessed 11. 04. 2022).

Comisión para la Paz. *Informe Final*. Montevideo: Comisión para la Paz, 2003.

CONADEP – Comisión Nacional sobre la Desaparición de Personas. *Nunca Más: Informe de la Comisión Nacional sobre la Desaparición de Personas*. Buenos Aires: Editorial de la Universidad de Buenos Aires, ^{3}1984.

Conferencia Episcopal Argentina. *Iglesia y Democracia en la Argentina: Selección de documentos del Episcopado Argentino*. Buenos Aires: Conferencia Episcopal Argentina, 2006.

Conley, Bridget. *Memory from the Margins: Ethiopia's Red Terror Martyrs Memorial Museum*. London: Palgrave Macmillan, 2019.

Contera, Cristina. 'La educación superior en Uruguay.' *Avaliação: Revista da Avaliação da Educação Superior* 13(2) (2008): 533 – 554.

Conti, Diana. 'La democracia y su respuesta a las violaciones a los Derechos Humanos el pasado.' *Hechos y Derechos*, 8 (2001): 57 – 70.

Cook, Susan E. *Genocide in Cambodia and Rwanda: New Perspectives*. New York: New Brunswick Transaction Publishers, 2006.

Cornelißen, Christoph, Lutz Klinkhammer and Wolfgang Schwentker, eds. *Erinnerungskulturen: Deutschland, Italien und Japan seit 1945*. Frankfurt am Main: Fischer, 2003.

Cornelißen, Christoph. '"Vergangenheitsbewältigung"– ein deutscher Sonderweg?' In *Aufarbeitung der Diktatur – Diktat der Aufarbeitung? Normierungsprozesse beim Umgang mit diktatorischer Vergangenheit*, edited by Katrin Hammerstein et. al., 21 – 36. Göttingen: Steiner, 2009.

Cornelißen, Christoph. 'Erinnerungskulturen, Version: 2.0', in *Docupedia-Zeitgeschichte*, *22. 10. 2012*. http://docupedia.de/zg/cornelissen_erinnerungskulturen_v2_de_2012 (last accessed 22. 03. 2022).

Crenzel, Emilio. 'Dos prólogos para un mismo informe: El Nunca Más y la memoria de las desapariciones.' *Prohistoria* 11 (2007): 49 – 60.

Crenzel, Emilio. 'Argentina's National Commission on the Disappearance of Persons: Contributions to Transitional Justice.' *The International Journal of Transitional Justice* 2 (2008): 173 – 191.

Crenzel, Emilio. 'The Crimes of the Last Dictatorship in Argentina and its Qualification as Genocide: A Historicization.' *Global Society* (2019).

Cunha, Luiz Cláudio. *Operación Cóndor: El secuestro de los uruguayos. Un reportaje del tiempo de la dictadura*. Montevideo: SERPAJ, 2017.

Dahlmanns, Erika. 'New Community, Old Tradition: The Intore Warrior as a Symbol of the New Man. Rwanda's Itorero-Policy of Societal Recreation.' *Modern Africa: Politics, History and Society* 1 (2015): 113 – 151.

Dallaire, Roméo. *Shake Hands with the Devil: The Failure of Humanity in Rwanda*. Toronto: Random House, 2003.

Daniels, Nicola. 'Ex-Prisoners' Association Upset over Robben Island Council "Meeting Snub."' *Independent Online*, January 27, 2020. https://www.iol.co.za/capetimes/news/ex-prisoners-association-upset-over-robben-island-council-meeting-snub-41497561 (last accessed: 14. 07. 2021).

Davies, Robert and Dan O'Meara. 'Total Strategy in Southern Africa: An Analysis of South African Regional Policy since 1978.' *Journal of Southern African Studies* 11(2) April 1, 1985: 183 – 211. https://doi.org/10.1080/03057078508708096 (last accessed: 14. 07. 2021).

Dávila, Mireya, et al. 'The Chilean Experience.' In *Memory of Nations: Democratic Transition Guide*. Prague: CEVRO, 2019. http://www.cevro.cz/pdf.php?id=24299 (last accessed: 11. 04. 2022).

de Amézola, Gonzalo. 'Currículo oficial y memoria: El pasado reciente en la escuela argentina.' *Enseñanza de las ciencias sociales* 7 (2008): 47 – 55.

de Amézola, Gonzalo. 'Una educación por el repudio: La formación ciudadana con el ejemplo de la dictadura militar 1976 – 1983 en escuelas secundarias de Argentina.' *CLIO. History and History teaching* 41 (2015). http://clio.rediris.es/n41/articulos/mono/MonAmezola2015.pdf.

de Diego, José Luis. *Campo intelectual y campo literario en la Argentina (1970 – 1986)*. (PhD diss., Universidad Nacional de La Plata, 2000). http://www.memoria.fahce.unlp.edu.ar/tesis/te.150/te.150.pdf (last accessed 11. 04. 2022).

Definitions of Power of Provisional Military Administration Council and of its Chairman. Proclamation No.2 /1974, *entered into force* 15 September 1974.

de Giorgi, Álvaro. 'El "Nunca Más" uruguayo. Política ritual hacia el pasado reciente en el gobierno del Frente Amplio.' *Izquierdas* 42 (2018): 63 – 96.

de Greiff, Pablo. *Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non recurrence, Mission to Uruguay*. Human Rights Council, 27th session, A/HRC/27/56/Add. 2 (New York: United Nations, 2014).

de Greiff, Pablo, ed. *The Handbook of Reparations*. Oxford: Oxford University Press, 2006.

Deguefe, Taffara. *Minutes of an Ethiopian Century*. Addis Ababa: Shama Books, 2006.

de Lame, Danielle. *Une colline entre mille: Transformations et blocages du Rwanda rural*. Tervuren: Musée Royal de l'Afrique Centrale, 1996.

de León Orpi, Walter. 'Juan María Bordaberry: el dictador latinoamericano condenado por delitos de lesa humanidad.' In *Luchas contra la impunidad. Uruguay 1985 – 2011*, edited by Gabriela Fried and Francesca Lessa, 175 – 187. Montevideo: Trilce, 2011.

Demasi, Carlos. 'La trasmisión del pasado traumático: Enseñanza de la dictadura y debate social en Uruguay.' *ILCEA – Revue de l'Institut des langues et cultures d'Europe, Amérique, Afrique, Asie et Australie* 26 (2016): 1 – 14. http://journals.openedition.org/ilcea/3959 (last accessed 11. 04. 2022).

Demasi, Carlos, and Jaime Yaffé, eds. *Vivos los llevaron… Historia de la lucha de Madres y Familiares de Uruguayos Detenidos Desaparecidos (1976 – 2005)*. Montevideo: Trilce, 2002.

Denbel, Jima Dilbo. 'Transitional Justice in the Context of Ethiopia.' *International Letters of Social and Humanistic Science* 10 (2013): 73 – 83. https://www.scipress.com/ILSHS.10.73.pdf (last accessed 24. 11. 2021).

Department of Justice (South Africa). Draft Regulations for TRC Victims – Education and Medical Assistance (2011). https://static.pmg.org.za/docs/110411regulations-TRC.pdf (last accessed: 14. 07. 2021).

Department of Justice (South Africa). Regulations relating to assistance to victims in respect of higher education ad traing: Promotion of National Unity and Reconciliation Act of 1995

(2014). https://www.justice.gov.za/legislation/notices/2014/20141103-gg38157-gon852-trc.pdf (last accessed: 14. 07. 2021).

Department of Justice and Constitutional Development (South Africa). Regulations regarding reparations to victims. No. R. 1660 (2003). https://www.justice.gov.za/trc/legal/20031112-gg25695_nn1660.pdf (last accessed: 14. 07. 2021).

Dervishi, Kastriot. *Sigurimi i Shtetit 1944 – 1991: Historia e policisë politike të regjimit komunist*. Tiranë: Shtëpia Botuese 55, 2012.

Dervishi, Kastriot. *Internimi dhe burgimi komunist në Shqipëri*. Tiranë: Shtëpia Botuese 55, 2016a.

Dervishi, Kastriot. *Vrasjet në kufi në vitin 1990*. Tiranë: ISKK, 2016b.

Des Forges, Alison. *Leave None to Tell the Story: Genocide in Rwanda*. New York: Human Rights Watch, 1999.

Desta, Fisseha. *AbiyotunaTizitaye*. Los Angeles: Tsehai Publishers, 2015?

de Waal, A. 'AlemBekagn: the African Union's accidental human rights memorial.' *African Affairs* 112(447) (2013): 191 – 215.

Diamint, Rut. 'Streitkräfte und Demokratie.' In *Argentinien nach Menem. Wandel und Kontinuität*, edited by Peter Birle and Sandra Carreras, 313 – 339. Frankfurt am Main: Vervuert, 2002.

Diamint, Rut. 'La historia sin fin: el control civil de los militares en Argentina'. *Nueva Sociedad* 213 (2008): 95 – 111.

Díaz, José Pedro. 'Uruguay: Medios de comunicación y Estado/gobierno: Descubriendo la cenicienta'. In *¿Por qué nos odian tanto? Estado y medios de comunicación en América Latina* (Bogotá: Centro de Competencia en Comunicación para América Latina/Friedrich Ebert Stiftung, 2010): 245 – 261.

Diner, Dan and Gotthard Wunberg, eds. *Restitution and Memory: Material Restoration in Europe*. New York and Oxford: Berghahn, 2007.

Dinka, Tesfaye. *Ethiopia during the Derg Years: An Inside Account*. Los Angeles: Tsehai Publishers, 2016.

Diz, María Luisa. 'Teatro x la Identidad: Un escenario para las Abuelas de Plaza de Mayo.' *Reflexión Académica en Diseño y Comunicación* XXI(42) (2020): 228 – 234.

Domenella Amadio, Ana Rosa. 'Novelas sobre la dictadura cívico-militar en los ochenta y treinta años después.' *Revista Huella de la Palabra* 12 (2018): 14 – 29.

Doughty, Kristin. 'Law and the architecture of social repair: gacaca days in post-genocide Rwanda.' *Journal of the Royal Anthropological Institute* 21(2) (2015): 419 – 437.

Drumbl, Mark A. 'Rule of Law Amid Lawlessness: Counselling the Accused in Rwanda's Domestic Genocide Trials.' *Colombia Human Rights Law Review* 29 (1997 – 1998): 545 – 639.

Dubois, Olivier. 'Rwanda's national criminal courts and the International Tribunal.' *International Review of the Red Cross* 79(828) (1997): 717 – 730.

du Bois-Pedain, Antje. *Transitional Amnesty in South Africa*. Cambridge: Cambridge University Press, 2007.

Dvořáková, Vladimira and Anđelko Milardović. *Lustration and Consolidation of Democracy and the Rule of Law in Central and Eastern Europe*. Zagreb: Political Science Research Centre Zagreb, 2007.

Dwertmann, Eva. *The Reparation System of the International Criminal Court: Its Implementation, Possibilities and Limitations*. Leiden: Brill, 2010.

Echternkamp, Jörg. 'Die Verfolgung nationalsozialistischer Gewaltverbrechen'. https://www.bpb.de/geschichte/deutsche-geschichte/der-zweite-weltkrieg/199413/die-verfolgung-nationalsozialistischer-gewaltverbrechen (last accessed 22. 03. 2022).

Eckel, Jan and Claudia Moisel, eds. *Universalisierung des Holocaust? Erinnerungskultur und Geschichtspolitik in internationaler Perspektive*. Göttingen: Wallstein, 2008.

Edmonds, Amy. 'Moral Authority and Authoritarianism: The Catholic Church and the Military Regime in Uruguay.' *Journal of Church and State* 56(4) (2014): 644 – 669.

Eeden, Elize S. van. ‘South Africa’s Revised History Curriculum on Globalism and National Narratives in Grade 12 Textbooks.’ *Historia* 55, no. 1 (May 2010): 110 – 24.

Eichmüller, Andreas. ‘Die Strafverfolgung von NS-Verbrechen durch westdeutsche Justizbehörden seit 1945: Eine Zahlenbilanz.’ *Vierteljahrshefte für Zeitgeschichte* 56 (2008): 621 – 640.

Elbasani, Arolda and Artur Lipinski. ‘Transitional Justice in Albania: Historical Burden, Weak Civil Society and Conflicting Interests.’ In *Transitional Justice and Civil Society in the Balkans*, edited by Olivera Simić and Zala Volčič, 105 – 121. New York: Springer, 2013.

El Masri, Samar, Tammy Lambert and Joanna R. Quinn, eds. *Transitional Justice in Comparative Perspective: Preconditions for Success*. Cham: Palgrave Macmillan, 2020.

Embassy of the Russion Federation in the Republic of South Africa. ‘On the Solemn Unveiling of the Soviet/Russian Section of the Wall of Names Freedom Park, – Press Releases,’ December 13, 2018. https://russianembassyza.mid.ru/ru_RU/-/on-the-solemn-unveiling-of-the-soviet-russian-section-of-the-wall-of-names-freedom-park-13-december-2018?inheritRedirect=true&redirect=%2Fru_RU (last accessed: 14. 07. 2021).

Encuesta Bicentenario 2019. (Santiago, Universidad Católica de Chile, 2019), https://encuestabicentenario.uc.cl/ (last accessed: 11. 04. 2022).

Engstrom, Par and Gabriel Pereira. ‘From Amnesty to Accountability: Ebb and Flow in the Search for Justice in Argentina.’ In *Amnesty in the Age of Human Rights Accountability: Comparative and International Perspectives*, edited by Fancesca Lessa and Leigh A. Payne. Cambridge: Cambridge University Press, 2012.

Erebara, Rudi. *Epika eyjeve të mëngjesit* [The Epos of the Morning Stars]. Tiranë: Ombra GVG, 2016.

Errandonea, Jorge. ‘Justicia transicional en Uruguay.’ *Revista Instituto Interamericana de Derechos Humanos* 47 (2008): 13 – 69.

Eser, Albin, Ulrich Sieber and [from sub-volume 8 onwards] Jörg Arnold, eds. *Strafrecht in Reaktion auf Systemunrecht: Vergleichende Einblicke in Transitionsprozesse*. 14 vols. Berlin: Duncker & Humblot, 2000 – 2012.

Evans, Christine. *The Right to Reparation in International Law for Victims of Armed Conflict*. Cambridge: Cambridge University Press, 2012.

Fähnders, Till. ‘Khieu Samphan gibt sich ahnungslos’, *Frankfurter Allgemeine Zeitung*, 16 August 2021, 8.

Feld, Claudia. *Del estrado a la pantalla: Las imágenes del juicio e los ex comandantes en Argentina*. Madrid: Siglo XXI Editores, 2002.

Feld, Claudia. ‘Memoria colectiva y espacio audiovisual: Histora de las imágenes del juicio a las ex Juntas Militares (1985 – 1998).’ In *La imposibilidad del olvido. Recorridos de la memoria en Argentina, Chile y Uruguay*, edited by Bruno Groppo and Patricia Flier: 103 – 114. La Plata: Al Margen/Bibliothéque de Documentation Internationale Contemporaine, 2001.

Ferrara, Anita. *Assessing the Long-Term Impact of Truth Commissions: The Chilean Truth and Reconciliation Commission in Historical Perspective*. Oxford and New York: Routledge, 2015.

Ferrari, Damián. *Memoria Abierta: Una experiencia de Coordinación Interinstitucional para facilitar el acceso a la información sobre Derechos Humanos*. Minneapolis: 2005. http://www.memoriaabierta.org.ar/materiales/pdf/utilizando_cooperacion.pdf (last accessed 11. 04. 2022).

FHC (Ethiopia). *SPO v. Colonel Mengistu Hailemariam et al.* (Revised Indictment), 28 November 1995, File No. 1/87.

FHC (Ethiopia). *SPO* v. *Dagnenet Ayalew et al.* (Indictment), 23 December 1997. File No. 13/90.

FHC (Ethiopia). *SPO* v. *Tesfaye Belayeneh* et al., (Indictment), 23 December 1997, File No. 934/89.

FHC (Ethiopia). *SPO* v. *Teshome Kebede* et al. (Indictment), 23 December 1997, File No. 931/89.

FHC (Ethiopia). *SPO v. Getahun Zenebe Woldeselassie et al.* (Revised Indictment), 16 June 1999, File No. 962/89.

FHC (Ethiopia). *SPO v. Colonel Tesfaye Woldeselassie Eshetie et al.* (Indictment), 8 October 2000, File No. 206/93.

FHC (Ethiopia). *SPO v. Hailu Burrayyu Sima et al.* (Trial Judgment, 31 October 2005), File No. 03119.

FHC (Ethiopia). *SPO* v. *Legesse Asfaw et al.,* (Trial Judgment), 4 March 2008, File No. 03116.

Fichtelberg, Aaron. *Hybrid Tribunal: A Comparative Examination.* New York: Springer, 2015.

Fierro, Jorge. ¿Otra película sobre la dictadura? El relato del pasado reciente en el cine uruguayo, *Brecha* (15. 05. 2020). https://brecha.com.uy/otra-pelicula-sobre-la-dictadura/.7 (last accessed 11. 04. 2022).

Filippini, Leonardo. 'Reconocimiento y justicia penal en el caso Gelman.' *Anuario de Derechos Humanos* (2012): 185-193.

Fischer, Bernd-Jürgen. *Albania at War, 1939 – 1945.* West Lafayette, Indiana: Purdue University Press, 1999.

Fischer, Thomas. 'Die Tupamaros in Uruguay: Das Modell der Stadtguerrilla.' In *Die RAF und der linke Terrorismus*, Bd. 2, edited by Wolfgang Kraushaar, 736 – 750. Hamburg: Hamburger Edition, 2006.

Forbes, David. 'Investigation 168: Long Road to No Justice for TRC Victims.' Daily Maverick, November 21, 2020. https://www.dailymaverick.co.za/article/2020-11-21-long-road-to-no-justice-for-trc-victims/ (last accessed: 14. 07. 2021).

François, Etienne and Hagen Schulze, eds. *Deutsche Erinnerungsorte*, vols. 1 – 3. Munich: C. H. Beck, 2001.

Freedom Park. 'Freedom Park Annual Report 2018 – 2019.' 2019. https://static.pmg.org.za/Freedom_Park_Annual_Report_201819_Final.pdf (last accessed: 14. 07. 2021).

Freedom Park. 'The History of the Park.' n.d. https://www.sahistory.org.za/place/freedom-park (last accessed: 14. 07. 2021).

Freeman, Mark. *Necessary Evils: Amnesties and the Search for Justice.* Cambridge: Cambridge University Press, 2009.

Frei, Norbert, ed. *Transnationale Vergangenheitspolitik: Der Umgang mit deutschen Kriegsverbrechern in Europa nach dem Zweiten Weltkrieg.* Göttingen: Wallstein, 2006.

Frei, Norbert. *Vergangenheitspolitik: Die Anfänge der Bundesrepublik und die NS-Vergangenheit.* Munich: Ullstein, 2012.

Fried Amilivia, Gabriela. 'Sealing and Unsealing Uruguay's Transitional Politics of Oblivion: Waves of Memory and the Road to Justice, 1985 – 2015.' *Latin American Perspectives* 43(6) (2016): 103 – 123.

Fried, Gabriela, Francesca Lessa and Felipe Michelini. 'Uruguay: El Cóndor en la bruma.' In *A 40 años del condor: De las coordinaciones represivas a la construcción de las políticas públicas regionales en derechos humanos*, edited by Javier Palummo, Pedro Rolo Benetti and Luciana Vaccotti, 157 – 203. Buenos Aires: IPPDH, 2015. http://www.raadh.mercosur.int/wp-content/uploads/2015/06/A-40-a%C3%B1os-del-C%C3%B3ndor.pdf (last accessed 11. 04. 2022).

Frieslaar, Geraldine. 'Education and Preservation of Sites of Conscience.' In *Memory of Nations. Democratic Transition Guide: The South African Experience.* CEVRO, 2020. http://www.cevro.cz/web_files/soubory/democracy-guide/democracy-guide-2019/MN-DTG%202019%20-%20(12)%20The%20South%20African%20Experience.pdf (last accessed: 14. 07. 2021).

Fuchs, Ruth. *Staatliche Aufarbeitung von Diktatur und Menschenrechtsverbrechen in Argentinien: Die Vergangenheitspolitik der Regierungen Alfonsín (1983 – 1989) und Menem (1989 – 1999) im Vergleich.* Hamburg: Institut für Iberoamerika-Kunde, 2003.

Fuentes, Claudio. 'The Unlikely Outcome: Transitional Justice in Chile 1990 – 2008.' In *After Oppression*, edited by Vesselin Popovski, 116 – 142.

Fujii, Lee. *Killing Neighbors: Webs of Violence in Rwanda.* New York: Cornell University Press, 2011.

Gahima, Gerald. *Transitional Justice in Rwanda: Accountability for Atrocity*. New York: Routledge, 2013.

Galain Palermo, Pablo. 'Uruguay.' In *Justicia de Transición: Informes de América Latina, Alemania, Italia y España*, edited by Kai Ambos, Ezequiel Malarino and Gisela Elsner, 391 – 414. Berlin/Montevideo: Konrad-Adenauer-Stiftung, 2009.

Galain Palermo, Pablo. 'La justicia de transición en Uruguay: Un conflicto sin resolución.' *Revista de Derecho* 6 (2011): 109 – 153.

Ganzenmüller, Jörg, ed. *Recht und Gerechtigkeit: Die strafrechtliche Aufarbeitung von Diktaturen in Europa*. Cologne: C. H. Beck, 2017.

Garcia, Martina Eva. 'Archivo, Testimonios y Memorias en Uruguay.' *Aletheia* 10/20 (2020): 1 – 13. https://doi.org/10.24215/18533701e051 (last accessed 11. 04. 2022).

García, Victoria. 'Testimonio y ficción en la Argentina de la postdictadura: Los relatos del sobreviviente-testigo.' *Revista Chilena de Literatura* 93 (2016): 73 – 100.

Gargiulo Silvariño, Liliana and Fabián Hernández Muñíz. 'Archivos y derechos humanos en Uruguay. Estado de la cuestión. La Secretaría de Derechos Humanos para el Pasado Reciente de la Presidencia de la República Oriental del Uruguay: génesis y acciones archivísticas actuals.' *Informatio* 23(1) (2018): 95 – 117.

Garretón, Manuel Antonio. *La posibilidad democrática en Chile*. Santiago: Flacso Chile, 1988.

Garzón Valdés, Ernesto. 'El Terrorismo de Estado (El problema de su legitimación e ilegitimidad).' *Revista de Estudios Políticos (Nueva Época)* 65 (1989): 35 – 55.

Geschichte der Gegenwart, Wallstein Verlag. https://www.wallstein-verlag.de/reihen/geschichteder-gegenwart.html [Buchreihe].

Geschichte der Gegenwart: Beiträge zur öffentlichen Debatte. https://geschichtedergegenwart.ch (Weblog).

Gauteng Provincial Government. 'Gauteng Provincial Government Annual Report 2017 – 2018,' 2018. https://provincialgovernment.co.za/entity_annual/400/2018-gauteng-gauteng-growth-and-development-agency-(ggda)-annual-report.pdf (last accessed: 14. 07. 2021).

Gevers, Christopher. 'Prosecuting the Crime Against Humanity of Apartheid: Never, Again.' *African Yearbook of International Humanitarian Law*, 2018. https://www.academia.edu/39736593/Prosecuting_the_Crime_Against_Humanity_of_Apartheid_Never_Again (last accessed: 14. 07. 2021).

Giambruno, Rafael. 'A mitad de camino: El gobierno de izquierda ante el desarrollo de políticas reparatorias en Uruguay (1985 – 2015).' In Servicio Paz y Justicia – SERPAJ Uruguay, *Derechos Humanos en el Uruguay. Informe 2016* (Montevideo: SERPAJ, 2016), 76 – 83.

Ginzberg, Victoria. 'Quién es el nieto 130: La historia de Javier Matías Darroux Mijalchuk.' *Página/12* (14. 06. 2019).

Girmachew, Alemu, Charles Schaefer and Kjetil Tronvoll. *The Ethiopian Red Terror Trials: Transitional Justice Challenged*. Suffolk: Woodbridge, 2009.

Glos, Walter and Jonila Godole. 'Albanien: Aufarbeitung der kommunistischen Vergangenheit, Länderbericht.' *Konrad-Adenauer-Stiftung*, Dezember 2017, https://www.kas.de/c/document_library/get_file?uuid=21700176-c5c0-ecc8-0c12-66e59964e5a0&groupId=252038 (last accessed 14. 01. 2021).

Godole, Jonila. *Gazetaria shqiptare në tranzicion*. Tiranë: Papirus, 2014.

Godole, Jonila and Sonila Danaj. 'Who died? The Role of Journalists in Framing Collective Memory in Albania.' In *Media Transformation and Collective Memory in Albania*, edited by Godole and Danaj. Tiranë: IDMC, 2015.

Godole, Jonila. 'Albanien: Deutschland als Musterland.' *bpb*, 2016. https://www.bpb.de/geschichte/deutsche-geschichte/stasi/225357/albanien-deutschland-als-musterland (last accessed 31. 10. 2020).

Godole, Jonila. 'Das Erbe der kommunistischen Diktatur in Albanien.' In *Disziplinieren und Strafen*, edited by Jörg Baberowski et al., 293 – 311. Berlin: Campus Verlag, 2021.

Godole, Jonila and Valbona Bezati. 'Në shërbim të popullit – Politikat kufitare në Shqipërinë komuniste.' In *Profile të armikut të popullit në diktaturë, publication of the conference papers from 17 – 18 May 2019,* 13 – 32. Tiranë: Onufri, 2021. https://issuu.com/aidssh/docs/profilet_e_armikut_t_popullit.

Goldsmith, Jack and Stephen D. Krasner. 'The Limits of Idealism.' *Daedalus* 132(47) (2003): 47 – 63.

González Baica, Soledad and Mariana Risso Fernández, eds. *Las Laurencias: Violencia sexual y de género en el terrorismo de Estado uruguayo*. Motevideo: Trilce, 2012.

González de Oleaga, Marisa. '¿La memoria en su sitio? El museo de la Escuela de Mecánica de la Armada.' *Kamchatka. Revista de análisis cultural* 13 (2019): 117 – 162.

Gosewinkel, Dieter and Johannes Masing, eds. *Die Verfassungen in Europa 1789 – 1949*. Munich: C. H. Beck, 2006.

Gready, Paul. 'Novel Truths: Literature and Truth Commissions.' *Comparative Literature Studies* 46(1) (2009): 156 – 76.

Gready, Paul. *The Era of Transitional Justice: The Aftermath of the Truth and Reconciliation Commission in South Africa and Beyond*. New York: Routledge, 2010.

Grupo de Investigación en Antropología Forense (GIAF Uruguay). *Investigaciones Arqueológicas sobre Detenidos Desaparecidos en la última dictadura cívico-militar*. Informes de Actividades (Montevideo: GIAF, 2006 ff.).

Grupo de Investigación en Antropología Forense (GIAF Uruguay). *Investigaciones antropológicas sobre Detenidos Desaparecidos en la última dictadura cívico-militar. Informe de actividades año 2011 – 2012* (Montevideo: GIAF 2012).

Guembe, María José. 'Die Suche nach Wahrheit vor den Gerichten.' In *Experimente mit der Wahrheit: Rechtssysteme im Wandel und die Prozesse der Wahrheitsfindung und Versöhnung. Documenta11_Plattform2*, edited by Okwui Enwezor et al., 261 – 272. Ostfildern: Hatje Cantz, 2002.

Guembe, María José. 'Reopening of Trials for Crimes Committed by the Argentine Military Dictatorship.' *Sur – International Journal on Human Rights* 3 (2005): 115 – 131.

Guembe, María José. 'Economic Reparations for Grave Human Rights Violations.' In *The Handbook of Reparations*, edited by Pablo de Greiff, 21 – 47. Oxford: Oxford University Press, 2006.

Guglielmucci, Ana. 'Transición política y reparación a las víctimas del terrorismo de estado en la Argentina: algunos debates pendientes.' *Taller. Revista de Sociedad, Cultura y Política en América Latina* 4(5) (2015): 24 – 42.

Guianze, Mirtha. 'La Ley de Caducidad, las luchas por la Justicia y por la jurisdicción universal de los derechos humanos en Uruguay.' In *Luchas contra la impunidad. Uruguay 1985 – 2011*, edited by Gabriela Fried and Francesca Lessa, 189 – 202. Montevideo: Trilce, 2011.

Guyer, Sara. 'Rwanda's Bones.' *Boundary 2* 36(2) (2009): 155 – 175.

Guzman Bouvard, Marguerite. *Revolutionizing Motherhood: The Mothers of the Plaza de Mayo* Wilmington: S. R. Books, 1994.

Hahn-Godeffroy, Emily. *Die südafrikanische Truth and Reconciliation Commission*. Baden-Baden: Nomos, 1998.

Haile, Dadimos. *Accountability for Crimes of the Past and the Challenges of Criminal Prosecution: The Case of Ethiopia*. Leuven: Leuven University Press, 2000.

Haile-Selassie, Teferra. *The Ethiopian Revolution 1974 – 1991: From a Monarchical Autocracy to a Military Oligarchy*. London: Kegan Paul International, 1997.

Harden, Blaine. 'Rebel leaders Pledges Coalition Government, then Free Elections.' *The Washington Post*, 29 May 1991. https://www.washingtonpost.com/archive/politics/1991/05/

29/rebel-leader-pledges-coalition-government-then-free-elections/a5818143-9397-470d-a1b2-b44e28e9e98d/ (last accessed: 20. 03. 2020).

Harris, Paul. '"Spin" on Boer Atrocities.' *The Guardian*, December 9, 2001, sec. World news. http://www.theguardian.com/world/2001/dec/09/paulharris.theobserver (last accessed: 14. 07. 2021).

Haschke, Peter. *The Political Terror Scale (PTS) Codebook*. Ashville, 2017. https://www.politicalterrorscale.org/Data/Files/PTS-Codebook-V100.pdf (last accessed 23. 11. 2021).

Hatzfeld, Jean. *Life Laid Bare: The Survivors in Rwanda Speak*. New York: Other Press, 2007.

Hatzfeld, Jean. *The Antelope's Strategy: Living in Rwanda After the Genocide*. New York: Picador, 2010.

Hauck, Kuno and Rainer Huhle. '20 Jahre *Madres de Plaza de Mayo:* Geschichte, Selbstverständnis und aktuelle Arbeit der *Madres de Plaza de Mayo* in Argeninien.' In *Vergangenheitsbewältigung in Lateinamerika*, edited by Detlef Nolte, 108 – 127. Frankfurt am Main: Vervuert, 1996.

Havel, Vaclav. 'New Years' Address to the Nation.' In *The Art of the Impossible*. New York, 1984.

Hayner, Priscilla B. 'Past Truths, Present Dangers: The Role of Official Truth Seeking in Conflict Resolution and Prevention.' In *International Conflict Resolution after the Cold War*, edited by Paul Stern and Daniel Druckman, 338 – 382. Washington DC.: National Academy Press, 2000.

Hayner, Priscilla B. *Unspeakable Truths: Facing the Challenge of Truth Commissions*. New York and London: Routledge Chapman & Hall, 2002.

Hayner, Priscilla B. *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions*. New York: Routledge, [2]2010.

Herf, Jeffrey. *The Jewish Enemy: Nazi Propaganda during World War II and the Holocaust*. Cambridge: Harvard University Press, 2006.

Heinz, Wolfgang S. ‚Militär und Demokratie.' In *Argentinien: Politik, Wirtschaft, Kultur und Außenbeziehungen*, edited by Detlef Nolte and Nikolaus Werz, 225 – 240. Frankfurt am Main: Vervuert, 1996.

Heinz, Wolfgang S. 'Determinants of Gross Human Rights Violations by State and State-sponsored Actors in Uruguay 1960 – 1990.' In *Determinants of Gross Human Rights Violations by State and State-sponsored Actors in Brazil, Uruguay, Chile, and Argentina 1960 – 1990*, edited by Wolfgang S. Heinz and Hugo Frühling, 219 – 387. Den Haag, Boston and London: M. Nijhoff cop., 1999.

Hemmerling, Mario. *Vergangenheitsaufarbeitung im postautoritären Argentinien: Ein Beitrag zur Reaktion des Verfassungsrechts und der Verfassungsgerichtsbarkeit auf staatlich gesteuertes Unrecht im Lichte völkerrechtlicher Verpflichtungen*. Baden-Baden: Nomos, 2011.

Henze, Paul. *Rebels and separatist in Ethiopia: regional resistance to a Marxist Regime*. RAND Corporation, 1985.

Henze, Paul B. *Layers of Time: A history of Ethiopia*. New York: Palgrave, 2000.

Higher Education Institutions Administration (Ethiopia). Proclamation No.109/1977 *entered into force* 13 January 1977, Article 3(1).

Hinton, Alexander Laban. *Transitional Justice: Global Mechanisms and Local Realities After Genocide and Mass Violence*. New Brunswick: Rutgers University Press, 2010.

Hitchcott, Nicki. 'Seeing the Genocide against the Tutsi through someone else's eyes: Prosthetic memory and Hotel Rwanda.' *Memory Studies* (online first, 2020).

Hoeres, Peter. *Krieg der Philosophen: Die deutsche und die britische Philosophie im Ersten Weltkrieg*. Paderborn: Ferdinand Schöningh, 2004.

Hoeres, Peter. 'Vom Paradox zur Eindeutigkeit: Der 8. Mai in der westdeutschen Erinnerungskultur.' In *Der 8. Mai 1945 im Geschichtsbild der Deutschen und ihrer Nachbarn*, edited by Bernd Heidenreich, Evelyn Brockhoff and Andreas Rödder, 47 – 58. Wiesbaden: Hessische Landeszentrale für politische Bildung, 2016.

Hoeres, Peter. 'Der Versailler Vertrag: Ein Frieden, der kein Frieden war.' *Aus Politik und Zeitgeschichte* 15 (2019): 38 – 44. https://www.bpb.de/apuz/288788/versailler-vertrag-ein-frieden-der-kein-frieden-war?p=all (last accessed 22. 03. 2022).

Hoeres, Peter. *Zeitung für Deutschland: Die Geschichte der FAZ*. Munich and Salzburg: Benevento, 2019.

Hoffmann, Deborah, and Frances Reid. *A Long Night's Journey into Day*, 2000.

Hoxha, Çelo. *Krimet e komunistëve gjatë luftës 1941 – 1945*. Tiranë: ISKK 2014.

Hola, Barbora and Hollie Brehm. 'Punishing Genocide: A Comparative Empirical Analysis of Sentencing Laws and Practices at the International Criminal Tribunal for Rwanda (ICTR), Rwandan Domestic Courts, and Gacaca Courts.' *Genocide Studies and Prevention: An International Journal* 10(3) (2016): 59 – 80.

Hola, Barbora and Alette Smeulers. 'Rwanda and the ICTR – Facts and Figures.' In *Elgar Companion to the International Criminal Tribunal for Rwanda (ICTR)*, edited by Alette Smeulers and Annemarie de Brouwer, 44 – 76. Glos: Edward Elgar Publishing Ltd, 2016.

Horne, Cynthia M. 'Lustration, Transitional Justice, and Social Trust in Post-Communist Countries: Repairing or Wresting the Ties that Bind?' *Europe-Asia Studies* 66(2) (2014): 225 – 254. https://www.tandfonline.com/doi/abs/10.1080/09668136.2014.882620 (last accessed 09. 11. 2021).

Hoxha, Nexhmije. *Përjetime dhe meditime në jetën time politike*. Tirana: Ilar, 2019.

Hughes, James and Denisa Kostovicova. *Rethinking Reconciliation and Transitional Justice after Conflict*. Abingdon: Routledge, 2018.

Huikuri, Salla. *The Institutionalization of the International Criminal Court*. Cham: Pallgrave Macmillan, 2019.

Human Rights Watch. 'Evil Days: 30 Years of War and Famine in Ethiopia.' Report of African Watch, September 1991. https://www.hrw.org/sites/default/files/reports/Ethiopia919.pdf (last accessed: 20. 03. 2020).

Human Rights Watch. 'Decision to Deny ANC Leaders Amnesty Applauded.' Human Rights Watch, 1999. https://www.hrw.org/news/1999/03/03/decision-deny-anc-leaders-amnesty-applauded (last accessed: 14. 07. 2021).

Human Rights Watch, and Amnesty International. 'Truth and Justice: Unfinished Business in South Africa (Amnesty International / Human Rights Watch Briefing Paper), 2003. https://www.hrw.org/legacy/backgrounder/africa/truthandjustice.htm (last accessed: 14. 07. 2021).

Human Rights Watch. *Law and Reality: Progress in Judicial Reform in Rwanda* (New York, 2008)

Human Rights Watch. *Justice Compromised – The Legacy of Rwanda's Community-Based Gacaca Courts*, 31 May 2011. https://www.hrw.org/sites/default/files/reports/rwanda0511webwcover_0.pdf. (last accessed 22. 03. 2022).

Huntington, Samuel. *The Third Wave: Democratization in the Late Twentieth Century*. London: University of Oklahoma Press, 1991.

Huyse, Luc and Mark Salter. *Traditional Justice and Reconciliation after Violent Conflict: Learning from African Experiences*. Stockholm: International Institute for Democracy and Reconciliation, 2008.

Huyse, Luc. *Transitional Justice after War and Dictatorship: Learning from European Experiences 1945 – 2010. Final Report January 2013*. Brussels: CEGES SOMA, 2013.

Ibreck, Rachel. 'The politics of mourning: Survivor contributions to memorials in post-genocide Rwanda.' *Memory Studies* 3(4) (2010): 330 – 343.

Ibreck, Rachel. 'The Time of Mourning: The Politics of Commemorating the Tutsi Genocide in Rwanda.' In *Public Memory, Public Media, and the Politics of Justice*, edited by Philip Lee and Pradip Thomas, 98 – 121. London: Palgrave Macmillan, 2012.

ICTR, *Key Figures of ICTR Cases*. https://unictr.irmct.org/sites/unictr.org/files/publications/ictr-key-figures-en.pdf (last accessed 24. 11. 2021).

IDMC. *(Non)rehabilitation of Political Persecuted in the Process of Transitional Justice in Albania 1991–2018*. Tiranë: IDMC, 2019.

IDMC. *Filmat e Kinostudios pasuri kombëtare apo propagandë?* Tiranë: IDMC, 2019.

Idrizi, Idrit. 'Zwischen politischer Instrumentalisierung und Verdrängung: Die Auseinandersetzung mit dem Kommunismus in Öffentlichkeit, Geschichtspublizistik und Historiografie im postkommunistischen Albanien.' *Jahrbuch für Historische Kommunismusforschung* (2014). Berlin: Metropol, 2014.

Idrizi, Idrit. *Herrschaft und Alltag im albanischen Spätsozialismus 1976–1985*. Berlin and Boston: De Gruyter Oldenbourg, 2019.

IJR. 'SA Reconciliation Barometer Report.' Cape Town: Institute for Justice and Reconciliation, 2019. http://www.ijr.org.za/home/wp-content/uploads/2019/12/800108-IJR-Barometer-Report-2019-final-web.pdf (last accessed: 14.07.2021).

Ingelaere, Bert. *Does the Truth Pass Across Fire without Burning? Transitional Justice and its Discontents in Rwanda's Gacaca Courts*. Antwerp: Management IoDPa Discussion Paper, 2007.

International Journal of Transitional Justice. Mission statement. https://academic.oup.com/ijtj/pages/About (last accessed 22.03.2022).

Jallow, Hassan Bubacar. 'The Contribution of the International Criminal Tribunal for Rwanda to the Development of International Criminal Law.' In *After Genocide: Transitional Justice, Post-Conflict Reconstruction and Reconciliation in Rwanda and Beyond*, edited by Phil Clark and Zachary D. Kaufman, 261–279. London: Hurst, 2008.

Jansen, Jonathan. 'Rethinking Education Policy Making in South Africa: Symbols of Change, Signals of Conflict.' In *Educational in Retrospect: Policy and Implantation 1990–2000*, edited by Andre Kraak and Michael Young, 40–57. Pretoria: HSRC Press, 2001.

Jeffery, Renee and Hun Joon Kim. *Transitional Justice in the Asia-Pacific.* New York: Cambridge University Press, 2015.

Jelin, Elisabeth. 'The Politics of Memory: The Human Rights Movement and the Construction of Democracy in Argentina.' *Latin American Perspectives* 21(2) (1994): 38–58.

Jelin, Elisabeth. 'La política de la memoria: El movimiento de Derechos Humanos y la construcción democrática en argentina.' In *Juicio, castigos y memorias. Derechos humanos y justicia en la política argentina*, edited by Carlos H. Acuña et al., 103–146. Buenos Aires: Ediciones Nueva Visión, 1995.

Jelin, Elisabeth. 'Memorias en conflict.' *Puentes* 1(1) (2000): 6–13.

Jelin, Elisabeth. 'Introducción: Gestión política, gestión administrativa y gestión historica: Ocultamientos y descubrimientos de los archivos de la repression.' In *Los archivos de la represión: Documentos, memoria y verdad*, edited by Ludmila da Silva Catela and Elizabeth Jelin (Madrid: Siglo XXI editores, 2002), 1–13.

Jelin, Elisabeth. *State Repression and the Labors of Memory.* Minnesota: University of Minnesota Press, 2003.

Jensen, Silvina and María Lorena Montero. 'Prisión política y destierro en la Argentina dictatorial: Materiales y preguntas para la construcción de nuevos objetos de studio.' In *Izquierdas* 26 (2016): 99–122.

Jeßberger, Florian and Julia Geneuss, eds. *Zehn Jahre Völkerstrafgesetzbuch.* Baden-Baden: Nomos, 2013.

Jeßberger, Florian and Gerhard Werle. *Völkerstrafrecht.* Tübingen: Mohr Siebeck, ^{5}2020.

Joignant, Alfredo and Pedro Güell eds. *Notables, Tecnócratas y Mandarines: Elementos de sociología de las elites en Chile (1990–2010*). Santiago: Ediciones Universidad Diego Portales, 2011.

Jones, Bruce D. *Peacemaking in Rwanda: The Dynamics of Failure.* Boulder, CO: Lynne Rienner, 2001.

Jones Daniel, Santiago Luján and Analía Quintáns. 'De la resistencia a la militancia: las Iglesias evangélicas en la defensa de los derechos humanos (1976 – 1983) y el apoyo al matrimonio igualitario (2010) en Argentina.' *Espiral, Estudios sobre Estado y Sociedad* XX/59 (2014): 109 – 142.

Jones, Nicholas A. *The Courts of Genocide: Politics and the Rule of Law in Rwanda and Arusha.* New York: Routledge, 2010.

Jorda, Romana. *El Reflejo de la Dictadura en el cine chileno* (Vienna, Universität Wien. 2011). https://www.academia.edu/33028751/Romana_Jorda_El_reflejo_de_la_dictadura_en_el_cine_chileno (last accessed: 11. 04. 2022).

Judges Matter. 'The Make-Up Of South Africa's Judiciary.' March 29, 2017. https://www.judgesmatter.co.za/opinions/south-africa-judges/ (last accessed: 14. 07. 2021).

Jureit, Ulrike and Carsten Schneider. *Gefühlte Opfer: Illusionen der Vergangenheitsbewältigung.* Stuttgart: Klett-Cotta, 2010.

Kadare, Ismail. *Die Verbannte*. Frankfurt am Main: S. Fischer, 2017.

Kadare, Ismail. *Kur sunduesit grinden*. Tiranë: Onufri, 2018.

Kaitesi, Usta. *Genocidal Gender and Sexual Violence: The legacy of the ICTR, Rwanda's ordinary courts and gacaca courts.* PhD Thesis: Utrecht University, 2013.

Kaleck, Wolfgang, Michael Ratner, Tobias Singelnstein and Peter Weiss, eds. *International Prosecution of Human Rights Crimes.* Berlin and New York: Springer, 2006.

Kaleck, Wolfgang. *Kampf gegen die Straflosigkeit: Argentiniens Militärs vor Gericht.* Berlin: Wagenbach, 2010.

Kalo, Isuf. *Blloku: Rrëfimi i mjekut personal të Enver Hoxhës.* Tirana: UET Press, 2019.

Kamatali, Jean Marie. 'The Challenge of Linking International Criminal Justice and National Reconciliation: the Case of the ICTR.' *Leiden Journal of International Law* 16(1) (2003): 115 – 133.

Kaminsky, Anna, ed. *Orte des Erinnerns: Gedenkzeichen, Gedenkstätten und Museen zur Diktatur in SBZ und DDR.* Berlin: Ch. Links, 2016.

Kant, Immanuel. *Werke in zwölf Bänden*, vol. 8. Frankfurt am Main: Suhrkamp, 1977.

Kaufman, Stuart J. 'South Africa's Civil War, 1985 – 1995.' *South African Journal of International Affairs* 24, no. 4 (October 2, 2017): 501 – 21. https://doi.org/10.1080/10220461.2017.1422012 (last accessed: 14. 07. 2021).

Kebede, Messay. 'The Civilian left and the Radicalization of Dergue.' *Journal of Developing Societies* 24(2) (2008): 159 – 182.

Keller, Sven. 'Er bleibt – aber wie? Der Obersalzberg als Hitler-Ort.' In *Aufarbeitung des Nationalsozialismus*, edited by Magnus Brechtken, 284 – 316.

Kerbusch, Ernst-J. 'Die Wahlen vom 28. November 1971 in Uruguay.' *Verfassung und Recht in Übersee* 5 (1972): 387 – 398.

Kim, Hun Joon. *Expansion of Transitional Justice Measures: A Comparative Analysis of its Causes.* PhD diss., Minnesota, 2008.

King, Elisabeth. 'From classrooms to conflict in Rwanda.' *African Affairs* 114(454) (2014): 156 – 158.

King, Peter John. 'Comparative Analysis of Human Rights Violations under Military Rule in Argentina, Brazil, Chile, and Uruguay.' *Statistical Abstract of Latin America* 27 (1989): 1043 – 1065.

Kittel, Manfred. *Die Legende von der 'Zweiten Schuld': Vergangenheitsbewältigung in der Ära Adenauer.* Frankfurt am Main and Berlin: Ullstein, 1993.

Kittel, Manfred. *Nach Nürnberg: 'Vergangenheitsbewältigung' in Japan und Westdeutschland 1945 bis 1968.* Munich: De Gruyter Oldenbourg, 2004.

Klein, Herbert S. 'La Seguridad Nacional y la destrucción de regímenes democráticos en América Latina.' *Políticas de la Memoria* 18 (2018/2019): 49 – 63.

Klumpp, Guido. *Vergangenheitsbewältigung durch Wahrheitskommissionen – das Beispiel Chile.* Berlin: Berliner Wissenschafts-Verlag, 2001.
Knabe, Hubertus. *Die Täter sind unter uns: Über das Schönreden der SED-Diktatur.* Berlin: Propyläen, 2007.
Knabe, Hubertus. *Die unterwanderte Republik: Stasi im Westen.* Berlin: Propyläen, 1999.
Knigge, Volkhard and Norbert Frei. *Verbrechen erinnern: Die Auseinandersetzung mit Holocaust und Völkermord.* Munich: C. H. Beck, 2002.
Knoch, Habbo. 'Gedenkstätten.' In *Docupedia-Zeitgeschichte*, 11 September 2018. http://docupedia.de/zg/Knoch_gedenkstaetten_v1_de_2018 (last accessed 24. 11. 2021).
Knust, Nandor. *Strafrecht und Gacaca: Entwicklung eines pluralistischen Rechtsmodells am Beispiel des ruandischen Völkermordes.* Berlin: Duncker & Humblot, 2011.
Kogon, Eugen. *Der SS-Staat: Das System der deutschen Konzentrationslager.* Munich: dtv, 1946.
Kohl, Christine von. *Albanien.* Munich: Beck Verlag, [2]2003.
Koselleck, Reinhart. 'Gibt es ein kollektives Gedächtnis?' *Divinatio* 19 (2004): 23 – 28.
Korman, Remi. 'The Tutsi Body in the 1994 Genocide: Ideology, Physical Destruction, and Memory.' In *Destruction and Human Remains: Disposal and Concealment in Genocide and Mass Violence*, edited by Jean-Marc Dreyfus and Elisabeth Anstett, 226 – 242. Manchester: Manchester University Press, 2014.
Krasniqi, Afrim. 'Trajtimi i të kaluarës në raport krahasues: Shqipëria dhe Evropa Lindore.' In *Të mohuar nga regjimi.* Tiranë: AIDSSH, 2020.
Kretsi, Georgia. *Verfolgung und Gedächtnis in Albanien: Eine Analyse postsozialistischer Erinnerungsstrategien.* Wiesbaden: Harrassowitz Verlag, 2007.
Kroh, Jens. *Transnationale Erinnerung: Der Holocaust im Fokus geschichtspolitischer Initiativen.* Frankfurt am Main: Campus, 2008.
Kutzner, Maximilian. 'Tagungsbericht: HT 2018: Gespaltene Erinnerung und Elitenkontinuitäten. Posttotalitäre Gesellschaften im Vergleich, 25. 09. 2018 – 28. 09. 2018 Münster.' *H-Soz-Kult*, 2 November 2018. http://www.hsozkult.de/conferencereport/id/tagungsberichte-7923. (last accessed 22. 03. 2022).
Labuschagne, Pieter. 'Balancing the Past and the Future in South Africa : A Spatial Analysis of the Apartheid Museum as an Instrument for Dealing with a Contested Past.' *South African Journal of Art History* 27 (2012).
Lahiff, Edward et al. 'Land Redistribution and Poverty Reduction in South Africa.' *Programme for Land and Agrarian Studies*, University of the Western Cape, 2008.
Lamb, Guy. 'Dismantling of the State Security Apparatus.' In *Memory of Nations: Democratic Transitions Guide – The South African Experience*, edited by CEVRO, 7 – 17. CEVRO, 2020.
Lame, Qemal. *Kur shembeshin themelet*. Tiranë: Onufri, 2014.
Lame, Qemal. *Dritëhijet e kohës: Letërsia dhe arti në diktaturë: Përndjekja e Ismail Kadaresë.* Tiranë: Neraida, 2020.
Landkammer, Joachim. *Erinnerungsmanagement: Systemtransformation und Vergangenheitspolitik im internationalen Vergleich.* Munich: Wilhelm Fink, 2006.
Laplante, Lisa J. 'The plural justice aims of reparations.' In *Transitional Justice Theories*, edited by Susanne Buckley-Zistel, Teresa Koloma Beck, Christian Braun and Friederike Mieth, 40 – 66. New York: Routledge, 2014.
Larraín, Hernán and Ricardo Núñez, eds. *Las Voces de la Reconciliación.* Santiago: Intituto de Estudios de la Sociedad, 2013.
Larrobla, Carla and Fabiana Larrobla. 'Las investigaciones históricas de la Universidad de la República.' *ILCEA – Revue de l'Institut des langues et cultures d'Europe, Amérique, Afrique, Asie et Australie* 26 (2016): 1 – 11. https://journals.openedition.org/ilcea/3950 (last accessed 11. 04. 2022).

Lau, Carola. *Erinnerungsverwaltung, Vergangenheitspolitik und Erinnerungskultur nach 1989: Institute für nationales Gedenken im östlichen Europa im Vergleich.* Göttingen: Vandenhoeck & Ruprecht, 2017.

Laucero, Malena. 'Los Centros clandestinos: Núcleo duro de la Política Terrorista del Estado. In Servicio Paz y Justicia – SERPAJ Uruguay.' In *Derechos Humanos en el Uruguay. Informe 2016*, 84 – 99. Montevideo: SERPAJ, 2016.

Laucero, Malena and Efraín Olivera. 'Memoria y sitios de memoria: el pasado en disputa, in Servicio Paz y Justicia – SERPAJ Uruguay.' In *Derechos Humanos en el Uruguay. Informe 2019*, 100 – 114. Montevideo: SERPAJ, 2019.

Lazzara, Michael. *Chile in Transition: The Poetics and Politics of Memory.* Gainesville: De Gruyter, 2006.

Leese, Daniel. *Maos langer Schatten: Chinas Umgang mit der Vergangenheit*. Munich: C. H. Beck, 2020.

Lemarchand, Rene. *The Dynamics of Violence in Central Africa*. Philadelphia: University of Pennsylvania Press, 2009.

Lenton, Diana et al. 'Huellas de un genocidio silenciado: Los indígenas en Argentina.' *Conceptos* 90 (2015): 119 – 142.

Lessa, Alfonso. *La revolución imposible: Los Tupamaros y el fracaso de la vía armada en el Uruguay del siglo XX*. Montevideo: Fin de Siglo, 2010.

Lessa, Francesca and Gabriela Fried. 'Las múltiples máscaras de la impunidad: la Ley de Caducidad desde el Sí Rosado hasta los desarrollos recientes.' In *Luchas contra la impunidad. Uruguay 1985 – 2011*, edited by Gabriela Fried and Francesca Lessa, 31 – 44. Montevideo: Trilce, 2011.

Lessa, Francesca and Leigh A. Payne, eds. *Amnesty in the Age of Human Rights Accountability: Comparative and International Perspectives.* Cambridge: Cambridge University Press, 2012.

Lessa, Francesca. 'Elusive Justice, Changing Memories and the Recent Past of Dictatorship and Violence in Uruguay: An Analysis of the 2012 Public Act in the Gelman Case.' *International Journal for Conflict and Violence* 8/1 (2014): 75 – 90.

Lessa, Francesca. '¿Justicia o impunidad? Cuentas pendientes a treinta años del retorno a la democracia.' *ILCEA – Revue de l'Institut des langues et cultures d'Europe, Amérique, Afrique, Asie et Australie* 26 (2016): 1 – 16. https://doi.org/10.4000/ilcea.3874 (last accessed 11. 04. 2022).

Lessa, Francesca. *Justice without Borders: Accountability for Plan Condor Crimes in South America*. Oxford: University of Oxford, Latin American Centre, 2016. https://www.lac.ox.ac.uk/sites/default/files/lac/documents/media/policy_brief_eng.pdf (last accessed 11. 04. 2022).

Lessa, Francesca and Elin Skaar. 'Uruguay: Halfway towards accountability.' In *Transitional Justice in Latin America. The uneven road from impunity towards accountability*, edited by Elin Skaar, Jemima García-Godos and Cath Collins, 77 – 102. London and New York: Routledge, 2017.

Levy, Daniel and Natan Sznaider. *Erinnerung im globalen Zeitalter: Der Holocaust.* Frankfurt am Main: Suhrkamp, 2001.

Lewthwaite, G.A. 'Rebels pledge democracy in Ethiopia: U.S.-brokered talks end in agreement after fall of capital.' *The Baltimore Sun*, 29 May 1991. http://Articles.baltimoresun.com/1991-05-29/news/1991149072_1_addis-ababa-ethiopians-eprdf (last accessed: 20. 03. 2020).

Licklider, Roy. 'The Ethics of Advice: Conflict Management vs. Human Rights in Ending Civil Wars.' *Journal of Human Rights* 7(4) (2008): 376 – 387.

Liscano, Carlos. *Ejercicio de la Impunidad: Sanguinetti y Batlle contra Gelman*. Montevideo: Ediciones del Caballo Perdido, 2004.

Lleshanaku, Luljeta. *Kinder der Natur*. N.N.: Edition Korrespondenzen, 2010.

Lleshanaku, Luljeta. *Negative Space*. N.N.: New Directons Publishing, 2018.

Lodge, Tom. 'State of Exile: The African National Congress of South Africa, 1976 – 86.' *Third World Quarterly* 9, 1 (1987): 1 – 27.

Logman, Timothy and Theoneste Rutagengwa. 'Memory and Violence in Postgenocide Rwanda.' In *States of Violence, Politics, Youth and Memory in Contemporary Africa*, edited by Edma G. Bay and Donald L. Donham, 236 – 260. Charlottesville and London: University of Virginia Press, 2006.

Longman, Timothy. 'Limitations to Political Reform: The Undemocratic Nature of Transition in Rwanda.' In *Remaking Rwanda: State-Building and Human Rights after Mass Violence*, edited by Scott Straus and Lars Waldorf, 25 – 48. Wisconsin: Wisconsin University Press, 2011.

Longman, Timothy. *Memory and Justice in Post-Genocide Rwanda.* Cambridge: Cambridge University Press, 2017.

López Mazz, José. 'The concealment of bodies during the military dictatorship in Uruguay (1973 – 84).' In *Human remains and identification: Mass violence, genocide, and the 'forensic turn*,' edited by Élisabeth Anstett and Jean-Marc Dreyfus, 83 – 97. Manchester: Manchester University Press, 2015.

Lorenz, Frederico Guillermo. ¿De quién es el 24 de Marzo? Las luchas por la memoria del golpe de 1976.' In *Las conmemoraciones: Las disputas en las fechas 'in-felices'*, edited by Elisabeth Jelin, 53 – 100. Madrid: Siglo XXI Editores, 2002.

Lorenz, Frederico Guillermo. Archivos de la represión y memoria en la República Argentina (2007. http://www.historizarelpasadovivo.cl/downloads/archivoargentina.pdf (last accessed 11. 04. 2022).

Lübbe, Hermann. 'Der Nationalsozialismus im deutschen Nachkriegsbewusstsein.' *Historische Zeitschrift* 236 (1983): 579 – 599.

Lübbe, Hermann. *Vom Parteigenossen zum Bundesbürger – über beschwiegene und historisierte Vergangenheiten.* Munich: Wilhelm Fink, 2007.

Lubonja, Fatos. *Në vitin e shtatëmbëdhjetë: Ditar burgu 1990 – 1991.* Tiranë, 1994.

Lubonja, Fatos. *Ridënimi* (1996).

Madres y Familiares de Detenidos Desaparecidos. *El Referendum desde Familiares.* Montevideo: MFDD, 1990.

Madres y Familiares de Detenidos Desaparecidos. *A todos ellos: Informe de Madres y Familiares de Uruguayos Detenidos Desaparecidos.* Montevideo: MFDD, 2004.

Magendzo, Abraham and María Isabel Toledo. 'Educación en Derechos Humanos: curriculum historia y ciencias sociales del 2o año de enseñanza media. subunidad "regimen militar y transición a la democracia".' *Valdivia, Revista Estudios pedagógicos* XXXV. (2009): 139 – 154. http://revistas.uach.cl/index.php/estped/article/view/3262 (last accessed 11. 04. 2022).

Magnarella, Paul J. 'The Background and Causes of the Genocide in Rwanda.' *Journal of International Criminal Justice* 3(4) (2005): 801 – 822.

Magome, Mogomotsi. 'South Africa Probes Apartheid-Era Death in Police Custody.' AP NEWS, February 3, 2020. https://apnews.com/article/0a4ea5b33bcef3c5d044d801d30173a7 (last accessed: 14. 07. 2021).

Mahlokwane, James. 'Gallows Museum Still Not Open to Public for Safety Reasons.' *Independent Online*, 2018. https://www.iol.co.za/pretoria-news/gallows-museum-still-not-open-to-public-for-safety-reasons-14419781 (last accessed: 14. 07. 2021).

Maier, Julio B. J. 'Die strafrechtliche Aufarbeitung von staatlich gesteuertem Unrecht in Argentinien.' *Zeitschrift für die Gesamte Strafrechtswissenschaft* 107 (1995): 143 – 156.

Mallinder, Louise. *Amnesty, Human Rights and Political Transitions: Bridging the Peace and Justice Divide.* London: Hart Publishing, 2008.

Mallinder, Louise. 'Indemnity, Amnesty, Pardon and Prosecution Guidelines in South Africa.' Working Paper No. 2. Beyond Legalism. Belfast: Institute of Criminology and Criminal Justice, Queens University, 2009.

Mallinder, Louise. *Uruguay's Evolving Experience of Amnesty and Civil Society's Response* (Working Paper No. 4 from Beyond Legalism: Amnesties, Transition and Conflict Transformation) Belfast: Institut of Criminology and Criminal Justice, Queen's University, 2009.

Mamdani, Mahmood. *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda*. Princeton: Princeton University Press, 2001.

Marchesi, Alberto Aldo. '*Las lecciones del pasado', memoria y ciudadanía en los informes 'nunca más'*. Informe final del concurso: Culturas e identidades en América Latina y el Caribe. Programa Regional de Becas CLACSO, 2001. http://bibliotecavirtual.clacso.org.ar/ar/libros/becas/2000/marchesi.pdf (last accessed 11.04.2022).

Marchesi, Alberto Aldo. '¿"Guerra" o "Terrorismo de estado"? Recuerdos enfrentados sobre el pasado reciente uruguayo.' In *Las conmemoraciones: Las disputas en las fechas 'in-felices'*, edited by Elizabeth Jelin, 101–147. Madrid: Siglo XXI, 2002.

Marín Suárez, Carlos and Azul Cordo. 'Políticas de memoria en Uruguay: entre el control, la acción y la passion.' In *Servicio Paz y Justicia – SERPAJ Uruguay*, *Derechos Humanos en el Uruguay. Informe 2015*, 39–47. Montevideo: SERPAJ, 2015.

Marius, Jorge Leonel and Juan Francisco Bacigalupe. *Sistema Electoral y Elecciones Uruguayas 1925–1998*, Montevideo: KAS, 1998).

Markakis, John. 'Garrison Socialism: the Case of Ethiopia.' MERIP Reports, 79, Jun. 1979.

Markarian, Vania. 'Uruguayan Exiles and Human Rights: From Transnational Activism to Transitional Politics, 1981–1984.' *Anuario de Estudios Americanos* 64 (2007): 111–140.

Markarian, Vania. 'Los documentos del pasado reciente como materiales de archive: Reflexiones desde el caso uruguayo.' *Contemporanea – Historia y problemas del siglo XX* 7/7 (2016): 178–190.

Martínez Guidolin, Virginia. *Políticas de Memoria del pasado reciente en las ciudades de Montevideo y Buenos Aires*. MA thesis, Montevideo: Universidad de la República de Uruguay, Facultad de Ciencias Sociales, 2015.

Martínez, Virginia. *Los fusilados de abril ¿Quién mató a los comunistas de la 20?* Montevideo: Ediciones del caballo perdido, 2002.

Martínez, Virginia. *Tiempos de Dictadura: Hechos, voces, documentos: La represión y la resistencia día a día*. Montevideo: Ediciones de la Banda Oriental, 2006.

Mary, Kayitesi-Blewitt. 'Funding Development in Rwanda: The Survivors' Perspective.' *Development in Practice* 16(3/4) (2006): 316–321.

Mason, Randall. 'Conserving Rwandan Genocide Memorials.' *The Journal of Preservation Technology* 50(2/3) (2019): 17–26.

Masotta, Carlos. 'Imágenes recientes de la "Conquista del Desierto": Problemas de la memoria en la impugnación de un mito de origen.' *Runa. Archivo para las ciencias del hombre* XXVI (2006): 225–245.

May, Eva-Lotte. 'Die südafrikanische Wahrheits- und Versöhnungskommission: Wahrheit, Versöhnung und Gerechtigkeit.' In *Amnesie, Amnestie oder Aufarbeitung? Zum Umgang mit autoritären Vergangenheiten und Menschenrechtsverletzungen*, edited by Susanne Pickel and Siegmar Schmidt, 245–286. Wiesbaden: Springer VS, 2009.

Maza, Gonzalo de la. 'De la elite civil a la elite política: Reproducción del poder en contextos de democratización.' *Polis* (Santiago) 12(36) (2013), 67–100. https://scielo.conicyt.cl/scielo.php?script=sci_arttext&pid=S0718-65682013000300004 (last accessed: 11.04.2022).

McCarthy, Conor. *Reparations and Victim Support in the International Criminal Court*. Cambridge: Cambridge University Press, 2012.

McDonald, Ronald H. 'Redemocratization in Uruguay.' In *Liberalization and Redemocratization in Latin America*, edited by George A. Lopez and Michael Stohl, 173–189. New York, Westport and London: Greenwood Press, 1987.

McDonald, Ronald H. and Martin Weinstein. 'Balancing Growth and Democracy in Uruguay.' In *Latin American Politics and Development*, edited by Howard J. Wiarda and Harvey F. Kline, 295–311. Boulder: Westview Press, ^{5}2000.

Meier, Christian. *Das Gebot zu vergessen und die Unabweisbarkeit des Erinnerns: Vom öffentlichen Umgang mit schlimmer Vergangenheit.* Munich: Siedler, 2010.

Melvern, Linda. *Conspiracy to Murder: The Rwandan Genocide.* London: Verso, 2006.

Melvern, Linda. *A People Betrayed: The role of the West in Rwanda's Genocide.* London: Zed Books, 2019.

Melvin, Jennifer. 'Correcting history: mandatory education in Rwanda.' *Journal of Human Rights in the Commonwealth* 1(2) (2013): 14–22.

Memoria Abierta. *Guía de archivos útiles para la investigación judicial de delitos de lesa humanidad.* Buenos Aires: Memoria Abierta, 2011.

Memoria para Armar, *uno. Testimonios coordinados por el Taller Género y Memoria ex-Presas Políticas.* Montevideo: Senda, 2001.

Memoria para Armar, *dos. ¿Quién se portó mal? Selección de Testimonios coordinados por el Taller Género y Memoria ex-Presas Políticas.* Montevideo: Senda, 2002.

Memoria para Armar, *tres. Selección de Testimonios coordinados por el Taller Género y Memoria ex-Presas Políticas.* Montevideo: Senda, 2003.

Merino, Marcia Alejandra. *Mi Verdad: Mas allá del horror, yo acuso.* Santiago: Impreso ATG SA, 1993.

Meta, Beqir and Ermal Frasheri. *Mbi sistemin e burgjeve, internimit dhe punës së detyruar gjatë regjimit komunist në Shqipëri.* Tiranë: AIDSSH, 2018.

Metekia, Tadesse S. 'Violence Against and Using the Dead: Ethiopian Dergue Cases.' *Human Remains and Violence* 4(1) (2018): 76–92.

Metekia, Tadesse S. 'Punishing Core Crimes in Ethiopia: Analysis of the Domestic Practice in Light of and in Comparison, with Sentencing Practices at the UNICTs and the ICC.' *International Criminal Law Review* 1 (2019): 160–190.

Metekia, Tadesse S. *Prosecution of Core Crimes in Ethiopia: Domestic Practice vis-à-vis international standards.* Leiden: Brill, 2021.

Mgbako, Chi Adanna. 'Ingando Solidarity Camps: Reconciliation and Political Indoctrination in Post-Genocide Rwanda.' *Harvard Human Rights Journal* 18 (2005): 201–224.

Michelini, Felipe. 'La experiencia del Cono Sur en materia de comisiones de la verdad.' In *Verdad y Justicia: Homenaje a Emilio F. Mignone*, edited by Juan E. Méndez, Martín Abregú and Javier Mariezcurrena, 173–206. San José de Costa Rica: Instituto Interamericano de Derechos Humanos, 2001.

Mihr, Anja. *Regime Consolidation and Transitional Justice: A comparative Study of Germany, Spain and Turkey.* New York: Cambridge University Press, 2018.

Mihr, Anja, Gert Pickel and Susanne Pickel, eds. *Handbuch Transitional Justice: Aufarbeitung von Unrecht – hin zur Rechtsstaatlichkeit und Demokratie.* Wiesbaden: Springer VS, 2018.

Milkias, P. 'Mengistu Haile Mariam: Profile of a Dictator.' *Ethiopian Review* 4(1) (1994): 57–59.

Miller, Alicia and Vanina Berghella. 'Una mirada sobre el periodismo de investigación en la Argentina.' In *¿Qué periodismo se hace en Argentina? Perspectivas locales y globales*, edited by Konrad Adenauer-Stiftung, 75–108. Buenos Aires: Konrad Adenauer-Stiftung, 2018.

Ministerio de Educación y Cultura. Comisión Nacional de Repatriación. *Programa de la Comisión Nacional de Repatriación: Salud – Vivienada – Trabajo: Año 1986.* Montevideo: MEC, 1986.

Mirza, Roger. 'Memoria y representación en la escena uruguaya: 1968–2013.' *Nuestro Tiempo* 19 (2014): 5–42.

Mirza, Roger and Gustavo Remedi, eds. *La dictadura contra las tablas: Teatro uruguayo e historia reciente.* Montevideo: Biblioteca Nacional, 2009.

Mitchell, Neil and James McCormick. 'Economic and Political Explanations of Human Rights Violations.' *World Politics* 40(4) (1988): 476 – 498.

Mohale, Gabi. 'A People's Guide to Archives and Democracy.' *Daily Maverick*, September 21, 2020.

Montero, Ana Soledad. 'La scène de débat autour de l'annulation de la Loi de caducité de la prétention punitive de l'État en Uruguay (2011): positionnements présidentiels et enjeux politiques.' *ILCEA – Revue de l'Institut des langues et cultures d'Europe, Amérique, Afrique, Asie et Australie* 26 (2016). https://journals.openedition.org/ilcea/3923 (last accessed 11. 04. 2022), 1 – 15.

Mulleti, Fatbardha. *Saga e dhimbjes*. Tiranë: ISKK, 2018.

Munck, Gerado L. *Authoritarianism and Democratization: Soldiers and Workers in Argentina, 1976 – 1983*. University Park: Penn State University Press, 1998.

Museo de la Memoria y los Derechos Humanos, Archivo Audiovisual (2016).

Mussi, Francesca. 'The South African TRC and Its Narrative Legacies.' In *Literary Legacies of the South African TRC*, 1 – 39. Cham: Palgrave Macmillan, 2020. https://doi.org/10.1007/978-3-030-43055-9_1 (last accessed: 14. 07. 2021).

Nahum, Benjamín. *Manual de Historia del Uruguay, Tomo II: 1903 – 2000*. Montevideo: Banda Oriental, 2004.

Nattrass, J. *The South African Economy: Its Growth and Change*. Oxford: Oxford University Press, ^{2}1988.

Navia, Patricio and Arturo Arriagada. *Intermedios: Medios y Democracia en Chile*. Santiago: Universidad Diego Portales, 2013.

Ndahinda Mukwiza, Felix. 'Debating and Litigating Post-Genocide Reparations in the Rwandan Context.' In *Reparations for Victims of Genocide, War Crimes and Crimes against Humanity*, edited by Carla Ferstman and Mariana Goetz, 629 – 655. Leiden: Brill Nijhoff, 2020.

Ndoja, Leka and Alvin Saraci. *Akte gjyqësore politike gjatë komunizmit në Shqipëri: Bashkimi Demokratik Shqiptar 1946*. Tiranë: ISKK, 2015.

Neumann, Ulfrid and Paulo Abrao. *Transitional Justice: Das Problem gerechter strafrechtlicher Vergangenheitsbewältigung*. Frankfurt am Main: PL Academic Research, 2014.

Newbury, Catharine. *The Cohesion of Oppression: Clientship and Ethnicity in Rwanda, 1860 – 1960*. New York: Colombia University Press, 1988.

Nietzsche, Friedrich. *Unzeitgemäße Betrachtungen: Zweites Stück: Vom Nutzen und Nachtheil der Historie für das Leben* (*Kritische Studienausgabe*, vol. 1), edited by Giorgio Colli and Mazzino Montinari. Munich: dtv, 1999.

Nino, Carlos Santiago. *Radical Evil on Trial*. New Haven and London: Yale University Press, 1996.

Nissen, Sylke. 'The Eurobarometer and the Process of European Integration.' *Quality & Quantity* 48(2) (2014): 713 – 727.

Nohlen, Dieter. 'Uruguay.' In *Handbuch der Dritten Welt*, *Bd. 2: Südamerika*, edited by Dieter Nohlen and Franz Nuscheler, 477 – 509. Bonn: Dietz, ^{3}1992.

Nohlen, Dieter. 'Uruguay.' In *Elections in the Americas. A Data Handbook, Vol. II South America*, edited by Dieter Nohlen, 487 – 534. Oxford: Oxford University Press, 2005.

Nolte, Detlef. 'Verantwortungsethik versus Gesinnungsethik: Menschenrechtsverletzungen und Demokratisierung in Südamerika.' In *Politische Gewalt in Lateinamerika*, edited by Thomas Fischer and Michael Krennech, 291 – 309. Frankfurt am Main: Vervuert, 2000.

Nora, Pierre, ed. *Realms of Memory: Rethinking the French Past*. Chicago: Columbia University Press, 1998.

Nora, Pierre, ed. *Erinnerungsorte Frankreichs*. Munich: C. H. Beck, 2005.

Novaro, Marcos and Vincente Palermo. *La Dictadura Militar 1976/1983: Del Golpe de Estado a la Restauración Democrática*. Buenos Aires, Barcelona and Mexico: Paidós, 2003.

Novick, Peter. *The Holocaust in American Life*. Boston: Houghton Mifflin Company, 1999.

Nsanzuwera, Francois-Xavier. 'The ICTR Contribution to National Reconciliation.' *Journal of International Criminal Justice* 3(4) (2005): 944–949.
NURC (Ruanda). *National Policy of Unity and Reconciliation*. Kigali, 2007.
NURC (Ruanda). *Strategic Plan of Itorero ry'Igihugu 2009–2012*. Kigali, 2009.
NURC (Ruanda). *Understanding Itorero Ry'igihugu*. Kigali, 2011.
NURC (Ruanda). *Histoire du Rwanda: des origines à la fin du xxe siècle*. Kigali, 2011.
Nyseth Brehm, Hollie, Christopher Uggen and Jean-Damascène Gasanabo. 'Genocide, Justice, and Rwanda's Gacaca Courts.' *Journal of Contemporary Criminal Justice* 30(3) (2014): 333–352.
Odendaal, Andries. *A Crucial Link: Local Peace Committees and National Peacebuilding*. Washington, D.C: USIP, 2013. https://bookstore.usip.org/browse/book/9781601271815/A%20Crucial%20Link (last accessed: 14. 07. 2021).
O'Donnell, Guillermo and Philippe C. Schmitter. *Transitions from Authoritarian Rule, Vol. 4: Tentative Conclusions about Uncertain Democracies*. Baltimore: John Hopkins University Press, 1986.
Olásolo, Héctor. *International Criminal Law: Transnational Criminal Organizations and Transitional Justice*. Boston: Brill, 2018.
Olivera, Raúl and Sara Méndez. *Secuestro en la embajada: El caso de la maestra Elena Quinteros*. Montevideo: Fundación Editorial El Perro y la Rana, ^{2}2004.
Olivera, Raúl. 'Memoria, verdad y justicia en Uruguay: la gestión del pasado en un escenario de luces y sombras.' *ILCEA – Revue de l'Institut des langues et cultures d'Europe, Amérique, Afrique, Asie et Australie* 26 (2016): 1–22. http://journals.openedition.org/ilcea/3905 (last accessed 11. 04. 2022); DOI: 10.4000/ilcea.3905.
Olsen, Tricia and Leigh Payne. *Transitional Justice in Balance: Comparing Processes, Weighing Efficacy*. Washington: Cambridge University Press, 2010.
Orentlicher, Diane F. 'Settling Accounts: The Duty To Prosecute Human Rights Violations of a Prior Regime.' *The Yale Law Journal* 100 (1991): 2537–2615. https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=7376&context=ylj (last accessed: 23. 11. 2021).
Orentlicher, Diane. *That Someone Guilty Be Punished: The Impact of the ICTY in Bosnia*. New York: ICTY, 2010.
Ortiz, María Luisa. 'Acceso público a la información y archivos sobre terrorismo de estado.' In *Acceso Público a la Memoria*. Santiago: Corporación Parque por la Paz, Villa Grimaldi, 2009.
Ostertag, Thomas. *Der gezähmte Diktator: Die Wirkung von Menschenrechtsverfahren auf das Repressionslevel in Autokratien*. Berlin: De Gruyter Oldenbourg, 2017.
Pagenstecher, Cord. 'Der lange Weg zur Entschädigung.' 2 June 2016. https://www.bpb.de/geschichte/nationalsozialismus/ns-zwangsarbeit/227273/der-lange-weg-zur-entschaedigung (last accessed 22. 03. 2022).
Pagès, Joan and Jesús Marolla. 'La historia reciente en los currículos escolares de Argentina, Chile y Colombia: Desafíos de la educación para la ciudadanía desde la Didáctica de las Ciencias Sociales.' *Historia y Memoria* 17 (2018): 153–184.
Palmás Zaldua, Luz et al. 'Memoria, verdad y justicia: Rasgos de un cambio de época en el discurso, las sentencias y las políticas.' In *Derechos humanos en la Argentina. Informe 2017*, 145–179. Centro de Estudios Legales y Sociales (CELS). Buenos Aires: Siglo veintiuno editores/CELS, 2017.
Palmás Zaldua, Luz et al. 'Las políticas de memoria, verdad y justicia a cuarenta años del golpe.' In *Derechos humanos en la Argentina. Informe 2016*, 25–56. Centro de Estudios Legales y Sociales (CELS). Buenos Aires: Siglo veintiuno editores/CELS, 2016.
Palmer, Nicola. *Courts in Conflict: Interpreting the Layers of Justice in Post-Genocide Rwanda*. Oxford: Oxford University Press, 2015.

Parliament of South Africa. ‘Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Act (Act No. 19 of 2002).’ 2002. https://www.gov.za/sites/default/files/gcis_document/201409/a19-02.pdf (last accessed: 14. 07. 2021).
Parliament of South Africa. ‘Constitution of the Republic of South Africa (Act 200 of 1993).’ 1993. https://www.gov.za/documents/constitution/constitution-republic-south-africa-act-200-1993 (last accessed: 14. 07. 2021).
Parliament of South Africa. ‘No. 58 of 2008: Provision of Land and Assistance Amendment Act, 2008.’ 2008. https://www.gov.za/sites/default/files/gcis_document/201409/3178821.pdf (last accessed: 14. 07. 2021).
Parliament of South Africa. ‘Promotion of National Unity and Reconciliation Act (Act 34 of 1995).’ 1995. https://www.gov.za/sites/default/files/gcis_document/201409/act34of1995.pdf (last accessed: 14. 07. 2021).
Parliamentary Committee on Reparations. ‘Final Report.’ 2003. https://pmg.org.za/committee-meeting/2624/ (last accessed: 14. 07. 2021).
Pan, Jorge Eduardo. ‘Una brecha a la impunidad.’ *Revista de IELSUR* 9 (1994): 7 – 18.
Pellegrino, Adela. ‘Aspectos demográficos, 1963 – 1985.’ In *El Uruguay de la dictadura (1973 – 1985)*, edited by Carmen Appratto et al., 181 – 192. Montevideo: Banda Oriental, 2004.
Pells, Kirrily. ‘Rights are everything we don’t have’: Clashing Conceptions of Vulnerability and Agency in the Daily Lives of Rwandan Children and Youth.’ *Children’s Geographies* 10(4) (2012): 427 – 440.
Peralta, Ariela. ‘El caso Gelman y los desafíos a la Ley de Caducidad.’ In *Luchas contra la impunidad: Uruguay 1985 – 2011*, edited by Gabriela Fried and Francesca Lessa, 203 – 215. Montevideo: Trilce, 2011.
Pereira, Antonio. ‘Análisis de los informativos televisivos durante el proceso de aprobación de la ley de caducidad.’ *Cuaderno de Historia* 9 (2012): 125–149.
Peshkëpia, Gëzim and Agron Tufa, ‘Vila e Hoxhës, Muze për krimet e komunizmit!’, *Panorama*, 6 September 2013, http://www.panorama.com.al/vila-e-enver-hoxhes-muze-per-krimet-e-komunizmit/ (last accessed 30. 01. 2021).
Phakathi, Sizwe and Hugo Van der Merwe. ‘The Impact of the TRC’s Amnesty Process on Survivors of Human Rights Violations.’ In *Truth and Reconciliation: Did the TRC Deliver?*, edited by Audrey R. Chapman and Hugo van der Merwe. Pennsylvania: Pennsylvania University Press, 2009.
Phillipps-Treby, Walter and Jorge Tiscornia. *Vivir en Libertad*. Montevideo: Editorial Banda Oriental, 2003.
Pion-Berlin, David. ‘The Fall of Military Rule in Argentina: 1976 – 1983.’ *Journal of Interamerican Studies and World Affairs* 27(2) (1985): 55 – 76.
Pion-Berlin, David. ‘To Prosecute or to Pardon? Human Rights Decisions in the Latin American Southern Cone.’ *Human Rights Quarterly* 16(1) (1994): 105 – 130.
Pipa, Arshin. *Stalinizmi Shqiptar: Anatomia e një patologjie politike*. Tiranë: ISKK & Princi, 2007.
Plaut, Martin. ‘Ethiopia’s Oromo Liberation Front.’ *Review of African Political Economy* 33(109) (2006): 587 – 593.
Pllumi, At Zef. *Rrno vetëm për me tregue*. Tiranë: Shtëpia Botuese 55, [2]2006.
Pohlandt-McCormick, Helena. ‘“I Saw a Nightmare…” Violence and the Construction of Memory (Soweto, June 16, 1976).’ *History and Theory* 39(4) (2000): 23 – 44.
Popovski, Vesselin and Mónica Serrano. *After Oppression: Transitional Justice in Latin America and Eastern Europe*. N. p., 2012.
Portugheis, Rosa Elsa, eds. *Documentos del Estado terrorista*. Buenos Aires: Ministerio de Justicia y Derechos Humanos de la Nación. Secretaría de Derechos Humanos, 2012. http://www.jus.gob.ar/media/1129178/41-anm-documentos_del_estado_terrorista.pdf (last accessed 11. 04. 2022).

Pottier, Johan. *Re-Imagining Rwanda: Conflict, Survival and Disinformation in the Late Twentieth Century.* Cambridge: Cambridge University Press, 2002.

President's Fund (South Africa). 'President's Fund Annual Report 2019 – 2020.' 2020. https://www.justice.gov.za/reportfiles/other/presfund-anr-2019-20.pdf (last accessed: 14. 07. 2021).

Prodger, Matt. 'Albania Seeks to Compensate Political Prisoners', *BBC News*, 23. 07. 2004, http://news.bbc.co.uk/2/hi/europe/3917293.stm (last accessed: 11. 01. 2021).

Prouveze, Remy and Nadia Bernaz. 'International and domestic prosecutions.' In *The Pursuit of International Criminal Justice, Vol. I: A World Study on Conflicts, Victimization, and Post-Conflict Justice*, edited by M. Cherif Bassiouni. Antwerp: Intersentia, 2010.

Prunier, Gérard. *The Rwanda Crisis: History of a Genocide.* New York: Colombia University Press, 1997.

Prunier, Gérard. *Africa's World War: Congo, the Rwandan Genocide, and the Making of a Continental Catastrophe.* Oxford: Oxford University Press, 2009.

Prunier, Gérard. *From Genocide to Continental War: The Congolese Conflict and the Crisis of Contemporary Africa.* London: Hurst, 2009.

Puddington, Arch et al., eds. *Freedom in the World 2017: The Annual Survey of Political Rights and Civil Liberties.* New York: Freedom House, 2019. https://freedomhouse.org/sites/default/files/2020-02/Freedom_in_the_World_2017_complete_book.pdf (last accessed 23. 11. 2021).

Purdeková, Andrea. 'Rwanda's Ingando camps: Liminality and the reproduction of power.' *Refugee Studies Centre, University of Oxford Working Paper* 80 (2011).

Purdeková, Andrea. 'Civic Education and Social Transformation in Post-Genocide Rwanda: Forging the Perfect Development Subjects.' In *Rwanda Fast Forward: Social, Economic, Military and Reconciliation*, edited by Maddalena Campioni and Patrick Noack, 192 – 213. New York: Palgrave Macmillan, 2012.

Puwana, Zukiswa, and Rita Kesselring. 'Persistent Injuries, the Law and Politics: The South African Victims' Support Group Khulumani and Its Struggle for Redress.' In *Advocating Transitional Justice in Africa: The Role of Civil Society*, edited by Jasmina Brankovic and Hugo Van der Merwe, 2018.

Qazimi, Azem. *Procesi i asgjësimit të fesë në komunizëm.* Tiranë: ISKK, 2012.

Quaritsch, Helmut. 'Über Bürgerkriegs- und Feind-Amnestien.' In *Der Staat* 31 (1992): 389 – 418.

Radseck, Michael. 'Das argentinische Militär: Vom Machtfaktor zum Sozialfall?' In *Argentinien heute: Politik – Wirtschaft – Kultur*, edited by Klaus Bodemer, Andrea Pagni and Peter Waldmann, 83 – 103. Frankfurt am Main: Vervuert, 2002.

Rauch, Janine. 'Police Transformation and the South African TRC.' Centre for the Study of Violence and Reconciliation, 2004.

Reichel, Peter. *Vergangenheitsbewältigung in Deutschland: Die Auseinandersetzung mit der NS-Diktatur von 1945 bis heute.* Munich: Beck'sche Reihe, 2001.

Reinhard, Wolfgang. 'Geschichte als Delegitimation.' *Jahrbuch des Historischen Kollegs* (2002): 27 – 37.

Remedi, Gustavo, eds. *Otros lenguajes de la memoria: teatro uruguayo contemporáneo e historia reciente.* Montevideo: Ediciones Universitarias, 2017.

República Oriental del Uruguay, Junta de Comandantes en Jefe. *La Subversion: Las Fuerzas Armandas al Pueblo Oriental*, Bd. I. Montevideo 1977.

Reta, Demelash Shiferaw. *National Prosecution and Transitional Justice: The Case of Ethiopia.* PhD diss., University of Warwick School of Law, 2014.

Reussner, Eva M. *Publikumsforschung für Museen: Internationale Erfolgsbeispiele.* Bielefeld: Transcript, 2010.

Reyntjens, Filip. 'Rwanda, Ten Years on: From Genocide to Dictatorship.' *African Affairs* 103(411) (2004): 177 – 210.

Reyntjens, Filip. 'Constructing the truth, dealing with dissent, domesticating the world: Governance in post-genocide Rwanda.' *African Affairs* 110(438) (2011): 1–34.
Rhodes James, Robert, ed. *Winston S. Churchill: His Complete Speeches 1897–1963, Volume VII. 1943–1949*. New York and London: Chelsea House, 1974.
Rial, Juan. 'Militares y Redemocratización.' *Cuadernos de Marcha* II/8 (1986): 26–39.
Rico, Álvaro, ed. *Investigación histórica sobre Detenidos Desaparecidos: En cumplimiento del artículo 4 de la Ley No. 15.848*, 5 volumes. Montevideo: IMPO, 2007.
Rico, Álvaro, ed. *Investigación histórica sobre la dictadura y el terrorismo de Estado en el Uruguay 1973–1985*, 3 volumes. Montevideo: Universidad de la República Oriental del Uruguay – Comisión Sectorial de Investigación Científica, 2008.
Rieff, David. *In Praise of Forgetting: Historical Memory and Its Ironies*. New Haven and London: Yale University Press, 2017.
Risso, Mariana and Manuela Abrahan. 'Desde el fondo del tiempo otro tiempo: Apuntes sobre el proceso de identificación y recuperación para la memoria de los espacios represivos del terrorismo de Estado uruguayo.' *Aletheia* 8/16 (2018). http://aletheiaold.fahce.unlp.edu.ar/numeros/numero-16/dossier/desde-el-fondo-del-tiempo-otro-tiempo-1-.–apuntes-sobre-el-proceso-de-identificacion-y-recuperacion-para-la-memoria-de-los-espacios-represivos-del-terrorismo-de-estado-uruguayo (last accessed 11.04.2022).
Robben Island Museum. '2019 Robben Island Museum Annual Report.' 2020. https://www.robben-island.org.za/download/annual-report-2019-2020/ (last accessed: 14.07.2021).
Roberts, Jaine. 'The Hidden Epidemic Amongst Former Miners: Silicosis, Tuberculosis and the Occupational Diseases in Mines and Works Act in the Eastern Cape, South Africa.' *Health Systems Trust and SA Dept of Health*, n.d.
Robinson, Darryl and Gillian MacNeil. 'The Tribunals and the Renaissance of International Criminal Law: Three Themes.' *American Journal of International Law* 110(2) (2016): 191–211.
Rödder, Andreas. *21.0 – Eine kurze Geschichte der Gegenwart*. Munich: C. H. Beck, 2015.
Roht-Arriaza, Naomi. I*mpunity and Human Rights in International Law and Practice*. New York: Oxford University Press, 1995.
Roht-Arriaza, Naomi. 'Reparations in the Aftermath of Repression and Mass Violence.' In *My Neighbor, My Enemy: Justice and Community in the Aftermath of Mass Atrocity*, edited by Eric Stover and Harvey M. Weinstein, 121–139. Cambridge: Cambridge University Press, 2004.
Roht-Arriaza, Naomi and Javier Mariezcurrena, eds. *Transitional Justice in the Twenty-First Century: Beyond Truth versus Justice*. Cambridge: Cambridge University Press, 2006.
Roht-Arriaza, Naomi. 'Reparations and Economic, Social, and Cultural Rights.' In *Justice and Economic Violence in Transition*, edited by Dustin Sharp, 109–138. New York: Springer, 2013.
Romano, Cesare, André Nollkaemper and Jann K. Kleffner, eds. *Internationalized Criminal Courts and Tribunals: Sierra Leone, East Timor, Kosovo and Cambodia*. Oxford: Oxford University Press, 2004.
Rombouts, Heidy. *Victim Organisations and the Politics of Reparation: a case study of Rwanda*. Antwerp: Intersentia, 2004.
Rombouts, Heidy and Stef Vandeginste. 'Reparation for Victims in Rwanda: Caught Between Theory and Practice.' In *Out of the Ashes: Reparation for Victims of Gross and Systematic Human Rights Violations*, edited by Karl De Feyter, Stephan Parmentier, Marie Bossuyt and Peter Lemmes. Antwerp: Intersentia, 2005.
Roniger, Luis. 'Olvido, memoria colectiva e identidades: Uruguay en el contexto del Cono Sur.' In *La imposibilidad del olvido: Recorridos de la memoria en Argentina, Chile y Uruguay*, edited by Bruno Groppo and Patricia Flier, 151–178. La Plata: Al Margen/Bibliothéque de Documentation Internationale Contemporaine, 2001.
Roszkowski, Wojciech. *Communist Crimes: A Legal and Historical Stud*y. Radom: Polish Institute of National Remembrance, 2016.

Rotberg, Robert I. 'Truth Commissions And The Provision Of Truth, Justice, And Reconciliation.' In *Truth v. Justice*, edited by Robert I. Rotberg and Dennis F. Thompson, 1–21. Princeton: Princeton University Press, 2010.

Rubio, Graciela. *La enseñanza del pasado reciente en Chile: Educación en Derechos Humanos en Chile*. Santiago: Red de Equipos de Educación en DDHH, 2014.

Ruderer, Stephan. *Das Erbe Pinochets: Vergangenheitspolitik und Demokratisierung in Chile 1990–2006*. Göttingen: Wallstein, 2010.

Ruderer, Stephan. 'Between Religion and Politics: The Military Clergy during the Dictatorships of the Late Twentieth Century in Argentina and Chile.' *Journal of Latin American Studies* 47(3) (2015): 463–489.

Ruderer, Stephan and Veit Strassner. 'Ecumenism in National Security Dictatorships: Ecumenical Experiences in the Southern Cone.' In *A History of the Desire for Christian Unity*, Vol. III, edited by Alberto Melloni. Paderborn: Brill Verlag, forthcoming.

Rugege, Sam and Aimé M. Karimunda. 'Domestic Prosecution of International Crimes: The Case of Rwanda.' In *Africa and the International Criminal Court*, vol. 1., edited by Gerhard Werle, Lovell Fernandez and Moritz Vormbaum, 79–116. The Hague: Springer, 2014.

Ruiz, Marisa. *La piedra en el zapato. Amnistía y la dictadura uruguaya: La acción de Amnistía Internacional en los sucesos de mayo de 1976 en Buenos Aires*. Montevideo: Universidad de la República, 2006.

Rusconi, Gian Enrico. *Deutschland – Italien, Italien – Deutschland: Geschichte einer schwierigen Beziehung von Bismarck bis zu Berlusconi*, translated by Antje Peter. Paderborn: Ferdinand Schöningh, 2006.

Sabrow, Martin, ed. *Erinnerungsorte der DDR*. Munich: C. H. Beck, 2009.

Safferling, Christoph. *Völkerstrafrechtspolitik: Praxis des Völkerstrafrechts*. Berlin: Springer, 2014.

Santamaria, Yves. 'Afro communism: Ethiopia, Angola, and Mozambique.' In *The Black Book of Communism: Crimes, Terror, Repression,* edited by Matthew Kramer, 683–704. Cambridge: Harvard University Press, 1999.

Saraçi, Alvin. *Konfiskimi i pronës dhe grabitja e arit 1944–1955*. Tiranë: ISKK, 2012.

Sarasin, Philipp. *1977: Eine kurze Geschichte der Gegenwart*. Berlin: Suhrkamp, 2021.

Sarkin, Jeremy. 'Transitional Justice and the Prosecution Model: The Experience of Ethiopia.' *Law, Democracy & Development* 2(3) (1999): 253–266.

Sarkin, Jeremy. 'An Evaluation of the South African Amnesty Process.' In *Truth and Reconciliation in South Africa: Did the TRC Deliver?*, edited by Hugo van der Merwe and Audrey R. Chapman. Pennsylvania: Pennsylvania University Press, 2009. https://papers.ssrn.com/abstract=1367167 (last accessed: 14.07.2021).

Savage, Michael 'The Imposition of Pass Laws on the African Population in South Africa 1916–1984.' *African Affairs 85* (339) (1986): 181–205.

Schabas, William. *The UN international criminal tribunals: The former Yugoslavia, Rwanda and Sierra Leone*. Cambridge: Cambridge University Press, 2006.

Schabas, William. *The International Criminal Court: A Commentary on the Rome Statute*. Oxford: Oxford University Press, 2010.

Schelotto, Magdalena. 'La dictadura cívico-militar uruguaya (1973–1985): la construcción de la noción de víctima y la figura del exiliado en el Uruguay post-dictatorial.' *Questões do tempo presente* (2015). https://doi.org/10.4000/nuevomundo.67888 (last accessed 11.04.2022).

Schelotto, Magdalena. 'La dictadura cívico-militar uruguaya (1973–1985): militarización de los poderes del estado, transición política y contienda de competencias.' *Diacronie: Studi di Storia Contemporanea* 24(4) (2015). http://journals.openedition.org/diacronie/3808; DOI: 10.4000/diacronie.3808 (last accessed 11.04.2022).

Schimmel, Noam. *Advancing International Human Rights Law Responsibilities of Development NGOs: Respecting and Fulfilling the Right to Reparative Justice for Genocide Survivors in Rwanda*. New York: Palgrave Macmillan, 2020.
Schindel, Estela. 'Die Präsenz der Vergangenheit im urbanen Raum: Erinnerungsorte in Argentinien, Brasilien, Chile und Uruguay.' *Lateinamerika Analysen* 9 (2004): 155 – 180.
Schindel, Estela. 'Verschwunden, aber nicht vergessen: Die Konstruktion der Erinnerung an die Desaparecidos.' In *Argentinien heute: Politik – Wirtschaft – Kultur*, edited by Klaus Bodemer, Andrea Pagni and Peter Waldmann, 105 – 134. Frankfurt am Main: Vervuert, 2002.
Schmitt, J. Oliver. 'Albanien tut sich schwer mit der Bewältigung seiner Vergangenheit.' *Neue Zürcher Zeitung*, 23. 07. 2012. https://www.nzz.ch/albanien-tut-sich-schwer-mit-der-bewaeltigung-seiner-vergangenheit-1.17382475?reduced=true (last accessed 21. 01. 2021)
Seligmann, Michael. 'Uruguay: Volksbewegung und Parlamentarismus.' In *Vom Elend der Metropolen*, edited by Dietmar Dirmoser et al., 269 – 281. Hamburg: Junius, 1990.
Selimovic, Johanna Mannergren. 'Making peace, making memory: peacebuilding and politics of remembrance at memorials of mass atrocities.' *Peacebuilding* 1(3) (2013): 334 – 348.
Sempol, Diego. 'HIJOS Uruguay: Identidad, protesta social y memoria generacional.' In *El pasado en el futuro: los movimientos juveniles*, edited by Elizabeth Jelin and Diego Sempol, 185 – 212. Buenos Aires: Siglo XXI, 2006.
Sempol, Diego. 'HIJOS Uruguay: A 20 años de un ensayo de memoria generacional.' *Cuadernos de Aletheia* 2 (2016): 53 – 60.
Servicio Paz y Justicia, Uruguay, *Informe: Derechos humanos en Uruguay (1988)*. Montevideo: SERPAJ, 1988.
Servicio Paz y Justicia, Uruguay, *Uruguay Nunca Más: Informe sobre la violación a los Derechos Humanos (1972 – 1985)*. Montevideo: SERPAJ, 1989.
Servicio Paz y Justicia, Uruguay, *Uruguay Nunca Más: Human Rights Violations (1972 – 1985)*, translated by Elizabeth Hampsten. Philadelphia: Temple University Press, 1992.
Servicio Paz y Justicia, Uruguay, *Derechos Humanos en el Uruguay: Informe 2004*. Montevideo: SERPAJ, 2004.
Sharnak, Debbie. 'The Gelman Case and the Legacy of Impunity in Uruguay.' In *40 Years are Nothing: History and memory of the 1973 coups d'état in Uruguay and Chile*, edited Pablo Leighton and Fernando López. Cambridge: Cambridge Scholars Publishing, 2015, 33 – 55.
Shaw, Mark. 'Point of Order: Policing the Compromise.' In *SA Review 7: The Small Miracle: South Africa's Negotiated Settlement.*, edited by Steven Friedman and Doreen Atkinson. Johannesburg: Ravan Press, 1994.
Shehu, Bashkim. *Fjalor udhëzues për misterine dosjeve*. Tiranë: Toena, 2015.
Shehu, Bashkim. *Loja, shembja e qiellit*. Tiranë: Toena, 2013.
Shifaw, Dawit. *The Diary of Terror: Ethiopia 1974 – 1991*. Bloomington: Trafford Publishing, 2012.
Sitze, Adam. *The Impossible Machine: A Genealogy of South Africa's Truth and Reconciliation Commission*. Ann Arbor: University of Michigan Press, 2013.
Skaar, Elin. *Human Rights Violations and the Paradox of Democratic Transition: A Study of Chile and Argentina*. Bergen: Chr. Michelsen Institute, 1994.
Skaar, Elin. 'Un análisis de las reformas judiciales de Argentina, Chile y Uruguay.' *América Latina Hoy* 34 (2003): 147 – 186.
Skaar, Elin. 'Argentina: Truth, Justice, and Reconciliation.' In *Roads to Reconciliation*, edited by Elin Skaar, Siri Gloppen and Astri Suhrke, 157 – 175. Lanham and Maryland: Lexington Books, 2005.
Skaar, Elin. 'Uruguay: Reconstructing peace and democracy through transitional justice.' In *After Violence: Transitional Justice, Peace, and Democracy*, edited by Elin Skaar, Camila Gianella and Trine Eide, 67 – 95. New York: Routeledge, 2015.

Skaar, Elin, Trine Eide and Camila Gianella Malca. *After Violence: Transitional Justice, Peace and Democracy.* New York: Routledge 2015.

Skweyiya Commission. 'Report of the Commission of Enquiry into Complaints by Former African National Congress Prisoners and Detainees.' 1992. https://omalley.nelsonmandela.org/index.php/site/q/03lv02424/04lv02730/05lv02731/06lv02869.htm (last accessed: 14.07.2021).

Smulovitz, Catalina. 'The Past is Never Dead: Accountability and Justice for Past Human Rights Violations in Argentina.' In *After Oppression*, edited by Vesselin Popovski, 64–85.

South African History Online. 'Apartheid Museum – Johannesburg.' https://www.sahistory.org.za/place/apartheid-museum-johannesburg (last accessed: 27.11.2020).

South African Parliamentary Portfolio Committee of Arts, Culture, Science and Technology. 'Visit to Vlakplaas from 14 to 16 December 2001.' 2002.

Sparks, Allister. *The Mind of South Africa: The Story of the Rise and Fall of Apartheid.* Johannesburg: Jonathan Ball Publishers, 2006.

Special Prosecutor's Office. *ደም ያዘለ ዶሴ፥ በጊዘያዊ ወታደራዊ ደርግ ወይም መንግስት ዓባላት በንጹሃን ዜጎች ላይ የተፈጸመ የወንጀል ዘገባ.* Addis Ababa: Far-East Trading P.L.C., 2010.

Stan, Lavinia, ed. *Transitional Justice in Eastern Europe and the Former Soviet Union: Reckoning with the Communist Past.* London: Routledge, 2009.

Stan, Lavinia and Nadya Nedelsky, eds. *Encyclopedia of transitional justice*, vol. 1. Cambridge: Cambridge University Press, 2013.

Sterio, Milena. 'The Yugoslavia and Rwanda Tribunals: A Legacy of Human Rights Protection and Contribution to International Criminal Justice.' In *The Legacy of Ad Hoc Tribunals in International Criminal Law: Assessing the ICTY's and the ICTR's Most Significant Legal Accomplishments*, edited by Michael Scharf and Milena Sterio, 11–24. Cambridge: Cambridge University Press, 2019.

Stern, Steve J. *Memorias en Construcción: Los retos del pasado presente en Chile.* Santiago: Museo de la Memoria y los Derechos Humanos, 2013.

Stickler, Mercedes. 'Brief: Land Redistribution in South Africa.' In *Focus on Land in Africa*, no date. http://www.focusonland.com/fola/en/countries/brief-land-redistribution-in-south-africa/.

Straßner, Veit. ‚"La lucha continúa!" – Der Kampf um die Erinnerungen an die Verschwundenen der argentinischen Militärdiktatur.' *Totalitarismus und Demokratie: Zeitschrift für internationale Diktatur- und Freiheitsforschung* 3 (2006): 345–386.

Straßner, Veit. *Die offenen Wunden Lateinamerikas: Vergangenheitspolitik im postautoritären Argentinien, Uruguay und Chile.* Wiesbaden: Verlag für Sozialwissenschaften, 2007.

Straßner, Veit. 'Markt, Menschenrechte und Moral, (Neue) Herausforderungen für die Kirche im Cono Sur seit den 1990er Jahren (Argentinien, Uruguay und Chile).' In *Einstürzende Mauern: Das Jahr 1989/90 als Epochenjahr in der Geschichte des Weltchristentums*, edited by Klaus Koschorke, 291–314. Wiesbaden: Friedrich Verlag, 2009.

Straßner, Veit. 'Uruguay.' In *Kirche und Katholizismus seit 1945. Bd. 6: Lateinamerika und Karibik*, edited by Johannes Meier and Veit Straßner, 433–446. Paderborn: Schöningh, 2009.

Strassner, Veit. 'From Victimhood to Political Protagonism: Victim Groups and Associations in the Process of Dealing with a Violent Past.' In *Victims of International Crimes: An Interdisciplinary Discourse*, edited by Thorsten Bonacker and Thomas Safferling, 331–344. The Hague: Springer, 2013.

Straßner, Veit. 'Vergangenheitspolitik, Transitional Justice und Versöhnung: Begriffliche und konzeptionelle Annäherungen.' In *Handbuch Transitional Justice*, edited by Anja Mihr, Gert Pickel and Susanne Pickel, 201–231, 218–226. Wiesbaden: Springer, 2018.

Straßner, Veit. '"*Falsos cristianos*" – Die progressive Kirche Lateinamerikas in der Sichtweise ihrer politischen Gegner.' In *Religion als Ressource befreiender Entwicklung. 50 Jahre nach der 2. Konferenz des lateinamerikanischen Episkopats in Medellín: Kontinuitäten und Brüche*, edited by Margit Eckholt, 99–120. Ostfildern: Grünewald, 2019.

Straus, Scott. 'How many perpetrators were there in the Rwandan genocide? An estimate.' *Journal of Genocide Research* 6(1) (2004): 85–98.

Straus, Scott. *The Order of Genocide: Race, Power, and War in Rwanda*. Ithaca and London: Cornell University Press, 2006.

Tadeo Fuica, Beatriz. 'Presencias y ausencias: Uruguay y los documentales sobre hijos (des) aparecidos.' *Cine Documental* (2015): 169–196.

Taylor, Christopher. 'The Cultural Face of Terror in the Rwandan Genocide of 1994.' In *Annihilating Difference: The Anthropology of Genocide*, edited by Alexander Laban Hinton, 137–179. Berkley: University of California Press, 2002.

Teeger, Chana and Vered Vinitzky-Seroussi. 'Controlling for Consensus: Commemorating Apartheid in South Africa.' *Symbolic Interaction* 30, 1 (2007): 57–78. https://doi.org/10.1525/si.2007.30.1.57 (last accessed: 14.07.2021).

Tegegn, Melakou. 'Mengistu's Red Terror.' *African Identities* 10(3) (2012): 249–263.

Teitel, Ruti G. *Transitional Justice*. Oxford: Oxford University Press, 2000.

Tessema Marshet, T. *Prosecution of Politicide in Ethiopia: The Red Terror Trials*. The Hague: Asser Printing Press, 2018.

Theissen, Gunnar. 'Object of Trust and Hatred: Public Attitudes toward the TRC.' In Truth and Reconciliation in South Africa: Did the TRC Deliver?, edited by Audrey R. Chapman and Hugo van der Merwe, 191–216. Pennsylvania: *Pennsylvania University Press*, 2009.

Theurer, Karina. 'Durch Referenden bestätigte Amnestiegesetze in Fällen gewaltsamen Verschwindenlassens unvereinbar mit der Amerikanischen Menschenrechtskonvention: Das Urteil des Inter-Amerikanischen Gerichtshofs für Menschenrechte in der Sache Gelman v. Uruguay.' In *Europäische Grundrechte-Zeitschrift* (2012): 682–693.

Thomas, Paul and Kristin Skinstad van der Kooij. 'The history syllabus in post-genocide Rwanda.' *Cogent Education* 5(1) (2018): 154–195.

Thompson, Susan. *Whispering Truth to Power: Everyday resistance to reconciliation in postgenocide Rwanda, Africa and the Diaspora: History, Politics, Culture*. Wisconsin: University of Wisconsin Press, 2013.

Thoms, Oskar, et al. *The Effects of Transitional Justice Mechanisms: A Summary of Empirical Rresearch Findings and Implications for Analysts and Practitioners*. Ottawa: CEPI, 2008. https://www.files.ethz.ch/isn/103597/FullText.pdf, 68–77 (last accessed: 23.11.2021).

Tiba, Firew K. 'Mass Trials and Modes of Criminal Responsibility for International Crimes: The Case of Ethiopia.' In *The Hidden Histories of War Crimes Trials*, edited by Kevin Jerry Heller and Gerry Simpson, 310–311. Oxford: Oxford University Press, 2013.

Tironi, Eugenio and Guillermo Sunkel. *Modernización de las Comunicaciones y Democratización Política*. Revista Estudios Públicos. Santiago: Centro de Estudios Públicos, 1993.

Tiruneh, Andargachew. *The Ethiopian Revolution, 1974–1987: A transformation from aristocratic to a totalitarian autocracy*. Cambridge: Cambridge University Press, 1993.

Todorov, Tzvetan. *Los usos de la Memoria*. Santiago: Museo de la Memoria y los Derechos Humanos, 2013.

Toggia, Pietro. 'The Revolutionary Endgame of Political Power: The Genealogy of "Red Terror" in Ethiopia.' *African Identities* 10(3) (2012): 265–280.

Tola, Babile. *To kill the Generation: The Red Terror in Ethiopia*. Washington DC: Free Ethiopian Press, [2]1989.

Torras, Verónica, Luz Palmás Zaldua and Marcela Perelman. *Memoria, verdad y justicia como política de Estado: Análisis de políticas públicas implementadas durante los gobiernos kirchneristas (2003–2015) respecto de los delitos de lesa humanidad ocurridos en la última dictadura argentina*. Friedrich Ebert-Stiftung Argentina, Análisis No. 11–2016/Septiembre 2016.

TRC (South Africa). *Truth and Reconciliation Commission Final Report*. Volume 6, 2003. https://www.justice.gov.za/trc/report/finalreport/vol6_s5.pdf.

TRC (South Africa). *Truth and Reconciliation Commission Final Report*, n.d.

TRC (South Africa). *Truth and Reconciliation Commission Final Report*, Volume 6, 2003.

TRC (South Africa). *Truth and Reconciliation Commission of South Africa Final Report*, Volume 1, 1998. http://choicereviews.org/review/10.5860/CHOICE.37-1803 (last accessed: 14. 07. 2021).

TRC (South Africa). *Truth and Reconciliation Final Report*, Volume 2, 1998. https://www.justice.gov.za/trc/report/finalreport/Volume%202.pdf (last accessed: 14. 07. 2021).

Tronvoll, Kjetil. 'The Quest for Justice or the Construction of Political Legitimacy: The Political Anatomy for the Red Terror Trials.' In *The Ethiopian Red Terror Trials: Transitional Justice Challenged,* edited by Kjetil Tronvoll et al., 84 – 95. Martlesham: James Currey, 2009.

Trutkowski, Dominik. *Die ausgehandelten Revolutionen: Politische Kommunikation in Parlament und Öffentlichkeit beim Umbruch zur Demokratie in Spanien und Polen*. Düsseldorf: Droste, 2021.

Tshishonga, Ndwakhulu. 'Cadre Deployment and Its Implications on Service Delivery in South Africa: A Human Development Capability Approach.' *Journal of Public Administration* 49(3) (2014).

Tufa, Agron. *Mërkuna e zezë*. N.N.: Onufri, 2017.

Tufa, Agron. *Fabula rasa*. N.N.: Ideart, 2004.

Turner, Simon. 'Making Good Citizens from Bad Life in Post-Genocide Rwanda.' In *Development and Change* 45(3) (2014): 415–433. https://doi.org/10.1111/dech.12093 (last accessed: 27. 04.2022).

United Nations, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Adopted and opened for signature, ratification and accession by General Assembly resolution 39/46 of 10 December 1984, entry into force 26 June 1987, in accordance with article 27 (1)*. https://www.ohchr.org/en/professionalinterest/pages/cat.aspx (last accessed 24. 11. 2021).

United Nations, Economic and Social Council, Commission on Human Rights. *The Administration of Justice and the Human Rights of Detainees, Revised final report prepared by Mr. Joinet pursuant to Sub-Commission decision 1996/119*, 2 October 1997. https://digitallibrary.un.org/record/245520/files/E_CN.4_Sub.2_1997_20_Rev.1-EN.pdf (last accessed 09. 11. 2021.)

United Nations, Economic and Social Council, Commission on Human Rights. *Promotion and Protection of Human Rights*, 8 February 2005. https://digitallibrary.un.org/record/541829.

United Nations. *Guidance Note of the Secretary-General: United Nations Approach to Transitional Justice,* March 2010, https://digitallibrary.un.org/record/682111 (last accessed 09. 11. 2021).

United Nations, *Resolution adopted by the General Assembly on 16 December 2005, Annex*, 7 – 9. https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation (last accessed 24. 11. 2021).

Universidad Alberto Hurtado, Programa de investigación interdisciplinar en memoria y derechos Humanos. *Guía de Archivos de Memoria y Derechos Humanos en Chile* (2017). https://drive.google.com/file/d/0B7drZJJ_NeStOXBwbWNtZlZLd2c/view (last accessed: 11. 04. 2022).

UN Security Council, *Resolution 955* (8 November 1994). https://www.humanrights.ch/cms/upload/pdf/100916_SC_Res_955.pdf (last accessed 24. 11. 2021).

Valdéz, Patricia. '"Tiempo Óptimo" para la Memoria.' In *La imposibilidad del olvido. Recorridos de la memoria en Argentina, Chile y Uruguay*, edited by Bruno Groppo and Patricia Flier, 63 – 82. La Plata: Al Margen/Bibliothéque de Documentation Internationale Contemporaine, 2001.

Vandeginste, Stef. 'Reparation pour les victimes de genocide, de crimes contre l'humanité et de crimes de guerre au Rwanda.' *L'Afrique des Grands Lacs* Annuaire 2000 – 2001 (2000 – 2001): 5 – 20.

Van der Merwe, Hugo. *Assessing the Impact of Transitional Justice: Challenges for Empirical Research*. Washington D.C.: USIPP, 2009.
Van der Merwe, Hugo. 'Evaluation of the Health Sector Hearing: Conceptualising Human Rights and Reconciliation.' Centre for the Study of Violence and Reconciliation, 2000. http://www.csvr.org.za/docs/trc/evaluation.pdf (last accessed: 14. 07. 2021).
Van der Merwe, Hugo. 'Prosecutions, Pardons and Amnesty: The Trajectory of Transitional Accountability in South Africa.' In *Critical Perspectives in Transitional Justice*, edited by Nicola Palmer, Phil Clark and Danielle Granville, 443 – 457. Cambridge: Intersentia Cambridge, 2012.
Van der Merwe, Hugo. 'What Did the TRC Teach South Africa about Democratic Citizenship?' In *The Limits of Transition: The South African Truth and Reconciliation Commission 20 Years On*, edited by Mia Swart, 169 – 85. Brill Nijhoff, 2017.
Van der Merwe, Hugo and Guy Lamb. *Transitional Justice and DDR: The Case of South Africa*. International Center for Transitional Justice, 2011. https://www.ictj.org/publication/transitional-justice-and-ddr-case-south-africa-brief.
Van der Merwe, Hugo, and Kathleen Sensabaugh. 'Truth, Redress and Reconciliation: Evaluating Transitional Justice from Below.' In *Rethinking Reconciliation: Evidene from South Africa*, edited by Kate Lefko-Everett, Rajen Govender and Donald Foster, 25 – 44. Cape Town: HSRC Press, 2016.
Van Dyke, Jon. 'The Fundamental Human Right to Prosecution and Compensation.' *Denver Journal of international Law and Policy* 29 (2000 – 2001): 77 – 100.
Vargas Cárdenas, Andrea. *Referéndum y plebiscito en Uruguay. Mecanismos de aplicación de la consulta popular y ejercicio en casos destacados*. Santiago and Valparaíso: Biblioteca del Congreso Nacional de Chile, Asesoría Técnica Parlamentaria: 2020. https://obtienearchivo.bcn.cl/obtienearchivo?id=repositorio/10221/28313/1/Referendum__plebiscito_y_consulta_popular_en_Uruguay_Rev_BH.pdf (last accessed 11. 04. 2022).
Vázquez Bevilacqua, Mauricio. 'A diez años de la creación del Sistema Nacional de Archivos en Uruguay: Análisis de la Ley 18220.' *Revista de la Facultad de Derecho* 44 (2018): 1 – 32. http://dx.doi.org/10.22187/rfd2018n44a6 (last accessed 11. 04. 2022).
Vázquez, Inés et al. *Luchar Siempre: Las Marchas de la Resistencia 1981 – 2003*. Buenos Aires: Editorial de Las Madres, 2004.
Vegh Weis, Valeria. 'The Relevance of Victims' Organizations in the Transitional Justice Process: The Case of the Grandmothers of Plaza de Mayo in Argentina.' *Intercultural Human Rights Law Review* 12 (2017): 1 – 70. https://www.researchgate.net/publication/314472205_The_Relevance_of_Victim's_Organizations_in_Transitional_Justice_Processes_The_Case_of_'Abuelas_De_Plaza_De_Mayo'_in_Argentina per cent20Vegh per cent20Weis.pdf (last accessed 11. 04. 2022).
Verbitsky, Horacio. *El Vuelo*. Buenos Aires: Planeta, 1995.
Vestal, Theodore M. *Ethiopia: A Post-Cold War African State*. Westport: Preager Publishers, 1999.
Vickers, Miranda. *The Albanians: A Modern History*. New York: I.B. Taurus, 2001.
Vidal, Claudine. 'Les commémorations du génocide au Rwanda.' *Temps Modernes* 56(613) (2001): 1 – 46.
Viebach, Julia. 'Aletheia and the Making of the World: Inner and Outer Dimensions of Memorials in Rwanda.' In *Memorials in Times of Transition*, edited by Susanne Buckley-Zistel and Stefanie Schaefer, 69 – 94. Antwerp: Intersentia, 2014.
Viebach, Julia. 'Mediating "absence-presence" at Rwanda's genocide memorials: of care-taking, memory and proximity to the dead.' *Critical African Studies* 12(2) (2020): 237 – 269.
Viebach, Julia. 'Of other times: Temporality, memory and trauma in post-genocide Rwanda.' *International Review of Victimology* 25(3) (2019): 277 – 301.

Viebach, Julia. ‘Principle 3: The duty to preserve memory.’ In *The United Nations Principles to Combat Impunity: A Commentary*, edited by Frank Haldemann and Thomas Unger, 71–78. Oxford: Oxford University Press, 2018.

Vital Brasil et al. ‘Reparación simbólica en América Latina como Política de Estado: La experiencia de asistencia a víctimas en Brasil y la Argentina.’ *Territorios Clínicos de la Memoria* (2019). https://tecmered.com/reparacion-simbolica-en-america-latina-como-politica-de-estado/ (last accessed 11.04.2022).

Vitalis, Natalia. *Educación Secundaria, censura cultural y dictadura: La expulsión de los enemigos: docentes y textos* (Avances de Investigación). Montevideo: Facultad de Humanidades y Ciencias de la Educación, Universidad de la República, 2011.

Vorpsi, Ornela. *Das ewige Leben der Albaner*. N.N.: Paul Zsolnay Verlag 2007.

Vorpsi, Ornela. *Il paese dove non si muore mai*. N.N.: Scalo, 2004.

Vuuren, Hennie van. *Apartheid Guns and Money: A Tale of Profit*. London: Hurst, 2018.

Waal, Mandy de. ‘Jacques Pauw on Vlakplaas’ Apartheid Assassin, Dirk Coetzee.’ *Daily Maverick*, March 8, 2013. https://www.dailymaverick.co.za/article/2013-03-08-jacques-pauw-on-vlakplaas-apartheid-assassin-dirk-coetzee/.

Wahyuningroem, Sri Lestari. ‘Towards Post-Transitional Justice: The Failures of Transitional Justice and the Roles of Civil Society in Indonesia.’ *Journal of Southeast Asian Human Rights* 3(1) (2019): 124–154. https://doi.org/10.19184/jseahr.v3i1.11497.

Waldorf, Lars. ‘Revisiting Hotel Rwanda: genocide ideology, reconciliation, and rescuers.’ *Journal of Genocide Research* 11(1) (2009): 101–125.

Warner, Rachel. ‘The Workers’ Party of Ethiopia.’ *A Report Prepared by the Federal Research Division of the Library of Congress under an Interagency Agreement*. (Washington DC, 12 October 1984): 1–17. https://apps.dtic.mil/sti/pdfs/ADA303418.pdf (last accessed 07.06.2022)

Waschik, Klaus. ‘Wo ist Trotzki? Sowjetische Bildpolitik als Erinnerungskontrolle in den 1930er Jahren.’ In *Das Jahrhundert der Bilder. Band 1: 1900 bis 1949*, edited by Gerhard Paul, 252–259. Göttingen: Vandenhoeck & Ruprecht, 2009.

Weber, Max. ‘Die “Objektivität” sozialwissenschaftlicher und sozialpolitischer Erkenntnis.’ *Archiv für Sozialwissenschaft und Sozialpolitik* 19 (1904): 22–87.

Weinrich, Harald. *Lethe: Kunst und Kritik des Vergessens*. Munich: C. H. Beck, 1997.

Weinstein, Martin. *Uruguay: Democracy on the Crossroads*. Boulder and London: Westview, 1988.

Weismantel, Jan. *Das ‘Recht auf Vergessenwerden’ im Internet nach dem ‘Google-Urteil’ des EuGH. Begleitung eines offenen Prozesses*. Berlin: Duncker & Humblot, 2017.

Weitzer, Ronald and Cheryl Beattie. ‘Police Killings in South Africa: Criminal Trials 1986–1992.’ *Policing and Society* 4(2) (1994): 99–117. https://doi.org/10.1080/10439463.1994.9964687 (last accessed: 14.07.2021).

Werle, Gerhard and Moritz Vormbaum. *Transitional Justice: Vergangenheitsbewältigung durch Recht*. Berlin: Springer VS, 2018.

Welp, Yanina and Nadja Braun Binder. ‘Initiativen und Referenden in Lateinamerika.’ In *Jahrbuch für direkte Demokratie 2017*, edited Nadja Braun Binder et al. Baden-Baden: Nomos, 2017, 60–85.

Weschler, Lawrence. *A Miracle, a Universe: Settling Accounts with Torturers*. New York: Penguin, 1990.

Weschler, Lawrence. ‘Introduction.’ In *Uruguay Nunca Más. Human Rights Violations, 1972–1985*, Servicio Paz y Justicia, Uruguay, translated by Elizabeth Hampsten, xv–xxix. Philadelphia: Temple University Press, 1992.

Wibabara, Charity. *Gacaca Courts versus the International Criminal Tribunal for Rwanda and National Courts*. Baden-Baden: Nomos, 2014.

Wiebel, Jacob. 'The State of Scholarship on the Ethiopian Red Terror.' In *Documenting the Red Terror: Bearing Witness to Ethiopia's Lost Generations,* ERTDRC, 89 – 96. Ottawa: ERTDRC North America Inc, 2012.

Wiebelhaus-Brahm, Eric. *Truth Commissions and Transitional Societies: The Impact on Human Rights and Democracy.* London and New York: Routledge, 2010.

Wijkman, Anders. 'European Parliament Delegation to Observe Federal and Regional Parliamentary Elections in Ethiopia: A Report, 12 – 17 May 2005.' (June 2005), Annex C, 1. http://www.europarl.europa.eu/intcoop/election_observation/missions/2004-2009/20051505_ethiopia.pdf (last accessed: 20. 03. 2020).

Wikinski, Mariana. 'Testimonio y experiencia traumática: la declaración ante la justicia.' In *Experiencias en salud mental y derechos humanos. Aportes desde la política pública*, edited by Ministerio de Justicia y Derechos Humanos de la Nación. Secretaría de Derechos Humanos, 134 – 141. Buenos Aires: Ministerio de Justicia y Derechos Humanos de la Nación. Secretaría de Derechos Humanos, 2015.

Williams, Paul. *Memorial Museums: The Global Rush to Commemorate Atrocities.* Oxford: Berg, 2007.

Wolfrum, Edgar. 'Nationalsozialismus und Zweiter Weltkrieg: Berichte zur Geschichte der Erinnerung.' In *Verbrechen erinnern. Die Auseinandersetzung mit Holocaust und Völkermord*, edited by Volkhard Knigge and Norbert Frei, 133 – 149. Munich: C. H. Beck, 2002.

Wogederes, F. *EgnanaAbiyotu?* Los Angeles: Tsehai Publishers, 2014.

Wolde Giorgis, Dawit. *Red Tears: War, Famine and Revolution in Ethiopia*. Trenton: The Red Sea Press, 1989.

World Bank. 'The World Bank in South Africa: Overview.' Text/HTML, 2019. https://www.worldbank.org/en/country/southafrica/overview (last accessed: 14. 07. 2021).

Xhemalaj, Fatmiroshe. 'Kurrikula e histories dhe ndryshimet e saj në Shqipëri 1990 – 2020.' In *Reflektimi i periudhës komuniste në kurrikulën e historisë.* Tiranë: IDMC, 2020.

Young, James. *The Texture of Memory: Holocaust Memorials and Meaning.* New Haven: Yale University Press, 1993.

Žagar, Mitja. 'Rethinking Reconciliation. The Lessons from the Balkans and South Africa.' *Peace and Conflict Studies* 17(1) (2010): 144 – 175.

Zanatta, Loris. *La larga agonía de la Nación Católica: Iglesia y dictadura en la Argentina*. Buenos Aires: Sudamericana, 2015.

Zehnder, Bruno. *Immunität von Staatsoberhäuptern und der Schutz elementarer Menschenrechte – der Fall Pinochet.* Berlin: Nomos, 2003.

Zewde, Bahru. 'The history of the Red Terror: Contexts and Consequences.' In *The Ethiopian Red Terror Trials: Transitional Justice Challenged*, edited by Kjetil Tronvoll et al. Martlesham: James Currey, 2009.

Zewde, Bahru. *A History of Modern Ethiopia: 1855 – 1991.* Oxford: James Currey Ltd, ^{2}2001.

Zewde, Bahru. *The Quest for Socialist Utopia: the Ethiopian Student Movement c.1960 – 1974.* Addis Ababa: Addis Ababa University Press, 2014.

Zorbas, Eugenia. 'What does reconciliation after genocide mean? Public transcripts and hidden transcripts in post-genocide Rwanda.' *Journal of Genocide Research* 11(1) (2009): 127 – 147.