

EXTERNAL

AI Index: AFR 02/22/97

29 July 1997

Further information on UA 59/97 (AFR 02/16/97, 5 March 1997) - Refoulement/Fear for safety

(Ex) ZAIRE/RWANDA Around 50 Rwandese refugees in Zaire

Further information received about the Rwandese refugees flown from Kinshasa to Kisangani and Kigali in March 1997 indicates that many of them may still be at risk of human rights violations. The whereabouts of the majority are still not known and there are fears for their safety.

Following their release from detention in the (ex)Zairian capital Kinshasa at the end of February 1997, the refugees were reportedly given a choice as to whether they wanted to go to Tingi-Tingi, to Kigali, or to stay in Kinshasa where they would not benefit from assistance from the United Nations High Commissioner for Refugees (UNHCR). They reportedly made their choice according to where their respective families were at that time.

The following seven refugees were then reportedly taken to Kigali: Claudien Habimana, Dominique Uhagaze, Alphonse Ndereyimana, Laurent Hakizimana, Jean-Baptiste Habiyambere, Jean-Damascène Gahutu, and François Ngirimana. Their fate there is not known. Amnesty International has not been able to obtain confirmation of reports that several may have been arrested on arrival in Rwanda.

The rest (more than 40) were taken to Kisangani on 28 February and on to Tingi-Tingi. By the time they arrived there, the camp had already been dispersed following the arrival of troops of the *Alliance des forces démocratiques pour la libération du Congo-Zaire* (AFDL). The refugees returned to Kisangani where they were reportedly allowed to stay in the UNHCR compound. They stayed there for three days, initially without food or shelter. By 14 March, the refugees felt unsafe as AFDL troops had already reached Kisangani. When attempting to flee from Kisangani, they dispersed in different directions after several were threatened by AFDL soldiers. One of them, Abraham Nzaramba, 32 years old, died of ill-health and exhaustion on 17 March. Two others, Gilbert Bampigire and Frodouald Buherege, were left on the way from Kisangani after they failed to walk any farther. Around 15 of them arrived in Bumba on 24 and 26 March and managed to board a flight back to Kinshasa. On 31 March they were reportedly informed by a UNHCR official in Kinshasa that the UNHCR could no longer take responsibility for their protection. A UNHCR official reportedly said that 10 others, whose names have not been disclosed, found in Kisangani, had accepted in March 1997 to return to Rwanda.

Among those who returned to Kinshasa were: Jean-Baptiste Sibomana, Tatien Sibomana, Jean-Marie Nzabananabo, Etienne Kamayungisa, Shinani Nkurunziza, Jean Nzita, Vénuste Harelimana, Harelimana (first name not known), and Constantin Secyenda. They were joined there by seven other Rwandese refugees: Gérard Kamenyero, Jean-Claude Uwizeyimana, Jean-Claude Ndayishimiye, Théogène Muhayeyezu, Fulgence Hakizayezu, Birama Ndikumana and Flavien Nkurunziza.

For fear of being targeted by AFDL troops if they remained in Kinshasa, these 16 refugees reportedly went to Brazzaville, capital of neighbouring Congo. In early June 1997 fighting between supporters of President Pascal Lissouba and those of his predecessor, Denis Sassou Nguesso, broke out in Brazzaville and communications with the country have been cut. Several thousand people are reported to have died in the fighting. Only one or two of the refugees

are known to have made their way safely to another country. The whereabouts of the remaining 15 or so are not known. If still in Congo Brazzaville, their safety could be at risk. About 15 Rwandese refugees are reportedly living in a UNHCR building in Kinshasa. It is unclear whether any of them belong to the group which travelled to Kisangani in March 1997.

FURTHER RECOMMENDED ACTION: Please send telegrams/express/airmail letters in French or English or in your own language:

1. TO THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF CONGO

- summarizing the information above about the plight of these refugees;
- asking for assurances that they will be protected from human rights violations wherever they may be in the DRC;
- asking for guarantees that they will not be returned to Rwanda against their will and expressing your fears that they could face serious human rights violations on return to Rwanda.

APPEALS TO:

Head of State

Son Excellence

Laurent-Désiré KABILA

Président de la République

Présidence de la République

Kinshasa-Ngaliema

Democratic Republic of Congo

Telegrams: President Kabila, Kinshasa, DR Congo

Salutation: Monsieur le Président de la République/Dear President

Minister of the Interior

M. Mwenze KONGOLO

Ministre de l'Intérieur

Hôtel du Conseil exécutif

Kinshasa-Gombe

Democratic Republic of Congo

Telegrams: Ministre Interieur, Kinshasa, DR Congo

Salutation: Monsieur le Ministre/Dear Minister Kongolo

2. TO THE UNHCR IN KINSHASA

- asking for information on the whereabouts of the various groups of refugees among the approximately 50 who were released from detention in February 1997;
- expressing concern that their lives could be at risk, whether in the DRC, in Rwanda, or in Congo Brazzaville;
- expressing concern that they were reportedly not offered UNHCR protection in Kinshasa after their release from custody in February 1997, nor when some returned to Kinshasa in March 1997, even though it was clear that they could face serious human rights abuses at the hands of AFDL troops in various parts of the country;
- asking for information on the whereabouts of the seven named refugees who were reportedly returned to Kigali in early March, and expressing your fears for their safety in Rwanda.
- asking for the names and whereabouts of the 10 among them who a UNHCR official reportedly said were awaiting repatriation to Rwanda in March 1997, as well as the names of those living in a UNHCR building in Kinshasa.

APPEALS TO:

Monsieur Darioush Bayandor

Representative of the UNHCR

Kinshasa

Democratic Republic of Congo

Telegrams: Monsieur Bayandor, UNHCR, Kinshasa, Democratic Republic Congo

Salutation: Chèr Monsieur Bayandor / Dear Mr Bayandor

COPIES TO:

diplomatic representatives of Democratic Republic of Congo accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 9 September 1997.