

24 October 2003

# Democratic Republic of Congo

## Irene Khan's closing statement for Amnesty International's high level mission to the Great Lakes' region

*The following statement was delivered by Irene Khan, Secretary General of Amnesty International, at a press conference in Kinshasa, (Democratic Republic of Congo) on 24 October 2003, the last day of the organization's high level mission to the DRC, Rwanda and Uganda:*

Today is the last day of our mission to the Great Lakes region, the primary focus of which has been the DRC.

The mission was timed to coincide with a new political beginning in Kinshasa. It was designed to highlight the role and responsibilities of the transitional government and political groups in the DRC and for the human rights situation in eastern DRC, as well as those of the Rwandese and Ugandan governments. We travelled from Goma to Kigali, where we met President Kagame, and then to Bunia and from there to Kampala and Soroti, where we met President Museveni and finally came to Kinshasa.

The basic purpose of our delegation was to bring the message of the powerless to the powerful. There is a huge and dangerous gap between what is happening in Kinshasa and what is going on in the Kivus and Ituri.

In Kinshasa there is talk of peace and political progress, of regional harmony and democratic elections. But while the newly appointed members of government are wrangling for power and privilege in Kinshasa, in the Kivus and Ituri there is a sickening familiarity about the human rights abuses that continue with impunity. People are confronted daily with death, plunder and carnage by armed groups and militia. Mutilations and massacres continue. Children are still being recruited and used as soldiers. Rape of women and girls has become a standard tactic of warfare. And there is continued evidence of influence of the neighbouring countries on the armed groups operating there.

In Goma, I spoke to a 28 mother, a school teacher who was gang raped and then forced to witness the rape of her ten year old daughter. In Bunia, I saw the survivors of the Katchele massacre, wounded, frightened and traumatised little group of women and children, and in their midst, was sitting a year old baby whose leg had been hacked away by a machete. Also in Bunia, I met a seven year old boy with wounds on his face, arms and legs where child soldiers had tortured him by cutting him up with razors and then pouring petrol over the cuts. He is now afraid to play with children, and can barely speak.

There are worse stories than that – and that grim reality throws a cold shadow on the optimism in Kinshasa. It is absolutely outrageous that many of the senior members of the government and the political parties they represent are closely linked to the armed groups who are committing these abuses.

It is against this background that we put forward our recommendations to the transitional government, the UN and the international community and to regional governments:

To the Transitional Government:

- First, the transitional government in Kinshasa must give the highest priority to stopping, urgently and immediately, the horrendous cycle of human rights abuse in eastern DRC. Individual members of the government must use their influence and authority over the armed groups to end the abuse. President Kabila, as head of the transitional government, has the ultimate responsibility here, and I am disappointed that he cancelled his appointment with our delegation and left for Lubumbashi yesterday but he cannot escape the basic message which I have also given to his four Vice Presidents. Their personal credibility and the future of the transitional government will suffer if these atrocities are allowed to continue with impunity.
- Our second recommendation is that those who are suspected of having perpetrated war crimes, crimes against humanity and genocide must be investigated and brought to justice. We say that not out of idealism, but from a pragmatic point of view. Experience in this part of Africa as well as in other parts of the world has consistently shown that national unity and democracy cannot be built on the back of abuse and impunity. We welcome the indication by the Prosecutor of the International Criminal Court (ICC) to investigate the situation in the DRC and particularly Ituri. This must be accompanied by further action at the national and international level to investigate crimes beyond the scope of the ICC. There are various ways in that can be done and we call on the transitional government and the international community to

urgently examine the options, together with Congolese and international experts.

The issue of impunity is a sensitive one in the DRC because of the widespread nature of abuses implicating a wide range of persons including some who are in positions of power right now. But it will be short-sighted, indeed dangerous for President Kabila and the transitional government to brush aside the issue of impunity with amnesties for the worst abuses. Without justice, there will be no peace and reconciliation in the DRC – that is the message that we have heard many times from the victims in Ituri and the Kivus.

- Our third recommendation is that preparations for elections and economic reconstruction must go hand in hand with building institutions of governance, based on respect for human rights and international humanitarian law. The real test of the political process in the Democratic Republic of Congo (DRC) will not lie in the planned election two years down the road but in the willingness and ability of the government to reign in the armed elements, to end human rights abuse, address impunity and undertake fundamental reform of the army, police and justice systems. The transitional government has to move quickly on these reforms. Giving men and women the chance to vote is meaningless if they continue to be threatened with rape, murder, torture and arbitrary detention and have no recourse against the abuses. The transitional government must also ensure that the leaders of the new army, police and judiciary do not include those known to have committed human rights violations. Donors who will be funding and supporting the reform must make sure that new monsters do not emerge from the ashes of the old.

Turning now to the international community and the UN,

- Amnesty International welcomes the strengthening of the mandate and resources of MONUC. We had lobbied for it and are glad to see it finally happening. During our visit to Bunia last week, it was clear that the presence of a reinforced MONUC has made a difference to the security in the town but a lot more needs to be done. Not only is the town still divided and the people still afraid to return home, killings continue elsewhere in Ituri. MONUC is taking steps to deploy elsewhere in Ituri and the Kivus, but its resources are still inadequate. We urge the international community to give MONUC the political and financial support it needs, and to beef up its resources. This is a long haul and donors must stay the course until the task is done.

- Two other areas to which the United Nations, donors and implementing agencies must give priority is the rehabilitation of victims of sexual violence and child soldiers is a big challenge. The needs are enormous and well-known, yet we see no coherent coordinated strategy to respond. The United Nations and the international community must speed up their efforts to build local capacity and provide the desperately needed assistance.

The task of the United Nations and the international community is not simply to meet the needs of the victims in DRC – they have an equally important task to turn off the taps which continue to fuel the conflict.

- We call on the UN Security Council to enforce the arms embargo on eastern DRC in the strictest manner possible. It must put teeth into it by setting up a mechanism to enforce the embargo, and provide MONUC with the resources to help support this mechanism. It makes no sense to pay for human assistance with one hand and provide guns with the other. We call on all UN member states not to engage in arms transfers and supplies of military and police equipment or training to the DRC, Burundi, Rwanda and Uganda unless they are able to subject these transfers to the most stringent certification and scrutiny to ensure that that the equipment will not used to perpetrate human rights abuses.
- We must not forget that the desire to control and plunder the natural resources of DRC has been the driving force for the regional conflict and continue to a be major factor in the massive human rights abuses. Yet, the United Nations has been able to do little about it. The findings of the UN Panel on the exploitation of economic resources and other sources of wealth in DRC implicated Uganda, Rwanda and Zimbabwe as well as many companies worldwide but have failed to generate investigations or action. On the contrary the UN has decided to wind up the Panel, which is expected to publish its final report in the coming days. We call on the UN Security Council to remain seized of this issue, and to take concrete action to implement the recommendations of the four reports of the Panel. We also believe that it is not enough for the UN Security Council to call on governments to investigate the abuses – when they are themselves are deeply implicated in the profit and plunder. The UN Security Council must establish a body to monitor actively the resource exploitation to ensure that it is not tainted with human rights abuses.

Last but not the least,

- the neighbouring countries must support the political process in the DRC and stop fuelling human rights abuses in eastern DRC. Our message to the Ugandan and Rwandese governments was very clear: they must stop all support to the armed groups which operate there.

Is this a new beginning in the DRC? Do we see a window of opportunity finally opening up? Only the coming weeks will tell – but the real test will lie not in political rhetoric, but in the ability and will of the Congolese leaders to stop babies from being mutilated, children from being used to fight wars, women from being raped, homes, schools and hospitals from being destroyed. The international community and governments in the region must work with the Transitional Government – but the ultimate responsibility lies with the Congolese leaders. They must not fail their people.