

United States

Good relations between Luanda and Washington concentrated largely on improving trade and investment. Angola rose in importance for the U.S. due to its vast oil resources. In ten years, the U.S. is projected to rely on Angola for 15 percent of its oil. In May, the first trade mission to Angola since September 1997 examined possibilities of corporate partnerships in the areas of data processing, industry, water systems, environment and conservation, transportation, aviation, legal services, shipping, and banking.

However, the U.S. did not always disregard human rights in relation to trade. According to the president's 2001 report on the implementation of the African Growth and Opportunity Act (AGOA), prepared by the U.S. Trade Representative, Angola did not receive AGOA beneficiary country designation due to "concerns related to corruption, labor and human rights." The report cited extrajudicial executions by security forces and scorched-earth policies by certain army units, including burning villages and killing civilians in Cuando Cubango and Lunda Sul provinces, as well as government repression of independent media. Angola was one of only ten countries that sought to participate in AGOA but was denied.

The U.S. gave some aid for humanitarian assistance and civil society activities, although it did not play a strong role in efforts to end the war. U.S. development and humanitarian assistance was over U.S. \$39 million for FY 2001.

BURUNDI

HUMAN RIGHTS DEVELOPMENTS

A transitional government installed November 1 inherited a civil war in which both governmental and rebel forces were killing, raping, and otherwise injuring civilians and destroying their property. Civilian casualties in 2001, however, were fewer than in the previous seven years of warfare, in part because there were fewer large-scale massacres than in the past. The government greatly expanded a program of civil defense, giving arms training and access to weapons to thousands of civilians. According to authorities the program was meant partly to curb increases in crime but instead it led to more exactions on ordinary people. Along with theft and looting, rape increased sharply in many areas where large numbers of soldiers were posted. Hundreds of detainees were released in 2000 and early 2001 but hundreds more replaced them in the over-crowded jails by year's end. Courts functioned slowly and badly whether handling current cases or those resulting from ethnically-based killings in 1993 and 1994.

By establishing the transitional government, the former government and opposition political parties implemented a key provision of the Arusha Accord of August 2000. But the two major rebel movements, the Forces for the Defense of Democ-

racy (Forces pour la défense de la démocratie, FDD) and the Forces for National Liberation (Forces pour la Liberation Nationale, FNL), had not signed the agreement and stepped up attacks just before and after the new government took power. Some 130 civilians and scores of government soldiers and rebels were slain in the first weeks of November as combat increased in many parts of the country. Although the new government incorporated some opposition leaders recently returned from exile, it failed to win a cease-fire in discussions with rebels held in October and November. International actors invested considerable energy in trying to end the war, with South African troops, funded by Belgium, providing security deemed necessary to establishing the new government.

Shortly after taking power, the new government signed the optional protocol to the Convention on the Rights of the Child which establishes eighteen as the minimum age for forced recruitment, conscription, or participation in armed conflict, so confirming an order of the outgoing government that children under eighteen should not be recruited for the army. But the government observed no such rule for the civil defense program, where children as young as fourteen were enrolled this year. The rebels recruited and in some cases abducted children for military service. In mid-November, the FDD kidnapped several hundred school children, the youngest thirteen years old, apparently to use them as soldiers. The majority escaped, but at the end of November a dozen remained in rebel hands.

The war in Burundi was intertwined with conflicts in the neighboring Democratic Republic of Congo (DRC) and Rwanda (see Democratic Republic of Congo and Rwanda). For several years Burundian rebels, particularly those of the FDD, had launched attacks inside Burundi from bases in the DRC. The Congolese government supported them in return for help fighting a rebel movement against it backed by neighboring Rwanda. During the year, thousands of rebel combatants came home, hastened by signs that the Congolese government was moving towards ending its own war. Hundreds of Rwandans, also previously based in the Congo and engaged in war against the Rwandan government, came into Burundi as well, perhaps to assist Burundian comrades, perhaps to prepare an assault against Rwanda. By late in the year, soldiers of the Rwandan Patriotic Army had begun fighting rebels of both groups inside Burundi. Burundian rebels based in Tanzania frequently crossed the border to raid communities inside Burundi, leading to an increase in tensions between Burundi and Tanzania which military authorities from both countries tried to calm in the latter half of the year.

Military officers opposed to President Pierre Buyoya and the terms of the Arusha Accord attempted two unsuccessful coups, one in April, the other in July. Forces loyal to the president foiled the attempts and arrested those responsible, thirty of whom were detained in the first case, some one hundred in the second. As of this writing, their detentions had not been confirmed by magistrates, a violation of legal procedure.

During the year combat intensified in the provinces of Bujumbura-rural, Cibitoke, and Bubanza in the north and in Bururi, Makamba, and Rutana in the south. In February, FNL combatants entrenched in the hills around Bujumbura took control of the Kinama neighborhood of the capital for nearly two weeks. Dozens of civilians were killed or wounded during the combat and thousands more displaced. In early April, government soldiers killed at least twenty-five civilians,

including one two-year-old child, when they searched houses in Rubirizi, Mutimbuzi commune, for suspected rebels shortly after FNL combatants attacked military posts in the area. That same month, other soldiers reportedly fired on civilians in a bar in Gitega, assuming them to be rebel supporters. They killed eleven and wounded three. After an FDD attack in late June, government soldiers fired from a boat in Lake Tanganyika on the village of Rubindi, killing five civilians and seriously wounding several others. Soldiers attempting to repel FNL attacks on their posts in the vicinity of Mageyo, near Bujumbura, on September 20 killed nineteen civilians and wounded at least eighteen. Although one officer was heard to order his men not to fire at civilians, soldiers “shot at anything which moved,” according to one witness. On October 4, FNL combatants shot and killed at least eight soldiers who were drinking in a bar at Muzinda market in Bubanza province. Other soldiers from nearby posts then took reprisals, firing indiscriminately on civilians in the area and looting and burning their homes and shops. One baby was shot on her mother’s back as the mother was fleeing and an estimated eight other persons were also killed by soldiers. Soldiers killed at least thirteen civilians, ten of them women and children, on October 25 in Bubanza province after an attack by FNL combatants in the area. On October 30, soldiers killed forty-two civilians, eighteen of them women and children, in apparent reprisal killings after an FNL attack in Maramvya, Bujumbura-rural province. Government soldiers killed an estimated twenty civilians and wounded six others in an air attack on the Congolese village of Mwaba, which they supposed to be a FDD base. During the year several civilians were killed and many others were maimed by mines in Burundi, apparently laid by government soldiers throughout the countryside.

Hundreds of civilians died from rebel fire during combat or were slain in ambushes and robberies or were deliberately targeted for having supposedly assisted the government. In one of the worst cases, FNL rebels ambushed a bus from Rwanda near Mageyo in late December 2000. According to witnesses, they separated the passengers by ethnic group and killed twenty persons, all Tutsi or those who appeared Tutsi and one English woman. Several other persons were wounded and left for dead. Rebels, presumably of the FNL, murdered a university student and his uncle, a former soldier, in Bujumbura on September 8. FDD rebels killed civilians in ambushes on roads in the southern provinces and in raids in the eastern provinces launched from Tanzanian bases. In April, thousands of FDD rebels moved through eastern and central Burundi from the Tanzanian frontier to the Kibira forest, killing more than a dozen civilians and burning hundreds of houses, shops, health centers, and schools. In late April, FDD combatants reportedly murdered the communal administrator of Gisagara commune, Cankuzo province, and his family as well as five other civilians and in mid-November, they killed an administrator and two other civilians in Mutumba, Karuzi province. In May, FDD combatants abducted six workers of the international humanitarian agency Memisa in Makamba province and took them into Tanzania before releasing them several days later. In June, rebels, apparently FDD, killed the driver of a vehicle of the humanitarian agency Children’s Aid Direct in Bubanza province and briefly detained other employees. In November, FDD combatants killed at least thirteen civilians in ambushes in eastern Burundi and on November 4 they killed another eighteen civilians in an attack on Munini in Bururi province.

In several cases unidentified assailants used grenades to attack markets or places of business. In late August, four persons were killed and more than fifty injured at Kinama market in Bujumbura.

Women reported dozens of rapes and cases of sexual torture by soldiers, many in areas in or near the part of Bujumbura taken briefly by rebels, after their withdrawal in early March. Rebels abducted scores of women to provide sexual and domestic services in their camps. Both government soldiers and rebels forced civilians to transport goods or wounded members of their forces or to do other labor in combat zones, putting them at risk of injury or death.

Authorities recruited thousands of children and young men, the vast majority of them Hutu, to expand the "Guardians of the Peace," a purportedly civilian force established with no clear legal authority or regulations. The "Guardians," many of whom were obliged to serve against their will, ordinarily operated at the direction of soldiers who also provided them with firearms to use on duty. First active in the northwest and south, "Guardians" were organized this year in most other provinces. Some guarded communities, displaced persons camps, and roads; others engaged in combat, often sent in advance of regular troops and thus exposed to greater risk of injury or death. Minimally trained and unpaid, many lived by extorting money or goods from the people they were supposed to protect. Several killed or raped local residents. Authorities also provided weapons training in urban areas, usually to Tutsi residents, and encouraged them to patrol their own neighborhoods.

The economic situation worsened, the result of years of war and stagnation exacerbated by the exhaustion of emergency funds provided by the World Bank and the European Union. With firearms easily available, armed robbery increased in the form of ambushes and attacks on homes, sometimes injuring or killing residents. Often assailants wore military uniform and could have been soldiers, rebels, or neither. Authorities proved ineffective both in halting and in prosecuting such crimes.

As stipulated by the Arusha Accord, the government drafted laws concerning genocide and provisional immunity from prosecution for certain crimes related to the 1993-1994 events. As of this writing, the legislature was still debating the terms of laws deemed a necessary precursor to the establishment of the transitional government on November 1. The accord also provided for a commission of experts comprising both international jurists and Burundians to examine the cases of political prisoners. It was due to begin work in November.

Lack of resources, difficulties with travel due to insecurity, and demoralization related to uncertainty about the future contributed to the sluggish performance of the prosecution and courts. As of mid-year, the criminal courts dealing with the ethnically-related killings of 1993-1994 had sat only once and sessions ordinarily held by itinerant courts had not been convened at all. Many cases were adjourned because judicial personnel or witnesses were not present. Judicial reforms implemented in 2000 resulted in the provisional liberation of hundreds of detainees that year, but the rate slowed noticeably during 2001. Some fifty prisoners over the age of seventy and some twenty minors were provisionally released. Although some prosecutors and police tried to follow the new regulations, others flouted measures meant to limit arbitrary detention and the use of torture. Particularly in the aftermath of the FNL occupation of part of Bujumbura, authorities detained and tor-

tured dozens of persons whom they suspected of supporting the rebels. In several cases, persons tortured by soldiers, the police, or “Guardians of the Peace” died from their injuries. Dozens of persons were held in miserable conditions in illegal places of detention, particularly in military camps. In a number of cases authorities who had arbitrarily detained persons released them after obliging them to pay a “fine” for unspecified offenses.

Some 9,000 persons were held in prisons, about 75 percent of them awaiting trial, most accused of crimes related to the massacres of 1993-1994. Conditions improved slightly in a few prisons, largely as a result of efforts by the International Committee of the Red Cross and a local organization, the Association Burundaise de Défense des Prisonniers (ABDP), but remained very poor in others.

In 2000, the government officially closed the regroupment camps which had been established in the name of security several years before. Hundreds of thousands of persons who had been held against their will returned home, but more than 370,000 remained in camps because they feared continuing combat in their home regions. In some areas soldiers and “Guardians” demanded services from camp residents, such as transporting supplies or fetching water, or prevented them from going to work their fields unless they paid for the privilege.

Burundian authorities detained or forced back to the Congo several dozen Congolese, some of whom had recognized refugee status in the country, apparently at the request of the Rally for Congolese Democracy (RDC), the Rwandan-backed rebel authorities in eastern Congo. In May communal authorities sent more than one hundred Congolese back over the border without regard to the risks they might run in returning home. In October, authorities detained a Congolese human rights activist for nearly a week but released him after extensive protests from local and international colleagues.

On several occasions, authorities detained members of political parties or other organizations opposed to government policy. Fearing detention, the head of Pouvoir d’ Auto-Défense Amasekanya, a Tutsi militia group, took refuge for several weeks in the office of the U.N. High Commissioner for Human Rights. A spokesman for a party opposed to President Buyoya was arrested after giving a press conference and was charged with insulting the head of state.

Authorities permitted the establishment of African Public Radio, the second major private station to operate in Burundi, but soldiers harassed its journalists, occasionally confiscating briefly their vehicles and cameras. In November, agents of the special investigations bureau detained and beat an African Public Radio journalist after he reported on the arrival of South African troops to facilitate installation of the new government. He was released after paying a fine. In March, two journalists of the other private station, Radio Bonesha, were detained and one was fined for broadcasting an interview with a rebel spokesperson.

DEFENDING HUMAN RIGHTS

Local and international human rights organizations functioned with little interference from the government. The leading human rights organization, Ligue Iteka, expanded its activities throughout the country, adding monitors to deal with eco-

conomic and social rights and established a web site to disseminate its information. In one case Iteka monitors were threatened and harassed by soldiers while investigating alleged abuses. ABDP monitored prison conditions, helped detainees with judicial assistance, and organized a conference on torture where several victims spoke out publicly about their abuse by authorities.

In April, members were named to a national human rights commission that had been established the previous year. All were governmental representatives from the office of the president and vice-presidents and various ministries. At the time of writing, the commission had not published any reports.

THE ROLE OF THE INTERNATIONAL COMMUNITY

Representatives of other governments and of the United Nations, the Organization of African Unity, the European Union (E.U.), and other bodies followed the situation in Burundi closely, many of them concerned to avoid a repetition of previous massive slaughter in Burundi and of the genocide that devastated Rwanda. In addition to making numerous public statements denouncing human rights abuses and encouraging peace, they invested millions of dollars and untold diplomatic effort in negotiations for the Arusha Accord and in getting it implemented. In December 2000 donors pledged some U.S. \$440 million in previously promised and new aid to help restart the economy. Little of this aid was delivered as donors awaited the installation of the new government, but in late November 2001 the E.U. agreed to deliver U.S. \$58 million to rebuild infrastructure, deliver health services, and assist economic recovery, resuming development assistance halted since 1997 because of the war.

In mid-2001 officials at the U.S. National Security Council and State Department debated options, including the possible deployment of U.S. troops, should Burundi explode into large-scale violence. In the wake of the September 11 attacks, however, it became clear that the U.S. would at most fund military intervention by others. The U.S. provided \$1 million in development assistance for fiscal year 2001, \$3.5 million for justice under the Great Lakes Justice Initiative, and \$5.8 million in food assistance.

In October, South Africa agreed to provide troops for a protection force demanded by opposition politicians before they would return to join the transitional government and Belgium pledged \$5 million for their expenses with a promise to secure another \$17 million from the E.U. The South African troops were supposed to be joined by others from Senegal, Nigeria, and Ghana and eventually to be replaced by a Burundian force that would be composed half of Tutsi, half of Hutu.

The U.N. special rapporteur for Burundi, Marie-Therese Keita Boucoum, visited the country twice and issued strong denunciations of human rights abuses. The field office of the High Commissioner for Human Rights, hampered by lack of funds and personnel, helped provide judicial assistance to the accused, monitored prison conditions, and undertook educational activities. It addressed abuses with authorities but published no reports locally.

The U.N. High Commission for Refugees also suffered funding cuts, hampering provision of its services, including protection, for refugees just at a time when increasing numbers of Rwandans and Congolese sought their assistance and when planning was needed for the hundreds of thousands of refugees who may return home if the war ends.

Relevant Human Rights Watch Reports:

To Protect the People: The Government-Sponsored "Self-Defense" Program in Burundi, 12/01.

DEMOCRATIC REPUBLIC OF CONGO (DRC)

HUMAN RIGHTS DEVELOPMENTS

With the accession of Joseph Kabila as president of the Democratic Republic of Congo (DRC), hopes were raised in January for an end to the disastrous war that has cost more than two million lives. During the four years of war, all parties routinely attacked civilians, killing, raping, and maiming thousands. Hundreds of thousands of civilians died of hunger, diseases, or exposure as a result of the war. Belligerents this year implemented some terms of the 1999 Lusaka Accords meant to end the war: troops disengaged along the front lines, some Ugandan and Rwandan government soldiers returned home, some 1,500 Rwandan rebels laid down their arms, and United Nations troops (U.N. Organization Mission in Congo, MONUC) began monitoring compliance with the accord. But late in the year fighting still raged almost daily in the eastern provinces and the inter-Congolese dialogue among Congolese actors about the future of their country was suspended days after it began. The DRC government, supported by Zimbabwe, Angola, and Namibia, controlled the western half of the country. Rebel movements, the most important being the Congolese Rally for Democracy (RCD), backed by Rwanda, and RCD-Kisangani and the Movement for the Liberation of the Congo (MLC), both backed by Uganda, controlled the east. The Congolese government and rebel authorities declared support for political openness and Kabila implemented some reforms, but all continued to limit dissent and harass and punish journalists and human rights defenders.

Rwanda and Uganda originally claimed their troops were in Congo to fight armed groups hostile to their governments and based in the DRC. But by 2001 they seemed equally concerned to control resources, trade routes, and access to tax revenues. A U.N. Security Council expert panel reported extensive exploitation of Congolese resources by Rwandans and Ugandans, acting in both public and private