



REGIONAL UPDATE:

AFRICA

EVENTS COVERING THE PERIOD FROM JANUARY TO APRIL 2009

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INSECURITY

In the Democratic Republic of Congo (DRC) the political and military landscape shifted dramatically in January when the Rwandan army entered North-Kivu at the invitation of the government to join the Congolese army in an offensive against the *Forces Democratiques de Liberation du Rwanda* (Democratic Liberation Forces of Rwanda, FDLR) Rwandan insurgent group. The joint operation lasted until 25 February when Rwandan army forces were withdrawn. The first target of the joint operation appeared to be the removal of Laurent Nkunda, leader of the *Conseil National pour la Défense du Peuple* (National Council for the Defence of the People, CNDP) armed group. In early January, the CNDP's military chief-of-staff, Bosco Ntaganda, had declared that he had deposed Nkunda as head of the CNDP. Laurent Nkunda was arrested by the Rwandan army on 22 January and has since been held at a secret location in Rwanda. Bosco Ntaganda is himself a fugitive from international justice. An arrest warrant against him was issued by the International Criminal Court (ICC) in August 2006, for the war crimes of recruiting children aged under 15 and using them in hostilities. The DRC government has announced that it will seek Laurent Nkunda's extradition but has refused to arrest Bosco Ntaganda and surrender him to the ICC.

The joint military operation against the FDLR proved inconclusive but the toll on civilians has been high. The FDLR has allegedly been exacting reprisals against civilians in a number of areas of North-Kivu, including rape and burning people alive in their homes. Congolese army movements have also been accompanied by serious human rights violations, including rape and other acts of torture. The intervention by the Rwandan army provoked a parliamentary crisis in the DRC, which led to the resignation, under pressure, of the leader of the National Assembly, Vital Kamerhe. Human rights defenders who protested at the attempts to oust him were arbitrarily arrested and badly beaten by the intelligence services in March.

The military offensive against the FDLR by the Congolese army, now supported by the UN mission MONUC, continued. It is to extend into South-Kivu province, evoking fears that the human rights and humanitarian situation will deteriorate sharply in that province, too. MONUC has still not received the 3,000+ reinforcements that the UN Security Council authorized in November 2008, although additional peacekeepers have been pledged.

The beginning of 2009 saw a deterioration in the human rights situation in Sudan (Darfur), with several attacks on villages and against the UN-African Union joint Mission in Darfur (UNAMID), leading to further displacements.

On 4 March, the ICC's pre-trial chamber issued an arrest warrant against Sudanese President Omar El Bashir for war crimes and crimes against humanity. The government of Sudan immediately revoked the

permits of 13 international humanitarian aid organizations and closed down three national organizations. The closures came without prior notice and the government did not allow a transition period in order to ensure continuity of supply of emergency aid in Darfur and other parts of northern Sudan.

The closure of the NGOs was paralleled by a clampdown on human rights activists in Sudan. Many were forced to leave the country and others silenced by the government's National Intelligence and Security Services (NISS). Violations of the right to freedom of expression and assembly increased.

In April, a further 32 alleged members of the Justice and Equality Movement (JEM) armed opposition group were sentenced to death by Special Courts in Khartoum. According to local lawyers and human rights activists the men's trials were grossly unfair: many had no access to legal counsel until their trials had begun, they were reportedly tortured or otherwise ill-treated and many confessed under torture.

On 11 April, nine individuals accused of murdering leading journalist Mohamed Taha in 2006 were executed. Their trial did not meet international standards of fairness and their confessions were extracted under torture.

Ethiopian troops withdrew from Somalia at the beginning of 2009 and the Transitional Federal Parliament (TFP) was enlarged to include representatives of the Alliance for the Reliberation of Somalia-Djibouti faction (ARS-Djibouti). On 30 January, the Parliament elected Sheikh Sharif Ahmed, leader of the ARS-Djibouti, as new President for the Transitional Federal Government (TFG).

Many armed opposition groups, including al-Shabab factions, vowed to continue fighting against the new TFG and a small African Union force (AMISOM) based in Mogadishu. Armed groups controlled the vast majority of south-central Somalia. Attacks on AMISOM increased and on 22 February, a suicide attack against an AMISOM base killed 11 Burundian soldiers. The new TFG Interior Minister survived a roadside bomb attack on 26 March in Mogadishu.

Somali civilians continued to bear the brunt of the armed conflict. Fighting in the Galgadud region displaced more than 100,000 people in late December 2008 and January 2009. Following attacks by armed groups against TFG and AMISOM forces in Mogadishu in February, dozens of civilians were killed or injured by mortars and gunshots. On 25 February, mortar shells hit a Koranic school in Tawfiq, northern Mogadishu, killing one child and injuring seven others, one fatally. The results of an AMISOM internal investigation into allegations that on 2 February, AMISOM soldiers opened fire indiscriminately, resulting in civilian casualties, are yet to be revealed.

Journalists were physically attacked in at least four instances, two fatally in what seemed to be targeted killings. Al-Shabab in Baidoa briefly arrested journalists, apparently because their reporting was not considered sufficiently favourable. At least two humanitarian staff were killed in 2009 and a number of aid workers and journalists remained hostages as of 5 May 2009, restricting the delivery of humanitarian aid to some 3.25 million civilians in need.

At the international level, attention focused mainly on the increase in piracy incidents off the coast of Somalia. The UN Secretary-General developed an incremental approach for a potential UN force in Somalia, with UN support to AMISOM as a first step. On 23 April, international donors pledged US\$213 million to support Somali security sector institutions and AMISOM.

THE DEATH PENALTY

In Ghana, outgoing President John Kufuor commuted all death sentences on his last day in office. Approximately 105 prisoners were under death sentence, including three women. In Zambia president Banda commuted the death sentences of 53 prisoners to custodial sentences in January.

The new criminal code promulgated in Burundi in April abolishes the death penalty but criminalizes consensual same-sex relations.

VOICE

In Ethiopia, the Charities and Societies Proclamation law was adopted on 6 January by Parliament. This new law would criminalize human rights activities by foreign NGOs and by Ethiopian organizations that receive more than 10 per cent of their funding from abroad; impose disproportionate penalties for minor administrative breaches of the law; and allow government interference in the operation and management of civil society organizations. Birtukan Mideksa, a lawyer and leader of the Unity for Democracy and Justice (UDJ) Party, remains in detention after government officials revoked her 2007 pardon and reinstated a life sentence received earlier. Amnesty International considers Birtukan Mideksa a prisoner of conscience.

In Mauritania, several peaceful demonstrations were repressed by the security forces. In April, two demonstrations attended by political parties and other members of civil society to protest against the electoral timetable imposed by the authorities who took power in the wake of the military coup of August 2008 were violently repressed.

In February, Morgan Tsvangirai of the Movement for Democratic Change (MDC) was inaugurated as Prime Minister of Zimbabwe in an inclusive government. His inauguration followed months of wrangling over the allocation of ministries since the signing of the Global Political Agreement in September 2008 by ZANU-PF and the two factions of the MDC.

Of the 23 human rights and political activists who were victims of enforced disappearances and then detained by the police between October and December 2008, all but three were granted bail in February and March. The detainees were allegedly tortured and several are still undergoing treatment. However, in early May the bail of 18 human rights and political activists was revoked and they were again briefly detained.

DEPRIVATION

Forced evictions continued at the beginning of 2009 in Nigeria. In Port Harcourt, the capital of Rivers state and the most populous city in the Niger Delta, large-scale forced evictions were carried out despite earlier state government promises that no evictions would take place. Thousands of people lost their homes. Some people were reportedly asked for bribes to avoid having their property demolished. Houses, shops, hotels, schools, hospitals, churches and mortuaries were destroyed. Although some compensation has been paid to property owners, arrangements for compensation and relocation for tenants are inadequate or non-existent.

Teachers returned to work in Zimbabwe in February, ending a strike that had persisted since September 2008. However, the state of the education system remained plagued by serious problems: teachers in Mashonaland Central reported harassment and intimidation by ZANU-PF supporters; school fees were unaffordable for the vast majority; schools lacked equipment and teaching materials; and the issue of teachers' salaries remained unresolved.

OTHER DEVELOPMENTS

In February, the President of Togo signed a decree to establish a truth, justice and reconciliation commission. The decree contains a number of serious shortcomings regarding the commission's mandate, authority, composition and resources; its witness protection guarantees and the remedies it can recommend.

In Senegal, nine men sentenced to eight years' imprisonment for "indecent conduct and unnatural acts", were released in April by the Dakar Appeal Court. After their release, some media and certain Islamic groups disseminated homophobic statements. In March, Senegal's President Abdoulaye Wade pardoned 19 people convicted of crimes connected with violent demonstrations in the south-east town of Kedougou in December 2008. In both cases, Amnesty International received information that detainees were tortured in pre-trial detention and forced to confess under duress.

In Guinea, a group of more than 20 soldiers was arrested in April and held without charge or trial on Kassa Island, outside Conakry. Nine officers arrested in December following the coup after the death of President Conté were still held without charge or trial in a military barracks in Conakry.

In April, several people were released in Mali by a group calling itself al-Qa'ida Organization in the Islamic Maghreb. They included two Canadian diplomats, Robert Fowler, UN special envoy to Niger, and his assistant Louis Gay, who had been abducted in Niger in December 2008. In May, the Tuareg-led armed opposition movement, the Niger People's Movement for Justice (Mouvement des Nigériens pour la justice, MNJ) released their latest hostage captured in 2007 in Niger. The MNJ had reportedly agreed in April to lay down arms and enter a dialogue with the government.

In April, a UN expert group expressed concern about the violation of the UN arms embargo on Côte d'Ivoire and stressed that the number of arms circulating in Côte d'Ivoire was increasing.