

LAND USE AND VILLAGISATION IN RWANDA

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1.1 INTRODUCTION

This paper is based on findings of a survey on land use and villagisation carried out in four prefectures namely Butare, Gikongoro, Kigali Rural and Ruhengeri from April to July 1999. The general objective was to collect a body of information, which can help show the key concerns, ideas, positive and negative factors among the various stakeholders in land use and the villagisation process to date. This paper is presented purposely to contribute to the land policy process and the implementation of villagisation.

Rwanda was faced with a settlement crisis after the 1994 war and genocide. The population was internally displaced, majority fled to neighbouring countries especially the DRC (Democratic Republic of Congo) and Tanzania, and there was an influx of old case returnees from different parts of the world. The settlement crisis intensified in 1996 at the return of over 1.5 million refugees from the DRC. In 1994 the government had an uphill task to resettle old case and recent returnees under a fragile security situation. Subsequently Government undertook the villagisation kind of settlement. Villagisation raised various concerns among the population and development agencies on land use issues including access to land, distance between home and farmland and availability of grazing land.

Land is the principal source of livelihood and security therefore it is an issue of great importance. As Pottier quotes Larbi,

“Before the war and genocide many aspects of land ownership were not regulated by statute.

Where regulations did exist, there was confusion either because of the provisional character of the law or because of non-implementation” (Pottier 1997:5).

Land occupied by natives is governed by custom: As Gasasira puts it, “According to custom, land is owned by the person who was the first to occupy it.” However, “lands acquisition through occupation has now been relegated to history as vacant lands belong to the state”. Gasasira further notes that land rights are transmitted through inheritance from father to son thus excluding the girl from the benefit of succeeding to their fathers’ lands. However, Gasasira recognizes the current evolution of the custom inspired from the equality between men and women that forbid any forms of gender-based discrimination, which tends to consider girls as equal to boys in inheritance matters. However, to date the law on property ownership and inheritance, giving equal rights to men and women and girls and boys has been passed by parliament.

Customary ownership has undergone significant change: originally ownership was collective. The family owned Land but to date individuals can possess land and use it as they want. The decree of 4th March 1976 acknowledges customary rights or land occupation rights and the rightful transfer of those rights to the land by sale. One can only sell the rights to the land/assets/property on the land but not the land. It is against this background that in case of expropriation by state approval, the holder of land occupation rights is indemnified for the property situated on the land. It follows that, “ Except in case of state-approved expropriation, the holder of customary land ownership rights cannot be forced to abandon them.” (Gasasira ,1994:1)

The crisis that befell Rwanda due to the 1994 genocide, massacres and massive destruction of property, and repatriation of returnees heightened the already complex land ownership problem. Since the end of the war in 1994 there has not been a clear land policy, statutory land use and access regulations and a settlement plan. This has negatively affected the socio-economic livelihood of the population since farming is the major source of livelihood. Rwanda has experienced a poverty crisis after the destruction of productive assets, infrastructure, human and material resources. This is aggravated by lack of a clear consistent and permanent land and settlement plan, which has hindered strategic long term planning among development actors.

The concept of villagisation first made its appearance during the Arusha Peace Talks between the Rwanda Government and the Rwandese Patriotic Front. At that time, it was agreed that the returning refugees (old case) would not try to claim their old properties, but instead, would be settled in villages and given land by the government (Article 28 of the Arusha Protocol on the return of refugees and the resettlement of the displaced people; June 1993). Clearly, before the 1994 genocide, villagisation was targeting only the old case returnees.

After the war in 1994, Rwanda was faced with a settlement crisis. The population was internally displaced with majority fleeing to neighbouring countries especially in Zaire (Currently DRC) and Tanzania. The settlement crisis intensified in 1996 at the return of over 1.5 million refugees from the DRC. In 1994 as Insecurity was still looming in most parts of the country, the government had an uphill task to resettle the old case and recent returnees under a fragile security situation. The killing particularly targeted survivors and a considerable number of them were massacred. As killing of survivors intensified, they requested for settlement in villages for their security. Pottier quotes IRIN to this effect:

“In response (to the survivors request) on 28th January 1997 the government announced it would undertake a new resettlement policy to incorporate group settlements of houses, farmland and public facilities for 100 to 200 survivor families per settlement.” (Pottier, 1997:21)

It is under these circumstances that, “government declared its opposition to dispersed settlement” and pushed for concentrated settlement structures (villagisation) throughout the country. This is said to have met opposition from USAID and other agencies prepared to fund schemes. UNDP objected on the grounds that:

“(People’s) preference for dispersed settlements can be seen not as a cultural preference but as a rational choice... In the current absence of any other employment opportunities than subsistence farming, only these dispersed settlements, with easier access to farm plots offer the certainty of at least a basic livelihood.” (Pottier, 1997:21)

Pottier further indicates that there was speculation that villagisation would not be nationwide, but confined to regions previously uninhabited like Umutara and Gishwati forest and where it was intended to settle landless people. However, it was not the case, people were regrouped and villagisation took place nationwide.

It is against this background that RISD in partnership with OXFAM undertook a survey on land use and villagisation to be able to contribute to the land policy and villagisation process with an informed position so as to ultimately realize maximum benefits for Rwandese whose lives and livelihoods have been affected. The survey was conducted in four prefectures namely Butare, Kigali Rural, Gikongoro and Ruhengeri. Umutara prefecture had also been selected for the survey but it was not possible to conduct it there.

RISD and OXFAM believe that an evaluative and participatory process should be integrated into the implementation of policies and programmes. We advocate that the success of any policy is often linked to the people’s clear understanding and acceptance. Whilst there are many factors leading to the successful implementation of the policy, the will of the people and their knowledge are invaluable in making it work in a particular context. Land is the back-bone of society; making changes in how it is owned, used and sold, without people’s input stands a greater chance of stimulating conflict than if the government were to allow public debate and to educate the population about the justification for the changes.

Villagisation has met with mixed results. The recent transition to villagisation in the Northwest has stirred controversy, especially among donors. Some would prefer to remain skeptical, but to Oxfam and RISD, this is a position that needs to be challenged. Oxfam and RISD believe that instead of dismissing

policies before they are implemented, one should instead come to the table after having made a thorough analysis. One country's bad experience with villagisation does not automatically lead one to conclude that Rwanda's experience will be bad. Oxfam and RISD believe that the process needs to be integrated, which includes people's participation in the analysis, decision-making, design, implementation and monitoring and evaluation process. Oxfam and RISD also believe that the planning process should include land use and environmental impact assessments and that a cost-benefit analysis should also be conducted. Flexibility in implementation would help deal with local context differences.

Lorgen (1999) gives the experiences of villagisation in three African Countries namely; Ethiopia, Mozambique and Tanzania and draws lessons. The experiences show certain similar facts: In all these countries; government lacked the resources and administrative capacity to provide services, distance from home to farmland undermined production, loss of rights to land fueled conflicts due to emerging land claims, villagisation fostered dissent against government and accelerated the depletion of vegetation and deforestation. The villagisation process in all these countries was characterised by a top down approach directed by centrally located officials, there was little prior planning or research and the pace of villagisation largely depended on the level of compulsion since a voluntary and participatory approach was seen to move slowly. However, in these countries the context under which villagisation was espoused are quite different from Rwandan Circumstances. As Lorgen stresses, however, for successful villagisation, great importance should be placed on planning.

2 METHODOLOGY

2.1 Area of survey

Selection of the prefectures for the survey was purposive in which case prefectures that have widely experienced constraints and unique experiences in land use and Villagisation, and the challenges accruing therefrom. The survey was carried out in the prefectures of Kigali Rural, Ruhengeri, Gikongoro and Butare. Kigali rural underwent villagisation, experienced land use constraints while it is said to have abundant land. It also experienced considerable insecurity and some of its areas are urban or sub-urban. Gikongoro is said to have abundant land yet experiences food shortages. Ruhengeri has experienced insecurity most recently and the entire population has been asked to rapidly move into new settlement sites and build houses. Butare, which had an influx of returnees and Burundian refugees, has experienced land use constraints and villagisation at a large scale. Umutara had also been selected because it is a new prefecture, a big part was previously uninhabited and has experienced poor land use and villagisation responses. However, it was not possible to conduct the survey in Umutara. In general these prefectures have experienced internal displacement and repatriation of Rwandese from neighbouring countries. The survey was conducted in three communes of each prefecture.

2.2 Sample selection

Beginning at the prefecture level multi-stage cluster sampling was used whereby communes, sectors and cells were selected. The major criterion that guided the purposive selection was clusters/administrative units that were identified to have experienced land use and villagisation constraints and unique happenings.

The people who were selected for interviews and group discussions included leaders as policy and decision-makers, executors of government policies and decisions, and knowledgeable people about the issues at stake. The community members who directly experience villagisation, land use, access and ownership practices were selected according to the following categories; male heads of household, female heads of household, women, widows, youth, orphans, the aged and people who are to join villages soon. These groups were targeted because they experience varying social and economic status, vulnerabilities and legal rights therefore they may be impacted differently by land use/access, practices, ownership and villagisation.

2.3 Data collection

Information was gathered through personal interviewing and focus group discussions. The researchers visited several Villages and spent a day in every village getting acquainted with the people and gathering information. Personal interviewing was used to enable the survey team get high response rates and to elicit information even from the illiterate members of the community in a short period. Focus group discussions did not only enable the survey team to obtain in-depth information but also enabled the group members to discuss the villagisation and land use issues among themselves.

2.4 Data Analysis

Data was analyzed manually by the survey team. The researchers edited the information at the end of each day. The information was coded by dividing the data into themes, categories and sub-categories as under the objectives of the survey.

3 VILLAGISATION

3.1 Evolution of Imidugudu Policy

Most of the people we talked to during the survey, thought that the policy of settling all the rural population in villages or « Imidugudu » was established by the government as an answer to the pressing settlement needs brought about by the 1994 war and genocide. There was need to find shelter for the survivors of genocide who had been left homeless and for the old case returnees who had no homes to return to. At the same time, the government wanted to introduce a better land redistribution and management system. Villagisation in Ruhengeri prefecture was a special case and came about as a result of insecurity which prevailed in that part of the country. However further analysis shows that the Imidugudu policy was conceived much earlier.

Article 28 of the Arusha protocol signed in June 1993 between the Rwanda government and the Rwandese Patriotic Front (RPF), on the return of refugees and the resettlement of displaced people states that, the returnees would not claim back their property (if they have been away for more than 10 years). Instead the government would assist them settle in "villages" with basic socio-economic infrastructures such as schools, health centres, water, access roads etc. This would encourage the establishment of 'development poles' in order to do away with the traditional dispersed homesteads. The idea was therefore already there before the 1994 events. Due to these events, though, the implementation of the policy took a somewhat different turn. A lot of houses were destroyed, especially those belonging to the genocide victims which made the survivors homeless. Large numbers of Rwandese fled the country ahead of the RPF forces fearing reprisals; and the old case refugees did not wait for organised repatriation but instead moved in the wake of the RPF forces and occupied the empty premises left by those who had fled, although many of them particularly in rural areas had to make do with makeshift shelters. The question of resettling all these people suddenly assumed emergency proportions. Shelter construction became a priority item on the agenda not only of the government, through its ministry of rehabilitation and social intergration (MINIREISO), but also of relief agencies like UNHCR, WFP, International and Local NGOs. Although government officials kept saying that the accepted way of resettlement in rural areas was Imidugudu, it was not until the 13th December 1996, that the cabinet meeting resolution to make Imidugudu the only way for rural settlement was passed – rather after the fact since all agencies involved in shelter construction had chosen to do just that. Subsequently a ministerial directive, N° MINITRAPE /01/97 of 9th January 1997 was published giving instructions on the procedures to be followed in both urban and rural housing construction. The instructions explicitly stated that « The agreed settlement policy in the countryside is IMIDUGUDU. Building on a plot other than a MUDUGUDU is hereby prohibited » (Art.11). At various fora as well as through the media, government has been sensitizing the population on the advantages of living in the Imidugudu and trying

to explain why this policy was adopted. In a national conference organised by ARAMET on 2-4/9/97, an official from the office of the Prime Minister stated that “the aim of this settlement policy is to find long term solutions to the problem of resettling Rwandese after the tragic events of 1994 as well as the problems related to inappropriate land management practices both in urban and rural areas.” Other reasons that have been given for the adoption of the Imidugudu policy include :-

- To make it easy for the authorities to provide basic facilities and services.
- To enhance the security of the people in rural areas.
- To settle people of different ethnic origin and background together so as to enhance peace and reconciliation

What became apparent to the survey team, however, is that the Imidugudu policy is still shrouded in controversy. Despite the fore-going, the Director of resettlement, Ministry of Lands, Settlement and Environmental Protection, stated in an interview that a resettlement policy has been in place since 1993, and is awaiting approval from the cabinet ; while local authority officials at prefecture and commune level claim to have no policy and /or legislation to guide and protect them. The Imidugudu, however, have been and continue to be constructed.

3.2 Implementation of The Imidugudu Policy

As stated above, MINITRAPE had issued guidelines and procedures to be followed in the construction of Imidugudu ; so had UNHCR which provided most of the funding for the shelter construction programme. Both these guidelines came out in January 1997, to coincide with the massive return of the 1994 refugees from the Congo and Tanzania camps. By this time however, a good number of Imidugudu had been constructed, some as far back as 1995, and construction was still going on. No wonder then if the guidelines were hardly followed in implementing the policy. In fact, most people interviewed, from beneficiaries to local authorities, NGOs and central government officials, agree that Imidugudu were, by and large constructed in a hurry and therefore, in a rather disorderly manner. A number of factors contributed to this, but one in particular is cited by most of the actors as the main cause :- the urgent need to find shelter for all those who did not have a home of their own and those whose homes had been destroyed. All these people, mainly old case refugees and survivors of genocide, were living in other peoples' properties (left by the 1994 refugees) both in urban centres and the countryside, or in makeshift shelters of sheeting and grass. Some relief agencies started raising funds to build shelters for these people and the form of resettlement chosen was Imidugudu even before the government and UNHCR guidelines were formulated. A number of factors seem to underly this decision.

First, there was the government's numerous communications in various fora about its intention to settle everyone in Imidugudu. This made everybody concerned reluctant to design any other form of shelter programme.

Secondly, for the old case refugees, Imidugudu was the way chosen in the Arusha accord, there was no other convenient way of resettling them. As for the survivors of genocide who were mainly widows and orphans, many of them especially in rural areas had a genuine fear of returning to their isolated homes, preferring to live close together for mutual support and companionship. In any case, there seems to have been no provision by anybody for the repair and /or rehabilitation of their homes, though UNHCR had a provision for repair and rehabilitation of houses for needy people. Finally both logistically and administratively Imidugudu were comparatively easy to implement by agencies involved in shelter construction.

Meanwhile, the government had been campaigning for the return of the new case refugees of 1994 from the DR Congo and Tanzania camps that were causing a lot of insecurity in the country. With the return of these refugees in 1996/97, a new dimension was added to the shelter programme. The UNHCR had

prepared a home repair and Rehabilitation programme at scattered locations for the new returnees. However, the government discouraged this (vide the Ministerial instructions mentioned above) and insisted that the returnees should also be resettled in Imidugudu. Pressure mounted on the local authorities to expedite the resettlement of all shelterless people (now including new returnees) as soon as possible. Funds were available to any agency (NGOs and private contractors) which was willing to do shelter construction. Under these circumstances, it was perhaps inevitable that there would be wide disparities in implementation and therefore in the quality of the work.

3.2.1 Site Selection

Both the Ministerial instructions and the UNHCR guidelines are clear about how the sites for the construction of Imidugudu should be selected. The local authorities, implementing NGOs and some of the beneficiaries who were involved in the exercise seem to have a good idea of what the selection criteria should be, even where Imidugudu were constructed before the instructions and guidelines were issued officially. The instructions from MINITRAPE give the following criteria for site selection :-

- Easy proximity to basic facilities
- Landscape conducive to easy construction of Umudugudu
- Easy proximity to farm land to ease farming and fertilizing activities.

The instructions also set up a communal committee to organise and implement the settlement of people in Imidugudu as well as the procedures to be followed including the fact that « Houses in IMIDUGUDU shall be built in accordance with plans approved by MINITRAPE which shall put into consideration the nature of the land. « (Art.13). The UNHCR guidelines to its implementing partners differs somewhat with the Minister's instructions as to who is responsible for selecting the settlement sites. According to these guidelines 'resettlement sites are identified by MINIREISO and MININTER at prefecture level. MININTER is the ultimate authority that approves the use of a site for settlement purposes." Criteria for site selection are similar to those of MINITRAPE but give more details e.g water and land availability (including cultivation and grazing land), soil fertility, accessibility by road, availability of cooking fuelwood etc. As said earlier, these criteria were by and large understood and supported by most of the stakeholders. **However, in the great majority of cases, these instructions and guidelines were not followed. What finally determined the way Imidugudu sites were selected were two important factors, none of which was provided for in the instructions or guidelines : the mounting pressure on the authorities to resettle the homeless and the availability of land for resettlement.**

Where there were large concentrations of homeless people (oldcase returnees and genocide survivors) local authorities could not afford the formalities of looking for suitable sites, drawing site plans and having them approved. Their first priority was to find any empty land available which they could access for house construction, and if luck was in and some of the other criteria could also be fulfilled at the same time, so much the better. In practice, in the areas where the survey was conducted, such empty lands were few and where they were to be found, the authorities tried to maximise the use of the little space by encouraging the building of big villages with sometimes as many as 400 houses (eg Mayange in Kanzenze Commune, Kigali rural). The result is that the farm land is very far for most of the Mudugudu dwellers, and / or there are no other basic facilities like schools, health centres, clean water etc. nearby. In cases where such « empty land » was small, priority was given to putting up houses with little concern about farming land, let alone other facilities. Some communes were even unable to find any empty spaces and were forced to take other people's land for the purpose of building Imidugudu. Interestingly, this last category of sites is usually nearer basic facilities like schools and health centres than the other two, although, for obvious reasons, it causes a lot of controversies and problems. However, a certain rule of thumb was that as far as possible, the site should be in the cellule where most of the beneficiaries were staying or in an adjacent cellule so that those who had land (mainly survivors) would not be too far removed from it. This could not always be achieved of course. The exception to this rule was in Mayange because all the beneficiaries were old case returnees who had no land anyway.

By contrast, where there was no pressure to resettle people, like in some parts of Gikongoro, one would expect a more orderly planning of Imidugudu, including a more rational site selection, but this is not so either. True, people who are preparing to go into the Imidugudu have been involved in the selection of sites, but the technical teams which are supposed to carry out site identification and planning are nowhere to be seen. Gikongoro also has an added difficulty in the nature of the terrain which is made up of very steep slopes. People try to look for fairly level ground which normally means hill tops. Though such sites are usually in people's lands and there will be difficulties in getting construction materials there, they are probably a better choice than the sites which have been constructed on hillsides under the same urgency described above. Ruhengeri's case is much the same as elsewhere except the lack of urgency and pressure and consequently the lack of relief agencies support and involvement (with some earlier exceptions). There is no evidence of better technical planning and the fact that there is hardly any free empty lands available complicates matters further.

3.2.2 House Construction

The quality and size of houses built in Imidugudu varied according to the agency involved. (Agency refers to government ministry, international NGO, Local NGO or Private contractor). As said earlier, UNHCR, which funded most of these projects had issued guidelines including size and design of houses and sizes of residential plots and location plan. Apparently MINIREISO had also provided a standard house design. Although UNHCR's assistance package of materials was aimed at meeting the needs of 42m² of floor area only, it had also adopted and developed different optimized designs of house models from which beneficiaries were supposed to choose. Beneficiaries had also the options of expanding their houses if they had the means to do so; thus a minimum of 15m x 20m plot size was recommended to also provide space for service quarters (Kitchen, Latrines, Bathroom, Store). What is surprising is that there are not more differences in size and shape of houses within Imidugudu. In fact, more differences tend to occur between Imidugudu built by different agencies. It seems that agencies found it more convenient to build one design houses in each Mudugudu they constructed and since hardly any of the beneficiaries could afford it, no additions were made in most cases. This also indicates that beneficiaries' participation was minimal if any, especially where the choice of house design was concerned.

Another observation is that agencies showed vastly differing levels of integrity in building Imidugudu. Some agencies displayed a lot of concern in ensuring that, not only good quality work was achieved, but also the wellbeing of the future occupants was considered. This is evidenced by houses with strong stone foundations, cement plastered outside walls to protect them from the rain (walls are normally made of unburnt mud bricks with mud mortar in between) and firmly anchored roofs. These same agencies also insisted on providing latrines and kitchens or at least assisted the beneficiaries in constructing them. Some other agencies on the other hand did rather shoddy work. You find houses with foundations of the same mud bricks of which the walls are made, unplastered walls (beneficiaries are supposed to plaster them with mud if they are able to), blown off roofs even before they are occupied and with no latrines let alone kitchens. Such houses are not built to last and the occupants are in constant fear that the house will fall on them any time. Cases of blatant dishonesty can also be found where the planned number of houses to be built was never fulfilled, houses were left unfinished and even workmen and suppliers were left unpaid (In one case, we found a Mudugudu where only 38 houses out of a planned 200 had been built, and even among those there were 8 uncompleted and 3 destroyed by the wind).

By and large, the size of the houses is much the same. In many of the cases the houses measure 7m x 6m to fit the UNHCR assistance package of materials. However, a few cases were found where houses were much smaller 6m x 5m, and others where they were larger 8m x 6m or 8m x 7m. These differences again depend on the integrity and good will of the agency involved. Great discrepancies can also be found in the sizes of plots for building. They range from fairly big sizes of 30m x 20m to some ridiculously small ones of 15m x 10m. In the later case, even finding space for a latrine is very difficult without mentioning where they will build another when the first is full. They have nowhere to put a rubbish pit let alone

space for children to play. Plot size carries a lot of significance in hilly places like in Gikongoro. A plot measured on the ground on the steep slope will become much smaller when levelling is done for house construction unless sophisticated technology is used, and that is what happened. Some Midugudu that we visited in Gikongoro also desperately need storm drains to be built in strategic places for their protection. With their poor quality construction and being built at the edge of a precipice, the houses are likely to be washed down the hillside with the next heavy rains. It seems clear that no efforts were made by either the donors or the Ministries concerned to ensure good site planning and quality control of house construction.

3.2.3 Beneficiaries/Imidugudu Dwellers

3.2.3.1 Selection

The reason for this ambivalent title is that the word «beneficiary » cannot be applied to all the people who currently live in Imidugudu. Because of the pressure put on local authorities to resettle all the people who did not have any homes of their own, various procedures were adopted by different authorities to identify the beneficiaries of the shelter construction programme of MINIREISO and UNHCR. During the survey, it was found that, except for some common rules, there were no systematic procedures set to ensure a uniform and fair selection. According to the authorities and beneficiaries, selection followed more or less the following broad criteria :-

- Those who did not have homes of their own, for example old case returnees and genocide survivors whose homes had been destroyed.
- Those who were afraid to go back to their homes after the 1994 war and genocide.
- Those on whose land the Mudugudu was constructed
- Young people who wished to set up homes apart from their parents

Since the number of housing units was more often than not much smaller than the number of people who wanted them, those responsible had to find some method of identifying the most deserving cases. Those who were more conscientious tried to give priority to the more vulnerable like widows, orphans, the elderly and other poor people with large families. In other areas, lists of people without homes were made through registration (no census was carried out as far as the survey revealed), and houses were allocated on a « first registered first served basis ». Still in other instances, a lottery system was used to select beneficiaries. In one particular case, the intended beneficiaries were asked to pay 25,000 Frw each for a house in the Mudugudu.

Cases also exist where beneficiaries formed associations, like widows or self-help groups, and approached relevant agencies for assistance in resettling them , or conversely, agencies set out to build shelter for particular groups. The diverse methods employed are evidence of lack of careful planning by the relevant authorities. In such a situation mistakes and abuses were bound to happen. Many of the initial target groups for shelter construction like old case returnees are still unhoused, when people who had no shelter problem got a house. In fact, some unscrupulous people managed to get several houses in different Midugudu which are either put on sale or rented out, and some of these people are local leaders. Two interesting cases are worth mentioning here. The first is a Mudugudu in Kigombe commune, Ruhengeri prefecture : 26 houses were built by an agency, for genocide widows in 1995, but was not occupied until this year partly due to insecurity, but mainly because « the beneficiaries » had their own houses in town and only wanted another house for other purposes. Of the current occupants, only one is among the original beneficiaries. The others moved in on their own initiative because they did not have anywhere else to go having been staying in other people's houses. This has caused a controversy because the « rightful owners » of the houses want to chase the occupants out of «their properties». The second case is in Kanombe commune in Kigali rural. This Mudugudu of over 150 houses was allocated to beneficiaries who had each paid 25,000 Frw to communal authorities in 1997. Since that time, it has been occupied by « care takers » and tenants only, who have no right to either the house itself or the land that

goes with it. These are people who really are in need of a house and land while the so called owners are town dwellers who are only using the ownership for speculation purposes. This should in no way, be taken to mean that the allocation of Imidugudu was characterised by rampant corruption or misdeeds, far from it. These two cases in fact are more of an exception than the rule ; but they illustrate what can go wrong when a programme of such a magnitude is implemented in a hurry and without careful planning. The fact of the matter is that with all the efforts made to resettle people without homes, a great number of these are still homeless when they are some underserving cases who got a free house or houses that they do not need.

3.2.3.2 Participation

Another issue concerns beneficiaries' participation. A senior government official thinks that community members did not use their maximum capacity to contribute to the building of their own houses, hence the poor quality houses and /or delay in building completion. He also adds that the resettlement policy was meant to be implemented on a self help basis. Indeed, it seems that the cabinet decision of december 1996 establishing Imidugudu as the only form of settlement in rural areas, envisioned its implementation in the form of «Umuganda » or community self help. Though all the settlements visited during the survey with the exception of most of the sites in Ruhengeri, had been constructed with assistance from an outside agency, we were informed of a number of Imidugudu that had been built by the people themselves with the only assistance being iron sheets for roofing. In the cases that we visited, however, beneficiaries' participation was as varied as the style and quality of housing largely depending on the implementing agency. Some beneficiaries were not required to participate at all, they simply moved into already constructed houses. Others were required to provide some form of contribution which varied according to the agency. This contribution could include any or all of the following :- Site levelling, Brick making, Aiding the mason, Building of kitchen and Latrines and work supervision. Implementing agencies were ambivalent about community participation. While appreciating the need for it, some felt it slowed down the work and in order to meet deadlines, they preferred to do most of the work themselves. Others strictly insisted on adhering to some form of community participation being part of the project.

For the beneficiaries, this style of working gave mixed signals, especially since the majority of them did not differentiate between agencies. Some thought it was unfair to be asked to contribute when there were others who did not require it. Others suspected foul play because they believed that the implementing agencies had the money to do all the work and that site managers wanted to pocket some of it. Despite these feelings however, quite a number of beneficiaries participated as the donor agency required mainly out of an urgent need to get a house of their own, although there were others who could not genuinely give any contribution and sometimes went without a house. One is left to wonder though, whether better quality houses and faster implementation of the shelter programme would have resulted from a more participatory approach whereby the beneficiaries would be involved in all the stages of the project. One Bourgmestre definitely thinks that things would have been much better if beneficiaries had been asked to construct their own houses and only given assistance with roofing materials. He ought to know because both implementation strategies have been tried in his commune. Whatever the case may be, the high involvement of aid agencies in Imidugudu construction seems to have undermined the government's idea of using community self help in implementing the resettlement policy. People preparing sites for Imidugudu construction in Gikongoro, for instance, including local leaders, still expect aid agencies to provide the necessary assistance like « elsewhere ». Even in Ruhengeri where there is no sign that aid agencies are willing to support the construction of Imidugudu, the people still hope and even some expect some assistance at least from the government. What is evident is that most of the beneficiaries, as well as local authorities and aid agencies seem to have taken Imidugudu to be an emergency intervention rather than a long term government strategy to reform the rural settlement pattern in the country. Thus the low level of beneficiaries' participation and the rather moot question of other Rwandese whose « homes were not destroyed », moving into Imidugudu also (exception is made of Ruhengeri Prefecture of course).

3.3 PEOPLE'S ATTITUDE TO IMIDUGUDU

3.3.1 *The Imidugudu Dwellers*

By the time the survey was carried out, all the completed Imidugudu were more or less fully occupied. There were only a few unoccupied houses here and there and this was due to various reasons like houses belonging to soldiers who were away on duty, orphans who were away at school, young men who worked far from home and of course absentee house owners thought the latter cases were rare because usually there would be somebody keeping the house. There were a few cases where houses were shared by two families and even where people had moved into uncompleted houses as long as they had a roof above their heads. This was a complete turn around from earlier reports about the low rate of occupancy in Imidugudu. Was it that Imidugudu had, for some unknown reasons, become popular overnight? Actually, differing life circumstances underlie the reasons why different categories of people went to live in Imidugudu and hence their attitude to the new settlements.

The first category is old case returnees. These people were living either in other people's properties or staying with friends and relatives or simply camping in makeshift huts. Getting a house they could call their own in Umudugudu was a great relief in itself because it was their first priority. If they happen to be allocated farmland as well then they are quite happy to live in Umudugudu. As one person said «Give us a house and some land then anything else we can get ». They also agree that living together in Imidugudu enhances their sense of security and spirit of co-operation. In brief, these people went into the Imidugudu because they could get a house and land which would enable them to start a new life; to them, the Imidugudu represent a new future.

The second category is that of the genocide survivors mainly widows and orphans. After the genocide, these people also happened to be sheltering much in the same way as the first category, both out of fear for their own lives as well as the fact that most had had their homes destroyed. For them the Imidugudu represented havens for personal security and mutual support. A few would wish to go back to their original homes but the majority say that they cannot stand living in « isolation » again, even if they have to walk long distances to their farms.

The third category involves the new case returnees and those who never left the country during the war. As it happened, almost all the Imidugudu which were visited during the survey were inhabited entirely by the first two categories of people. It seems that in the areas visited, if there were any new case returnees at all, they had all gone back to their former homes. In other words, the government instructions of resettling every one in Imidugudu had not been implemented. However, in Gikongoro there were cases where those who had not left the country had been resettled in Imidugudu or were preparing to do so. Asked about what they thought of the new settlement policy, they tended to be non-committal, merely saying they had to comply with it because it was a government directive and repeating the official rhetoric about the advantages of living in Imidugudu.

The fourth category is represented by the Ruhengeri case. These are people who found themselves in a kind of civil war situation caused by the infiltrator's raids and the security forces riposte. More and more people started taking refuge at communal centres and other public places as a result of this. Resettling these people in Imidugudu had two related major security reasons besides the implementation of the resettlement policy. One was to make it easier for the security forces to protect the population, and, at the same time, achieve the other objective of depriving the infiltrators of hideouts and covert support. The people agree that Imidugudu have solved their security problems. They also talk of some advantages as those people of Gikongoro mentioned earlier. However, one felt that they did not relish the prospect of putting up new houses by themselves and also, in many cases, far from their agricultural lands.

The last category, who are the great minority, are those occupying houses which «do not belong to them » in Imidugudu. For these people, all they want is official ownership of the houses. In some cases,

like the two mentioned above, the local authorities have promised to solve the problem. However, there are a number of isolated similar cases which will take time to resolve because the people involved are protected by the tenants or have influence with the authorities.

3.3.2 *The Implementing NGOs*

For most of the NGOs involved in shelter construction, Imidugudu were seen as an emergency response to a critical need for shelter that existed in the country. The fact that it was government policy was really secondary. In fact a number of the NGOs think that there was no policy because the programme was implemented in a rather disorganised manner and without any plans or co-ordination. The result of this is that, once the Imidugudu had been built (sometimes even before all the houses were completed) some of these NGOs simply left, feeling that their work was at an end. However, a few NGOs have tried to show more interest in the development of Imidugudu. They recognise that though the programme may have been conceived in a hurry and there is a lot to criticise about its implementation, the Imidugudu are there to stay and therefore, something has to be done to assist the people in their struggle to achieve a viable livelihood. Some of the NGOs whose mandate does not extend beyond the construction of houses are worried that the Imidugudu may become places where the old and sickly simply go to die, because many of them are indeed inhabited almost entirely by poor and vulnerable people. This is not dramatisation. Though a couple or /so NGOs have tried to initiate development projects in the Imidugudu that they have helped construct, it is indeed worrying that the majority of Imidugudu have not attracted any attention from development agencies.

3.4 SOCIO-POLITICAL AND ECONOMIC ISSUES

The Imidugudu policy, as conceived by the government, was meant to solve a number of socio-political and economic problems facing the country as a result of the war and genocide of 1994. Apart from solving the serious problem of shelter facing the hundreds of thousands of Rwandese, it was also meant to spearhead a more rational land use and management system designed to improve production in rural areas, besides the other reasons cited in above. Notwithstanding the obvious importance of the policy, the instructions that were issued to implement it were never ratified by parliament, thus leaving ambiguity about its pace and scope. Due to the limited scope of the survey, it is not possible to establish the costs versus benefits of the Imidugudu programme; however there is no doubt that millions of dollars have been and continue to be spent on it. It is therefore useful to look at what achievements, if any, the Imidugudu policy has made in fulfilling its aims.

3.4.1 *Shelter versus Livelihood*

What was apparent during the survey, is that the question of shelter took precedence over anything else. Little attention was paid to such things as the provision of social infrastructures and access to farmland. In its promotional campaign to convince the people to settle in Imidugudu, the government tended to paint a rosy picture of villages with running water, schools, health centres etc. if not within, at least near the village. In all the Imidugudu visited, only one: Peace Village Nelson Mandela, in Kanzenze Commune could boast of all these infrastructures. A few others could have some of them or some hope of access to them in future. But there were a big number which did not even have such a hope. Questioned about the plans to provide these infrastructures, local authorities admitted that there were hardly any, and a number of them blamed higher authorities for making promises to the people which they could not keep. It is more than likely that the government does not have the necessary funds to make those promises come true, but this is hardly the point. The more pertinent question is whether, when many of these Imidugudu were being constructed, they were being seen as permanent, long-term rural settlements. While the intention was that the people who settled in Imidugudu would resume a normal life in the shortest time possible, many of these settlements do not have the facilities to make this possible. The

great resources used in putting up houses (even if a good number are in poor shape) will have been wasted if a similar effort is not made to make these Imidugudu more viable in terms of economic activities. Very many people do not have any land to grow food or graze animals and those who have it have to walk long distances to work on their land. There are no off-farm activities because the people either lack capital to invest or necessary skills or both. This situation which has exacerbated the poverty that affected most of the Imidugudu settlers already, may soon lead to a migration of the able bodied looking for better prospects of making a living. Most of the Imidugudu may soon turn into settlements for the aged, the sick and disabled if something is not done to improve their socio-economic viability.

3.4.2 Peace and Reconciliation

Another matter concerns security considerations. Though most people agree that Imidugudu has enhanced security for them, there is the worry that there is a preponderance of one ethnic group living in these settlements. According to government plans, Imidugudu were to be settled by people of different ethnic origin and background so as to foster peace and reconciliation. This has not happened in most cases since most of the villages were set up to house those without shelter, an overwhelming majority of whom are genocide survivors and old case returnees who are mainly of a tutsi origin. The situation as it is in fact may lead to a worsening of ethnic relations, and right now is a constant cause for worry for the Imidugudu dwellers. What they are asking themselves is whether the others will also be asked to move into Imidugudu of their own or new ethnically mixed Imidugudu will have to be built; a thought that reinforces their feeling that the present Imidugudu are not permanent settlements.

3.4.3 Environmental Concerns

There are environmental issues. One of the biggest problems facing Imidugudu dwellers is firewood for cooking. The building of Imidugudu involved some substantial tree cutting for site clearing and timber for actual house construction. Those Imidugudu dwellers who do not have land are forced to buy or use forage for firewood in other people's land. Those who have land which is far (and they are the majority among Imidugudu dwellers with land) are a little better off but the long distances are a great bother. The issue of firewood is only an indication of the environmental impact of Imidugudu. Those agencies involved in the shelter programme agree that its environmental effects were not given much consideration during implementation. Serious problems of environmental degradation might crop up especially in the mountainous regions, like Gikongoro and Ruhengeri. What has happened is that the Imidugudu were built near the bottom of the hills so as to be near the road. These sites are usually the more fertile lands for crop growing. This forces the people to cultivate lands higher up on the hillsides. The soils there are less fertile and more susceptible to erosion. In some other areas, the fact that communal wood lots had to be cut down to make way for Imidugudu means that there is generally more threat of soil and wind erosion, not to mention loss of timber for construction and firewood. One or two NGOs have assisted a few Imidugudu to initiate tree planting and firewood saving stoves projects. More agencies should follow this good example.

3.4.4 Community Organisation

Finally, a word about community organisation at the Imidugudu levels. In a few instances, community based organisations (CBOs) can be found in some Imidugudu, especially those which are near a town or big market centre. However, in the majority of cases, the seeming disinterest of development agencies to work in Imidugudu has discouraged the formation of CBOs in the settlements. At the administration level, one would have expected that the Imidugudu would have formed the basic units of authority during the recent grassroots elections. This was not the case. While some Imidugudu have elected informal leaders to assist in resolving internal disputes, most of them have only "nyumbakumi" (heads of 10 houses). The cellule officials may or, in most cases, may not reside in the Imidugudu. There are even cases where different Umudugudu residents owe allegiance to different cellules because they originate from there or have a piece of land there-a most ridiculous situation. One cannot help thinking that a good

opportunity to put in place viable, strong grassroots authorities, as well as organising the communities towards a people based, participatory rural development, may have been missed. But then again, the ambiguous situation in which most of the Imidugudu find themselves may be at the root of all this.

3.5 PEOPLES' RECOMMENDATIONS ON VILLAGISATION

During the survey, views were sought at all levels about the villagisation policy in general and its implementation in particular. The views given by the occupants of Imidugudu and the leaders at all levels can be put into four headings:

- a) house construction,
- b) style of settlement,
- c) social infrastructure and services, and
- d) livelihoods in Imidugudu.

3.5.1 House Construction

The people in the Imidugudu called on the involved actors to rectify the mistakes made during construction of houses. The houses are in a bad state and responsibility for what was done falls on organisations/ministries that were involved. These concerns are well founded because a number of houses were found to have collapsed, others had had their roofs blown off by the wind and still others were incomplete though occupied, making the occupants face a miserable life indeed. Constructing bigger and stronger houses that will last was emphasised by the people. It was noted that many of the existing houses will be no more since only after 1-2 years some of them have already fallen or their roofs have been blown away, making their occupants revert to homelessness again. Rehabilitation and/or refurbishment of existing houses in Imidugudu was called for to ensure a long lifespan. You also find large families occupying small houses and since the allocated plot is small, there is no space for expansion or additional houses. Re-examination of the selection process for sites where to construct Imidugudu was also advised. The lack of proper site planning has brought about a number of problems: lack of space for recreation; no room for building latrines and kitchens; no drainage systems; house, kitchen and latrine are too close together; lack of kitchens forces the people to cook inside the houses which makes the iron sheet roofing wear out very quickly. Tree planting to provide resistance to the winds that blow away the roofs and erode soil was considered to be an important measure that should go together with the rehabilitation of houses.

3.5.2 Style of settlement

Many of the people who were interviewed thought the best way of building the Imidugudu was to put the houses in a line along the road and close to the farm lands. This is due to the fact that currently, their farms are very far, making it difficult or impossible to apply manure. Other farming activities also become difficult because the people arrive there late and when they are tired from walking. Another alternative is to build smaller Imidugudu of not more than 50 houses surrounded by the farmlands. One Bourgmestre however thought that the solution to carrying manure to farms was to teach the farmers how to make their own compost manure right on the farm instead of the traditional method of throwing home rubbish in the garden close to the home.

The Imidugudu should not be built in one style all over the country but should instead be designed to suit the topography and other landscape features of the region. A hilly region like Gikongoro for instance is not suitable for the construction of large Imidugudu as in other flatter areas. In fact, a number of people suggested that some model villages should be designed and built in different regions of the country so that people can be encouraged to build more decent and viable Imidugudu. One senior government official suggested that since the emergency was over, Imidugudu construction should take a slower pace so that more time is given to planning better settlements.

3.5.3 Social Infrastructures and Services

Establishing social infrastructures and the services they are meant to offer in the Imidugudu was expressed as an urgent intervention to go together with villagisation. In many places these infrastructures were not there at all or where available, for example, health facilities, they lacked equipment, drugs and competent staff. Other facilities like water supply are not adequate, with one water point serving too many people. It was recommended that during site selection, the participants in the exercise should make sure that they choose areas where basic facilities/services are available or can be easily accessed.

3.5.4 Livelihoods

The Imidugudu dwellers are in need of assistance to alleviate the high incidences of poverty prevailing there. In many of the Imidugudu, people do not have any land for cultivation or if they do, the land is far. At the same time, many of the occupants are vulnerable people like old women, widows and other weak people who lack the strength for hard work and have no other means of earning an income. The leaders, NGOs and the community recommended the initiation of a programme to cater for the vulnerable poor in Imidugudu. Support for local groups/associations is viewed as one of the most appropriate ways of building the capacity of the communities so that they can develop themselves. There are no off-farm activities to provide alternatives to crop production or animal rearing. The people in Imidugudu are particularly worried about the youth in this connection, and are therefore requesting the setting up of technical schools to teach the out of school youth skills and crafts so that they can be self-employed. An integrated programme to support both farm and off-farm activities in Imidugudu as well as the improvement of the transport services sector were considered necessary interventions to improve the living conditions of the communities by enabling people to engage more effectively in productive activities.

4 LAND

The villagisation policy was intended to improve land use and distribution so that all people can have access to land and increase production. However, many people in villages do not have land; the landowners are also far away from their land such that they cannot exploit it as they would have intended to. It is therefore feared that production might diminish.

In some areas sites were allocated in farmland thus reducing the land available for cultivation. Apart from possible reduction in production, land expropriation created disputes between those who were dispossessed of the land and the beneficiaries of the villages on the respective land.

In certain areas productive land was transformed into settlement sites. This will affect production. In some of the cases they even destroyed crops for sites which contributed to food shortages in the short term. The land and production issues become more complex because of land shortage whereby there is not sufficient land for cultivation and livestock rearing.

4.1 THE LAND DILEMMA

Currently there is no law governing land thus land distribution is not free of victimisation against some people. Sometimes land is expropriated and distributed or shared if the individual is not very resistant to the leaders decisions. The resistant citizens at times manage to withstand leaders decisions since leaders do not have a law that vindicate their decisions. Villagisation and land distribution that is not substantiated by land law reform potentially risks raising contradictions.

The people are insecure over land ownership. Those who have been given land are clearly told that they can temporarily use it until they will be allocated land permanently. People who previously owned land are also conscious that they can be dispossessed of that land as it has happened to fellow citizens on land selected for settlement sites.

During the expropriation of land to create village settlement sites, a problem of exchange of land among the community raised much concern and disgruntlement among the community. The previous landowners are to receive pieces of land from current village occupants. The occupants offer land equivalent to what they received usually 25 by 30 meters. The land exchange has various negative implications:

First, working on many dispersed land plots can consume a lot of time and energy and does not permit protection of crops, organisation and co-ordination of work.

Second, people lost productive land and they have no means of ensuring that they acquire land that is as fertile. They are at the mercy of the occupants of their previous land.

Third, there are some people living in villages who do not own land. There is a question of how the previous landowners and occupants of the villages will acquire land especially where there is no free land available. Even where free land is available, allocation of land to people who lost it and returnees who did not own it is belated while people in rural areas entirely survive on cultivation.

As a result, there are increasing disputes between leaders and communities and among communities over land. Concerning leaders and the community, the issues of contention are: land distribution, expropriation of land for village sites and guiding the community in land exchange. While among the community disagreements arise in exchange and encroachment on each others land and sharing of inherited land between children and close relatives.

In most of the areas, the old caseload returnees do not have land while land is the major means of survival in rural areas. There is no land so far earmarked for this category of people and the land shortage challenge is raised in most areas.

There are manifest land problems caused by the settlement crisis after the war and genocide. There was an emergency need of settling a multitude of people after the destruction of houses amid unstable security. The problem was therefore addressed hurriedly without clear instructions and same understanding by the actors involved at that time. The plan was to settle people in villages and that is why the leaders did whatever they could to identify sites for village settlement. The sites had to be identified very fast without really having time to cater for possible short and long-term negative implications.

4.2 VIEWS ON LAND

The leaders and people without land indicated that a policy should be developed with a view and plan of land redistribution among the population. On the other hand the landowners call upon government to distribute land to the landless without tampering with their land. The two positions offer no solution since they are adversely direct opposites thus necessitating a compromise.

There are two other contrasting positions on the land bill: On one hand some people argue that a land bill should be hurriedly formulated to address the complex land questions while on the other, people believe the bill should be developed with profound caution and responsibility involving wide consultations and dialogue to forestall land problems in the future.

To date in all circles from the grassroots to the central decision-makers, people are watchfully and eagerly awaiting the land bill. It is believed that complex issues on land will be resolutely and adequately resolved. The responsible actors and central government decision-makers should therefore address the issue cognisant of its gravity, expectations and fears among the population and possible consequences on whatever deliberations.

5 ISSUES

- Shelter versus sustainable livelihoods.
Some people have shelter without land and are not involved in any other economic activities. Besides, in most of the prefectures the villages are occupied by the vulnerable poor say the aged, widows, orphans and survivors.
- The pace and direction of villagisation.
 - In attempt to solve the emergency problem of shelter and resettlement, villagisation was done haphazardly and to date, there are still many people without shelter. The way forward is bleak.
 - Is villagisation the only way to solve the settlement challenge in Rwanda today?
- Are the established villages permanent or provisional?
Mistakes were made in construction of houses and actors made makeshift shelter. How will the mistakes be corrected and villages strengthened to last.
- Can villagisation be a foundation for rural development?
How can the villages be transformed into a basis for rural development and if this is not done what can be the impact/consequences?
- Who does the villagisation policy target?
In some areas it is all people in others it is for survivors, widows, orphans and other vulnerable poor.
- What is the villagisation programme like, what are the instructions and what should a village look like?
- What should be the land distribution plan in the villages?

6 CONCLUSIONS

The implementers of the villagisation policy did not have the same understanding of the policy. The instructions on the implementation process of villagisation were formulated long after villagisation had started and never reached the actors involved in the policy. Some of the actors understood villages to be for people without shelter and land as had been agreed in Arusha. Other people who would live in villages are the youth going independent from their families. Actors with this understanding believe that some leaders who did not understand the policy ended up settling all people in villages. On the other hand there are actors who understood villagisation as a settlement policy of all Rwandese as it was declared by the cabinet meeting of 13/12/1996 that was followed by the provisional instructions NO MINITRAPE /01/97 on land settlement in the country. Despite the fact that villagisation preceded the instruction even after their formulation the actors involved never received them and therefore instructions were not followed.

It is generally apparent that the implementation of the villagisation policy was done haphazardly. The process was characterised by inconsistencies and shortcomings mainly based on lack of clear, commonly accepted and recognised instructions. In effect actors in the villagisation process exercised their own discretion on such an important national issue that has short and long term social, economic and political repercussions.

The social well being of the village dwellers to date is miserably awful. Most of the villages are inhabited by the destitute people including widows, the aged and orphans who are not engaged in any productive activities. The only noticeable activity is subsistence farming but still there are people without land. Even landowners among these vulnerable poor groups are at loss to date as their land is far away from them thus making it hard to utilise. The youth are also redundant due to lack of skills while they are the energetic group that would play a significant role in combating poverty.

The communities and leaders generally called for a clear and properly planned programme to implement the villagisation policy. The policy should however be prepared considering the physical and environmental conditions in each prefecture or region. It may not be easily possible to implement the policy uniformly in areas with a different terrain.

Though villagisation was adopted as a settlement policy for all citizens in the country, it is apparent that majority of people in villages are people whose houses were destroyed, survivors and returnees. However, in Ruhengeri, because of insecurity all people went to villages at once without first building houses in the settlement sites.

The identification of sites for villages and people to live in the villages was not done properly mainly because of the hurried manner in which settlement in villages was done. In some areas, villages were set up in areas where it is not possible to establish basic facilities due to lack of space or due to a hilly terrain that can hardly be levelled. Some of the beneficiaries in villagisation had many houses or managed to get many from the various shelter programmes while some people in real need did not benefit from the shelter programmes.

The leaders are experiencing difficulties in distributing land because they are not protected by the law and there are no recognised instructions to be followed. The authorities therefore distribute land without sufficient confidence thus when they meet resistant individuals they give up.

Though the villagisation policy was characterised by numerous shortcomings, it had significant strong points to acknowledge. **First**, through villagisation the government, agencies and NGOs managed to respond somewhat effectively to the shelter crisis after the 1994 war and genocide. **Second**, shelter programmes went hand in hand with land distribution which enabled people sustain themselves after a short period at the end of the war. **Third**, government was able to maintain security of the people living together in villages which allayed peoples fears after the war. This went a long way to facilitate reintegration of communities. **Fourth**, villagisation facilitated unity and reconciliation following the atrocities in 1994.