

EXTERNAL

AI Index: AFR 26/01/97

UA 248/97

Fear of refoulement

31 July 1997

GABON / RWANDA At least 123 Rwandese asylum-seekers in Gabon

---

At least 123 Rwandese asylum-seekers in Gabon are reportedly being threatened with forcible repatriation to Rwanda by the Gabonese authorities where their lives may be at risk.

In July 1977 several thousand Rwandese have sought asylum in Gabon. Many are weak and exhausted after travelling thousands of kilometres in recent months, mostly by foot, to find a safe refuge from attacks on refugees by forces of the *Alliance des forces démocratiques pour la libération du Congo-Zaïre* (AFDL), Alliance of democratic forces for the liberation of Congo-Zaïre in eastern Zaïre, now the Democratic Republic of Congo. Many of those that sought refuge in the neighbouring Republic of Congo were forced to flee again after fighting broke out in June 1997.

The Gabonese authorities have declared on several occasions that the refugees should return to Rwanda. So far, at least 1,131 Rwandese have been repatriated to Rwanda and 16 Burundese to Burundi, on aeroplanes provided by the Gabonese Government, with the assistance of the United Nations High Commissioner for Refugees (UNHCR). The UNHCR has described these repatriations as voluntary.

The group of Rwandese at risk include 97 members of the *Forces armées rwandaises* (FAR), the former Rwandese armed forces and 26 civilians, who reportedly include several senior members of the former government of Rwanda. They are currently detained in a military camp at Leconi, near Franceville.

The former government and army of Rwanda played a leading role in ordering and carrying out the genocide in Rwanda which claimed as many as one million lives between April and July 1994. Some of the individuals seeking asylum in Gabon may be accused of participation in these massacres but have reportedly said they would be prepared to stand trial at the International Criminal Tribunal for Rwanda (ICTR) set up by the United Nations.

Amnesty International believes that if individuals among this group are accused of specific crimes in relation to the genocide in Rwanda, they should be brought to justice promptly according to proper procedures and international standards. If appropriate, their cases should be examined by the ICTR and the detainees transferred to the ICTR. However, if they are forcibly returned or extradited to Rwanda, they will face the prospect of long-term detention without trial, unfair trial and the death penalty. They would also be at risk of extrajudicial execution.

#### **BACKGROUND INFORMATION**

Over the last few years the Gabonese authorities have, on several occasions, expelled foreigners living in Gabon to their countries of origin on the basis that they are illegal immigrants.

Since the return of hundreds of thousands of Rwandese refugees to Rwanda from Zaïre and Tanzania in late 1996, the level of human rights violations in Rwanda has increased significantly. Many returnees have been among the

victims of arbitrary arrest, prolonged detention without charge or trial in life-threatening conditions, "disappearances" and extrajudicial executions. Individuals who held positions of authority in the former government of Rwanda and those who served in the former army (known as ex-FAR) are viewed with particular suspicion. However, to date, few of them have been formally charged and tried. Many have been arrested on general accusations of participation in the genocide, sometimes without prior investigation into the specific role they may or may not have played in relation to the genocide. Members of their families have also been targeted.

In 1997, a number of ex-FAR and members of their families have been killed in Rwanda. Some have been extrajudicially executed in their homes along with their wives and children. Others have died in detention. The Rwandese Government is not known to have published the result of any investigations into these incidents. Ex-FAR are often held in military detention centres, to which access to humanitarian organizations is usually denied. Ex-FAR tend to be treated more harshly than other detainees and are often subjected to ill-treatment in detention.

Trials of those accused of participation in the genocide began in Rwanda in December 1996. To date more than 60 people have been sentenced to death, in many cases after unfair trials.

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in French or your own language:**

- expressing concern at reports that the Gabonese authorities are threatening to forcibly return to Rwanda a group of 123 Rwandese asylum-seekers where they would be at risk of grave human rights violations and could be sentenced to death after an unfair trial (mention that a number of ex-FAR have also been extrajudicially executed in Rwanda in 1997 and that these individuals could face the same fate if forcibly repatriated);
- stating that if this group includes individuals suspected of having participated in the genocide in Rwanda in 1994, these accusations should be investigated and, if appropriate, the individuals brought to justice according to international standards, by a jurisdiction which will not sentence to death those found guilty;
- reminding the Gabonese authorities to respect their international commitments not to forcibly return refugees to a country where they could face human rights violations;
- asking for assurances that the asylum-seekers are not being ill-treated in detention and that they have access to medical care and legal counsel.

**APPEALS TO:**

Son Excellence

Monsieur El-Hadji Omar BONGO

Président de la République

Présidence de la République

BP 546, Libreville, Gabon

**Telegrams: Président El-Hadji Omar Bongo, Libreville, Gabon**

**Salutation: Monsieur le Président/Dear President**

Dr Paulin OBAME NGUEMA

Premier Ministre

Bureau du Premier Ministre, Libreville, Gabon

**Telegrams: Premier Ministre Paul Obame Nguema, Libreville, Gabon**

**Fax: +241 77 20 04**

**Salutation: Monsieur le Premier Ministre/Dear Prime Minister**

Monsieur le Général Idriss NGARI  
Ministre de la Défense nationale, de la sécurité et de l'immigration  
Ministère de la Défense nationale, de la sécurité et de l'immigration  
BP 13493, Libreville, Gabon

**Telegrams: Monsieur le Ministre de la Défense, Libreville, Gabon**

**Fax: +241 74 60 47/+241 77 86 96**

**Salutation: Monsieur le Ministre/Dear Minister**

Monsieur Casimir OYE MBA  
Ministre des affaires étrangères et de la coopération  
Ministère des affaires étrangères  
BP 2245, Libreville, Gabon

**Telegrams: Monsieur le Ministre des affaires étrangères, Libreville, Gabon**

**Salutation: Monsieur le Ministre/Dear Minister**

**COPIES TO:**

diplomatic representatives of GABON accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 11 September 1997.