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ZAIRE: ACTION NEEDED TO PROTECT THOUSANDS FROM FURTHER KILLINGS IN EASTERN ZAIRE

Amnesty International is calling on the Zairian authorities to provide protection urgently for tens of thousands of people who have fled their homes following violent attacks and intimidation by armed groups in the zones of Masisi, Rutshuru, Walikale and Lubero, in eastern Zaire.

“Zairian soldiers have been sent to the area to quell the violence but in practice, they are doing nothing to protect those at risk,” Amnesty International said. “In some cases, members of the Zairian military are reportedly participating in these attacks and have been responsible for human rights violations.”

Most of the victims are from the Tutsi and Hunde ethnic groups. Around 12,000 Tutsi have fled across the border into northwestern Rwanda, where most are accommodated in a refugee camp only one kilometre from the border. Some have machete or gunshot wounds. When Amnesty International delegates visited the camp in mid-May 1996, it already housed more than 6,000 people, principally whole families. On 27 May alone, more than 800 crossed into Rwanda; more than 1,000 others arrived on 30 and 31 May.

Thousands of other families have been internally displaced within eastern Zaire; fear of further killings has forced many to flee into the countryside where they are without any form of protection and without guarantee of food or shelter. Entire villages now lie deserted.

The Rwandese authorities, in conjunction with international humanitarian agencies, are trying to assure basic needs and medical assistance for those crossing into Rwanda. However, already there have been cases of disease, as well as a 17% rate of malnutrition among children as a result of the hardship of their flight from danger: many had to walk for several days before reaching the border.

“The international community must wake up to this forgotten civil war which has been raging in silence for three years. Concerted action is needed immediately to put an end to the violence and prevent further deaths of many unarmed civilians,” Amnesty International said.

Information gathered by the organization from refugees in Gisenyi (northwestern Rwanda) in May 1996 confirms a pattern of persistent harassment and intimidation which has increased since late 1995 and early 1996. In many cases, the identity of the perpetrators is not known. Groups of individuals presumed to include former members of the Rwandese *Interahamwe* militia and other Hutu resident in Zaire have reportedly taken part in beatings, looting, including stealing or killing of livestock, burning of houses, and other activities designed to terrorize the Tutsi population, particularly in Rutshuru and Bwito. Other armed groups have also taken part in these abuse.

In March and April 1996, armed groups killed unarmed civilians in several villages across the area, including Kashuma (on 21 March), Birambi (on 14 April), Nyanzale (on 20 March) and Kikuku (on 12 April). In each of these attacks, at least six people were killed; in Kikuku as many as 30 are believed to have died. All the victims were of Tutsi origin. Prior to these killings, Tutsis had received threats -- including from Zaïrian government officials -- and been warned to leave Zaire for Rwanda, even though most of them were born in Zaire and have lived there all their lives.

In desperation, many have sought protection in churches and other religious institutions. For example, in May 1996, a group of between 700 and 800 Tutsi sought refuge in a monastery at Nyakariba, in the village of Mokoto. Priests at the monastery fled after being threatened, allegedly by Zaïrian soldiers and former *interahamwe* militia. An attack followed on 12 May resulting in a large number of deaths. The exact number is not known but it appears, however, that as many as 150 people may have been killed. Up to 250 others may be unaccounted for.

The authorities in Zaire have proved unwilling or unable to intervene to stop these waves of killings and harassment. Requests for protection have been ignored and refugees have indicated that members of the Zaïrian military have stood by as attacks took place. Zaïrian identity cards belonging to those fleeing the country have been systematically confiscated by the Zaïrian security forces at the border.

“These large-scale abuses against defenceless civilians should be the subject of an independent investigation and those found responsible for ordering and perpetrating these acts must be brought to justice,” Amnesty International said.

“Political leaders must refrain from inciting or encouraging violence so that refugees and the internally displaced can return to their homes in safety and dignity.”

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**Note to editors:**

Detailed information on the situation in Masisi and Rutshuru is still difficult to obtain, because of the high level of insecurity and because access to the region is severely limited by the Zaïrian authorities. This secrecy has enabled large scale abuses to continue taking place with few witnesses to tell the tale.

## BACKGROUND

The presence of populations of Rwandese origin in north and south Kivu, in eastern Zaire, is a historical reality dating back to 1885 and the Berlin Conference which established the Congo Independent State - later renamed Zaire - and resulted in the annexation of part of the Kingdom of Rwanda in 1910. A large Kinyarwanda-speaking population (known as the Banyarwanda and including members of the Hutu and Tutsi ethnic groups) thus became part of the new country from the late 19th century. During the first half of the 20th century, there was a further migration of Rwandese into the provinces of Kivu and Shaba, many offering cheap labour in the mines or in agriculture. From 1959 throughout the 1960s and early 1970s, several thousand more Rwandese, primarily Tutsi, settled in Zaire as refugees.

The nationality issue has been an important cause of tension concerning these populations. A 1972 decree appeared to confirm Zaïrian nationality on the Banyarwanda, although it was effectively withdrawn by a new law passed in 1982. The denial of Zaïrian nationality to the Banyarwanda has led to a denial of certain political and civil rights.

One of the main causes of the conflict is the economic domination of Banyarwanda in the region, which has led to often violent political competition. The Banyarwanda have tried to use their relative wealth and numbers to obtain more political power, particularly at the regional level. As many as 85% of the total population in Masisi are estimated to be Banyarwanda. As such, they are perceived as a political threat by other ethnic groups living in the region, especially in the run-up to elections scheduled for 1997. Much of the anti-Banyarwanda rhetoric has come from Zaïrian political parties opposed to President Mobutu who claim that the Banyarwanda support Mobutu.

Political and ethnic conflicts have been exacerbated by disputes over land. The area of north Kivu is very fertile and overpopulated, with a small number of families controlling up to three quarters of the land. Much of the recent fighting appears motivated by attempts to secure land and property.

Although the conflict in Rwanda between Hutu and Tutsi has always had a negative impact on the relations between the two ethnic groups in Zaire, the Hutu and Tutsi communities in eastern Zaire had come to live in relative harmony until the genocide in Rwanda in April 1994 and appeared to be on the same side during conflicts in 1993. However, there had already been serious tension in Masisi between Hutu Banyarwanda and the local Zaïrian Nyanga, Nande and Hunde groups, over land ownership and local politics. These conflicts resulted in an estimated 7,000 deaths in 1993 and at least several hundred more in 1994 and 1995. In July 1994, the sudden influx of more than one million Hutu refugees from Rwanda following the victory of the Rwandese Patriotic Front (RPF) over the former Rwandese army further aggravated an already explosive situation and created new divisions between Hutu and Tutsi in Zaire. The proliferation of arms in the region has also led to a sharp increase in insecurity.

With the start of the massacres in Rwanda in April 1994, the conflict between Hutu and Tutsi in Rwanda thus spilled over into Zaire, with the 1994 Rwandese Hutu refugees now often accused of fighting alongside Hutu who have been living in the region for generations. In Masisi, the Tutsi population found themselves increasingly isolated and confronted by armed groups from various coalitions.

Since July 1994, up to 240,000 Tutsi (known as “old caseload refugees”) had already left Masisi and were settled in eastern Rwanda. Many Tutsi of Rwandese origin preferred to return to Rwanda after the RPF victory in July 1994, while mainly Zaïrian Tutsi stayed in Zaire. Fewer than 12,000 Tutsi are thought to remain in Masisi, while up to 85% of the population are Hutu.

Shifting alliances between Hutu and various Zaïrian groups and armed elements have added fuel to the fire and fighting has continued sporadically up to the present time. Much of this fighting appears designed to drive out the remaining Tutsis from the area. Landowners on all sides are reported to have hired armed groups to protect their land and property.

The Zaïrian authorities have failed to control the fighting in the area and have offered no protection to those at risk. In April 1996, military forces from Kinshasa were sent into the area in an operation known as *Operation Kimya* (Operation Peace), with the stated objective of quelling the violence and disarming all combatants. This was followed by Operation Mbata (Operation Slap). However, these operations have been ineffective, in part because the heavily-armed soldiers are poorly disciplined and unpaid. It is claimed that members of the Zaïrian military have repeatedly changed allegiances, according to who offers the most money, siding alternately with the Hutu or with the Nande, Nyanga and Hunde. Soldiers have participated in human rights violations on several occasions.

Reports indicate that individuals from various groups have been detained by the Zaïrian military. Several have been severely tortured in detention; some have died as a result of torture, others have been extrajudicially executed by security forces. In one incident in the village of Sake, north of Goma, on 13 May, six people were reportedly killed and 17 injured following a confrontation with Zaïrian soldiers. All the victims were Hunde.

Several Zaïrian soldiers have also been killed in recent weeks. On 3 June, it was reported that at least 11 soldiers have been killed around Goma by unknown assailants. In reprisal, soldiers opened fire in Goma and took part in looting, allegedly in response to the death of their colleagues. At least five civilians were reportedly killed.

Recent events in Masisi have caused further diplomatic rows between Zaire and Rwanda. Relations between the two countries - already tense - have become increasingly hostile, with each government accusing the other of attempts to destabilize the region.