



**New PHR Report:  
Investigations in Eastern Congo  
and Western Rwanda**

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**PUBLIC HEALTH  
EFFECTS OF CONFLICT**

BOSTON, MA (16 July 1997) - Physicians for Human Rights (PHR) released the following report on human rights violations in Eastern Congo and Western Rwanda on 16 June 1997 at a hearing sponsored by the House International Relations Committee.

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Since the release of the report, the Rwandan government has denied PHR's findings that 2,000 to 3,000 civilians have been killed in Western Rwanda in the past three months. In an interview on 18 July, Vice President Paul Kagame stated that "the only thing we plan is to kill more of those who cause problems. They have arms they use to kill our people." Kagame acknowledged that "sometimes it is easy to identify who is armed and who is not. Sometimes it is difficult."

**Introduction and Methods**

For a two-week period (20 June to 2 July 1997) a three-person Physicians for Human Rights (PHR) team worked in the Great Lakes region of Africa compiling testimony and data regarding the existence of human rights abuses committed by governments or warring parties against civilian and refugee populations.

The team included Jennifer Leaning, M.D., Richard Sollom, and Kathi Austin. Dr. Leaning is a former PHR board member and a member of PHR's International Advisory

Committee, a practicing physician in emergency medicine at Brigham & Women's Hospital in Boston, an Assistant Professor of Medicine at Harvard Medical School, and an instructor in human rights and complex humanitarian emergencies at the Harvard School of Public Health. Richard Sollom is a Senior Program Associate at PHR. Kathi Austin is a PHR Consultant. Prior to departure for the region, the team met with officials of the U.S. State Department, United Nations, and U.S.-based representatives of major non-governmental organizations (NGOs) involved in the region as well as representatives who had recently returned from the region. All current reports from the area were reviewed.

PHR has been deeply concerned about atrocities in this region since the onset of the Rwandan genocide of 1994. In that year, PHR called for an international tribunal to prosecute those responsible for leading the slaughter of an estimated 800,000 Rwandan Tutsis and moderate Hutus by Rwandan army (ex-FAR), Interahamwe militia, and Hutu civilians. Subsequently, PHR assisted the International Criminal Tribunal for Rwanda by exhuming the mass grave at Kibuye where more than 450 bodies from a single grave produced evidence of the brutal killing of unarmed men, women, and children. PHR recognizes the threat to stability and security in the region posed by the international community's failure to disarm and bring to justice those responsible for the 1994 genocide who remained in and retained control of the refugee camps in Eastern Zaire/Congo during the past two years.

During the mission, the team met with European government officials; representatives of international humanitarian organizations in Europe, Kenya, Rwanda, and Eastern Congo; with representatives of U.N. High Commissioner for Refugees (UNHCR), U.N. World Food Program (WFP), U.N. Development Program (UNDP), and U.N. Department for Humanitarian Affairs (DHA) in Kenya, Rwanda, and Eastern Congo; with representatives of the International Committee for the Red Cross (ICRC) in Kenya, Rwanda, and Eastern Congo; with representatives of the U.S. government in Rwanda; with military, security, and political officials throughout the region; journalists knowledgeable about the area; and with members of local human rights organizations, staff of local medical and health care facilities, witnesses and victims with direct experience of events in Eastern Congo.

The PHR team also made site visits to a Rwandan transit camp for returning refugees from Congo and to a Rwandan detention facility holding alleged genocidaires. On the basis of these explorations, the PHR team has arrived at the following findings and recommendations:

## **Findings**

### ***1. Pervasive insecurity and widespread atrocities and human rights abuses currently characterize the entire region of Eastern Congo and Western Rwanda.***

Although civil war has officially ended in former Zaire/Congo, the region remains destabilized. Widespread insecurity and fear pervade Eastern Congo as well as Western Rwanda, where there is currently an unreported civil war taking place. All local citizens,

refugee and displaced populations, and international staff are affected and constrained by these conditions. Atrocities and human rights abuses of many kinds are ongoing throughout the region.

#### *A. Eastern Congo*

PHR received reliable reports that Rwandan military have committed, and continue to commit, widespread atrocities against civilian populations in Eastern Congo. Reports of robberies, rape, and attacks committed by English- and Kinyarwanda-speaking soldiers are numerous within North and South Kivu. It is reported that the soldiers are exacting a bounty from the area before returning to Rwanda. Both local residents and international NGO staff have been victims of these incidents. The UN has imposed a curfew of 9 p.m. for all UN staff in Goma town, and locals generally adhere to a self-imposed curfew as well. It is acknowledged that people living in homes on the eastern edge of Goma, closest to the Rwandan border, are most at risk of attack.

The PHR team received reports and eye-witness accounts of killings of unarmed Rwandan Hutu refugees and local Congolese non-combatants throughout Eastern Congo by soldiers identified as Rwandan military. These killings appear to be systematic attacks to eliminate the Interahamwe threat, to annihilate remaining refugees, and to punish villagers in Eastern Congo alleged to have harbored or sheltered Rwandan Hutu refugees. PHR also learned that the Alliance and Rwandan forces are attacking civilian villagers in North Kivu who did not harbor or assist Rwandan refugees. According to several testimonies, villagers in these instances were attacked merely because of their Hutu ethnicity. International humanitarian organizations, local human rights groups, and individuals have all supplied the international press and their European and North American headquarters with reports of these killings, termed "massacres" by the local population.

PHR interviewed staff from the international humanitarian agencies and from local human rights groups, many of whom were first-hand witnesses to killings and saw signs of mass graves. PHR also interviewed individual villagers who were surviving victims of attacks. These reports came from diverse sources who were not likely to have communicated with each other, were marked by internal consistency regarding site and pattern of attack, description of perpetrators, and number of victims. They also withstood specific, intrusive, and repetitive questioning from the three members of the PHR team.

Attacks on refugee clusters apparently occur as refugees pass through the forest to designated and announced UNHCR collection points. Few survivors of these refugee attacks have been found; refugees either emerge unscathed as witnesses or die outright or slowly from their injuries before reaching medical attention. Attacks on villages occur without warning, as groups of armed soldiers invade (even at mid-day) and begin firing rifles at groups of men, women, and children. Houses may be burned, with occupants forced to remain in them; bodies are buried in mass graves or piled into latrine pits. Many surviving witnesses of these attacks on villages can be found.

Credible reports now exist of attacks on refugees and villages numbering in the scores to hundreds; the numbers killed in each attack are difficult to validate, but are reported as ranging in the tens to hundreds in each instance. All identification of these soldiers as Rwandan turns on the following characteristics:

- language spoken (English, Kinyarwanda, and/or Swahili with a Rwandan accent);
- uniform worn (rain-flecked camouflage military fatigues, commonly known to originate from former East Germany);
- boots worn (black rubber boots of British origin, "Wellingtons").

Not all instances of identification include all three characteristics, and it is entirely possible that other groups of armed men (particularly Interahamwe bent on sowing unrest or local criminal elements) could masquerade as Rwandan soldiers while committing these acts.

### *B. Western Rwanda*

In Western Rwanda, a clandestine war (which has intensified over the past two months) between the Rwandan government and organized Interahamwe and ex-FAR (former Rwandan Armed Forces) has rendered the countryside off limits for civilian travel and subjected the local (predominantly Hutu) population to risks of direct attack and killing by the Rwandan military. The Rwandan government perceives threat from many directions. Military roadblocks are frequent; the sense of surveillance is omnipresent. Local citizens, staff from international organizations, and visitors move about in Kigali, its environs, and the western region with a continual awareness that they are being observed and subject to peremptory questioning or arrest.

According to the ICRC Information Officer in Kigali, during the last three months at least 2,000-3000 civilians have been killed as a result of the fighting in Western Rwanda. The entire area of northwestern Rwanda is considered completely unstable; travel for expatriate staff is considered very unsafe, as such personnel appear to be directly targeted. Estimates of numbers being killed are inexact, based on both information from trusted local people who dare to furnish information to the ICRC and whatever hospital-based data the ICRC can acquire. When pressed for other means of verifying current estimates, the ICRC official said that data from funeral announcements were too fragmentary. In addition, the official stated the area could not be visited to ascertain the number of new graves, and no formal registries of deaths were being kept in local areas. It is the plan of the ICRC, once hostilities in the area abate, to try to reconcile the current estimates by interviewing families in the area who claim to have lost members through death or disappearance. The official concluded his interview with us by observing that the region is just two hours distant from Kigali, and "completely horrible."

### ***2. The security situation makes access to vulnerable populations and access to information extremely difficult and dangerous to obtain.***

In addition to the presence of Rwandan soldiers engaging in serious human rights abuses

in Eastern Congo, other armed groups contribute to insecurity in the region. These groups include ex-FAZ (former Zairian Armed Forces) soldiers, ex-FAR military, Interahamwe militia, Mai Mai militia, as well as armed civilian bandits. In Western Rwanda, an unreported civil war in the countryside and a government intolerant of dissent or disclosure establishes an intrusive and chilling presence on all aspects of civic communication and discussion.

#### *A. Eastern Congo*

Estimates of Rwandan Hutu refugees still hiding in the forests of Congo range from the low thousands to more than 200,000. For the first half of 1997, the UNHCR and humanitarian organizations attempted to travel the few roads into the forest areas in order to find the refugees, establish collection points, and repatriate them to Rwanda via ground and air transport. Humanitarian organizations have also been trying to reach local Congolese villages and provide them with needed medical and food relief. These roads are subject to military roadblock and ambush with unpredictable and unnerving frequency. It is usually not clear what military is involved, who is in charge of ensuring safe transit through a particular area, or what argument or means of identification will lead to a successful outcome. Since the roads are traveled and intermittently assaulted by several armed groups (Rwandan military, troops from the ex-FAZ, members of the ex-FAR, current Zairian soldiers, Hutu Interahamwe, local bandits) no one set of identification papers, explanations, or allegiances assures protection. It is said that a white face in a white four-wheel drive vehicle is a target. It is also clear that Africans of any nationality in the employ of the humanitarian organizations are not safe.

The other targets are the refugees. Those who dare to assemble at the side of the road and await UN transport run the risk of being killed by soldiers, allegedly Rwandan, who reportedly use the news of humanitarian transport as bait to draw the refugees from their hiding places. As the humanitarian community became aware of this stratagem in March and April 1997, attempts to reach refugees in this way have been curtailed. Ultimately, however, humanitarian organizations have found it very difficult to find out what is going on with the remaining refugees in the forest and have been unable to engage in systematic repatriation efforts.

The climate affecting those engaged in human rights inquiry is restrictive; no international human rights group has been allowed to enter Eastern Congo since the UN Human Rights mission, led by Roberto Garreton, in April. The PHR team entered the region by informal means. An international humanitarian organization with its own means of air transport from Kenya to Eastern Congo denied the PHR team available seats on these flights because they determined the region unsafe for such a human rights group to work. Once in the region, the team found that no humanitarian organization was willing to have a human rights team travel with them into the countryside. The one humanitarian organization that issued a public report on killings and other human rights issues in this region has found its freedom of movement curtailed, its operation monitored, and visas for its international staff held up. It was only after the field office distanced itself from its European headquarter's report that it found itself able to continue

its humanitarian work in Eastern Congo. It now makes no public reports of human rights issues.

Independent travel into the country to interview villagers or to assess physical evidence of mass graves was uniformly and adamantly warned against as very hazardous and as potentially raising the insecurity level for all those engaged in humanitarian work. All interviews conducted by the PHR team had to be undertaken circuitously, through informal contacts, in buildings or garden areas deemed safe by people familiar with the region.

Local human rights groups receive reports of abuses and atrocities via secret meetings and interviews with people who dare to travel to them. Their travel into and out of the countryside is fraught with peril. The reports that these local groups have compiled are tightly held. Although copies of these reports are obtainable, they cannot safely be taken across the border for fear of seizure. Reprisal against those who offered information and those who compiled it has occurred, and the ongoing risk is considered high. In fact, PHR received one report that a local Congolese, who had delivered written accounts of recent atrocities to a human rights activist in Goma, was allegedly abducted shortly following the delivery and has not been seen since.

#### *B. Western Rwanda*

In Western Rwanda, the civil war has created such insecurity in the areas of Ruhengeri and Gisenyi that the UN has drastically curtailed access to the region. At least nine UN and NGO staff people, both local and expatriate, have been killed in Western Rwanda in the last six months. No one from the international press has traveled to this area in the recent past, although reports of the war have been broadcast on local radio. Information regarding the conduct of the war, the fate of local villagers, the numbers and kinds of casualties has thus been difficult to obtain. PHR received reports that military casualties are considerable in the area. The PHR team traversed this region by UNDP convoy, escorted by three trucks of armed Rwandan military -- one day after another convoy had been ambushed, allegedly by Interahamwe. The atmosphere was tense, radio communication taut, and the pace as rapid as the switchbacks would tolerate.

The local population (predominantly Hutu), and especially recent returnees from Congo, live in fear of arbitrary arrest as collaborators in the 1994 genocide and incarceration in one of the 18 prisons or 150-200 *cachots* (detention facilities) in the country. Soldiers and other armed personnel are present in all towns, along the roads, and in all official buildings and places of population activity, such as markets and crossroads. It is widely believed that informants have infiltrated local staff employed by the international NGOs, so discussions relating to human rights issues are either suppressed or conducted in controlled settings. Humanitarian organizations are limited in their physical access to detention facilities and prisons and are severely restricted in the kinds of questions they can ask of detainees and in the amount of time they can spend there.

Discussions with refugees in transit camps are strongly discouraged as well. Despite

having received permission from the humanitarian organizations running the transit camp near Kigali, the PHR team was accosted by seven English-speaking Rwandans (two of them in unmarked green uniforms and the rest in civilian clothes), who appeared within one hour of the team's arrival at the transit camp. They confiscated film from one PHR camera, ordered the team to leave the premises immediately, and proceeded to follow the PHR team back to Kigali. The next day, government troops ransacked the same transit camp and reportedly forcibly expelled a group of unaccompanied children in the special feeding section. These forces also reportedly intimidated and interrogated several local staff at the transit camp. PHR is making inquiries to determine whether that visit the next morning was related to the PHR team's presence there the previous evening.

***3. The United States and the international community must recognize the pivotal role that Rwandan Vice President and Defense Minister Paul Kagame has played and continues to play in Congo.***

It is essential to recognize that Rwanda not only orchestrated the civil war in former Zaire, but that its highly trained and professional army is still within the territory of Congo. Paul Kagame is central to the resolution of conflict that currently wages in Congo and to the cessation of ongoing serious human rights abuses there by his country's forces.

It is now well documented that after repeated pleas by the Rwandan government for international intervention to address the role of the international community in enabling the insurgency based in refugee camps in Eastern Zaire/Congo, the Rwandan government planned and executed cross-border attacks against the refugee camps. The Rwandan military campaign across the internationally recognized border targeted civilians as well as combatants. Since the October 1996 invasion, Rwandan government troops, as well as Rwandan-organized and trained troops of the ADFL, continue to occupy and control Eastern Congo. It is these troops, under the control and command of Kagame, that are alleged to be committing the majority of atrocities and human rights abuses against the local population and remaining refugees in Congo.

***4. Laurent Kabila, as de jure head of the Democratic Republic of Congo, must be held accountable for the threat, intimidation, and killings of refugees and Congolese in the territory of Congo.***

As head of state since late May 1996, Kabila must now exercise and uphold the legal obligations and duties that flow from this international recognition. As head of the armed forces, Kabila is responsible for public order within Congo and the security of its nationals and refugees present. It is evident from the recent PHR mission to Eastern Congo, however, that Kabila's new Congo is devoid of governance or security -- at least in the eastern sector. The streets are insecure by day and night; the homes unsafe at night. There is no clarity among any level of the population regarding the lines of authority and chains of command among either civilian or military officials. The power structure is blurred among three discernable groups: vestiges of a civilian government, which Kabila inherited from the former Mobutu regime, Kabila's own ADFL political authorities, and the ADFL military, of which the Rwandan government forces appear to be the most

visible and active.

It is difficult even for local people, let alone expatriates working in the region, to know or understand who is in charge. The PHR team sought local authorities to whom introductions might be made and from whom possible permission to proceed might be obtained. Few of the generally informed local or expatriate personnel in Goma could suggest names; the "Technical Committee" we were tentatively directed toward consisted of only two people with any possible authority, and they were out of town for an indefinite period.

In statements deflecting accountability for human rights abuses in Eastern Congo, Kabila has publicly stated that he does not retain full command and control of the military and militia forces in this region. Moreover, PHR received reports that locals have attempted to speak to civilian and military authorities in Eastern Congo, interceding on behalf of victims of human rights abuses by Rwandan forces. When the Congolese authorities learned that the Rwandan military were implicated, they stated they were too fearful and not in a position to intervene with these Rwandan troops.

***5. A state of civil war characterizes the situation in Western Rwanda, and the United States should condemn ongoing human rights abuses by Rwandan military and disclose the U.S. security relationship with Rwanda.***

Due to the presence of both Rwandan government forces and insurgent forces in the region, the war between these two opposing sides is ongoing and has spilled over into Rwanda on a more dramatic scale since the repatriation of the Rwandan refugees from Congo. Since the beginning of 1997, the civil war in Western Rwanda has dramatically escalated, leading to a larger number of casualties on both sides of the conflict and to a greater death toll among civilians. As in Eastern Congo, both sides are indiscriminately attacking and abusing civilian populations in their bid for military advantage. The international community has yet to recognize this state of affairs. Nor has it proposed remedies, despite the involvement in and victimization of both Rwandan and Congolese citizens by both sides of the conflict in the region.

PHR is concerned that in addition to failing to recognize publicly a civil war in Western Rwanda, the U.S. government has failed to disclose fully its role in supporting the Rwandan government in its conduct of the war. Based on interviews with U.S. officials and military personnel, as well as first-hand observations and public information (both prior to and during the recent mission to the region), PHR is aware that U.S. Army Special Forces have been training Rwandan military in Rwanda since at least early 1996. The number of these U.S. military personnel has varied in witness accounts from 12 to more than 100 present in Rwanda at any given time. According to the U.S. Embassy in Kigali, U.S. security assistance to Rwanda has included reconciliation group training, demining, civic affairs, small-scale non-lethal military assistance, and U.S. Special Forces training. PHR is particularly concerned that this U.S. military training has included counter-insurgency operations and cross-border surgical strikes.



***6. The international community should desist from repatriating Rwandan refugees from Congo into Western Rwanda because of an ongoing civil war there.***

The international community and the UNHCR have focused attention on the human rights abuses in Eastern Congo. Less attention has been directed to the difficult issue of repatriating refugees to the adverse situation now existing within Western Rwanda. These refugees are now returning to a wholly insecure environment, where in many instances, they become immediate targets for retribution from the Rwandan government forces. This process with these potentially deadly consequences contravenes the cornerstone of international refugee law, the principle of *non-refoulement*. When the PHR team met in Goma with the most senior UNHCR official in the region, he acknowledged this concern but said it was outweighed by the security situation in Eastern Congo. He stated that although Kabila wants the return of Rwandan refugees to be referred to always as voluntary repatriation, the UNHCR considers this process "an emergency evacuation." However, humanitarian aid workers with experience in the region are very concerned about the fate of these returning refugees, noting that "we are evacuating refugees from the Congo to an area in Rwanda that the UN has declared a no-go [red security] zone."

The return of several hundred thousand Rwandan refugees since November 1996 has resulted in a number of security and custodial problems for the Rwandan government. In particular, the existence of 150 to 200 prison and detention facilities throughout the country, holding an estimated 120,000 to 140,000 people (not only recent returnees, but also large numbers arrested soon after the 1994 events) accused of participation in genocide, poses a major burden on the government, the local communities, and the decimate Rwandan judicial system. In interviews with senior staff in the international organizations responsible for overseeing the welfare and due process issues of these detainees, and in interviews with a Rwandan official with overall jurisdiction for the detention centers in Ntongwe Commune in Gitarama, the PHR team learned that few of these hundreds of thousands of people, overwhelmingly men, have formal dossiers prepared against them and that many of them have been in holding facilities, designed only for the most temporary stays, for periods ranging from six months to over one year. PHR received reports that up to one-quarter of all recent Rwandan returnees from Congo have been detained, often on unsubstantiated grounds of having participated in the 1994 genocide. It is entirely unclear how the Rwandan government will marshal the administrative effort to assemble the necessary documentation for judicial procedures against these detainees. It is also entirely unclear to the PHR team, having visited one cachot deemed very typical by the senior international staff responsible for them, how any of these detainees, after the experiences they are now accumulating, could ever be re-integrated into Rwandan society.

***7. The international community should bolster the infrastructure and economy of Eastern Congo, which is in dire need of external assistance and reconstruction.***

Worsening an already poor economy that has been in decline for decades, the waves of war and refugee flows assaulting Eastern Congo over the last several years have devastated the local economy and effectively destroyed most of its infrastructure.

Although the focus of the PHR team was on human rights issues, it became clear in the course of the investigation that economic conditions are grave: the inflation rate is high, roads and bridges are in serious disrepair; commercial buildings are damaged or empty; agriculture, industrial production, and commerce have reduced to a relative trickle.

The two-year period from mid-1994 to the fall of 1996, during which infusions of international aid to the refugee camps helped float the local economies in formal and informal ways, also permitted large-scale forays by armed elements among the refugee population into the countryside, resulting in pillage and destruction of large cattle farms and looting of other resources. In interviews with a number of health care workers knowledgeable about the health situation in the region, it was evident that although the civilian bureaucracy responsible for health care delivery was relatively intact, the numbers of physicians, nurses, and allied health personnel had dropped dramatically in the last several years, largely the result of successive periods of insecurity and, ultimately, the collapse of the reimbursement system. The many health professionals who left, according to PHR's interviews with those who stayed in the system, were still living in Eastern Congo, but had been forced into different lines of work in order to support themselves and their families. In addition to serious understaffing of hospitals and clinics, the physical infrastructure of the sites suffered during the refugee crisis and the recent war, resulting in much loss of expensive equipment from theft or damage. The further difficulty was that medical supplies of all kinds, particularly important pharmaceuticals, were in short supply. A factory in Bukavu that had produced two-thirds of the quinine for Eastern Congo was destroyed in November 1996, during the "war of liberation," causing a shortage of this drug, especially in its intravenous and oral liquid forms, throughout the region.

Because of widespread unemployment and the high inflation rate, the general population cannot afford to pay for medical care, thus forcing people to avoid routine maintenance and placing a financial burden on health care institutions when individuals show up with serious illness and no means of payment. Local human rights workers told the PHR team that they were helping subsidize the medical bills of those injured in military attacks on their homes, and in turn seeking support from international human rights organizations to cover these expenses.

Statistics on hospital and clinic admissions, listing diagnoses, discharges, and deaths, were still being compiled. Access to these records required a series of permissions that could not be accomplished during the time the team was in the area. The overall impression of morbidity and mortality trends, advanced independently in separate interviews with four health care workers, is that sickness and perhaps deaths from diarrheal diseases, malaria, and tuberculosis were on the increase; that the general level of malnutrition was rising; that while AIDS was continuing its toll, no trend could be identified.

Among the health care workers interviewed it was evident that ethnic and political animosities among and between patients and staff had not figured prominently throughout these periods of crisis -- except insofar as soldiers from warring sides had at

different times, particularly during the months of November and December 1996, descended on hospitals and clinics requesting either priority treatment for their troops or looking to arrest or injure wounded soldiers from the opposing side. The workers interviewed appeared competent, remarkably even-tempered, and unassuming, despite the fact that they were working without steady salaries and with skeletal staff. As one said, when asked the date of his last hospital paycheck, "I last got paid in February 1996."

In the view of the PHR team, the framework exists for a comparatively rapid improvement in health care delivery throughout Eastern Congo. Resources need to be made available to support the salaries of health care workers, which would spur the return to work of those now eking out a living elsewhere (as well as shore up those valiant workers who have managed to stay at their jobs). In addition, it is important to: rekindle local industries to provide basic supplies and pharmaceuticals; improve supply transport to outlying clinics; and refurbish and replace essential items of equipment, particularly in the referral sites.

The PHR team was pleased to see a recent report commissioned by United Nations Children's Fund (UNICEF) with funding from OFDA, which systematically surveyed the situation in Eastern Congo with regard to health conditions for children. The report supported PHR's findings on the need for augmented staffing and infusion of supplies and medical drugs; and, on a more rigorous basis, arrived at the optimism felt by the PHR team regarding the longer-term local potential to regenerate the health care system in this area.

***8. The international community should provide urgent assistance to help rebuild the economy and infrastructure of Rwanda.***

In Rwanda, the genocide and war have taken a serious toll on the economy and infrastructure. The PHR team noted in particular a number of health care issues that have arisen as a result of the impoverishment of the population, the decimation of its professional class, and the collapse of its immunization program. Malnutrition is considered to be the major underlying problem haunting the general population, particularly children. Health care facilities are grossly understaffed and supplies are inadequate. Diarrheal disease, upper respiratory infections, malaria, tuberculosis, and AIDS are the major illnesses and, according to international as well as local officials, appear to be increasing in incidence. From 1994 to 1996, the country's immunization programs collapsed, so that a marked rise in polio, among children and young adults, has been seen. A large number of unaccompanied children (at latest count by the ICRC close to 83,000) constitutes a major custodial and nurturing challenge for the Rwandan community. Finally, the psychological burdens of coping with the terrible recent past and the losses it has created are mentioned by all observers as perhaps the most pressing and least understood of all problems affecting every sector of the population.

An immediate consequence of the austere circumstances is that international aid to the returning refugees, whether via the transit camps, in the villages, or in the prisons and detention facilities, is viewed with rancor by national and local officials. Without an

increase in reciprocal aid to the non-refugee population, communal antipathies will continue to be aggravated by this perceived inequality.

### **Concerns Related to US Policy**

The United States is an important ally of the Government of Rwanda, providing the government with extensive economic support, security assistance, and strong diplomatic support. Regrettably, human rights in Rwanda and in Congo, where the Rwandan Army has committed serious abuses, have taken a back seat as the U.S. has moved to establish close relations with governments in both countries.

The U.S. Embassy in Rwanda strongly backs the Kagame government, openly downplays human rights concerns and minimizes reports of human rights abuses, and is perceived by international humanitarian agencies as distinctly unsympathetic. An American official in the U.S. Embassy told PHR that he supported the Rwandans' thwarting of a United Nations mission to investigate atrocities in Congo, and he defied PHR to produce evidence of serious violations of human rights in Rwanda or Congo.

Whereas U.S. officials have condemned human rights abuses in Congo and have conditioned aid to the new Congolese government on improvements in human rights, no such linkage has been made to U.S. aid to Rwanda. This disparity is troubling, given the clear evidence that PHR has found of Rwandan involvement in gross violations of human rights of unarmed Rwandan refugees in Congo and of Congolese themselves, either those suspected of aiding the refugees, or Congolese Hutu who were singled out because of their ethnicity.

Moreover, the United States to this day refuses to clearly acknowledge the role of Rwanda in the Congolese civil war, and the continued presence of Rwandan soldiers in Congo. While U.S. officials insist that they regularly raise human rights concerns with both the Congolese and Rwandan governments in high-level private discussions, such interventions are unlikely to be useful unless the U.S. publicly acknowledges that Rwandan forces are in Congo and are engaging in abuses.

The U.S. Government is providing military assistance in the form of aid and training to Rwanda. Since early 1996, American special forces numbering at any given time from 12 to more than 100 soldiers have been deployed in Rwanda. PHR has been informed that at least some of them have provided counterinsurgency training to their Rwandan counterparts.

U.S. officials have characterized part of this training program as a human rights program aimed at "professionalizing" the Rwandan forces. If that is the case, then the evidence -- both in Rwanda and in Congo -- is that it has been a failure. Abuses against civilians have been rampant in both countries. Serious questions need to be asked about whether the United States is therefore implicated in these atrocities.

PHR is not opposed in principle to human rights training and aid to foreign military

forces. But it is not a substitute for a command decision on the part of the local military authorities that abuses against civilians will not be tolerated, and that commanders and the men under their command who engage in them will be prosecuted and punished. Not only have the Rwandan authorities not prohibited and punished those responsible for such abuses in Rwanda over the past two years, they have exported the abuses to neighboring Congo in the military campaign to pursue the Interahamwe and ex-FAR.

Under such circumstances all U.S. security assistance to Rwanda should be conditioned until such time as all Rwandan forces implicated in abuses are removed from Congo, human rights abuses against non-combatants in Congo cease, and their perpetrators disciplined. And the establishment of a military aid program for Congo should be postponed until such time as President Kabila exercises appropriate control over the forces under his command, and has ordered foreign troops from Congolese soil.

### **Recommendations**

1. The United States and the international community must recognize that insecurity, violence, and atrocity now characterize Eastern Congo and Western Rwanda and craft all policy recommendations and actions in light of these circumstances.
2. A fully equipped and well-staffed human rights mission must be launched to investigate the substantial and credible accounts of widespread human rights abuses throughout the region. This mission must receive the full support of both Rwandan and Congolese governments and all military forces active in the region and must secure in advance requisite authorization to visit all areas and talk with all parties freely.
3. A robust military escort, comprised of neutral African states' forces with international support, should provide security for the international human rights investigators.
4. The Rwandan and Congolese governments must assure the security for those individuals who provide testimony and protect them against reprisal to the fullest extent possible.
5. The international community must continue to observe and forcibly implement the UN-sanctioned arms embargo against the former Rwandan government forces (ex-FAR) and its allied militias.
6. The United States and international community must recognize the threat to stability and security in the region posed by the failure to disarm and bring to justice those responsible for the 1994 genocide in Rwanda, but stressed that this imperative does not justify current atrocities.
7. President Kabila must ensure that all national military officers within Congo can be identified by name and rank.
8. President Kabila must call for the removal of all foreign troops, militias, armed combatants, and mercenaries operating in the territory of Congo.
9. UNHCR should move its refugee collection points closer to the forest areas where Rwandan refugees are hiding and enlist the support of both governments and the international community in creating sufficient transport capacity to accelerate all phases of the repatriation effort from Congo to secure regions in Rwanda. In

- addition, security should be provided to UNHCR to protect all components of its refugee repatriation effort in Congo, up to and including an effective military presence extending the length of the repatriation routes.
10. The international community should desist from supporting the return of Rwandan refugees in Congo to insecure areas within Rwanda and intervene on behalf of these refugees by either finding a second country of asylum or securing an arrangement with the Rwandan government which would permit their resettlement within Rwanda, but outside areas of conflict.
  11. The international community, and UN High Commissioner for Human Rights in particular, must obtain access to Western Rwanda to ascertain the extent of human rights abuses and targeted killing of civilians by both sides of the conflict.
  12. The Rwandan government must provide opportunities for all detainees in Rwanda to exercise and reduce the number of detainees per cell in prisons and detention facilities throughout the country.
  13. The international community should offer to establish an international advisory commission to assist the Rwandan government in preparing dossiers for each detainee in prisons and detention facilities throughout Rwanda.
  14. The United States must fully and publicly disclose all forms of security assistance to the Rwandan government, including military training and other support by U.S. Army Special Forces, as well as all forms of military assistance to other governments who have been involved in Congo, namely, Eritrea, Uganda, Angola, Burundi, and Congo itself.
  15. The United States should condition security assistance to Rwanda until such time that abuses against Congolese, against Rwandan refugees in Congo, and against Rwandan civilians in Western Rwanda have ended and those responsible disciplined. In addition, those Rwandan troops implicated in abuses in Congo should be withdrawn from the territory of Congo.
  16. The United States should defer consideration of a security assistance program for Congo until such time as human rights violations by Congolese government forces have ended and all elements of armed forces be brought under civilian rule.
  17. Both Rwandan and Congolese governments should provide free and unhindered access to all areas inside their borders to humanitarian workers and international human rights monitors.

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Physicians for Human Rights (PHR) is an organization of health professionals, scientists, and concerned citizens that uses the knowledge and skills of the medical and forensic sciences to investigate and prevent violations of international human rights and humanitarian law.

Since 1986, PHR members have worked to stop torture, disappearances, and political killings by governments and opposition groups; to improve health and sanitary conditions in prisons and detention centers; to investigate the physical and psychological consequences of violations of humanitarian law in internal and international conflicts; to defend medical neutrality and the right of civilians and combatants to receive medical

care during times of war; to protect health professionals who are victims of violations of human rights; and to prevent medical complicity in torture and other abuses.

PHR conducts educational and training projects for health professionals, members of the judiciary, and human rights advocates on the application of medical and forensic skills in the investigation of violations of human rights. PHR bases its actions on the Universal Declaration of Human Rights and other international human rights and humanitarian agreements. The organization adheres to a policy of strict impartiality and is concerned with the medical consequences of human rights abuses regardless of the ideology of the offending government or group.

Charles Clements, M.D., M.P.H., is President; Carola Eisenberg, M.D., is Vice President; Leonard S. Rubinstein, J.D., is Executive Director; Susannah Sirkin is Deputy Director; Charlotte McCormick is Director of Finance and Administration; Holly Burkhalter is Advocacy Director; Barbara Ayotte is Director of Communications; Steve Brown is Development Coordinator; Richard Sollom is Senior Program Associate; Laura Reiner is Program Associate; Robert H. Kirschner, M.D., is Director of the International Forensic Program; Vincent Iacopino, MD, PhD is Senior Consultant, and Michele Harvey is PHR's molecular geneticist.

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