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Congo Brazzaville: Impunity perpetuates human rights abuses and instability

"Force alone, especially that which includes human rights violations, will not end armed conflict or bring about stability to the Republic of Congo," Amnesty International said today in a new report.

"For Congo to start on a path of peace, political and military leaders must understand that there is no durable tranquillity or social and economic progress without respect for human rights," the organization said in the report entitled - - *Republic of Congo: A past that haunts the future*.

The report, based on information gathered during a visit by Amnesty International delegates during 2002, highlights the unresolved and ongoing deliberate targeting by government forces and members of the *Ninja* armed political group, of unarmed civilians which resulted in the killing of dozens and displacement of thousands. It also addresses the failure of the United Nations High Commissioner for Refugees (UNHCR) to take adequate measures to prevent abuses against asylum-seekers and refugees in the Republic of Congo and the wider central African region.

Impunity has continued to be at the heart of violence and armed insurrection. Successive Congolese governments have sought to perpetuate their power and build political stability against a background of grave human rights abuses by their forces and those of their armed opponents," Amnesty International said.

All parties to the conflict carried out widespread serious human rights abuses, including unlawful and indiscriminate killings, "disappearances, and abductions, torture, including rape, and other forms of ill-treatment. Other violations that continued to be reported throughout 2002 included forced displacement of local unarmed civilian populations, some of which were reportedly attacked, killed or injured by government forces using helicopter gunships.

Testimonies gathered by Amnesty International during the 2002 visit confirmed that several hundred Congolese citizens who had fled Brazzaville at the end of 1998 were "disappeared" by members of the security forces in mid-1999. Testimonies gathered from survivors, the victims' relatives and local human rights groups conclude that as many as 353 refugees returning to Brazzaville from the Democratic Republic of Congo (DRC) in May 1999 were extrajudicially executed and their bodies secretly disposed of.

A survivor of the "disappearances" calling himself *Brigadier* to conceal his identity for his safety said he and at least 50 others were arrested when they arrived at the Brazzaville port on 18 May 1999. Military officers from the Presidency took them to the police headquarters where they were interrogated about their *Ninja* connections. From there they were taken to a former Presidential palace where they were severely beaten, and then taken to a building on the bank of the Congo River where they saw members

of the Congolese and Angolan government forces, as well as armed exiled former Rwandese Hutu combatants and white mercenaries hired by the Congolese government.

The detainees were taken thereafter to a room containing about 200 bodies and were ordered to make heaps of 25 bodies each. The bodies were allegedly doused with petrol and set alight, and ashes thrown into the river. For several days until 24 May the detainees were reportedly ordered to burn more bodies.

The killings continue. From March 2002 dozens of unarmed civilians were killed, tens of thousands displaced and tens of thousands denied humanitarian assistance in the context of armed clashes between government forces and *Ninja* combatants. In Brazzaville alone, more than 170 people, some of them unarmed civilians, were killed in early 2003.

Amnesty International is gravely concerned that the Congolese government has failed to take adequate measures to establish responsibility for the violations and bring those responsible to justice. The judiciary has also failed to protect Congolese citizens from arbitrary arrests, unlawful detentions and torture which has, in some cases, resulted in the death of the victims.

"Only an independent and impartial inquiry would be able to establish the full truth and the extent of the involvement of security and government officials at various levels of the Congolese administration," Amnesty International said.

On numerous occasions during recent years, the UNHCR has failed to fulfil its mandate to offer protection to asylum-seekers and refugees. The refugee agency has in some cases facilitated repatriation of refugees when the returnees had no guarantees of safety and dignity on arrival in their country of origin.

The UNHCR failed to inform the international community and the refugees about the risks the returnees faced and demand action to prevent *refoulement*. Lack of transparency in the provision of assistance and protection of asylum-seekers and refugees has engendered a climate of suspicion and even hostility towards the UNHCR and other humanitarian agencies in Congo.

Congolese authorities, as well as leaders of armed political groups, are principally responsible for the promotion and protection of human rights in their country. However, they need the support, encouragement and cooperation of the international community, including foreign governments and inter-governmental organizations.

Amnesty International is urging the government to take immediate measures to prevent unlawful killings and other human rights abuses. It should ensure that human rights violations, including the 1999 "disappearances" are fully investigated and the perpetrators brought to justice.

Armed political group leaders should exercise control over their forces and ensure that they do not commit human rights abuses.

The UNHCR should fully implement its mandate to protect the rights of asylum-seekers and refugees, including the right not to be forcibly returned to their country of origin or any other country where they risk human rights abuses.

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