

January 1996

## THE HUMAN RIGHTS SITUATION IN ZAIRE

### ISSUE

Although a certain optimism accompanied President Mobutu's April 1990 speech announcing the beginning of democratization, it has been replaced by widespread cynicism. The army rampages of 1991 and 1993 were highly destructive and caused the flight of most trained expatriates from major enterprises such as Gecamines. The economy is a shambles. Except for the trained cadre of the Presidential Guard, loyal to Mobutu, the apparatus of a functioning state has long since disappeared. Human rights are highly vulnerable amid this anarchy.

### BACKGROUND

The government does not provide such basic services as salaries to its military and civilian employees (who must extort money from users for basic services or hold up traffic at night) or schooling and medical care (partially provided for by the churches). Communications and transport infrastructures are broken down (to wit., the recent crashes of a Russian aircraft over Kinshasa, which killed 297 persons shopping in a market, and of a crowded bus into a canal, killing 72). Economic activity has been paralyzed by rampant decades-old corruption and the departure of foreign technical personnel after the January 1993 army riots. In 1994, Mobutu loyalists imported 45 tonnes of false currency to undermine Prime Minister Kengo's financial reforms. The national *per capita* income has dropped every year for the last several years. A 1996 budget is before the parliamentary Financial and Economic Committee, but cannot be approved, since the government refuses to link its approval to an examination of the 1995 fiscal exercise.

The political opening allowed a number of political parties and newspapers to come into existence but Mobutu has undercut the functioning of parliamentary government. He dismissed the first prime minister chosen by the *Conférence nationale souveraine*, Étienne Tshisekedi in February 1993; the latter continued to claim the prime ministership in rivalry with Mobutu's chosen successor, Faustin Birindwa, until January 1994, when a new *Haut Conseil de la République-Parlement de Transition* was created. A transitional constitutional act was agreed in April 1994, which provided for an interim prime minister and the holding of elections in 15 months, i.e., by July 1995. The current prime minister, Léon Kengo wa Dondo, was elected by the transitional parliament but Tshisekedi claims his election was improper.

News media enjoy a certain measure of freedom of expression, but overly critical writers and editors have been detained, interrogated and sometimes tortured by the security forces.

Elections have already been postponed and it is difficult to envisage how a coherent consultation could be held in current conditions, despite popular and church support for them (the churches have set up a *Commission nationale des Élections Maintenant*). Efforts to

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