

CLINTON ADMINISTRATION POLICY AND HUMAN RIGHTS IN AFRICA

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INTRODUCTION

The Clinton administration deserves commendation for its recent efforts to develop a fresh approach toward Africa. The continent is finally receiving high-level attention from the U.S. government, including a recent trip by Secretary of State Albright in December 1997 and a historic visit from President Clinton scheduled for the end of March.

The emphasis of the administration's new Africa policy is on trade and security. But neither stability nor economic development can be sustained in the face of new rounds of repression of civil society and political opposition and massacres of civilians, with their attendant refugee flows and humanitarian disaster. The success of the administration's approach will ultimately hinge on the assertive promotion of human rights, democracy and the rule of law.

The Clinton administration has articulated support for human rights, democracy and "good governance" as one of the tenets of its policy in Africa, but this rhetorical commitment has only rarely been translated into practice. Overall, the administration's record on human rights has been disappointing. However, in public statements leading up to President Clinton's trip, senior administration officials have increased the prominence of these issues.

Early into the Clinton administration, key officials announced that Africa would have new importance for U.S. policy. They said that the time had come to establish a "new relationship" with Africa, building on the democratization movements sweeping the continent. The president's first national security advisor, Anthony Lake, was well-known as an Africanist and intentionally chose Africa as the subject of his first speech. In June 1994, President Clinton addressed a White House conference on Africa, calling for greater attention to the entire continent, not just South Africa.

The early promise was cut short by the negative consequences of the U.S. intervention in Somalia. The shadow of Somalia, encapsulated in the image of an American soldier being dragged through the streets of Mogadishu, led the administration to inaction in other crises—most tragically in the face of the genocide in Rwanda in 1994. The failure of the U.S. and other international actors in Rwanda continues to haunt their policies in central and east Africa today.

To its credit, the Clinton administration has been a strong supporter, politically and financially, of the International Criminal Tribunal for Rwanda and its efforts to bring to justice those responsible for the genocide. In December 1997, Secretary of State Madeleine Albright announced an initiative to strengthen national judicial systems, both civilian and military, in the Great Lakes. These efforts to end impunity for human rights abuses—including genocide and crimes against humanity—are fundamental for any future stability in the region.

The administration has recently spoken forcefully about human rights in Africa, but it has not adequately turned the rhetoric into practice. In Rwanda, Secretary of State Albright acknowledged that the international community bore some responsibility for allowing at least half a million people to be slaughtered in the 1994 genocide (though she did not go so far as to acknowledge the U.S. role in those decisions). Albright has taken a strong position against the "resurgent genocide" being carried out by the Hutu insurgency in Rwanda. But the Rwandan military itself is responsible for widespread killing of civilians during its counterinsurgency campaign. Administration officials have not criticized these abuses with sufficient candor and thus risk sending the wrong signal. The need for accountability for human rights abuses extends to all sides.

The Clinton administration has failed to take appropriate action in several key situations, including: the militarization of the Rwandan refugee camps in eastern Zaire (now Congo) beginning in late 1994; the defiant military regime in Nigeria, symbolized by its execution of Ken Saro-Wiwa and the other Ogoni activists in November 1995 and the sham transition to democracy; and Congo, where the new government of Laurent Kabila cracked down on civil society and undermined the U.N. investigation into massacres of Rwandan refugees. Although none of these situations lent themselves to easy solutions, the administration missed important opportunities to integrate the protection of human rights and the rule of law into its policy, and thus lost credibility.

U.S. policy toward Nigeria is a case in point. The administration failed to adequately press the Abacha regime to respect the rights of its citizens. Once the administration was unable to stimulate multilateral sanctions on Nigeria, it retreated into a wait-and-see holding pattern. A drawn-out policy review has apparently been underway for many months, but no conclusion has been announced. There are indications that the administration may be softening its policy toward Nigeria, perhaps in the hopes of gaining better cooperation in the areas of drug enforcement and aviation safety. The paralysis of U.S. policy toward Nigeria is due in part to the administration's tendency to bow to the interests of U.S. oil companies.

The administration has taken a selective approach to human rights, turning a blind eye to abuses in countries considered to be strategically or economically important. Ethiopia, the second largest recipient of U.S. aid in sub-Saharan Africa, continued to be largely immune from U.S. criticism, despite its routine denials of freedom of expression and association. Kabila's Congo provides another example of the administration's reticence to clearly and publicly articulate its human rights concerns for fear of antagonizing the government.

Some administration officials contend that the way to influence developments in these countries is to engage the leadership, not to pressure them publicly. They claim that U.S. policy cannot be "held hostage" to human rights, and that we cannot apply a "cookie cutter" approach to democracy. This implies that Africa should be held to a lesser standard than the rest of the world, and it weakens the position of civil society activists and the political opposition vis-a-vis their own governments. The administration should recognize that respect for human rights and the rule of law is central to stability and economic development. It's not an add-on luxury.

In other parts of the continent, however, the U.S. maintained a stronger human rights and democratization component in its policy. This is especially found in southern Africa, where many of the continent's most positive developments can be seen, due to the benefits flowing from South Africa's transformation to a democratic state and its generally positive relations with its neighbors. The Clinton administration has been actively engaged in the region, forging strong links with President Mandela's government in South Africa, helping secure the consolidation of democracy in Mozambique and Malawi, and working to prevent a return to war in Angola.

There are other instances of the U.S. putting human rights firmly on its agenda. In Burundi, the U.S. is credited with playing a leadership role in international efforts to resolve the civil war, while condemning abuses by all sides. In Kenya, although the administration's policy has varied depending on its ambassador, recent developments indicate that the U.S. is now following a strong line condemning abuses by the Moi government. And in Sudan, the administration has implemented new sanctions against the government, based in part on human rights grounds.

In President Clinton's remarks to the White House Conference on Africa in 1994, he identified many of the aspirations and complexities of U.S. policy in the post Cold War era. He hailed the way Africans were turning away from the failed experiments of the past and embracing new political freedoms, while recognizing that there were still too many nations where tyranny drowned out human rights. The emergence of such courageous movements for democracy and human rights remains one of the most important developments on the continent. Yet despite their growing strength, these activists are increasingly under attack in many parts of Africa, from Nigeria to Congo, from Ethiopia to Angola. The U.S. government often fails to condemn abuses against these activists publicly and relegates them instead to private meetings, where authorities can easily discount their importance and continue their repressive policies.

U.S. influence in Africa goes far beyond the small amount of aid it provides. Washington's political support remains highly valuable to virtually every country on the continent. It is precisely because that support is still so fervently sought that the U.S. should use it wisely, ensuring that its policy in Africa reflects its core commitment to protecting and promoting human rights, democracy and the rule of law.

RECOMMENDATIONS

Human Rights Watch urges the U.S. government to integrate the promotion and protection of human rights into U.S. policy in Africa in the following ways:

- Vigorously and publicly call on governments and rebel forces to respect international human rights and humanitarian law, and ensure that the U.S. position on such abuses is not sacrificed for economic or political expediency.
- Make respect for human rights central to U.S. policy. U.S. aid programs, trade benefits and security assistance should be contingent upon respect for human rights and fundamental freedoms and carefully monitored over time. To this end, articulate clear benchmarks for U.S. aid.
- The performance of governments in investigating and prosecuting alleged abuses must be taken as one measure of its human rights record. The U.S. should support national and international efforts to end impunity and bring violators to justice.
- Support efforts by organizations of civil society to promote human rights standards and monitor their government's compliance. Speak out publicly against governmental actions which encroach upon their ability to operate freely.
- Financial and logistical support by the U.S. for regional peacekeeping initiatives should include human rights training for the regional soldiers. The U.S. should closely monitor respect for human rights by regional forces that they support.
- Under the Clinton administration, the U.S. has increased attention to promoting women's human rights and supported local actions to combat violence against women. Yet supporting women's shelters and trainings will make little difference as long as governments block women victims from obtaining justice, protection and treatment for their injuries. Thus the U.S. should not only offer assistance to African countries to improve women's status, but also press women's human rights, particularly unremedied violence against women, as a priority concern with officials who can end abusive practices.
- The U.S. should call upon African leadership and regional bodies to condemn the use of children under the age of eighteen as soldiers, especially the forced recruitment and abduction of children into armed groups or armed forces.
- The U.S. should immediately pledge never use or to be a party to the use, by governments or opposition forces, of antipersonnel landmines in Africa. The U.S. should join the thirty-eight African governments that have signed the Ottawa Treaty banning all antipersonnel landmines. The U.S. should increase its contribution to mine clearance and mine victim assistance programs in Africa.

HUMAN RIGHTS DEVELOPMENTS AND U.S. POLICY

The following is a summary of human rights developments and U.S. policy during the Clinton administration in selected countries in each region. The selections reflect the predominant trends in U.S. policy in the region.

West Africa

Nigeria

The human rights situation in Nigeria continues to deteriorate. Among the many serious human rights abuses committed by the Nigerian government against its people, the central issue is the denial of the right to choose their own government. Until a degree of democratic accountability is introduced to Nigeria, it is unlikely that any government will begin to address the many other abuses. Yet the current "transition program" supposedly designed to restore Nigeria to civilian elected government on October 1, 1998, is wholly fraudulent. All those who criticize the program or the government are potentially subject to harassment including arbitrary and prolonged detention or even summary or arbitrary execution.

Decrees suspending constitutional rights, allowing detention without charge or trial and criminalizing criticism of the government or its policies, remain in force. The independent press, although one of the strongest in Africa, is under threat, and journalists are frequently harassed, detained or beaten. Meetings and rallies organized by human rights or pro-democracy groups are routinely disrupted by the security services. In Ogoniland and in other oil-producing areas of the Niger delta, police and soldiers respond to any threat of protest against oil companies with arbitrary arrests, beatings, and sometimes killings. Among the most well-known cases of government persecution of perceived opponents are the continued imprisonment of Chief Moshood K.O. Abiola, the presumed winner of the 1993 presidential elections; the 1995 execution of Ken Saro-Wiwa and eight other activists from the Movement for the Survival of the Ogoni People (MOSOP); and the treason charges brought against Wole Soyinka, exiled Nobel Prize winner and outspoken critic of the government.

At the same time, the Nigerian government undermines the rule of law through the use of special tribunals, ouster clauses, and disobedience to court orders, while it commits a range of other human rights violations against its citizens with no apparent political motive. While the establishment of a national human rights commission is welcome, and the commission has made some statements critical of the government, it has yet to intervene in any controversial cases or to criticize the transition program itself. Other supposed reforms announced in recent years, such as a panel to review cases of detention, have yet to be implemented. There is no evidence that the government has the will to halt the flagrant violations committed on a daily basis.

U.S. Policy

While the Clinton administration is fully aware of the range of human rights abuses taking place in Nigeria, the U.S. has failed to take the appropriate measures to put pressure on the Nigerian government to respect human rights, including the right of Nigerian citizens to choose their own government through democratic processes. A number of measures to press Nigeria to respect human rights that have been imposed since 1993 remain in place, including visa restrictions on members of the Nigerian government or security forces. The previous U.S. ambassador to Nigeria, Walter Carrington, also issued strong statements during his tenure condemning military rule and human rights violations.

At various points over the past year, the Clinton administration has indicated that it is reviewing its Nigeria policy. No conclusion has been announced to this review; however, Human Rights Watch is concerned that, although the government has stated that its commitment to human rights and democracy in Nigeria remains firm, the U.S. government may be prepared to make concessions in these areas in return for access to the Nigerian government to discuss "technical" issues relating to drug trafficking and civil aviation. No concrete measures to put further pressure on the Nigerian government to respect human rights have been adopted or proposed by the administration. New U.S. ambassador William Twadell appears to have been making efforts to build bridges with the Nigerian government that Walter Carrington's outspoken stand on human rights was felt to have jeopardized: Nigerian foreign minister Tom Ikimi

has recently referred to a “new lease” in the relationship between Nigeria and the U.S. However, Assistant Secretary of State for African Affairs, Susan Rice, took a tougher line on Nigeria in a March 12, 1998 speech saying that the U.S. would find any military candidate for president unacceptable.

For the fourth time, Nigeria was denied counter-narcotics certification in 1997 under Section 481 of the Foreign Assistance Act (FAA), thus requiring the U.S. to vote against Nigeria in six multilateral development banks, including the International Bank for Reconstruction and Development and the African Development Bank and to refuse all FAA and Arms Control Export Act assistance to Nigeria. Direct flights to Nigeria remain banned due to safety concerns. The Nigerian government has indicated, however, that air links may “soon” be restored; while continuing to rule out the possibility of reinstating British Airways landing rights, with explicit reference to the outspoken position of the British government on human rights and democracy in Nigeria.

The Nigerian government has continued to launder its image in the U.S. with a high profile lobbying campaign, including sponsoring a meeting of the World Conference of Mayors in Abuja in November 1997, attended by many U.S. mayors and by Representative William Jefferson (D-02LA). Human Rights Watch is particularly concerned at reports that prominent Lebanese businessman Gilbert Chagouri, who is based in Nigeria and has close links to General Abacha, was invited to a dinner at the White House in December 1996, after donating U.S.\$460,000 to a voter registration group supported by the Democratic National Committee.

Liberia

On July 19, 1997, Liberia’s seven-year civil war was finally ended through an election that swept former faction leader Charles Taylor into power with 75 percent of the vote. While it is too early to judge the Taylor administration’s human rights record, there have been some worrying developments within Liberia including the death of a prominent Taylor critic and the harassment of journalists. The Clinton administration will need to follow through on to make real its stated commitment to incorporate human rights into its policy toward Liberia.

The civil war exacted a terrible toll: tens of thousands of Liberians were killed, almost half the population was displaced and the country’s infrastructure was virtually destroyed. Despite the presence of regional peacekeepers since 1990, joined by a U.N. military observer mission in 1993, fighting resumed numerous times in the course of the war, and the number of warring factions proliferated over the years. All the factions were responsible for terrorizing the local populations in order to loot and to discourage support for rival factions. The widespread atrocities against civilians included extrajudicial executions; torture, including rape; forced labor; and extortion. The factions consisted predominantly of bands of armed fighters, many as young as ten years old, with no formal military training. Ultimately, over a dozen peace accords and almost twenty cease-fire agreements were signed during the countless negotiations for peace. The repeated breakdown of the peace process could be attributed to a number of factors including: the creation and support of proxy factions by the former government army and regional peacekeepers; the internal factionalization of existing armed groups on ethnic lines; economic incentives for these groups to continue the war; the regional peacekeepers’ lack of adequate leadership, training, and financing; and the failure of the U.N. mission to address the problems in the regional peacekeeping force.

U.S. Policy

After years of supporting the brutal dictatorship of former President Samuel Doe in the 1980s, the U.S. effectively abandoned Liberia once the war began in 1990. Although the U.S. provided significant amounts of humanitarian assistance throughout the war, its political efforts to take responsibility for its policies that had contributed to the Liberian crisis were lacking throughout. Toward the end of 1993, the U.S. began to provide greater support for the peacekeeping efforts of the Economic Community of West African States (ECOMOG) and the United Nations (U.N.). The U.S. provided financing for ECOMOG for the deployment of more troops, equipment, training, and other logistical support. Under its new mantra, “African solutions to African problems,” the Clinton administration was able to avoid expending significant political leverage on Liberia by nominally supporting the West African peacekeeping initiative. Despite the fact that the Clinton administration was well aware of the human rights problems associated with the ECOMOG intervention, including proxy support for certain warring factions that arguably lengthened the war, it

was unwilling to be critical of ECOMOG abuses or condition its aid to the peacekeeping force on respect for human rights.

Beginning in 1994, several State Department officials visited Liberia and publicly expressed greater concern about the reports of gross human rights violations that were occurring—including murder, rape, mutilation and torture. However, by the end of 1996, the Clinton administration began to stem its growing public criticism of the faction leaders in order to support the peace accord that called for elections to be held in 1997.

The Clinton administration deserves credit for not providing unconditional assistance to President Taylor. Moreover, it expressed a commitment to incorporating human rights considerations into its policy toward the new government. Having assisted with the training of 500 police by the International Criminal Investigation Training Assistance Program (ICITAP) for the elections, the U.S. committed to continue assistance to the rebuilding of the Liberian National Police and the Judiciary. However, in September 1997, the U.S. suspended its police training program following the appointment by President Taylor of Joe Tate, who was notorious for his lack of respect for the rule of law as police commissioner under the previous Transitional Government. Through its Agency for International Development (USAID), the Clinton administration developed a plan to participate in Liberia's redevelopment conditioned on a number of stated factors including good governance and human rights.

East and Central Africa

Burundi

Burundi was ruled by the military government of Major Pierre Buyoya, a Tutsi, since his successful coup in 1987 until the democratic elections of 1993. The 1993 elections brought to power President Melchior Ndadaye and his predominately Hutu party, the Front of Burundi Democrats (Front des Démocrates du Burundi, Frodebu). Ndadaye attempted to implement a number of important changes in local government, tried to build a multi-ethnic cabinet coalition and aimed to increase ethnic and regional diversity in the army which was traditionally Tutsi-dominated. In order to prevent these changes, a small group of Tutsi soldiers attempted to seize power in October 1993, executing President Ndadaye and other high-ranking government officials. The coup was ultimately unsuccessful, but led to renewed fighting among Hutu and Tutsi, leaving an estimated 30,000 to 50,000 dead.

In the aftermath of the Ndadaye assassination, the surviving members of his cabinet attempted to reconstitute a new government. The Minister of Agriculture, Cyprien Ntaryamira, was appointed President, but died a few months later in the April 6, 1994, plane crash which also killed his Rwandan counterpart, President Juvénal Habyarimana, and sparked the 1994 Rwandan genocide. His successor Sylvestre Ntibantunganya, another Hutu from Frodebu, was forced to negotiate a Convention of Government with the mainly Tutsi Party of Union for National Progress (Parti de l'Union et du Progrès National, Uprona) and the army which left the government paralyzed and allowed the armed forces to act with relative autonomy. After Ndadaye's assassination, a number of Hutu political leaders went into exile to form a new armed movement. This Hutu dominated movement was named the National Council for the Defense of Democracy (Conseil National pour la Défense de la Démocratie, CNDD) and its armed wing, the Forces for the Defense of Democracy (Forces pour la Défense de la Démocratie, FDD) soon began to operate against military and Tutsi civilian targets in Burundi. Tutsi youth gangs and militias also began to operate, targeting Hutu civilian populations in retaliation for attacks against Tutsi.

The increasing instability and ethnic fighting undermined the Ntibantunganya regime, and by 1996 the government had lost effective control of the country. In July 25, 1996, a military coup unseated President Ntibantunganya and returned former military ruler Major Buyoya to power. Regional governments strongly condemned the coup, and continue to maintain sanctions against the Buyoya regime.

Both sides in the now four-year-old civil war in Burundi have raped, tortured, and killed thousands of civilians and looted and destroyed civilian property. In its campaign against the largely Hutu FDD and other rebel groups, the Tutsi-dominated army has used extensive violence against the majority Hutu population in order to crush support for the rebels. Following the 1996 coup, the military began a program of forced relocation of the Hutu population into

regroupment camps. The regroupment policy was accompanied by ruthless “clean-up” campaigns, in which the army systematically combed the countryside, looting and burning homes and hunting down any remaining civilians who resisted regroupment. Thousands of civilians were killed during the regroupment process.

Hutu rebel groups, such as the FDD, have also targeted civilians. They have engaged in indiscriminate attacks on civilians and summary executions, targeting in particular Tutsi and Hutu whom they consider collaborators. The rebel groups have looted extensively, contributing to famine and poverty in the country.

Talks between the FDD and the Buyoya regime continue, although they have repeatedly broken down, partly because of concerns by the Buyoya regime about the impartiality of the Tanzanian mediator, former President Julius Nyerere.

U.S. Policy

The United States has played a significant leadership role in attempting to resolve the Burundian crisis and condemning abuses by all sides. Former U.S. Ambassador Robert Krueger played an active and courageous role in defending human rights in Burundi, often personally traveling to massacre sites, giving press conferences, and demanding accountability from the Burundian regime. Although then U.S. Ambassador to the U.N. Madeline Albright warned during a visit to Burundi in early 1996 that the U.S. would not recognize any regime installed by force and would work actively to isolate such a regime, the U.S. was reluctant to condemn the 1996 Buyoya coup too harshly. In 1996, the U.S. continued to press for international mediation of the Burundian conflict, and pressed the U.N. to devise contingency plans in preparation for the possibility of further catastrophe in the region. The African Crisis Response Force initiative, launched in September 1996, was largely a response to the continuing crisis in Burundi and aims to establish a regional African peace-keeping force able to mobilize rapidly to areas of conflict.

The U.S. opposed the policy of regroupment, and worked effectively to prevent U.S. funds from being used to build infrastructure in the camps, fearing such financial support would encourage the camps to become permanent fixtures. The U.S. continues to support the mediation effort in Burundi, and has sent a number of high profile delegations to the region to demonstrate support for the talks.

However, the U.S. has not taken a leading role in persuading the Security Council to revive UNICOI, the U.N. International Commission of Inquiry [Rwanda], which had a mandate to investigate arms flows to Rwanda, and to extend its mandate to include Burundi. In addition, the U.S. has been ambivalent about supporting an international arms embargo against both sides to the conflict in Burundi.

The Democratic Republic of Congo (Formerly Zaire)

In mid-May 1997 the rebel Alliance of Democratic Forces for the Liberation of Congo (ADFL) ousted President Mobutu of the then Zaire. The country was already on the verge of collapse after more than three decades of Mobutu's corrupt and repressive regime, characterized by harassment of opposition activists, widespread arbitrary arrest, torture, rape, killings, and looting by military and police. Mobutu had systematically stonewalled a promising transition to democracy during the last seven years of his rule, but the democratic movement and a dynamic civil society managed to survive.

The rebel ADFL army, and the civilian government it formed when it took power, actively obstructed United Nations investigations into the extensive massacres of Rwandan refugees committed by ADFL soldiers and their backers, the Tutsi-dominated Rwandan Patriotic Army, during the war. The refugees were mainly Hutu who had fled to eastern Congo after the 1994 genocide in Rwanda during which at least half a million Tutsi were slaughtered.

Upon conquering Kinshasa, the ADFL disbanded Mobutu's parliament, scrapped the constitution, and appointed its own chairman, Laurent Désiré Kabila, president of the republic with sweeping powers to legislate by decrees and appoint and dismiss ministers and judges. President Kabila promised a transitional agenda that would lead to legislative and presidential elections in two years. The first step in that process was taken in mid-October, with a

decree establishing a commission to draft the new constitution. Participation in the constitutional drafting process, however, was limited to ADFL members.

The new government proceeded to ban all political activities throughout the country other than by the Alliance and asked political parties to dissolve themselves into the ADFL. Those parties who failed to comply, such as the Union for Democracy and Social Progress (UDPS), and the Unified Lumumbist Party (PALU), became the targets of deliberate and systematic attacks. Security forces routinely attacked their headquarters, violently dispersed their peaceful marches, and arrested and tortured their militants. The ban was further reinforced when, on January 17, 1998, the minister of state for the interior threatened to try politicians who challenge it before a special military court. Days after the warning, the court jailed an academic, Prof. Kalele Kabila, and a journalist, Jean-Francois Kabanda, both occupying leading positions in the UDPS, for two years for "propagating false rumors." On February 12, 1998, DRC authorities detained veteran opposition leader Etienne Tshisekedi and sent him to a form of internal exile. Dozens of public summary executions of both military and civilians have been carried out following judgements by the same military court with no guarantees of due process.

To tame the bustling Kinshasa private press, the government multiplied the attacks on the independent journals and editors. Recent incidents include the arrest of ten journalists on November 28 for having attended a press conference by an opposition leader. The ten were taken to a military compound in Kinshasa where they were undressed and given twenty to forty lashes each. In early January, soldiers occupied the offices of *Le Moniteur de L'Economie* and ransacked its equipment and possessions, repeating an identical attack which took place during the previous month on another publication.

The government also sought to intimidate the dynamic nongovernmental sector of developmental and human rights organizations by charging that it was lending cover to politicians interested in impeding the progress of the country.

U.S. Policy

While the Clinton administration generally distanced itself from Mobutu, some U.S. officials, in keeping with the United States' decades of close covert and overt association with him, continued to see Mobutu as an indispensable actor in Central Africa. In an effort to gain Mobutu's cooperation on a range of regional issues, the Clinton administration muted its criticism of his government's human rights record, while promoting a transition to democracy. Nevertheless, the U.S. suspended its economic assistance to Congo in 1991 under statutory provisions prohibiting foreign aid to countries in default on their loans to the U.S. government, and Mobutu and his family were banned from receiving U.S. visas since 1993.

In a July 1997 interview, Rwanda's strongman and minister of defense, Paul Kagame, said he informed the State Department officials in August 1996 that Rwanda was ready to dismantle the refugee camps in eastern Congo if the international community failed to remove them, and, according to him, the U.S. "took decisions to let it happen." The U.S. subsequently criticized the ADFL for the reported large-scale abuses in areas under its control and said it would condition any future resumption of economic aid on the country's cooperation with the U.N.'s investigation into the massacres of civilians.

Despite this pledge, the U.S. continued to cling to a policy of engagement toward the new government. This was particularly evident during Secretary of State Madeleine Albright's visit to the DRC in December 1997, during which she did not reach out to the democratic opposition and civil society groups. Special presidential envoy for democracy in Africa, Rev. Jesse Jackson, departed from this practice when he met with opposition and civil society leaders during his visit to the country in February 1998. His willingness to listen to voices outside the government drew the anger of the DRC president and his foreign minister, who declined to meet with him.

While extending extensive diplomatic and political support to the DRC government, the U.S. proved less engaged economically due to legislative constraints on its initiatives. The Clinton administration disbursed a limited

assistance package of \$8 million during 1997, in grants to immunization programs, NGO assistance, and to the reform of the legal system. In December 1997, the U.S. made a \$10 million pledge to contribute to a World Bank trust fund for Congo. During her visit to Kinshasa in December, Secretary Albright promised that the administration would seek congressional approval for an additional \$35-\$40 for fiscal year 1998 for health and fiscal support.

Ethiopia

In May 1991, the governing Ethiopian People's Revolutionary Democratic Front (EPRDF) overthrew the former military government, the Derg, ending almost a decade of a devastating civil war. The EPRDF is a coalition of ethnically-based liberation fronts, which the Tigrean People Liberation Front (TPLF) had formed during the war, and continues to dominate to this day.

The EPRDF allowed the formation of opposition political parties which advocated views it did not share. But the EPRDF retained control over the transitional period and the political process. It sponsored sixteen parties, which it called People's Democratic Organizations (PDO), each based on the dominant ethnic groups in the various regions, and allied itself with other regional fronts and movements. This strategy ensured a quasi-monopoly of power by the EPRDF and its allied or satellite parties in both regional and federal assemblies following a series of elections from 1992 to 1995 that major opposition groups boycotted, charging, with validity, that the vote was not fair. The dominant role of the EPRDF in the legislative and executive bodies of the state continued in the elected parliament and the new federal government established in August 1995.

A fundamental principle of the public platform of the EPRDF was that the liberalization of the economy and the introduction of political pluralism would help bring about economic prosperity and political stability in the war-torn and poverty-ridden country. Ethiopia enjoyed significant donor support, which allowed it to attain impressive economic performances. The government's record in instituting genuine political pluralism and participation, however, was less positive.

The Ethiopian government routinely cracks down on dissenting journalists in the private media. The presence of opposition parties is limited to the capital where they are kept under tight watch. The government reins in non-governmental organizations and labor associations. In May 1997 a union leader who was also board member of a leading human rights monitoring group was shot and killed by the police who later accused him of involvement in unspecified terrorist plots. In late 1997, seven board members of the Ethiopian Human Rights League, a monitoring group of recent formation, were arrested and charged with arms stockpiling, involvement in bombing and support of the OLF. In rural areas, the government detains thousands of suspected militants of separatist groups in the Afar, Oromiya and Somali regions without charges and subjects many to ill-treatment and torture.

U.S. Policy

The U.S. continues to maintain a public silence before these human rights problems while bilateral donors and international financial institutions continue to extend substantial support the Ethiopian government's economic reform program in the form of loans, grants and debt relief amounting to some \$800 million annually. Ethiopia's role as a strategic ally of the U.S. in a region marked by instability appear to have succeeded in muting criticism of the government's human rights record. For example, while signaling serious problem areas in the government's practices, the annual the Department of State's *Country Reports on Human Rights Practices* for 1997, the U.S. failed to draw the conclusion of the government's overall responsibility for rampant human rights abuses committed by its agents throughout the country. The government's hostile and dismissive reaction to comments critical of its rights record made by the former Secretary of State Warren Christopher during an official visit appear to have contributed to Secretary Albright's decision to avoid raising human rights concerns publicly during her visit to Ethiopia in December 1997.

Kenya

Since the Clinton administration came into office, human rights violations have been a constant feature of the government of President Daniel arap Moi. President Moi has responded to calls for political liberalization and the rule of law with a combination of recalcitrance and heavy-handed brutality, all the while making empty promises to bring

about change. When the Clinton administration took office in 1993, the country had just emerged from its first multiparty elections. The 1992 elections were marked by irregularities and the displacement of some 300,000 people from ethnic groups perceived to have supported the political opposition (many of whom remain displaced to date). The "ethnic" violence was instigated by the government after it was forced to concede to demands for a multiparty system. Following the election, the Moi government continued to consolidate its position through overt harassment and intimidation of the political opposition, the independent media, human rights groups, and ethnic groups perceived to support the opposition. The government also exercised control over all government institutions, particularly the judiciary and the treasury in order to reward government supporters and to punish critics.

Levels of violence steadily rose particularly during the 1997 election year. The crisis was precipitated by the government's refusal to enact previously promised reforms to allow genuine political liberalization. Throughout 1997, measures to restrict the activities of the political opposition and to undermine national voter registration continued making a free and fair election impossible. By mid-1997, a pro-democracy alliance made up of the political opposition, religious, and human rights groups, called for the repeal of laws that allowed Moi to manipulate the political system to his advantage. Peaceful rallies and strikes called by this alliance were repeatedly met with force. During the course of the dispersals, protesters were shot at point-blank range and police even stormed the Anglican Cathedral to end a prayer meeting. Following international and national pressure, President Moi ordered police to stop using force against the non-violent protesters and promised constitutional reforms to address the absolute executive powers. These efforts have yet to translate into meaningful change, much like similar reforms promised before the last election.

Other endemic human rights problems include dismal prison conditions, the lack of academic freedom, abuses against street children, and police brutality. Kenya's universities continue to be a target of police intimidation. Four students have been killed since late 1996 and student leaders continue to express fear for their lives.

Another major issue of concern is the violence that broke out at the Coast Province in 1997 and in the Rift Valley Province in January 1998. These attacks mirrored the past bouts of "ethnic" violence that had taken place in the Rift Valley in the early 1990s. In January 1998, groups armed with bows, arrows, pangas and AK47s attacked predominantly Kikuyu homes in the Rift Valley Province. These attacks were followed by retaliatory attacks by Kikuyus on Kalenjin and Maasai. The violence left some 100 dead and an estimated 1,000 displaced. Although there is no direct proof of government involvement, there is a strong suspicion that government officials are behind the attacks. The recent violence took place in areas that had voted for the opposition and it is believed that this violence is meant as a punishment to the residents and as a warning for the future.

U.S. Policy

The Clinton administration's response to the systematic violations by the Moi government has varied depending on the importance accorded to human rights by the ambassador at the time, underlying the lack of a consistent policy commitment to human rights. Having taken a lead role in supporting human rights and the movement toward multiparty democracy during the tenure of Ambassador Smith Hempstone until 1993, U.S. influence in the democratization process diminished significantly under his successor Ambassador Aurelia Brazeal. During Ambassador Brazeal's tenure, the U.S. became less outspoken on human rights and appeared unwilling to take the lead to press for multilateral donor action. This position has notably changed since the current ambassador Prudence Bushnell took office in September 1996. In the past year and a half, the U.S. has adopted a notably more firm and public stand on human rights in both bilateral and multilateral settings. The Embassy in Kenya and the State Department have issued strongly-worded statements condemning government repression, police brutality and election irregularities. In August 1997, Ambassador Bushnell stated unequivocally that "the U.S. will not be a silent witness to human rights abuses." In February 1998, Rev. Jesse Jackson, special presidential envoy for promoting democracy in Africa, spoke out strongly about ethnic violence in the Rift Valley, supported civil society and endorsed the legitimacy of the political opposition. U.S. aid to Kenya is currently allocated almost entirely to nongovernmental organizations.

Rwanda

On April 6, 1994, Hutu extremists launched a campaign of genocide against the Tutsi, after the assassination of President Juvenal Habyarimana. The assassination triggered the massacres, but the campaign to eliminate the Tutsi had been planned for months as a way to upset a peace agreement that reduced the extremists' hold over power. The international community beat a hasty retreat from the killing fields, where between one half million and one million persons were slaughtered before mid-July. The failure of the international community to respond continues to haunt its relations with Rwanda, as well as with other countries in the region.

Over a million Rwandans lived in exile in DRC after having fled the victory of the Rwandan Patriotic Front and the establishment of the current government in 1994. Although most people in the camps were noncombatants, tens of thousands of others were soldiers, militia, and civilian authorities responsible for the genocide. Nourished by the international community and shielded by the massive civilian population which they manipulated for their own interests, the leaders of the former government and Rwandan Armed Forces (Forces Armées Rwandaises, FAR) used the camps to regroup, rearm and launch incursions into Rwanda. The international community preferred to pay the high cost of upkeep for the camps, one million dollars a day at one point, to the costs—financial, military and political—of separating genuine refugees from military and others who had no right to this status.

In late 1996, the Rwandan government sent its soldiers across the border into eastern DRC to empty camps. Some 600,000 Rwandans returned home. While many were glad to be free of the control of the former authorities, others were forcibly repatriated, which is prohibited by international law. Still others fled west and northwest, some of them forced to accompany the retreating ex-FAR and militia. In the months that followed, Rwandan troops and their Congolese allies chased down camp residents who fled west across DRC, killing thousands of noncombatants as well as the soldiers and militia accompanying them.

The insurgents, based primarily in Rwanda after the camps were closed, have killed civilians by the hundreds as well as attacking government soldiers. With no publicly acknowledged political leadership, they escaped sanction by the international community, whose one effort to halt their violence—an arms embargo imposed in 1994—was poorly enforced. Insurgents have particularly attacked genocide survivors and other Tutsi, indicating an intent to continue the 1994 genocide and to eliminate witnesses who could testify about the earlier slaughter.

The government responded to attacks with an excessive and indiscriminate use of force, killing thousands of unarmed civilians in the course of military operations. In several particularly egregious cases of military abuses, the government has brought officers to trial, but in all except the most recent case, the accused have been acquitted of all serious charges and only minimally punished for lesser crimes.

Against the backdrop of increasing violence by both the government and the insurgents, the beginning of trials for genocide at the end of 1996 offered some hope. The first trials failed to meet international standards in several respects, most importantly because the accused had no legal representation. The conduct of trials improved in 1997, although not uniformly. With the massive return of Rwandans from abroad, military and administrative officials once more began making arrests without legal authority to do so and without following legal procedure, thus reviving practices that had diminished in 1996 with the improved functioning of the judicial system. They also began once more holding detainees in irregular places of detention. By March 1998, more than 130,000 persons were held in inhumane conditions, crammed into prisons and communal jails meant to house a fraction of that number.

U.S. Policy

The U.S. is reluctant to publicly criticize the Rwandan government, preferring to overlook or excuse abuses as a cost of rebuilding a nation shattered by genocide or accepting without challenge official denials of responsibility. U.S. embassy staff in Kigali maintained that they raised such issues privately with Rwandan authorities, but given its standing as the most important foreign supporter of the Rwandan government, the U.S. has not sufficiently used its leverage to press for human rights improvements.

U.S. military assistance, though relatively small, is politically significant, and attracted attention because of human rights violations by RPA soldiers both in Rwanda and in DRC. At a congressional hearing in December 1996, Assistant Secretary of Defense Vincent Kern asserted that the U.S. provided the “softer, kinder, gentler” kind of military training, with an emphasis on human rights issues, civil-military relations, and leadership training. In August 1997, however, the Department of Defense reported having provided one course that taught combat skills as marksmanship in the months just before the DRC operation.

In December 1997, Secretary of State Madeleine Albright acknowledged that the international community bore some responsibility for allowing at least half a million people to be slaughtered in the 1994 genocide, although she did not go so far as to acknowledge the U.S. role in those decisions. To show that the U.S. will not again stand by in the face of genocide, it has taken a strong position against the “resurgent genocide” in Rwanda being carried out by the Hutu insurgency.

The U.S. may soon seek security assistance for the Rwandan military to help the Rwandan military to combat the insurgents. Before granting any such assistance, the U.S. should insist that the Rwandan government end the routine killing of civilians during its counterinsurgency campaign, and put on trial officers accused of such massacres.

During her December trip, Secretary Albright announced a new justice initiative for the Great Lakes. The administration is seeking \$25 million in assistance to Rwanda, eastern Congo and Burundi in part to train judicial and police officials. The program should be used to enhance the capacity of the military justice system to prosecute those soldiers accused of major massacres of civilians. The administration’s program for both military and civilian justice holds great promise, but its implementation should be closely monitored to ensure that Rwandans use the funds in part to investigate and prosecute those responsible for atrocities.

The U.S. remains a key supporter of the International Criminal Tribunal for Rwanda, (ICTR), both financially and politically. In addition to \$26.6 million in assessed contributions, the U.S. has made voluntary contributions in cash, personnel and equipment amounting to \$4.3 million.

Sudan

As a result of the civil war that started in 1983, and the military coup that replaced an elected government with a militant Islamist party (the National Islamic Front) in 1989, human rights conditions have deteriorated. The frequent journalistic shorthand for the war, as a war by the Arab Muslim north against the southern African Christian and animist south, is wrong, since the situation is more complex: southerners are fighting southerners; Arab Muslim northerners are fighting each other; there are Christians on both sides; and southerners are not animists but believers in traditional African religions. The war is fought in the central Nuba Mountains and in the Muslim east as well as in the south. Nevertheless, the brunt of the war has fallen on the southern African population.

Sudan also plays a destabilizing role in the subregion. According to studies by UNICEF, Human Rights Watch, Amnesty International, and World Vision, the Sudan government has backed the Lord’s Resistance Army (LRA), the Ugandan rebels who kidnap and torture Ugandan children, some as young as eight. Those not murdered are conscripted into the LRA, and trained inside Sudan.

There has been a resurgence in slavery since the war erupted in 1983. The prior government and the current government have armed Arabized tribal militias to raid their Dinka neighbors as a form of counterinsurgency proxy warfare, because the Dinka are believed to be Sudan People’s Liberation Army (SPLA) supporters. Raiders loot and burn cattle and grain, and take women and children to work as forced unpaid labor in their households and fields, or to sell informally. Many are beaten and sexually abused; some girls have been subjected to the non-southern custom of female genital mutilation. The government denies allegations of slavery but has refused to consider a program of help as suggested by Human Rights Watch with the assistance of international agencies such as the International Committee of the Red Cross and UNICEF to set up mechanisms to search for kidnaped Sudanese children and women and reunite them with their families.

The government has engaged in a cruel policy of ethnic divide and rule in the south, arming some rebel factions to fight the SPLA. At the same time the SPLA has opened itself up to this manipulation, by failing to respect the human rights of civilians in areas it controls. The SPLA removed the commander of troops guilty of pillaging, raping and summarily executing civilians in the wake of the SPLA capture of Yei in southern Sudan in March 1997, but—aside from a few cases—impunity reigned. Some SPLA areas reported forced conscription of boys and theft of civilian food.

Government forces pulled women university students “improperly dressed” from their bus, tried them in a “public order” court, and flogged them in the same day in August 1997. Although a government minister claimed in November 1997 that four prostitutes had been sentenced to death, after international protests the government said in February 1998 that two were convicted of adultery and two were on trial for murder, with no imminent executions.

In 1997, as in prior years, Christian facilities were bulldozed for “urban renewal” in Khartoum, without compensation. Although construction permits for new mosques were routinely granted, no construction permits for churches were granted, though many makeshift churches were set up anyway.

Although the government recently declared that it would allow limited forms of free association and speech after a nine-year ban on political parties, judging by recent arrests of dissidents, the new policy may not amount to much. Attorney Ghazi Suleiman was arrested in January 1998 after, as head of the opposition slate in December 1997 bar association elections, he denounced government tampering with the election results which gave the pro-government Islamist slate a victory.

U.S. Policy

Since early 1996, the U.S. Embassy in Khartoum has remained open but no U.S. citizen diplomatic personnel reside in Sudan as a sign of security concerns and diplomatic displeasure. The diplomats have been relocated to Nairobi, and return to Sudan for visits. A U.S. State Department human rights official presented human rights concerns to the Sudan government and, separately, to the SPLA in mid-1997.

In November 1997, President Clinton issued an executive order prohibiting U.S. citizens and businesses from doing business with Sudan. These sanctions were justified in part on human rights grounds. Other U.S. sanctions, required by U.S. law on account of the military coup that overthrew the elected government in 1989 and the State Department's 1993 finding that Sudan supported terrorism, remain in force on Sudan. Humanitarian aid, however, continues.

The U.S. is providing U.S. \$20 million in surplus military equipment to Eritrea, Ethiopia and Uganda, for defensive purposes (referring to the government of Sudan's purported support for rebel forces from each of those countries).

Secretary of State Madeleine Albright met with the leadership of the armed opposition, the National Democratic Alliance, during her visit to Uganda in late 1997, and emphasized U.S. dissatisfaction with the government in Khartoum. However, she did not criticize their responsibility for abuses against civilians in the areas under their control.

Uganda

President Yoweri Museveni took power in 1986 with a promise to re-establish the rule of law and respect for human rights in Uganda, after years of brutality and tremendous loss of life under the regimes of Idi Amin and Milton Obote. While Museveni has made significant strides in making these promises into reality, human rights abuses remain common in Uganda.

President Museveni rules the country through the “no-party movement” system of government, which is based on the premise that Uganda is not suitable for multi-party democracy since political parties cause ethnic division and strife. The constitution places limits on political parties, allowing them to exist in name but prohibiting them from

opening or operating branch offices, holding party conferences or public rallies, sponsoring or endorsing candidates, and "carrying on any activities that may interfere with the movement political system." In 1999, the constitution mandates the holding of a referendum aimed at permanently entrenching the no-party system.

The Ugandan government has been fighting a rebel group, the Lord's Resistance Army (LRA), which has carried out civilian massacres, mutilations, and torture, and abducts children to be used as child soldiers or for sexual exploitation. A new rebel movement, the Allied Democratic Forces (ADF) is fighting in the Western region and is using similar tactics, brutalizing civilians and carrying massacres. Both rebel movements attempt to sow terror among local populations. The Uganda government encouraged civilians to leave their homesteads and move to "protected camps" in close proximity to military bases but where conditions were poor. In Western Uganda, a similar humanitarian crisis was developing due to fighting between the Ugandan military and the ADF.

U.S. Policy

Under former Ambassador Michael Southwick, the U.S. raised human rights concerns with the Uganda government. On his departure, Southwick criticized President Museveni for aiming to consolidate power in the hands of one group indefinitely, called into question the "free and fair" character of the 1996 elections and expressed U.S. opposition to the 1999 referendum. However, the Clinton administration has recently moved closer to the Museveni position, viewing him as a key ally in the containment of militant Islam in Sudan, a regional power broker, and a reliable ally. In the process, the U.S. administration has refrained from criticism of Ugandan human rights practices. Secretary of State Madeline Albright avoided controversial questions about Uganda's human rights practices during her visit in December 1997, but spoke out strongly against LRA abuses. She also met with SPLA leaders in Kampala.

Southern Africa

Angola

The Clinton administration came to power when Angola had returned to a new civil war following U.N. supervised multiparty elections in September 1992. Jonas Savimbi, the rebel National Union for Total Independence of Angola (UNITA) leader rejected the results because he was losing and the country quickly slipped back into a new civil war in which appalling levels of death and destruction were in large part consequences of the widespread and systematic violations of laws of war.

Both the government and the UNITA rebels have been responsible for these violations. In particular, indiscriminate shelling of besieged cities by UNITA resulted in massive destruction of property and the death of untold numbers of civilians. Indiscriminate bombing by the government took a high civilian toll. The U.N. reported that as many as 1,000 people were dying daily between May and October 1993, more than in any other conflict in the world at that time.

Both sides finally signed the Lusaka cease-fire protocol on November 20, 1994. The Protocol provided for a cease-fire, the integration of UNITA generals into the government's arms forces, demobilization (later amended to demilitarization) under U.N. supervision and the repatriation of mercenaries. The major political issues included provisions for reconciliation between the parties, including power-sharing and access to positions of power and patronage. In May 1996, the National Assembly formally approved an amnesty law for all human rights abuses committed between May 31, 1991 and May 8, 1996: the sixth Amnesty Law passed by Angola's parliament since 1981. Despite the Protocol and amnesty, localized fighting continued between 1995 and 1998 and Angola remained in an open-ended transition from a single-party state in a state of war to multiparty democracy. The government, dominated by the Movement for the Popular Liberation of Angola (MPLA), and UNITA restricted freedom of movement, arbitrarily abducted or detained civilians and intimidated journalists. Both sides violated cease-fire agreements: indiscriminate attacks on civilians were a persistent feature of military operations.

The peace process has been marked by repeated delays, foot-dragging and violations. UNITA has tried to retain hidden armies and large amounts of weapons. It has also consistently broken a U.N. embargo on new supplies of weapons and fuel to it. On October 29, 1997, the U.N. imposed a new package of sanctions on UNITA. These included

freezing UNITA bank accounts, blocking foreign travel of its officials and closing its offices abroad. The handing back of areas held by UNITA to the government has also been at a snails pace and a number of important locations, such as Andulo and Bailundo remain to be handed over.

The government has since the Lusaka Protocol broken the spirit of the agreement and a number of Security Council Resolutions by importing new weapons. The hiding of significant arms payments from the budget, including paying off older loans, defied the transparency required by the International Monetary Fund to secure an agreement leading to much needed debt rescheduling under the Paris Club.

U.S. Policy

With the exception of the official recognition of the MPLA government in 1993, U.S. policy under the Clinton administration initially changed little from that of the end of the Bush administration. The U.S. pursued a wait and see strategy, with little effort made to try and end the carnage or draw attention to it. After the Lusaka Protocol was signed in November 1994, the central focus of U.S. policy in Angola remained its implementation and the avoidance of a return to conflict. A large number of senior U.S. officials visited Angola in 1996 and 1997, indicating that Angola had become one of the administration's Africa priorities. One reason for the focus on Angola is that the U.S. is Angola's largest trading partner, purchasing over 50 percent of its oil exports, some six percent of global U.S. imports. The U.S. also contributes some 30 percent of the U.N.'s running costs in Angola and some 50 percent of the costs of relief operations.

In 1997, a series of demarches were presented to the Angolan government over its involvement in the Democratic Republic of Congo and in October over intersection in Congo-Brazzaville. UNITA also received a number of demarches about its foot-dragging and noncompliance with the conditions of the Lusaka Protocols.

The administration's human rights policy towards Angola has been mixed. The U.S. embassy in Luanda has made some efforts to support local initiatives and raise the profile of rights protection. However, the U.S. envoy, Paul Hare, argued that rights protection are subservient to peace and should only be pushed once the peace process is on firm footing. He also strongly advocated full impunity for abuses that occurred during the war.

Mozambique

When the Clinton administration came to office in 1993, Mozambique was in a UN supported transition following sixteen years of bloody civil war. In October 1994, Mozambique's first ever multiparty elections were held in which the ruling Front for the Liberation of Mozambique (FRELIMO) won a slim majority over the former rebel Mozambique National Resistance (RENAMO) and President Chissano was returned for a new term.

Since the 1994 elections, human rights practices gradually improved throughout the country although significant human rights concerns remain, including restrictions of freedom of movement and expression in some rural areas dominated by RENAMO, heavy-handed policing including torture and appalling prison conditions.

Accountability for human rights abuses during the 1977-1992 civil war has continued to be discussed in the media but both FRELIMO and RENAMO officials continued to advocate impunity, arguing that any trials or exposure of the past would undermine national reconciliation. However, local communities across the country conducted traditional healing ceremonies about human rights abuses.

U.S. Policy

The U.S. played an important and vocal role during the U.N. sponsored transition process up to the October 1994 multiparty elections. In the run-up to the 1994 elections the administration presented two "non-papers" to the government pushing for a number of concessions such as power-sharing, full demobilization and demilitarization. The U.S. also played a constructive in convincing RENAMO leader Dhlakama to drop his eleventh hour boycott of the multiparty elections. Following the elections, U.S. interest in Mozambique declined and bilateral relations remained cool due in part to a dispute over the style of tendering for a lucrative gas pipe-line contract in which U.S. companies

had significant interest. The tutorial style of then U.S. ambassador to Mozambique, Dennis Jett, who ended his posting in July 1996, had also contributed to the cool relationship. The departure of Jett ended the U.S. embassy policy of boosting RENAMO's image, aimed at trying to improve their confidence in the peace process.

Zambia

In 1993 Zambia was heralded as a model of democracy after the peaceful transfer of power in November 1991, when the Movement for Multiparty Democracy (MMD) and its leader Frederick Chiluba gained a landslide victory over President Kenneth Kaunda and his United National Independence Party (UNIP). However, in the run-up to multiparty elections on November 18, 1996 and following them there has been a sharp deterioration in respect for human rights. Prior to the elections the ruling MMD deliberately blurred the distinction between party and state for advantage in the elections. The government also forced a radical amendment to the 1991 constitution through the MMD-dominated parliament in May 1996, making new requirements on persons seeking to hold the office of president. These requirements appeared to be tailored to disqualify specific opposition leaders from running for president, including former president Kenneth Kaunda.

President Chiluba and his MMD were returned to power with the majority of contested seats in the November 1996 multiparty elections. Following the elections the government lashed out at journalists and NGOs that had been critical of it, detaining a number of them. Three NGOs that had declared the elections not free and fair were raided by police, who seized files, documents, bank books and statements. Another NGO found that its tax exempt status was suddenly revoked.

The opposition has also been harassed in the post election period. On August 23, 1997 UNIP leader Kaunda and Opposition Alliance chairman Roger Chongwe were shot and wounded by police as they were leaving a political rally in Kabwe. A bullet grazed the head of former president Kaunda, and struck Roger Chongwe in the cheek and neck.

On October 28, 1997, President Chiluba announced he had crushed a military coup against his government. Initially fifteen people were arrested, but over the following months this number increased to 104, some of them civilians including opposition politician Dean Mungombe. A state of emergency was declared on October 29. It was extended for another three months on January 29, 1998. On December 25, Kenneth Kaunda was arrested in connection with the coup. Initially put in jail, he was then placed under house arrest following regional lobbying for him. A number of the detainees have been tortured while in detention, including Dean Mungombe. One soldier appears to have died under torture and a coup plot leader Captain Stephen Lungu has disappeared. Only in late February where the detainees brought to court and charged or released.

U.S. Policy

During the crisis in Zaire (now Congo), Zambia was seen by the U.S. as a strategic front-line state. Following the overthrow of President Mobutu, Zambia has once again become of limited U.S. interest.

Even so the U.S. played an important role in 1996 in pressuring the Zambian government to improve its human rights record. USAID announced in July that it was cutting aid to Zambia by more than 10 per cent (worth \$2.5 million) because of the constitutional amendments. During her nomination hearing in June, U.S. ambassador-designate to Zambia, Arlene Render, was strong in criticizing the Zambian government's performance on governance issues. However, although she took a strong stand in calling for change and the implementation of democratic values in society when she presented her credentials in early 1997 by the end of the year she had become less forceful. The visit of U.S. Special Envoy Jesse Jackson to Zambia in December was also disappointing, since Jackson did not use the opportunity to clearly condemn rights abuses in Zambia.

South Africa

South Africa's government of national unity, led by the African National Congress (ANC) continues its reforming drive, but also faces significant checks in its ambition to reduce some of the inequalities in South African

society and introduce a culture of respect for human rights and the rule of law. While a constitution protecting the range of civil, political, economic, social and cultural rights has been adopted, and significant legislation aimed at ending past abuses passed through parliament, the government faces and in some cases has conceded to demands—in the context of rising public concern about violent crime—for repressive law-and-order measures. Implementation of other policies has proved slower and more difficult than anticipated. The Truth and Reconciliation Commission has made important strides in establishing a record of abuses committed under the previous regime, although its amnesty procedures have proved controversial.

U.S. Policy

Since South Africa's first all-race elections brought to power the current government, U.S. policy, like that of South Africa's other principal trading partners, has focused on supporting the efforts towards reconstruction and development. A bilateral U.S.-South Africa commission has been established, headed by Vice-President Al Gore and Deputy President Thabo Mbeki, and has met to promote trade and investment between the U.S. and South Africa (although its most recent meeting, due in February 1998, was rescheduled). While the U.S. government has announced that it will progressively reduce its aid grant to South Africa as the focus of bilateral relations shifts increasingly to trade, USAID has continued to support both governmental and nongovernmental bodies involved in improving access to justice, based on a pledge of U.S.\$600 million committed in 1994 to be spent over three years. In October 1997, the U.S. government pledged a further U.S.\$50 million to be spent on education, justice, and health care. In recent months, a controversy has emerged over the priorities of USAID spending in South Africa, based on criticisms voiced by Congressional staff person Lester Munson. South African government officials have stated that the relationship and the activities funded by USAID will be reviewed as a consequence.

Human Rights Watch
Africa Division

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Its Africa division was established in 1988 to monitor and promote the observance of internationally recognized human rights in sub-Saharan Africa. Peter Takirambudde is the executive director; Janet Fleischman is the Washington director; Suliman Ali Baldo is the senior researcher; Alex Vines is the research associate; Bronwen Manby and Binaifer Nowrojee are counsels; Ariana Pearlroth and Juliet Wilson are associates; Alison DesForges is a consultant; and Peter Bouckaert is the Orville Schell Fellow. William Carmichael is the chair of the advisory committee.

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