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Extrajudicial Executions Concern

1 November 1991

**ZAIRE**

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Amnesty International has received reports that General Mahele Lieko Bokungu, Zaire's army Chief of Staff, issued a public statement on 26 October 1991 authorizing members of the security forces to use firearms if they felt that their lives were threatened.

Prior to his appointment at the end of September 1991, the general was head of the military security service known as the *Service d'action et de renseignements militaires* (SARM) which has been responsible for human rights abuses, including using lethal weapons against unarmed government opponents. He did not announce any safeguards to ensure that members of the security forces would not interpret his statement as a licence to kill unarmed civilians in situations where the use of firearms would not be warranted under international standards governing the use of lethal force.

Opposition parties, who were planning to hold public meetings to protest against President Mobutu Sese Seko's refusal to allow an opposition leader to take office as Prime Minister, have interpreted the general's statement as a direct threat to their members. Since 23 September 1991 there has been a spate of violence and breakdown of law and order including looting and destruction of public and private property. This was started by soldiers at the paratroopers base, near Kinshasa, known as the *Centre d'entraînement des troupes aéroportées* (CETA), protesting against low and irregular pay. This army-led violence has since spread to virtually all Zairian towns. More than 200 people are reported to have died. The government has not taken any steps to bring to justice members of the armed forces responsible for killing unarmed civilians. Negotiations between President Mobutu and opposition leaders to form a transitional government of national unity have broken down.

In light of the security forces' past record of human rights abuse, Amnesty International is concerned that their members may interpret General Mahele's statement as an endorsement of the use of lethal weapons against unarmed government opponents. The Zairian authorities have repeatedly refused to order independent and impartial investigations into incidents where members of the security forces are alleged to have carried out extrajudicial executions.

The Zairian security forces killed more than 50 unarmed opposition party supporters between April and September 1991, despite the end in 1990 of a 25-year ban on opposition parties and official recognition of several dozen political parties. Most of the killings have occurred during demonstrations, but individuals have also been targeted.

The largest number of killings occurred in April, in the southern provincial town of Mbuji-Mayi, when troops opened fire on supporters of the *Union pour la démocratie et le progrès national* (UDPS), Union for Democracy and Social Progress, who were protesting at arrests and seizure of property by soldiers. The authorities said nine people had died: unofficial sources estimated the number to be more than 40.

In September there were two incidents in the capital, Kinshasa. On 2 September, troops opened fire when a group built barricades to draw attention to political and economic grievances. Two days later, at least three people were killed when members of the paramilitary Civil Guard and supporters of the ruling party attacked the offices of two opposition parties.

This succession of incidents shows that, far from endorsing the actions of the security forces, the authorities should be issuing clear public instructions establishing the limited circumstances in which lethal force may be used, as laid down in the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and Treatment of Offenders on 7 September 1990.

**RECOMMENDED ACTION: Telegrams/telexes/express and airmail letters in FRENCH, if possible:**

- expressing concern at reports that on 26 October 1991 the Zairian army Chief of Staff authorized members of the security forces to use firearms and other lethal weapons against civilians if they felt that their lives were in danger;
- pointing out that the Chief of Staff did not announce any safeguards to ensure that members of the armed forces would not carry out arbitrary killings and claim that their lives were in danger;
- expressing concern that the authorities have failed to order independent and impartial investigations into reports that several hundred people have been executed extrajudicially this year by members of the security forces, in order to bring those responsible to justice, and pointing out that this could be interpreted by those responsible for such human rights abuses to mean that they can continue to violate human rights with impunity;
- requesting the authorities to issue public instructions to all members of the security forces that human rights violations, including extrajudicial executions, are a criminal offence and that those responsible will be brought to justice, and establishing strict guidelines for the use of lethal force in accordance with international standards.

**APPEALS TO:**

1. President MOBUTU Sese Seko  
Président de la République  
Présidence de la République  
Kinshasa-Ngaliema  
République du Zaïre  
**Telegrams: President Mobutu, Kinshasa, Zaïre**  
**Telexes: 21368**  
**Monsieur le Président**  
**Mr President**
2. Général MAHELE Lieko Bokungu  
Chef d'Etat-major général des  
Forces armées zairoises  
Ministère de la Défense nationale  
Kinshasa-Ngaliema  
République du Zaïre  
**Telegrams: General Mahele, Kinshasa-Ngaliema, Zaïre**  
**Telexes: 21363 DDN ZR**  
**Monsieur le Général**  
**Dear General**
3. Maître NIMY Mayadika Ngimbi  
Conseiller spécial du Chef  
de l'Etat en matière de sécurité  
Présidence de la République  
**Monsieur le Conseiller**  
**Dear Presidential Adviser**

Kinshasa-Ngaliema  
République du Zaïre

**Telegrams: Conseiller special de securite, Kinshasa, Zaire**

**Telexes: 21368**

**COPIES TO:** Your country's Foreign Ministry, diplomatic representatives of your country accredited to Zaïre and to diplomatic representatives of Zaïre in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 13 December 1991.