

AI News: May 1996

News

France

Police officer jailed for death in custody

A French police officer has been sentenced to eight years' imprisonment for shooting dead a 17-year-old Zairian in his custody. During the trial, at the Assizes Court in Paris in mid-February, the prosecution urged the Court to jail Pascal Compain for at least 10 years for murder, but the jury found him guilty of the lesser charge of inflicting wounds that unintentionally caused death. He should be released within one year because of the period he has served in pre-trial detention.

Makomé M'Bowole was shot at point-blank range during interrogation at the Grandes-Carrières police station in Paris on 6 April 1993. He had been arrested with two friends on suspicion of stealing cigarettes from a tobacconist's. Makomé M'Bowole denied the charges. Two of the three were minors. The public prosecutor's office ordered the lifting of the custody on the two minors and for their parents to be notified. Makomé's parents apparently could not be contacted. Detective Constable Pascal Compain ignored the order to release him and continued with his interrogation. Shortly afterwards Makomé M'Bowole was killed by a single bullet in the head.

In court, Compain, who was suspended from the police and held in pre-trial custody for nearly two years, said he got out his pistol to intimidate the teenager because he was shouting and had insulted him. In earlier police statements he was reported as saying, "I wanted to frighten him." He claimed that the gun went off accidentally when Makomé M'Bowole tried to grab his hand. However, two police witnesses who had been in a neighbouring room did not report hearing a struggle. Makomé was seated when he was shot and ballistic evidence showed that the gun had been pressed against his temple. The prosecution pointed out that a pressure of six kilograms was needed for the trigger to go off.

During the trial the prosecutor criticized two other police officers who witnessed Compain, now aged 38, brandishing his gun. He said, "I beseech all civil servants: let no one ever again draw a weapon, whether real or false, loaded or unloaded, in a police station."

The shooting of Makomé M'Bowole was one of three separate incidents in four days where police officers shot and killed unarmed youths. Civil disturbances in Paris and other large cities followed. Numerous complaints of physical ill-treatment, sometimes accompanied by racial insults, were made by those arrested at the time.

The trial was viewed as a test case by many anti-racism groups and many members of the public concerned by the number of such incidents. The sentence was the longest ever passed on a police officer for a crime committed in the course of his duty and the period of pre-trial detention was without precedent. The conviction on the lesser charge was widely condemned by many of these groups and by Makomé M'Bowole's family, as a travesty of justice.

A delegation from AI visited France in April. The delegates met the French Ministers of Justice and of the Interior, and senior officials from the Ministry of Defence, to express concern about police shootings of unarmed persons and the ill-treatment of detainees.

Nigeria

More human rights activists detained for criticizing the military government

Four more names have been added to the number of human rights activists and journalists detained for their criticism of the military government.

Nosa Igiebor, editor-in-chief of the independent weekly Tell magazine; Chief Gani Fawehinmi, a prominent human rights lawyer and head of the National Conscience Party (NCP); Femi Falana, another leading human rights lawyer and President of the National Association of Democratic Lawyers; and Femi Aborisade, a former labour activist and leading NCP member, were taken into custody between December 1995 and February 1996. They are all prisoners of conscience.

Nosa Igiebor, arrested on 23 December 1995, was apparently arrested because of continuing criticism of the Nigerian Government in *Tell* magazine. *Tell*'s assistant editor, George Mbah, is serving a 15-year prison sentence after a grossly unfair military trial in 1995.

Chief Gani Fawehinmi was due to address a political rally on 30 January 1996 when he was arrested. Other senior NCP members said he was intending to call for a boycott of the local council elections at the end of March and for a speedy end to military rule. Femi Aborisade, acting head of the NCP after Chief Gani Fawehinmi's detention, was arrested on 14 February 1996. A military decree, promulgated the day before, had made the "undermining, preventing, forestalling or prejudicing" of the government's much criticized three-year transition to civilian rule, a criminal offence. The NCP had been campaigning for the release of its leader and in protest at the non-party basis on which the local elections were to be run. Femi Falana was arrested on the same day as Femi Aborisade. No reasons have been given for his arrest, but he has been involved in legal challenges against the government. No charges have been brought against the four detainees and they are believed to be held in administrative detention under the 1984 State Security Decree. They have been detained incommunicado and denied necessary medical attention. AI is appealing for their immediate and unconditional release.

Cuba

Basic freedoms curtailed as harassment increases

The rights to freedom of association, assembly and expression have been seriously curtailed in a recent clampdown by the authorities. Members of non-governmental groups belonging to the Cuban Concilium, a coalition which includes human rights defenders, journalists, lawyers, trades unionists, women, political groups and others, have increasingly become victims of official harassment and intimidation.

Since October 1995, when the Concilium was set up, dozens of its members have been detained and warned that they could face various political or criminal charges if they did not give up their activities or leave the country. Some have also reported threats of violence against them or members of their families. A request for official permission to hold a conference in February resulted in an intensification of arrests. While most members were released with warnings, two were charged and sentenced, and others, including journalist Rafael Solano, are facing possible trial.

Dr Leonel Morejón Almagro, the national delegate of the Cuban Concilium and Lázaro González Valdés, one of the four deputy national delegates, were brought to trial in late February on minor criminal charges and sentenced to six months' and 14 months' imprisonment respectively. Upon appeal, Dr Morejón's sentence was increased by a further nine months. AI believes the charges to be politically motivated and considers the two men to be prisoners of conscience. It is urging their immediate and unconditional release.

Members of unofficial groups have encountered harassment for several years, including frequent intimidation and, in some cases, long-term imprisonment. In many cases despite having requested official recognition, such groups, although not formally banned, have never been permitted to operate officially.

For further details of the recent clampdown, see Cuba: Government Crackdown on Dissent (AI Index: AMR 25/14/96).

- Twenty men imprisoned after an anti-government demonstration in Turkmenistan in July 1995 were released under an amnesty in January 1996. They included possible prisoners of conscience Yovshan Annakurban and Mukhamed Muradly, both journalists, who were accused of instigating the demonstration. They had been convicted of hooliganism. Seven other men held at the same time were apparently convicted of drug-related offences.

See Turkmenistan: Measures of persuasion (AI Index: EUR 61/03/96).

- A new report into the legacy of human rights violations committed under the rule of General Augusto Pinochet (1973 to 1990) was released on 6 March at a press conference in Chile. An AI delegation travelled to Santiago for the launch. The report warns of the danger of drawing a veil over past violations, and was released just as legal measures were being considered which would protect those who committed human rights violations at the time of the military government (see AI News, February 1996).

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Myanmar

Two comedians, U Pa Pa Lay and U Lu Zaw (pictured above) have each been sentenced to seven years' imprisonment. They were arrested with six members of a dance troupe which performed at an Independence Day ceremony on 4 January 1996 in the compound of Daw Aung San Suu Kyi, the leader of Myanmar's main opposition party, the National League for Democracy (NLD). The members of the dance troupe were later released. Two of the troupe's managers — U Myint Thein and U Aung Soe — have also received seven-year prison sentences for their peaceful political activities.

The four were charged under an act which penalizes anyone who "causes or intends to disrupt the morality or the behaviour of a group of people or the general public, or to disrupt the security or the reconstruction of stability of the Union...". U Pa Pa Lay had been arrested previously in 1991 and had served a two-year prison sentence for making a political joke against the military authorities and in favour of the NLD.

The four were sentenced after an unfair trial in Mandalay Prison. Torture and ill-treatment are common in Myanmar's prisons and conditions fall far short of international standards.

+Please write, asking for the immediate and unconditional release of U Pa Pa Lay, U Lu Zaw, U Myint Thein and U Aung Soe, and seeking assurances that they will be treated in accordance with international standards while in detention, to: Senior General Than Shwe/ Chairman/ State Law and Order Restoration Council/ c/o Ministry of Defence/ Signal Pagoda Road/ Yangon/ Union of Myanmar.

morocco and western sahara

Kelthoum Ahmed Labid El-Ouanat, aged 24, is currently serving a 20-year prison sentence imposed after an unfair trial in July 1993. She was arrested in Smara on 10 October 1992 at the time of demonstrations in several towns in Western Sahara. These demonstrations reportedly called for the independence of Western Sahara and for the release of detainees and "disappeared" Sahrawis. They also protested against the holding of Moroccan parliamentary elections in Western Sahara (under the terms of a United Nations referendum, scheduled for 1992 but postponed since). AI considers Kelthoum Ahmed Labid El-Ouanat to be a prisoner of conscience.

After her arrest, Kelthoum Ahmed Labid El-Ouanat was held in secret detention for 10 months without access to her family, lawyers or medical care, and was allegedly tortured, sexually abused, and beaten. She was tried before the Military Court on 29 July 1993, with five others, on charges of threatening the external security of the state and arson. The trial was held in camera, and Kelthoum and her co-defendants, who had not had access to a lawyer before the trial, were convicted on the basis of police statements which they told the court they had been forced to sign after being tortured.

Kelthoum Ahmed Labid El-Ouanat acknowledged having participated in peaceful demonstrations but denied committing any violent act during the demonstrations or at any other time. After the trial she was again held incommunicado until November 1993, when she was allowed the first visit by her family.

+Please write, asking for the immediate and unconditional release of Kelthoum Ahmed Labid El-Ouanat, to: M. Abderrahmane Amalou/ Ministre de la Justice/ Ministère de la Justice/ Palais de Mamounia/ Rabat/ Morocco.

DOMINICAN REPUBLIC

Dr. Narciso González, a university lecturer, journalist and father of four, “disappeared” on the night of 26 May 1994 after leaving a cinema in Santo Domingo. His whereabouts remain unknown.

According to eyewitness accounts, Narciso González, aged 54, was forced into an official vehicle after leaving the cinema. Members of the J-2 military base allegedly took him to the armed forces’ Secretariat. There he was apparently tortured before being taken to a police station. It is feared that he may have died while being transported from there to the National Police Palace.

From the 1960s Narciso González was politically active. More recently, he wrote humorous political columns for several newspapers. One of his articles published in La Muralla magazine a few days before the presidential elections of 16 May 1994, criticized President Joaquín Balaguer Ricardo.

Narciso González subsequently called for the closure of the Autonomous University of Santo Domingo, where he worked, in protest at the elections, which were allegedly marred by fraud. In a talk at the University, he spoke of government corruption and electoral fraud.

In response to AI’s appeals, the then Chief of the National Police stated that Narciso González had never been arrested by the National Police but that efforts were being made to determine his whereabouts. However, as far as AI is aware, no official independent investigation has been carried out into his “disappearance”.

+Please write, urging an immediate and impartial investigation into the “disappearance” of Narciso González, to: Dr. Joaquín Balaguer Ricardo/ Presidente de la República/ Palacio Nacional/ Santo Domingo/ Dominican Republic.

Medical action

Health professionals: a force for change

The suppression by governments of medical evidence is a significant obstacle to the exposure of human rights violations. Where the evidence cannot be ignored, doctors are pressurized to write either misleading medical reports or none at all. A new AI report* examines these problems and looks at some of the changes which are needed to strengthen the role of medical evidence. The report launches a campaign which will last throughout most of 1996.

Health professionals have been active members of AI for more than two decades. Groups of doctors and nurses first came together to focus on the documentation and exposure of torture, and the promotion of human rights and medical ethics following the first international AI Conference for the Abolition of Torture in 1973. Now there are AI health professional groups in more than 30 countries. Representatives of this network met in London in May 1995 and adopted the London Declaration. This called for the defence and promotion of human rights around the world; for the application of clinical skills and professional ethics to defend human rights; for action by professional associations and societies to defend those under threat of human rights violations and for action on human rights abuses by health professionals.

The Declaration also invited all health professionals to join with AI to work to achieve these objectives. *See Prescription for Change: Health Professionals and the Exposure of Human Rights Violations

(AI Index: ACT 75/01/96).

The launch in Thailand of AI's Campaign on China

Thai riot police prevent AI Secretary General Pierre Sané from delivering AI's report on human rights violations in China to the Chinese Embassy in Bangkok, Thailand. An AI delegation travelled to Thailand to launch a worldwide campaign that will comprise public demonstrations, petition signing and lobbying of governments by AI members in more than 70 countries. On the day of the launch, 13 March 1996, two members of AI's delegation were detained in Bangkok in an effort to prevent them from taking part in a press conference.

The Chinese authorities' reaction was hostile. They have refused to meet AI delegates both in Beijing and Bangkok, but the delegates were undaunted. Pierre Sané said: "They can close their doors to us, but they can't silence us."

Syria

Prisoner dies one day after being released

Karim al-Haj Hussain, a prisoner of conscience, was released from prison on 24 December 1995. The following day he died, reportedly from tubercular meningitis. He was admitted to hospital just one week before his death, after being on hunger strike for three days, but was discharged because his case was apparently beyond treatment. Karim al-Haj Hussain's eight-year prison sentence expired in August 1995, but the authorities had continued to hold him in detention illegally.

Karim al-Haj Hussain was arrested in August 1987 and held without charge or trial for several years before being brought to trial before the Supreme State Security Court (SSSC). On 27 February 1994 he was sentenced to eight years' imprisonment for links with the Party for Communist Action. He did not use or advocate violence and AI believes he was imprisoned solely for his peaceful political activities. The SSSC is not bound by the Syrian judicial procedural rules applicable in ordinary criminal cases and its trial procedures fall far short of international standards for fair trial.

AI fears that Karim al-Haj Hussain's death may have resulted from a lack of adequate medical treatment during his imprisonment and is concerned that he remained in prison beyond the expiry of his sentence.

AI News: May 1996

Focus

The refugee crisis in the Great Lakes region of Africa

No way home without human rights

The flight of more than two million people from Rwanda and Burundi and their prolonged exile constitutes one of the largest refugee crises since the Second World War.

In July 1994 around two million Rwandans fled their country in the aftermath of a genocide which had claimed as many as one million lives. Most of these refugees were members of the majority Hutu ethnic group. They had fled their country following the victory of the Rwandese Patriotic Front over the army of the former Government of Rwanda and the militia, which had been responsible for massacres on an unprecedented scale.

More than 200,000 refugees from Burundi are also still living outside their country. A further 200,000 are internally displaced within Burundi. Tens of thousands of them were forced to leave their homes in late 1993 and 1994 to escape the widespread massacres which began in October 1993, following the assassination of President Melchior Ndadaye. More than 100,000 people are estimated to have died in Burundi since October 1993. Massacres of civilians by the army and by armed militia — both Tutsi and Hutu — are continuing to this day. Thousands are being forced to flee their homes as a direct consequence.

In 1994 the plight of the Rwandese refugees caught the attention of the international media and their pictures were seen on television screens across the world. Humanitarian aid poured in. Governments, which had turned a blind eye to signs of the impending genocide between 1990 and 1994 and had done nothing to prevent the massacres between April and July 1994, suddenly voiced concern at the situation in Rwanda and neighbouring countries.

Almost two years on, few of these refugees have returned to Rwanda or Burundi. In the face of the daunting problem caused by the displacement of so many people, pressure has been mounting for a mass repatriation of the refugees. Increasingly, repatriation is put forward as the only possible “solution” to the crisis — despite the risks which the refugees might face on their return. A program for voluntary repatriation has been set up but has met with little response from the refugees. Little attention has been paid to the search for long-term solutions which would enable them to return to a life free from human rights abuses.

It is a well-established principle of international law that no person should be returned to a country where he or she would be at risk of serious human rights violations. This principle is known as the principle of “non-refoulement”. AI’s work for refugees derives from its work for the protection of human rights. The organization opposes the forcible return of any person to a country where he or she would be at risk of serious human rights violation. It therefore seeks to ensure that states provide such people with effective and durable protection from such return.

The vast majority of these Rwandese and Burundi refugees are still waiting in camps in Zaire, Tanzania and Burundi, afraid and uncertain of their future. In September 1995 AI delegates visited the region. They concluded that fear of human rights abuses and absence of justice are among the factors which continues to deter most refugees from returning voluntarily.

Most people from Rwanda and Burundi have one overwhelming desire: to be able to live in peace, in their own country, reunited with members of their family who may still be alive. Respect for human rights is the key to any successful resolution of the refugee crisis in the Great Lakes region. AI is therefore urging all governments to view this refugee situation as a human rights issue and not purely a humanitarian or political matter and to demonstrate their support for human rights as a priority.

AT the end of February 1996 there were still almost 1.7 million Rwandese refugees who had been living in refugee camps since July 1994. Approximately one million of these were in Zaire, 550,000 in Tanzania and 95,000 in Burundi.

The number of refugees from Burundi was more than 200,000. Approximately 110,000 of these were in Zaire and approximately 100,000 are in Tanzania.

In addition, large numbers of mainly Tutsi refugees who fled Rwanda in 1959 and 1960 have been living in Zaire since that time, mostly around the area of Masisi — an area which has also suffered much violence in recent years due to clashes between the Banyarwanda (people of Rwandese ethnic origin) and several other Zairian ethnic groups. A significant number of these refugees are now returning to Rwanda.

Many refugees have been separated from their families as a consequence of sudden flight and/or forced expulsion. Many do not know where their relatives are, or whether they are still alive. Children have probably borne the greatest burden.

Social and economic conditions

The Office of the United Nations (UN) High Commissioner for Refugees (UNHCR) and various non-governmental organizations provide humanitarian assistance in the refugee camps. There is an active social life in some of the larger camps, where refugees have taken the initiative to set up makeshift shops, health centres, restaurants, video viewings, barber-shops, craft shops, churches, schools and post offices.

Some refugees in Zaire have tried to earn a living in the towns of Goma and Bukavu to supplement the rations they receive in the camps. These initiatives are not always welcomed by the local population and since July 1995, measures have been imposed to limit these activities. In February 1996 the Zairian authorities clamped down further on refugees' commercial activities as part of a plan to progressively close the refugee camps and put pressure on refugees to return to Rwanda.

So far the rate of voluntary return of the 1993 and 1994 refugees to Rwanda and Burundi has been low, with the exception of Rwandese refugees in Burundi, many of whom are being driven back to Rwanda by the ongoing violence in Burundi. Those who do wish to go back are asked to register with the UNHCR and are escorted to a transit camp inside their own country. In Rwanda, most then return straight to their home area, but in Burundi, due to widespread insecurity, returnees sometimes have to wait for weeks in transit camps until it is safe for them to move on.

Despite increasing pressure from countries of asylum — especially Zaire — few choose to go back to Rwanda and Burundi. One of the main reasons for this is the risk of human rights violations, perceived or real, that face refugees returning to their own country. The human rights situation at home must be addressed before they will have the confidence to return.

THE RISKS OF RETURN TO RWANDA

In Rwanda, there is much talk of respect for human rights but killings, “disappearances”, torture, and arbitrary detentions without trial, continue. The memories of the genocide have created a climate of fear — fear of victimization and arbitrary actions by the Rwandese Patriotic Army (RPA), fear of reprisals by the local population or fear of the return of the former army and militia which continue to terrorize not only the refugees in Zaire and Tanzania but also the civilian population in Rwanda. Within the government, deep divisions have emerged over human rights issues. A clear pattern of victimization of people perceived as critics or opponents of the government has emerged.

Unlawful detentions and deaths in custody

In February 1996 more than 66,000 people were estimated to be held without charge or trial for alleged participation in the genocide. Many have been arbitrarily arrested. They are held in grossly overcrowded prisons where the conditions often amount to cruel, inhuman or degrading treatment, or even torture. According to the International Committee of the Red Cross, more than 2,300 detainees have died in these prisons since July 1994. Efforts to transfer prisoners to new sites at the end of 1995 have done little to alleviate the overcrowding, as arrests have continued.

Given the current atmosphere of fear in Rwanda and an attitude of widespread suspicion towards refugees, there is a grave risk that a mass return of refugees could lead to a further dramatic increase in arbitrary arrests and detentions without charge or trial, in intolerable conditions.

Political killings

Extrajudicial executions of unarmed civilians who pose no threat to the army have continued under the present government. These are not on the scale of the atrocities committed by the former Rwandese armed forces and militia between April and July 1994. Nevertheless, massacres such as that at Kanama, which claimed at least 110 civilians' lives in September 1995, and another uncovered in Nyungwe Forest in November 1995, where at least 20 bodies were found, illustrate a complete disregard for human rights by some members of the RPA.

In some cases, killings have occurred following property disputes where the legal owner of a house may have been trying to repossess property occupied by military officials.

There have also been cases of personal vengeance. In the district of Kanzenze in Rural Kigali prefecture, a woman and her four children who had returned from Zaire were attacked by a group of four men. Only one child managed to escape: the mother and three other children were killed. The

attackers were described as survivors of the genocide acting in revenge for crimes reportedly committed by the woman's husband, who was in prison for alleged participation in the genocide. Cross-border incursions by armed Hutu groups based in Zaire and Tanzania are another threat which has continued and has involved grave human rights abuses, including deliberate and arbitrary killings of unarmed civilians.

Control and intimidation

Some of the dangers faced by refugees returning to Rwanda are being played up by members of the former Rwandese military and political leaders in the camps. One of their main objectives is to prevent the voluntary return of refugees, which they fear would undermine their campaign against the current government of Rwanda and expose those among them who played a critical role in the genocide. Central to these tactics of control and intimidation aimed at preventing return is the diffusion of false information and exaggerated rumours. The result is that almost all refugees believe that Rwanda is a land of terror where all those who return will be immediately tortured or killed.

Underlying all these concerns is the continuing paralysis of the justice system. In March 1996, almost two years after the start of the genocide in Rwanda, no one had yet been brought to justice for these crimes against humanity. The committees set up to recommend the release of detainees against whom there is insufficient evidence are barely functioning. Arbitrary arrest and suspicion have replaced justice.

The possibility of safe return

It appears, however, that many refugees who have returned to Rwanda since August 1995 have done so in safety and have not been victims of human rights abuses.

For example, a mechanic, his wife and their one-month-old baby were among 13,000 Rwandese refugees forcibly expelled from Mugunga camp by the Zairian army on 20 August 1995. They returned to their village in Gisa, in the district of Rubavu, prefecture of Gisenyi. At first they stayed with relatives as their own house was occupied. After hearing that they had the right to reclaim their house they returned to their home. The illegal occupant left after four days. Both husband and wife were happy to be back in Rwanda. They felt safe and said life was peaceful.

Others, however, have not been so fortunate. In the prefecture of Kibuye, on the border with Zaire, around 90 returnees had reportedly been arrested by the end of January 1996.

THE RISKS OF RETURN TO BURUNDI

The situation in Burundi is very different from that in Rwanda. Burundi is experiencing a civil war and virtual chaos, characterised by violence, widespread politically-motivated ethnic killings of unarmed civilians and ethnic cleansing, where people from either the Hutu or Tutsi ethnic group have been forced to leave particular areas through a policy of human rights abuse. Most of the victims are women, children and the elderly. During 1995 an average of 1,500 people were being killed each month.

In one case, a 36-year-old plumber from Bubanza had fled to Zaire on 5 May 1995 after his village was attacked by Tutsi militia in the presence of the army, which failed to intervene. He was among 2,000 Burundi refugees forcibly returned from Zaire on 21 August. While at Gatumba transit camp he learned that his house had been destroyed. He felt it was impossible for him to return to his village and preferred to remain in the relative security of the transit camp. Like many other refugees, he felt abandoned on all sides: unable to return to his home in Burundi, forcibly returned from the refugee camp in Zaire, and unable to go to Tanzania because the border was closed.

The plight of internally displaced or dispersed people is often overlooked as international attention tends to focus primarily on refugees who have crossed national borders. Within Burundi there are several camps for the internally displaced, mostly in the north. These camps are often attacked, even

when guarded by soldiers: some people have had to flee more than three times since the widespread massacres began in 1993.

It needs to be clearly articulated and accepted that internally displaced persons are also entitled to full protection of their human rights.

The role of the international community

In the Great Lakes region, the international community has been faced with one of the world's largest refugee crises and has failed to meet the challenges that it poses.

When a country of asylum is faced with a sudden and massive influx of refugees, its capacity to cope is placed under enormous strain. Foreign governments and intergovernmental organizations have a responsibility to assist the country of asylum in providing effective and durable protection for those at risk. The prolonged presence of such massive numbers of refugees from Rwanda and Burundi has had a devastating impact on the countries of asylum — primarily Zaire, Tanzania and Burundi — and has affected their economy, environment and security. Overall, the international community has failed in its efforts to share the responsibility of the refugee crisis in the Great Lakes region — which has fallen principally on these countries.

On 19 August 1995 Zaire began to forcibly return thousands of refugees to Rwanda and Burundi. Around 15,000 were forcibly returned in five days. One of the possible motives attributed to Zaire for initially forcibly returning refugees and then setting an ultimatum of 31 December 1995 for the repatriation of the remaining refugees, was that the Zairian Government was seeking to attract greater material aid from the donor community. Zaire withdrew the deadline as the supply of aid and other resources was resumed. Whatever the real motive for Zaire's actions, this situation appears a dangerous precedent, which could encourage other countries to use refugees to put pressure on the international community to provide aid. The donor community must ensure that no state ever feels justified in resorting to refoulement and putting the lives of refugees in danger in order to get other states to live up to their obligations.

In a further alarming development in February 1996, the Zairian authorities announced that refugee camps would be closed progressively. In an effort to put pressure on refugees to return, they deployed troops around some camps and further restricted movement and commercial activities. The UNHCR — itself under intense pressure from donor countries to repatriate the refugees as quickly as possible — appeared to cooperate to some extent with these measures, by continuing to encourage repatriation with insufficient regard for conditions of safety inside Rwanda.

Since 1994 AI has been calling for the deployment of human rights observers in both Rwanda and Burundi. In spite of the many difficulties anticipated and encountered by international human rights operations, the experience in Rwanda, where the UN has a human rights operation, has shown that international observers can play a positive role in areas affected by widespread human rights abuses. They have acted as a form of reassurance for people within Rwanda, as well as for refugees contemplating return.

In contrast, the situation in Burundi is steadily deteriorating; yet there is still no operation equivalent to that in Rwanda to provide reassurance, despite repeated promises by the UN and the European Union. Respect for human rights is the key to any successful resolution of the refugee crisis in the Great Lakes region.

AI is calling on all governments and organizations concerned to fully respect the international standards governing the protection of refugees and to refrain from returning refugees, or putting pressure on them to return, to a situation where they might be at risk of serious human rights abuses. In addition, AI asks states to recognize that the provision of a fair system of justice in Rwanda and Burundi is the requisite for the voluntary return of refugees as well as for the long-term protection of human rights. All states should provide the support and resources necessary for these conditions to exist.

On 20 February 1996 AI published a report* which was launched with a press conference in Geneva. AI delegates held a meeting with representatives of the UNHCR to discuss AI's concerns about the safe and voluntary return of refugees. In particular, AI appealed to the UNHCR to denounce publicly any breach of international obligations towards refugees by host countries such as Zaire and asked them not to minimize the risk of return to Rwanda. AI expressed fears that a mass return of refugees could lead to a dramatic escalation in human rights violations.

* Rwanda and Burundi: The return home — rumours and realities. AI Index: AFR 02/01/96.

WHAT YOU CAN DO

Write to your government appealing to it to use its influence to help restore justice and respect for human rights in Burundi and Rwanda, so that refugees can return home in safety and dignity.

Also ask your government to remind the Governments of Zaire and Tanzania that they have an obligation to provide effective and durable protection for these refugees until it is safe for them to return.