

Danish Immigration Service

Report on the roving attaché mission to Bujumbura, Burundi and Kinshasa, Democratic Republic of the Congo

8 September – 18 September 1999

Copenhagen, January 2000

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Introduction

From 8 to 18 September 1999, the Danish Immigration Service carried out a roving attaché mission to Bujumbura, Burundi and to Kinshasa, Democratic Republic of the Congo (DRC). Earlier in the year the Immigration Service had carried out a similar mission to Bujumbura. That mission was described in the Report on the roving attaché mission to Bujumbura, Burundi, 22 April to 4 May 1999.

The task of the delegation to Burundi and the DRC was to explore a number of asylum-related issues in the two capitals, Bujumbura and Kinshasa.

Some of the sources consulted by the delegation requested anonymity, because of the civil war in both countries and the relatively tense political situation in Bujumbura and Kinshasa. This applied in particular to sources in international disaster relief and aid organisations, who in many cases said that they feared difficulties in working with the authorities in future, if they openly criticised, for example, the human rights situation, or commented publicly on the political situation in the two countries. On the other hand, several human rights organisations and observers were less concerned about speaking openly. The delegation advised all sources that the mission's report would be published in Danish and in English or possibly French.

The delegation held meetings with the relevant authorities in both Bujumbura and Kinshasa, and informed them of the purpose of the visit. The delegation was welcomed in both cities, and at no time did the authorities try to impede its investigations. The delegation was able to move freely and unhindered around both capitals. Sweden's representations in Bujumbura and Kinshasa arranged meetings for the delegation during its stay, and assisted with a number of practical matters. The Danish Consulate in Kinshasa made a car and driver available. The delegation spent from 9 to 11 September 1999 in Bujumbura and from 13 to 16 September 1999 in Kinshasa.

The mission took place just as the peace talks between the conflicting parties in the civil war in Burundi had resumed in Arusha (Tanzania) after a brief postponement, and just after a peace agreement between all the parties involved in the conflict in the DRC had been concluded in Lusaka (Zambia) on 31 August 1999.

This report is in two parts. The first concerns Bujumbura, Burundi, and is a supplement to and update of the Danish Immigration Service's earlier report concerning Burundi; the second part, concerning Kinshasa, DRC, explores a number of asylum-related issues in Kinshasa and to some extent in the Government-controlled part of the DRC.

As well as describing the security and human rights situation in the two cities, the report also contains information on the ethnic situation, the risk of persecution for members of political parties and employees of ex-President Mobutu's administration, procedures for the issue of passports, legal documents, exit arrangements and the position of refused asylum seekers who are repatriated.

It should be noted that the report only contains very limited information about the overall situation in the two countries. As mentioned above, the delegation's task was solely to explore conditions in the capitals.

A. Bujumbura, Burundi

1. *Update on the security, human rights and political situation in Bujumbura*

1.1. The security situation

A political observer, who wished to remain anonymous, pointed out that it is difficult to assess the security situation in Bujumbura or in Burundi as a whole, as the country is in a state of crisis and the civil war there is not yet over. However, this source and several others, including a Western diplomatic one, stressed two factors which play a decisive role in shaping the security situation in Bujumbura, namely the internal conflict amongst Tutsis in Bujumbura and recent attacks by Hutu rebels on several of the city's suburbs. It should be noted that rebel groups in Burundi consist mainly of various Hutu militias.

Nevertheless, the potential risk of violent conflict between moderate and extremist Tutsi groups within the city is seen as much more serious than the potential risk of violent confrontations between the Tutsi and Hutu populations as such.

The political observer expanded on this, explaining that, above all, there are two distinct political-ideological movements amongst the Tutsis. One movement is in favour of reconciliation and dialogue between Tutsis and Hutus, whereas the other seeks confrontation with moderate Tutsis and Hutus, whom it blames for supporting rebel groups in Bujumbura Rurale and other regions of Burundi. By no means the majority of the population of Bujumbura is involved in this political confrontation, but our source emphasised that, in current circumstances, the risk of non-extremist Tutsis being attacked and killed by Tutsi extremists could not be dismissed. He therefore concluded that this was not an ethnic conflict but an "internal Tutsi political problem", and added that generally there was no risk of being exposed to attack merely because one was a Hutu. A Hutu who had close connections with Tutsis may however be at risk of attack by some Hutu groups. An individual's security in Bujumbura depended to a large extent on where in the city he was. Thus someone with moderate views – whatever his ethnic identity – might be at risk of attack if he lived in a part of the city which was dominated by extremists.

The same source reported that the day before the delegation had arrived in Bujumbura, a group of Tutsi extremists had tried to recruit other, more moderate Tutsis to take part in an attack on Hutu groups in Bujumbura, in revenge for an earlier attack on the city by rebels. The more moderate Tutsis refused to take part in this attack, and were supported by other Tutsi groups. Together they warned the armed forces and the Hutus about the planned attack. The armed forces acted, firing warning shots at the Tutsi extremists, who gave up the attempt. The source considered this event to be a positive sign that the authorities and large sections of the public did not want confrontation as a result of recent rebel attacks. However the event should also be seen as a sign that there was a risk of violent confrontation amongst the Tutsis and between Hutus and Tutsis in Bujumbura.

Another factor which, according to the above source, threatened stability and security in Bujumbura was recent rebel attacks on civilians in Bujumbura's suburbs. These attacks were made on the Bujumbura suburbs of Musaga and Mutanga on 27 and 28 August 1999, and were believed by a UN source to be a revenge attack for the army's violent reaction to an earlier rebel attack on civilians in Kanyusha in southern Bujumbura on 10 and 11 August 1999. The armed forces had carried out several operations against the rebels as a result, during which civilians who were suspected of being

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rebels or of supporting them were killed. It was estimated that between 50 and 200 people had been killed as a result of these operations. Since then the armed forces and extremist Tutsi groups had harassed and robbed the inhabitants of Kanyusha. The source assumed that the PALIPEHUTU Hutu militia was behind the revenge attack.

However, Africa Confidential reported on 10 September 1999 that there were strong grounds to believe that the radical Hutu militia *Forces pour la Défense de la Démocratie* (FDD), led by Jean-Bosco Ndayikengurukiye, was behind the most recent rebel attacks. Africa Confidential stated that a South African diplomatic source believed that there were about 10 000 FDD rebels in Burundi, the DRC and Tanzania. Some of these had received training from Zimbabwean troops in the neighbouring DRC (Africa Confidential, vol. 40, No. 18, 10 September 1999, p. 4).

The UN source also observed that the attacks had led to renewed fears amongst the population, as many people did not believe in the capacity and ability of the Government and armed forces to prevent rebel attacks on civilians. The authorities' desire to protect the city from rebel attack remained intact, but was hampered by the limited financial resources at their disposal.

The source did not believe that it was possible to judge whether or not the rebel groups would be able to conquer Bujumbura. The rebels' military strength could not be assessed, and an unequivocal answer to this question would be pure speculation. The rebels' strength depended on their financial backing; there were many international interests in the conflict in Burundi and in conflicts in the region as a whole.

One source in an international organisation, who wished to remain anonymous, considered that while the rebels might be able to threaten stability in Bujumbura, by far the greatest threat to stability was the risk of conflict between different Tutsi groups in the city. He drew attention to the fact that, typically, rebel attacks on Bujumbura and on e.g. UN vehicles in country districts mostly occurred before a new round of peace talks in Arusha (Tanzania). He dismissed the idea that the rebels would be in a position to conquer Bujumbura outright, or to carry out attacks on the whole city. The sporadic attacks which had recently taken place could only cause tension between the various political groups in the city. He also pointed out that the rebel attacks could partly be explained by the fact that the rebels were not represented at the Arusha talks. By means of these attacks, the rebels wanted to demonstrate that they were still a force to be reckoned with in Burundi. Amongst other motives for the renewed rebel attacks, the source stressed that revenge was the most significant one.

According to this source, the real threat to security in Bujumbura comes from various Tutsi groups which do not share the same opinion of the peace process in Burundi. There have been politically motivated killings of Tutsis by Tutsis. He underlined that there was only tension between Tutsi groups with different views of the negotiations in Arusha. He explained that many Tutsi intellectuals with more moderate views lived in the Mutanga area of north eastern Bujumbura. They were particularly afraid of the extremist Tutsi movements and of the Tutsi dominated army.

However, this source considers that the current situation differs from before, in that Burundi is currently at a turning point in the Arusha talks. It is planned that these negotiations should be completed before the end of the year.

The situation is however made more difficult by a number of factors, such as the poor economic situation as a result of the embargo, and the absence of international economic assistance. He also explained that most of the parties involved in the Arusha negotiations have "blood on their hands".

With regard to the internal peace process and the partnership agreement (see the report on the roving attaché mission to Bujumbura, Burundi, 22 April to 4 May 1999, p. 7 onwards), the source considered that this did not indicate any true reconciliation, as key areas of power were still in the grip of Burundi's armed forces, and all important Tutsi leaders came from southern Burundi, i.e. Bururi. He remarked that it was clear that the armed forces wanted to get rid of President Pierre Buyoya as they saw him as a catastrophe. The armed forces would be glad for the President to go voluntarily, but to date there had been no signs that he was going to do so. As long as the President remained in power there was a risk of growing insecurity in Burundi. This was partly because the armed forces feared that the international community would not grant aid to Burundi as long as the country had a President with "blood on his hands".

The source commented that a few weeks previously he had been pessimistic about political developments in Burundi, but that there were now grounds for taking a more optimistic view, as there were signs that President Buyoya would step down. The source considered that the President would not be able to hold on to power, and might go voluntarily. When that happened, the foundations could be laid for reconciliation between Hutus and Tutsis. However, one uncertain factor in this was the threat from Rwanda, since about half of the rebels are Rwandan Hutus.

A Western diplomatic source, and several anonymous sources, disagreed strongly with the above comments and took the view that President Buyoya is a pragmatic leader, whose presence has been a decisive element in the positive trend towards reconciliation and peace in Burundi in the last couple of years. They feared serious and violent conflict if, in current circumstances, President Buyoya steps down or is forced from his position as President. They also had difficulty imagining a realistic alternative to the current President, since from a Tutsi viewpoint the Presidency would have to be taken over by someone from southern Burundi. However there were no suitable candidates there for the army or other Tutsi groups to select.

Christophe Sebundandi, President of the human rights organisation *La Ligue Burundaise des Droits de l'Homme* (ITEKA), pointed out that one of the problems with the Arusha negotiations was a lack of agreement between the various parties represented at the talks. Both the Hutu party, the *Front pour la Démocratie au Burundi* (FRODEBU) and the Tutsi party, the *Union pour le Progrès National* (UPRONA) were divided.

The FRODEBU is split into at least two main groups, one of which supports ex-President Ntibantuganya, Burundi's current Vice-President, and the President of the National Assembly. This group wants confrontation and accuses the other, compromise-seeking group led by Nzoji Bugami of selling out to Tutsi politicians in order to obtain power for themselves.

The UPRONA is also divided into several groups. One main group is close to the President, and is participating in the talks in Arusha. That group is led by Burundi's Minister of Education. The other main group is led by Mukasi, formerly President of the UPRONA, and is in opposition to the first group. This group is not taking part in the Arusha talks and is opposed to the partnership

agreement.

Sebundandi considered that these divisions in both the FRODEBU and the UPRONA are a major reason why the security situation in Burundi must be regarded as fragile. To stabilise the country politically, the Government has proposed a 10-year transitional period, with the current President remaining in his post for the next 5 years. A new President will then be elected. The radical faction in the FRODEBU opposition do not agree with this, and claim that they already have their own candidate for the post of President. The political situation is therefore tense.

According to Sebundandi, the security situation around Bujumbura has deteriorated since June 1999. The attacks by rebel groups on the three (main) roads leading into the city led to the deaths of about 40 people in June/July 1999. In the four weeks preceding the delegation's visit, the attacks had increased in ferocity and were being made on Bujumbura's suburbs, with civilians including women and children being killed, and houses burned down. Factories in the area were also struck. Attacks had taken place to the south, east and north of the city. Like the other sources, Sebundandi considered that the attacks had increased tension in Bujumbura and terrified the civilian population. In some parts of the city the people had formed vigilante groups to protect the inhabitants. This showed that the people did not believe that the authorities were able to protect them. However, Sebundandi pointed out that the armed forces had made an effort to drive out and suppress the rebels in Bujumbura Rurale. A serious problem was that certain Tutsi groups suspected Hutu groups of supporting the rebels. This situation risked escalating into a violent confrontation between Tutsi and Hutu groups. Sebundandi observed that a certain level of fear was tangible in Bujumbura, as the mere rumour of the presence of rebels could lead people to flee an area in panic. This had recently happened at a market, when a woman had suddenly shouted that there were rebels nearby.

Sebundandi underlined that the conflict in Burundi was more complex than the relationship between Tutsis and Hutus might lead one to believe. There were internal political divisions within the two ethnic groups, which complicated the picture considerably. He also said that the Government's popularity was currently at rock bottom. This was particularly so amongst Hutus, who accused the Government, amongst other things, of lacking the ability to protect the civilian population against attack by rebels and the armed forces, and of failing to develop the economy and banish corruption. Furthermore, some Tutsi groups were unsatisfied with the peace process, and saw recent rebel attacks as a sign of the Government's weakness. Sebundandi saw all these factors together as a serious threat to the peace process in Burundi.

Sebundandi handed over an open letter from ITEKA, dated 12 August 1999. The letter is addressed to the political leadership in Burundi, and expresses ITEKA's concern over developments in the country (Annex 1).

A UN source described the current security situation in Bujumbura as generally bad. He referred to the rebel attacks on markets in Ruzibi and Kanyusha on 11 August 1999, which the armed forces had answered with a major operation, allegedly killing more than 100 civilians, and looting and destroying a large number of houses. The UN Secretary-General had condemned these events.

The UN source also reported that the rebels had attacked Musaga on 20 August 1999 as revenge for the armed forces' attack on Ruzibi and Kanyusha earlier in the month. About 50 people had been

killed in the rebel attack on 20 August, of whom the Government claimed that 20 were rebels. This attack had destabilised the security situation in Bujumbura, and came as a surprise to both the authorities and civilians.

Sebundandi reported that it was not unusual for the rebels to send warning letters before an attack on civilians, to spread terror amongst the population. This had happened, for example, before the attack on Musaga. The suburb of Musaga lies very near several army camps on the edge of southern Bujumbura, and the area is mainly inhabited by Tutsis. In the attack about 30 civilians were killed and about ten houses burned down.

The UN source reported that people in some areas of Bujumbura are now demanding the right to bear weapons, to be able to defend themselves against rebel attack, as they feel that the authorities are unable to protect them. Many civilians are already carrying weapons, which is causing a security problem in Bujumbura. To some extent the city is divided into ethnic areas, and it is now feared that armed civilians might attack one another. This has not yet happened, but some individuals have been killed as a result of tension in the city.

Africa Confidential reported on 27 August 1999 that the leader of the private Tutsi militia *Puissance d'Autodéfense-Amasekyana*, Diomède Rutamucero, had been arrested on 26 July. Rutamucero had defended himself to the authorities by claiming that the civilian population needed to be able to protect itself, as security had deteriorated. The same source also reported that ITEKA had complained on 12 August 1999 that rebel attacks had worsened security in several areas of the country, including the previously peaceful provinces of Rutana and Ruyigi. Earlier in the month Burundi's Minister of Defence had admitted that violence had increased, because of preparations for the forthcoming round of talks in Arusha (AC, Vol. 40, No. 17, 27 August 1999, p. 8).

The UN source also reported that earlier in 1999, i.e. at the end of June and beginning of July, there had been unrest in Bujumbura Rurale. This unrest was because the Arusha talks were under way and the country was preparing to celebrate its independence day. The rebels wanted to show that they were a force to be reckoned with in the country and had carried out a number of attacks in Bujumbura Rurale. The situation was now becoming even more tense because there was great pressure on the Government, both internationally and domestically, to bring the Arusha talks to a conclusion.

The UN source was afraid that the situation would deteriorate yet further if the rebel attacks continued. If there were more armed confrontations between rebels and the armed forces, there was a danger that armed groups of civilians would come into conflict with one another in Bujumbura. He suggested three scenarios: Hutu against Tutsi, Tutsi against Tutsi and Hutu against Hutu.

Summing up, he judged that the population was more frightened than it had been three months previously, despite the Government's claims that it could and would defend the population from rebel attack. The problem was that many people did not believe this. Bujumbura's geographical spread, with suburbs and developments in the hills around the city, close to woods and farming areas, made it difficult to protect all the city's inhabitants and suburbs from sporadic rebel attacks. Nowadays all security questions were coordinated by the armed forces in Bujumbura, but the source emphasised that there was no state of emergency in the capital. He dismissed the idea that there was a risk that the rebels would be able to conquer Bujumbura, but said that they could contribute to a destabilisation of the security situation, thereby giving rise to tension between population groups

in the city.

The UN source had no comment to offer on the risk of a military coup in Burundi, but said that there appeared to be some dissatisfaction with the situation in parts of the armed forces. Some military leaders had already been replaced by others, but it was difficult to get information on internal relations and tensions within the armed forces.

Alexis Sinduhije, a journalist who is the Reuters Bureau correspondent in Bujumbura, found it inconceivable that the rebels might be able to take over Bujumbura. They did not have the necessary resources, and he described the rebels' activities as an "irritant". He described current events as a sort of "second reorganisation of the rebels" provoked by the forthcoming talks in Arusha, which were planned to end shortly, and by developments in the civil war in the DRC. Sinduhije said that the rebels were supported financially by the Governments in the DRC and Zimbabwe.

Despite this external support, Sinduhije pointed out that the rebels were facing a number of serious problems: they lacked funds, had no trained leaders to organise the rebellion and lead the people, and finally they were not guided by any ideology, but just driven on by an emotional, racial hatred. The absolutely central problem in Burundi was what Sinduhije called the "Hutu people's traditional exclusion from power in the country".

1.2. Human rights situation

As an example of the lack of legal security in Burundi, one Western diplomatic source reported that information had just emerged about someone who had been held in prison for three years, merely because he had been out of doors shortly after the night curfew had begun. In prison he had been forgotten, and had only recently been released.

Sinduhije considered that those who fled Burundi nowadays must be seen as economic refugees. There was not civil war in the whole country, and Sinduhije believed that it was safer to live in Bujumbura than for example in Nairobi.

Sebundandi observed that there had been several cases of students in Bujumbura leaving the county to seek asylum. This was done with the aim of studying abroad rather than in Burundi.

Just as during the delegation's earlier visit to Burundi, Sebundandi pointed out that infringements of human rights in Burundi are generally carried out by middle-ranking officials and by low-ranking military personnel. There is a so-called "negative solidarity" amongst those who violate human rights, which means that people in authority such as soldiers cover up for colleagues who have violated human rights. Sebundandi described this as a serious problem in Burundi nowadays.

Sebundandi illustrated the ways in which human rights are violated in Burundi. He pointed out those whose opinions differ from the Government may have grounds to consider themselves unsafe and be in direct danger. This applies whether they are Hutus or Tutsis.

Tutsi journalists risk imprisonment if they criticise Government policy. This also applies to journalists who have divergent views on the question of genocide in Burundi. For example Mukazi, a member of the UPRONA, has been imprisoned on these grounds.

There have also been cases where human rights activists and members of other civilian organisations have been imprisoned for criticising the authorities, for example in connection with corruption scandals or the military situation. This applies to Hutus and Tutsis. There is no open debate on the situation of the army. Sebundandi described this as a taboo subject. He explained that the human rights organisation ITEKA has developed a strategy to ensure that it is seen as an independent organisation, which is not necessarily hostile or directly in opposition to the Government.

Amongst others who might be regarded as at risk of attack are some individuals in the army, including any who know anything about the coup against President Ndadaye in 1993. This lay behind the killing of two officers held in prison about a year ago. They were both killed by military personnel at the prison, who claimed that this had happened during an escape attempt. A third officer has now been released, but has been attacked a total of three times by armed men, possibly belonging to the group which planned the coup against Ndadaye. The soldier is now living under military protection.

There have also been politically motivated murders, which may occur between different factions of the same party. Sebundandi reported that two people who belonged to the moderate Nzoji Bugami group of the FRODEBU had recently been killed by unknown assailants. It was possible that the attackers were linked to ex-President Ntibantunganya's FRODEBU faction, which favours confrontation with Tutsis and their politicians.

The deteriorating security situation in Bujumbura Rurale has also put the authorities on the look-out for individuals suspected of cooperating with the rebels. For example, a Hutu may risk being stopped at a military checkpoint. He will be asked to produce an identity card and if he is unable to do so, he will be asked for a sum of money. If he is not able to pay, he risks arrest, and might "disappear". However, Sebundandi did point out that the threat against Hutus had been considerably reduced since the partnership agreement had been signed. Earlier, many Hutus were believed by the army to support the rebels. This situation might arise again, if the rebels continued their attacks on civilians in Bujumbura. Sebundandi added that there had been many attacks where it was not known who was behind them, and therefore it could be said that in the end everyone was at risk of being attacked.

Legal security was particularly poor, partly because of the number of crimes which went unpunished, corrupt or incompetent judges and a badly functioning legal system. Thus it was relatively easy to bribe a judge, thereby escaping punishment.

Sebundandi considered that the above problems had arisen because the Government in Burundi was not a homogenous or coherent organisation. He illustrated this by describing how the Minister for Human Rights had shown willingness to improve human rights in Burundi, and had criticised the armed forces for their actions. Because of this, the Minister had been threatened by certain forces within the army, which meant that now, to a greater extent than before, he was focusing on mobilising the people to support human rights rather than criticising the Government for human rights violations. However, Sebundandi pointed out that there were many forces in the Government who supported the Minister for Human Rights and his activities. There was not any clear or coherent Government strategy regarding human rights in Burundi. ITEKA itself had experienced

attempts by some parts of the Government to limit its activities.

Sebundandi observed that this problem was reflected in Burundi's administration, where there were also two levels. At the highest level, ITEKA had full support, and the organisation had been given the unrestricted right to carry on with its activities. Lower levels in the administration, i.e. certain circles in the armed forces and in the local administration, clearly had a negative opinion of ITEKA's activities, including its investigations of human rights violations. Sebundandi illustrated this with an example: in one of Bujumbura's suburbs a local authority official had been suspected of making opponents disappear. This had happened about 2 years earlier. ITEKA had investigated the case, but had not yet managed to persuade the authorities to take it up. The official in question was still in his post.

On the positive side, Sebundandi reported that training in human rights for armed forces personnel had now been established. Sebundandi had himself been invited by the senior leadership in the armed forces to carry out this training. The training had taken place without any form of interference from the military leadership or elsewhere. Thus, Sebundandi had been able, without any hindrance, to tell the armed forces about all the human rights violations recorded by ITEKA, which the armed forces lay behind. Sebundandi added that other organisations were also training the armed forces in human rights, including the human rights organisation *Association Nationale pour la Communication et l'Education aux Droits de l'Homme* (ACEDH) and the UN's human rights office, the Office of the High Commissioner for Human Rights (OHCHR) in Bujumbura.

Nowadays there was a strong desire amongst the military leadership to improve soldiers' behaviour in the field. The armed forces were beginning to realise, better than they had done before, that there were other strategies than purely military ones. However, there were still groups within the armed forces which supported a harder line and which sought purely military solutions to Burundi's problems.

2. The situation for ethnically mixed married/cohabiting couples

A political observer in Bujumbura, who wished to remain anonymous, observed that ethnically mixed marriages could lead to problems for the parties involved. The focus on ethnic background was of recent date and had not been prevalent when there had been peace in Burundi. In those days, an individual's ethnic background had not been relevant.

An anonymous Western diplomat also pointed out that ethnically mixed marriages could cause problems for those involved.

Sebundandi commented that ethnically mixed marriages had been a particular problem at the beginning of the crisis in 1994, when ethnic identity was the main factor which people in general used to identify one another. During 1994/95 – when there was ethnic cleansing in Bujumbura – ITEKA had helped many people in mixed marriages to flee the country. The conditions for such people were normally not difficult, but in tense situations (such as in 1994 and 1995) they risked being seen as belonging to one ethnic group or the other, notwithstanding their actual ethnic identity. This meant that those involved could, in principle, have problems both with the ethnic group to which they themselves belonged and with the group to which their spouse belonged.

Sebundandi described how the parties in ethnically mixed marriages might be at risk in crisis situations, for example being suspected by their own ethnic group of sympathising with the other ethnic group.

The political observer and Sebundandi agreed that children of mixed marriages are seen as belonging to their father's ethnic group. The political observer added that the children and the couple themselves could have problems with Tutsi or Hutu extremists. These families risked being harassed and in some cases beaten or killed.

He also observed that sometimes the couple had problems with their own family, which could not accept an ethnically mixed marriage. This lack of acceptance might partly be because the family feared reprisals by extremists from one ethnic group or the other, because of their relative's marriage to someone from the other ethnic group.

The source reported that he knew of cases where the man in a mixed marriage had killed his own wife because of her ethnic background. He added that the authorities are unable to protect people from harassment arising from e.g. mixed marriages. Sebundandi also pointed out that there have been examples of Tutsi women either being sent away or even killed by their Hutu husbands.

As examples of the problems which can arise with mixed marriages, Sebundandi stated that there are areas, particularly working class ones, where people who live in ethnically mixed marriages keep a low profile or even move to other areas to avoid problems. In the countryside the situation is worse, as in Hutu-dominated regions it can be impossible for spouses from different ethnic groups to live together, i.e. Tutsi women are not able to live with their Hutu husbands but have to seek protection in Government-run camps.

Sebundandi observed that people in ethnically mixed marriages had not had problems for that reason in the last two years, but he underlined that the issue might suddenly arise again if tension in Bujumbura increased. He added that this was not a problem at the moment, and explained that both ITEKA and the Government were actively attempting to prevent the revival of ethnic tension in Bujumbura. Generally one could move around freely in Bujumbura irrespective of one's ethnic identity, and Sebundandi considered that reasonable peace and order still prevailed in the city. He said that people in ethnically mixed marriages lived relatively anonymously in central Bujumbura without problems.

It should be noted that during the recent mission, no source raised ethnically mixed marriages as a particular problem. During the mission to Bujumbura in April/May 1999 the delegation asked several sources, including human rights organisations, to identify possible risk groups in the capital, but persons in ethnically mixed marriages were not mentioned in that context.

3. *Passport issue: procedures and the scope for bribery*

Colonel Gérard Cishahayo, Director-General of the *Police de l'Air, des Frontières et des Etrangers* (PAFE), *Ministère de l'Intérieur et de la Sécurité Publique*, stated that all Burundians have the right to a passport. He added that those who have specific plans for a trip abroad generally have

passports issued to them on application. The exceptions are described below.

Colonel Cishahayo explained that the applicant must go in person to the PAFE in Bujumbura, and complete an application form for the issue of a passport (Annex 2). The authority then fills in a blue information card with the applicant's personal details (Annex 3). The office in Bujumbura is the only place in Burundi where a passport application can be submitted. With the application form, the applicant has to produce the following personal documents:

- identity card (issued by the authorities in the district where the applicant lives)
- a certificate of residence confirming the applicant's address
- a declaration by the employer (stating where the applicant works, if applicable). Students have to produce proof of studies.

Colonel Cishahayo made the point, in relation to the heading "occupation" on the passport application form, that there are categories of employment which might require the applicant to produce further documents.

When the application has been submitted with the documents mentioned above, the application is registered by the head of the office where applicants are received in person. He also assesses whether the documents produced are genuine and valid. After the documents have been checked, the application is sent to a second office – the Chancellerie de l'Immigration – where the documents are checked once again, before the application is sent to the office – the Bureau de titres de voyage – which actually issues the passport. Finally, once the passport has been issued, it is sent to the PAFE's Director-General, Colonel Cishahayo, who signs the passport, which is then stamped.

The applicant can then collect his passport from the PAFE. If the applicant is unable to come in person, the passport can be collected by someone else on his behalf, on production of written authority from the applicant.

Colonel Cishahayo explained that the applicant must state a reason for his journey, in order to obtain a passport. He must provide documentary proof that he really is going abroad. On the application form, the applicant must state his departure date and where he will stay abroad. The authorities used to insist that the applicant produce a ticket as proof that he was going abroad, but this is no longer required.

The time taken to process a passport application was stated to be three days in normal circumstances, or even less in urgent cases.

It can take longer to process an application if the authorities have to check the applicant's identity with the authorities in his district, or in cases where the applicant's situation has to be checked with the police. In such cases, the time taken to process the application is at most 2 weeks. This processing time was confirmed by a Western diplomat.

Colonel Cishahayo said that the charge for the issue of a Burundian passport is 5 000 Burundian

francs.

He explained that a Burundian may extend his stay abroad, without this causing problems for him on his return to Burundi. Burundians abroad may apply for passports to be issued or extended at Burundian Embassies. The Embassy involved would check that the necessary documents had been produced and would then send the application to Burundi, where the PAFE would issue the passport and transmit it to the Embassy.

In reply to a question from the delegation, Colonel Cishahayo stated that criminals with a case pending against them were amongst those who could not obtain passports. He also confirmed that young people who had not yet performed their civic service could only obtain passports with the permission of the Ministry of Defence. He stated that an applicant who had not performed his civic service could apply to the Ministry of Defence for its postponement, but added that the applicant must have a good reason for a postponement to be granted.

If appropriate, permission for civic service to be postponed is granted by the Ministry of Defence, which forwards it to the PAFE, which can then issue the passport. Without giving any figures, Colonel Cishahayo observed that he knew of Burundians who had not performed their civic service but who had obtained a postponement and had then received passports. As theoretical examples of when a postponement of civic service might be granted and a passport be issued, he mentioned applicants who had to visit sick relatives abroad, or who had parents abroad, or who had received scholarships to foreign universities.

When asked directly whether a foreigner can obtain a Burundian passport solely on the grounds of marriage to a Burundian citizen, Colonel Cishahayo maintained that this was not possible. He emphasised that only Burundian citizens could obtain Burundian passports. Foreign women married to Burundian citizens automatically received Burundian citizenship, if they renounced their original citizenship.

Asked about the possibility of obtaining a Burundian passport by illegal means, Colonel Cishahayo remarked that there were "rotten apples" in every country. The possibility could not be ruled out that in some cases a passport might be obtained by bribery. He added that employees who took bribes were severely punished. He also pointed out that those applying for passports would be punished if they assumed a false identity. The punishment varied from a fine to a few months in prison.

A political observer in Bujumbura considered that it was particularly difficult for young students to obtain passports in Burundi, since the authorities wanted them to perform their civic service.

Alexis Sinduhije considered that the passport-issuing procedure was very cumbersome. For example, the applicant had to state where he was going to stay abroad, and the reason for his stay. He added that corruption and bribery could not be excluded.

Sinduhije also remarked that he personally knew non-Burundians who were in possession of Burundian passports. He observed that one could therefore conclude that it was possible to buy or bribe one's way to a Burundian passport. He explained that, because of the cumbersome

passport-issuing procedure, obtaining a passport by bribery required a bribe for each of the offices through which the application passed.

He also explained that the Burundian authorities do not allow dual citizenship.

A Western diplomat underlined that it is particularly difficult for foreigners to obtain Burundian citizenship.

Finally, Sinduhije said that three years ago an illegally obtained Burundian passport cost about 50 000 Burundian francs. He did not know the current price, but added that the authorities took the problem of the illegal issue of passports and the sale of unauthorised passports seriously, which was why passport issue had been centralised. The authorities were particularly concerned because they feared that rebels or their sympathisers might be able to get into the capital using illegal passports.

4. *Exit arrangements at Bujumbura airport*

Colonel Cishahayo stated that an exit permit was not required to leave Burundi.

This was confirmed by Alexis Sinduhije, who added that passports are simply endorsed with an exit stamp. He explained that the authorities want to regulate the departure of Burundian citizens, because they fear that Hutus travelling abroad will be recruited by one of the rebel movements fighting the authorities within Burundi's frontiers.

Sinduhije remarked that departure from Bujumbura airport is well controlled, but the checks are not on a European level. However, he considered that it would be impossible to leave by bribing anyone in Bujumbura airport, and underlined that the airport is small. The employees there are not open to bribery, and if the authorities have issued a travel ban or do not want a particular person to leave the country, Sinduhije did not think it would be possible for that person to bribe his way out via Bujumbura airport.

Sinduhije explained that there is a special waiting room called the *Salon d'Honneur* for diplomats and the like in Bujumbura airport. This was confirmed by the delegation's own experiences, as their arrival and departure were via this diplomatic waiting room. Sinduhije added that the practicalities of a diplomat's departure are usually carried out with the assistance of Embassy employees and airport personnel, who deal with check-in etc.

5. *Repatriations*

Sinduhije observed that there have been cases where the authorities in Bujumbura have arrested persons returning voluntarily to Burundi after a stay abroad. This has occurred when the authorities have suspected the person in question of cooperating with or supporting the rebels in Burundi. Such arrests have also been made when the individual has been denounced to the authorities as someone who, for example, has participated in genocide or supported the rebels. Sinduhije believed that the life of anyone arrested on those grounds could be in danger, as legal security in Burundi was very poor.

Sebundandi could confirm that anyone who was known to have participated in rebel activities would generally have problems with the authorities on his return to Burundi. However, he observed that someone who was known by the authorities to have been involved in such activities could nonetheless return home without the risk of being punished. To achieve this, the person involved would have to tell the authorities that he regretted his activities and give information about his rebel colleagues and their activities. Sebundandi underlined that anyone in that position must be regarded as a sort of hostage of the authorities.

With regard to individuals who are to be returned to Burundi, but who do not have passports or any other valid travel document in their possession, Colonel Cishahayo of the PAFE recommended that the Danish authorities should contact the Burundian Embassy in Stockholm in order to establish direct contact with the PAFE in Bujumbura (see section 3 on the issue of passports etc.).

B. Kinshasa, Democratic Republic of the Congo

1. The general security situation in Kinshasa

A source in an international disaster relief agency observed that the situation in Kinshasa had improved over the last year. He stressed that the situation had not been normalised, but was better than it had been.

Another source in a Western aid organisation also considered that the situation in Kinshasa was much better than it had been in August 1998, when ethnic problems had come to the surface as a result of fighting on the outskirts of Kinshasa between rebels and the armed forces.

According to the first source, the rebel forces had advanced so far in August and September 1998 that they really did threaten Kinshasa. Rebel forces had then been about 25 km from the centre of the city. There had been fighting in the outskirts, but the armed forces and particularly the civilian population had succeeded in defending the city. The rebel forces had proved not to be large enough to conquer the city, which covers a wide area and has an estimated population of 6 to 8 million people.

The source said that there is not such serious tension in Kinshasa now as there was in August/September 1998, when various groups were at risk of being suspected of cooperating or sympathising with the rebels. The situation remained unstable, and very difficult to predict. Events could go either way.

He asserted that the recent conclusion of the peace agreement between the rebels and the Government in the DRC – the so-called Lusaka agreement – was fundamental in the sense that any agreement signed by all parties, whatever its deficiencies, was better than an agreement only signed by some of the parties to the conflict.

A source in a Western aid organisation considered that the Lusaka agreement had broad popular support, and support from the political parties, and that it therefore had a chance of bringing about positive developments. He stressed that the agreement was a very positive sign. Before there had been nothing; now there was a peace agreement to which all parties could relate.

A source in an international organisation estimated that the authorities control about one third of the country's territory, with the remaining two-thirds controlled by rebels. He said that the Lusaka agreement had not yet led to any improvement in the general situation in the country. However he considered that Kinshasa could not be regarded as under threat from rebel forces.

2. The risk of persecution for members of political parties and employees of Mobutu's administration, and the situation for ethnic groups

2.1. Members of political parties

An anonymous source in an international organisation observed that the UN Special Rapporteur's forthcoming report on the human rights situation in the Democratic Republic of the Congo (DRC) would very probably be more negative than the Special Rapporteur's report of 8 February 1999. The UN's Special Rapporteur had visited Kinshasa the week before the Danish Immigration Service.

Jean-Joseph Mukendi, Supreme Court lawyer, President of the *Comité de la Défense des Droits de l'Homme* (CDDH) and adviser to the party *Union pour la Démocratie et le Progrès Sociale* (UDPS), said that when President Laurent-Desiré Kabila had assumed power, all activities by political parties had been suspended, and the suspension remained in force. This was confirmed by Marie André Muila Kayembe, Secretary-General of the human rights organisation TOGES NOIRES, *Association Internationale des Avocats et Magistrats Défenseurs des Droits de l'Homme*, and several other sources.

Muila Kayembe expressed concern about the current political situation. He reported that even quite insignificant political activity could provoke arrest, for example the mere discussion of political questions in a group. He added that the length of detention in these cases may vary from a couple of weeks to several months. There had been cases where people had been held for much longer periods.

The UDPS, PALU, FONUS and PDSC political parties

Mukendi observed that to some extent the political parties remained intact, but that they engaged in activities at their own risk. For example the police had raided the office of the *Parti Lumumbiste Unifié* (PALU) the previous week, and members of the UDPS amongst others had been arrested and harassed.

Mukendi drew attention to a new type of suppression of political activists and leaders which had recently arisen. This was the transfer of people who had been arrested in their home town to a prison in Kinshasa, where they did not have any relatives or party colleagues to look after their interests. For example, this had happened to Professor Kambaji from the university of Lubumbashi. He was arrested on 30 July 1999, because he was a member of the UDPS. His family were not informed either of his arrest or his transfer to Kinshasa, and it took his wife a long time to find out exactly where he was. There have been examples of the same type of repression in other parts of the DRC, for example in the town of Kanonga. According to Mukengi, the aim of transferring political prisoners from their home towns to the capital is to limit political activity in the country. During the meeting with Mukende and CDDH representatives, the delegation met professor Kambaji's wife. She stated that the authorities had at no time informed her of the arrest of her husband and that she had received no information about his whereabouts. She had only discovered

this by roundabout means, and had now heard that her husband was ill and needed a doctor. She also said that Amnesty International was aware of the case, and she has asked UNHCR to help her get permission to visit her husband. Mukendi reported that Professor Kambaji had been moved from an official prison to a notorious unofficial prison at 118 Avenue Nguma, Commune de Ngaliétia, in Kinshasa. He described this as one of the places where there was a real danger that the inmates might be tortured. Political prisoners risked being moved there, possibly following a period of detention in a more official prison.

In general, the leaders and prominent members of political parties such as the UDPS, the PALU, the *Forces Novatrices pour l'Union et la Solidarité* (FONUS) and the *Parti Démocrate et Social Chrétien* (PDSC) run a severe risk of imprisonment, torture, or being killed. The leaders of these parties are seen by the authorities as a threat to national security. The reaction of the international community to any attacks on the leaders and prominent members of these parties can have a decisive effect on improving conditions for those concerned.

Mukendi mentioned his own situation. He has been arrested many times. When there is a reaction from abroad and the press takes an interest in the case, his risk of torture is diminished. For other less well-known politicians and activists the risk of being killed, tortured or otherwise attacked is much greater when, as mentioned above, they are transferred from one place to another.

A source in a Western aid organisation, who asked to remain anonymous, said that passive membership of a party or other low-key links with a party such as the UDPS could not in themselves be seen as dangerous, but party political activists risked being detained by the authorities. However, these arrests and detentions were often of short duration, and detainees were generally not tortured "as in some other African countries". This source therefore believed that political activists in Kinshasa were less concerned about being arrested than was the case in many other African countries. He knew of a number of people who had been detained for periods between one and over 100 days. However, by far the majority of these had not been tortured, beaten, or subjected to other forms of violent attack.

Mukendi stressed that the UDPS, FONUS and PALU were always under close observation by the authorities. The President of the UDPS in Lubumbashi had been arrested and transferred to a prison in Kinshasa. The reason for his arrest was that the authorities had found the address of the party leader Etienne Tshisekedi in his house.

A source in an anonymous human rights organisation confirmed that members of the UDPS risked imprisonment, particularly the better known or more prominent members. However, he believed that it was particularly difficult to give an unequivocal answer to this question. There had also been cases of ordinary people with a low profile taking part in a political meeting, or just being seen in connection with a political meeting, and being arrested by the authorities.

A representative of an international organisation could also confirm that even ordinary members of both the UDPS and the PALU have been imprisoned. Some are only detained for a short time, but others have been held for over a year. As recently as the week before the delegation met this source, a number of PALU members had been arrested. The source estimated that the number of higher-profile political prisoners in Kinshasa was fewer than 100. President Kabila still denies that there are political prisoners in the DRC. He repeated this as recently as the visit of UN Special Rapporteur Roberto Garretón to Kinshasa, the week before the delegation arrived. One reason that

the UDPS in particular is under close observation by the authorities, is that its former leader, Crispin Kabassele, is now the leader of the rebel movement *Rassemblement Congolais pour la Démocratie* (RCD) in the town of Goma in the east of the DRC. Kabila therefore sees every UDPS activist as a supporter of the rebels.

The Mobutu party MPR

Mukendi reported that there have been several examples of members of Mobutu's party *Mouvement Populaire de la Révolution* (MPR) and former soldiers in Mobutu's army being tortured or otherwise assaulted and then killed. He said that torture occurs in all the prisons run by the Kabila regime, in the provinces as well as Kinshasa. He was also convinced that torture could be much more severe in the provinces than in the prisons in Kinshasa.

Mukendi reported that during one of his periods of imprisonment, less well-known members of the MPR from the Equateur province had been subjected to severe torture. He had sent a report about this to the UN Special Rapporteur, Roberto Garretón.

Mukendi did not have any information on the arrest of MPR members on purely political grounds since Kabila had assumed power. On the other hand, he could confirm that MPR members had been arrested on the basis of accusations of corruption and fraud involving state finances etc. He added that an ordinary member of the MPR who could not be described as an activist did not risk attack by the authorities if he were to return to the DRC. However, activists and members of parties which were directly opposed to the regime, e.g. the PALU, UDPS and FONUS, were at risk.

According to Mukendi some members of the MPR had been persecuted by the authorities at the start of 1999, but since the end of June or beginning of July 1999 there had been no arrests etc. of its members. The leader of the MPR had returned from exile abroad, and a short time previously the party had obtained official permission to hold a memorial ceremony for the late President Mobutu in Kinshasa. The other parties would never be able to obtain anything of that sort.

A source in an aid organisation from a Western country was able to confirm that the leader of the MPR had returned to Kinshasa from abroad, and that he continued to travel in and out of the DRC without problems from the authorities. However, he emphasised that ordinary MPR activists could risk arrest for their activities. He observed that the MPR was an active party, which amongst other activities published a newspaper. He concluded that it was usual for politically-motivated detentions to be short-lived, although there had also been examples of longer imprisonments of a political nature. He could not exclude the possibility that a party member who had stayed outside the DRC for some time and was now returned home might risk suspicion, for example, of supporting rebel activities there.

The day after the delegation met Mukendi, an anonymous human rights organisation informed us that the organisers of Mobutu's memorial ceremony, i.e. the President of the MPR, Nzuzi wa Mbombo, and party member Omazi Lea Asisi, had just been arrested and questioned by the authorities concerning the ceremony. This was confirmed by a representative of an international organisation who added that the MPR was divided, but that this had no significance for individual members of the party. According to this source, any party member still risked arrest or other persecution.

The source believed that the arrest was politically motivated, but was also surprised by it, as President Kabila had given permission in person for the MPR to hold the ceremony.

Journalists, trade unionists, and other politically/ethnically motivated imprisonment

Muila Kayembe, TOGES NOIRES, reported that some journalists and trade unionists had been imprisoned in the DRC. There had also been cases of harassment and imprisonment for political/ethnic reasons. He had heard that people from the Equateur province, which was Mobutu's home area, and from the two Kasai provinces which were the home of the UDPS leader Etienne Tshisekedi, risked arrest. It is generally known that the population of these provinces does not support Kabila's regime. Generally, the civil war has meant that many people now risk being accused of threatening national security. Even within the Government, there are ongoing examples of vendettas between various politicians.

A source in an anonymous human rights organisation pointed out that since Kabila had assumed power, freedom of expression had gradually diminished. Since August 1998 there had been many arrests and imprisonments, and widespread harassment of those accused of cooperating with the rebels in the east of the DRC. This was a regular occurrence. This situation led to many people trying to leave the country to seek asylum abroad. Many feared being suspected by the authorities of supporting or cooperating with the rebels. This source said that his own family had been the victim of such accusations.

With regard to the situation of Tutsis in Kinshasa, see section 2.5.

Other aspects

A source in an international organisation reported that before the visit of the UN Special Rapporteur to Kinshasa, a list had been sent to President Kabila of people who were secretly being detained by the authorities in Kinshasa. The source remarked that no reply had been received to this complaint.

According to Mukendi, Congolese who had been living in Angola might be suspected of political activity against Kabila's rule. This was because a group of Congolese working against the Mobutu regime had formerly been based in Angola. An example was General Munene, who had obtained a certificate from the UDPS in December 1992 or January 1993 in order to obtain a residence permit in Angola. Munene felt threatened by the Mobutu regime, which he opposed. He had still not returned to the DRC, and was now suspected of working against the current regime there too. Mukendi therefore believed that even those who had lived in Angola before 1993 could be a target for the authorities.

A source in an anonymous human rights organisation explained that there appear to be two groups within the Government: President Kabila's inner circle and another group, whose members may formally have some influence but who do not in fact have the power to affect developments. The Minister for Human Rights was named as an example of the latter group. According to the same source, this Minister is relatively isolated in Government circles and is often in conflict with the Ministers for Justice and for Internal Affairs, for example on questions concerning the release of political prisoners.

A representative of an international disaster relief organisation commented that the DRC's Minister for Human Rights was a respected and trustworthy politician, and referred to the good working relationship his organisation had with the Minister. The Minister was described as open and results-oriented. The source said that the position of the Minister for Human Rights within the Government had strengthened in the last year. He had taken a number of solid, positive steps, e.g. in connection with the departure of Tutsis for the USA and on the question of the right to family reunification abroad. Representatives of a Western aid organisation also described the DRC's Minister for Human Rights as a respected politician.

The source in the international disaster relief organisation believed that fewer people in Kinshasa risked attack etc. than had been the case a year ago. The authorities were showing a greater willingness to cooperate with international organisations than had previously been the case. The Government had accepted the terms of the Geneva Convention regarding repatriation, thereby giving people the chance to be repatriated to Uganda and Rwanda. The authorities had also accepted in principle the right to be reunited with relatives abroad. He concluded that the Government's sense of responsibility had gradually changed for the better, and that the human rights situation in the DRC could not be likened with how things had been a year earlier. At that time, many people had been detained in the conflict between the rebels and the DRC's armed forces and other authorities. That was no longer the case, and the source believed that his organisation now had a good working relationship with the government regarding the solution of these problems.

2.2. Members of human rights organisations

According to Mukendi, the activities of human rights organisations are closely observed by the authorities, who regard discussion of the current human rights situation in Kinshasa as a political activity. As mentioned above, political activities are banned in the DRC.

Muila Kayembe, TOGES NOIRES, said that President Kabila had accused human rights organisations and NGOs generally of working for foreign interests, and Kayembe asked "How can you expect someone who has spent twenty years of his life organising and conducting an armed rebellion against an incumbent regime to suddenly be able to respect human rights and democracy?" He believed that the human rights problems in DRC at present were much as they had been under the former regime.

Mukendi made clear that it is very difficult to carry out human rights work in Kinshasa; two CDDH activists had been arrested in 1997 simply because they had shown a film about Soweto. The police regarded this as political activity, and it had been very difficult for the CDDH to get the two activists released. The situation had not improved since 1997, as the leader of the human rights organisation *Association des Cadres Penitentiars*, Laurent Kantu, had been imprisoned. Kantu was arrested following a speech in which he criticised conditions in Mukala prison, the largest prison in Kinshasa. Kantu has now been in prison for three months, and is accused of threatening national security.

The CDDH was formerly able to teach about democracy and human rights, and in the past has worked with the Danish Centre for Torture Victims. However, that was several years ago, and nowadays conditions are much more difficult in Kinshasa. This means working under very different circumstances from before. The authorities make the organisation's work very difficult. As mentioned above, the authorities regard the work done by human rights organisations as political, and Mukendi has in the past been imprisoned for his activities.

Muila Kayembe, TOGES NOIRES, agreed with the CDDH that it is difficult to work on human rights matters in the DRC. He reported that Paul Sabu and Sabin Banza, activists for the human rights organisation *Ligue des Electeurs*, had been in prison for four months. They were arrested in 1998 after visiting the Belgian Embassy in Kinshasa, where they had received 6 000 US dollars to support the organisation's activities.

Léonie Kabangu, an adviser on women's issues for the CDDH, formerly taught women about democracy and held seminars on women's education etc., but these activities are now limited, and she has to concentrate on straightforward literacy programmes. Kabangu underlined that these programmes are also important, as there are a great number of completely uneducated women in the DRC. She also runs programmes to teach women about family law, as many Congolese women are not aware of their rights. These take place at seven locations in Kinshasa and several in the provinces. Several women's rights groups, battered women's defence groups, and groups on women's rights of inheritance have been established. Many women live without any protection from the law and have no chance of legal assistance.

2.3. Employees of Mobutu's regime

A source in an international organisation remarked that any employee of ex-President Mobutu's administration, including anyone who was employed in the security services and the army, is at risk of being arrested or suspected of subversive activity. Even former Mobutu employees who are now working for President Kabila's administration are at risk and under suspicion.

The source reported that on 15 September 1999 President Kabila called for a national debate on the democratisation of the country. He urged politicians and others to participate openly in this debate and declared that everyone would be able to speak freely. The source did not believe that these pronouncements would really lead to open debate about the political situation in the country, nor that Congolese politicians abroad would be able to return home without problems and participate in the debate.

He also reported that there have been cases of even well-known political personalities, urged to return home by the present Government from their exile abroad, who have taken heed of this call and who have then been arrested by the authorities. For example, General Likulia was arrested by Kabila's security forces in Kinshasa. He was the country's last Prime Minister under Mobutu's rule. Other politicians had also been arrested shortly after their return home.

Mukendi told us that, very soon after Kabila assumed power in May 1997, a large group of military personnel from Mobutu's army were taken to a military camp called Kimtona (Kitona), which was used as a "re-education camp". Some of these military personnel had now been released, but others remained in the camp. Mukendi also stated that a colonel from Mobutu's army had died under torture in prison under the current regime.

Muila Kayembe, TOGES NOIRES, reported that Funka Unzola, formerly Governor of the Bas-Congo province, has been convicted of cooperating with the RCD rebels. When the rebels reached the Bas-Congo province, they asked the Governor to continue his administration, which he did. The Kabila regime then accused the Governor of cooperating with the rebels, and he was sentenced to 15 years' imprisonment and had all his property confiscated. TOGES NOIRES are Funka Unzola's lawyers.

2.4. Prisons and military courts in Kinshasa

There are a large number of more or less official prisons in the DRC. A Western aid organisation, which requested anonymity, estimated that there were about 20 secret or unofficial prisons in Kinshasa alone. Mukendi confirmed the existence of secret prisons.

The security police, the *Agence National de Renseignements* (ANR), has its own forces and prisons in Kinshasa. One of these security forces is called the "GLM", and has its own prison. The President's own security corps, the *Groupe Spéciale de Sécurité Présidentielle* (GSSP), also has its own prison. This force and its prison were called the "DSP" under the Mobutu regime.

Muila Kayembe of TOGES NOIRES said that the GSSP's prison must be regarded as absolutely the most dangerous Kinshasa prison to be detained in. The GSSP has a reputation for torture, and lawyers do not have access to the inmates there. Kayembe added that until recently several political leaders had been held in the GSSP prison, including the leader of the *Union des Socialistes* (UDS) and members of the *Union pour la Démocratie et l'Indépendance* (UDI).

Muila Kayembe also reported that the military court in Kinshasa, called the *Cours d'Ordre Militaire* (COM), was established shortly after Kabila assumed power on 17 May 1997, and both military personnel and civilians had been convicted by it.

The COM has dealt with cases which do not come under its jurisdiction, which is to hear cases where e.g. soldiers and policemen are accused of crimes. The court has dealt with cases of a purely political nature, including infringements of the ban on political activity, and cases of a purely ethnic nature, including cases involving people belonging to ex-President Mobutu's ethnic group. (Report on the situation of human rights in the Democratic Republic of the Congo, submitted by the Special Rapporteur, Mr Roberto Garretón, in accordance with Commission resolution 1998/61, United Nations, Economic and Social Council, 8 February 1999, paragraph 90).

Muila Kayembe reported that Olengankoy, the leader of the FONUS, had been convicted by that court, as had the rebel leader Zahidi Ngom and professors Kalele and François Kabanda, who were both well-known UDPS politicians opposing Kabila's rule.

M. Kapika of the UDPS had been convicted by the COM and served 10 months in Makala prison. Human rights activists have also appeared before the military court. The President of the human rights organisation *Association des Cadres Pénitentiers*, Laurent Kantu, is currently detained in Makala prison, after being held in the ANR prison for about two months. His case is now before the military court, where he stands accused of threatening national security and of treason. His crime consisted of giving an interview to the radio station Voice of America in which he condemned sentences of execution handed down by the military court. He is also accused of sending abroad some photographs of victims of torture.

2.5. Ethnic groups and "foreigners"

The Tutsis in Kinshasa

A source in an anonymous Western aid organisation observed that ethnic identity does not play much of a role in Kinshasa. Kinshasa is a melting pot for all the ethnic groups in the DRC, and members of all of them can be found in the city. The source believed that ethnic conflict arose much less often in Kinshasa than in many other African countries. It was typical that a large proportion of the country's (former) political parties were regionally rather than ethnically based.

The Tutsi population alone had been persecuted on ethnic grounds, and our source believed that a peaceful solution to this conflict would be found, once peace returned to the country. Both the press and sections of the public and some authorities had supported the campaign against the Tutsis in Kinshasa. The ongoing civil war had led to a focus on the Tutsis as an ethnic group. No other ethnic groups in Kinshasa were or had been victims of this sort of witch-hunt. Both Tutsis and

Hutus risked being regarded as "Rwandans" – a description used of the troops from Rwanda, Uganda and partly also from Burundi, which supported the rebels against President Kabila in the eastern provinces.

A source in an international organisation, who wish to remain anonymous, said that the Tutsis in Kinshasa can only be regarded as protected to some extent from attack. The DRC Ministry of Human Rights has now set up camps for Tutsis to protect them from attacks by the rest of the population. The camps have been established under the *Institut National de la Sécurité Sociale* (INSS). Formerly, Tutsis were generally held in Camp Kokola in Kinshasa, but now they have all been moved to the INSS camps. In June 1999, the ICRC repatriated a large number of these Tutsis to Rwanda. Subsequently, it emerged that many Tutsis were living in hiding in Kinshasa. The USA and Belgium offered to take some of these remaining Tutsis. In the first phase, 370 people out of a total of 500 were transported to Benin (which has accepted a 6-month transit period in the country, during which the refugees stay in a UNHCR camp), by two planes from the International Organisation for Migration (IOM). This operation took place on 30 and 31 August 1999. After the transit period, the Tutsi refugees will be resettled in the USA and in Belgium.

The UN's Special Rapporteur wrote in his report of 8 February 1999 that only Belgium has offered asylum to Tutsis from the DRC. The refusal of other countries to do so was allegedly due to an unwillingness to be party to the ethnic cleansing of Tutsis in Kinshasa (UN, Report on the situation of human rights in the Democratic Republic of the Congo, submitted by the Special Rapporteur Mr Roberto Garretón, in accordance with Commission resolution 1998/61, 8 February 1999, paragraph 79).

One result of the offer from the USA and Belgium was that a large number of people who are allegedly Tutsis, and who had previously been in hiding in Kinshasa, have come forward and applied for inclusion in the IOM/UNHCR scheme mentioned above. It is estimated that there are now about 800 people in the INSS camps. Our source estimated that of these 800 people, between 600 and 700 would be entitled to inclusion in the scheme.

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The same source explained that many of these people had stayed in hiding for some time, and that as soon as they appeared in the city they were at risk of attack. Unfortunately, it takes some time for an individual to be recognised by the Ministry of Human Rights as a Tutsi, thereby becoming entitled to live in an INSS camp. This means that many applicants for the INSS camps are at risk of attack while their applications are pending, and until they can take up residence in the camp. Those who have helped to hide Tutsis are also themselves at risk. It was claimed that a Tutsi applicant to the INSS camps is not under any form of protection during the registration period. Some authorities, as well as private citizens, have been known to attack Tutsis.

The source also observed that there was widespread jealousy and hatred towards those Tutsis who had the prospect of obtaining residence in the USA or Belgium. Many non-Tutsis feel that they have been unfairly treated compared with the Tutsis. Authorities and civilians who carry out attacks on the Tutsis are generally not punished. Many Tutsis who seek registration in an INSS camp are seen as lawless.

Finally the source believed that the authorities in Kinshasa do not have the capacity to protect the Tutsis from attack.

Another source in the same organisation stated that there is still a risk that Banyamulenge Tutsis in particular might be detained by the authorities. This is because specifically that group is linked with the rebel RCD movement in eastern Congo. The Banyamulenge leader Ruhimbika Muller once said that President Kabila was worse than Mobutu. He was sentenced to death by a military court in 1998, but fled (UN, Report on the situation of human rights in the Democratic Republic of the Congo, submitted by the Special Rapporteur Mr Roberto Garretón, in accordance with Commission resolution 1998/61, 8 February 1999, paragraph 33).

Muila Kayembe, TOGES NOIRES, also believed that the Tutsis in Kinshasa were hard-pressed, and had reason to feel threatened. They had had a very difficult time because of the civil war. He confirmed that a number of Tutsis were going to leave Kinshasa.

He also observed that when his organisation was approached by Tutsis, he had the impression that they were very afraid. He said this was a psychological problem, as the memory of earlier persecution meant that Tutsis were still fearful for their safety. Many of them did not even dare to leave their houses or hiding places.

He added that, in fact, the situation for Tutsis in Kinshasa had greatly improved, but that because of the prevailing opinion amongst many other Congolese about their physical appearance, they found it difficult to get about without attracting attention. He emphasised that the Government was no longer behind the hate campaign against the Tutsis.

Previously, particularly in the summer of 1998, many members of the Government and the authorities in general "poisoned the minds" of the public with negative comments about so-called "Rwandans", as the Tutsis were called. They were described as "aggressors and foreigners", who did not belong in Kinshasa or anywhere else in the DRC. Just because of their appearance, many were accused of being "Rwandans" or Tutsis, whether or not they were Congolese citizens. Kayembe emphasised that although conditions for these people had greatly improved in Kinshasa, this was not the case in all other parts of the Government-controlled area of the DRC.

Muila Kayembe also considered that ordinary Tutsis should no longer be regarded as in danger in Kinshasa. This was partly because tensions resulting from the civil war near Kinshasa last year had now disappeared. The rebels' attempt to attack and conquer Kinshasa had been the chief reason for the tense relationship between the Tutsis on one side and large sections of the public and authorities in Kinshasa on the other.

A source in an anonymous human rights organisation observed that, at a lower level than the country's top leadership and the Government, the authorities could still find excuses to harass Tutsis and those protecting their interests. He reported that Commandant Yaw Naweji of the army security service (50th brigade), had actually harassed and accosted the Minister for Human Rights over the departure of Tutsis for the USA, for which the Minister is responsible. The source pointed out that Naweji is responsible only to President Kabila.

Human Rights Watch (HRW) reported earlier in the year that on 12 January 1999, the army's 50th brigade had undertaken the round-up of about 35 Tutsis, mostly women. These had sought protection in the Catholic Bethanie Centre in Kinshasa. The soldiers accused them of being rebels or supporting the rebels and threatened to kill one of the Catholic nuns in the centre.

This operation was allegedly carried out without the knowledge of the Minister for Human Rights, who with other members of the Government had earlier arranged for these people to stay in safety in the Catholic centre. The soldiers in Camp Kokola claimed that the detentions had only taken place to protect the Tutsis concerned, but HRW reported that international humanitarian groups and the UN had only had limited access to assist the detained Tutsis (Human Rights Watch, Democratic Republic of Congo, Casualties of War, Civilians, Rule of Law, and Democratic Freedoms, Vol. 11, No 01 (A), February 1999, p. 10).

A source in an international disaster relief organisation observed that in September 1998 many Tutsis had been afraid to leave their hiding places in Kinshasa and show themselves openly in the city. They were particularly afraid of being denounced as rebels. The situation was no longer that bad, and the current climate in Kinshasa could not be compared with that in the summer and autumn of 1998. However, although this was generally the case, there were still individuals who had grounds to feel threatened for political or other reasons, and who must be regarded as at risk of attack.

"Foreigners"

There are population groups other than the Tutsis, which the international organisation mentioned above regards as vulnerable. They include both foreigners and people from other parts of the DRC, who from time to time are described as "foreigners" by the authorities.

People who are believed to be Congolese from Congo-Brazzaville have occasionally been detained by the authorities. There are 8 or 9 of them in the prison run by the security service *Agence Nationale de Renseignements* (ANR), who the authorities have accused of subversive activity. They are all former members of political parties in their home country and were arrested several months ago. They have never been brought before a judge, nor have they heard the charges against them. These people would not be able to go home and live safely in Congo-Brazzaville, if they were to be released, and must be regarded as political refugees who have been illegally detained.

The source also reported that people from Angola's Cabinda province (which is an enclave within Congo-Brazzaville) risked being arrested and accused of subversive activity.

These foreigners are generally arrested because they are suspected and accused of being allied with or supporting the rebels in the east of the DRC. The situation is made worse by the fact that nobody is really clear over who is friend or foe at any one time.

Muila Kayembe, TOGES NOIRES, produced several handwritten notes from inmates in the ANR security service prison in Kinshasa. He said that several of these prisoners are members of the UDPS and PALU, but that Congolese from Congo-Brazzaville and people from Angola's Cabinda province are also being held in the prison. Some of the prisoners have been held for more than one year without being sentenced, and it has not been possible for TOGES NOIRES to get permission to visit the prisoners. However Kayembe reported that the UN Special Rapporteur Roberto Garretón visited the ANR prison on 6 September this year. According to Muila Kayembe some of the prisoners were kept hidden from Garretón, but one result of Garretón's visit to the prison had nonetheless been that 5 prisoners had been released.

3. *Passport issue: procedures and the scope for bribery*

According to the *Direction Générale de Migration* (DGM), applicants have to appear in person to complete a passport application form (Annex 4), and also produce the following:

- 3 passport photographs
- certificate of nationality (issued by the Ministry of Justice) (Annex 5)
- photocopy of identity card (Annex 6, see also section 6)
- declaration by employer/educational institution
- spouse's permission to obtain a passport (only for female applicants)
- father's permission and confirmation of school attendance (only for applicants under the age of 18)
- the applicant must also be fingerprinted.

A Western diplomat reported that an extract from the police record (Annex 7) and a birth certificate (Annex 8) also had to be produced to obtain a passport.

Other documentary requirements can be seen from the passport application form which, inter alia, states that the applicant must produce an extract from the police record.

The application, with all the documents mentioned above, is submitted to the DGM, which registers both the application form and the accompanying documents. Then the whole file is sent on to a "control/verification" office in the Ministry of Internal Affairs. The application with accompanying documents is then returned to the DGM, which enters all the documents in the case on computer, whereupon the file is again returned to the control/verification office in the Ministry of Internal Affairs. If there are no circumstances preventing the issue of a passport to the applicant, the Ministry of Internal Affairs will then issue the passport.

The source pointed out that passports were formerly issued by the Ministry of Foreign Affairs, but that under the new regime the task had been transferred to the Ministry of Internal Affairs. He also mentioned that diplomatic passports, and passports for employees of, for example, the Ministry of Internal Affairs were still issued by the Ministry of Foreign Affairs.

Asked whether a reason for wanting to travel abroad had to be stated in order to obtain a passport, and whether it was in that case necessary to show a ticket, the source replied that this was not required. A reason only has to be given if the applicant requests rapid handling of the passport application.

In response to a question from the delegation, the source replied that the following applicants would not be able to obtain a passport:

- those refused on political grounds
- those with a court case pending against them, for example drug dealers
- those whose Congolese citizenship has been impossible to confirm.

The DGM states that in normal circumstances, a passport application takes about one week to process. The cost of a passport is 236 Congolese francs. Nowadays, within the DRC, passports can only be issued in Kinshasa. The authorities are working on the issue of passports in other towns. Passports can also be issued by DRC Embassies abroad.

The DGM explained that the new DRC passports, which are blue (Annex 9) were introduced in December 1998. Zairean passports are no longer valid, and will be replaced by DRC passports. The old Zairean passports are gradually being recalled, and the holders receive a receipt. The individual then has to produce the required documents, which effectively means reapply, to obtain a DRC passport. The DGM explained that a fresh application was required because, under the former regime, passport issue had been very unregulated. In those days it was possible to obtain a passport by bribery, or to buy a passport.

4. *Exit arrangements at Kinshasa airport*

Asked whether it was possible to leave the DRC illegally, the DGM observed that this was possible in every country, including the DRC. The extent of the DRC's frontiers alone made it impossible to keep a thorough check on all those leaving.

The DGM believed that illegal departure from the DRC via Njili airport in Kinshasa would be particularly difficult. It was very unlikely that it would be possible to get out by bribery. However, there were examples of people trying to travel on forged or altered documents.

The DGM reported that the authorities were currently liberalising the possibilities for departure from the DRC. Initially, the current government had taken over Zaire's stipulation that departure was only possible with an exit permit from the authorities. The requirement for an exit permit was abolished in March 1999. Nowadays departing Congolese citizens just receive an exit stamp in their passports.

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The delegation observed for itself that pre-departure checks at Njili airport in Kinshasa are relatively strict. After a preliminary check at the entrance to the departure hall, at which passports and tickets are shown, there were two further passport checks before reaching the actual check-in desks.

The delegation was then taken to a waiting room, which is the departure lounge for diplomats. Another check on tickets and passports was carried out here before the delegation could board the flight. Passengers are not asked to identify their own luggage before boarding.

With regard to non-diplomatic departures, the delegation could not tell whether there were further control procedures after check-in.

5. Documents

A Western diplomatic source reported that many Congolese still hold identity cards issued by Zaire. This is a green identity card with several leaves. The authorities are currently getting rid of these identity cards and they are therefore often confiscated when produced by the holder. The authorities have not yet introduced a direct equivalent to the old identity card. Nowadays a so-called Impôt Minimum card (Annex 5) is issued, which confirms that its holder has paid the required minimum taxes to the state. For the time being these cards are being used as valid identity cards.

Our source also reported that formerly the authorities often had problems in distributing enough blanks of the old Zairean identity card. It therefore happened, especially in the provinces, that the local authorities re-used these cards, with details previously entered deleted and the new holder's details written over the top, in some cases with a thick ink pen. It was therefore not necessarily a sign of forgery if there were clearly alterations in a Zairean identity card. For a period this was completely normal practice by the authorities, because of a lack of blank cards.

Jean Joseph Mukendi, CDDH, confirmed that employees of Mobutu's security service, the DSP, had identity cards. He also confirmed that membership cards are issued by the UDPS.

An anonymous human rights observer offered the following comments on individual legal documents featuring on a list of descriptions of such documents from the DRC, which the delegation showed to him:

Convocation

A document issued by the *Police Judiciaire*, the criminal police, ordering an individual to present himself to the police.

Comparution

A document ordering someone to appear in court. The document is issued on the basis of a report which is drawn up if an individual has failed to react to 3 summonses. If the individual does not comply with the comparution, then the judge issues a :

Mandat d'amener

A document issued by a judge, empowering the police to bring an individual before the court.

Ordonnance de mise en liberté provisoire

An order for provisional release. A document, issued by a judge or by the public prosecutor (magistrate). The extension of a person's imprisonment must be requested within 5 days. The prisoner can be released provisionally while the case is investigated, if the person concerned is not believed to be a threat to public order, and if he gives an address in Kinshasa. In cases where it is believed that there are reasonable grounds to suspect the prisoner, an "ordonnance de détention préventive" is issued, i.e. an order for preventive detention.

Avis de recherche

A wanted notice: notice that a particular person is being sought. This document bears a photograph of the person being sought.

6. Repatriations

6.1. Forcible repatriation

An anonymous source in an international organisation considered that a refused Congolese asylum applicant, who did not leave voluntarily and was therefore escorted to Kinshasa airport by foreign police, would be arrested on arrival. This was later independently repeated by another source in the same organisation.

The same source believed that such arrests would be made almost without exception, and that the detainee would very probably be imprisoned without the right to see either a judge or a lawyer. He would probably not be informed of any charges made against him.

Mukendi, CDDH, was concerned that refused asylum seekers might be forcibly repatriated to the DRC. He could not recommend repatriations to the DRC in current circumstances and reported that Belgium, Germany, Switzerland and France had previously repatriated refused asylum seekers to the country by force. In all cases, someone who had been escorted home by the authorities from another country, for example the Danish police, would be under suspicion and at risk of persecution by the Congolese authorities.

Mukendi urged the delegation to allow those who needed protection to obtain it in Europe. He added that his organisation would willingly cooperate with the Danish authorities to ensure that it was those who needed protection who received asylum in Denmark.

Muila Kayembe, TOGES NOIRES, reported that during Mobutu's rule, refused asylum seekers had been repatriated from Europe and elsewhere. They were returned by aeroplane in large groups from, for example, Belgium. All were taken away for interrogation immediately after their return, and many were imprisoned. Kayembe knew of no cases of refused asylum seekers being returned to the DRC from Europe since Kabila had assumed power.

Muila Kayembe believed that a UDPS member who had been refused asylum abroad and was returned to the DRC would not necessarily have problems on returning to Kinshasa. However, this depended on whether he was a "known face" or had been accused by anyone after his return of having worked against the regime in the DRC. Kayembe underlined the importance of every asylum case being investigated and assessed on an individual and specific basis. TOGES NOIRES knew that many people left the country to seek asylum abroad. In many cases this was done on false grounds, for example by claiming to be a member of, and politically active in the UDPS.

Kayembe added that if a person was escorted home to Kinshasa by foreign police, he would be arrested on arrival in what was described as the "normal way", and would be questioned. The duration of his detention might depend on the extent to which he was able to bribe the authorities.

6.2. Voluntary return

Mukendi observed that someone returning voluntarily to Kinshasa from abroad, and not resuming his political activities, would not be at risk of persecution by the authorities. A person who was known by the authorities for his activities abroad on behalf of, for example, UDPS, would be at risk of arrest by the authorities and of whatever form of persecution might follow.

A person who had lived abroad and returned to the DRC would generally be more closely observed by the authorities than someone who was already in the country. However, someone returning voluntarily to the DRC might be expected to be reasonably safe from persecution, as long as he avoided all form of party political or similar activity.

According to Kayembe, a person who returned to the DRC while in possession of a valid passport should not have any difficulties on his return, but he emphasised that this was on the assumption that the individual was not being escorted by, for example, foreign policemen. He pointed out that the authorities were fully aware that someone who had lived abroad as an asylum applicant would have money. They regarded such persons as "people with money". If the authorities were convinced that the person involved was an "economic refugee" he would be released without difficulties.

A source in an anonymous human rights organisation considered that when a person arrived in Kinshasa, if the authorities were aware that he had tried to obtain asylum abroad, he would probably be questioned about his stay abroad and his reasons for seeking asylum. Generally, this source did not believe that those who had left Kinshasa and returned home would automatically be suspected of supporting or cooperating with the rebels or any other serious offence. He had himself been questioned about his situation on returning from a conference abroad earlier in the year.

Muila Kayembe offered the cooperation of TOGES NOIRES in helping refused asylum seekers who were to be repatriated to return home safely and without difficulty.

Organisations, authorities and individuals consulted

Anzuruni, Amisi, *Chef de Division Frontière, Ministère des Affaires Intérieures, Kinshasa* [Head of Frontiers Division, Ministry of Internal Affairs, Kinshasa]

Asmany, Mulondelina, *Assistant de Directeur Général de Migration, Ministère des Affaires Intérieures, Kinshasa* [Assistant to the Director-General of Migration, Ministry of Internal Affairs, Kinshasa]

Cishahayo, Gérard, Colonel, *Directeur Général, Police de l'Air, des Frontières et des Etrangers (PAFE), Ministère de l'Intérieur et de la Sécurité Publique, Bujumbura* [Director-General, Air, Border and Aliens' Police, Ministry of the Interior and Public Security, Bujumbura]

A UN source, Bujumbura

An international disaster relief organisation, Kinshasa

An international organisation, Kinshasa

A source in an international organisation, Bujumbura

A human rights organisation, Kinshasa

A political observer, Bujumbura

A representative of an international NGO, Kinshasa

A Western aid organisation, Kinshasa

A Western diplomatic source, Bujumbura

A Western diplomatic source, Kinshasa

Kalambo, Constant, *Chef de Division Police, Ministère des Affaires Intérieures, Kinshasa* [Head of Police Division, Ministry of Internal Affairs, Kinshasa]

Muadiamvita, Kanganga, *Inspecteur National, Direction Général de Migration (DGM), Ministère des Affaires Intérieures, Kinshasa* [National Inspector, Directorate General for Migration (DGM), Ministry of Internal Affairs, Kinshasa]

Muila Kayembe, Marie André, *Secrétaire Général des TOGES NOIRES, Association Internationale des Avocats et Magistrats Défenseurs des Droits de l'Homme, Kinshasa* [Secretary-General of the BLACK TOGAS, International Association of Lawyers and Magistrates Committed to Defending Human Rights, Kinshasa]

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Mukendi, Jean-Joseph, *Président, Comité de la Défense des Droits de l'Homme (CDDH), Avocat près de la Cour Suprême de Justice, Kinshasa* [President, Committee for the Defence of Human Rights, Lawyer at the Supreme Court, Kinshasa]

Sebundandi, Christophe, *Président, La Ligue Burundaise des Droits de l'Homme, (ITEKA), Bujumbura* [President, Burundian Human Rights League ITEKA, Bujumbura]

Sinduhije, Alexis, free-lance journalist, correspondent for the Reuters Bureau, Bujumbura

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Abbreviations

AC	–	Africa Confidential
ACEDH	–	Association Nationale pour la Communication et l'Education aux Droits l'Homme [National Association for Human Rights Education and Communication]
AFDL	–	Alliance des Forces Démocratiques pour la Libération du Congo-Zaire [Alliance of Democratic Forces for the Liberation of Congo-Zaire]
AI	–	Amnesty International
ANR	–	Agence Nationale de Renseignements [National Intelligence Agency]
CDDH	–	Comité de la Défense des Droits de l'Homme [Committee for the Defence of Human Rights]
COM	–	Cours d'Ordre de la Militaire [Court of Military Order]
DGM	–	Direction Général de Migration [Directorate-General for Migration]
DRC	–	Democratic Republic of the Congo
FDD	–	Force pour la Défense de la Démocratie [Force for the Defence of Democracy]
FONUS	–	Forces Novatrices pour l'Union et la Solidarité [Innovative Forces for Union and Solidarity]
FRODEBU	–	Front pour la Démocratie au Burundi [Front for Democracy in Burundi]
GSSP	–	Groupe Speciale de la Sécurité Présidentielle [Special Presidential Security Group]
HRW	–	Human Rights Watch
ICRC	–	International Committee of the Red Cross
INSS	–	Institut National de la Sécurité Sociale [National Social Security Institute]
IOM	–	International Organisation for Migration
MPR	–	Mouvement Populaire de la Révolution [Popular Movement of the Revolution]
NGO	–	Non-governmental organisation
OHCHR	–	Office of the High Commissioner for Human Rights
PAFE	–	Police de l'Air, des Frontières et des Etrangers [Air, Border and Aliens' Police]
PALIPEHUTU	–	Parti de Libération du peuple Hutu [Hutu People's Liberation Party]

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PALU	–	Parti Lumumbiste Unifié [Unified Lumumbist Party]
PDSC		Parti Démocrate et Social Chrétien [Democratic and Social Christian Party]
RCD	–	Rassemblement Congolais pour la Démocratie [Congolese Rally for Democracy]
UDI		Union pour la Démocratie et l'Indépendance [Union for Democracy and Independence]
UDPS		Union pour la Démocratie et le Progrès Social [Union for Democracy and Social Progress]
UDS	–	Union des Socialistes [Socialist Union]
UN	–	United Nations
UNHCR	–	United Nations High Commissioner for Refugees
UPRONA	–	Union pour le Progrès National [Union for National Progress]

List of annexes (not available electronically)

- Annex 1:** Open letter from ITEKA, dated 12 August 1999, Burundi
- Annex 2:** Passport application form, Burundi
- Annex 3:** Information card for personal details, Burundi
- Annex 4:** Passport application form, Democratic Republic of the Congo
- Annex 5:** Certificate of nationality, Democratic Republic of the Congo
- Annex 6:** "Identity card" (Impôt Minimum), Democratic Republic of the Congo
- Annex 7:** Extract from the police record, Democratic Republic of the Congo
- Annex 8:** Birth certificate, Democratic Republic of the Congo
- Annex 9:** Passport, Democratic Republic of the Congo