

Amnesty International - Report - AFR 47/07/99

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Rwanda Public Statement. Response to Criticisms of Amnesty International in the African Rights Report Rwanda: the Insurgency in the Northwest

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Introduction

In September 1998, the London-based non-governmental organization African Rights published a report entitled *Rwanda: The insurgency in the northwest*. The report includes a chapter entitled *Sounding a note of caution: human rights reporting on the insurgency*, which criticizes Amnesty International's reports on the human rights situation in the northwest of Rwanda.

African Rights have criticized Amnesty International's work on Rwanda, as well as that of other organizations, in several earlier reports. Amnesty International chose not to respond publicly to most of these criticisms as it believes that a prolonged public dispute between human rights organizations would not be in the interests of human rights protection in Rwanda or elsewhere.

On this occasion, however, Amnesty International has decided to issue a public statement in view of the more detailed criticisms by African Rights and the interest shown by individuals and organizations around the world in Amnesty International's response.

Attacks on Amnesty International's impartiality and methodology are not new. They have been made in relation to a number of countries by governments whose negative human rights record is being exposed or by organizations who disagree with Amnesty International's exposure. The criticisms by African Rights echo in many respects criticisms made by the current Rwandese Government and its allies, such as claims that Amnesty International's information is inaccurate, that its sources are biased, or that it directly or indirectly supports the perpetrators of the 1994 genocide. Under the previous government of Rwanda, Amnesty International was also criticized for denouncing human rights violations and was accused of being "pro-Tutsi" by officials of the former government.

This statement concentrates on the main points of criticism in the African Rights report. For more detailed information about the human rights situation in Rwanda and Amnesty International's concerns, please refer to the reports listed below.

“Relying upon rumours”?

A section in the African Rights report entitled *Amnesty International: relying upon rumours?* strives to show that Amnesty International's reporting is inaccurate or erroneous. It refers to several cases of killings in Rwanda and contrasts Amnesty International's findings with its own, highlighting contradictions which it claims invalidate Amnesty International's version.

African Rights state that they *have found no evidence to support Amnesty's broad accusations*, referring to Amnesty International's claims about the large number of civilians killed by the Rwandese Patriotic Army (RPA) in 1997 and 1998.

Amnesty International does not make broad accusations. All its reports contain detailed evidence to illustrate patterns of human rights abuses, including names and numbers of victims, wherever available, and the circumstances of specific incidents. In its work on Rwanda, as on other countries, the organization does not rely upon rumours and makes every effort to obtain information and seek confirmation from several independent and credible sources. As a result, many reports of human rights violations received by Amnesty International do not even feature in its public reports.

There are a number of practical obstacles that can render verification of certain events difficult. For example, widespread insecurity or difficulty of access mean that some regions, especially in the northwest of Rwanda, are inaccessible both to national and foreign observers - yet these are often the regions where the most grave and massive violations are reported. Other obstacles to verification of information may include a significant time lapse between when the incident occurred

and when it is eventually reported; biases of witnesses and officials; fear of witnesses to testify to human rights abuses; and contradictory information. This last problem is especially prevalent in countries such as Rwanda where the society is extremely polarized, where human rights is a highly politicized issue and where armed conflict is being waged.

These problems have led Amnesty International to take the unusual step of highlighting the difficulties encountered in investigating human rights abuses in Rwanda. The organization's reports state explicitly when aspects of a case (for example the exact circumstances or the exact number of victims) have been difficult to confirm. In addition, Amnesty International's reports published in 1996, 1997 and 1998 have all included a section dealing specifically with killings where the identity of the perpetrators could not be established.

Despite these difficulties, Amnesty International maintains that the substantial facts of the cases which feature in its reports and the patterns of human rights violations identified in Rwanda are correct.

Amnesty International must fulfill its duty towards the victims of human rights violations and its responsibility as a human rights organization; it must publish information if the testimonies are credible, independently corroborated, and fit the patterns of human rights violations which have been identified. In the face of consistent reports of thousands of unarmed civilians being deliberately killed, Amnesty International does not have the option of remaining silent. Indeed, the option of looking away from unpalatable information, for political or other reasons, leads only to impunity and to the perpetuation of human rights violations, as seen in the case of the genocide in Rwanda in 1994 and the failure to heed the warnings of impending massacres.

Amnesty International's role is to report on human rights abuses it has been able to document, but it cannot and should not play the role of judge and jury on these cases. One of the main objectives of reports by Amnesty International is to urge the authorities of the country concerned to undertake their own investigations to establish the full truth, to bring to justice the perpetrators of these human rights violations and to prevent further violations from taking place.

Questioning “the credibility of the organisation's sources”

African Rights cast doubt on the credibility of Amnesty International's sources, even though they do not know who these sources are. In their presentation of particular cases, they have wrongly assumed that specific individuals or organizations have been sources of information for Amnesty International. For example, they attribute two sources to Amnesty International in relation to particular killings - neither of which happened to be the sources used for these cases. In other cases, they refer to some of the people who provided information to Amnesty International as “politically biased” simply because they are known to be outspoken in denouncing human rights violations or not to be supporters of the government.

Amnesty International obtains its information from a wide range of sources inside and outside Rwanda. They include witnesses of human rights abuses, victims, relatives of victims, private individuals from a variety of backgrounds and members of non- governmental organizations.

Protecting the confidentiality of sources is of supreme importance. In Rwanda, people have been killed for testifying to human rights abuses; others have been killed simply because they witnessed an event. African Rights are explicit about the identity of their own sources - a risk which Amnesty International is not prepared to take for the sake of the witnesses' own security.

In several cases cited by African Rights, most or all the testimonies they present are provided by local officials. As a general rule, Amnesty International would not consider information provided

solely by local officials to be sufficient; it would seek to corroborate their account with other unconnected sources.

It should also be borne in mind that in the climate of fear which prevails in parts of Rwanda, people are often too afraid to speak out about human rights violations by government forces and, for their own security, may prefer to blame abuses on the armed opposition. Fears are especially acute when witnesses are interviewed by representatives of organizations known or perceived to be close to the government, or when organizations carry out investigations in the presence of government or security officials.

Individual cases and specific statements

African Rights question Amnesty International's account of several specific cases. This statement does not seek to go into the detail of these cases, which are described in the reports listed below; however, certain gross errors and misrepresentations must be corrected.

- In October 1997, one of the largest massacres of unarmed civilians was reported at Nyakimana cave in Kanama, Gisenyi, northwestern Rwanda. African Rights question Amnesty International's account of this massacre, simply on the basis of the high number of victims. They claim that Amnesty International *has not named a single victim or given any other details* about this massacre. Yet two Amnesty International reports describe the circumstances of the massacre and one provides the names of some of the victims - see *Rwanda: Civilians trapped in armed conflict* (AFR 47/43/97) and *Rwanda: The hidden violence* (AFR 47/23/98).
- African Rights take issue with some of Amnesty International's statements about the identity of perpetrators of human rights abuses. Several cases are mentioned where Amnesty International stated that the identity of the perpetrators remained unknown or that there were contradictory versions - that some people believed these killings were carried out by the armed opposition and others believed they were carried out by the RPA. African Rights attribute several such cases to the armed opposition and appear to exclude the possibility of a different version of events.

Ultimately, it is very difficult to ascertain beyond doubt who was responsible for some of these killings, for reasons which Amnesty International has explained in its reports. Typically in Rwanda, there are many different versions of an incident, some of them contradictory; it is then up to the human rights investigator to draw conclusions, most often on the basis of existing patterns which have been identified. These patterns may include elements such as the identity of victims, the location, timing, methods and circumstances of an attack, and events which preceded or followed the incident.

African Rights contrast Amnesty International's account of killings at a school in Kibuye in March 1997 with its own, as well as with the account of the UN Human Rights Field Operation (UNHRFOR). Indeed in some cases, Amnesty International and UNHRFOR have come up with different accounts of events. However, in many cases, Amnesty International's accounts of incidents and patterns have been similar to those of UNHRFOR. Amnesty International was among the first non-governmental organizations to draw attention to some of the grave human rights abuses occurring in northwestern Rwanda, as well as in eastern Democratic Republic of Congo - abuses which were sometimes not accepted by international organizations but which were subsequently confirmed in UN and other reports. It is unfortunate that UNHRFOR - one of the few international organizations monitoring the human rights situation in Rwanda - was compelled to leave the country in July 1998 after the UN High Commissioner for Human Rights and the Rwandese Government failed to reach an agreement on the mandate of UNHRFOR; the Rwandese Government had insisted that the functions of monitoring and reporting on the human rights

situation be dropped from UNHRC's mandate.

- The African Rights report comments on the general unavailability of Amnesty International's reports inside Rwanda. It claims that the *few senior government people who have copies [...] have obtained them through their own embassies*. Whenever Amnesty International publishes a report on Rwanda, it sends copies directly to relevant government ministers and other senior officials in the government and security forces. Copies are also sent or given to other officials, non-governmental organizations, journalists and others.
- African Rights comment on Amnesty International's perceived failure to meet local officials in Rwanda. They mention in particular the *préfet* of Gisenyi who states that he was unaware of Amnesty International's visit to Gisenyi in February 1998. Amnesty International delegates who were in Gisenyi in February 1998 made repeated attempts to meet the *préfet* and left messages at his office, but he was unavailable to meet them.
- The African Rights report states that Amnesty International *has never visited Ruhengeri*. This, again, is simply not true. Amnesty International has visited Ruhengeri on several occasions, for example in 1995, 1996 and 1997.

Conclusion

Non-governmental organizations and individuals working on human rights abuses in Rwanda face an extremely challenging task arising from the aftermath of the genocide of 1994, the inability or unwillingness of the international community to prevent massacres and the continuing impunity for many of the perpetrators. Human rights investigators carry out sensitive research in a climate of extreme fear and suspicion, in a very polarized society. This context affects the work of both Rwandese and international organizations, as well as the wider perceptions of their work. In this light it is not surprising that different organizations may produce different accounts of events. Some of these differences may be beneficial to forming a fuller picture of the situation. However, Amnesty International regrets that some organizations, such as African Rights, have gone beyond presenting their version of events and have launched unnecessary attacks on other organizations and individuals who are motivated only by a desire to protect human rights in Rwanda and worldwide.

Further information

Most of the cases in the above-mentioned chapter of the African Rights report can be found in the following Amnesty International reports. Readers are encouraged to refer to these reports for a fuller picture of Amnesty International's human rights concerns in Rwanda.

Rwanda: The hidden violence - "disappearances" and killings continue (June 1998, AFR 47/23/98)

Rwanda: Civilians trapped in armed conflict (December 1997, AFR 47/43/97)

Rwanda: Ending the silence (September 1997, AFR 47/32/97)

Amnesty International has also published a four-page leaflet, *Rwanda: Dealing with the truth* (June 1998, AFR 47/19/98) which summarizes the organization's work on Rwanda.

These and other publications can be obtained from the Amnesty International section in your country or from Amnesty International's International Secretariat, 1 Easton Street, London WC1X 8DJ, United Kingdom.

This report is a 6-page document (AI Index: AFR 47/07/99) issued by Amnesty International in March 1999. Anyone wishing further details or to take action on this issue should consult the full document.