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Democratic Republic of Congo (DRC): Elections are a chance to embrace human rights reform

As the Democratic Republic of the Congo (DRC) prepares to elect a new government for the first time since it achieved independence in 1960, Amnesty International today called on all candidates in the forthcoming presidential and legislative elections to commit to a clear programme of human rights reform.

"The political parties competing for office in the new government have so far failed to offer convincing plans for how they intend to promote human rights, accountability and rule of law," said Kolawole Olaniyan, Director of Amnesty International's Africa Programme.

"The last few weeks have seen the intimidation of political rivals by the government and the security forces, campaigning apparently aimed at inciting ethnic division, and grave abuses of freedom of expression and the press. Government troops also continue to commit human rights violations against civilians, underlying the urgent need for a professional and truly unified army."

"These momentous elections are an opportunity to address the country's most pressing human rights and development problems -- including those stemming from the country's recent past, such as impunity for war crimes, crimes against humanity and other serious human rights violations," said Kolawole Olaniyan.

Amnesty International called on those seeking election to publicly express their commitment to the respect and protection of human rights. The organization also called on election candidates to adopt the following priorities for reform:

The integration of the former government security forces and armed groups into a professional unified national army and police force. This must be completed promptly and in accordance with human rights principles. Crucially, the integration programme needs to include training in international humanitarian and human rights law for all ranks, effective training and equipment for the police and security forces to carry out their mandate in accordance with international human rights standards, and an independent vetting mechanism to exclude from the unified security forces anyone against whom there is evidence of involvement in specific human rights abuses

The demobilisation of fighters. All demobilised fighters must be offered lasting vocational and educational opportunities that will enable them to return successfully and durably to civilian life. This should include as a priority children, who made up a large proportion of the armed groups, who are acutely vulnerable to re-recruitment or rejection by their communities.

The reform of the justice system. The civilian justice system should be made competent, independent and have all the necessary power and resources to investigate and bring to justice suspected perpetrators in compliance with international fair trial standards. The courts must be adequately resourced so that they become the primary means of tackling entrenched impunity for human rights violations and of providing redress and reparations to the victims and their families. Trials of civilians, and of military personnel for crimes against civilians, by military courts must end. Suspects must never be subjected to torture or ill-treatment.

The rebuilding of the ruined health care and education systems. Priority should be given to addressing the health care needs of the tens of thousands of rape survivors in the east of the country and the educational needs of children in a country where, according to estimates, 3.5 million primary-aged children do not attend school and there are at least six million unschooled adolescents.

The protection of human rights defenders. Effective measures must be taken to ensure an immediate end to acts of violence, threats, intimidation, arbitrary arrest and detention of human rights defenders, journalists and civil society activists.

Curbing the proliferation of arms. Respect and enforce the terms of the UN arms embargo, and take measures to ensure that armed forces are handing in all weapons as part of the army reform process.

The promotion of good governance. Effective independent national institutions should be created or strengthened to ensure good governance and the transparent management of the country's mineral and other natural resources.

The promotion of ethnic reconciliation. This should happen through the holding of national and provincial dialogues to discuss and promote such reconciliation.

Amnesty International also called on the UN and its member states, the European Union and African Union to renew international and political support for the current peacekeeping operation (MONUC) during the post-election period.

"The progress made during the DRC's transitional period is almost wholly due to international support and institution-building," said Kolawole Olaniyan. "Many areas of the DRC remain deeply volatile and adequate numbers of peacekeepers and other MONUC personnel will be needed in the DRC for some time to come."

Background

Since 1996, the DRC conflict has led to a total militarization of the country with more than 20 armed groups, tribal and community militias, paramilitary groups and government forces committing serious violations of human rights and international humanitarian law, and destroying all basic socio-economic infrastructures.

A peace agreement signed in December 2002 led to the establishment in June 2003 of a transitional power-sharing government which had the task of cementing the peace and unifying the country. However, conflict, widespread human rights violations and ethnic divisions have persisted in large areas of eastern DRC. It is estimated that 1,200 Congolese people continue to die every day from continuing violence or from preventable diseases and starvation, brought about by the insecurity, displacement and lack of access to humanitarian or medical care. In the provinces of North-Kivu, South-Kivu, large parts of Orientale (notably Ituri district), Katanga, and Maniema, people continue routinely to suffer killings, rape, torture, forced displacement and looting by armed groups and government forces.

A national programme for the integration of the former government army and armed groups into a unified national army, the *Forces armées de la République Démocratique du Congo* (FARDC), and the demobilization of all other fighters has been only partly completed. The FARDC remains largely unintegrated, untrained, badly equipped and fed, with confused chains of command. A large proportion of the human rights abuses being committed in the current context are reportedly the responsibility of FARDC personnel, who have yet to demonstrate the capacity or will to protect civilians. Armed groups, such as the one led by alleged war criminal Laurent Nkunda in North-Kivu, continue to resist the peace process and pose a serious threat to stability in the DRC.

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