

AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: AFR 62/021/2002 (Public)
News Service No: 182

Embargo Date: 22 October 2002 01:00 GMT

Democratic Republic of Congo: Government should investigate human rights violations in the Mbuji-Mayi diamond fields

Published

"Everyday, blood is being spilled in the diamond fields of government-controlled Democratic Republic of Congo (DRC) and nobody in the international community is taking any notice," Amnesty International said today. "Dozens of suspected illegal diamond miners, including children, are being shot dead every year, and many more are being seriously wounded, by security guards who are flouting the law with apparently complete impunity," the organization added.

"There is effectively a state of anarchy reigning in the diamond fields of Mbuji-Mayi," the organization said, as it launched a new report, entitled *Democratic Republic of Congo: Making a Killing*, about the diamond industry in government-controlled DRC. "Unarmed civilians, including children, are regularly being killed in cold blood, but no-one is ever brought to justice for these killings and nothing is being done to end the killings."

The majority of the killings take place in diamond concessions run by MIBA, the DRC's largely state-owned diamond-mining company which has its headquarters in Mbuji-Mayi in the province of Kasai Oriental. The killings are perpetrated by MIBA guards who have no formal training in civilian law enforcement and who appear to routinely use excessive force, including firearms, in dealing with suspected illegal miners. Although a minority of suspected illegal miners may be armed and, therefore, pose a genuine threat to the safety of MIBA guards, the majority are unarmed. "Shooting them dead, in such circumstances, amounts to extrajudicial execution," Amnesty International said.

As one observer told Amnesty International: "When we see bodies floating in the river, or survivors hiding their injuries for fear of reprisals by the authorities, you just have the feeling that these young people are being killed like dogs. They don't have any rights. And no one takes any action to address the issue."

Soldiers belonging to the Zimbabwe Defence Forces (ZDF), a military ally of the DRC government which is now in the process of withdrawing from the DRC, have also been playing a role in guarding MIBA's concessions. They too have been responsible for human rights violations, including the unlawful killing of suspected illegal miners, for which they have never been held accountable. In October

2001, Amnesty International delegates on an official visit to one of MIBA's diamond concessions were stopped at gunpoint, ordered from their vehicles and briefly detained by ZDF soldiers. A ZDF officer threatened to shoot the delegates if they did not get out of their vehicles, thereby highlighting the apparent readiness of ZDF soldiers to resort to firearms when dealing with unarmed civilians.

The rights of suspected illegal miners who are apprehended by MIBA guards are also routinely violated. They are generally detained in unofficial detention centres within the MIBA diamond concessions, where the extremely poor sanitary conditions amount to cruel, inhuman and degrading treatment. In April 2002 the average age of the detainees in one of these detention centres was about 15. No provisions are made for detaining minors separately from adults. Detainees who are injured in the course of arrest or who become ill in custody have no access to medical care.

The Congolese authorities refuse to acknowledge that large-scale abuses, including extrajudicial executions, are taking place in the diamond concessions. Local journalists and human rights activists who have denounced these human rights abuses have been arbitrarily detained and subjected to other forms of intimidation. To Amnesty International's knowledge, not a single MIBA guard has ever been put on trial, let alone convicted, for the unlawful killing of an illegal miner.

There has so far been no international pressure on the DRC government to break the link between its diamond trade and human rights abuses. On the contrary, in April 2002 the DRC government was able to sign up, unchallenged, to a new international system of diamond certification agreed through the Kimberley Process. The international system is intended to stem the trade in so-called conflict diamonds by armed political groups.

"The commercial activities of national governments should be subjected to greater international scrutiny too," Amnesty International urged. "It seems hypocritical for the DRC government to flaunt its apparent commitment to respecting human rights by joining the Kimberley Process, when serious abuses linked to its own diamond trade are occurring on a daily basis."

"These killings have to stop. The DRC government should establish an independent commission of inquiry to investigate human rights abuses being perpetrated in connection with the diamond trade in Mbuji-Mayi, and bring those responsible to justice" Amnesty International said. "The government should also undertake to implement the commission's recommendations for the prevention of further human rights abuses in the Mbuji-Mayi diamond fields and in the wider diamond-mining industry."

Further information is available at: <http://www.amnesty.org/campaign/index.html#diamonds>

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