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EXCOM: Put human rights back into refugee protection

GENEVA -- The often brutal killing or “disappearance” of hundreds of Great Lakes refugees who were forced back home against their will stands as a shocking condemnation of the failure of the international refugee protection system, Amnesty International said today in advance of a major United Nation’s (UN) meeting on refugees.

“Over the past year, the world has witnessed some of the most severe and sustained attacks on the rights of refugees as governments increasingly put more energy into clearing refugee camps than protecting the human rights of those at risk,” Amnesty International said.

At the culmination of a global campaign on refugees, Amnesty International refugee experts from close to a dozen countries will be observers at a crucial meeting of the Executive Committee of the UN High Commissioner for Refugees (EXCOM), which is focusing on the issue of “Repatriation Challenges”.

“The rights of refugees in repatriation programs is one of the most important issues being debated by the EXCOM this year given the demise of a protection focus in recent repatriation programs,” Amnesty International said.

“The time has come for the governments at this meeting to explain publicly why the refugee protection system has failed so miserably in the past year -- and to make a commitment to put the human rights of refugees front and centre in future.”

One of the central planks in that system is that governments should not expel or return refugees to a country where their life or liberty is threatened -- known as *non-refoulement* -- and those governments which do so are clearly breaching their legal obligations under the 1951 Refugee Convention.

“Refugees should only be returned after assessing the human rights situation in the country of return -- and determining that it is safe -- yet all too often mass repatriation takes place with scant scrutiny of human rights or blatant disregard for information on the public record,” Amnesty International said.

This past weekend’s expulsion of some 4,000 Rwandese refugees from the Democratic Republic of Congo (DRC) back to Rwanda is only the most recent example of such forced returns. The UNHCR and other agencies working for refugees in Goma were also ordered to leave. Last month, DRC soldiers expelled several hundred Rwandese and Burundian refugees, including many children, to Rwanda, where their lives are seriously at risk. In the northwest of Rwanda, thousands of civilians have been killed or “disappeared” in recent months.

Burundian refugees also risk being deliberately and arbitrarily killed by Burundian government forces or armed opposition groups. In the DRC itself, thousands of refugees have been killed and tens of thousands still remain unaccounted for.

In Bosnia-Herzegovina, several hundred Bosniacs (Bosnian Muslims) who had recently returned to villages near Jajce have been attacked and several houses were set on fire. Police not only failed to intervene to protect them, but some officers were reportedly involved in the attacks. Subsequently, all Bosniac returnees were forcibly expelled, fled or were evacuated from the area. Although a few hundred of those expelled attempted again to return to Jajce, they found that freshly laid landmines had been placed near many of their houses.

A major problem that Amnesty International has identified in holding governments to their commitments to protect refugees is the absence of a formal UN monitoring system to examine their performance, a system which the organization believes should now be set up. Although governments are required by the Refugee Convention to report to the UNHCR on their refugee protection work, this information is seldom made public.

“How much or how little governments are doing to protect refugees should be out in the open,” Amnesty International said. “Otherwise, the Convention risks turning into a paper tiger and myths about refugees will grow in a climate where hard facts are not available.”

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