‘WITH NO DIRECTION HOME’

REFUGEE RESISTANCE AGAINST REPATRIATION IN AFRICA’S GREAT LAKES REGION SINCE 1994

Thesis submitted in partial fulfilment of the requirements for the degree of Doctor of Philosophy

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Sunt lacrimae rerum et mentem mortalia tangunt.

'There are tears at the heart of things,
and men's hearts are touched by what human beings have to bear.'

VIRGIL, *AENEID*, 1.462

ABSTRACT

Why do refugees in Africa's Great Lakes Region refuse to repatriate? This thesis offers a detailed examination of this question through a comparative study of Rwandan and Congolese refugee communities across three countries: Uganda, Rwanda, and the Democratic Republic of Congo. The policies of international agencies and local governments are assessed against the lived experiences, responses, and perceptions of refugees through first-hand research, undertaken in eighteen sites across the region during extensive fieldwork conducted between 2009 and 2013. The pervasiveness and intensity of reactions amongst refugees against repatriation is forceful and striking. Conversely, it is aggressively promoted and implemented by international actors, home, and host states.

The thesis examines the interactions that occur as refugees seek to remain 'in exile', whilst international actors and regional states seek to coerce them to repatriate, and investigates the mechanisms that underpin this stalemate. The principal chapters of this thesis address the themes of (i) acculturation, *de facto* integration, and *de jure* segregation; (ii) conceptualisations of rights secured through refugee status; (iii) information concerning homelands and its diffusion in exile; and (iv) experiences of return. It is shown that refugee communities are adept at articulating past and present grievances, and are critically aware of their human rights in the context of their exile. The international protection of exile is perceived as a pseudo-citizenship that secures more rights than those accorded citizens in their states of origin. These communities maintain a wealth of information concerning their homelands, the diffusion of this knowledge being determined by connections between sites of exile, shaping it into accepted and collective communal narratives. This collective consciousness of status selectively reinforces refugees' resolve against repatriation. When repatriation is forced or frustrated, its experience is integrated into communal narratives of persecution, generating further grievance and reifying resistance to return.

ACKNOWLEDGMENTS

I did not know it then, but this journey began back in 2009, when I stepped off the plane in Kigali, wondering what I had gotten myself into this time, when I first came to Goma, overwhelmed by the swirling dust, gutted buildings whose innards hung over narrow, dirt roads overcrowded with motorcycles, wooden tricycles, UN vehicles, chickens, goats, people – chaos. Coming here two years later, as a doctoral student, was coming *home*.

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The road here has been long and winding, riddled with ruts and unanticipated dead-ends.

What made its navigation possible were the people whose support encouraged me to begin the journey, and those who blessed me with their friendship along the way. You are too numerous to recount in this brief space, as you span time zones and continents, but I need you to know how very grateful I am to have you in my life. The Oxford cohort, who breathe intellectual pursuit and suffocate without it, thank you for challenging me, debating, discussing, and collaborating over pints intentioned as cuppas. The Manchester crew, academics cum artists, musicians, and globetrotters, thank you for always coming to the rescue, and innately knowing for what every crisis called.

A few individuals have supported me from the beginning of this journey, and it is to them that I am wholly indebted. My grandmother, Lusia, who nurtured my curiosity, backed me unconditionally, and died before she could teach me to communicate with the efficacy and elegance that distinguished her character. My mother, Beata, who, for better or worse, indoctrinated me in the belief that everything will be alright as long as you can handle it, and you *must*. You embraced every social media application invented not to miss news from me, and only rarely did you ever let on how very concerned you were for me; what you did do was adopt all my friends as family, design a house for one in Kigali, and invest in prenatal care for another in Congo. Your all-encompassing love astounds me; I am so very proud of you. You have survived my absences and my homecomings, and loved me despite – and for – them always. My sister, Sophie, who taught me patience, acceptance, and forgiveness, which she personifies even in the most dire circumstances. You are the strongest women I know, and striving to emulate your persevering grace and determination has made me a better person. My supervisor, Prof David Anderson, who condoned months of radio silence whilst I was away on research, and incessant flurries of emails in the months before my submission. Thank you for years of understanding and encouragement, for affording me the time to get things right, for believing in me long after my own faith had failed. My partner, Johan, who nursed me back to health when I stepped off a bus back in Oxford in 2012, half a stomach lighter and host to various parasites. I am eternally grateful for your patience, for putting up with fits of frustration at my health and my work, for introducing me to cricket and Straya's wet dog gum tree, for reminding me that the world is beautiful, for showing me how to live and love again.

Finally, I would like to thank those who struggled and laughed despite perpetual instability, who welcomed me into their homes and hearts – those whom I will never have the opportunity to thank in person, as they perished before peace could take root. You taught me that humanity stands at the heart of our discipline, and it is its pursuit we must aim to further.

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LIST OF ACRONYMS

AAHI	Africa Action Help International
ACHPR	African Charter on Human and Peoples' Rights
ACTV	African Centre for the Treatment and Rehabilitation of Torture Victims
ADRA	Adventist Development Relief Agency
AFDL	*Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre*
AHA	Africa Humanitarian Action
AI	Amnesty International
ALIR	*Armée pour la Libération du Rwanda*
APCLS	*Alliance des Patriotes pour un Congo Libre et Souverain*
ARC	American Refugee Committee
AVSI	Association of Volunteers in International Service
CAR	Central African Republic
CDC	Centres for Disease Control and Prevention
CENI	*Commission Electorale Nationale Indépendante*
CID	Criminal Investigation Department
CNDP	*Congrès National pour la Défense du Peuple*
CNKI	*Comité National du Kivu*
CNR	*Commission Nationale pour les Réfugiés*
CNS	*Conférence Nationale Souveraine*
COOPEDU	*Co-operative de Credit et d'Epargne Duterimbere*
DAR	Development Assistance for Refugee-hosting Areas
DDRRR	Disarmament, Demobilisation, Repatriation, Resettlement and Reintegration Programme

DMI	Directorate of Military Intelligence
DRC	Democratic Republic of Congo
ECOWAS	Economic Community of West African States
FAR	*Forces Armées Rwandaises*
FARDC	*Forces Armées de la République Démocratique du Congo*
FAZ	*Forces Armées Zaïroises*
FDLR	*Forces Démocratiques pour la Libération du Rwanda*
FDU-INKINGI	*Forces Démocratiques Unifiées-Inkingi*
FIB	Force Intervention Brigade
FNL	*Forces Nationales de Libération*
FRF	*Forces Républicaines Fédéralistes*
GTZ	*Gesellschaff für Technische Zusammenarbeit* (German Organisation for Technical Co-operation)
HRW	Human Rights Watch
ICC	International Criminal Court
ICG	International Crisis Group
ICRC	International Committee of the Red Cross
ICT	Information and Communications Technology
ICTR	International Criminal Tribunal for Rwanda
ICU	Islamic Court Unions
IDP	Internally Displaced Person
INGO	International Non-Governmental Organisation
IOM	International Office for Migration
IRRI	International Refugee Rights Initiative
JRS	Jesuit Refugee Service
LDF	Local Defence Forces
LC	Local Council

M23	*Mouvement du 23-Mars*
MAGRIVI	*Mutuelle des Agriculteurs de Virunga*
MDRP	Multi-Country Demobilisation and Reintegration Programme
MIDIMAR	Ministry of Disaster Management and Refugee Affairs
MIGEPROF	Ministry of Gender and Family Promotion
MLC	*Mouvement pour la Libération du Congo*
MONUC	*Mission de l'Organisation des Nations Unies en République Démocratique du Congo*
MONUSCO	*Mission de l'Organisation des Nations Unies pour la Stabilisation en RD Congo*
MP	*Majorité Présidentielle*
MPLA	*Movimento Popular de Libertação de Angola*
NCR	National Council for Refugees
NGO	Non-Governmental Organisation
NPA	Norwegian People's Aid
NRA	National Resistance Army
NRS	Norwegian Refugee Service
NURC	National Unity and Reconciliation Council
OAU	Organisation of African Unity
OPM	Office of the Prime Minister
PARMEHUTU	*Parti du Mouvement de l'Emancipation Hutu*
PFLJ	People's Front for Liberation and Justice
RAD	Refugee Aid and Development
RANU	Rwandan Alliance for National Unity
RC	Ration Card
RCD	*Rassemblement Congolais pour la Démocratie*
RCD-ML	*Rassemblement Congolais pour la Démocratie – Mouvement pour la Libération*

RDRC	Rwanda Demobilisation and Reintegration Commission
RLP	Refugee Law Project
RPF	Rwandan Patriotic Front
ROC	Republic of Congo
RWC	Refugee Welfare Council
SCUK	Save the Children United Kingdom
SIDER	*Syndicat d'Initiative pour le Développement de la Zone de Rutshru*
SNA	Social Network Analysis
SRI	Sustainable Reintegration Initiative
SRS	Self-Reliance Strategy
STAREC	Stabilisation and Reconstruction Plan for War-Affected Areas
TFG	Transitional Federal Government
TPD	*Tous pour la Paix et le Dévéloppement*
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
UNITA	*União Nacional para a Idependência Total de Angola*
UN-OCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNSC	United Nations Security Council
UPC	*Union des Patriotes Congolais*
US	United States of America
USCRI	United States Committee for Refugees and Immigrants
VOA	Voice of America
WFP	World Food Programme

DRAMATIS PERSONAE

JEAN JOEL **ABIJENDE**	Banyamulenge Refugee Community Leader in Rwanda's Kiziba Refugee Camp; Congolese refugee originally from Vyura, DRC
ISAIAS **AFWERKI**	Independence leader and first President of the State of Eritrea (1993 – present)
STEPHANE **BOURGON**	Canadian lawyer; legal counsel for CNDP's **Laurent Nkunda** (2009 – 2010)
GERMAIN NGOA **BULENDA**	Administrative Secretary of Bashali (*groupement* in which Bibwe is located), Masisi Territory, North Kivu, DRC
CHRIS **DOLAN**	Director of RLP; former doctoral student of Professor Emerita **Barbara Harrell-Bond**
PETER **ERLINDER**	Brother of Scott Erlinder who was Rwandan opposition leader **Victoire Ingabire's** defence lawyer; Assistant Professor at Chicago's De Paul University; corroborated with **Manzi Mutuyimana** in his anti-Cessation Clause documentary 'Stateless;' facilitated Manzi's asylum application in the US
MARCEL **GATSINZI**	Former Chief of Staff of FAR under **Juvénal Habyarimana**; Rwanda's Minister of Defence under **Paul Kagame** (2002 – 2010); Minister of MIDIMAR (2010 – 2013)
JUVÉNAL **HABYARIMANA**	Third President of the Republic of Rwanda (1973 – 1994); killed when his plane was shot down, one of the events precipitating the genocide
PROTAIS **HAKIMIFURA**	Rwandan refugee in Kampala whose abduction was foiled by **Manzi Mutuyimana's** network in April 2014
BARBARA **HARRELL-BOND**	Professor Emerita and Founding Director of the University of Oxford's Refugee Studies Centre (1982 – 1996), RLP, and Fahamu Refugee Programme
LUCY **HOVIL**	Senior Researcher at International Refugee Rights Initiative; former Senior Researcher and Advocacy Officer at RLP

CHARLES **INGABIRE**	Rwandan journalist in exile in Kampala since 2007; shot dead in 2011
VICTOIRE **INGABIRE**	Party candidate for Rwanda's 2010 Presidential Elections; incarcerated in Rwanda on charges of terrorism, threats to national security; chairperson of FDU-*Inkingi*, coalition of Rwandan opposition parties
SARAH **JACKSON**	Amnesty International's Deputy Regional Director for East Africa; formerly Researcher on Rwanda
LAURENT-DÉSIRÉ **KABILA**	President of the DRC from 1997, when his Rwanda- and Uganda-backed AFDL overthrew **Mobutu Sésé Seko**, until his assassination in 2001
JOSEPH **KABILA**	Son of **Laurent-Désiré Kabila**; assumed Presidency of DRC following his father's assassination; elected President in 2006 and re-elected in 2011
PAUL **KAGAME**	Former RPF rebel leader who also served in **Yoweri Museveni's** NRA; Rwanda's Vice President and Minister of Defence (1994 – 2000); President of Rwanda (2000 – present)
INNOCENT **KALISA**	Former Rwandan Presidential Bodyguard abducted in Kampala, where he was a refugee, in August 2013; he was sentenced to 15 years in prison in Rwanda in October 2014
PATRICK **KAREGEYA**	Former head of Rwanda's External Intelligence Services (1994 – 2004); refugee in South Africa when he was killed in his Johannesburg hotel room in January 2014
JACKSON **KAREMERA**	Brother of **Joel Mutabazi**; kidnapped from exile in Kampala in October 2013; found guilty for illegal possession of firearms and incarcerated in Rwanda in October 2014
GRÉGOIRE **KAYIBANDA**	First President of Rwanda (1962 – 1973); overthrown in a bloodless coup by his Defence Minister Major General **Juvénal Habyarimana**
THOMAS **LUBANGA**	Congolese rebel leader of UPC; **Bosco Ntaganda** was his Chief of Staff; convicted by ICC for recruitment of child soldiers in March 2012

PATRICE **LUMUMBA**	Independence leader and first democratically elected Prime Minister of Republic of Congo (now DRC) (1960 – 1961); his execution ushered a period of turmoil that culminated in **Mobutu Sésé Seko's** assumption of power
SULTANI **MAKENGA**	Colonel in **Laurent Nkunda's** CNDP, later **Bosco Ntaganda's** M23; aided **Innocent Zimurinda** in banishing, replacing, or killing chiefs unsupportive to Rwandophone resettlement in Bwesa and Kitchanga under CNDP; surrendered with other M23 fighters in Uganda following the group's defeat by UN's FIB in 2013
LUMUMBA **MUKAMYI**	Brother of **Jean Joel Abijende**, Congolese refugee in Rwanda; visited Vyura, DRC, in 2010 and brought news of communities of origin to Banyamulenge refugee communities in Rwanda and Uganda
SERAPHINE **MUKTANTABANA**	Repatriated from Republic of Congo, where she had been a refugee, in 2011; replaced **Marcel Gatsinzi** as Minister of MIDIMAR in 2013 and currently still holds the post
GASHERI **MUSANGA**	Son of **Erasto Ntibaturana**; Lieutenant Colonel in CNDP who, along with the former rebel group under **Bosco Ntaganda**, joined FARDC in 2009; participated in M23 and, along with his brother and father, fled to Rwanda in 2013 following the group's defeat by UN's FIB
ERASTO BAHATI **MUSANGA**	Son of **Erasto Ntibaturana**; campaigned for CNDP in Masisi Territory in 2011; supported M23 and fled to Rwanda, along with his brother and father, following the group's defeat by UN's FIB in 2013
YOWERI **MUSEVENI**	President of Uganda (1986 – present); **Paul Kagame** and Fred Rwigema fought in his National Resistance Army and aided in the overthrow of Milton Obote, bringing Museveni to power; facilitated **Kagame's** RPF invasion of Rwanda (1990 – 1994)
JOEL **MUTABAZI**	Former Rwandan Presidential Bodyguard; **Manzi Mutuyimana** and his network intervened and foiled the first attempt to abduct him from Kampala where he was a refugee in 2012; Mutabazi was kidnapped in October 2013; he was sentenced to life in prison in Rwanda in October 2014

MANZI **MUTUYIMANA**	Rwandan refugee in Kampala (2006 – 2012); mobilised the Rwandan refugee community against the Cessation Clause, including launching a petition and facilitating **Peter Erlinder's** documentary; currently an asylum-seeker in the US and student at Chicago's De Paul University, where **Erlinder** is an Associate Professor; continues in his role as activist and mobiliser against the Cessation Clause
DISMAS **NKUNDA**	Former journalist publishing on Rwanda; Director of IRRI
LAURENT **NKUNDA**	Former soldier in **Paul Kagame's** RPF, then **Laurent-Désiré Kabila's** AFDL, later RCD; founded CNDP in 2006 and continued policy of resettling Rwandophone populations at Bwesa, where he redistributed land to his officers through 2008; incarcerated in 2009 when **Bosco Ntaganda** replaced him and integrated CNDP into the Congolese national army; currently under house arrest in Rwanda
BOSCO **NTAGANDA**	Former Chief of Staff of **Thomas Lubanga's** UPC; then Chief of Staff of **Laurent Nkunda's** CNDP; replaced **Nkunda** in 2009 and integrated CNDP into the Congolese army; launched the Rwanda-backed M23 rebellion in 2012 following **Lubanga's** conviction by the ICC; surrendered himself to the US Embassy in Kigali in March 2013 and was transferred to the ICC on charges of war crimes and child recruitment
ERASTO **NTIBATURANA**	Close colleague of **Eugène Serufuli**; collaborated with RCD, then CNDP, under which he became a self-styled chief; instrumental in recruitment from Rwanda's refugee camps and resettlement of Rwandophone populations into Masisi and Rutshuru Territories; supported **Bosco Ntaganda's** M23 and fled to Rwanda, along with his sons, following the group's defeat by UN's FIB in 2013
KAYUMBA **NYAMWASA**	Former senior military official in Rwanda; refugee in South Africa who narrowly survived an assassination attempt in Johannesburg in 2012

EUGÈNE **SERUFULI**	One of MAGRIVI's founders; then RCD's Paymaster General and TPD's Vice-President; recruited **Erasto Ntibaturana** into RCD; became RCD's appointed Governor of North Kivu (2000 – 2007) and was RCD's Vice-President (2003 – 2006); instrumental in facilitating spontaneous repatriations of Rwandophone Congolese from Rwanda's refugee camps, providing lorries to assist repatriates and allotting them parcels of land
MOBUTU **SÉSÉ SEKO**	President of the DRC (which he renamed Zaïre in 1971) from 1965 to 1997, when he was ousted from power by **Laurent-Désiré Kabila** and the AFDL
INNOCENT **ZIMURINDA**	Colonel in **Laurent Nkunda's** CNDP; provided security for Rwandophone repatriates' resettlement at Bibwe, co-ordingating with **Erasto Ntibaturana**

MAP OF THE DEMOCRATIC REPUBLIC OF CONGO, UGANDA, AND RWANDA, BY SIZE

Map sourced from Michał Barański, "Actual Vintage Political Map of Africa with Flags," 123RF 38,841,698 Royalty Free Stock Photos, 2015, http://www.123rf.com.

MAP OF
THE DEMOCRATIC REPUBLIC OF CONGO

Map sourced from One World – Nations Online, "Political Map of Democratic Republic of Congo," The Nations Online Project, 2015, http://www.nationsonline.org.

MAP OF RWANDA

Map sourced from One World – Nations Online, "Political Map of Rwanda," The Nations Online Project, 2015, http://www.nationsonline.org.

MAP OF UGANDA

Map sourced from One World – Nations Online, "Political Map of Uganda," The Nations Online Project, 2015, http://www.nationsonline.org.

CHAPTER 1
INTRODUCTION

The puzzle that lies at the heart of this thesis is deceptively simple in its formulation: why do refugees in the Great Lakes Region of Central Africa refuse to be repatriated to their countries of origin? This thesis offers a detailed examination of this question through a comparative study of Rwandan and Congolese refugee communities across three countries, Uganda, Rwanda, and the Democratic Republic of Congo (DRC). Through research undertaken in eighteen sites across the region, and covering events of the past two decades, I assess the policies of international agencies and local governments against the lived experiences, responses, and perceptions of refugee communities. The intensity of reactions against repatriation reported in this thesis is forceful and striking. Their pervasive character suggests that their causes lie beyond the immediate political context – they are ubiquitous across numerous spaces of exile spanning three different countries. The courses of action pursued by international actors, countries of origin, and those of asylum are equally jarring considering refugees' resistance to repatriation, which remains aggressively promoted and implemented. The complex interaction between these factors creates an intractable dilemma in which refugees face the choice to return (which they refuse to do) or to remain in exile (from which they are being coerced to return).

The African Great Lakes is one of the most conflict-ridden regions in the world – and has been since long before the Rwandan Genocide in 1994. The appalling magnitude of those atrocities is impossible to put into words. The fact that up to six and a half *million* people perished during the genocide and the subsequent wars in the DRC is equally unfathomable. These were the heights of devastation and destruction in a region whose history is riddled with accounts of conflict and flight. Media coverage of this perpetual crisis has dwindled over the years as the West became desensitised to images and articles of gruesome deaths and protracted conflicts. People 'did not want to know about another small, incomprehensible and irrelevant war in Africa."[1] And many more followed. In a similar vein, Prunier sardonically

[1] Richard Dowden, *Africa: Altered States, Ordinary Miracles* (London: Portobello Books Ltd, 2009), 237.

remarked: '[s]ome corpses are more media-sexy than others."[2] This thesis is about the people who survived those wars. Their fates are typically dismissed in mainstream media, as they are the living relatives of corpses of presumed perpetrators. Depending on whose interpretation of history, and in what timeframe, one embraces, they are all either villains or victims – but antagonists in all tellings. This reality colours and complicates policies of international actors and host and home states. It is also manipulated by them, and in some instances, by refugees themselves.

The context is another conundrum. In the years following the genocide, Rwanda has experienced astounding reconstruction and economic growth. Likewise, following the two Congo Wars, pockets of peace have blossomed amidst sporadic conflict, and now it is the stability that is slowly spreading. Despite these developments, refugees are not returning. Moreover, they are resisting return, at times in outright rebellion against repatriation. By choice, most remain in refugee camps and settlements, or outside them, where they encounter difficulties securing employment, housing, and education for their children. They live in circumstances where they have no access to the full rights of citizenship. Yet they refuse to repatriate. Their home states promote repatriation, but its implementation is chaotic, to say the least, whilst reintegration assistance remains inadequate. This situation begs the uncomfortable question of whether the continued displacement of these populations frustrates or facilitates the tenuous peace-building and post-conflict reconstruction of their countries of origin. If it is the latter, then it comes at the expense of nearly 800,000 people[3] – permanently suspended between staying and going in a state of limbo whose repercussions may be perilous. As such, it is too high a cost to bear.

Before turning to why I chose these particular cases and expounding on their significance, it is essential to address whom the international community defines as a refugee and how it codifies repatriation. These definitions demarcate the mandates of agencies responsible for the protection of these populations and determine policies implemented to fulfil those responsibilities. Who is and is not protected, how, and from what are all of crucial importance in this puzzle. The 1951 *Convention Relating to the Status of Refugees* defines a refugee as

[2] Gérard Prunier, *Africa's World War: Congo, the Rwandan Genocide, and the Making of a Continental Catastrophe* (Oxford: Oxford Univ. Press, 2009), 337.
[3] UNHCR, "2015 UNHCR Country Operations Profile: Democratic Republic of the Congo," *UNHCR: The UN Refugee Agency*, January 1, 2015, http://www.unhcr.org; UNHCR, "2015 UNHCR Country Operations Profile: Rwanda," *UNHCR: The UN Refugee Agency*, January 1, 2015, http://www.unhcr.org; James Akena, "RDC: 245,000 Réfugiés Rwandais Recensés," *Radio France Internationale*, August 20, 2014, http://www.rfi.fr.

someone who

> owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.[4]

The 1951 Convention is founded on Article 14 of the *Universal Declaration of Human Rights* (1948) that recognises the right to seek asylum from persecution in other states. The Protocol of 1967 made protection universal, as the 1951 Convention had been drafted in response to World War II-induced displacement within Europe.[5] The Convention is grounded in the fundamental principles of non-discrimination (relating to race, religion, or country of origin), non-penalisation (for illegal entry, stay, breach of immigration law), and non-refoulement (proscribing the expulsion or return of refugees against their will to any territories where they feel their lives or freedoms may be threatened). These provisions, however, exclude perpetrators of war crimes and crimes against humanity.

Established in 1950 by the UN General Assembly, the UNHCR is the agency mandated to lead and co-ordinate international action to protect and safeguard the rights of refugees, asylum-seekers, and stateless persons, upholding the provisions of the Convention and Protocol. UNHCR recognises as refugees those identified under the Convention and its Protocol; the *1969 OAU* [Organisation of African Unity] *Convention Governing the Specific Aspects of Refugee Problems in Africa*; UNHCR Statute; those granted complementary forms of protection in countries that are not signatories to the Conventions or Protocol; those granted temporary protection in situations of large-scale influx where status determination may not be feasible; and those in refugee-like situations whose status has not been ascertained.[6]

Repatriation is understood as the return of refugees to their country of origin. Referencing the Conventions and Protocol, this return is to be voluntary, based on free and informed

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[4] "Convention Relating to the Status of Refugees" (UN General Assembly, 1951), para. A4, United Nations General Assembly Resolution 429(V) of 14 December 1950, http://www.unhcr.org.
[5] "Protocol Relating to the Status of Refugees" (UN General Assembly, 1951), United Nations General Assembly Resolution 2198 (XXI) of 16 December 1967, http://www.unhcr.org.
[6] UNHCR, "UNHCR Statistical Yearbook 2009: Trends in Displacement, Protection and Solutions," October 2010, 13, http://www.unhcr.org.

decisions, and undertaken in conditions of safety and dignity. Return is to culminate in the full restoration of national protection. These conditions are to be upheld whether or not repatriation is organized, spontaneous, or part of an on-going programme.[7]

1.1 CASE SELECTION

The decade beginning in 2001 witnessed the global refugee population decrease from 12.1 million to 8.7 million in 2005, then rise and fall, resting at about 10.5 million from 2008 through the end of 2010 (Figure 1.1). Over the same period, repatriation peaked in 2002 when over a million refugees returned to their countries of origin, plummeting steadily over subsequent years to 197,700 in 2010 – the lowest level in more than 20 years.[8] Thirty-eight per cent of the world's refugees resided in UNHCR's Asia and Pacific region; three-fourths of them were Afghans.[9] Sub-Saharan Africa was home to the second largest refugee population, numbering 2.2 million people (21 per cent of the global total), but growing faster than that of any other region.[10] Nearly half of those refugees were found in the Central Africa and Great Lakes Region.[11] UNHCR defines this region as Burundi, Cameroon, Central African Republic (CAR), Chad, Republic of Congo (RoC), DRC, Equatorial Guinea, Gabon, Rwanda, São Tomé and Príncipe, and Tanzania.[12] UNHCR categorises Uganda and Kenya, usually included in the African Great Lakes Region, as part of East and Horn of Africa.[13]

Major refugee-hosting regions are likewise major refugee-generating regions; on average, 83 per cent of refugees reside in a country neighbouring their own.[14]

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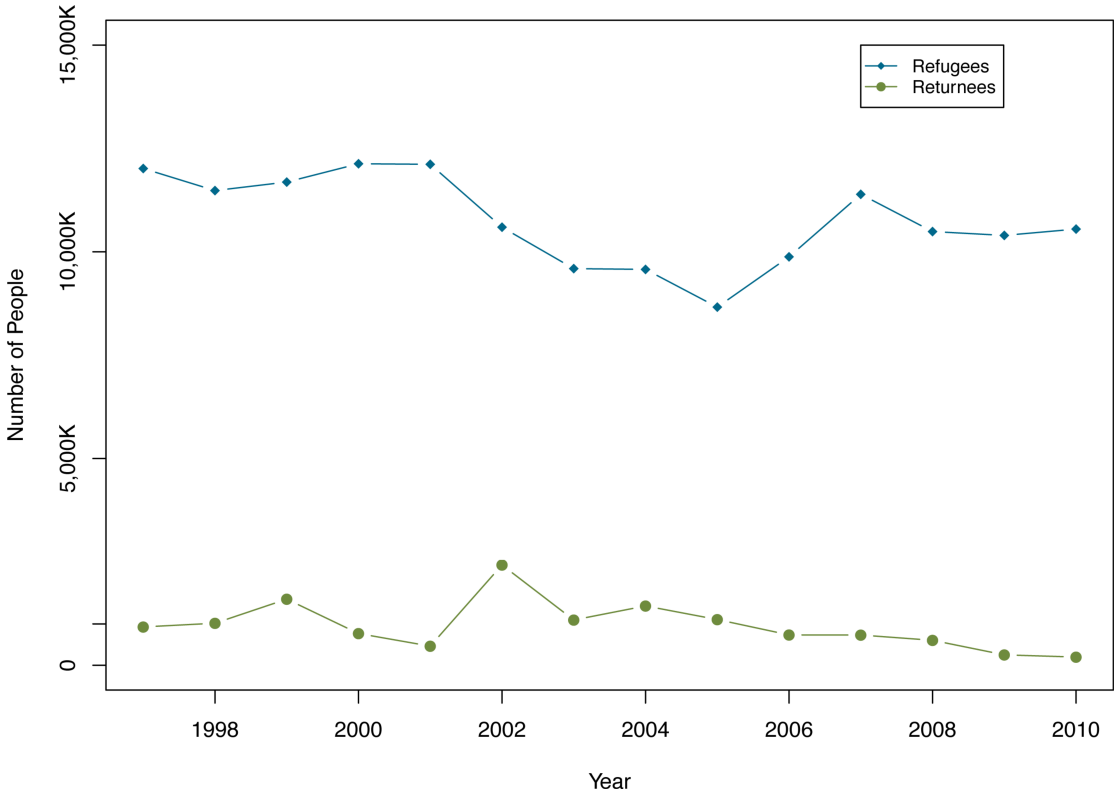
[7] UNHCR, "UNHCR Statistical Yearbook 2013: 25 Years of Global Forced Displacement," February 2015, 49, http://www.unhcr.org.
[8] UNHCR, "UNHCR Statistical Yearbook 2010: Ten Years of Statistics," 2011, 37, http://www.unhcr.org.
[9] Ibid., 24.
[10] In order of largest refugee populations, UNHCR regions include Asia and Pacific, Africa (subdivided into Central and Great Lakes, East and Horn of Africa, West, and Southern), Middle East and North Africa, Europe, and the Americas. (See Ibid.)
[11] Ibid.
[12] UNHCR, "UNHCR Statistical Yearbook 2010 Annex: Ten Years of Statistics," 2011, http://www.unhcr.org.
[13] Ibid.
[14] UNHCR, "UNHCR Statistical Yearbook 2006: Trends in Displacement, Protection and Solutions," December 2007, 29, http://www.unhcr.org; ibid., 27; UNHCR, "UNHCR Statistical Yearbook 2009," 21; UNHCR, "UNHCR Statistical Yearbook 2010," 24.

FIGURE 1.1

GLOBAL ANNUAL FIGURES OF REFUGEES AND RETURNEES (1997-2010)



- UNHCR figures are obtained from the agency itself, governments, and other sources like NGOs and local partners; they all utilise a range of data collection methods. Figures are primarily based on registration data and estimation from previous figures (country- and refugee caseload-specific rates of asylum-seekers being granted refugee status, for example). Changes in recorded numbers are predominantly the result of individual or mass movements, but they also reflect legal increases and/or decreases (applications of cessation clauses that nullify certain groups' refugee status, changes in host countries' recognition rates or criteria for refugee status determination). Some refugees remain unregistered due to host countries' unawareness of the need to do so and/or their own perceptions that the risks of registration (rejection of asylum-seeker application and subsequent deportation, for example) outweigh potential benefits. Some countries offer supplemental or complimentary forms of protection, which are difficult to compare internationally; people fleeing the same conflict may be recognised as refugees by some asylum countries but not others. Due to registration errors, administrative records may overreport the number of refugees. The comparability and accuracy of resulting figures is difficult to gauge, but budgets and programmes are based on them. (See UNHCR, "UNHCR Statistical Yearbook 2008: Trends in Displacement, Protection and Solutions," December 2009, http://www.unhcr.org, 15.)
- 2007-11 figures include people in refugee-like situations under the category of refugees. The sub-category includes those outside their country of origin who face protection risks similar to those of refugees, but for whom refuge status has not been ascertained for practical or other reasons. Prior to 2007, they were included in the 'Others of Concern' category. (See UNHCR, "UNHCR Statistical Yearbook 2008: Trends in Displacement, Protection and Solutions," December 2009, http://www.unhcr.org, 16.)

Data sourced from UNHCR, "UNHCR Statistical Yearbook 2010 Annex: Ten Years of Statistics," 2011, http://www.unhcr.org.

By 2007, refugees from Western Sahara, Angola, Sudan, Burundi, Rwanda, and DRC had spent over 30 years in exile – half from and in Central Africa and the Great Lakes Region.[15] At the end of 2008, they remained main countries of mass refugee displacement.[16] Rwanda had the world's third largest refugee population (3.3 million across Burundi, DRC, Tanzania, and Uganda), DRC the eighth (1.2 million in Tanzania, Uganda, Rwanda, and Zambia), and Burundi the tenth (1 million across DRC and Tanzania).[17] These are some of the most protracted refugee situations in the world, far surpassing UNHCR's criteria of 25,000 or more refugees of the same nationality in exile for over 5 years in a given host country.[18] The definition itself tends to underestimate the number of refugees in protracted situations because unless a group of refugees of the same nationality reaches 25,000 people, it will not be counted as protracted regardless of their duration in exile. It also fails to account for repatriations and new arrivals.[19]

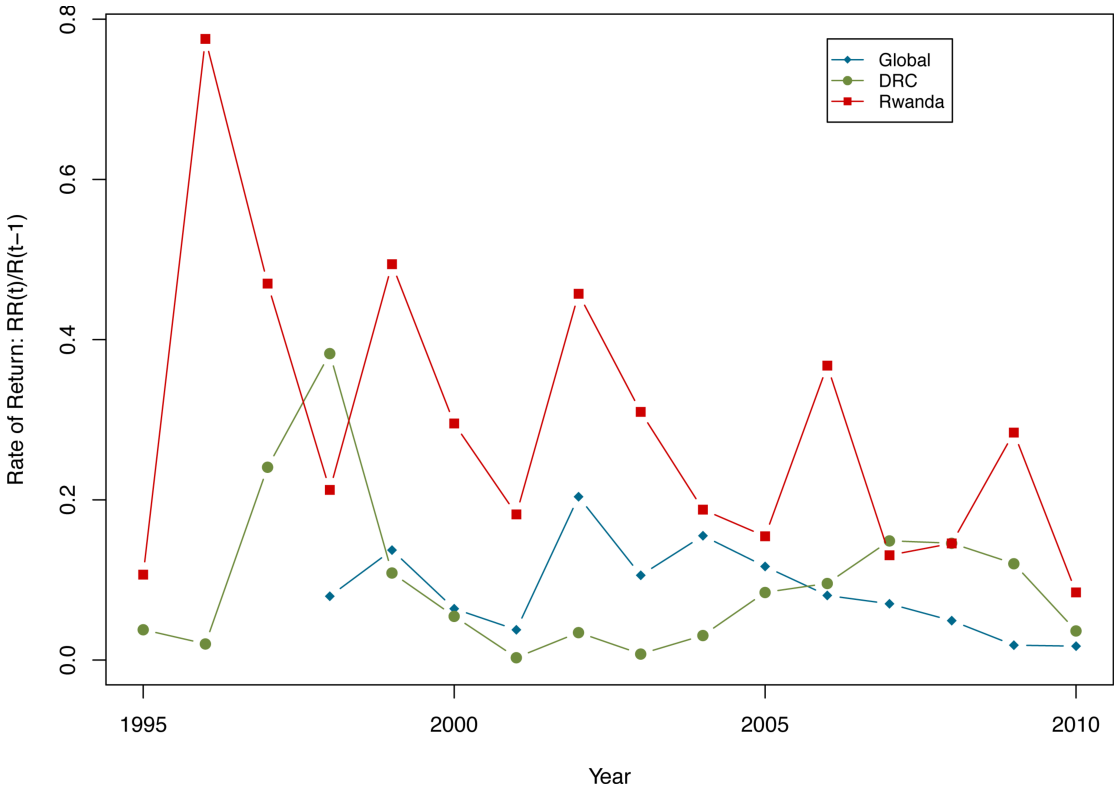
For these reasons, Rwanda and the DRC were chosen as cases for this study in initial fieldwork undertaken in 2009; the longest period of fieldwork was completed in 2011. In comparison to the rate of return for refugees globally, that of Rwandan refugees has been significantly higher, but it too fell from 2009 (Figure 1.2). The rate of return for Congolese refugees was below the global one between 1999 and 2006, but began to fall from 2007 as well, despite being higher than the global rate between 2006 and 2010.

The Congolese refugee population increased fairly steadily until 2000, then oscillated around 400,000 through 2010 (Figure 1.3). At that point, the largest populations of Congolese refugees resided in RoC (124,244), Uganda (81,804), Tanzania (60,186), and Rwanda (55,027).

[15] UNHCR, "UNHCR Statistical Yearbook 2007: Trends in Displacement, Protection and Solutions," December 2008, 43–44, http://www.unhcr.org.
[16] Based on data recorded between 1962 and 2008, main countries of refugee displacement were: Afghanistan (6.7m); Eritrea/Ethiopia (3.5m); Rwanda (3.3m); Iraq (less than 1.8m); Former Yugoslavia (less than 1.7m); Liberia (1.4m); Sudan (1.4m); DRC (1.2m); Mozambique (1.1m); Burundi (1m); Somalia (1m); and Angola (1m).
[17] UNHCR, "UNHCR Statistical Yearbook 2008: Trends in Displacement, Protection and Solutions," December 2009, 33, http://www.unhcr.org.
[18] UNHCR, "UNHCR Statistical Yearbook 2010," 25.
[19] UNHCR, "UNHCR Statistical Yearbook 2007," 43–44.

FIGURE 1.2

RATES OF RETURN BY GLOBAL, CONGOLESE, AND RWANDAN REFUGEE POPULATIONS (1995-2010)

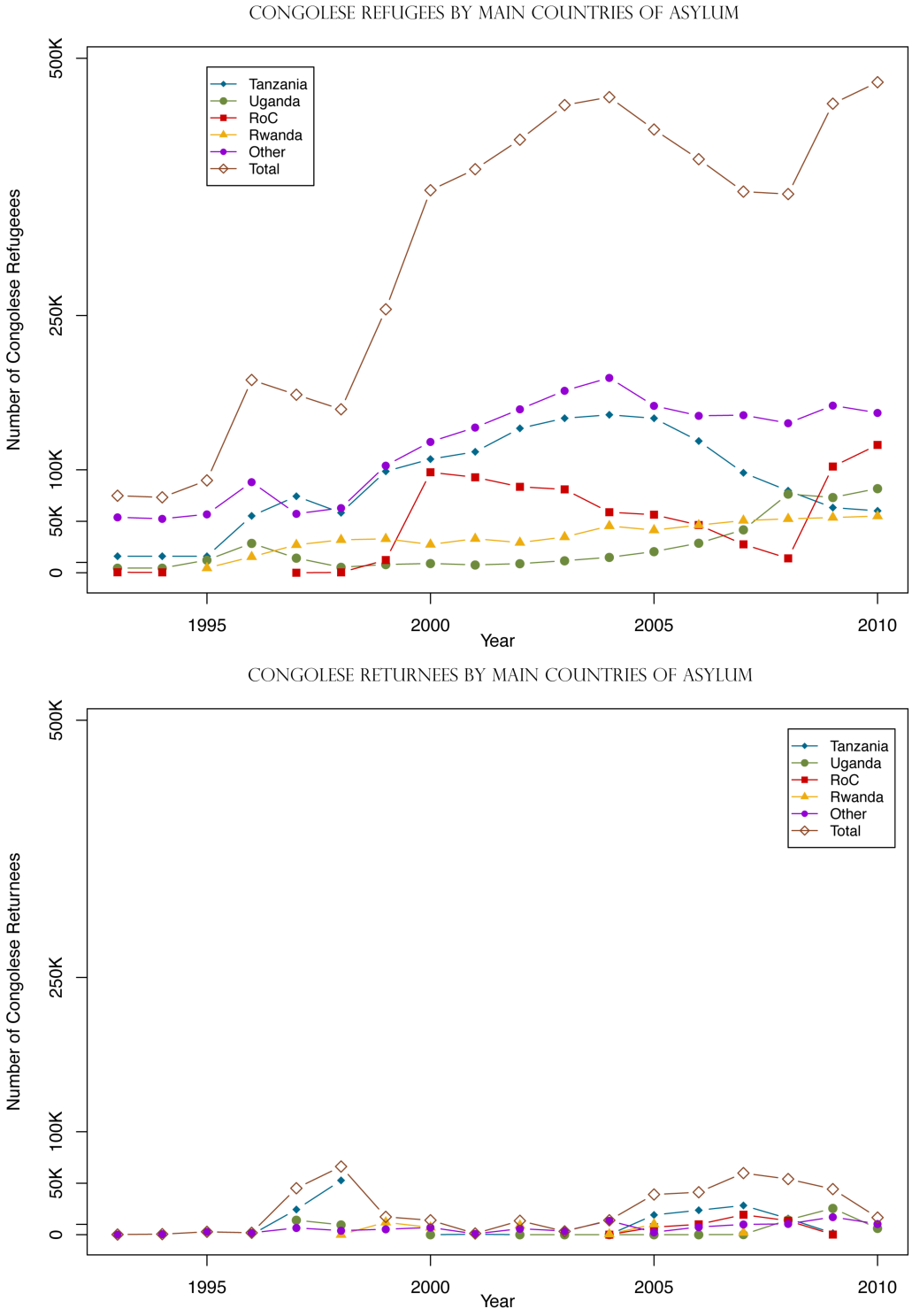


- Rate of Return is calculated as a percentage of the total refugee population in question at the end of the preceding year: Returning Refugees at year t, divided by total Refugees at preceding year RR(t)/R(t-1).

Data sourced from UNHCR, "Refugees and Others of Concern to UNHCR: 2000 Statistical Overview," June 2002, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2001 Annex: Refugees, Asylum-Seekers and Other Persons of Concern: Trends in Displacement, Protection and Solutions," November 2002, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2002 Annex: Refugees, Asylum-Seekers and Other Persons of Concern: Trends in Displacement, Protection and Solutions," September 2004, http://www.unhcr.org; UNHCR, "2002 UNHCR Statistical Yearbook: Dem. Rep. of the Congo," 2002, http://www.unhcr.org; UNHCR, "2002 UNHCR Statistical Yearbook: Rwanda," 2002, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2003 Annex: Trends in Displacement, Protection and Solutions," June 2005, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2004 Annex: Trends in Displacement, Protection and Solutions," August 2005, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2005 Annex: Trends in Displacement, Protection and Solutions," August 2007, http://www.unhcr.org; UNHCR, "2005 UNHCR Statistical Yearbook: Dem. Rep. of the Congo," 2005, http://www.unhcr.org; UNHCR, "2005 UNHCR Statistical Yearbook: Rwanda," 2005, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2006 Annex: Trends in Displacement, Protection and Solutions," December 2007, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2007 Annex: Trends in Displacement, Protection and Solutions," December 2008, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2008 Annex: Trends in Displacement, Protection and Solutions," December 2009, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2009 Annex: Trends in Displacement, Protection and Solutions," October 2010, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2010 Annex: Ten Years of Statistics," 2011, http://www.unhcr.org.

FIGURE 1.3

CONGOLESE REFUGEES AND RETURNEES BY MAIN COUNTRIES OF ASYLUM (1993-2010)



- Absence of points on the graph indicates missing data. For data sources, see Figure 1.2.

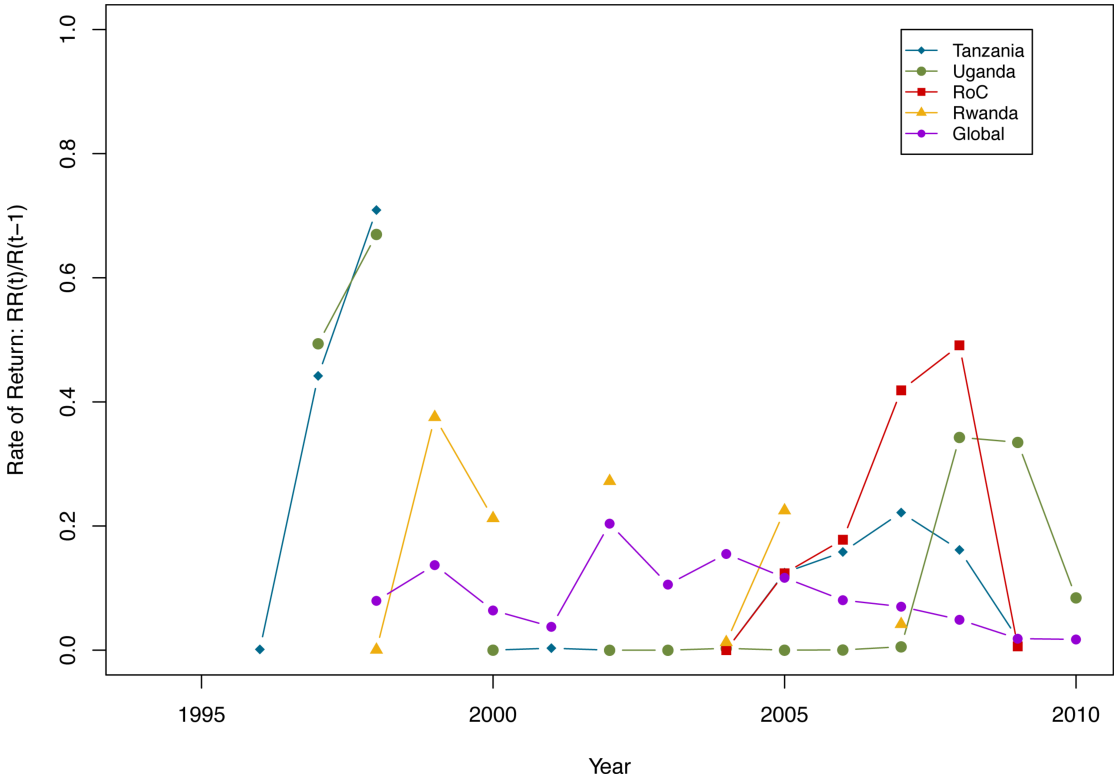
DRC signed a Tripartite Agreement with UNHCR and the RoC as early as 1999, establishing legal and operational frameworks for the voluntary repatriation of Congolese refugees – and signifying consensus that Congo's[20] levels of post-conflict socio-economic reconstruction offered an environment to which return should be promoted.[21] Tripartite Agreements were also concluded with Tanzania in 2005;[22] CAR,[23] Zambia,[24] and Sudan[25] in 2006; Rwanda and Uganda in 2010;[26] and RoC and Angola in 2011[27]. Despite this international endorsement of peace-building and stabilisation, repatriation to the DRC has been falling since 2007 (Figure 1.3). Data is unavailable for returns to Congo from RoC, Tanzania, or Rwanda in 2010. That year, 6,177 Congolese refugees repatriated from Uganda. Amongst these countries between 2000 and 2010, however, the fewest Congolese repatriated from Uganda and Rwanda, from which repatriation rates also decreased (Figure 1.4). These countries of asylum were thus selected for the DRC case study.

The Rwandan refugee population plummeted in 1996, then rose to 119,056 in 2000, decreased to 63,812 in 2004 before rising to over 100,000 a year later, decreasing through 2008, then again increasing to almost 130,000 in 2009, to decrease by about 15,000 the following year (Figure 1.5).

[20] I use 'Congo' and 'DRC' interchangeably.
[21] Steve Hege, "Of Tripartites, Peace and Returns," *Forced Migration Review*, Democratic Republic of Congo: Past. Present. Future?, no. 36 (November 2010): 51–53.
[22] UNHCR, "UNHCR Projected Global Resettlement Needs 2006," *Refworld*, June 14, 2005, 20, http://www.refworld.org.
[23] UNHCR, "UNHCR Global Report 2006, Central African Republic," *Refworld*, June 2007, http://www.refworld.org.
[24] United Kingdom: Home Office, "Country of Origin Information Report - Democratic Republic of Congo," *Refworld*, May 21, 2008, 244, http://www.refworld.org.
[25] UNHCR, "Tripartite Agreement Sudan-DRC-UNHCR for the Voluntary Repatriation of the Refugees From the Republic of Sudan Living in the Democratic Republic of Congo," January 2006, http://www.unhcr.org/refworld.
[26] Hege, "Of Tripartites."
[27] UNHCR, "UNHCR Global Report 2011: Central Africa and the Great Lakes," 2011, http://www.unhcr.org.

FIGURE 1.4

RATES OF RETURN OF CONGOLESE REFUGEES BY MAIN COUNTRIES OF ASYLUM (1995-2010)

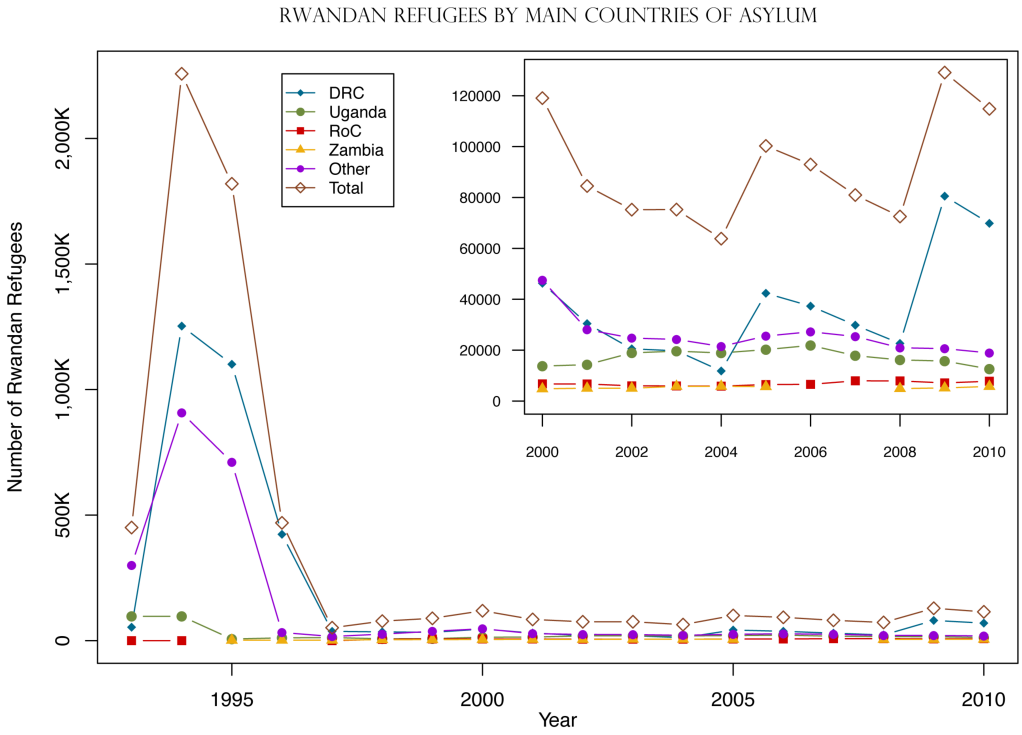


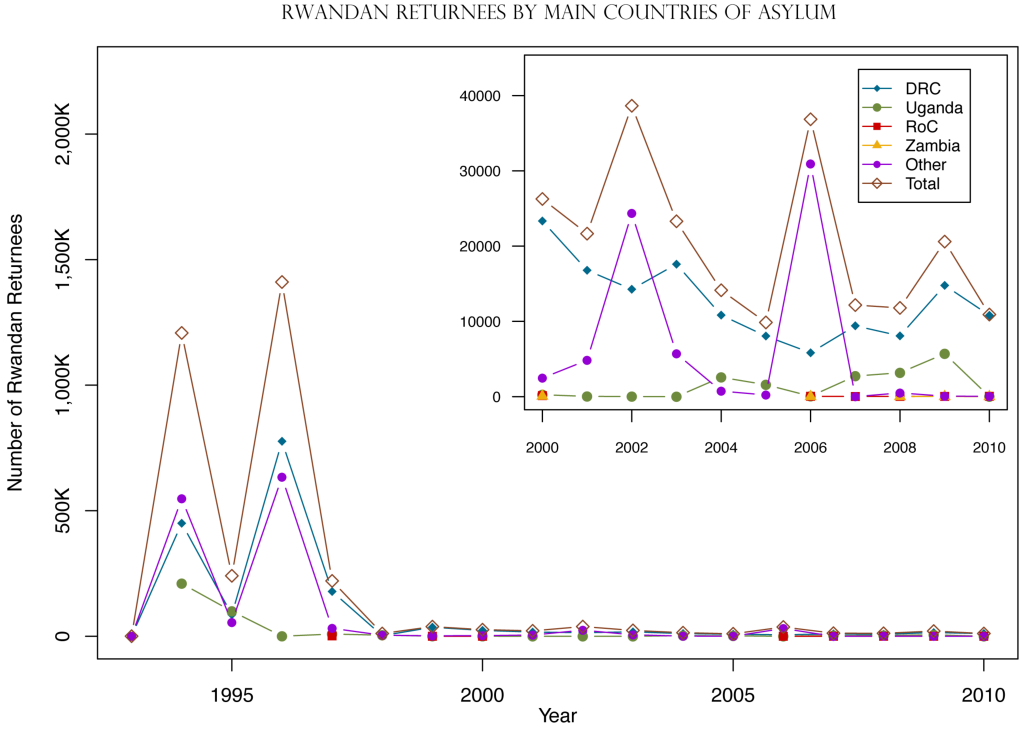
- Rate of Return is calculated as a percentage of the total refugee population in question at the end of the preceding year: Returning Refugees at year t, divided by total Refugees at preceding year RR(t)/R(t-1).
- Asylum country is included as main if it hosted 5,000+ Congolese refugees in 2010 (same for Appendix 1.3).
- Absence of points on the graph indicates missing data.

Data sourced from UNHCR, "Refugees and Others of Concern to UNHCR: 2000 Statistical Overview," June 2002, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2001 Annex: Refugees, Asylum-Seekers and Other Persons of Concern: Trends in Displacement, Protection and Solutions," November 2002, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2002 Annex: Refugees, Asylum-Seekers and Other Persons of Concern: Trends in Displacement, Protection and Solutions," September 2004, http://www.unhcr.org; UNHCR, "2002 UNHCR Statistical Yearbook: Dem. Rep. of the Congo," 2002, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2003 Annex: Trends in Displacement, Protection and Solutions," June 2005, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2004 Annex: Trends in Displacement, Protection and Solutions," August 2005, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2005 Annex: Trends in Displacement, Protection and Solutions," August 2007, http://www.unhcr.org; UNHCR, "2005 UNHCR Statistical Yearbook: Dem. Rep. of the Congo," 2005, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2006 Annex: Trends in Displacement, Protection and Solutions," December 2007, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2007 Annex: Trends in Displacement, Protection and Solutions," December 2008, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2008 Annex: Trends in Displacement, Protection and Solutions," December 2009, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2009 Annex: Trends in Displacement, Protection and Solutions," October 2010, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2010 Annex: Ten Years of Statistics," 2011, http://www.unhcr.org.

FIGURE 1.5

RWANDAN REFUGEES AND RETURNEES BY MAIN COUNTRIES OF ASYLUM (1993-2010)





- Absence of points on the graph indicates missing data. For data sources, see Figure 1.2.

By the end of 2010, the greatest numbers of Rwandan refugees were found in DRC (69,836), Uganda (12,590), RoC (7,775), and Zambia (5,736). Rwanda signed Tripartite Agreements with the DRC [28] (then-Zaïre) and Tanzania [29] in 1995; CAR in 2002; [30] Malawi, [31] Mozambique, [32] Namibia, [33] Zimbabwe, [34] RoC, [35] Zambia, [36] and Uganda [37] in 2003; and Burundi in 2005[38]. In May 2010, UNHCR, Rwanda, and Uganda declared that the Cessation Clause would be invoked by the end of the year: Rwandan refugees would be stripped of their status because the circumstances that prompted their flight no longer existed, nullifying their need for international protection.[39] Despite these affirmations of Rwanda's recovery, repatriation vacillated between 2000 and 2010. Overall, total repatriation figures decreased, echoing the situation in the DRC and global trends (Figure 1.5). In 2010, 10,807 repatriated to Rwanda from DRC, between 1 and 4 from Uganda, 49 from RoC, and 7 from Zambia. Repatriation from RoC had actually increased. From Zambia, it had remained fairly constant since 2006. Returns from Uganda and the DRC had decreased, however, and rates of return from these countries of asylum had suffered the steepest decline (Figure 1.6); they were thus chosen for the Rwandan case study.

The puzzle is important. Large refugee populations have the potential to destabilize not only developing host countries but also the regions they constitute and the international community.

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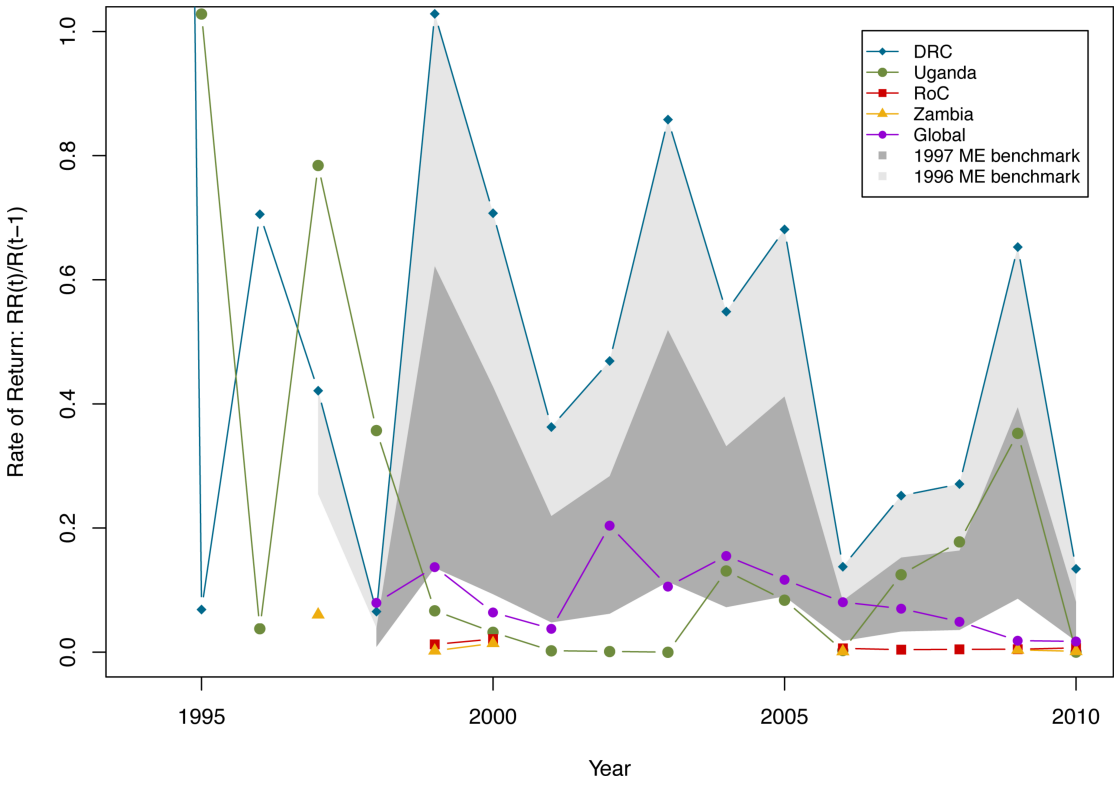
[28] OAU/UNHCR, "OAU/UNHCR Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region: Bujumbura, Burundi, 15-17 February 1995," *Refworld*, February 15, 1995, http://www.refworld.org.
[29] UNHCR, "Tripartite Agreement on the Voluntary Repatrition of Rwandese Refugees from Tanzania," *Refworld*, April 12, 1995, http://www.refworld.org.
[30] UNHCR, "UNHCR Country Operations Plan 2004 - Central African Republic and Chad," September 1, 2003, 1, http://www.refworld.org.
[31] UNHCR, "UNHCR Projected Global Resettlement Needs 2006," 54.
[32] Lucy Hovil, "A Dangerous Impasse: Rwandan Refugees in Uganda," Working Paper No. 4, Citizenship and Displacement in the Great Lakes Region (IRRI, June 2010), 13.
[33] UNHCR, "UNHCR Country Operations Plan 2006 - Namibia," *Refworld*, 2005, 2, http://www.refworld.org.
[34] Research Directorate, Immigration and Refugee Board of Canada, Ottawa, "Zimbabwe: Whether the Government of Zimbabwe Began Deporting Rwandan Refugees in April 2004 Following an Earlier Government Decision That It Was Safe Enough for Them to Be Repatriated," *Refworld*, March 25, 2008, http://www.refworld.org.
[35] Hovil, "Dangerous Impasse," 13.
[36] Ibid.
[37] UNHCR, "Uganda: Tripartite Agreement Signed on Return of Rwandans," *UNHCR*, July 25, 2003, http://www.unhcr.org.
[38] Hovil, "Dangerous Impasse," 13.
[39] Ibid., 15.

FIGURE 1.6

RATES OF RETURN OF RWANDAN REFUGEES BY MAIN COUNTRIES OF ASYLUM (1995-2010)



- Rate of Return is calculated as a percentage of the total refugee population in question at the end of the preceding year: Returning Refugees at year t, divided by total Refugees at preceding year RR(t)/R(t-1).
- Due to problems of data collection and accuracy, noted in Figure 1.1, the Rate of Return of Rwandan refugees from DRC surpasses 100 per cent in 1995 and 1999. Alternatively, we can use Adelman's high estimate for Rwandan refugees in then-Zaïre at the end of 1996 (700,000) instead of UNHCR's figure of 423,501. If we take this discrepancy as a proxy for Measurement Error (ME), the number of Rwandan refugees for every subsequent year would be roughly 1.7 times larger than figures reported by UNHCR, yielding return rates depicted by the bottom of the light grey area on the graph (1996 ME benchmark). If we use MSF/WHO figures for 1997 instead of UNHCR ones (280,000 Rwandan refugees in DRC as opposed to 37,000), then the numbers of Rwandan refugees in DRC for each subsequent year would be roughly 7.6 times larger than figures reported by UNHCR, yielding return rates represented by the bottom of the dark grey area on the graph (1997 ME benchmark). (For alternate figures, see Howard Adelman, "The Use and Abuse of Refugees in Zaire," in *Refugee Manipulation: War, Politics, and the Abuse of Human Suffering*, edited by Stephen John Stedman and Fred Tanner, Brookings Institution Press, 2003, 100; MSF, "DRC 1997 - Forced Flight: Brutal Strategy of Elimination," *Médecins Sans Frontières (MSF) International*, November 27, 2002, http://www.msf.org; and CDC, "Cholera Outbreak among Rwandan Refugees: Democratic Republic of Congo, April 1997," *Morbidity and Mortality Weekly Report, Centers for Disease Control and Prevention, USA Government*, May 22, 1998, http://www.cdc.gov.)
- Asylum country is included as main if it hosted 5,000+ Rwandan refugees in 2010 (same for Appendix 1.5).
- Absence of points on the graph indicates missing data.

For data sources, see Figure 1.2.

The UN, as early as 1986, noted the extensive political, economic, and social burdens associated with massive refugee flows.[40] Refugees cause tensions with nationals when these communities compete for scarce resources and social services.[41] Conflicts are also associated with perceptions that these resources are disproportionately available to refugees rather than comparatively disadvantaged citizens.[42] These hostilities, and the related rise of xenophobia, are aggravated over time as donors disengage from protracted refugee situations. Competition for resources and insecurity are exacerbated as refugees compensate for decreasing international aid through banditry, theft, and prostitution.[43] Even more devastating are instances of militarization – and the propensity for their regional spread – that transform refugee camps into sources of insurgency, terrorism, arms trafficking, drug smuggling, child soldiers, and refugee warriors.[44] In response to the scale and proliferation of such situations, the 1992 UN Security Council's Summit Declaration specified the repatriation of refugees as an 'integral part of the Security Council's efforts to maintain international peace and security.'[45] Zetter argues that regional instability is inextricable from protracted displacement: cross-border refugee ebbs and flows are the result (and sometimes the cause) of conflict.[46]

The relationship between chronic and recurring refugee flows, regional conflict, and economic underdevelopment is exemplified by the cases of Rwandan and Congolese refugees. In the wake of the 1994 Rwandan Genocide that claimed the lives of nearly a million people, over a million refugees fled to then-Zaïre in only three to four days[47] – 'the largest and quickest

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[40] Gil Loescher and James H. S. Milner, *Protracted Refugee Situations: Domestic and International Security Implications* (Oxford: Routledge, 2005), 26; Tim Allen and Hubert Morsink, "Introduction," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 5.
[41] Loescher and Milner, *Protracted Refugee Situations*, 32.
[42] James Milner and Gil Loescher, "The Long Road Home: Protracted Refugee Situations in Africa," *Survival: Global Politics and Strategy* 47, no. 2 (2005): 158–159.
[43] Gil Loescher et al., "Protracted Refugee Situations and the Regional Dynamics of Peacebuilding," *Conflict, Security & Development* 7, no. 3 (2007): 493; Milner and Loescher, "Long Road Home," 154.
[44] Loescher et al., "Regional Dynamics," 493; Loescher and Milner, *Protracted Refugee Situations*, 30–31; Milner and Loescher, "Long Road Home," 154, 159; Tim Allen and David Turton, "Introduction: In Search of Cool Ground," in *In Search of Cool Ground: War, Flight and Homecoming in Northeast Africa*, ed. Tim Allen (Oxford: James Currey Ltd, 1996), 15.
[45] Loescher and Milner, *Protracted Refugee Situations*, 26.
[46] Roger Zetter, "Unlocking the Protracted Displacement of Refugees and Internally Displaced Persons: An Overview," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 3.
[47] Virginie Dusenge and René Sibomana, *Auto-Organisation Des Réfugiés Dans Les Camps à l'Est Du Zaïre, 1994-1996: Exercice de Capitalisation* (Namur: Presses Universitaires de Namur, 2004), 16; Jean-Pierre Godding, *Réfugiés Rwandais Au Zaïre: Sommes-Nous Encore Des Hommes?: Documents Des Groupes de Réflexion Dans Les Camps* (Paris: L'Harmattan, 1997), 17.

mass exodus in history'[48]. These refugees' militarization and subsequent attacks on Rwanda and local Congolese prompted the Rwandan Patriotic Front (RPF), a government comprised of a former refugee army, to invade then-Zaïre in 1996, setting in motion events culminating in two regional wars. Just the second embroiled 9 African countries and over 20 armed groups, displaced almost 3 million people, turned another 1 million into refugees, and killed nearly 5.5 million people due to direct and indirect violence, disease, and malnutrition.[49] This figure is based on the International Rescue Committee's mortality studies in Congo and has been questioned by the 2009 Human Security Report, which claims that the death toll may actually be up to 60 per cent lower.[50] These statistical estimates suffer from the difficulties of data collection in contexts of protracted, sporadic violence and inadequate infrastructure where conflict and development are highly politicised. Despite the controversial nature of these estimates, it is commonly agreed that '[t]he "first African World War" has been the most violent conflict since World War II'[51] , generating 'one of the most severe humanitarian crises'[52].[53] The case of Rwandan refugees, a prominent feature in studies of the Congolese wars, has been analysed as a quintessential example of national, regional, and international failure in the context of refugee militarization,[54] manipulation,[55] and protracted refugee situations and regional security[58]. As Stedman and Tanner concede, it is also 'the most deeply

[48] Stephen John Stedman and Fred Tanner, eds., *Refugee Manipulation: War, Politics, and the Abuse of Human Suffering* (Washington DC: Brookings Institution Press, 2003), 1.
[49] Bronwen Manby, *Struggles for Citizenship in Africa* (London: Zed Books, 2009), 67.
[50] Human Security Report Project, "Human Security Report 2009/2010: The Causes of Peace and the Shrinking Costs of War" (New York: Oxford University Press, 2011).
[51] Koen Vlassenroot, "Reading the Congolese Crisis," in *Conflict and Social Transformation in Eastern DR Congo*, ed. Koen Vlassenroot and Timothy Raeymaekers (Gent: Academia Press, 2004), 53.
[52] Koen Vlassenroot and Timothy Raeymaekers, "Introduction," in *Conflict and Social Transformation in Eastern DR Congo*, ed. Koen Vlassenroot and Timothy Raeymaekers (Gent: Academia Press, 2004), 20.
[53] Anke Hoeffler, "Dealing with the Consequences of Violent Conflicts in Africa: Background Paper for the African Development Bank Report 2008" (Centre for the Study of African Economies: University of Oxford, March 13, 2008), 10, 19, 50.
[54] Aristide R. Zolberg, Astri Suhrke, and Sergio Aguayo, *Escape from Violence: Conflict and the Refugee Crisis in the Developing World* (Oxford: Oxford University Press, 1992); Howard Adelman, "The Use and Abuse of Refugees in Zaire," in *Refugee Manipulation: War, Politics, and the Abuse of Human Suffering*, ed. Stephen John Stedman and Fred Tanner (Washington DC: Brookings Institution Press, 2003), 95–134; Stedman and Tanner, *Refugee Manipulation*; Loescher and Milner, *Protracted Refugee Situations*; Sue Nahm, "From Bad to Better: Reflections on Refugee and IDP Militarization in Africa," in *No Refuge: The Crisis of Refugee Militarization in Africa*, ed. Robert Muggah (London: Zed Books Ltd, 2006); Karen Jacobsen, "Can Refugees Benefit the State? Refugee Resources and African Statebuilding," *Journal of Modern African Studies* 40, no. 2 (2002): 577–96; Sarah Lischer, "Civil War, Genocide and Political Order in Rwanda: Security Implications of Refugee Return," *Conflict, Security & Development* 11, no. 3 (2011): 261–84.
[55] Zolberg, Suhrke, and Aguayo, *Escape from Violence*; Adelman, "Use and Abuse"; Stedman and Tanner, *Refugee Manipulation*; Loescher and Milner, *Protracted Refugee Situations*; Nahm, "Bad to Better"; Jacobsen, "Refugee Resources"; Lischer, "Political Order."
[58] Loescher et al., "Regional Dynamics"; Loescher and Milner, *Protracted Refugee Situations*.

misunderstood"[60].

Rwanda achieved remarkable economic growth throughout the 2000s while sporadic conflict continued to flare up in eastern DRC. By 2010, both states were comparatively more stable than most other countries of mass refugee displacement where open conflict persisted. They had signed multilateral agreements and put in place mechanisms to facilitate repatriation – yet their exiled nationals did not return. Even more unexpectedly, rates of return to Rwanda, arguably the state further along in post-conflict socio-economic reconstruction, decreased more than those to the DRC (Figure 1.2). These cases are significant pieces of the puzzle. Why are Rwandan and Congolese refugees reluctant to repatriate? And what happens when they do return to their countries of origin?

Much of the research on this subject is based on singular contexts of exile or instances of repatriation.[61] This study compares two refugee populations and examines multiple sites of refuge and return to parse the particularities of these complex cases and ascertain context-specific and generalizable trends pertinent to similar situations of protracted displacement. In this manner, the study is 'heuristic' or 'hypothesis-building'.[62] A vast literature explores repatriation and its determinants, while the same process in circumstances of cyclical flight in protracted refugee situations has received only scant attention. Such situations are, arguably, not exceptions to the rule, but its exemplars. This study attempts to address this lacuna in research. It is not only about why people return, but also about why they refuse to. Most importantly, the study furthers disciplinary understandings of a phenomenon crucial not only to national and international security, but to humanitarian rights (and abuses), explicitly

[60] Stedman and Tanner, *Refugee Manipulation*, 1.
[61] John R. Rogge, "Repatriation of Refugees: A Not So Simple 'Optimum' Solution," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 14–49; Joshua Akol, "Southern Sudanese Refugees: Their Repatriation and Resettlement After the Addis Ababa Agreement," in *Refugees: A Third World Dilemma*, ed. John Rogge (Rowman and Littlefield, 1987); Jeff Crisp, "Ugandan Refugees in Sudan and Zaire: The Problem of Repatriation," *African Affairs* 85, no. 339 (1986): 163–80; Fred Cuny and Barry Stein, "Prospects and Promotion of Spontaneous Repatriation," in *Refugees and International Relations*, ed. Gil Loescher and Laila Monahan (New York: Oxford University Press, 1989), 293–312; Paul Rabe, "Voluntary Repatriation: The Case of the Hmong in Ban Vinai" (Indochinese Refugee Information Centre, Occasional Paper Series, Chulalongkorn University, Bangkok, 1990); John R. Rogge, "Report on the Medium and Longer Term Resettlement and Reintegration of Displaced Persons and Returning Refugees in the Proposed Kurdish Autonomous Region of Iraq" (New York: UNDP, 1991); Tim Allen and Hubert Morsink, eds., *When Refugees Go Home: African Experiences* (Oxford: James Currey Ltd, 1994).
[62] Arend Lijphart, "Comparative Politics and the Comparative Method," *American Political Science Review* 65, no. 3 (1971): 692; Harry Eckstein, *Regarding Politics: Essays on Political Theory, Stability, and Change* (Berkley: University of California Press, 1992), 94.

contributing to what George and Bennett cite as one of the 'chief goals of political science... provid[ing] policymakers with generic knowledge that will help them form effective strategies.'[63] When these strategies refer to populations trapped in protracted displacement, having survived years of flight, loss, and conflict, the dire need to fulfil this goal cannot be understated.

1.2 METHODOLOGY

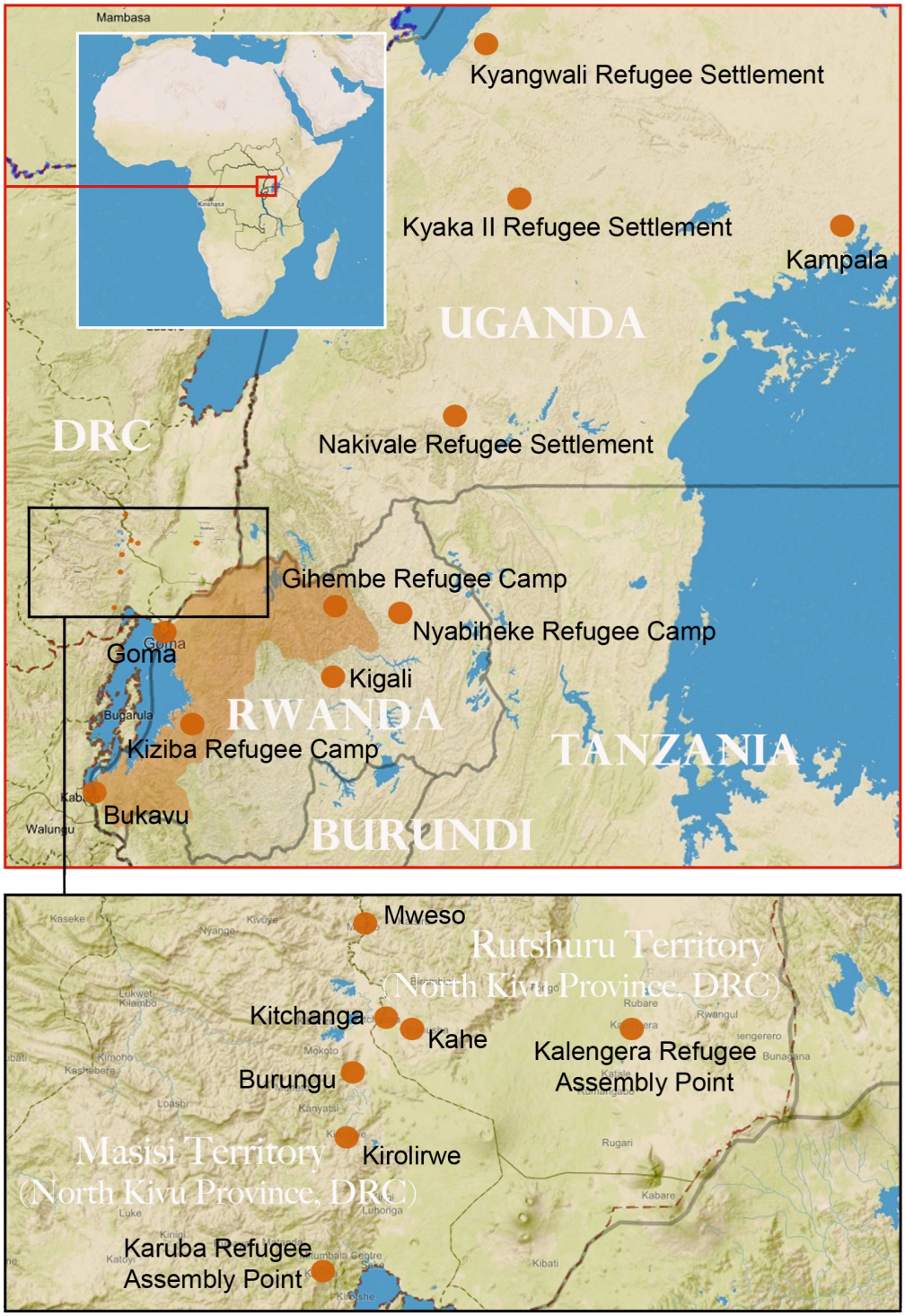
This study is based on a year and a half of fieldwork conducted in Rwanda, Uganda, and the DRC in the summer of 2009, throughout 2011, and in November 2013. The geographical scope of the research was limited to the provinces of North Kivu (specifically Masisi and Rutshuru Territories and Goma) and South Kivu (Bukavu) in eastern DRC; Western and Northern Provinces of Rwanda and Kigali (in addition to the Gihembe, Kiziba, and Nyabiheke Refugee Camps); and Kampala in Uganda (as well as Nakivale, Kyangwali, and Kyaka II Refugee Settlements) (Map 1.1). The research focused on assessing Congolese and Rwandan refugees' recollections of displacement, information concerning their countries of origin, and perceptions of both exile and return. Research also included monitoring subsets of these populations' actual repatriation where it did occur (the ongoing facilitated return of Rwandan refugees from DRC and Uganda and the spontaneous return of Congolese refugees from Rwanda to Masisi and Rutshuru).

Field data was gathered through elite interviews, semi-structured interviews, and focus groups conducted in capital cities, refugee assembly points, transit centres, camps and settlements, and in communities of return.

[63] Alexander L. George and Andrew Bennett, *Case Studies And Theory Development In The Social Sciences* (Cambridge: MIT Press, 2005), 7.

MAP 1.1

FIELDWORK SITES



- Shaded area in Rwanda indicates locations of communities of return from DRC.

Maps sourced from IPIS, "Conflict Mapping," *International Peace Information Service (IPIS)*, 2015, http://ipisresearch.be/home/conflict-mapping/.

The first phase of research involved elite interviews in Kigali, Kampala, Goma, and Bukavu with representatives of UNHCR, *Commission Nationale pour les Réfugiés* (CNR), National Council for Refugees (NCR), Ministry of Gender and Family Promotion (MIGEPROF), Ministry of Disaster Management and Refugee Affairs (MIDIMAR), International Committee of the Red Cross (ICRC), Save the Children (SCUK), United Nations Children's Fund (UNICEF), Alert International, Amnesty International (AI), Human Rights Watch (HRW), *Mission de l'Organisation des Nations Unies en République Démocratique du Congo* (MONUC) (later *Mission de l'Organisation des Nations Unies pour la stabilisation en RD Congo* [MONUSCO]), MONUSCO's Disarmament, Demobilization, Repatriation, Resettlement and Reintegration programme (DDRRR), Rwanda Governance Advisory Council, Mutobo Demobilisation Centre, National Unity and Reconciliation Council (NURC), Refugee Law Project (RLP), International Refugee Rights Initiative (IRRI), Ministry of State for Department of Relief, Disaster Preparedness, Management and Refugees in Office of the Prime Minister (OPM), American Refugee Committee (ARC), Jesuit Refugee Service (JRS), and the Rwanda Demobilisation and Reintegration Commission (RDRC). Elite interviews were also conducted with local government and community representatives in areas of return and in refugee camps and settlements.

The second phase of research comprised semi-structured interviews with repatriating refugees at Karuba (Masisi Territory) and Kalengera (Rutshuru Territory) Assembly Points (30-31 July 2009) and Goma and Bukavu Transit Centres (4-10 September 2009, 4-9 July 2011, and 9-24 November 2011), through which repatriating Rwandan refugees from North and South Kivu (DRC) are routed. A total of 107 interviews, each lasting between 10 and 30 minutes, were conducted in these locations. A focus group, lasting three hours, was completed at the Nkamira Transit Centre outside Gisenyi, Rwanda (4 September 2009). Respondents were then randomly selected to be re-interviewed concerning their experiences of reintegration in their local communities in Northwest Rwanda, where the greatest majority of repatriates return. A total of ten focus groups, comprising seven to eight participants each, were conducted with members of receiving communities. Repatriates' relatives participated in semi-structured interviews, while elite interviews were carried out with executive secretaries of *cells*[64] of return. This exercise was completed in 2009 (two weeks following initial interviews) and repeated in 2011 (one week after first interviews and four months after initial interviews), when repatriates interviewed in 2009 were relocated and ten repatriates from the

[64] Smallest administrative unit in Rwanda.

second exercise were sought to convey their experiences of return.

This research design, inspired by capture-recapture methodology,[65] was an exercise in literal process tracing[66] – I followed repatriates' journeys from refugee assembly points and transit centres to their communities of return. These communities are predominantly remote villages, located close to the DRC border, and many repatriates had relocated numerous times since arriving in Rwanda or given fictitious names prior to repatriation. Due to these difficulties, only three of the ten randomly selected returnees were located in 2009; only one of the ten (also interviewed in 2009) was found in 2011. It was possible to find only six of the ten repatriates randomly selected from interviews conducted in 2011. Notably, none were found in the communities indicated as those of return during interviews at transit centres prior to repatriation. The difficulties of researching such processes across these contexts have been eloquently noted throughout similar studies, and thus will not be elaborated upon here.[67]

The next phase of research involved twelve focus groups of five to seven returnees (two in each *collectivité*) with spontaneously repatriated Congolese refugees in Kitchanga, Mweso, Burungu, and Kirolirwe (Masisi Territory) and Kahe (Rutshuru Territory) (10-24 July 2011). Each focus group lasted approximately three hours. Locations were chosen based on interviews with officials working for CNR Goma. These repatriations were the most recent and encompassed the most geographically concentrated returnee populations. The security context, as well as the acquired permissions and access documents from the Governor's Office in Goma, allowed for research in these militarised areas.

The last phase of research entailed focus groups and semi-structured interviews in three refugee camps in Rwanda (Gihembe, Kiziba, and Nyabiheke, in Gicumbi, Karongi, and Gatsibo Districts, respectively [23 May-20 June 2011]), three refugee settlements in Uganda

[65] Elżbieta M. Goździak and Micah N. Bump, *Data and Research on Human Trafficking: Bibliography of Research-Based Literature* (Washington DC: DIANE Publishing, 2011), 10, 45.
[66] Stephen van Evera, *Guide to Methods for Students of Political Sciences* (Ithaca: Cornell University Press, 1997), 64, 70.
[67] Tania Kaiser, "Between a Camp and a Hard Place: Rights, Livelihood and Experiences of the Local Settlement System for Long-Term Refugees in Uganda," *The Journal of Modern African Studies* 44, no. 04 (2006): 600; Zetter, "Unlocking Protracted Displacement," 5, 8; Dawn Chatty and Nisrine Mansour, "Unlocking Protracted Displacement: An Iraqi Case Study," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 53–54; Liisa H. Malkki, *Purity and Exile: Violence, Memory, and National Cosmology Among Hutu Refugees in Tanzania* (Chicago: University of Chicago Press, 1995), 47–51; Terence Ranger, "Studying Repatriation as Part of African Social History," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 279–283; Allen and Morsink, "Introduction," 2.

(Nakivale, Kyangwali, and Kyaka II, in Isingiro, Hoima, and Kyenjojo Districts, respectively) and in Kampala (15 August-29 October 2011 and 3-6 November 2013). These sites were chosen following consultations with representatives of UNHCR, MIDIMAR, OPM, and RLP, as they offered the greatest geographical concentrations of Congolese refugees in Rwanda, and Congolese and Rwandan refugees in Uganda, at the time of fieldwork. Approximately one consecutive week of research was conducted in each camp and settlement, while semi-structured interviews and focus groups were held in Kampala during periods between settlement visits. It must be noted that the vast majority of refugees in both Rwanda and Uganda are Congolese and Tutsi, while most Rwandan refugees in Uganda and DRC are Hutu.

One focus group was conducted in every quarter of each of Rwanda's refugee camps. Each focus group lasted approximately three hours and included eight to twelve people. Three focus groups were conducted with youths (18-26 years of age) and another three with elders (55 years of age and above) in each camp. Again, each focus group lasted approximately three hours. Additionally, another focus group was conducted with local business owners outside Byumba, close to Gihembe Refugee Camp. No interviews were conducted with members of the local community outside Nyabiheke and Kiziba camps as they are situated on remote hilltops, far from the nearest towns of Ngarama and Kibuye, respectively. Unfortunately, the Director of Kiziba Refugee Camp was not available for consultation.

Focus groups conducted in each of Uganda's refugee settlements were of the same composition and duration as those undertaken in Rwanda. In this context, however, it was not possible to conduct them with specific age groups due to the population's fear of repatriation. Assembling the groups involved much explanation and parents felt more comfortable for their children to participate in their presence. Thus, all focus groups included youths (18-26 years of age), adults (27-54 years of age), and elders (55 years of age and above). Following the conclusion of each focus group, about six semi-structured individual interviews were conducted with focus group members who felt uncomfortable sharing specific experiences and perceptions in a group setting.

Twenty-six focus groups were conducted in Nakivale Refugee Settlement. Focus groups were conducted in all eight of the settlement's areas, focusing on zones within them containing large Rwandan or Congolese populations. Two focus groups, one with Rwandan and the other with Congolese refugees, were conducted in zones with mixed populations. In

Kyangwali Refugee Settlement, 22 focus groups were conducted throughout the settlement's 14 villages. Since Congolese refugees reside in all villages, while the small Rwandan population (209 people, at the time of fieldwork), is concentrated in four, a focus group with Congolese refugees was conducted in each village, while two focus groups with Rwandan refugees were conducted in each of the four villages in which this population resides. A similar strategy had to be employed in Kyaka II Refugee Settlement. A focus group with Congolese refugees was conducted in each of the nine zones, while two focus groups with Rwandan refugees were conducted in each of the six zones inhabited by the population. An extra focus group was conducted with Congolese refugees in the only zone with a completely homogeneous population. Like in Kyangwali, 22 focus groups were conducted in Kyaka II Refugee Settlement.

The duration and composition of each of the four focus groups conducted with Rwandan and Congolese refugees in Kampala mirrored that of those undertaken in settlements. It was not possible to conduct focus groups with specific age groups due to the dispersion of the populations throughout Kampala. All focus groups, however, included youths (18-26 years of age), adults (27-54 years of age) and elders (55 years of age and above). Additionally, twenty semi-structured individual interviews, each lasting approximately three hours, were conducted with Rwandan and Congolese urban refugees in Kampala.

To facilitate research, three local moderators, fluent in Kinyarwanda, Kiswahili, French, and English, were employed; two were Congolese and one was Rwandan. These moderators were familiarised with the study, attentive to group dynamics, and aware of the effects of their presence and mediation, levels of self-disclosure, and discussion guidelines. The sets of questions asked at assembly points, transit centres, within local communities of return, and in refugee camps and settlements were kept as constant as circumstances allowed in order to facilitate comparative analysis. Interview maps focused on demographic and sociometric data; displacement history; understandings of durable solutions; perceptions of conditions in exile, host and home states; and forms and sources of information concerning countries and communities of origin.

Responses and interpretations of these questions were reviewed on a daily basis in meetings with moderators to assure validity and reliability and resolve any possible ambiguities. The team retained contact information for all respondents. Following evening reviews of collected data, specific individuals were contacted again where clarification was needed or

contradictions arose during the course of data collection. Participation was, of course, voluntary, while respondents' identities were preserved or anonymised depending on their individual preferences. A saturation method of sampling was employed; interviews were conducted until each successive examination of sources yielded only redundant information without usefully reinforcing previous results.[68] Repatriation is a hectic process, and systematic surveys of returnees could not be conducted in a post-genocide setting because of how such lists were used in the genocide itself.

This fieldwork posed countless challenges. It took nearly six months to obtain research clearance from the Uganda National Council for Science and Technology. I then faced difficulties acquiring access to Uganda's refugee settlements and Rwanda's refugee camps. Likewise, research in Masisi and Rutshuru entailed negotiating local, territorial, and provincial bureaucracies in addition to conducting interviews in militarised settings. Much of this data was unusable because the respondents and I were under constant supervision of soldiers, government representatives, or camp commanders. In other cases, respondents' answers were hampered by discomfort resulting from the nationality and/or ethnicity of my moderators or assumptions I was a government employee.

In the worst instances, respondents simply lied. At the Bukavu Transit Centre, for example, former Rwandan combatants claimed to have never been members of any armed group and to have no access to mobile telephones or connections outside the centre. Through participant observation and subsequent interviews, I discovered the very opposite to be the case. I experienced similar difficulties at Mutobo Demobilisation Centre in Rwanda. Here, my repeated visits and participation in the programme enabled me to gain respondents' trust, countering their initial dismissal and deception. Likewise, research with repatriates in Northwest Rwanda, due to their fears of the government and suspicion of strangers, would not have been possible if I had not met these individuals in the DRC and arranged my visits to their communities of return prior to repatriation. Despite these advantages, I still lacked adequate time and resources to locate more than a few of these repatriates. Many of these challenges evoke issues related to reflexivity, essentially our own role in – and impact on – our studies as researchers involved in data collection and analysis.[69] The mutual process of

[68] Egon G. Guba and Yvonna S. Lincoln, *Effective Evaluation* (San Francisco: Jossey-Bass Publishers, 1981), 100.
[69] Mark Easterby-Smith and Danusia Malina, "Cross-Cultural Collaborative Research: Toward Reflexivity," *Academy of Management Journal* 42, no. 1 (1999): 76–86; Mary Jo Hatch, "The Role of the Researcher: An Analysis of Narrative Position in Organization Theory," *Journal of Management*

translation and negotiation of identities, motivations, assumptions, and expectations creates not only researchers and research subjects, but also affects and changes both groups and the research site. These processes occur in all studies, but their effects may be exacerbated when researchers and their community engage more influentially in participants' social networks, which is why I return to these dynamics in subsequent chapters.

To enhance the rigour of my methodology, and in light of the complexities of the research, I triangulated findings from interviews and focus groups with NGO and government reports, press releases, and similar studies by other researchers. Where contradictions occurred, I tried to address them through follow-up interviews. By and large, refugee communities shared common views of flight, refuge, and return. Outlying opinions are noted as such in the text. Some historical inaccuracies emerged over the course of interviews, particularly in reference to pre-colonial and colonial migrations. The purpose of this study, however, was not truth-seeking. I sought to assess refugees' perceptions of repatriation – whether they resisted or rebelled against it or returned to their countries of origin.

By far, the most difficult aspect of fieldwork was returning on subsequent trips to discover that many of the people I knew, along with their children and neighbours, had perished, finding villages razed to the ground, buildings reduced to ruins. The very subject of this study necessitated close contact with victims and perpetrators, and never is this division as clear as theory would lead us to believe. The people with whom I worked, refugees, combatants, and moderators alike, have all experienced war, death, and terror – atrocities that are emotionally difficult to accept. They are victims, but that does not render them powerless. In this regard, Clapham points out:

> It is impossible for academic observers to remain indifferent to the human and moral dimensions of the events that they study and difficult to assert that they should even attempt to do so; and a measure not only of sympathy for the victims of these events, but of tacit support for those who are seen as, at any rate, less guilty than their opponents, is an inescapable part of the exercise.[70]

Inquiry 5, no. 4 (1996): 359–74; Paul Jeffcutt, "From Interpretation to Representation in Organizational Analysis: Postmodernism, Ethnography and Organizational Symbolism," *Organization Studies* 15, no. 2 (1994): 241–74; Ray Holland, "Reflexivity," *Human Relations* 52, no. 4 (1999): 463–84.

[70] Clapham, *African Guerrillas*, 18.

Clapham makes 'no claim to an objectivity which is conceptually, and not just in practice, impossible to attain'[71], and nor do I. Such objectivity is not only impossible; it is undesirable. This study, much like Clapham's, seeks to enhance understanding of a phenomenon that urgently calls for attention, touching on national and regional security, post-conflict reconstruction, development, and the way they are advanced through repatriation, or its absence, as the case may be. Most importantly, this study bears on those who have spent decades in exile, fleeing devastating regional wars whose media coverage dwindled over the years. It tries to counter the international silence to which they have been relegated, attempting to return the voice denied them for nearly two decades.

1.3 REPATRIATION IN RETROSPECT: LITERATURE REVIEW AND THEORETICAL FRAMEWORK

What follows is a brief account of extant theories and studies of repatriation and how this research area has developed and changed historically. It is also an overview of how prominent scholars and researchers engaged with similar puzzles. It provides theories based on their findings that are pertinent to my own investigation.

1.3.1 ROMANTICISING REPATRIATION

In our collective consciousness, the world is drawn as shapes of numerous colours, demarcating states that become synonymous with countries, nations, lands, and soils. Malkii describes this rarely questioned 'territorialisation of identity'[72] as the 'national order of things'[73], which is also the 'natural order of things'[74], articulated through the 'international cultural grammar of nationhood'[75]. This discourse collapses concepts of nations and countries, peoples and soils, homelands, fatherlands, and motherlands – metaphorically rooting people in place[76]

[71] Ibid.
[72] Liisa Malkki, "National Geographic: The Rooting of Peoples and the Territorialization of National Identity Among Scholars and Refugees," *Cultural Anthropology* 7, no. 1 (1992): 24–44; Liisa H. Malkki, "Refugees and Exile: From 'Refugee Studies' to the National Order of Things," *Annual Review of Anthropology* 24, no. 1 (1995): 495–523; Malkki, *Purity and Exile*.
[73] Malkki, "National Geographic," 27.
[74] Ibid.
[75] Malkki, "Refugees and Exile," 516.
[76] Malkki, "National Geographic," 27–28.

and dividing 'Sons of the Soil'[77] from reluctantly adopted children. The conceptual conflation inherent in this discourse 'is incarcerating but also theorizing and extremely romantic.'[78] This 'sedentarism in our thinking'[79], in Malkii's words, is so self-evident that it has become imperceptible, extant outside academic debate as an assumption deeply imbedded in European political theory of 19th-century nationalism, as Allen, Turton, and Ranger all argue.[80] This discourse manifests itself in practice as individuals take seeds or soil from their country prior to leaving it, politicians and national heroes kiss the earth upon their return, and ashes and bodies of those who perished in foreign lands are returned to their nation's soil.[81]

This 'sedentarism'[82], exercising 'a tyranny over the imagination'[83], also shapes the conceptualisation of displacement, which is articulated as 'uprootedness'[84]. The territorialising metaphors of identity – roots, soils, trees, seeds – are washed away in human floodtides.'[85] Thus, 'broken and dangling roots predominate – roots that threaten to wither, along with the orderly loyalties of citizenship in a homeland.'[86] Refugees become a problem, a danger to their hosts, and remain encamped in countries of asylum.[87] In the same language, non-refugees are discussed in terms of 'citizenship and nationality, origins and nativeness, nationalisms and racisms, and the concepts of identity, ethnicity and culture.'[88] Various authors note that this national order of things also inherently posits return as the equally obvious solution to displacement.[89]

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[77] James Fearon and David Laitin, "Sons of the Soil, Migrants and Civil War," *World Development* 39, no. 2 (2011): 199–211.
[78] Malkki, "National Geographic," 29.
[79] Ibid., 31.
[80] Allen and Turton, "Cool Ground," 10–11; Terence Ranger, "Concluding Reflections on Cross-Mandates," in *In Search of Cool Ground: War, Flight and Homecoming in Northeast Africa*, ed. Tim Allen (London: James Currey Ltd, 1996), 321.
[81] Malkki, "National Geographic," 26–27.
[82] Ibid., 31; Allen and Turton, "Cool Ground," 10–11.
[83] Ranger, "Concluding Reflections," 321.
[84] Malkki, "National Geographic," 27, 31.
[85] Malkki, *Purity and Exile*, 15–16.
[86] Malkki, "National Geographic," 32.
[87] Loescher and Milner, *Protracted Refugee Situations*; Malkki, "National Geographic"; Malkki, *Purity and Exile*; Gaim Kibreab, "Local Settlements in Africa: A Misconceived Option?," *Journal of Refugee Studies* II, no. 4 (1989): 468–90.
[88] Malkki, "Refugees and Exile," 515.
[89] Laura Hammond, "Examining the Discourse of Repatriation: Towards a More Proactive Theory of Return Migration," in *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction*, ed. Richard Black and Khalid Koser (Oxford: Berghahn Books, 1999), 232; Allen and Turton, "Cool Ground," 10–12; Ranger, "Concluding Reflections," 321; Malkki, "Refugees and Exile," 516.

Despite the romanticised images of return as a natural and necessary re-rooting of peoples in place painted by this discourse, very real and practical reasons exist to pursue repatriation for refugees. Kibreab argues compellingly that people's roots in place, the territorialisation of identity, is a reality because of the rights secured by membership in a sovereign state that occupies a defined territory – the rights of citizenship.[90] A 'territorially-anchored identity'[91], citizenship affords access to sources of livelihoods and social services, rights of freedom of movement, residence, and equal treatment. Kibreab and Hovil stress that this reality is particularly salient in Africa, where the majority of the population's survival is inextricable from land access, contingent on territorially-anchored identity.[92] More often than not, these rights cannot be secured in countries of asylum, governed by social and institutional barriers that preclude refugees' incorporation into the host society on a level equivalent to that of citizens.[93] In many developing countries, citizenship is inseparable from nationality – access to its rights and privileges is not based on residence. 'In most cases, a person has no entitlement to rights of citizenship outside his or her own country of origin.'[94] Usually, only through repatriation can this bond be (re)asserted and the rights of citizenship (re)secured.

This realisation leads the international community, in tandem with host and home states, to embrace return, as Opondo, Kibreab, and Lindley all conclude.[95] In the same vein, Hovil points out that only through repatriation is national identity (re)instated and 'legitimacy to belong' asserted, especially where land, and its (re)acquisition, are wedded to the concept of citizenship itself, as in the cases of Burundian returnees and Congolese refugees who were the

[90] Gaim Kibreab, "Revisiting the Debate on People, Place, Identity and Displacement," *Journal of Refugee Studies* 12, no. 4 (1999): 385, 408; Gaim Kibreab, "Rejoinder to the Replies by Daniel Warner, Finn Stepputat and David Turton," *Journal of Refugee Studies* 12, no. 4 (1999): 426–427; Gaim Kibreab, "Left in Limbo: Prospects for Repatriation of Eritrean Refugees from the Sudan and Responses of the International Donor Community," in *In Search of Cool Ground: War, Flight and Homecoming in Northeast Africa*, ed. Tim Allen (Oxford: James Currey Ltd, 1996), 53.
[91] Kibreab, "Revisiting the Debate," 385.
[92] Ibid., 387; Lucy Hovil, "'Two People Can't Share the Same Pair of Shoes': Citizenship, Land and the Return of Burundian Refugees to Burundi," Working Paper No. 2, Citizenship and Forced Migration in the Great Lakes Region (IRRI, November 2009), 1.
[93] Kibreab, "Revisiting the Debate," 389, 400, 402.
[94] Kibreab, "Citizenship Rights and Repatriation," 47.
[95] Enoch O. Opondo, "Refugee Repatriation in the Horn of Africa: A Contextual Overview of Some Socio-Economic, Legal and Administrative Constraints," in *In Search of Cool Ground: War, Flight and Homecoming in Northeast Africa*, ed. Tim Allen (Oxford: James Currey Ltd, 1996), 23; Kibreab, "Revisiting the Debate," 390, 407; Kibreab, "Rejoinder," 425; Anna Lindley, "Between a Protracted and a Crisis Situation: Policy Responses to Somali Refugees in Kenya," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 27.

subjects of her extensive research.[96] Authors who support sedentarist views presented by Malkii also concede to these arguments. Warner and Stepputat, for example, agree that the state is the locus of citizenship rights, while simultaneously stressing that the territory itself must be 'decoupled from mythic importance'[97], as it is not the romanticised nation-state that is of utmost importance, but the rights of membership associated with it[98].

1.3.2 REALISING REPATRIATION

Repatriation, perhaps due to the presumed innateness of the imagined romanticism of nation-state reunification as much as the practicality of rights inherent in this relationship, remained understudied for a long time. Hammond refers to this bias as the 'repatriation – homecoming model'[99], saturated with alliteration that confounds repatriation with 'reintegration, rehabilitation, reconstruction, rebuilding, readjustment, readaptation, recculturation, reassimilation, reinsertion, reintroduction, recovery, re-establishment'[100]. Thus, only scant information is available concerning returnees' efforts to establish themselves politically, socially, and economically following repatriation.[101] Hammond attributes the lack of research to 'the organisational self-interest of the agencies involved'[102]: recognition of difficulties experienced upon return would question the tacit conclusion that repatriation is the optimal response to the refugee crisis. Rogge, Allen, and Turton add that governments resent research on the reintegration process, while international agencies are cautious of carrying it out; it infringes on the sovereignty of the former while being outside the mandates of the

[96] Lucy Hovil, "Shadows of Return: The Dilemmas of Congolese Refugees in Rwanda," Citizenship and Displacement in the Great Lakes Region (IRRI, July 2011), 4,9; Hovil, "Pair of Shoes," 3, 13, 15, 20, 33.
[97] Daniel Warner, "Deterritorialization and the Meaning of Space: A Reply to Gaim Kibreab," *Journal of Refugee Studies* 12, no. 4 (January 1, 1999): 414.
[98] Ibid., 413; Finn Stepputat, "Dead Horses?," *Journal of Refugee Studies* 12, no. 4 (January 1, 1999): 416–417.
[99] Hammond, "Discourse of Repatriation," 229.
[100] Ibid., 231.
[101] Ibid., 227, 333; Allen and Turton, "Cool Ground," 1–2; Rogge, "Repatriation of Refugees," 15; Richard Black and Khalid Koser, eds., *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction* (Oxford: Berghahn Books, 1999), 120; Marita Eastmond and Joakim Ojendal, "Revisiting a 'Repatriation Success': The Case of Cambodia," in *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction*, ed. Richard Black and Khalid Koser (Oxford: Berghahn Books, 1999), 54; Malkki, *Purity and Exile*, 260; Allen and Morsink, "Introduction," 1–13; Roger Zetter, "The Greek-Cypriot Refugees: Perceptions of Return under Conditions of Protracted Exile," *International Migration Review* 28, no. 2 (July 1, 1994): 307; Malkki, "Refugees and Exile," 509.
[102] Hammond, "Discourse of Repatriation," 233.

latter.[103]

Walsh, Black, and Koser also support Allen and Turton's observations concerning the problems inherent in studying repatriation: some returnees relocate numerous times upon return, never settling in their areas of origin; others refuse to be identified as repatriates; the vast majority are geographically dispersed; and it may take many years before the effects of return can be truly assessed.[104] As a result, research on repatriation initially focused on legal, political, and operational aspects of return in specific cases, as Allen and Morsink describe.[105] Later studies explored preparations for return,[106] the actual process of return,[107] and integration and reconstruction following repatriation.[108] Despite such advancements, Preston still contends that we do not know enough about the microlevel of individuals as they embark upon return or their experiences once they reach their countries of origin.[109]

Another aspect of this dilemma is rooted in contemporary developments that resulted in repatriation being not only the preferred solution, but the only one. Until the early 1980s, the refugee problem had been resolved in the context of exile.[110] Since then, UNHCR's Executive Committee has propagated repatriation as 'the most desirable solution to the refugee problem'[111], partly because most developing countries refuse to accept these populations on a permanent basis while affluent Western states pursue restrictive asylum policies and practices.

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[103] Rogge, "Repatriation of Refugees," 22; Allen and Turton, "Cool Ground," 1.
[104] Martha Walsh, Richard Black, and Khalid Koser, "Repatriation from the European Union to Bosnia-Herzegovina: The Role of Information," in *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction*, ed. Richard Black and Khalid Koser (Oxford: Berghahn Books, 1999), 110–25; Black and Koser, *Refugee Cycle*, 120.
[105] Allen and Morsink, "Introduction," 2.
[106] Stella Tandai Makanya, "Preparing for Repatriation: A Survey of Information Needs of Mozambican Refugees in Malawi" (Harare: Save the Children Fund, 1993); Jonathan Bascom, "The Dynamics of Refugee Repatriation: The Case of Refugees in Eastern Sudan," in *Population Migration and the Changing World Order*, ed. WTS Gould and AM Findlay (Chichester: John Wiley and Sons, 1994), 225–48.
[107] Joshua Akol, "A Crisis of Expectations," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (London: James Currey Ltd, 1994), 78–95; Barry Stein, "Ad Hoc Assistance to Return Movements and Long-Term Development Programmes," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (London: James Currey Ltd, 1994), 50–70.
[108] Allen and Turton, "Cool Ground."
[109] Rosemary Preston, "Researching Repatriation and Reconstruction: Who Is Researching What and Why?," in *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction*, ed. Richard Black and Khalid Koser (Oxford: Berghahn Books, 1999), 23.
[110] Kibreab, "Citizenship Rights and Repatriation," 25.
[111] Ibid., 26; Rogge, "Repatriation of Refugees," 20; B.S. Chimni, "Globalization, Humanitarianism and the Erosion of Refugee Protection," *Journal of Refugee Studies* 13, no. 3 (2000): 243–63.

UNHCR, for its part, is required by donors to deflate its ballooning budget and pressured to actively promote repatriation.[112] Increasing associations of refugee populations with instability and regional conflict led the UN to specify repatriation as crucial to international security.[113] Loescher and Milner argue that this official position served the dual purposes of legitimising UNHCR's promotion of repatriation and UN's interventions into refugees' regions of origin.[114]

In the West, in the wake of 9/11 and America's War on Terror, migration and asylum became associated with transnational terrorism and national insecurity; many countries reacted by fortifying their borders against migrants and adopting severe policies towards asylum-seekers.[115] The US, hailed as the world's largest resettlement country, admits only about 50,000 refugees a year, while European states resettle less than 5,000 refugees annually.[116] Opondo's observation is telling: 'In any given year, less than one per cent of the world's refugees escape the limbo of refugee status either by resettling in third countries or by obtaining citizenships in the country of asylum.'[117] Accounting for these figures, resettlement countries like Canada, for example, cite difficulties of integrating refugees with medical and other settlement problems, at times requiring trauma-counselling and a long adjustment period due to prolonged encampment and inadequate education levels.[118] Resettlement states argue for more time to assess refugees' needs and implement population-specific pre-departure programmes that would enable those selected to successfully 'make the transition from refugee to citizen'[119].

In light of these realities, repatriation is not the preferred solution because it (re)unites nation and state or because it (re)secures the rights of citizenship – repatriation is endorsed because

[112] Allen and Turton, "Cool Ground," 2.
[113] Loescher and Milner, *Protracted Refugee Situations*, 26.
[114] Ibid., 27.
[115] Ibid., 7, 26, 29; Black and Koser, *Refugee Cycle*; Gerald B. Helman and Steven R. Ratner, "Saving Failed States," *Foreign Policy*, no. 89 (1993); James D. Fearon and David Laitin, "Ethnicity, Insurgency and Civil War," *American Political Science Review* 97, no. 1 (2003): 75–90; Magüi Moreno Torres and Michael Anderson, "Fragile States: Defining Difficult Environments for Poverty Reduction" (London: Department for International Development (DFID), 2003); Christopher Cramer, *Civil War Is Not a Stupid Thing: Accounting for Violence in Developing Countries* (London: Hurst & Co, 2006).
[116] Milner and Loescher, "Long Road Home," 166.
[117] Opondo, "Refugee Repatriation in the Horn," 23.
[118] Debra Pressé and Jessie Thomson, "The Resettlement Challenge: Integration of Refugees from Protracted Refugee Situations," *Refuge: Canada's Journal on Refugees* 25, no. 1 (2008): 96.
[119] Ibid., 98.

local integration is rejected by host countries and resettlement is renounced by the others.[120] As the preferable (and only) solution, repatriation is all too often assumed to be much less problematic a process than refuge. Rogge, however, argues that the more repatriation becomes practically and pragmatically inevitable, the greater the risk it will be involuntary and result in return to areas unprepared, or even hostile, to refugees' return.[121] In an ideal world, repatriation would occur only once UNHCR's conditions for its sustainability were met: 'substantial and permanent' change in the conditions that prompted refugees' flight would have occurred; the decision to return would have been made 'freely'; repatriation would have been formally agreed upon by host and home countries; and refugees were able to 'return safely and with dignity'[122]. Even in such circumstances, repatriation would still be a chaotic process riddled by uncertainly, for those making the journey as well as for the state that receives them and the ones left behind. Reality is far from ideal. Repatriation usually masks a flight from deteriorating conditions in refuge or even military action against displaced communities.[123]

Various authors note that even under ideal conditions, return home would be wrought with problems.[124] Warner describes the reactions of Chilean repatriates who recalled their return as arrival in a country they no longer recognised.[125] Rogge and Zetter point out that second-generation refugees may have adopted the cultures and languages of their host states, and may be completely unfamiliar with those of their countries of origin.[126] In such cases, as Bakewell aptly surmises, repatriation is nothing more than migration.[127] Malkii, Hovil, Loescher, and Milner explore the trials of return in the specific case of Burundian refugees in Tanzania,[128]

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[120] Allen and Turton, "Cool Ground," 15; Black and Koser, *Refugee Cycle*, 3; Barbara E. Harrell-Bond, "Repatriation: Under What Conditions Is It the Most Desirable Solution for Refugees? An Agenda for Research," *African Studies Review* 32, no. 1 (1989): 41–69.
[121] Rogge, "Repatriation of Refugees," 20.
[122] Allen and Turton, "Cool Ground," 15.
[123] Ibid.
[124] Malkki, *Purity and Exile*, 260; Allen and Turton, "Cool Ground," 12; Finn Stepputat, *National Conflict and Repatriation: An Analysis of Relief, Power and Reconciliation* (Copenhagen: Centre for Development Research, 1993).
[125] Warner, "Reply to Gaim Kibreab," 412.
[126] Rogge, "Repatriation of Refugees," 42, 45; Roger Zetter, "Reconceptualizing the Myth of Return: Contuity and Transition Amongst the Greek-Cypriot Refugees of 1974," *Journal of Refugee Studies* 12, no. 1 (January 1, 1999): 17.
[127] Oliver Bakewell, *Returning Refugees Or Migrating Villagers? Voluntary Repatriation Programmes in Africa Reconsidered* (UNHCR, 1999), 21–22.
[128] Malkki, *Purity and Exile*, 260; Lucy Hovil, "Going Home or Staying Home? Ending Displacement for Burundian Refugees in Tanzania," Citizenship and Forced Migration in the Great Lakes Region (IRRI, November 2008), 9; Milner and Loescher, "Long Road Home," 167.

while Koser and Black poignantly ask whether 'return to a place called "home" is both possible and desirable'[129].

The answer is ever more daunting considering that most repatriation today is spontaneous and occurs under conflict, raising questions of coercion and protection, not to even mention desirability.[130] Refugees may be returning due to insecurity in the host country – a flight from refuge – and repatriating to countries of origin embroiled in conflict, governed by warlords or rebels.[131] Upon return, repatriates may not be accepted by local populations due to popular perceptions of their association with insurgency movements or abandonment of fellow nationals in times of crises.[132] Conflicts may also arise over property restitution following repatriation, as houses and lands abandoned in flight may have been occupied in the absence of original owners.[133] As Hovil illustrates, citing extensive fieldwork with Burundian repatriates, communal tensions mount as people are forced to share properties, as they wait years for the formal resolution of contested land claims, and as families stretch meagre resources to support returnees who have not been able to reclaim their fields.[134] Wilson, in his study of Namibian repatriates in the late 1980s, adds that problems of land restitution are compounded by returnees' inability to secure gainful employment.[135]

Repatriation, despite the romanticism of its alliteration with reintegration in the national order of things, is not a synonymous concept. Reintegration is *durable* repatriation, essentially a multi-faceted, context-specific process of rebuilding not just communities, but civil society itself.[136] Hovil postulates reintegration as the successful (re)assertion of citizenship and its rights, including land restitution, which is 'intimately connected with people's notions of identity which are, literally, rooted in the soil'[137]: lands are livelihoods and ancestral origins[138]. Land access is associated with socio-economic rights and national identity, components of

[129] Black and Koser, *Refugee Cycle*, 7.
[130] Stein, "Ad Hoc Assistance," 52–56; Opondo, "Refugee Repatriation in the Horn," 30.
[131] Stein, "Ad Hoc Assistance," 65; Rogge, "Repatriation of Refugees," 22.
[132] Rogge, "Repatriation of Refugees," 40.
[133] Karl Derouen and Michael Barutciski, "The Link Between Protracted Refugee Situations and Civil War in Africa: Encouraging a New Direction for Research," *Civil Wars* 9, no. 2 (2007): 216; Rogge, "Repatriation of Refugees," 37; Kibreab, "Citizenship Rights and Repatriation," 27.
[134] Hovil, "Pair of Shoes," 1, 21, 23–27; Hovil, "Going Home," 26.
[135] Ken B. Wilson, "Refugees and Returnees as Social Agents," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 256, 258.
[136] Loescher and Milner, *Protracted Refugee Situations*, 75; Kibreab, "Left in Limbo," 55; Allen and Turton, "Cool Ground," 15; Eastmond and Ojendal, "Revisiting a 'Repatriation Success': The Case of Cambodia," 52.
[137] Hovil, "Pair of Shoes," 3.
[138] Hovil, "Going Home," 4, 6.

citizenship.[139] In her studies of Burundian repatriates, Rwandan refugees in Nakivale Refugee Settlement (Uganda) and Congolese refugees in Gihembe Refugee Camp (Rwanda), Hovil stressed that all populations viewed repatriation as an assumption of 'second class citizenship'[140], which is far from the ideal resumption of state membership that repatriation is presumed to secure. In such instances – reminiscent of the experiences of repatriates to Chad, Ethiopia, Zimbabwe, Mozambique, Angola, Uganda, Rwanda, and Zaïre[141] – the basic bond between citizen and state has not been repaired: 'trust has not taken the place of fear, and loyalty the place of hatred'[142]. Likewise, repatriates to Central America were met with harassment, socio-economic inequality, and problems with land restitution.[143] Failures of reintegration following repatriation to Angola, Burundi, Liberia, Sudan, El Salvador, Guatemala and Somalia resulted in further displacement and return to exile.[144] These cases illustrate that sometimes 'repatriations have turned out to be a most difficult... durable solution to implement,'[145] and return has become simply a continuation of what Opondo called 'refugeeism'[146].

UNHCR is aware that failed reintegration exacerbates the problem of displacement that repatriation is meant to resolve. The organisation's Executive Committee confirmed its 'legitimate interest in consequences of return'[147] and stated its need to be permitted access to returnees as early as 1985. Many countries, however, continued to view long-term monitoring activities of their repatriates as an incursion of state sovereignty; for its part, UNHCR was reluctant to undertake the protection of civilians on their own home soil, which is a responsibility of the state.[148] Instead, the organisation linked aid to development initiatives that benefitted refugees in exile as much as their host communities and self-reliance

[139] Hovil, "Pair of Shoes," 13, 20.
[140] Ibid., 34; Hovil, "Dangerous Impasse," 45; Hovil, "Shadows of Return," 5.
[141] Wilson, "Social Agents," 259; Stella Tandai Makanya, "The Desire to Return: Effects of Experiences in Exile on Refugees Repatriating to Zimbabwe in the Early 1980s," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 120.
[142] Stein, "Ad Hoc Assistance," 65.
[143] Megan Bradley, "Unlocking Protracted Displacement: Central America's 'Success Story' Reconsidered," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 121; Zetter, "Unlocking Protracted Displacement," 12.
[144] Loescher and Milner, *Protracted Refugee Situations*, 75; Allen and Turton, "Cool Ground," 2; Zetter, "Unlocking Protracted Displacement," 12; Lindley, "Between a Protracted," 28; Kallu Kalumiya, "Angola: A Model Repatriation Programme," *Refugee Survey Quarterly* 23, no. 3 (2004): 206–208, 219, 223–224.
[145] Rogge, "Repatriation of Refugees," 14.
[146] Opondo, "Refugee Repatriation in the Horn," 24.
[147] Black and Koser, *Refugee Cycle*, 11.
[148] Allen and Turton, "Cool Ground," 5.

programmes for refugees.[149] This framework for durable solutions is referred to as '4Rs'[150] and evokes the same alliteration expounded on earlier – Rehabilitation and Reconstruction join the compounded concepts of Repatriation and Reintegration. Associated policies of sustainable return are supposed to be implemented by weak states which lack political legitimacy and are characterised by low-level conflict and limited socio-economic development. These efforts were pursued in the context of the same nationalist ideology within which UN resolutions were initially framed, positing repatriation as a 'resolution to suffering'[151] as opposed to a 'complex emergency'[152], which it, arguably, can be. Furthermore, UNHCR cannot raise funds for programmes which fail to coincide with the interests of its major donors, who believe that reintegration assistance is the responsibility of development agencies and the governments whose actions precipitated displacement in the first place.[153] Consequently, regions of return are often neglected, and the success of reintegration is contingent on the efforts of local communities and returnees themselves.[154]

Bartuciski and Chimi argue that, as a result, UNHCR's initiatives have failed to produce tangible results.[155] In a decade, the average duration of protracted refugee situations has more than doubled, increasing from 9 to 19 years between 1993 and 2003 as a result of on-going conflict in the countries of origin, host countries' practices of refugee encampment, and other countries' restrictive asylum policies.[156] While this situation seems to be a state of exception to the normal refugee crisis which is expediently resolved through repatriation, it has become the norm – 'in some sense a perpetual crisis'[157]. Despite evidence that none of the three solutions to the refugee problem are durable in this context, repatriation continues to be propagated by the international community, host and home states alike.[158] African governments view repatriation as the natural resolution to forced displacement.[159] The causes of today's refugee

[149] Derouen and Barutciski, "Protracted Refugee Situations," 214.
[150] Elca Stigter, "Afghan Migratory Strategies - An Assessment of Repatriation and Sustainable Return in Response to the Convention Plus," *Refugee Survey Quarterly* 25, no. 2 (2006): 109; UNHCR Discussion Papers, "Dialogue on Voluntary Repatriation and Sustainable Reintegration in Africa," *Refugee Survey Quarterly* 23, no. 3 (2004): 267.
[151] Allen and Turton, "Cool Ground," 1.
[152] Ibid.
[153] Kibreab, "Left in Limbo," 56.
[154] Stein, "Ad Hoc Assistance," 50, 63; Hammond, "Discourse of Repatriation," 227.
[155] Derouen and Barutciski, "Protracted Refugee Situations"; Chimni, "Erosion of Refugee Protetction."
[156] Loescher and Milner, *Protracted Refugee Situations*, 16.
[157] Zetter, "Unlocking Protracted Displacement," 1.
[158] Derouen and Barutciski, "Protracted Refugee Situations," 216–217.
[159] Rogge, "Repatriation of Refugees," 18.

movements, however, are no longer wars of liberation or early post-independence intrastate struggles; they are persecution and political repression, socio-economic destitution and intractable low-intensity conflicts. Yet it is to this unlikely context that the idealised notion of return as organically reuniting the state with its nation is applied.

Studies of governance in Africa, extrapolating from Westphalian concepts of the nation-state while stressing the continent's exceptionalism, have focused on neopatrimonialism, 'the distinctive hallmark of African regimes'[160]. This body of work emphasizes 'the resilience of clientelism and patronage'[161] in African politics, traced to colonial states characterized by ethnically-defined administrative units and alliances with 'Big Men' rooted in similar pre-colonial structures. The political structures[162] created through these processes entailed 'the political instrumentalization of disorder'[163] where '(dis)order'[164] is a self-reinforcing resource, personalised and legitimated through practices of redistribution. These administrative systems reified ethnic identities and loyalties rather than nationalist ones.[165] It is a paradox that this state, with its history of ethnic patrimonialism, is to be restored, via repatriation, to the natural order. This order is based on the Western ideal of the state, with every population being identified with a unique homeland in a world of sovereign, territorially demarcated states, bound to nations.[166]

The Western ideal of the nation-state, however vehemently contested, remains the guiding principle of refugee policies that favour repatriation. In some African countries, concepts of the state and national identity take on forms that challenge these Western conceptualisations. Realistically, repatriation is an 'untidy process'[167] involving multiple migrations of different populations in various directions, and it is this history of flight and return that best describes

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[160] Michael Bratton and Nicolas van de Walle, "Democratic Experiments in Africa: Regime Transitions in Comparative Perspective," *Journal of Democracy* 9, no. 3 (1998): 51–66.
[161] Bruce Berman, Dickson Eyoh, and Will Kymlicka, "Ethnicity and the Politics of Democratic Nation-Building in Africa," in *Ethnicity & Democracy In Africa*, ed. Bruce Berman, Dickson Eyoh, and Will Kymlicka, 1st ed. (Ohio University Press, 2004), 1.
[162] Bratton and van de Walle, "Democratic Experiments."
[163] Patrick Chabal and Jean-Pascal Daloz, *Africa Works: Disorder as Political Instrument* (London: James Currey Publishers, 1999), 13.
[164] Ibid., 1, 14.
[165] Berman, Eyoh, and Kymlicka, "Ethnicity and the Politics of Democratic Nation-Building in Africa," 5; Eric Hobsbawm and Terence Ranger, eds., *The Invention of Tradition* (Cambridge: Cambridge University Press, 1992).
[166] Allen and Turton, "Cool Ground," 10; Malkki, "National Geographic," 27; David Newbury, "Returning Refugees: Four Historical Patterns of 'Coming Home' to Rwanda," *Comparative Studies in Society and History* 47, no. 02 (2005): 253.
[167] Allen and Turton, "Cool Ground," 7.

the formation of the African state. Paradoxically, it is not repatriation, but displacement, that resonates more with the natural order that defines the continent's history and currently characterizes global trends. Yet it is here that return is most vehemently pursued. The state in Africa is defined by movement – flight from conflict, as well as refuge, and return, or resistance, to it – offering a sobering counter to the romanticised Western construct of the nation-state and challenging the ideals upon which it was forged.

1.3.3 RESISTING REPATRIATION

Considering the effects of romanticism and reality on the conceptualisation and implementation of repatriation, it may be unsurprising that many refugee populations resist return. While various examples above illustrate the inadequacy of repatriation entailing a (re)affirmation of citizenship, Kibreab adds that such rights can, at times, be more readily secured in exile than in the country of origin, especially when exile is a developed country where refugees and legal residents enjoy the rights normally reserved to nationals.[168] In such instances, refugees choose to remain in exile regardless of whether or not the circumstances that prompted their flight have been eliminated.[169] Kibreab, Rogge, and Zetter argue that the decision to repatriate is inextricable from perceptions of livelihood security in host versus home countries: availability of social services like education and healthcare, the provision of physical security, and economic opportunities based on access to arable land.[170] Explaining Burundian refugees' resistance to repatriation from Tanzania, Hovil and Bueno stress fears of insecurity and the inability to reclaim property and secure income-generating activities.[171] Lindley highlights the same factors in accounting for Somalis' reluctance to return from Kenya,[172] while Chatty and Mansour evoke these explanations in their assessment of the situation of Iraqi refugees across Jordan, Lebanon, and Syria[173]. As these studies demonstrate, essentially, comparisons between perceptions of conditions in exile and those in the country of origin determine decisions whether or not to repatriate.[174] Rogge argues that such assessments are influenced by the length of time in exile, degrees of integration in the host

[168] Kibreab, "Citizenship Rights and Repatriation," 24, 37, 46.
[169] Ibid., 45.
[170] Kibreab, "Left in Limbo," 54; Rogge, "Repatriation of Refugees," 35; Zetter, "Greek-Cypriot Refugees," 316.
[171] Lucy Hovil and Olivia Bueno, "Resisting Repatriation: Burundian Refugees Struggling to Stay in Tanzania" (IRRI, September 2011), 8, 10.
[172] Lindley, "Between a Protracted," 28.
[173] Chatty and Mansour, "Unlocking Protracted Displacement," 52, 63.
[174] Kibreab, "Citizenship Rights and Repatriation," 59.

society, pressures to repatriate, security in areas of origin, and the extent of political change in the home country.[175] To these factors, Zetter adds the nature of assistance programmes available upon return.[176]

In other cases, as Koser and Black note, refugees do not repatriate because return to areas of origin marked by continued low-level conflict is simply not possible.[177] Much like resisting repatriation may not be particularly voluntary, neither may return. Rogge and Hammond point out that repatriation is not a clear choice in situations where those who opt not to return are faced with decreased access to aid and social services, camp closures, or harassment by local security forces and populations.[178] Pottier elaborates on these concepts using the case of Rwandan refugees repatriated from Mugunga Camp in eastern Zaïre,[179] while Hovil explores the return of Burundians from Tanzania, repatriated despite the fact that only twenty per cent of their population expressed a desire to do so[180] .

Such cases are indicative of the state of Africa's refugees. According to Rogge, 'there is mounting spectre that a significant portion of the refugee population is unlikely ever to return – several African states are, essentially, in the process of becoming permanent countries of asylum."[181]UNHCR describes these 'protracted refugee situations' as ones in which 'refugees' find themselves in a long-lasting and intractable state of limbo.'[182] Loescher and Milner stress that these situations are characterised by 'chronic, unresolved and recurring refugee populations,[183], not static ones. Refugee numbers increase and decrease over time and change in terms of composition. Most importantly, as many authors aver, the vast majority of the world's refugees are citizens of this 'state of limbo'[184]. Most of that majority are in Africa.[185]

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[175] Rogge, "Repatriation of Refugees," 32.
[176] Zetter, "Greek-Cypriot Refugees," 307–308.
[177] Black and Koser, *Refugee Cycle*, 7.
[178] Hammond, "Discourse of Repatriation," 231; Rogge, "Repatriation of Refugees," 29.
[179] Johan Pottier, "The 'Self' in Self-Repatriation: Closing Down Mugunga Camp, Eastern Zaire," in *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction*, ed. Richard Black and Khalid Koser (Oxford: Berghahn Books, 1999).
[180] Hovil, "Going Home," 9, 10.
[181] Rogge, "Repatriation of Refugees," 18.
[182] Loescher and Milner, *Protracted Refugee Situations*, 13; Stephen Castles, "Global Perspectives on Forced Migration," *Asian and Pacific Migration Journal* 15, no. 1 (2006): 9.
[183] Loescher and Milner, *Protracted Refugee Situations*, 14.
[184] Derouen and Barutciski, "Protracted Refugee Situations," 215; Loescher and Milner, *Protracted Refugee Situations*, 15; Loescher et al., "Regional Dynamics," 491; Zetter, "Unlocking Protracted Displacement," 1; Chatty and Mansour, "Unlocking Protracted Displacement," 50; Bradley, "Unlocking Protracted Displacement," 84.

Even in instances where their countries of origin have experienced significant post-conflict socio-economic reconstruction, they still resist repatriation – but we fail to fully understand why.

1.4 THESIS STRUCTURE

In the chapters that follow, I examine these explanatory accounts of resistance to repatriation in reference to the case studies of Rwandan refugees in exile in the DRC and Uganda, and Congolese refugees in Rwanda and Uganda. The first part of the thesis focuses on factors identified as determinants of resistance to repatriation. The current body of work, outlined above, stresses duration and nature of exile (including integration and acculturation in the host country and attained socio-economic levels) and pressures exerted by outside forces (host and home states, NGOs, etc.); experiences of flight and the conditions that necessitated it; and the extent of information refugees possess concerning their communities and countries of origin.[186] A chapter is devoted to the investigation of each of these factors, in turn. As these factors failed to fully account for my findings, I introduce supplemental theories and concepts to elucidate them throughout each empirical chapter. Some of the processes and contexts under analysis necessitated greater attention to additional theories than others.

Chapter 2 begins with an account of the entwined historical events that led Rwandan and Congolese refugees to flee their countries of origin. Next, I address the diverse settings and circumstances of their residence in refuge – from Rwanda's camps, Uganda's settlements, and urban centres in these countries' capitals and major cities, to the sporadic conflict that characterises eastern DRC. I use Herman's notions of 'microstates' and 'nomadic microstates'[187] to conceptualise these locations and explore tensions between *de facto* integration and *de jure* segregation. The former is driven by the duration of exile and

[185] Tania Kaiser, "Participating in Development? Refugee Protection, Politics and Developmental Approaches to Refugee Management in Uganda," *Third World Quarterly* 26, no. 2 (2005): 351; Kaiser, "Between a Camp," 598; Milner and Loescher, "Long Road Home," 153; Derouen and Barutciski, "Protracted Refugee Situations," 214; Howard Adelman, *Protracted Displacement in Asia* (Ashgate Publishing, Ltd., 2008).
[186] Kibreab, "Citizenship Rights and Repatriation," 32, 29, 59–61; Rogge, "Repatriation of Refugees," 33; Rogge, "Resettlement and Reintegration," 25; Zetter, "Greek-Cypriot Refugees," 307–308; Makanya, "Desire to Return," 105; Hovil, "Dangerous Impasse"; Hovil, "Shadows of Return."
[187] Hansen Mogens Herman, ed., *A Comparative Study of Thirty City-State Cultures: An Investigation* (Copenhagen: Kgl. Danske Videnskabernes Selskab, 2000), 16.

livelihood strategies, whereas the latter results from refugee-hosting policies that favour repatriation as the most optimal solution to protracted displacement and are thus designed to curtail integration. I then consider this tension outside the contexts of camps and settlements, focusing on urban refugees in Kigali and Kampala; Congolese on the Goma-Gisenyi border; and Rwandans in Goma and Bukavu. The chapter's last section assesses the implementation of the Cessation Clause for Rwandan refugees and refugees' hopes of third country resettlement – additional factors that counter integration on the macrolevel of the international community and host and home states, and on the microlevel of refugees themselves, respectively.

Chapter 3 analyses refugees' experiences of flight, how they shape recollections of homelands and affect community-creation in exile. I begin the chapter by expounding on rights of refuge, then discussing community-creation through the experience of displacement. Next, I address the construction of communal identity through narrative histories, presented in terms of Volkan's concept of 'chosen trauma[s]'[188] and articulated with regard to rights of refuge. I present these sections using thematic excerpts from focus groups, an adaptation of Malkki's 'panels'[189], used to convey standardised historical narratives. The remainder of the chapter focuses on the nature and discourse of exile itself – how communities interpret present challenges through past rights violations. It discusses the realignment of the geography of refuge by newly forged communities, particularly as patterns of residence change in response to rights granted or denied. It then examines the construction of pseudo-citizenship in exile. Lastly, I consider these communities' present grievances, articulated as abuses of their rights of refuge. The discussion of processes of identity formation is grounded in Constructivism.

In Chapter 4, I turn to the information Congolese and Rwandan refugees possess concerning their countries of origin, its sources and dissemination throughout diverse spaces of exile. The vast majority of refugees across Uganda's settlements, Rwanda's camps, and even rebel-held territories of eastern DRC are extremely well-informed, irrespective of their physical proximity to their countries of origin. To investigate this situation, I use theories from information diffusion in network studies, outlined in the chapter's first section. This approach allows me to contextualise the social lives of my respondents, going beyond individual and group identity formation to explore the connections between geographically separated communities. I analyse refugee microstates (conceptualised as such in Chapter 2) as

[188] Vamik Volkan, "On Chosen Trauma," *Mind and Human Interaction* 3, no. 13 (1991): 5.
[189] Malkki, *Purity and Exile*, 57.

overlapping social networks, interconnected by historical patterns of migration and trade. Today, the most peripatetic individuals carry the lifeblood of information through these arteries between the organs of camps and settlements, host and home communities. News, good or bad, is filtered through communal narratives of past grievances – experienced in homelands and consolidated in exile. Information flow is influenced by network structure. In the second half of the chapter, I examine how these factors coalesce into specific configurations of Congolese and Rwandan networks, and what news pulsates through them.

The first topics outlined in the Literature Review and Theoretical Framework – the romanticism and reality of repatriation – are addressed in the thesis' final empirical chapter. Repatriation is the only durable solution to forced displacement that offers the potential to transform the state of origin by reforming the political relationship between the state and citizens inside and outside its territory. Repatriation is truly the (re)establishment of meaningful citizenship when, as mandated by international law, its terms are negotiated; it occurs voluntarily, in safety and dignity; and it includes restitution for rights violations that precipitated flight. Paradoxically, this careful application of Western political thought holds most promise in contexts of fragile, post-conflict states, be they located in Africa or elsewhere. Expanding the discussion from Malkki and Kibreab, I draw on classic and modern applications of social contract theory, Bradley's notion of 'just return'[190], and Long's concept of '*em*patriation'[191], amongst complementary analyses offered by other scholars. I examine the transformative potential of repatriation in the context of returns to the DRC and Rwanda. First, I look at Congolese repatriations from Rwanda's camps to rebel-held eastern DRC between 1999 and 2013. Then, I address the experiences of Rwandan repatriates from the DRC in 2009 and 2011.

Chapter 6 concludes the thesis, attempting to ascertain whether these pieces aid in resolving the puzzle. It examines regional developments following the period of fieldwork, summarises the study's findings, and assesses their possible generalisation to other cases of protracted displacement. As no holistic theory concerning the determinants of repatriation (or resistance to it) exists, I consider the interlinked, dynamic relationships between the identified explanatory factors, nuanced and conceptualised throughout each preceding chapter as *processes*.

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[190] Megan Bradley, "Back to Basics: The Conditions of Just Refugee Returns," *Journal of Refugee Studies* 21, no. 3 (2008): 285–286.
[191] Katy Long, "State, Nation, Citizen: Rethinking Repatriation," *Refugee Studies Centre, University of Oxford*, Working Paper Series No. 48, August 2008, 39.

CHAPTER 2

HISTORIES OF FLIGHT AND PRESENT RESIDENCIES IN REFUGE

2.1 INTRODUCTION

Congolese and Rwandan refugees residing in refuge across Uganda, Rwanda, and the DRC inhabit a myriad of diverse settings and circumstances – from Rwanda's camps, Uganda's settlements, and urban centres in these countries' major cities to sporadic conflict that characterises eastern DRC. The structures that govern refugees' lives across these settings are akin to those of 'microstates' and 'nomadic microstates' whose porous boundaries affect the interplay between *de facto* integration and *de jure* segregation. This tension dominates the 'liminal zone'[1] of protracted exile, creating a permanent state of impermanence that challenges future repatriation.

Various authors aver that the intrinsic nature of protracted refugee situations, their longevity, fosters refugees' inherent socio-economic integration into their host communities – families are forged in exile where generations are born and raised in the educational and socio-cultural milieu of their host states.[2] As Lindley demonstrates, this *de facto* integration is equally driven by livelihood strategies through which refugees seek employment and educational opportunities outside camp borders.[3] Rogge stresses the close correlation between length of

[1] Tania Kaiser, "Participating in Development? Refugee Protection, Politics and Developmental Approaches to Refugee Management in Uganda," *Third World Quarterly* 26, no. 2 (2005): 351.
[2] John R. Rogge, "Repatriation of Refugees: A Not So Simple 'Optimum' Solution," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 39; Roger Zetter, "Unlocking the Protracted Displacement of Refugees and Internally Displaced Persons: An Overview," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 10; Anna Lindley, "Between a Protracted and a Crisis Situation: Policy Responses to Somali Refugees in Kenya," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 43, 48; Dawn Chatty and Nisrine Mansour, "Unlocking Protracted Displacement: An Iraqi Case Study," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 63.
[3] Lindley, "Between a Protracted," 37–40.

exile and degree of integration in the area of asylum as determinants of attitudes regarding repatriation, as well as the ease of reintegration following return.[4]

The experiences of refuge assessed in this chapter show that *de facto* integration occurs alongside *de jure* segregation, which is rooted in the international endorsement of repatriation as the most optimal solution to the 'refugee problem'. In Uganda, however, humanitarian aid to refugees is posited within a development framework where refugees and nationals share welfare services and refugees have access to agricultural land, promoting self-reliance and reducing dependence on food rations. Coupled with the historical lack of settlement demarcation and resultant co-existence of nationals and refugees, these strategies integrated Ugandan citizens into the settlements and the settlements into the local economy, transforming refugee microstates into national cities. In Rwanda, because of a latent adoption of similar policies, refugees integrated into local communities outside their camps on a much more individual basis. Inevitable ramifications of protracted displacement combined with international and state policies to foster integration, while purporting to do just the opposite. Kaiser and Lindley's studies support these findings in the Ugandan case.[5]

In this chapter, these notions of integration and segregation, developed in the analysis of Rwanda's refugee camps and Uganda's settlements, are then considered in the context of exile outside refugee microstates, focusing on urban refugees in Kigali and Kampala; Congolese on the Goma-Gisenyi border; and Rwandans in Goma and Bukavu. The last section addresses the implementation of the Cessation Clause for Rwandan refugees and refugees' hopes of third country resettlement, assessing additional factors that counter integration on the macrolevel of the international community and host and home states, and on the microlevel of refugees themselves.

Before turning to these dynamics of residence across different sites of refuge, a section in devoted to the entwined histories of violence that perpetuated these refugees' flight.

[4] Rogge, "Repatriation of Refugees," 32, 45.
[5] Kaiser, "Participating in Development?"; Tania Kaiser, "Between a Camp and a Hard Place: Rights, Livelihood and Experiences of the Local Settlement System for Long-Term Refugees in Uganda," *The Journal of Modern African Studies* 44, no. 04 (2006): 597–621; Lindley, "Between a Protracted."

2.2 HISTORIES OF PRIVILEGE AND PERSECUTION

A tremendous wealth, to which I cannot aspire to contribute, has been written about the history of the Great Lakes Region, from the dynamics of entwined conflicts to nuances of governmental initiatives. This account is highly selective; its purpose is to provide a narrative of the events that drove these communities into exile, without which neither this nor subsequent chapters are intelligible. Following Lemarchand and Vlassenroot, I focus on political, economic, and social exclusion[6] as this theme 'runs like a skein through the history of the Great Lakes'[7]. It manifests in a 'citizenship crisis'[8] where specific rights are associated more with descent and ethnicity (*jus sanguinis*) than residence (*jus soli*) and their acquisition is a political contestation over borders, belonging, and background – granted in one instance only to be revoked in the next.[9] Resultant conflict generates refugee flows, which serve as a 'conceptual link among all three forms of exclusion [...] either as a foil or as a source of support'[10] in both home and host states. Just the most recent cycles of violence have displaced almost three million people; driven nearly one million into exile; and directly and indirectly killed up to five and a half million.[11] As contentious as these statistical estimates remain, the extent of this complex humanitarian catastrophe is beyond repudiation.

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[6] Koen Vlassenroot, "Citizenship, Identity Formation and Conflict in South Kivu: The Case of the Banyamulenge," *Review of African Political Economy* 29, no. 93/94 (2002): 501; Rene Lemarchand, *The Dynamics of Violence in Central Africa* (Philadelphia: University of Pennsylvania Press, 2009), 34–35.

[7] Lemarchand, *Dynamics of Violence*, 12.

[8] Mahmood Mamdani, "African States, Citizenship and War: A Case-Study," *International Affairs*, African States, 78, no. 3 (2002): 505.

[9] Bronwen Manby, *Struggles for Citizenship in Africa* (London: Zed Books, 2009), 39, 66–68; Vlassenroot, "Citizenship, Identity Formation," 501; Sarah Rich Dorman, Daniel Patrick Hammett, and Paul Nugent, "Citizenship and Its Casualties in Africa," in *Making Nations, Creating Strangers: States and Citizenship in Africa*, ed. Sarah Rich Dorman, Daniel Patrick Hammett, and Paul Nugent (Leiden: Brill, 2007), 16–18; Said Adejumobi, "Citizenship, Rights and the Problem of Conflicts and Civil Wars in Africa," *Human Rights Quarterly* 23, no. 1 (2001): 148–150, 154, 161–164; Georges Nzongola-Ntalaja, "Citizenship, Political Violence, and Democratization in Africa," *Global Governance* 10, no. 4 (2004): 403–404; Georges Nzongola-Ntalaja, "The Politics of Citizenship in the Democratic Republic of Congo," in *Making Nations, Creating Strangers: States and Citizenship in Africa*, ed. Sarah Rich Dorman, Daniel Patrick Hammett, and Paul Nugent (Leiden: Brill, 2007), 69–71; Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda* (Princeton: Princeton University Press, 2001), 19–39; Jeffrey Herbst, *States and Power in Africa: Comparative Lessons in Authority and Control* (Princeton: Princeton University Press, 2000), 236, 240–245; Crawford Young, "Nation, Ethnicity, and Citizenship: Dilemmas of Democracy and Civil Order in Africa," in *Making Nations, Creating Strangers: States and Citizenship in Africa*, ed. Sarah Rich Dorman, Daniel Patrick Hammett, and Paul Nugent (Leiden: Brill, 2007), 256.

[10] Lemarchand, *Dynamics of Violence*, 35.

[11] Manby, *Struggles for Citizenship*, 67.

2.2.1 1994

On 6 April 1994, Burundi's President Cyprien Ntaryamira and Rwanda's President Juvénal Habyarimana, along with members of their staffs, were killed when their plane was shot down near the presidential residence in Kigali.[12] Rwanda's Prime Minister Agathe Uwilingiyimana was murdered hours later. With them perished the moderate Hutu objective of power-sharing with the RPF. Seemingly overnight, the leadership of Rwanda's Presidential Guard, Colonel Théoneste Bagasora and his circle, repurposed government structures – from the national army *Forces Armées Rwandaises* (FAR) through political party youth leagues like *Interahamwe* ('those who work together') – into 'the institutional machinery of genocide"[13].

The first targets were moderate Hutu who opposed the *génocidaires*; about 50,000 perished in the initial wave of violence.[14] The genocide then spread throughout central and southern Rwanda, where most Tutsi and political parties deemed sympathetic to the RPF were based.[15] The genocide was carried out by victims of four years of RPF-instigated civil war; Burundian refugees who fled following the 1993 assassination of President Melchior Ndadaye and ensuing massacres; and Rwandan Hutu, peasants and intellectuals, convinced they would lose everything including their lives if the RPF assumed power.[16] Some Hutu fought off the *Interahamwe* with stones; others who refused to participate were massacred. Others still saved people in one place and killed them in another. 'Most killed, be it enthusiastically, reluctantly, or under duress."[17] With priests, doctors, and teachers at the forefront of the massacres, places of shelter became abattoirs.[18] Civilian mobs, guided by armed militias, wielded machetes and slaughtered their neighbours in broad daylight.[19] The UN responded by evacuating their own nationals and all but a skeleton crew of peacekeepers.[20] In less than 100 days following the plane crash, between 10,000 and 50,000 Hutu and 500,000 and 1,000,000 Tutsi were killed in the Rwandan Genocide.[21]

In the aftermath, over one million Hutu refugees were driven into exile in then-Zaïre in the

[12] Mamdani, *When Victims Become Killers*, 216.
[13] Ibid., 217.
[14] Ibid., 217–218.
[15] Ibid., 220.
[16] Ibid., 217.
[17] Ibid., 224.
[18] Ibid., 227–228.
[19] Ibid., 201.
[20] Ibid., 214.
[21] Ibid., 5.

span of three to four days – at a staggering rate of ten to fifteen thousand people per hour.[22] Their flight was facilitated by a French-led and UN-sanctioned humanitarian intervention called *Opération Turquoise*.[23] In addition to the refugees, Hutu authorities took everything else as well, from telephones, computers, and typewriters to the entire foreign exchange reserves of Kigali's central bank.[24] What was left of the Rwandan state transplanted itself into refugee camps in eastern Zaïre as people fled and settled in the same villages and communes in which they had lived and killed.[25] The scale and speed of the exodus made it impossible for UN bodies and US-based NGOs to separate perpetrators from refugees.[26] Militias exploited the refugees to procure humanitarian aid they used to rearm, murdering those who tried to flee or return to Rwanda.[27] To obtain relief aid, refugees had to purchase it from *Interahamwe*, most notably in Mugunga Camp, housing over 500,000 potential customers; they also paid taxes.[28]

Zaïrian President Mobutu Sésé Seko[29] supported the exiled Rwandan government due to its historical ties with Kinshasa, his personal relationship with Habyarimana, and opposition to Kigali's new regime.[30] Together, they engaged in money laundering, counterfeit currency schemes, and looting state-owned diamond mines.[31] Many Zaïrian soldiers remained unpaid and trafficked arms into the camps.[32] As a result, FAR and *Interahamwe* militias trained in full view of foreign camp personnel, shocking humanitarian aid providers with the realisation they had been feeding and helping rearm mass murderers.[33] They also continued to attack Tutsi on both sides of the border, resulting in their flight from Zaïre to Rwanda. These developments

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[22] Virginie Dusenge and René Sibomana, *Auto-Organisation Des Réfugiés Dans Les Camps à l'Est Du Zaïre, 1994-1996: Exercice de Capitalisation* (Namur: Presses Universitaires de Namur, 2004), 16; Jean-Pierre Godding, *Réfugiés Rwandais Au Zaïre: Sommes-Nous Encore Des Hommes?: Documents Des Groupes de Réflexion Dans Les Camps* (Paris: L'Harmattan, 1997), 17.
[23] Mamdani, *When Victims Become Killers*, 214.
[24] Gérard Prunier, *The Rwanda Crisis: History of a Genocide* (Cambridge: Cambridge University Press, 2008), 306.
[25] Lynne Duke, *Mandela, Mobutu, and Me: A Newswoman's African Journey* (New York: Doubleday, 2003), 131–132.
[26] Lemarchand, *Dynamics of Violence*, 17.
[27] Prunier, *Rwanda Crisis*, 375.
[28] Howard Adelman, "The Use and Abuse of Refugees in Zaire," in *Refugee Manipulation: War, Politics, and the Abuse of Human Suffering*, ed. Stephen John Stedman and Fred Tanner (Washington DC: Brookings Institution Press, 2003), 103–107.
[29] Joseph-Désiré Mobutu assumed this name during his *Zaïrianisation* campaign, launched in 1966 to promote a return to Congolese African culture, or *authenticité*, by banning Western names and dress.
[30] Colin M. Waugh, *Paul Kagame And Rwanda: Power, Genocide and the Rwandan Patriotic Front* (London: McFarland, 2004), 105.
[31] Prunier, *Rwanda Crisis*, 319–321; Adelman, "Use and Abuse," 107.
[32] Waugh, *Paul Kagame And Rwanda*, 105.
[33] Johan Pottier, *Re-Imagining Rwanda: Conflict, Survival and Disinformation in the Late Twentieth Century* (Cambridge: Cambridge University Press, 2002), 39.

triggered new waves of violence that would engulf Africa's Great Lakes region for nearly a decade and whose tides ebbed and waned long thereafter.

2.2.2 BEFORE 1994

The apocalyptic magnitude of these events tends to eclipse the histories of migration and marginalisation, privilege and persecution that preceded and influenced them, likewise affecting the wars that followed in their wake. These histories go back to colonialism, which divided society into citizens and subjects.[34] The former related to the rights and privileges of citizenship reserved for white settlers, and the latter to customary laws upheld by chiefs representing Native Authorities in which administrative, executive, legislative, and judicial powers were all vested.[35] The former was racialised, and the latter was ethnicised. It was also 'reinvented and bastardised.'[36] At times, colonial regimes appointed chiefs with disregard of locals' traditions and customs, and many of those chiefs defined and implemented customary law as colonial authorities wished. In addition to politicising ethnicity, the integration of customary chiefs into Belgian colonial administration consummated 'a territorialisation of identity'[37], prejudiced against communities deemed allochthons (immigrants or non-indigenous)[38]. Only ethnic groups accepted as autochthonous[39] had their own Native Authorities, and each one had its own customary laws dictating matters like land use, whose importance cannot be underestimated.[40] Allochthonous communities, even if erroneously characterised as such, struggled fruitlessly to secure customary political representation.[41] Very generally, autochthons' Native Authorities were three-tiered, lowest being *chef de localité*, then *chef de groupement*, and highest *mwami de collectivité*. The two highest tiers were reserved for indigenous groups; customary power rested with them.[42]

The seeming uniformity of these structures belies the reality that they differed tremendously

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[34] Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (Princeton: Princeton University Press, 1996).
[35] Adejumobi, "Citizenship," 157.
[36] Ibid.
[37] Koen Vlassenroot, "South Kivu: Identity, Territory, and Power in the Eastern Congo," Usalama Project (Nairobi/London: Rift Valley Institute, 2013), 9.
[38] Ibid., 9, 14–15.
[39] From Greek, the term means 'from the soil itself' and corresponds to 'indigenous'. Here, if refers to groups recognised as indigenous by local and state officials.
[40] Adejumobi, "Citizenship," 158.
[41] Vlassenroot, "South Kivu," 9.
[42] Mamdani, *When Victims Become Killers*, 238.

between communities and localities. This patchwork was the inevitable consequence of Belgian authorities' integration and reorganisation of extant customary power structures – 'ranging from centralised and stratified kingdoms... to loosely organised and decentralised tributary societies'[43] – into their administration. Thus, community structures as varied as the Bembe, Rega, or Tembo's weakly connected clans with faint ties to territory and ethnic belonging[44] and the Shi and Hunde's highly hierarchical, kingdom-like administrative pyramids based on an awareness of communal land ownership[45] were all integrated. The resulting compartmentalised, tiered Native Authority structures were mapped onto these diverse formations, each with unique customary laws.[46] One of colonialism's most devastating impacts was the consolidation of the link between ethnic identity and land access.[47] Via Native Authorities, 'ethnic citizenship'[48] became the legal, institutionalised basis for claims to rights[49], stoking competition and conflict between groups deemed autochthonous and those considered allochthonous[50]. The majority of allochthons had no Native Authority and were excluded from ethnic citizenship, relegating them to subjects of autochthonous traditional authorities.[51]

Colonial map-making, remaking, and immigration policies compound pre-colonial territorial influence and migration and exacerbate the complexities of this system – complicating assessments of autochthony and making them (even more) susceptible to political manipulation. Before colonialism, parts of what was to become Zaïre and later the Democratic Republic of Congo (DRC) were subject to the Kingdom of Rwanda under King Kigeli IV Rwabugiri and were already inhabited by Rwandophones[52].[53] In Rwanda, present-day Rutshuru was known as *Ubuhutu* (the country of the Hutu), but Rwabugiri's control of these 'Hutu microstates of Rutshuru'[54] was only nominal; they were headed by their own kings

[43] Vlassenroot, "South Kivu," 14.
[44] Ibid., 15.
[45] Koen Vlassenroot and Chris Huggins, "Land, Migration and Conflict in Eastern DRC," in *From the Ground Up: Land Rights, Conflict and Peace in Sub-Saharan Africa*, ed. Chris Huggins and Jenny Clover, Institute for Security Studies Books (Pretoria: ISS, 2005), 122–123, 183.
[46] Vlassenroot, "South Kivu," 18.
[47] Vlassenroot and Huggins, "Land, Migration," 122.
[48] Ibid., 126.
[49] Vlassenroot, "South Kivu," 18.
[50] Vlassenroot and Huggins, "Land, Migration," 122.
[51] Koen Vlassenroot, "Reading the Congolese Crisis," in *Conflict and Social Transformation in Eastern DR Congo*, ed. Koen Vlassenroot and Timothy Raeymaekers (Gent: Academia Press, 2004), 44–45.
[52] Rwandophone refers to populations that speak Kinyarwanda, the language of Rwanda, but are not necessarily of Rwandan nationality.
[53] Vlassenroot and Huggins, "Land, Migration," 128.
[54] Thomas Turner, *The Congo Wars: Conflict, Myth and Reality* (London: Zed Books, 2007), 108.

and retained their independence from Rwanda's monarchy. Rwabugiri's attempts to secure more tribute from the wealthy and a bitter succession battle provoked some Rwandans to flee in the 1880s, joining pastoralists from Tanzania and Burundi in what is today South Kivu.[55] Their descendants are known as Banyamulenge.

Those who arrived by February 1885, when the Berlin Conference recognised Belgian King Leopold II's Congo Free State (which included Bufumbira in today's Uganda and Ruhengeri in today's Rwanda)[56], became *de facto* Congolese citizens[57] and later Belgian subjects. In 1908, the Belgian government took over the colony and two years later established new borders, ceding some of the territory to the German colony of Rwanda and the British colony of Uganda.[58] Rwandophones in North Kivu became considered 'autochthons' and were granted their own customary authority, immediately challenged by other ethnic groups in the area.[59] Territorial realignments exacerbated contestation (and confusion) of identity. While still nominally under the control of Rwanda's King Yuhi V Musinga, Bwisha in present-day Rutshuru became a *chefferie* ruled by a Hutu chief, subsuming Hunde-dominated Bwito, while other parts were simply severed from Rwanda's monarchy.[60] German colonies of Rwanda and Burundi were granted to Belgium by the League of Nations after World War I; they were annexed to the Belgian Congo as *Ruanda-Urundi* in 1925.[61]

In direct violation of its League of Nations mandate concerning *Ruanda-Urundi*'s administration, Belgian colonial administration began resettling Rwandans (first Tutsi, then Hutu) in Katanga in the 1920s and Masisi in the 1930s to alleviate population pressure in famine-prone Rwanda and provide cheap labour for European plantations.[62] They established bodies called *Union Minière de Haut Katanga*[63] and *Mission d'Immigration des*

[55] Mamdani, *When Victims Become Killers*, 248.
[56] Turner, *Congo Wars*, 109.
[57] Nzongola-Ntalaja, "Politics of Citizenship," 72.
[58] Vlassenroot and Huggins, "Land, Migration," 129.
[59] Koen Vlassenroot, "Land and Conflict: The Case of Masisi," in *Conflict and Social Transformation in Eastern DR Congo*, ed. Koen Vlassenroot and Timothy Raeymaekers (Gent: Academia Press, 2004), 85.
[60] Alison Liebhafsky Des Forges, *Defeat Is the Only Bad News: Rwanda Under Musinga, 1896-1931*, ed. David Newbury (University of Wisconsin Press, 2011), 118–119, 121, 165, 180–182; Turner, *Congo Wars*, 111.
[61] Manby, *Struggles for Citizenship*, 68.
[62] Turner, *Congo Wars*, 112, 148.
[63] These mostly Tutsi immigrants became known as *Banyavyura* and worked in mining companies' offices during the colonial period.

Banyarwanda[64] and founded a new chiefdom in 1936, *Collectivité de Gishari* (in today's Masisi territory), ruled by a Tutsi chief appointed by Rwanda's King Rudahigwa and linked to his kingdom through mandatory tribute.[65] Local Hunde were expelled from Gishari when their King was given money for the territory, resulting in protests against violations of their customary rights.[66] About 100,000 Rwandans were resettled in Gishari, which became so densely populated by 1945 that colonial officials continued the immigration to other parts of Masisi, Rutshuru, and Kahe territories through 1956.[67] Hutu migrants continued pushing Hunde out of their traditional domains and replacing them as chiefs, becoming the majority.[68] Conflict between the groups led Belgians to integrate Gishari into the Hunde *Chefferie* in 1957, revoking Banyarwanda group rights to land and further compromising perceptions of their autochthony.[69] Their numbers allowed Banyarwanda in Masisi to win collegial elections in 1958, but Hunde elites responded by replacing the immigrants in key positions in local administration on grounds of their own indigeneity.[70] Disputes over land access and political control led to violent clashes between these communities for the first time just after independence.[71] While most prevalent in areas inhabited by immigrants or their descendants, such conflicts were not limited to them.[72]

By this point, these former immigrants had been joined by more affluent Tutsi refugees fleeing the political violence that accompanied the Hutu Social Revolution in Rwanda (1959-62).[73] Missionaries, colonial anthropologists, and administrators in Rwanda had initially found it expedient to promote the myth of Tutsi superiority, branding Hutu as Bantu presumed ignorant and indigenous; Twa as pygmies; and Tutsi as Hamites, a foreign, civilising race.[74] Provision of identity cards annulled demotions and promotions between these groups, while the merging of chiefly responsibilities effectively revoked Hutu's previous political representation.[75] Tutsi identity became synonymous with prestige, power, and wealth

[64] Banyarwanda usually refers to the Rwandophone community of today's North Kivu, both Hutu and Tutsi. It is also a cultural identity; its members speak Kinyarwanda and live within and without Rwanda's borders, being nationals, migrants and refugees.
[65] Lemarchand, *Dynamics of Violence*, 14.
[66] Vlassenroot and Huggins, "Land, Migration," 130.
[67] Jason Stearns, "North Kivu: The Background to Conflict in North Kivu Province of Eastern Congo," Usalama Project (Nairobi/London: Rift Valley Institute, 2012), 18.
[68] Turner, *Congo Wars*, 113.
[69] Stearns, "North Kivu," 18.
[70] Mamdani, *When Victims Become Killers*, 242.
[71] Vlassenroot, "Land and Conflict: The Case of Masisi," 86.
[72] Vlassenroot and Huggins, "Land, Migration," 144.
[73] Manby, *Struggles for Citizenship*, 69.
[74] Mamdani, "African States, Citizenship and War: A Case-Study," 499.
[75] Ibid.

– substantiated by their monopoly of Native Authorities and colonial schools.[76] By 1959, 96 per cent of local chiefs and 98 per cent of sub-chiefs were Tutsi.[77] When that Western-educated Tutsi elite began to clamour for self-determination and independence in the 1950s, the Belgians found it equally useful to portray the same aristocracy as foreigners who should abdicate power to the subjugated Hutu indigenous majority.[78] The Hutu counter-elite embraced this *volte-face* and popular mobilisation led to anti-Tutsi pogroms, resulting in about 200,000 fleeing to Congo, Burundi, Tanzania, and Uganda.[79] To quell the emergency, Colonel B. E. M. Guy Logiest replaced Tutsi chiefs with Hutu ones, heralding the Revolution.[80]

Rwanda gained independence in 1962 following a referendum and elections in which the monarchy was abolished, a republic was founded, and Grégoire Kayibanda's party PARMEHUTU came to power.[81] Major armed raids the following year by exiled Tutsi, dubbed *inyenzi* (cockroaches), were met with countrywide repression targeting potential Tutsi sympathisers in 1964.[82] Those who organised in self-defence groups against the *inyenzi* threat were rewarded with 'redistributed' property.[83] The Hutu Social Revolution claimed approximately 200 lives; post-independence raids and counter-attacks claimed between 750 and 20,000.[84] Under the First Republic, Tutsi were forcibly removed from Rwanda's political arena, while those in exile were denied the right of return – neither was able to access full citizenship rights.[85] The Hutu elite inverted colonial mythology to justify institutional discrimination against Tutsi: if the superior race were foreigners, then they were not autochthons and were thus ineligible for Rwandan citizenship.[86] Recognised as indigenous citizens by the state, Hutu had rights of association, security, government and military employment, and political participation.[87]

When Tutsi refugees from Rwanda, so-called Fifty-niners in reference to the Revolution,

[76] Adejumobi, "Citizenship," 165.
[77] Prunier, *Rwanda Crisis*, 27.
[78] Nzongola-Ntalaja, "Politics of Citizenship," 73.
[79] Lemarchand, *Dynamics of Violence*, 31.
[80] Mamdani, *When Victims Become Killers*, 124.
[81] Prunier, *Rwanda Crisis*, 53.
[82] Mamdani, *When Victims Become Killers*, 129.
[83] Ibid.
[84] Ibid., 131.
[85] Nzongola-Ntalaja, "Citizenship," 404.
[86] Adejumobi, "Citizenship," 167.
[87] Ibid., 166.

arrived in Congo, UNHCR pressured Hunde notables to allow them to settle at Bibwe.[88] The status of Banyarwanda was already controversial in the lead-up to Congo's own independence in 1960.[89] Only months had passed since the Fifty-niners' arrival when the Brussels Round-table was held.[90] Negotiated terms of independence included a resolution that stated *transplantés* (immigrants) and refugees who had lived in the country for over ten years would be allowed to vote in the national elections – but their actual citizenship remained unresolved.[91] Those in Congo before independence blended into the extant Rwandophone community, aided by Hunde chiefs' recruitment of voters.[92] The Luluabourg Constitution of 1964, the first legal determination of nationality reiterated by the law of 18 September 1965, declared Congolese citizens to be those with at least one parent whose ancestors were members of a tribe established in Congo before 18 October 1908, when the Belgian Congo was established.[93] Banyarwanda, along with others who migrated during the colonial period, were thus not Congolese citizens. Arguments that some Banyarwanda migrated before this date were rejected.[94] Subsequently, their land began being confiscated, along with shops, houses, cattle – entire plantations.[95]

Independence coincided with secessionist struggles in Katanga and South Kasaï Provinces. After less than seven months in office, the first democratically elected Prime Minister of the Republic of Congo, Patrice Lumumba, was tortured then executed by Belgian-led and US-backed Katangese troops.[96] The period between 1963 and 1965 was also devastated by the *Guerre des Kanyarwanda*, a response to Banyarwanda's struggle to reclaim their rights and counter chiefly abuses of power.[97] The revolt centred on Masisi where the largest number of *transplantés* resided, competing violently with 'autochthonous' groups for autonomous domains of control.[98] Hunde insurgents went as far as burning local archives to prevent the identification of Banyarwanda as Congolese citizens.[99] Simultaneously, the Simba[100]

[88] Turner, *Congo Wars*, 114.
[89] Manby, *Struggles for Citizenship*, 70.
[90] Ibid.
[91] Nzongola-Ntalaja, "Politics of Citizenship," 73.
[92] Turner, *Congo Wars*, 114.
[93] Manby, *Struggles for Citizenship*, 70.
[94] Ibid.
[95] Vlassenroot, "Land and Conflict: The Case of Masisi," 87.
[96] Jason Stearns, *Dancing in the Glory of Monsters* (New York: PublicAffairs, 2012), 83, 114.
[97] Vlassenroot, "Land and Conflict: The Case of Masisi," 87.
[98] Manby, *Struggles for Citizenship*, 71.
[99] Lemarchand, *Dynamics of Violence*, 13.
[100] Or Muleliste, after Lumumba's Maoist Minister of Education Pierre Mulele and because of Communist China's support.

Rebellion reached eastern Congo.[101] The political landscape had been splintered by ethnic divisions even before its escalation. In South Kivu, for example, five dominant political parties had ethnic support bases.[102] Crystallising what Vlassenroot conceptualised as 'the post-independence "militarisation of ethnicity"'[103], the rebellion magnified ethnic divisions. Some of the Fifty-niners and South Kivu's Banyarwanda joined Laurent-Désiré Kabila and the insurgents.[104] When the rebels taxed Banyarwanda and raided their cattle, the rebellion became an ethnic war and a self-defence campaign fought against political and socio-economic exclusion.[105] The Banyarwanda switched sides and helped the Congolese national army defeat the insurgency.[106] The central government rewarded their efforts with access to education, employment, and social services. Other groups branded them as traitors and tried to curtail their growing political and economic influence by questioning their eligibility for citizenship. Their 'politico-military emancipation'[107] coincided with an acute awareness of their delicate social status. To distance themselves from dubious Rwandan immigrant origins and differentiate themselves from the Fifty-niners who supported the rebellion, the community rechristened itself as Banyamulenge.[108]

National instability and civil war concluded with the 1965 US-backed *coup d'état* that put Joseph-Désiré Mobutu in power, changing the country's name to the Democratic Republic of Congo (DRC).[109] Within five years, the first Banyamulenge, Frederic Muhoza Gisaro, was elected to the Legislative Council; an autonomous *localité* (lowest customary level) was established for the Banyamulenge, affirming their Congolese identity;[110] and Barthélemy Bisengimana, a *transplanté*, rose as Mobutu's Chief of Staff[111]. Other Tutsi leaders became cabinet and parliament members, assumed senior positions in intelligence services, and sat on boards of state-run companies.[112] In 1971, DRC was renamed Republic of Zaïre and a decree law provided that those established in Congo before 30 June 1960 were Congolese nationals.[113] Bisengimana pushed through a specific presidential decree in 1972 that granted

[101] Manby, *Struggles for Citizenship*, 70.
[102] Vlassenroot, "South Kivu," 25.
[103] Ibid., 22.
[104] Lemarchand, *Dynamics of Violence*, 10, 38.
[105] Vlassenroot, "Citizenship, Identity Formation," 501.
[106] Ibid., 504.
[107] Ibid.
[108] Ibid., 505.
[109] Manby, *Struggles for Citizenship*, 70.
[110] Vlassenroot, "Citizenship, Identity Formation," 505.
[111] Lemarchand, *Dynamics of Violence*, 14.
[112] Stearns, "North Kivu," 23.
[113] Manby, *Struggles for Citizenship*, 72.

citizenship to all people from Rwanda and Burundi who were residents in Kivu before 1 January 1950.[114] As a supervisor of the 1973 *Zaïrianisation* measures, involving confiscation of foreign-owned enterprises and their redistribution to the political elite, he amassed wealth and power whilst furthering those of his community.[115] Likewise, Bisengimana used the 1973 General Property Law (based on the 1996 Bakajika Law) that turned all land including customary land into state property, to purchase one of the biggest ranches in the region (over 5,000 hectares) for himself.[116] Affluent Banyarwanda acquired other colonial-era plantations. They came to control 90 per cent of the *Comité National du Kivu*'s (CNKi's) land;[117] 503 out of the 512 families controlling over half of Masisi's land were Banyarwanda[118].

The 1972 citizenship law and the 1973 property law enabled Banyarwanda to vote and purchase land whilst traditional authorities became privileged brokers in its acquisition.[119] These leaders were instrumental in transferring land from the customary to the modern domain and ushering a process of land-alienation that led to the social fragmentation of their communities.[120] Ethnic citizenship continued to coexist with individual property rights in increasingly exacerbated confusion.[121] The 'territorial basis of ethnicity'[122] and 'ethnic-based access to the state and its resources'[123] were reaffirmed. These foreboding trends coupled with the effects of land alienation when the desperate struggle to secure its access mutated into ethnically motivated conflicts, manipulated by commercial interests and local politicians.[124] Ethnic citizenship became politicised,[125] foretelling misfortune for the Banyarwanda.

After deteriorating, the fortunes of Tutsi across the border in Rwanda also improved – but in neither case was this long-lived. When the Tutsi-dominated national army massacred about 200,000 Hutu youths in Burundi in 1972, Hutu students in Rwanda agitated against their colleagues and posted blacklists on billboards.[126] Similar lists appeared in businesses and embassies. Extremist advocates of Hutu Power called for a 'final solution', killing up to 500

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[114] Isidore Ndaywel è Nziem, *Histoire Générale Du Congo: De L'héritage Ancien à La République Démocratique* (Paris/Brussels: Duculot, 1998), 703.
[115] Ibid., 703–704.
[116] Turner, *Congo Wars*, 117; Lemarchand, *Dynamics of Violence*, 14.
[117] Vlassenroot and Huggins, "Land, Migration," 135.
[118] Ibid., 144.
[119] Ibid., 132–133.
[120] Ibid., 136–137.
[121] Ibid., 132.
[122] Ibid., 131.
[123] Ibid., 132.
[124] Ibid., 136, 143–144.
[125] Ibid., 143.
[126] Mamdani, *When Victims Become Killers*, 137.

Tutsi. Kabyibanda's government was slow to finally condemn 'discrimination against individuals because of their race'.[127] Popular discontent spread and subsumed tensions between Hutu in the north and the south, rich and poor, and the unemployed. Major General Juvénal Habyarimana's bloodless coup of 5 July 1973 was welcomed with relief, ushering in the Second Republic that vowed to complete the 1959 national revolution with a moral one.[128] Tutsi were recognised as an indigenous ethnic group and permitted participation in the political sphere. Habyarimana instituted state-enforced proportional quotas in employment and education.[129] His cabinet included Tutsi ministers, civil servants, and army officers.[130] Major Théoneste Lizinde's coup of 1979 was defeated – an entire generation of anti-Tutsi revolutionaries from the south, resentful of Habyarimana's reconciliation efforts, was obliterated.[131]

Two years before Lizinde's failed coup, Bisengimana fell from grace in Zaïre, heralding misfortune for the Banyarwanda. In 1981, Nande and Hunde politicians from North Kivu succeeded in pressuring parliament to adopt a new nationality law, recognising as Congolese only descendants of ethnic groups indigenous to the country as of 1 August 1885, when the Congo Free State was officially founded.[132] A decree passed in 1982 annulled nationality certificates issued under the 1972 law.[133] Marginalised and impoverished by Banyarwanda's land acquisition of the 1970s, autochthonous communities rallied that the only Banyarwanda present during the partition were invaders pursuing cattle and women, and to gain citizenship had to individually apply for naturalisation.[134] Even though the law was not systemically enforced, candidates conveniently suspected of dubious origins were prevented from running in the 1982 and 1987 elections.[135] Banyamulenge were particularly acrimonious when their leaders' candidacies were invalidated in 1987, given the community's strong claims to citizenship even under the 1981 law. They rioted and destroyed ballot boxes; many were arrested.[136] To settle the citizenship status of Banyarwanda, Mobutu established *Mission d'Identification des Zaïrois au Kivu* in 1989, complicated by bribery, manipulation, and youths

[127] Ibid.
[128] Ibid., 138.
[129] Ibid., 139.
[130] Ibid., 140.
[131] Ibid., 141.
[132] Nzongola-Ntalaja, "Politics of Citizenship," 74.
[133] Manby, *Struggles for Citizenship*, 72.
[134] Nzongola-Ntalaja, "Politics of Citizenship," 76.
[135] Vlassenroot, "Citizenship, Identity Formation," 506.
[136] Lemarchand, *Dynamics of Violence*, 16.

attacking surveyors with stones.[137] At the same time, the Banyarwanda organisation *Umoja* split into the Hutu *Mutuelle des Agriculteurs de Virunga* (MAGRIVI) – financed by Habyarimana, politically-backed by Mobutu, and propagating that no Tutsi are indigenous to Zaïre – and the Tutsi *Syndicat d'Initiative pour le Développement de la Zone de Rutshuru* (SIDER).[138] Both organisations slowly spread across eastern Zaïre and became regional networks.

Amidst this turmoil, Mobutu announced the democratisation process in April 1990, attempting to manipulate a '*politique du chaos*' whose dynamics would become disastrous.[139] Local political leaders, in order to access the national arena, focused on ethnicity and unresolved conflicts to secure constituencies.[140] In the Kivus, these strategies married nationality to land ownership.[141] Ethnic discourse exacerbated exclusion and violence turned into a 'strategy of resistance and control.'[142] The introduction of *géopolitique*, whereby regional quotas were to be the basis of national institutions, fomented ethnic competition.[143] In the Kivus, this translated into arguments that only autochthons were eligible.[144] Most often coupled with references to land rights, these strategies 'introduced violence based on ethnicity as a legitimate instrument for political change.[145]

Localised conflicts associated with the census and ethnic mobilisation were exacerbated by the announcement of the 1991 *Conférence Nationale Souveraine* (CNS) and electoral preparations – direct results of international pressure and waning support in the wake of the Cold War.[146] Initially, autochthonous leaders and some Hutu representatives unified to exclude the Tutsi population.[148] While this exclusion subsequently expanded to the Hutu as well, some Hutu leaders still participated in the CNS.[149] MAGRIVI rallied supporters under the slogan 'The Hutu is one and indivisible', provoking other communities to unite in an anti-Hutu coalition.[150] CNS culminated in Nande and Hunde being over-represented in national

[137] Turner, *Congo Wars*, 85.
[138] Mamdani, *When Victims Become Killers*, 252.
[139] Vlassenroot and Huggins, "Land, Migration," 145.
[140] Ibid., 144.
[141] Ibid.
[142] Ibid., 145.
[143] Ibid.
[144] Ibid.
[145] Ibid.
[146] Turner, *Congo Wars*, 118–119.
[148] Vlassenroot and Huggins, "Land, Migration," 187.
[149] Ibid.
[150] Turner, *Congo Wars*, 119–120.

and provincial institutions and Rwandophones being unrepresented.[151] These developments led many Congolese Tutsi and some Banyamulenge to join the Uganda-based Fifty-niners-cum-RPF in their military campaign to overthrow Habyarimana's government in Rwanda.[152] Tutsi in Rwanda also joined the RPF, which began recruiting upon its establishment in 1987.[153] By this point, the Second Republic was unravelling in Rwanda: famine spread in the south and southwest; coffee prices plummeted by half; the structural adjustment programme devalued currency by 67 per cent; and Habyarimana's government was about to face the repercussions of omitting the Fifty-niners and those who joined them in 1973 from his reconciliation efforts.[154]

In the 1970s, before founding the RPF, these exiles organised in Uganda as the Rwandan Alliance for National Unity (RANU), which lobbied for the right to return to Rwanda.[155] From 1981, many fought in Yoweri Museveni's National Resistance Army (NRA), helping bring him to power in 1986. A quarter of NRA fighters were Banyarwanda.[156] Amongst them, Fred Rwigema and Paul Kagame assumed positions as Deputy Minister of Defence and Deputy Chief of Military Intelligence, respectively, in Museveni's new government.[157] Since Resistance Councils and Committees were elected by residents during the rebellion, not just by those deemed indigenous to the land, Museveni pledged a citizenship law based on ten years residence to reward Banyarwanda contribution to the war effort.[158] The promise broke amidst pressure of wealthy ranch lords and accusations of Museveni's favouritism of Banyankole and non-indigenous Banyarwanda.[159] The new Constitution granted citizenship to those with at least one grandparent born in the land colonised by the British as Uganda. Banyarwanda pastoralists were disqualified from land access as non-citizens; others were bypassed in promotions. Less than two months later, in October 1990, the RPF crossed into Rwanda as an incursion by a sub-set of the NRA and an armed repatriation of Banyarwanda – 'a meeting point of citizenship crises on both sides of the border"[160].

Habyarimana's government equated the invasion with 'the Four Horsemen of the

[151] Ibid., 88.
[152] Vlassenroot, "Citizenship, Identity Formation," 508.
[153] Lemarchand, *Dynamics of Violence*, 38–39.
[154] Mamdani, "African States, Citizenship and War: A Case-Study," 500.
[155] Lemarchand, *Dynamics of Violence*, 38.
[156] Mamdani, "African States, Citizenship and War: A Case-Study," 496.
[157] Lemarchand, *Dynamics of Violence*, 38.
[158] Mamdani, "African States, Citizenship and War: A Case-Study," 497.
[159] Ibid.
[160] Ibid.

Apocalypse"[161] and conveyed this terror to civilians who, in turn, fled. 'Liberated' areas were populated by eerie silence.[162] Dramatic increases in military spending further crippled Habyarimana's weakened state. After a month, Habyarimana capitulated to internal and external pressure for political reform and proclaimed his support for multipartyism and the unconditional right of refugees to return to Rwanda (at least theoretically).[163] Hutu Power propaganda organs reanimated the message that the Tutsi were a non-indigenous race.[164] Massacres between 1990 and 1993 claimed 3,000 Tutsi lives, and some were perpetrated by death squads directed by President Habyarimana's security services.[165] Peace negotiations culminated in the Arusha Agreement, signed on 3 August 1993. The power-sharing agreement gave the RPF control of the new state's Ministry of Interior, half of the officer corps, and 40 per cent of the national army.[166] It recognised refugees' right of return and excluded Hutu Power from Parliament. The agreement split Rwanda's political parties into proponents of Hutu Power and Moderates supporting power-sharing.[167] Hutu Power bombarded the population with propaganda announcing that the nation had been betrayed and the gains of the Revolution would soon be revoked, reverting Rwanda to its pre-independence ethnic status quo. Such messages were relayed over *Radio Télévision Libres des Mille Collines* and printed in the newspaper *Kangura*.[168]

Two months after the signing of the Arusha Agreement, Burundi's first democratically elected Hutu president, Melchior Ndadaye, was murdered by his Tutsi army. When the news reached South Kivu, several Banyamulenge were stoned to death in the streets.[169] In North Kivu, the Masisi War erupted. The conflict began when Hunde refused to recognise Hutu demands for their own Native Authority and escalated into a heated battle over entitlement to land rights through customary authority.[170] Since three-fourths of Masisi's population comprised Hutu *transplantés* backed by affluent kin and MAGRIVI, Hunde were outnumbered. The army summoned to save them protected their adversaries instead, the only ones wealthy enough to house and feed unpaid soldiers.[171] Between 10,000 and 20,000 people

[161] Prunier, *Rwanda Crisis*, 295.
[162] Mamdani, "African States, Citizenship and War: A Case-Study," 498.
[163] Mamdani, *When Victims Become Killers*, 154.
[164] Mamdani, "African States, Citizenship and War: A Case-Study," 500.
[165] Mamdani, *When Victims Become Killers*, 192.
[166] Ibid., 210–211.
[167] Ibid., 203.
[168] Ibid., 209.
[169] Lemarchand, *Dynamics of Violence*, 16.
[170] Ibid.
[171] Mamdani, *When Victims Become Killers*, 253.

perished, about 200,000 were displaced, and previously mixed communities became increasingly mono-ethnic.[172] It was into this context that over a million Rwandan refugees, government officials, civil servants, soldiers, and *Interahamwe* militants fled. The RPF, as FAR Chief of Staff General Augustin Bizimungu prophesied, was left to 'rule over a desert'[173] – decimated by 4 years of civil war and 100 days of genocide.

2.2.3 AFTER 1994

Militarised refugee camps from which donor supplies were sold to local populations turned neighbouring towns into thriving black markets and arms bazaars, dollarizing the economy while increasing prices, criminality, and insecurity.[174] They also militarised ordinary life. Subjected to the terror of joint *Forces Armées Zaïroises* (FAZ)-*Interahamwe* attacks, Native Authorities, like Rwandan political parties before them, established their own militias. The largest in the Kivus were those of Congolese Hutu and Tutsi, followed by Hunde and Tembo whose organisations came under the umbrella term *Mayi-Mayi*[175].[176] Many Congolese Tutsi fled attacks to Rwanda, where some were trained and armed by the RPF. In South Kivu, locals backed by *Interahamwe* and FAZ started appropriating Tutsi property, prompting Banyamulenge to forge links with the RPF to procure arms.[177] Habyarimana-backed MAGRIVI had already infected Congolese Hutu with anti-Tutsi rhetoric, fomented by *Interahamwe* propaganda that Tutsi who had seized Rwanda planned to annex the Kivus.[178] Tutsi were driven from their farms, told to return to 'their Rwanda', and violence escalated into ethnic cleansing.

Conclusions of the Vangu Commission, created to investigate the situation of 'foreigners,' reflected this ominous atmosphere: Rwanda was occupying Zaïre and supplanting its autochthonous inhabitants with the objective of creating a 'Hamitic Kingdom' to be known as the United States of Central Africa or the Republic of Volcanoes."[179] On 28 April 1995, the Transitional Parliament passed a resolution demanding all Rwandan and Burundian refugees

[172] Manby, *Struggles for Citizenship*, 74.
[173] Prunier, *Rwanda Crisis*, 299.
[174] Waugh, *Paul Kagame And Rwanda*, 105.
[175] From 'water' in Swahili and in reference to a ritual that made fighters invincible as bullets shot at them would turn into raindrops.
[176] Mamdani, *When Victims Become Killers*, 258.
[177] Ibid., 256.
[178] Turner, *Congo Wars*, 125.
[179] Ibid., 89.

and immigrants be repatriated – including Banyamulenge.[180] Assets were seized and people were arrested and deported amidst executions and spiralling violence through 1996.[181] Armed, organised, and joined by a few other communities, Banyamulenge prepared to rebel against the central government and its *Interahamwe* allies.[182]

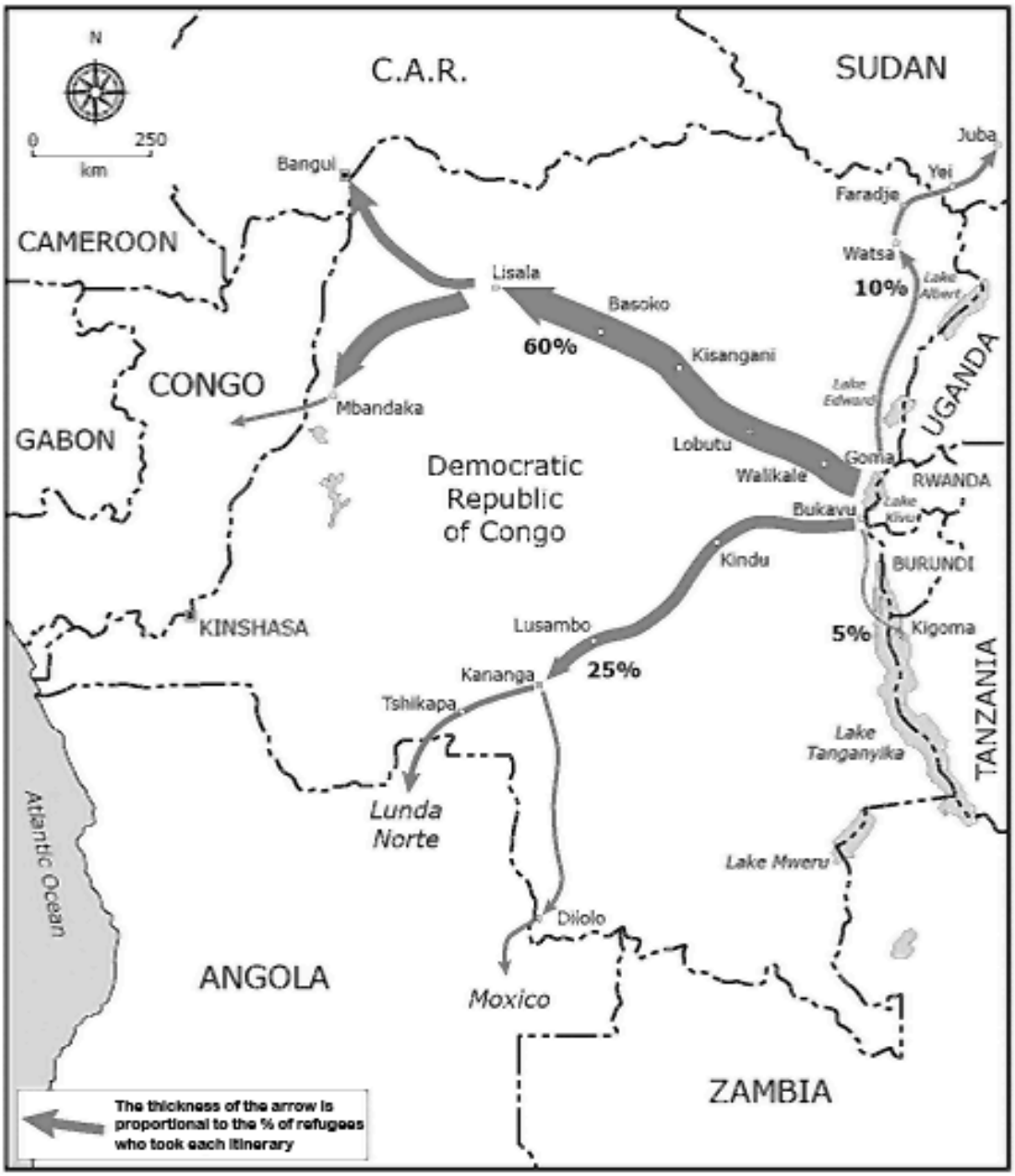
The RPF, threatened by FAR-*Interahamwe* raids into its territory from Zaïre and over-run with 'repatriates', seized the opportunity to destroy the Hutu refugee camps under the guise of 'preventing another genocide."[183] Rwanda and Uganda backed the Banyamulenge coalition-of-convenience, *Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre* (AFDL), placed former *Muleliste* Laurent-Désiré Kabila at its head, and invaded Zaïre in late 1996. Simultaneously, South Kivu's governor gave Banyamulenge one week to vacate the province; as soon as Bukavu fell, some Banyamulenge were rewarded with government posts.[184] The camps, amidst extensive and systemic massacres, were 'liberated'[185] – or 'destroyed"[186] – and 550,000 people were 'repatriated' – or herded *en masse* to Rwanda at gunpoint[187]. Between 20,000 and 700,000 fled westward into the forests of Zaïre[188] (Map 2.1).

Mobutu was promptly ousted from power in May 1997 and Kabila was installed as President, rechristening the country as the Democratic Republic of Congo (DRC) and stacking his government with Rwandophones, Congolese and Rwandan.[189] James Kabarebe, Deputy Chief of Staff of the Rwandan army, was appointed as Chief of Staff of the Congolese army; Déogratias Bugera, a Tutsi leader of the *Alliance Démocratique des Peuples*, became AFDL's Secretary General, rising to Minister of the Presidency; Bizima Karaha, a prominent Banyamulenge, was Foreign Minister.[190]

[180] Lemarchand, *Dynamics of Violence*, 16.
[181] Manby, *Struggles for Citizenship*, 75.
[182] Jason Stearns and et al., "Banyamulenge: Insurgency and Exclusion in the Mountains of South Kivu," Usalama Project (Nairobi/London: Rift Valley Institute, 2013), 20.
[183] Nzongola-Ntalaja, "Citizenship," 405.
[184] Lemarchand, *Dynamics of Violence*, 10–11.
[185] Adelman, "Use and Abuse," 96.
[186] Stephen John Stedman and Fred Tanner, eds., *Refugee Manipulation: War, Politics, and the Abuse of Human Suffering* (Washington DC: Brookings Institution Press, 2003), 2.
[187] Waugh, *Paul Kagame And Rwanda*, 112.
[188] Adelman, "Use and Abuse," 100.
[189] Manby, *Struggles for Citizenship*, 76.
[190] Turner, *Congo Wars*, 92.

MAP 2.1

ROUTES OF RWANDAN REFUGEES FLEEING CAMP 'CLOSURES' IN 1996



Reproduced from Gérard Prunier, *From Genocide to Continental War: The "Congolese" Conflict and the Crisis of Contemporary Africa*, London: Hurst & Co., 2009, xxv.

Kabila covered up the murder of Hutu refugees and blocked a UN investigation in 1997, demanding that its President, Robert Garréton, be fired after he identified 40 sites where AFDL committed atrocities against Hutu – *Interahamwe*, MAGRIVI, refugees, and Congolese.[192] 'Those responsible for that slaughter became part of the post-Mobutu government and were part of the forces that opposed the UN inquiry into the matter.'[193]

Meanwhile, RPF faced Insurgency in Northwest Rwanda (1997-98), increasing cross-border raids by FAR/*Interahamwe* rebranded as *Armée pour la Libération du Rwanda* (ALiR).[194] Locals who refused to collaborate with the rebels became targets, and ALiR killed several hundred. RPF counter-insurgency operations, targeting those suspected of collaboration with ALiR, claimed 16,000 civilian lives.[195] In the middle of this maelstrom, on 11 December 1997, ALiR attacked a refugee camp of Congolese Tutsi at Mudende and butchered between 300 and 1,500 people in the span of several hours.[196] RPF reinforcements, based at Gisenyi, had taken their time to make the 20-minute drive.

Local support for the AFDL waned as more people began to see Kabila as Kagame's puppet vanguard of a Tutsi occupation, identified with the Banyamulenge despite the community's 1997 revolt against the RPF's plan to resettle them in Rwanda.[197] A month after Kabarebe was promoted to Presidential Advisor, Kabila announced he was sending all foreign officers home – if only to pre-empt a coup.[198] The threat, instead, came from the communities that put him in power and now felt betrayed by his anti-Tutsi *volte-face*. They joined the new rebellion promptly engineered by Kagame, *Rassemblement Congolais pour la Démocratie* (RCD), to champion the cause of Congolese Tutsi and Banyamulenge.[199] Kabila embraced his former enemies, ALiR-cum-*Forces Démocratiques pour la Libération du Rwanda* (FDLR), and exhorted retaliation against Rwandan and Ugandan forces and Banyarwanda and Tutsi generally.[200] These communities were ambivalent in their support of the RCD. In opposition, Banyamulenge even established *Forces Républicaines et Fédéralistes* (FRF) in Bujumbura.[201]

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[192] Lemarchand, *Dynamics of Violence*, 22.
[193] Mamdani, *When Victims Become Killers*, 260–261.
[194] Filip Reyntjens, *Political Governance in Post-Genocide Rwanda* (Cambridge: Cambridge University Press, 2013), 116–117.
[195] Ibid.
[196] Ibid.
[197] Vlassenroot, "Citizenship, Identity Formation," 511.
[198] Turner, *Congo Wars*, 5.
[199] Georges Nzongola-Ntalaja, *The Congo from Leopold to Kabila: A People's History* (London: Zed Books, 2002), 224.
[200] Mamdani, *When Victims Become Killers*, 260–261.
[201] Vlassenroot, "Citizenship, Identity Formation," 512.

Calculations of their own strategic interests and alliances brought Angola, Namibia, Zimbabwe, Chad, Congo-Brazzaville, and Sudan to back Kabila.[202] As Uganda and Rwanda's relationship frayed to the brink of war over control of rich mineral deposits around Kisangani, the RCD splintered and a third group emerged, Jean-Pierre Bemba's *Mouvement de Libération du Congo* (MLC).[203] Rwandan-backed RCD-Goma, controlling a third of Congo, turned the capital of North Kivu into the base of its 'co-called government'[204] and retained Tutsi Governor Leonard Kanyamuhanga until his death in 2000, when he was replaced by Eugène Serufuli, one of MAGRIVI's founders.[205] In the interim, they established two institutions: *Tous pour la Paix et le Dévéloppement* (TPD) to promote Rwandan (and Congolese) repatriation and Local Defence Forces (LDF) to arm civilians.[206] The Lusaka Ceasefire Agreement of July 1999, culminated in the 2002 Sun City Accord, brought about a power-sharing transitional government of national unity and the official – if not fully acceded to – withdrawal of Rwandan and Ugandan troops.[207] Even though the rebellion officially ended in 2003, occupation continued: LDF were integrated into the new *Forces Armées de la République Démocratique du Congo* (FARDC) and remained based in Masisi and Rutshuru, permitting Serufuli and RCD to retain control over these areas.[208]

Not even a year had passed since hostilities ended when Banyamulenge Colonel Jules Mutebutsi mutinied and seized Bukavu, the provincial capital of South Kivu, with Laurent Nkunda's military assistance.[209] Both had trained in the RPF and were formerly with AFDL, then RCD, before Mutebutsi integrated into FARDC and Nkunda, prompted by Rwanda, refused to.[210] In the wake of their abortive *coup d'état*, mobs of enraged Congolese killed hundreds of Banyamulenge. Hutu extremists affiliated with Burundi-based *Forces Nationales de Libération* (FNL) attacked those who fled to Gatumba Refugee Camp in Burundi.[211] Like in Mudende, Burundian soldiers failed to intervene despite their proximity to the camp.[212] The leadership of RCD and the governments of Burundi and Rwanda popularised the atrocities as having been committed by FNL in tandem with FDLR and

[202] Lemarchand, *Dynamics of Violence*, 34.
[203] Ibid., 22.
[204] Turner, *Congo Wars*, 127.
[205] Ibid.
[206] Ibid.
[207] Denis M Tull, *The Reconfiguration of Political Order in Africa: A Case Study of North Kivu (DR Congo)* (Hamburg: GIGA-Hamburg, 2005), 106.
[208] Turner, *Congo Wars*, 128.
[209] Lemarchand, *Dynamics of Violence*, 11.
[210] Turner, *Congo Wars*, 160.
[211] Lemarchand, *Dynamics of Violence*, 18.
[212] Turner, *Congo Wars*, 103–104.

Mayi-Mayi.[213] Three months after the Gatumba Massacre, in November 2004, DRC's transitional parliament adopted a new nationality law following heated debate and granted citizenship to everyone belonging to an ethnic group found in what became Congo at independence in 1960.[214] In order to register to vote, applicants had to provide five witnesses in support of their claims to citizenship – all had to have been resident in one constituency for at lest five years at the time of application.[215] Parliament attempted to uphold the promises of the transitional constitution and address the discrimination that had contributed to the wars, but it remained pervasive and anti-Banyarwanda violence continued. Autochthonous groups maintained that since Banyarwanda customary claims to land were unrecognised, they were likewise excluded from the new nationality law.[216]

Throughout the transition period, Congolese had to navigate between parallel government structures – those aligned with the central government and those of locally dominant armed groups.[217] Rwandophone leaders opposed government forces, suspected of concealing FDLR members, and accused Kinshasa of planning to expel Banyarwanda. In turn, other communities denounced them for conspiring to commit genocide against non-Rwandophones, referencing armament since 2004.[218] In August 2005, Nkunda published a letter in the press, accusing Joseph Kabila[219] and his entourage of using military integration to pursue ethnic cleansing in North Kivu; he urged resistance, rebellion, and deposition of the central government.[220] Kinshasa promptly issued a warrant for his arrest.[221] 2006 electoral failure turned the Tutsi-dominated RCD-Goma from being one of four political forces governing the country to being politically insignificant at the national level: no Tutsi was elected to the North Kivu Provincial Assembly and only one, unaffiliated with RCD, to the National Assembly.[222]

Nkunda returned to arms and formally founded *Congrès National pour la Défense du Peuple* (CNDP) with the explicit goals of combatting FDLR, repatriating Congolese Tutsi, and

[213] Ibid.
[214] Manby, *Struggles for Citizenship*, 78.
[215] Ibid., 79.
[216] Ibid.
[217] Turner, *Congo Wars*, 128.
[218] Ibid., 133.
[219] Joseph Kabila assumed the Presidency of DRC in 2001 when his father, Laurent-Désiré, was killed.
[220] Turner, *Congo Wars*, 139.
[221] Jason Stearns, "From CNDP to M23: The Evolution of An Armed Movement in Eastern Congo," Usalama Project (Nairobi/London: Rift Valley Institute, 2012), 24.
[222] Ibid., 29; Manby, *Struggles for Citizenship*, 80.

overthrowing Kabila.[223] The same three RCD brigades that came to control Masisi and Rutshuru became the backbone of the CNDP.[224] General Bosco Ntaganda, former chief of staff of Thomas Lubanga's *Union des Patriotes Congolais* (UPC), joined Nkunda.[225] Following heightened hostilities through 2007, Nkunda finally agreed on *mixage*, a variant of army integration that kept his units in North Kivu and actually strengthened the CNDP due to Nkunda's manipulation of the process.[226] 2008 peace talks reached an impasse: the status of Congolese Tutsi and their repatriation from Rwanda remained unresolved; Tutsi representatives complained of continued discrimination against their community and exclusion from public office; and autochthonous groups reiterated that Banyarwanda were immigrants with dubious land claims who worked for the Rwandan government's interests.[227] CNDP forces, with RPF's support, again went on the offence and advanced towards Goma, teetering on the edge of the town.[228]

The CNDP Rebellion culminated in the Ihusi Agreement of 16 January 2009, a deal brokered behind closed doors by Kagame and Kabila.[229] Ntaganda declared he was replacing Nkunda as head of CNDP on grounds of mismanagement. Twelve days later, he, along with Rwanda's Defence Minister and DRC's Interior Minister, announced CNDP was integrating into FARDC to fight FDLR.[230] Nkunda was put under house arrest in Rwanda while CNDP officers were awarded key positions in FARDC and given guarantees they would not be deployed outside the Kivus.[231] The agreement was formalised on 23 March 2009. Three years later, almost to the day, its namesake the M23 Rebellion was launched. In the interim, CNDP officers led three different military operations against the FDLR, and eastern Congo began a fragile process of peace-building and reconstruction.

While Congo was ravaged by two wars and a rebellion, the post-genocide desert in Rwanda had begun to flourish. The International Criminal Tribunal for Rwanda (ICTR) was established and *Gacaca*, a traditional grassroots community justice mechanism, was reintroduced. Between 2001 and 2012, when *Gacaca* courts concluded their cases, nearly 2

[223] Stearns, "CNDP," 19, 23.
[224] Ibid., 20.
[225] Gérard Prunier, *Africa's World War: Congo, the Rwandan Genocide, and the Making of a Continental Catastrophe* (Oxford: Oxford Univ. Press, 2009), 297, 302.
[226] Stearns, "CNDP," 30.
[227] Manby, *Struggles for Citizenship*, 80.
[228] Stearns, "CNDP," 33.
[229] Ibid.
[230] Ibid., 34.
[231] Ibid., 35.

million people had been tried; 65 per cent of those were convicted.[232] The tribunals are said to have eased ethnic tensions, fostered reconciliation, and reduced the prison population. They are also criticised for empowering under-trained judges, facilitating score-settling, and silencing dissent. Equally controversial were laws against ethnic divisionism and the promotion of genocide ideology, passed in 2001 and 2008, respectively.[233] Those convicted, including children and their guardians, faced 10 to 25 years in prison (double in the case of recidivism).[234] The poor wording, breadth, and vagueness of these well-intentioned laws leave them highly susceptible to manipulation – by government and citizen alike. For the former, it allows the criminalisation of dissent; for the latter, it facilitates favourable rulings in land disputes and personal conflicts.[235] Even though the genocide ideology law was revised in 2013 – clarifying the definition of the crime, requiring evidence of intent, and decreasing punishment to nine years – it remains an easily exploited curtailment of free speech.[236]

'Rwanda's key dilemma is how to build a democracy that can incorporate a *guilty majority* alongside an aggrieved and *fearful minority* in a single community.'[237] The RPF's record in this formidable challenge is unsurprisingly pockmarked. Laws like those against divisionism and genocide ideology have decreased political and public space, as well as opposition, and resulted in what Mamdani termed 'the Tutsification of state institutions'[238]. While ethnic labels are outlawed, society is formally divided into five categories (returnees, refugees, victims, survivors, and perpetrators) that still correspond to culpability in the genocide, inadvertently perpetuating collective guilt and associated discrimination.[239] The RPF has faired much better in terms of its economy, tourism, and Human Development Index indicators, which all grew rapidly throughout the 2000s.[240] During the same period, poverty and child mortality rates decreased significantly as well.[241]

As both states pursued potholed paths to socio-economic reconstruction and national

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[232] "Rwanda Closes 'Gacaca' Genocide Courts," *Al Jazeera*, June 19, 2012, http://www.aljazeera.com.
[233] Reyntjens, *Post-Genocide Rwanda*, 74–79.
[234] Ibid., 75.
[235] Ibid., 77.
[236] HRW, "Rwanda: Justice After Genocide—20 Years On," March 28, 2014, http://www.hrw.org.
[237] Mamdani, *When Victims Become Killers*, 266.
[238] Ibid., 272.
[239] Ibid., 267.
[240] UNDP, "Human Development Index Trends, 1980-2010," 2012, http://www.undp.org; Rwanda Development Board, "Tourism and Conservation Performance in 2008," January 6, 2009, http://www.rwandatourism.com.
[241] National Institute of Statistics of Rwanda, "The Third Integrated Household Living Conditions Survey Main Indicators Report," 2012, http://www.statistics.gov.rw; UN Data, "Under-Five Mortality Rate," 2012, http://data.un.org.

reconciliation, many of their citizens continued to reside in refuge. These are Congolese and Rwandans who fled various episodes of violence that accompanied their states' entwined histories of cyclic privilege and persecution – and it is to them that the discussion now turns.

2.3 REFUGEE MICROSTATES IN EXILE

Refugee camps and settlements can be conceptualised as 'microstates', characterised by demarcated territories, governments, and populations. I thus adopt Herman's concept of a 'microstate' as a central city composed of villages, bound by a shared system of governance, the observance of the same laws, and shared languages, religious beliefs, and ways of life. Following Tilly's analysis of the transformation of European cities to states, I use the anthro-sociological notion of the state, as opposed to the poli-philosophical idea, as it is a modern heuristic concept applicable to any community fulfilling these criteria, without the condition of sovereignty.[242] In this understanding, a microstate must be self-governing but not necessarily independent, autonomous, or self-sufficient. Refugee camps and settlements, as illustrated below, are microstates in their own right. Structures that govern refugees' lives under the domination of rebel groups in eastern DRC can be conceptualised, borrowing Herman's terminology, as 'nomadic microstates', sharing the same characteristics without being bound to territory.[243]

2.3.1 RWANDA'S CAMPS AND UGANDA'S SETTLEMENTS

Rwanda's refugee camps and Uganda's refugee settlements are ostensibly sprawling, self-contained microstates. Located in remote, rural areas, reaching them entails long journeys by bus or motorcycle taxi over winding and rocky dirt trails and creeks that criss-cross scattered villages. The camps have distinct borders, protected by barriers and security guards who monitor the documents of all those who enter and exit, granting or denying access. Kiziba and Gihembe are Rwanda's oldest refugee camps, established in late 1996 and early 1997,

[242] Charles Tilly and Willem Pieter Blockmans, eds., *Cities and the Rise of States in Europe, A.D. 1000 to 1800* (Boulder: Westview Press, 1994), 14.
[243] Hansen Mogens Herman, ed., *A Comparative Study of Thirty City-State Cultures: An Investigation* (Copenhagen: Kgl. Danske Videnskabernes Selskab, 2000), 16.

respectively. Each is home to about 20,000 people.[244] Nyabiheke Camp was established in 2005, and has a population of about 15,000 people.[245] Authorities estimate that about 75 per cent of these populations is under 18 years of age.[246] As Figure 2.1 illustrates, the majority of refugees in Rwanda's camps are Congolese adults, with a near parity between the genders in most age cohorts. Predominantly, they hail from Masisi and Rutshuru, with smaller groups from Walikale (also North Kivu); Mulenge, Minembwe, Uvira and Bukavu (South Kivu); and Moba, Vyura and Kalemie (Katanga).

Uganda's refugee settlements are much older, and thus more developed, than Rwanda's camps. Their populations are also much more diverse. Nakivale Settlement dates back to 1958, and until 1994 the majority of its population was Rwandan Tutsi.[247] In the years that followed, the population shifted to Rwandan Hutu (some of mixed parentage).[248] During the same period, Congolese refugees came to outnumber the Rwandans, arriving after Mobutu's death in 1997 and with large influxes in 2007 and 2009.[249] As of 1 September 2011, there were 28,814 Congolese refugees and 10, 506 Rwandan refugees in the settlement (out of a population of 57,957, which includes Oruchinga Settlement, then under Nakivale's administration).[250] Figure 2.1 shows relative gender parities between age cohorts and proportions of Rwandans and Congolese in the refugee population. Kyangwali Settlement was established in 1964, to address the influx of refugees who continued to arrive from Rwanda, as well as the Congolese who joined them.[251] The camp was later closed and started receiving refugees again in 1994, with the first large influx arriving in 1998. As of 1 September 2011, the camp's refugee population numbered 24,216 people. Of those, 20,290 were Congolese while 249 were Rwandan.[252] Kyaka II Settlement was not established until 1983, to formally accommodate Rwandan Tutsi refugees in the area.

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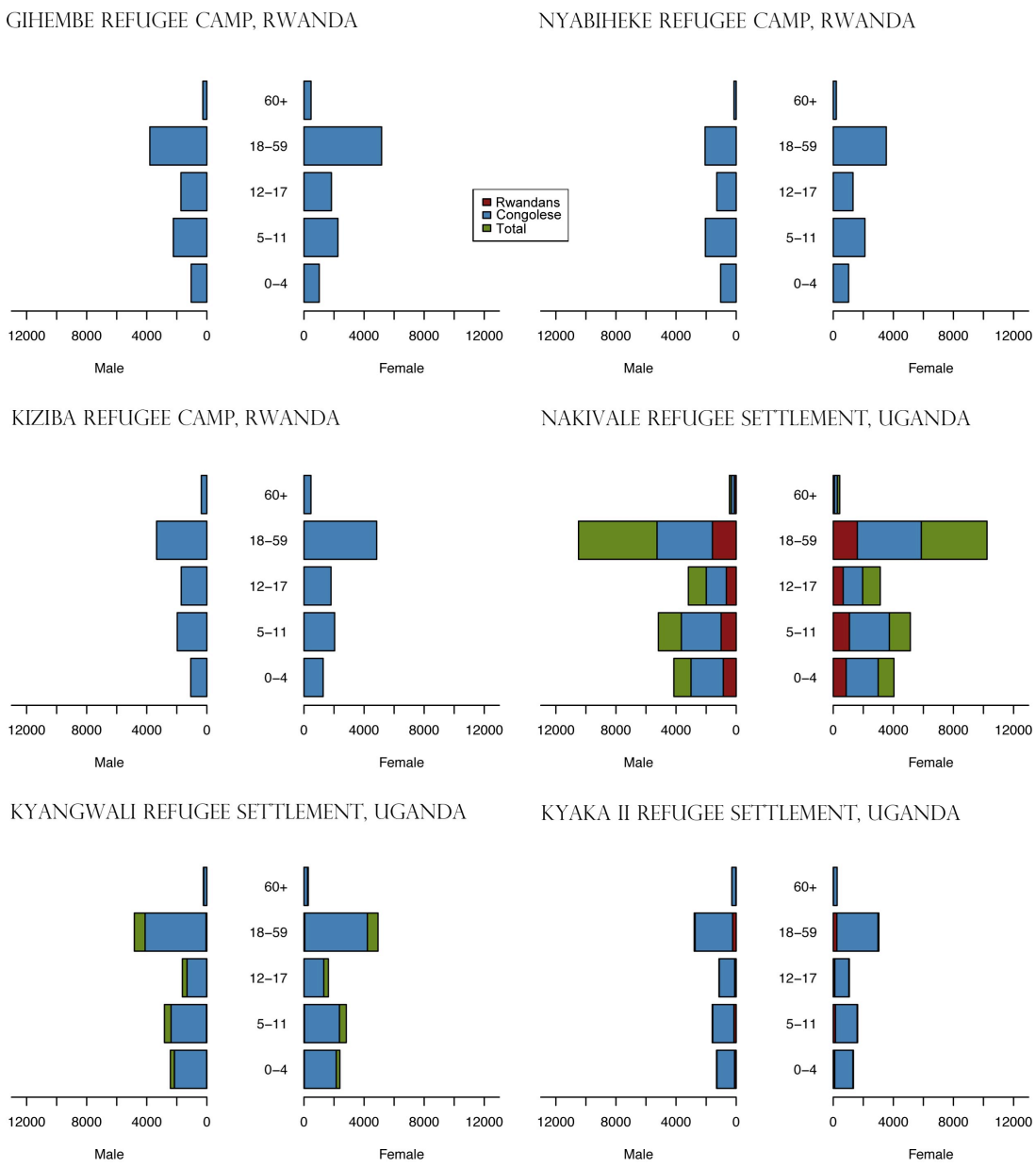
[244] Marcel Gatsinzi, Elite-Interview, Minister, Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali/Rwanda, May 30, 2011.
[245] Ibid.
[246] Ibid.
[247] David Apollo Kazungu, Elite-Interview, Commissioner, Directorate of Refugees, Office of the Prime Minister (OPM), Kampala/Uganda, October 17, 2011.
[248] Ibid.
[249] Ibid.; Ronald Sebba Kalyango, "Land Conflicts and Their Impact on Refugee Women's Livelihoods in Southwestern Uganda," New Issues in Refugee Research (Kampala, Uganda: Makerere University, July 2006), 7.
[250] Vivian Oriem, Elite-Interview, Settlement Officer, Office of the Prime Minister (OPM), Kampala/Uganda, October 26, 2011.
[251] Amos Tasebura-Kiirya, Elite-Interview, Commandant, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Apollo Kazungu, Interview, OPM Representative, Kampala, Uganda.
[252] Oriem, Interview, OPM Representative, Kampala, Uganda.

FIGURE 2.1

REFUGEE POPULATIONS IN RWANDA'S CAMPS AND UGANDA'S SETTLEMENTS BY SEX AND AGE (2011)



Data courtesy of Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali, 2011, and Directorate of Refugees, Office of the Prime Minister (OPM), Kampala, 2011.

As of 1 September 2011, the camp's total population of 16,464 refugees included 14,443 Congolese and 1,598 Rwandans[253] (Figure 2.1). Kyaka II was closed in 1995 when these refugees repatriated and reopened in 1997 when conflict flared in the DRC. The settlement's population nearly doubled in the span of a few months between 2004 and 2005.[254]

> As the Tutsi were returning home, the Hutu were fleeing, and wars caused communities to flee from Congo, Burundi, Somalia, and Ethiopia. Uganda continued receiving refugees. Kyaka II and Kyangwali were receiving Rwandans and Congolese, while Somalis and Kenyans were taken to Nakivale, which grew to become the most international of all the settlements. Refugees are still trickling in. 2005 witnessed a large influx of Congolese, with another in 2007 and 2008, this time from Rutshuru.[255]

Since Uganda's refugee microstates are so much older than Rwanda's, their transportation and economic networks are much more advanced, having had decades longer to develop. A regular taxi service carries passengers from Mbarara, the closest Ugandan city, to Isangano, a village in Nakivale Refugee Settlement where rooms are available to rent. Nakivale's villages are akin to linked cities, separated by sweeping expanses of pastureland and connected by wide trails over which motorcycle taxis carry their passengers. Each of these cities of thatched roofs and square buildings of rough clay has its own hair salons, restaurants, electrical appliance stores, and charging stations for mobile telephones, equipped with generators or batteries.

Camps in Rwanda have as yet to reach this level of development, but they too have their own bustling markets where people haggle over everything from fruits and vegetables to maize, groundnuts, textiles, and chickens. Most of the citizens of Uganda's refugee microstates are engaged in agricultural production, while those in Rwanda subsist from monthly food rations. A minority – less than three per cent of the total population[256] – have businesses, ranging from small stalls in the marketplaces to shops and teahouses in the main trading

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[253] Ibid.
[254] Eric Werker, "Refugees in Kyangwali Settlement: Constraints on Economic Freedom" (Kampala, Uganda: Refugee Law Project, November 2002), 4; Christina R. Clark-Kazak, *Recounting Migration: Political Narratives of Congolese Young People in Uganda* (London: McGill-Queen's University Press, 2011), 35.
[255] David Mugenyi, Elite-Interview, Commandant, Kyaka II Refugee-Settlement/Uganda, September 6, 2011.
[256] "2009 Joint Assessment of Refugees in Uganda," Final Report, Joint Assessment Mission (JAM) (United Nations High Commissioner for Refugees (UNHCR), World Food Programme (WFP), Office of the Prime Minister (OPM), March 2010), 25.

centres.[257] Residents sell and trade their produce or rations, farm and wash clothing for wealthier neighbours, make and sell bricks, employ themselves in construction, and invest their savings in more lucrative ventures like bars, cafés, hair salons, tailoring, guitar-making, and motorcycle taxi businesses.[258]

Refugee microstates' politico-administrative structures are modelled on those of the host states in which they are imbedded. Rwanda's 2001 decentralisation policy redrew the state's map in 2006.[259] Twelve provinces were reduced to five, further divided into districts composed of municipalities divided into cells of *umudugudu* (villages).[260] The administrative structure of Rwanda's camps melds the state's newly drawn lines with those they have effaced. Gihembe and Kiziba Camps are divided into quarters of *umudugudu*, while Nyabiheke's quarters contain sectors (today's municipalities) that are further subdivided into villages. Each quarter has its own *chef de quartier* and Refugee Community Council, made up of a President, Vice President, Secretary, and representatives for Culture and Leisure, Education, and Social Affairs.[261] The same structure governs administration at the village and sector levels. Elections are held yearly and there are no term limits for incumbents in most positions. Voters denote their preferences by queuing behind their chosen candidates. Residents can vote from the age of 18 and can run for office from the age of 21. The Camp Committee is chosen by popular vote, then elects the Camp President, who cannot serve more than two consecutive terms. The President's responsibility is to liaise between the refugee community,

[257] Werker, "Refugees in Kyangwali," 5.
[258] Joseph Nkurikiyinka, Semistructured-Interview, President, Kiziba Refugee-Camp/Rwanda, May 31, 2011; Masiska Nyiramucho, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Steria Nyiadiburugwa, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Laticia Mbragazuri, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Maria Nyirahabinka, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Alex Bakunga, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Faraja Honda, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Prosper Bukuru, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Cyprian Sibomana, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Camp Committee Members, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 14, 2011; Innocent Karengwa, Semistructured-Interview, President, Nyabiheke Refugee-Camp/Rwanda, June 14, 2011; Marc Shakagabo, Director Gihembe Refugee Camp, Ministry of Disaster Management and Refugee Affairs, Byumba, Rwanda, May 23, 2011; Mugenyi, Interview, Commandant, Kyaka II, Uganda; Leo Assimwe Mugabe, Elite-Interview, Assistant Commandant, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Jean-Pierre Bkorimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; "2009 Joint Assessment of Refugees in Uganda," 25.
[259] Republic of Rwanda, "Background and Legal System" (Official Website of the Republic of Rwanda, October 2006), www.gov.rw.
[260] Ibid.
[261] Karengwa, Interview, President, Nyabiheke, Rwanda; Nkurikiyinka, Interview, President, Kiziba, Rwanda; Hodari Ntarymira, Semistructured-Interview, Chef de quartier, Gihembe Refugee-Camp/Rwanda, May 27, 2011; Shakagabo, Director Gihembe Refugee Camp, Ministry of Disaster Management and Refugee Affairs, Byumba, Rwanda.

the Rwandan government, and UNHCR and its implementing partners. Representatives of UNHCR and Rwanda's Ministry of Disaster Management and Refugee Affairs (MIDIMAR) carry out elections monitoring.[262]

The political institutions that govern Uganda's refugee microstates are also derived from those of the host state. Like in Rwanda, these structures are rooted in decentralisation policies that reconfigured Uganda into villages (LC1), parishes (LC2), sub-counties (LC3), counties (LC4), and districts (LC5), each represented by a Local Council (LC) of ten members.[263] Each LC is headed by a Chairman and a Vice Chairman and composed of secretaries and representatives for areas like women, youth, agriculture, and education.[264] In refugee settlements, the LC structure translates into Refugee Welfare Councils (RWCs) at the block (RWC1), village (RWC2), and settlement (RWC3) levels.[265] Echoing Rwanda's Refugee Community Councils, RWCs are democratically elected and provide a system through which implementing partners, UNHCR, and government representatives can consult with refugees to address their problems and concerns.[266] Elections occur in the same manner as in Rwanda, but do so every two years and are monitored by the Office of the Prime Minister (OPM).[267] Only RWC1s are elected through popular vote.[268] There are no term limits. In both countries, great emphasis is placed on the promotion of women in leadership roles – at least one-third of all positions should be held by women.

Notwithstanding official RWC structures and electoral processes, Nakivale residents discuss their own political organisation in terms of clusters that comprise zones separated into 'areas' by large swathes of land,[269] while refugees in Kyaka II refer to zones and villages,[270] and those

[262] Spéciose Uwimana, Elite-Interview, Community Services Associate, UNHCR, Kibuye/Rwanda, June 3, 2011.
[263] Clark-Kazak, *Recounting Migration*, 35.
[264] Sarah Meyer, "The 'Refugee Aid and Development' Approach in Uganda: Empowerment and Self-Reliance of Refugees in Practice," New Issues in Refugee Research (Geneva: UNHCR, October 2006), 38.
[265] Ibid., 40; Tasebura-Kiirya, Interview, Commandant, Kyangwali, Uganda.
[266] Meyer, "'Refugee Aid and Development,'" 36; Godfrey Byaruhanga, Elite-Interview, Commandant, Nakivale Refugee-Settlement/Uganda, August 18, 2011.
[267] Mugenyi, Interview, Commandant, Kyaka II, Uganda.
[268] Ezekiel Ruhunde, Semistructured-Interview, Rwandans' President, Kyangwali Refugee-Settlement/Uganda, August 25, 2011; Collins Mwesigye, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011; Jacques Niyonkuru, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 27, 2011.
[269] Anatazi Nyiringimana, Semistructured-Interview, Chairman, Nakivale Refugee-Settlement/Uganda, August 18, 2011.
[270] Mugenyi, Interview, Commandant, Kyaka II, Uganda.

in Kyangwali stress only the village level of administration[271]. Despite denominational differences, the administrative structures wedded to these demarcations in both Uganda and Rwanda are marked by accountability mechanisms through which irresponsive leaders can be removed from power through elections or a vote of no confidence. The majority of these institutions' responsibilities address the provision and quality of welfare services by co-ordinating between service providers and refugee communities. The most important of these, shared by microstates in both countries, are the Food Distribution Committees. Democratically elected, these bodies organise the dispensation and allotment of food supplied by the World Food Programme (WFP), an implementing partner of UNHCR. The monumental responsibility associated with this task cannot be underestimated when the context is a refugee camp or settlement, whose residents' livelihoods depend predominantly on its effective oversight. A related duty of the Refugee Community Councils, Camp Committees, and Welfare Councils is the collection of taxes for participation in market days and business license fees.[272] The money raised is invested in the maintenance of markets.[273]

Other services addressed by these democratically elected bodies include the provision of security, education, and healthcare.[274] Security, much like food distribution, is addressed through elected security commissions and defence committees whose members are salaried and work in conjunction with state police and intelligence officers.[275] Elected representatives, however, can only communicate and coordinate; action is solely determined by the government of Uganda in conjunction with UNHCR. Refugees have even less direct input concerning the provisions of health and education services, which are largely contingent upon the capacities of the implementing partner, 'and the partners differ between camps'[276].

In Rwanda's microstates, education is free and compulsory at the primary level and for the first two years of secondary school; UN regulations view the provision of basic education as the responsibility of the host state.[277] The Jesuit Refugee Service (JRS) and the Adventist

[271] Ibid.
[272] Werker, "Refugees in Kyangwali," 13.
[273] Déo Kamuzungu, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Nkurikiyinka, Interview, President, Kiziba, Rwanda.
[274] Shakagabo, Director Gihembe Refugee Camp, Ministry of Disaster Management and Refugee Affairs, Byumba, Rwanda.
[275] Byaruhanga, Elite Interview, Commandant, Nakivale, Uganda; Shakagabo, Director Gihembe Refugee Camp, Ministry of Disaster Management and Refugee Affairs, Byumba, Rwanda; Mugenyi, Interview, Commandant, Kyaka II, Uganda.
[276] Uwimana, Elite-Interview, Community Services Associate, UNHCR, Kibuye/Rwanda.
[277] Ibid.

Development Relief Agency (ADRA) are implementing partners that address educational needs, including the payment of instructors' salaries, scholastic supplies, and the maintenance of facilities.[278] The German Organisation for Technical Cooperation (GTZ) and JRS offer scholarships for continuing education, depending on their available resources. To address the gap in educational opportunities, Gihembe's Camp Committee initiated a self-run secondary school taught by university graduates (Image 2.1).

GTZ is also involved in the provision of education in Uganda's settlements, which guarantees universal primary and secondary education. Window Trust UK offers scholarships in all three settlements, while the Finnish Refugee Council provides literacy and business skills training courses in Kyangwali, where media and computer training, as well as career guidance following the completion of secondary school, are also available.[279] Graduates from media courses publish a monthly journal – *Kyangwali Star* – with glossy pages and colour photographs (Image 2.2). Such programs, initiated first in Kyangwali, are still in the stages of preliminary implementation in Kyaka II and Nakivale.

Healthcare facilities are most advanced in Nakivale, the oldest of these microstates, with a hospital equipped with an operation theatre and clinics in each zone.[280] Two of Kyangwali's villages have major health facilities,[281] while Kyaka II has one primary health centre[282]. Each of Rwanda's camps offers a health centre for its residents as well.[283] The American Refugee Committee (ARC) is active in both countries to aid in the provision of these services, partnered with the Association of Volunteers in International Service (AVSI) and Africa Humanitarian Action (AHA) in Rwanda and Africa Action Help International (AAHI) and the Norwegian Refugee Service (NRS), amongst others, in Uganda.[284]

[278] François Sebunyoini, Semistructured-Interview, Teacher, Hope School, Gihembe Refugee-Camp/Rwanda, May 24, 2011.
[279] Assimwe Mugabe, Interview, Assistant Commandant, Kyangwali, Uganda.
[280] Byaruhanga, Elite Interview, Commandant, Nakivale, Uganda.
[281] Tasebura-Kiirya, Interview, Commandant, Kyangwali, Uganda.
[282] Mugenyi, Interview, Commandant, Kyaka II, Uganda.
[283] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda.
[284] Tasebura-Kiirya, Interview, Commandant, Kyangwali, Uganda; Shakagabo, Director Gihembe Refugee Camp, Ministry of Disaster Management and Refugee Affairs, Byumba, Rwanda; Mugenyi, Interview, Commandant, Kyaka II, Uganda; "2009 Joint Assessment of Refugees in Uganda," 10.

IMAGE 2.1

REFUGEE-RUN HOPE SECONDARY SCHOOL IN RWANDA'S GIHEMBE CAMP (2011)

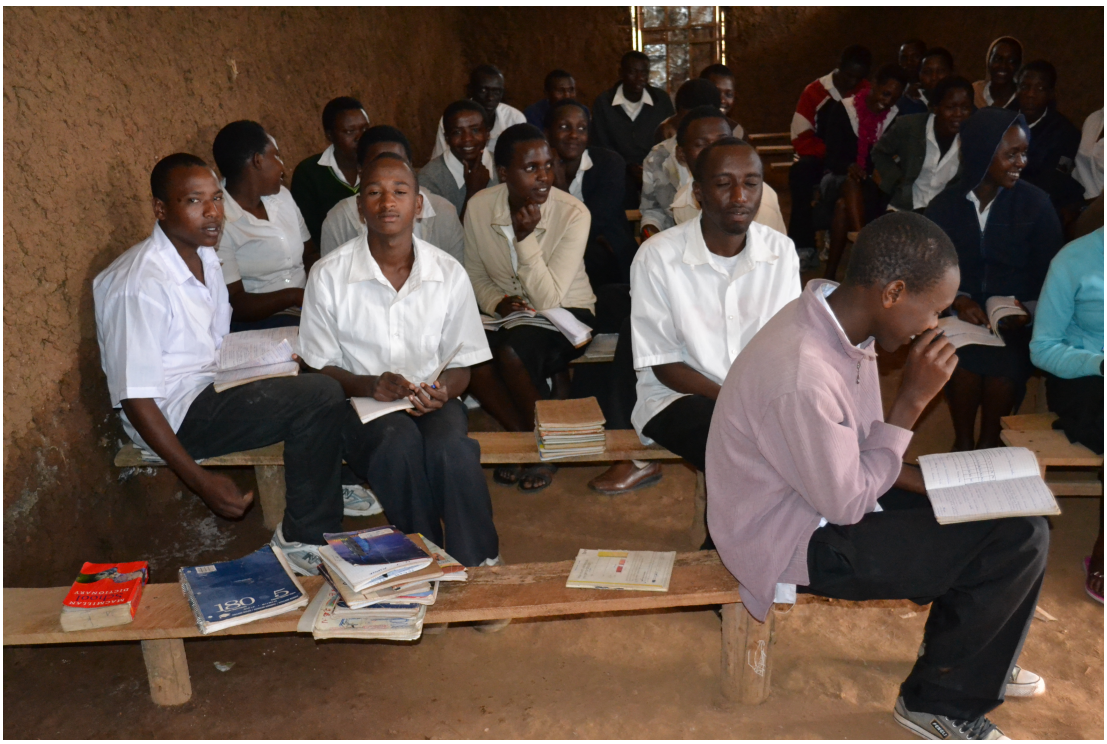
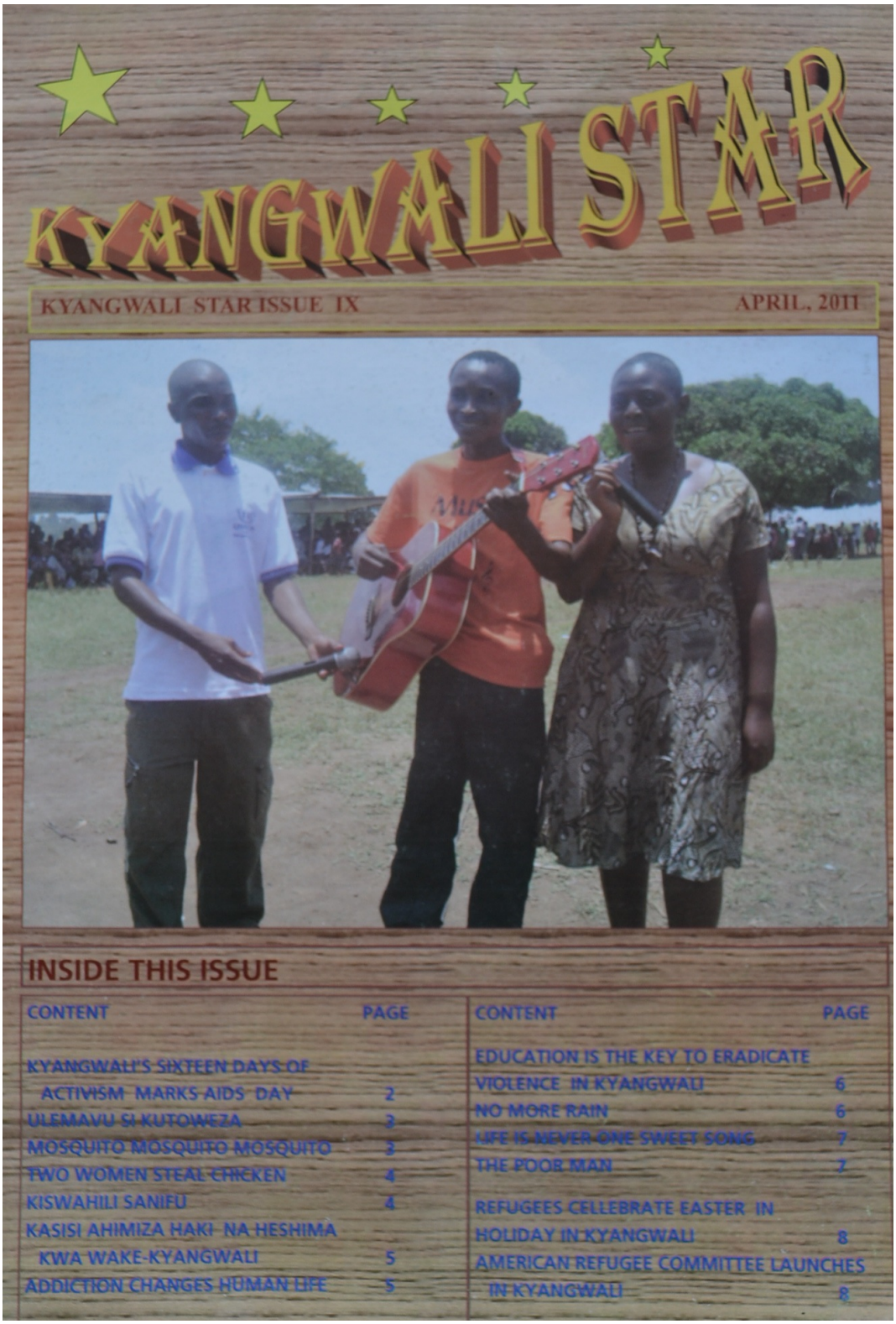


IMAGE 2.2

KYANGWALI REFUGEE SETTLEMENT'S JOURNAL (2011)



KYANGWALI STAR

KYANGWALI STAR ISSUE IX APRIL, 2011

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Welfare services have been outsourced to an alphabet soup of international NGOs. Camp Committees and Welfare and Community Councils are elected bodies that liaise between citizens and service providers, co-ordinating provision.

> Every resident knows each and every acronym, as well as their respective responsibilities, and petitions them directly, through their representatives, in the event of problems with a given service.[285]

2.3.2 FDLR: A NOMADIC (REFUGEE) MICROSTATE IN THE DRC

There are neither camps nor settlements for refugees in the DRC.[286] Sporadic conflict complicates their verification, but an exercise completed by village leaders in each territory in 2011 estimates there are 120,000 Rwandan refugees in North Kivu and 33,000 in South Kivu.[287] Their perilous existence in the Kivus is dominated by the political economy of conflict, the structures that govern it, and those who control them. These refugees live in nomadic microstates whose systems of governance, defence, and justice are dominated by warlords and rebel groups. The population under their control moves with them as territory is lost or won in war. These nomadic microstates bear little resemblance to their territorialised counterparts of camps and settlements, but still fulfil Herman's criteria for such 'socio-political entities"[288].

The unregulated nature of eastern DRC's mining sector, compounded by the breakdown of law and order caused by nearly two decades of war, have given rebel groups unrestricted access to natural resources that finance the conflict on which these nomadic microstates are based.[289] Rebels have established lucrative trading networks throughout eastern DRC, controlling trade in cassiterite (tin ore), columbite-tantalite (coltan), wolframite (a source of tungsten), and other minerals.[290] Rebel groups, from the FDLR to militias poorly integrated into FARDC, have utilised systemic extortion and forced labour to facilitate the extraction of minerals. Brutality and intimidation befall civilians who defy the demands of groups

[285] Nkurikiyinka, Interview, President, Kiziba, Rwanda.
[286] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda.
[287] Félix Musanganya, Elite-Interview, Director, Commission Nationale pour les Réfugiés (CNR), Goma/DRC, July 4, 2011.
[288] Mogens Herman, *Thirty City-State Cultures*, 12, 16.
[289] Global Witness, "Faced With a Gun, What Can You Do? War and Militarization of Mining in Eastern Congo" (London: Global Witness, July 2009), 4.
[290] Ibid.

controlling the areas they inhabit, reflecting the 'violence of everyday life'[291] that characterises 'warlord politics'[292]. While the FDLR's emergence was not premised on the exploitation of natural resources, its survival has become wedded to it.

Through 2009, the group predominantly depended on its control of gold and cassiterite mines in South Kivu's Mwenga, Walungu, Uvira, and Fizi territories and North Kivu's Walikale territory.[293] By 2014, a large source of FDLR's revenues came from gold mines in areas around Mukungwe (Walungu Territory, South Kivu) and Kasugho and Mangurudjipa (both in Lubero Territory, North Kivu).[294] The actual profits derived from this control come from a variety of strategies, deployed differently throughout these areas. Forced labour has, for the most part, been replaced by taxation: flat fees of roughly one-third of mined minerals; weekly collections of 2 kilogrammes of coltan or cassiterite per mining site; weekly collections of one gramme of gold from each mineshaft of a mine; or cash taxes on specific amounts of mining proceeds.[295] Sales are conducted through Congolese intermediaries who transport minerals to exporters whilst their families remain with the FDLR as collateral; they return with goods and supplies from the markets.[296] Minerals reach Burundi, Tanzania, and other neighbouring countries by land or lake via motorised boats and canoes.[297] In Lubero and Walikale territories, FDLR collaborate in mining enterprises with *Mayi-Mayi* groups under Sikuli Lafontaine and Hilaire Kombi.[298] They also trade and train with Congolese armed groups *Alliance des Patriotes pour un Congo Libre et Souverain* (APCLS) and Nyatura and the Burundian *Forces Nationales de Liberation* (FNL).[299]

Described by many Congolese as '*les grands commercants*' (the big businessmen),[300] FDLR have diversified their financial portfolio by taxing markets and trade routes and developing vast ventures in illegal timber, cannabis, and charcoal production, the latter based in Virunga National Park.[301] The group is also involved in large-scale agricultural and livestock

[291] Ibid.
[292] William Reno, *Warlord Politics and African States* (Boulder: Lynne Rienner Publishers, 1999), 12.
[293] Global Witness, "Faced With a Gun," 39.
[294] Patrycja Stys, "FDLR: Past, Present and Policies," DR Congo Affinity Group (New York: Social Science Research Council (SSRC), March 24, 2014), 5.
[295] Global Witness, "Faced With a Gun," 41; Stys, "FDLR: Past, Present and Policies," 8.
[296] Global Witness, "Faced With a Gun," 41.
[297] Ibid., 42.
[298] Stys, "FDLR: Past, Present and Policies," 8.
[299] Ibid.
[300] Global Witness, "Faced With a Gun," 39.
[301] Stys, "FDLR: Past, Present and Policies," 7–8.

operations, in addition to investing in urban areas and small businesses.[302] This pervasive penetration of local economies, developed over the course of two decades, has enabled the FDLR to established socio-political and judicial structures parallel to the formal ones of the Congolese state in which they are embedded. Such embeddedness characterises many other militias in eastern DRC as well.[303] The FDLR's authoritarian rule is legitimated by extreme brutality and violence, and the local population treats its members as if they were state officials in FDLR-controlled villages in the Kivus.[304]

While these rebels' survival is contingent on their control of resource-rich territories and integration in local economies, the productivity of these sectors rests entirely on their ties – mutually beneficial or predominantly exploitative, as the case may be – to local Congolese residents and Rwandan refugees. Inhabitants are 'taxed' for 'protection and support', and at various checkpoints along the roads to market.[306] Whilst business links remain, territorial control and influence, much like alliances between different militias, changes with conflict, and populations living in these areas move constantly with the rebel groups that govern, protect, and persecute them. In eastern DRC, over 80 per cent of Rwandan refugees live under the tutelage of the FDLR.[307] Membership in the group is obligatory from the age of 13, and FDLR retains draconian control over these refugees, punishing efforts to repatriate, requiring permits for travel, and preventing outside communication.[308] In exchange for their tacit support, the refugees receive protection.

Rwandan refugees and local Congolese residents and businessmen are integral to FDLR's survival. Within the network of militarised mining, for example, they function as porters, marching for days in front of columns of rebels armed with AK-47s, rocket launchers, machine guns, and chains of bullets, carrying bags of minerals weighing as much as fifty kilograms[310] –

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[302] Ibid., 8; Jason Stearns, Judith Verweijen, and Maria Eriksson Baaz, "The National Army and Armed Groups in the Eastern Congo: Untangling the Gordian Knot of Insecurity," Usalama Project (Nairobi/London: Rift Valley Institute, 2013), 35–36.
[303] Stearns, Verweijen, and Eriksson Baaz, "National Army," 35–36.
[304] Global Witness, "Faced With a Gun," 39, 42.
[306] Olive Habyarimana, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 22, 2011; Muhanda Rwantobotobo, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 5, 2011; Olive Mujawimana, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 5, 2011; Global Witness, "Faced With a Gun," 41.
[307] Gratien Mupenda, Elite-Interview, Director, Commission Nationale pour les Réfugiés (CNR), Bukavu/DRC, November 4, 2011.
[308] Stys, "FDLR: Past, Present and Policies," 8.
[310] Zapy, Semistructured-Interview, ex-FDLR Major, Mutobo Demobilisation-Centre/Rwanda, August 8, 2009.

'When people have guns and are giving orders, you can't complain'[311]. Once they reach the market, men stay behind while their families and other civilians trade and sell the minerals.

> Women in armed groups are cooks and nurses and stay at fortified positions. Only very rarely do women actually participate in combat. They are usually with one man, until they decide they are married. Once they are pregnant and useless in terms of their previous military function, they join or re-join the refugees.[312]

Civilians' livelihoods are also dependent on these networks of militarised mining, and on the protection afforded by the FDLR. In order to survive, however, they live in an atmosphere of constant terror and persecution:

> The whole time, we lived in the forests. We moved with the FDLR for protection, in the same way we fled Rwanda with them. FDLR maintains positions in those forests. They fight for us. They guard us. And we would stay behind their lines. But they would also beat us seriously, causing some to flee. But many others realised that without their protection, we would perish in those forests.[313]

> Life was not easy. To eat, we farmed for the locals, who paid with food or a small bit of money. There was no security, sleeping and moving through the forests. We were living like animals. [...] It was not easy, as women, to follow the FDLR. Our children grew up hunted in those forests, constantly running and knowing nothing else.[314]

> We were just moving all the time. We had no place where we stayed, no houses, nowhere to sit or escape the rains.[315]

Rwandan refugees are amongst the most unfortunate citizens of the FDLR's nomadic microstate. They are scattered throughout remote areas of nearly impenetrable jungle, protected by the very same rebels who abuse and exploit them.[316] They comprise part of the labour force in which militarised mining is rooted and provide the agricultural means by

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[311] Bisengo Kobwa, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 15, 2011.
[312] Séraphin Gasore, Semistructured-Interview, ex-FDLR Combatant, Mutobo Demobilisation-Centre/Rwanda, September 27, 2009.
[313] Alphonsine Nyamurinda, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011.
[314] Ferenadi Nyiteranya-Nyirasebura, Semistructured-Interview, Repatriate, Northwest/Rwanda, November 27, 2011.
[315] Emanuelle Mutuyimana, Semistructured-Interview, Repatriate, Northwest/Rwanda, December 1, 2011.
[316] David Benthu Nethengwe, Elite-Interview, External Relations Officer, UNHCR, Goma/DRC, July 29, 2009; Félix Musanganya, Elite-Interview, Director, Commission Nationale pour les Réfugiés (CNR), Goma/DRC, July 30, 2009.

which it is partially sustained. Armed conflict is endemic in the nature of this lucrative, diversified rebel-run economy as different factions wage war over the control of the most profitable mines and arable lands. Workers in these mines and fields, inhabitants of surrounding villages, Rwandans and Congolese alike, are slaughtered during conflicts. Their lives are marred by perpetual flight and they are lived under constant fear of death. Family histories are accounts of separation and loss. They are trapped in an intractible political economy of conflict whose survival is contingent on their labour. Rebels recongnise their dependency on refugees:

> The movement [FDLR] didn't permit those refugees who wanted to return to repatriate; they were imprisoned in a manner. Finally, they became hostages of the movement.[317]

The Director of the *Commission Nationale pour les Réfugiés* (CNR) in Goma, summarised the lived reality of these refugees:

> The FDLR prevents Rwandan refugees from fleeing, from repatriating, killing them and its own combatants if they attempt to run. The *grand messieurs* of the FDLR have wives in Rwanda, in other African countries, or in Europe, but they also keep 'young bush wives' with them in the DRC. Raped women are taken as such 'forest wives' and continuously abused sexually; they remain 'wives' because otherwise they will be murdered. As a result of the perpetual conflict, many children are separated from their families and adopted by some of these women, who, if they manage to escape, repatriate to Rwanda with as many as ten children. Some of the rape victims perish when bombs are inserted into their wombs and detonated. Children are forced to watch.[318]

Rebels, much like refugees, are trapped in the same political economy of conflict that fuels this nomadic microstate. Lower-ranking FDLR soldiers see none of the large profits amassed by their commanders. They barely survive. Some of these combatants come from a long line of military figures, with fathers and grandfathers who continue to fight for the FDLR.[319] Others joined the rebel group as children, between the ages of five and twelve, having seen their

[317] Placide Ndyambaje, Semistructured-Interview, ex-FDLR Commander, Mutobo Demobilisation-Centre/Rwanda, September 26, 2009.
[318] Félix Musanganya, Elite-Interview, Director, Commission Nationale pour les Réfugiés (CNR), Goma/DRC, November 2, 2011.
[319] François Habyalimana, Semistructured-Interview, ex-FDLR Colonel, Mutobo Demobilisation-Centre/Rwanda, August 7, 2009; Bahiman, Semistructured-Interview, ex-FDLR Sergeant, Mutobo Demobilisation-Centre/Rwanda, August 7, 2009.

families killed when other rebel factions attacked their villages.[320] They joined FDLR for protection, to survive, which is the same reason many Rwandan refugees 'married' into the rebel group.

2.4 THE PERMEABILITY OF REFUGEE MICROSTATES' BORDERS, *DE FACTO* INTEGRATION, AND *DE JURE* SEGREGATION

Refugee microstates, nomadic like that of the FDLR, or even encamped like those of Rwanda and Uganda, have extremely porous borders that relegate their sacrosanct boundaries to mere mirages. Regardless of physical location, these microstates – complete with politico-administrative structures and welfare services – are still situated within the internationally recognised perimeters of sovereign states. Refugee microstates, and their citizens, interact with the host states in which they are embedded. As a result, refugees reside in a state of permanent impermanence – living in microstates separated from both their host and home countries, partially integrated but equally segregated.

2.4.1 IN AND OUT OF FDLR'S NOMADIC MICROSTATE

The microstate forged by the FDLR[321] in the DRC is inherently a very mobile one. Rebel leaders and their reluctant refugee-followers shift along with the group's alliances and changes in areas under their control. The mobility of this politico-economic administrative structure determines the integration of the population under its control with that of the host state. Just as the borders move, so do the people who are defined – and fail to be defined – by them. Historically rooted business ties are ever present, despite the mobility of FDLR members and

[320] Gad Mugemona, Semistructured-Interview, ex-FDLR Combatant, Mutobo Demobilisation-Centre/Rwanda, August 7, 2009; Obed Muturiki, Semistructured-Interview, ex-FDLR Combatant, Mutobo Demobilisation-Centre/Rwanda, August 7, 2009; Claude Ishimwe, Semistructured-Interview, ex-FDLR Combatant, Mutobo Demobilisation-Centre/Rwanda, August 7, 2009; Safi Mwizeye, Semistructured-Interview, ex-FDLR Combatant, Mutobo Demobilisation-Centre/Rwanda, August 7, 2009.

[321] While many of these observations apply to FDLR's splinter groups as well, here I focus on FDLR/FOCA, which is the original and largest of these organisations, with 1,500-3,000 armed members. RUD-Urunana/AN-Imboneza (split in 2003) numbers 300-600 combatants, while FDLR-Soki (split in 2005) has 180-200 fighters. See Stys, "FDLR: Past, Present and Policies," 3–4.

headquarters.[322] This nomadic microstate melds into the local population as it moves, seamlessly integrating into it while simultaneously integrating those communities into its own structures.

> During the day, they dress as civilians and blend into the population. They move through the villages and scout where they will attack next, then raid the targeted communities once night falls.[323]

In the course of a campaign against them, the FDLR would flee 'to the bush. Once peace came, they would return to the villages."[324] In those villages, usually communities of refugees, the rebels would rape women, kill men, and steal chickens and pigs.[325]

> The FDLR had *their* friends and *their* people, who were warned to hide when other rebel groups were coming, to hide inside their mattresses so that they would not be captured.[326]

Those people were protected by the FDLR; the others were not.[327] Some were kidnapped and forced to carry 'luggage', farm or tend cattle, trained to shoot, kill, and fight.[328] They became unwitting members of this nomadic microstate and moved with it for periods of months or years, until they could escape and return to their villages. The same leaders concurrently protected and persecuted the Rwandan refugee population.

Notwithstanding the nomadic nature of this microstate, its influence remains ever present because socio-economic ties have threaded the group into the social fabric of eastern DRC. In some areas, relative stability has enabled the FDLR to cultivate food crops on a large scale, including potatoes, manioc, beans, and vegetables, and raise domestic animals like pigs, goats, chickens, and cows.[329] This production has decreased the prices of meat and produce in some areas, benefitting local Congolese communities that have also taken advantage of the

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[322] Global Witness, "Faced With a Gun," 42.
[323] Alivera Nyaribikari, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 18, 2011.
[324] Christine Gahagabo, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011.
[325] Uwamahire Nyirasafari, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011.
[326] Jean Mukamuyabu, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011.
[327] Rachel Ayinkamiye, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Gahagabo, Interview, Transit Centre, Bukavu, DRC.
[328] Jean Burinda, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Mukamuyabu, Interview, Transit Centre, Bukavu, DRC.
[329] Stys, "FDLR: Past, Present and Policies," 8.

cheap labour provided by FDLR dependents.[330] The group has leveraged its relative affluence (and military dominance) in some rural areas to become moneylenders, lending large sums to local traders.[331] They have also invested in stores, restaurants, pharmacies, and motorcycle taxi businesses in towns like Kiwanja in Rutshuru Territory.[332]

These ventures would not be possible without close collaboration with local business owners and authorities. In 2013, FDLR representatives met with other militia leaders and local authorities in Uvira to negotiate the economic activities in which the group would invest.[333] These local alliances, and the economic activities they facilitate, cannot be generalised; they vary by locality and are more developed in North Kivu in comparison to South Kivu.[334] The same can be said for the FDLR's role as *de facto* authorities; in Uvira they had to negotiate economic access with local leaders and militias, while in Mwega they arbitrated disputes between traditional leaders and managed security[335]. Their varied embeddedness in Congolese socio-economic structures is facilitated and fortified through intermarriage, which links families and communities.[336] While the physical members and headquarters of the FDLR move, these socio-economic ties bind the group to Congo's society. This cohabitation, however, is an uneasy one, forged in fear, threat, and past and present violence. '[T]he relationship remains one of love and hate.'[337]

2.4.2 TENSIONS BETWEEN *DE FACTO* INTEGRATION AND *DE JURE* SEGREGATION IN UGANDA'S SETTLEMENTS AND RWANDA'S CAMPS

While DRC's nomadic refugee microstate integrates itself into local communities, it is the local communities in Rwanda and Uganda that meld into their countries' encamped microstates. As a result of differing refugee policies, this *de facto* integration is much more pervasive in Uganda than it is in Rwanda. Borders of these countries' respective microstates

[330] Ibid., 9.
[331] Ibid.
[332] Stearns, Verweijen, and Eriksson Baaz, "National Army," 36; Stys, "FDLR: Past, Present and Policies," 9.
[333] Stys, "FDLR: Past, Present and Policies," 9.
[334] Ibid.
[335] Global Witness, "Faced With a Gun," 39.
[336] Ibid.; Stys, "FDLR: Past, Present and Policies," 9.
[337] Christophe Bulaze, Elite-Interview, Assembly Point Coordinator, Commission Nationale pour les Réfugiés (CNR), Goma/DRC, July 31, 2009.

remain extremely porous, revealing the integration of refugee residents into their host states as well, due to policies that inadvertently foster it, while purporting to do just the opposite.

As Kalyango stresses, both Rwanda and Uganda's refugee policies are established on colonial legislation and based on the tacit understanding of refugees' presence as temporary.[338] Refugees are still perceived as potential agents of insecurity capable of spreading conflict throughout the host state or burdening its fragile economy by increasing competition for employment and demands on welfare services. Camps and settlements have been endorsed as the most pragmatic means of effectively distributing refugee aid and avoiding such conflicts. In order to assist refugee-hosting states, international bodies like UNHCR are responsible for overseeing the development of socio-economic and physical infrastructures that permit them to fulfil their mandates. Host states situate camps and settlements in rural, remote areas to benefit from these international obligations and prevent refugees' integration.

For decades, Uganda and Rwanda hosted the same refugee communities whose populations continued to increase as generations were born and raised in exile, joined by others who fled their home countries due to the violence and persecution described in the second section. These years brought the realisation that the conflicts were intractable and the resulting refugee situations were protracted – not just in these states, but globally.[339] In response, UNHCR began implementing strategies that stressed host country development and refugees' empowerment to achieve self-reliance.[340] These policies were articulated as the Refugee Aid and Development (RAD) approach and materialised into Uganda's Development Assistance for Refugee-hosting Areas (DAR) programme, built on the successes of its Self-Reliance Strategy (SRS).[341]

Under SRS, self-reliance is defined as the ability to produce one's own food; to access and fund healthcare and education; pursue socio-economic and income-generating activities; and maintain self-sustaining socio-political structures that enable refugees to effectively address their own concerns.[342] In practice, SRS has focused on the first two objectives. The strategy

[338] Kalyango, "Land Conflicts," 5.
[339] Stephen Castles et al., *Developing DFID's Policy Approach to Refugeees and Internally Displaced Persons: Consultancy Report and Policy Recommendations*, vol. I (Oxford: Queen Elizabeth House, 2005), 28.
[340] UNHCR, "Addressing Protracted Refugee Situations in Africa: Informal Consultations, New Approaches and Partnerships for Protection and Solutions in Africa," 2001, www.unhcr.org.
[341] Meyer, "'Refugee Aid and Development,'" 3, 20.
[342] Ibid., 20.

addressed independence from food rations through the provision of small parcels of land in settlements for subsistence agriculture.[343] With each season, families are expected to become increasingly self-sufficient until they no longer require monthly rations or other humanitarian assistance.[344] Reductions in rations are determined and adjusted through yearly household nutritional assessments and crop yield and land use surveys, generating a complex matrix of constantly changing provision guidelines which is nearly incomprehensible – and poorly communicated – to Uganda's refugee communities.[345] The second objective was addressed through the integration of health and educational services, with the intention to move funding from services provided by implementing partners in settlements to those supplied by Uganda's government. It was envisaged that refugees and nationals would share these services, now partly funded by the international community, with refugees traveling to the districts to utilise them. In reality, the exact opposite has occurred.[346]

Collinson, Kaiser, and Lindley all observe that the policies implemented under Uganda's SRS implicitly foster integration by promoting the mutual use of social services by nationals and refugees and allowing the latter to establish small farms in the host state.[347] The Government of Uganda, however, insists that the aim of these policies is to prepare refugees for repatriation.[348] Certainly, refugees who have been able to further their education and accumulate resources are better prepared to return to their countries of origin and resume productive livelihoods. In this light, Uganda's promotion of self-reliance should be viewed as an interim measure in the wider context of continued commitment to repatriation as the most durable solution to forced displacement, as opposed to legal integration in the host state or resettlement in a third country. As Kibreab elucidated, refugee settlements themselves are favoured partly because they preclude social, economic, and political integration with host communities, reinforcing, along with the stress on repatriation, the sense of refugees' impermanence.[349] The historical reality of these communities' presence in their host countries,

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[343] Kalyango, "Land Conflicts," 5.
[344] Tasebura-Kiirya, Interview, Commandant, Kyangwali, Uganda; Apollo Kazungu, Interview, OPM Representative, Kampala, Uganda.
[345] "2009 Joint Assessment of Refugees in Uganda," 5, 18–19.
[346] Meyer, "'Refugee Aid and Development,'" 21.
[347] Sarah Collinson, "Lessons Learned from Specific Emergency Situations: A Synthesis," in *Developing DFID's Policy Approach to Refugees and Internally Displaced Persons*, vol. II (Oxford: Queen Elizabeth House, 2005), 44; Kaiser, "Between a Camp," 612; Lindley, "Between a Protracted," 42.
[348] Kaiser, "Participating in Development?," 353.
[349] Gaim Kibreab, "Local Settlements in Africa: A Misconceived Option?," *Journal of Refugee Studies* II, no. 4 (1989): 468–90.

in addition to the *de facto* integration that occurs as a result of policies fostering refugees' self-reliance, counters such endorsements of temporariness and speedy return.

The Government of Rwanda, similarly to that of Uganda and echoing the resolve of the international community and other refugee-hosting states, endorses repatriation and employs encampment to deter integration. Even though Rwanda has not officially implemented the RAD approach and provides its refugees with neither agricultural parcels nor integrated social services, its nationals, like their Ugandan counterparts, interact with refugees in markets and trading centres. A certain level of integration thus also occurs through what Lindley termed 'economic strategies of coping with life in exile'[350], especially given the length of time these communities have had to develop them. Tensions between these countries' explicit aims and the implicit ramifications of their policies have coalesced into complex situations of *de facto* integration and *de jure* segregation, suspending refugees between staying and going.

Uganda's provision of agricultural parcels under RAD offers the most salient example of how a policy to promote refugees' self-reliance paradoxically fostered integration while perpetuating conflict between refugees and nationals (segregation). Since the settlements were founded as provisional solutions for temporary refugees, their parameters were initially unmarked and refugees shared territories with nationals.[351] Some nationals purchased land from camp commandants or local authorities; others used it for grazing cattle, and thus considered it their own.[352] In 1995, the Government of Uganda began allocating settlement land to refugees for subsistence agriculture, but without establishing a uniform plot size.[353] Land was given and sold to refugees, nationals, and influential officials within the local district administration.[354]

Problems of land ownership, allocation, and incipient corruption were compounded by the co-existence of pastoralists and sedentary agriculturalists, nationals and refugees alike.[355] Livestock often strayed and destroyed crops, while the impacted refugee agriculturalists

[350] Lindley, "Between a Protracted," 39.
[351] Mugenyi, Interview, Commandant, Kyaka II, Uganda.
[352] Kalyango, "Land Conflicts," 6.
[353] Ibid., 8; "2009 Joint Assessment of Refugees in Uganda," 24.
[354] Godwin Buwa, Elite-Interview, Legal Officer, Refugee Law Project (RLP), Kampala/Uganda, October 14, 2011; Kalyango, "Land Conflicts," 14.
[355] "2009 Joint Assessment of Refugees in Uganda," 24.

retaliated by cutting off the animals' tails.[356] The myopic implementation of this policy entailed farsighted consequences, leading to deterioration in the relationship between refugees and nationals, exacerbating xenophobia, and resulting in violence that drew land allocation in Nakivale to a halt in 2002.[357] Simultaneously, however, the policy fostered refugees' integration into the local economy through increased ability to participate in markets. Kyangwali's refugees are currently supplying the majority of Hoima's agricultural products, for example.[358] A refugee resident in Nakivale summarised the complexity of the resultant situation:

> This is not a permanent land. At any time it can be taken away. It means you can't stay, because nothing is permanent. But you can't leave either, because to leave, you would have to leave everything.[359]

The integration of social services in Uganda has been equally problematic. Where healthcare services have been fully transferred to the districts, refugees cited reductions in their quality due to their inaccessibility resulting from high costs of transportation.[360] Conversely, nationals benefitted from an increase in the availability of drugs in health centres, where they account for 70 per cent of the patients.[361] In other instances, like in Kyaka II, where healthcare was essentially transferred from the district to the settlement, the two populations evaluated its provision similarly. Now, half of the patients are nationals, and it has become more difficult for refugees to see a doctor, compounded by a constant shortage of medicine that used to be readily available.[362] Nationals, on the other hand, commend the improvement in healthcare garnered through the integration of services. Assessments of education provision following the integration echo those of healthcare services. While Rwanda has as yet to pursue the integration of social services, its government plans to do so in the near future.[363]

In both countries, regardless of whether education has been integrated into the national social infrastructure, the curriculum is that of the host state. Receiving instruction in local languages, students learn about the history, economy, geography, and politics of their host

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[356] Byaruhanga, Elite Interview, Commandant, Nakivale, Uganda.
[357] Kalyango, "Land Conflicts," 3.
[358] Werker, "Refugees in Kyangwali," 5.
[359] Sibomana, Focus Group, Nakivale, Uganda, August 17, 2011.
[360] Meyer, "'Refugee Aid and Development,'" 37.
[361] "2009 Joint Assessment of Refugees in Uganda," 10.
[362] Mugenyi, Interview, Commandant, Kyaka II, Uganda.
[363] Shakagabo, Director Gihembe Refugee Camp, Ministry of Disaster Management and Refugee Affairs, Byumba, Rwanda.

states.[364] If they can afford the tuition, they attend secondary schools with nationals and prepare together for the same examinations. A Congolese headmaster in Nyabiheke commented on the resulting *de facto* integration, and its implications for repatriation:

> We're not happy about the Rwandan curriculum, but we can't do anything about it. We want the children to learn in French and follow the Congolese system. This curriculum is fine, but in the event of return, it will be a problem.[365]

While the integration of education and healthcare services has been pursued with the objectives of promoting refugees' self-reliance and contributing to their host states' development, the policies have paradoxically jeopardised the success of future repatriation by facilitating social integration. The longevity of these populations' presence in their host states and the porousness of the borders of their superficial microstates have led to the natural development of economic partnerships with local communities. These interactions have only augmented *de facto* integration and further challenged the host states' vehement promotion of repatriation as the most desired of durable solutions.

In Rwanda's camps, as in Uganda's settlements, nationals rent stalls in the markets and houses that they turn into lucrative bars, small stores, and motorcycle and bicycle repair shops.[366] In Nakivale and in Kyaka II, Ugandans have even opened pharmacies.[367] Refugees, on the other hand, make most of their income working for nationals; only a small percentage own businesses.[368] Some refugees travel to adjacent towns to purchase produce wholesale which they later sell piecemeal in camp and settlement markets.[369] To obtain these goods, they trade or sell maize, beans, and even clothes in exchange for money, cooking bananas, or other

[364] Republic of Rwanda, "A Guide to Civic Education: Life Skills for Rwandan Primary Schools," Upper Primary Level P4-P6 (Kigali, Rwanda: National Curriculum Development Centre, Ministry of Education, Science, Technology and Scientific Research, 2004); Elise Tushimiye, Semistructured-Interview, Teacher, Kiziba Refugee-Camp/Rwanda, June 3, 2011; Innocent Sibomana, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Sebunyoini, Interview, Teacher, Hope School, Gihembe, Rwanda.
[365] Isidor Bishogo, Semistructured-Interview, Headmaster, Nyabiheke Refugee-Camp/Rwanda, June 17, 2011.
[366] Mugenyi, Interview, Commandant, Kyaka II, Uganda; Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda; Karengwa, Interview, President, Nyabiheke, Rwanda; Nkurikiyinka, Interview, President, Kiziba, Rwanda.
[367] Edvina Nyiranguhirwa, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 10, 2011; Bosco Minani, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 18, 2011.
[368] "2009 Joint Assessment of Refugees in Uganda," 17, 25; Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda.
[369] Jacqueline Uwimana, Focus-Group, Refugee Assembly-Point, Karuba/DRC, July 31, 2009; Justine Munyerekana Mirindi, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 28, 2011; Daphrose Kyazonga, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 14, 2011.

products for which demand is high.[370] The system favours nationals, as refugees cannot afford the taxes associated with bringing their own goods to local markets.[371] Furthermore, few can afford the taxes charged for stalls in their own camps and settlements as well.[372] Most participate in casual labour in the form of land cultivation, laundry services, tailoring, and building construction.[373] In Uganda, it is possible to find such employment within the host population without leaving the settlement. In Rwanda, refugees must go into neighbouring towns to work for nationals. Pursuing employment outside their camps, refugees have established business connections with nationals and facilitated their own integration into their host country beyond the camp setting.

Many refugees in Rwanda's camps have family members who work in adjacent towns as medical assistants, tailors, hairdressers, and taxi and bus drivers.[374] Mobility, and the legality of such endeavours, is less of a factor since most have Rwandan identification and voters' cards, distributed in preparation for the 2010 presidential elections.[375] They return to the camps every few days or during the weekends. While away, they live with other refugees or friends in small, rented rooms. Others leave the settlement to study and commute back periodically.[376] At times, those left in the camps financially support loved ones pursing employment outside their borders by sending them their rations or money garnered from their sale.[377] Such arrangements, and their necessity, are less prevalent in Uganda, but they do exist.[378]

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[370] Valerie Mukawera, Semistructured-Interview, Businesswoman, Byumba/Rwanda, May 24, 2011.
[371] George Kaliyimahara, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 17, 2011.
[372] Nkurikiyinka, Interview, President, Kiziba, Rwanda.
[373] Jolie Nyiramurara, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Perusse Khadari, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Nyiramucho, Focus Group, Nakivale, Uganda; Emmanuel Mugisha, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011; Mwesigye, Focus Group, Kyaka II, Uganda; Ntarymira, Interview, Chef de quartier, Gihembe, Rwanda; Claudine Anasiyazi, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 3, 2011; Camp Committee Members, Focus Group, Nyabiheke, Rwanda.
[374] Dieudonné Biyozoza, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 4, 2011; Bernadette Gatsabo, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 3, 2011; Anasiyazi, Focus Group, Kiziba, Rwanda; Francine Nyiramata, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 3, 2011.
[375] Bethilde Kayigamba, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 4, 2011; Georgine Izeriyimana, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 16, 2011; Elders, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 3, 2011.
[376] Lumumba Mukamyi, Semistructured-Interview, Congolese Refugee, Kigali/Rwanda, June 15, 2011; Claudette Nyiawasamyi, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 17, 2011.
[377] Patrice Ngago, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 17, 2011.
[378] Arlette Iesia, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 27, 2011; Nyirabikiza Niramasoso, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Jack Rwembe, Semistructured-Interview, Bukavu/DRC, November 24, 2011.

The most striking feature of Uganda's settlements is their integration into the economy of the host state, as opposed to the integration of their residents into the job markets of neighbouring cities. The Kyangwali Trading Centre, for example, boasts well over 20 shops offering everything from produce and grains to imported goods like sodas, beer, and cigarettes. Supply trucks arrive regularly from Hoima and as far as Kampala to supply these shops and purchase refugees' agricultural products during the harvest season.[379] The vast majority of such products in Hoima is supplied by the settlement.[380] The integration of the economies of Uganda's camps into those of the host state is incomparable. Refugees in Rwanda, on the other hand, have had to search for employment outside their camps, integrating into the host state outside their camps' borders on an individual basis. In Uganda, due to the integration of social services and nationals' permanent residence in the settlements, the actual settlements have been integrated into the socio-economic infrastructure of the host state. In both contexts, *de facto* integration has occurred, following different trajectories, based on the diverse approaches to refugee-hosting adopted by the governments of Uganda and Rwanda – despite their stridently articulated commitments to repatriation and efforts to curtail integration.

2.4.3 CIRCUMVENTING *DE JURE* SEGREGATION

Even though integration has occurred in both states, *de jure* segregation of refugees from nationals serves as a constant reminder of the fact they are guests in their host countries, reinforcing the precariousness of their situation. Refugees remain marginalised as a result of barriers that prohibit their movement, employment, and political empowerment. The importance of these administrative barriers, however, cannot be overly exaggerated: refugees have found numerous ways of circumventing them. The porousness of such barriers echoes that of the borders of refugees' ostensible microstates.

To move outside their camps and settlements, refugees require permits and identity cards.[381] Those awaiting refugee status determination, which can take up to two years, are not eligible

[379] Ildéfonse Dimukarengane, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011.
[380] Werker, "Refugees in Kyangwali," 5.
[381] Shakagabo, Director Gihembe Refugee Camp, Ministry of Disaster Management and Refugee Affairs, Byumba, Rwanda.

to apply for permits.[382] The application for a travel permit is a journey through the microstate's political hierarchy, from the lowest level to its highest echelons, the representatives of the host countries' governments. The process takes approximately fifteen days while the permit itself is valid for only seven.[383] Furthermore, the acquisition of a permit is a trade for one's ration card, which is reinstated upon return.[384] The head of the household is identified on the ration card, the only one for whom it is feasible to find work in neighbouring towns, but for whom it is impossible depending on household size and whether or not it is food distribution week. Because of the intrinsic cost of the permit on the family in the form of the loss of a ration card, and the uncertainty of even finding gainful employment once it has been attained, the price is simply too high. Despite these barriers, refugees in both states move outside their camps and settlements in search of work. In Rwanda, as mentioned previously, many refugees have Rwandan identification documents and voters' cards, allowing them free movement. In Uganda, such national documentation does not exist,[385] and many refugees pay bribes to the OPM to obtain travel permits.[386] Students in these countries are permitted to travel within them using just their student identification cards, which rarely display expiry dates.[387] Others leave clandestinely and hope not to suffer the repercussions of being caught, which can be as severe as the revocation of refugee status and/or incarceration.[388]

Legal employment outside camps and settlements also necessitates the acquisition of a permit from government immigration offices in the capitals. To apply for the permit, refugees must first obtain a travel permit to reach Kampala or Kigali, and have to navigate the administration before that travel permit expires. Additionally, the cost of securing a work permit entails travel expenses and foregone labour in the camp or settlement – none of which guarantees the procurement of the permit, which itself amounts to more than an average refugee earns in nearly a year.[389] Refugees, most of who originate from Francophone countries, also face problems because many do not speak the local languages, especially in Uganda. Host countries find it difficult to translate their professional qualifications, and even

[382] Giselle Kimironga, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 3, 2011; Uwimana Kayizahara, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 3, 2011; Teleziya Konzirata, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 18, 2011.
[383] Pierre Nyamaza, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 14, 2011.
[384] Augustine Gahungu, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011.
[385] Oriem, Interview, OPM Representative, Kampala, Uganda.
[386] Sibomana, Focus Group, Nakivale, Uganda, August 17, 2011.
[387] Tushimiye, Interview, Teacher, Kiziba, Rwanda; Sebunyoini, Interview, Teacher, Hope School, Gihembe, Rwanda.
[388] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda.
[389] Werker, "Refugees in Kyangwali," 8; Shakagabo, Director Gihembe Refugee Camp, Ministry of Disaster Management and Refugee Affairs, Byumba, Rwanda.

when they do, those skills do not necessarily coincide with the demands of the marketplace.[390] Despite these administrative barriers, and without work or travel permits, many refugees have been able to secure employment outside camps and settlements in both countries. The work, as discussed earlier, is predominantly illegal casual labour and difficult to secure on a more permanent and equitable basis.

Aside from the ways in which refugees have circumvented these administrative barriers, they have little means through which to change them politically. The politico-administrative structures of their microstates serve to resolve intra-communal disputes and to facilitate communication between implementing partners and refugee communities, but their capacities remain divorced from institutional frameworks of the host countries within which they are embedded. Even though Refugee Welfare Councils, Community Councils, and Camp Committees are supposed to be integrated into the political infrastructure of the host states at the district level, their representatives have no real influence vis-à-vis the national bodies.[391] Moreover, decentralisation of power in Uganda and Rwanda has coincided with the centralisation of control over refugee issues by transferring them from the Ministries of Local Government to those of Relief and Disaster Preparedness, Management and Refugees and Disaster Management and Refugee Affairs, respectively, under Uganda and Rwanda's Offices of the Prime Minister.[392] Central representatives now have offices in all refugee-hosting districts, and they address matters related to those populations, as opposed to the district councils within which refugees' administrative structures are embedded. This system renders refugees' democratically elected representatives, and their constituencies, powerless. The political structures of refugee microstates have no bearing on the national and international decision-making bodies that actually govern them. Much like they circumvent administrative barriers to movement and employment, refugees bypass their elected officials and seek assistance directly from OPM and UNHCR representatives – often, however, they are simply turned away.[393]

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[390] Félix Semutumwa, Focus Group, Nakivale Refugee Settlement, Isingiro District, Uganda, August 15, 2011; Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda; Werker, "Refugees in Kyangwali," 9.
[391] Meyer, "'Refugee Aid and Development,'" 36; Werker, "Refugees in Kyangwali," 12; Uwimana, Elite-Interview, Community Services Associate, UNHCR, Kibuye/Rwanda.
[392] Republic of Rwanda, "Office of the Prime Minister," accessed August 23, 2012, www.primature.gov.rw; Republic of Uganda, "Office of the Prime Minister," accessed August 23, 2012, www.opm.go.ug.
[393] Kayizahara, Focus Group, Kiziba, Rwanda; Jean-Pierre Nyamutara, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 23, 2011; Céleste Kayogira, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 23, 2011; Konzirata, Focus Group, Nakivale, Uganda.

2.5 RESIDENCE IN REFUGE OUTSIDE MICROSTATES

Not all refugees in Rwanda and Uganda reside in microstates of camps and settlements. Many live as 'urban refugees' in their host countries' capitals. This phenomenon is much more prevalent in Kampala than it is in Kigali, partly due to the states' differing approaches to processing arriving asylum-seekers. In Rwanda, refugee status determination occurs predominantly at transit centres from which refugees are transported to camps.[394] In Uganda, one can apply for refugee status inside the settlement as well as in Kampala.[395] Processing such applications can take over three months. During this interval, asylum-seekers in Kampala receive no aid, and the government of Uganda refuses to transfer them to settlements because of the difficulty of later removing failed applicants.[396] Some refugees depart with adequate financial resources – or arrive with sufficient social connections – to endure this period and long thereafter. Others are supported by JRS. During this time, asylum-seekers develop socio-economic relationships with more established urban refugees, which may help secure their stay in Kampala. Until 2012, refugees could not register in Kigali, but this fact did not prevent them from living in the capital.[397]

In both cases, refugees must be granted their status and prove 'self-sufficiency' in order to obtain discretionary permission to live in the capitals.[398] Many are incapable of meeting this requirement, but stayed in the cities regardless; others from the settlements joined them. Together, they live informally or illegally, and without regular assistance. According to the OPM, as of 1 September 2011, Kampala was home to 4,850 Congolese asylum-seekers, 13,752 Congolese refugees, 2,277 Rwandan asylum-seekers, and 1,576 Rwandan refugees.[399] The same data shows the city's total population of asylum-seekers and refugees to be 40,869, while JRS believes the total to rest between 45,000 and 47,000.[400] Any statistical data concerning these populations is dubious at best.

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[394] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda.
[395] Apollo Kazungu, Interview, OPM Representative, Kampala, Uganda.
[396] Isaac Kiyaka, Elite-Interview, Director, Jesuit Refugee Service (JRS), Kampala/Uganda, October 24, 2011.
[397] Republic of Rwanda: Ministry of Disaster Management and Refugee Affairs (MIDIMAR), "MDIMAR in Registration Process for Urban Refugees," 2012, www.midimar.gov.rw.
[398] Apollo Kazungu, Interview, OPM Representative, Kampala, Uganda; Republic of Rwanda: Ministry of Disaster Management and Refugee Affairs (MIDIMAR), "MDIMAR in Registration Process for Urban Refugees."
[399] Oriem, Interview, OPM Representative, Kampala, Uganda.
[400] Kiyaka, Interview, JRS Representative, Kampala, Uganda.

> Urban refugee numbers change all the time. Some come out of the settlements, looking for employment opportunities or security; others return to the settlements. Some lie about their country of origin, and the vast majority simply remain unregistered.[401]

Rwanda registered its urban refugees in Kigali after a two-day verification exercise in April 2012. According to its findings, there were 1,545 Congolese refugees in the city, which hosted a total of 1,906 refugees.[402] Granted, these numbers are subject to the same scepticism as their Ugandan counterparts. Representatives of international and governmental agencies that work with these communities, as well as independent research, confirm that refugees in Kampala live in concentrated, sprawling urban asylums, while those in Kigali are much more dispersed throughout the local population.[403] In both settings, refugees are better educated than their encamped colleagues. They are also equipped with the skills and connections – if not the financial means – to survive in the cities.

Many urban refugees in Kampala await status determination. They are recent arrivals living with other refugees or alone in makeshift shelters outside agencies like InterAid and the Refugee Law Project (RLP). Those with the means to do so rent small rooms in the city, where they reside with their families. They engage in sporadic part-time employment, working as taxi conductors; loading and unloading fish in factories; selling handicrafts and toiletries to bus passengers at taxi parks; and cleaning in kitchens.[404] The fortunate ones are hired as translators and receptionists by local agencies working with refugees, usually on a seasonal basis or for a specific project.[405]

Many urban refugees in Kampala and Kigali are assisted by churches and religious organisations, which provide them with lodging in exchange for labour.[406] While JRS can aid

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[401] Ibid.
[402] Republic of Rwanda: Ministry of Disaster Management and Refugee Affairs (MIDIMAR), "MDIMAR in Registration Process for Urban Refugees."
[403] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda; Apollo Kazungu, Interview, OPM Representative, Kampala, Uganda; Clark-Kazak, *Recounting Migration*, 34.
[404] Manzi Mutuyimana, Semistructured-Interview, Kampala/Uganda, September 1, 2011; Rwembe, Interview, Bukavu, DRC; Manzi Willy Ngarambe, Semistructured-Interview, Kampala/Uganda, September 21, 2011; David Mugisha, Semistructured-Interview, Kampala/Uganda, September 23, 2011; Trésor Rwemba, Semistructured-Interview, Kampala/Uganda, October 13, 2011; Clark-Kazak, *Recounting Migration*, 119.
[405] Mutuyimana, Interview, Kampala, Uganda; Ngarambe, Interview, Kampala, Uganda; Rwembe, Interview, Bukavu, DRC.
[406] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda; Mukamyi, Interview, Kigali, Rwanda; Faustin Satabaro, Semistructured-Interview, Kampala/Uganda, September 12, 2011; Jeanette Ruterekara, Semistructured-Interview, Kampala/Uganda, September 12, 2011.

only asylum-seekers, the agency does provide a one-year English course for urban refugees in Kampala.[407] Those with medical problems are supported by InterAid, and victims of trauma can seek counselling and assistance from the African Centre for the Treatment and Rehabilitation of Torture Victims (ACTV).[408]

> UNHCR and InterAid deal with security matters; sometimes Amnesty International and Human Rights Watch are useful as well. Mulago is our referral hospital; InterAid pays for medication. RLP provides legal advice – they are our lawyers. JRS mostly works with asylum-seekers, before they get refugee status.[409]

The welfare structure of Kigali's urban refugees is less developed; they are a much smaller community and lived undocumented until 2012. Since the registration and verification exercise, MIDIMAR and UNHCR distributed mosquito nets, clothing, and hygienic products to urban refugees.[410] This population, in both Uganda and Rwanda, is entitled to free primary and secondary education, which does, however, require the provision of scholastic supplies and uniforms, which most parents cannot afford.[411] Norwegian People's Aid (NPA) addresses health services for Kigali's urban refugees. The only resource for employment opportunities is *Cooperative de credit et d'epargne Duterimbere* (COOPEDU), a local microfinance scheme that grants loans and encourages savings programmes, allowing its beneficiaries to start small businesses.[412] Urban refugees in Kigali are predominantly Congolese who speak languages very similar to Kinyarwanda, making it much easier for them to meld into the local population.[413] Because of the presence of many Congolese businessmen in Rwanda's capital, it is extremely difficult to differentiate between them and the urban refugees. Congolese urban refugees work in salons, restaurants, and taxi parks, occupying positions very similar to those of their counterparts in Uganda.[414]

Neither population has the right to participate in local political processes, including voting and running for office. Refugees can create and register associations in both host countries as

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[407] Kiyaka, Interview, JRS Representative, Kampala, Uganda.
[408] Ibid.
[409] Mugisha, Interview, Kampala, Uganda.
[410] Stevenson Mugisha, "Government, UNHCR Donate to Urban Refugees," *The New Times: Rwanda's First Daily*, March 21, 2012, www.newtimes.co.rw.
[411] UNHCR, "Office of the United Nations High Commissioner for Refugees, Rwanda," 2012, www.unrwanda.org; Oriem, Interview, OPM Representative, Kampala, Uganda.
[412] COOPEDU, "COOPEDU," accessed August 23, 2012, www.coopedu.rw.
[413] Ayuubu Kasasa Mago, Semistructured-Interview, Local Resident, Kigali/Rwanda, June 15, 2011; Bonheur Murumba, Semistructured-Interview, Local Resident, Kigali/Rwanda, May 30, 2011.
[414] Mukamyi, Interview, Kigali, Rwanda; Dieudonné Kagama, Semistructured-Interview, Congolese Refugee, Kigali/Rwanda, May 30, 2011.

long as they are non-political and not-for-profit; these regulations are strictly observed.[415] The Banyamulenge community in Kampala, for example, has its own elected leader, as do Banyamulenge groups in camps and settlements.[416] The Rwandan community in Kyangwali also has its elected leader outside the official microstate administrative structure.[417] In Kigali, Congolese refugees elected their own representatives as well, following the verification exercise. [418] While these leaders facilitate communication between their communities, international bodies, and the governments of their host states, they are powerless in the realms of policy formation and implementation – outside the microstates of camps and settlements just like within them.

Life for refugees living on the Goma-Gisenyi border that separates Rwanda and the DRC offers another facet of the integration – if not the segregation – that occurs in exile. A history of continuous migration across this porous international border and linguistic similarities render it nearly impossible to distinguish refugees from residents. Some Congolese refugees fleeing conflict in the mid-1990s received land near Gisenyi and Ruhengeri in Rwanda, while others were placed in camps.[419] Some have now constructed luxurious homes and started lucrative businesses, in Rwanda and across the border, where they send their children to receive an education in French. The same children, like many of their parents, cross the border on a daily basis, along with numerous Rwandan and Congolese businessmen and women. *La Petite Barrière* has become something akin to a revolving door that, instead of separating the two countries and their populations, allows Congolese refugees to become inseparable from Rwandan residents.

Rwandan urban refugees in Goma and Bukavu, DRC, are just as difficult to differentiate from the local population as their Congolese counterparts are in Rwanda, but for very different reasons. These refugees are not even registered in Goma or Bukavu, and their case is

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[415] Clark-Kazak, *Recounting Migration*, 34, 65; Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda.
[416] Sosthene Gatware, Semistructured-Interview, Nabulagala Banyamulenge Community Leader, Kampala/Uganda, October 29, 2011; Banyamulenge Elders, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 2, 2011; Etienne Muhekera, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda, June 2, 2011; Ruhunyiuriza Ntabangama, Semistructured-Interview, Banyamulenge Community Chairman, Nakivale Refugee-Settlement/Uganda, August 15, 2011.
[417] Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda.
[418] Mugisha, "Government, UNHCR Donate to Urban Refugees."
[419] Henry Mac Mupita, Focus-Group, Local Residents, Goma/DRC, November 3, 2011; Sophie Kalinga, Elite-Interview, Registration Officer, Commission Nationale pour les Réfugiés (CNR), Gisenyi/Rwanda, July 5, 2011.

an exemplar of segregation in exile, whose manifestation can easily be construed as indicative of integration. During interviews, the situation was explained in the following manner:

> They just melt into the population, and they have to, since they are blamed for the region's insecurity. They don't even admit that they are Rwandans. It's hard to gain their trust, because of their fear.[420]
> There are Rwandan refugees in Goma and in Bukavu, but they all fled Rwanda in 1994, and then came out of Mugunga Refugee Camp. They have melted into the local population, and live as integrated families, not as a Rwandan community. They refuse to speak Kinyarwanda, and won't even admit they are Rwandan refugees.[421]

2.6 REINFORCING IMPERMANENCE DESPITE *DE FACTO* INTEGRATION: THE CESSATION CLAUSE FOR RWANDAN REFUGEES AND HOPES OF THIRD COUNTRY RESETTLEMENT

Differing levels of *de facto* integration occurring across these settings are all impacted by the impending application of the Cessation Clause for Rwandan refugees (on the macrolevel of the international community, host, and home states) and the hopes of third country resettlement (on the microlevel of refugee communities themselves). Both these factors counter the integrative processes described above. Notably, the Cessation Clause impacts only Rwandan refugees. Pipe dreams of prosperity in Europe and North America, on the other hand, fail to dissipate nightmares of conflict and concealment lived by refugees in the DRC.

The Government of Rwanda explains the Cessation Clause in its legal context, the 1951 *Convention Relating to the Status of Refugees*, stating that refugee status can be concluded under clearly defined conditions:

> The cessation clause refers to the termination of the refugee status when fundamental changes in the country of origin, in this case Rwanda, have taken place in respect of the circumstances that led to the refugee situation. [...] It means that the rights that accompany the refugee status are terminated. As a result, refugees will need either to repatriate to Rwanda or integrate in

[420] Boutros Kalere, Elite-Interview, Representative, UN World Food Programme (WFP), Bukavu/DRC, November 11, 2011.
[421] Kyamuti Mupenga, Focus-Group, Local Residents, Bukavu/DRC, November 10, 2011.

> the country where they have been residing or in special circumstances, ask for an exception to this cessation clause to be applied to them.[422]

'Ceased circumstances' must be 'of an enduring nature' and reflect various considerations between current conditions in the country of origin and the context that precipitated its citizens' original flight: effective governance, from basic administrative structure to judiciary functions; democratic development; significant improvement in the realm of human rights; and adequate physical infrastructure that denotes post-conflict reconstruction.[423] 'Change in circumstances' must also entail increased voluntary repatriation and the implementation of reintegration projects that guarantee return, and the country's transformation, are durable and sustainable.[424] UNHCR cites Rwanda's promotion of reconciliation and democracy – a new Constitution, parliamentary and presidential elections, accession to various human rights treaties, establishment of the National Human Rights Commission for the promotion and protection of human rights, abolishment of the death penalty, and the conclusion of *Gacaca* proceedings – as the grounds for the implementation of the Cessation Clause for Rwandan refugees based on 'ceased circumstances'.[425]

In August 2011, MIDIMAR published a brochure called *An Overview of Progess Towards the Social and Economic Development of Rwanda* to communicate these changes to refugees (Image 2.3). The pamphlet is published in English, French, and Kinyarwanda and has been distributed to refugee camps, UNHCR offices, Rwandan embassies, and representatives of diaspora communities in all countries of asylum.[426] The Cessation Clause was to be implemented by 30 June 2013, and would affect any refugee who fled the country between 1994 and 1998, representing

> ... large scale forced population movements as a result of armed conflict, events seriously disturbing public order and/or the presence of a consistent pattern of mass violations to human rights including genocide.[427]

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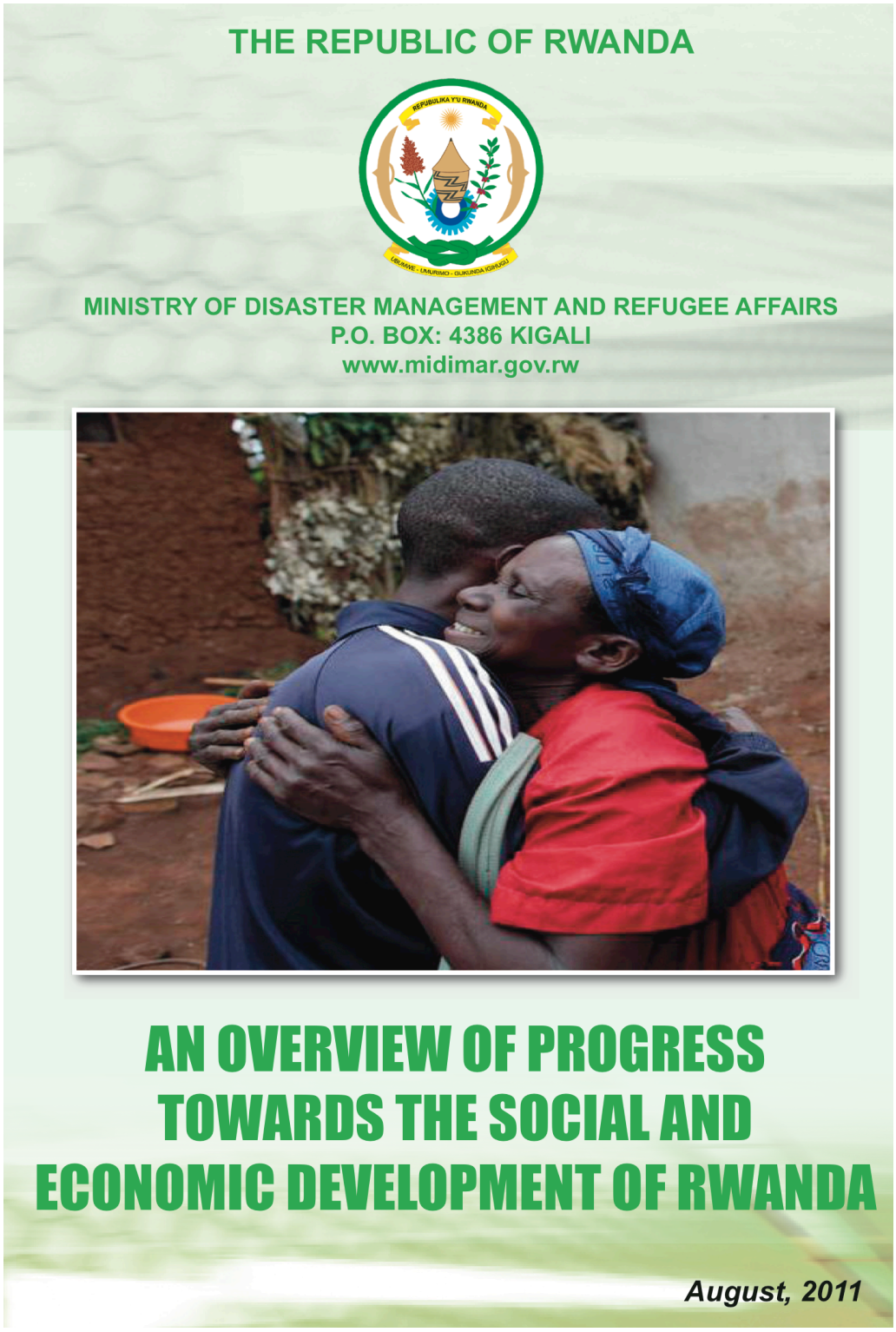
[422] Republic of Rwanda, "Questions and Answers About the Invocation of the Cessation Clause" (Kigali, Rwanda: Ministry of Disaster Management and Refugee Affairs (MIDIMAR), September 2011), 1.
[423] Ibid.
[424] Ibid.
[425] UNHCR, "Implementation of the Comprehensive Strategy for the Rwandan Refugee Situation, Including UNHCR's Recommendations on the Applicability of the 'Ceased Circumstances' Cessation Clauses," December 30, 2011, 6.
[426] Republic of Rwanda, "Questions and Answers About the Invocation of the Cessation Clause," 2; Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda.
[427] UNHCR, "Implementation of the Comprehensive Strategy for the Rwandan Refugee Situation, Including UNHCR's Recommendations on the Applicability of the 'Ceased Circumstances' Cessation Clauses," 6.

IMAGE 2.3

MIDIMAR'S SENSITISATION CAMPAIGN BOOKLET



Essentially, the Cessation Clause would apply to the groups of Rwandans who received refugee status under Article 1.2 of the 1969 Organisation of African Unity (OAU) Convention on a *prima facie* basis, covering the inter-ethnic violence between 1959 and 1963, associated with the Social, or Hutu, Revolution; conflict following the 1973 *coup d'état* by General Juvénal Habyarimana; the 1994 genocide; and the 1997-98 Insurgency in the Northwest led by former government soldiers and *Interahamwe* from the DRC.

The Cessation Clause would not apply to any refugees 'who continue to have a well-founded fear of persecution' or 'compelling reasons arising out of previous persecution for refusing to avail themselves of the protection of the country of origin.'[428] Despite the principle of non-refoulement, *UNHCR-Rwanda Information Note: What a Cessation Clause is and How it Works* stresses, 'Depending on the individual country immigration laws, a forceful return would be possible when none of the criteria for the above scenarios are met.'[429] Implementation has been continuously deferred since the government of Rwanda first began advocating for the Cessation Clause in 2002. 'Many refugees remain reluctant to return to Rwanda due to strong links to their country of asylum after many years in exile, as well as apprehensions about conditions in their home country.'[430] International organisations have persistently raised concerns over Rwanda's political stability and the protection of human rights afforded under the RPF.[431] For their part, host countries requested flexibility in implementation at the national level. A DRC representative explained:

> We must evaluate the Geneva Convention and the Additional Protocols, as well as the OAU Convention Law Number 021/2002 of 16 October 2002, *Status de Réfugiés en RDC*, and our own Constitution. It is imperative to analyse these texts to ensure that the DRC's actions conform to the laws. So many of these refugees stress that they can't return because of personal reasons, massacres, traumas, and demand to retain refugee status. Article 5 guarantees this right. One cannot violate these laws; they must be respected.[432]

[428] Ibid., 7.
[429] "UNHCR-Rwanda Information Note on Cessation Clause" (Republic of Rwanda and United Nations High Commissioner for Refugees (UNHCR), 2011), 1, www.midimar.gov.rw.
[430] UNHCR, "Implementation of the Comprehensive Strategy for the Rwandan Refugee Situation, Including UNHCR's Recommendations on the Applicability of the 'Ceased Circumstances' Cessation Clauses," 1.
[431] Guillaume Cliche-Rivard, "Pending Questions: UNHCR Recommendations Regarding the Cessation Clause for Rwandan Refugees," *Fahamu Refugee Legal Aid Newsletter*, May 1, 2012, www.frlan.tumblr.com.
[432] Musanganya, Interview, CNR Director, Goma, November 2, 2011.

The DRC's stance is particularly important because the largest number of Rwandan refugees reside within its borders – 54,840 according to UNHCR,[433] 56,000 according to Rwanda,[434] and 167,000 according to the DRC, as of 2012. As the Director of CNR in Goma rightly noted,

> There is no way to even claim these statistics are accurate. Rwandan refugees are located in areas beyond our administrative reach, and move constantly due to the volatile nature of security in the East. We can't even specify their exact location, much less their numbers. The best we can do is estimate.[435]

In light of these reservations, UNHCR recommended increased dialogue with Rwandan refugee communities in the form of confidence-building measures like 'Come-and-See/Go-and-Tell' Visits; an increase in the organisation's own return monitoring capacities; increased reintegration support 'subject to the availability of funding'; and the pursuit of local integration or alternative legal status for Rwandan refugees in their host countries.[436] UNHCR recognises that one-third of all Rwandan refugees have been born in exile, married there, and integrated into local economies. UNHCR, however, has shifted its policy in Rwanda from facilitating voluntary repatriation to actively promoting it. This policy change occurred back in 2002.[437]

Impending implementation of the Cessation Clause reinforces the impermanence of residency in refuge, despite decades of *de facto* integration. For some Rwandan refugees, this implies the threat of being forced from the only home they have ever known. For Congolese refugees, it is a reminder that their own presence in refuge could be similarly jeopardised. While the Cessation Clause is a counter to *de facto* integration, rooted in policies of refugee-hosting states and the international community, the hopes that refugees harbour of third country resettlement are an opposition to integration that stems from their own communities.

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[433] UNHCR, "Democratic Republic of the Congo: 2012 UNHCR Country Operations Profile," UNHCR Global Appeal 2012-2013, 2012 2001, www.unhcr.org.
[434] UNHCR, "Implementation of the Comprehensive Strategy for the Rwandan Refugee Situation, Including UNHCR's Recommendations on the Applicability of the 'Ceased Circumstances' Cessation Clauses," 2.
[435] Musanganya, Interview, CNR Director, Goma, November 2, 2011.
[436] UNHCR, "Implementation of the Comprehensive Strategy for the Rwandan Refugee Situation, Including UNHCR's Recommendations on the Applicability of the 'Ceased Circumstances' Cessation Clauses," 3.
[437] UNHCR, "Office of the United Nations High Commissioner for Refugees, Rwanda."

Despite the number of years these refugees have spent in exile, and the generations born in asylum, the vast majority retain hopes of being taken to the promised land of wealth and security that is Europe or Canada or America. The romanticism of third country resettlement is exacerbated by stories from abroad, from refugees who have resettled, in however dire circumstances, but feel compelled to relay news of luxury automobiles and houses and socio-economic advancement to their relatives and friends in camps and settlements. This information spreads throughout sites of exile like wildfire. Gihembe Refugee Camp's Director elaborated:

> In Europe, refugees are given health care, education, land. All the basic necessities are waiting for them, already arranged. That's what those who were resettled in another country say. Even when one calls, one hundred get the information. Right now, for instance, everyone knows there's a *muzungu* [white person] here. Communication is very rapid.[438]

A Congolese youth conveyed his ideas of third country resettlement in the following manner during a focus group:

> All the problems are in Africa. Congo has been the best in Africa. Rwanda is good. There is security, but life is difficult in Rwanda. In Europe, it's a different life. Children go to school. There's much more help from Good Samaritans in Europe. I have friends who lived in the camp and are now in America and stay in touch, once every five months.[439]

Because resettlement abroad carries such great promise – which is only passionately reaffirmed and never contested – refugees exacerbate their health and security concerns to demonstrate they can only be effectively resolved through third country resettlement.[440] 'Sometimes, they will endanger their own safety just to prove they have security problems that cannot be addressed by any other means.'[441] As a result, present difficulties in providing healthcare and security are exacerbated. Instead of treating pressing medical cases or addressing legitimate security issues, already understaffed agencies are inundated with conceivably fraudulent claims. This situation increases the probability that legitimate cases are ignored while frustrating overworked service providers. Refugees, for their part, are taxing overstretched resources in the pursuit of a pipe dream whose realisation evokes the

[438] Shakagabo, Director Gihembe Refugee Camp, Ministry of Disaster Management and Refugee Affairs, Byumba, Rwanda.
[439] Youths, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 18, 2011.
[440] Oriem, Interview, OPM Representative, Kampala, Uganda; Shakagabo, Director Gihembe Refugee Camp, Ministry of Disaster Management and Refugee Affairs, Byumba, Rwanda.
[441] Tasebura-Kiirya, Interview, Commandant, Kyangwali, Uganda.

impossible. Hoping against all hope to live the reveries communicated vicariously through their neighbours, their actions not only counter integration but also jeopardise their residence in refuge.

2.7 CONCLUSION

While *de facto* integration occurs contemporaneously with *de jure* segregation in protracted exile, the interaction of these processes results in diverse outcomes across different sites of refuge. Despite integrating into their host communities through very similar economic strategies, citizens of Rwanda's refugee microstates integrate on an individual basis, whereas Uganda's settlements are themselves integrated into the state's economy, due to disparate refugee-hosting policies. The very nature of the FDLR's nomadic microstate in the DRC allows it to meld into the local population, integrating into it while simultaneously integrating local communities into its own structures. Urban refugees in Kigali integrate into local communities on an individual basis, due to linguistic, cultural, and business ties between the DRC and Rwanda. The most extreme form of this kind of integration is evidenced by those living between the revolving door of the Goma-Gisenyi border. A complete lack of integration, on the other hand, is manifested in the case of Rwandan refugees in Goma and Bukavu, who are invisible because of their fears of persecution and discrimination, disavowing their nationality. Their exile is marked by segregation. On the macrolevel of the international community and host states, the Cessation Clause also influences these dynamics for Rwandan refugees. On the microlevel of refugees themselves, the processes are impacted by their own hopes of third country resettlement. Both these factors counteract the integration that is concomitant with protracted exile. What these cases show, however, is that across diverse settings and experiences of residence in refuge, the tensions between *de facto* integration and *de jure* segregation create a state of permanent impermanence – of which refugees are unwitting citizens.

CHAPTER 3

IN REFUGE: IDENTITIES RESHAPED AND COMMUNITIES RECONSTITUTED

3.1 INTRODUCTION

When today's residents of refugee microstates fled into exile, they did so alongside their families and neighbours, carrying with them burdens of the brutal violence, terror, and persecution that precipitated their flight. Rwandan and Congolese alike, they share histories of continuous flight and return; their lived realities and recollections of their homelands revolve around constant escape and fear, driven by years of conflict. In flight, these communities were torn apart, reunited, reformed, and split again. As communities were transplanted and reunited in exile, so too were the reasons and recollections of their histories of flight. In exile, different caseloads of refugees, contrasting historical grievances, diverse nationalities, victims, and villains are forced together into a singular space and time.

In refuge, these individuals become 'citizens' of refugee microstates. They are exposed to an approximation of representative democracy unheard of in their own states. Experiences are shared, and communal narratives of grievance and persecution are re-imagined in light of the rights of refuge. These reinterpreted communal histories affect inter-communal relations in exile, physically altering the geography of refuge through preferences of residence inside it. In exile, refugees situate themselves according to their perceived group affiliation and its communal narrative, which may defy official nationality. The bonds between these reconfigured communities are strengthened by the trials and tribulations endured in exile – experiences narrated through the abuses of each community's rights of refuge.

This chapter examines these processes, continuing where the previous left off. Having outlined the historical processes through which identities were altered and society was

transformed[1] – from the politicisation of ethnicity and the 'territorialisation of identity"[2] during colonialism to the post-independence 'militarisation of ethnicity'[3] – this chapter considers the continued metamorphosis of identities in the subsets of Rwandan and Congolese societies in exile, where they reside in refuge. Inherently, it eschews primordialism[4] and employs a Constructivist theoretical framework, which asserts that human interaction is shaped by not just materialist but ideational factors, particularly shared or 'intersubjective' beliefs that construct actors' interests and identities.[5] The focus is on the processes through which identities and interests are created and change, crucial aspects of explaining political behaviours and outcomes.[6] Referring to works of both International Relations and Comparative Politics scholars, I apply the latter's approach to Constructivism, following Laitin, who posits that while identities are socially constructed, actors may make rational choices concerning their construction – they are, or have the ability to be, active agents.[7] International Relations, on the other hand, pits Rationalism against Constructivism. In the same tradition of Constructivism in Comparative Politics, identities have a duality whereby they may *appear* natural to group members even as they themselves engage in their construction.[8] Identities are formed from a historically and culturally constructed 'menu' from which individuals choose rationally.

As Finnemore and Sikkink rightly note, the 'ongoing difficulty... is that there is no clear,

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[1] Koen Vlassenroot and Timothy Raeymaekers, "Introduction," in *Conflict and Social Transformation in Eastern DR Congo*, ed. Koen Vlassenroot and Timothy Raeymaekers (Gent: Academia Press, 2004), 13–38.
[2] Koen Vlassenroot, "South Kivu: Identity, Territory, and Power in the Eastern Congo," Usalama Project (Nairobi/London: Rift Valley Institute, 2013), 9.
[3] Ibid., 22.
[4] Notions that identity is innate, inherited, and/or unchanging.
[5] Emanuel Adler, "Seizing the Middle Ground: Constructivism in World Politics," *European Journal of International Relations* 3, no. 3 (1997): 319–63; Richard Price and Christian Reus-Smit, "Dangerous Liaisons? Critical International Relations Theory and Constructivism," *European Journal of International Relations* 4 (1998): 259–94; John G. Ruggie, "What Makes the World Hang Together? Neo-Utilitarianism and the Social Constructivist Challenge," *International Organization* 52, no. 4 (October 1998): 855–87; Alexander E. Wendt, *Social Theory of International Relations* (Cambridge: Cambridge University Press, 1999).
[6] Alexander E. Wendt, "Constitution and Causation in International Relations," *Review of International Studies* 24 (1998): 101–17; Michael N. Barnett and Martha Finnemore, "The Politics, Power, and Pathologies of International Organizations," *International Organization* 53, no. 4 (September 1999): 699–732.
[7] David D. Laitin, *Identity in Formation: The Russian Speaking Populations of the Near Abroad.* (Ithaca: Cornell University Press, 1998).
[8] Ibid.

agreed upon definition of what we mean (and do not mean) by identity."[9] "The concept "identity" has remained blurred but indispensable in political analysis and social history."[10] In order to avoid what Brubaker and Cooper termed 'the use and abuse of "identity,'"[11] I analyse the 'commonality', 'connectedness', and 'groupness"[12] of Rwandan and Congolese refugees in exile. Commonality refers to shared common attributes while connectedness pertains to relational ties between individuals, based on Tilly's conceptualisation of social categories and White's postulation of social networks.[13] Brubaker and Cooper define groupness as 'a sense of belonging to a distinctive, bounded, solidary group' [14], what Weber called *mengehörigkeitsgefühl.* That feeling depends on commonality and connectedness, but also on specific events and experiences and how they are coded in public narratives and discursive frames.[15] This approach highlights *practice* and *process*, how 'categories of everyday social experience [are] developed and deployed by ordinary social actors... [...] to make sense of themselves, their activities, of what they share with, and how they differ from, others."[16]

As various scholars aver, historical narratives and discourses are crucial aspects of these processes,[17] and at times even their 'public representation[s]'[18]. According to Somers,

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[9] Martha Finnemore and Kathryn Sikkink, "Taking Stock: The Constructivist Research Program in International Relations and Comparative Politics," *Annual Review of Political Science* 4, no. 1 (June 2001): 399.
[10] Charles Tilly, "Citizenship, Identity and Social History," *International Review of Social History* 40, no. 3 (1995): 7.
[11] Rogers Brubaker and Frederick Cooper, "Beyond 'Identity,'" *Theory and Society* 29, no. 1 (February 2000): 3.
[12] Ibid., 21.
[13] Tilly, "Citizenship, Identity and Social History"; Harrison White, *Identity and Control: A Structural Theory of Social Action* (Princeton: Princeton University Press, 1992).
[14] Brubaker and Cooper, "Beyond 'Identity,'" 21.
[15] Ibid.
[16] Ibid., 4.
[17] Brubaker and Cooper, "Beyond 'Identity'"; James D. Fearon and David D. Laitin, "Violence and the Social Construction of Ethnic Identity," *International Organization* 54, no. 4 (September 2000): 845–77; Joane Nagel, "Constructing Ethnicity: Creating and Recreating Ethnic Identity and Culture," *Social Problems* 41 (1994): 153–76; Margaret Somers, "The Narrative Constitution of Identity: A Relational and Network Approach," *Theory and Society* 23 (1994): 605–49; Martin Denis-Constant, "The Choices of Identity," *Social Identities* 1, no. 1 (February 1995): 5–21; Jan B. Shetler, "Historical Memory as a Foundation for Peace: Network Formation and Ethnic Identity in Mara, Tanzania," *Journal of Peace Research* 47, no. 5 (2010): 639–50; Isabel Hofmeyr, *"We Spend Our Years as a Tale That Is Told": Oral Historical Narrative in a South African Chiefdom* (Portsmouth: Heinemann, 1993); Elizabeth Tonkin, *Narrating Our Pasts: The Social Construction of Oral History* (Cambridge: Cambridge University Press, 1992); Franke Wilmer, "Identity, Culture, and Historicity: The Social Construction of Ethnicity in the Balkans," *World Affairs* 160, no. 1 (Summer 1997): 3–16; Marianne Hirsch, "The Generation of Postmemory," *Poetics Today* 29,

narratives both represent and constitute social actors and the social worlds in which they act.[19] Narrators become characters in plots, borrowing from fact and fiction to reorganise past events and experiences in order to ground and make sense of present ones.[20], the act of narrating is an an ongoing interaction with the narratives of others, varying aspects being inevitably interwoven into subsequent retellings.[21] Through this iterative process, collective schemes are both constructed and reconstructed,[22] and communities are 'imagined'[23] and continuously transformed. 'As much as an individual is always attached to groups, a narrative always tells the story of one of several groups, and group identity can be analysed as a narrative, just as individual identity.'[24] Language is the medium through which narratives are shared, established, and renegotiated; [25] commonalities are confirmed or contradicted; connectedness is created; and groupness is cultivated.

Within this framework, the next section expounds on the rights of refuge, whilst the third discusses community-creation through the experience of displacement and as practiced by residents of refugee microstates who employ the language of international human rights. These sections address the role of international organisations in disseminating international norms,[26] also referred to as 'collective or shared beliefs'[27] in Comparative Politics. In this

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no. 1 (2008): 103–28; Efraim Sicher, "The Future of the Past: Countermemory and Postmemory in Contemporary American Post-Holocaust Narratives," *History and Memory* 12, no. 2 (2000): 56–91; Alisse Waterson and Barbara Rylko-Bauer, "Out of the Shadows of History and Memory: Personal Family Narratives in Ethnographies of Rediscovery," *American Ethnologist* 33, no. 3 (2006): 397–412; Mila Dragojević, "Memory and Identity: Inter-Generational Narratives of Violence Among Refugees in Serbia," *Nationalities Papers* 41, no. 6 (2013): 1065–82; Maurice Halbwachs, *On Collective Memory* (Chicago: University of Chicago Press, 1992); Ahmad H. Sa'di and Lila Abu-Lughod, *Nakba: Palestine, 1948, and the Claims of Memory* (New York: Columbia University Press, 2007).

[18] Tilly, "Citizenship, Identity and Social History," 7.

[19] Somers, "Narrative Constitution of Identity."

[20] Denis-Constant, "The Choices of Identity," 8.

[21] Ibid.

[22] Ibid.

[23] Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, Rev. Ed (London: Verso Books, 1983).

[24] Denis-Constant, "The Choices of Identity," 9.

[25] Tilly, "Citizenship, Identity and Social History," 7.

[26] Martha Finnemore, "International Organizations as Teachers of Norms: The United Nations Educational, Scientific and Cultural Organization and Science Policy," *International Organization* 47, no. 4 (September 1993): 565–97; Martha Finnemore, *National Interests in International Society* (Ithaca: Cornell University Press, 1996); Martha Finnemore, "Norms, Culture, and World Politics: Insights from Sociology's Institutionalism," *International Organization* 50, no. 2 (1996): 325–47; Emanuel Adler, "Seeds of Peaceful Change: The

discussion, I specifically examine the transmission of rights (and their discourse) entailed in the international recognition of one's status as a refugee. International organisations, and their local partners, are 'epistemic communities'[28], groups with specialised knowledge and often shared common norms and world views imparted alongside their technical expertise[29]. The interactions between these groups and ones like those of refugees make such organisations 'powerful mechanisms of social construction.'[30] The fourth and fifth sections detail the construction of communal identity (here conceived as commonality, connectedness, and groupness) through narrative histories, presented as 'chosen trauma[s]'[31] of past loss and pain, often articulated with regard to the rights of refuge and its discourse. These sections are presented using thematic excerpts from focus groups, an adaptation of Malkki's 'panels,'[32] employed to convey standardised historical narratives. This approach also lends itself to the depiction of variation and nuance in populations' perceptions and understandings of rights in refuge, the varied internalisation of these norms. In the analysis of these narratives, no attempt is made to discern the veracity of recollected events. Whether fact or fiction, they form the foundations upon which communities are erected.

The remainder of the chapter focuses not on the narratives that underpin communal identification in exile, but rather on the nature and discourse of exile itself – how communities interpret present challenges through past rights violations. These are the effects of what Hirsch called 'postmemory'[33], the 'role of inter-generational narratives of past cycles of violence'[34] akin to 'a complex hall of mirrors'[35] through which present perceptions of threat are

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OSCE's Security Community-Building Model," in *Security Communities*, ed. Emanuel Adler and Michael Barnett (Cambridge: Cambridge University Press, 1998), 119–59.
[27] Bert Klandermans, *The Social Psychology of Protest* (Oxford: Blackwell, 1997).
[28] Peter M. Haas, ed., "Knowledge, Power, and International Policy Coordination," *International Organization* 46, no. Special Issue (1992).
[29] Adler, "Seeds of Peaceful Change"; Haas, "Knowledge, Power"; Finnemore, "International Organisations as Teachers"; Finnemore, "Norms, Culture"; Steven R. Ratner, "Does International Law Matter in Preventing Ethnic Conflict?," *Journal of International Law and Politics* 32, no. 3 (April 2000): 591–698; Anne-Marie Burley and Walter Mattli, "Europe Before the Court: A Political Theory of Legal Integration," *International Organization* 47, no. 1 (1993): 41–76.
[30] Finnemore and Sikkink, "Taking Stock," 402.
[31] Vamik Volkan, "On Chosen Trauma," *Mind and Human Interaction* 3, no. 13 (1991): 5.
[32] Liisa H. Malkki, *Purity and Exile: Violence, Memory, and National Cosmology Among Hutu Refugees in Tanzania* (Chicago: University of Chicago Press, 1995), 57.
[33] Hirsch, "Generation of Postmemory," 107.
[34] Dragojević, "Memory and Identity," 1067.
[35] Wilmer, "Identity, Culture, and Historicity: The Social Construction of Ethnicity in the Balkans," 8.

reflected, effecting action. This section discusses the realignment of the geography of refuge by newly forged communities, partly determined by their contradictory postmemories. Patterns of residence change in response to rights granted or denied and perceived threats. The chapter then turns to the construction of pseudo-citizenship in refugee microstates. Finally, it considers these communities' present grievances, as articulated through abuses of their rights of refuge.

In their entirety, these processes reify distinct communal identities, which in turn solidifies inter-communal boundaries and ossifies the territorialised identities imagined under colonialism – now in the space of exile. This reconstitution of communities complicates any future repatriation, particularly when their members perceive the pseudo-citizenship of exile as affording more protection than did their states of origin.

3.2 REFUGEES' RIGHTS IN REFUGE

One of the principal reasons repatriation is endorsed as the optimal solution to forced displacement is because, as Hovil explains, 'return represents the (re)securing of citizenship ties'[36]. Kibreab argues that the identity a particular group forges with a place – what Malkki terms 'territorialisation'[37] – is inseparable from the guarantee of rights that that association affords: 'equal treatment, access to sources of livelihoods, access to land, rights of freedom of movement and residence'[38]. These rights are the essence of citizenship and, arguably, inaccessible to individuals outside their countries of origin, particularly if those countries are situated in Asia or Africa where 'the basis of entitlement to rights is nationality, not residence.'[39] Refugees in such states, Kibreab contends, receive neither the same treatment nor the same privileges as national citizens. In this context, repatriation is the solution most

[36] Lucy Hovil, "'Two People Can't Share the Same Pair of Shoes': Citizenship, Land and the Return of Burundian Refugees to Burundi," Working Paper No. 2, Citizenship and Forced Migration in the Great Lakes Region (IRRI, November 2009), 15.
[37] Liisa Malkki, "National Geographic: The Rooting of Peoples and the Territorialization of National Identity Among Scholars and Refugees," *Cultural Anthropology* 7, no. 1 (1992): 24–44; Liisa H. Malkki, "Refugees and Exile: From 'Refugee Studies' to the National Order of Things," *Annual Review of Anthropology* 24, no. 1 (1995): 495–523; Malkki, *Purity and Exile*.
[38] Gaim Kibreab, "Revisiting the Debate on People, Place, Identity and Displacement," *Journal of Refugee Studies* 12, no. 4 (1999): 407.
[39] Gaim Kibreab, "Citizenship Rights and Repatriation of Refugees," *International Migration Review* 37, no. 1 (2003): 47.

likely to restore the rights of citizenship to refugees. Even anti-sedentarist scholars who posit the post-modern concept of de-territorialised identity, explored in Chapter 1, concede that identity remains rooted in territory when rights are associated with place, where the state is the locus of the rights entailed in citizenship. Warner and Stepputat, however, argue that the significance of the attachment rests in the rights associated with the territory, as opposed to any mythic or intrinsically fundamental aspect of the physical country from which those rights are derived.[40] The romanticised notion of allegiance to 'motherlands or homelands'[41], the essence of the union between nation and state, is not addressed here, as it entails a concept of belonging arguably absent from these populations' experiences.[42] As Ignatieff notes, 'belonging ... is first and foremost protection from violence. Where you belong is where you are safe; and where you are safe is where you belong.'[43]

The Congolese and Rwandan refugees under consideration fled due to pervasive and persistent insecurity and violence within their respective states which 'too often failed to provide protection.'[44] If Ignatieff is right, it is doubtful these populations felt a sense of belonging, based on safety,[45] in their countries of origin. For some of these refugees, a re-instatement of citizenship rights is not even possible, as they have experienced nothing but their abuse or complete absence. Even if rights are merely construed as access to 'basic services such as healthcare, primary education, water supply and sanitation'[46], many refugees secured them for the first time only in exile. If the conceptualisation of citizenship is broadened to the Marshallian sense of civil rights (individual freedoms), political rights (participation and representation in political power), and social rights (social welfare and

[40] Daniel Warner, "Deterritorialization and the Meaning of Space: A Reply to Gaim Kibreab," *Journal of Refugee Studies* 12, no. 4 (January 1, 1999): 413–415; Finn Stepputat, "Dead Horses?," *Journal of Refugee Studies* 12, no. 4 (January 1, 1999): 418.
[41] Malkki, *Purity and Exile*, 1.
[42] Jeffrey Herbst, *States and Power in Africa: Comparative Lessons in Authority and Control* (Princeton: Princeton University Press, 2000), 227, 232.
[43] Michael Ignatieff, *Blood and Belonging: Journeys into the New Nationalism* (London: Vintage, 1993), 6.
[44] Lucy Hovil, "Going Home or Staying Home? Ending Displacement for Burundian Refugees in Tanzania," Citizenship and Forced Migration in the Great Lakes Region (IRRI, November 2008), 6.
[45] Ignatieff, *Blood and Belonging*, 6.
[46] Kibreab, "Citizenship Rights and Repatriation," 35.

security),[47] such a relationship has arguably never existed between these refugees and their countries of origin. Conversely, the denial of such rights and manipulation of citizenship has characterised refugees' experience as citizens, culminating in their flight. Manby poignantly illustrates this reality:

> Hundreds of thousands of people living in Africa find themselves non-persons in the only state they have ever known. They cannot get their children registered at birth or entered in school or university; they cannot access state health services; they cannot obtain travel documents, or employment without a work permit; and if they leave the country, they may not be able to return. Most of all, they cannot vote, stand for office or work for state institutions.[48]

The author argues such 'crises of citizenship' result in violence and war, as discrimination exists in both legislation and its implementation, enabling 'politics of exclusion' that threaten national stability and hinder economic progress.[49] Manby concludes, 'In African countries where the state is weakest, or most predatory, the idea of national citizenship may be irrelevant to most people most of the time.'[50]

Hovil traces how the development of international and human rights law over the past 30 years has served to erode the understanding of the state as the sole entity responsible for the protection of its citizens. Additionally, the establishment of refugee law has challenged state sovereignty in terms of border control as well as citizenship.[51] This protection of rights allows what Stepputat has termed a 're-territorialisation'[52] of identity. Here, however, this 're-territorialisation' occurs not in an attachment to a new territory, but in the fact of refugeehood, whose attendant rights are popularised by the international organisations working to aid states in upholding them. This 'space' of exile is affiliated with the rights of refugee status afforded by international human rights law and implemented by international organisations in tandem with host governments. However, the rights of refuge, as illustrated in the last chapter, are not the same as those afforded national citizens. Thus, refugee microstates are a source of pseudo-citizenship for these groups, which still entails more rights than did

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[47] Ibid., 45; Maxim Silverman, *Deconstructing the Nation: Immigration, Racism, and Citizenship in Modern France* (New York: Routledge, 1992), 139; Paul Close, *Citizenship, Europe and Change* (London: Palgrave Macmillan, 1995), 73.
[48] Bronwen Manby, *Struggles for Citizenship in Africa* (London: Zed Books, 2009), 1.
[49] Ibid., 2, 14.
[50] Ibid., 19, 22.
[51] Hovil, "Going Home," 7.
[52] Stepputat, "Dead Horses?," 418.

membership in their states of origin.

3.3 THE LANGUAGE OF REFUGEE RIGHTS IN COMMUNAL NARRATIVES

Despite lacking experiences of anything broadly conceivable as citizenship, refugees quickly gained fluency in its language through interactions with 'norm entrepreneurs'[53] like UNHCR and partner organisation staff. Refugees incorporated this discourse, and its language, into their communal narratives. Malkki, Turner, Balibar, Anderson, Hobsbawm, and Ranger all posit that representations of history are never recollections of facts from the past; instead, such histories are constructs from which a nation and a national history are forged retrospectively.[54] Recent studies propose that collective identity can also be shaped by experiences of exile, displacement, and de-territorialisation[55] – in the presence[56] or absence[57] of political mobilisation.

For Malkki, the new community constructed in exile was founded on communal narrative,

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[53] Finnemore and Sikkink, "Taking Stock," 400.

[54] Simon Turner, "Representing the Past in Exile: The Politics of National History Among Burundian Refugees," *Refuge: Canada's Periodical on Refugees* 17, no. 6 (1998): 23; Étienne Balibar, "The Nation Form: History and Ideology," in *Race, Nation and Class: Ambiguous Identities*, ed. Étienne Balibar and Immanuel Maurice Wallerstein (London: Verso, 1991), 86; Malkki, *Purity and Exile*, 53, 332–333; Anderson, *Imagined Communities*; Eric Hobsbawm and Terence Ranger, eds., *The Invention of Tradition* (Cambridge: Cambridge University Press, 1992).

[55] Malkki, *Purity and Exile*, 1–2; Tim Allen, ed., *In Search of Cool Ground: War, Flight and Homecoming in Northeast Africa* (Oxford: James Currey Ltd, 1996), 7.

[56] Malkki, *Purity and Exile*; Tim Allen and Hubert Morsink, eds., *When Refugees Go Home: African Experiences* (Oxford: James Currey Ltd, 1994); Ken B. Wilson, "Refugees and Returnees as Social Agents," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 237–60; Stella Tandai Makanya, "The Desire to Return: Effects of Experiences in Exile on Refugees Repatriating to Zimbabwe in the Early 1980s," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 105–25; Elijah Dickens Mushemeza, *The Politics and eEmpowerment of Banyarwanda Refugees in Uganda, 1959-2001* (Fountain Publishers, 2007).

[57] Laura Hammond, "Examining the Discourse of Repatriation: Towards a More Proactive Theory of Return Migration," in *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction*, ed. Richard Black and Khalid Koser (Oxford: Berghahn Books, 1999), 227–44; Kibreab, "Citizenship Rights and Repatriation."

which she termed the 'mythico-history' of origin.[58] She described this new community as 'a deterritorialised nation without roots sunk directly into the national soil', concluding that 'the Hutu nation has reterritorialised itself precisely in displacement, in a refugee camp.'[59] While Malkki stresses the re-territorialisation of identity and nationhood, my research shows that, in larger camps and across borders, identity and community transcend locality. The population Malkki studied was extremely homogeneous – Mishamo Camp's residents were exclusively Burundian Hutu.[60] In the sections that follow, I seek to show how the Congolese and Rwandan residents of refugee microstates in Uganda and Rwanda developed separate communal identities, even in shared spaces.

Anderson, Pottier, Clark-Kazak, and Malkki all concur that for communities in exile, flight and the violence that precipitated it make the past particularly contentious. As these groups seek answers in historical accounts and collective memories, they re-invent them in often-contradictory ways.[61] Buckley-Zistel eloquently expounds on this theme:

> Experience of hardship and pain is deeply inscribed in the memory of individuals and groups and perpetuated through the stories people narrate about the event, keeping dichotomies us/them, friend/enemy alive and obstructing paths to a peaceful future. [...] It is here where the parties to the conflict produce and reproduce their collective identities in either persistent antagonism or mutual acceptance.[62]

Having experienced such protracted periods of sheer terror and brutal violence, it is not surprising that, in its aftermath, communities become defined, redefined, and reconstituted by what Volkan dubs 'chosen trauma'[63]. Halbwachs affirms it is groups which determine what ought to be remembered, and how.[64] This repeated narration of traumatic events constructs a collective identity (based on commonality, connectedness, and groupness) in

[58] Malkki, *Purity and Exile*, 54.
[59] Malkki, "National Geographic," 35.
[60] Malkki, *Purity and Exile*, 137.
[61] Ibid., 97; Anderson, *Imagined Communities*; Johan Pottier, *Re-Imagining Rwanda: Conflict, Survival and Disinformation in the Late Twentieth Century* (Cambridge: Cambridge University Press, 2002); Christina R. Clark-Kazak, *Recounting Migration: Political Narratives of Congolese Young People in Uganda* (London: McGill-Queen's University Press, 2011), 28.
[62] Susanne Buckley-Zistel, "In-Between War and Peace: Identities, Boundaries and Change after Violent Conflict," *Millennium - Journal of International Studies* 35, no. 1 (December 1, 2006): 3–4.
[63] Volkan, "On Chosen Trauma," 5.
[64] Halbwachs, *On Collective Memory*.

opposition to the perpetrators of the trauma. This narrative thus becomes a social reality for members of the community – regardless of whether they personally experienced the narrated events. For Rwandan and Congolese refugees, such grievances are not just historical, but on-going, and are narrated in the language of rights, much like Burundian refugees' narratives documented by Turner following Malkki's research[65]. The communities in this study, as shown below, translated their visceral historical grievances into more abstract narratives of rights refused and abused.

3.4 RATIONALISING FLIGHT: REFUGEES' RECOLLECTIONS OF (ABUSED) RIGHTS

In these refugee populations' communal narratives, the language of citizenship is evoked more to convey current grievances than past ones. Congolese refugees discuss their contested ancestral origins, their disputed nationality, and speak of the years surrounding 1994, along with their Rwandan counterparts. Each community, however, imagines that past disparately, despite having shared flight and exile. Refugees continue to flee these states, and their narratives and recollections of persecution unite and collide in refuge. They are retrospective, rationalising the present rather than reporting on events in progress; as such, commonality, connectedness, and groupness – even facets of unified ethnicity – are imposed onto a fractured past, reforming it to make the present intelligible.[66] These narratives' retroactively established group uniformity belies the processes through which imposed ethnic identifications evolved in dialectical interplay with self-understandings.[67] This reality stresses the historical production and transformation of these groups and the wider societies of which they are part. Before turning to these recollections of abused rights, it should be stressed that the Congolese refugee population is majority Tutsi, whereas the Rwandan one is predominantly Hutu. In Ugandan settlements, most of the population is comprised of Congolese, but they share these sites of refuge with other nationalities, including Rwandans. The population of Rwanda's refugee microstates is almost completely Congolese, and majority Tutsi. The ethnic composition of newer caseloads of refugees offers more parity, but they are fewer in number.

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[65] Turner, "Representing the Past in Exile," 24–26.
[66] Shetler, "Historical Memory as a Foundation for Peace: Network Formation and Ethnic Identity in Mara, Tanzania"; Hofmeyr, *"We Spend Our Years as a Tale That Is Told": Oral Historical Narrative in a South African Chiefdom*; Tonkin, *Narrating Our Pasts: The Social Construction of Oral History*.
[67] Brubaker and Cooper, "Beyond 'Identity,'" 29.

3.4.1 FROM RWANDA TO CONGO: DEBATING BELONGING

> The Banyamulenge are from South Kivu, same as the Batutsi[68]. The difference is that the Tutsi of Rwanda speak Kinyarwanda, while those from Congo speak Kinyamulenge, and the culture is different. In Congo, we give cows as bride price. In Rwanda, they give money because they don't have cows. Even when they do, they only give one or two cows; in Congo, we give between 10 and 20. Banyamulenge in Congo are a real community that stays together. Those from Rwanda can't even decide on one place to develop and live together. They have ripped each other apart, their country, and even ours.[69]

Congolese refugees, Tutsi and Banyamulenge alike, debate borders and identities, negotiating ancestral links to Rwanda and their origins as a people. Victimised in Congo (then Zaïre) as foreigners and Rwandans, their discussions bear on both historic and contemporary conflicts and grievances.

Across all sites of exile, Congolese Tutsi refugees trace their ancestral origins to Rwanda – specifically, 'Kibuye, Gisenyi, and Ruhengeri[70], 'where grandparents came from'[71]:

> It was around 1914 when they arrived in North Kivu from Rwanda, but Rwanda was much bigger before, you see. Our ancestors received land, and started cultivating it. Rwanda, Burundi, and Congo were one country at some point, then the borders were drawn across it.[72]

The date, borders, and origins are all contentious. Some cite the date of arrival as the 1940s,[73] describing a Rwanda that 'extended as far as Masisi and beyond'[74]. They speak of government-sponsored immigration from Rwanda to the Kivus[75] and conclude, 'When the

[68] Plural of Tutsi in Kinyarwanda and related languages like Kinyamulenge.
[69] Isaac Akizimana Butumi, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011.
[70] Françoise Kumanzi, Focus-Group, Elders, Gihembe Refugee-Camp/Rwanda, May 27, 2011.
[71] Céleste Kayogira, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 23, 2011; Tigo Mugarra, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 19, 2011.
[72] Kayogira, Focus Group, Gihembe, Rwanda.
[73] Jean Insengyera, Semistructured-Interview, President, Gihembe Refugee-Camp/Rwanda, May 23, 2011; Kumanzi, Focus Group, Gihembe, Rwanda.
[74] Biguvuwivene Bahogwere, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 27, 2011.
[75] Christophe Mukamwyira, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 26, 2011.

borders were drawn, we found ourselves in what is now Congo[76]. A focus group participant explained:

> It goes back to the old borders and the movements of peoples. Are we Congolese or Rwandan? The Congolese government says that it is Congo's land, but has Rwandan people on it. The local Congolese tell us we are Rwandan.[77]

Congolese Banyamulenge refugees, located anywhere from Rwanda's Kiziba and Nyabiheke Camps and the capital Kigali to Uganda's Nakivale Refugee Settlement and Nabulagala, a village north of Kampala, also trace their ancestral origins to Rwanda, 'many, many years ago'[78] – be it to Mulenge and Minembwe in the 16th century,[79] or 1881,[80] or 1964,[81] or Vyura in 1975[82].

Banyamulenge also spoke of borders,[83] but none mentioned Congo as an ancestral homeland. Unlike their Congolese Tutsi counterparts, Banyamulenge associate arrival from Rwanda with the beginning of discrimination that has continued since.[84] 'I don't remember a time when I felt secure and there was peace for the Banyamulenge'[85], a focus group participant mused.

> We've always been discriminated against. Because of our Kinyarwanda language. We were never wanted. They said we were Rwandan, not Congolese. They wanted our property, cows, our women. When we did

[76] Insengyera, Interview, President, Gihembe, Rwanda.
[77] Perusse Khadari, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011.
[78] Jean Mutarama, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 2, 2011.
[79] Lumumba Mukamyi, Semistructured-Interview, Congolese Refugee, Kigali/Rwanda, June 15, 2011.
[80] Chantal Mutembo, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 18, 2011.
[81] Manase Mubera, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011.
[82] Jean Joel Abijende, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda, June 3, 2011; Mukamyi, Interview, Kigali, Rwanda; Clautilde Nyirabineza, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Deliya Nyiramukwiye, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Augustine Gahungu, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Ramu Nyanzaninka, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Mugorozi Rukurwa, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011.
[83] Mukamyi, Interview, Kigali, Rwanda; Abijende, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda.
[84] Mubera, Focus Group, Nakivale, Uganda; Nyirabineza, Focus Group, Nakivale, Uganda; Rukurwa, Focus Group, Nakivale, Uganda; Akizimana Butumi, Focus Group, Nakivale, Uganda.
[85] Sofia Nyirasekerwa, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011.

> marry them off to them, for their safety, to protect them, they were just killed. Slaughtered. The discrimination started long, long ago. It started because we didn't mix or inter-marry.[86]
>
> The segregation has always existed. We had always been attacked, because we were Batutsi, because we had cattle and wealth. Those who attacked us, they had tended our animals and farmed our lands. They were poorer. But they hated us because we were Batutsi.[87]
>
> I was born hearing we were discriminated against, targeted. There were areas you couldn't go because you would be killed.[88]

Focus group participants noted their own self-imposed social exclusion and relative wealth, but attributed the causes of their abuse to perceptions of their lack of Congolese nationality and, by extension, citizenship. In this discourse, socio-economic cleavages were grafted onto cultural ones and collapsed into the shorthand of ethnicity.

3.4.2 THE 1994 RWANDAN GENOCIDE

The period prior to, and immediately following, 1994 is ingrained in the communal histories of both Rwandan and Congolese refugees. The majority shared similar experiences in Zaïre, but recollected them as the victims of two different villains – the Tutsi-dominated RPF, and the Hutu-led ex-FAR and *Interahamwe*, with the perpetrators for one group being the saviours of the other.

In general, Congolese Tutsi refugees date the beginnings of discrimination to the years before 1994, drawing parallels between their plight and that of the Rwandan Tutsi across the border, while reiterating differences between the communities:

> It all started in 1991. When the Tutsi inside Rwanda started being harassed, we started being harassed across the border.[89]
>
> We were attacked because we spoke Kinyarwanda. The actual Rwandans [those who fled Rwanda around 1959 and their descendants] who were in Congo were much better off, had cows, land. But we were the ones chased

[86] Mutembo, Focus Group, Nyabiheke, Rwanda.
[87] Nyiramukwiye, Focus Group, Nakivale, Uganda.
[88] Etienne Muhekera, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda, June 2, 2011.
[89] Divin Murekatate, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 17, 2011.

out of Congo for being Rwandan, for not belonging in the DRC.[90]

The 'seeds' of this discrimination are cited as growing from 'a Zaïrian Hutu movement called *Mutualité des Agriculteurs de Virunga* (MAGRIVI), founded in 1989 by Sekimonyo wa Magango and financed by President Habyarimana's regime and the *Interahamwe*."[91]

> It was a movement that developed around Virunga, an umbrella group of farmers who were not really farmers. It was an association of Hutus living in Congo who formed it. They later became combatants. They had left Rwanda before the ones who committed the genocide fled. They hunted us. Killed our people. Took our land and our properties.[92]

> MAGRIVI sowed the ideology used to turn the local populations against the Tutsi. Mostly, they were Hutu who came from Rwanda, those implicated in the killings, who came and planted that original hatred. Before their arrival, we had no real problems with our Congolese neighbours, with other communities. The problem now is with the FDLR and the Hutu who came from Rwanda and became integrated in our regions. Our communities became politicised, split beyond differences of wealth.[93]

Despite this, 1994 is still cited as the breaking point when discrimination turned to destruction and slaughter, and the nationality of this population was no longer a question, but an assertion of their non-belonging:

> Local citizens were assisted by the Interahamwe, who came from Rwanda in 1994. That discrimination began in 1988, when we started being singled out for being Tutsi. But that was just discrimination. The killing started when the Interahamwe arrived. They would come and slaughter our people at night. At that point, we had to flee.[94]

> We had co-existed peacefully, before 1994. [...] As soon as the Interahamwe arrived, they began killing all the Tutsi. Mobutu was removed from power, and all the subsequent governments considered us [Congolese Tutsi] to be Rwandan.[95]

> The war had broken out and they killed my husband. [...] The FDLR came and burned down our house. When the Rwandans came in 1994, they inserted the hurt – and the hatred – in the Congolese to expel the Batutsi,

[90] Jeanette Garagwa, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 20, 2011.
[91] Ishima Bartazali, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011.
[92] Jacques Rwembara, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 27, 2011.
[93] Eric Kamanzi, Semistructured-Interview, Coordinator, Forum for Congolese Refugee Students, Gihembe Refugee-Camp/Rwanda, May 26, 2011.
[94] Laticia Mbragazuri, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011.
[95] Mukamwyira, Focus Group, Gihembe, Rwanda.

claiming that we are not Congolese.[96]

The alignment of the *Interahamwe* with MAGRIVI reified these notions – the Congolese Tutsi population became targeted by both Rwandan and Congolese Hutu, and categories began to collapse:

> It was the 1994 genocide, the Interahamwe, who turned our countrymen against us. The government must assure the end of discrimination, through ardent efforts to counter that ideology of discrimination and a guarantee, realised in practice, of the restoration of our citizenship.[97]

> We had no problems with the authorities, with rights and access to land, before the war in Rwanda and the Hutu exodus. The Congolese community then turned against the Rwandans who had settled in Masisi so long before.[98]

> The Interahamwe turned the Congolese government against the Tutsi. Our neighbours told us to leave, to go to Rwanda, or they would kill us. They took our house, our cows. They slaughtered my family. They convinced the Congolese Hutu to turn against us as well.[99]

Responsibility lay with the *Interahamwe* and the confusion of identity, as nationality blurred and became superseded as an understanding of ethnicity:

> Before we fled, we were mistreated by the Interahamwe and by the local population because they thought we were Rwandan. Our cows were taken. People were beaten. Houses were burned to the ground. Women were raped.[100]

> We were singled out and targeted by the FDLR, because we speak Kinyarwanda and were seen as being Rwandan. The FDLR committed genocide against the Tutsi here in Rwanda, then continued to target everyone who looked Tutsi, in Congo. [...] Before the FDLR, we were all Congolese. The FDLR chased out of Congo all those who looked like the Tutsi of Rwanda, as there are Congolese Tutsi as well. The FDLR are Bahutu[101] and infected Congolese Bahutu with the same ideology.[102]

> The Interahamwe would come at night and cut people's heads, burn houses.

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[96] Maria Nyirahabinka, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011.
[97] Adelle Muhawimana, Focus-Group, Youths, Gihembe Refugee-Camp/Rwanda, May 26, 2011.
[98] Insengyera, Interview, President, Gihembe, Rwanda.
[99] Jeannine Nyiradawa, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 16, 2011.
[100] Mukamwyira, Focus Group, Gihembe, Rwanda.
[101] Plural of Hutu in Kinyarwanda and related languages like Kinyamulenge.
[102] Maxine Samadanago, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 1, 2011.

> Sometimes it was government soldiers, disguised as Interahamwe, who came to attack us. [...] Before the Interahamwe arrived, the Congolese didn't know how to kill, how to fight. The Rwandan Hutu blamed the Tutsi for their plight, for having to flee their country, and incited hatred in Congolese Hutu against all Tutsi, Congolese and Rwandan alike.[103]

Narrating these events, focus group participants communicated their abuses in the language of rights and ethnic-based persecution that negated formal nationality:

> Now there is no peace. Because of war, discrimination, bad governance. Because Tutsi are discriminated against, simply because they are Tutsi. The problems all started when Rwandan refugees fled to Congo in 1994. They left after having killed many people here, in Rwanda. They killed Rwandan Tutsi here, then killed Congolese Tutsi in Congo. Just like them, we were targeted. We could no longer stay in Congo.[104]

> Our citizenship rights were denied in Congo. We were forced from our land, our property, our livestock. Because of the war, because of the bad governance that reigns in the Congo, combined with the Interahamwe and the Mayi-Mayi. That's when we had to leave our country – because our rights to citizenship were violated and denied, because we are Tutsi.[105]

Banyamulenge shared these tumultuous times with Congolese Tutsi, and now spoke of themselves as one community. For the Banyamulenge, discrimination was a historical continuity, but 1994 marked the moment their plight aligned with that of their counterparts. It was articulated in the same language, in which responsibility was borne by the *Interahamwe* and comparisons were drawn across the border with Rwanda, emphasising statelessness:[106]

> The killing started when the Rwandans arrived. They came, against the tall ones, those with long noses. People came to hate one another. Pangas, and the cutting started. Government soldiers would decapitate members of our community, and parade the heads around on sticks in the villages, demonstrating they did not want these people in their country – they didn't

[103] George Nsanzeumuhiri, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011.
[104] Albert Nityimana, Focus-Group, Youths, Gihembe Refugee-Camp/Rwanda, May 26, 2011.
[105] Joseph Nkurikiyinka, Semistructured-Interview, President, Kiziba Refugee-Camp/Rwanda, May 31, 2011.
[106] Nyirabineza, Focus Group, Nakivale, Uganda; Félix Semutumwa, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Jolie Nyiramurara, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Rukurwa, Focus Group, Nakivale, Uganda.

want us.[107]

> They [Interahamwe] killed and burned houses and were determined to exterminate us [Tutsi]. It was a process, village by village. They attacked because of the language we spoke, because of how we looked, because we had property.[108]

Although all these narratives plot the beginning of killings in 1994, Banyamulenge refugees, much more than Congolese Tutsi, stress the importance of the year 1996, when they were expelled by the Deputy Governor of South Kivu, Lwasi Ngabo Lwabanji.[109] In the same month, Banyamulenge and Tutsi rebel forces, backed by Rwanda and Uganda, invaded North and South Kivu, fighting to stay in Congo and against the threat of the *Interahamwe*.[110]

> Why did the government turn against us? To this day, I don't know. The order came from the official government, to kill the Banyamulenge. To exterminate us and rid the country of us.[111]

> The government concluded that our tribe had to be exterminated. Our people were burned and beheaded. The government armed other tribes, to shoot and kill us.[112]

> Between 1996 and 1998, Kabila ordered to kill all the Banyamulenge in Kinshasa, in Katanga, South Kivu, Kalemie. Thousands of people were killed. There were so many massacres. It was a genocide. Ministers of Parliament came on the television and ordered and authorised people to kill Banyamulenge.[113]

Rwanda's then-Minister of Disaster Management and Refugee Affairs (MIDIMAR) explained the situation thus:

> Rwanda claimed that if those who speak Kinyarwanda are oppressed, the country will protect them. We backed the rebellion against Kabila because the DRC was mistreating these people. In response, the Congolese

[107] Cyprian Sibomana, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011.
[108] Gatari Nyarimana, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 20, 2011.
[109] Nyirabikiza Niramasoso, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Nyanzaninka, Focus Group, Nakivale, Uganda.
[110] Thesse Kigazi Kasinga, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Mukamyi, Interview, Kigali, Rwanda; Bahati Horukili, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 27, 2011.
[111] Mukamyi, Interview, Kigali, Rwanda.
[112] Damari Nirandangwa, Focus-Group, Elders, Nyabiheke Refugee-Camp/Rwanda, June 16, 2011.
[113] David Mugisha, Semistructured-Interview, Kampala/Uganda, September 23, 2011.

> government adopted a stance of promoting the return of Rwandophones to Rwanda. The RCD then the CNDP sensitised people to the plight of Rwandophones in the country, clamouring for their rights, fighting against second-rate citizenship and half-citizenship. The RCD was led by the Banyamulenge. When they finally arrived in Kinshasa, they forgot their brethren in the east.[114]

The recollections of Congolese Tutsi refugees, as well as Banyamulenge, echoed the minister's conclusions.

> Soldiers broke into the house at night and murdered my husband. They took everything. They beat me and broke my wrists. My father-in-law was Rwandan. He had fought with Kabila against Mobutu. But when Kabila became president, he failed to reward the Rwandans and the Banyamulenge who had fought with him, so the war started again. Then our neighbours began saying that if you are born of a Rwandan, even in Congo, you must be killed. If you marry into a family like that, if you allow any of that blood in your lines, they believe you should be dead.[115]

> The other tribes turned against us because we spoke Kinyarwanda. They told us to go back to our own country. We fled from place to place in the Congo, continuously chased. Because we were Rwandophones.[116]

> We spent years as IDPs [internally displaced persons], because of the Interahamwe and the Mayi-Mayi, the Cut-meat and the Butchers. They harassed anyone who spoke Kinyarwanda, telling us to go back to Rwanda.[117]

For Rwandan refugees, 1994 and 1996 were equally important. Lived alongside Congolese refugees in eastern Zaïre, or in Tanzania or Uganda, the recollections of these years stand in stark contrast to those narrated above.

> When the war really broke out in Rwanda, with the killings in 1994 and the continued attacks by the RPF, we ran for the DRC with our government. We were running as an entire country.[118]

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[114] Marcel Gatsinzi, Elite-Interview, Minister, Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali/Rwanda, June 15, 2011.
[115] Georgine Cibalonza, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011.
[116] Murekatate, Focus Group, Nyabiheke, Rwanda.
[117] Numbi Minove, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 17, 2011.
[118] Bartazali, Focus Group, Kyangwali, Uganda.

The majority of these refugees became residents of Kahindo,[119] Kibumba,[120] Katale,[121] and Mugunga[122] Camps. Other Rwandans became refugees in Tanzania[123] or Uganda[124]. Some of them fled first to Zaïre, and then Tanzania.[125] In 1996, the refugee camps in these countries were closed, 'destroyed by the RPF'[126], and many Rwandans were driven back to Rwanda[127].

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[119] Ezekiel Ruhunde, Semistructured-Interview, Rwandans' President, Kyangwali Refugee-Settlement/Uganda, August 25, 2011; Odette Uwineza, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011.

[120] Freduard Twizeyimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Mark Twahirwa, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Célestin Gahutu, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011; Ildéfonse Dimukarengane, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011; Thomas Habamuremyie, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011.

[121] Marie-Grace Mukasiripari, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 29, 2011.

[122] Jean Yamuremiye, Semistructured-Interview, Repatriate, Northwest/Rwanda, November 30, 2011; Uwamahire Nyirasafari, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Rachel Ayinkamiye, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Faraha Mukawera, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Tigo Muberake, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 15, 2011; Alphonsine Nyamurinda, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Olive Habyarimana, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 22, 2011; Niyonzima Gumyizane, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Alivera Nyaribikari, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 18, 2011; Jean Mukamuyabu, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011.

[123] Jean-Marie Buregiyeya, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011; Asinati Mukasanga, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 22, 2011; Anatazi Nyiringimana, Semistructured-Interview, Chairman, Nakivale Refugee-Settlement/Uganda, August 18, 2011; Samuel Rutayisire, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 21, 2011; Donata Mukabera, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011.

[124] Emmanuel Mugisha, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011; Collins Mwesigye, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011; Bosco Minani, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 18, 2011; Richard Ntamugabumwe, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 11, 2011; Rashid Munyemanzi, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 11, 2011.

[125] Clementine Muteska, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 22, 2011.

[126] Mukasanga, Focus Group, Nakivale, Uganda.

[127] Mukabera, Focus Group, Kyaka II, Uganda; Mukasiripari, Focus Group, Kyangwali, Uganda; Uwineza, Focus Group, Kyangwali, Uganda; Twizeyimana, Focus Group, Kyangwali, Uganda; Twahirwa, Focus Group, Kyangwali, Uganda; Gahutu, Focus Group, Kyangwali, Uganda; Rutayisire, Focus Group, Nakivale, Uganda; Damari Murwanashaka, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 21, 2011; Nyiringimana,

Some managed to escape the repatriation and fled from Zaïre and Tanzania to Uganda,[128] while others hid from the authorities and managed to stay in Uganda[129]. These Rwandan refugees recall the loss of loved ones during the genocide.[130] When they fled from Rwanda, however, they fled from the RPF, escaping with the former government of Rwanda, and the *Interahamwe* militias. Their militarisation in Zaïre's camps would lead to the rise of the FDLR who then targeted Congolese and Rwandan Tutsi alike.[131] As Rwandan focus group participants recollected:

> Everyone fled. Each their own way. No one knew exactly where they were going at that point. There was no peace in DRC because the FDLR would come, kill us, tell us we should not go back to Rwanda. They killed my brother, with whom I was in Congo. Then I escaped, fleeing into the forests, but I ran from the RPF.[132]

> My family was killed by the RPF Inkontanyi[133]. We had money, shops. We were buying and selling produce. We had property and houses. But we were targeted because of our tribe, because we were Hutu.[134]

The narratives above, like those of Congolese refugees, reflect how ethnicity subsumed socio-economic reasons for conflict, eclipsing these differences in the retrospective communal imagination. Additionally, many of these refugees suffered at the hands of both the RPF and the *Interahamwe*, due to mixed parentage:

> My mother, being Tutsi, was killed by the Interahamwe. Even though my father tried to save her, my uncles still killed him, in retribution for my mother's death, as he was Hutu, and they thought he must have joined the

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Interview, Chairman, Nakivale, Uganda; Mukasanga, Focus Group, Nakivale, Uganda; Staraton Invuyekura, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 22, 2011.

[128] Dimukarengane, Focus Group, Kyangwali, Uganda; Habamuremyie, Focus Group, Kyangwali, Uganda; Muteska, Focus Group, Nakivale, Uganda; Edvina Nyiranguhirwa, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 10, 2011; Buregiyeya, Focus Group, Kyaka II, Uganda; Bartazali, Focus Group, Kyangwali, Uganda.

[129] Munyemanzi, Focus Group, Kyaka II, Uganda; Ntamugabumwe, Focus Group, Kyaka II, Uganda; Minani, Focus Group, Nakivale, Uganda; Mugisha, Focus Group, Kyaka II, Uganda; Mwesigye, Focus Group, Kyaka II, Uganda; Nyiranguhirwa, Focus Group, Kyaka II, Uganda.

[130] Mukasanga, Focus Group, Nakivale, Uganda; Nyiringimana, Interview, Chairman, Nakivale, Uganda; Mugisha, Focus Group, Kyaka II, Uganda; Mwesigye, Focus Group, Kyaka II, Uganda.

[131] Mukabera, Focus Group, Kyaka II, Uganda.

[132] Dimukarengane, Focus Group, Kyangwali, Uganda.

[133] *Inkotanyi* means 'invincible or fierce warriors' in Kinyarwanda and refers to the RPF.

[134] Buregiyeya, Focus Group, Kyaka II, Uganda.

killers.[135]

> I had fled with my father and brothers. Mother had been killed by Interahamwe. Mother was Tutsi and father was Hutu. The RPF soldiers attacked us, demanding [to know] who had killed mother. My father was executive secretary of the sector, but couldn't explain exactly. So, those soldiers took my father and brothers away, and I never saw them again. I assumed they were dead.[136]

> My parents were both killed. My father was Tutsi, and my mother was Hutu. My family was targeted by both Interahamwe and Inkontanyi.[137]

3.4.3 INSURGENCY IN NORTHWEST RWANDA

Rwandan and Congolese refugees recalled the years in Zaïre, later DRC, at the dawn of the genocide in Rwanda and following it, in terms of their disparate antagonists. While the Congolese became IDPs in their own country, the Rwandans became refugees. In 1996, members of both populations crossed the border to Rwanda. The Rwandans were forced back by the RPF from Tanzania, Uganda, and Zaïre, while the Congolese were expelled. Instead of finding peace, their flight led them to more war – the Insurgency in Northwest Rwanda – and roles were reversed, as Congolese became encamped refugees while Rwandans were displaced. Once again, both populations were assaulted by opposing groups. The RPF targeted Hutu and anyone suspected of supporting the ex-FAR and *Interahamwe*, who were attacking from eastern DRC in 1997.[138] Rwandan Hutu refugees recalled this period in the following manner:

> We were forced back to Rwanda from Tanzania in 1996. There was so much finger pointing about clothing, possessions in the house, so many accusations of these things having been stolen from the Tutsi during the genocide. The police, the RPF, came and arrested people, just because they were Hutu. And for the RPF, anyone who is Hutu is automatically a *génocidaire*. We had to guard the houses against attack from the Interahamwe, while being caned by the RPF.[139]

> The RPF soldiers, police, the local defence, would all come in the middle of the night and kidnap people. There was discrimination against the Hutu.

[135] Twizeyimana, Focus Group, Kyangwali, Uganda.
[136] Uwineza, Focus Group, Kyangwali, Uganda.
[137] Nyiranguhirwa, Focus Group, Kyaka II, Uganda.
[138] Jean-Pierre Mberabagaba, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 29, 2011; Jean-Pierre Bkorimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011.
[139] Invuyekura, Focus Group, Nakivale, Uganda.

> Sometimes the RPF would come and tie people up, place them in holes and beat them. I was imprisoned, and spent six years in jail, awaiting Gacaca. I was never charged.[140]

> Those who were strong and young, those repatriates, were taken to guard and sleep outside, and others were taken to prison. My brothers were taken to prison. Their wives kept bringing food for them, and each time being told that their husbands had moved to other prisons.[141]

Rwandans of mixed parentage once again found themselves targeted by both the RPF and the *Interahamwe*:

> Father was Hutu and my mother Tutsi. The Interahamwe had killed mother, then the RPF put my father in prison when we were forced back to Rwanda. Our house and land were taken by the RPF. When my father complained, RPF soldiers killed him. I was told by my neighbours that unless I fled, I would be killed as well.[142]

> Before the war, my father was a soldier in Habyarimana's army. My mother was Tutsi and my father was Hutu. My uncles, my mother's brothers, joined the RPF during the war. Mother was killed by Interahamwe. We had many plots in Kigali. My uncles, who were soldiers, killed my father, blaming him for mother's death, and took over my father's plots. There was money in the bank before the war. My uncles took it, saying it should be shared. I married my cousin to keep my father's land, as she was from my mother's family. My uncles instructed her to poison me.[143]

> My father had been killed by Interahamwe, but my family was killed by the RPF in 1998. Father was Hutu, an engineer, and attacked because Interahamwe believed he collaborated with the RPF, and RPF believed he collaborated with *génocidaires*. My brother was burnt alive by Inkontanyi the same year.[144]

As a result of these experiences upon return, wherein Hutu often found themselves branded Interahamwe and *génocidaires*,[145]engulfed in conflict where land and material grievances were shorthanded to ethnicity, many fled again, to Uganda[146] via Tanzania[147] and sometimes the

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[140] Nyiringimana, Interview, Chairman, Nakivale, Uganda.
[141] Murwanashaka, Focus Group, Nakivale, Uganda.
[142] Theogene Mvukiyehe, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 29, 2011.
[143] Leo Chiza, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011.
[144] Bujenia Nikobaze, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 10, 2011.
[145] Silase Ushizimpumu, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011; Manzi Mutuyimana, Semistructured-Interview, Kampala/Uganda, September 1, 2011.
[146] Nyiringimana, Interview, Chairman, Nakivale, Uganda; Rutayisire, Focus Group, Nakivale, Uganda; Gahutu, Focus Group, Kyangwali, Uganda.

DRC[148]. They were joined in Uganda by those fleeing for the first time,[149] sometimes via the DRC[150].

Congolese Tutsi, then-residents of Rwanda's refugee camps, recall this period very differently. Alongside Rwandan Tutsi civilians and Hutu perceived as sympathetic to the RPF, they were the principal targets of ex-FAR and *Interahamwe* insurgents.[151] What remains burnt into their recollections of the Insurgency in Northwest Rwanda is the massacre at Mudende Refugee Camp in 1997, conceived as a continuation of the 1994 genocide.[152] The recollections cited below echo those Hovil documented during her research with Congolese refugees in Gihembe Camp, attesting to the prevalence of these events in this population's communal imagination – 'even those too young to remember knew the details of what took place."[153]

> I survived both times the FDLR attacked Mudende. They used bombs, grenades, machetes, to kill those who were still alive. When they started killing with machetes, chopping into people, slicing off big pieces of flesh, I ran. I climbed into a tree, and sat there all night. They killed so many before my eyes. They were shooting, and bullets passed around me. So many people died. In the morning, the President of Rwanda [Kagame] came and by that time, he said it was so sad, what had happened. The soldiers were guarding us, and the President promised to do his best to help the survivors. The family I stayed with were all killed, and I had collected their bodies, and put them in the house, but they were taken out and buried in a mass grave. The Interahamwe were so many and they had surrounded the camp. The Interahamwe knew that the camp was full of Tutsi, who were the enemy of Hutu. The President's army later left, claiming they had another operation. Then the Interahamwe attacked again, at two in the morning. The RPF didn't arrive until six. For four hours, the Interahamwe were shooting, bombing. [...] The RPF allowed that attack on Mudende. It gave them the excuse to go back to Congo and pursue their own interests. [...] Secrets lie

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[147] Nyiringimana, Interview, Chairman, Nakivale, Uganda; Murwanashaka, Focus Group, Nakivale, Uganda; Mukabera, Focus Group, Kyaka II, Uganda.
[148] Twahirwa, Focus Group, Kyangwali, Uganda.
[149] Therese Nyirabagaragaza, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 22, 2011; Mvukiyehe, Focus Group, Kyangwali, Uganda; Apolinaire Nyimpagariste, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Chiza, Focus Group, Kyangwali, Uganda; Mberabagaba, Focus Group, Kyangwali, Uganda; Nikobaze, Focus Group, Kyaka II, Uganda.
[150] Martin Iramazani, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011; Bkorimana, Focus Group, Kyangwali, Uganda.
[151] Nyiradawa, Focus Group, Nyabiheke, Rwanda.
[152] Claudette Senyiwama, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 24, 2011; François Sebunyoini, Semistructured-Interview, Teacher, Hope School, Gihembe Refugee-Camp/Rwanda, May 24, 2011.
[153] Lucy Hovil, "Shadows of Return: The Dilemmas of Congolese Refugees in Rwanda," Citizenship and Displacement in the Great Lakes Region (IRRI, July 2011), 20.

> behind those so-called mis-steps that led to massacres. Refugees were like pawns in a chess game. [...] That's what makes us so sad and so angry – they just used us. They have their week of remembering the genocide, but there's not a single credible report about those massacres. They just dumped the bodies on top of one another, in a mass grave that remains unmarked. Then they planted pyrethrum plants on top of them, for pesticide. [...] They buried the bones of their own. Buried the bones of their Hutu and said they were Tutsi. The bones of ours, they covered with daisies to kill ants. It's caused a rift between us and Kagame. As a fellow Tutsi, with whom and for whom we fought, this is a disgrace.[154]
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> The FDLR killed about 3,000 people in the attacks on Mudende. Our families, our relatives, are still buried there. They were never given a proper burial, even after all these years. We hurriedly covered their bodies and had to flee that same morning. The Rwandan government then grew pyrethrum over our dead. Daisies for insecticide. Can you imagine the carelessness, the disrespect? It's painful to think we left the bodies of our brothers and our mothers to fertilise pyrethrum plants.[155]

Reyntjens's research and Hovil's work corroborate these narratives, demonstrating how the RPF failed to respond to the attacks, and even how its members facilitated them.[156] The prevalence of these accounts attests to the living memory the massacre at Mudende holds in this population's collective imagination. Congolese refugees, be they in Uganda's settlements and capital, or residing throughout Rwanda's camps, recall these events – the slaughters covered by pyrethrum, corpses fertilising insecticide, and the deceit of the government that promised to shelter the population as its own. From Mudende, survivors were taken to Gihembe Camp. Others arrived at Nyabiheke.[157] Yet even refugees in Kiziba, despite never having lived through the massacre at Mudende, recount the daisies and the deception.[158]

The Gatumba Massacre in the Burundian refugee camp in 2004 holds a place of equal historical and communal importance for this population. Survivors were transferred to Rwanda's Nyabiheke Camp and Uganda's Nakivale Settlement, but their accounts reverberate throughout Congolese populations in Kigali, Kampala, and other camps and

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[154] Jack Rwembe, Semistructured-Interview, Bukavu/DRC, November 24, 2011.
[155] Benjamin Nzabarinda, Semistructured-Interview, Vice-Coordinator, Hope School, Gihembe Refugee-Camp/Rwanda, May 26, 2011.
[156] Filip Reyntjens, *The Great African War: Congo and Regional Geopolitics, 1996-2006* (Cambridge: Cambridge University Press, 2010), 176–177; Hovil, "Shadows of Return," 19–20.
[157] Minove, Focus Group, Nyabiheke, Rwanda.
[158] Abijende, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda.

settlements.[159] In a sense, it is irrelevant how many people actually lived through these massacres, because they are so often recollected and retold, thus ingrained in this community's imagination across Uganda and Rwanda. Children still bear scars from machetes on their backs and heads from where they were slashed, tied to their mothers' backs as babies, the women unable to run fast enough. They are living memories of loss, which transcends time and space, attaining immortality in this population's communal narrative. Second-generation descendants adopt these memories as their own, and continue their narration and reinterpretation. As they are continuously shared with others, bonds of commonality, connectedness, and groupness are strengthened, fusing and forging communities. This process has also been documented amongst Holocaust survivors[160] and Palestinian refugees[161]. As these communal historical narratives integrate familial memories, they are ever more potent as ways of coming to terms with the past that are meaningful for the future.[162] They offer personalized, emotive lessons and examples, prescriptions for action to prevent the repetition of such cyclic violence. Simultaneously, they imbue current experiences that evoke 'postmemory'[163] with a visceral urgency that makes these reimagined communities more susceptible to mobilisation for collective political action to prevent the reoccurrence of the past. [164]

3.4.4 RENEWED FLIGHT FROM RWANDA AND CONGO

Refugees continue to flee Rwanda and the DRC, where many Congolese are still surviving as IDPs in a state suspended between war and peace. They are running from sporadic conflict, seeking refuge over an international border. Earlier caseloads of Rwandan refugees fled such open conflict. Their reasons for flight, however, were inextricable from their perceived associations with the *Interahamwe* and the former Government of Rwanda, conflated with socio-economic inequalities. Newer caseloads of Rwandan refugees flee political persecution,

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[159] Pierre Kayenga, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 19, 2011; Mukamyi, Interview, Kigali, Rwanda; Murwanashaka, Focus Group, Nakivale, Uganda; Pierre Mukeshiwa, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 16, 2011; Rukurwa, Focus Group, Nakivale, Uganda; Espoir Indiho, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011.
[160] Hirsch, "Generation of Postmemory"; Sicher, "Future of the Past"; Waterson and Rylko-Bauer, "Shadows of History."
[161] Sa'di and Abu-Lughod, *Nakba*.
[162] Halbwachs, *On Collective Memory*, 54–83; Sicher, "Future of the Past," 84.
[163] Hirsch, "Generation of Postmemory," 107.
[164] Dragojević, "Memory and Identity," 1067; Fearon and Laitin, "Violence and Social Construction," 852, 855; Brubaker and Cooper, "Beyond 'Identity,'" 21.

likewise tainted with their presumed connections to former President Habyarimana's regime and land conflicts:[165]

> Kagame's soldiers visited me continuously, asking about my two sons, who had served in Habyarimana's army. The RPF kept coming and questioning me and beating me, but I honestly didn't know where my sons were. Those RPF soldiers used Hutu like slaves, forcing us to dig their lands and taking all our harvests through their co-operatives. They attacked me twice. And the third time, I slept in a banana plantation, wherever I could, until I had walked all the way to Uganda.[166]

> My brother is in Arusha. He was part of Habyarimana's forces. I didn't want to be asked to give more information about the case. I was continuously interrogated by the RPF. I was imprisoned for six days, then released. RPF soldiers later attacked me during the night and I was stabbed.[167]

> RPF soldiers had been coming and beating us sporadically since 1994. My husband had been Minister of Youth, Sports, and Culture under Habyarimana. The RPF wanted a gun, as leaders would give authorities guns with which to kill Tutsis in 1994. In 1996, the soldiers came again and took my husband to prison. He stayed there three years, but they failed to get witnesses for what happened so they released him. We discovered that his brother, brother's wife, and children had all been killed by the RPF due to the gun. Those soldiers came back in 2002, asking for the gun, but we didn't have it. We were beaten and put in hospital... In 2009, the soldiers came to our place again... We were left for dead. [...] Once we recovered, we fled to Uganda.[168]

Other Rwandan refugees fled as a result of political grievances associated with the 2003 and 2010 presidential elections in Rwanda, interwoven with accusations of genocide ideology and land conflicts:

> In the 2003 election, we were told we could vote [for] whomever we wanted. But the RPF said our family was for Faustin Twagiramungu, an independent candidate, and Hutu. Military police came and took my husband to prison. He was there three months, so we decided to leave the country, because we knew the harassment would only continue.[169]

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[165] Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda; Iramazani, Focus Group, Kyangwali, Uganda; Esperance Nyirasabimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Chiza, Focus Group, Kyangwali, Uganda; Mberabagaba, Focus Group, Kyangwali, Uganda; Bkorimana, Focus Group, Kyangwali, Uganda.
[166] Teleziya Konzirata, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 18, 2011.
[167] Emmanuel Thesimana, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 21, 2011.
[168] Ushizimpumu, Focus Group, Kyangwali, Uganda.
[169] Nyirasabimana, Focus Group, Kyangwali, Uganda.

> Twagiramungu and Kagame were candidates in the 2003 elections. Those who supported Twagiramungu, who went against the RPF, were harassed. [...] My husband was arrested, spent one month in jail, was beaten seriously, then released. In 2005, soldiers came at midnight. They barged in the house, found me, and demanded [to know] why I had married an Interahamwe Hutu. They threw me on the bed and raped me, while they continued to beat my husband outside. A family friend, also a soldier, helped me to Uganda. [...] In 1994, under Habyarimana, people were killed and the population suffered and bled. My brothers, sisters, and mother were all killed by Interahamwe. They were killed because of their tribe. Under that government, I was not safe. Under Kagame, I am not safe.[170]

> I fled Rwanda on 8 May 2008, from Kicukiro, Kigali. I escaped prison. The inspector of police was building houses in Nyarutarama for soldiers and ministers. The RPF wanted my land. My husband had supported the opposition candidate in the 2003 elections. In 2007, they started mistreating my husband, to get our land. On 12 April 2008, RPF officers came and took my husband. [...] Police came and took me to Kimihurura CID [Criminal Investigation Department]. [...] We were beaten, told to confess that we work with the opposition and are taught to hate the RPF and disobey them. We refused. That's not the truth. [...] One of the guards was my son's friend. And he helped us escape. He told us that if the others knew he had helped us, they would kill him.[171]

> I left Rwanda in 2010, because we had no peace seeing people killed, being captured, living in fear, so it was better to flee. The RPF came and took people in the community to prison, just for not joining their party. They shot at doors and intimidated people in the run-up to the elections in 2010.[172]

Other recent exiles recount being targeted by the RPF due to associations with dissidents of the regime and leaders who had already fled the country:[173]

> I had to flee in 2006, when Kagame had problems with the RPF's head of intelligence, Colonel Patrick Karegeya. Vincent Karisa, his cousin, is my sister's husband. Our parents were killed by Interahamwe in 1994. Our family is Tutsi, you see. Following Karegeya's flight, my sister and her husband were abducted by three RPF agents... They were accused of conspiring against Kagame's regime... I remained as guardian of their children, and searched in all the detention houses in Kigali. While looking, I caught the attention of RPF agents. The same agents stormed our home again, this time demanding [from] me what I knew of Karegeya's operations and my sister's and her

[170] Josianne Mukamana, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 10, 2011.
[171] Laurens Habimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011.
[172] Frotonata Mukadembule, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 21, 2011.
[173] Paul Kalaberi, Semistructured-Interview, Kampala/Uganda, October 11, 2011; Agnes Mukamara, Semistructured-Interview, Kampala/Uganda, September 3, 2011.

> husband's plot to overthrow the regime. I was beaten and slapped... I feared for our security and decided to flee to Uganda in October 2006, from Kigali.[174]

These recent Rwandan refugees do not reflect the mass movements associated with the events of 1994 and those of the Insurgency in Northwest Rwanda. They flee as individuals and families, not as entire communities. Unlike earlier waves, they are not predominantly Hutu. Similarly, recent Congolese refugees are a more ethnically heterogeneous population than earlier arrivals from the DRC. In addition to Tutsi fleeing the FDLR, they are Banyamulenge left without the protection of the FRF *(Forces Républicaines Fédéralistes)*[175] and Hutu escaping the predominantly-Tutsi CNDP[176], all in the first decade of the 2000s.

They join earlier refugees in exile, and share their experiences as individual narratives, subsequently interwoven into communal narratives. For the most part, instead of being reinterpreted, 'collective schemes'[177] of grievance and persecution are reified. Commonality is established and groupness strengthened through affirmations of common injustices.[178] These processes are exacerbated by the ways in which these memories, and broader narratives, are constantly reactivated by accounts of newly arrived refugees, interviews with representatives from international organisations, and studies conducted by researchers like myself. Communal narratives are not only reproduced, but reinforced, 'through the everyday actions of ordinary folk, "on the ground".'[179]

3.4.5 COLLUSION AND CONFUSION: RWANDAN REBELS AND REFUGEES IN CONGO

Not all Rwandans who sought refuge in DRC's camps in the aftermath of the genocide

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[174] Jeanette Ruterekara, Semistructured-Interview, Kampala/Uganda, September 12, 2011.
[175] Gahungu, Focus Group, Nakivale, Uganda; Nyanzaninka, Focus Group, Nakivale, Uganda; Mubera, Focus Group, Nakivale, Uganda; Francis Muhire Mugeyo, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011.
[176] Ayingine Mukagizwe, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Beatrice Mushiwimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Baraka Mitabishi, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Innocent Sabimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Justine Munyerekana Mirindi, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 28, 2011.
[177] Denis-Constant, "The Choices of Identity," 8.
[178] Riva Kastoryano, "Integration and Expression of Collective Identities of Migrants in France and Germany," *Journal of Ethnic Studies* 19 (1992): 51–64.
[179] Fearon and Laitin, "Violence and Social Construction," 855–856.

returned across the border when those camps were forcefully closed by the RPF in 1996. Many fled west, deeper into the jungles, where they remained as unwitting citizens of the FDLR's nomadic microstate (Chapter 2, Sections 2.2.4 and 2.4.1). Notably, all the respondents cited in the excerpts below had lived in Mugunga Camp, perhaps the most notorious and militarised, before fleeing the repatriation.[180]

> I fled Rwanda in 1994, with my father, mother, brothers, and sisters. Most are dead now. Once the RPF had closed the camps, destroyed them, we fled to the forests. The RPF hunted us; from there, they chased us all the way to Masisi, and we continued to flee. The RPF started to use local people to kill Rwandan refugees, and many of us joined the FDLR for protection. Many people had died by that time. The RPF would give the locals money to hunt us.[181]

> Once the RPF closed Mugunga, we fled to Walikale, while others continued to Kisangani and Kinshasa. We moved from place to place, because of the war and the RPF, who continued to hunt us. I lived with the FDLR, because I could eat and have protection. The local population hunted us as well, because the RPF told them that Rwandan refugees ate people. [...] The RPF targeted the FDLR and their supporters, but they saw whoever was forced to stay with them [FDLR], and move with them, as their supporters. [...] I fled with the FAR, so I stayed with them when they became the FDLR. They controlled the area. They remained our leaders. What were we to do?[182]

> In 1996, the RPF destroyed Mugunga, and we ran into the forests, as the RPF continued to pursue us, and people continued to flee. So many died of hunger. We slept like animals. And I remember the rains. We stayed together, that group of us that had fled together from Rwanda. By the age of 16, everyone I had known, everyone I loved, was dead. Even when we found a bit of land to cultivate, the Rwandan army would find where we harvested, and attack, and we had to flee again. Then even the nationals started killing us,

[180] Germaine Niharandagwa, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Charles Besinimana, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Esther Uwimana, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Mukamuyabu, Interview, Transit Centre, Bukavu, DRC; Mukawera, Interview, Transit Centre, Bukavu, DRC; Christine Gahagabo, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Gratien Nyirambira, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Jacques Mujawimana, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 22, 2011; Lucie Umutoni, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Yamuremiye, Interview, Northwest Rwanda; Habyarimana, Interview, Transit Centre, Bukavu, DRC; Nyirasafari, Interview, Transit Centre, Bukavu, DRC; Ayinkamiye, Interview, Transit Centre, Bukavu, DRC; Nyamurinda, Interview, Transit Centre, Bukavu, DRC; Bisengo Kobwa, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 15, 2011; Muberake, Interview, Transit Centre, Bukavu, DRC.

[181] Muberake, Interview, Transit Centre, Bukavu, DRC.

[182] Kobwa, Interview, Transit Centre, Bukavu, DRC.

> calling us Interahamwe, even though we were not with the FDLR. They blamed us for the war, the persistent insecurity. It was especially bad between 1998 and 2000; the nationals were killing refugees wherever they saw us.[183]

As the FDLR made little distinction between non-Rwandophones and the enemy, so the Congolese army, the FARDC, failed to discriminate between the rebel FDLR and Rwandan refugees. 'Most Rwandan refugees are Hutu, and with the FDLR through coercion and promises of protection'[184], the Director of CNR Goma explained. 'Hutu, Rwandan and Congolese alike, are mixed up and targeted as members of the armed group. It's very difficult to separate civilians from militants due to the abuse and manipulation of civilians by militias.'[185]

This situation has been escalating since 2009, when the CNDP was integrated into the FARDC, legitimating its historical crusade of rectifying Tutsi persecution, now under the guise of a national army.[186] This legitimation entailed disastrous ramifications for Rwandan refugees because of the collusion, as well as the confusion, between rebels and refugees. Some of these refugees, like their Congolese counterparts, are involved in the illicit mining economy that sustains the FDLR; others are targeted simply because they share the same nationality or ethnicity with the rebels.[187] Discussing the effects of this contentious interaction between rebels and refugees, a former FDLR battalion commander stated:

> CNDP says they fight FDLR, and confound all refugees with FDLR. There is no respect for refugees or their rights. In the forests, women are raped and violated. It destroys families and pushes the women to flee.[188]

The directives issued to all FDLR at the start of Operation *Umoja Wetu* (2009) further complicated any group's ability to discern between rebels and refugees. The now-permanent orders of procedure in the event of attack instruct combatants to 'conceal themselves among the civilian population; burn the villages; massacre all civilian or military personnel who

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[183] Ayinkamiye, Interview, Transit Centre, Bukavu, DRC.
[184] Félix Musanganya, Elite-Interview, Director, Commission Nationale pour les Réfugiés (CNR), Goma/DRC, July 4, 2011.
[185] Jean Sayinzoga, Elite-Interview, Chairman, Rwanda Demobilisation and Reintegration Commission (RDRC), Kigali/Rwanda, May 24, 2011.
[186] Niyonzima Gumyizane, Semi-structured Interview, Refugee Transit Centre, Bukavu, DRC, November 21, 2011.
[187] Maryam Wathanafa, Elite-Interview, MONUC/DDRRR Officer, Goma/DRC, July 28, 2009.
[188] Placide Ndyambaje, Semistructured-Interview, ex-FDLR Commander, Mutobo Demobilisation-Centre/Rwanda, September 26, 2009.

would be seen or considered accomplices of the attackers"[189], in the words of a current FDLR captain. Combatants are told they 'should protect refugees against the enemy,' while being authorised to carry out 'reprisals against the civilian population and families of combatants and local Congolese authorities, and anyone committing atrocities, including rape, against Rwandan refugees."[190] Such directives, assuming they are followed, may provide protection for refugees who have been targeted by the CNDP/FARDC. Conversely, the same directives sanction retaliation against the families of FDLR combatants themselves. These orders are as likely to bring death to refugees as they are to bring salvation. The Director of CNR Bukavu succinctly summarised the effects of this collusion and confusion:

> The manner in which the FDLR operate, and because so many live as hostages of the movement, leads the local population to mix up the refugees and the Hutu with the rebels. Because of the atrocities – rapes, murders, houses burned and lives destroyed, women beheaded – that the FDLR committed, there is an animosity against all Hutu. As well as a historical animosity against the Tutsi because of the violence waged by the Banyamulenge, later by the RPF, most recently by the FRF. Now, the animosity is against both the Tutsi and the Hutu – against all Rwandophones, because it's so difficult to distinguish between those groups. It is much more exacerbated in South Kivu than it has been in North Kivu. The deployment of CNDP-dominated FARDC and the integration of the FRF into the FARDC (on the basis of a five-year deployment in the Banyamulenge-dominated region of Minembwe) have only served to further exacerbate the already delicate, fragile, volatile situation. You can't really blame the local population because of the very recent and real memories of the atrocities committed by Rwandophones. That's simply how those grievances have been generalised and realised by the population here.[191]

These generalised perceptions of culpability have affected the physical space of exile, which, in the DRC's case, is far from refuge, altering local populations' perceptions of identity and belonging. Rwandophones – Congolese Tutsi, Hutu, and Banyamulenge, as well as rebels and refugees – are all instructed to repatriate to Rwanda.[192] In South Kivu, those married to 'Rwandans', again construed as any Rwandophones, are forced to pay monthly taxes of either

[189] Eustache Kayumba, Elite-Interview, Captain, FDLR South Kivu Division, Telephone, October 21, 2009.
[190] Kwis Uwimana, Elite-Interview, Captain, FDLR Battalion Bahamas, Telephone, October 21, 2009.
[191] Gratien Mupenda, Elite-Interview, Director, Commission Nationale pour les Réfugiés (CNR), Bukavu/DRC, November 4, 2011.
[192] Musanganya, Interview, CNR Director, Goma.

one cow or US$30.[193] As a result, husbands are abandoning their wives and forcing some, along with their children, to 'return' to Rwanda.[194] In order to escape persecution, many Congolese Tutsi claim to be Rwandans and ask to be repatriated; 'Those who had resources went back on their own."[195] In this manner, identity is altered in exile, due to the collusion and confusion between rebels and refugees in the DRC that exacerbates the historically contested nationality of Rwandophones. Upon repatriation, these new identities, forged through experiences of exile, are then imported into communities of return. For others, the altered space of refuge is itself the destination of return.

3.5 TERRITORIALISING 'THE PAST' IN THE PRESENT OF REFUGE

In refuge, communal narratives partly determine settlement patterns of Rwandans and Congolese alike. The manner in which this occurs is reminiscent of the way Rwandan rebels and refugees redefined eastern DRC. In a study of contested collective memories and trust between four different ethnic groups in Kirkuk and Erbil in northern Iraq, Rydgren, Sofi, and Hällsten observed that people usually trust those with whom they share ethnic affiliation far more than outsiders.[196] Evaluation of the trustworthiness of these 'outside' groups is based on collective memories of their past actions. The authors stress that collective memories are especially salient in the context of violence and polarisation. These conclusions are equally applicable to explain settlement patterns of Congolese and Rwandan refugees in camps and urban centres. These settlement patterns also demonstrate how historical narratives, inter-generational traumatic memories, shape how individuals – and the reimagined communities of which they are part – interpret events and actions in the context of uncertainty, and the

[193] Clementine Mukamana, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, Juy 2011.
[194] Mariana Mukamuyabu, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 6, 2011; Esther Mukakomeza, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 6, 2011.
[195] Germaine Ngoa-Bulenda, Elite-Interview, Administrative Secretary of Bashali, Kitchanga/DRC, July 10, 2011.
[196] Jens Rydgren, Dana Sofi, and Martin Hällsten, "Collective Memory and Trust: Evidence from Northern Iraq" (Institute for Social Change Seminar, University of Manchester, Manchester, UK, March 12, 2013).

resultant courses of action they pursue.[197] Settlement patterns are explored below by addressing first Uganda's settlements, then Rwanda's camps, with attention to interactions between distinct nationalities and ethnic groups.

Throughout Uganda's settlements, Banyamulenge live in their own communities. In Nakivale, for example, the community resides in Mulenge and Old Congo Zones, with smaller groups living in Nyarugugu.[198] In Kyaka II, Banyamulenge inhabit Bwiriza and Bukere,[199] while in Kyangwali the community resides in Kasonga B and Kyebitaka[200]. Banyamulenge focus group participants explained their preferences of co-ethnic residency in the following manner:

> We fear those who came from Rwanda, the FDLR, so we fear all Rwandans. We don't socialise with them. And we refuse to live with them.[201]
>
> Those who assisted the Mayi-Mayi in chasing the Banyamulenge out of Congo are Rwandan Interahamwe. They are still in Congo, and some are here in Nakivale. We don't trust the Rwandans here, so we refuse to interact with them, to live near them. Most of the time we don't trust the Hutu either, regardless of whether they're Rwandan or Congolese, because the Congolese Hutu aided the Rwandan Hutu, the Interahamwe.[202]
>
> Here, we were welcomed by the Banyamulenge. But those who assisted the Mayi-Mayi in slaughtering our people, the FDLR, are here as well, in the settlement. Thus, we have no peace of mind. We fear them. We fear them and the Congolese Hutu who helped them. [...] The Banyamulenge fear the Rwandans here. When I sent my eldest son to find work outside the camp, he was beaten so badly by Rwandan Hutu that he wanted to die. [...] Banyamulenge are often attacked and looked down on by Rwandan Hutu. They killed our sons in Congo, so now when we see them here, we fear they

[197] Dragojević, "Memory and Identity," 1078; Wilmer, "Identity, Culture, and Historicity: The Social Construction of Ethnicity in the Balkans," 8; Denis-Constant, "The Choices of Identity," 16.
[198] Christine Nyasafari, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Ruhunyiuriza Ntabangama, Semistructured-Interview, Banyamulenge Community Chairman, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Francis Kazimana, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Akizimana Butumi, Focus Group, Nakivale, Uganda; Odette Ntabangama, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011.
[199] Emmanuel Habiyaremye, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011.
[200] Horukili, Focus Group, Kyangwali, Uganda; Munyerekana Mirindi, Focus Group, Kyangwali, Uganda.
[201] Nyasafari, Focus Group, Nakivale, Uganda.
[202] Nyirabineza, Focus Group, Nakivale, Uganda.

will attack us as well. [203]

Banyamulenge respondents applied their past recollections of persecution by the *Interahamwe* and FDLR in deciding where to settle. They extrapolated these accounts and generalised culpability from the sub-section of the Rwandan exodus that comprised the former army and the rebels to all Rwandans, and beyond that, all Hutu. Newer arrivals continued this pattern of settlement, seeking out friends and relatives,[204] and reifying inter-ethnic divisions.

In Rwanda, Gihembe Camp was established to house Congolese refugees, the majority of whom fled Masisi and Rutshuru around the time of the Insurgency in Northwest Rwanda and the associated ousting of Mobutu.[205] As Minister Gatsinzi, MIDIMAR, explained, 'This population is predominantly Tutsi, and includes the survivors of the Mudende Massacre; there are some Hutu as well, due to the counter-attacks by the Tutsi.'[206] In Gihembe, it is popularly assumed that most Banyamulenge received Rwandan citizenship following the massacre:[207]

> They were closer to the border to begin with, and not as affected by the war. These people, living here, lost everything. The Banyamulenge were privileged socio-economically. We are all Tutsi, but the Banyamulenge had more advantages. Because of Mudende, [only] they became real Rwandan citizens, even though many of us suffered that tragedy... we are still here, refugees.[208]

The Banyamulenge who remain in Gihembe all live together in Quarter 10, whereas Congolese refugees from Masisi and Rutshuru share the other 11 quarters.[209]

Rwanda's Kiziba Camp was established in 1996 for Congolese refugees who fled from South

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[203] Rukurwa, Focus Group, Nakivale, Uganda.
[204] Akizimana Butumi, Focus Group, Nakivale, Uganda; Ntabangama, Focus Group, Nakivale, Uganda.
[205] Hovil, "Shadows of Return," 8.
[206] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda, June 15, 2011.
[207] Jean-Pierre Nyamutara, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 23, 2011; Erneste Kazunguzu, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 23, 2011; Sebunyoini, Interview, Teacher, Hope School, Gihembe, Rwanda.
[208] Hodari Ntarymira, Semistructured-Interview, Chef de quartier, Gihembe Refugee-Camp/Rwanda, May 27, 2011.
[209] Ibid.

Kivu.[210] According to Kiziba's President, Joseph Nkurikiyinka:

> Many of these refugees were IDPs before they arrived. Some came in small numbers later, between 1996 and 2000. The main difference between caseloads is the time of arrival, and that they came from different regions in Congo. Here, they all live mixed up, but most are Tutsi, who share the same reason for flight: the Interahamwe and the FDLR.[211]

In the way Gihembe's residents assume that Banyamulenge received citizenship in Rwanda, Kiziba's refugees presume that Hutu refugees in the camp secured third country resettlement:

> There are some Congolese Hutu here. Most have gone to America. Only one or two families are left. This camp was a security threat for them, as the Tutsi were afraid they may attack, and repeatedly stormed their houses. They all lived together, and we did not trust them. We had fled because of them. And now they had followed us here. Now, with most of them gone, it has largely calmed down.[212]

As in Gihembe, Banyamulenge live together in Rwanda's Kiziba Camp:[213]

> In Congo, we lived on our own. It's cultural. Our fathers and forefathers did it before us, and we carry on that tradition. Even in these camps, we live together, as a community, in exile.[214]

> There is a bond between us that is not shared with other Congolese. We live on our own. We are not drunkards and vagabonds. We are a bit more educated than the other refugees. We are all Pentecostal, without a pagan among us.[215]

A UNHCR representative expressed her frustration with the community:

> Banyamulenge have their own organisational structure in Kiziba, and stick to themselves. None of this is officially recognised, as we find it discriminatory. They want to stay on their own; they want to be privileged. We try to counter that. They insist that Congo has rejected them, and want to be resettled *en masse* in a third country. It's difficult to integrate them because they won't listen to anyone.[216]

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[210] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda, June 15, 2011.
[211] Nkurikiyinka, Interview, President, Kiziba, Rwanda.
[212] Antha Banza, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 3, 2011.
[213] Banyamulenge Elders, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 2, 2011.
[214] Mutarama, Focus Group, Kiziba, Rwanda.
[215] Banyamulenge Elders, Focus Group, Kiziba, Rwanda.
[216] Spéciose Uwimana, Elite-Interview, Community Services Associate, UNHCR, Kibuye/Rwanda, June 3, 2011.

Kiziba's Banyamulenge community dominates Quarters 1 and 10, and includes many survivors of the Gatumba Massacre.[217] Like in Gihembe, the community is regarded with disdain in Kiziba:[218]

> Banyamulenge are successful, and integrated into Rwanda – because they beg and whine. For Banyarwanda from North Kivu, it's a matter of pride not to ask for help, to sort things for ourselves, unlike the Banyamulenge, who do everything by abusing connections and relatives.[219]

Likewise, in Nyabiheke, Banyamulenge live together in the same area, occupying Quarter 1.[220] This camp, created in 2005 for Congolese fleeing Nkunda's CNDP forces, retains a larger Hutu population.[221] Refugees arriving in 2007 and 2008 did so predominantly for reasons of family reunification.[222]

The self-segregation settlement patterns of the Banyamulenge in Uganda and Rwanda are mirrored in the predominantly-Hutu Rwandan refugee population also resident in Uganda.[223] Rwandan refugees live with Congolese Hutu refugees in Juru,[224] Mukarenge, and Kasonga Villages in Kyangwali.[225] 'We are a minority. And we fear the Tutsi may attack at any time, so we are safer mixing with the Congolese Hutu. Then our villages are larger, and we are stronger'[226], a Rwandan refugee explained. The same pattern holds true in Kyangwali

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[217] Ibid.; Abijende, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda.
[218] Uwimana Nyirabarekezi, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 1, 2011; Samadanago, Focus Group, Kiziba, Rwanda; Emerita Mukamoheli, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 1, 2011; Banza, Focus Group, Kiziba, Rwanda; Mutarama, Focus Group, Kiziba, Rwanda.
[219] Nkurikiyinka, Interview, President, Kiziba, Rwanda.
[220] Mutembo, Focus Group, Nyabiheke, Rwanda; Nyiradawa, Focus Group, Nyabiheke, Rwanda.
[221] Marcel Gatsinzi, Elite-Interview, Minister, Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali/Rwanda, October 30, 2011.
[222] Innocent Karengwa, Semistructured-Interview, President, Nyabiheke Refugee-Camp/Rwanda, June 14, 2011.
[223] Vivian Oriem, Elite-Interview, Settlement Officer, Office of the Prime Minister (OPM), Kampala/Uganda, October 26, 2011; Nyiringimana, Interview, Chairman, Nakivale, Uganda; Godfrey Byaruhanga, Elite-Interview, Commandant, Nakivale Refugee-Settlement/Uganda, August 18, 2011; Innocent Sibomana, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011.
[224] Kazimana, Focus Group, Nakivale, Uganda; Khadari, Focus Group, Nakivale, Uganda.
[225] Amos Tasebura-Kiirya, Elite-Interview, Commandant, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda.
[226] Bkorimana, Focus Group, Kyangwali, Uganda.

Settlement, where Rwandan and Congolese Hutu reside in 'Sweswe and Bwiriza Zone[s], but on the opposite side from the Banyamulenge.'[227] Rwandans offered the following explanations for their choice of residence:

> Congolese discriminate against us. They tell their children not to play with ours. We do not live as a community. They will never help us, and they stay away from us. But we've done nothing to them.[228]

> When I reached this camp, I was staying in a village of Hutu, and they gave me problems, demanding how I could have married a Tutsi, and instructing me to leave my wife, kill her. When I refused, it became a problem. But since the Congolese would not accept me, since I am Hutu, I was forced to leave my wife... The Sudanese hate Rwandans. They don't like to mix with us. They say we are killers, Interahamwe.[229]

> I was in Congo and arrived with Congolese Tutsi from Bwisha, who just assumed I was Congolese Tutsi as well. But since I didn't know Swahili well, I was found out, blamed for being a Rwandan Tutsi. I am Rwandan, but I am Hutu! They burned down my house, and my Congolese husband left me, because I was Rwandan. Then I moved into a Hutu village.[230]

> When I reached here in 1996, the Congolese didn't like Rwandans. They called us Interahamwe. They said we caused the conflict in Congo because the Interahamwe killed the Tutsi, who followed them to Congo and killed there in retaliation. The District Commissioner had to come here to diffuse the tribalism, because it had followed the populations here.[231]

This 're-territorialisation' of identity has contributed to (and likely been informed by) a shared understanding of abuse and discrimination. Congolese Hutu refugees recount similar accusations of genocide, recalling the blurring of nationalities caused by the alliance between MAGRIVI and the ex-FAR/*Interahamwe*.[232] In order to escape this persecution, rooted in collective memories of the past, they sought refuge with Rwandans vilified in the same manner – in the space of exile.

Congolese Tutsi refugees, a majority in Rwanda's camps and Uganda's settlements, likewise live together. Their settlement patterns, however, are dominated by avoiding what is

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[227] Mwesigye, Focus Group, Kyaka II, Uganda.
[228] Dimukarengane, Focus Group, Kyangwali, Uganda.
[229] Chiza, Focus Group, Kyangwali, Uganda.
[230] Uwineza, Focus Group, Kyangwali, Uganda.
[231] Habamuremyie, Focus Group, Kyangwali, Uganda.
[232] Mukagizwe, Focus Group, Kyangwali, Uganda; Mitabishi, Focus Group, Kyangwali, Uganda; Sabimana, Focus Group, Kyangwali, Uganda; Gahutu, Focus Group, Kyangwali, Uganda.

perceived as 'Rwandan zones'[233] or 'Hutu villages'[234]. Entire communities – neighbours, friends, and relatives – fled the DRC together, and arrived in Nakivale together, settling in Old Congo and later New Congo, amongst other zones. The same trends characterise Congolese Tutsi residence in Kyangwali and Kyaka II.[235] To account for their preference to live in co-ethnic communities, focus group participants cited fears of attacks by *Interahamwe*,[236] clarifying:

> The same discrimination exists here, the same one from which we fled. But it's not like it was in Congo. Here, they don't kill us. Yet whenever something happens, any chaos, the Rwandan refugees, those Hutu *génocidaires*, blame it on Congolese Tutsi, and attack us. They, along with the Congolese ones with whom they live. Three times I had to lock myself in... The last time was when they found that man dead in Nyarugungu. It's always the Hutu causing trouble.[237]

As a result of these perpetuated narratives, conflicts from which these populations fled have been recast in the space of refuge, politicising exile. These findings reaffirm conclusions drawn by Clark-Kazak, following her fieldwork in Kyaka II.[238] Refugees use collective histories, imperfect as they may be, as a proxy to assess the trustworthiness of other groups, affecting settlement patterns. The institutional arrangement of accommodating incoming refugees in camps and settlements further reinforces these patterns. Arriving communities are usually co-ethnic, fleeing for the same reasons, and integrated into pre-existing villages, wherever land is available, across Uganda's settlements and Rwanda's camps.[239] No official policy to group refugees by nationality or ethnicity exists. Yet, according to the Settlement Commandant of Kyaka II,

> Refugees are settled by arriving order and nationality. Whole villages flee at once and are inevitably resettled in one place in the settlement. Sometimes they mix because of land availability. Thus, some villages have more than two nationalities.[240]

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[233] Nsanzeumuhiri, Focus Group, Nakivale, Uganda.
[234] Bahogwere, Focus Group, Kyangwali, Uganda.
[235] Ibid.; Jean Makara-Habineza, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 11, 2011.
[236] Nyirahabinka, Focus Group, Nakivale, Uganda.
[237] Khadari, Focus Group, Nakivale, Uganda.
[238] Clark-Kazak, *Recounting Migration*, 62.
[239] David Mugenyi, Elite-Interview, Commandant, Kyaka II Refugee-Settlement/Uganda, September 6, 2011; Tasebura-Kiirya, Interview, Commandant, Kyangwali, Uganda; Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda, October 30, 2011.
[240] Mugenyi, Interview, Commandant, Kyaka II, Uganda.

Clark-Kazak, in her study, made the same observations.[241] In Nakivale, however, new arrivals are settled in areas based on country of origin, then caseload (time of arrival and region of origin). As a result, each ethnic community is guaranteed to have its own village. However, the institutional approach to allocating land to newly arriving refugees does not completely account for these patterns since refugees move within the settlement.

> I'm counted in Nyakagango A, but I stay in Nyarugugu, with the other Banyamulenge.[242]

> Where I'm supposed to stay is simply too far, and I have no relatives there. There are too many Hutu there as well. I can't stay there. I fear for my safety. There are too many *génocidaires* there. The Interahamwe from Congo are now in that village as well.[243]

Additionally, Clark-Kazak pointed out that refugees also pursue residence in major trading centres and near NGO offices.[244] Even outside such institutional places of refuge, groups prefer to reside in co-ethnic communities, with Rwandans seeking out Hutu Kinyarwanda-speakers in Kampala and Banyamulenge living in their own villages in Nabulagala and Kigali.[245] In Kampala, the Rwandan community even distrusts Rwandan Tutsi refugees, like it does in the settlements:

> Here in Kampala, we are not integrated into the Rwandan refugee community. They're Hutu, and say, 'You're in power. Why are you here?!' Some know me from Rwanda, from my position in the RPF. They think I am a spy. I fear them, so I stay with the Congolese Tutsi.[246]

Refugees' desire to be seen in control of their own fate, and their residency preferences based on communal narratives, result in settlement patterns that are reinforced by institutional norms. In this manner, communities restructure the space of exile, while being reconstituted inside it. By thinking of themselves as part of specific communities, imagined through narratives of inter-generational violence and persecution that reifies commonality, connectedness, and groupness, refugees 'act in ways that collectively confirm, reinforce, and

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[241] Clark-Kazak, *Recounting Migration*, 61–62.
[242] Nyiramukwiye, Focus Group, Nakivale, Uganda.
[243] Gahungu, Focus Group, Nakivale, Uganda.
[244] Clark-Kazak, *Recounting Migration*, 62, 122–123.
[245] Mugisha, Interview, Kampala, Uganda; Mukasiripari, Focus Group, Kyangwali, Uganda; Isaac Kiyaka, Elite-Interview, Director, Jesuit Refugee Service (JRS), Kampala/Uganda, October 24, 2011; Mukamyi, Interview, Kigali, Rwanda; Mutarama, Focus Group, Kiziba, Rwanda.
[246] Trésor Rwemba, Semistructured-Interview, Kampala/Uganda, October 13, 2011.

propagate these [constructed] identities."[247]

3.6 REFUGEES ON RIGHTS OF REFUGE

In these self-segregated temporary homes, reconstituted communities debated differences in their newly acquired rights compared with the communal narratives of past and present grievances in their home countries. They also discussed how those rights fell short of those accorded host country citizens. This understanding developed alongside the appreciation that even the pseudo-citizenship of exile affords more rights than refugees' fellow citizens enjoy in their own countries. In this manner, refugees internalised, engaged with, and actively employed the norms and discourses disseminated by the epistemic community comprised of international organisations and their local partners.

Despite sharing these environments, Congolese and Rwandans stress disparate aspects of rights of refuge. Congolese women, much more than their Rwandan counterparts, discussed the novelty of rights to participate in leadership. Congolese refugees, in general, claimed that Rwandophones are denied the rights of citizenship in the DRC. Rwandan refugees, on the other hand, emphasised discrimination based on their perception as *Interahamwe* and *génocidaires* in their country of origin. In terms of security, Congolese stressed its physical aspects, while Rwandans focused on the freedom of speech. In the focus groups analysed here, the physical location of exile was a factor only in the provision of land. In Rwanda, refugees stressed their lack of access to land, while in Uganda, where refugees had been awarded plots to farm, they stressed public goods like healthcare and education as wanting.

Across Rwanda's camps and Uganda's settlements, residents discussed citizenship in terms of land and the necessity of the credible political recognition of its ownership[248] – 'when you have good governance, and can't be forced from your land, from your property, your livestock, because the government either supports the attacking rebels or is too weak to fight them"[249].

[247] Fearon and Laitin, "Violence and Social Construction," 855–856.
[248] Senyiwama, Focus Group, Gihembe, Rwanda; Dominic Shamurana, Focus-Group, Elders, Gihembe Refugee-Camp/Rwanda, May 27, 2011; Nyiramurara, Focus Group, Nakivale, Uganda; Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda.
[249] Nkurikiyinka, Interview, President, Kiziba, Rwanda.

Land is tied to financial security, and thus, access to education, healthcare, and independence.[250] The multifarious importance of land in terms of citizenship also resonates with Hovil, Vlassenroot, and Huggins's findings.[251] Refugees also expounded on related rights of freedom of movement and residence, associated with the pursuit of employment and financial stability.[252]

In focus groups, refugees appropriated political terminology in discussing citizenship[253] 'as rights to vote, to have property, not to be discriminated against, to be treated like every other national'[254]. Discussions also stressed effective representation and transparent, free, and fair elections.[255] Participants often drew comparisons between their countries of origin and refugee microstates, as the examples below illustrate:

> We had no real elections in the DRC. Kinshasa would nominate someone, and that would be the local leader. We had cultural chiefs. Here [in Kiziba Refugee Camp, Rwanda], the system is good because we elect our own leaders. We can punish them by not re-electing them, should they not fulfil their responsibilities. [...] This is much better.[256]

> Elections are different here [Kyangwali Refugee Settlement, Uganda]. In Congo, you would vote for candidates who had means, money, assuming that in exchange they would assist you. You didn't vote on them based on their

[250] Mukamwyira, Focus Group, Gihembe, Rwanda; Insengyera, Interview, President, Gihembe, Rwanda; Kamanzi, Interview, Coordinator, Forum for Congolese Refugee Students, Gihembe, Rwanda; Nirandangwa, Focus Group, Nyabiheke, Rwanda; Steria Nyiadiburugwa, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011.
[251] Hovil, "Pair of Shoes," 13; Koen Vlassenroot and Chris Huggins, "Land, Migration and Conflict in Eastern DRC," in *From the Ground Up: Land Rights, Conflict and Peace in Sub-Saharan Africa*, ed. Chris Huggins and Jenny Clover, Institute for Security Studies Books (Pretoria: ISS, 2005), 131.
[252] Nkurikiyinka, Interview, President, Kiziba, Rwanda; Nyiranguhirwa, Focus Group, Kyaka II, Uganda; Mukabera, Focus Group, Kyaka II, Uganda; Camp Committee Members, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 14, 2011.
[253] Kamanzi, Interview, Coordinator, Forum for Congolese Refugee Students, Gihembe, Rwanda; Nzabarinda, Interview, Vice Coordinator, Hope School, Gihembe, Rwanda; Nkurikiyinka, Interview, President, Kiziba, Rwanda; Cibalonza, Focus Group, Nakivale, Uganda; Mvukiyehe, Focus Group, Kyangwali, Uganda; Karengwa, Interview, President, Nyabiheke, Rwanda.
[254] Muhawimana, Focus Group, Gihembe, Rwanda.
[255] Ibid.; Josephine Nyamiyamata, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 15, 2011; Raymond Niyonza, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 17, 2011; Ntarymira, Interview, Chef de quartier, Gihembe, Rwanda; Nyirabarekezi, Focus Group, Kiziba, Rwanda; Muteska, Focus Group, Nakivale, Uganda; Antoinette Nyirakabanza, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011; Mugisha, Focus Group, Kyaka II, Uganda.
[256] Nkurikiyinka, Interview, President, Kiziba, Rwanda.

> education or knowledge, as we do here. In Congo, they would come from high levels of government to the villages, and buy our votes. Here, that doesn't happen.[257]
>
> In Uganda, there is freedom. You vote for whomever you want. In Rwanda, they show you who to vote for. If you vote for the opposition, you'll be taken to prison. Or, people lie about who you voted for, because they want your property. There is no freedom, there is no peace, there is no democracy, in Rwanda. Even here, in a settlement for refugees, there is more democracy than there is in Rwanda.[258]

In focus groups across Uganda and Rwanda's refugee microstates, Congolese women stressed they had 'neither office nor voice'[259], 'no value'[260], in their country of origin. It was only in exile, through the rights of refuge, that these women were able to participate in leadership:

> Before, our rights were violated. We were just kitchen hands. Now, we can stand tall – shoulder-to-shoulder with the men. It was Rwanda's policy that changed all this, and the different organisations that work with the government. We were sensitised to our rights, encouraged to participate in leadership.[261]
>
> At least here in Uganda, when we have problems with our husbands – you see, after I was raped, my husband refused me – our leaders support our claims and take our sides. Sometimes, even, our leaders are fellow women themselves. Here, our problems are resolved. In Congo, I would have been hunted and chased. We have more rights here than we did in Congo.[262]

Beyond gender, other aspects of identity dictated discussions of discrimination. Generally, Congolese refugees stressed that speaking Kinyarwanda in the DRC prevents one accessing the rights of Congolese citizenship. It is presumed the speaker is Rwandan, and thus not a citizen of the DRC, even if he or she is also conversant in Swahili.[263] Congolese refugees in

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[257] Giggy Tagamugasa, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 30, 2011.
[258] Nyirasabimana, Focus Group, Kyangwali, Uganda.
[259] Minove, Focus Group, Nyabiheke, Rwanda.
[260] Annette Rukerera, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 15, 2011; Mushiwimana, Focus Group, Kyangwali, Uganda; Bahogwere, Focus Group, Kyangwali, Uganda; Khadari, Focus Group, Nakivale, Uganda; Senyiwama, Focus Group, Gihembe, Rwanda; Nyirabarekezi, Focus Group, Kiziba, Rwanda.
[261] Rukerera, Focus Group, Nyabiheke, Rwanda.
[262] Bahogwere, Focus Group, Kyangwali, Uganda.
[263] Makara-Habineza, Focus Group, Kyaka II, Uganda; Marie Garimana, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 17, 2011; Sarah Mukanzango, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 1, 2011; Nyamutara, Focus Group, Gihembe, Rwanda; Manzi Willy Ngarambe, Semistructured-Interview, Kampala/Uganda, September 21, 2011; Prosper

Rwanda also focused on their perceived treatment in the DRC as Rwandan intruders and belligerents, and in Rwanda, as Congolese refugees.[264] The following statement is illustrative of these claims:

> Congo doesn't accept us as Congolese. Rwanda doesn't accept us as Rwandan. We have no citizenship. Our children have no citizenship. As such, we have no access to the rights associated with citizenship. It's better to have some citizenship, being here, in the camp, than outside it.[265]

Rwandan refugees, on the other hand, expressed sentiments of feeling vilified due to the collapse of identity that makes Hutu synonymous with *Interahamwe* and *génocidaires.*[266]

> Life here is not good, but it is better than the life of Rwanda, which means being jailed. There are many reasons. Everywhere you pass, if you are a Hutu, they call you Interahamwe. In Rwanda, soldiers – RPF, Inkontanyi – are in charge of everything. There is no differentiation between the army and the government. Soldiers own most of the land and force everyone else to go onto the small plots.[267]

Differences in perceptions of rights also relate to the fact that refugees in Uganda access cultivable land while those in Rwanda do not:

> In the sense of political rights, of security, the camp is far better than Walikale was. In Rwanda, we have rights and security. But we need land, maybe a cow or two.[268]

Bukuru, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Sibomana, Focus Group, Nakivale, Uganda, August 17, 2011.

[264] Kayogira, Focus Group, Gihembe, Rwanda; Muhawimana, Focus Group, Gihembe, Rwanda; Mukamwyira, Focus Group, Gihembe, Rwanda; Uwimana Kayizahara, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 3, 2011; Nirandangwa, Focus Group, Nyabiheke, Rwanda.

[265] Nyamutara, Focus Group, Gihembe, Rwanda.

[266] Mvukiyehe, Focus Group, Kyangwali, Uganda; Mukasanga, Focus Group, Nakivale, Uganda; Mwesigye, Focus Group, Kyaka II, Uganda; Susanne Buckley-Zistel, "Remembering to Forget: Chosen Amnesia as a Strategy for Local Coexistence in Post-Genocide Rwanda," *Africa* 76, no. 02 (2006): 131–50; Helen Hintjens, "Post-Genocide Identity Politics in Rwanda," *Ethnicities* 8, no. 1 (2008): 5–41; René Lemarchand, "The Politics of Memory in Post-Genocide Rwanda," in *After Genocide: Transitional Justice, Post-Conflict Reconstruction and Reconciliation in Rwanda and Beyond*, ed. Zachary Kaufman and Phil Clark (Cambridge: Cambridge University Press, 2008), 65–75; David Newbury, "Returning Refugees: Four Historical Patterns of 'Coming Home' to Rwanda," *Comparative Studies in Society and History* 47, no. 02 (2005): 252–85; Pottier, *Re-Imagining Rwanda.*

[267] Nyiranguhirwa, Focus Group, Kyaka II, Uganda.

[268] Murekatate, Focus Group, Nyabiheke, Rwanda.

> We have no land here. None of the independence that land gives. Here, it's dependency. That's the price of security. But true citizenship is all of that.[269]

In Uganda, Rwandans and Congolese focused on the provision of services like education and healthcare, which were perceived as much more difficult to secure for refugees than for nationals.[270]

Rwandan and Congolese refugees also stressed different aspects of security, irrespective of the host country. Congolese participants stressed the physical security exile provided much more than their Rwandan counterparts, yet always in relation to other rights. A few examples from Congolese refugees in Rwanda and Uganda illustrate this pattern across camp and state borders:

> Only security is better in the camp; everything else is terrible. There's not enough food, not enough access to secondary education. No discipline in the households.[271]

> Living conditions here in Kyangwali are better, even if it is more difficult to receive treatment due to the shortage of drugs, the queues at the health clinics. But in Congo we were just running to the bush and constantly fleeing. Above all, one must be secure.[272]

> I love this area because there are no bullets and no bombs. [...] I can even leave my house at night, leave my door open, and no one attacks me. I feel safe even if I worry when my husband is ill, and can't get the medicine he needs...[273]

By comparison, Rwandan refugees in Uganda discussed security as imperative to citizenship and referred to security *from* the Rwandan government as well, but they emphasised freedom of speech much more than Congolese refugees:

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[269] Kumanzi, Focus Group, Gihembe, Rwanda.
[270] Nyanzaninka, Focus Group, Nakivale, Uganda; Francine Nyiramukunzi, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Mubera, Focus Group, Nakivale, Uganda; Nyirasekerwa, Focus Group, Nakivale, Uganda; Semutumwa, Focus Group, Nakivale, Uganda; Katehero Kasereka, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 27, 2011; Akizimana Butumi, Focus Group, Nakivale, Uganda; Nyiramukwiye, Focus Group, Nakivale, Uganda; Invuyekura, Focus Group, Nakivale, Uganda; Minani, Focus Group, Nakivale, Uganda; Rutayisire, Focus Group, Nakivale, Uganda; Bartazali, Focus Group, Kyangwali, Uganda; Munyemanzi, Focus Group, Kyaka II, Uganda; Mukabera, Focus Group, Kyaka II, Uganda.
[271] Nyarimana, Focus Group, Nyabiheke, Rwanda.
[272] Mukagizwe, Focus Group, Kyangwali, Uganda.
[273] Mushiwimana, Focus Group, Kyangwali, Uganda.

> Here, in Uganda, at least I have freedom. At least I can speak, even if my problems are not resolved as they should be. In Rwanda, you can be killed for speaking.[274]
>
> Here, you go to the police and they investigate. In Rwanda, you go to the police and you die.[275]
>
> At least we are free to speak. We can put letters in suggestion boxes, and even leave our names on them. And nothing happens. If you do that in Rwanda, you will be put in jail. Under Kagame, you can't speak. If you publish or say anything critical of the government or its policies, you will be seized immediately. People disappear. At least here, we have rights.[276]

Congolese refugees in Uganda and Rwanda lauded their rights of refuge over those of DRC citizens:

> Those in eastern Congo, despite being citizens, in their own country, don't have those rights. Here, we have some of them – security and education, of a sort – because the UNHCR provides us with those rights and secures them.[277]
>
> As *not* citizens here, we have more rights than citizens of Congo do. Especially considering the destruction of social services and buildings in the war. And it continues.[278]
>
> We have more rights in the settlement than we ever would under Kabila. Here, we have no issues with any rebel groups. We're not mistreated the way we were in Congo.[279]
>
> Human rights are not particularly respected here, mind you, and the Commandant thinks he's Jesus, and his rules are Biblical law. But at least here, when someone goes to prison, they come back out again. Here, there is corruption, but in Congo, there is war.[280]

As citizens of refugee microstates, refugees developed their own understandings of citizenship, which are strongly informed by their communal legacies of abuse. The Rwandans with whom Hovil worked in Uganda 'talked of citizenship as freedom of movement and safety, and of

[274] Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda.
[275] Iramazani, Focus Group, Kyangwali, Uganda.
[276] Habimana, Focus Group, Kyangwali, Uganda.
[277] Muhawimana, Focus Group, Gihembe, Rwanda.
[278] Karengwa, Interview, President, Nyabiheke, Rwanda.
[279] Horukili, Focus Group, Kyangwali, Uganda.
[280] Makara-Habineza, Focus Group, Kyaka II, Uganda.

living free from the threat of exile."[281] Likewise, the populations researched in this study construed citizenship as the right to multifaceted security – from physical to financial. They internalised and employed the norms and discourses disseminated by international organisations and their local partners and implemented in host states.

3.7 REFUGEES' PERCEPTIONS OF RIGHTS (ABUSED) IN REFUGE

Predominantly, citizens of refugee microstates concur that conditions of pseudo-citizenship in exile far exceed the protection home states failed to provide. The communities, already bound by their splintered ethnic narratives, now seek to maintain their newly acquired rights of refuge. In Mishamo Camp, where Malkki completed her research, as in the settlements and camps explored in this study, threats to one's refugee status, along with the rights and protection of international law that many never experienced before exile, 'were a prominent feature of everyday conversation. Often they were provoked by particular events that people witnessed and identified as symptomatic of the endangerment of their refugee status."[282] Construction of a shared communal past is intrinsic in the creation of a national past,[283] an 'imagined community"[284]. Perceptions of abused rights of refuge, and threats to refugee status, further substantiated the communities recreated in exile by being drawn into their distinct narratives.

As a result of this context, and the settlement patterns that define it, political representation in refugee microstates is a highly contested subject. Since Congolese refugees, as the majority of the populations in all camps and settlements, dominate political institutions, minority groups cite discrimination in terms of their leaders' accountability and efficacy. Rydgren, Sofi, and Hällsten's hypothesis is extremely relevant in elaborating upon these perceptions: collective memory influences political trust when one particular ethnic group dominates political institutions.[285] Thus, Banyamulenge believe that their problems are not addressed effectively by their representatives, while Hutu (Rwandan and Congolese alike) lament that none from

[281] Lucy Hovil, "A Dangerous Impasse: Rwandan Refugees in Uganda," Working Paper No. 4, Citizenship and Displacement in the Great Lakes Region (IRRI, June 2010), 45.
[282] Malkki, *Purity and Exile*, 207.
[283] Ibid., 243.
[284] Anderson, *Imagined Communities*.
[285] Rydgren, Sofi, and Hällsten, "Collective Memory and Trust."

their community has ever been able to become Camp President or Chairman:[286]

> Because of the structure of Kyangwali's villages and zones, Rwandans, Hutus, have no representatives, chairmen, leaders. The Congolese rule, and they call us killers, so our problems remain unresolved.[287]

> Here, Rwandans are few. We have no representation because we are not a majority in any village. Some Rwandans don't like it, so we mix with Congolese Hutu, but even so, we are not enough to have our own leaders.[288]

> Here, as Rwandans, we can't attend meetings. And any Hutu is seen as Rwandan. The Tutsi stick together, Congolese and Rwandan. [...] Here, we can't have our own representatives. We are not treated like the other refugees. We don't have the same rights. As soon as we have a meeting, the OPM assumes we are trying to overthrow the government of Rwanda. There's this strange fear and hysteria, and we don't know why.[289]

In Nakivale, however, as a result of the settlement structure and the mechanism of settling new arrivals, Banyamulenge have their own representatives, as do 'Rwandans'.[290] Thus, these minority groups feel their rights are better protected here than in other sites of exile.

Residents of Uganda's refugee microstates, regardless of nationality and ethnicity, believe their rights of refuge are superseded by Ugandan nationals with whom they share land and social services. Similar studies conducted by Ronald, Hovil, and Clark-Kazak corroborate these conclusions.[291] Local pastoralists utilise unoccupied land in settlements to graze cattle, and believe refugees encroach upon their territorial possessions when they fence parcels for

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[286] Ntarymira, Interview, Chef de quartier, Gihembe, Rwanda; Banza, Focus Group, Kiziba, Rwanda; Gahutu, Focus Group, Kyangwali, Uganda; Dimukarengane, Focus Group, Kyangwali, Uganda; Bkorimana, Focus Group, Kyangwali, Uganda; Uwineza, Focus Group, Kyangwali, Uganda; Bahogwere, Focus Group, Kyangwali, Uganda; Tasebura-Kiirya, Interview, Commandant, Kyangwali, Uganda; Mugisha, Focus Group, Kyaka II, Uganda; Buregiyeya, Focus Group, Kyaka II, Uganda; Nikobaze, Focus Group, Kyaka II, Uganda.
[287] Nyiranguhirwa, Focus Group, Kyaka II, Uganda.
[288] Bkorimana, Focus Group, Kyangwali, Uganda.
[289] Mugisha, Focus Group, Kyaka II, Uganda.
[290] Nyasafari, Focus Group, Nakivale, Uganda; Ntabangama, Interview, Chairman, Nakivale, Uganda; Invuyekura, Focus Group, Nakivale, Uganda; Konzirata, Focus Group, Nakivale, Uganda.
[291] Ronald Sebba Kalyango, "Land Conflicts and Their Impact on Refugee Women's Livelihoods in Southwestern Uganda," New Issues in Refugee Research (Kampala, Uganda: Makerere University, July 2006), 9; Clark-Kazak, *Recounting Migration*, 62; Hovil, "Going Home," 16.

cultivation.[292] Pastoralists' livestock often stray into unfenced parcels and destroy crops.[293] In retaliation, refugees cut the tails of the animals that destroy their fields. When this occurred in Nakivale, Ugandan soldiers intervened and threatened all refugees with bodily harm should any more cattle be mutilated.[294] Due to such conflicts, refugees feel their rights are being abused:[295]

> A harvest that could feed eight people is now destroyed because a national wants to graze his animals on our land and paid off the OPM. But this is our land, in the settlement, designated for us – refugees. It is our right to cultivate it.[296]

> The Ugandans who use the schools, the hospital, here, are served well by them because those who work in them are their relatives. We, as refugees, to whom these services belong, are not treated as well as the outsiders. This is an abuse of our rights as refugees.[297]

While all refugee communities in Uganda's microstates voiced these grievances, they are not applicable in the Rwandan context where social services are not integrated and refugees do not receive parcels. Perceptions of third country resettlement, however, are a grievance shared by all refugee communities across Rwanda and Uganda. Refugees discuss third country resettlement as a continuation of the narrative of discrimination. Every community feels theirs is the one incapable of securing resettlement due to persecution by the host government and relevant NGOs. In Rwanda, Congolese Tutsi refugees believe that Banyamulenge are being resettled abroad, while Banyamulenge are convinced the converse is true.[298] In Uganda, Banyamulenge stress that only one member of their community has been resettled in nearly two decades.[299] Congolese, meanwhile, claim only other nationalities are resettled, and that Rwandans bribe the OPM to secure resettlement, particularly those they are 'certain' are

[292] Kalyango, "Land Conflicts," 10; Patrick Otim, Elite-Interview, Advocacy Officer, Refugee Law Project (RLP), Kampala/Uganda, June 28, 2011.
[293] Byaruhanga, Elite Interview, Commandant, Nakivale, Uganda.
[294] Kalyango, "Land Conflicts," 10.
[295] Debora Augustine, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Kigazi Kasinga, Focus Group, Nakivale, Uganda; Munyerekana Mirindi, Focus Group, Kyangwali, Uganda.
[296] Sibomana, Focus Group, Nakivale, Uganda, August 17, 2011.
[297] Gahungu, Focus Group, Nakivale, Uganda.
[298] Rwembara, Focus Group, Gihembe, Rwanda; Nkurikiyinka, Interview, President, Kiziba, Rwanda; Nyarimana, Focus Group, Nyabiheke, Rwanda.
[299] Nyasafari, Focus Group, Nakivale, Uganda; Nyanzaninka, Focus Group, Nakivale, Uganda; Mugisha, Interview, Kampala, Uganda.

FDLR members:[300]

> Discrimination here is against the Tutsi. The Hutu come here and they pay off the OPM and get asylum. It's happening in every camp, even in Kyaka II. Everyone knows about it, but no one can act on it. They're all getting rich. The Hutu come with a lot of money because of what they did in Congo, because they are FDLR and *génocidaires*, because they certainly can't go back to Rwanda. [...] We should not be discriminated against because we are tall and have big noses. We had no choice about this.[301]

Rwandans articulate similar difficulties in obtaining resettlement:[302]

> In 15 years, no Rwandan has gotten asylum. I was up for third country resettlement, for asthma and stomach problems. But I was also registered as Congolese. Once they realised I was really Rwandan, they cancelled the process. I was in Kampala and ready to go, when they drew a red line through my name and the application was cancelled. Only the Congolese get to go abroad, the Tutsi do.[303]

> I accept being Rwandan. Many have lied, saying they are Congolese. UNHCR is supporting them and is ready to give them resettlement. [...] Some are just looking for support to be taken abroad. Others fear justice for what they did in 1994. [...] Now so many Rwandans are regretting they did not say they were Congolese.[304]

> When people are granted resettlement in a third country, they're always Tutsi. Amongst Kinyarwanda-speaking refugees, both Congolese and Rwandan, the discrimination targets Hutu, especially in terms of being granted refugee status and asylum. This policy is promoted by Rwandan authorities in Uganda. They're trying to frame all Hutu as *génocidaires*. The former minister of refugees in Uganda said that Rwandan refugees are running out of credibility, as they are criminals, running from accountability. UNHCR officials are of the same opinion.[305]

Congolese generalise all Rwandans as being Hutu and *génocidaires*, employing the labels interchangeably and effacing pertinent distinctions through discourse. Similarly, Rwandans see Congolese as being Tutsi and feel abused due to the general assumption they participated

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[300] Ntabangama, Focus Group, Nakivale, Uganda; Indiho, Focus Group, Nakivale, Uganda; Khadari, Focus Group, Nakivale, Uganda; Floribert Mwembo Kajabika, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 28, 2011.
[301] Indiho, Focus Group, Nakivale, Uganda.
[302] Iramazani, Focus Group, Kyangwali, Uganda; Nyiranguhirwa, Focus Group, Kyaka II, Uganda; Sibomana, Focus Group, Nakivale, Uganda, August 17, 2011.
[303] Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda.
[304] Habimana, Focus Group, Kyangwali, Uganda.
[305] Mutuyimana, Interview, Kampala, Uganda.

in the genocide. Co-ethnics' tendencies to live together in exile exacerbate this situation. Even though every community believes all others secure resettlement abroad, in reality, as Lindley noted in her study of Somali refugees in Kenya, very few refugees are ever officially resettled in a third country.[306] Rogge asserts the lack of third country resettlement is related to the international community's insistence 'on the inevitability of repatriation solving most, if not all, of Africa's refugee problems'; only three Western states have yearly planning levels for intake of African refugees.[307] Furthermore, Rwandan refugees must be proven innocent in the genocide in order to be eligible for resettlement, explained representatives of the OPM and Amnesty International.[308] A legal officer with the Refugee Law Project elucidated:

> The problem is how to ascertain whether someone is a *génocidaire*. It has not been rigorously done in Uganda. Refugee status has just been granted. It would be a breach of international law to go to their home village and ask because it would reveal where the person had fled. Also, it's impractical, due to the breakdown of state structures, law and order, when they fled. For Rwandans referred for asylum, background checks have been done by resettlement countries, in violation of international law. They check with Gacaca courts and ICTR [International Court Tribunal for Rwanda] in Arusha if the names appear amongst those who are accused. [...] The justice system in Rwanda has been used for land-grabbing and settling personal scores. Its credibility may not be substantial for decision-making needed to determine resettlement eligibility.[309]

Rwandans' perceptions of discrimination in terms of third country resettlement are much more grounded in practice than are those of other communities. It is much more difficult for them to secure relocation abroad because of the impossibility of verifying their innocence.

Additionally, Rwandan refugees feel their rights of refuge are abused due to Uganda's pre-emptive application of the Cessation Clause, introduced in Chapter 2, Section 2.6. The Cessation Clause is construed as impending repatriation, a situation in which 'the label

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[306] Anna Lindley, "Between a Protracted and a Crisis Situation: Policy Responses to Somali Refugees in Kenya," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 46.
[307] John R. Rogge, "Repatriation of Refugees: A Not So Simple 'Optimum' Solution," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 20.
[308] Oriem, Interview, OPM Representative, Kampala, Uganda; Sarah Jackson, Elite-Interview, Researcher, Amnesty International (AI), Kampala/Uganda, October 13, 2011.
[309] Godwin Buwa, Elite-Interview, Legal Officer, Refugee Law Project (RLP), Kampala/Uganda, October 14, 2011.

refugee has less power'[310] – and less rights. The UNHCR Joint Assessment Mission established that the majority of Rwandan refugees in Uganda have not been receiving rations, and have been banned from cultivating the land they have been allotted since 2009.[311] The same report notes that Rwandan refugees have been unable to access humanitarian services.[312] For their part, Rwandan refugees feel their rights have been violated: their plots have been given to the Congolese, they cannot access welfare services, they are not given rations, and no difference exists between the Cessation Clause and refoulement.[313] Employing the language of rights and stressing their abuse, Rwandan focus group participants concluded:

> We, as Rwandan refugees, no longer have any rights here in Uganda. Who can speak of protection, security, when the OPM kidnaps us and illegally ships us back to Rwanda? When everyone else gets farmland, except the Rwandans? According to the OPM, there are no Rwandan refugees here, just Hutu, just *génocidaires*, as if the two words were interchangeable. They figure, 'Don't give them food, don't give them land, and they'll just go home."[314]
>
> What kind of refugee status are they granting to Rwandan refugees? It's the second-rate citizenship version of refugee status! It's a vulnerable, precarious status because it can be stripped from us so easily. Since March 2009, no Rwandan has been granted refugee status on the grounds of ethnic discrimination. According to the Ugandan Refugee Act, the Geneva Convention, the OAU, refugee status is granted on the basis of discrimination or persecution experienced due to one's race, political views, or belonging to a particular group of people. We ask for asylum because our freedom of expression is denied by measures such as those against so-called genocide ideology, because we are jailed and persecuted due to our political beliefs, or voicing criticism of the RPF government. And for this, we are being called criminals. [...] We fled because of ethnic discrimination, and we

[310] Sarah Meyer, "The 'Refugee Aid and Development' Approach in Uganda: Empowerment and Self-Reliance of Refugees in Practice," New Issues in Refugee Research (Geneva: UNHCR, October 2006), 44.
[311] "2009 Joint Assessment of Refugees in Uganda," Final Report, Joint Assessment Mission (JAM) (United Nations High Commissioner for Refugees (UNHCR), World Food Programme (WFP), Office of the Prime Minister (OPM), March 2010), 16.
[312] Ibid., 32.
[313] Invuyekura, Focus Group, Nakivale, Uganda; Tasebura-Kiirya, Interview, Commandant, Kyangwali, Uganda; Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda; Niramasoso, Focus Group, Nakivale, Uganda; Dimukarengane, Focus Group, Kyangwali, Uganda; Gahutu, Focus Group, Kyangwali, Uganda; Ushizimpumu, Focus Group, Kyangwali, Uganda; Nyirakabanza, Focus Group, Kyangwali, Uganda; Twizeyimana, Focus Group, Kyangwali, Uganda; Bkorimana, Focus Group, Kyangwali, Uganda; Nyimpagariste, Focus Group, Kyangwali, Uganda; Habamuremyie, Focus Group, Kyangwali, Uganda; Invuyekura, Focus Group, Nakivale, Uganda; Konzirata, Focus Group, Nakivale, Uganda; Nikobaze, Focus Group, Kyaka II, Uganda.
[314] Nyiringimana, Interview, Chairman, Nakivale, Uganda.

continue to be discriminated against – even in exile.[315]

> In 2009, at the Tripartite meeting, they said all Rwandan refugees would have to go back by 31 July 2009, that the repatriation would start 22 April. It was always officially voluntary, but the OPM and UNHCR started propagating certain push factors. They stopped cultivation for Rwandan refugees, stopped granting refugee status to Rwandans on the grounds of discrimination. The voluntary nature of repatriation is being violated.[316]

> The nationals no longer welcome us. They are planning for us to leave so they can take over our plots. We are being denied the same rights as everyone here, the rights of refugees, just because we are Rwandan. The OPM is no longer accepting our applications for refugee status. They are denying us our rights. [...] And now the[re have been] forced repatriations, in 2008 and 2010. The Congolese refugees have started referring to us as 'illegal economic migrants'. They tell us to leave the settlement and return to Rwanda. Before all this, we lived like everyone else. Now, we're second-class refugees, with less rights than everyone else.[317]

Other Rwandan respondents also stressed what they perceived as a loss of refugee status and its rights, a demotion to 'illegal economic migrants'[318]. 'If you are Rwandan, you are nothing here'[319], many reiterated. Rwandans emphasised their inability to access health and education services, for which they were now being charged.[320] In response to these threats to their refugee status, and what they perceive as abuses of their rights of refuge, many Rwandans residing in Uganda's microstates have started cultivating for the Congolese to survive.[321] Others have claimed they are Congolese, in order to avoid the Cessation Clause and related discrimination.[322] Those who had the resources to do so fled to Kenya, Mozambique, and Tanzania.[323] The remainder, returning to Uganda's settlements having been repatriated or having nowhere else to go, are sometimes aided by their leaders and representatives. The

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[315] Mukasiripari, Focus Group, Kyangwali, Uganda.
[316] Mberabagaba, Focus Group, Kyangwali, Uganda.
[317] Mugisha, Focus Group, Kyaka II, Uganda.
[318] Mwesigye, Focus Group, Kyaka II, Uganda.
[319] Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda; Iramazani, Focus Group, Kyangwali, Uganda; Bkorimana, Focus Group, Kyangwali, Uganda.
[320] Twizeyimana, Focus Group, Kyangwali, Uganda; Chiza, Focus Group, Kyangwali, Uganda.
[321] Bkorimana, Focus Group, Kyangwali, Uganda; Nyirabagaragaza, Focus Group, Nakivale, Uganda; Nyirasabimana, Focus Group, Kyangwali, Uganda; Twizeyimana, Focus Group, Kyangwali, Uganda; Dimukarengane, Focus Group, Kyangwali, Uganda.
[322] Kiyaka, Interview, JRS Representative, Kampala, Uganda; Tasebura-Kiirya, Interview, Commandant, Kyangwali, Uganda; Bartazali, Focus Group, Kyangwali, Uganda; Ushizimpumu, Focus Group, Kyangwali, Uganda; Nyirakabanza, Focus Group, Kyangwali, Uganda.
[323] Iramazani, Focus Group, Kyangwali, Uganda; Buregiyeya, Focus Group, Kyaka II, Uganda.

Chairman of Juru, in Nakivale, explained:

> It's a horrible act, that Cessation Clause. It's just a nice label for forced repatriation. Rwandan refugees are taken like animals. Some who were taken have been killed. Some are in prison. Rwandan authorities say there is peace in the country. Maybe they don't shoot bullets, but at night they still kidnap men, ten at a time, and kill them. Gacaca judgment has always been corrupt. Gacaca is a mechanism for the destruction of the Hutu. Those who returned [after being repatriated] are many. They don't want to show themselves because they were taken by force. They don't get their ration cards back. Some die in Ankole trying to find jobs, looking for food. I take them back. I'm Congolese, but I understand. They call me a killer too, mix me up with the Interahamwe. So, those Rwandans stay here with us, but the OPM is not aware. I always allow them to stay, despite the lists of names given to me by the OPM, of those who were repatriated. If the OPM finds them here, they just call their lorries again. But we're all Hutu. We must protect one another.[324]

The impending Cessation Clause leads Rwandans to conclude refugee rights, secured in Ugandan settlements, are no longer equally distributed. Now, these refugees feel discriminated against by both their home and host states, which were supposed to offer protection from such abuses, not perpetuate them. The Cessation Clause also affects Congolese refugees, some of who are confused with Rwandans and likewise instructed to 'go home'.[325]

Congolese refugees in Rwanda also feel abused by both their countries of origin and exile. In refuge, the community developed an awareness of its manipulation by the Rwandan government in power as their encampment assumed a state of permanence. Simultaneously, these Congolese refugees, persecuted in Zaïre as 'Rwandans', assumed even more of their hosts' characteristics in exile, further complicating their future repatriation. A predominantly Tutsi population, their plight has been likened to that of their Rwandan counterparts. These similarities have been further reinforced by the community's exposure to the Rwandan curriculum, the official narrative of the Tutsi genocide and historical discrimination against the group, which they internalised.[326] The Director of Gihembe Refugee Camp reaffirmed these similarities, stating, 'The root cause of their [Congolese refugees'] flight is similar to that of Rwandans, so what is taught here in Rwanda is relevant and translates well. It is a civic

[324] Nyiringimana, Interview, Chairman, Nakivale, Uganda.
[325] Stephen Kuteesa, Elite-Interview, Senior Staff Member, Jesuit Refugee Service (JRS), Kampala/Uganda, October 24, 2011.
[326] Sebunyoini, Interview, Teacher, Hope School, Gihembe, Rwanda; Nkurikiyinka, Interview, President, Kiziba, Rwanda.

education of peace, reconciliation, and respect for fellow human beings."[327] Congolese refugees, during focus groups, drew strong parallels between the experiences of Tutsi in Rwanda and DRC:

> The majority of Congolese refugees in Rwanda are Tutsi, who have watched their loved ones killed, tortured, while houses were burned and destroyed. Since the colonial period, Tutsi have been persecuted, treated as the hair in the sauce. At least in Rwanda, the war against genocide is very serious. As long as the Congolese government is not serious about the treatment of Tutsi, coming home is not possible. The international community doesn't care about it in the DRC. In Rwanda, it does.[328]

> All Tutsi have the same history. Everything that happened to Tutsi in Rwanda happened to Tutsi in Congo. The 1959 Hutu Revolution was revenge against the Tutsi. The Katanga rebellion, following Zaïre's independence, also resulted in Tutsi being persecuted as traitors. [...] The conflict in Rwanda was always mirrored in the DRC. Habyarimana had been friends with Mobutu, so whatever happened to the Tutsi in Rwanda, also happened in Congo.[329]

Despite the resonance of these communal histories, Congolese refugees feel betrayed by the RPF. Across Rwanda's camps, residents recollect how their relatives had either joined the RPF, recruited for the 'Tutsi cause', or raised money for the movement.[330] During the Insurgency in Northwest Rwanda, the RPF recruited from transit centres and refugee camps. A respondent recalled this period, as well as similar efforts in the 2000s, as follows:

> They [RPF] would call a meeting, then keep just the youth, put them in soldiers' cars and take them to training. They used to come in the very early morning and late at night. UNHCR knew about it, but had no proof, because refugees were too scared of being killed by the RPF to talk. Congolese Tutsi are still in the Rwandan army, police, and presidential guard. [...] In 2002, the Rwandan government would withhold food for three months, trying to force people to join their army, especially those without families, with nothing else left to lose. The Rwandan government was mobilising Congolese refugees, fellow Tutsi, to help [Laurent] Nkunda. We were mobilised to go and defend our rights in Congo, but it was actually the interests of the Rwandan government for which they wanted us to fight. [...] They destroyed our houses and brought Onatracom buses, their police, and

[327] Marc Shakagabo, Director Gihembe Refugee Camp, Ministry of Disaster Management and Refugee Affairs, Byumba, Rwanda, May 23, 2011.
[328] Nzabarinda, Interview, Vice Coordinator, Hope School, Gihembe, Rwanda.
[329] Kamanzi, Interview, Coordinator, Forum for Congolese Refugee Students, Gihembe, Rwanda.
[330] Nzabarinda, Interview, Vice Coordinator, Hope School, Gihembe, Rwanda; Makara-Habineza, Focus Group, Kyaka II, Uganda; Ngarambe, Interview, Kampala, Uganda.

> they kidnapped people. We informed our relatives in the Rwandan police, army, and the presidential guard. The camp was surrounded by police and local defence who prevented anyone from coming in or out of the camp. We had no food, no water. We were there like prisoners. Authorities from Geneva visited, and became furious with the Rwandan government, which then had to open the camp. The RPF then argued that we were really Rwandan IDPs, not Congolese refugees, and that Geneva had no rights to us. The camp became a battlefield.[331]

The RPF's later recruitment efforts of Congolese were much less successful, as the Mudende Massacre was singed in their communal memory as a betrayal of the population by the RPF.[332] These recruits were promised a homeland and security in Rwanda. While their relatives resided in Rwanda's refugee microstates, Congolese men served, and continue to serve, in the RPF and presidential guard.[333] Hovil noted their membership in the RPF 'translated into an assumption that all Congolese Tutsi are somehow more Rwandan than Congolese'[334], exacerbating discrimination against them in the DRC. A former Congolese member of the RPF conveyed his experience, as well as his disillusionment, echoing the account narrated above:

> I joined [the] RPF in 1991. We were taken by force and promised that all youths who supported the movement would receive scholarships, would be taken to study, and would be supported as leaders when they took back their country. Instead, we found ourselves in a military camp. I was obliged to stay with the RPF through the genocide. My family, parents, had already fled from Congo to Rwanda. Some survived Mudende and were relocated to Gihembe. I stayed on with the RPF as a staff officer, grade of captain, in charge of politics. [...] After those massacres of our people, the only thing that salvaged our hope of the Rwandan government was their support of Nkunda and his movement. The RPF began beating, arresting those who criticised Nkunda's arrest. My brother was one of them. I knew I should escape, as I knew the history and the secrets of the RPF. Those soldiers came late one night, burned my motorcycle and tried to burn down my house. [...] The Rwandan government is a dictatorship. If people oppose one of their decisions officially, they are killed. People still oppose them, but in secret. Another reason so many Congolese RPF are enraged is because many of their families still live in Gihembe and Kiziba Camps in Rwanda.[335]

Other Congolese refugees conveyed a similar sense of betrayal by the Rwandan government,

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[331] Ngarambe, Interview, Kampala, Uganda.
[332] Kalaberi, Interview, Kampala, Uganda.
[333] Maria Lange, "Refugee Return and Root Causes of Conflict," *Forced Migration Review*, Democratic Republic of Congo: Past. Present. Future?, no. 36 (November 2010): 48–49.
[334] Hovil, "Shadows of Return," 14.
[335] Kalaberi, Interview, Kampala, Uganda.

citing their service with the RPF, recruitment in the DRC as well as Rwandan camps, the Mudende Massacre, and Nkunda's arrest.[336]

In exile, while Congolese Tutsi refugees in Rwanda integrated accounts of these particular events into their group consciousness, Banyamulenge subsequently developed their own narratives of discrimination and loss, perpetuating a similar communal history. Malkki, likewise, noted such 'standard versions' of narratives that bridge past and present amongst Burundian refugees in Tanzania;[337] Denis-Constant called them 'collective schemes'[338]. Instead of emphasising the similarities of recurring 'standard versions', the on-going negotiation that occurs in the creation of these communal narratives is stressed below. In Nakivale, Banyamulenge focused on variations of several communal experiences during focus group discussions of rights of refuge (and their abuses). The first was referred to as the 'Burundian case':

> I was separated from my husband when we fled. I went to Uganda, while he arrived in Burundi. When he came here to join me, I wanted to take him to the police to get him registered as a refugee. We went in the morning, and then the Commandant started beating my husband. The old Commandant hated the Tutsi. That guard who did it was a Rwandan refugee, a Hutu. He was working as an officer at the OPM. [...] After beating him, they put my husband in a vehicle, and that guard sat on top of him, and bashed his skull open with some metal. [...] Those who killed my husband are still here doing business. [...] We sleep at our neighbour's house, because we fear being attacked at night. Others whose lives have been threatened were transferred to Kampala, and got a house there. Why not us? Look at these photographs, look at all the blood... This is all that was left of my husband... A broken body in a pool of blood...[339]

> Since that Munyamulenge[340] who came from Burundi was killed, and we stormed the OPM offices and destroyed the camp commander's car with stones, people say that the Banyamulenge are bad. We can no longer get any services here. When we take big cases concerning security to the Protection Officer, they are no longer heard.[341]

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[336] Nzabarinda, Interview, Vice Coordinator, Hope School, Gihembe, Rwanda; Banza, Focus Group, Kiziba, Rwanda; Uwimana, Elite-Interview, Community Services Associate, UNHCR, Kibuye/Rwanda; Kumanzi, Focus Group, Gihembe, Rwanda; Rwemba, Interview, Kampala, Uganda.
[337] Malkki, *Purity and Exile*, 112, 122, 127–128.
[338] Denis-Constant, "The Choices of Identity," 8.
[339] Niramasoso, Focus Group, Nakivale, Uganda.
[340] Singular of Banyamulenge in Kinyamulenge and related languages like Kinyarwanda.
[341] Muhire Mugeyo, Focus Group, Nakivale, Uganda.

Though these recollections differ, they vilify the settlement staff and Hutu. As a result, members of the Banyamulenge community doubt their security and feel discriminated against in securing services:[342]

> What happened to that Munyamulenge who came from Burundi is a common, shared experience of our community. It leads us to conclude that there is no peace here. There are troubles and insecurity. They followed us from Congo, with the Hutu. And continue here, where our rights to safety are still jeopardised.[343]
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> The discrimination here comes from OPM and UNHCR. If Banyamulenge come here from Rwanda or Burundi, to re-join their families, then they are arrested. Some are even killed. Sometimes even those who come from Congo are killed here, upon arrival. Whatever bad happens in the camp, we are blamed for it. All Banyamulenge are discriminated against. The OPM officers neglect our questions and our queries.[344]
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> At the hospital, they ask which zone you are from, and if they hear Nyarugugu, they know you are Banyamulenge, and you get worse treatment. You get bad tablets. That's probably what the Hutu used to poison that Munyamulenge.[345]

Articulated in the language of rights of refuge, these discourses serve to reify the continuation of historical persecution, drawing the past into the present, while drafting boundaries based more on ethnicity than nationality.

3.8 CONCLUSION

In Rwanda's and Uganda's microstates, and in the DRC's nomadic microstate, diverse populations, contrasting historical grievances, victims, and villains converge in a singular space and time. Inundated with newly-acquired rights of refuge, the norms and discourses disseminated through the epistemic community of NGOs and local partners and implemented by host states, residents of these microstates constructed their own understandings of citizenship. They re-imagined their past experiences, familial and inter-

[342] Gahungu, Focus Group, Nakivale, Uganda; Nyiramurara, Focus Group, Nakivale, Uganda; Indiho, Focus Group, Nakivale, Uganda; Khadari, Focus Group, Nakivale, Uganda.
[343] Nyiramurara, Focus Group, Nakivale, Uganda.
[344] Ntabangama, Focus Group, Nakivale, Uganda.
[345] Nyirabineza, Focus Group, Nakivale, Uganda.

generational memories of cyclic violence and persecution, into communal narratives, stressing common ethnic grievances over national affiliations. These understandings defined settlement patterns in exile. Over the course of protracted displacement, transformed communities drew new narratives of abused rights into their communal imaginations, further consolidating their group identities by strengthening bonds of commonality, connectedness, and groupness. This process demonstrates how political communities form in refugee microstates – in the physical, demarcated space of exile, governed by international refugee law and articulated in its language. This reconstitution reified communal boundaries imagined under colonialism. Imbued with strengthened commonality and groupness, it leaves the resultant communities susceptible to mobilisation (and manipulation). Coupled with communities' experiences of rights of refuge, the process further complicates future return. Repatriation threatens the protection of exile, and refugees will not willingly relinquish their newly acquired rights.

CHAPTER 4

REFUGEE MICROSTATES AND INFORMATION NETWORKS

4.1 INTRODUCTION

Decisions whether or not to repatriate are only partly based on the information refugees' have concerning their countries of origin. Many authors have stressed the importance of the accuracy and frequency of such information, its sources, and possibilities of its deliberate or inadvertent distortion, be it due to opposition political fronts or local and international organisations.[1] Furthermore, numerous studies attest to the staggering level of information refugees possess concerning developments in their homelands and how quickly it is disseminated throughout their respective spaces of exile.[2] Findings discussed in this chapter lend further support to these conclusions, with some caveats.

The vast majority of refugees across Uganda's settlements, Rwanda's camps, and even FDLR-dominated territories of eastern DRC are extremely well informed, irrespective of their physical proximity to their countries of origin, challenging Rogge's argument.[3] The information they possess is also extremely similar across these diverse refugee microstates – and predominantly paints a bleak picture of homelands.

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[1] John R. Rogge, "Repatriation of Refugees: A Not So Simple 'Optimum' Solution," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 32–34; Martha Walsh, Richard Black, and Khalid Koser, "Repatriation from the European Union to Bosnia-Herzegovina: The Role of Information," in *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction*, ed. Richard Black and Khalid Koser (Oxford: Berghahn Books, 1999), 113.

[2] Stephen Ellis, "Tuning In to Pavement Radio," *African Affairs* 88, no. 352 (1989): 321; Christina R. Clark-Kazak, *Recounting Migration: Political Narratives of Congolese Young People in Uganda* (London: McGill-Queen's University Press, 2011), 119; Stella Tandai Makanya, "The Desire to Return: Effects of Experiences in Exile on Refugees Repatriating to Zimbabwe in the Early 1980s," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 119; Simon Turner, "Representing the Past in Exile: The Politics of National History Among Burundian Refugees," *Refuge: Canada's Periodical on Refugees* 17, no. 6 (1998): 26–27; Liisa H. Malkki, *Purity and Exile: Violence, Memory, and National Cosmology Among Hutu Refugees in Tanzania* (Chicago: University of Chicago Press, 1995), 139–140.

[3] Rogge, "Repatriation of Refugees," 32.

To render this situation intelligible, this chapter relies on theories from information diffusion in Social Network Analysis (SNA), outlined in the next section. This approach facilitates a rigorous analysis, and detailed conceptualisation, of 'connectedness'[4], the relational ties between individuals discussed in the previous chapter as an integral aspect of constructed communities[5]. SNA concepts are thus employed to analyse refugee microstates as overlapping social networks, interconnected by historical and current patterns of forced and voluntary migration and transborder trade. The approach also allows for a nuanced consideration of 'individuals as agents of construction'[6]. The most peripatetic, active individuals carry the lifeblood of information through these arteries between the organs of camps and settlements, host and home communities. Predominantly, the information concerns developments in communities of origin and international refugee protection regimes, news crucial to decisions concerning repatriation. The agents who diffuse it include refugees, researchers, and representatives of international organisations and local partners. SNA fosters an analysis of the interactions between these levels, stressing the interplay between 'global norms'[7] (or collective/shared beliefs[8]) and 'local effects'[9] through a scrupulous theoretical framework. News of such developments – good or bad – is filtered through and integrated into communal narratives of past grievances, experienced in homelands and consolidated in exile. This 'framing'[10] substantiates 'commonality' (shared common attributes) and 'groupness' (sense of belonging to a distinct, bounded, solidary group)[11], the other aspects of constructed communities, whilst legitimating collective action.[12]

The specific flow of information between agents is influenced by network structure, addressed in the third section. Constructivism fails to provide the concepts necessary to

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[4] Rogers Brubaker and Frederick Cooper, "Beyond 'Identity,'" *Theory and Society* 29, no. 1 (February 2000): 21.
[5] Charles Tilly, "Citizenship, Identity and Social History," *International Review of Social History* 40, no. 3 (1995): 1–17; Harrison White, *Identity and Control: A Structural Theory of Social Action* (Princeton: Princeton University Press, 1992).
[6] James D. Fearon and David D. Laitin, "Violence and the Social Construction of Ethnic Identity," *International Organization* 54, no. 4 (September 2000): 853.
[7] Martha Finnemore and Kathryn Sikkink, "Taking Stock: The Constructivist Research Program in International Relations and Comparative Politics," *Annual Review of Political Science* 4, no. 1 (June 2001): 396.
[8] Bert Klandermans, *The Social Psychology of Protest* (Oxford: Blackwell, 1997).
[9] Finnemore and Sikkink, "Taking Stock," 396.
[10] Doug McAdam, John D. McCarthy, and Mayer N. Zald, eds., *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings* (New York: Cambridge University Press, 1996), 6.
[11] Brubaker and Cooper, "Beyond 'Identity,'" 21.
[12] McAdam, McCarthy, and Zald, *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, 6.

analyse the specific, varied structures on which 'connectedness' is based; SNA, on the other hand, is solely concerned with such investigation of social structures formed of ties and links between individuals. It is thus employed here to analyse the specific configurations of Congolese and Rwandan social networks, what news pulsates through them, and how. Section 4.4 discusses linkages between social networks of Congolese refugees within and across the microstates of Uganda's settlements and Rwanda's camps, reaching back to communities of origin in the DRC. The information transmitted by agents' physical mobility between these locations and telecommunications confirms that peace remains tentative and conflict sporadic. In their infrequent visits, government representatives convey the same news while paradoxically endorsing repatriation. This information leads Congolese refugees to conclude their government has abandoned them, failing to foster conditions amenable to their return and exacerbating their alienation from the rest of the homeland population.

Social networks of Rwandan refugees are similarly inundated with negative information concerning their country of origin. Unlike their Congolese counterparts, the news they receive from government representatives is overtly positive. The same suspicion that leads them to discount these sources prevented them from forging links between their various places of refuge until mass mobilisation against the Cessation Clause. 'Commonality' and 'groupness' forged through communal narratives legitimating collective action to prevent a reoccurrence of past traumas rendered these communities susceptible to such political mobilisation.[13] The newly developed connections, however, increased intra- and inter-community trust and thus facilitated the diffusion of negative information, inevitably exacerbating distrust of government officials and the contradictory news they brought.

The last section addresses the social networks of FDLR's nomadic microstate in eastern DRC. It is the only case where distrust of rebel leaders and officials combines with mobility and access to various sources of information to provide refugees with trusted and accepted, albeit incongruent, news of Rwanda – experiences of the country are as diverse as the individuals living them. Conversely, information flows that criss-cross and connect the social networks comprising Rwanda and Uganda's refugee microstates bring news that predominantly reinforces communal narratives of past and present discrimination. This

[13] Mila Dragojević, "Memory and Identity: Inter-Generational Narratives of Violence Among Refugees in Serbia," *Nationalities Papers* 41, no. 6 (2013): 1065–82; Fearon and Laitin, "Violence and Social Construction"; V. P. Gagnon, *The Myth of Ethnic War: Serbia and Croatia in the 1990s* (Ithaca: Cornell University Press, 2004); David D. Laitin, *Identity in Formation: The Russian Speaking Populations of the Near Abroad.* (Ithaca: Cornell University Press, 1998).

diffusion consolidates reconstituted communities within and without refugee microstates whilst reinforcing their resolve against repatriation.

4.2 IN THEORY: NETWORKS AND INFORMATION DIFFUSION

Networks – whether political or economic, social or cultural – are present in all societies all over the world. In political science, their study has focused on criminal organisations, informal economies, patrimonialism, interactions between illicit or informal governance structures and formal ones, and recently on wars as network enterprises.[14] Too often forgotten is that those studies, like this one, are indebted to the seminal contributions of social anthropologists like Clyde Mitchell and John Barnes, who pioneered network studies in the 1950s.[15] In that spirit, I am conceptualising social networks as personal relationships between individuals that cut across territories and identities, connecting places and people, all of whom are 'members of diverse systems of enduring groups and categories."[16]

Early scholars like Kapferer, Epstein, Srinivas, and Béteille applied the ego-centred approach in their studies of social networks, analysing the ties (relationships) of the ego (an initial individual) to a set of nodes (other individuals).[17] Graphically, these ties are portrayed as lines

[14] Alex De Waal, "Mission Without End? Peacekeeping in the African Political Marketplace," *International Affairs* 85, no. 1 (2009): 99–113; Michael Bratton and Nicolas van de Walle, "Democratic Experiments in Africa: Regime Transitions in Comparative Perspective," *Journal of Democracy* 9, no. 3 (1998): 51–66; Mark Duffield, "War as a Network Enterprise: The New Security Terrain and Its Implications," *Cultural Values* 6, no. 1–2 (2002): 153–65; Jean-François Bayart, Béatrice Hibou, and Stephen Ellis, *The Criminalization of the State in Africa* (International African Institute, 1999); Patrick Chabal and Jean-Pascal Daloz, *Africa Works: Disorder as Political Instrument* (London: James Currey Publishers, 1999); Koen Vlassenroot, Sandrine Perrot, and Jeroen Cuvelier, "Doing Business Out of War: An Analysis of the UPDF's Presence in the Democratic Republic of Congo," *Journal of Eastern African Studies* 6, no. 1 (2012): 2–21; Carolyn Nordstrom, *Shadows of War: Violence, Power, and International Profiteering in the Twenty-First Century* (Berkeley: University of California Press, 2004); Carolyn Nordstrom, *Global Outlaws: Crime, Money, and Power in the Contemporary World* (Berkeley: University of California Press, 2007); James Ferguson, *Global Shadows: Africa in the Neoliberal World Order* (Durham: Duke University Press, 2006); William Reno, *Warlord Politics and African States* (Boulder: Lynne Rienner Publishers, 1999); Mats Utas, ed., *African Conflicts and Informal Power: Big Men and Networks* (London: Zed Books, 2012).

[15] James Clyde Mitchell, "Social Networks," *Annual Review of Anthropology* 3 (1974): 279–99; John Arundel Barnes, "Class and Committees in a Norwegian Island Parish," *Human Relations* 7, no. 1 (1954): 39–58.

[16] James Clyde Mitchell, "Networks, Norms and Institutions," in *Network Analysis: Studies in Human Interaction*, ed. Jeremy Boissevain and James Clyde Mitchell (The Hague: Mouton, 1973), 20.

[17] Bruce Kapferer, "Social Network and Conjugal Role in Urban Zambia: Towards a Reformulation of the Bott Hypothesis," in *Network Analysis: Studies in Human Interaction*, ed. James Clyde Mitchell

connecting individuals in constellations of relationships, ideally also relating the networks of different individuals to one another in a systemic and coherent manner[18] Additionally, the ties should be nuanced enough to account for various relationships (political, economic, social, etc.) and their strength.[19] The result is a nuanced model of, and conceptual approach to, connectedness.

Much like ties, not all nodes in a social network are created equal. Some individuals are characterised by their ability to command and instigate mass action, wielding authority based on their capacity to create a following and assist people privately. Based on the concept developed by Sahlins in 1963, Utas referred to such agents as 'Big Men' (who could also be women) in his edited volume on African conflicts and informal power.[20] 'Bigmanity', he argued, is based on social relations where it is in the interest of the followers to maintain ties with Big Men, securing access to economic opportunities, protection, and social security.[21] In his study of Burundian refugees in Tanzania, Turner analysed very similar social dynamics, noting individuals who were strategic brokers and middlemen between refugees and humanitarian aid agencies.[22] While Turner coined these nodes as 'liminal experts', refugees in Lukole camp referred to them as 'big men'.[23] Williams, in a study of social networks of refugees in the UK, referred to such individuals as 'lynchpins'.[24] These designations apply equally well to external actors like businessmen, aid donors, and peacekeepers, connected to national and regional networks,[25] and, as I argue further, to researchers.

While the term 'Big Men' tends to have extremely negative connotations, predominantly through its usage in African Studies, and invokes myriad meanings, I use SNA to define it explicitly and imbue this amorphous concept with more analytical power. Despite its problems, usage allows me to engage with research on similar actors across a range of settings.

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and Jeremy Boissevain (The Hague: Mouton, 1973), 83–110; M. N. Srinivas and Andre Béteille, "Networks in Indian Social Culture," *Man* 64 (1964): 165–68; A.L. Epstein, "The Network and Urban Social Organization," *Rhodes-Livingstone Institute Journal*, 1961, 29–62.

[18] Mitchell, "Networks, Norms and Institutions," 22.

[19] Ibid., 23.

[20] Marshall D. Sahlins, "Poor Man, Rich Man, Big-Man, Chief: Political Types in Melanesia and Polynesia," *Comparative Studies in Society and History* 5, no. 3 (1963): 289; Utas, *African Conflicts*, 6–7.

[21] Utas, *African Conflicts*, 8.

[22] Simon Turner, *Politics of Innocence: Hutu Identity, Conflict, and Camp Life* (New York: Berghahn Books, 2010), 86.

[23] Ibid., 87.

[24] Lucy Williams, "Social Networks of Refugees in the United Kingdom: Tradition, Tactics and New Community Spaces," *Journal of Ethnic and Migration Studies* 32, no. 5 (2006): 871.

[25] Utas, *African Conflicts*, 15.

In this study, 'Big Men' refer to nodes in social networks characterised by their ability to (1) create ties between other nodes, or agents, and (2) instigate and influence action. This ability is a function of their specific role (refugee community leader or international organisation representative, for example) and position in the social network structure (the ties they possess to other actors/agents at various levels, from the local to the international). As used here, Big Men is not a normative concept in and of itself – such nodes employ their abilities to pursue their interests and/or those of their communities and no value judgments are intrinsically attached to those endeavours by the concept itself.

Relationships between individuals change over time – social networks are continually transforming webs of vertical and horizontal relationships.[26] However they may change, Mitchell stresses that these networks are based on the norms and values incorporated into the goals and interests of their members.[27] For Podolny and Page, these are sentiments of obligation and trust,[28] related to the sense of belonging conceptualised as 'groupness' in the previous chapter. The fusion of trust-based ties in a network structure that links individuals in a social space is social capital, according to Paxton.[29] Bourdieu, one of the first social theorists to discuss the concept, defined social capital as 'the aggregate of the actual or potential resources which are linked to possession of a durable network of more or less institutionalised relationships of mutual acquaintance or recognition.'[30] Various subsequent studies have shown that these ties, particularly in refugee and migrant communities, are crucial to forging friendships, finding employment opportunities, accessing education and financial aid, and securing a wealth of other resources.[31] However postulated, these resources are all forms of

[26] Ibid., 14.
[27] Mitchell, "Networks, Norms and Institutions," 32–33.
[28] Joel M. Podolny and Karen L. Page, "Network Forms of Organization," *Annual Review of Sociology* 24, no. 1 (1998): 60–61.
[29] Pamela Paxton, "Is Social Capital Declining in the United States? A Multiple Indicator Assessment," *American Journal of Sociology* 105, no. 1 (1999): 88–127.
[30] Pierre Bourdieu, "The Forms of Capital," in *Handbook of Theory and Research for the Sociology of Education*, ed. John G. Richardson (New York: Greenwood Press, 1986), 248.
[31] Monica Boyd, "Family and Personal Networks in International Migration: Recent Developments and New Agendas," *The International Migration Review* 23, no. 3 (1989): 638–70; Elizabeth M. Grieco, "The Effects of Migration on the Establishment of Networks: Caste Disintegration and Reformation among the Indians of Fiji," *International Migration Review* 32, no. 3 (1998): 704; Alejandro Portes, "Social Capital: It's Origins and Applications in Modern Sociology," *Annual Review of Sociology* 24 (1998): 1–24; Steven J. Gold, *Refugee Communities: A Comparative Field Study* (Newbury Park: Sage, 1993); Steven J. Gold, "Soviet Jews," in *Refugees in America in the 1990s*, ed. David W. Haines (Westport: Greenwood Press, 1996), 59–84; John K. Whitmore, "Chinese from Southeast Asia," in *Refugees in America in the 1990s*, ed. David W. Haines (Westport: Greenwood Press, 1996), 81–101; Jimy M. Sanders and Victor Nee, "Immigrant Self-Employment: The Family as Social Capital and the Value of Human Capital," *American Sociological Review* 61, no. 2 (1996): 231; Navjot K. Lamba and Harvey Krahn, "Social Capital and Refugee Resettlement: The Social

information. As Williams concluded, 'Information is at a premium, and indeed essential if refugees are to order their lives. Stories of how individuals have found good solicitors, good jobs, good housing are hard currency...'[32] The function of the networks discussed in this chapter is to disseminate such information between nodes, the members of constructed communities.

The manner in which such information flows through social networks is influenced by a number of inter-related variables: network structure, strength of ties, types of nodes, and forms of flows, to name but a few. A theoretical consensus of how these factors, and their correlations, determine information diffusion throughout a social network simply does not exist.[33] Contexts differ dramatically; networks change over time; and data collection is difficult in the best of circumstances, which the study of refugees and migrants certainly fails to offer. Despite these obstacles, a general outline of the relationship between the diffusion of various types of information and social network structure can be garnered through an overview of paramount studies on the topic.

Granovetter, in a seminal paper, defined the strength of an interpersonal tie as a factor of the investment of time, intimacy (mutual confiding), and reciprocity between individuals, or nodes.[34] Thus, ties are either strong, weak, or absent. If strong ties connect one individual to two others who initially do not share such a connection, chances are that a strong tie will develop between them over time, as their frequent interaction with the common node will bring them into contact with one another. Empirical evidence that the stronger the tie connecting two individuals, the more similar they are (commonality), lends further credence to Granovetter's hypothesis, as it increases the likelihood that the three individuals will develop close ties over time.[35] Granovetter argues that in no instance does this not occur.[36] If bridges are understood as lines in a network that provide the only path between two nodes, then it follows that no strong tie can be a bridge.[37] Thus, weak ties that serve as bridges

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Networks of Refugees in Canada," *Journal of International Migration and Integration* 4, no. 3 (2003): 335–60.

[32] Williams, "Social Networks of Refugees," 868.

[33] James Samuel Coleman, Elihu Katz, and Herbert Menzel, *Medical Innovation: A Diffusion Study* (Indianapolis: Bobbs-Merrill Co., 1966); Alan C. Kerckhoff and Kurt W. Back, "Sociometric Patterns in Hysterical Contagion," *Sociometry* 28, no. 1 (1965): 2–15.

[34] Mark S. Granovetter, "The Strength of Weak Ties," *American Journal of Sociology* 78, no. 6 (1973): 1361.

[35] Ibid., 1362.

[36] Ibid., 1363.

[37] Ibid., 1364.

between nodes create more paths through which 'whatever it is' will flow.[38] Granovetter illustrates the principle using rumours. If one tells a rumour to all their friends, and they retell it, many will hear the rumour multiple times, since those linked by strong ties share friends. If retelling of the rumour is dampened through this repetition, then the spread of the rumour moving through strong ties will be limited to a few cliques, as bridges would not be crossed.[39]

These forms of ties affect the structure of the network. Bott proposed the concepts of 'close-knit' versus 'loose-knit' networks,[40] while Epstein discussed 'effective' versus 'extended' networks[41]. In both conceptualisations, 'close-knit' or 'effective' networks were those in which individuals interacted intensely and frequently, and were thus more likely to know one another. For Granovetter, strong ties formed a dense network ('close-knit' or 'effective') while weak ties formed a less dense network ('loose-knit' or 'extended').[42] Indirect contacts would be reached through weak ties, which carry ideas, information, or influences not available to an individual through their self-reinforcing strong ties.

> The fewer the indirect contacts one has, the more encapsulated he will be in terms of knowledge of the world beyond his friendship circle... Those to whom we are weakly tied are more likely to move in circles different from our own and will thus have access to information different from that which we receive.[43]

Weak ties also affect social cohesion. When individuals move as they change jobs, they establish links between old and new networks, building weak ties through which information flows between more coherent clusters. This interaction, according to Granovetter, creates a sense of community that further connects hitherto relatively disconnected social networks.[44]

Network structure, a function of the ties of which it is comprised, affects community organisation as much as it does information diffusion. If a community is composed of fragmented, isolated social networks, organisation is inhibited.[45] Even in instances where mass media information is diffused equally throughout each cluster (radio, print, etc.), it will rarely be acted upon unless it is also transmitted through personal ties, as studies of diffusion

[38] Ibid., 1365.
[39] Ibid., 1366.
[40] Elizabeth Bott, *Family and Social Network* (London: Tavistock, 1957).
[41] Epstein, "The Network and Urban Social Organization."
[42] Granovetter, "Strength of Weak Ties," 1370–1371.
[43] Ibid.
[44] Ibid., 1373.
[45] Ibid., 1374.

and mass communication have shown.[46] In this context, the information would have to be adopted independently in each and every cluster to result in mass organisation. Such fragmentation also impedes the efficacy of leaders, be they Big Men, lynchpins, or liminal experts. Trust, Granovetter argues, is based on direct or indirect connections between individuals, assurances of individuals' trustworthiness and responsiveness based on reliable, close contacts. Network fragmentation reduces the number of paths from any leader to any potential follower, inhibiting the development of trust.[47] Marked by local cohesion and strong ties, information diffusion as well as organisation across clusters is hampered by an inadequate presence of weak ties.

Friedkin's empirical analysis of information flows of work activity of individuals in intra-organisational social networks supports Granovetter's theory. Friedkin found that strong ties are more important than weak ties in diffusing information about activities within an organisational subsystem (a cluster). Weak ties were found to be more important than strong ties in promoting information flows about activities outside an organisational subsystem. The strength of weak ties, however, is based on their numbers, as opposed to individual efficiency. The highest probabilities of information flow are related to a combination of strong and weak ties.[48] Furthermore, the acceptance, or adoption, of information is affected by the type of information and the characteristics of the individuals in the network. Coleman, Katz, and Menzel posit that the adoption of safe and uncontroversial information (like new drugs or new programs) is led by central, well-connected individuals in a network.[49] Rogers and Becker's studies supported the argument by demonstrating that more marginal individuals would lead the adoption of riskier ideas or programs,[50] while Kerckhoff, Back, and Miller established that more socially integrated individuals would then follow suit[51].

Diffusion of information, and its acceptance or adoption, is affected by social influence, defined simply as the modification of one person's responses by the actions of another.[52] Social

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[46] E. Katz and P. Lazarsfeld, *Personal Influence* (New York: Free Press, 1955); Everett Rogers, *Diffusion of Innovations* (New York: Free Press, 1962).
[47] Granovetter, "Strength of Weak Ties," 1374.
[48] Noah E. Friedkin, "Information Flow Through Strong and Weak Ties in Intraorganizational Social Networks," *Social Networks*, no. 4 (1982): 273.
[49] Coleman, Katz, and Menzel, *Medical Innovation*.
[50] Marshall Becker, "Sociometric Location and Innovativeness," *American Sociological Review* 35 (1970): 267–82; Rogers, *Diffusion of Innovations*.
[51] Kerckhoff and Back, "Sociometric Patterns."
[52] James G. March, "An Introduction to the Theory and Measurement of Influence," *American Political Science Review* 49 (1955): 431–51; Herbert A. Simon, *Models of Man* (New York: Wiley, 1957); Dorwin

influence need not be deliberate or conscious, in which case it is 'behaviour contagion',[53] following Lippitt, Polansku, and Rosen. When social influence is intentional, it is 'direct influence'.[54] Opportunities to exert social influence are determined by structural cohesion and equivalence. Structural cohesion emphasises the connectivity of the network in which the actors are found (whether a dense network of strong ties, or a less dense one of weak ties, drawing on Granovetter's concepts). Equivalence considers the similarity of actors' profiles of network relations (two actors would be considered equivalent if they hold similar positions in two similarly structured organisations).[55] Memberships in cohesive and equivalent clusters intersect in many networks, further problematizing attempts to discern which model better accounts for social influence.[56]

Additionally, since these models focus on actor-to-actor transmission in a closed set, they fail to account for information transmitted from external sources like mass media. The effects of new information and communications technology (ICT), as Castells argues, also impact ties and network structure.[57] The advent of low-rate long-distance calling plans, the Internet, Wi-Fi, and applications like Skype, Facebook, and Whatsapp has fundamentally altered interpersonal relationships by rendering geographical proximity irrelevant in some contexts. Today, transnational communities spanning the planet can be connected by strong ties.[58] Williams, in her study of refugee networks in the UK, found that such transnational ties are composed of strong family and kin relations, whereas local networks comprised of refugees

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Cartwright, "Influence, Leadership, Control," in *Handbook of Organizations*, ed. James G. March (Chicago: Rand McNally, 1965), 1–47.

[53] Ronald Lippitt, Norman Polansky, and Sidney Rosen, "The Dynamics of Power," *Human Relations* 5 (1952): 37.

[54] Ibid.

[55] Peter V. Marsden and Noah E. Friedkin, "Network Studies of Social Influence," *Sociological Methods and Research* 22, no. 127 (1993): 129, 132.

[56] Joseph Galaskiewicz and Stanley Wasserman, "Mimetic Processes Within an Interorganizational Field: An Empirical Test," *Administrative Science Quarterly* 34 (1989): 454–79; Gerald F. Davis, "Agents Without Principles? The Spread of the Poison Pill Through the Intercorporate Network," *Administrative Science Quarterly* 36 (1991): 583–613; Mark S. Mizruchi, "Similarity of Political Behaviour Among Large American Corporations," *American Journal of Sociology* 95 (1989): 401–24; Noah E. Friedkin, "Structural Cohesion and Equivalence Explanations of Social Homogeneity," *Sociological Methods and Research* 12 (1984): 235–61; Ronald S. Burt, "Social Contagion and Innovation: Cohesion versus Structural Equivalence," *American Journal of Sociology* 92 (1987): 1287–1335.

[57] Manuel Castells, *The Rise of The Network Society: The Information Age: Economy, Society and Culture* (Malden: Blackwell, 1996).

[58] Steven Vertovec, *Migration, Diasporas and Transnationalism* (Cheltenham: Edward Elgar, 1999); Michael Humphrey, *Islam, Multiculturalism and Transnationalism: From the Lebanese Diaspora* (London: IB Taurus, 1998); Fiona Robinson, *Globalizing Care: Ethics, Feminist Theory, and International Relations* (Boulder: Westview Press, 1999); Nicholas van Hear, *New Diasporas* (London: Routledge, 1998).

are bound by weak ties connecting them primarily to service providers and acquaintances.[59] Instead of drawing on their geographically proximate network of weak ties, her respondents concluded that their transnational ties were much more effective in providing emotional and material support.[60] Technological developments enable such global networks of strong ties, transforming structures, affecting information diffusion, and providing new opportunities for influence, while curtailing others.

These concepts are applied to social networks of Congolese and Rwandan refugees in the following sections, analysing how the specific interaction of ties and nodes configures in particular structures that affect the diffusion of information concerning the country of origin, and the decision to return – or not.

4.3 IN PRACTICE: MIGRATORY NETWORKS

Refugee microstates are composed of such social networks. These networks are defined by mutually shared historical grievances and intergenerational narratives of cyclic violence, which determine refugees' settlement patterns within camps, elucidated fully in Chapter 3. This settlement process has resulted in the formation of clusters of dense social networks of strong ties, partly along ethnic lines. Due to geographical proximity, these networks inherently overlap – none are fully insulated from ties with members of other groups. Furthermore, overlapping social networks within refugee microstates are connected, albeit through relatively weak ties, to those of other refugee microstates in the same country of asylum and in others. The tentative tendrils that span these spaces of refuge, connecting them, also extend back to refugees' countries of origin. The very act of migrating – individuals' mobility and continuous movement across a geographical space of internal boundaries and international borders – creates migratory networks, transnational communities, and Diasporas.[61] These specific links between distant communities may be nothing more than contacts met along the

[59] Williams, "Social Networks of Refugees."
[60] Ibid., 875.
[61] Nuruddin Farah, *Yesterday, Tomorrow: Voices From the Somali Diaspora.* (London: Cassell, 2000); Abouali Farmanfarmaian, "Subsystems, Subjectivity and Subversion: Iranian Refugees in Illegal Transit," *History and Anthropology* 6, no. 1 (1992): 87–102; Øivind Fuglerud, *Life On the Outside: The Tamil Diaspora and Long-Distance Nationalism* (London: Pluto Press, 1999); Christopher McDowell, *A Tamil Asylum Diaspora: Sri Lankan Migration, Settlement and Politics in Switzerland* (Oxford: Berghahn Books, 1996); John Morrison, *The Cost of Survival: The Trafficking of Refugees to the UK* (London: Refugee Council, 1998).

way, friendships forged but irregularly maintained, and memories of people and places visited along the journey. Migratory networks, and the migratory routes that undergird them, are historically rooted. They are based on pre-existing, cross-border socioeconomic networks and informal economies, facilitated by their relative distance from central governments. Lindley stressed the importance of such networks between Kenya and Somalia in her study of Somali refugees in Kenya, while Abdulsamed noted their diffusion throughout the Horn of Africa, into the Gulf States, Europe, and North America, and Stigter analysed the 'historical and regional phenomenon' of recurring Afghan migration between Pakistan and Iran[62]. The same processes, their occurrence and significance in the borderlands between Uganda, DRC, South Sudan, and Rwanda, have been emphasised in studies of trade, conflict, and refugee networks by Clark-Kazak, Lecoutere, Titeca and Vlassenroot, and Perrot and Cuvelier.[63]

They are equally relevant in this context, where Rwandan and Congolese refugees utilise historical patterns of migration while extending them through their own experiences of flight. Most Congolese refugees suffered periods of internal displacement before crossing an international border to Uganda or Rwanda. Once in Rwanda, many others were residents of Mudende Refugee Camp before arriving in Gihembe or Kiziba.[64] Other Congolese were refugees in Burundi before arriving in Rwanda's Nyabiheke or Kiziba camps.[65] The long, winding routes of Rwandan refugees through spaces of exile are even more complicated. Most fled Rwanda around the genocide in 1994. Some fled to Tanzania, then chose to seek refuge in Uganda – in Kyaka II or Nakivale Refugee Settlements – rather than being

[62] Anna Lindley, "Between a Protracted and a Crisis Situation: Policy Responses to Somali Refugees in Kenya," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 29; Farah Abdulsamed, "Somali Investment in Kenya" (London: Chatham House, 2011), 15; Elca Stigter, "Afghan Migratory Strategies - An Assessment of Repatriation and Sustainable Return in Response to the Convention Plus," *Refugee Survey Quarterly* 25, no. 2 (2006): 117.
[63] Clark-Kazak, *Recounting Migration*; Els Lecoutere and Kristof Titeca, "The Opec Boys and the Political Economy of Smuggling in Northern Uganda," HiCN Working Paper (Households in Conflict Network, 2007); Vlassenroot, Perrot, and Cuvelier, "Doing Business"; Kristof Titeca, "Tycoons and Contraband: Informal Cross-Border Trade in West Nile, North-Western Uganda," *Journal of Eastern African Studies* 6, no. 1 (2012): 47–63.
[64] Claudette Senyiwama, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 24, 2011; Christophe Mukamwyira, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 26, 2011; Françoise Kumanzi, Focus-Group, Elders, Gihembe Refugee-Camp/Rwanda, May 27, 2011; Emerita Mukamoheli, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 1, 2011; François Sebunyoini, Semistructured-Interview, Teacher, Hope School, Gihembe Refugee-Camp/Rwanda, May 24, 2011.
[65] Antha Banza, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 3, 2011; Etienne Muhekera, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda, June 2, 2011; Damari Nirandangwa, Focus-Group, Elders, Nyabiheke Refugee-Camp/Rwanda, June 16, 2011.

repatriated to Rwanda in 1996/1997.[66] Others were repatriated to Rwanda in that period, and then fled again, this time seeking refuge in Uganda's Kyangwali or Nakivale Settlements in the 2000s, sometimes passing through Tanzania again before reaching their final destination.[67] Others yet fled the genocide to the DRC, then went on to Uganda rather than being repatriated to Rwanda.[68] Some of these refugees were returned to Rwanda from the DRC, and subsequently fled to Uganda, to the settlements or to Kampala, during the Insurgency in Northwest Rwanda (1997-98) or in the 2000s.[69] Others have been in Uganda since 1994, or returned there following repatriation to Rwanda.[70] As they made such criss-crossing journeys, they forged ties to other refugees and locals, to old and new transit points and spaces of exile, creating 'a potential network of relations'[71] that remains partly latent, with the possibility of being reanimated in the future.[72]

Once refugees reach their final place of refuge, they remain extremely mobile, a reality often neglected by popular understandings of encampment.[73] As discussed in detail in Chapter 2, and further supported by Turner and Malkki's studies of Burundian refugees in Tanzania, most refugees residing in the microstates of camps and settlements often venture beyond them to work for locals, trade goods, and visit friends and relatives.[74] Those with more skills and financial resources travel regularly between large towns and camps/settlements, spending

[66] Jean-Marie Buregiyeya, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011; Emmanuel Habiyaremye, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011; Donata Mukabera, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011; Clementine Muteska, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 22, 2011.
[67] Esperance Nyirasabimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Staraton Invuyekura, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 22, 2011; Asinati Mukasanga, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 22, 2011; Samuel Rutayisire, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 21, 2011; Anatazi Nyiringimana, Semistructured-Interview, Chairman, Nakivale Refugee-Settlement/Uganda, August 18, 2011; Damari Murwanashaka, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 21, 2011.
[68] Ildéfonse Dimukarengane, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011; Thomas Habamuremyie, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Martin Iramazani, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011.
[69] Odette Uwineza, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Célestin Gahutu, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011; Mark Twahirwa, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Freduard Twizeyimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Simon Rushinga, Semistructured-Interview, Kampala/Uganda, September 3, 2011; Marie-Grace Mukasiripari, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 29, 2011.
[70] Emmanuel Mugisha, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011; Edvina Nyiranguhirwa, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 10, 2011.
[71] AbdouMaliq Simone, *For the City Yet to Come: Changing African Life in Four Cities* (Durham: Duke University Press, 2004), 227.
[72] Duffield, "War as a Network Enterprise," 155; Kapferer, "Social Network," 84.
[73] Roger Zetter, "Unlocking the Protracted Displacement of Refugees and Internally Displaced Persons: An Overview," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 10.
[74] Turner, *Politics of Innocence*, 85, 98; Malkki, *Purity and Exile*, 46–47.

a few months in either location in pursuit of business opportunities or education.[75] Commenting on this mobility, a restaurant owner in Byumba, Rwanda, stated, 'Refugees are always going between Gihembe [camp] and Kigali and back, via bus. They go visit friends, to find work, trade.'[76] Some families are straddled between different refugee microstates, yet relatives visit one another regularly; when they cannot afford transport, they walk.[77] 'We have friends, family, and neighbours in Kiziba [camp in Rwanda]. I frequently walk over to Gihembe [camp, also in Rwanda]. It takes twelve hours. I like to go see my mother-in-law',[78] stated a resident of Rwanda's Nyabiheke camp. Others make the same journey between camps to visit friends and former neighbours from their countries of origin who now reside in different camps.[79] The same mobility connects Uganda's refugee microstates with one another, large towns, and the capital.[80] The ties between the settlements and Kampala are strengthened by refugee status determination procedures. It can take between one and five years for an asylum-seeker to secure refugee status and be transferred to a settlement, during which people remain in the capital, spending their time between organisations like Refugee Law Project (RLP), InterAid, and Jesuit Refugee Service (JRS), where they meet other refugees, some of whom remain in the capital.[81] Rarer, but equally important, is that some refugees travel between Rwanda's Nyabiheke and Kiziba camps and Uganda's Nakivale and

[75] Malkki, *Purity and Exile*, 199; Tania Kaiser, "Between a Camp and a Hard Place: Rights, Livelihood and Experiences of the Local Settlement System for Long-Term Refugees in Uganda," *The Journal of Modern African Studies* 44, no. 04 (2006): 608, 610.
[76] Valerie Mukawera, Semistructured-Interview, Businesswoman, Byumba/Rwanda, May 24, 2011.
[77] Mukamoheli, Focus Group, Kiziba, Rwanda.
[78] Numbi Minove, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 17, 2011.
[79] Jean Mutarama, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 2, 2011; Elise Tushimiye, Semistructured-Interview, Teacher, Kiziba Refugee-Camp/Rwanda, June 3, 2011; Divin Murekatate, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 17, 2011; Chantal Mutembo, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 18, 2011; Jeanette Garagwa, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 20, 2011; Pierre Kayenga, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 19, 2011.
[80] Faraja Honda, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Christine Nyasafari, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Teleziya Konzirata, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 18, 2011; Bebe Nyirere, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Hadijah Kasagure, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 27, 2011; Baraka Mitabishi, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Buregiyeya, Focus Group, Kyaka II, Uganda; Collins Mwesigye, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011.
[81] Clark-Kazak, *Recounting Migration*, 47; Odette Ntabangama, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Espoir Indiho, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Nyirasabimana, Focus Group, Kyangwali, Uganda; Manzi Willy Ngarambe, Semistructured-Interview, Kampala/Uganda, September 21, 2011; Isaac Kiyaka, Elite-Interview, Director, Jesuit Refugee Service (JRS), Kampala/Uganda, October 24, 2011.

Kyangwali settlements.[82] Such mobility also links refugee microstates with their residents' countries of origin, for Rwandans and Congolese in this context as well as Burundians in Tanzania,[83] Angolans in Zambia,[84] and Iraqis in the Middle East[85]. Relatives who never fled visit family members in exile, who themselves return to check on their properties and close ones,[86] at times in what Father Isaac Kiyaka, the Director of JRS in Kampala, referred to as 'scouting missions in preparation for family unification'[87]. These weak ties between refugee microstates and cities across Rwanda and Uganda, as well as countries of origin, are maintained through physical mobility as well as advances in ICT.[88] In refugee microstates, mobile service remains intermittent and residents encounter difficulties charging their handsets and purchasing calling credit. In large towns, such problems are much easier to overcome. Despite the difficulties, ICT is crucial in maintaining weak ties between refugee microstates.

The former Banyamulenge Kingdom of Vyura offers perhaps the most illustrative example of migratory networks. 'There are more links, more social networks, amongst them than those connecting any other tribes',[89] concluded Minister Gatsinzi, from Rwanda's Ministry of Disaster Management and Refugee Affairs (MIDIMAR). Members of this community, interviewed in Uganda and Rwanda's refugee microstates and capitals, all recall the kingdom as being founded in 1875 in Vyura, between Moba and Kalemie in Katanga Province, DRC.[90]

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[82] Isidor Bishogo, Semistructured-Interview, Headmaster, Nyabiheke Refugee-Camp/Rwanda, June 17, 2011; Laticia Mbragazuri, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Kasagure, Focus Group, Kyangwali, Uganda.
[83] Malkki, *Purity and Exile*, 192.
[84] Oliver Bakewell, *Returning Refugees Or Migrating Villagers? Voluntary Repatriation Programmes in Africa Reconsidered* (UNHCR, 1999), 21–22.
[85] Dawn Chatty and Nisrine Mansour, "Unlocking Protracted Displacement: An Iraqi Case Study," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 63, 72–73, 80.
[86] Kumanzi, Focus Group, Gihembe, Rwanda; Minove, Focus Group, Nyabiheke, Rwanda; Dominic Shamurana, Focus-Group, Elders, Gihembe Refugee-Camp/Rwanda, May 27, 2011; Bujenia Nikobaze, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 10, 2011; Invuyekura, Focus Group, Nakivale, Uganda.
[87] Kiyaka, Interview, JRS Representative, Kampala, Uganda.
[88] Gaim Kibreab, "Citizenship Rights and Repatriation of Refugees," *International Migration Review* 37, no. 1 (2003): 24–73; Castells, *Network Society*.
[89] Marcel Gatsinzi, Elite-Interview, Minister, Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali/Rwanda, May 30, 2011.
[90] Lumumba Mukamyi, Semistructured-Interview, Congolese Refugee, Kigali/Rwanda, June 15, 2011; Jean Joel Abijende, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda, June 3, 2011; Mutarama, Focus Group, Kiziba, Rwanda; David Mugisha, Semistructured-Interview, Kampala/Uganda, September 23, 2011; Clautilde Nyirabineza, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Deliya Nyiramukwiye, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Augustine Gahungu, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Ramu Nyanzaninka, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Francine Nyiramukunzi, Focus-Group, Nakivale Refugee-

They all fled Vyura together in the late 1990s for Uvira, and the vast majority survived the Gatumba Massacre in Burundi. Some remained in Burundi, while others fled to Uganda's Nakivale Settlement, Kampala, Rwanda's Kiziba and Nyabiheke Camps, and Kigali. Most striking is that across all these locations focus group participants originating from Vyura all noted the same progeny of Vyura's founding fathers who continued to lead them, even in exile. For the community in Kiziba this was Abijende, whose brother Lumumba spent his time between the camp and Kigali where his uncle resided. For Nyabiheke, it was Kingungwa, while Semabarabara led the community in Nakivale. During the period of fieldwork, Abijende's cousin Odette lived in Nakivale and recounted stories of their childhood together in Vyura.[91] 'They are sons of Sekidende, who founded Vyura. Each came to lead a third of the kingdom. Three kings: Kingugwa, Abijende, and Semabarabara. Each fled to a different place, and their subjects followed them',[92] explained a member of the Nyabiheke community, whose words echoed those of Kiziba's Jean Joel Abijende. In Nyabiheke, there are 150 Banyamulenge families just from Vyura.[93] Former neighbours regularly travel between Kiziba and Nyabiheke, to visit, mourn the loss of a loved one, or deliberate as to where the annual commemoration of the Gatumba Massacre will be held and how resources for representatives' attendance will be raised.[94] These communities maintain ties not only to one another, but also to those whose flight led them from Burundi to Arizona (like Abijende's uncle), Texas (where the Vyura community has its own church), Australia, and Canada.[95] Furthermore, these connections reach back to Vyura as well. Lumumba explained,

> I visited Vyura last year [2010], but found only FDLR. There are no fields anymore. There is no sign of life anymore. It's just forest. I found one foundation remaining from all the houses that used to be the Kingdom of Vyura. I told my uncle when I returned to Kigali, and then went to Kiziba and informed Abijende. Pierre was visiting from Nyabiheke, and carried the

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Settlement/Uganda, August 15, 2011; Mugorozi Rukurwa, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Indiho, Focus Group, Nakivale, Uganda; Manase Mubera, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Pierre Mukeshiwa, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 16, 2011; Jeannine Nyiradawa, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 16, 2011; Mutembo, Focus Group, Nyabiheke, Rwanda; Ntabangama, Focus Group, Nakivale, Uganda.

[91] Ntabangama, Focus Group, Nakivale, Uganda.

[92] Kayenga, Focus Group, Nyabiheke, Rwanda; Abijende, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda.

[93] Mutembo, Focus Group, Nyabiheke, Rwanda; Kayenga, Focus Group, Nyabiheke, Rwanda.

[94] Mutembo, Focus Group, Nyabiheke, Rwanda; Mukeshiwa, Focus Group, Nyabiheke, Rwanda; Nyiradawa, Focus Group, Nyabiheke, Rwanda; Abijende, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda; Mutarama, Focus Group, Kiziba, Rwanda.

[95] Kayenga, Focus Group, Nyabiheke, Rwanda; Abijende, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda; Mukamyi, Interview, Kigali, Rwanda; Nyiramukwiye, Focus Group, Nakivale, Uganda.

> news there. He called those in Nakivale, and Abijende called our uncle in Arizona to tell him the bad news.[96]

Continuous mobility and ICT forge weak ties between the geographically separated dense social networks of Vyura's Banyamulenge across Rwanda's camps, Uganda's settlements, their capitals, and beyond. The testament to the strength of these networks, however, is the consensus between their members concerning their mutually shared past and lived present.

Albeit more inconspicuous, networks of other Congolese and Rwandan refugees across numerous sites and countries of exile are equally potent. These networks, rooted in pre-existing, cross-border socioeconomic networks and broadened through journeys of flight and intermediate places of refuge, are crucial means of pursuing economic opportunities, reuniting families, and establishing security.[97] In all these functions, networks are essentially conduits of indispensable information.

> These are very strong coping networks. A refugee who arrived in Kampala the previous night, by morning, they have all the information on what every NGO does and who to go to for what. In times of crises, these networks become even stronger, in the towns and settlements. It's how refugees manage to survive.[98]

4.4 I HEARD IT THROUGH THE GRAPEVINE

For Rwandan and Congolese residents of refugee microstates, much like for Zimbabweans in Mozambique,[99] Congolese in Kampala[100] and Durban[101], or Burundians in Tanzania,[102] life and livelihoods depend on information – acquiring and disseminating it via physical mobility and ICT throughout the social networks described above. Ellis described such information

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[96] Mukamyi, Interview, Kigali, Rwanda.
[97] Clark-Kazak, *Recounting Migration*, 116; Malkki, *Purity and Exile*, 45–46, 140; Zetter, "Unlocking Protracted Displacement," 11; Baruti Amisi and Richard Ballard, "In the Absence of Citizenship: Congolese Refugee Struggle and Organisation in South Africa," Globalisation, Marginalisation and New Social Movements in Post-Apartheid South Africa (Durban: Centre for Civil Society and the School of Development Studies, University of KwaZulu-Natal, 2005), 10, 14.
[98] Kiyaka, Interview, JRS Representative, Kampala, Uganda.
[99] Makanya, "Desire to Return," 118.
[100] Clark-Kazak, *Recounting Migration*, 119.
[101] Amisi and Ballard, "In the Absence of Citizenship," 10.
[102] Turner, "Representing the Past in Exile," 26–27.

diffusion through informal oral communication as *'radio trottoir'*, or 'pavement radio'.[103] The sound-waves carried on its channels originate from a variety of sources: from news supplied by service providers and government officials to that acquired through the collective use of scarce radios and scarcer still Internet access, to accounts from newly arrived refugees, and the communal evaluation and re-circulation of this information.[104] Regardless of its original source, the most important news is gleaned from its recounting, from conversations with friends and acquaintances. Ellis argues that African audiences, much more so than their European counterparts, give weight and credence to the spoken word, partly due to the combination of censorship and the inadequacy and unavailability of print and broadcast media.[105] Granted, this certainly leaves *radio trottoir* highly susceptible to rumour mongering, with an emission preference for scandal and negative coverage of prominent people and politicians. Furthermore, Big Men – be they refugees, NGO staff, or representatives of host or home governments – seek to impose direct influence on what is transmitted, drawing back to Lippitt, Polansku, and Rosen.[106] Despite these obvious problems, Granovetter and Ellis both stressed that news will not be transmitted over any considerable distance or for any substantial time unless it is judged as significant and credible to a number of people.[107] This determination is based on what is recounted, by whom, and in what context, differentiating between 'worthless rumour and important oral information'[108].

Ellis propounded that the most believable purveyors of information were people with privileged access to government authorities or those whose contacts spanned geographical and social distance,[109] which are illustrations of the structural cohesion and equivalence arguments, respectively[110]. In the cases of Rwandan and Congolese refugees, the credibility of representatives of their countries of origin has been shattered by those states' complicity in the events that precipitated their flight.[111] 'These people have lost so much faith in the system, so they trust only their loved ones. They trust personal relationships, which are the bases of these

[103] Ellis, "Tuning In," 321.
[104] Ibid., 326; Makanya, "Desire to Return," 118, 268–269; Turner, "Representing the Past in Exile," 26–27; Malkki, *Purity and Exile*, 140.
[105] Ellis, "Tuning In," 322–323.
[106] Lippitt, Polansky, and Rosen, "The Dynamics of Power," 37.
[107] Ellis, "Tuning In," 322; Granovetter, "Strength of Weak Ties," 1366.
[108] Ellis, "Tuning In," 328.
[109] Ibid., 322.
[110] Marsden and Friedkin, "Network Studies of Social Influence," 129, 132.
[111] Stuart Turner, "Torture, Refuge and Trust," in *Mistrusting Refugees*, ed. E. Valentine Daniel and John Chr. Knudsen (Berkeley: University of California Press, 1995), 56–59.

networks',[112] IRRI's Lucy Hovil explained. Refugees certainly trust personal sources of information over institutional ones, but they also triangulate the information garnered from all of them. The results of this communal evaluation form the news that is transmitted by *radio trottoir* between social networks spanning refugee microstates within and without international borders. The repetition of this news, as Ellis avers, helps form popular consciousness.[113] In this context, due to their selectivity and relation to disparate communal narratives, forged in exile, *radio trottoir*'s emissions consolidate communal narratives, group identities, and suspicions of the state of origin – and return.

4.4.1 *RADIO TROTTOIR* CONGO

Discrepancies between the information provided to refugees by DRC representatives and that gleaned from their other sources is not as stark as the rift between what Rwandan officials communicate and what Rwandan refugees *know* of their country of origin. By 2011, Congolese representatives had not visited Rwanda or Uganda's refugee microstates since 2009. When the Minister for Internal Affairs, along with the Governor, did come, security matters dominated the discussion.[114] Congolese refugees were informed that 'their land was occupied by others, and they would have to find other places in which to live if they decided to repatriate.'[115] Conflict remained sporadic and peace extremely tentative.[116] MIDIMAR's Minister Gatsinzi stated:

> Congolese authorities say that local populations are not ready to receive the Rwandophones. They must be sensitised that they [Rwandophones] are Congolese as well. Local populations are not letting these refugees come back, especially if they speak Kinyarwanda.[117]

Some Congolese refugees have no one left in the DRC; their relatives and neighbours either perished or joined them in exile. These refugees have no interest in information concerning

[112] Lucy Hovil, Elite-Interview, Senior Researcher, International Refugee Rights Initiative (IRRI), Skype, October 27, 2011.
[113] Ellis, "Tuning In," 323.
[114] Marc Shakagabo, Elite-Interview, Director, Gihembe Refugee-Camp/Rwanda, May 23, 2011; Charles Bafaki, Elite-Interview, Senior Settlement Officer, Office of the Prime Minister (OPM), Kampala/Uganda, October 26, 2011.
[115] Jean Sayinzoga, Elite-Interview, Chairman, Rwanda Demobilisation and Reintegration Commission (RDRC), Kigali/Rwanda, May 24, 2011.
[116] Musa Francis Ecweru, Elite-Interview, Minister of State, Department of Relief, Disaster Preparedness, Management and Refugees, Office of the Prime Minister (OPM), Kampala/Uganda, August 2, 2011.
[117] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda, May 30, 2011.

their country of origin."[118] Many others do, and they listen attentively to the radio, but never cite information heard on its programs without referring to its confirmation through a friend or relative who telephoned or visited, or the account of a recent refugee from a familiar area."[119] They hear that 'the security situation is constantly changing"[120] and 'the war continues"[121] – 'It's always the same."[122] From telephone calls to relatives and neighbours still in the DRC, some refugees are told that what remained of their properties and cattle had been seized, and that their loved ones would soon join them in Uganda or Rwanda.[123] Focus group participants explained:

> We keep in touch with relatives via telephone. They go and hide in the forests, and when there is security, they sneak back to check on their properties, or go to other communities that the armed groups have not reached.[124]
>
> There is still much insecurity from the FDLR, as well as other groups. Some stayed behind but live in the constant threat of insecurity. About once a month we hear from them. A few, few, few families stayed.[125]
>
> I still keep in touch with my neighbours. They call from Congo and say my

[118] Kasagure, Focus Group, Kyangwali, Uganda; Bahati Horukili, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 27, 2011; Ayingine Mukagizwe, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Beatrice Mushiwimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Nirandangwa, Focus Group, Nyabiheke, Rwanda; Sebunyoini, Interview, Teacher, Hope School, Gihembe, Rwanda; Perusse Khadari, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Masiska Nyiramucho, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011.

[119] Jean-Pierre Nyamutara, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 23, 2011; Paulette Mukarambira, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 23, 2011; Mukamwyira, Focus Group, Gihembe, Rwanda; Benjamin Nzabarinda, Semistructured-Interview, Vice-Coordinator, Hope School, Gihembe Refugee-Camp/Rwanda, May 26, 2011; Kumanzi, Focus Group, Gihembe, Rwanda; Nyirabikiza Niramasoso, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Gahungu, Focus Group, Nakivale, Uganda; Nyanzaninka, Focus Group, Nakivale, Uganda; Mubera, Focus Group, Nakivale, Uganda; Félix Semutumwa, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Rukurwa, Focus Group, Nakivale, Uganda; George Nsanzeumuhiri, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Mbragazuri, Focus Group, Nakivale, Uganda; Honda, Focus Group, Nakivale, Uganda; Kasagure, Focus Group, Kyangwali, Uganda; Giggy Tagamugasa, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 30, 2011.

[120] Senyiwama, Focus Group, Gihembe, Rwanda.

[121] Nyirabineza, Focus Group, Nakivale, Uganda.

[122] Steria Nyiadiburugwa, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011.

[123] Munezero Nyiramboneca, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Nirandangwa, Focus Group, Nyabiheke, Rwanda; Espoir Rutamara, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 18, 2011; Garagwa, Focus Group, Nyabiheke, Rwanda; Isaac Akizimana Butumi, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Francis Muhire Mugeyo, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Serugo Shakondo, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Cyprian Sibomana, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011.

[124] Mutembo, Focus Group, Nyabiheke, Rwanda.

[125] Francis Kazimana, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011.

> children are still alive. They tell me that if I have peace here, if I can sleep at night, if I don't hear bullets, then to stay here. My neighbours tell me of how they still flee everyday.[126]

Other refugees travel back to the DRC to check on properties and security. In Nyabiheke and Gihembe camps, in Rwanda, 'someone is nominated to go and check once a year."[127] Yet others meet Congolese traders and businessmen, and return with information: 'People pick up on it and the news spreads. People from the camp come to Kigali. Some people from Kigali come to the camps. They meet in markets and talk."[128] New refugees who recently fled also provide information, and their continuous arrival is a testament to Congo's pervasive insecurity.[129]

From these diverse sources, information is not simply agglomerated, but verified, triangulated and evaluated:

> New arrivals and radio say there is no security in Congo. Leaders steel your animals. You hear names of places you know on the radio, followed by the numbers of people who died there. Interahamwe and FARDC steal your things, come knock on your door demanding money. If you don't give it to them, they kill you.[130]

> Sometimes we hear information on the radio, from MONUSCO, news that my village is still a war zone. More people arrive everyday, confirming that so many more have died, and are still dying.[131]

This information is then compared to that provided by officials, which predominantly validates refugees' understanding of the situation in their communities of origin. The officials' infrequent visits, and the pairing of their proposals of electoral participation and repatriation with refugees' information, has angered many:[132]

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[126] Justine Munyerekana Mirindi, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 28, 2011.
[127] Shamurana, Focus Group, Gihembe, Rwanda; Garagwa, Focus Group, Nyabiheke, Rwanda.
[128] Gatari Nyarimana, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 20, 2011.
[129] Nyanzaninka, Focus Group, Nakivale, Uganda; Nsanzeumuhiri, Focus Group, Nakivale, Uganda; Maria Nyirahabinka, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Thesse Kigazi Kasinga, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Alex Bakunga, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Nirandangwa, Focus Group, Nyabiheke, Rwanda; Bishogo, Interview, Headmaster, Nyabiheke, Rwanda.
[130] Kasagure, Focus Group, Kyangwali, Uganda.
[131] Tagamugasa, Focus Group, Kyangwali, Uganda.
[132] Mukeshiwa, Focus Group, Nyabiheke, Rwanda; Murekatate, Focus Group, Nyabiheke, Rwanda; Minove, Focus Group, Nyabiheke, Rwanda; Mutembo, Focus Group, Nyabiheke, Rwanda; Rutamara, Focus Group, Nyabiheke, Rwanda; Tigo Mugarra, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 19, 2011; Garagwa, Focus Group, Nyabiheke, Rwanda; Bishogo, Interview, Headmaster, Nyabiheke, Rwanda; Kazimana, Focus Group, Nakivale, Uganda; Nyiramboneca,

> Authorities from Congo came. A delegation is meant to come, but still hasn't, and we are still waiting. They came to talk about repatriation. They said there was some peace in North Kivu, but not in South Kivu. Even North Kivu is not really safe. We were told to choose to return, to a war, or to stay here. We said we couldn't go back like that. They told us that the government is preparing elections, and we should return to vote. We shouted back that there is still war! We hear on the radio; we speak to one another. We know there is no security; we know about the violence against women. Then they told us that if that's how we feel, then we can stay here. No one has gone back.[133]

> They told us at that meeting that those who wanted to return would have to organise themselves and go back, but no help was being offered from the government. There is no peace in Congo. We hear it on the radio. We see the MONUSCO reports. Without peace, without help, how can they even mention repatriation?[134]

Others have simply lost hope, and many no longer attend the meetings:[135]

> Congolese representatives come here every few years. They have these meetings. Some people go, but most have grown tired of it. Why bother? They always ask the same thing: whether we are considering return. They always say the same thing: that there is still war.[136]

Those who fail to attend the meetings receive the information from neighbours and relatives as it quickly spreads through Congolese refugees' dense social networks in their geographically distant microstates in Rwanda and Uganda.[137] This news, of continuing conflict and implausible repatriation efforts, a government that has abandoned and insulted its citizens, then pulsates through the weak links of physical mobility and ICT between the refugee microstates. This information's diffusion links their social networks into broader

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Focus Group, Nakivale, Uganda; Honda, Focus Group, Nakivale, Uganda; Georgine Cibalonza, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011.

[133] Prosper Bukuru, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011.

[134] Olivier Kifunauyetoto, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011.

[135] Mbragazuri, Focus Group, Nakivale, Uganda; Chantal Nakule, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Nyirahabinka, Focus Group, Nakivale, Uganda; Mukagizwe, Focus Group, Kyangwali, Uganda; Kasagure, Focus Group, Kyangwali, Uganda; Munyerekana Mirindi, Focus Group, Kyangwali, Uganda; Jolie Nyiramurara, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Nsanzeumuhiri, Focus Group, Nakivale, Uganda; Mutembo, Focus Group, Nyabiheke, Rwanda; Garagwa, Focus Group, Nyabiheke, Rwanda; Sosthene Gatware, Semistructured-Interview, Nabulagala Banyamulenge Community Leader, Kampala/Uganda, October 29, 2011; Nyirere, Focus Group, Kyangwali, Uganda; Sibomana, Focus Group, Nakivale, Uganda.

[136] Nyiradawa, Focus Group, Nyabiheke, Rwanda.

[137] Nzabarinda, Interview, Vice Coordinator, Hope School, Gihembe, Rwanda; Mukamoheli, Focus Group, Kiziba, Rwanda; Nyirahabinka, Focus Group, Nakivale, Uganda; Nyasafari, Focus Group, Nakivale, Uganda; Mutembo, Focus Group, Nyabiheke, Rwanda; Mushiwimana, Focus Group, Kyangwali, Uganda.

communities, consolidating common group narratives forged in exile, through *radio trottoir*.

4.4.2 *RADIO TROTTOIR* RWANDA

Rwandan refugees likewise rely on those who recently fled Rwanda, their colleagues, and ICT to triangulate information provided by international organisations and their home state's representatives concerning conditions in Rwanda. In this case, however, the garnered information is contradictory, and the discrepancies between what Rwandan refugees are told of their country of origin and what they *know*, is formidable. Officials sensitise refugees to repatriate, across all countries of asylum. 'We tell them about the real situation in Rwanda, about the development, national unity and reconciliation, about our social and civic programmes, access to education, agricultural developments, and about the Cessation Clause', [138] explained the Chairman of Rwanda Demobilisation and Reintegration Commission (RDRC). Minister Gatsinzi, of MIDIMAR, added, 'We tell them they will recover their properties. We tell them their children will go to school, as Rwanda offers education for all. They will have healthcare through the *Mutuelle de Santé* which covers 85 per cent of all public health services.'[139] In addition to visits to the settlements, Rwanda's sensitisation campaign included promotion of 'Come-and-See/Go-and-Tell' Visits and the distribution of brochures, *An Overview of Progress Towards the Social and Economic Development of Rwanda* and *Questions and Answers About the Invocation of the Cessation Clause* (introduced in Chapter 2, Section 2.5). In partnership with UNHCR, additional pamphlets were disseminated concerning the Cessation Clause: *Implementation of the Comprehensive Strategy for the Rwandan Refugee Situation, Including UNHCR's Recommendations on the Applicability of the 'Ceased Circumstances' Cessation Clauses* and *UNHCR-Rwanda Information Note: What a Cessation Clause Is and How it Works*. 'In the camps, people were so excited when they got copies, we ran out. Some refugees were selling the books to others!'[140] recounted Minister Gatsinzi.

Radio emissions relay similarly positive news of Rwanda, but the same airwaves carry stories of flights of RPF elites like Major General Kayumba Nyamwasa and Colonel Patrick

[138] Sayinzoga, Interview, RDRC Representative, Kigali, Rwanda.
[139] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda, May 30, 2011.
[140] Marcel Gatsinzi, Elite-Interview, Minister, Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali/Rwanda, October 30, 2011.

Karegeya,[141] Victoire Ingabire's imprisonment,[142] grenade attacks in Kigali,[143] assassination attempts on Rwandans in the UK,[144] and denunciations of the genocide ideology law[145]. Such negative impressions of Rwanda are lent more credence by telephone calls to relatives, bringing news of others' imprisonment and desires to flee and reunite in Uganda.[146] The few refugees who are able to visit their relatives in Rwanda return with stories of their loved one's fears of their imprisonment[147] and inabilities to reclaim properties and houses[148]. This information is further supported by the harrowing accounts of refugees who recently fled Rwanda (discussed at length in Chapter 3, Section 3.4.4):

> New refugees come from Rwanda, and they are important sources of information. Some escaped prisons. Some were being harassed by the RPF. Husbands are still being arrested. The [Rwandan] government just wants to convince the international community that there is peace, but those are obviously lies. Just speak to anyone here.[149]

'There is no freedom of speech in Rwanda."[150] 'If you go back, they will assume you killed in the genocide and jail you, else you would have come sooner."[151] 'If someone wants your property, they will go to the leaders and say that you participated in the genocide."[152] "They say the government comes and commands you to plant certain crops. Flour is pressed by RPF-owned factories, where it's stolen."[153] These are examples of the images of Rwanda brought – and shared – by those who recently fled the country.

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[141] Murwanashaka, Focus Group, Nakivale, Uganda; Leo Chiza, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Twahirwa, Focus Group, Kyangwali, Uganda; Christophe Nshuti, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 31, 2011; Mwesigye, Focus Group, Kyaka II, Uganda.
[142] Nyirasabimana, Focus Group, Kyangwali, Uganda; Twahirwa, Focus Group, Kyangwali, Uganda.
[143] Chiza, Focus Group, Kyangwali, Uganda; Richard Ntamugabumwe, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 11, 2011; Josh Kron, "Grenade Strikes Rwanda's Capital Two Days After Election," *The New York Times*, August 11, 2011.
[144] Twahirwa, Focus Group, Kyangwali, Uganda; Haroon Siddique, "Rwandan Exiles Warned of Assassination Threat by London Police," *The Guardian*, May 20, 2011.
[145] Ntamugabumwe, Focus Group, Kyaka II, Uganda.
[146] Mukasanga, Focus Group, Nakivale, Uganda; Rashid Munyemanzi, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 11, 2011.
[147] Bosco Minani, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 18, 2011; Gahutu, Focus Group, Kyangwali, Uganda.
[148] Gahutu, Focus Group, Kyangwali, Uganda; David Apollo Kazungu, Elite-Interview, Commissioner, Directorate of Refugees, Office of the Prime Minister (OPM), Kampala/Uganda, October 17, 2011.
[149] Mukasanga, Focus Group, Nakivale, Uganda.
[150] Ezekiel Ruhunde, Semistructured-Interview, Rwandans' President, Kyangwali Refugee-Settlement/Uganda, August 25, 2011.
[151] Twizeyimana, Focus Group, Kyangwali, Uganda.
[152] Theogene Mvukiyehe, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 29, 2011.
[153] Ntamugabumwe, Focus Group, Kyaka II, Uganda.

The weight of this corroborated information combines with distrust of Rwandan officials to discount positive news on Rwanda, whether from the radio, Internet, or government representatives:

> We hear on the radio that Rwanda is all right now, that there is security. But those who fled recently say that only towns are safe. People in the villages are discriminated against. That's where the problems are. I have a friend who called and confirmed the same news. There is no change. People are still dying in the villages, still being mistreated there. In villages, properties are being taken by the government. In the villages, people kill for land. [Rwandan] Intelligence officers are everywhere, and if anyone brings forth complaints, raises any issues, they are arrested for genocidal ideology.[154]

> We get information on Rwanda through the Internet. On the Internet, there is good news on Rwanda, but people can't talk in Rwanda. People can't flee from Rwanda. Refugees who just fled Rwanda say that what is in the media is not what is going on the ground. There is no freedom of speech. People can't voice their ideas or their opinions. If you talk, RPF come and kill you.[155]

Rwandan authorities' claims of peace, development, and promotion of repatriation are discredited by refugees' own sources of information.[156] If doubt concerning official narratives remains, refugees quickly seek to confirm or invalidate claims:

> I do not need proof that Rwanda is peaceful. You cannot prove that. The people from UNHCR who come and tell us that stay only in the towns [in Rwanda]. They only know Kigali. They don't know how people suffer in the villages, how the Hutu suffer. They don't know what is taking place on the ground. We call our former neighbours, our relatives. We know. Also, when those UNHCR people go to Rwanda, they only stay a couple of days. What do they know?[157]

> Mayors from Rwanda came in 2008, about ten of them, to convince refugees about repartition, saying they've built us houses and are giving away sheeting. Our community received this information as a false telling; we didn't accept those things to be true. We have our own contacts. We all called friends in our communities back in Rwanda, and were told that none of this building, giving away of sheeting, is occurring.[158]

Likewise, refugees have been circumspect of the Cessation Clause, partly because sources of

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[154] Jean-Pierre Bkorimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011.
[155] Iramazani, Focus Group, Kyangwali, Uganda.
[156] Mugisha, Focus Group, Kyaka II, Uganda; Minani, Focus Group, Nakivale, Uganda; Konzirata, Focus Group, Nakivale, Uganda; Nyiringimana, Interview, Chairman, Nakivale, Uganda; Muteska, Focus Group, Nakivale, Uganda.
[157] Mugisha, Focus Group, Kyaka II, Uganda.
[158] Habiyaremye, Focus Group, Kyaka II, Uganda.

information concerning it are distrusted governments and international organisations. These refugees, by the end of 2011, had still not received the glossy pamphlets of which Minister Gatsinzi was so proud. Even if they had, the documents' distribution would have simply exacerbated confusion, as it is only the *Implementation of the Comprehensive Strategy for the Rwandan Refugee Situation, Including UNHCR's Recommendations on the Applicability of the 'Ceased Circumstances' Cessation Clauses* which specifies that only the 1959-98 caseloads would be affected. This restriction was not endorsed until the end of the year, and was not effectively communicated to the refugees for months afterwards. The fact that different states continued to wrestle with whether, and when, they would implement the Cessation Clause, and what exemption processes would actually entail, only complicated the matter. In the latter half of 2011, the Cessation Clause remained a nebulous, albeit terrifying, threat of repatriation for Rwandan refugees:

> UNHCR came and told us that they can't support us, because the Ugandan government has stopped supporting us. They said that together, Uganda and Rwanda decided there is peace in Rwanda, and no reason for any other country to continue accepting Rwandans as refugees.[159]
>
> There was a meeting and the commandant told Rwandans that after this year, we would not be accepted as refugees in Uganda.[160]
>
> OPM put a communication out in the camp that there would be no more Rwandan refugees in Uganda. They put up a notice, that in all the camps there would be Cessation Clause, no more digging [farming].[161]
>
> Rwandan officials said there are no reasons Rwandans are to be refugees anymore. It is the end of our lives. I went to the police, to the OPM, and was told that Rwandans don't have a place in Uganda. That OPM has no time for Rwandans now.[162]

Other refugees cited these same sources, but concluded that by the end of 2011, '[they] would be chased and forced back to Rwanda'[163] or 'repatriated by force'[164]. Poorly communicated, and equally poorly understood, the Cessation Clause reified distrust in home and host states, and

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[159] Iramazani, Focus Group, Kyangwali, Uganda.
[160] Gahutu, Focus Group, Kyangwali, Uganda.
[161] Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda.
[162] Bkorimana, Focus Group, Kyangwali, Uganda.
[163] Dimukarengane, Focus Group, Kyangwali, Uganda; Gahutu, Focus Group, Kyangwali, Uganda; Twahirwa, Focus Group, Kyangwali, Uganda; Murwanashaka, Focus Group, Nakivale, Uganda; Emmanuel Thesimana, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 21, 2011; Therese Nyirabagaragaza, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 22, 2011.
[164] Twizeyimana, Focus Group, Kyangwali, Uganda; Chiza, Focus Group, Kyangwali, Uganda; Uwineza, Focus Group, Kyangwali, Uganda; Habamuremyie, Focus Group, Kyangwali, Uganda; Konzirata, Focus Group, Nakivale, Uganda; Ntamugabumwe, Focus Group, Kyaka II, Uganda.

exacerbated fears.

Rwandan representatives are fully aware of 'refugees' tendencies to harbour false information about Rwanda, based on negative rumours"[165], in the words of the RDRC's Chairman. These officials feel the efforts of their sensitisation campaign are simply futile:

> If we take repatriates back to the camps, the refugees there say they had been brainwashed in Rwanda, and are startled that it could happen within just a week. If we take refugees for 'Come-and-See/Go-and-Tell Visits,' they are denounced as traitors who've gone to the Rwandan government to provide intelligence on fellow refugees.[166]

> During 'Come-and-See/Go-and-Tell' Visits, refugees go with UNHCR to their villages, where feasts and ceremonies are held, to welcome them back. But when they return to exile, others are convinced they were given 'Inkotanyi money' to say those things. Even if host countries, not MIDIMAR, talk to the refugees, to tell them about development and benefits of return, the refugees don't accept it. They don't accept any positive information about Rwanda.[167]

Rwandan representatives, while appreciating this situation, fail to effectively engage with refugees' doubts, dismissing them as rumours. For refugees, these are realities, grounded in information gleaned from various sources, triangulated and evaluated against their own experiences and understandings.

> We hear on the radio about Rwanda, from the neighbours, from the new arrivals. Old people talk about the horrors of the past, the ones they lived through, while the new refugees speak of the horrors of today, of why they fled. And it seems that not very much has changed.[168]

This news, however, does not circulate between geographically distant social networks of Rwandan refugees as efficiently as does similar information between Congolese social networks. Transmission of *radio trottoir*'s unifying airwaves is hampered by fear and distrust. As the next section illustrates, these factors are entrenched in the contemporary prevalence of RPF's historical socioeconomic networks. They are overcome, however, by purposeful and passionate efforts to erect bridges of weak ties, linking refugees' disconnected social networks in mass mobilisation against the Cessation Clause.

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[165] Sayinzoga, Interview, RDRC Representative, Kigali, Rwanda.
[166] Ibid.
[167] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda, October 30, 2011.
[168] Buregiyeya, Focus Group, Kyaka II, Uganda.

4.5 REALITIES OF SPIES, RUMOURS, AND LIES

Rwandan refugees perceive a ubiquitous presence of RPF intelligence operatives across Uganda, rooted in the understanding that the Fifty-niners who remained received posts in Museveni's government while cultivating ever-closer ties with Kigali.[169] Ugandan officials and UNHCR representatives are viewed as corrupt, having been 'bought off by Kagame'[170]. Refugees also fear that the Rwandan Embassy in Kampala has bribed or coerced other refugees to provide information on their current activities and residences, jeopardising their security.[171] Others are convinced that Rwandan operatives attempt to register themselves as Congolese refugees in order to infiltrate their communities.[172] Such collywobbles couple with recent memories of past imprisonment in Rwanda or constant harassment and physical abuse by the RPF, reverberating through the present, and colouring incidents like robberies, assaults, suspicious telephone calls and visitors, as actions of Rwandan spies, which, arguably, they may very well have been.[173] For example, Trésor Rwemba, a *cell* leader and a card-carrying member of the RPF, had worked in the Ministry of Education in Kigali.[174] He was instrumental in securing Canadian lawyer Stephane Bourgon as Laurent Nkunda's counsel.[175] Subsequently, Rwemba was made redundant and endured harassment by Rwandan intelligence organisations; he was attacked by soldiers and charges were brought against him. He fled to Kampala with his wife, children, and nephew, where death threats followed. Rwemba's nephew had been an RPF soldier, and returned to Kigali after securing a position in the Directorate of Military Intelligence (DMI). He confessed:

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[169] Gervais Habareshi, Semistructured-Interview, Kampala/Uganda, November 4, 2013; Jacques Mayarawi, Focus-Group, Kampala/Uganda, November 5, 2013; Inoocent Kiraha, Semistructured-Interview, Kampala/Uganda, November 5, 2013; Jean-Benoît Semaboka, Semistructured-Interview, Kampala/Uganda, November 4, 2013; Agnes Mukamara, Semistructured-Interview, Kampala/Uganda, November 4, 2013.

[170] Semaboka, Interview, Kampala, Uganda; Apolinaire Nyimpagariste, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Nyiranguhirwa, Focus Group, Kyaka II, Uganda; Aimable Hirira, Focus-Group, Kampala/Uganda, November 5, 2013; Kiraha, Interview, Kampala, Uganda; Trésor Rwemba, Semistructured-Interview, Kampala/Uganda, October 13, 2011; Rushinga, Interview, Kampala, Uganda; Mukamara, Interview, Kampala, Uganda; Faustin Satabaro, Semistructured-Interview, Kampala/Uganda, November 4, 2013; Habareshi, Interview, Kampala, Uganda.

[171] Satabaro, Interview, Kampala, Uganda, November 4, 2013; Laurens Habimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011; Kiraha, Interview, Kampala, Uganda.

[172] Bkorimana, Focus Group, Kyangwali, Uganda; Gahutu, Focus Group, Kyangwali, Uganda.

[173] Habimana, Focus Group, Kyangwali, Uganda; Emmanuel Bagakara, Semistructured-Interview, Kampala/Uganda, September 3, 2011; Manzi Mutuyimana, Semistructured-Interview, Kampala/Uganda, October 17, 2011; Mukamara, Interview, Kampala, Uganda.

[174] Rwemba, Interview, Kampala, Uganda.

[175] Hereward Holland, "Congo Warlord Nkunda Seeks Trial or Exile: Lawyer," *Reuters*, January 15, 2010, http://www.reuters.com.

> I feel I see signs everywhere. I can't sleep. I know I am paranoid. But my home was invaded, by Kinyarwanda-speakers. Who else could it have been? Rwandan intelligence people work with the Rwandan Embassy here. No one is safe. I know that even our pastor is really RPF. They have infiltrated my church, and the rest of this country. The Rwandan Embassy buys off the others. They intend to come kill us or take us back to Rwanda.[176]

"Three Rwandan-speaking people in Kampala in 2008"[177] also attacked Jeanette Ruterekara, a distant relative of Colonel Patrick Karegeya. She explained:

> The same year Rwandan agents visited my home, demanding why we continue on in this misery, if we could receive money from the Embassy if we only provided information concerning Karegeya. I was told to choose between two oceans: to disclose Karegeya's whereabouts or to be abducted and deported back to Rwanda, where I would be subjected to 'disappearance', just like my older sister and brother-in-law had been.[178]

These recollections are chilling, corroborated by neighbours' accounts while simultaneously doubted by refugees' own admissions that, in some cases, they may be manifestations of paranoia due to past trauma.[179] Dismas Nkunda, Director of IRRI, reflected, "The governments of Uganda and Rwanda are composed of different actors, but the historical relationships of the individuals running the countries leads to the formation of other opposed networks that give conspiracy theories their own life."[180] As he himself conveyed, along with officials from RLP, OPM, BBC, JRS, and Amnesty International (AI), there may be more reality than rumour to such conspiracy theories.[181] Dismas Nkunda published an article in *The Observer* detailing his own experiences with Rwandan intelligence,[182] while representatives of AI, OPM, and BBC, respectively, recounted:

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[176] Rwemba, Interview, Kampala, Uganda.
[177] Jeanette Ruterekara, Semistructured-Interview, Kampala/Uganda, September 12, 2011.
[178] Ibid.
[179] Rushinga, Interview, Kampala, Uganda; Jean Makara-Habineza, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 11, 2011; Rwemba, Interview, Kampala, Uganda; Satabaro, Interview, Kampala, Uganda, November 4, 2013; Mukasiripari, Focus Group, Kyangwali, Uganda; Silase Ushizimpumu, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011.
[180] Dismas Nkunda, Elite-Interview, Director, International Refugee Rights Initiative (IRRI), Kampala/Uganda, November 6, 2013.
[181] Ibid.; Godwin Buwa, Elite-Interview, Legal Officer, Refugee Law Project (RLP), Kampala/Uganda, October 14, 2011; Vivian Oriem, Elite-Interview, Settlement Officer, Office of the Prime Minister (OPM), Kampala/Uganda, October 26, 2011; Kiyaka, Interview, JRS Representative, Kampala, Uganda; Sarah Jackson, Elite-Interview, Researcher, Amnesty International (AI), Kampala/Uganda, October 13, 2011.
[182] Dismas Nkunda, "Dismas Nkunda: What Is Going On in Rwanda?," *The Observer*, March 10, 2010, http://www.observer.ug.

> I had one [PRF operative] come to my office under the guise of looking for the reception, but my office is at the top of the stairs. He was wearing a 'Rwanda' t-shirt and claiming to be Congolese. When pressed for his identification papers, he produced Rwandan ones.[183]

> We've had problems with Rwandans coming in as asylum-seekers, then leaving our offices. Then another Rwandan refugee would run in, breathless, saying that whoever just left was really a Rwandan spy. Because he'd been following Rwandan refugees around Old Kampala Police Station all day, asking questions. But they really never have real proof, so no arrests can be made. It's difficult to know whom you can and can't trust because of all the Rwandan intelligence that is everywhere.[184]

> There are many fears about safety due to the presence of Rwandan intelligence in the country. Those sent to spy on Rwandan refugees show up at meetings, at sensitisation, take pictures, write down the names of those who participated and who said what and asked what question. One of those asking serious questions was taken the following day, in a 'voluntary repatriation', but he was separated from the others at the border, and taken to the military barracks. He then escaped to Kenya and returned to Nakivale.[185]

Whether conspiracy theory, rumour, reality, or a distressing, contextually-specific combination of them, these perceptions are prognostic and prescribe certain forms of preventative action, influencing refugees' behaviour and perpetuating their terror – in this context as well as in similar circumstances of Burundian refugees in Tanzania,[186] documented by Malkii and Turner. 'As long as people... acted "as if" violence had a certain pattern, "as if" the rumours were true, then rumours became true."[187] Perceptions of insecurity led some Rwandan refugees to ask OPM to be transferred from Kampala to the settlements, and at times back again.[188] Others remained in Kampala, constantly changing their place of residence every few months, sometimes to be subsequently targeted by fellow Rwandan refugees due to conjectures that they were actually Rwandan operatives.[189] In this context of uncertainty, many Rwandan refugees have simply opted to divorce themselves completely from the community and even refuse to contact relatives in Rwanda. Such links are perceived as

[183] Jackson, Interview, AI Representative, Kampala, Uganda, October 13, 2011.
[184] Oriem, Interview, OPM Representative, Kampala, Uganda.
[185] Ignatius Bahizi, Elite-Interview, Journalist, BBC, Kampala/Uganda, October 12, 2011.
[186] Malkki, *Purity and Exile*, 111, 172, 216; Turner, *Politics of Innocence*, 17, 103, 108–109, 119–120.
[187] Turner, *Politics of Innocence*, 128.
[188] Ushizimpumu, Focus Group, Kyangwali, Uganda; Habimana, Focus Group, Kyangwali, Uganda; Mukasiripari, Focus Group, Kyangwali, Uganda; Ruterekara, Interview, Kampala, Uganda.
[189] Mutuyimana, Interview, Kampala, Uganda, October 17, 2011; Rwemba, Interview, Kampala, Uganda; Habimana, Focus Group, Kyangwali, Uganda; Hirira, Focus-Group, Kampala/Uganda; Mvukiyehe, Focus Group, Kyangwali, Uganda; Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda; Semaboka, Interview, Kampala, Uganda; Bahizi, Interview, BBC Representative, Kampala, Uganda; Ruterekara, Interview, Kampala, Uganda; Jackson, Interview, AI Representative, Kampala, Uganda, October 13, 2011.

potentially dangerous to their loved ones back in the country and to themselves in exile, exacerbating suspicions over possible infiltration by Rwandan intelligence and increasing refugees' own visibility.[190]

Rumours and realities of RPF's surreptitious, pervasive presence throughout Uganda resulted in refugees not only failing to forge ties that would bridge disconnected social networks, but even led them to break extant ones. The concomitant network structure was one of disconnected clusters of 'close-knit'[191]/'effective'[192]/'dense'[193] networks of strong ties. Their fragmentation and insulation inhibited organisation across clusters and information diffusion.[194] In order to apprise and mobilise Rwandan refugees concerning the Cessation Clause – not only within but across these separated clusters – Big Men had to tenaciously restructure these networks and overcome the suspicion on which their insulation was based. These Big Men, much like Turner's 'liminal experts'[195], were NGO volunteers and employees and small-scale businessmen; they work as interpreters for JRS and RLP, volunteer with AI, and sell goods at taxi parks.[196] True liminal experts, they are an influential minority of educated, assertive, extroverted, multi-lingual individuals [197] whose equivalence and membership in structurally cohesive networks facilitates their ability to exert social influence and diffuse information.[198] Having met at RLP, where each Monday and Wednesday about 100 Rwandan refugees gather seeking legal assistance, they call themselves 'human rights activists'[199], and together form a network, or system, of Big Men.[200]

This network's mobilisation against the Cessation Clause, much like that of Congolese

[190] Habareshi, Interview, Kampala, Uganda; Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda; Gahutu, Focus Group, Kyangwali, Uganda; Satabaro, Interview, Kampala, Uganda, November 4, 2013.
[191] Bott, *Family and Social Network*.
[192] Epstein, "The Network and Urban Social Organization."
[193] Granovetter, "Strength of Weak Ties."
[194] Katz and Lazarsfeld, *Personal Influence*; Rogers, *Diffusion of Innovations*.
[195] Turner, *Politics of Innocence*, 86–87.
[196] Satabaro, Interview, Kampala, Uganda, November 4, 2013; Semaboka, Interview, Kampala, Uganda; Manzi Mutuyimana, Semistructured-Interview, Skype, March 16, 2014; Habareshi, Interview, Kampala, Uganda.
[197] Turner, *Politics of Innocence*, 91, 94–95, 104.
[198] Marsden and Friedkin, "Network Studies of Social Influence"; Galaskiewicz and Wasserman, "Mimetic Processes Within an Interorganizational Field"; Davis, "Agents Without Principles?"; Mizruchi, "Similarity of Political Behaviour"; Friedkin, "Structural Cohesion"; Burt, "Cohesion versus Structural Equivalence."
[199] Semaboka, Interview, Kampala, Uganda; Habareshi, Interview, Kampala, Uganda; Manzi Mutuyimana, Semistructured-Interview, Skype, March 20, 2014; Satabaro, Interview, Kampala, Uganda, November 4, 2013; Rwemba, Interview, Kampala, Uganda.
[200] Turner, *Politics of Innocence*, 111; Utas, *African Conflicts*, 5, 9.

refugees' numerous marches in South Africa, as Amisi and Ballard stressed, would not have occurred without 'an organizer',[201] In this case, it was Manzi Mutuyimana, whose 'Bigmanity'[202] dates back to his university days in Ruhengeri in the early 2000s, where he served as the Vice President of the Students' Guild and protested mandatory RPF membership and government donations, arguing 'for freedom of party choice and recognition of massacres committed by the RPF between 1996 and 2000."[203] In 1995, Manzi's uncles had been killed by the RPF while the government confiscated family properties in Kigali; Rwandan DMI operatives abducted his father in 2005 after he initiated a lawsuit against the regime for crimes committed during the genocide.[204] In addition to his father's campaign, Manzi's own activism precipitated harassment and intimidation. He was accused of collaborating with rebels, his passport was confiscated, and he was arrested and tortured at Camp Muhoza Barracks before fleeing to Uganda in 2006.[205] For three years, Manzi, as well as others who would later become Big Men, lived in hiding, constantly changing their residences and refusing to be identified as Rwandan refugees.[206] Only sometimes did refugees meet in Kampala to discuss their problems and seek advice.[207]

> All of that changed in 2009. After the Tripartite Meeting, it was announced that all Rwandan refugees had to repatriate by 31 July 2009. It was supposed to start in April, and OPM said it would be voluntary. But they started perpetuating certain push factors. They stopped all Rwandans from cultivating, took their plots. They stopped granting new Rwandan refugees refugee status. I found it very important to call on my fellow refugees to petition the government of Uganda, UNHCR about the violation of our rights as refugees. In order to mobilise fellow refugees, I had to come out of hiding. Since the Tripartite Commission found that refugee status for Rwandans was no longer justifiable, I needed to demonstrate what was still happening within Rwanda.[208]

Recounting these beginnings, Manzi discussed the difficulties of addressing 'Rwandans' general mistrust' and 'the problem of ethnicity, how to unite Tutsi and Hutu':[209]

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[201] Amisi and Ballard, "In the Absence of Citizenship," 6.
[202] Utas, *African Conflicts*, 8.
[203] Manzi Mutuyimana, Semistructured-Interview, Kampala/Uganda, September 1, 2011.
[204] Ibid.
[205] Ibid.
[206] Ibid.; Rwemba, Interview, Kampala, Uganda; Faustin Satabaro, Semistructured-Interview, Kampala/Uganda, September 12, 2011.
[207] Habareshi, Interview, Kampala, Uganda; Semaboka, Interview, Kampala, Uganda; Samuel Nyirusuri, Focus-Group, Kampala/Uganda, November 5, 2013.
[208] Mutuyimana, Interview, Kampala, Uganda, September 1, 2011.
[209] Mutuyimana, Skype Interview, March 16, 2014.

> I tried in every possible way to overcome these divisions. I listened to everyone in the meetings I held at RLP. I visited them at their homes. I explained that unless we come together, we will perish, that an organisation [UNHCR] that deems your country safe and wants to repatriate you will not secure you resettlement. The majority finally realised that ethnicity was not relevant to our mutual problems.[210]

Since Manzi had no contacts in Nakivale and Kyangwali, he asked refugees who attended his meetings in Kampala to telephone everyone they knew in the settlements, and proceeded to visit them individually. He spent a day in each zone within the settlements and held meetings. 'Then, no one spoke of the Cessation Clause, simply repatriation. There was not even mention that asylum-seekers would be spared.'[211] Initially, finances permitted Manzi to travel only between Kampala and Nakivale's zones, asking those he met to call their friends and relatives in Kyangwali. During one of these campaigns, Manzi asked Rwandans to write personal letters to UNHCR, protesting the repatriation. He also asked them to contact him once they sent their letters – 80 per cent of Rwandan refugees in these areas did so.[212] Those residing in Kampala received a general response from UNHCR Senior Protection Officer George Kuchio, which failed to address their specific concerns and prompted Manzi to organise a petition to be sent to UNHCR (Image 4.1).

> That was most difficult: to convince the refugees I was not taking their names to Kigali, that I was not a spy. Only one-third of all those who attended the meetings signed the petition. We gathered 694 signatures.[213]

In August 2009, UNHCR's response notified the community that 'Rwanda is safe. No one will be forced to return. The repatriation exercise will respect voluntariness.'[214] Two months later, Manzi composed a letter to High Commissioner António Guterres,

> denouncing the governments of Uganda, Rwanda, and UNHCR, articulating how the voluntary nature of repatriation has already been completely abused... In a meeting on 18 February 2010, Kuchio informed refugees that a UNHCR meeting in Geneva concluded that conditions in Rwanda were not conducive to return, citing ethnic discrimination, political oppression, and the absence of an independent judicial system.[215]

[210] Ibid.
[211] Ibid.
[212] Ibid.
[213] Ibid.
[214] Ibid.
[215] Ibid.

IMAGE 4.1

RWANDAN REFUGEES AND ASYLUM-SEEKERS' PETITION AGAINST THE CESSATION CLAUSE

Reproduced from Rwandan Refugees and Asylum Seekers Community in Uganda, "Petition of Rwandan Refugees and Asylum Seekers Living in Uganda to United Nations High Commissioner for Refugees (UNHCR) Over the Premature and Ungrounded Invocation of Cessation Clause to Our Refugee Status," Refugee Law Project & Fahamu Refugee Program, December 7, 2011.

During this period, solely the very people he was mobilising financed Manzi's mobilisation. His former teacher in Ruhengeri, also a refugee in Kampala, explained:

> Starting the petition was all Manzi's idea. He was scanning, copying, taking petitions to the settlements, paying for that instead of his rent. Some people couldn't understand it, but we pooled money for his transport. Whatever any of them needed. Information, letters, provisions, everything was sent back and forth via bus. Manzi organised the whole community of Rwandans.[216]

Traveling regularly within and between the different zones of the settlements and Kampala, bringing and taking information, Manzi and his Big Men overcame Rwandans' mutual distrust and suspicion, connecting hitherto separated clusters through their physical mobility and altering the structure of the social network itself. In this manner, Manzi and his Big Men functioned much like the charismatic 'agitators' whose zealous campaigning established the Swedish Social Democratic Party in most parts of the country within 22 years of its founding – as a result of the bridging ties created by their constant travels.[217] In both cases, individuals' mobility erected what Hedström, Sandell, and Stern coined a 'mesolevel network' that directly linked groups of people in remote areas (microlevel networks) to one another, facilitating spatial diffusion of information and social practices.[218] The mesolevel network was necessarily low-density as its nodes were the travellers – whether Swedish agitators or Rwandan mobilisers – and its edges spanned long sociometric and geographical distances.[219] The ties forged by these edges created enduring connections between the disparate microlevel networks, allowing continued spread of information no longer solely dependent on the Big Men themselves.[220] Without the mesolevel network, initiatives like the letter-writing campaign or the petition would have had to develop independently within each cluster or microlevel network, and information would have taken much longer to travel between them[221] – curtailing the impact and effectiveness of Rwandans' mobilisation against the Cessation Clause.

In the process of gaining fellow refugees' trust and creating a mesolevel network, Manzi and his Big Men also became its guardians and gatekeepers – monitoring, granting, and denying

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[216] Mukamara, Interview, Kampala, Uganda.
[217] Peter Hedtröm, Richard Sandell, and Charlotta Stern, "Mesolevel Networks and the Diffusion of Social Movements: The Case of the Swedish Social Democratic Party," *American Journal of Sociology* 106, no. 1 (July 2000): 145–146.
[218] Ibid., 147, 153, 165.
[219] Ibid., 153.
[220] Ibid.
[221] Ibid., 157.

access to local authorities, other Rwandans, and researchers. One of these gentlemen explained: 'Before we agree to meet with anyone, we verify that person's identity and credentials by calling all our colleagues and confirming they have not been bought by the Rwandan Embassy, that they are not spies."[222] In this manner, Rwandans in Kyaka II declined interviews and participation in focus groups until my own presence was investigated and corroborated by Manzi and his Big Men in Kampala. Before agreeing to meet with me, Manzi contacted a friend in Nakivale who confirmed my identity with refugees in Kyangwali. With their endorsement, spanning the settlements and Kampala, I was granted trust and access to this network and its members. As I travelled between the microlevel networks, I also gathered and carried information, becoming a part of the mesolevel network as well. My own involvement in this context, much more so than in any other aspect of my research project, warrants a brief consideration of reflexivity.

Most broadly, the concept simply refers to researchers' acknowledgement and reflection upon their own role in – and impacts on – their study through participation in data-collection and analysis.[223] Here, following the work of Hardy, Phillips, and Clegg, reflexivity is broadened to include the research site, researchers, practitioners, and the wider networks of which they are part.[224] We are all social subjects in our own environments, existing independently of researchers' observations. Through a mutual process of translation and negotiation of identities and motivations, researchers produce research subjects, and findings are later reconfigured through interactions with the wider research community.[225] This process inherently alters the participants as well as the research site, yet does so particularly when researchers and their own community engage more influentially in the network of actors that surround the social-cum-research subject,[226] which is markedly what occurred in this case.

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[222] Satabaro, Interview, Kampala, Uganda, September 12, 2011.
[223] Mark Easterby-Smith and Danusia Malina, "Cross-Cultural Collaborative Research: Toward Reflexivity," *Academy of Management Journal* 42, no. 1 (1999): 76–86; Mary Jo Hatch, "The Role of the Researcher: An Analysis of Narrative Position in Organization Theory," *Journal of Management Inquiry* 5, no. 4 (1996): 359–74; Paul Jeffcutt, "From Interpretation to Representation in Organizational Analysis: Postmodernism, Ethnography and Organizational Symbolism," *Organization Studies* 15, no. 2 (1994): 241–74; Ray Holland, "Reflexivity," *Human Relations* 52, no. 4 (1999): 463–84.
[224] Cynthia Hardy, Nelson Phillips, and Stewart Clegg, "Reflexivity in Organisation and Management Theory: A Study of the Production of the Research 'Subject,'" *Human Relations* 54, no. 5 (2001): 532, 536.
[225] Ibid., 551; Michael Mulkay, *Science and the Sociology of Knowledge* (Aldershot: Gregg Revivals, 1992), 69.
[226] Donald C. Hambrick, "What If the Academy Actually Mattered?," *Academy of Management Review* 19, no. 1 (1994): 11–16; Jeffrey Pfeffer, "Barriers to the Advance of Organizational Science: Paradigm Development as a Dependent Variable," *Academy of Management Review* 18, no. 4 (1993): 599–620.

In Kampala in 2010, even before I unintentionally became a part of the Rwandan Big Men's mesolevel network, Manzi met Barbara Harrell-Bond, Professor Emerita and Founding Director of the University of Oxford's Refugee Studies Centre (1982-96) and refugee legal organisations including RLP and Fahamu Refugee Programme. Manzi sent Harrell-Bond copies of the Rwandans' petition, refugees' personal accounts, and his reports on the community's meetings with UNHCR.[227] Their close contact and collaboration continued, and Manzi introduced his colleagues to Harrell-Bond, whose correspondence strengthened the community's ties to her and through her to the larger networks of which she was part.[228] Through Harrell-Bond's connections at Northwestern University and its links to DePaul University, Manzi was contacted by Assistant Professor Scott Erlinder, brother of Peter Erlinder who served as defence lawyer for Rwandan opposition leader and Presidential candidate Victoire Ingabire.[229] Scott Erlinder was working on a documentary about the Cessation Clause and provided Manzi with finances, cameras, and a laptop to gather footage for the project (Image 4.2).[230]

Around the same time Manzi met Harrell-Bond, he also befriended Dismas Nkunda, former journalist publishing on Rwanda and current Director of IRRI, and Sarah Jackson of AI, whom he kept abreast of his group's activities and newest developments in terms of Rwandans' security in Uganda.[231] These individuals, along with others at OPM and RLP – all Big Men in their own right – became part of Manzi's network. Their own mesolevel networks, however, were based on ties maintained through CIT, referring back to the structures described by Castells, as opposed to the physical mobility postulated by Hedström, Sandell, and Stern, evident in the bridging ties constructed through Manzi's own travels and reinforced through my own. The incorporation of these individuals in their network was extremely important, as Manzi explained:

> Barbara Harrell-Bond has access to contacts and information, catching the attention of the international community, making them care about the Cessation Clause against Rwandans. Before I met her, UNHCR would not answer Rwandan refugees. So, I sent emails to Barbara, who would then send them to higher UNHCR officials in Geneva. She got past the gatekeepers that Rwandan refugees could not.

[227] Mutuyimana, Interview, Kampala, Uganda, September 1, 2011.
[228] Satabaro, Interview, Kampala, Uganda, September 12, 2011; Semaboka, Interview, Kampala, Uganda.
[229] Mutuyimana, Skype Interview, March 16, 2014; Scott Erlinder, Semistructured-Interview, Skype, March 20, 2014.
[230] Mutuyimana, Skype Interview, March 16, 2014.
[231] Mutuyimana, Skype Interview, March 20, 2014.

IMAGE 4.2

'STATELESS': DOCUMENTARY AGAINST THE CESSATION CLAUSE FOR RWANDAN REFUGEES

The creators of the documentary Stateless spoke April 12, 2013, at the Center for the Visual Arts after a screening of the film: Scott Erlinder, Mutuyimana Manzi, project editor Priya Yavagal, and Ginger Scott-Erlinder '87.

Reproduced from Bersett, Kevin, "Alum's Documentary Shines Light on Rwandan Refugees' Plight," *Illinois State University Stories*, April 17, 2013, http://stories.illinoisstate.edu.

> With her help, our activities were published in Fahamu and in other journals and media outlets.[232]

This reconfiguration and expansion of Rwandan refugees' network through ties to local and global actors and Big Men capacitated concerted campaigns against the Cessation Clause. On 22 September 2011, Fahamu published *Rwanda: Cessation of Refugee Status is Unwarranted*, a 36-page *Memorandum of Fact and Law* which analysed the legal requirements for invoking cessation and subsequently argued that the required fundamental, enduring change has not occurred in Rwanda, concluding with 'Testimonials from Rwandan Refugees and Others' across Manzi's network in Uganda and those in Kenya, South Africa, and Zambia.[233] In advance, Fahamu launched an online petition against the invocation of the Cassation Clause, while Manzi collected signatures in Uganda. Manzi and his Big Men coordinated Rwandan representatives across the settlements for meetings in Kampala to discuss the Cessation Clause and organise the distribution of petitions throughout their zones.[234] Attending these meetings at RLP throughout September, I met many of the same refugees I had interviewed in previous months in Nakivale, Kyangwali, and Kyaka II Settlements. Poignantly and articulately, they discussed the 1951 *Convention Relating to the Status of Refugees*, 'the illegality of the Cessation Clause', 'Rwanda's compromised judicial system and extrajudicial executions', and their personal accounts of 'continued discrimination and persecution by the incumbent regime' – utilising the language and discourse of the rights of refuge discussed in the previous chapter, in which they have become fluent.[235] The attendees signed the petition and proceeded to hold their own meetings throughout the settlements, further diffusing these arguments and the language in which they were communicated, mobilising others and garnering increasingly more support.

Excluding the roughly 1,500 signatures of Rwandan refugees, the community's petition, which Barbara Harrell-Bond brought to the meeting of UNHCR's Executive Committee in Geneva (3-7 October 2011), spanned 90 pages. Like Fahamu's *Memorandum of Fact and Law*, *Petition of Rwandan Refugees and Asylum Seekers Living in Uganda to UNHCR Over the Premature and Ungrounded Invocation of Cessation Clause to Our Refugee Status* is a meticulously researched and cross-referenced document detailing perturbing conditions in

[232] Mutuyimana, Skype Interview, March 16, 2014.
[233] The Fahamu Refugee Programme, "Rwanda: Cessation of Refugee Status Is Unwarranted," Memorandum of Fact and Law (Fahamu Networks for Social Justice, September 22, 2011).
[234] Mutuyimana, Skype Interview, March 20, 2014.
[235] Rwandan Urban-Refugees, Focus-Group, Kampala/Uganda, September 3, 2011.

Rwanda: Tutsi domination of senior government positions;[236] RPF intolerance of political opponents and regime critics;[237] restricted freedoms of expression and media censorship;[238] shortcomings of *Gacaca* courts and the wider judicial system;[239] and how the implementation of laws against 'genocide ideology', *irondamoko* (ethnicism or discrimination), and *amacakubiri* (divisionism) exacerbates the denoted trends[240]. In the *Petition of Rwandan Refugees*, recollections of abused rights (discussed in the previous chapter, Section 3.4) are posited as 'Insuperable Obstacles to Return' and violations of the 'Right to Life',[241] demonstrating that Hutu in Rwanda are 'second stratum citizen[s]', a concept developed by Rwandan refugees through a comparative discussion of citizenship rights.[242] Additionally, two chapters are devoted to Uganda's failure to protect Rwandan refugees and its pre-emptive implementation of the Cessation Clause,[243] codifying abuses of the rights of refugee (emphasised in Section 3.7 and advanced as a form of pseudo-citizenship in the previous chapter). Rwandan refugees concluded their petition with a list of 37 conditions the government of Rwanda must meet prior to the invocation of the Cessation Clause.[244] This comprehensive document, coupled with Fahamu's petition and corroborating reports from international organisations like Human Rights Watch (HRW) and AI, led UNHCR's Executive Committee to postpone the invocation of the Cessation Clause until 30 June 2013.[245]

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[236] The Fahamu Refugee Programme, "Rwanda: Cessation of Refugee Status Is Unwarranted," 9; Rwandan Refugees and Asylum Seekers Community in Uganda, "Petition of Rwandan Refugees and Asylum Seekers Living in Uganda to United Nations High Commissioner for Refugees (UNHCR) Over the Premature and Ungrounded Invocation of Cessation Clause to Our Refugee Status" (Refugee Law Project & Fahamu Refugee Program, December 7, 2011), 9, 19.

[237] The Fahamu Refugee Programme, "Rwanda: Cessation of Refugee Status Is Unwarranted," 12, 15; Rwandan Refugees and Asylum Seekers Community in Uganda, "Petition of Rwandan Refugees," 25, 45.

[238] The Fahamu Refugee Programme, "Rwanda: Cessation of Refugee Status Is Unwarranted," 19, 23; Rwandan Refugees and Asylum Seekers Community in Uganda, "Petition of Rwandan Refugees," 8, 29, 30.

[239] The Fahamu Refugee Programme, "Rwanda: Cessation of Refugee Status Is Unwarranted," 23, 25, 27–28; Rwandan Refugees and Asylum Seekers Community in Uganda, "Petition of Rwandan Refugees," 10, 12–14, 38–41, 48.

[240] The Fahamu Refugee Programme, "Rwanda: Cessation of Refugee Status Is Unwarranted," 9, 19–20, 26; Rwandan Refugees and Asylum Seekers Community in Uganda, "Petition of Rwandan Refugees," 10, 12, 15, 18, 29, 31–34, 43–44, 48.

[241] Rwandan Refugees and Asylum Seekers Community in Uganda, "Petition of Rwandan Refugees," 5–7.

[242] Ibid., 11, 19–22.

[243] Ibid., 50–61.

[244] Ibid., 85–90.

[245] Guillaume Cliche-Rivard and Minos Mouzourakis, "An Experience of Failure: A Case Study of UNHCR's Recommendation to Invoke Cessation Clause for Rwandan Refugees," *Fahamu Refugee Legal Aid Newsletter*, April 1, 2014, www.frlan.tumblr.com; Mutuyimana, Skype Interview, March 20, 2014.

> Many people were happy about it, but for me, it wasn't a relief. It was a Chinese Thief Tactic. When a Chinese Thief steals something, he doesn't take it all at once, but piece by piece. That's what UNHCR is doing. Once they take the 1959-1998 caseloads back to Rwanda due to those ceased circumstances, they will start taking others.[246]

Thus, in response to UNHCR's official statement conveying recommendations on the applicability of the Ceased Circumstances Cessation Clauses,[247] published 30 December 2011, the Rwandan community, led by Manzi and his Big Men, issued direct responses communicating further concerns, noting ambiguities of implementation, and proposing an alternative 'Go-and-Appraise/Come-and-Apprise' program that would allow refugees unprecedented access to investigate developments in Rwanda.[248] The campaign also continued further afield. Manzi himself was interviewed in an article published by IRIN;[249] Barbara Harrell-Bond and Guillaume Cliche-Rivard co-authored a piece featured in *Open Democracy*;[250] and Fahamu contributed additional reports[251].

Through this on-going collaboration, the ties forged by Manzi and his Big Men – between Rwandan refugees across Uganda and other activists within and without Africa – reified the expanded and reconfigured network. Proliferation of ties in microlevel and mesolevel networks and the resulting denser structure facilitated the diffusion of information while simultaneously increasing the trust between nodes, or network members. As predominantly negative experiences were communicated more effectively over *radio trottoir*, however, mistrust towards outsiders intensified as well. Additionally, the very mobilisation through which this network was erected and upon which its success depended increased the visibility, and vulnerability, of its members.

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[246] Mutuyimana, Skype Interview, March 20, 2014.
[247] UNHCR, "Implementation of the Comprehensive Strategy for the Rwandan Refugee Situation, Including UNHCR's Recommendations on the Applicability of the 'Ceased Circumstances' Cessation Clauses," December 30, 2011.
[248] Rwandan Refugees Community in Uganda, "Questions Arising on Issues Generating Anxiety among Rwandan Refugees in Uganda from Document: 'Implementation of the Comprehensive Strategy for the Rwandan Refugees Situation, Including UNHCR's Recommendations on the Applicability of Ceased Circumstances Cessation Clause,'" June 25, 2012; Rwandan Refugees Community in Uganda, "Proposal of Rwandan Refugees in Uganda to UNHCR for the Program 'Go and Appraise/Come and Apprise,'" June 25, 2012.
[249] IRIN, "Uganda: Rwandan Refugees Still Reluctant to Repatriate," March 14, 2012, http://www.irinnews.org/fr/report/95072.
[250] Barbara E. Harrell-Bond and Guillaume Cliche-Rivard, "Rwandan Refugees Face No Choice but Repatriation," *Open Democracy*, May 10, 2012, http://www.opendemocracy.net/5050.
[251] Lily Parrott, "Why I Cannot Return to Rwanda: Testimonies of Rwandan Refugees," *Fahamu Refugee Legal Aid Newsletter*, July 3, 2012, http://frlan.tumblr.com; Guillaume Cliche-Rivard and Evi Kyprioti, "The Cessation Clause and Rwandans in Uganda: Is the Countdown Beginning?," *Fahamu Refugee Legal Aid Newsletter*, September 1, 2012, http://frlan.tumblr.com.

Manzi asserts that 'Rwandan operatives' had threatened his security since 2009, when he begun receiving telephone calls in Kinyarwanda and visits from strangers late at night, demanding information concerning refugees in Uganda.[252] His colleagues were offered bribes in exchange for similar intelligence regarding those who spearheaded the petition; others were intimidated with deportation or warned to stop mobilising against the Cessation Clause.[253] Due to his own insecurity, and the sheer perseverance of Scott and Ginger Erlinder, Manzi left Uganda for the US on 28 December 2012.[254] As Big Men explained, his departure and the heightened perception of Rwandan operatives' ubiquitous presence impacted the community:

> He was so active, always so busy with the Internet. He could get all the information and spread it. Manzi sacrificed his life for this, devoted his whole life to our cause. He bought not food, shoes, but Internet to scan and disseminate information. There is no one like him. By Manzi's departure, people trusted him, and Rwandans don't trust one another. There is not as much communication, as much information, now that he is gone.[255]

> Since Manzi left, we've only been able to collect people twice. Every time we hold a meeting, those in attendance later receive calls, threats, as the surveillance has gotten worse and worse. Activists are targeted. We used to have a regular group that met to discuss and organise, seven of us. Two were kidnapped. The spies are here. Usually, there is no real reason for the deportation, so the Rwandan government fabricates one. Charles [Ingabire] disappeared, and think of Joel Mutabazi.[256]

Rwandans' fears prevent many refugees from attending meetings organised by UNHCR, leading others to request the Big Men to stop mobilising in the settlements.[257] RLP lawyers also warned the group that 'the informational meetings [they held] were being perceived as mobilisation of rebels against the RPF.'[258] Paradoxically, mobilisation spread terror, which inhibited further mobilisation. This paranoia, however, was grounded much more in reality than rumour, as IRRI's Director explained:

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[252] Mutuyimana, Interview, Kampala, Uganda, September 1, 2011.
[253] Mutuyimana, Interview, Kampala, Uganda, October 17, 2011; Satabaro, Interview, Kampala, Uganda, September 12, 2011; Semaboka, Interview, Kampala, Uganda; Mukamara, Interview, Kampala, Uganda; Habareshi, Interview, Kampala, Uganda; Kiraha, Interview, Kampala, Uganda; Sarah Jackson, Elite-Interview, Researcher, Amnesty International (AI), Kampala/Uganda, October 20, 2011.
[254] Erlinder, Semistructured-Interview, Skype.
[255] Mukamara, Interview, Kampala, Uganda.
[256] Habareshi, Interview, Kampala, Uganda.
[257] Semaboka, Interview, Kampala, Uganda; Habareshi, Interview, Kampala, Uganda; Satabaro, Interview, Kampala, Uganda, September 12, 2011.
[258] Semaboka, Interview, Kampala, Uganda.

> Those who fled post-1994 are the most scared. They are still fleeing. Rwanda feels that taints its image; it's contrary to the image of Rwanda's stability. That group is especially vulnerable. The one Manzi fights for. They are judgment on Rwanda's government and some are Tutsi. They had been in Kagame's close circles, so they have the means to perceive everything as a threat, because they feel hunted. The government of Rwanda considers itself most capable in terms of security and intelligence. It's 100 per cent certain that Rwanda will notice any meeting of refugees concerning the Cessation Clause. It's a real, pertinent threat. Google 'Rwandan refugees killed in Kampala'. Refugees are killed day and night. They would be naïve not to feel terror.[259]

A few months after this interview, HRW published a report documenting 'Repression Across Borders: Attacks and Threats Against Rwandan Opponents and Critics Abroad' while *Foreign Policy* issued a similar exposé, entitled 'Leave None to Tell the Other Story'.[260] Without Manzi's leadership and faced with increasingly tangible dangers of meeting publicly, Rwandan refugees became more dependent on mesolevel ties to activists outside Uganda, maintained through ICT. Manzi, from Chicago, continued to be crucial to this network, regularly compiling information from Big Men in Uganda and transmitting it to AI, HRW, and Fahamu while facilitating communication between them. Manzi and his Big Men collected and filmed the testimonies featured in Scott Erlinder's *Stateless: A Documentary Against the UN Cessation Clause on Rwandan Refugees*, hosted on stoprwandacessation.org since January 2013 and linked to a petition. The Rwandan Refugee Community in Uganda sent a memorandum denoting 36 conditions the RPF should meet before invoking the Cessation Clause to MIDIMAR's Minister Gatsinzi; Fahamu published the document on its website with a further article on the same topic.[261] Manzi and Harrell-Bond were interviewed in *Le Monde Diplomatique* while Nkunda contributed to a piece on the Cessation Clause in IRIN.[262] Furthermore, through Scott Erlinder's Rwandan contacts and his own, Manzi connected Big Men in Uganda to others across the UK, Zambia,

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[259] Nkunda, Interview, IRRI Representative, Kampala, Uganda.
[260] HRW, "Repression Across Borders: Attacks and Threats Against Rwandan Opponents and Critics Abroad" (HRW, January 28, 2014); Michela Wrong, "Leave None to Tell the Other Story: 20 Years After the Rwandan Genocide, Is Paul Kagame's Government Assassinating Its Critics?," *Foreign Policy*, April 1, 2014, http://www.foreignpolicy.com.
[261] Rwandan Refugee Community in Uganda, "Memorandum of Rwandan Refugees in Uganda to Kagame's Regime Over Its Pressure for Return of Rwandan Refugees," *Fahamu Refugee Legal Aid Newsletter*, August 31, 2013, www.frlan.tumblr.com; Cliche-Rivard and Mouzourakis, "Experience of Failure."
[262] Judi Rever, "What Is Happening to Rwandan Refugees in Uganda?," *Le Monde Diplomatique*, June 2013, http://mondediplo.com; IRIN, "No Consensus on Implementation of Cessation Clause for Rwandan Refugees," July 12, 2013, http://www.irinnews.org.

Cameroon, CAR, Malawi, and RoC.[263] Through ICT, the mesolevel network continued to expand, but the ties between its original nodes and the newly linked microlevel networks were maintained, facilitating the diffusion of information throughout its members. This information, however, was inordinately negative, reinforcing rumours as well as realities of Rwanda. Consequently, the restructured network grew more insulated, impeding ideas and news that would challenge this status quo.

4.6 THE FDLR'S (MIS)INFORMATION CAMPAIGN

The FDLR's nomadic microstate – itself composed of scattered, at times poorly connected clusters – is concentrated in eastern DRC, but also extends beyond it as a result of pre-existing diplomatic connections and migratory networks. Some former Big Men in the Habyarimana regime became Big Men in the FDLR, and, having fled to various countries across Europe, enabled and fostered the group's rise abroad.[264] By 2005, however, these sponsors begun withdrawing their support, and the European leadership was decimated in the following five years by the arrests of President Ignace Murwanashyaka, Vice-President Straton Musoni, and Executive Secretary Callixte Mbarushimana, amongst others.[265] Similar, albeit less strategic, historical ties in RoC, Uganda, Tanzania, Zambia, Zimbabwe, and Malawi have endured.[266] In Uganda, the FDLR continues to recruit from Nakivale and Kyangwali Refugee Settlements,[267] which are also used by the group as recuperation centres for injured combatants and assisted living facilities for those who have retired.[268] Despite mutual presence in these locations, FDLR clusters do not engage with networks of Rwandan refugees, maintaining a low profile and opting for self-segregation.

Information and personnel are transferred between these various locations and FDLR's

[263] Semaboka, Interview, Kampala, Uganda; Erlinder, Semistructured-Interview, Skype; Mutuyimana, Skype Interview, March 20, 2014.
[264] Sayinzoga, Interview, RDRC Representative, Kigali, Rwanda.
[265] Patrycja Stys, "FDLR: Past, Present and Policies," DR Congo Affinity Group (New York: Social Science Research Council (SSRC), March 24, 2014), 5.
[266] Sayinzoga, Interview, RDRC Representative, Kigali, Rwanda.
[267] Ibid.
[268] Matthew Brubacher, Elite-Interview, Eastern Integrated Headquarters, MONUSCO, Goma/DRC, November 2, 2011; Nsanzeumuhiri, Focus Group, Nakivale, Uganda; Indiho, Focus Group, Nakivale, Uganda; Mukasanga, Focus Group, Nakivale, Uganda; Nyirere, Focus Group, Kyangwali, Uganda; Ishima Bartazali, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda; Dimukarengane, Focus Group, Kyangwali, Uganda; Kasagure, Focus Group, Kyangwali, Uganda.

principal bases in North and South Kivu through combatants' physical mobility and ICT. Such constant movement ensures exposure to myriad sources of information concerning Rwanda, but it is limited to those who have obtained travel permits from FDLR officers.[269] Rogge posited that opposition movements in exile would limit and deliberately distort refugees' information base to prevent repatriation.[270] This case lends strong support to his argument, as the group attempts to maintain draconian control over Rwandan refugees, preventing and punishing outside communication via radio or mobile telephone.[271] As Rogge predicated, the FDLR manipulates the information available to these groups because the movement's survival and its tenuous claims to legitimacy depend on their presence in eastern DRC – Rwandans are a labour source, a taxation base, and a recruitment pool (as detailed in Chapter 2, Section 2.3.2). The (mis)information provided by the FDLR is an apocalyptic rendition of *Radio Trottoir* Rwanda, devoid of details and corroborating evidence. Combatants and refugees in the DRC are told there is no peace in Rwanda, massacres continue, and those who return are killed.[272] They are informed they themselves would be 'killed [by FDLR], thrown into the forest, if...[they]... went to the border.'[273] A demobilised Commander explained:

> They [combatants] don't have any information or have incorrect information. They and the refugees are told whatever is most convenient for them [FDLR high-ranking officers] to know. So, with such information, simple soldiers simply do whatever they can to keep from being killed. They are just exploited and never profit. The officials and politicians can't return because of the politics of FDLR. *Génocidaires*, ideologues, would be killed if they came back. But if you analyse it well, it is all about exploitation.[274]

Rwandan officials are perfectly aware of FDLR's (mis)information campaign.[275] The RPF's counter-sensitisation efforts are coordinated with MONUSCO/DDRRR and the

[269] Stys, "FDLR: Past, Present and Policies," 8.
[270] Rogge, "Repatriation of Refugees," 32–34.
[271] Stys, "FDLR: Past, Present and Policies," 8.
[272] Bisengo Kobwa, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 15, 2011; Olive Habyarimana, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 22, 2011; Lucie Mukamweza, Semi-structured Interview, Repatriate, Northwest Rwanda, December 1, 2011; Rwandan Refugees, Focus-Group, Refugee Assembly-Point, Kalengera/DRC, July 31, 2009; Rwandan Refugees, Focus-Group, Refugee Assembly-Point, Karuba/DRC, July 31, 2009; Beatrice Zapy, Semistructured-Interview, ex-FDLR Major's Spouse, Mutobo Demobilisation-Centre/Rwanda, August 23, 2009.
[273] Zapy, Semistructured-Interview, ex-FDLR Major, Mutobo Demobilisation-Centre/Rwanda, August 8, 2009.
[274] Placide Ndyambaje, Semistructured-Interview, ex-FDLR Commander, Mutobo Demobilisation-Centre/Rwanda, September 26, 2009.
[275] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda, May 30, 2011; Sayinzoga, Interview, RDRC Representative, Kigali, Rwanda.

Secretariat of the Multi-Country Demobilisation and Reintegration Programme (MDRP).[276] Targeted at combatants and their dependents, the counter-campaign involves airdropped brochures providing information about the demobilisation process, radio programmes that air ex-combatants' testimonies over 12 stations, and printed newsletters featuring statements from former sergeants, colonels, corporals, and majors, urging combatants, in French and Kinyarwanda, to return, re-join their families, and participate in the development of their country.[277] These initiatives were expanded through the joint Rwanda-DRC *Utahoka* ('Go Back Home') campaign, which increased radio broadcasts and provided for the distribution of newsletters via aircraft to reach combatants who were beyond the range of radio signals.[278] These messages have penetrated the seemingly stringent control the FDLR wields over its population and – when communicated in trusted voices of friends and relatives, verified later through direct telephone calls to them – they have been embraced.[279] The credence this exercise lends radio emissions, however, also fosters exaggerated expectations of Rwanda:

> They broadcasted interviews with repatriates, people I knew when they were here [DRC], who said there is peace, that they're back in their villages. That everything is fine. Then I heard on the radio that houses must have iron sheets, so I expect that the government builds us houses with such roofs and teaches us about the country so that we can re-join the society as functioning members. I expect the government to provide for children's education. I expect the support of community leaders in reclaiming my property.[280]

> One of my friends, we were in FDLR together, had been captured by the UN and taken back to Rwanda. I then heard him on the radio, saying that it really was safe to return. On the radio, I heard that the government helps people with small projects, like opening salons or small shops, finding land to cultivate. When people return from Congo, they are taught mechanics, and given tools like bicycles, motorcycles, and vehicles with which to practice

[276] MONUC/DDRRR, "DR Congo-Rwanda: Joint Sensitisation Strategy for the Repatriation of Rwandan Armed Groups Present in the Democratic Republic of Congo" (CEDI: Kinshasa, January 1, 2008).
[277] RDRC, "Rentrons Ensemble" (Kigali, January 2008); Maryam Wathanafa, Elite-Interview, MONUC/DDRRR Officer, Goma/DRC, July 28, 2009; Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda, October 30, 2011; Ferenadi Nyiteranya-Nyirasebura, Semistructured-Interview, Repatriate, Northwest/Rwanda, November 27, 2011.
[278] Wathanafa, Interview, DDRRR Officer, Goma; Henk Bruyn, Elite-Interview, Head of Political Affairs, MONUC, Goma/DRC, July 27, 2009.
[279] Kobwa, Interview, Transit Centre, Bukavu, DRC; Nyiteranya-Nyirasebura, Interview, Northwest Rwanda; Alphonsine Nyamurinda, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Christine Gahagabo, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011.
[280] Germaine Niharandagwa, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011.

their trades.[281]

The very mobility of the FDLR's microstate (discussed in Chapter 2, Section 2.3.2) and its embedment in local Congolese society (addressed in Section 2.4.1) further problematize these diametrically opposed depictions of Rwanda, bringing refugees and combatants in contact with colleagues returning from scouting missions in Rwanda, Rwandans searching for relatives, new Rwandan refugees, and the news collected and carried along their journeys. Those fleeing Rwanda speak of the costs of mandatory health insurance (too high to bear) and taxes forced on Hutu to pay for Tutsi children's education, of flights of politicians like Kayumba Nyamwasa, of *Gacaca* and imprisonment with neither sentence nor trial, and of the impossibility of reclaiming properties.[282] Rwandans coming to eastern DRC in search of relatives convey news of peace and development, government aid for education, and benefits of the co-operatives.[283] Attempts to verify this contradictory information, by calling colleagues and relatives who travelled to Rwanda, simply reifies the confusion – impressions of Rwanda are as individual and varied as those experiencing them.[284]

In this climate of uncertainty, all sources of information are assessed with caution, and many families send members to Rwanda in a graduated fashion:

> My wife and children went to Rwanda. I feared going back because all news confirmed that the government saw all returning men as Interahamwe. We took turns, in our community, going to Rwanda at night to investigate what is happening. For a long time, the news was the same – there is no peace, men are imprisoned, there is no security. Now I have been in touch with my family, and they say there is peace. The problem is poverty. As a woman, it's impossible to support a family of six. In Rwanda, the government is no longer arresting all the men who return, only those implicated in the genocide.

[281] Jean Mukamuyabu, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011.
[282] Niyonzima Gumyizane, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Christophe Bulaze, Elite-Interview, Service Socio-Communautaire, Commission Nationale pour les Réfugiés (CNR), Goma/DRC, July 4, 2011; Tigo Muberake, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 15, 2011.
[283] Alivera Nyaribikari, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 18, 2011; Uwamahire Nyirasafari, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Constance Kemahura, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 15, 2011; Lucie Umutoni, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011.
[284] Nyaribikari, Interview, Transit Centre, Bukavu, DRC; Faraha Mukawera, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Emmanuel Muhoza, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 9, 2011; Rachel Ayinkamiye, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Gumyizane, Interview, Transit Centre, Bukavu, DRC.

> Those accused, if they can explain what happened, are released. My wife told me that my mother is dead, but other relatives are alive, and they are taking care of our property. At first, I wasn't sure whether to trust this information. I thought it was a strategy to get me to return to help her, even if it was dangerous for me to do so. I was afraid the RPF was still killing people there.[285]

Deception can be equally present in the converse situation:

> There are others whose families and friends prevent them from returning by telling them to stay in Congo, for their own economic interests, [telling combatants] that they will be killed if they come back, to continue to get money from them and exploit them.[286]

No information exists concerning the actual amounts of these unconventional remittances transferred by FDLR combatants to family members in Rwanda. The (mis)information in which demands for these transfers are based, however, is very similar to that perpetuated by FDLR and reinforces its campaign. Combatants and refugees are cognisant of the possibilities and probabilities of manipulative (mis)information, whether the source is a loved one or an FDLR Big Man. The diffusion of contradictory information is facilitated by the sheer number of nodes in this trans-border network; the mobility of not only its members, but the network itself; and those members' wide access to CIT. Ties, however, are fraught with mistrust and the inconsistent messages transmitted through them render *radio trottoir*, in this context, a cracked pavement over which news deemed reliable cannot travel. Yet it is only in this particular case where positive information concerning Rwanda is not routinely dismissed as rumour, but at times even embraced as reality.

4.7 CONCLUSION

Employing concepts from information diffusion in SNA, this chapter has illustrated how news of homelands is communicated through social networks of Rwandans and Congolese inhabiting Uganda and Rwanda's refugee microstates and the FDLR's nomadic microstate in eastern DRC. Challenging extant literature, this chapter has argued that physical proximity to the country of origin is not a primary determinant of information concerning it.

[285] Jacques Mujawimana, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 22, 2011.
[286] Ndyambaje, Interview, ex-FDLR Commander, Kigali.

Distant sites of exile are connected through historical socioeconomic migratory networks maintained and expanded through refugees' mobility and CIT. The lifeblood of information that flows through these arteries between camps, settlements, and communities of origin transfuses even the most remote organs with current news of home. Its acceptance or rejection, however, is based on its quality, discerned through careful consideration of the source's credentials and triangulation. Network structure defines its subsequent flow.

The information that pulsates through dense social networks of Congolese refugees, within and across Rwanda's camps and Uganda's settlements, is substantiated by that carried by government representatives – peace is tentative and conflict sporadic. These officials' infrequent visits, coupled with their endorsement of repatriation despite pervasive insecurity, lead Congolese to conclude their government has abandoned and failed them, exacerbating their alienation from the rest of the homeland population and reifying that repatriation is doomed to remain a dream unrealised.

In the case of Rwandan refugees in Uganda's microstates and Kampala, the information provided by government representatives is overtly positive, painting a picture of Rwanda that is irreconcilable with that illustrated in the accounts of new refugees and tales depicted through telephone calls home. The flow of this information, however, was curtailed by the tourniquet of suspicion and mistrust – rumours of the pervasive presence of RPF spies and evidence thereof – that prevented Rwandans from forming ties between their social networks, and even fostered the severance of extant ones. The concomitant network structure was one of loose-knit, disconnected clusters that truncated information diffusion and organisation. The campaign against the Cessation Clause, led by Manzi Mutuyimana and his Big Men, altered this structure, erecting a mesolevel network of capillaries connecting microlevel social networks within and without refugee microstates. The mesolevel network included other Big Men: activists, academics, policy-makers, practitioners, and researchers like me. Through these nodes, the Rwandans' mesolevel network branched into those of Big Men not just beyond Uganda but the African continent. This expansion enabled a more successful mobilisation and culminated in the postponement of the Cessation Clause. Simultaneously, it increased the visibility of Uganda's Big Men and exacerbated their insecurity. The reconfigured network structure facilitated the flow of this news as well as other negative information concerning Rwanda, paradoxically curtailing further organisation amongst the newly connected microlevel networks. The ties between them endured, and information continued to circulate through them, inevitably compounding distrust of both government

officials and the unrecognisable image of Rwanda reproduced by their claims.

The information that flows through the social networks of FDLR's nomadic microstate is even more incongruent. The mobility of the members of these networks, and of the microstate itself, exposes them to myriad sources of information. Big Men of the FDLR mount a (mis)information campaign that portrays a monstrous caricature of Rwanda, while government and NGO representatives' counter-campaign airdrops leaflets and broadcasts radio emissions illustrating a converse distortion – a land of promise and wealth that welcomes their return with anticipation. Attempts to corroborate this information reify confusion, as impressions of Rwanda are as diverse as the individuals experiencing them. It is only in this context, however, that positive accounts are not routinely dismissed, and are even accepted.

In all these three systems – the interconnected organs of Rwandans' microstates in the DRC; those spanning Uganda; and Congolese microstates across Rwanda and Uganda – the lifeblood of information is filtered through communal narratives of past grievances, experienced in homelands and consolidated in exile. For Congolese and Rwandans outside the DRC, information circulated and broadcast over *radio trottoir* reinforces these narratives, consolidating reconstituted communities within and without refugee microstates, while reinforcing their resolve against repatriation. For Rwandans in FDLR's nomadic microstate, distrust of Big Men, be they rebel leaders or government representatives, couples with the inability to corroborate disparate depictions of Rwanda and renders the decision to repatriate an uncertainty enshrouded in suspicion.

CHAPTER 5

REPATRIATION: SUSTAINING A PERMANENT STATE OF IMPERMANENCE?

5.1 INTRODUCTION

Repatriation, founded on the tradition of Western political thought as the (re)establishment of meaningful citizenship, has the potential to transform the state of origin by reforming the political relationship between the state and citizens inside and outside its territory. This process has the power to foster state reconstruction and nurture its evolution into a nation-state in more but name. By law, the terms of repatriation must be negotiated; it must occur voluntarily, in safety and dignity; and it must include restitution for rights violations that precipitated flight. For Rwandan and Congolese repatriates the emergent social contract is ideally multi-pacted, encompassing their communities, those of return, and the central state.

This chapter examines this potential in the context of returns to the Democratic Republic of Congo (DRC) and Rwanda, demonstrating just how far protocol remains divorced from practice.

The third section analyses Congolese repatriations from Rwanda's camps to rebel-held eastern DRC between 1999 and 2013. Counter-intuitively, these repatriations were both negotiated with guerrilla governments and culminated in three subsequent social contracts between them and repatriates. They were rent when rebel rulers not only failed to protect their citizens, but also preyed upon them before themselves fleeing to exile. As it were, the social contracts were moribund from the beginning as they omitted (and antagonised) non-Rwandophone communities and the central state.

The fourth section addresses the experiences of 2009 and 2011 Rwandan returnees from Congo, instances where repatriation was nothing more than flight from exile, provoked by conflict and desperation. With no assistance to facilitate their socio-economic reintegration

aside from the social networks discussed in the preceding chapter, those who failed to overcome dire problems of return went back to Congo as recycled refugees.

News of return culminating in successful reintegration was not broadcast over *radio trottoir* through Uganda and Rwanda's refugee microstates. Instead, its airwaves were dominated by reports of forced and frustrated repatriations that nullified international principles of voluntariness, safety, and dignity, addressed in Section 5.5. These ordeals were integrated into communal narratives of past and present grievances (see Chapter 3), reinforcing refugees' resolve against repatriation – not only for those who endured it, but for their interconnected communities as well. Before concluding, the chapter turns to refugees' resistance to repatriation, a political act in its own right.

5.2 REFORMATIVE POTENTIAL OF REPATRIATION

Unquestioned understandings of the 'national order'[1] of sovereign states where rights are secured through state membership[2] and the realities of practice have reduced repatriation – 'a political act'[3] – to return – 'the physical act of re-crossing a border'[4].[5] Repatriation ought to be

[1] Liisa Malkki, "National Geographic: The Rooting of Peoples and the Territorialization of National Identity Among Scholars and Refugees," *Cultural Anthropology* 7, no. 1 (1992): 27.
[2] Gaim Kibreab, "Revisiting the Debate on People, Place, Identity and Displacement," *Journal of Refugee Studies* 12, no. 4 (1999): 385, 408; Gaim Kibreab, "Rejoinder to the Replies by Daniel Warner, Finn Stepputat and David Turton," *Journal of Refugee Studies* 12, no. 4 (1999): 426–427; Gaim Kibreab, "Left in Limbo: Prospects for Repatriation of Eritrean Refugees from the Sudan and Responses of the International Donor Community," in *In Search of Cool Ground: War, Flight and Homecoming in Northeast Africa*, ed. Tim Allen (Oxford: James Currey Ltd, 1996), 53.
[3] Katy Long, "Home Alone? A Review of the Relationship Between Repatriation, Mobility and Durable Solutions for Refugees" (Geneva: Policy Development and Evaluation Service UNHCR, March 2010), 1.
[4] Megan Bradley, "Back to Basics: The Conditions of Just Refugee Returns," *Journal of Refugee Studies* 21, no. 3 (2008): 300–301.
[5] Laura Hammond, "Examining the Discourse of Repatriation: Towards a More Proactive Theory of Return Migration," in *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction*, ed. Richard Black and Khalid Koser (Oxford: Berghahn Books, 1999), 229; Katy Long, "State, Nation, Citizen: Rethinking Repatriation," *Refugee Studies Centre, University of Oxford*, Working Paper Series No. 48, August 2008, 5; Katy Long, "Statebuilding Through Refugee Repatriation," *Journal of Intervention and Statebuilding* 6, no. 4 (2012): 384; Fred Cuny and Barry Stein, *The Contemporary Practice of Voluntary Repatriation: Repatriation During Conflict, Reintegration Amidst Devastation* (Dallas: Center for the Study of Societies in Crisis, 1994), 6; Lucy Hovil, "A Dangerous Impasse: Rwandan Refugees in Uganda," Working Paper No. 4, Citizenship and Displacement in the Great Lakes Region (IRRI, June 2010), 3, 14; IRRI, "From Refugee to Returnee to Asylum Seeker: Burundian Refugees Struggle to Find Protection in the Great Lakes Region" (Kampala, Uganda: IRRI, November 19, 2013), 11.

understood as the (re)instatement of citizenship rights, which is not synonymous with re-entering a physical territory.[6] This depoliticisation of a multi-faceted, context-specific process undermines repatriation's political foundations, and its efficacy, as a durable solution to forced displacement.[7]

The concept of repatriation is based on the nation-state paradigm of politico-territorial power where fundamental human rights are distributed through citizenship.[8] This relationship is determined by the state's obligations to protect these rights within the broader terms of the social contract on which the government is based.[9] In the tradition of Western political thought, state power is justified as the product of a consensual agreement between the people of a territory, creating a body politic that forms a sovereign state with the authority to govern individual citizens to achieve their common interests.[10] 'The reasoning behind the social contract connects liberal understandings of the fundamental and universal dignity of mankind to the institutions and distributions of power within political societies'[11]: 'because each person is naturally free, equal and independent, no one can become politically subjected to another without his consent'[12]. Should the state fail in its responsibility to protect the political community's fundamental human rights, due to incapacity or active hostility, the social

[6] Hannah Arendt, *The Origins of Totalitarianism*, 2nd ed. (New York: Harvest, 1967), 267; Enoch O. Opondo, "Refugee Repatriation in the Horn of Africa: A Contextual Overview of Some Socio-Economic, Legal and Administrative Constraints," in *In Search of Cool Ground: War, Flight and Homecoming in Northeast Africa*, ed. Tim Allen (Oxford: James Currey Ltd, 1996), 23; Kibreab, "Revisiting the Debate," 390, 407; Kibreab, "Rejoinder," 425; Anna Lindley, "Between a Protracted and a Crisis Situation: Policy Responses to Somali Refugees in Kenya," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 27; Daniel Warner, "Deterritorialization and the Meaning of Space: A Reply to Gaim Kibreab," *Journal of Refugee Studies* 12, no. 4 (January 1, 1999): 413–414; Finn Stepputat, "Dead Horses?," *Journal of Refugee Studies* 12, no. 4 (January 1, 1999): 416–417; Hovil, "Dangerous Impasse," 3, 14; Lucy Hovil, "'Two People Can't Share the Same Pair of Shoes': Citizenship, Land and the Return of Burundian Refugees to Burundi," Working Paper No. 2, Citizenship and Forced Migration in the Great Lakes Region (IRRI, November 2009), 3; Lucy Hovil, "Going Home or Staying Home? Ending Displacement for Burundian Refugees in Tanzania," Citizenship and Forced Migration in the Great Lakes Region (IRRI, November 2008), 4, 6; Long, "State, Nation, Citizen," 6; Long, "Statebuilding," 370–371, 383; Katy Long, "Refugees, Repatriation and Liberal Citizenship," *History of European Ideas* 37, no. 2 (2011): 232; Long, "Home Alone?," 3.

[7] Long, "State, Nation, Citizen," 22.

[8] Ibid.; Long, "Refugees, Repatriation," 232.

[9] Long, "Refugees, Repatriation," 233.

[10] Thomas Hobbes and J. C. A. Gaskin, *Leviathan* (Oxford: Oxford University Press, 1998); John Locke, *Two Treatises on Government* (London: Bartleby, 2010); Jean Jacques Rousseau, *Social Contract and Discourses* (New York: EP Dutton and Co, 1913); John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971).

[11] Long, "Refugees, Repatriation," 234.

[12] David Boucher and Paul Joseph Kelly, *The Social Contract from Hobbes to Rawls* (London: Routledge, 1994), 5.

contract is severed by default,[13] according to Hobbes and Rousseau, or it may be dissolved though citizens' exercise of the right of resistance (physical rebellion or emigration from state territory),[14] following Locke.

The international refugee regime is founded on the same principles of protection, rooted in understandings of political power as distributed within a nation-state system legitimised through the bonds of citizenship and the rights they secure.[15] In its statute, the United Nations High Commissioner for Refugees (UNHCR) is charged with the responsibility to provide refugees the protection their own states can or will not (discussed in Chapter 1 and Chapter 3, Section 3.2 in terms of Rights of Refuge).[16] Likewise, internationally propagated solutions to forced displacement are all designed to transfer protection of refugees' fundamental human rights back to states by restoring refugees' status as citizens.[17] It is only repatriation, however, that is in and of itself a right codified in numerous international conventions and UN resolutions, including the *Universal Declaration of Human Rights*.[18] 'Voluntary repatriation' in 'safety and dignity' sustainable beyond the journey's end are the norms developed by UN member states and UNHCR which shape the legal and political framework that protects the right to return.[19]

When repatriation is voluntary, it preserves individual freedom of choice[20] to (re)engage in a social contract with the state of origin, protecting the rights of self-determination requisite to citizenship[21]. UNHCR categorises safety as physical, legal, and material. Physical safety presupposes a return environment that provides freedom of movement, access to land, and protection from harassment and violence.[22] Legal safety entails the specific recognition of repatriates as citizens,[23] providing them with 'non-discriminatory access [to] and exercise of

[13] Hobbes and Gaskin, *Leviathan*; Rousseau, *Social Contract*.
[14] Locke, *Two Treatises*.
[15] Long, "State, Nation, Citizen," 22–23.
[16] "Statute of the Office of the United Nations High Commissioner for Refugees" (UN General Assembly, December 14, 1950), A/RES/428(V), 1.1.
[17] Long, "Refugees, Repatriation," 232–233.
[18] "Universal Declaration of Human Rights" (UN General Assembly, December 10, 1948), 217 A(III).
[19] UNHCR, "Handbook on Voluntary Repatriation: International Protection" (Geneva, 1996), 11, 41–42; UNHCR, "Handbook for Repatriation and Reintegration Activities" (Geneva, 2004), 8, 36.
[20] UNHCR, "Handbook on Voluntary Repatriation: International Protection," 10; UNHCR, "Handbook for Repatriation and Reintegration Activities," 37.
[21] Long, "Statebuilding," 376–377, 383.
[22] UNHCR, "Handbook on Voluntary Repatriation: International Protection," 11; UNHCR, "Handbook for Repatriation and Reintegration Activities," 38.
[23] UNHCR, "Handbook for Repatriation and Reintegration Activities," 38.

civil, economic, social, political and cultural rights"[24]. Material safety refers to access to welfare services and socio-economic development opportunities.[25] Resolution 1998/26 of the UN Sub-Commission on the Prevention of Discrimination and the Protection of Minorities reaffirms that repatriates' (re)establishment as equal citizens in their countries of origin is integral to all outlined aspects of security.[26]

Only UNHCR's *Handbook on Voluntary Repatriation: International Protection* expounds on the principle of return in dignity:

> elements must include that refugees are not manhandled [*sic*]; that they can return unconditionally and that if they are returning spontaneously they can do so at their own pace; that they are not arbitrarily separated from their family members; and that they are treated with respect and full acceptance by their national authorities, including the full restoration of their rights.[27]

Referencing Kant, Bradley argues that dignity is inseparable from the broader notion of justice, encompassing both equality and redress for the rights violations that caused displacement.[28] When the state initiates reparations like trials, compensation, and property restitution, it also increases repatriates' physical, legal, and material security.[29] Bradley terms the coupling of the (re)instatement of citizenship rights and duties with state accountability for forced displacement 'just return'.[30]

Land restitution is fundamental to this process. Financial security and independence are contingent on access to land, for cultivation and commerce.[31] UNHCR likewise recognises this relationship between dignity, justice, and property restitution.[32] Additionally, land permits access to power; its ownership is a legal recognition of belonging in a territory, a

[24] Walpurga Englbrecht, "Bosnia and Herzegovina, Croatia and Kosovo: Voluntary Return in Safety and Dignity?," *Rufugee Survey Quarterly* 23, no. 3 (2004): 101.
[25] UNHCR, "Handbook for Repatriation and Reintegration Activities," 38.
[26] UN Commission on Human Rights (54th sess. : 1998 : Geneva) (UN Commission on Human Rights, April 17, 1998), E/CN.4/RES/1998/26.
[27] UNHCR, "Handbook on Voluntary Repatriation: International Protection," 11.
[28] Megan Bradley, "Return in Dignity: A Neglected Refugee Protection Challenge," *Canadian Journal of Development Studies* 28, no. 3–4 (2009): 372, 379–380.
[29] Bradley, "Back to Basics," 298–299.
[30] Ibid., 285–286.
[31] Ibid., 300; Lucy Hovil, "Shadows of Return: The Dilemmas of Congolese Refugees in Rwanda," Citizenship and Displacement in the Great Lakes Region (IRRI, July 2011), 21.
[32] UNHCR, "Handbook on Voluntary Repatriation: International Protection," 44; UNHCR, "Handbook for Repatriation and Reintegration Activities," 142, 186.

renewed political relationship with the state.[33] When repatriates cannot secure fair and equitable access to land, not only are their livelihoods jeopardised, but they also feel the government has once again violated their rights.[34] Bonds of citizenship are frayed, injustices unpunished, and conflicts (re)ignited.[35]

Adherence to these policies is meant 'to accomplish... the re-establishment of an effective and durable state-citizen relationship'[36] – 'the universal enjoyment of full political, civil, social and cultural rights'[37]. Most states from which refugees now originate, however, are artificial creations marked by 'endemic fragility and a chronic deficit of legitimacy'[38]. The re-establishment of meaningful citizenship – repatriation – is quixotic, as such national bonds between states and citizens never existed.[39] Paradoxically, it is this perverse context where return offers the most opportunities to truly transform the state of origin through the deliberate reform of the political relationship between the state and communities inside its territory and those in exile. Coined '*em*patriation'[40] by Long, this process has the power to not only foster state reconstruction, but also to nurture its evolution into a nation-state in more but name. The deliberate political act of return signifies agreement to a new social contract between state and citizen.[41] This process denotes much more than tacit acquiescence when refugees are supported in negotiating the conditions of their return, the contents of citizenship, and the rights and responsibilities associated with it.[42] Active negotiation reaffirms norms of voluntariness, dignity (both in freedom of choice and arrangements for reparations), as well as safety, which becomes a subjective assessment of refugees as opposed to a foregone conclusion of the international community.[43]

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[33] Hovil, "Shadows of Return," 10, 21; Hovil, "Pair of Shoes," 14, 30, 34.
[34] Hovil, "Pair of Shoes," 31, 34–35.
[35] Sara Pantuliano et al., "The Long Road Home: Opportunities and Obstacles to the Reintegration of IDPs and Refugees Returning to Southern Sudan and the Three Areas," Humanitarian Policy Group (London: Overseas Development Institute (ODI), September 2008).
[36] UNHCR, "Handbook on Voluntary Repatriation: International Protection," 42.
[37] UNHCR, "Handbook for Repatriation and Reintegration Activities," 39.
[38] Long, "Home Alone?," 40.
[39] Megan Bradley, "Rethinking Refugeehood: Statelessness, Repatriation, and Refugee Agency," *Review of International Studies* 40, no. 1 (January 2014): 109, 111–112; Jeffrey Herbst, *States and Power in Africa: Comparative Lessons in Authority and Control* (Princeton: Princeton University Press, 2000), 227, 232; Long, "Home Alone?," 40; Bronwen Manby, *Struggles for Citizenship in Africa* (London: Zed Books, 2009), 1, 19, 22.
[40] Long, "State, Nation, Citizen," 39.
[41] Long, "Refugees, Repatriation," 235; Long, "State, Nation, Citizen," 39.
[42] Bradley, "Rethinking Refugeehood," 101, 103; Hovil, "Dangerous Impasse," 3; IRRI, "From Refugee to Returnee to Asylum Seeker: Burundian Refugees Struggle to Find Protection in the Great Lakes Region," 11; Long, "State, Nation, Citizen," 22–23.
[43] Long, "State, Nation, Citizen," 5, 22–23, 34–35.

Refugees, referencing the Convention's definition cited in Chapter 1, were denied state protection due to their group-based identities, be they political, ethnic, or cultural. These individuals fled as communities, (re)politicised in exile and reconstituted as 'refugee nation[s]'[44]. The social contract must be renegotiated between not only refugee-citizen and state but this refugee-nation and state, reconciling the antinomy between universal human rights and an international system where access to these rights is determined by group or national identity.[45] Approached in this manner, the process empowers refugee communities to reshape political structures while recognising their collective rights of self-determination.[46]

Fluent in rights of refuge, albeit cognisant of their pseudo-citizenship in exile (discussed in Chapter 3, Sections 3.2 and 3.6), refugee communities are in a more informed position to negotiate the terms of their return, and the rights of meaningful state-membership that it should secure. Despite the will, refugee-nations often lack the power to directly engage in negotiations with states of origin.[47] Challenging Long's assertion that these realities are 'rarely encompassed within official pathways to return'[48], UNHCR's *Handbook on Voluntary Repatriation* and *Repatriation and Reintegration Activities* explicitly commit the agency to involve refugees in the planning and implementation of return and reintegration programmes[49] – and to the role of mediator between them, implementing partners, host, and home states[50]. The agency is also obliged to 'ensuring that collective decision-making mechanisms respect the position of those refugees who do not wish to repatriate.'[51] These policies cannot be implemented without the host state's provision of a secure space of exile in which refugees are not pressured to return; likewise, their possible gains require international monitoring of multilateral compliance with agreed upon accords, during repatriation and thereafter.[52]

Since refugee nations predominantly return to states where peace is tentative, institutions are weak, and territorial control is wanting, negotiations may need to involve 'non-recognised

[44] Long, "Refugees, Repatriation," 234.
[45] Ibid.; Long, "Statebuilding," 374; Long, "State, Nation, Citizen," 39.
[46] Long, "Refugees, Repatriation," 236; Long, "Statebuilding," 375.
[47] Long, "Statebuilding," 376.
[48] Long, "State, Nation, Citizen," 5.
[49] UNHCR, "Handbook on Voluntary Repatriation: International Protection," 19, 25–26; UNHCR, "Handbook for Repatriation and Reintegration Activities," 60.
[50] UNHCR, "Handbook on Voluntary Repatriation: International Protection," 23.
[51] Ibid., 30.
[52] Long, "State, Nation, Citizen," 36–37.

entities such as armies or militias"[53] which 'exercise effective control over parts of the country to which refugees wish to return"[54]. UNHCR acknowledges this reality and stresses, 'In such cases, the participation of the non-state entity in discussions on durable solutions and conditions under which voluntary repatriation can take place is essential."[55] International recognition and engagement with such entities, however, threatens to lend them further legitimacy, exacerbating the delegitimisation of the state.

Such negotiation is still crucial if a variant of multi-pacted social contract is to be reached: between the refugee-nation in exile and those inside state territory, and that between those nations and the state.[56] Only this resolution resonates with the social contract in Africa, historically based on contracts between individuals and their community governance structures, and between those structures and the state.[57] The latter contract entails support for the community's governance structures in the form of physical security, infrastructure, and welfare services; the former relies on land access and fair judicial mechanisms.[58] Multiple tiers of negotiations are thus necessary to address opposing groups' contrasting and exclusionary claims to the legitimate exercise of state power.[59] Recognition of these groups' rights allows provision of individual liberal freedoms, as well as the inclusion of formerly marginalised communities in popular sovereignty.[60] 'Unavoidably pluralistic"[61] power must be redistributed within the state structure. The fragile state of origin must grapple with variants of multicultural citizenship and group-differentiated rights like self-governance,[62] polyethnic rights (i.e. anti-racism policies), and special representation rights to counterbalance the

[53] UNHCR, "Handbook on Voluntary Repatriation: International Protection," 23.
[54] Ibid.
[55] Ibid.
[56] Long, "Refugees, Repatriation," 234.
[57] Georges Nzongola-Ntalaja, "The Politics of Citizenship in the Democratic Republic of Congo," in *Making Nations, Creating Strangers: States and Citizenship in Africa*, ed. Sarah Rich Dorman, Daniel Patrick Hammett, and Paul Nugent (Leiden: Brill, 2007), 71; Roland Oliver and J. D. Fage, *A Short History of Africa* (London/New York: Penguin Books, 1990), 207; David K. Leonard, Ferdinand Mugumo Mushi, and James Vincent, "Social Contracts and Security in Sub-Saharan African Conflict States: The Democratic Republic of Congo, Sierra Leone and Somalia" (African Studies Association, Washington DC, 2011), 1, 3–4.
[58] Leonard, Mushi, and Vincent, "Social Contracts and Security in Sub-Saharan African Conflict States," 4.
[59] Long, "Refugees, Repatriation," 234.
[60] Claude Ake, *Democracy and Development in Africa* (Washington DC: Brookings Institution Press, 1996), 132; Long, "Statebuilding," 370–371.
[61] Michael Walzer, *Obligations: Essays on Disobedience, War and Citizenship.* (Cambridge: Harvard University Press, 1970), 15.
[62] Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Oxford University Press, 1995), 27.

historical exclusion of marginalised communities[63]. Prolonged exile and concurrent community reconstitution (examined in Chapter 3) necessitate a form of this approach, which is attentive to communal differences and grievances of those in exile and those who never fled. Likewise, state-sponsored reparation schemes and community-led reintegration/development programmes for all foster both post-conflict state-building and inter-communal reconciliation,[64] without which a new social contract cannot be brokered.

Repatriation, or *em*patriation (where the bonds of citizenship never existed), is the only solution to protracted displacement that offers the potential for state reform through the renegotiation of the social contract between citizens, nations, and the state; the construction of truly inclusive citizenship; and recognition and restitution of the wrong of forced exile and internal displacement – just return that facilitates nation-state construction.[65] Repatriation, however, has been exalted for other reasons: host states' fears of conflicts between nationals and refugees, lack of resources to integrate them, and hence refusal to accept them as citizens; affluent countries' endorsement of extremely restrictive asylum policies; and donors' pressure on UNHCR to promote repatriation to deflate its ballooning budget.[66] In many cases, the depoliticisation of repatriation resulted in return that was 'neither safe, dignified nor wholly voluntary.'[67] While fundamentally wedded to Western political thought, repatriation policies remained divorced from practice. Return failed not because of the seemingly insurmountable context in which it was pursued, but because it was never implemented as the repatriation outlined in theory and UNHCR guidelines.

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[63] Ibid., 32.
[64] UNHCR, "Handbook on Voluntary Repatriation: International Protection," 45; Bradley, "Back to Basics," 299; Long, "Statebuilding," 375; Christopher Bickerton, "State-Building: Exporting State-Failure," in *Politics Without Sovereignty: A Critique of International Relations*, ed. Christopher Bickerton, Philip Cunliffe, and Alexander Gourevitch (London: University of Central London, 2007), 93; Philip Cunliffe, "Sovereignty and the Politics of Responsibility," in *Politics Without Sovereignty: A Critique of International Relations*, ed. Christopher Bickerton, Philip Cunliffe, and Alexander Gourevitch (London: University of Central London, 2007), 53; Chris Gilligan, "Constant Crisis/Permanent Process: Diminished Agency and Weak Structures in the Northern Ireland Peace Process," *Global Review of Ethnopolitics* 3, no. 1 (2003): 29–30.
[65] Long, "State, Nation, Citizen," 39, 40; Bradley, "Rethinking Refugeehood," 105.
[66] Tim Allen and David Turton, "Introduction: In Search of Cool Ground," in *In Search of Cool Ground: War, Flight and Homecoming in Northeast Africa*, ed. Tim Allen (Oxford: James Currey Ltd, 1996), 2; John R. Rogge, "Repatriation of Refugees: A Not So Simple 'Optimum' Solution," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 20; Gaim Kibreab, "Citizenship Rights and Repatriation of Refugees," *International Migration Review* 37, no. 1 (2003): 26.
[67] Long, "State, Nation, Citizen," 21.

5.3 REPATRIATION TO CONGO: 'LIKE A COMPLETE UNKNOWN'

When Congolese repatriated from Uganda and Rwanda's refugee microstates between 1999 and 2013, they returned to a state whose welfare service provision was outsourced to INGOs and whose territorial control had been challenged by multiple armed groups in the Kivus dating back to 1894.[68] The DRC has been a failed state since its independence in 1960.[69] As authorities permitted armed groups to pillage the countryside, levied excessive taxes, and used state military forces against their own citizens,[70] the social contract has systemically been breached[71]. Armed groups, local government officials, NGOs, religious leaders, customary chiefs, and international companies vie with the central state for public authority, resulting in a form of statehood where the social political arena comprises state and non-state spheres of power and regulation.[72]

The 'lame Leviathan'[73] is characterised by 'parcellized sovereignty'[74] or 'multiple sovereignty'[75] where armed groups engage in 'non-state governance'[76]. Mampilly discusses these sectors of governance in terms of strategic services (police force, judicial mechanisms), technical services (provision of healthcare, education), and representative legislative bodies, corresponding with the three interrelated functions of the modern state (security, welfare, and representation).[77] Institutions of non-state governance, however, may include co-opted local state officials,

[68] Kasper Hoffmann and Koen Vlassenroot, "Armed Groups and the Exercise of Public Authority: The Cases of the Mayi-Mayi and Raya Mutomboki in Kalehe, South Kivu," *Peacebuilding* 2, no. 2 (2014): 206.
[69] William Reno, "Congo: From State Collapse to 'Absolutism', to State Failure," *Third World Quarterly* 27, no. 1 (January 1, 2006): 43; René Lemarchand, "The Democratic Republic of Congo: From Failure to Potential Reconstruction," in *State Failure and State Weakness in a Time of Terror*, ed. Robert I. Rotberg (Washington DC: Brookings Institution Press, 2003), 37; Robert I. Rotberg, ed., "Failed States, Collapsed States, Weak States: Causes and Indicators," in *State Failure and State Weakness in a Time of Terror* (Washington DC: Brookings Institution Press, 2003), 10.
[70] Timothy P. Wickham-Crowley, "The Rise (and Sometimes Fall) of Guerrilla Governments in Latin America," *Sociological Forum* 2, no. 3 (1987): 477, 482.
[71] Rotberg, "Failed States, Collapsed States, Weak States," 9.
[72] Hoffmann and Vlassenroot, "Armed Groups," 205; Denis M Tull, "A Reconfiguration of Political Order? The State of the State in North Kivu (DR Congo)," *African Affairs* 102, no. 408 (2003): 431.
[73] Thomas Callaghy, "The State as Lame Leviathan: The Patrimonial Administrative State in Africa," in *The African State in Transition*, ed. Zaki Ergas (New York: Macmillan, 1987), 109.
[74] Perry Anderson, *Lineages of the Absolutist State* (London: New Left Books, 1974), 407–412.
[75] Charles Tilly, *From Mobilization to Revolution* (Reading: Wesley-Addison, 1978), 190–193.
[76] Hoffmann and Vlassenroot, "Armed Groups," 208.
[77] Zachariah Cherian Mampilly, *Rebel Rulers: Insurgent Governance and Civilian Life During War* (Ithaca, NY: Cornell University Press, 2011), 62.

grafting the new structure onto the crumbling edifice that preceded it.[78]

Wickham-Crowley postulates that when armed groups continue to provide local populations with more 'social-contract services'[79] like defence, maintenance of internal peace and order, and welfare functions than the central state, they earn people's allegiance, generating legitimate (albeit parallel) authority and becoming a 'counter-state or alternative government'[80]. As Reno stresses, this does not mean that 'rebels who want to have their own citizens are good democrats... especially if they define citizenship in exclusionary ethnic terms.'[81] These authors agree that when rebel leaders originate from areas that were marginal to pre-conflict patronage networks, they need legitimate local authorities to facilitate their access to resources that sustain their armed struggle.[82]

In turn, these authorities can pressure rebels to uphold community interests and norms, including the provision of public goods[83] – forging an 'alternative basis for rebel citizenship, a local social contract between community members and rebel fighters'[84]. Hoffmann and Vlassenroot illustrate how an armed movement in the DRC claimed the right to rule and govern because state institutions failed to provide security and justice, delegitimating their own authority – 'they [Raia Mutomboki] see themselves as the expression of popular sovereignty from which state authority is ultimately derived.'[85] Such armed groups, however, do not want to create their own state; instead, they aim to change the relationship between political authority and population, including ties to resources and violence.[86] In order to do so, they need at least some support in local communities.[87] That support is contingent on the maintenance of the social contract; rebels' authority decays when they fail to fulfil their obligations[88] – even if those obligations have been relegated to physical security and fair access to land in post-conflict situations[89]. When armed groups can no longer provide such public

[78] Hoffmann and Vlassenroot, "Armed Groups," 218.
[79] Wickham-Crowley, "Guerrilla Governments," 482.
[80] Ibid., 478.
[81] William Reno, "African Rebels and the Citizenship Question," in *Making Nations, Creating Strangers: States and Citizenship in Africa*, ed. Sarah Rich Dorman, Daniel Patrick Hammett, and Paul Nugent (Leiden: Brill, 2007), 225.
[82] Ibid., 232; Wickham-Crowley, "Guerrilla Governments," 491.
[83] Reno, "African Rebels," 226.
[84] Ibid., 228.
[85] Hoffmann and Vlassenroot, "Armed Groups," 218.
[86] Reno, "African Rebels," 237.
[87] Ibid., 236.
[88] Wickham-Crowley, "Guerrilla Governments," 473, 492.
[89] Leonard, Mushi, and Vincent, "Social Contracts and Security in Sub-Saharan African Conflict States," 4.

services, they create opportunities for competing actors to claim public authority, replacing them as they had their predecessors.[90]

The areas to which Congolese repatriated were characterised by such competition for power and statehood, governed consecutively by three different armed groups: RCD, from 1998 to 2003, when the rebel group became a political party, maintaining control until 2006; CNDP, from 2006 until 2009 when the group split and was integrated into the national army, retaining territorial control and a parallel governance structure until 2012; *Mouvement du 23-Mars* (M23) from 2012 until its defeat by the Congolese national army and UN's Force Intervention Brigade (FIB) in 2013.[91] These groups forged political order against the state,[92] controlling territory, creating complex authority structures, and pursing governance initiatives seeking to forge new social contracts with the populace. Maps 5.1 and 5.2 illustrate the territorial influence of each group and repatriates' areas of return, respectively.

The RCD carved out a third of the DRC's territory, displaced state authority, and took over its functions, becoming the single most powerful actor in the east.[93] Its authority was as widely recognised as it was contested, structuring a political arena that had been unpredictable since 1993 until the RCD's rise to power in 1998.[94] Scholars described the RCD as 'rebel-ruled para-state',[95] 'state-within-a-state',[96] and 'counter-state sovereign'[97]. Rebel command was a complex political structure consisting of a presidency, executive and political councils, and a general assembly.[98] The consensus-based collective leadership led to internal disputes and the formation of multiple power centres, heralding the RCD's first split in 1999.[99]

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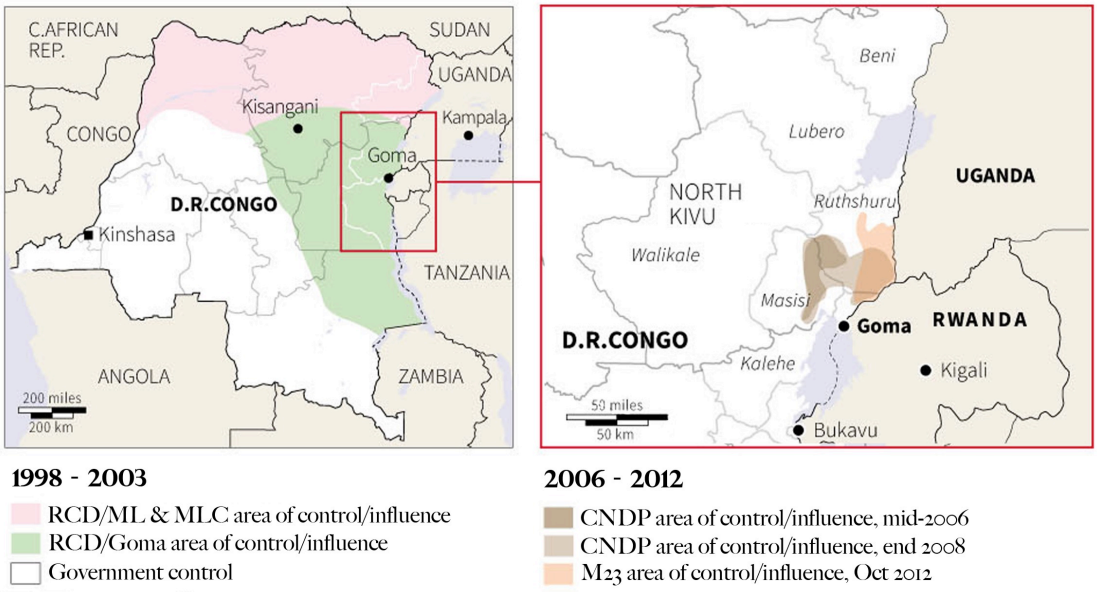
[90] Hoffmann and Vlassenroot, "Armed Groups," 219.
[91] Jason Stearns, "North Kivu: The Background to Conflict in North Kivu Province of Eastern Congo," Usalama Project (Nairobi/London: Rift Valley Institute, 2012); Jason Stearns, "From CNDP to M23: The Evolution of An Armed Movement in Eastern Congo," Usalama Project (Nairobi/London: Rift Valley Institute, 2012).
[92] Mampilly, *Rebel Rulers*, 36.
[93] Denis M Tull, *The Reconfiguration of Political Order in Africa: A Case Study of North Kivu (DR Congo)* (Hamburg: GIGA-Hamburg, 2005), 106, 159, 292.
[94] Ibid., 287.
[95] Tull, "State of the State," 444.
[96] Lauchlan T. Munro, "Providing Humanitarian Assistance Behind Rebel Lines: UNICEF's Eastern Zaïre' Operation 1996-1998," in *States Within States: Incipient Political Entities in the Post-Cold War Era*, ed. Paul W. T. Kingston and Ian Spears (New York: Palgrave Macmillan, 2004), 119–34.
[97] Mampilly, *Rebel Rulers*, 49–50.
[98] Ibid., 183.
[99] Ibid., 184.

MAP 5.1

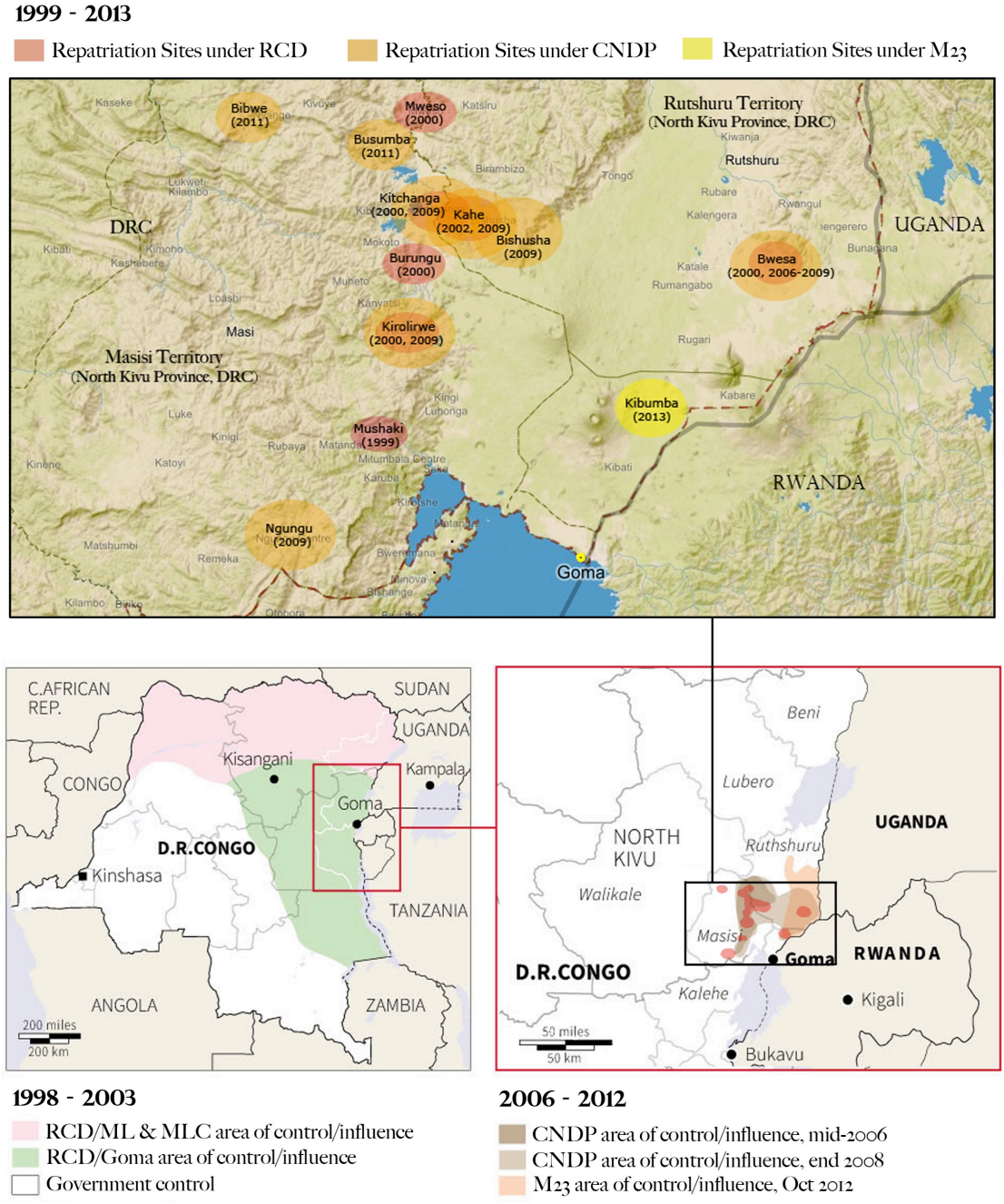
ARMED GROUPS' AREAS OF CONTROL/INFLUENCE



Maps sourced from Reuters/Reuters Graphics, "Congo's Cycle of Rebellion," *Thomson Reuters Foundation*, November 27, 2012, http://www.trust.org.

MAP 5.2

CONGOLESE REPATRIATES' SITES OF RETURN



Maps sourced from Reuters/Reuters Graphics, "Congo's Cycle of Rebellion," *Thomson Reuters Foundation*, November 27, 2012, http://www.trust.org, and IPIS, "Conflict Mapping," *International Peace Information Service (IPIS)*, 2015, http://ipisresearch.be/home/conflict-mapping/.

Ernest Wamba dia Wamba relocated his RCD-ML (*Mouvement pour la Libération*) to Kisangani and allied with MLC, but RCD-Goma remained the dominant faction, discussed henceforth as RCD.[100] Pursuing its political programme of federalism, RCD introduced Provincial Assemblies in 2001 to reinforce the provinces' capacities to pay their officials and finance public infrastructure and development projects; 40 per cent of the insurgent government's revenues were earmarked for the Assemblies.[101] Membership represented local communities, defined by ethnic and geographical categories, proportionally.[102]

Employing the same representative model, RCD had inaugurated the *Barza Intercommunautaire*, a multi-ethnic conflict resolution structure, three years prior.[103] Contemporaneously, the RCD founded a grassroots development group, TPD, and their own militias, LDF, integrating Hutu groups in Masisi, Rutshuru, and Kalehe territories.[106] TPD's objectives included public works projects, the repatriation of Hutu refugees, and their resettlement in Masisi, for which international humanitarian organisations like UNHCR donated substantial funds.[107] Eugène Serufuli, a Hutu medical assistant from Rutshuru[108] and founder of MAGRIVI[109], became RCD's Paymaster General[110] and TPD's Vice-President[111], recruiting into the organisation local chiefs like Masisi's Erasto Ntibaturana[112]. Serufuli and his allies replaced numerous Hunde chiefs in Masisi and Rutshuru with chosen Hutu leaders, transforming structures of customary power;[113] they also recast the TPD into a paramilitary force whose intelligence-gathering cells spread throughout the Kivus and into Maniema and Eastern Kasai[114]. When Serufuli became the RCD-appointed governor of North Kivu in 2000, these structures were formally integrated into the province's administration.[115]

Just like RCD strove to inject legitimacy into its newly erected institutions by staffing them

[100] Ibid., 185.
[101] Tull, *North Kivu*, 137.
[102] Ibid.
[103] Mampilly, *Rebel Rulers*, 202.
[106] Stearns, "North Kivu," 33.
[107] Thomas Turner, *The Congo Wars: Conflict, Myth and Reality* (London: Zed Books, 2007), 128.
[108] Stearns, "North Kivu," 32.
[109] Turner, *Congo Wars*, 127.
[110] Tull, *North Kivu*, 181.
[111] International Crisis Group, *The Kivus: The Forgotten Crucible of the Congo Conflict* (Kinshasa/Nairobi/Brussels: International Crisis Group, 2003), 20.
[112] Jason Stearns, "Attempts to Spread the M23 Rebellion," *Congo Siasa*, September 24, 2012, http://congosiasa.blogspot.co.uk/.
[113] Turner, *Congo Wars*, 142.
[114] Tull, *North Kivu*, 184.
[115] Mampilly, *Rebel Rulers*, 199.

with well-respected personalities, the guerrilla government tried to absorb extant sources of political order by either co-opting their authorities or replacing them with rebel-sympathisers.[116] Since Mobutu's reign, non-state actors including churches, traditional authorities, and NGOs had become significant political actors in the Kivus, replacing the receding state in the provision of public goods like healthcare, education, and development services.[117] Churches provided all these welfare services, and employed hundreds of thousands of salaried employees across the region.[118] The RCD's efforts to co-opt these institutions only exacerbated resentment against their interference in church affairs.[119] RCD had more success assimilating traditional authorities by manipulating succession disputes and offering material incentives.[120] Those coerced to support the guerrilla government collected funds, recruits, and intelligence for the movement, whilst legitimating its rule by virtue of their own authority.[121] To cultivate its legitimacy in urban areas, RCD employed a variety of approaches to co-opt NGOs, more propitiously with relief and developmental organisations than those advocating democracy and human rights.[122]

Despite constantly attempting to intervene in these actors' service provision, the RCD sought only to co-opt them and take credit for their successes, not to assume their responsibilities. In terms of security, education, and healthcare, very little changed under the new regime in the east. Under the RCD, education was managed as it had been since the 1908s: neglected and abandoned by the state, ran predominantly by religious institutions, and funded by parents capable of paying fees.[125] The guerrilla government adopted a more proactive approach to healthcare. RCD Minister of Health, Dr Emile Ilunga, travelled to Europe in late 1998 to persuade international organisations to invest in the Kivus, securing large sums of money from Belgium for rebel-controlled areas.[126] Actual healthcare provision remained outsourced to churches and NGOs, but the RCD did support their activities through tax exemptions, a simplified registration process, and transport assistance.[127] Like development NGOs, health providers were blatantly manipulated into working in rebel-friendly areas, and the RCD

[116] Ibid., 192.
[117] Hans Romkema, "An Analysis of the Civil Society and Peace-Building Prospects in the North and South Kivu Provinces, Democratic Republic of Congo" (Bukavu: Life and Peace Institute, 2001), 36.
[118] Tull, *North Kivu*, 253.
[119] Mampilly, *Rebel Rulers*, 195.
[120] Tull, *North Kivu*, 145.
[121] Ibid., 145–147.
[122] Mampilly, *Rebel Rulers*, 197.
[125] Mampilly, *Rebel Rulers*, 204.
[126] Tull, *North Kivu*, 125.
[127] Mampilly, *Rebel Rulers*, 205.

publicised their successes as its own.[128]

By creating and co-opting institutions and agents of governance, the RCD was able to erect an infrastructure for taxation, justified by its self-proclaimed status as a legitimate political authority. NGOs paid vehicle license taxes of US$80 to US$120, 5 per cent import taxes on equipment, and registration fees.[129] Control of Goma and Beni customs clearing points supplied taxes on goods from Rwanda, Uganda, and East Africa.[130] The RCD's *Office pour la Protection des Recettes Publiques* even imposed import taxes on goods from areas controlled by the central government and other rebel groups.[131] Multinational companies involved in natural resources also paid taxes and licensing fees to the RCD.[132] Residents, likewise, paid immigration and visa fees not only to travel to other countries but also to areas outside the RCD's control.[134] The guerrilla government tripled extant taxes and quadrupled what could be taxed.[135]

Whilst replicating the Lame Leviathan's modes of governance, the RCD pursued symbolic sovereignty to legitimate its political authority.[136] They displayed their own flags and letterheads; and held public ceremonies to commemorate national holidays, staff promotions, and bridge and road openings.[137] These ostentations of the 'paraphernalia of modern statehood"[138] aimed to reinforce the empirical aspects of sovereignty the rebels purportedly purveyed – legitimating their right to rule in symbol and substance. RCD's quest for legitimacy was also advanced by its fruitful courtship of the international community. Early on, the guerrilla government sent high-ranking delegations to Europe to lobby support for the insurgency, obtaining *de facto* recognition in Brussels, Washington, and Paris.[139]

International recognition, like Rwanda and Uganda's support, facilitated tax collection from NGOs, access to lucrative transnational commercial networks, and beneficial partnerships with foreign governments. Paradoxically, these relationships only undermined RCD's

[128] Mampilly, *Rebel Rulers*.
[129] Tull, *North Kivu*, 172, 212.
[130] Turner, *Congo Wars*, 128.
[131] Ibid., 129.
[132] Georges Nzongola-Ntalaja, *The Congo from Leopold to Kabila: A People's History* (London: Zed Books, 2002), 235–240.
[134] Tull, *North Kivu*, 165.
[135] Ibid.
[136] Mampilly, *Rebel Rulers*, 56–58.
[137] Tull, "State of the State," 435.
[138] Hoffmann and Vlassenroot, "Armed Groups," 218.
[139] Tull, *North Kivu*, 123.

credibility, negating the need for the insurgency to foster a local support base through a prolonged period of popular mobilisation.[140] Popular perceptions that the guerrilla government was not only supported but also engineered and commanded by Rwanda and Uganda further discredited the insurgency. Rebels' affiliation with RPF rendered the insurgency a "Tutsi-dominated occupation"[141] in Kivutians' eyes. Hutu influence over the LDF and the TPD conjured the trauma of the 1993 Masisi War, fomented by MAGRIVI and its founder-cum-RCD-governor Serufuli. Similar suspicions denigrated members of admirable initiatives like the Provincial Assemblies and the *Barza Intercommunautaire* and prevented alliances with many traditional authorities and civil society leaders.[142] Even the Congolese Banyarwanda population doubted whether a Rwandan-backed proxy would secure their political representation or simply undermine their claims to Congolese citizenship. RCD, despite its successes in assuming the substance and symbols of governance – or at least replicating those of the central state – never transcended the perception of being 'Rwandan-sponsored Tutsi lackeys"[143].

The insurgency's territorial control was limited to main towns and commercial areas, effectively excluding 75 per cent of actual residents[144] and rendering rebel-held territory 'a mosaic of enclaves under the control of competing armed bands"[145]. Popular resentment prevented the RCD from embedding itself deeper into the countryside, but international recognition and sponsorship secured the guerrilla government's inclusion in the political deal that culminated in the 2002 Sun City Peace Agreement and Inter-Congolese Dialogue. In the transitional government (2003-06), Azarias Ruberwa, head of the RCD, became one of the four Vice Presidents while Serufuli remained governorship of North Kivu and was awarded a Vice Presidency in the RCD.[146] 'Former LDF... were integrated, or, more appropriately, came to dominate the 11th and 12th FARDC Brigades in Masisi and Rutshuru."[147]

The arrangement allowed the RCD to retain control of North Kivu – managing security,

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[140] Crawford Young, "Contextualizing Congo Conflicts: Order and Disorder in Postcolonial Africa," in *The African Stakes of the Congo War*, ed. John Clark (New York: Palgrave, 2002), 27.
[141] Tull, *North Kivu*, 131.
[142] Romkema, "Civil Society and Peace-Building," 44–45.
[143] Zachariah Cherian Mampilly, "Stationary Bandits: Understanding Rebel Governance" (University of California, 2007), 15.
[144] Mampilly, *Rebel Rulers*, 174; Tull, *North Kivu*, 132.
[145] Séverine Autesserre, "Local Violence, International Indifference? Post-Conflict 'Settlement' in the Eastern DR Congo (2003-2005)" (PhD diss., New York University, 2006), 67.
[146] Stearns, "North Kivu," 35.
[147] Turner, *Congo Wars*, 128.

taxation, and immigration – becoming a parallel government to that of the central state, which had very little influence in the province.[148] RCD's domination of the east, and formal inclusion in the Government of National Unity, ingrained international perception of the guerrilla government as a pre-eminent political actor in the region. Their authority, however, continued to be violently rejected in rural areas by armed groups like the Mayi-Mayi and FDLR.[149] The declared 2002 withdrawal of Rwandan troops from the DRC rendered the RCD's position even more precarious. Elections, slated for 2005, were also looming, and the RCD needed more than paraded state paraphernalia, foreign support, and international recognition to assert their right to rule and govern.

In anticipation of these developments, the RCD dealt with its lack of local support by importing it, with Rwanda's assistance. 'Between 1999 and 2005, refugees returned from Byumba [Gihembe Refugee Camp], Kiziba. They came in hoards from those communities."[150] Refugees repatriated to secure education for their children; to cultivate their fields, becoming self-sufficient; and to return to 'our country, our home"[151].[152] During these years, they returned in three waves, termed 'facilitated spontaneous repatriations"[153], as they were organised by the RCD in conjunction with the RPF, but without the assistance of UNHCR.[154] The group returning in 1999 was installed approximately 40 kilometres north of Goma, in Mushaki; the second came to Kirolirwe, Kitchanga, Mweso, Burungu, and Bwesa a year later; and the third group was settled at Kahe, a hill overlooking Kitchanga.[155] The last repatriation encompassed the greatest amount of people, nearly 10,000 repatriates.[156] These areas straddle the rural border between Masisi and Rutshuru Territories, where the RCD sought to expand its influence into legitimate control (Maps 5.1 and 5.2).

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[148] Mampilly, *Rebel Rulers*, 200.
[149] Lemarchand, "Failed States, Collapsed States, Weak States," 31.
[150] Félix Musanganya, Elite-Interview, Director, Commission Nationale pour les Réfugiés (CNR), Goma/DRC, November 2, 2011.
[151] Alliance Kabideri, Focus-Group, Repatriates, Kitchanga/DRC, June 20, 2011.
[152] Migisha Shumbusho, Focus-Group, Repatriates, Mweso/DRC, June 23, 2011; Christiane Kayser, Endanda Kisangani, and Aloys Tegera, "Women from Kivu Speak Out" (Goma: Pole Institute: Institut Interculturel dans la Région des Grands Lacs, February 2001), 56.
[153] Félix Musanganya, Elite-Interview, Director, Commission Nationale pour les Réfugiés (CNR), Goma/DRC, July 4, 2011.
[154] UNHCR, "Handbook on Voluntary Repatriation: International Protection," 19.
[155] Onesphore Sematumba, Primo Pascal Rudahigwa, and Aloys Tegera, "Retour Des Réfugiés Congolais Installés Au Rwanda: Course Derrière Des Vérités Mouvantes" (Goma: Pole Institute: Institut Interculturel dans la Région des Grands Lacs, December 2009), 15.
[156] International Crisis Group, *Scramble for the Congo: Anatomy of an Ugly War* (Kinshasa/Nairobi/Brussels, 2000), 16.

These repatriations were politically motivated, but they were negotiated as well, involving refugees in the planning of the process, respecting its voluntariness, and even providing restitution in return. Repatriates brokered a new social contract with the guerrilla government, securing *em*patriation and just return. Refugees in Rwanda's Gihembe and Kiziba Camps initiated the process by writing letters asking to return.[157] In response, RCD representatives and Rwandan government authorities visited the camps and met with refugee leaders.[158] Even Eugène Serufuli and Erasto Ntibaturana attended.[159] 'We were visited by authorities who sensitised us to return, stressing it was voluntary, since peace was progressively returning at home',[160] recalled Alliance Kabideri, a current resident of Kahe. Director of Health in Mweso, Migisha Shumbusho, relayed refugees' caution:

> We put together an enquiry commission to go to Congo and check on stability. We kept this going for two months to see if peace had really come back at home. We were surprised the authorities weren't lying![161]

Eugène Serufuli and Erasto Ntibaturana provided lorries to assist repatriates, who returned with a *Manifesto of Returnees* outlining the assistance they agreed upon during negotiations.[162] A repatriate interviewed by the Pole Institute in Kirolirwe in 2000 elaborated:

> The local population was waiting for us. They had prepared everything: the local peasant farmers had collected 80 sacks of beans out of their own reserves, there was oil and salt, even cut grass to make our beds. When we arrived, the people of Rutshuru zone sent us two truckloads of Colossae [taro]. The other populations around have continued to support us as best they can.[163]

Local authorities also provided repatriates with two months' assistance and designated the former President of Gihembe Camp as the community's representative, based outside Kitchanga in Mweso.[164] They had access to the same welfare services as all other residents of RCD-controlled territories. Perhaps most importantly, Serufuli allotted parcels of land to

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[157] Musanganya, Interview, CNR Director, Goma, July 4, 2011; Gasori Ngabo, Semistructured-Interview, Repatriates' Representative, Mweso/DRC, July 11, 2011.
[158] Turner, *Congo Wars*, 128.
[159] UNSC, "Letter Dated 29 November 2011 from the Chair of the Security Council Committee Established pursuant to Resolution 1533 (2004) Concerning the Democratic Republic of the Congo Addressed to the President of the Security Council" (New York: United Nations, December 2, 2011), para. 321.
[160] Kabideri, Focus-Group, Repatriates, Kitchanga/DRC.
[161] Shumbusho, Focus-Group, Repatriates, Mweso/DRC.
[162] Musanganya, Interview, CNR Director, Goma, July 4, 2011.
[163] Kayser, Kisangani, and Tegera, "Women from Kivu," 57.
[164] Ngabo, Semistructured-Interview, Repatriates' Representative, Mweso/DRC.

repatriates to facilitate their reintegration.[165]

Land access and ownership, in a country where most of the population are subsistence farmers, is crucial to survival and belonging – its acquisition is contingent upon citizenship.[166] Possessing land affirms repatriates' nationality and acceptance, dispelling the uncertainty of Banyarwanda's citizenship that precipitated their flight. Land allocation at the local level is contingent upon the recognition of one's citizenship by customary chiefs and neighbours, asserting national as well as communal belonging.[167] Land is also linked to power and privilege, as most farmers have only limited access to plots and farm for others.[168] Repatriates, in some cases, were actually far better off than other communities.[169]

While their repatriation was a just return and an instance of *em*patriation, the negotiated social contract was with the RCD guerrilla government – not with the central government or communities resisting RCD rule. Land given to repatriates had actually been taken from Hunde who were subsequently displaced, inciting future inter-communal strife. 'It was widely assumed that those facilitated spontaneous repatriations were a Rwandan plot to occupy North Kivu by transplanting a large community of Rwandan Tutsis and expelling Congolese from the area."[170] The US Committee for Refugees and Immigrants (USCRI) confirmed that not everyone who participated in these repatriations had been a refugee. 'Others were Rwandan and Congolese civilians laden with goats, chickens, and other scarce merchandise to sell."[171] More damning was Serufuli's revelation that the 2002 repatriation included about 150 armed Congolese Tutsi fighters who had served in the Rwandan army.[172] Coinciding with the withdrawal of Rwandan troops from the DRC, Amnesty International (AI) and USCRI described the repatriation as Kigali's creation of a buffer of pro-Rwanda civilians – easily militarised through the LDF – against Mayi-Mayi and FDLR attacks.[173]

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[165] Ibid.; Kabideri, Focus-Group, Repatriates, Kitchanga/DRC.
[166] Hovil, "Shadows of Return," 13.
[167] Ibid., 22.
[168] Tull, *North Kivu*, 278.
[169] Joel Frushone, "The Forced Repatriation of Congolese Refugees Living in Rwanda" (Washington DC: US Committee for Refugees and Immigrants, December 16, 2002).
[170] Musanganya, Interview, CNR Director, Goma, July 4, 2011.
[171] Frushone, "Forced Repatriation."
[172] "DRC: Rebel Groups Limit Access to Returnees from Rwanda," UN Office for the Coordination of Humanitarian Affairs, *IRIN: Humanitarian News and Analysis*, (September 17, 2002), www.irinnews.org.
[173] Amnesty International, "Rwandese-Controlled East: Devastating Human Toll" (London, 2001), 10; Frushone, "Forced Repatriation."

Despite the repatriates' manipulation as RPF's human buffer and RCD's imported support base, the success of their repatriation became a pull factor for other Congolese refugees in Rwanda.

> At this point, there were no vehicles to take us back. We walked for three weeks from Kiziba to re-join our families in Kitchanga. It was difficult, but our relatives and neighbours stepped in when the government couldn't.[174]

Others repatriated unaided to Kirolirwe.[175] Reintegration, at this point, depended on individual resource networks – family and community reunification – whose foundations were laid by the RCD's earlier repatriations. Entire communities were transferred from Rwanda to North Kivu, displacing those that resisted or rebelled against the insurgency. These transplanted networks literally became 'the very structures on which the government itself is resting'[176]; they legitimated RCD rule through the social contract forged with repatriates. This process, however, severed the guerrilla government's already frayed relations with non-Banyarwanda communities, inflaming animosity against not just the RCD, but the repatriates as well. Still lacking a large enough popular base of support – and having expanded its base of resentment – the RCD lost the governorship of North Kivu and won just a sliver of national legislative seats in the 2006 elections.[177]

The CNDP, formally launched as a rebellion in 2006, drew its first breath when General Laurent Nkunda, a Tutsi from Rutshuru trained in the RPF and RCD's nominated commander of North Kivu, refused to join the newly integrated national army.[178] From his headquarters in Kitchanga, Nkunda founded his army from the three RCD brigades controlling Masisi and Walikale with official aims of overthrowing Kabila, repatriating Tutsi refugees from Rwanda, vanquishing the FDLR, and federalism.[179] Barring Rwanda, 'Serufuli... was Nkunda's strongest and most fickle ally.'[180] In 2004, Serufuli founded *La Rwandophonie*, pursuing a new Tutsi-Hutu alliance and federalism; he saw Nkunda as

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[174] Shumbusho, Focus-Group, Repatriates, Mweso/DRC.
[175] International Alert, "Refugees in Eastern DRC: A Discussion Document" (Goma: International Alert, January 2010), 2.
[176] Mats Utas, ed., *African Conflicts and Informal Power: Big Men and Networks* (London: Zed Books, 2012), 19.
[177] Stearns, "North Kivu," 36.
[178] Turner, *Congo Wars*, 96, 160.
[179] Stearns, "CNDP," 20–23.
[180] Stearns, "North Kivu," 37.

competition.[181] Ntibaturana continued to collaborate with Serufuli, but shared CNDP's agenda concerning land ownership in Masisi and electoral victory.[182] General Bosco Ntaganda, former Chief of Staff of *Union des Patriotes Congolais* (UPC), also joined Nkunda in Bwesa, rising to the same post.[183]

The CNDP surpassed the RCD in sophistication. As early as 2005, Bwesa, a repatriate town, became a military school offering Senior Officer Leadership and Officer Management Courses with textbooks provided by Rwanda.[184] Nkunda set up a network of grassroots structures with chapters spanning rural Masisi, South Africa, Belgium, and Canada.[185] Modelled on the RPF, these syndicates regularly issued press statements to the international media, ran two websites, disseminated propaganda, and mobilised recruits. The movement's mastery of the paraphernalia of modern statehood rivalled its command of governance institutions. The CNDP expanded the infrastructure erected by the RCD, installing its own administration and police force and exacting taxes on small businesses, mining, and the charcoal trade. In return, they provided security and paid school fees and health bills for impoverished families.[186]

By 2008, Nkunda had firmly established a parallel administration in Masisi, based in Mushaki, where the first wave of repatriates was installed in 1999. His police force exacted loyalty from CNDP-appointed administrators and customary chiefs, while the area became increasingly Tutsi-dominated.[187] Kinshasa's political and military efforts failed to decrease Nkunda's power and popularity. Kabila reached out to Kagame and on 4 January 2009, Ntaganda announced he was replacing Nkunda and CNDP were joining FARDC against FDLR.[188] Ntaganda and CNDP profited from the March 23 Agreement. Ntaganda was deputy commander of the largest offensives against the FDLR, appointing CNDP commanders to lucrative posts in the Kivus and expanding their territorial control. CNDP flags still fluttered over Masisi's towns and Ntaganda's parallel police force continued to

[181] Turner, *Congo Wars*, 131.
[182] UNSC, "Letter Dated 15 November 2010 from the Chair of the Security Council Committee Established pursuant to Resolution 1533 (2004) Concerning the Democratic Republic of the Congo Addressed to the President of the Security Council" (New York: United Nations, November 29, 2010), para. 272; UNSC, "S/2011/738," para. 261.
[183] Stearns, "CNDP," 26.
[184] Ibid., 25.
[185] Ibid., 26–28.
[186] Ibid., 28.
[187] International Alert, "Refugees," 2.
[188] Stearns, "CNDP," 34.

control the territory and its economy through taxation.[190] Erasto Ntibaturana continued to work with the CNDP.[193] His son, CNDP Lieutenant Colonel Gasheri Musanga, along with members of his own militia, joined the movement as part of FARDC.[194] Sophistication did not effect popular legitimacy – for most Congolese, 'the CNDP was another expression of Rwandan irredentism'[195].

Like the RCD before it, the CNDP used repatriation to expand its local support base, learning from the RCD's electoral failure and adopting a much more pragmatic approach to the looming 2011 elections. Rwandophones increased their territorial control of Masisi and Rutshuru territories under the CNDP, which even manipulated conflict-induced displacement to alter the demographic of areas under their control.[196] Nkunda continued the policy of resettling Rwandophone populations at Bwesa, where he had distributed land to officers like Colonels Sultani Makenga and Innocent Zimurinda between 2006 and 2008.[197] These officers killed, banished, or replaced unsupportive chiefs in Bwesa and Kitchanga.[198] Erasto Ntibaturana became a self-styled chief. Assuming the title *'Chef de famille et pacificateur'* (Image 5.1), he claimed the rights to settle disputes and distribute land, renting out large concessions for a significant profit.[199]

A majority of his wealth came from the cultivation, taxation, and distribution of cannabis.[200] His militia, LDF Busumba, enforced his orders. Formerly part of Serufuli's TPD and currently reinforcing Ntaganda's CNDP, they distributed weapons to Rwandophone populations and CNDP-sympathetic chiefs in Masisi and Rutshuru, to the detriment of local Hunde.[201] Ntibaturana and CNDP not only armed repatriates, but also recruited combatants from Rwanda's camps[202] whilst promoting repatriation.

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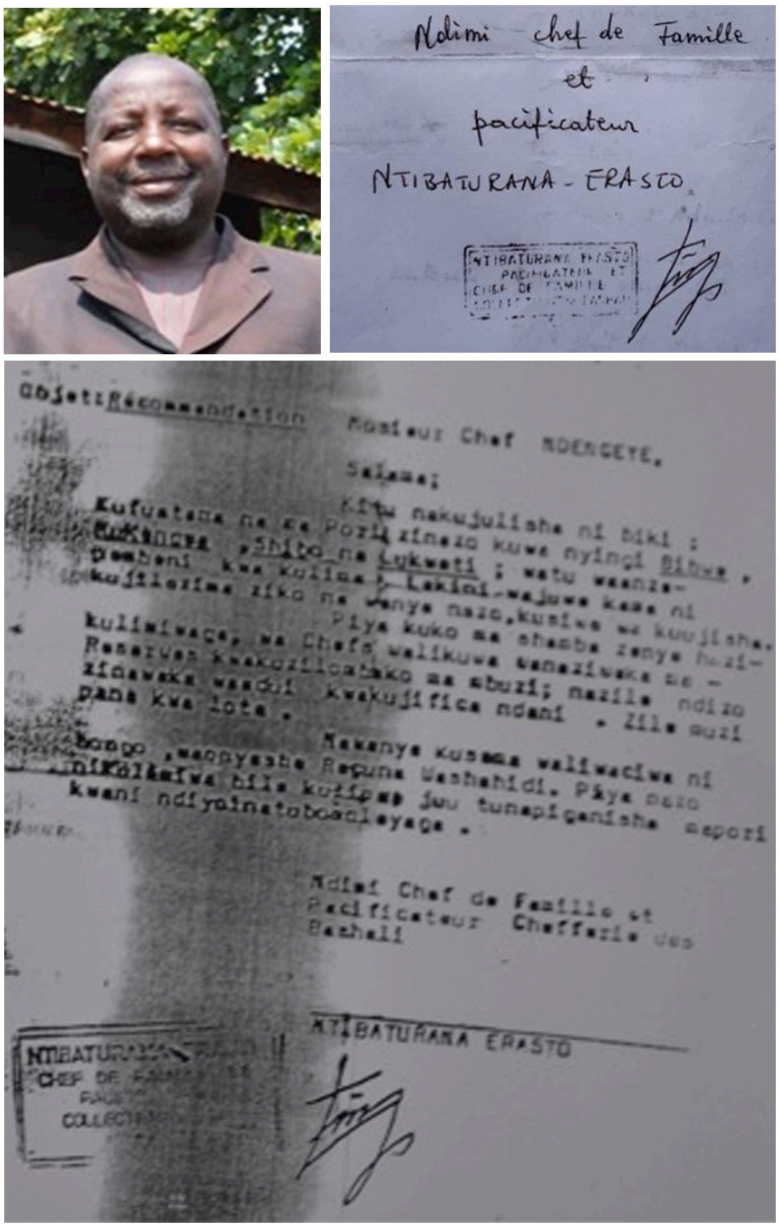
[190] IRIN, "Land Rows Complicate Congolese Refugees' Return from Rwanda," *IRINnews*, July 2, 2010, http://www.rnanews.com; UNSC, "Letter Dated 21 June 2012 from the Chair of the Security Council Committee Established pursuant to Resolution 1533 (2004) Concerning the Democratic Republic of the Congo Addressed to the President of the Security Council" (New York: United Nations, June 21, 2012), fig. 4; UNSC, "S/2011/738," para. 307; ibid., para. 264, 308–322, 556–557, 628–631, 647–651.
[193] UNSC, "S/2010/596," para. 172.
[194] UNSC, "S/2011/738," para. 260.
[195] Stearns, "North Kivu," 38.
[196] International Alert, "Refugees," 2.
[197] UNSC, "S/2011/738," para. 321–322.
[198] Ibid., para. 323.
[199] UNSC, "S/2010/596," para. 272; UNSC, "S/2011/738," para. 256.
[200] UNSC, "S/2011/738," para. 263–264.
[201] Ibid., para. 256–258.
[202] Stearns, "CNDP," 59.

IMAGE 5.1

ERASTO NTIBATURANA AND LETTER CONCERNING REPATRIATES AT BIBWE



Photograph and signature sourced from UN Security Council, Report Number S/2011/738, New York: United Nations, December 2, 2011, 240. Letter courtesy of Germaine Ngoa-Bulenda, Administrative Secretary of Bashali, Kitchanga/DRC, July 10, 2011.

In 2009, Congolese and national media reported the return of about 12,000 people to North Kivu between September and December. The majority were youths armed with guns and cows, possessing no identification.[203] Figures were provided by a local transport organisation, which failed to specify the composition of the arrivals, stipulated to encompass new repatriates from Rwanda's camps as well as movements of past repatriates in Kirolirwe.[204] The Pole Institute was able to locate only 600 recently repatriated families, but UNHCR confirmed a steady population movement from Rwanda to Masisi.[205] Supervised by RPF and CNDP soldiers, the facilitated spontaneous repatriation entailed buses taking people to Kisuma, Bishusha, Ngungu, and Kitchanga – the CNDP heartland in Masisi.[206] Some were economic migrants; others were 'half-families from the camps in Rwanda',[207] scouting missions evaluating conditions in the DRC and meeting with CNDP-friendly chiefs.

According to the Tripartite, Congolese refugees registered with the UNHCR can return to the DRC, understood to mean that unregistered refugees cannot and resulting in repatriates being labelled 'undocumented persons'.[208] A political declaration signed by 18 MPs elected from North Kivu denounced this 'occupation of North Kivu and the balkanisation of the DRC',[209] exacerbating speculation over the nationality of returnees. Repatriates were deemed Rwandan because they speak Kinyarwanda,[210] they fled to reclaim their Rwandan citizenship,[211] 'and simply because their country of exile is considered their natural soil'[212]. Perceptions that their return was 'part of a Rwandan plot to take over land in North Kivu'[213] were enforced by repatriates joining earlier returnees and installing themselves at Kahe and Bwesa, unable to return to their communities of origin due to conflict and land disputes[214]. To accommodate the refugees in areas under their control, CNDP used force and violence to make people sign documents transferring their property to returnees – displacing those opposed to the movement and creating geographic space for supporters.[215]

[203] Sematumba, Rudahigwa, and Tegera, "Retour Des Réfugiés," 6.
[204] International Alert, "Refugees," 3.
[205] Maria Lange, Elite-Interview, Programme Director, International Alert, Goma/DRC, July 4, 2011.
[206] International Alert, "Refugees," 3.
[207] Ibid., 4.
[208] Lange, Interview, International Alert Representative, Goma.
[209] Sematumba, Rudahigwa, and Tegera, "Retour Des Réfugiés," 1.
[210] Lange, Interview, International Alert Representative, Goma.
[211] Hovil, "Shadows of Return," 25.
[212] Sematumba, Rudahigwa, and Tegera, "Retour Des Réfugiés," 1.
[213] Hovil, "Shadows of Return," 25.
[214] IRIN, "Land Rows."
[215] International Alert, "Refugees," 5.

In 2011, CNDP representatives held meetings in Rwanda's camps, encouraging repatriation, while CNDP Colonel Zimurinda provided security for the resettlement of returnees, led by Ntibaturana, at Bibwe.[216] Preparations for the resettlement began in 2009 when CNDP commanders evicted Hunde from the area and cleared additional land for the returnees. These returns were intended to secure future ones. Once space in Bibwe was exhausted, repatriates were scheduled to settle in Lukweti, Mutongo, and Nyabiondo – villages occupied by Hunde.[217] Ntibaturana also began redistributing land at Busumba, evicting Hunde and punishing by torture any landowner who tried to lodge a complaint with regular authorities.[218] Following successful negotiations with refugees, 2,400 families arrived in Bibwe in July 2011 with a letter signed by Ntibaturana (Image 5.1), instructing local chiefs to accommodate the new arrivals. Ntaganda, Makenga, Zimurinda, and Ntibaturana led the welcoming committee.[219] Administrative Secretary of Bashali (*groupement* in which Bibwe is located), Germain Ngoa Bulende, recalled:

> This is a letter in Kinyarwanda, by Erasto [Ntibaturana], that a community of Tutsi want to come back to Bibwe, but with others, and their families. He demanded security for this group. Here, there are people who lost their limbs because of this letter. The letter was a plea for the return of Congolese refugees from Rwanda who had never been registered as refugees. How are we to know whether they're Rwandan or Congolese? They are seen as a military incursion from Rwanda. They speak Kinyarwanda. They take lands belonging to others. It creates fear amongst the local population. [...] The greatest danger for us, the population, is that refugees who are coming back are doing so militarily, and as time goes by their numbers are swelling. They're not identified by the government or UNHCR, so what kind of refugees are they? When they come back to Congo, it's our fields they turn into their living spaces, and nobody can say anything since they are armed with weapons! I don't know if you were briefed about their leader, Erasto. This guy is a phenomenon. He makes his own judgments and is accountable to no one. He had the genitals cut off one person, and there's a gentleman outside who's lost a leg and another his two hands. What sort of refugees are they?![220]

North Kivu Government Representative, Jean-Marie Masumbuku-Sodoke, expressed similar views:

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[216] UNSC, "S/2011/738," para. 315–320, 632.
[217] Ibid., para. 320.
[218] Ibid., para. 262.
[219] Ibid., para. 260, 318.
[220] Germaine Ngoa-Bulenda, Elite-Interview, Administrative Secretary of Bashali, Kitchanga/DRC, July 10, 2011.

> Everyone knows about Erasto. The displaced can't return because of him. Many are actually now displaced because of him. He's the police. The family. He used to be called Mwami [King]. He took about 2,000 people and brought them here with him. He's a huge dictator. But their [repatriates'] arrival doesn't really cause problems. It's been going on two to three years, since the CNDP has controlled the region. The autochthon population believes they are all militarised, that their arms are hidden. The problem is that they're not from here, and that they are undocumented. We can't be sure that they are not Rwandan refugees, posing as Congolese repatriates.[221]

In the first six months of 2011, about 1,700 repatriates also arrived from Uganda's settlements.[222] CNDP delegations had visited Nakivale and Kyaka II, encouraging refugees to return to participate in the upcoming elections,[223] a tactic employed from Zimbabwe to Cambodia and Afghanistan[224]. 'As Congolese Tutsi supporting CNDP, which is now part of Kabila's party [electoral alliance *Majorité Présidentielle* (MP)], they were expected to vote for Kabila and thus for CNDP.'[225] Ntaganda used his troops and 'parallel police' to ensure that only MP candidates could campaign in CNDP-controlled areas.[226] Ntibaturana managed Masisi, where his son, Erasto Bahati Musanga, campaigned for CNDP.[227] Hunde were prevented from registering while Ntibaturana delivered extra electoral kits to Kirolirwe and Bwesa, registering Banyarwanda well beyond the official close of registration. [228] Ntibaturana's militia and troops commanded by his other son, CNDP Lieutenant Colonel Gasheri Musanga, ensured that the population voted MP and did so for an extra week after official voting day.[229] Violations of the electoral process were so blatant that *Commission Electorale Nationale Indépendante* (CENI) suspended Masisi's results, which were later cancelled by the Supreme Court. The CNDP, like the RCD, failed electorally – mainly because their manipulation of the process was too thorough and flagrant. The group did manage to expand its local support base through repatriation, forging a new social contract

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[221] Jean-Marie Masumbuku-Sodoke, Elite-Interview, North Kivu Governor's Representative, Kitchanga/DRC, July 10, 2011.
[222] Amos Tasebura-Kiirya, Elite-Interview, Commandant, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Leo Assimwe Mugabe, Elite-Interview, Assistant Commandant, Kyangwali Refugee-Settlement/Uganda, August 24, 2011.
[223] David Mugenyi, Elite-Interview, Commandant, Kyaka II Refugee-Settlement/Uganda, September 6, 2011.
[224] Jeremy Jackson, "Repatriation and Reconstruction in Zimbabwe during the 1980s," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 126–66.
[225] Musanganya, Interview, CNR Director, Goma, July 4, 2011.
[226] UNSC, "S/2011/738," para. 309.
[227] Ibid., para. 310.
[228] Ibid., para. 311.
[229] UNSC, "Letter Dated 26 June 2012 from the Chair of the Security Council Committee Established pursuant to Resolution 1533 (2004) Concerning the Democratic Republic of the Congo Addressed to the President of the Security Council" (New York: United Nations, June 27, 2012), fig. 1.

with a population imported for the sole purpose of territorial expansion and votes – at the price of Hunde eviction and festering local resentment.

International donors leveraged the irregularities surrounding Kabila's election to pressure Kinshasa to arrest Ntaganda and transfer him to the International Criminal Court (ICC) on seven counts of crimes against humanity.[230] On 14 March 2012, the ICC convicted Thomas Lubanga, for whom Ntaganda had served as Chief of Staff, for recruitment of child soldiers.[231] In response – and with the backing of Rwanda, half the CNDP, Makenga, Ntibaturana, and his sons[232] – Ntaganda launched the M23 rebellion with the official goals of the full implementation of the 23 March 2009 peace deal and countering anti-Tutsi discrimination within the army.[233] M23 quickly adopted governance structures and state paraphernalia. They took over CNDP's training camps; built up their political wing and named new local chiefs; and set up a tax collection network and formal liaison office for humanitarians working in their areas.[234] 'They made Rutshuru their base, imposed compulsory weekend clean-up brigades for the entire population, planted grass around the administrative buildings, and put up signs condemning corruption.'[236] 'Our priority is the social welfare of the Congolese people,' stated the city's M23 Administrator, Benjamin Mbonimpa.[237]

The horse-and-pony show, albeit impressive, failed to distract from M23's lack of popular legitimacy, and they employed tactics well worn by their predecessors to expand their support base. The M23 repatriated about 3,000 refugees from Rwanda's camps to the Kibumba area north of Goma, the southern border of their territory.[238] RPF soldiers escorted repatriates to Bunagana, where M23 representatives picked them up.[239] Like previous repatriates, they returned to land cleared (of Hunde) for their arrival, whilst serving the dual purposes of repopulating M23 territory with sympathetic Banyarwanda and, as a civilian presence,

[230] Stearns, "CNDP," 43.
[231] Alpha Sesay, *Lubanga Guilty of Use of Child Soldiers* (The Hague, 2012).
[232] UNSC, "S/2012/348/Add.1," para. 99.
[233] Stearns, "CNDP," 44.
[234] Ibid., 45.
[236] Robyn Dixon, "Eastern Congo Rebels Thrive on Fear, Chaos," *Los Angeles Times*, December 11, 2012, www.articles.latimes.com.
[237] Geoffrey York, "Potemkin Village in Congo Hides M23 Rebels' Violent Rule," *The Globe and Mail*, December 3, 2012, www.theglobeandmail.com.
[238] Jason Stearns, "Controversy Erupts Over Returnees," *Congo Siasa*, October 2, 2013, http://congosiasa.blogspot.co.uk/.
[239] MONUSCO, "La Référence Plus: 200 Familles Rwandaises Implantées En Zone Du M23," *Radio Okapi*, October 2, 2013, http://radiookapi.net.

preventing targeting by UN attack helicopters.[240] In addition to promoting and facilitating repatriation, M23 recruited Congolese refugees in Rwanda's camps – and Rwandans outside them.[241] Sixteen of these forced recruits fled to Uganda, escaping the RPF, which had abducted them in Ruhengeri to join M23.[242] M23 carried out similar recruitment in Masisi, while Ntibaturana recruited in Busumba.[243] Ntaganda's troops erected roadblocks near Kirolirwe and pulled young men and boys off motorbike taxis and out of classrooms to join the movement; those who refused were brutally beaten.[244] Forced recruitment was so severe and widespread that many youths fled to neighbouring Rwanda. M23 was defeated by UN's FIB in November 2013. Ntaganda had been in ICC custody since March, having turned himself in, while Ntibaturana and his sons fled to Rwanda where the RPF provided them with a residence in Gisenyi.[245]

Repatriation under M23, like those carried out by CNDP and RCD, was a negotiated and just return, an *em*patriation and the establishment of a social contract between repatriates and the guerrilla government. Rwandophones' grievances and concerns resonated with the movement's objectives, but Rwandophone armed groups, and local perceptions of civilians' affiliations with them, were also a cause of the discrimination.[246] Segments of these communities did predominantly see M23, identical to CNDP before it, as their provider of security and rights, as their legitimate representatives – 'the only ones we have'.[247] Others saw only the CNDP as representative of their interests, expressing regret that the movement, like its popular support, fractured following Nkunda's arrest.[248] Considering these communities' experiences of state and sub-state governance, memorialised in historical narratives of violence and persecution, this is hardly a resounding endorsement. This fragile social contract, like the ones forged by M23's predecessors, was broken when the counter-state not only failed to protect its citizens, but also ruthlessly preyed on them. Finally, not only the citizens, but also the guerrilla government itself, fled into exile. While this was the most dramatically severed

[240] Ibid.
[241] Associated Press (AP), "16 Rwandan Students Seek Asylum in Uganda Over Alleged Recruitment for Congolese M23," *Washington Post*, June 17, 2013.
[242] Jean-Benoît Semaboka, Semistructured-Interview, Kampala/Uganda, November 4, 2013.
[243] UNSC, "S/2012/348," para. 120.
[244] HRW, "DR Congo: Bosco Ntaganda Recruits Children by Force," *Human Rights Watch New*, May 16, 2012.
[245] UNSC, "S/2012/348/Add.1," para. 38.
[246] Alida Furaha, "'Do They Fight For Us?' Mixed Discourses of Conflict and the M23 Rebellion Among Congolese Refugees in Rwanda" (Workshop on Armed Forces and Conflict Dynamics in the Great Lakes Region, Speke Hotel, Kampala, October 28, 2013), 12–14.
[247] Ibid., 16–17.
[248] Ibid., 18–20.

social contract, they were all ill fated: they were not multi-pacted, omitting (and antagonising) non-Rwandophone communities and the central state, which, failed or not, retained *de jure* statehood and concomitant international perquisites.

5.4 FLIGHT FROM EXILE (AND RETURN TO RWANDA): 'WHEN YOU AIN'T GOT NOTHING, YOU GOT NOTHING TO LOSE'

Refugees have been repatriating to Rwanda with the assistance of UNHCR since 2002.[249] Their returns have been preceded by many others, interwoven with those of demobilised combatants and released prisoners – *génocidaires.*[250] The 1994 genocide and years of civil war left the RPF to 'rule over a desert'[251] that witnessed remarkable economic recovery over the next two decades, with stable growth across a wide range of indicators.[252] Despite astounding economic growth, 45 pe rcent of the population lives below the national poverty line, and the vast majority are subsistence farmers.[253] Kigali is the only exception.[254] The lopsided nature of progress is mirrored in analyses grappling with development and governance initiatives of this multifarious state[255] – and the polarised debates surrounding it[256]. Ruled by former refugees,

[249] Niemah Warsame, Elite-Interview, Representative, UNHCR, Kigali/Rwanda, May 18, 2011.
[250] CONSIA Consultants, "Final Program Evaluation of the Rwanda Demobilisation and Reintegration Program Stage II (RDRP II) Final Report 2009" (Copenhagan, 2009), 53.
[251] William Cyrus Reed, "Exile, Reform, and the Rise of the Rwandan Patriotic Front," *The Journal of Modern African Studies* 34, no. 3 (1996): 498.
[252] BNK & Associates, "Final Tracer, Community Dynamics, and Impact Assessment of Sensitisation Program: A Re-Integrated Study" (Kigali, 2008); Pritish Behuria, "The Political Logic of the Military Enterprise: The Case of Rwanda" (Oxford Central Africa Forum, Oxford, November 2013); Benjamin Chemouni, "Competing Dimensions of Centralisation and Decentralisation Under RPF Rule" (Rwanda under the RPF: Assessing Twenty Years of Post-Conflict Governance Conference, School of Oriental and African Studies (SOAS), London, October 4, 2013).
[253] The World Bank, "World Development Indicators," *Rwanda*, 2011.
[254] Republic of Rwanda, "The Causes of Violence After the 1994 Genocide in Rwanda" (Kigali: National Unity and Reconciliation Commission, 2008), 2, 18.
[255] Johan Pottier, *Re-Imagining Rwanda: Conflict, Survival and Disinformation in the Late Twentieth Century* (Cambridge: Cambridge University Press, 2002); Scott Straus and Lars Waldorf, eds., *Remaking Rwanda: State Building and Human Rights after Mass Violence* (Madison: University of Wisconsin Press, 2011); Maddalena Campioni and Patrick Noack, eds., *Rwanda Fast Forward: Social, Economic, Military and Reconciliation Prospects* (New York: Palgrave Macmillan, 2012); Phil Clark, *The Gacaca Courts, Post-Genocide Justice and Reconciliation in Rwanda: Justice without Lawyers* (Cambridge: Cambridge University Press, 2010); Phil Clark and Zachary Daniel Kaufman, eds., *After Genocide: Transitional Justice, Post-Conflict Reconstruction and Reconciliation in Rwanda and Beyond* (New York: Columbia University Press, 2009); Filip Reyntjens, *Political Governance in Post-Genocide Rwanda* (Cambridge: Cambridge University Press, 2013); Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda* (Princeton: Princeton University Press, 2001); Scott Straus, *The Order of Genocide: Race, Power, and War in Rwanda*

returnees from Uganda, this state 'they had no hand in creating, but which is now their country',[257] has absorbed nearly 200,000 repatriates between 2002 and 2011 – over half of them from DRC (Figure 5.1). These figures include only UNHCR-facilitated returns and fail to account for spontaneous returns, subsequent flight, or emigration. My discussion is confined to 2009 and 2011 repatriates, as these are the people whose journeys I followed from Congo. None of them wrote letters to initiate repatriation. No authorities, state or otherwise, visited them to discuss return. No negotiations occurred. Their repatriation was little more than flight from exile, provoked by conflict and desperation.

The 2009 spike in repatriation was attributed to the destabilisation of the FDLR by CNDP/FARDC-led operations *Umoja Wetu* and *Kimia II*, whose objective was dismantling the rebel group[258] – 'Refugee flows follow conflict patterns'[259].

> CNDP says they fight FDLR, and confound all refugees with FDLR. There is no respect for refugees or their rights. In the forests, women are raped and violated. It destroys families and pushes the women to flee.[260]

In May 2009, Congolese soldiers under the command of CNDP Colonel Zimurinda killed 50 to 100 Rwandan women and children as they tried to escape Walikale to Rwanda.[261] Such massacres of Rwandan refugees are also carried out by FDLR, which has orders to protect this population (unless they try to flee).[262] Four months later, FDLR Major Ndeshyo Tharcisse's battalion, in Lieutenant Colonel Idrissa's squadron, slaughtered 50 Rwandans when they attempted to repatriate from Masisi.[263]

(Ithaca: Cornell University Press, 2013); Susan Thomson, *Whispering Truth to Power: Everyday Resistance to Reconciliation in Postgenocide Rwanda* (Madison: University of Wisconsin Pres, 2013); HRW, "Repression Across Borders: Attacks and Threats Against Rwandan Opponents and Critics Abroad" (HRW, January 28, 2014).

[256] Isaline Bergamaschi et al., "Special Issue: Rwanda 20 Years After the Genocide," *Journal of Intervention and Statebuilding* 8, no. 4 (2014): 273–333.

[257] David Benthu Nethengwe, Elite-Interview, External Relations Officer, UNHCR, Goma/DRC, July 29, 2009.

[258] International Crisis Group, "Congo: A Comprehensive Strategy to Disarm the FDLR" (Kinshasa/Nairobi/Brussels, July 9, 2009), 4, 6.

[259] Nethengwe, Interview, UNHCR Representative, Goma.

[260] Placide Ndyambaje, Semistructured-Interview, ex-FDLR Commander, Mutobo Demobilisation-Centre/Rwanda, September 26, 2009.

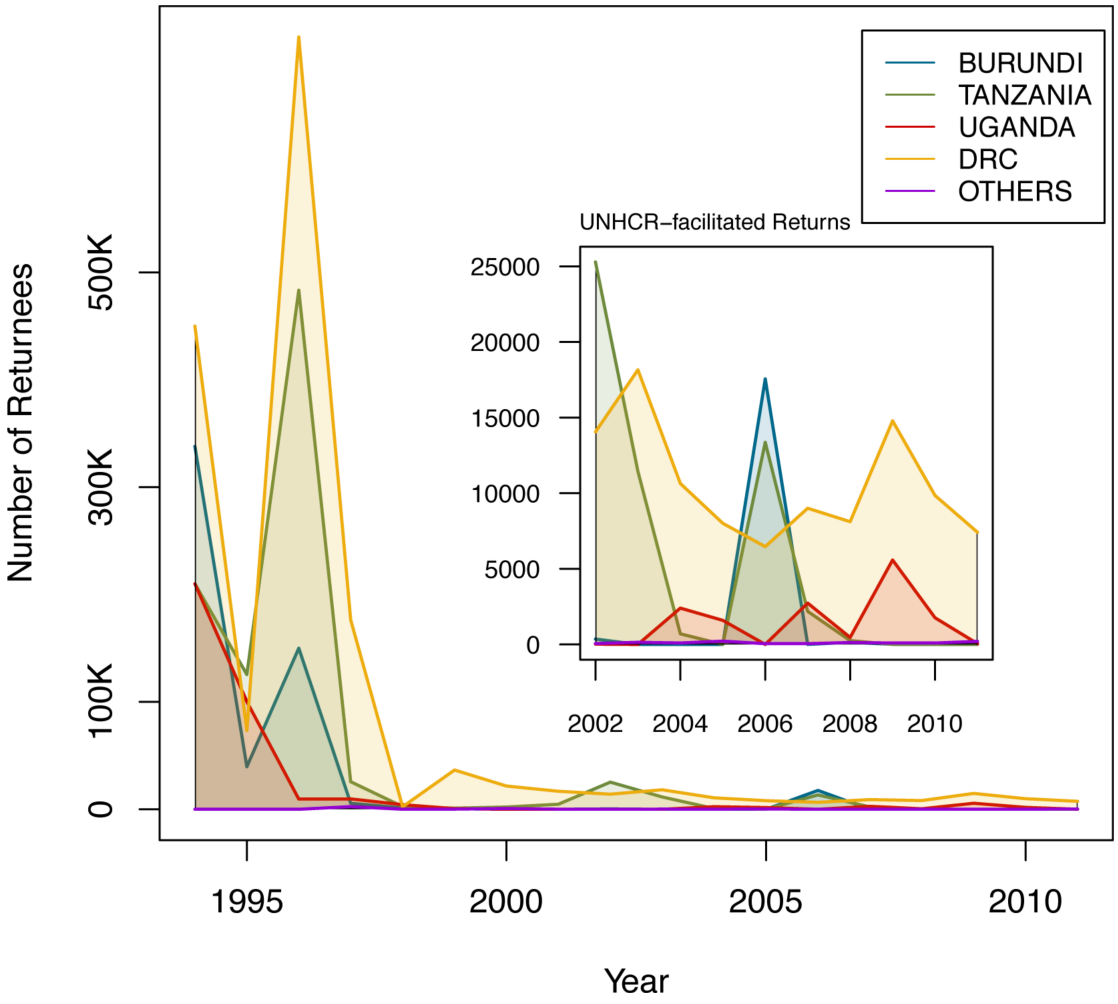
[261] Ibid.; Ida Sawyer, Elite-Interview, Representative, Human Rights Watch (HRW), Goma/DRC, September 21, 2009.

[262] Kwis Uwimana, Elite-Interview, Captain, FDLR Battalion Bahamas, Telephone, October 21, 2009; Eustache Kayumba, Elite-Interview, Captain, FDLR South Kivu Division, Telephone, October 21, 2009.

[263] Sawyer, Interview, HRW Representative, Goma; Ndyambaje, Interview, ex-FDLR Commander, Kigali.

FIGURE 5.1

RWANDAN RETURNEES BY COUNTRY OF ASYLUM (1994-2011)



Data courtesy of Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali, 2011, and Republic of Rwanda, *Repatriation and Reintegration Programs for Rwandan Refugees and an Overview on Socio-Economic Progress in Rwanda*, Kigali, Rwanda: Ministry of Disaster Management and Refugee Affairs (MIDIMAR), 2014.

The operations forced rebels to retreat from positions of control in villages, enabling many people who had been held hostage by the FDLR's nomadic microstate to flee in search of safety.[264] Repatriation increased because many refugees were raped, beaten, and robbed during the campaigns, their homes and fields destroyed – the only option was return.[265] 'Having lost everything, refugees risk what they have left, their lives, to return."[266] A Rwandan repatriate concluded: 'I don't think I will have a good life in Rwanda because I have nothing there; but here, I've lost everything and everyone. Whether life or death, it will be *home.*'[267]

In 2011, many repatriates also returned because their spouses had perished, they were separated from their families or had witnessed their slaughter, fleeing FDLR, CNDP, or Mayi-Mayi – they knew very little of Rwanda, and most had had no contact with anyone in the country.[268] For others, return was a scouting mission, a 'staggered repatriation"[269] to ascertain security before contacting the family to follow[270]. Refugees also returned to reunite with previously repatriated relatives.[271] Others still were forced to repatriate by their Congolese

[264] Rwandan Refugees, Focus-Group, Refugee Assembly-Point, Kalengera/DRC, July 31, 2009; Rwandan Refugees, Focus-Group, Refugee Assembly-Point, Karuba/DRC, July 31, 2009.
[265] Rwandan Refugees, Focus Group, Refugee Assembly Point, Kalengera; Rwandan Refugees, Focus Group, Refugee Assembly Point, Karuba.
[266] Alphonsine Niyimgamiye, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, September 7, 2009.
[267] Jean Nyiburagara, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, September 4, 2009.
[268] Verena Nyiranzabirinda, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 5, 2011; Saveri Mujawasi, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 7, 2011; Beatrice Katundi, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 7, 2011; Providence Kawabu, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 6, 2011; Olive Mujawimana, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 5, 2011; Bonifride Gumyizane, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 7, 2011; Valerie Gahababo, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 7, 2011; Josephine Nyirakeregi, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 7, 2011; Pelagie Muturimara, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 8, 2011; Germaine Niharandagwa, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Faraha Mukawera, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Alphonsine Nyamurinda, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Alivera Nyaribikari, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 18, 2011; Uwamahire Nyirasafari, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Olive Habyarimana, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 22, 2011; Lucie Umutoni, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011.
[269] Ninna Nyberg-Sørensen, "Opportunities and Pitfalls in the Migration-Development Nexus: Somaliland and Beyond" (Copenhagen: Danish Institute for International Studies, 2004), 15.
[270] Sisilia Nyiramahirwe, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 6, 2011; Esperance Nyirasabimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Rachel Ayinkamiye, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Gahababo, Interview, Transit Centre, Goma, DRC.
[271] Niyonzima Gumyizane, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011; Habyarimana, Interview, Transit Centre, Bukavu, DRC; Mujawimana, Interview,

husbands, as being married to a Rwandan woman in South Kivu incurs a tax of either a cow or US$20/month.[272] Whatever the exact circumstances, most of these repatriates had lived under the protection – and persecution – of the FDLR:[273] 'when the FARDC came hunting FDLR, we had to hide in the bushes not to be confused with them'[274].

> Even in the remote villages, nationals started killing Rwandan refugees, blaming us for the war and the persistent insecurity. It's enough. Enough running. Enough living in the forests. Enough being hunted. My children need education and we are all hungry for peace.[275]
>
> Step by step, a few people at a time, with nothing but the clothes on our backs, we fled the Congolese and FDLR.[276]

In 2009, over half of these repatriates were children under the age of 18, adult females accounted for about a third, while adult males represented only 17 per cent of returnees (Figure 5.2). Over 50 per cent were single mothers with minors, unaccompanied children, and a small minority of mentally ill and elderly.[277] Similar proportions describe 2010 repatriates, as well as those who returned in the first half of 2011. An official at the CNR Goma poignantly summarised the situation:

Transit Centre, Goma, DRC; Justine Habimarana, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 6, 2011; Esther Mukakomeza, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 6, 2011; Lucie Mukamweza, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 6, 2011; Nyirasabimana, Focus Group, Kyangwali, Uganda; Agathe Uwamihiri, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 7, 2011; Charles Besinimana, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Esther Uwimana, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Nyamurinda, Interview, Transit Centre, Bukavu, DRC; Sarah Uwimana, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011.

[272] Mukakomeza, Interview, Transit Centre, Goma, DRC; Mariana Mukamuyabu, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 6, 2011; Bernadette Mukamungo, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, July 8, 2011; Fergus Flint-Thomas, Elite-Interview, Programme Officer, STAREC, Goma/DRC, July 8, 2011.

[273] Nyamurinda, Interview, Transit Centre, Bukavu, DRC; Habyarimana, Interview, Transit Centre, Bukavu, DRC; Nyirasafari, Interview, Transit Centre, Bukavu, DRC; Nyaribikari, Interview, Transit Centre, Bukavu, DRC.

[274] Christine Gahagabo, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 21, 2011.

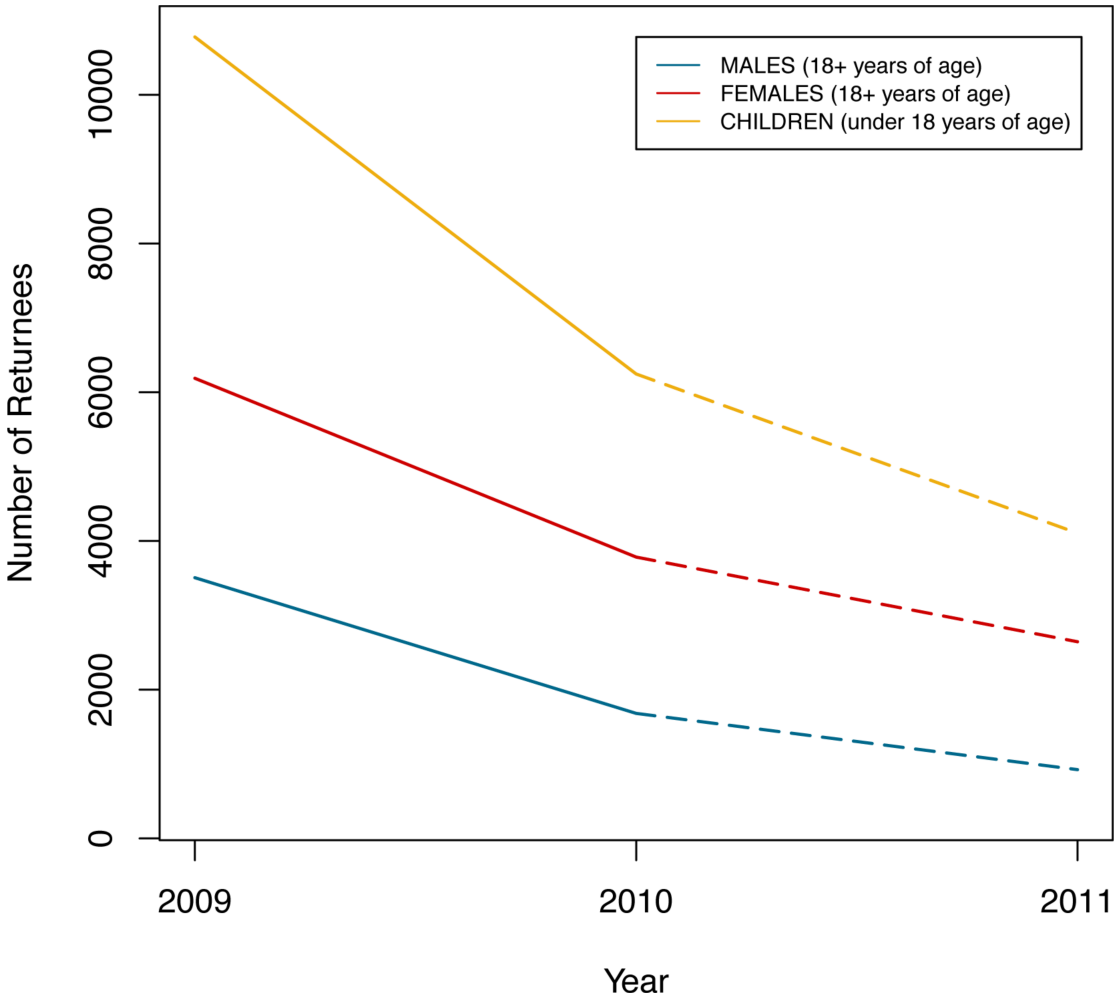
[275] Ayinkamiye, Interview, Transit Centre, Bukavu, DRC.

[276] Nyaribikari, Interview, Transit Centre, Bukavu, DRC.

[277] UNHCR, "Country Monitoring Report March 2009," Internal Report (Kigali, Rwanda: UNHCR, March 2009), 1.

FIGURE 5.2

RWANDAN RETURNEES BY SEX AND AGE (2009-2011)



- Dashed lines indicate that proportions at the end of 2011 are assumed to be the same as those in June 2010, for which MIDIMAR data was available.

Data courtesy of Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali, 2011.

> Repatriation seems to be mostly torn shards of families, ripped apart by conflict, taking their last and only option to survive. Or those checking if the government sensitisation is true, either going to check, or meeting those who have sent word that it was safe to return. I don't think I've seen one complete family go through this process. And old people with younger children, a generation in between missing – grandparents with grandchildren. Or the elderly, exhausted, returning to die.[278]

Refugees who survive their flight find refuge at 13 demobilisation points[279] or 7 refugee assembly points scattered throughout the Kivus[280]. UNHCR/CNR transports them to refugee transit centres in Goma and Bukavu where they receive plastic sheeting, a cooking set, jerry cans, and maternity kits for mothers[281] before they are brought to three transit centres in Rwanda, receiving a three-month ration of food before being transferred to the local leaders of their *cells*, the smallest administrative unit in Rwanda.[282] Repatriates are supposed to undergo a two-week *Ingando* solidarity/re-education camp, organised by these leaders. This, however, was the extent of assistance to facilitate the socio-economic reintegration of repatriates in 2009.[283]

Lack of NGO engagement was partly the result of conflating refugees and ex-combatants, coupled with the historical understanding that 'almost all the Rwandan refugees have left DRC… save a rump from which the FDLR is drawn"[284] and UNHCR's fear of promoting repatriation without a Tripartite Agreement.[285] Representatives of both UNICEF and Save the Children were not even aware that refugees were returning from Congo.[286] The Tripartite Agreement between UNHCR, DRC, and Rwanda was signed in February 2010.[287] Rwanda

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[278] Official, Elite-Interview, Official, Commission Nationale pour les Réfugiés (CNR), Goma/DRC, September 10, 2009.
[279] Henk Bruyn, Elite-Interview, Head of Political Affairs, MONUC, Goma/DRC, July 27, 2009.
[280] Félix Musanganya, Elite-Interview, Director, Commission Nationale pour les Réfugiés (CNR), Goma/DRC, July 30, 2009.
[281] Ibid.
[282] Annette Nyekan, Elite-Interview, Representative, UNHCR, Kigali/Rwanda, July 20, 2009; Françoise Uwanyivigira, Elite-Interview, Repatriation Officer, Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali/Rwanda, June 29, 2011.
[283] Nyekan, Interview, UNHCR Representative, Kigali.
[284] Gregory Mthembu-Salter, "The Wheel Turns Again: Militarization and Rwanda's Congolese Refugees," in *No Refuge: The Crisis of Refugee Militarization in Africa*, ed. Robert Muggah (New York: Zed Books, 2006), 182.
[285] Nethengwe, Interview, UNHCR Representative, Goma; Karen Whiting, Elite-Interview, Officer, UNHCR, Goma/DRC, September 14, 2009.
[286] Elisa Radisone, Elite-Interview, Representative, Save the Children-UK, Kigali/Rwanda, August 13, 2009; Maxine Germain, Elite-Interview, Child Protection Specialist, UNICEF, Kigali/Rwanda, August 19, 2009.
[287] Steve Hege, "Of Tripartites, Peace and Returns," *Forced Migration Review*, Democratic Republic of Congo: Past. Present. Future?, no. 36 (November 2010): 51–53.

started offering emergency travel documents for refugees to facilitate their acquisition of national identity cards; *Mutuelle de Santé*, providing affordable national healthcare, was in place; a property dispute mediation system, including community-elected mediators *(Abunzi)*, investigators, and tribunals, was initiated; and MIDIMAR and the International Office for Migration (IOM) launched the *Enhancing Socio-economic Opportunities for Rwandan Returnees and Other Vulnerable Groups* project.[288] By 2012, the initiative had aided 8,301 beneficiaries (0.16 per cent of the target population of returnees and vulnerable groups) by providing them with construction materials, livestock, or vocational training.[289] Considering the sheer numbers of repatriates in need of assistance, a UNHCR representative stated, 'Returnees are not benefitting from those programmes."[290]

Over half of these repatriates returned to Rwanda's Western Province between 2009 and the first six months of 2011 (Figures 5.3 and 5.4), a trend representative of a decade of repatriation from the DRC, according to state and UNHCR representatives.[291] Less than three per cent returned to Kigali in the same period.

> The centre of the country [Kigali] is wealthy and well manicured, and the further west you get the more everything falls apart in terms of infrastructure and the quality of life and the aid, relief, and development money that the government dumps into it. There's a reason for that, and it is also in the West where these people wind up resettling.[292]

The vast majority return to these 'frontier areas' where 'frontier peoples remain literally peripheral."[293]

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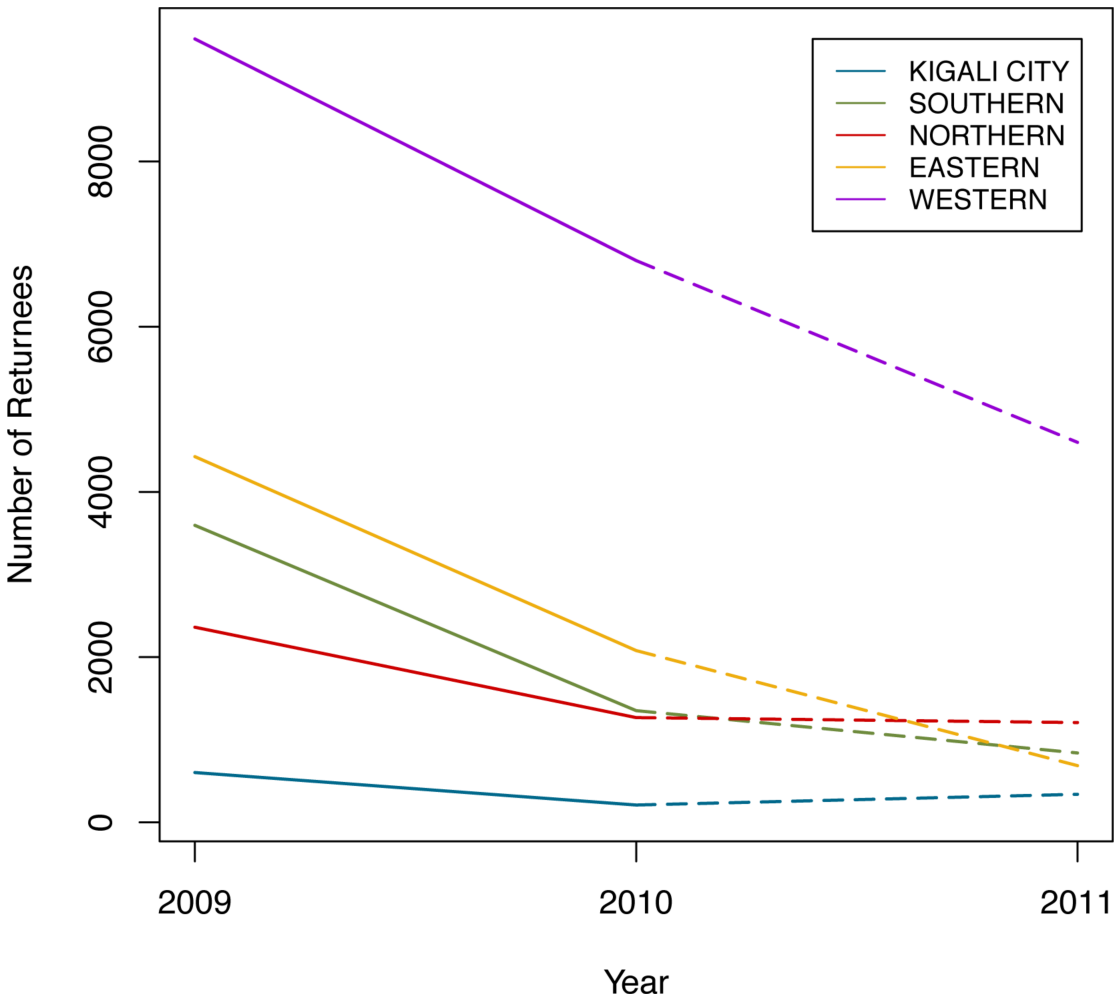
[288] Marcel Gatsinzi, Elite-Interview, Minister, Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali/Rwanda, May 30, 2011; Uwanyivigira, Interview, MIDIMAR Representative, Kigali, Rwanda; Republic of Rwanda, "Repatriation and Reintegration Programs for Rwandan Refugees and an Overview on Socio-Economic Progress in Rwanda" (Kigali, Rwanda: Ministry of Disaster Management and Refugee Affairs (MIDIMAR), 2014), 9–10.
[289] Republic of Rwanda, "Repatriation and Reintegration Programs for Rwandan Refugees and an Overview on Socio-Economic Progress in Rwanda," 9–10; The World Bank, "Rwanda."
[290] Warsame, Elite-Interview, Representative, UNHCR, Kigali/Rwanda.
[291] Innocent Rubuga Ngango, Elite-Interview, Executive-Secretary, National Council for Refugees (NCR), Kigali/Rwanda, August 31, 2009; Charles Siaffa-Massandouno, Elite-Interview, Officer, UNHCR, Goma/DRC, December 3, 2011.
[292] Maryam Wathanafa, Elite-Interview, MONUC/DDRRR Officer, Goma/DRC, July 28, 2009.
[293] Terence Ranger, "Studying Repatriation as Part of African Social History," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 287.

FIGURE 5.3

RWANDAN RETURNEES BY PROVINCE OF RETURN (2009-2011)

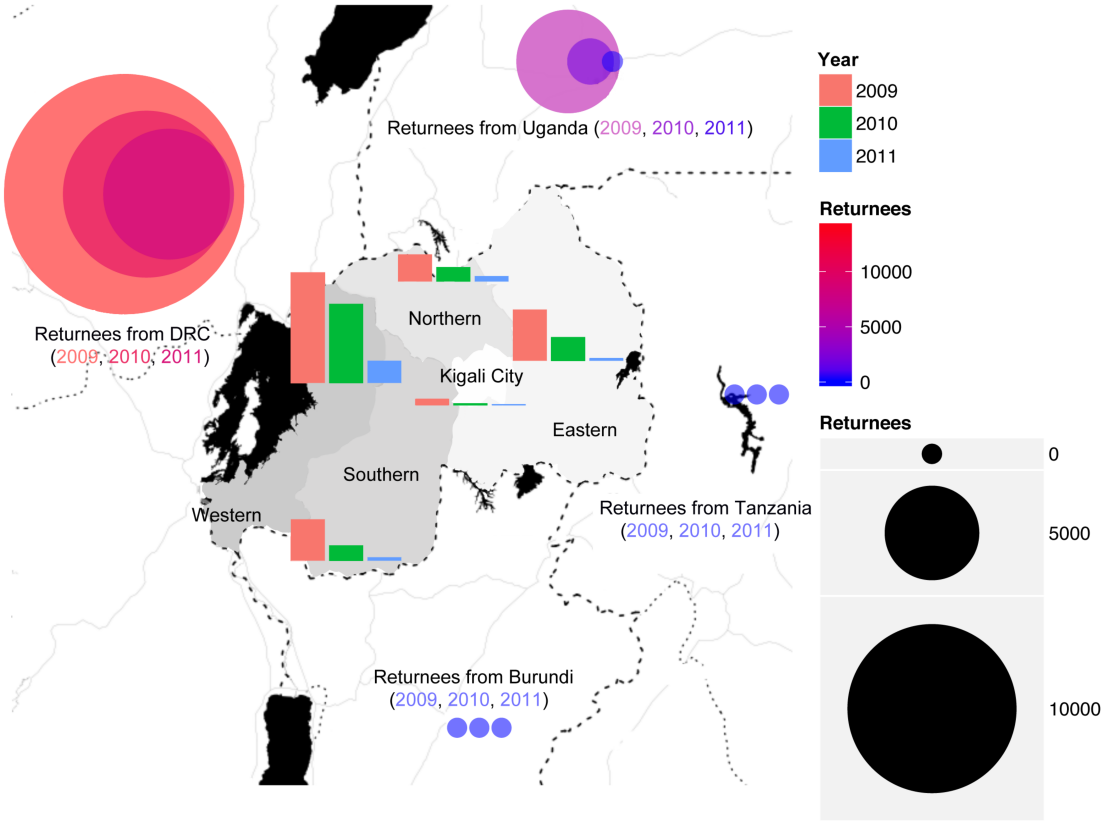


- Dashed lines indicate that proportions at the end of 2011 are assumed to be the same as those in June 2010, for which MIDIMAR data was available.

Data courtesy of Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali, 2011.

FIGURE 5.4

RWANDAN RETURNEES BY COUNTRY OF ASYLUM AND PROVINCE OF RETURN (2009-2011)



Data courtesy of Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali, 2011.

The Northwest is also predominantly Hutu, and has been throughout Rwanda's history. The majority of repatriates are also Hutu, coming to these areas in search of families left behind and re-joining relatives and neighbours who returned earlier. They come with members of the communities in which they lived in eastern DRC, and re-join families and former neighbours in Rwanda.[294] These areas have been destinations of return for various groups for over two decades. Local communities understand the difficulties of return due to their prolonged personal experiences with returnees and their geographical proximity to DRC itself. In the near absence of state/NGO-sponsored programmes, repatriates' socio-economic reintegration is determined by their surviving relatives and communities of return – by relational networks forged in exile, transplanted to the country of origin, and fused with reanimated latent networks from the past (introduced in Chapter 4, Section 4.3). Yet 'sometimes family members reject repatriates, fearing a loss of land or social standing."[295] 'At other times family members and local communities provide repatriates with shelter and help them resume agricultural activities."[296] In the words of a UNHCR protection specialist, 'It's a community thing, survival."[297]

In this context of unreliable support networks and non-existent formal reintegration assistance, repatriates face various intertwined, mutually-reinforcing problems, from reclaiming their properties and financing healthcare and education to upholding local livelihood requirements and securing documentation. 'Land conflicts are ubiquitous'[298] – 'many plots have overlapping claims embedded in histories of flight'[299]. According to UNHCR *Monitoring Reports* and interviewed repatriates, the vast majority faced land disputes upon arrival: properties had been taken, split, rented, or sold by relatives, neighbours, or the government, and only about half of the repatriates succeeded in reclaiming

[294] Ferenadi Nyiteranya-Nyirasebura, Semistructured-Interview, Repatriate, Northwest/Rwanda, November 27, 2011; Espoire Rahundiho, Semistructured-Interview, Repatriate, Northwest/Rwanda, November 27, 2011; Emmanuel Besinimana, Semistructured-Interview, Repatriate, Northwest/Rwanda, November 26, 2011; Lucie Mukamwiza, Semistructured-Interview, Repatriate, Northwest/Rwanda, December 1, 2011; Jean Nshiyaba, Elite-Interview, Executive Secretary of Cellule, Northwest/Rwanda, December 2, 2011; Jean Yamuremiye, Semistructured-Interview, Repatriate, Northwest/Rwanda, November 30, 2011; Sarah Bayahunde, Semistructured-Interview, Repatriate, Northwest/Rwanda, September 19, 2009.
[295] Wathanafa, Interview, DDRRR Officer, Goma.
[296] Ndyambaje, Interview, ex-FDLR Commander, Kigali.
[297] Bernadette Muteschi, Elite-Interview, Protection Officer, UNHCR, Kigali/Rwanda, August 24, 2009.
[298] Siaffa-Massandouno, Elite-Interview, Officer, UNHCR, Goma/DRC.
[299] Catharine Newbury, "High Modernism at the Ground Level: The Imidugudu Policy in Rwanda," in *Remaking Rwanda: Statebuilding and Human Rights after Mass Violence* (Madison: The University of Wisconsin Press, 2011), 224.

their plots.[300] The others rent, stay with relatives as multiple families sharing a single room, or live under makeshift shelters of UNHCR sheeting; the most unfortunate are homeless and destitute.[301] Land dispute resolution can result in the plot being divided between the two parties, at times rendering both without enough arable land to survive.[302] The process itself is costly and time-consuming. Ironically, some repatriates sell up to half the property in question – in addition to their UNHCR food rations – to finance transport to land tribunals.[303]

'Education is free and compulsory, but people still pay for the uniforms and scholastic materials, for which they [repatriates] don't have money. So, kids don't go to school.'[304] UNHCR found that teachers dismiss children whose fees are unpaid or who arrive without uniforms or materials; half of families with children manage to send them to school, and very few attend regularly.[305] Under the *System of Fines Used for the Implementation of Measures Improving General Well-being*, parents who fail to send children to school are fined 10,000 Rwandan francs, the same penalty incurred by teachers who turn pupils away for unpaid tuition.[306] The policy aims to improve health and hygiene standards in rural areas – introducing obligations to wear shoes, adhere to insurance guidelines, construct toilets and

[300] UNHCR, "Monitoring Report-3/2009," 4; UNHCR, "Country Monitoring Report June 2009," Internal Report (Kigali, Rwanda: UNHCR, June 2009), 4–5; UNHCR, "Monitoring Report Gicumbi and Rulindo Districts in Northern Province," Internal Report (Kigali, Rwanda: UNHCR, June 2011), 1; UNHCR, "Monitoring Report Gisagara District: Southern Province," Internal Report (Kigali, Rwanda: UNHCR, June 2011), 1; UNHCR, "Monitoring Report Nyagatare and Gatsibo Districts in Eastern Province," Internal Report (Kigali, Rwanda: UNHCR, June 2011), 1–2; Non-repatriated Rwandans, Focus-Group, Northwest/Rwanda, September 19, 2009; Christine Niramajambere, Semistructured-Interview, Repatriate, Northwest/Rwanda, September 19, 2009; Bayahunde, Interview, Northwest Rwanda; Nyiteranya-Nyirasebura, Interview, Northwest Rwanda; Yamuremiye, Interview, Northwest Rwanda; Rahundiho, Interview, Northwest Rwanda.
[301] UNHCR, "Monitoring Report-3/2009," 4; UNHCR, "Monitoring Report-6/2009," 3–5; UNHCR, "Monitoring Report-Northern Province," 1; UNHCR, "Monitoring Report-Southern Province," 1; UNHCR, "Monitoring Report-Eastern Province," 1–2; Non-repatriated Rwandans, Focus Group, Northwest Rwanda, -; Niramajambere, Interview, Northwest Rwanda; Bayahunde, Interview, Northwest Rwanda; Nyiteranya-Nyirasebura, Interview, Northwest Rwanda; Yamuremiye, Interview, Northwest Rwanda; Rahundiho, Interview, Northwest Rwanda.
[302] Nshiyaba, Interview, Northwest Rwanda; François Kisagori, Semistructured-Interview, Repatriate, Northwest/Rwanda, November 26, 2011.
[303] Rahundiho, Interview, Northwest Rwanda; Nyiteranya-Nyirasebura, Interview, Northwest Rwanda; Siaffa-Massandouno, Elite-Interview, Officer, UNHCR, Goma/DRC.
[304] Siaffa-Massandouno, Elite-Interview, Officer, UNHCR, Goma/DRC.
[305] UNHCR, "Monitoring Report-6/2009," 5; UNHCR, "Monitoring Report-Northern Province," 2; UNHCR, "Monitoring Report-Southern Province," 2; UNHCR, "Monitoring Report-Eastern Province," 3–4.
[306] Bert Ingelaere, "The Ruler's Drum and the People's Shout: Accountability and Representation on Rwanda's Hills," in *Remaking Rwanda: Statebuilding and Human Rights after Mass Violence* (Madison: The University of Wisconsin Press, 2011), 74.

compost pits, and dry dishes on tables[307] – but fines are exorbitant considering that the average local inhabitant earns only 300 Rwandan francs/day[308] (Image 5.2). Those unable to pay the fines are imprisoned.[309] 'This cosmetic upgrading of rural life only hides the true extent of poverty and inequality in the countryside'[310] – whilst exacerbating it. A repatriate complained:

> Leaders say it's a problem of insecurity, because we locked them out of our houses, left them in the rain, when they came to inspect if our wives had made the beds correctly, if the clothes were all clean, if everyone had shoes. They charged us for it anyhow. This kind of control is simply not normal. At no time in Congo would I have been forced to buy shoes instead of food for my child![311]

Similar policies are employed to ensure residents pay their healthcare, *Mutuelle de Santé*, which costs 3,000 Rwandan francs/person per year.[312] UNHCR found that about half of repatriated families have no health insurance, while in others only a few members are covered.[313] These problems are compounded:

> We still don't have the *Mutuelle.* It's obligatory, and those who don't have it, and can't pay for it, get arrested. Government officials come and sell their tables, clothes, house, everything, so that the family is forced to buy the *Mutuelle.* We don't have anything to sell. Everything you see in this house is borrowed, even the house! Here, we are like refugees, but in our own country. We don't have any rights here. Here, we have even less than we had Congo.[314]

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[307] Albert-Baudouin Twizeyimana, "Rwanda: La Propreté à Marché Forcée," *InfoSud-Belgique*, June 29, 2006.
[308] Ingelaere, "Ruler's Drum," 73.
[309] Ibid.
[310] An Ansoms, "Rwanda's Post-Genocide Economic Reconstruction: The Mismatch between Elite Ambitions and Rural Realities," in *Remaking Rwanda: Statebuilding and Human Rights after Mass Violence* (Madison: The University of Wisconsin Press, 2011), 247.
[311] Claude Warakihango, Semistructured-Interview, Repatriate, Northwest/Rwanda, December 3, 2011.
[312] Siaffa-Massandouno, Elite-Interview, Officer, UNHCR, Goma/DRC.
[313] UNHCR, "Monitoring Report-3/2009," 5; UNHCR, "Monitoring Report-Northern Province," 1; UNHCR, "Monitoring Report-Southern Province," 1; UNHCR, "Monitoring Report-Eastern Province," 2.
[314] Besinimana, Interview, Northwest Rwanda.

IMAGE 5.2

GENERAL WELL-BEING FINES IN RURAL RWANDA

	Forbidden or obligatory activity	Fine
1	Tending livestock on "public places"	10,000
2	Cultivating on riverbeds	10,000
3	Refusal to dig anti-erosion canals	10.000
4	Absence of roof gutter and receptacle near house	10,000
5	"Having" a second wife	10,000
6	Churches without chapel (building)	10,000
7	Religious groups praying at night	10,000
8	Refusal to participate in nocturnal security patrols	10,000
9	Parents who refuse to send children to school	10,000
10	Teacher or other person sending child from school for not paying tuition fee	10,000
11	Consulting traditional "healer" without authorization	10,000
12	Cutting trees without permission	10,000
13	Heating wood to fabricate charcoal	10,000
14	Selling wood products without authorization	10,000
15	Refusal to make/use a "modern cooking stove"	10,000
16	Selling homemade products like cheese, milk, etc., without authorization	10,000
17	House without compost bin	2,000
18	House without clothesline	2,000
19	House without closed toilet	2,000
20	House without table to put cooking utensils on	2,000
21	House without conservation place for drinking water	2,000
22	Someone without clean clothing & body hygiene	2,000
23	Teacher without clean clothing & body hygiene	10,000
24	Consumption of beers in cabarets or at home with straw	10,000
25	Commercial center without toilet	10,000
26	Restaurant without toilets or not clean	10,000
27	School compound not clean	10,000
28	Health center without hygiene	10,000
29	Market with no toilets and/or not clean	10,000

Source: Letter from a district mayor addressed to the executive secretaries at the sector level (fieldwork observation June 2006, Northern Province); fines given in Rwandan francs.

Reproduced from Bert Ingelaere, "The Ruler's Drum and the People's Shout: Accountability and Representation on Rwanda's Hills," in *Remaking Rwanda: Statebuilding and Human Rights after Mass Violence*, Madison: The University of Wisconsin Press, 2011, 74.

In order to even apply for healthcare, repatriates need identity documents, which can take up to four months to process and cost 500 Rwandan francs, which not everyone can afford.[315] Those who returned spontaneously, without UNHCR assistance, usually have no way to prove their nationality, and wait years.[316] Without proper documentation, repatriates are unable to leave the country, which some desperately desire to do.[317]

> There are some older caseload repatriates, those of the government, from which the government came. For them, the government builds houses, but not for us. There is no support provided to people like us. Local leaders help us get our ID cards, and we wait to move and cross borders, so we can go back to Congo, so the government doesn't have to deal with us. It's the only way to help us, to allow us back across the borders where there are some jobs and people can get a little money.[318]

In this case, re-emigration after intended permanent return would be a failure of reintegration,[319] as Black and Gent argue, and not an indicator of successful repatriation and reconstruction,[320] as Long suggests. Likewise, these repatriates' mobility is not an expression of the right to internal freedom of movement[321] – it is more akin to internal displacement. Repatriates are obliged to move if their relatives or friends do not accept them, if the financial burden they pose is too great or if conflict arises over land.[322] They also relocate following eviction due to back rent.[323] 'Sometimes they are accused of participating in the genocide, they are called names, threatened or intimidated, so they leave, and sometimes the accusations follow them"[324].[325]

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[315] Siaffa-Massandouno, Elite-Interview, Officer, UNHCR, Goma/DRC; UNHCR, "Monitoring Report-Southern Province," 2; UNHCR, "Monitoring Report-Eastern Province," 3.
[316] UNHCR, "Monitoring Report-3/2009," 3; UNHCR, "Monitoring Report-Northern Province," 2; Siaffa-Massandouno, Elite-Interview, Officer, UNHCR, Goma/DRC.
[317] UNHCR, "Monitoring Report-3/2009," 3; UNHCR, "Monitoring Report-Eastern Province," 3; Siaffa-Massandouno, Elite-Interview, Officer, UNHCR, Goma/DRC; Yamuremiye, Interview, Northwest Rwanda; Mukawera, Interview, Transit Centre, Bukavu, DRC.
[318] Kisagori, Interview, Northwest Rwanda.
[319] Richard Black and Saskia Gent, "Defining, Measuring and Influencing Sustainable Return: The Case of the Balkans" (Sussex: Development Research Centre on Migration, Globalisation and Poverty, 2004), 13.
[320] Long, "Home Alone?," 36.
[321] Ibid., 37.
[322] Siaffa-Massandouno, Elite-Interview, Officer, UNHCR, Goma/DRC; Non-repatriated Rwandans, Focus Group, Northwest Rwanda, -; Niramajambere, Interview, Northwest Rwanda; Eugénie Mukawera, Semistructured-Interview, Repatriate, Northwest/Rwanda, September 25, 2009; Whiting, Interview, UNHCR Officer, Goma; Recycled Refugees, Focus-Group#1, Goma/DRC, August 13, 2009; Recycled Refugees, Focus-Group#2, Goma/DRC, September 14, 2009.
[323] Mukawera, Interview, Northwest Rwanda; Siaffa-Massandouno, Elite-Interview, Officer, UNHCR, Goma/DRC.
[324] Besinimana, Interview, Northwest Rwanda.
[325] Recycled Refugees, Focus Group 1, Recycled Refugees, Goma; ibid.

> Repatriates move from village to village, sector to sector, locality to locality because they have trouble simply surviving... once all the money is spent, the food is finished, there is nothing left to sell, and nowhere else to move to, repatriates leave for Congo or Uganda, returning to the country of asylum.[326]

Having fled exile to their country of origin, they once again flee – to exile – becoming recycled refugees. The social contract rend by initial flight was never mended due to failed reintegration. Even in cases where repatriates stayed, securing safety and reclaiming their lands – arguably the lowest level of re-engagement in a political relationship with the state[327] – return was another instance of flight. It was not a negotiated political act, neither *em*patriation nor just return, and its viability was determined more by reanimated latent networks than by any actions undertaken by the state.

5.5. FORCED AND FRUSTRATED REPATRIATION: 'LIKE A ROLLING STONE'

News of return from the DRC culminating in family reunion, property restitution, and security was not broadcast through Rwandans' transnational information networks spanning Uganda's refugee microstates. The accounts that reverberated through them were those of failed and forced return that nullified international principles of voluntariness, safety, and dignity – precluding *em*patriation and just return. Contemporaneously, they forfeited the pseudo-citizenship of exile. Repatriation (here, the act of being coerced across an international border) rendered them ineligible for refugee status. For Rwandans across Uganda's Nakivale, Kyangwali, and Kyaka II Refugee Settlements, this history began with repatriations from Tanzania and Zaïre-cum-DRC between 1996 and 1998. In Zaïre, Rwanda's fragile new government attacked and destroyed refugee camps, which were seen as a security threat, ultimately killing and displacing thousands of Rwandan refugees while driving the rest home at gun-point.[328] In Tanzania, 'the entire camp was taken. At first they would just come and kidnap the very important people. Then, they came and kidnapped everybody.'[329] A former RPF commander recalled:

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[326] Siaffa-Massandouno, Elite-Interview, Officer, UNHCR, Goma/DRC.
[327] Hovil, "Pair of Shoes," 33–34.
[328] Déirdre Clancy and Dismas Nkunda, "A Decade of Unrest: Unrecognised Rwandan Refugees in Uganda and the Future of Refugee Protection in the Great Lakes" (New York: Human Rights First, April 2004), 22.
[329] Donata Mukabera, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011.

> We forcefully repatriated them to the Insurgency in Northwest Rwanda. Many of those who returned were thrown in prison. Some had participated in the genocide, while others had not, but the RPF generalised and imprisoned even those too young to have participated to take their land. They [RPF] even came and killed people during the night.[330]

Refugees spoke of lands having been claimed by earlier returnees; allegations of theft during the genocide; arrests without charges; and disappearances from prisons.[331] 'Those who were strong and young, those repatriates, were taken to guard against Interahamwe at night, and others to prison.'[332] 'If you refused to guard, you would be beaten by RPF soldiers. When they came to do their patrols, if they found you asleep, they would cane you awake.'[333] These returnees, like Hovil's informants in Nakivale,[334] fled Rwanda to find their former camps in Congo and Tanzania closed, and continued to Uganda.

When Rwandans were threatened with repatriation again in 2001, 'tens of thousands of refugees began to march out from the camps deeper into Tanzania to avoid the repatriation effort.'[335] Five hundred thousand were forcefully repatriated with the support of the Rwandan army and UNHCR, fifty thousand managed to remain, and a few thousand crossed into Uganda.[336]'They were declared 'irregular movers who have previously found protection in Tanzania'[337] and their refugee status applications were rejected, but the Ugandan government did not deport them. They settled in makeshift huts in Kibati, on the edge of Nakivale just 64 kilometres from Rwanda. When Tanzania and Rwanda announced the application of the Cessation Clause on 31 December 2002, along with the closure of three camps and the requirement that all Rwandan refugees repatriate by the end of the year, the Kibati population swelled by over 3,000 people.[338] Officials registering new arrivals in Kibati initially

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[330] ex-RPF Commander, Elite-Interview, Telephone, September 12, 2011.
[331] Faustin Satabaro, Semistructured-Interview, Kampala/Uganda, September 12, 2011; Staraton Invuyekura, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 22, 2011; Asinati Mukasanga, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 22, 2011; Anatazi Nyiringimana, Semistructured-Interview, Chairman, Nakivale Refugee-Settlement/Uganda, August 18, 2011; Samuel Rutayisire, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 21, 2011; Ezekiel Ruhunde, Semistructured-Interview, Rwandans' President, Kyangwali Refugee-Settlement/Uganda, August 25, 2011; Freduard Twizeyimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Célestin Gahutu, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011.
[332] Damari Murwanashaka, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 21, 2011.
[333] Invuyekura, Focus Group, Nakivale, Uganda.
[334] Hovil, "Dangerous Impasse," 20–22.
[335] Clancy and Nkunda, "Decade of Unrest," 6–7.
[336] Ibid.
[337] Ibid., 13.
[338] Ibid., 10–11.

accepted refugees' claims of having recently fled Rwanda, whether due to compassion or pragmatism.[339] Uganda then put verification on hold, fearing it served as a pull factor, and directed newly arriving asylum-seekers to join failed asylum-seekers in Kibati in the hopes they would return to Tanzania or Rwanda. Instead, the Kibati group became shrouded in the suspicion of their culpability in the genocide. When Uganda, Rwanda, and UNHCR signed a Tripartite Agreement in July 2003, no refugee registered, but hundreds sold their animals, gave away their belongings, and left the camp in anticipation of forced repatriation.[340] Those who had the means to do so bought land in Uganda, ration cards from other camp residents, or travelled to Kyaka II and declared they had just fled Rwanda.[341]

Seven hundred of those who remained were deported the following year[342] as 'economic migrants and illegal immigrants'[343], in addition to others from Kyaka II in 2005. Refugees complained of being 'taken like animals',[344] 'people diving off UNHCR lorries',[345] and 'some children being taken while parents stayed'[346]. 'RPF soldiers caned us, to make us go to our homes, but we didn't know where those homes were, so we couldn't do anything.'[347] Refugees recalled Rwanda in terms of 'soldiers, police kidnapping men during the night',[348] 'fines for not having shoes and nice clothing',[349] 'destroyed houses because they don't have iron roofs',[350] arbitrary arrests, corrupt *Gacaca* judgments, and discriminatory genocide ideology laws.[351] After one or two weeks, they all returned to Uganda, fearing that those who did not had been either 'arrested or killed.'[352] Unable to reclaim refugee status, they were reabsorbed into settlement zones by sympathetic Congolese Hutu chairmen or assumed residence outside

[339] Ibid., 7–8.
[340] Ibid., 14–15.
[341] Ibid., 42–43, 45.
[342] Godwin Buwa, Elite-Interview, Legal Officer, Refugee Law Project (RLP), Kampala/Uganda, October 14, 2011.
[343] Musa Francis Ecweru, Elite-Interview, Minister of State, Department of Relief, Disaster Preparedness, Management and Refugees, Office of the Prime Minister (OPM), Kampala/Uganda, August 2, 2011.
[344] Nyiringimana, Interview, Chairman, Nakivale, Uganda.
[345] Therese Nyirabagaragaza, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 22, 2011.
[346] Jacques Kamazyira, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 10, 2011.
[347] Edvina Nyiranguhirwa, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 10, 2011.
[348] Nyiringimana, Interview, Chairman, Nakivale, Uganda.
[349] Rashid Munyemanzi, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 11, 2011.
[350] Kamazyira, Focus Group, Kyaka II, Uganda.
[351] Recycled Refugees, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 18, 2011; Recycled Refugees, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 10, 2011; Williams Dawson, "Is Rwanda Safe? An Inquiry into the Reluctance of the Rwandan Refugee Community to Repatriate" (Kigali, Rwanda: Jesuit Refugee Service (JRS), 2004), 4, 6–7.
[352] Mugenyi, Interview, Commandant, Kyaka II, Uganda; Recycled Refugees, Focus-Group, Kyaka-II Refugee-Settlement/Uganda.

settlements.[353]

Even though the remainder of the Kibati group had 'put up iron sheets and fenced it off',[354] another 2,000 were deported in 2007[355]. They were taken at night, awakened by Ugandan soldiers pounding on their doors, had to abandon their belongings, and tried to jump off the lorries. [356]Ugandan officials insisted the repatriation was voluntary.[357] Others dismantled their makeshift houses and left Kibati.[358] Almost half of the repatriates returned secretly, some for the fourth or fifth time, a reality both UNHCR and Rwanda denied.[359] They lacked proper travel documents and used non-demarcated crossings. The exercise was repeated in Kyaka II in 2008:

> We were very afraid. Most people sold everything and waited. Some died on the way. Some even leapt off vehicles and perished. Women had miscarriages. Some didn't even spend a week in Rwanda. [...] We were taken to our houses and harassed by those who had occupied our lands, accused of participating in the genocide, of divisionism, genocide ideology.[360]

One month later, almost half returned to Uganda.[361] Others, fearing repatriation, fled the settlements into neighbouring districts where some were arrested for lacking documentation.[362] Rwandan refugees responded similarly to the announcement of the 14 July 2010 repatriations from Kyaka II and Nakivale.[363] Some who stayed intimidated the other refugees: 'They knocked down doors and rioted, threatening to kill everyone in Nakivale before they allowed themselves to be repatriated."[364] Congolese Tutsi slept by the lake and

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[353] Nyiringimana, Interview, Chairman, Nakivale, Uganda.
[354] Vivian Oriem, Elite-Interview, Settlement Officer, Office of the Prime Minister (OPM), Kampala/Uganda, October 26, 2011.
[355] Buwa, Elite-Interview, Legal Officer, Refugee Law Project (RLP), Kampala/Uganda.
[356] Jean-Marie Buregiyeya, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011; Kamazyira, Focus Group, Kyaka II, Uganda; Gervais Habareshi, Semistructured-Interview, Kampala/Uganda, November 4, 2013.
[357] IRRI, "Repatriating the Kibati Group: Some Return, but Solutions Remain Elusive" 4, no. 1 (January 2008), http://www.refugee-rights.org.
[358] Muhanga Kyomuhendo, "Rwandan Refugees 'Disappear,'" *UNHCR: Refugees Daily*, August 17, 2007, http://www.unhcr.org.
[359] Robert Mukombozi, "Deported Rwandan Refugees Flee Back to Uganda," *Daily Monitor*, November 17, 2007, sec. National, http://www.monitor.co.ug; IRRI, "Repatriating the Kibati Group."
[360] David Mugisha, Semistructured-Interview, Kampala/Uganda, September 23, 2011.
[361] Isaac Kiyaka, Elite-Interview, Director, Jesuit Refugee Service (JRS), Kampala/Uganda, October 24, 2011.
[362] IRIN, "Rwanda-Uganda: Refugees Leave Camps Fearing Repatriation," *IRINnews*, May 14, 2009, http://www.irinnews.org.
[363] Mugenyi, Interview, Commandant, Kyaka II, Uganda; Rosebell Kagumire, "Uganda Forces Asylum Seekers Back to Rwanda," *The Independent*, July 16, 2010, http://www.independent.co.ug.
[364] Perusse Khadari, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011.

stopped visiting 'Rwandan zones' and 'Hutu villages', reinforcing the settlement patterns described in Chapter 3.[365]

The 2010 repatriation also targeted 'illegal immigrants who had failed refugee status determination interviews.'[366] Uganda's past history of registration and the fact that 98 per cent of Rwandans' applications for asylum were rejected between 2009 and the first half of 2011[367] make the assertion moot. Interviews lasted only five minutes and were carried out by one person, as opposed to a committee; rejection was arbitrary; and people could not access the appeals process – 'It's a major breach of international protection responsibilities.'[368]

Rwandans were instructed to gather at the OPM offices in Nakivale and Kyaka II to receive the results of their asylum applications, ration cards (RCs), and food.[369]

> Then the vehicles and armed soldiers arrived, Ugandan military police and Rwandan army – in combat gear. People started to panic. Many jumped over the gate. Some were caught, thrown in the vehicles like bags of maize. People were screaming and crying.[370]

Police held refugees at gunpoint while their hands were tied and they were forced onto lorries; they used nightsticks to beat those who resisted and shot at those who escaped.[371] "The soldiers were in attack position, forcing people on trucks and calling it voluntary."[372] Fifteen people died jumping from lorries during the operations;[373] twenty-five were injured, including six pregnant women;[374] and thirty-nine children were separated from their parents[375]. Among

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[365] Chantal Nakule, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Steria Nyiadiburugwa, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Francis Muhire Mugeyo, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Mukabera, Focus Group, Kyaka II, Uganda.
[366] David Apollo Kazungu, Elite-Interview, Commissioner, Directorate of Refugees, Office of the Prime Minister (OPM), Kampala/Uganda, October 17, 2011.
[367] Mindrea Godwin Buwa, "Rwandan Refugees in Uganda and the Declaration of Cessation of Refugee Status for Them: The Dangers, Safeguards, and Best Practices" (Kampala, Uganda, July 2011), 131; UNHCR, "UNHCR Condemns Forced Return of 1,700 Rwandans from Uganda," *UNHCR: The UN Refugee Agency*, July 16, 2010, http://www.unhcr.org.
[368] Buwa, Elite-Interview, Legal Officer, Refugee Law Project (RLP), Kampala/Uganda.
[369] IRIN, "Rwanda-Uganda: Kampala Urged to End 'Gunpoint' Deportations," *IRINnews*, July 15, 2010, http://www.irinnews.org.
[370] Mugisha, Interview, Kampala, Uganda.
[371] IRIN, "Rwanda-Uganda"; Invuyekura, Focus Group, Nakivale, Uganda; Collins Mwesigye, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011; Jeanette Ruterekara, Semistructured-Interview, Kampala/Uganda, September 12, 2011.
[372] Buregiyeya, Focus Group, Kyaka II, Uganda.
[373] Manzi Mutuyimana, Semistructured-Interview, Kampala/Uganda, October 17, 2011.
[374] UNHCR, "UNHCR Condemns."

the deported were recognised refugees, Ugandans, and those awaiting results of asylum applications.[376] Many refugees had no identification cards, as the RC is given only to the household head, and thus were assumed to be failed asylum-seekers and deported. Also, anticipating RCs, refugees had borrowed their neighbours' (refugees and nationals') children to inflate their household numbers and secure larger monthly rations, leading to the separation of families and the deportation of recognised refugees and Ugandans.[377] Those who survived this ordeal recalled harassment in Rwanda, arrests for suspected affiliation with FDLR/*Interahamwe*, investigations and abductions at night, and difficulties reclaiming property.[378]

> We worked for the nationals, for the Rwandans, saving money so we could leave the country again. Most came back to Uganda, even those who did reach their villages. There, conflicts arose between us and the Rwandans who had occupied our lands. At times, these were majors and colonels, who interrogated us, calling us killers, saying we just fled justice.[379]

IRRI and RLP condemned the operation because it breached international principles of non-refoulement and return in safety and dignity, violating Uganda's Constitution, the *Ugandan Refugees Act*, Article 12 of the *African Charter on Human and Peoples' Rights* (ACHPR), Article 33 of the 1951 Convention, and the UN *Convention on the Rights of the Child*.[380] UNHCR initially just distanced itself from the operation[381] and only later formally 'condemned the forced return of Rwandans from Uganda'[382].

In the aftermath of this repatriation, like preceding ones, many Rwandan refugees fled the settlements into neighbouring districts or countries, depending on available resources. Those remaining in settlements moved their belongings to neighbouring zones and began sleeping

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[375] Rwandan Refugees and Asylum Seekers Community in Uganda, "Petition of Rwandan Refugees and Asylum Seekers Living in Uganda to United Nations High Commissioner for Refugees (UNHCR) Over the Premature and Ungrounded Invocation of Cessation Clause to Our Refugee Status" (Refugee Law Project & Fahamu Refugee Program, December 7, 2011), 57.
[376] UNHCR, "UNHCR Condemns"; Josh Kron, "Tricked, Rwandan Refugees Are Driven Home, U.N. Says," *The New York Times*, July 16, 2010, sec. World/Africa, http://www.nytimes.com.
[377] Buwa, Elite-Interview, Legal Officer, Refugee Law Project (RLP), Kampala/Uganda.
[378] Invuyekura, Focus Group, Nakivale, Uganda; Mugisha, Interview, Kampala, Uganda; Mukasanga, Focus Group, Nakivale, Uganda; Buregiyeya, Focus Group, Kyaka II, Uganda; Ignatius Bahizi, Elite-Interview, Journalist, BBC, Kampala/Uganda, October 12, 2011.
[379] Mwesigye, Focus Group, Kyaka II, Uganda.
[380] Hovil, "Dangerous Impasse," 6; IRIN, "Rwanda-Uganda."
[381] IRIN, "Rwanda-Uganda."
[382] UNHCR, "UNHCR Condemns."

outside, increasing their chances of escape in the event of another forced repatriation.[383] Those in Kampala hide and change residences frequently, avoiding the settlements. Recycled refugees have returned claiming they are Congolese or Banyankole, a Ugandan ethnic group, but their refugee status application is automatically rejected when their Rwandan nationality is discovered.[384] 'Rwandan refugees will remain, melt, but it's a very precarious situation because they could be arrested at any time.'[385] Forced repatriation turned refugees to returnees to failed asylum-seekers. Undocumented, incapable of securing the protection of their country of origin or the pseudo-citizenship of exile, rendered them effectively stateless: 'I'm not registered, not a refugee, not a national. It is now that I have no status and no rights.'[386]

For these people, and even Rwandans who witnessed or escaped forced repatriation, the operations in Kyaka II and Nakivale were traumatising, terrifying ordeals. They were integrated into their communal narratives of grievance and persecution as rights of refuge not just abused, but nullified (introduced in Chapter 3, Section 3.7). The horror and potency of these recollections was reified with each subsequent lived experience of forced repatriation: 'Over and over, UNHCR failed us, Uganda failed us, are we no longer refugees with rights to protection?'[387] Rwandans are petrified of repatriation, even those who have never undergone the actual process.[388] Those whom the lorries brought to Rwanda, and who managed to flee and return to Uganda, brought with them news of the country. The information was overtly negative, reaffirming claims refugees garnered from telephone calls to relatives and the harrowing accounts of those who recently fled Rwanda (Chapter 3, Section 3.4.4 and Chapter 4, Section 4.4.2). Refugees lent even more credence to these reports than to others because of their very personal relationships with the forced repatriates – they were friends, neighbours, relatives.[389]

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[383] Hovil, "Dangerous Impasse," 21; Nyiringimana, Interview, Chairman, Nakivale, Uganda; Clementine Mukamana, Semistructured-Interview, Refugee Transit-Centre, Goma/DRC, Juy 2011; Bujenia Nikobaze, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 10, 2011; Buregiyeya, Focus Group, Kyaka II, Uganda.
[384] Apollo Kazungu, Interview, OPM Representative, Kampala, Uganda; Godfrey Byaruhanga, Elite-Interview, Commandant, Nakivale Refugee-Settlement/Uganda, August 18, 2011; Patrick Otim, Elite-Interview, Advocacy Officer, Refugee Law Project (RLP), Kampala/Uganda, June 28, 2011.
[385] Kiyaka, Interview, JRS Representative, Kampala, Uganda.
[386] Thomas Habamuremyie, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011.
[387] Silase Ushizimpumu, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011.
[388] Mugisha, Interview, Kampala, Uganda; Nikobaze, Focus Group, Kyaka II, Uganda; Mukamana, Interview, Transit Centre, Goma, DRC; Mukasanga, Focus Group, Nakivale, Uganda; Kiyaka, Interview, JRS Representative, Kampala, Uganda.
[389] Invuyekura, Focus Group, Nakivale, Uganda; Emmanuel Habiyaremye, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 9, 2011; Mwesigye, Focus Group, Kyaka II, Uganda.

Their accounts of Rwanda, and the shared experiences of terror and panic associated with the pandemonium of forced repatriations were transmitted by *radio trottoir* through refugees' microlevel and mesolevel networks, across Uganda's settlements (Chapter 4, Section 4.5). Manzi and his Big Men investigated the 2010 repatriation, and their findings were circulated among IRRI, AI, RLP, and further afield by Big Men like Barbara Harrell-Bond, Chris Dolan, Dismas Nkunda, and Sarah Jackson.[390] The investigation itself facilitated the diffusion of information concerning the forced returns. Even in Kyangwali, from which no Rwandans were forcefully repatriated, refugees were petrified of repatriation. They knew details of the operations and the accounts of those who were coerced to return.[391] Many left the settlement; those who could not removed children from school and began sleeping outside.[392] Rwandan 'repatriates' who fled DRC, then Rwanda, also brought information back to their communities in Congo. Even though the structure of these networks makes refugees less receptive to negative information concerning Rwanda, the accounts mirrored those of failed return from Uganda and were deemed more trustworthy because the source was a reliable companion.[393]

Likewise, Congolese across Rwanda's refugee microstates described repatriation only in reference to the one carried out in 2002 under the RCD. The experiences of negotiated and just return culminating, if only for a brief while, in *em*patriation, described by repatriates in Section 5.3 above, were absent from their narratives. For refugees in Rwanda, these were recollections of a failure of UNHCR and their country of asylum to protect their rights – based on the accounts of 3,500 repatriates who left Kitchanga to return to Rwanda.[394] They reported being forced to dismantle their homes prior to the repatriation and being

[390] Dismas Nkunda, Elite-Interview, Director, International Refugee Rights Initiative (IRRI), Kampala/Uganda, November 6, 2013; Manzi Mutuyimana, Semistructured-Interview, Skype, March 16, 2014; Dismas Nkunda and Chris Dolan, "Mass Removal of Rwandans from Ugandan Refugee Settlements" (Kampala, Uganda: IRRI/RLP, July 2010); Hovil, "Dangerous Impasse"; Kron, "Tricked, Rwandan Refugees."
[391] Twizeyimana, Focus Group, Kyangwali, Uganda; Ruhunde, Interview, Rwandan Community President, Kyangwali, Uganda; Ildéfonse Dimukarengane, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011; Gahutu, Focus Group, Kyangwali, Uganda; Antoinette Nyirakabanza, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011.
[392] "2009 Joint Assessment of Refugees in Uganda," Final Report, Joint Assessment Mission (JAM) (United Nations High Commissioner for Refugees (UNHCR), World Food Programme (WFP), Office of the Prime Minister (OPM), March 2010), 37; Ushizimpumu, Focus Group, Kyangwali, Uganda; Nyirakabanza, Focus Group, Kyangwali, Uganda; Martin Iramazani, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 25, 2011.
[393] Musanganya, Interview, CNR Director, Goma, July 4, 2011; Jean Burinda, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 17, 2011; Christophe Bulaze, Elite-Interview, Service Socio-Communautaire, Commission Nationale pour les Réfugiés (CNR), Goma/DRC, July 4, 2011.
[394] UN-OCHA, "Monitoring de La Situation East RDC," December 4, 2002.

intimidated and misled by RCD representatives concerning the situation in Congo.[395] Those interviewed by the US Committee for Refugees following their return to Rwanda complained of being beaten with sticks and forced from the camp by RPF officials.[396] The lack of food, housing, and security prompted their flight from Kitchanga; they sold whatever they could to pay for a bus back.[397] Upon return, they shared their accounts of failed return with those who had not been repatriated, and by 2011, when I conducted my fieldwork, narratives of the '2002 RCD return' had spread throughout Rwanda's camps, recounted even by children too young to have experienced them.[398]

This communal narrative of past grievance was not carried on the airwaves of *radio trottoir* to Uganda's settlements, but the Banyamulenge's frustrated attempt at repatriation in 2010, perhaps due to its recentness, was broadcast loudly across refugee microstates in both countries. They sought to return to Vyura, Moba, and Kalemie in Katanga, and even wrote letters to initiate negotiations to repatriate.[399] UNHCR and MONUC/MONUSCO[400] drove the letters to Katanga; in response, locals broke the windshield of the car, set others on fire, and distributed leaflets conveying that 'if Banyamulenge ever returned to Katanga, there would be war.'[401] Government representatives, traditional authorities, and residents in Vyura and Kalemie wrote back, denouncing the proposed return, stressing 'they don't want Banyamulenge on their land.'[402] In Moba and Minembwe, government troops attacked Banyamulenge advocating the refugees' return and held demonstrations to prevent the

[395] Clancy and Nkunda, "Decade of Unrest," 37–38.
[396] Frushone, "Forced Repatriation."
[397] Ibid.
[398] Chantal Mutembo, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 18, 2011; Numbi Minove, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 17, 2011; Uwimana Nyirabarekezi, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 1, 2011; Paulette Mukarambira, Focus-Group, Gihembe Refugee-Camp/Rwanda, May 23, 2011.
[399] Ngabo, Semistructured-Interview, Repatriates' Representative, Mweso/DRC; Jeannine Nyiradawa, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 16, 2011; Marcel Gatsinzi, Elite-Interview, Minister, Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali/Rwanda, October 30, 2011.
[400] The UN mission in the DRC was renamed on 1 July 2010, replacing MONUC with MONUSCO to reflect that the country had entered a phase of 'stabilisation'.
[401] Jean Joel Abijende, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda, June 3, 2011; Murwanashaka, Focus Group, Nakivale, Uganda; Etienne Muhekera, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda, June 2, 2011.
[402] Banyamulenge Elders, Focus-Group, Kiziba Refugee-Camp/Rwanda, June 2, 2011; Clautilde Nyirabineza, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011; Lumumba Mukamyi, Semistructured-Interview, Congolese Refugee, Kigali/Rwanda, June 15, 2011; Francine Nyiramukunzi, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011.

repatriation.[403] Two hundred Banyamulenge refugees then travelled to the Congolese border to mediate a settlement. Locals threw rocks at them, and the DRC closed the border.[404]

Banyamulenge's efforts to negotiate return were rejected; they were denied re-entrance into the political community. In this case, the government, as well as the majority of the local population, refused to re-engage in a social contract with the refugee community – in the most blatant manner. News of this frustrated repatriation quickly circulated through Banyamulenge's dense social networks and became ingrained in their communal narrative of persecution and discrimination by their country of origin and its people.

In all these cases, experiences of forced and frustrated repatriation inherently increased ties between communities across disparate spaces of refuge through the physical mobility of would-be-repatriates. Information diffusion through refugees' transnational networks enabled the incorporation of these ordeals into communal narratives. This integration reified group identities and dismay towards states of origin and asylum. Indubitably, forced, failed, and frustrated return reinforced refugees' resolve against repatriation – not only for those who endured it, but for their interconnected communities as well.

5.6 'NEVER COMPROMISE': REFUGEES' RESISTANCE TO REPATRIATION

'Our case is different because we have been rejected by our government and by the Congolese population, thus we can never return',[405] explained a Banyamulenge refugee. In Uganda and Rwanda's refugee microstates, Banyamulenge discussed this frustrated repatriation along with past and present grievances against Congo, the latter an amalgamation of information triangulated through NGO, government, and press reports corroborated by accounts of recent refugees from familiar areas; telephone conversations with neighbours and relatives;

[403] "Banyamulenge Are Still Under Government Attach in the High Plateau of Bijombo," *Journal Minembwe*, November 29, 2010, http://journalminembwe.blogspot.co.uk; Ubuntu Initiative for Peace and Development, "Security Situation of the Banyamulenge in the DR Congo" (Brussels, September 25, 2012).
[404] Mugisha, Interview, Kampala, Uganda; Banyamulenge Elders, Focus Group, Kiziba, Rwanda; Lange, Interview, International Alert Representative, Goma.
[405] David Bwagiriza, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 19, 2011.

and scouting missions.[406] The consistency of these communal narratives rendered them a conclusion of the Banyamulenge – across diverse sites of exile – that 'it's impossible to return'[407]. Banyamulenge do not even have the choice whether or not to return; it is their state of origin that has refused to renegotiate a social contract with them and accept them as citizens.

> We can't go back. We used to talk about the roots of these problems, going back to 1964, then those of the 1980s, then 1996 when Kabila ordered to kill all Banyamulenge. There's no hope of return because the same people are there, the same militias, armed by our government, to kill us. [...] We tried to return, and they closed the border, our own state. It's very bad to have your own government chase you away. It's shameful, the indignity of it all.[408]

Congolese Banyarwanda (predominantly Tutsi) also refer to the failed return in 2002, alongside various episodes of appalling violence which caused them to flee, in their decision not to even attempt to re-engage in a political relationship with the DRC. Communal recollections of state failure to provide security, one of the most fundamental rights associated with citizenship, led them to believe the state will never be able, or willing, to protect them.[409] They stressed that local communities, traditional authorities, and the central government would need to acknowledge and accept them as *citizens* in order for them to repatriate, evoking a negotiated multi-pacted social contract and group rights. Hovil's research in Gihembe Refugee Camp supports these findings.[410]

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[406] Banyamulenge Elders, Focus Group, Kiziba, Rwanda; Nyiradawa, Focus Group, Nyabiheke, Rwanda; Cyprian Sibomana, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Nyirabineza, Focus Group, Nakivale, Uganda; Damari Nirandangwa, Focus-Group, Elders, Nyabiheke Refugee-Camp/Rwanda, June 16, 2011; Nyiramukunzi, Focus Group, Nakivale, Uganda; Mukamyi, Interview, Kigali, Rwanda; Abijende, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda; Muhekera, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda; Sosthene Gatware, Semistructured-Interview, Nabulagala Banyamulenge Community Leader, Kampala/Uganda, October 29, 2011.

[407] Muhekera, Semistructured-Interview, Banyamulenge Community Leader, Kiziba Refugee-Camp/Rwanda; Prosper Bukuru, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 17, 2011; Francis Kazimana, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 15, 2011.

[408] Mugisha, Interview, Kampala, Uganda.

[409] Nyiadiburugwa, Focus Group, Nakivale, Uganda; Déo Kamuzungu, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 24, 2011; Justine Munyerekana Mirindi, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 28, 2011; George Nsanzeumuhiri, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Masiska Nyiramucho, Focus-Group, Nakivale Refugee-Settlement/Uganda, August 16, 2011; Françoise Kumanzi, Focus-Group, Elders, Gihembe Refugee-Camp/Rwanda, May 27, 2011; Nirandangwa, Focus Group, Nyabiheke, Rwanda; Espoir Rutamara, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 18, 2011.

[410] Hovil, "Shadows of Return," 5, 21, 25.

> If we were real citizens of a Congo with rule of law, order, good policies, reconciliation, then I would go back, but I doubt this will ever happen.[411]

Congolese refugees in Uganda believe that the pseudo-citizenship of refugee status guarantees more protection than the DRC could. Those in Rwanda, however, also cite their host state's abuse of their rights of refuge and betrayal, referring to recruitment into the RPF, the Mudende Massacre, and Nkunda's arrest (Chapter 3, Section 3.7). This situation complicates their appraisal of the desirability of return to Congo.

Rwandan refugees who resist repatriation from Congo face a drastic variant of this dilemma. 'These refugees find themselves in the worst conditions here. It's certain they don't want to return to Rwanda, but the Congolese don't accept them.'[412] Recycled refugees' accounts of failed return influence this perception, compounding communal narratives of being attacked by the RPF in Congo's camps and persecuted by both countries conflating them with the FDLR. 'The RPF turned the Congolese against us.'[413] 'We fear return. We want to stay in Congo, to go back to the forests, to be in any country but Rwanda.'[414] About 30 of these refugees, picked up during UN/FARDC operations against FDLR in 2009 had lived in Bukavu Transit Centre for two years, refusing return. 'We can't just chuck them over the border because that would be refoulement. We can't forcefully repatriate anyone',[415] remarked the Centre's Director. This group fled with the former government of Rwanda, and had lived with them as FDLR, whose combatants manage their lives in the Centre – 'They will decide when it's good to return.'[416] Others have simply become invisible refugees in Goma and Bukavu, melting into the local population and denying their nationality (Chapter 2, Section 2.5). Opting to live in a transit centre or as an undocumented person rather than repatriating is a strong condemnation of the rights afforded via resumption of Rwandan citizenship, at least in these people's perception.

Rwandan refugees in Uganda are even more vociferous in their refusal to repatriate. Their communal history of grievances against Rwanda and countless forced and failed repatriations,

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[411] Pierre Kayenga, Focus-Group, Nyabiheke Refugee-Camp/Rwanda, June 19, 2011.
[412] Musanganya, Interview, CNR Director, Goma, July 4, 2011.
[413] Bisengo Kobwa, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 15, 2011.
[414] Tigo Muberake, Semistructured-Interview, Refugee Transit-Centre, Bukavu/DRC, November 15, 2011.
[415] Gratien Mupenda, Elite-Interview, Director, Commission Nationale pour les Réfugiés (CNR), Bukavu/DRC, November 4, 2011.
[416] Kobwa, Interview, Transit Centre, Bukavu, DRC.

in addition to the conviction that security has not been established, underpinned this resolve and resounded throughout every focus group I held, and similar studies on the subject[417]. Participants expressed that if repatriation occurred to a country that could recognise them as citizens and offered the protections of this recognition, they could return:

> If there was freedom of speech in Rwanda, if you could speak your thoughts, if there was freedom of movement, if meetings were held and people decided on future development plans together, if there was a government that accepted criticism without instantly calling it genocide ideology, I could then return.[418]

'If Rwanda offered freedom of speech, a fair justice system, then I could return.'[419] For this to occur, Rwandans felt the RPF would have to 'face justice and pay for its crimes',[420] 'for murdering Hutu'[421]. Because 'Rwanda is ruled by insecurity and discrimination'[422] and 'citizenship rights are not respected'[423], many would only return 'if the government changed'[424] and was replaced by one that 'implemented justice and freedom for all'[425] and 'freedom of speech so people could voice their opinions of government procedures and programs and be heard'[426]. 'We want to return to a legitimate democracy. We don't want to live under dictatorship or authoritarianism.'[427]'With Kagame in power, there will never be democracy.'[428]

These refugees believe that their Hutu ethnicity obviates access to the rights of full citizenship in Rwanda. Hovil explicated how the legacy of the genocide is used as a basis for repression, instrumentalised through accusations of participation in it to expropriate property or enact vengeance for other disputes.[429] 'Collective Hutu guilt'[430] is also inherited and 'exacerbated by

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[417] Buwa, "Rwandan Refugees in Uganda," 111–112; Hovil, "Dangerous Impasse," 17; Kelly McMillan, "Uganda's Invocation of Cessation Regarding Its Rwandan Refugee Caseload: Lessons for International Protection," *The International Journal of Human Rights* 14, no. 6 (2010): 242.
[418] Iramazani, Focus Group, Kyangwali, Uganda.
[419] Mark Twahirwa, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011.
[420] Marie-Grace Mukasiripari, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 29, 2011.
[421] Simon Rushinga, Semistructured-Interview, Kampala/Uganda, September 3, 2011.
[422] Christophe Nshuti, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 31, 2011.
[423] Emmanuel Bagakara, Semistructured-Interview, Kampala/Uganda, September 3, 2011.
[424] Gahutu, Focus Group, Kyangwali, Uganda; Twizeyimana, Focus Group, Kyangwali, Uganda; Jean-Pierre Bkorimana, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011; Odette Uwineza, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 26, 2011.
[425] Munyemanzi, Focus Group, Kyaka II, Uganda.
[426] Richard Ntamugabumwe, Focus-Group, Kyaka-II Refugee-Settlement/Uganda, September 11, 2011.
[427] Satabaro, Interview, Kampala, Uganda.
[428] Nyirasabimana, Focus Group, Kyangwali, Uganda.
[429] Hovil, "Dangerous Impasse," 1–5.
[430] Ibid., 28.

an additional assumption of guilt which is attached to those who remain outside of the country'[431]. The impossibility of screening perpetrators from over one million people who entered then-Zaïre at the staggering rate of ten to fifteen thousand per hour[432] was compounded by the assumption that those who fled repatriation from the DRC and Tanzania were *génocidaires* and Uganda's initial failure to screen arrivals at Kibati. 'It's very difficult, nearly impossible, to say who is and who is not innocent'[433] – and all too easy to manipulate that uncertainty.

Rwandan refugees refuse to enter into a dialogue with the Rwandan state, prohibiting a renegotiation of the social contract and repatriation, which they feel is a fatuous endeavour. They 'would rather die than return.'[434] 'Not even for a full lorry of money would I go back. Instead, just have me dig a whole and bury myself in it.'[435] 'Or swing a rope and hang myself.'[436]

> We simply refuse. I would never go back to Rwanda. Nothing could assure me that Rwanda is safe. Rwanda is just the thought of RPF murdering my family. RPF comes here and tries to take us by force, terrorises us. There is no security. It's better to kill yourself than to go back.[437]

Active resistance to return is as much a political act as negotiating return, rooted in the conception of repatriation as a rapprochement with the state.[438] It is a rejection of return without renegotiation of the social contract. The international principle of voluntary repatriation stems from refugee-led resistance to forced repatriations of Soviet prisoners of war from Allied territories in 1945. They chose suicide over repatriation, forcing the international community to codify 'the need for freedom of choice in the process of social contract remaking between individuals, groups, and the political state.'[439] Likewise, Rwandan refugees in Uganda have perpetrated homicides and committed suicides in their desperate crusade against repatriation.[440] Manzi and his Big Men orchestrated a letter-writing campaign and global petition to UNHCR (Chapter 4, Section 4.5). Others across Uganda

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[431] Ibid., 29.
[432] Virginie Dusenge and René Sibomana, *Auto-Organisation Des Réfugiés Dans Les Camps à l'Est Du Zaïre, 1994-1996: Exercice de Capitalisation* (Namur: Presses Universitaires de Namur, 2004), 17.
[433] Gatsinzi, Interview, MIDIMAR Representative, Kigali, Rwanda, October 30, 2011.
[434] Twizeyimana, Focus Group, Kyangwali, Uganda; Iramazani, Focus Group, Kyangwali, Uganda; Mugisha, Interview, Kampala, Uganda.
[435] Buregiyeya, Focus Group, Kyaka II, Uganda.
[436] Habiyaremye, Focus Group, Kyaka II, Uganda.
[437] Theogene Mvukiyehe, Focus-Group, Kyangwali Refugee-Settlement/Uganda, August 29, 2011.
[438] Long, "Statebuilding," 377.
[439] Ibid.
[440] Buwa, Elite-Interview, Legal Officer, Refugee Law Project (RLP), Kampala/Uganda.

and Congo pursued silent rebellion as they melted into host communities, renouncing their nationality. Some chose life in a transit centre, or that of an undocumented person (*de facto* statelessness) over return. Likewise, Congolese refugees' insistence on remaining in camps and settlements over pursuing deliberations concerning repatriation was a political act, albeit a less overt one.

5.7 CONCLUSION

These cases of return failed to realize the reformative potential of repatriation. The only instances where return was negotiated and occurred voluntarily, in safety and dignity, including land restitution and reintegration, the emergent social contract was with a guerrilla government. It was possible only because of population displacement and extended to neither the Congolese central government nor to the impacted communities. The denouement was one of conflict and flight – the social contract rend as much by the sub-state government's inability to continue to protect its 'citizens' as its own disgraceful flight into refuge. Rwandans' return from Congo was nothing more than flight from refuge, and those who failed to reanimate latent social networks back in Rwanda found it impossible to survive, and fled again. Repatriations of Rwandans from Uganda, justified as deportations of illegal immigrants, were shambolic mockeries of the principles of voluntary return in safety and dignity. They resulted in subsequent flight back to refuge, where forced repatriates became failed asylum-seekers, ineligible for refugee status and the associated pseudo-citizenship of exile. These Rwandan recycled refugees became effectively stateless. When the Banyamulenge attempted to negotiate their return, the Congolese state closed its border – after its citizens pelted them with rocks.

Every frustrated, failed, or forced repatriation was a traumatic experience communicated through *radio trottoir*, broadcast throughout the transnational networks that connect Rwanda and Uganda's refugee microstates. These accounts were integrated into communal narratives of past and present persecution, internalised by their members and retold, remembered vicariously by even those too young to have lived them. As much as they reified these communities' distinct identities, they reaffirmed their resolve to resist repatriation. This resistance, most vociferous amongst the Rwandans, is as much a political act as repatriation. Rwandans' ardent refusal to repatriate encompassed letter-writing campaigns, global

petitions, suicides, and permanent residence in transit centres. Its silent manifestation entailed melting into Ugandan and Congolese communities, pretending another nationality. Going to these lengths to resist return to Rwanda, essentially renouncing their citizenship whilst having no access to the pseudo-citizenship of refuge status, is a loud statement. Congolese Tutsi and Banyarwanda do not resist return with such ferocity, as their opposition is the commitment to encampment. These communities' various tactics of rebellion and resistance are political acts representing their resolve to remain in the permanent state of impermanence that is exile rather than repatriate.

CHAPTER 6

CONCLUSION: 'IT AIN'T NO GOOD'

Each of the preceding chapters provides a piece of the complex puzzle of why refugees refuse to repatriate. Assembled, these pieces advance our understanding of why Rwandan and Congolese refugees across the DRC and Uganda, and Rwanda and Uganda, respectively, resist and even rebel against repatriation. The resultant picture is one of a permanent state of impermanence that is unlikely to change in the near future.

Acculturation, an inevitable aspect of protracted displacement, and outside pressures are not in and of themselves explanatory factors of reluctance to return. They obscure the reality that *de facto* integration occurs alongside *de jure* segregation, host countries' policies of encampment and promotion of repatriation. These processes' interactions entail diverse outcomes across different sites of refuge. Despite integrating into their host communities through very similar economic strategies, citizens of Rwanda's refugee microstates integrate on an individual basis, whereas Uganda's settlements are themselves integrated into the state's economy – due to these countries' disparate refugee-hosting policies. The very nature of the FDLR's nomadic microstate in the DRC allows it to meld into the local population, integrating into it while simultaneously integrating local communities into its own structures. Congolese urban refugees in Kigali integrate into local communities on an individual basis, due to linguistic, cultural, and business ties between the DRC and Rwanda. The most extreme form of this kind of integration in evidenced by those living between the revolving door of the Goma-Gisenyi border. A complete lack of integration, on the other hand, is manifested in the case of Rwandan refugees in Goma and Bukavu; they are invisible because of their fears of persecution and discrimination, which also lead them to disavow their nationality. Their exile is marked by segregation.

On the macrolevel of the international community and host states, the Cessation Clause for Rwandan refugees also influences these dynamics. On the microlevel of refugees themselves, the processes are impacted by their own hopes of third country resettlement. Both these factors counteract integration. What these cases show, however, is that across diverse settings

and experiences of refuge, tensions between *de facto* integration and *de jure* segregation create a permanent state of impermanence in which refugees are suspended between staying and going.

Inside these refugee microstates – across Rwanda, Uganda, and the DRC – diverse populations, contrasting historical grievances, victims, and villains converge in a singular space and time. Here, they are introduced to the rights of international protection secured through refugee status, rights of refuge, and the language of international humanitarian law. Using this discourse, refugees constructed their own understandings of citizenship and re-imagined their past experiences into communal narratives, stressing ethnic grievances over national affiliations. These understandings defined settlement patterns in exile, as refugees sought residence with those who shared their own interpretations of insecurity and recollections of flight. Over the course of protracted displacement, perceptions of rights of refuge abused in exile, and threats to refugee status, further substantiated the recreated communities by being drawn into their distinct narratives.

Refugees also debated differences in their newly acquired rights and compared them with communal narratives of past and present grievances in their home countries. They also discussed how those rights fell short of those accorded host country citizens. This cognisance was coupled with the appreciation that even the pseudo-citizenship of exile affords more rights than refugees' fellow citizens enjoy in their home countries. These communities, reconstituted in exile and bound by their splintered ethnic narratives, will not willingly relinquish their newly acquired rights, and repatriation threatens the protection of exile. Experiences of flight and the conditions that necessitated it are thus determinants of resistance to repatriation in as far as they are articulated as failures of home states to protect their citizens' rights. Furthermore, repatriation of such reconstituted, politicised communities renders reintegration even more problematic.

The extent of information concerning communities and countries of origin, another factor influencing decisions of whether or not to return, was not determined by refugees' physical proximity to these locations. Distant sites of exile are connected through historical socioeconomic migratory networks maintained and expanded through refugees' mobility and ICT. The lifeblood of information that flows through these arteries between refugee microstates and communities of origin transfuses even the most remote organs with current news of home. Its acceptance or rejection, however, is based on its quality, discerned through

careful consideration of the source's credentials and triangulation. Network structure defines its subsequent flow.

The information that pulsates through dense social networks of Congolese refugees, within and across Rwanda's camps and Uganda's settlements, is substantiated by that carried by government representatives: peace is tentative and conflict sporadic. These officials' infrequent visits, coupled with their endorsement of repatriation despite insecurity, lead Congolese to conclude their government has abandoned and failed them, reifying that repatriation is doomed to remain an unrealisable dream.

In the case of Rwandan refugees in Uganda's microstates and Kampala, the information provided by government representatives is overtly positive, painting a picture of Rwanda that is irreconcilable with that depicted in new refugees' accounts and telephone calls home. The flow of this information, however, was curtailed by the tourniquet of suspicion and mistrust – rumours (and evidence) of the pervasive presence of RPF spies – that prevented Rwandans from forming ties between their social networks. The concomitant network structure was one of disconnected clusters, truncating information diffusion and organisation. The campaign against the Cessation Clause, led by Manzi Mutuyimana and his Big Men, altered this structure, erecting a mesolevel network of capillaries connecting microlevel social networks within and without refugee microstates. The mesolevel network included other Big Men: activists, academics, policy-makers, practitioners, and researchers like me. Through these nodes, the Rwandans' mesolevel network branched globally. This expansion facilitated mobilisation, culminating in postponement of the Cessation Clause. Simultaneously, it increased the visibility of Uganda's Big Men, exacerbating their insecurity. The reconfigured network structure facilitated the flow of news and negative information concerning Rwanda, paradoxically curtailing further organisation amongst the newly connected microlevel networks. The ties between them endured, and information continued to circulate, inevitably compounding distrust of both government officials and the unrecognisable image of Rwanda they propagated.

The information that flows through the social networks of FDLR's nomadic microstate in even more incongruent. Mobility exposes its members (and hostages) to myriad sources of information. FDLR Big Men's (mis)information campaign portrays a monstrous caricature of Rwanda. Government and NGO representatives' counter-campaign offers a converse distortion – a land of promise and wealth that welcomes their return. Attempts to corroborate

this information reify confusion: impressions of Rwanda are as diverse as those experiencing them. It is only in this context, however, that positive accounts are not routinely dismissed.

In all three contexts, the lifeblood of information is filtered through communal narratives of past grievances, consolidated in exile as abuses of rights. For Congolese and Rwandans outside the DRC, information broadcast over *radio trottoir* reinforces these narratives, consolidating reconstituted communities within and without refugee microstates and reinforcing their resolve against repatriation. For Rwandans in FDLR's nomadic microstate, distrust of Big Men, be they rebel leaders or government representatives, couples with the inability to corroborate incongruous accounts and renders the decision to repatriate uncertain.

As unlikely as it may seem, repatriation does occur. Many current and past residents of refugee microstates have undergone the process at one time or another. Founded on the tradition of Western political thought as the (re)establishment of meaningful citizenship, repatriation has the potential to reform the social contract between the state and citizens inside and outside its territory. This process has the power to foster reconstruction and reconciliation when it occurs in accordance with international law – as a negotiated, voluntary return in safety and dignity, inclusive of restitution for rights violations that precipitated flight. Repatriation thus offers the most reformative potential for states deemed irreconcilable with Western political conceptualisations – those analysed as failed, criminalised, and governed by practices of ethnic neopatrimonialism. Unquestioned understandings of the national order of sovereign states and realities of practice, however, have reduced repatriation, 'a political act'[1], to return, 'the physical act of re-crossing a border'[2]. Whether it is even possible to realise the potential of repatriation in practice – given the extent of the resources such an endeavour would entail; the myriad, often-contradictory interests of the numerous actors involved; and the benefits of the status quo – remains doubtful.

Unsurprisingly, in repatriations of Congolese and Rwandan refugees, protocol remained divorced from practice. Return failed because it was never pursued or implemented as the repatriation outlined in theory and UNHCR guidelines – far from it. In the only cases in which these principles were respected, the emergent social contract was with a guerrilla

[1] Katy Long, "Home Alone? A Review of the Relationship Between Repatriation, Mobility and Durable Solutions for Refugees" (Geneva: Policy Development and Evaluation Service UNHCR, March 2010), 1.
[2] Megan Bradley, "Back to Basics: The Conditions of Just Refugee Returns," *Journal of Refugee Studies* 21, no. 3 (2008): 300–301.

government. It was possible only because of population displacement and extended to neither the Congolese central government nor to the impacted communities. The denouement was one of conflict and flight – the social contract rend by the sub-state government's inability to continue to protect its 'citizens' and its own disgraceful flight *to* refuge. Rwandans' return from Congo was nothing more than flight *from* refuge. Those who failed to reanimate latent social networks back in Rwanda found it impossible to survive, and fled again. Repatriations of Rwandans from Uganda, justified as deportations of illegal immigrants, were shambolic mockeries of the principles of voluntary return in safety and dignity. They resulted in subsequent flight back to refuge where forced repatriates became failed asylum-seekers, ineligible for refugee status and the associated pseudo-citizenship of exile. When the Banyamulenge attempted to negotiate their return, the Congolese state closed its border – after its citizens pelted them with rocks. Paradoxically, the strength of the Rwandan state and the weakness of the Congolese one impacted repatriation very similarly; both exacerbated its failure. The latter was relatively powerless to influence a return spearheaded by sub-state armed groups with the aims of consolidating their own control, whereas the former was too powerful to be influenced by the international community to cease forced repatriation. The result was the same: subsequent flight (back) to refuge.

Every frustrated, failed, or forced repatriation was a traumatic experience broadcast over *radio trottoir* throughout the transnational networks connecting Rwanda and Uganda's refugee microstates. These accounts were integrated into communal narratives of past and present persecution, internalised and retold, remembered vicariously by even those too young to have lived them. As much as they reified these communities' distinct identities, they reaffirmed their resolve against repatriation. This resistance, most vociferous amongst Rwandans, is as much a political act as repatriation ought to be. Rwandans' ardent refusal to repatriate encompassed letter-writing campaigns, global petitions, suicides, and permanent residence in transit centres. Its silent manifestations entailed melting into host communities, pretending another nationality. Going to these lengths to resist return to Rwanda, essentially renouncing their citizenship while having no access to the pseudo-citizenship of exile, is a loud statement. Congolese Tutsi and Banyarwanda do not refuse return with such ferocity; their opposition is the commitment to encampment. These communities' tactics of rebellion and resistance are political acts representing their resolve to remain in the permanent state of impermanence that is exile rather than repatriate.

6.1 RECENT DEVELOPMENTS IN RWANDAN AND CONGOLESE PROTRACTED REFUGEE SITUATIONS

Current developments in these cases of protracted displacement offer scant prospects of Rwandan and Congolese refugees changing their resolve not to repatriate. On 30 June 2013, UNHCR invoked the Cessation Clause for Rwandan refugees who fled their country between 1959 and 1998.[3] About two months before this deadline, delegations from Burundi, DRC, Kenya, Malawi, Mozambique, RoC, South Africa, Uganda, Zambia, and Zimbabwe met in Pretoria to discuss progress in promoting Rwandan refugees' repatriation– 'which thus far has remained very limited.'[4] Some states reaffirmed their commitment to implementation, whilst others insisted that 'for various... considerations, they are not in a position to apply the Cessation Clause by the end of June, or will in any case not do so.'[5] Two weeks after the deadline, only four states had invoked the Cessation Clause: Malawi, RoC, Zambia, and Zimbabwe.[6] They have gone as far as determining which refugees fall within its scope and informing them of exemption procedures.[7] A little over a year later, at the 65th Executive Committee Meeting of the UNHCR, Rwanda's Minister Seraphine Muktantabana urged the agency to bolster implementation efforts, noting that '[s]ome countries have neither declared nor abide by this Clause. Others declared but have not yet taken any step for implementation.'[8] She also called on the international community to neutralise the FDLR, which obstructs repatriation.[9]

Manzi Mutuyimana, from the US where he has sought asylum since 2012, and his Big Men, have continued to spearhead the movement against the Cessation Clause. Manzi published another article protesting implementation in July 2014,[10] and led a letter-writing campaign against President Kagame's participation in the US-Africa Leaders Summit at the White

[3] UNHCR, "Implementation of the Comprehensive Strategy for the Rwandan Refugee Situation, Including UNHCR's Recommendations on the Applicability of the 'Ceased Circumstances' Cessation Clauses," December 31, 2011, para. 4, http://www.unhcr.org.
[4] UNHCR, "Ministerial Meeting Reviews Timeline for Solving Rwandan Refugee Situation," *UNHCR*, April 19, 2013, http://www.unhcr.org.
[5] Ibid.
[6] IRIN, "No Consensus on Implementation of Cessation Clause for Rwandan Refugees," July 12, 2013, http://www.irinnews.org.
[7] Ibid.
[8] Ibid.
[9] Ibid.
[10] Manzi Mutuyimana, "The Duty of the Protector, the Chagrin of the Perpetrator," *Pambazuka News: Pan-African Voices for Freedom and Justice*, July 8, 2014, http://www.pambazuka.net.

House a month later[11]. Back in July 2012, these activists mobilised their networks and succeeded in thwarting the abduction of Joel Mutabazi, former Rwandan Presidential Bodyguard and refugee in Kampala.[12] In October 2013, their efforts were futile and Mutabazi was taken from his safe-house to detention in Rwanda; he had been surrendered by Joel Aguma, Deputy Director of Uganda's Criminal Intelligence and Investigations Directorate, who was subsequently suspended.[13] Mutabazi's brother, Jackson Karemera, had also gone missing in Kampala that month, whilst Innocent Kalisa, another former Rwandan Presidential Bodyguard, had disappeared two months earlier. In November 2013, UNHCR officially condemned the 'serious breach of a critical duty of protection… […] …the principle of non-refoulement', and 'call[ed] upon the Rwandan authorities to respect his fundamental human and legal rights."[14] HRW and AI issued similar statements.[15]

These organisations, along with representatives of ICRC and the US Embassy in Kigali, were denied access to Mutabazi in detention, where he was allegedly kept in a dark cell, bound, and tortured.[16] He was initially charged with armed robbery of the Bank of Kigali.[17] He was found guilty of 'eight charges of terrorism, treason and conspiracy to murder, setting up an armed group, spreading rumours with the intention of inciting the public to rise up against the state, murder, crimes against the state and illegal possession of a firearm."[18] Mutabazi was sentenced to life in prison; Innocent Kalisa was sentenced to 15 years for 'conspiracy against the state and spreading rumours aimed at tarnishing the state and the country's leadership';[19] and three of Mutabazi's relatives, including Jackson Karemera, were found guilty of illegal possession of firearms and incarcerated.

As these events unfolded, Patrick Karegeya, former head of Rwanda's external intelligence

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[11] Manzi Mutuyimana, "Kagame as Among African Presidents Invited by President Obama for US-Africa Leaders Summit on August 4 2014," July 29, 2014.
[12] HRW, "Repression Across Borders: Attacks and Threats Against Rwandan Opponents and Critics Abroad" (HRW, January 28, 2014), 14; Jean-Benoît Semaboka, Semistructured-Interview, Kampala/Uganda, November 4, 2013.
[13] Ibid.
[14] UNHCR, "UNHCR Deeply Concerned about Hand-over of Rwandan Refugee by Ugandan Authorities," *UNHCR*, November 5, 2013, http://www.unhcr.org.
[15] Anon., "Rwanda Police Brush Off Accusations from Rights Groups, Say Suspect Is Safe," *The East African*, November 9, 2013, sec. Rwanda Today, http://www.www.theeastafrican.co.ke.
[16] Judi Rever, "Mutabazi's Last Stand: An Inside Look at Rwandan-Style Justice," *Foreign Policy Journal*, February 5, 2014, sec. Africa, http://www.foreignpolicyjournal.com.
[17] Anon., "Rwanda Police."
[18] Anon., "Joel Mutabazi Sentenced to Life for Treason," *The East African*, October 4, 2014, http://www.www.theeastafrican.co.ke.
[19] Ibid.

services (1994-2004) and current refugee, was killed in his Johannesburg hotel room in January 2014,[20] and *Deutsche Welle* published a report concerning 'increasing arrests and disappearances'[21] of Rwandans. This news reverberated along *radio trottoir* throughout Rwandans' social networks. Despite perceptions of increasing insecurity, Manzi and his Big Men mobilised and prevented the abduction of Protais Hakizimfura in Kampala in April 2014.[22] Manzi is currently working with Zambia's Rwandan Refugee Community in a campaign against a three-month deadline for acquiring documentation or facing deportation.[23] Following a Tripartite Meeting with UNHCR and Rwanda, Zambia's Deputy Minister of Home Affairs Panji Kaunda stressed to Rwandan refugees 'that there is no place better than home [Rwanda]."[24] '[T]he country is safe; they should return home,"[25] he added. The refugees, for their part, 'refused to return home [...] and failed to co-operate."[26]

Likewise, in Uganda, Rwandan refugees and asylum-seekers resisted operations to detain, arrest, and deport them from Nakivale Refugee Settlement in December 2014, according to Manzi and Charles Ndereyehe of FDU-Inkingi.[27] Evoking previous repatriations, officers were armed;[28] refugees were beaten and injured; 19 refugees were arrested; and 18 asylum-seekers were detained.[29] Others still fled the settlement in advance as refugee activists spread news of the impending operation.[30] Having aided many refugees, Manzi and his Big Men's campaign also made the group a target: three of their members were killed and four were abducted between 2010 and 2013. The combined efforts of Rwandan refugees, Ugandan Commissioners, AI, RLP, and Barbara Harrell-Bond obstructed another three kidnappings.[31]

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[20] HRW, "Repression Across Borders," 15–16.
[21] Stefanie Duckstein, "Increasing Arrests and Disappearances Rattle Rwandans," *Deutsche Welle*, August 28, 2014, sec. Human Rights, http://www.dw.de.
[22] Frederic Musisi and Risdel Kasasira, "Police Foil Kidnap of Another Rwandan Refugee," *Daily Monitor*, April 12, 2014, sec. National, http://www.monitor.co.ug; Manzi Mutuyimana, "Serious Concerns in the Case of Hakizimfura," April 11, 2014.
[23] Manzi Mutuyimana, Semistructured-Interview, Skype, April 12, 2015; Edwin Musoni, "Zambia to Deport Rwandan Illegal Settlers," *The New Times*, March 26, 2015, http://allafrica.com.
[24] Theogene Nsengimana, "Rwanda: No Better Place Than Home, Zambian Minister Tells Rwandan Refugees," *The New Times*, March 28, 2015, http://allafrica.com.
[25] Eric Kabeera, "Uganda: Lusaka Talks Tough On Rwandans," *The Independent*, April 5, 2015, http://allafrica.com.
[26] Ibid.
[27] Manzi Mutuyimana, "Subsequence to the Prematurity of the Cessation Clause: Exacerbation of Insecurity of Rwandan Refugees," January 28, 2015, 11–12; Charles Ndereyehe, "Press Release: Killings of Rwanda Refugees in Uganda," *FDU-Inkingi*, February 4, 2015, http://www.fdu-rwanda.com.
[28] Mutuyimana, "Exacerbation of Insecurity," 12.
[29] Ibid., 12–13.
[30] Ibid., 11.
[31] Ibid., 3–5.

The American Ambassador to Rwanda, Erica Barks-Ruggles, pledged her country's support in pacifying eastern DRC and facilitating repatriation when she visited Congolese refugees in Gihembe Camp in February 2015.[32] Her visit was the next in a series of such assurances from representatives of the UNHCR, Rwanda, and the DRC, dating back over a decade. Over 93 per cent of refugees surveyed in Gihembe are unwilling to return, citing fears of insecurity, anti-Tutsi animosity and persecution, and concerns over land reclamation.[33] Barks-Ruggles' visit nearly coincided with the launch of the military campaign against the FDLR[34] – postponing any repatriation and most likely inducing more flight, whilst displacing Rwandan refugees and locals in Congo. Neither MONUSCO nor its FIB are participating in the offensive because DRC refused to remove two Congolese generals, red-listed by the UN for human rights violations, from FARDC high command.[35] Without their logistical support, FARDC must retreat from liberated areas to larger towns at nightfall, facilitating FDLR's recapture of territory.[36] Historical commercial and socio-economic ties between FDLR and FARDC,[37] who have fought together against common enemies intermittently since 1998, further impede operations. FDLR fighters react as they had in 2009 and 2010: avoid combat, retreat deeper into dense jungle or don civilian clothing, blend into the population.[38]

Liberated villages, and their inhabitants, face reprisals when FDLR return.[39] Aid workers have left these areas due to pervasive insecurity, and taken their services with them.[40] The FDLR's nomadic microstate continues to control villages, reoccupying their temporarily abandoned positions, taxing their populations, and replacing or killing uncooperative chiefs.[41] They protect 'their' towns, and loot others.[42] Since the beginning of the operations in late

[32] Theogene Nsengimana, "Rwanda: U.S. Envoy Visits Gihembe Refugees, Pledges Advocacy to Pacify DR Congo," *The New Times*, February 19, 2015, http://allafrica.com.
[33] Ibid.
[34] Frederick Golooba-Mutebi, "Delayed Talks, Military Action: FDLR Is Here for the Long Run," *The East African*, March 30, 2015, http://www.www.theeastafrican.co.ke.
[35] Anon., "DR Congo Rejects UN Ultimatum to Sack Tainted Generals," February 6, 2015, http://www.www.theeastafrican.co.ke.
[36] Fred Oluoch, "Lack of UN Support, Harsh Terrain Frustrate Clampdown on FDLR Rebels," *The East African*, April 4, 2015, http://www.www.theeastafrican.co.ke.
[37] Aaron Ross, "Insight - Slow Start Revives Doubts about Congo Campaign Against Rwandan Rebels," *Reuters UK*, March 22, 2015, http://uk.reuters.com.
[38] Ibid.
[39] Anon., "Nord-Kivu: Les FDLR Rentrent Dans Certains Villages Libérés Pour Commettre Des Crimes," *Radio Okapi*, March 27, 2015, http://radiookapi.net.
[40] Ibid.
[41] Nick Long, "DRC Army Putting Pressure on FDLR," *VOA*, April 1, 2015, http://www.voanews.com.
[42] Ibid.

February, 180 FDLR were captured,[43] mostly dependants, evoking the 337 who surrendered at the end of 2014, also mostly dependants, 'invalids and old fighters'[44]. Over the same period, thirteen FDLR fighters were killed, whilst ten FARDC soldiers, including two colonels, were killed just on 6 April 2015.[45]

As the campaign continues, repatriation rates for Rwandan refugees will probably increase, as they did during the 2012 M23 rebellion – again, this return would be nothing more than flight from conflict in exile (Figure 6.1). Conversely, repatriation rates for Congolese refugees would be expected to decrease (Figure 6.2). In the past, presidential elections have incurred refugee flows (and reductions in repatriation); they are slated for DRC in 2016 and Rwanda in 2017. Overall, and throughout 2013, repatriation rates to both countries remained low, the only exception being that of Congolese returning from RoC to western DRC. These repatriation rates, however, were higher than global averages (Figure 6.3). Notably, repatriation rates of Congolese stayed significantly higher than those of Rwandans, even during the M23 Rebellion. Whilst the global repatriation rate has been falling since 2004, when it was at 20 per cent, the repatriation rate for Rwandans has struggled at 10 per cent since 2010 – the lowest level since 1995. The Congolese rate of repatriation has reached about 18 per cent, what it was following the transition. All these rates are still remarkably low – refugees are not repatriating. This thesis offered a nuanced examination as to why, on the parts of Congolese and Rwandan refugees and in light of recent developments. What requires further consideration is whether the status quo is politically advantageous to actors like the UNHCR and host and home states.

For Rwanda, the reunion of nation and state represented by repatriation (if only symbolic) validates the legitimacy of PRF's rule – despite and contrary to the international community's concerns overs its authoritarian slant and patchy human rights record. Having no refugees outside its borders (if only officially) is an affirmation of the state's successful post-conflict reconstruction and economic and political stability. Even when return results in subsequent flight, recycled refugees remain undocumented. Official refugee totals decline because of recorded repatriates and decreases in settlement populations (corresponding to those who seamlessly interwove into local communities).

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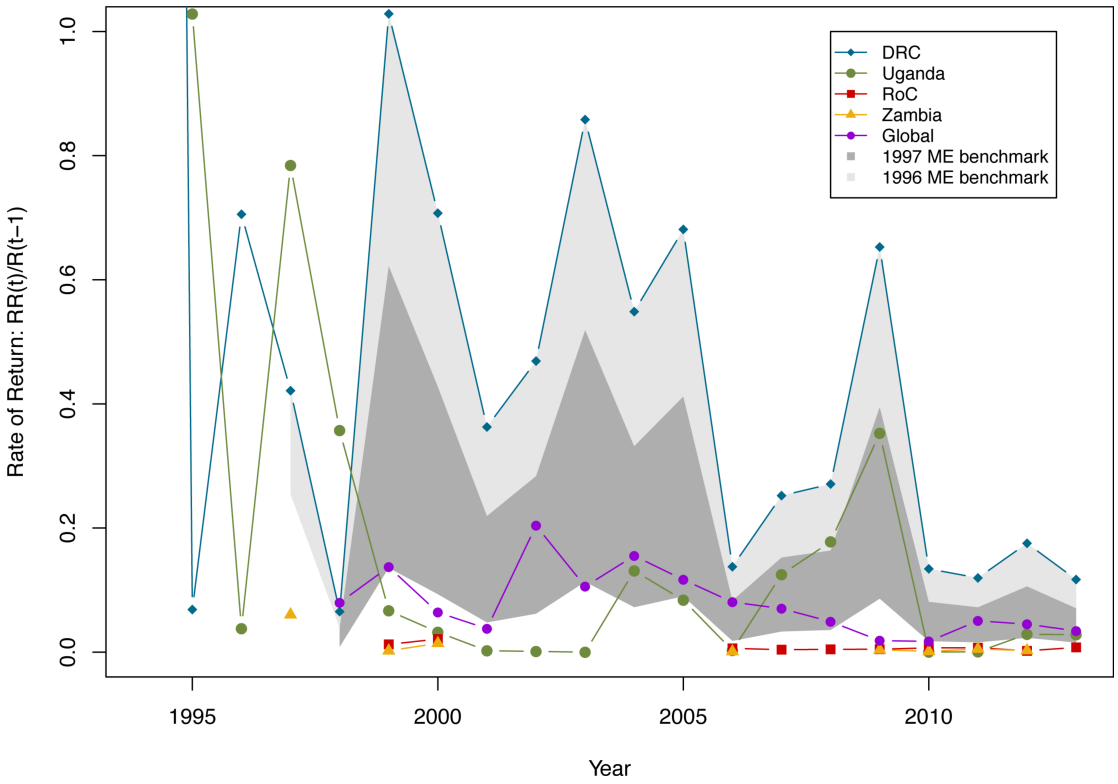
[43] Oluoch, "Lack of UN."
[44] Simone Schlindwein, "The War Against FDLR Already Started," *Die Region Der Grossen Seen*, January 9, 2015, http://simoneschlindwein.blogspot.com.au.
[45] Kenny Katombe, "Rwandan Rebel Group Kills 10 Soldiers in Eastern Congo Ambush," *Reuters UK*, April 8, 2015, http://uk.reuters.com.

FIGURE 6.1

RATES OF RETURN OF RWANDAN REFUGEES BY MAIN COUNTRIES OF ASYLUM (1995-2013)

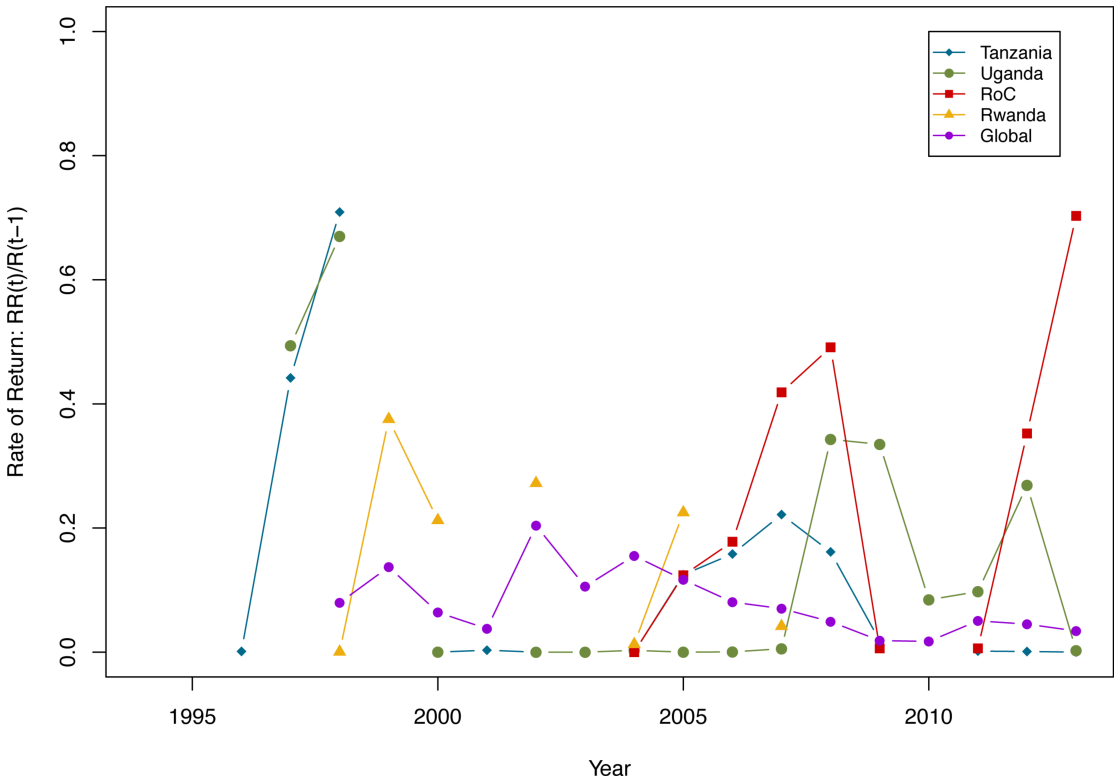


- Rate of Return is calculated as a percentage of the total refugee population in question at the end of the preceding year: Returning Refugees at year t, divided by total Refugees at preceding year RR(t)/R(t-1).
- Due to problems of data collection and accuracy, the Rate of Return of Rwandan refugees from DRC surpasses 100 percent in 1995 and 1999. Alternatively, we can use Adelman's high estimate for Rwandan refugees in then-Zaïre at the end of 1996 (700,000) instead of UNHCR's figure of 423,501. If we take this discrepancy as a proxy for Measurement Error (ME), the number of Rwandan refugees for every subsequent year would be roughly 1.7 times larger than figures reported by UNHCR, yielding return rates depicted by the bottom of the light grey area on the graph (1996 ME benchmark). If we use MSF/WHO figures for 1997 instead of UNHCR ones (280,000 Rwandan refugees in DRC as opposed to 37,000), then the numbers of Rwandan refugees in DRC for each subsequent year would be roughly 7.6 times larger than figures reported by UNHCR, yielding return rates represented by the bottom of the dark grey area on the graph (1997 ME benchmark). (For alternate figures, see Howard Adelman, "The Use and Abuse of Refugees in Zaire," in *Refugee Manipulation: War, Politics, and the Abuse of Human Suffering*, edited by Stephen John Stedman and Fred Tanner, Brookings Institution Press, 2003, 100; MSF, "DRC 1997 - Forced Flight: Brutal Strategy of Elimination," *Médecins Sans Frontières (MSF) International*, November 27, 2002, http://www.msf.org; and CDC, "Cholera Outbreak among Rwandan Refugees: Democratic Republic of Congo, April 1997," *Morbidity and Mortality Weekly Report, Centers for Disease Control and Prevention, USA Government*, May 22, 1998, http://www.cdc.gov.)
- Asylum country is included as main if it hosted 5,000+ Rwandan refugees in 2010.
- Absence of points on the graph indicates missing data.

For data sources, see Figure 6.2.

FIGURE 6.2

RATES OF RETURN OF CONGOLESE REFUGEES BY MAIN COUNTRIES OF ASYLUM (1995-2013)

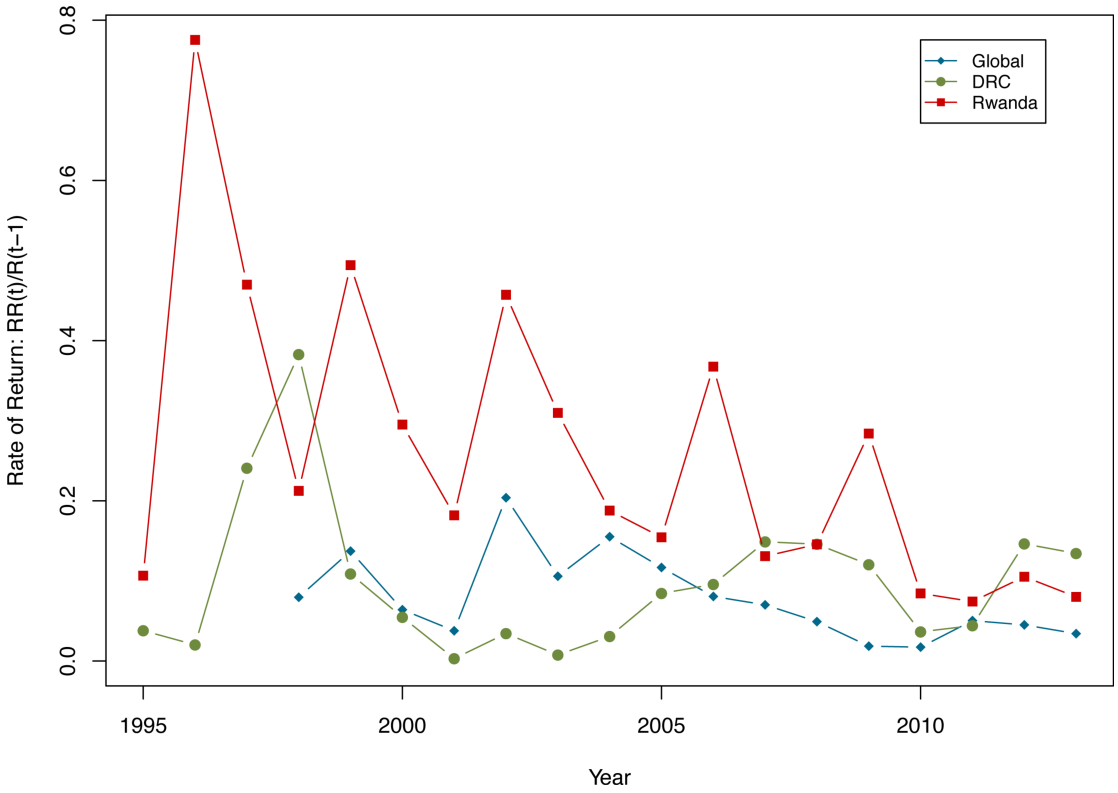


- Rate of Return is calculated as a percentage of the total refugee population in question at the end of the preceding year: Returning Refugees at year t, divided by total Refugees at preceding year RR(t)/R(t-1).
- Asylum country is included as main if it hosted 5,000+ Congolese refugees in 2010.
- Absence of points on the graph indicates missing data.

Data sourced from UNHCR, "Refugees and Others of Concern to UNHCR: 2000 Statistical Overview," June 2002, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2001 Annex: Refugees, Asylum-Seekers and Other Persons of Concern: Trends in Displacement, Protection and Solutions," November 2002, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2002 Annex: Refugees, Asylum-Seekers and Other Persons of Concern: Trends in Displacement, Protection and Solutions," September 2004, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2003 Annex: Trends in Displacement, Protection and Solutions," June 2005, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2004 Annex: Trends in Displacement, Protection and Solutions," August 2005, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2005 Annex: Trends in Displacement, Protection and Solutions," August 2007, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2006 Annex: Trends in Displacement, Protection and Solutions," December 2007, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2007 Annex: Trends in Displacement, Protection and Solutions," December 2008, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2008 Annex: Trends in Displacement, Protection and Solutions," December 2009, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2009 Annex: Trends in Displacement, Protection and Solutions," October 2010, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2010 Annex: Ten Years of Statistics," 2011, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2011 Annex: Top Populations by Origin, Top Host Countries," April 2013, http://www.unhcr.org; UNHCR; "UNHCR Statistical Yearbook 2012 Annex: Top Population Outflows by Origins, Top Refugees Vs Asylum-Seekers," December 2013, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2013 Annex: 25 Years of Global Forced Displacement," February 2015, http://www.unhcr.org.

FIGURE 6.3

RATES OF RETURN BY GLOBAL, CONGOLESE, AND RWANDAN REFUGEE POPULATIONS (1995-2013)



- Rate of Return is calculated as a percentage of the total refugee population in question at the end of the preceding year: Returning Refugees at year t, divided by total Refugees at preceding year RR(t)/R(t-1).

Data sourced from UNHCR, "Refugees and Others of Concern to UNHCR: 2000 Statistical Overview," June 2002, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2001 Annex: Refugees, Asylum-Seekers and Other Persons of Concern: Trends in Displacement, Protection and Solutions," November 2002, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2002 Annex: Refugees, Asylum-Seekers and Other Persons of Concern: Trends in Displacement, Protection and Solutions," September 2004, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2003 Annex: Trends in Displacement, Protection and Solutions," June 2005, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2004 Annex: Trends in Displacement, Protection and Solutions," August 2005, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2005 Annex: Trends in Displacement, Protection and Solutions," August 2007, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2006 Annex: Trends in Displacement, Protection and Solutions," December 2007, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2007 Annex: Trends in Displacement, Protection and Solutions," December 2008, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2008 Annex: Trends in Displacement, Protection and Solutions," December 2009, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2009 Annex: Trends in Displacement, Protection and Solutions," October 2010, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2010 Annex: Ten Years of Statistics," 2011, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2011 Annex: Top Populations by Origin, Top Host Countries," April 2013, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2012 Annex: Top Population Outflows by Origins, Top Refugees Vs Asylum-Seekers," December 2013, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2013 Annex: 25 Years of Global Forced Displacement," February 2015, http://www.unhcr.org.

In these instances, Rwanda reaps the benefits of internationally recognised repatriation without having to reintegrate subsistence farmers into a small, impoverished country where land is at a premium. Repatriation also secures Rwanda's control over potential perpetrators and dissidents, pre-empting a mobilisation like the very one that brought Kagame to power. The state does its utmost to identify and document returnees before they can abscond and pursues 'repatriation without return', registering Rwandans for passports in asylum countries. While various studies have examined the potential benefit of this option,[46] in this case it allows the state to monitor a Diaspora that is petrified of any connection to it. Arguably, regional integration poses an even greater threat in terms of Rwanda's pervasiveness, despite being similarly promoted[47].

Likewise, Rwanda benefits from Congolese refugees' reluctance to repatriate; their presence substantiates the continued security threat posed by the FDLR, justifying RPF's incursions into the DRC. Congo, for its part, does not have to address the popular animosity and stigma against its own refugee population, or possible inter-ethnic conflict being (re)ignited by their return. FDLR's presence serves the same purpose. Perpetual sporadic insecurity in the east also suspends Congo's responsibility to engage in post-conflict reconciliation and reconstruction – social service provision and infrastructure development, which has been outsourced to NGOs for decades. Current military operations against the FDLR, toothless without the UN's FIB and logistical support, preserve the power balance in eastern DRC; prevent the humanitarian catastrophe created by similar campaigns in 2009; and appease Rwanda and the international community, at least incrementally. For these countries of origin, absorption and reintegration of repatriated populations could be potentially destabilising. In the current stalemate, they reap the rewards of promoting repatriation without the burdens of implementing reintegration (and possibly suffering its repercussions).

Uganda maintains amicable relations with Rwanda by supporting 'deportations of illegal immigrants'. It also retains UNHCR funding for infrastructure development and integrated social service provision, thanks to the growing Congolese refugee population. The

[46] Katy Long, "Statebuilding Through Refugee Repatriation," *Journal of Intervention and Statebuilding* 6, no. 4 (2012): 384; Long, "Home Alone?," 25–26; Ninna Nyberg-Sørensen, "Opportunities and Pitfalls in the Migration-Development Nexus: Somaliland and Beyond" (Copenhagen: Danish Institute for International Studies, 2004), 24.
[47] Jeff Crisp, "Policy Challenges of the New Diasporas: Migrant Networks and Their Impact on Asylum Flows and Regimes," New Issues in Refugee Research (Geneva: United National High Commissioner for Refugees (UNHCR), 1999), 6; Long, "Home Alone?," 26; IRRI, "From Refugee to Returnee to Asylum Seeker: Burundian Refugees Struggle to Find Protection in the Great Lakes Region" (Kampala, Uganda: IRRI, November 19, 2013), 12.

international community's guilt over failing to intervene in 1994 is partially alleviated by efforts to extirpate the FDLR and returns to Rwanda. Repatriation, traditionally equated with post-conflict reconstruction, also justifies the agency's political and financial disengagement. UNHCR can claim progress in resolving a protracted refugee situation, deflating its ever-ballooning budget to the delight of donors. All these actors stand to gain from the status quo – at the expense of refugees.

6.2 THEORETICAL ADVANCEMENTS AND CONTRIBUTIONS

These conclusions are based on an analysis of the most complex humanitarian catastrophe since World War II,[48] one that plunged Central Africa into chaos for over a decade. Twenty years on, conflict remains sporadic, regional involvement in its political economy substantial, and much of the Great Lakes Region is still struggling to recover, searching for a peace that remains elusive. Whilst the cases of Congolese and Rwandan refugees at the heart of this study may appear to be outliers, they are actually representative cases of protracted refugee situations, which account for the state in which 54 per cent of all refugees find themselves globally[49]. The study itself was heuristic, or hypothesis-building.[50] In addition to explaining the puzzle as to why Rwandan and Congolese refugees refuse to be repatriated, its aims were to ascertain trends generalizable to other cases of protracted displacement. Lijphart, Eckstein, Finnemore, and Sikkink all attest to the value of such cases studies in developing mid-level theoretical propositions for specific issue areas,[51] what Reus-Smit termed 'small-t theoretical

[48] Bronwen Manby, *Struggles for Citizenship in Africa* (London: Zed Books, 2009), 67; Human Security Report Project, "Human Security Report 2009/2010: The Causes of Peace and the Shrinking Costs of War" (New York: Oxford University Press, 2011); Koen Vlassenroot, "Reading the Congolese Crisis," in *Conflict and Social Transformation in Eastern DR Congo*, ed. Koen Vlassenroot and Timothy Raeymaekers (Gent: Academia Press, 2004), 53; Koen Vlassenroot and Timothy Raeymaekers, "Introduction," in *Conflict and Social Transformation in Eastern DR Congo*, ed. Koen Vlassenroot and Timothy Raeymaekers (Gent: Academia Press, 2004), 20; Anke Hoeffler, "Dealing with the Consequences of Violent Conflicts in Africa: Background Paper for the African Development Bank Report 2008" (Centre for the Study of African Economies: University of Oxford, March 13, 2008), 10, 19, 50.

[49] UNHCR, "UNHCR Statistical Yearbook 2013: 25 Years of Global Forced Displacement," February 2015, 28, http://www.unhcr.org.

[50] Arend Lijphart, "Comparative Politics and the Comparative Method," *American Political Science Review* 65, no. 3 (1971): 692; Harry Eckstein, *Regarding Politics: Essays on Political Theory, Stability, and Change* (Berkley: University of California Press, 1992), 94.

[51] Lijphart, "Comparative Politics," 692; Eckstein, *Regarding Politics*, 94; Martha Finnemore and Kathryn Sikkink, "Taking Stock: The Constructivist Research Program in International Relations and Comparative Politics," *Annual Review of Political Science* 4, no. 1 (June 2001): 404.

generalisations"[52]. In this tradition of case study approaches in Comparative Politics, the theoretical advancements based on this research offer a holistic theory of determinants of repatriation in protracted refugee situations – viewed as interdependent, dynamic *processes.* The proposed theory is also sensitive to the agency and interests of pertinent actors at all levels, from the local to the global.

The romanticism in which repatriation has been enshrouded precluded research on reintegration for a long time. The 'national order of things'[53] became the 'natural order of things'[54], and repatriation restored the innate, natural affinity between people and place, nation and state. Neither was questioned. This trend was substantiated by understandings (and assumptions) that such inquiries would infringe on state sovereignty while resting outside the scope of international organisations' mandates.[55] When this scarcely scrutinised romanticism was finally questioned, it was simply supplanted by an endorsement of repatriation on grounds of the rights secured by membership in a sovereign state that occupies a defined territory, the rights of citizenship – access to sources of livelihoods, social services, rights of freedom of movement, residence, and equal treatment – all contingent on recognised territorially-anchored identity as a citizen of a nation-state.[56] The international community, home, and host states all found renewed reason to remain firmly wedded to repatriation as the optimal solution to forced displacement,[57] even before its reformative

[52] Christian Reus-Smit, *The Moral Purpose of the State: Culture, Social Identity, and Institutional Rationality in International Relations* (Princeton: Princeton University Press, 1999).
[53] Liisa Malkki, "National Geographic: The Rooting of Peoples and the Territorialization of National Identity Among Scholars and Refugees," *Cultural Anthropology* 7, no. 1 (1992): 27.
[54] Ibid.
[55] John R. Rogge, "Repatriation of Refugees: A Not So Simple 'Optimum' Solution," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 22; Tim Allen and David Turton, "Introduction: In Search of Cool Ground," in *In Search of Cool Ground: War, Flight and Homecoming in Northeast Africa*, ed. Tim Allen (Oxford: James Currey Ltd, 1996), 1.
[56] Gaim Kibreab, "Revisiting the Debate on People, Place, Identity and Displacement," *Journal of Refugee Studies* 12, no. 4 (1999): 385, 387, 408; Gaim Kibreab, "Rejoinder to the Replies by Daniel Warner, Finn Stepputat and David Turton," *Journal of Refugee Studies* 12, no. 4 (1999): 426–427; Gaim Kibreab, "Left in Limbo: Prospects for Repatriation of Eritrean Refugees from the Sudan and Responses of the International Donor Community," in *In Search of Cool Ground: War, Flight and Homecoming in Northeast Africa*, ed. Tim Allen (Oxford: James Currey Ltd, 1996), 53; Lucy Hovil, "'Two People Can't Share the Same Pair of Shoes': Citizenship, Land and the Return of Burundian Refugees to Burundi," Working Paper No. 2, Citizenship and Forced Migration in the Great Lakes Region (IRRI, November 2009), 1.
[57] Enoch O. Opondo, "Refugee Repatriation in the Horn of Africa: A Contextual Overview of Some Socio-Economic, Legal and Administrative Constraints," in *In Search of Cool Ground: War, Flight and Homecoming in Northeast Africa*, ed. Tim Allen (Oxford: James Currey Ltd, 1996), 23; Kibreab, "Revisiting the Debate," 390, 407; Kibreab, "Rejoinder," 425; Anna Lindley, "Between a Protracted and a Crisis Situation: Policy Responses to Somali Refugees in Kenya," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 27.

promises of 'just return'[58] and '*em*patriation'[59] were posited. As refugees became linked in Western eyes to instability and regional conflict, repatriation became viewed as essential to international security.[60] These actors' amnesia conveniently negated historical realities that 'the refugee problem' had been resolved in the context of exile until the 1980s[61]. Now, not only was the relationship between people and place innate, but so was the restoration of citizenship rights following repatriation, assumed to occur based on refugees' informed, voluntary decisions to return, undertaken in safety and dignity, once the country of origin demonstrated 'substantial and permanent' change in the conditions that necessitated their flight[62]. The return was to be the result of consultations between refugees, host and home states, and the international community, entailing a renegotiation and resumption of the social contract on which state power is justified and its government is based. This never happened – and we continue to delude ourselves that it ever will.

These are justifications and empty promises. Repatriation is pursued because it is the only feasible course of action in a context where Western states pursue restrictive asylum policies and practices; developing countries refuse to accept refugee populations on a permanent basis; and donors require UNHCR to deflate its ever-ballooning budget and demonstrate progress, justifying continued, albeit reduced, funding.[63] For the most part, refugees today return spontaneously, due to insecurity in the host country, deteriorated service provision, or the revocation of their status through applications of measures like cessation clauses.[64] They return to extremely fragile countries, struggling with post-conflict reconstruction and

[58] Bradley, "Back to Basics," 285–286.
[59] Katy Long, "State, Nation, Citizen: Rethinking Repatriation," *Refugee Studies Centre, University of Oxford*, Working Paper Series No. 48, August 2008, 39.
[60] Gil Loescher and James H. S. Milner, *Protracted Refugee Situations: Domestic and International Security Implications* (Oxford: Routledge, 2005), 26.
[61] Gaim Kibreab, "Citizenship Rights and Repatriation of Refugees," *International Migration Review* 37, no. 1 (2003): 25.
[62] Allen and Turton, "Cool Ground," 15.
[63] Kibreab, "Citizenship Rights and Repatriation," 25–26; Rogge, "Repatriation of Refugees," 20; B.S. Chimni, "Globalization, Humanitarianism and the Erosion of Refugee Protection," *Journal of Refugee Studies* 13, no. 3 (2000): 243–263; Loescher and Milner, *Protracted Refugee Situations*, 7, 26, 29; Richard Black and Khalid Koser, eds., *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction* (Oxford: Berghahn Books, 1999); Gerald B. Helman and Steven R. Ratner, "Saving Failed States," *Foreign Policy*, no. 89 (1993); James D. Fearon and David Laitin, "Ethnicity, Insurgency and Civil War," *American Political Science Review* 97, no. 1 (2003): 75–90; Magüi Moreno Torres and Michael Anderson, "Fragile States: Defining Difficult Environments for Poverty Reduction" (London: Department for International Development (DFID), 2003); Christopher Cramer, *Civil War Is Not a Stupid Thing: Accounting for Violence in Developing Countries* (London: Hurst & Co, 2006).
[64] Barry Stein, "Ad Hoc Assistance to Return Movements and Long-Term Development Programmes," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (London: James Currey Ltd, 1994), 52–56; Opondo, "Refugee Repatriation in the Horn," 30.

reconciliation: infrastructure decimated by years of conflict, a near complete absence of social services, and large IDP populations likewise in dire need of assistance. At worst, they return to failed, predatory states ruled by rebels or warlords.[65] State strength, or crippling weakness, has not affected the repatriation and reintegration measures pursued by countries of origin. UNHCR sees reintegration assistance as the responsibility of development agencies and the governments whose actions (or lack thereof) precipitated displacement in the first place.[66] These agencies, much like UNHCR itself, disengage from protracted refugee situations – the 'caravanserai of humanitarian aid organisations treks, apparently by common agreement, from one humanitarian territory to the next'[67]. The crises are left not so much solved, but superseded by newer, sexier headlines, calling attention to urgent emergencies to which aid organisations flock at the behest of donors and the riled publics who help fund them. They, too, will be old news soon enough. And the organisations will move on once again. Former recipients of their aid are left in the incapable, crippled hands of their countries of origin. This context offers neither will nor way for repatriation to be anything but 'the physical act of re-crossing a border'[68]. The resources, strategic planning and coordination, and long-term engagement needed to realise the reformative potential of repatriation as a political act, the negotiated resumption of a social contract between communities in exile, those inside state borders, and their government, simply do not exist.

Repatriation is not a solution, durable or otherwise, to the plight of protracted displacement. Arguably, return of large populations in the absence of coordinated, adequately financed reintegration and development programmes only impedes post-conflict reconstruction in inevitability fragile, if not failed, states. As far the international community is concerned, however, return solves the 'refugee problem'. Official total refugee statistics decrease, and UNHCR, to the delight of its donors and their wallets, can trumpet yet another 'success'.

Refugees are not oblivious to this context. Their decisions to pursue return – or to resist or rebel against it – are based on the interactions between four interdependent, dynamic processes. I extrapolate these hypotheses from my study's findings concerning Congolese and Rwandan refugees and repatriates in tandem with variables widely identified as determinants of repatriation: duration and nature of exile (including integration and acculturation in the host country and attained socio-economic levels); pressures to return, exerted by outside

[65] Stein, "Ad Hoc Assistance," 65; Rogge, "Repatriation of Refugees," 22.
[66] Kibreab, "Left in Limbo," 56.
[67] Linda Polman, *War Games* (London: Penguin Books, 2011), 11.
[68] Bradley, "Back to Basics," 300–301.

forces like host and home states and NGOs; experiences of flight and the conditions that necessitated it; and the extent of information refugees possess concerning their communities and countries of origin[69]. I posit that the first two factors are best analysed in terms of the tension between coterminous processes of *de facto* integration and *de jure* segregation. Regardless of whether refugees are encamped in refugee microstates or reside in urban centres, the very duration of their presence in the host state will entail a level of socioeconomic integration, be it on the basis of individuals seeking employment and educational opportunities in local communities or on the basis of entire camps or settlements being integrated into regional economies of the host state (as occurred in Uganda). These processes are undergirded by developmental approaches to refugee hosting, by which refugees and nationals share social welfare services. Such approaches, under the guise of phasing out service provision to refugees whilst aiding the development of their host communities, actually contribute to refugees' integration. *De jure* segregation counters these processes through refugee encampment, curtailment of movement and employment, and the stress on their eventual (and inevitable) repatriation. It is exacerbated on the macro level of the international community by pressures to implement cessation clauses and voluntary repatriation programmes and on the micro level of refugees themselves by hopes and efforts to secure third country resettlement. The resultant tension between these processes of *de facto* integration and *de jure* segregation curtail both acculturation and complete integration. Refugees are suspended between staying and going.

Experiences of flight and the conditions that necessitated it, likewise, ought to be analysed as a process of community construction and consolidation in exile via intergenerational narratives of cyclic violence and trauma[70]. Such experiences, tellings, retellings, and

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[69] Kibreab, "Citizenship Rights and Repatriation," 29, 32, 59–61; Rogge, "Repatriation of Refugees," 33; John R. Rogge, "Report on the Medium and Longer Term Resettlement and Reintegration of Displaced Persons and Returning Refugees in the Proposed Kurdish Autonomous Region of Iraq" (New York: UNDP, 1991), 25; Roger Zetter, "The Greek-Cypriot Refugees: Perceptions of Return under Conditions of Protracted Exile," *International Migration Review* 28, no. 2 (July 1, 1994): 307–308; Stella Tandai Makanya, "The Desire to Return: Effects of Experiences in Exile on Refugees Repatriating to Zimbabwe in the Early 1980s," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 105; Lucy Hovil, "A Dangerous Impasse: Rwandan Refugees in Uganda," Working Paper No. 4, Citizenship and Displacement in the Great Lakes Region (IRRI, June 2010); Lucy Hovil, "Shadows of Return: The Dilemmas of Congolese Refugees in Rwanda," Citizenship and Displacement in the Great Lakes Region (IRRI, July 2011).

[70] Margaret Somers, "The Narrative Constitution of Identity: A Relational and Network Approach," *Theory and Society* 23 (1994): 605–49; Martin Denis-Constant, "The Choices of Identity," *Social Identities* 1, no. 1 (February 1995): 8; Franke Wilmer, "Identity, Culture, and Historicity: The Social Construction of Ethnicity in the Balkans," *World Affairs* 160, no. 1 (Summer 1997): 5; Joane Nagel,

internalisations of violent episodes, remembered first-hand or vicariously, tend to structure communal identities 'in more antagonistic and rigid ways'.[71] As aspect of this inadvertent effect is the way unity is imposed on the group retroactively as narrators construct continuity in an effort to bring sense and meaning to a present forged from a chaotic past riddled with loss and conflict.[72] This is 'social construction by discourse'[73], and refugees are the 'agents of construction'[74]. The actual discourse they employ, however, entails international norms of human rights, communicated in the language of citizenship. The language and norms are infused into all locations of exile through 'epistemic communities'[75] of international organisations that work in these settings. Ironically, while UNHCR and the international community at large have depoliticised repatriation, they have politicised the very communities meant to undertake it. These refugee communities, awakened to the rights of refuge, demand negotiated return and concomitant rights of citizenship, which international agencies are unwilling and unable to provide. Communal narratives, however, are retrospectively translated into these terms. Experiences of past violence are reinterpreted as grievances against the state of origin, which reneged on its responsibilities to protect its citizens and their rights, culminating in their flight, a most severe severance of the social contract. In this articulation, they are retold, passed down, and reiterated. By increasing 'commonality', 'connectedness', and 'groupness',[76] this process consolidates communities constructed in exile. Their political nature makes them susceptible to collective action and mass mobilisation, particularly when events in the present evoke those of the past in the communal narrative.[77] Considering the broader context in which this occurs, such mobilisation is much more likely

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"Constructing Ethnicity: Creating and Recreating Ethnic Identity and Culture," *Social Problems* 41 (1994): 161; Maurice Halbwachs, *On Collective Memory* (Chicago: University of Chicago Press, 1992), 54–83; Efraim Sicher, "The Future of the Past: Countermemory and Postmemory in Contemporary American Post-Holocaust Narratives," *History and Memory* 12, no. 2 (2000): 84; Marianne Hirsch, "The Generation of Postmemory," *Poetics Today* 29, no. 1 (2008): 103–28.

[71] James D. Fearon and David D. Laitin, "Violence and the Social Construction of Ethnic Identity," *International Organization* 54, no. 4 (September 2000): 846.

[72] Isabel Hofmeyr, *"We Spend Our Years as a Tale That Is Told": Oral Historical Narrative in a South African Chiefdom* (Portsmouth: Heinemann, 1993); Elizabeth Tonkin, *Narrating Our Pasts: The Social Construction of Oral History* (Cambridge: Cambridge University Press, 1992); Jan B. Shetler, "Historical Memory as a Foundation for Peace: Network Formation and Ethnic Identity in Mara, Tanzania," *Journal of Peace Research* 47, no. 5 (2010): 644.

[73] Fearon and Laitin, "Violence and Social Construction," 852.

[74] Ibid., 853.

[75] Peter M. Haas, ed., "Knowledge, Power, and International Policy Coordination," *International Organization* 46, no. Special Issue (1992).

[76] Rogers Brubaker and Frederick Cooper, "Beyond 'Identity,'" *Theory and Society* 29, no. 1 (February 2000): 21.

[77] Arturo Escobar and Sonia E. Alvarez, eds., *The Making of Social Movements in Latin America* (Boulder: Westview Press, 1992); Mila Dragojević, "Memory and Identity: Inter-Generational Narratives of Violence Among Refugees in Serbia," *Nationalities Papers* 41, no. 6 (2013): 1067–1068; Denis-Constant, "The Choices of Identity," 10.

to be against repatriation than in support of return.

Communal narratives also shape the 'frames'[78] and 'collective schemes'[79] against which information concerning the country of origin is evaluated. Again, this is an on-going process. Thus, in analysing information concerning the country of origin as a determinant of repatriation, we must consider not only its accuracy and frequency, its sources, possibilities of distortion, and refugees' physical proximity to home states,[80] but also how refugees interpret this information and the process by which they diffuse it throughout their communities in exile. In order to understand information diffusion through refugees' social networks, it is necessary to investigate the structure of those networks, which is essentially a rigorous analysis of the concept of 'connectedness'[81]. 'Close-knit'[82] or 'effective'[83] networks are 'dense' clusters of strong ties[84] that facilitate informational flow *within* – but not outside – these social structures. 'Loose-knit'[85] or 'extended'[86] networks are less 'dense' clusters of weak ties[87] that foster the flow of news *between* and *without* social structures. The most effective structures are combinations of weak and strong ties. The information that carries on the airwaves of *radio trottoir*[88] is that deemed worthy of emission, verified against accepted communal frames and triangulated through trusted sources. Widespread availability of ICT and the physical mobility of Big Men – the most influential nodes in these social networks due to their specific roles and the number of ties connecting them to others – renders the physical proximity of refugees to their home states irrelevant. They all possess staggering amounts of information concerning their communities and countries of origin. The bias in this information is a function of how insulated their networks are and how powerfully reinforced the communal narratives through which information is filtered become.

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[78] Doug McAdam, John D. McCarthy, and Mayer N. Zald, eds., *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings* (New York: Cambridge University Press, 1996), 6.
[79] Denis-Constant, "The Choices of Identity," 8.
[80] Rogge, "Repatriation of Refugees," 32–34; Martha Walsh, Richard Black, and Khalid Koser, "Repatriation from the European Union to Bosnia-Herzegovina: The Role of Information," in *The End of the Refugee Cycle? Refugee Repatriation and Reconstruction*, ed. Richard Black and Khalid Koser (Oxford: Berghahn Books, 1999), 113.
[81] Brubaker and Cooper, "Beyond 'Identity,'" 21.
[82] Elizabeth Bott, *Family and Social Network* (London: Tavistock, 1957).
[83] A.L. Epstein, "The Network and Urban Social Organization," *Rhodes-Livingstone Institute Journal*, 1961, 29–62.
[84] Mark S. Granovetter, "The Strength of Weak Ties," *American Journal of Sociology* 78, no. 6 (1973): 1370–1371.
[85] Bott, *Family and Social Network*.
[86] Epstein, "The Network and Urban Social Organization."
[87] Granovetter, "Strength of Weak Ties," 1370–1371.
[88] Stephen Ellis, "Tuning In to Pavement Radio," *African Affairs* 88, no. 352 (1989): 321.

Repatriation is almost inevitably doomed to fail in fulfilling its reformative potential due to the context in which it is carried out and the lack of will and resources on the parts of implementing parties. Instead of reforming the state of origin through a renegotiated social contract between its government and populations at home and in exile, repatriation only feeds into the processes described above to reify refugees' resistance to return. Every frustrated, failed, or forced repatriation is broadcast over *radio trottoir* throughout communities in exile. These accounts become integrated into communal narratives of grievance against the state of origin, pulling the past into the present in the language of abused rights. Simultaneously, communal bonds of commonality, connectedness, and groupness are strengthened. Communities already susceptible to collective political action are easily mobilised against repatriation. This resistance is manifested in activism, violence, concealment in local communities, or subsequent flight or migration – political acts in their own right. The most detrimental possible unanticipated consequence of failed, frustrated, or forced return is the demotion of 'refugees' to 'stateless persons'.

The realisation of this eventuality, ironically enough, does not deter from the success of repatriation in 'resolving' the refugee problem. It does not even register as an egregious outcome of the shambolic implementation of return and failed reintegration. Repatriates are deducted from total refugee numbers and become the responsibility of their states of origin. Should they subsequently flee, they must subject themselves to refugee status determination from which, as former repatriates, they are usually rejected – they become stateless. UNHCR measures the success of its operations on the basis of these statistics, as dubious and inaccurate as they may be. When protracted refugee situations decrease in number, even if this decrease only masks increases in *de facto* statelessness, donors are appeased; their evaluation remains numerically based. States of origin, for their part, accrue international recognition of their legitimacy and progress in development and reconstruction. Having no refugees outside their borders, if only officially, is equated with advances in good governance and political stability. Such countries of origin amass international accolades without jeopardising recovery by having to integrate large populations of repatriates into their fragile socio-economic structures. Host states, on the other hand, are released from the burdens of hosting refugees in protracted displacement, situations from which international agencies slowly disengage, taking their aid and their services with them. These host states' infrastructure and social service delivery have already been bolstered by INGOs and NGOs' investments during the initial period when refugee influxes were categorised as humanitarian emergencies. When the caravanserai moves on, the host country is disinclined to bear and fund the burden alone. Only

refugees lose out on this status quo when repatriation renders them effectively stateless. In such situations, instead of being the most durable solution to protracted displacement, repatriation exacerbates the situation it was meant to resolve whilst provoking a different crisis.

6.3 THEORETICAL APPLICABILITY

The interdependent, dynamic processes postulated above are applicable to *all* cases of protracted displacement, which account for the majority of refugee situations[89]. Factors like the nature of exile, what rights it offers relative to those provided (or abused) by the country of origin and tensions between *de facto* integration and *de jure* segregation; the manner in which refugee communities are reconstituted and redefined during displacement; and what information concerning the homeland is accepted as credible will continue to affect repatriation – and resistance to it – across *all* cases. Effects of interconnectivity between diverse sites of refuge on community (trans)formation and information flows will likewise remain pertinent: 83 per cent of all refugees are found in countries neighbouring their own[90]. Ramifications of forced or frustrated repatriation are not only relevant where they occurred but in *all* instances in which news of them spread through refugee communities and social networks. History is rife with such cases, from returns to Rwanda and Burundi, to the experiences of repatriates to Zaïre, Chad, Ethiopia, Zimbabwe, Mozambique, Angola, Liberia, Sudan, Somalia, Uganda, El Salvador, and Guatemala.[91] The list is long – and far from complete.

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[89] UNHCR, "UNHCR Statistical Yearbook 2013," 28.

[90] UNHCR, "UNHCR Statistical Yearbook 2006: Trends in Displacement, Protection and Solutions," December 2007, 29, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2009: Trends in Displacement, Protection and Solutions," October 2010, 21, http://www.unhcr.org; UNHCR, "UNHCR Statistical Yearbook 2010: Ten Years of Statistics," 2011, 24, http://www.unhcr.org.

[91] Hovil, "Pair of Shoes," 34; Hovil, "Dangerous Impasse," 45; Hovil, "Shadows of Return," 5; Ken B. Wilson, "Refugees and Returnees as Social Agents," in *When Refugees Go Home: African Experiences*, ed. Tim Allen and Hubert Morsink (Oxford: James Currey Ltd, 1994), 259; Makanya, "Desire to Return"; Megan Bradley, "Unlocking Protracted Displacement: Central America's 'Success Story' Reconsidered," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 121; Roger Zetter, "Unlocking the Protracted Displacement of Refugees and Internally Displaced Persons: An Overview," *Refugee Survey Quarterly* 30, no. 4 (December 1, 2011): 12; Loescher and Milner, *Protracted Refugee Situations*, 75; Lindley, "Between a Protracted," 28; Allen and Turton, "Cool Ground," 2; Kallu Kalumiya, "Angola: A Model Repatriation Programme," *Refugee Survey Quarterly* 23, no. 3 (2004): 223–224.

Observations concerning the interests, engagement constrictions, and agencies of local, state, and international actors are likewise broadly applicable. UNHCR's mandate, including objectives, policies, and implementation approaches, is consistent across all locations in which the agency operates: 169 out of the world's 196 states[92].[93] The top countries of refugee origin are, and have been, amongst the world's most volatile and war-ridden states, fragile, failed, and consumed by intractable conflict: Afghanistan, Syria, Somalia, Sudan, and the DRC,[94] followed by Iraq and Eritrea[95]. They are also countries with the largest numbers of IDPs.[96] These states' progress towards peace and socio-economic reconstruction will be a lengthy, bumpy road. Their capacity to reintegrate future repatriates based on a negotiated return and a resumption of effective citizenship is dubious, to say the least. Afghanistan, Syria, and Somalia, source countries of refugee populations numbering 2.56 million, 2.47 million, and 1.12 million, respectively, account for over half of all refugees under UNHCR's care.[97] Countries hosting these refugees are likewise fragile, and their already strained socio-economic capacities reach their limits, surpassing them, due to large influxes of refugees. Pakistan hosts the greatest number of refugees, 97 per cent of them from Afghanistan; Iran, home to the second largest refugee population, also hosts Afghans.[98] Syrian refugees are spread throughout neighbouring Lebanon, Jordan, and Turkey, which host the world's third, fourth, and fifth largest refugee populations, respectively.[99] Somali refugees are found in bordering Kenya and Ethiopia, which also hosts Eritreans, Sudanese, and South Sudanese.[100] Syria, the source country of the world's second largest refugee population, also hosts nearly 500,000 Iraqi refugees, many of whom fled back to Iraq, joining Syrian refugees, due to continued conflict in Syria.[101] Such flight from refuge has become the new return, a sobering counter to romanticised repatriation, with all its unfulfilled reformative potential.

Refugee-generating regions are refugee-hosting regions, and just in 2013, 10.7 million additional people were displaced; the global refugee population increased by 2.5 million.[102] The same year witnessed only 414,600 returns, according to UNHCR, the fourth lowest

[92] If Taiwan, which is not officially recognised by all other states, is included.
[93] UNHCR, "UNHCR Statistical Yearbook 2013," 28.
[94] In order of highest numbers of refugees.
[95] UNHCR, "UNHCR Statistical Yearbook 2013," 30.
[96] Ibid., 36.
[97] Ibid., 30.
[98] Ibid., 29.
[99] Ibid.
[100] Ibid.
[101] Ibid., 30.
[102] UNHCR, "UNHCR Statistical Yearbook 2006," 29; UNHCR, "UNHCR Statistical Yearbook 2009," 21; ibid., 24; UNHCR, "UNHCR Statistical Yearbook 2013," 30.

level in nearly 25 years.[103] Two-thirds of them returned to Syria and one-third went back to DRC and Iraq.[104] Those returning to Iraq were fleeing war in Syria, while those who went back to DRC and Syria are at high risk of subsequent flight due to political instability and insecurity.[105] Despite these realities, they are touted as successful repatriations. This abysmal state of affairs lends credence to the persistent applicability of the theories outlined above.

Experiences and repercussions of the 2012-13 applications of the 'Ceased Circumstances' Cessation Clause to Rwandan, Liberian, and Angolan refugees further substantiate these claims, as do the repatriations that preceded invocation. The Rwandan case has already been discussed at length throughout this thesis, and will not be revisited here. Cessation Clauses for Liberian and Angolan refugees entered into force on 30 July 2012; UNHCR decreed both states have now 'enjoyed many years of peace and stability'[106]. For Angolan refugees, the Cessation Clause applies to those who fled the country during the war of independence from Portugal (1965-75) and the subsequent civil war, which concluded in 2002.[107] For Liberian refugees, it applies to those who fled during the two civil wars between 1989 and 2003, which claimed the lives of over 250,000 and forced another 750,000 into exile.[108] These measures were implemented following various efforts at repatriation to both countries.

Liberia, Ghana, and UNHCR signed a Tripartite Agreement in 1997.[109] Simultaneously, the new government of President Charles Taylor pursued, persecuted, or eliminated political opponents; refugees refused to repatriate.[110] By the end of 1998, over 12,000 Liberian refugees remained in Ghana's Buduburam Refugee Settlement; despite the host government's announcement of the settlement's closure, no refugee repatriated.[111] Charles Taylor's resignation and exile in Nigeria in 2003 coincided with the Comprehensive Peace Agreement, purportedly signalling a new era of return. Most Liberian refugees opted to remain, and most of those who did repatriate returned to Ghana.[112] Liberian refugees continued to resist

[103] UNHCR, "UNHCR Statistical Yearbook 2013," 9.
[104] Ibid.
[105] Ibid., 30.
[106] UNHCR, "Protracted Refugee Situations in Liberia and Angola to Finally End," *UN News Service Section*, June 29, 2012, http://www.un.org; UN News Centre, "Protracted Refugee Situations in Liberia and Angola Come to an End – UN," *UN News Service Section*, July 29, 2012, www.un.org.
[107] UNHCR, "Protracted Refugee Situations."
[108] Ibid.
[109] Abeeku Essuman-Johnson, "When Refugees Don't Go Home: The Situation of Liberian Refugees in Ghana," *Journal of Immigrant & Refugee Studies* 9, no. 2 (2011): 112.
[110] Ibid., 114.
[111] Ibid.
[112] Ibid., 116.

repatriation, despite the camp being cordoned the previous year due to suspicions rebels fighting in neighbouring Côte d'Ivoire were recruiting refugees.[113] By 2003, Côte d'Ivoire had plunged into conflict in the wake of a failed coup against President Laurent Gbagbo, splitting the country into a rebel-controlled north and a government-controlled south. Liberian refugees in Côte d'Ivoire fled onwards to Guinea.[114]

Repatriation of Liberian refugees resumed in 2004 and was scheduled to conclude three years later. UNHCR announced it would cease providing material assistance towards repatriation from Ghana and Guinea after 30 June 2007; Guinea intimated it would close refugee camps; and Liberia, the country of origin, announced it would suspend reintegration assistance on the same date.[115] By the end of 2006, and despite the threats of withdrawn aid, only 4,826 Liberian refugees returned from Ghana (out of a population of about 30,000), while 46,853 repatriated from Guinea (about 35,000 refused to), 18,407 from Sierra Leone, and 17,201 from Côte d'Ivoire (this return was nothing more than flight from conflict in refuge).[116] As the deadline approached, many Liberian refugees in Nigeria, fearing repatriation, came to Ghana.[117] Ghana hosted the largest population of Liberian refugees in the world, again at about 30,000 people.[118] Between January and February 2008, Liberian Refugee Women with Refugee Concerns, based in Buduburam Settlement, petitioned UNHCR in Geneva for repatriation allowances of US$1,000 per person (they were then at US$5/person) or third country resettlement and held protests and demonstrations against repatriation.[119] The Ghanaian government declared the protests a threat to state security, arrested and deported protesters to Liberia, and subsequently requested that all Liberian refugees repatriate and Buduburam close.[120] The UNHCR repatriation programme, launched between April 2008 and March 2009, reduced the Liberian refugee population in Ghana by 40 per cent.[121] The circumstances make it difficult to even venture that the repatriation was voluntary, conducted with respect to returnees' security and dignity – the converse is a much closer semblance of reality.

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[113] Ibid.
[114] IRIN, "Africa/Guinea: Thousands of Liberian Refugees Refuse to Return Home," *IRINnews*, March 23, 2006, www.irin.org.
[115] Essuman-Johnson, "When Refugees Don't Go Home," 118.
[116] IRIN, "Africa/Guinea."
[117] Essuman-Johnson, "When Refugees Don't Go Home," 122.
[118] Naohiko Omata, "Repatriation and Integration of Liberian Refugees from Ghana: The Importance of Personal Networks in the Country of Origin," *Journal of Refugee Studies* 26, no. 2 (2012): 267.
[119] Ibid., 268; Essuman-Johnson, "When Refugees Don't Go Home," 120.
[120] Omata, "Repatriation and Integration," 268.
[121] Ibid.

Liberian refugees returned to a complete absence of integration support from the state and UNHCR.[122] Despite economic growth, Liberia remains one of the least-developed countries in the world; 64 per cent of the population lives on less than US$1 per day.[123] Returnees without relatives in Liberia were stranded at the Transit Centre for days, then forced to stay in Monrovia in hopes of securing employment for themselves and education for their children.[124] Returnees' reintegration depended wholly on their ability to mobilise familial support networks, or those of repatriated acquaintances from Buduburam.[125] Americo-Liberians found it much easier to find work as state power and access to resources was monopolised by this group until the late 20th century. Following the 2005 inauguration of Americo-Liberian President Ellen Johnson Sirleaf, they regained some of their socio-political advantages.[126] Government support to repatriates, however, was limited to employment referral services, advisory services for property reclamation, and two yearly scholarships for returnee students.[127] Repatriates received virtually no support; those without reliable connections in Liberia returned to abject poverty and conditions worse than those of refuge. Some took advantage of ECOWAS (Economic Community of West African States) Protocol on Freedom of Movement, which allows all ECOWAS citizens to live and work in membership countries[128], where they may remain for up to 90 days without a visa.[129] Those who refused to be coerced into repatriation did so because they had no knowledge of Liberia and no one to return to; others were traumatised by memories of torture and violence to which they were subjected during the civil wars.[130] Others still continued to harbour delusions of third country resettlement, sparked by a US family reunification programme and maintained despite its discontinuation in 2005.[131]

It was in this context, and amidst a backdrop of dubious repatriation exercises, that the Cessation Clause for Liberian refugees was invoked. Those who returned in 2012 suffered

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[122] Ibid., 267.
[123] Chris Stein, "Refugees No More, Liberians Ponder If They're Ready to Go Home," *Christian Science Monitor*, January 14, 2013, http://www.csmonitor.com.
[124] Omata, "Repatriation and Integration," 270.
[125] Ibid., 271.
[126] Ibid., 274.
[127] Ibid., 276–277.
[128] Benin, Burkina Faso, Cape Verde, Gambia, Ghana, Guinea, Guinea-Bissau, Côte d'Ivoire, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, and Togo.
[129] UNHCR, "Protracted Refugee Situations"; Essuman-Johnson, "When Refugees Don't Go Home," 118.
[130] Stein, "Refugees No More"; Naohiko Omata, "The End of Refugee Life?," *Peace Review: A Journal of Social Justice* 26, no. 3 (2014): 399.
[131] Essuman-Johnson, "When Refugees Don't Go Home," 118; Omata, "Repatriation and Integration," 270; Stein, "Refugees No More"; Omata, "Refugee Life?," 396.

from the same absence of reintegration support as previous repatriates.[132] The Ghanaian government, for its part, hesitated to endorse integration as a durable solution: its own economy was stagnant and the refugee population was predominantly jobless.[133] Instead, the Government of Ghana increased restrictions on refugees' economic activities.[134] Humanitarian organisations had lost interest in Liberian refugees since the 2003 ceasefire and continually reduced their aid until terminating it in 2010.[135] As aid slowly disappeared, Ghanaians began viewing Liberian refugees as competitors for scare resources, and discriminating against them.[136] Xenophobia was well entrenched by the dawn of the Cessation Clause. By 2013, when UNHCR disengaged and abandoned its programmes for Liberian refugees,[137] 3,500 of the remaining 6,000[138] in Buduburam Refugee Settlement could not return, even if they had wanted to. Repatriation necessitated a UNHCR identification card, issued in 2003 during the only registration process ever held in the settlement, and this group remained unregistered.[139] Unregistered refugees in the settlement had numbered between 12,000 and 13,000, but many left Buduburam for neighbouring Accra due to spreading insecurity.[140] Ghanaians slowly reclaimed the settlement while landowners fought bitter court battles over its land.[141] A group dubbed the 'Hawusa Boys' targeted refugees with violent attacks including stabbing, rape, physical brutality, and threats of violence.[142] UNHCR had terminated their refugee status; Ghana, the host government, prohibited their integration; and the international community effectively excluded them from third country resettlement in 2005. The interests of these actors and a long history of their implementation through ill-conceived and disastrously myopic repatriations culminated in the Cessation Clause and rendered this population stateless.

The case of Angolan refugees, to whom the Cessation Clause was also applied in 2012, is devastatingly and dishearteningly similar. The ink was still wet on the peace agreement between the *Movimento Popular de Libertação de Angola* (MPLA) government and *União*

[132] Omata, "Refugee Life?," 395–396.
[133] Ibid., 396.
[134] Ibid.
[135] Ibid.
[136] Ibid.
[137] Stein, "Refugees No More."
[138] UN News Centre, "UN Projects Aim to Help Liberian Refugees Reintegrate into Their Homeland," *UN News Service Section*, March 11, 2013, www.un.org.
[139] Natalia Oljewska, "Bureaucracy Over Human Rights: 3500 Liberian Refugees Abandoned by UNHCR and Ghana Government," *Front Page Africa*, June 14, 2013, http://frontpageafricaonline.com.
[140] Ibid.
[141] Stein, "Refugees No More."
[142] Oljewska, "3500 Liberian Refugees."

Nacional para a Independência Total de Angola (UNITA) rebels when UNHCR began pushing for repatriation in 2002.[143] The country had been at war for close to four decades; one million people had perished; a third of the population, four million people, were displaced – seeking shelter in urban centres, facing food shortages and risks of epidemic outbreaks.[144] The refugees, numbering about 450,000 and many born in exile, were scattered across DRC, Zambia, Namibia, Republic of Congo, Botswana, and South Africa.[145] Through 2004, over 280,000 had returned – to eviscerated infrastructure, lack of integration support, absence of employment and education opportunities, landmines and unexploded ordnance, and MPLA manipulating the disarmament and demobilisation of 105,000 UNITA soldiers to consolidate its own power amidst financial crisis.[146] Refugees who returned from the DRC were simply fleeing insecurity.[147]

Moxico Province, where the vast majority of refugees returned, was characterised by impassable roads, destroyed bridges, and countryside spattered with landmines.[148] Social services were worse than they had been in exile.[149] Many repatriates returned to Zambia because they were starving.[150] Others returned due to discrimination and resentment against them as they arrived with technical skills and training from Zambia and spoke English, not Portuguese.[151] Some were beaten, berated, and threatened, labeled 'Zambianos', 'Zairenses', and 'UNITAs'.[152] Their own government shared these perceptions and was disinterested in devoting resources to them.[153] In 2004, the most egregious assaults occurred in Lumbala N'Guimbo in southern Moxico Province, a remote region to which over 12,000 Angolans returned.[154] In their report *Evaluation of UNHCR's Refugee Reintegration Programme in*

[143] IRIN, "Angola: Homecoming Not So Sweet for Some Refugees," February 1, 2005, http://www.irinnews.org.
[144] Jeff Crisp, José Riera, and Raquel Freitas, "Evaluation of UNHCR's Refugee Reintegration Programme in Angola" (Geneva: United Nations High Commissioner for Refugees Policy Development and Evaluation Service, August 2008), 12; Ricardo Soares de Oliveira, *Magnificent and Beggar Land: Angola Since the Civil War* (London: C. Hurst & Co. Publishers Ltd, 2015), 24–30.
[145] Soares de Oliveira, *Magnificent and Beggar Land*, 24–30; IRIN, "Not So Sweet"; IRIN, "Angola: Focus Shifts to Reintegration of Refugees," July 27, 2005, http://www.irinnews.org.
[146] Soares de Oliveira, *Magnificent and Beggar Land*, 24–30; IRIN, "Not So Sweet."
[147] Crisp, Riera, and Freitas, "Programme in Angola," 16.
[148] IRIN, "Not So Sweet"; IRIN, "Focus Shifts."
[149] IRIN, "Focus Shifts."
[150] IRIN, "The Long Journey Home: An IRIN In-Depth on the Challenge of Refugee Return and Reintegration," February 1, 2005, http://www.irinnews.org; IRIN, "Not So Sweet."
[151] Crisp, Riera, and Freitas, "Programme in Angola," 17.
[152] IRIN, "Angola: Refugees Face Threats and Discrimination," February 1, 2005, http://www.irinnews.org; IRIN, "Focus Shifts"; Crisp, Riera, and Freitas, "Programme in Angola," 2, 24.
[153] Crisp, Riera, and Freitas, "Programme in Angola," 2, 12, 24–25.
[154] IRIN, "Threats and Discrimination."

Angola, Crisp, Riera, and Freitas elborated:

> By living with other returnees, and because they are often unable to converse with other members of the population, these former refugees have adopted a collective identity and mentality in which they are portrayed as disadvantaged, second-class citizens, whose interests have been ignored by the state and by UNHCR. [...] there is some validity to this perception.[155]

The 5,000 returnees who were settled outside Luena, the capital of Moxico Province, in 2007 could not access arable land, were segregated from the local population, and were unable to engage in income-generating activities.[156] Refugees from DRC and Zambia inhabited separate parts of the 'returnee camp'[157] and 'refused to have anything to do with each other'[158]. Shunned by local residents and their own government, they created entirely new, extremely marginalised communities. Their alienation was exacerbated by inability to procure national identity documents and birth certificates and validate academic and professional qualifications gained in exile.[159] Without these documents, children could not register for school and adults could not apply for private or public sector employment, acquire land, get married, or enjoy freedom of movement.[160] Not only were they denied full membership in the Angolan state and society – they risked expulsion as illegal aliens.[161] They were stateless in their own state and remained so even five years after repatriating.[162]

Several factors coalesced into this loathsome situation. For the first two years of the organised repatriation, UNHCR was solely focused on logistics, with no forethought given to reintegration.[163] Such planning was initiated only in 2005, a year after WFP cut back its food ration programme because of inadequate funding, aggravating extant inequities in distribution in Moxico Province.[164] By the time UNHCR's ambitious Sustainable Reintegration Initiative (SRI) was launched in 2006, the organisation was already under pressure from donors to phase out its operations in Angola.[165] Liberia and Sierra Leone captured donors' attention as they lost patience with Angola. The state refused to invest its

[155] Crisp, Riera, and Freitas, "Programme in Angola," 17.
[156] Ibid.
[157] Ibid.
[158] Ibid.
[159] IRIN, "Focus Shifts"; Crisp, Riera, and Freitas, "Programme in Angola," 2.
[160] Crisp, Riera, and Freitas, "Programme in Angola," 21.
[161] Ibid.
[162] Ibid., 3.
[163] Ibid., 2, 28, 32.
[164] Ibid., 18.
[165] Ibid., 28.

rapidly rising oil revenues to developing returnee-populated areas; showed no interest in transparency concerning the use of those revenues; and spurned the IMF for a strategic economic relationship with China.[166] SRI's launch coincided with the closure of 6 UNHCR field offices and a 32 per cent decrease in its staff.[167] By 2007, staff had been reduced another 38 per cent and only 3 offices were left open.[168] UNHCR's involvement in the reintegration programme was effectively concluded.[169] Many of its implementing partners followed suit.[170] Like Liberian and Rwandan repatriates, their reintegration was based on the support networks of families and friends.[171]

Those who returned to exile brought with them their hunger, disillusionment, and recollections of the Angola to which they had returned to and subsequently fled from. Their narratives discouraged others from return, and UNHCR fell short of its repatriation targets starting in 2003.[172] In Zambia, Angolan refugees feared the elections scheduled for 2006, military recruitment, and lack of basic services; they refused to return.[173] UNHCR disengaged from transport provision for repatriation the same year, aside from for the 3,000 refugees who remained in RoC.[174] Refugees in exile continued to be joined by failed repatriates, particularly young men who returned to Zambia and even DRC, which was still considered dangerous, or even went on to South Africa in search of employment.[175] Asylum countries continued to push for repatriation and application of the Cessation Clause.[176] By 2008, DRC still hosted about 125,000 Angolan refugees while Zambia hosted 42,000; roughly half of the Angolan refugee population had refused to repatriate.[177] Cessation Clause invocation was moved from 2011 to 2012, even though its implementation had been scheduled since 2009.[178] Even after it was implemented, two-thirds of Angolan refugees in the DRC opted for local integration[179] (despite the M23 rebellion in the east and continued instability). The Congolese government,

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[166] Soares de Oliveira, *Magnificent and Beggar Land*, 24–30; Crisp, Riera, and Freitas, "Programme in Angola," 2, 28–29.
[167] Crisp, Riera, and Freitas, "Programme in Angola," 8.
[168] Ibid.
[169] Ibid., 2.
[170] Ibid., 2, 9, 14, 29.
[171] Ibid., 2, 25.
[172] IRIN, "Not So Sweet"; IRIN, "Focus Shifts."
[173] IRIN, "Focus Shifts."
[174] Ibid.
[175] Crisp, Riera, and Freitas, "Programme in Angola," 19.
[176] Ibid., 36.
[177] Ibid., 35–36, 39.
[178] Rob Grace, "The Problem of Former Angolan Refugees in the Democratic Republic of Congo," *Program on Humanitarian Policy and Conflict Research, Harvard Humanitarian Initiative*, January 24, 2013, http://www.hpcrresearch.org.
[179] UNHCR, "UNHCR Statistical Yearbook 2013," 37.

with the assistance of UNHCR, managed to fund only 6,500 of the 40,000 permanent residency permits needed for former Angolan refugees.[180] In the meantime, 33,500 people are rendered effectively stateless.

UNHCR drew its own conclusions from these cases of Angolan and Liberian refugees the day before the Cessation Clauses were invoked:

> The United Nations has announced that, as of Saturday, people who fled the civil wars in Liberia and Angola and remain abroad will no longer be regarded as refugees by the world body and host governments, bringing to an end two of the most protracted refugee situations in Africa.[181]

It remains to be seen what exactly has been brought to an end, aside from UNHCR's engagement. Some former refugees are stateless in not only their countries of refuge but in their countries of origin. Repatriates are worse off than they were in exile. Repatriation was, once again, pursued without any credible reintegration assistance and culminated in subsequent flight back to refuge. International actors and host and home states pursued the same interests through the same actions, culminating in the same deplorable consequences. Refugees' resistance or acquiescence to repatriation was determined by (1) interactions between dynamic processes of *de facto* integration, *de jure* segregation (compounded by refugees' hopes of third country resettlement and international and state actors' stress on repatriation and implementation of Cessation Clauses); (2) community construction and consolidation in exile via intergenerational narratives of cyclic violence and trauma; (3) information concerning the country of origin and its diffusion throughout refugee communities; and (4) effects of failed and forced repatriation as they fed into the other processes. Each case presented a different constellation of these interactions, stressing some processes over others. In both cases, however, repatriation failed miserably in achieving its reformative potential, despite being touted as a triumph through which protracted displacement was resolved and Cessation Clauses could be invoked.

Statelessness is *not* a success.

[180] Grace, "Former Angolan Refugees."
[181] UNHCR, "Protracted Refugee Situations."

6.4 AVENUES FOR FURTHER INVESTIGATION

The 'small-t theoretical generalisations"[182] extrapolated from this study of Rwandan and Congolese refugees and repatriates are widely applicable to all cases of protracted displacement. A 'Most Similar Systems Design',[183] also termed 'Comparable-cases Strategy',[184] can be used to evaluate and nuance these theoretical propositions by focusing on variation in explanatory factors as opposed to variation in the dependent variable, following Smelser and Lijphart[185]. Cases of Eritrean and Somali refugees, also in the world's top ten protracted refugee situations (1962-2008), offer similar avenues for investigation. Eritrea, bearing some resemblance to Rwanda, is ruled by 'a retooled version of the liberation army',[186] the People's Front for Liberation and Justice (PFLJ) and dominated by rebel-cum-President Isaias Afwerki since its independence from Ethiopia in 1993; remains aggressively committed to self-reliance, national unity, and security;[187] and retains a mobilised global network of party organs[188]. The state is criticised for rigid restrictions of the press, freedoms of speech and movement, suppression of civil society, and allegations of detentions and disappearances.[189] For Eritrean refugees who fled due to the war of independence or border conflict with Ethiopia, UNHCR invoked the Cessation Clause in 2002[190] – half a year after PFLJ announced indefinite mandatory military conscription for men and women between the ages of 18 and 50[191]. Many refugees refused to return, while about 1,700 more crossed the border into Sudan each month in 2009 and 2011.[192] There, they reside in urban centres and twelve refugee camps, with additional populations of over 5,000 refugees across five European

[182] Richard Price and Christian Reus-Smit, "Dangerous Liaisons? Critical International Relations Theory and Constructivism," *European Journal of International Relations* 4 (1998): 259–94.
[183] Adam Przeworski and Henry Teune, *Logic of Comparative Social Inquiry* (Malabar: Krieger Publishing Company, 1982).
[184] Arend Lijphart, "The Comparable-Cases Strategy in Comparative Research," *Comparative Political Studies* 8 (July 1975): 158–77.
[185] Neil J. Smelser, *Comparative Methods in the Social Sciences* (New York: Prentice-Hall, 1976); Lijphart, "Comparative Politics"; Lijphart, "Comparative-Cases Strategy."
[186] Dan Connell, "Eritrean Refugees at Risk," *The Nation*, April 11, 2014, http://www.thenation.com.
[187] HRW, *Service for Life: State Repression and Indefinite Conscription in Eritrea* (New York: HRW, 2009), 24, 59, 74, 84.
[188] Ibid., 75.
[189] Ibid., 26, 38; Akbar Ahmed and Harrison Akins, "Eritrea and Its Refugee Crisis," *Al Jazeera*, October 17, 2012, http://www.aljazeera.com.
[190] UNHCR, "Applicability of the 'Ceased Circumstances' Cessation Clauses to Eritrean Refugees Who Fled Their Country as a Result of the War of Independence Which Ended in June 1991 or as a Result of the Border Conflict Between Ethiopia and Eritrea Which Ended in June 2000," *Refworld*, February 18, 2002, para. B5, C8, http://www.refworld.org.
[191] Ahmed and Akins, "Refugee Crisis."
[192] Anon., "Eritrea-Sudan: A Forgotten Refugee Problem," *IRINnews*, December 3, 2009, http://www.irinnews.org; "Eritrea-Sudan: Refugees Battling for a Better Life," *IRINnews*, July 1, 2011, http://www.irinnews.org.

countries and three African ones.

Initially, many attempted to re-join relatives further afield in Israel or Europe by paying smugglers from Sudan's Rashaida tribe and Egypt's Sinai Bedouin to facilitate transit.[193] Realising ransom was more profitable, smugglers began extorting their families, torturing their captives until they were paid, and then selling them on to other traffickers numerous times over.[194] When refugees stopped seeking their services, traffickers kidnapped them from camps, colluding with Sudanese and Egyptian officials.[195] Repercussions of refoulement are equally dire: desertion is tantamount to treason while emigration without an exit visa is a crime, both punishable by torture and death.[196] UNHCR facilitated the return of tens of thousands of Eritreans from Sudan in 2002, 2008, and 2012; Egypt in 2008 and 2009; and Israel in 2008 and 2013.[197] Rebuked by the UN, Israel's 'Infiltrators [elsewhere known as refugees] and Asylum-seekers Department"[198] responded by deporting Eritrean refugees to third countries (Uganda and Rwanda) last year.[199] These people subsequently fled, having no legal status and no basic rights in these states.[200] To encourage returns from Sudan and Egypt between 2009 and 2011, Eritrean officials solicited the aid of human traffickers.[201]

Eritrea, much like Rwanda in the DRC, has fought proxy wars in Somalia, supporting the Islamic Court Unions (ICU), later al-Shabab, against the Ethiopia-backed Transitional Federal Government (TFG).[202] Ethiopia intervened in 2006; by 2012, TFG had reclaimed the capital Mogadishu and other territories from al-Shabab, ushering a provisional Constitution, reforming Somalia into a federation, and inaugurating the first central government since the start of the civil war in 1991. A year later, Kenya, Somalia, and UNHCR signed a Tripartite Agreement to begin voluntary repatriation of refugees, with populations of over 5,000 people

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[193] Connell, "Refugees at Risk."
[194] Ibid.
[195] Harriet Sherwood, "Hundreds of Eritreans Enslaved in Torture Camps in Sudan and Egypt," *The Guardian*, February 11, 2014, http://www.theguardian.com.
[196] HRW, *Service for Life*, 65.
[197] Ibid., 68–69; UNHCR, "UN Refugee Agency Warns Sudan Over Forced Return of Eritrean Asylum Aeekers," *UN News Service Section*, July 4, 2014, http://www.un.org; Eric P. Schwartz and Mark Hetfield, "Israel's Return of Eritreans Betrays Its Commitment to Humanitarianism," *The Washington Post*, August 2, 2013, http://www.washingtonpost.com.
[198] Hélène Lambert, Jane McAdam, and Maryellen Fullerton, *The Global Reach of European Refugee Law* (Cambridge: Cambridge University Press, 2013), 138.
[199] Ilan Lior, "Israel Will Deport Eritrean, Sudanese Refugees to Africa Under New Policy," *Haaretz*, April 14, 2015, http://www.haaretz.com.
[200] Ibid.
[201] Aaron Maasho and Addis Ababa, "Exclusive: Eritrea Reduces Support for Al Shabaab - U.N. Report," *Reuters*, July 16, 2012, http://www.reuters.com.
[202] HRW, *Service for Life*, 4, 86.

across 6 African states and 7 European ones.[203] Kenya's Dadaab Refugee Camp, the biggest in the world, hosts nearly half a million Somalis; less than 100 expressed any interest in return, and many have been there for over 20 years.[204] Parents expressed fears of insecurity and their children's recruitment into al-Shabab, whom many support.[205] Al-Shabab has set up a recruiting network throughout Kenya and allegedly maintains a presence in Dadaab.[206] Following a series of attacks in Kenya, including bombing of the US Embassy in Nairobi in 1998, Kenya finally sent troops to Somalia in 2011. Simultaneously, Eritrea was financing al-Shabab members in Kenya,[207] where they 'promised a long, gruesome war'[208] in retaliation for Kenya's intervention in Somalia. Two years later, in a four-day assault, al-Shabab killed nearly seventy people in Nairobi's Westgate Shopping Centre.[209] Allegations that individuals from Dadaab were involved in planning the attack led Kenya's then-Interior Minister to demand the camp be closed immediately.[210] On 2 April 2015, al-Shabab stormed Garissa University and killed 147 people.[211] Kenya's Deputy President William Ruto announced that UNHCR had three months to close the camp and repatriate its residents to Somalia.[212] The attack, like those before it, precipitated arbitrary arrests, detentions, and other abuses of Somalis by Kenyan police.[213] Somali refugees, like Rwandan ones, are being viewed – and treated – as an unwanted security risk. Rwanda has similarly accused the FDLR of recruitment and fundraising in refugee camps in Zambia, Malawi, and Uganda, most recently in 2012.[214]

The interplay of factors shaping refugees' resistance to return in these cases bears some resemblance to that evidenced in my study of Rwandan and Congolese refugees. In cases of Eritrean and Somali refugees, the complexity of dynamics between host and homes states and the international community, as well as their impact on repatriation efforts, are extremely

[203] Gabriel Gatehouse, "Do Somalis in Kenya's Dadaab Camp Want to Go Home?," *BBC News*, November 19, 2013, http://www.bbc.co.uk; UNHCR, "UNHCR Statistical Yearbook 2013 Annex: 25 Years of Global Forced Displacement," February 2015, http://www.unhcr.org.
[204] Gatehouse, "Somalis in Kenya's Dadaab."
[205] Ibid.
[206] Anon., "Who Are Somalia's Al-Shabab?," *BBC News*, April 3, 2015, http://www.bbc.co.uk.
[207] Maasho and Ababa, "Eritrea Reduces Support."
[208] Anon., "Kenyans Protest Against Al-Shabab After Garissa Attack," *BBC News*, April 7, 2015, http://www.bbc.co.uk.
[209] Gatehouse, "Somalis in Kenya's Dadaab."
[210] Anon., "Kenya Tells UN to Close Dadaab Camp After Garissa Attack," *BBC News*, April 11, 2015, http://www.bbc.co.uk.
[211] Anon., "Who Are Somalia's Al-Shabab?"
[212] Anon., "Close Dadaab."
[213] Amanda Sperber, "Little Mogadishu, Under Siege," *Foreign Policy*, April 14, 2015, http://foreignpolicy.com.
[214] Anon., "FDLR Recruiting from Zambia, Malawi and Nakivale," *Rwanda News Agency*, December 25, 2009, http://www.rnanews.com; Eric Kabeera, "FDLR 'Fundraising in Refugee Camps,'" *The New Times Rwanda*, June 4, 2012, http://www.newtimes.co.rw.

difficult to gauge. Where the status quo of protracted displacement is politically advantageous, however, repatriation will remain reduced to a political calculation of coerced, if not forced, return – against which refugees will continue to rebel. Instead of reforming states, repatriation tends to be manipulated and perverted by them – to the detriment of refugee populations who are condemned to the permanent state of impermanence that is exile or worse, *statelessness.*

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INTERVIEWS

Those persons interviewed for this study are listed here, under the categories of 'Elite Interviews,' 'Semi-Structured Interviews,' and 'Focus Groups,' and then by country within each category. Most agreed to be identified by name, recognising the importance of their experience and wishing it to be known. Those listed here who preferred to be anonymised are denoted by an asterisk (*), and a pseudonym is identified. Amongst those anonymised are some whom I considered might be placed in personal jeopardy if their identity was revealed. I have also omitted Rwandan repatriates' specific locations of return.

With regard to Focus Groups, within the text, I have attributed comments to specific participants. Where consensus was overwhelming, or it was not possible to identify an individual speaker, the Focus Group is indicated by date and location. Bibliographic entries correspond to this notation.

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Brubacher, Matthew. Disarmament, Demobilisation, Repatriation, Resettlement and Reintegration Programme (DDRRR) Officer, Eastern Integrated Headquarters, *Mission de l'Organisation des Nations Unies pour la Stabilisation en RD Congo* (MONUSCO), Goma, DRC, November 2, 2011, November 10, 2011.

Bruyn, Henk. Head of Political Affairs, *Mission de l'Organisation des Nations Unies en République démocratique du Congo* (MONUC), Goma, DRC, July 27, 2009.

Bulaze, Christophe. Assembly Point Coordinator, *Commission Nationale pour les Réfugiés* (CNR), Goma, DRC, July 31, 2009, July 4, 2011, July 5, 2011.

Flint-Thomas, Fergus. Programme Officer, Stabilisation and Reconstruction Plan for War-Affected Areas (STAREC), Goma, DRC, July 8, 2011.

Kalere, Boutros. Representative, UN World Food Programme (WFP), Bukavu, DRC, November 11, 2011.

Kalinga, David. Officer, Governor's Information and Press Office, Kirolirwe, DRC, July 24, 2011.

Kwis, Uwimana. Political Affairs Officer, *Mission de l'Organisation des Nations Unies en République démocratique du Congo* (MONUC), Goma, DRC, October 21, 2009.

Lange, Maria. Programme Director, International Alert, Goma, DRC, July 4, 2011.

Masumbuku-Sodoke, Jean-Marie. Elite-Interview, North Kivu Governor's Representative, Kitchanga, DRC, July 10, 2011.

Mupenda, Gratien. Director, *Commission Nationale pour les Réfugiés* (CNR), Bukavu, DRC, November 4, 2011.

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Nethengwe, David Benthu. External Relations Officer, UNHCR, Goma, DRC, July 29, 2009.

Ngoa-Bulenda, Germaine. Administrative Secretary of Bashali, Kitchanga, DRC, July 10, 2011.

*Official. Representative, *Commission Nationale pour les Réfugiés* (CNR), Goma, DRC, September 10, 2009.

Sawyer, Ida. Researcher, Human Rights Watch (HRW), Goma, DRC, September 21, 2009.

*Senior Staff. Representative, UN Disarmament, Demobilisation, Repatriation, Resettlement and Reintegration Programme (UN/DDRRR), Goma, DRC, June 12, 2011.

Siaffa-Massandouno. Officer, UN High Commissioner for Refugees (UNHCR), Goma, DRC, December 3, 2011.

Wathanafa, Maryam. *Mission de l'Organisation des Nations Unies en République démocratique du Congo*/Disarmament, Demobilisation, Repatriation, Resettlement and Reintegration Programme (MONUC/DDRRR) Officer, Goma, DRC, July 28, 2009.

Whiting, Karen. Officer, UN High Commissioner for Refugees (UNHCR), Goma, DRC, September 14, 2009.

RWANDA

*Bakindi, Emoch. Executive Secretary of Cell, Northwest Rwanda, December 2, 2011.

Gatsinzi, Marcel. Minister, Ministry of Disaster Management and Refugee Affairs (MIDIMAR), Kigali, Rwanda, May 30, 2011, June 15, 2011, October 30, 2011.

Germain, Maxine. Child Protection Specialist, United Nations International Children's Emergency Fund (UNICEF), Kigali, Rwanda, August 19, 2009.

Kalinga, Sophie. Registration Officer, *Commission Nationale pour les Réfugiés* (CNR), Gisenyi, Rwanda, July 5, 2011, July 5, 2011, November 2, 2013.

Musoni, Francis. Project Coordinator, Rwanda Demobilisation and Reintegration Commission (RDRC), Kigali, Rwanda, August 6, 2009, May 20, 2011.

Muteschi, Bernadette. Protection Officer, UN High Commissioner for Refugees (UNHCR), Kigali, Rwanda, August 24, 2009.

Ngango, Innocent Rubuga. Executive Secretary, National Council for Refugees (NCR), Kigali, Rwanda, August 31, 2009.

*Nshiyaba, Jean. Elite-Interview, Executive Secretary of Cell, Northwest Rwanda, December 2, 2011.

Nyekan, Annette. Representative, UN High Commissioner for Refugees (UNHCR), Kigali, Rwanda, July 20, 2009.

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*Official. Representative, *Mission de l'Organisation des Nations Unies pour la Stabilisation en RD Congo* (MONUSCO), Kigali, Rwanda, June 12, 2011.

Radisone, Elisa. Representative, Save the Children UK, Kigali, Rwanda, August 13, 2009.

Sayinzoga, Jean. Elite-Interview, Chairman, Rwanda Demobilisation and Reintegration Commission (RDRC), Kigali, Rwanda, July 16, 2009, May 24, 2011.

Shakagabo, Marc. Director, Gihembe Refugee Camp, Rwanda, May 23, 2011.

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Uwimana, Spéciose. Community Services Associate, UN High Commissioner for Refugees (UNHCR), Kibuye, Rwanda, June 3, 2011.

Warsame, Niemah. Representative, UN High Commissioner for Refugees (UNHCR), Kigali, Rwanda, May 18, 2011.

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Apollo Kazungu, David. Commissioner, Directorate of Refugees, Office of the Prime Minister (OPM), Kampala, Uganda, October 17, 2011.

Assimwe Mugabe, Leo. Assistant Commandant, Kyangwali Refugee Settlement, Uganda, August 24, 2011.

Bafaki, Charles. Senior Settlement Officer, Office of the Prime Minister (OPM), Kampala, Uganda, October 26, 2011.

Bahizi, Ignatius. Journalist, BBC, Kampala, Uganda, October 12, 2011.

Buwa, Godwin. Legal Officer, Refugee Law Project (RLP), Kampala, Uganda, October 14, 2011.

Byaruhanga, Godfrey. Commandant, Nakivale Refugee Settlement, Uganda, August 18, 2011.

Ecweru, Musa Francis. Minister of State, Department of Relief, Disaster Preparedness, Management and Refugees, Office of the Prime Minister (OPM), Kampala, Uganda, August 2, 2011.

Jackson, Sarah. Researcher, Amnesty International (AI), Kampala, Uganda, October 13, 2011, October 20, 2011.

Kiyaka, Isaac. Director, Jesuit Refugee Service (JRS), Kampala, Uganda, October 24, 2011.

Kuteesa, Stephen. Senior Staff Member, Jesuit Refugee Service (JRS), Kampala, Uganda, October 24, 2011.

Mugenyi, David. Commandant, Kyaka II Refugee Settlement, Uganda, September 6, 2011.

Nkunda, Dismas. Director, International Refugee Rights Initiative (IRRI), Kampala, Uganda, November 6, 2013.

Oriem, Vivian. Settlement Officer, Office of the Prime Minister (OPM), Kampala, Uganda, October 26, 2011.

Otim, Patrick. Advocacy Officer, Refugee Law Project (RLP), Kampala, Uganda, June 28, 2011.

Tasebura-Kiirya, Amos. Commandant, Kyangwali Refugee Settlement, Uganda, August 24, 2011.

SEMI-STRUCTURED INTERVIEWS

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Ayinkamiye, Rachel. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 21, 2011.

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Burinda, Jean. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 17, 2011.

Gahababo, Valerie. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, July 7, 2011.

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Gumyizane, Bonifride. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 7, 2011.

Gumyizane, Niyonzima. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 21, 2011.

Habimarana, Justine. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 6, 2011.

*Habyarimana, Olive. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 22, 2011.

Katundi, Beatrice. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 7, 2011.

Kawabu, Providence. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 6, 2011.

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Muberake, Tigo. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 15, 2011.

Muhoza, Emmanuel. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 9, 2011.

Mujawasi, Saveri. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 7, 2011.

Mujawimana, Jacques. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 22, 2011.

*Mujawimana, Olive. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 5, 2011.

*Mukakomeza, Esther. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 6, 2011.

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Mukamungo, Bernadette. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 8, 2011.

Mukamuyabu, Jean. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 17, 2011.

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*Mukamwiza, Lucie. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 6, 2011.

Mukankundi, Saveri. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 5, 2011.

*Mukawera, Christine. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 21, 2011.

Mukawera, Faraha. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 17, 2011.

Muriyinani, Asiya. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 5, 2011.

Muturimara, Pelagie. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 8, 2011.

Ngabo, Gasori. Congolese Repatriates' Representative, Mweso, DRC, July 11, 2011.

Niharandagwa, Germaine. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 17, 2011.

Niyimgamiye, Alphonsine. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, September 7, 2009.

Nyamurinda, Alphonsine. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 17, 2011.

Nyaribikari, Alivera. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 18, 2011.

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Nyiramahirwe, Sisilia. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 6, 2011.

Nyirambira, Gratien. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 21, 2011.

Nyiranzabirinda, Verena. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 5, 2011.

Nyirasabimana, Rachel. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 7, 2011.

Nyirasafari, Uwamahire. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 21, 2011.

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*Umutoni, Lucie. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 21, 2011.

Uwamihiri, Agathe. Rwandan Refugee, Refugee Transit Centre, Goma, DRC, July 7, 2011.

Uwimana, Esther. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 17, 2011.

Uwimana, Sarah. Rwandan Refugee, Refugee Transit Centre, Bukavu, DRC, November 21, 2011.

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Abijende, Jean Joel. Banyamulenge Community Leader, Kiziba Refugee, Camp, Rwanda, June 3, 2011.

*Bahiman. Ex-FDLR Sergeant, Mutobo Demobilisation Centre, Rwanda, August 7, 2009.

*Bayahunde, Sarah. Rwandan Repatriate, Northwest Rwanda, September 19, 2009.

*Besinimana, Emmanuel. Rwandan Repatriate, Northwest Rwanda, November 26, 2011.

*Besinimana, Françoise. Rwandan Repatriate, Northwest Rwanda, November 26, 2011.

Bishogo, Isidor. Headmaster, Nyabiheke Refugee Camp, Rwanda, June 17, 2011.

*Gasore, Séraphin. Ex-FDLR Combatant, Mutobo Demobilisation Centre, Rwanda, September 27, 2009.

*Habyalimana, François. Ex-FDLR Colonel, Mutobo Demobilisation Centre, Rwanda, August 7, 2009.

Insengyera, Jean. Congolese Refugee, President, Gihembe Refugee Camp, Rwanda, May 23, 2011.

Ishimwe, Claude. Ex-FDLR Combatant, Mutobo Demobilisation Centre, Rwanda, August 7, 2009.

Kagama, Dieudonné. Congolese Refugee, Kigali, Rwanda, May 30, 2011.

Kamanzi, Eric. Congolese Refugee, Coordinator, Forum for Congolese Refugee Students, Gihembe Refugee Camp, Rwanda, May 26, 2011.

Karengwa, Innocent. Congolese Refugee, President, Nyabiheke Refugee Camp, Rwanda, June 14, 2011.

Kasasa Mago, Ayuubu. Local Rwandan Resident, Kigali, Rwanda, June 15, 2011.

*Kisagori, François. Rwandan Repatriate, Northwest Rwanda, November 26, 2011.

*Mugemona, Gad. Ex-FDLR Combatant, Mutobo Demobilisation Centre, Rwanda, August 7, 2009.

Muhekera, Etienne. Congolese Refugee, Banyamulenge Community Leader, Kiziba Refugee Camp, Rwanda, June 2, 2011.

*Mukamwiza, Lucie. Rwandan Repatriate, Northwest Rwanda, December 1, 2011.

Mukamyi, Lumumba. Congolese Refugee, Kigali, Rwanda, June 15, 2011.

*Mukawera, Eugénie. Rwandan Repatriate, Northwest Rwanda, September 25, 2009.

Mukawera, Valerie. Rwandan Business Owner, Byumba, Rwanda, May 24, 2011.

Murumba, Bonheur. Local Rwandan Resident, Kigali, Rwanda, May 30, 2011.

*Muturiki, Obed. Ex-FDLR Combatant, Mutobo Demobilisation Centre, Rwanda, August 7, 2009.

Mutuyimana, Emanuelle. Rwandan Repatriate, Northwest Rwanda, December 1, 2011.

*Mwizeye, Safi. Ex-FDLR Combatant, Mutobo Demobilisation Centre, Rwanda, August 7, 2009.

Ndyambaje, Placide. Ex-FDLR Commander, Mutobo Demobilisation Centre, Rwanda, September 26, 2009.

*Niramajambere, Christine. Rwandan Repatriate, Northwest Rwanda, September 19, 2009.

Nkurikiyinka, Joseph. Congolese Refugee, President, Kiziba Refugee Camp, Rwanda, May 31, 2011.

Ntarymira, Hodari. Congolese Refugee, *Chef de Quartier*, Gihembe Refugee Camp, Rwanda, May 27, 2011.

*Nyaragechu, Cecile. Rwandan Repatriate, Northwest Rwanda, December 1, 2011.

*Nyiteranya-Nyirasebura, Ferenadi. Rwandan Repatriate, Northwest Rwanda, November 27, 2011.

Nzabarinda, Benjamin. Congolese Refugee, Vice Coordinator, Hope School, Gihembe Refugee Camp, Rwanda, May 26, 2011.

*Rahundiho, Espoire. Rwandan Repatriate, Northwest Rwanda, November 27, 2011.

Rwembe, Jack. Congolese Refugee, Northwest Rwanda, November 30, 2011.

Sebunyoini, François. Congolese Refugee, Teacher, Hope School, Gihembe Refugee Camp, Rwanda, May 24, 2011.

Tushimiye, Elise. Congolese Refugee, Teacher, Kiziba Refugee Camp, Rwanda, June 3, 2011.

*Warakihango, Claude. Rwandan Repatriate, Northwest Rwanda, December 3, 2011.

*Yamuremiye, Jean. Rwandan Repatriate, Northwest Rwanda, November 30, 2011.

*Zapy. Ex-FDLR Major, Mutobo Demobilisation Centre, Rwanda, August 8, 2009.

*Zapy, Beatrice. Ex-FDLR Major's Spouse, Mutobo Demobilisation Centre, Rwanda, August 23, 2009.

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*Bagakara, Emmanuel. Rwandan Refugee, Kampala, Uganda, September 3, 2011.

Gatware, Sosthene. Congolese Refugee, Nabulagala Banyamulenge Community Leader, Kampala, Uganda, October 29, 2011.

*Habareshi, Gervais. Rwandan Refugee, Kampala, Uganda, November 4, 2013.

*Kalaberi, Paul. Congolese Refugee, Kampala, Uganda, October 11, 2011.

*Kiraha, Inoocent. Semistructured-Interview, Kampala, Uganda, November 5, 2013.

Mugisha, David. Congolese Refugee, Kampala, Uganda, September 23, 2011.

*Mukamara, Agnes. Rwandan Refugee, Kampala, Uganda, September 3, 2011, November 4, 2013.

Mutuyimana, Manzi. Rwandan Refugee, Kampala, Uganda, September 1, 2011, October 17, 2011.

Ngarambe, Manzi Willy. Congolese Refugee, Kampala, Uganda, September 21, 2011.

Ntabangama, Ruhunyiuriza. Congolese Refugee, Banyamulenge Community Chairman, Nakivale Refugee Settlement, Uganda, August 15, 2011.

Nyiringimana, Anatazi. Rwandan Refugee, Chairman, Nakivale Refugee Settlement, Uganda, August 18, 2011.

Ruhunde, Ezekiel. Rwandan Refugee, Rwandans' President, Kyangwali Refugee Settlement, Uganda, August 25, 2011.

*Rushinga, Simon. Rwandan Refugee, Kampala, Uganda, September 3, 2011.

*Ruterekara, Jeanette. Rwandan Refugee, Kampala, Uganda, September 12, 2011.

*Rwemba, Trésor. Rwandan Refugee, Kampala, Uganda, October 13, 2011, October 24, 2011.

*Satabaro, Faustin. Rwandan Refugee, Kampala, Uganda, September 12, 2011, November 4, 2013.

*Semaboka, Jean-Benoît. Rwandan Refugee, Kampala, Uganda, November 4, 2013.

FOCUS GROUPS

DRC

Kabideri, Alliance. Congolese Repatriates, Kitchanga, DRC, June 20, 2011.

Mac Mupita, Henry. Local Congolese Residents, Goma, DRC, November 3, 2011.

Mupenga, Kyamuti. Local Congolese Residents, Bukavu, DRC, November 10, 2011.

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Shumbusho, Migisha. Congolese Repatriates, Mweso, DRC, June 23, 2011.

Uwimana, Jacqueline. Rwandan Refugees, Refugee Assembly Point, Karuba, DRC, July 31, 2009.

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Banza, Antha. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 3, 2011.

Bigesha, Paul. Congolese Refugee Youths, Gihembe Refugee Camp, Rwanda, May 26, 2011.

Biyozoza, Dieudonné. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 4, 2011.

Bwagiriza, David. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 19, 2011.

Camp Committee Members. Nyabiheke Refugee Camp, Rwanda, June 14, 2011.

Congolese Refugee Elders. Kiziba Refugee Camp, Rwanda, June 3, 2011.

Congolese Refugee Youths. Nyabiheke Refugee Camp, Rwanda, June 17, 2011.

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Distribution Committee. Gihembe Refugee Camp, Rwanda, May 24, 2011.

Garagwa, Jeanette. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 20, 2011.

Garimana, Marie. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 17, 2011.

Gatsabo, Bernadette. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 3, 2011.

Izeriyimana, Georgine. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 16, 2011.

Kaliyimahara, George. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 17, 2011.

Kayenga, Pierre. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 19, 2011.

Kayigamba, Bethilde. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 4, 2011.

Kayizahara, Uwimana. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 3, 2011.

Kayogira, Céleste. Congolese Refugees, Gihembe Refugee Camp, Rwanda, May 23, 2011.

Kayonga, Pierre. Congolese Refugees, Gihembe Refugee Camp, Rwanda, May 24, 2011.

Kazunguzu, Erneste. Congolese Refugees, Gihembe Refugee Camp, Rwanda, May 23, 2011.

Kimironga, Giselle. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 3, 2011.

Kumanzi, Françoise. Congolese Refugee Elders, Gihembe Refugee Camp, Rwanda, May 27, 2011.

Kyazonga, Daphrose. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 14, 2011.

Local Rwandan Residents. Northwest Rwanda, September 19, 2009.

Minove, Numbi. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 17, 2011.

Muamba, Jean. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 2, 2011.

Mugarra, Tigo. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 19, 2011.

Muhawimana, Adelle. Congolese Refugees, Youths, Gihembe Refugee Camp, Rwanda, May 26, 2011.

Mukamoheli, Emerita. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 1, 2011.

Mukamwyira, Christophe. Congolese Refugees, Gihembe Refugee Camp, Rwanda, May 26, 2011.

Mukanzango, Sarah. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 1, 2011.

Mukanzi, Yvon. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 15, 2011.

Mukarambira, Paulette. Congolese Refugees, Gihembe Refugee Camp, Rwanda, May 23, 2011.

Mukariyinazo, Jacqueline. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 16, 2011.

Mukeshiwa, Pierre. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 16, 2011.

Murekatate, Divin. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 17, 2011.

Mutarama, Jean. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 2, 2011.

Mutembo, Chantal. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 18, 2011.

Muteshi, Noelle. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 17, 2011.

Ngago, Patrice. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 17, 2011.

Nirandangwa, Damari. Congolese Refugee Elders, Nyabiheke Refugee Camp, Rwanda, June 16, 2011.

Nityimana, Albert. Congolese Refugees, Youths, Gihembe Refugee Camp, Rwanda, May 26, 2011.

Niyonza, Raymond. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 17, 2011.

Nyamaza, Pierre. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 14, 2011.

Nyamiyamata, Josephine. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 15, 2011.

Nyamutara, Jean-Pierre. Congolese Refugees, Gihembe Refugee Camp, Rwanda, May 23, 2011.

Nyirabarekezi, Uwimana. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 1, 2011.

Nyarimana, Gatari.Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 20, 2011.

Nyiawasamyi, Claudette. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 17, 2011.

Nyiradawa, Jeannine. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 16, 2011.

Nyiramata, Francine. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 3, 2011.

Rukerera, Annette. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 15, 2011.

Rukiyerama, Sarah. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 14, 2011.

Rumaritirara, Erneste. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 5, 2011.

Rutamara, Espoir. Congolese Refugees, Nyabiheke Refugee Camp, Rwanda, June 18, 2011.

Rwandan Repatriates. Refugee Transit Centre, Nkamira, Rwanda, September 4, 2009.

Rwembara, Jacques. Congolese Refugees, Gihembe Refugee Camp, Rwanda, May 27, 2011.

Samadanago, Maxine. Congolese Refugees, Kiziba Refugee Camp, Rwanda, June 1, 2011.

Senyiwama, Claudette. Congolese Refugees, Gihembe Refugee Camp, Rwanda, May 24, 2011.

Shamurana, Dominic. Congolese Refugee Elders, Gihembe Refugee Camp, Rwanda, May 27, 2011.

Thesimana, Emmanuel. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 21, 2011.

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Akizimana Butumi, Isaac. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 15, 2011.

Augustine, Debora. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 24, 2011.

Bahogwere, Biguvuwivene. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 27, 2011.

Bakunga, Alex. Congolese Refugees, Nakivale Refugee Settlement Uganda, August 17, 2011.

Bartazali, Ishima. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 24, 2011.

Bkorimana, Jean-Pierre. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 26, 2011.

Bukuru, Prosper. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 17, 2011.

Buregiyeya, Jean-Marie. Rwandan Refugees, Kyaka II Refugee Settlement, Uganda, September 9, 2011.

Chiza, Leo. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 26, 2011.

Cibalonza, Georgine. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 17, 2011.

Dimukarengane, Ildéfonse. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 25, 2011.

Gahungu, Augustine. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 15, 2011.

Gahutu, Célestin. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 25, 2011.

Habamuremyie, Thomas. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 26, 2011.

*Habareshi, Gervais. Rwandan Refugees, Kampala, Uganda, November 5, 2013.

Habimana, Laurens. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 25, 2011.

Habiyaremye, Emmanuel. Rwandan Refugees, Kyaka II Refugee Settlement, Uganda, September 9, 2011.

*Hirira, Aimable. Rwandan Refugees, Kampala, Uganda, November 5, 2013.

Honda, Faraja. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 17, 2011.

Horukili, Bahati. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 27, 2011.

Iesia, Arlette. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 27, 2011.

Indiho, Espoir. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

Invuyekura, Staraton. Rwandan Refugees, Nakivale Refugee Settlement, Uganda, August 22, 2011.

Iramazani, Martin. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 25, 2011.

Kajabika, Floribert Mwembo. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 28, 2011.

Kamazyira, Jacques. Congolese Refugees, Kyaka II Refugee Settlement, Uganda, September 10, 2011.

Kamuzungu, Déo. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 24, 2011.

Kasagure, Hadijah. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 27, 2011.

Kasereka, Katehero. Congolese Refugees, Kyangwali Refugee-Settlement, Uganda, August 27, 2011.

Katehero, Kasereka. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 28, 2011.

Kazimana, Francis. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 15, 2011.

Makara-Habineza, Jean. Congolese Refugees, Kyaka II Refugee Settlement, Uganda, September 11, 2011.

*Mayarawi, Jacques. Rwandan Refugees, Kampala, Uganda, November 5, 2013.

Mberabagaba, Jean-Pierre. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 29, 2011.

Khadari, Perusse. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

Kifunauyetoto, Olivier. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 17, 2011.

Kigazi Kasinga, Thesse. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 17, 2011.

Konzirata, Teleziya. Rwandan Refugees, Nakivale Refugee Settlement, Uganda, August 18, 2011.

Mbragazuri, Laticia. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

Minani, Bosco. Rwandan Refugees, Nakivale Refugee Settlement, Uganda, August 18, 2011.

Mitabishi, Baraka. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 24, 2011.

Mubera, Manase. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

*Mudamura, Vincent. Rwandan Refugees, Kampala, Uganda, November 5, 2013.

*Mugisha, Emmanuel. Rwandan Refugees, Kyaka II Refugee Settlement, Uganda, September 9, 2011.

Muhire Mugeyo, Francis. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

*Mukabera, Donata. Rwandan Refugees, Kyaka II Refugee Settlement, Uganda, September 9, 2011.

Mukadembule, Frotonata. Rwandan Refugees, Nakivale Refugee Settlement, Uganda, August 21, 2011.

Mukagizwe, Ayingine. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 24, 2011.

Mukamana, Josianne. Rwandan Refugees, Kyaka II Refugee Settlement, Uganda, September 10, 2011.

Mukasanga, Asinati. Rwandan Refugees, Nakivale Refugee Settlement, Uganda, August 22, 2011.

Mukasiripari, Marie-Grace. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 29, 2011.

Munyemanzi, Rashid. Rwandan Refugees, Kyaka II Refugee Settlement, Uganda, September 11, 2011.

Munyerekana Mirindi, Justine. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 28, 2011.

Murwanashaka, Damari. Rwandan Refugees, Nakivale Refugee Settlement, Uganda, August 21, 2011.

Mushiwimana, Beatrice. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 24, 2011.

Muteska, Clementine. Rwandan Refugees, Nakivale Refugee Settlement, Uganda, August 22, 2011.

Mvukiyehe, Theogene. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 29, 2011.

Mwangaza, Angel. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 27, 2011.

Mwesigye, Collins. Rwandan Refugees, Kyaka II Refugee Settlement, Uganda, September 9, 2011.

Nakule, Chantal. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

Nikobaze, Bujenia. Rwandan Refugees, Kyaka II Refugee Settlement, Uganda, September 10, 2011.

Niramasoso, Nyirabikiza. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 15, 2011.

Niyonkuru, Jacques. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 27, 2011.

Nsanzeumuhiri, George. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

Nshimiyinamana, Jacques. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 15, 2011.

Nshuti, Christophe. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 31, 2011.

Ntabangama, Odette. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 15, 2011.

Ntamugabumwe, Richard. Rwandan Refugees, Kyaka II Refugee Settlement, Uganda, September 11, 2011.

Nyanzaninka, Ramu. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 15, 2011.

Nyasafari, Christine. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 15, 2011.

Nyiadiburugwa, Steria. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

Nyimpagariste, Apolinaire. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 26, 2011.

Nyirabagaragaza, Therese. Rwandan Refugees, Nakivale Refugee Settlement, Uganda, August 22, 2011.

Nyirabineza, Clautilde. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 15, 2011.

Nyirahabinka, Maria. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 17, 2011.

Nyirakabanza, Antoinette. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 25, 2011.

Nyiramboneca, Munezero. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 15, 2011.

Nyiramucho, Masiska. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

Nyiramukunzi, Francine. Congolese Refugees, Nakivale Refugee-Settlement, Uganda, August 15, 2011.

Nyiramukwiye, Deliya. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 15, 2011.

Nyiramurara, Jolie. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

Nyiranguhirwa, Edvina. Rwandan Refugees, Kyaka II Refugee Settlement, Uganda, September 10, 2011.

Nyirasabimana, Esperance. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 26, 2011.

Nyirasekerwa, Sofia. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

Nyirere, Bebe. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 24, 2011.

*Nyirusuri, Samuel. Rwandan Refugees, Kampala, Uganda, November 5, 2013.

*Recycled Rwandan Refugees. Nakivale Refugee Settlement, Uganda, August 18, 2011.

*Recycled Rwandan Refugees. Kyaka II Refugee Settlement, Uganda, September 10, 2011.

Rukurwa, Mugorozi. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

Rutayisire, Samuel. Rwandan Refugees, Nakivale Refugee Settlement, Uganda, August 21, 2011.

*Rwandan Urban Refugees. Kampala, Uganda, September 3, 2011.

Sabimana, Innocent. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 24, 2011.

Segabiro, Richard. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

*Semaboka, Jean-Benoît. Rwandan Refugees, Kampala, Uganda, November 5, 2013.

Semutumwa, Félix. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

Shakondo, Serugo. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 16, 2011.

Sibomana, Cyprian. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 17, 2011.

Sibomana, Innocent. Congolese Refugees, Nakivale Refugee Settlement, Uganda, August 17, 2011.

Tagamugasa, Giggy. Congolese Refugees, Kyangwali Refugee Settlement, Uganda, August 30, 2011.

Thesimana, Emmanuel. Rwandan Refugees, Nakivale Refugee Settlement, Uganda, August 21, 2011.

Twahirwa, Mark. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 26, 2011.

Twizeyimana, Freduard. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 26, 2011.

Ushizimpumu, Silase. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 25, 2011.

Uwineza, Odette. Rwandan Refugees, Kyangwali Refugee Settlement, Uganda, August 26, 2011.