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UN Security Council shamefully abandons victims in Democratic Republic of Congo

New York – The failure of the UN Security Council to follow up on the recommendations on the massacres in the Democratic Republic of Congo (DRC) is one more lost opportunity to bring an end to the climate of impunity that so tragically prevails in the Great Lakes region, Amnesty International said today.

The human rights organization expressed grave disappointment at the weak Presidential Statement issued by the UN Security Council on 13 July in response to the UN Secretary-General's Investigative Team (SGIT) report on the massacres in the DRC. The report, published in June 1998, documents massacres, gross violations of human rights and international humanitarian law, crimes against humanity and even possible genocide committed in the DRC between September 1996 and May 1997.

The Investigative Team had recommended further investigation by a competent, independent and impartial body and the bringing to justice of those responsible for the violations committed. Yet the Security Council, while condemning the massacres and other crimes against humanity, called for further investigations by the very people accused of perpetrating the crimes –the DRC and Rwandese Governments.

“It is extraordinary for the Security Council to have abdicated its responsibility and for it to expect the very authorities which have been identified as being responsible for such horrendous atrocities to bring the perpetrators to justice. Once again such actions have brought shame to the Security Council,” Amnesty International said. “Merely condemning such serious violations of international human rights and international humanitarian law is not sufficient.”

The stance adopted by the Security Council is inexplicable for the following reasons:

- the report, like those by numerous human rights and humanitarian organizations, places most responsibility for the massacres on the Rwandese Patriotic Army (RPA) and combatants of the new DRC Government. In other words, those held responsible for the killings and other crimes against humanity are now asked to bring the perpetrators to justice;
- the Investigative Team's report documents in compelling detail the efforts of the DRC Government to systematically obstruct the work of the team, to intimidate witnesses and to hide evidence of massacres. Yet it is this same Government which has been asked to take responsibility for investigating the violations;
- the negative and hostile response of the Governments of the DRC and Rwanda to the Investigative Team's report provides further worrying indications that the UN's recommendations will go unheeded;

- both Governments are currently obstructing attempts by the international human rights system to monitor the human rights situation in their respective countries. The DRC Government has refused access to Roberto Garreton, the UN Special Rapporteur for Human Rights in the DRC, while the Rwandese Government is refusing to allow the UN Human Rights Field Operation to continue monitoring and reporting on the human rights situation in the country.

Amnesty International has already expressed grave concern at the lack of political will on the part of the authorities of the DRC to take any serious measures in response to human rights violations or to establish any institutions which would ensure respect and protection of human rights. In recent reports, the organization has documented how Rwandese and DRC troops which were involved in the killings covered by the Investigative Team's report continue committing atrocities in their respective countries.

"The failure of the Security Council to follow-up effectively on the recommendations of the UN's own report shows scant regard for the victims of these crimes," Amnesty International said.

"The inaction of the Security Council highlights once more why an International Criminal Court is so essential. Only a credible, independent and effective court will ensure that future perpetrators of atrocities, such as those which occurred in the DRC between September 1996 and May 1997, will be held accountable by the international community. We appeal to Governments to work in Rome for the strongest possible treaty."

Amnesty International welcomes the call by the Security Council to member states and UN agencies to provide technical and other assistance in the development of independent and impartial judicial systems. But such actions must complement and not be substitutes for independent and impartial investigations.

"We can only hope that on 15 October, when the DRC and Rwanda are due to report back on the actions taken, the Security Council will place human rights, peace and security for ordinary people above political expediency," the organization said.

Amnesty International strongly endorses the assertion of UN Secretary-General Kofi Annan that: "*Violations of human rights on such a scale as to constitute crimes against humanity must be regarded as posing a threat against international peace and security*".

"Now is the time for the Security Council to uphold its legal and moral responsibilities for the maintenance of international peace and security and make sure that the UN's investigations were not in vain," the organization said.

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For further information see Amnesty International reports: *Democratic Republic of Congo: A year of dashed hopes*, AI Index: AFR 62/18/98, 15 May 1998; *Rwanda: The hidden violence: "disappearances" and killings continue*, AI Index: AFR 47/23/98, 23 June 1998.

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