

12 March 2002

AI Index AFR 62/003/2002 - News Service Nr. 44

Democratic Republic of Congo: The Inter-Congolese Dialogue, an opportunity to put human rights on the agenda

Amnesty International called today in a memorandum to the parties in the ongoing peace talks on the Democratic Republic of Congo (DRC), known as the Inter-Congolese Dialogue, in Sun City, South Africa, for a binding commitment that justice and human rights will be at the heart of all agreements reached.

"The Dialogue provides an opportunity not only to end the fighting in the DRC but also to set up a framework in which the rule of law can be established and in which human rights may be protected," it said. "The dialogue is both about building a better future for the Congolese people and about righting the wrongs of the past. The success of the Dialogue should be measured against agreement to end impunity for human rights abuses committed by the country's nationals or foreign forces."

In the memorandum -- Democratic Republic of Congo: Memorandum to the Inter-Congolese Dialogue: Amnesty International's recommendations for a human rights agenda -- the organization stresses that there can be no lasting peace without justice and accountability for violations -- past and present -- of human rights and international humanitarian law.

For many decades, the people of the Democratic Republic of Congo (DRC) have suffered a seemingly unbreakable cycle of human rights abuses by agents of governments and armed political groups. The late 1990s witnessed a catastrophic deterioration in the human rights situation and the perpetration of abuses on an unprecedented scale. The 1996-7 armed conflict which ousted President Mobutu and brought Laurent-Désiré Kabila to power resulted in hundreds of thousands of

deaths, the majority of them unarmed civilians. A subsequent armed conflict which broke out in August 1998 between armed opposition groups and the Government is estimated to have cost over two million lives so far, also mostly civilians.

"Most of the abuses, particularly extrajudicial executions and other deliberate and arbitrary killings, "disappearances", arbitrary arrests, unlawful detentions and torture, including rape, have continued largely because they were ordered or condoned by political or security force leaders with responsibility to prevent them. Perpetrators are rarely, if ever, brought to justice," Amnesty International said.

The peace talks in Sun City are primarily intended to bring an end to the armed conflict and to agree on a new political dispensation for the DRC. However, Amnesty International believes that no firm foundation can be built for the country's future peace and stability unless mechanisms are agreed upon to identify and bring to justice perpetrators of human rights abuses in the context of armed conflicts.

Amnesty International's recommendations include:

incorporating human rights protection in the Lusaka Cease-fire Agreement;

ending the use of, as well as demobilising and rehabilitating, child soldiers;

setting up bodies to investigate and to bring perpetrators of past human rights abuses to justice;

ensuring that those who have been involved in human rights abuses will not be allowed to have political or security responsibilities which they may use to commit further abuses;

reforming the judiciary and law enforcement to comply with international human rights protection standards;
establishing an independent body to investigate future human rights abuses;
abolishing the death penalty;
and establishing mechanisms to prevent human rights abuses, including unlawful killings, "disappearances", torture, arbitrary arrests, unlawful detentions, discrimination and refoulement.

"It takes a wholehearted commitment by those in the Inter-Congolese Dialogue to protect human rights. All those who seek to govern the Democratic Republic of Congo should now commit themselves publicly to making human rights a reality for all Congolese," Amnesty International said.

Background

The Inter-Congolese Dialogue is a major component of a Cease-fire Agreement signed in July and August 1999 in Lusaka, the capital of Zambia, by parties to the armed conflict that started in August 1998.

The Agreement was a culmination of mediation efforts and pressure by foreign governments and inter-governmental organizations to end a war in which several Congolese armed political groups, supported by Burundian, Rwandese and Ugandan government forces, have been seeking to overthrow the DRC Government which itself is supported by the Angolan, Namibian and Zimbabwean government forces.

The Dialogue officially opened on 25 February, but substantive talks were delayed for one week as delegates wrangled over the eligibility of certain participants and the framework for discussions. There are some 350 delegates participating in the Dialogue, representing armed political groups, the DRC government, civil society and the unarmed political opposition. The talks are scheduled to last for 45 days.

Amnesty International is seeking to ensure that the Dialogue will engender a break with a past characterized by widespread human rights abuses.

NB:

This report summarizes a 51-page document, Democratic Republic of Congo: Memorandum to the Inter-Congolese Dialogue: Amnesty International's recommendations for a human rights agenda (AI Index: AFR 62/030/2001) issued by Amnesty International in November 2001. Further details are available at <http://www.amnesty.org>

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