

**DOMINANT 7  
GACACA PRODUCTIONS  
PLANETE**

*present*

**GACACA,  
LIVING TOGETHER AGAIN  
IN RWANDA?**

**A FILM BY ANNE AGHION**

Color. 55'  
In Kinyarwanda, with English subtitles.

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## MUSIC

«Mbahoze Nte» -- Performed by Florida Uwera, published by the Centre Universitaire des Arts, Université Nationale du Rwanda.

«Ryangombe» -- Performed by Ben Ngabo, produced by D’Clicq.

«Umugezi» -- Performed by Ben Ngabo, produced by D’Clicq.

«Trompes Amakondera» -- Recorded by Jos Gansemanns, published by Fonti Musicali, Claude Flagel.

«Nyumva Mana» -- Performed by Souzane Nyiranyamibwa.

## SYNOPSIS

***"GACACA, LIVING TOGETHER AGAIN IN RWANDA?"*** ventures into the rural heart of the African nation of Rwanda. The film follows the first steps in one of the world's boldest experiments in reconciliation: the Gacaca (Ga-CHA-cha) Tribunals. These are a new form of citizen-based justice, aimed at unifying this country of 8 million people, after the 1994 genocide which claimed over 800,000 lives in 100 days. While world attention is focused on the unfolding procedures, award-winning documentarian **Anne Aghion** bypasses the usual interviews with politicians and international aid workers, skips the statistics, and goes directly to the emotional core of the story, talking one-on-one with survivors and accused killers alike. In this powerful, compassionate and insightful film, with almost no narration, and using only original footage, she captures first-hand how ordinary people struggle to find a future after cataclysm.

# INTRODUCTION

## BACKGROUND

In 1994, decades of politically motivated ethnic scapegoating by Rwanda's Hutu-led government culminated in a wholesale slaughter of the country's Tutsi minority, along with many Hutu moderates. This genocide, which dwarfed even the Nazi Holocaust in its speed and efficiency, turned vast numbers of ordinary citizens -- some willingly and some by force -- into killers. More than 800,000 lives were taken, and the country was left in a state of devastation.

Today, under a new government, Rwanda is rebuilding its physical and administrative infrastructure, but its most difficult task is to deal with the emotional trauma, and to foster reconciliation between the Hutu and Tutsi. Bringing killers to justice and airing the truth about what took place during the genocide are essential to this effort.

High-profile trials of the masterminds and leaders of the genocide have been going forward both in Rwandan courts and at an International Tribunal in neighboring Tanzania. But for the past eight years, well over 100,000 detainees have been awaiting trial in critically overcrowded prisons -- a number so overwhelming that it would take over a century to process through the conventional court system.

To find a solution, Rwandan leaders took inspiration from a traditional form of civil justice that pre-dates colonial rule. They created the citizen-based Gacaca Tribunals.

In October of 2001, local elections were held across the country to seat over 250,000 citizen-judges on 11,000 nineteen-member tribunals. The Gacaca Tribunals, which were officially announced on June 18, 2002, will both bring charges and decide upon the guilt or innocence of prisoners from their own communities, based on the publicly-declared testimony of neighbors. Sentences will follow guidelines set by the national government, and many of the prisoners who make full confessions will be granted reduced sentences coupled with community service.

Can this system succeed? On the one hand, the Gacaca Tribunals represent a remarkable democratization of justice for a people accustomed to obeying dictatorial authority. They will offer a voice, and perhaps a therapeutic catharsis, to survivors. On the other hand, the system is fraught with potential pitfalls -- inexperienced, minimally trained judges will be dealing with complex cases, and there are certainly possibilities of false accusations or confessions, revenge or fear of revenge, inconsistent application of the law, and more.

Nonetheless, the Gacaca are Rwanda's best and only hope for a normalized future. The stakes are high: in the short term, it is hoped that this face-to-face airing of the truth will prevent a reignition of conflict. But, for the sake of national reconstruction, can survivors really reconcile themselves to the daily presence of those who slew their families? Can the effect of years of enmity be erased? It will depend on the combined ability of millions of people to forge beyond an unfathomable horror, and to leave behind the lessons of hatred that were so callously passed off as

public policy. In that sense, the ultimate value of the Gacaca will only be known by future generations.

## THE FILM

For six weeks in April and May of 2001, filmmaker Anne Aghion took two digital video cameras and a tiny crew into the remote community of Ntongwe, a district at the confines of Gitarama Préfecture in South Central Rwanda.

Amidst a people renowned for their reserve, Aghion spent six weeks recording the intertwining stories of survivors and prisoners, and their visions of the future. The film crew was then present when the nearly 1,000 local residents were gathered for the first of a series of open-air "Pre-Gacaca" hearings, whose two-fold purpose is to clear the prisons of innocent detainees by public approbation, and to educate Rwandans about the Gacaca trials to come.

Recalls the filmmaker, "We filmed in the overcrowded district jail which houses 800 prisoners awaiting trial, in people's modest homes, in lush hillside fields, at local bars that sell banana beer, and in austere churches. Though thirteen people wound up in the final cut, we interviewed more than thirty, each on several occasions, as they prepared for the pre-Gacaca release hearings on their hill. In the last few days of our stay, we filmed one of these hearings, during which some of the prisoners we had interviewed were presented to the population. Some elicited no accusations and were subsequently released, others were accused of crimes and returned to detention to await the Gacaca trials. Afterwards, we returned to talk to the people we had met, to record their impressions of the hearings and to grasp the effect of the proceeding on the community as a whole."

Aghion explains, "This film takes place in Rwanda, but it is about anywhere. The ability to achieve reconciliation is an issue that at one point or another touches every country. At this very moment, it is at the core of problems in the former Yugoslavia, Ireland, the Middle East, and Afghanistan, to name a just a few. Imagine that Rwanda today is Poland, Germany, France and Israel put together in the early 1950s, with the victims and the executioners within the same borders. Then, look at how bruised people still are in these countries, the pain and denial and hate that are still there 60 years later, and you begin to understand the boldness of what's happening in Rwanda, and what is at stake."

"Nothing like the Gacaca has ever been tried before," she continues, "With all that is going on in the world, one is compelled to see if it's going to work, if it will make a difference. The premise is that there is no other choice."

"*GACACA, LIVING TOGETHER AGAIN IN RWANDA?*" opens a chapter to a new era, and is an astonishing, intimate look at the strength of the human spirit.

# MAKING "GACACA, LIVING TOGETHER AGAIN IN RWANDA?"

## *AN INTERVIEW WITH DIRECTOR ANNE AGHION*

### ***WHAT IS THIS FILM ABOUT?***

In its essence, the film is about ordinary people coping with enormous catastrophe. It's a film that asks the viewer a fundamental question: what would you do if you were confronted with the same situation? At another level, the film also asks whether the Gacaca trials can succeed in bringing reconciliation, and even forgiveness, to Rwanda.

Reduced to simple terms, the situation now is that, in a country the size of Maryland, you have 8 million people who have lived through years of low-intensity war and one hundred days of hell on earth. There are the Tutsi, who were nearly exterminated in an unthinkable bloody genocide. And there are the Hutu who, after a four-decade barrage of dehumanizing propaganda against the Tutsi, were finally incited to slaughter their neighbors. Now, the new government wants to create the conditions in which people can live together again as a functioning country, or in their term, as a united Rwandan family. The Gacaca trials are a bold experiment based on the idea that you can start the process of reconciliation by enabling survivors to publicly air what happened to them, and allowing citizens to participate in the allocation of justice. Even if people in this generation can't forgive or forget, perhaps the Gacaca can lay the groundwork for the future. If it works, it can be a model for the rest of the world.

### ***HOW DID YOU LEARN ABOUT THE GACACA?***

In 1999, I met a group of Rwandan officials who were in the United States to learn about alternative justice programs. They told me about the Gacaca trials, which struck me as a dramatic leap of faith that could really make a difference if handled well. It also seemed like a process that could be meaningful for the rest of the world to know about. My immediate reaction was to make this film.

### ***WHY DID THE SUBJECT APPEAL TO YOU?***

I have always been deeply interested in how people come to terms with unfathomable tragedy, how they go on living. My first film, *"Se le Moviò el Piso (The Earth Shook Under Him), A Portrait of Managua,"* is about a group of people living in complete destitution in the Nicaraguan capital, having survived the 1972 earthquake, the Somoza dictatorship and the failed Sandinista revolution. It's a great mystery how human beings can be so emotionally permeable and, at the same time, so resilient.

### ***HOW DID YOU GET THE PROJECT OFF THE GROUND?***

Within days of hearing the story, I started researching, talking to experts in the field and writing grant proposals all at once. I read enormous amounts on the Rwandan genocide, on genocide in general, and on alternative methods of dispute resolution.

When I first contacted people, I had no backing, no assignment, no producer, and the first reactions I got were basically, "Who *is* this person?" It was also before the idea of the Gacaca had

gelled, and I was surprised when a couple of Rwanda-based journalists I spoke with told me there was no film there. In fact, since then, the Gacaca have captured a lot of international interest.

In April of 2000, I went to Rwanda to see if the film was viable, and if I could work freely there. I borrowed a DV camera, and arrived during the annual genocide memorial month. The government was holding a big service in the capital, Kigali. A mass grave had been found in a middle-income residential neighborhood, with the remains of some 35,000 bodies. They were removing the bones and sorting them by body-part in a memorial burial site. The whole thing was unfathomable -- that's the word that kept coming back to me.

By the way, while I was taping the exhumation, I slipped in the rain, and narrowly avoided falling into the mass grave. It became a big joke among the journalists in Kigali.

I was able to cover a couple of trials, and interview people at random who opened up to me despite the Rwandans' reputation for wariness. I also went to Rilima prison, where some of the worst offenders, the genocide "bigwigs," are being held, and taped a chilling confession that I later used in the film. Over the whole trip, I made a lot of contacts, and ascertained that people would help me, and that no one was shadowing me. I made up my mind to go ahead with the project.

### ***HOW MUCH TIME DID YOU SPEND IN RWANDA BEFORE GOING INTO PRODUCTION?***

Altogether, in the course of three visits, I spent three months there, learning what was going on and laying the groundwork for production.

On my second trip, I taped a pilot program for Pre-Gacaca hearings to free innocent detainees. The man who developed the program was Regional General Prosecutor Jean Marie Mbarushimana (whom we later included in the film). He had gathered the 500 citizens of a small community, and was presenting them with prisoners from the area, whose files had been re-examined and who were now presumed innocent. He asked the assembly whether anyone had accusations against the men and women who were presented. Some of the prisoners were released the next morning. In one case, a woman with a baby stepped up, and very courageously whispered to the prosecutor that she had been raped by one of the men. He was sent back to jail.

### ***HOW DID YOU DECIDE WHEN AND WHAT TO FILM?***

The government's schedule for the Gacaca was a little fluid, and after six months, it became clear that it would be a long time before the actual trials started. However, plans were being made to go across the country with the same kind of local Pre-Gacaca release hearings I had seen earlier, and I decided to tie the film to one of these proceedings.

I had been very impressed with General Prosecutor Mbarushimana, and as I already had an established relationship with him, I wanted to involve him in the film. This meant waiting until he started a new round of hearings.

I was on standby for yet another six months. Back in New York, I kept in constant touch with my contacts in Kigali, and finally, in late March 2001, I was notified that Mbarushimana would be holding hearings in early May. That left me two weeks to assemble a crew from New York, Paris and Kigali, make the logistical arrangements, select a location and get out into the field with cameras rolling. All the time I'd already spent in Rwanda really paid off.

### ***HOW DID YOU SELECT THE LOCATION?***

Mbarushimana was working in three local lock-ups in the préfecture of Gitarama<sup>♦</sup>. I eliminated two that were very close to the main, paved road leading to Kigali. The closer people are to the main road, the more they are used to city people and foreigners looking into their lives, and the less spontaneous. It would have defeated my purpose. One of these districts had already been widely publicized – a local official had been accused of a major role in the genocide, and had been one of the first to go to trial at the International Tribunal in Tanzania. The other was quite close to the capital. I preferred the remote district of Ntongwe, which, depending on rain, made a daily commute of one-and-a-half to three hours from Kigali.

### ***HOW BIG WAS YOUR CREW?***

There were six of us all together. I had two cameramen -- a young Frenchman who lives in New York, as well as a Rwandan. I brought a sound man from Paris who has done field work all over Asia and Africa. We also had two local interpreters, one of whom doubled as our driver.

### ***YOU WOUND UP WITH INCREDIBLE ACCESS DURING THE MAKING OF YOUR FILM. HOW DID YOU MANAGE THAT?***

First of all, some of the Rwandans I met in the United States had clout, and they opened doors for me. I also got a lot of help from Benoît Joannette, the local head of RCN Justice & Démocratie, a Belgian NGO which is involved logistically in supporting the justice system in Rwanda. Among other things, he made it possible for me to film the release hearing during my second trip.

I think I was also under the radar. The government has limited resources, and I wasn't from a big news organization, so they didn't pay a lot of attention. Even though I got seven major permits directly from various ministers and high officials, no one ever asked to see them, and I'm quite sure that I was never followed.

### ***WHAT WERE THE CONDITIONS IN NTONGWE?***

It's a very simple rural community. There is no electricity or running water. The local bars, called "cabarets," are just a few benches under an overhang. There are no paved roads, and since we were there during the rainy season, driving time between sites was unpredictable.

The Ntongwe lock-up, which is divided into two sections holding over 800 prisoners each, is terribly overcrowded, with no sanitation of any kind. Conditions in small regional prisons like this are pretty bad, even relative to the terrible conditions in the main prisons, which can house up to 12,000 inmates. There's not as much food, and the hygiene is worse.

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<sup>♦</sup> Rwanda is divided administratively as follows: There are 12 préfectures or provinces, which are divided into districts, of which there are approximately 100 nation-wide. Each district has roughly 20 sectors. Sectors are further divided into cells, with populations of approximately 500-800 residents. Rwanda is known as the "Land of the Thousand Hills," and the term "on the hill" is often used interchangeably with cell.



### ***WAS IT DIFFICULT TO SHOOT THERE?***

Yes and no. It's always hard to make a film wherever you are, and this was especially hard because the subject matter was so harrowing. Other than that, the only practical difficulty I had was financial. The budget was tight, so I had to take care of everything that didn't involve sound or camera work. I was the producer, caterer, and production assistant. For example, I filtered five liters of water every night to avoid buying bottled water. Also, I had to think of food every day. There was only one place to eat where we were shooting, which had plantains and meat from old, tough goats. The first and last time we ate there, we found live ants and what looked like the remains of a spider's web on one of the plates. So, every day I had to find picnic food that could hold up in the steamy hot weather. By some miracle, I was able to negotiate free rooms at one of the best hotels in the capital, the Novotel Umubano Kigali.

It would have been a lot easier if I'd had outside funding, and been able to devote my full energy to the film itself. But of course, I had the advantage of making the film I wanted to make, and of being accountable to no one, which is a pleasant way to work.

### ***HOW DID YOU FIND THE PEOPLE YOU INTERVIEWED?***

We started out simultaneously in the prisons and on the hills, trying to identify people with intertwining stories.

The first time we went to the cachot, (pr. ka-SHO), which is what they call the local prisons, Mbarushimana introduced us with a speech to the full population of 800 inmates. Later, I addressed individual groups of 80-100 prisoners, and I explained to each of them that we were making a film about the preparations for the Gacaca, and that I hoped to meet with them, their families and people on the hill who knew them. I made clear that we were not connected with the government and could do nothing to help them, and that it was their decision whether or not to be filmed. Then they raised their hands, and asked questions in a very orderly fashion. Mostly, they kept asking whether I could help them, or whether I could tell the "big people" that they didn't have enough to eat, or that they were innocent. I had to repeat over and over that I couldn't do anything for them.

On the hill, I started out with the Ntongwe representative of the survivor organization Ibuka ("I Remember"). He offered to take me to a couple of homes the following day. I had planned to film the representative explaining the Gacaca to these people, but as it turned out, he knew very little about it. Then I met a few people who agreed to round up a group for the next day. A dozen survivors showed up right on time. They knew vaguely about the Gacaca, and nothing about the release hearings that were coming up in three weeks.

### ***DID THAT PRESENT A PROBLEM?***

Well, I didn't want to be the one to explain to them what was coming. It wasn't my place. I had originally envisioned filming groups of people interacting together during the preparations for the upcoming release hearings, but they knew nothing about it, and were reticent to talk in front of each other. My plan shifted to trying to get people to talk one-on-one about themselves, about each other, about their feelings, about their ideas of the Gacaca, and about the future.

***YOUR INTERVIEW SUBJECTS WERE VERY OPEN WITH YOU. HOW DID YOU DEVELOP THAT RAPPORT?***

We visited the same people every day for the entire duration of our stay, so they gradually put trust in us. During interviews, I just let people speak. My standard opening was "So tell me about your story," or "Tell me what happened here." I asked very few specific questions. Sometimes, we would let the cameras roll during several minutes of silence. You could hear the flies buzzing. People just opened up eventually.

***YOU'VE SAID THE RWANDANS ARE VERY WARY. WHY DID THEY AGREE TO SPEAK WITH YOU?***

The survivors are people without power, and I think they were intrigued that someone was interested in what they had to say. As for the prisoners, even though I explained that being in the film was their decision, I sensed that some of them thought they had to cooperate because I was introduced by the General Prosecutor. Rwandans are very afraid of authority, very obedient, which may explain why so many people participated in the killings.

***HOW DID YOU DEAL WITH THE LANGUAGE BARRIER?***

We had two interpreters working at all times. One interpreted my questions from French into Kinyarwanda. The other was far from the action, connected to us by wireless microphone. We were able to hear his translation as we went along. But I didn't always get a full translation, because these were not professional interpreters. I chose not to use professionals because the quality of their French was less important to me than having interpreters who had good human contact, and who could speak and understand the nuances of "peasant" Kinyarwanda.

One advantage to not understanding everything is that I didn't interrupt a lot, which gave a special tone to the film. Another is that trying to keep up with the translation meant that my brain couldn't dwell on the horrors that people were telling me.

***HOW MANY PEOPLE DID YOU INTERVIEW? HOW MUCH FOOTAGE DID YOU SHOOT?***

Altogether, we followed about thirty people and, between the two cameras, recorded 88 hours of tape. We had to shoot that much because it took time to establish the connections between the people in the prisons and on the hill. In the end, there are thirteen people actually in the film, four of whom are prisoners.

***HOW DID YOU KNOW WHETHER PEOPLE WERE TELLING YOU THE TRUTH?***

Very precisely, very consciously, I did not set out to do an investigative report, so as odd as it sounds, I wasn't concerned whether people were telling the truth. I didn't try to verify stories, though I might have asked someone if they thought that what someone else had said was true.

The truth is a very complicated issue. Every one has their own truth. Seven years after the fact, and with all the trauma involved, can people actually remember events vividly, accurately? What I'm looking at is how, as a group, people start the process of recounting their own truth, which eventually becomes "the" truth because it's the public truth. If, at a hearing, someone says something in front of the whole community, and nobody stands up to refute it, that becomes the accepted truth, even if the next day people disagree. And the question is: will people be able to live together with that version of the truth?

### ***BUT WEREN'T YOU WORRIED ABOUT FALSELY IMPLICATING ANYBODY?***

I had a guiding principle: I did not want to substitute myself for any form of justice whatsoever. There's a lot of footage I didn't use with accusations of who killed whom. The only accusations in the film are made publicly, and because they are public, they are part of the process I'm trying to document.

### ***HOW WERE YOU AND YOUR CREW AFFECTED BY THE HORRIFIC STORIES YOU WERE HEARING?***

It was traumatic for all six of us. I was taking care of so many practicalities, that I didn't have time to think. There's also a defensive wall that you put up, just to keep going. For five months after the shoot, I didn't look at the footage, or try to construct the film. Then, when I got to work logging the tapes and reading the transcripts, I realized that during the filming I had understood enough to ask follow up questions, but that I had not been absorbing the information. I never had a single nightmare during the shoot. They started six or eight months later, when I really started concentrating on the translations.

Pierre Camus, the sound recordist, was the most immediately affected of the three of us who were foreigners on the crew. It was his job to listen, so he was paying attention to every word. He has worked in some very tough places, and seen terrible things. But when we walked out of an interview with a survivor whose baby had been ripped off her back and macheted in front of her, he was crying. The enormity of the human machine cutting people up shook his whole world.

For the cameraman from New York, Mathieu Hagnery, this was a life-changing experience. He and his wife are now moving to Rwanda.

The Rwandans on the crew were confronted with different problems. For instance, one day, James Kakwerere, the local cameraman, came out of the cachot shaking. Physically, he is characteristically Tutsi – extremely tall and lean, with refined features – and a group of prisoners had called him a cockroach, one of the standard ethnic slurs of the genocidal propaganda. After that, he asked not to go back in alone.

### ***HOW WAS THE EDITING PROCESS?***

Very complex. The film is targeted primarily at a Western audience, who can't be expected to know the details of what has been going on in Rwanda. The idea was to make a film about the emotional process of forgiveness and reconciliation -- not about the layers of internal issues in the country -- and to include just enough information for viewers to understand what people are talking about. And in fact, going into further detail would have meant engaging in a level of complexity that would have overwhelmed viewers.

The key to making this work was the good balance between the editor, Nadia Ben Rachid, and myself. I was completely immersed in the Gacaca story, whereas Nadia started out knowing nothing, and was able – don't ask me how – to keep a remarkably fresh eye during the nine weeks of editing.

Also, my producers, Philip Brooks and Laurent Bocahut who came on board right before the editing started, followed the film closely and made significant contributions. Their style is very hands off, but when they get involved, they both cut right to the essentials. Philip, who was more on the front lines of this film, has a really good sense of pacing, and of which characters contribute to the story.

### ***HOW DID YOU DEAL WITH SUBTITLING THE FILM? WAS THE ETHNIC BACKGROUND OF THE TRANSLATORS AN ISSUE?***

Even though we had a recording of the simultaneous interpretation from the shoot, all of the footage had to be retranslated with dialogue references every 3 to 10 seconds. We did the post-production work in Paris, and wound up using eight translators in Brussels, Paris, and Toulouse. Half were Hutu and half were Tutsi.

I was aware that I had to be careful of potential bias, especially as Rwandans in exile are far more extreme in their opinions than those at home. In the diaspora, they have more freedom to express themselves, and they don't have the same day-to-day pragmatism about the issues.

We worked with the written translations until the fine-cut stage. Then, we sat with a translator and picked apart every second of the film, to clarify precisely what everyone was saying. We purposely brought her in at the end, because we didn't want to risk her skewing the content. After that, we had her re-transcribe the film, and spent about 36 hours with her, going over the whole thing again. When I showed the film in Rwanda, it was a huge relief to hear that the subtitles were very good.

### ***WHAT CAMERAS DID YOU USE?***

We shot in digital video, on Sony PD 150 cameras. I love the quality of the image. We used all natural lighting. The light is gorgeous in Rwanda – the sky is huge and changes color all the time, and the place is lush and green.

### ***HOW DID YOU FIND FUNDING?***

The funding was pasted together as I went along. First, I got a U.S.\$15,000 seed grant from the Soros Documentary Fund of the Open Society Institute. RCN Justice et Démocratie -- which is helping the Ministry of Justice with general logistics -- paid me for a rough-cut of the images I shot at the release hearing during my second trip, and used it to show prosecutors. I was able to make my third trip by taking a production job for a USAID project on AIDS, and then staying on. About \$12,000 came from private donors at fundraising parties in New York. All of this together was enough to get started.

As for the rest of it, fortunately, I had very good credit at a time when credit cards were being handed out at 0% interest in the United States, and that carried the film until finishing funds came through. I was financed by the French cable network Planète, along with some French and European funds. In America, I got a lot of help from the Sundance Documentary Fund and from the United States Institute of Peace in Washington.

## THE PEOPLE IN THE FILM IN ORDER OF APPEARANCE

Welars Muyango opens the film and re-appears twice later on. He is the most 'militant' of all the survivors we spoke to. His fighting spirit comes across much more than with the other characters.

It took a long time to get Annonciata Mukanyonga to talk. She wears a red and white shirt at the beginning and the end of the film, but is dressed differently the few other times she appears, notably during the presentation. Her husband, who was the director of the local school, was killed along with several of her children.

Jean Marie Mbarushimana is one of four regional General Prosecutors in the country. He works non-stop, criss-crossing the country in his Ministry of Justice four-wheel drive, always alone, and devoting his life to making sure justice is carried out.

Prisoner in white button-down shirt (name withheld) confessed to his participation in many killings during his interrogation and then in an interview.

Gloriose Batamuriza and her older brother Lambert Rwemayire are the only survivors of a whole family. She was 11 at the time of the genocide, and witnessed several of her siblings' executions. He was 18 at the time, and while hiding, saw his father pushed into a banana fermentation pit and macheted to death. Today, he is an elected official at the cell level. They are both dressed in black T-shirts and appear together. Rwemayire also appears alone.

Vital Sindikubwabo is a prisoner who has confessed to only one crime, that of being forced to kill the former burgomeister's younger brother. He is dressed in blue and appears in an interview and then at the hearing.

Welars Ntaganira, the former burgomeister of Ntonwge, lost the election a few months before we interviewed him. Along with his brother, his first wife and many of their children were killed. He is dressed in beige and speaks French.

Aimable Mujejimana is in prison. He is accused of various crimes by more than ten people, whom he claims are accusing him out of hatred. He contends that he protected his wife Olive, as well as others, and is completely innocent. He appears during his interrogation and then at the hearing in a green jacket.

Olive Kambayire is Aimable's Tutsi wife. She says she is isolated because her father-in-law blames her people for Aimable's imprisonment, and because her surviving neighbors accuse her husband of numerous crimes. She wears a colorful headdress and a grey sweater.

Abraham Rwamfizi is a prisoner who appears in a brown jacket at the hearing. He denies having committed any crimes.

Félicité Nyirasangwa is the Hutu widow of a Tutsi husband. Her husband and most of her children were killed for being Tutsi. She first appears at the hearing wearing a white headdress and leaning on a stick. She is then interviewed wearing a green T-shirt and again with her white headdress.

Euphrasie Mukarwemera is Félicité's sister-in-law, also a Hutu woman whose Tutsi husband and many children were killed. Her brother is in prison and has threatened her because she has not been bringing him food. She is the younger of the two women being interviewed together.

Both Nyirasangwa and Mukarwemera are very vocal, and their testimonies are essential because, unlike many Tutsi survivors, they were not hiding during the genocide.

# A FEW FACTS ABOUT THE GACACA

## THE ROOTS OF THE GACACA TRIBUNALS

The Gacaca Tribunals are a modern adaptation of a traditional Rwandan method of conflict resolution, which provided for community-based meetings at which justice was rendered through arbitration and mediation. The term translates from Kinyarwanda as “justice on the grass,” referring to the open-air seating of the gatherings. There are conflicting accounts of the Gacaca of the past. Many say they were used to settle civil disputes only; others believe more serious infractions were considered, including blood crimes. During Belgian colonial rule, Western-style courts evolved to handle most legal matters. Nonetheless, in some areas, traditional Gacaca have continued to resolve minor disputes into the present. The current Gacaca Tribunals were voted into law in 2001.

## CATEGORIZATION OF CRIMES

As of June 2002, Rwandan prisons and communal lock-ups held approximately 115,000 men and women awaiting trial. In order to speed up the judicial process, the Genocide Statute of 1996 separates the accused into four categories:

*Category 1:* Those accused of planning and organising the genocide or of being notorious murderers, as well as those accused of rape or sexual torture. These prisoners may face the death penalty, and will be tried in conventional Rwandan courts with the traditional separation of judges, prosecutors and defense attorneys. An estimated 3,000 people fall into this category.

*Category 2:* Those who have committed murder and their co-accused and accomplices. 80-90% of the detainees are expected to be charged in this category.

*Category 3:* Those who committed serious assaults against people without the intention to kill.

*Category 4:* Those who have committed offences against property. In most of these cases, the penalty will be reparations.

## JURISDICTION OF THE GACACA TRIBUNALS

In October 2001, over 250,000 judges considered to be “blameless people”, or men and women “of integrity,” were elected by local approbation in communities across Rwanda. They will serve on tribunals consisting of 19-member judges, five of whom must know how to read and write. Before they serve, the judges are supposed to receive basic training – usually for six days -- from Rwandan justice officials.

Eleven thousand tribunals will be convened, and divided into four levels of jurisdiction, mirroring the administrative structure of the country. Starting with the highest level, they are préfecture (or province), commune (or district), sector and cell. Each level has jurisdiction over specific categories of crimes. The cell level will be responsible for establishing facts, categorising the defendants, and trying Category 4 cases. The district and sector level tribunals will handle crimes in categories 2 and 3, respectively. The préfecture tribunals will handle appeals from the district level.

The current Gacaca were officially launched on June 18, 2002. Initially, the tribunals are being tested in one sector in each of the country’s twelve provinces. They will eventually be

extended nation-wide. It is estimated that it will take three to five years for the Tribunals to clear the genocide caseload.

### **THE SENTENCING POWER OF THE GACACA TRIBUNALS**

The maximum sentence the Gacaca Tribunals may impose is life imprisonment. Appeal will be possible only once, except at the cell level where there will be no possibility of appeal.

Provided they offer "full" confessions, the detainees will be able to benefit from reduced sentences and if they so wish, a conversion of this reduced sentence to half time in prison and half time in community work.

In all cases, prison time already served will be taken into consideration. This means that many prisoners who have been detained for up to 7 years will be released almost immediately after appearing in front of the Gacaca.



## ABOUT THE FILMMAKERS

### **ANNE AGHION** **Director, Producer**

"*GACACA, LIVING TOGETHER AGAIN IN RWANDA?*" is Anne Aghion's second film. Her first, "*Se Le Movio El Piso (The Earth Moved Under Him) -- A Portrait Of Managua,*" is the winner of the Havana Film Festival's 1996 Coral Award for Best Non-Latin American Documentary on Latin America.

For most of her life, Aghion has been a dual resident of New York and Paris. She spent the first eight years of her career in the newspaper business, in both editorial and administrative capacities at The New York Times Paris bureau, and at the International Herald Tribune.

Moving into the film/television industry, she worked in a variety of capacities including videographer, production and post-production manager with filmmakers such as Richard Leacock and Valérie Lalonde, and for documentaries aired on major cable networks such as Canal+ and ARTE. In addition, Aghion was the Director of International Production and Development for Pixibox, Europe's top digital animation house. She holds a degree in Arab Language and Literature from Barnard College at Columbia University in New York, and following her studies, spent two years living in Cairo. Aghion has traveled extensively across the Middle East, Africa, Europe and the Americas.

### **PHILIP BROOKS AND LAURENT BOCAHUT, DOMINANT 7 PRODUCTIONS** **Producers**

Multiple award-winning filmmakers Philip Brooks and Laurent Bocahut are the co-founders, with distributor Dominique Welinski, of Dominant 7 Productions. Since 1996, the company has produced or co-produced some 40 documentary films for prestigious international broadcasters such as Canal+, France 2, France 3 and Planète (France), ARTE (France/Germany), Channel Four (UK), ABC and SBS (Australia) and others. Dominant 7 has collected over a dozen awards from across the globe. In recent years, the company's consistent success has allowed it to expand into feature film production.

Their current slate includes the feature film, "*Madame Satã,*" co-produced with Videofilmes, the company founded by Walter Salles and João Moreira Salles. The film premiered in the 2002 Cannes Film Festival's "Un Certain Regard" section. Dominant 7 was also the French production partner on "*Steps for the Future*" -- 20 hours of programming on HIV/AIDS in Southern Africa, co-produced by 14 major broadcasters around the world.

In addition to producing, Brooks has directed numerous documentaries, including "*6,000 A Day -- An Account of a Catastrophe Foretold*" for ARTE (2002); and "*My Own Private Oz*" for ARTE and ABC/Australia (2000). In 1998-99, he and Bocahut co-directed "*Woubi Chéri,*" for ARTE and Channel Four, winning Best Documentary at the New Festival in New York, the Turin Festival in Italy, and the Transgender Film Festival in London. "*Drowning by Bullets,*" co-directed with Alan Hayling, won the 1993 Amnesty International Award, along with the Best Documentary prizes at the San Francisco and Angers Film Festivals.

**NADIA BEN RACHID**  
**Editor**

Since 1997, the Paris-based Nadia Ben Rachid has edited dozens of projects, including features, shorts, and television films. These include eight works by the renowned French director Yamina Benguigui, including her 2002 feature "Insh'Allah Sunday," a segment of the acclaimed 1998 documentary "Mémoires d'Immigrés," and two series of short films against racism in 1999, "Place de la République" and "Pimprenelle."

Also in 1999, Ben Rachid won the Editor's Award at FESPACO (Ouagadougou Pan African Festival for Film and Television) for Abderrahmane Sissako's "Life on Earth." The film premiered at the Cannes Film Festival, and collected numerous awards at festivals around the world, including the Golden Spire at the San Francisco International Film Festival.

"GACACA, *LIVING TOGETHER AGAIN IN RWANDA?*" is her third documentary collaboration with Dominant 7 Productions. In 1999, she edited "Woubi Chéri," for co-producers/directors Philip Brooks and Laurent Bocahut. The film took Best Documentary awards at the New Festival in New York, the Turin Festival in Italy, and the Transgender Festival in London. In 2001, she cut Yamina Benguigui's documentary "The Perfumed Garden," which went on to win Best Documentary for 2001 at the African and Caribbean Film Festival (Vues d'Afrique) in Montreal.

Ben Rachid's commercial work includes the trailer for "The Michael Jackson Tour," for legendary producer Tarek Ben Ammar. Among her numerous credits as assistant editor are «Bitter Moon,» «Frantic,» and «Pirates» for Roman Polanski, «Germinal» and «Uranus» for Claude Berri, «City of Joy» for Roland Joffe, «The Children of Lumière» for Jacques Perrin, «Overseas» for Brigitte Roüan, and «The Conspiracy» for Agneska Holland.