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# Democratic Republic of the Congo (DRC)

## The situation in North Kivu, South Kivu, and Ituri

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August 2019 (COI between 1<sup>st</sup> January 2018 and 6<sup>th</sup> August 2019)

*Commissioned by the United Nations High Commissioner for Refugees (UNHCR), Division of International Protection. UNHCR is not responsible for, nor does it endorse, its content. Any views expressed are solely those of the author.*

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## **Explanatory Note**

### Country of Origin Information (COI)

This report presents Country of Origin Information (COI) on the Democratic Republic of the Congo (DRC) focusing on the current situation in the regions of **North and South Kivu, and Ituri** on issues identified to be of relevance in refugee status determination for individuals from these three regions. Research concentrated on events that took place between 1<sup>st</sup> January 2018 and 6<sup>th</sup> August 2019.

The COI presented in this report is illustrative but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim. All sources are publicly available and a direct hyperlink has been provided.

A list of sources and databases consulted is also provided in this report, to enable users to conduct further research and source assessments. All sources included in this report were accessed between May and early August 2019.

In this report, ARC has complemented its research on English-speaking sources with French-speaking sources. Relevant sources have been unofficially translated and are described as such. **Please note that these are not official translations.**

### Disclaimer

This document is intended to be used as a tool to help to identify relevant COI and the COI referred to in this report can be considered by decision makers in assessing asylum applications and appeals. **This report is not a substitute for individualised case-specific research and therefore this document should not be submitted in isolation as evidence to refugee decision-making authorities.** Whilst every attempt has been made to ensure accuracy, the authors accept no responsibility for any errors included in this report.

## Sources and databases consulted

Not all of the sources listed here have been consulted for each issue addressed in the report. Additional sources to those individually listed were consulted via database searches. This non-exhaustive list is intended to assist in further case-specific research. To find out more about an organisation, view the 'About us' tab of a source's website.

### Databases

[Asylos's Research Notes](#) [subscription only]

[EASO COI Portal](#)

[European Country of Origin Information Network \(ECOI\)](#)

[Relief Web](#)

[UNHCR Refworld](#)

### Media

[Actualite.CD](#)

[African Arguments](#) [DRC specific page]

[Agence Congolaise de Presse](#)

[All Africa](#)

[Al Jazeera](#) [DRC specific page]

[Congo Planet](#)

[Digital Congo](#)

[The East African](#)

[L'Avenir](#)

[Le Congolais](#)

[The Guardian](#) [DRC specific page]

[Inter Press Service](#)

[Jeune Afrique](#)

[The New Humanitarian](#) [DRC specific page]

[Le Phare](#)

[LePotentielonline.net](#)

[Le Soft](#)

[Radio France International](#)

[Radio Okapi](#)

[Reuters Africa](#) [DRC specific page]

[Le Soft International](#)

[Thomson Reuters Foundation](#)

### Organisations

[Aegis Trust](#)

[Africa Center for Strategic Studies](#)

[African Centre for the Constructive Resolution of Disputes \(ACCORD\)](#)

[African Studies Centre Leiden](#)

[Agency for Technical Cooperation and Development \(ACTED\)](#)

[Amnesty International](#) [DRC specific page]

[Armed Conflict Location & Event Date Project \(ACLED\)](#)

[Article 19](#) [Freedom of expression and information]

[Assessment Capacities Project \(ACAPS\)](#) [DRC specific page]

[Association for the Prevention of Torture](#)

[Atlantic Council](#)  
[Atlas of Torture](#)  
[Brookings Institution](#)  
[Care International](#)  
[Carnegie Endowment for International Peace](#)  
[Centre for Security Governance](#)  
[Centre for Strategic and International Studies](#)  
[Child Rights International Network](#) [DRC specific page]  
[Child Soldiers International](#)  
[Child Soldiers World Index](#)  
[CIA World Factbook](#) [DRC specific page]  
[Combating Terrorism Center](#)  
[Committee to Protect Journalists](#) [DRC specific page]  
[Congo Forum](#)  
[Congo Research Group](#)  
[Death Penalty Worldwide \(Cornell Law School\)](#)  
[The Economist Intelligence Unit](#) [DRC specific page]  
[Eldis](#)  
[Enough Project](#) [DRC specific page]  
[Foreign Affairs \(published by Council on Foreign Relations\)](#) [DRC specific page]  
[Freedom House – Freedom in the World 2019](#) [DRC specific page]  
[Fund for Peace – Fragile States Index 2019](#)  
[Global Coalition to Protect Education from Attack](#)  
[GlobalSecurity.org](#)  
[Governance Social Development Humanitarian Conflict \(GSDRC\)](#)  
[Group for Research and Information on Peace and Security \(Grip\)](#)  
[Hands off Cain](#)  
[Heidelberg Institute for International Conflict Research](#)  
[Humanitarian Response](#) [DRC specific page]  
[Human Rights Watch](#) [DRC specific page]  
[Immigration and Refugee Board of Canada](#)  
[Institute for Economics & Peace – Global Peace Index 2019](#)  
[Institute for Human Rights and Development in Africa](#)  
[Institute for the Study of War](#)  
[Institute for War and Peace Reporting](#)  
[Internal Displacement Monitoring Centre \(IDMC\)](#) [DRC specific page]  
[International Alert](#) [DRC specific page]  
[International Bar Association](#)  
[International Center for Not-for-Profit Law](#) [DRC specific page]  
[International Centre for Prison Studies](#)  
[International Commission of Jurists](#)  
[International Committee of the Red Cross \(ICRC\)](#)  
[International Crisis Group](#) [DRC specific page]  
[International Federation for Human Rights](#) [Africa pages]  
[International Federation of Journalists](#)  
[International Freedom of Expression Exchange](#)  
[International Institute for Strategic Studies](#)  
[International Organization for Migration \(IOM\)](#)  
[International Refugee Rights Initiative](#)  
[International Rehabilitation Council for Torture Victims](#)  
[International Rescue Committee](#)

[IPI Global Observatory](#)  
[Jamestown Foundation](#)  
[Kivu Security Tracker](#)  
[Landmine & Cluster Munition Monitor](#)  
[La Voix des Sans-Voix pour les droits de l'homme](#)  
[Long War Journal](#)  
[Lutte pour le Changement \(LUCHA\)](#)  
[Medecins Sans Frontieres/Doctors Without Borders](#) [DRC specific page]  
[Minority Rights Group International](#)  
[Minorities at Risk Project](#)  
[National Consortium for the Study of Terrorism and Responses to Terrorism \(START\) – Global Terrorism Database \(GTD\)](#)  
[Oakland Institute](#)  
[L'Observatoire de la liberte de la presse en Afrique \(OLPA\)](#)  
[OECD's Social Institutions & Gender Index](#)  
[Open Society Foundations](#)  
[Organization for Refuge, Asylum & Migration \(ORAM\)](#)  
[Overseas Development Institute \(ODI\)](#)  
[Oxfam](#)  
[Peace Women](#)  
[Penal Reform International](#)  
[Physicians for Human Rights](#)  
[Refugees International](#)  
[Reporters Without Borders](#)  
[Rift Valley Institute](#)  
[Right to Education](#)  
[The Roméo Dallaire Child Soldiers Initiative](#)  
[Saferworld](#)  
[Save the Children](#)  
[Security Council Report](#) [DRC specific page]  
[Societe Civile en RDC](#)  
[Small Arms Survey](#)  
[Transparency International](#)  
[UK Foreign and Commonwealth Office – 2018 Human Rights and Democracy Report](#)  
[United Nations Children's Fund \(UNICEF\)](#)  
[United Nations Committee Against Torture](#)  
[United Nations Committee on Economic, Social and Cultural Rights](#)  
[United Nations Committee on the Elimination of Discrimination Against Women](#)  
[United Nations Committee on Enforced Disappearances](#)  
[United Nations Committee on the Rights of the Child](#)  
[United Nations Development Programme \(UNDP\)](#) [DRC specific page]  
[United Nations High Commissioner for Refugees \(UNHCR\)](#)  
[United Nations Human Rights Council](#)  
[United Nations Human Settlements Programme \(UNHABITAT\)](#)  
[United Nations News Centre](#)  
[United Nations Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#) [DRC specific page]  
[United Nations Office of the High Commissioner for Human Rights \(OHCHR\)](#)  
[United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict](#)  
[United Nations Office on Drugs and Crime \(UNODC\)](#)

[United Nations Organization Stabilization Mission in the DR Congo \(MONUSCO\)](#)  
[United Nations Population Fund \(UNPFPA\)](#)  
[United Nations Secretary General](#)  
[United Nations Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context](#)  
[United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions](#)  
[United Nations Special Rapporteur on extreme poverty and human rights](#)  
[United Nations Special Rapporteur on the Independence of Judges and Lawyers](#)  
[United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#)  
[United Nations Special Rapporteur on the right to education](#)  
[United Nations Special Rapporteur on the situation of human rights defenders](#)  
[United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#)  
[United Nations Special Rapporteur on trafficking in persons, especially in women and children](#)  
[United Nations Special Rapporteur on violence against women, its causes and consequences](#)  
[United Nations World Food Programme \(WFP\)](#)  
[United Nations Women](#)  
[United States Institute of Peace](#)  
[United States Congressional Research Service](#)  
[United States Department of State \[Annual human rights report; child labour report; annual terrorism report\]](#)  
[Uppsala Universitet – UCDP Conflict Encyclopedia](#)  
[War Child](#)  
[Watchlist on Children and Armed Conflict](#)  
[Women News Network \(WNN\)](#)  
[Women’s Refugee Commission](#)  
[World Bank \[DRC specific page\]](#)  
[World Health Organisation \(WHO\) \[DRC specific page\]](#)  
[World Organisation Against Torture](#)  
[World Prison Brief](#)

## List of acronyms

<b>ACAPS</b>	Assessment Capacities Project
<b>ACLED</b>	The Armed Conflict Location & Event Data Project
<b>ADF</b>	<i>Forces démocratiques allies</i> [Allied Democratic Forces]
<b>AFDC(-A)</b>	<i>Alliance des Forces Démocratiques du Congo (-et Alliés)</i> [Alliance of Democratic Forces of Congo (and Allies)]
<b>ANR</b>	<i>Agence nationale de renseignements</i> [National Intelligence Agency]
<b>APC</b>	<i>Armée Patriotique Congolaise</i> [Congolesse Patriotic Army]
<b>APCLS(-R)</b>	<i>Alliance des Patriotes pour un Congo Libre et Souverain (-Rénové)</i> [Alliance of Patriots for a Free and Sovereign Congo –(Renewed)]
<b>AS</b>	<i>Aires de santé</i> [Health areas]
<b>BAMF</b>	<i>Bundesamt für Migration und Flüchtlinge</i> [German Federal Office for Migration and Refugees]
<b>CACH</b>	<i>Cap pour le changement</i> [Cap for change]
<b>CENCO</b>	<i>Conférence Épiscopale Nationale du Congo</i> [Congolesse Conference of Catholic Bishops/ Episcopal Conference of the Democratic Republic of the Congo]
<b>CENI</b>	<i>Commission Electorale Nationale Indépendante</i> [Independent National Electoral Commission in Congo]
<b>CMC</b>	Collective of Movements for Change
<b>CNDP</b>	<i>Congrès National pour la Défense du Peuple</i> [National Congress for the Defence of the People]
<b>CNPSC</b>	<i>Conseil Nationale du Peuple pour la Souveraineté du Congo</i> [National People’s Coalition for the Sovereignty of Congo]
<b>CNRD</b>	<i>Conseil National pour le Renouveau et la Démocratie</i> [National Council for Renewal and Democracy]
<b>CODECO</b>	Cooperative for Development of Congo
<b>CRC</b>	Congo Research Group
<b>DRC</b>	Democratic Republic of the Congo
<b>ECDC</b>	European Centre for Disease Prevention and Control
<b>EFSA</b>	Emergency Food Security Assessments
<b>ERCC</b>	Emergency Response Coordination Centre
<b>ETC</b>	Ebola Treatment Centre
<b>EVD</b>	Ebola Virus Disease
<b>FARDC</b>	<i>Forces Armées de la République Démocratique du Congo</i> [Armed Forces of the Democratic Republic of the Congo]
<b>FBP</b>	<i>Forces Populaires du Burundi</i> [Popular Forces of Burundi]
<b>FCC</b>	<i>Front Commun pour le Congo</i> [Common Front for Congo]
<b>FDLR</b>	<i>Forces Démocratiques de Libération du Rwanda</i> [Democratic Forces for the Liberation of Rwanda]
<b>FEWS Net</b>	Famine Early Warning System Network
<b>FIDH</b>	<i>Fédération internationale des ligues des droits de l’Homme</i> [International Federation for Human Rights]
<b>FNL</b>	<i>Forces Nationales de Libération</i> [National Forces of Liberation]
<b>FOREBU</b>	<i>Forces républicaines du Burundi</i> [Republican Forces of Burundi]
<b>FRPI</b>	<i>Force de Résistance Patriotique de l’Ituri</i> [Front for Patriotic Resistance in Ituri]
<b>IC</b>	<i>Informateurs clés</i> [Key informants]
<b>ICC</b>	International Criminal Court

<b>ICCN</b>	<i>L'Institut Congolais pour la Conservation de la Nature</i> [Congolese Institute for Nature Conservation]
<b>IDMC</b>	Internal Displacement Monitoring Centre
<b>IDPs</b>	Internally Displaced Persons
<b>IOM</b>	International Organization for Migration
<b>IRC</b>	International Rescue Committee
<b>ISIL/ISIS</b>	Islamic State of Iraq and the Levant
<b>KST</b>	Kivu Security Tracker
<b>LRA</b>	Lord's Resistance Army
<b>LUCHA</b>	<i>Lutte Pour Le Changement</i> [Fight for Change]
<b>M23</b>	<i>Mouvement du 23 Mars</i> [March 23 Movement]
<b>MNR</b>	<i>Mouvement National de la Révolution</i> [National Movement of Revolutionaries]
<b>MONUSCO</b>	<i>Mission de l'Organisation des Nations Unies pour la Stabilisation en République Démocratique du Congo</i> [UN Organization Stabilization Mission in the Democratic Republic of the Congo]
<b>MSF</b>	<i>Médecins Sans Frontières</i> [Doctors Without Borders]
<b>MTM</b>	Madina at Tawhid Wai Muwahedeen or City of Monotheism and Monotheists
<b>NALU</b>	National Army for the Liberation of Uganda
<b>NDC (-R)</b>	<i>Nduma défense du Congo (-Rénové)</i> [Nduma Defence of Congo-(Renewed)]
<b>OCV</b>	Oral Cholera Vaccine
<b>OLPA</b>	<i>Observatoire de la liberté de la presse en Afrique</i> [Observatory of the Freedom of Press in Africa]
<b>OMCT</b>	<i>Organisation Mondiale Contre la Torture</i> [World Organization Against Torture]
<b>PHEIC</b>	Public Health Emergency of International Concern
<b>PNC</b>	<i>Police Nationale Congolaise</i> [Congolese National Police]
<b>PPRD</b>	<i>Parti du peuple pour la reconstruction et la démocratie</i> [People's Party for Reconstruction and Democracy]
<b>RM</b>	Raia Mutomboki
<b>RNC</b>	Rwanda National Congress
<b>RPG</b>	Rocket Propelled Grenade
<b>RTVGL</b>	<i>Radio Télévision Vision Grands Lacs</i> [Radio Television Vision Great Lakes]
<b>SAM</b>	Severe Acute Malnutrition
<b>UDPS</b>	<i>Union pour la Démocratie et le Progrès Social</i> [Union for Democracy and Social Progress]
<b>UN</b>	United Nations
<b>UNC</b>	<i>Union pour la nation congolaise</i> [Union for the Congolese Nation]
<b>UNFPA</b>	UN Population Fund
<b>UNJHRO</b>	United Nations Joint Human Rights Office
<b>UNOCHA</b>	UN Office for the Coordination of Humanitarian Affairs
<b>UPLC</b>	<i>Union des patriotes pour la libération du Congo</i> [Patriotic Union for the Liberation of Congo]
<b>WFP</b>	World Food Programme
<b>WHO</b>	World Health Organization

## 1. Maps of North Kivu, South Kivu, and Ituri Regions

For a map of Eastern DRC, highlighting **North and South Kivu** provinces, and **Ituri** district please view the map provided by the Rift Valley Institute in 2013 [here](#).<sup>1</sup>

The CongoForum published a useful map, produced it appears by the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) in 2002, showing North and South Kivu in great detail.<sup>2</sup> The map can be accessed [here](#).

The Logistics Cluster of the World Food Programme created a map in January 2019 of **North Kivu** (showing the main highways in the DRC and current road works), which can be accessed [here](#).<sup>3</sup>

In October 2018, the Logistics Cluster of the World Food Programme created a map of **South Kivu** (showing current humanitarian access constraints), which due to its size is best viewed in its original format [here](#).<sup>4</sup>

The same source also produced a map of **Ituri** in January 2019 (showing current humanitarian access constraints and travel times), which can be viewed [here](#).<sup>5</sup>

## 2. Political situation in the DRC: An Overview

### 2.1. The December 2018 General Election and the subsequent political landscape

The Office of the UN High Commissioner for Human Rights published a report describing the “violations and abuses of human rights and fundamental freedoms committed in the country between 22 November 2018 and 24 January 2019, in the framework of the electoral process, comprising the campaign period, election day, and the immediate post-electoral period until the inauguration of a new president”, which can be accessed [here](#).<sup>6</sup>

As way of background, Reuters reported that long-term president Joseph Kabila “was due to step down in 2016 at the end of his constitutional mandate. But the election to replace him was repeatedly delayed and he refused to commit explicitly to not seeking a third term. That sparked protests in which the security forces killed dozens of people, and stoked militia violence in Democratic Republic of Congo’s volatile east”.<sup>7</sup> In August 2018 then President Joseph Kabila “finally” agreed not to “stand in the election scheduled for December [2018]” and appointed Emmanuel Ramazani Shadary, former interior minister, to “represent Kabila’s

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<sup>1</sup> Rift Valley Institute, [Eastern DRC](#), 2013

<sup>2</sup> See CongoForum, [Kivu Map First draft](#), 7 November 2002

<sup>3</sup> See World Food Programme, Logistics Cluster, [Republique democratique du Congo – Province du Nord Kivu, Carte des Chantiers Routiers](#), 31 January 2019

<sup>4</sup> World Food Programme, Logistics Cluster, [Republique democratique du Congo – Province du Sud Kivu, Carte d’Access](#), 9 October 2018

<sup>5</sup> World Food Programme, Logistics Cluster, [Republique democratique du Congo – Ituri, Constraints d’access et temps de traject](#), 30 January 2019

<sup>6</sup> See Office of the UN High Commissioner for Human Rights, [Report on the situation of human rights in the Democratic Republic of the Congo before, during and after the elections of December 2018](#), 18 March 2019

<sup>7</sup> Reuters, [Congo's Kabila will not stand for election in December](#), 8 August 2018

ruling coalition”, the People’s Party for Reconstruction and Democracy (PPRD), in the December 2018 elections.<sup>8</sup>

In November 2018 the main opposition parties in the DRC’s new coalition called *Lamuka* chose Martin Fayulu as their candidate for the December 2018 elections.<sup>9</sup> The organisation Security Council Report noted that following Martin Fayulu’s announcement, “Felix Tshisekedi, head of the largest opposition party, the Union for Democracy and Social Progress, broke away from the agreement and retained his candidature” to stand in the December 2018 election.<sup>10</sup> Reporting on the same announcement, the International Crisis Group stated that “two main opposition candidates, Felix Tshisekedi and subsequently Vital Kamerhe, pulled out of agreement citing pressure from political bases. Latter two leaders formed alliance between their parties in Kenyan capital Nairobi 23 Nov, with Tshisekedi as its presidential candidate”.<sup>11</sup>

A UN Secretary-General report covering the period from 1 September 2018 to 28 February 2019 noted that “political tensions increased ahead of presidential, national and provincial legislative elections, which took place on 30 December [2018]. While polling unfolded in a largely peaceful atmosphere in most of the country, the Independent National Electoral Commission postponed voting until March 2019 in four constituencies, namely, Beni territory, Beni town, Butembo and Yumbi, citing the Ebola outbreak and security-related concerns”.<sup>12</sup>

The same source further summarised the results as follows:

On 10 January [2019], the Independent National Electoral Commission announced the provisional results of the presidential election and declared opposition leader Félix Tshisekedi the winner, ahead of another opposition candidate, Martin Fayulu, and the candidate of the ruling coalition, *Front commun pour le Congo*, Emmanuel Ramazani Shadary. The provisional results of the presidential election were disputed by the Episcopal Conference of the Democratic Republic of the Congo, which indicated that they were at variance with data collected through its more than 40,000 national electoral observers. The Independent National Electoral Commission also announced the results of legislative elections on the basis of which *Front commun pour le Congo* would maintain a majority in the National Assembly, as well as in provincial assemblies. Several challenges to the results of legislative elections will be decided by the courts at the end of March. A legal challenge of the provisional results of the presidential election presented by Mr. Fayulu was rejected by the Constitutional Court, which has confirmed the results declaring the victory of Mr Tshisekedi”.<sup>13</sup>

According to a U.S. Congressional Research Service report commenting on the presidential election results:

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<sup>8</sup> Reuters, [Congo's Kabila will not stand for election in December](#), 8 August 2018

<sup>9</sup> Africanews, [DRC opposition coalition picks united candidate, Martin Fayulu](#), 12 November 2018

<sup>10</sup> Security Council Report, January [2019 Monthly Forecast](#), 27 December 2018, *Africa, Democratic Republic of the Congo, Key Recent Developments*

<sup>11</sup> International Crisis Group, [CrisisWatch](#), November 2018, *Latest Updates, Africa, Democratic Republic of Congo*

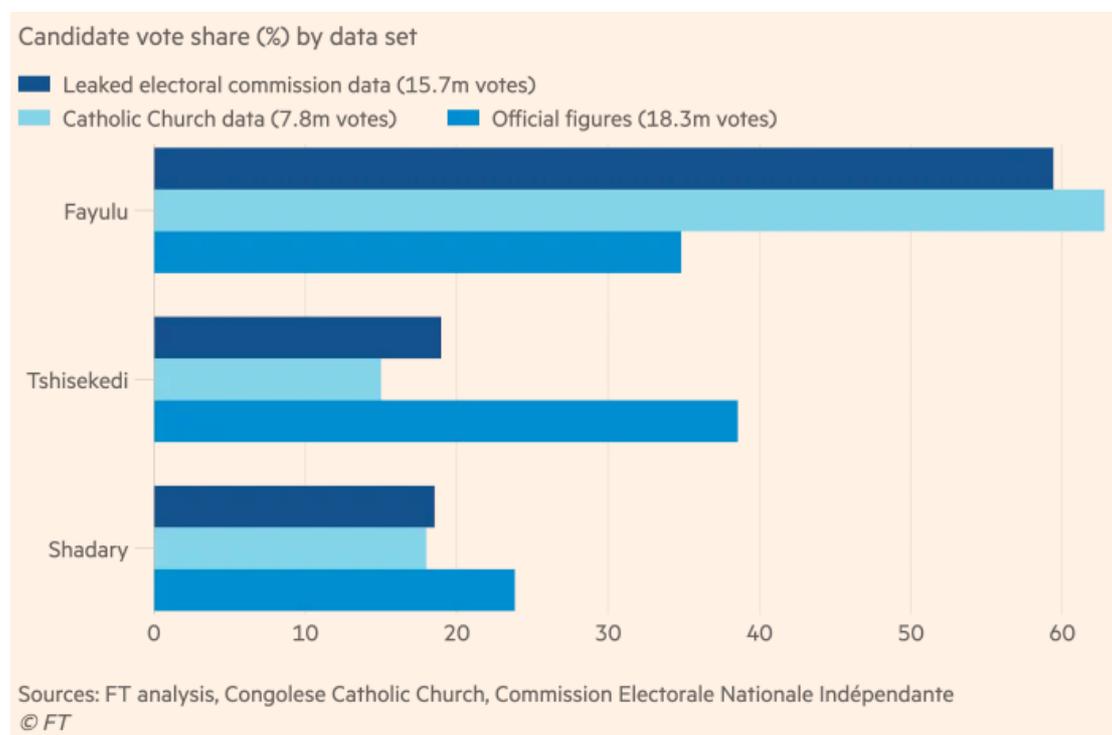
<sup>12</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 12 March 2019, *II. Major developments, B. Political developments, para. 16*

<sup>13</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 12 March 2019, *II. Major developments, B. Political developments, para. 16*

An electoral data leak and a parallel vote tabulation overseen by the widely respected Congolese Conference of Catholic Bishops (CENCO) reportedly each showed him [Felix Tshisekedi] losing by a wide margin to rival opposition candidate Martin Fayulu, who was backed by key exiled opposition figures and ran a campaign that was more ardently critical of Kabila. Fayulu has refused to recognize the official results.<sup>14</sup>

African Arguments also noted that “Leaked numbers from the electoral commission and data from the Catholic Church’s thousands of observers suggest Fayulu garnered around 60% of the vote in the December 2018 elections. But when the official results were announced in January [2019], opposition figure Felix Tshisekedi was declared the victor. Rumour has it that Tshisekedi and Kabila had struck a quick deal after the outgoing president’s intended successor, Emmanuel Ramazani Shadary, proved deeply unpopular in the polls”.<sup>15</sup>

An article published by the Financial Times included the following table showing the Official Figures, the leaked electoral commission figures, as well as the Catholic Church data<sup>16</sup>:



On 24<sup>th</sup> January 2019 Felix Tshisekedi was inaugurated as president of the DRC, representing “DRC’s first peaceful transfer of executive power in its postcolonial history” reported the U.S. Congressional Research Service.<sup>17</sup> According to the same source “The current electoral cycle is scheduled to be completed with local elections due in September 2019, which would

<sup>14</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *Politics*

<sup>15</sup> African Arguments, [“One day Congo will explode”: What now for the DRC’s “president-elect”?](#), 18 April 2019

<sup>16</sup> See Financial Times, [Congo voting data reveal huge fraud in poll to replace Kabila](#), 15 January 2019

<sup>17</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *Politics*

be the first multiparty local-level polls since independence. Local elections have repeatedly been scheduled over the past decade, only to be canceled or indefinitely delayed”.<sup>18</sup>

Providing an analysis of the general election results, the U.S. Congressional Research Service described that:

Opposition figure Felix Tshisekedi unexpectedly won the presidential contest, though his ability to assert a popular mandate may be undermined by allegations that the official results were rigged to deny victory to a more hardline opposition rival. Many Congolese nonetheless reacted to the outcome with relief and/or enthusiasm, noting that Kabila would step down and that voters had soundly defeated his stated choice of successor, a former Interior Minister. Kabila’s coalition nonetheless won sweeping majorities in simultaneous legislative and provincial-level elections, ensuring enduring influence for the former president and his supporters.<sup>19</sup>

The same source further stated that “Whether the election was ‘democratic’ is debatable, however, as is the degree to which Tshisekedi’s presidency represents a ‘transfer of power’”.<sup>20</sup> The report went on to explain:

Kabila, who first assumed the presidency in 2000, now holds the title of “Senator-for-Life,” while his Common Front for Congo (FCC) coalition won sweeping majorities in parliament and provincial assemblies, and in subsequent indirect elections for the Senate and provincial governors. Tshisekedi’s Union for Democracy and Social Progress (UDPS) won very few sub-national contests, and it has agreed to form a coalition government with the FCC. These factors, along with evidence that a more hardline opposition figure won more votes than Tshisekedi, have led many observers to speculate that the official election results reflected a power-sharing deal between Tshisekedi and Kabila.<sup>21</sup>

The German Federal Office for Migration and Refugees noted that “it is questionable how much power Tshisekedi actually has. The party alliance Common Front for Congo led by former President Joseph Kabila has 337 of 500 seats in the National Assembly (Parliament) elected on 30 December 2018. By contrast, the alliance “Cape for Change”, which supports Tshisekedi, only won 46 seats. Many observers also believe that Tshisekedi won the election through vote rigging and with protection of the Kabila regime. Contrary to the official figures announced by the Election Commission, according to the election result determined by the Episcopal Conference of the Democratic Republic of the Congo (CENCO) with the help of a network of 40,000 election observers, the presidential candidate Martin Fayulu won the election with around 60 percent of the votes”.<sup>22</sup>

The UN Secretary-General report on MONUSCO’s activities noted that “From 20 to 24 February [2019], in Kingakati, Kinshasa Province, former President Kabila convened members of the platform *Front commun pour le Congo* [FCC], which had won an absolute

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<sup>18</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *Politics*

<sup>19</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *Summary*

<sup>20</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *Introduction*

<sup>21</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *Introduction*

<sup>22</sup> Bundesamt für Flüchtlinge und Migration (BAMF) [Federal Office for Migration and Refugees (Germany)], [Briefing Notes](#), 28 January 2019, *Democratic Republic of the Congo, President sworn in*

majority of the seats in the National Assembly. Members of the Front decided to transform the platform from an electoral coalition into a political group”.<sup>23</sup>

The International Crisis Group reported in its April 2019 ‘CrisisWatch’ that “In 31 March [2019] legislative elections in Beni, Butembo and Yumbi (postponed from Dec due to Ebola and violence), Lamuka opposition platform won ten of fourteen parliamentary seats and Union for the Congolese Nation (UNC) of Tshisekedi’s Chief of Staff Vital Kamerhe and FCC won one seat each. In governorship elections, FCC won in sixteen of 22 provinces 10 April [2019]; governor elections postponed in North Kivu, Mai-Ndombe, South Ubangi and Sankuru”.<sup>24</sup>

Media Congo reported in March 2019 on the difficulties President Felix Tshisekedi faced in reaching a political compromise under the Coalition government [unofficial translation]:

The President of the Republic Felix Tshisekedi and Joseph Kabila are still far from reaching a compromise. The head of the FCC is maneuvering and, with a large majority in the National Assembly, he intends to dictate the rules of the game, even forcing the head of state to submit to his demands. Aside from the government, he has also targeted the juiciest provinces. The unequal power sharing between CACH [*Cap pour le changement*] and the FCC will not be without hiccups.

Two months after taking office, President Felix Tshisekedi has not removed the obstacle preventing him forming a government. If it has already been established that we will no longer go through the appointment of a spokesperson, given the compromise found between the CACH and the FCC, the Head of State is still struggling to appoint the next head of government. It is equally obvious that the next Prime Minister will come from the FCC, the majority political platform in the National Assembly. As for the rare bird that will occupy the Prime Minister’s office, discussions between the FCC and the CACH have not yet revealed their secret.<sup>25</sup>

The same source provided the following analysis with regards to who would have control over the National Assembly and the provincial authorities [unofficial translation]:

In all likelihood, it is the PPRD [People’s Party for Reconstruction and Democracy], the primary political force of the FCC, which will have control of the National Assembly in addition to the government. In this new configuration, it is Modeste Bahati Lukwebo’s AFDC-A [*l’Alliance des forces démocratiques du Congo et Alliés*] that could probably move to the Senate. In both Houses of Parliament, the first deliberations in the intense meetings between the FCC and the CACH have provided for the allocation of two opposition positions in both Houses of Parliament, namely 2nd Vice-President and the Deputy Rapporteur.

As part of the coalition, the FCC certainly wants to maintain its influence over the CACH. For example, at the provincial level, the FCC is aiming to replicate the current composition of the offices of provincial assemblies. In elections for the provincial assembly offices held in 24 provinces retained by the CENI [*Commission Electorale Nationale Indépendante*], the FCC triumphed in 20 provinces, leaving only a small number under control of the CACH.

The FCC is already working to achieve the same outcome regarding provincial authorities. It aims to control 20 of the 26 provinces in the DRC. But the rub is when it claims control of the authorities of the richest provinces. Sources indicate that the FCC is not ready to make concessions on this specific point. Provinces controlled by the FCC include Kinshasa, Kongo

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<sup>23</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, A. Political situation, para. 10

<sup>24</sup> International Crisis Group, [CrisisWatch](#), April 2019, Latest Updates, Africa, Democratic Republic of Congo

<sup>25</sup> Media Congo, [Tshisekedi et Kabila : partage inéquitable du pouvoir](#), 28 March 2019 [Unofficial translation provided by a COI researcher]

Central, Lualaba, Haut-Katanga and Tshopo. CACH and the opposition have to share the less attractive remainder. The same sources reveal that specific instructions were given to FCC staff for this outcome to prevail, whatever the cost. [...]

As the Afrikarabia analyst predicted, there is certainly a move towards "two-headed governance", with Felix Tshisekedi slipping painfully behind the obligations conferred on him by the Constitution, and on the other, Joseph Kabila, interfering with state affairs through his platform, the FCC.

From another point of view though, it could be said that the FCC that is preparing to take revenge. It certainly lost the presidency of the Republic, but has enough control of Parliament and the provincial executives to complicate the task of the Head of State. This will be the big battle of the ruling coalition over the next five years.<sup>26</sup>

France24 reported in May 2019 that "DR Congo President Felix Tshisekedi [...] named the head of the country's railways, Sylvestre Ilunga Ilunkamba, as the next prime minister".<sup>27</sup> According to the same source "Ilunga Ilunkamba was appointed under "the political agreement" between Tshisekedi and his predecessor Joseph Kabila "regarding the creation of a coalition government," presidential spokesman Kasongo Mwema Yamba Yamba said".<sup>28</sup> The UN Secretary-General report on MONUSCO's activities covering the period 8 March to 28 June 2019 noted that "The new Prime Minister served in various senior capacities under former President Mobutu Sese Seko and was, until his appointment, the Director General of the *Société nationale des chemins de fer du Congo*. He is a member of the *Parti du peuple pour la reconstruction et la démocratie*, one of the main parties making up the Front commun pour le changement of former President Joseph Kabila".<sup>29</sup>

With regards to the make-up of the new government institutions, the UN report reported:

The *Front commun pour le changement* has an overwhelming predominance in the new institutions. It holds 361 seats in the 500-member National Assembly, while *Cap pour le changement* holds 49. The opposition Lamuka coalition holds 90 seats. Out of the 108 members of the Senate, at least 87 are affiliated with the *Front commu pour le changement*, 3 with *Cap pour le changement* and 13 with Lamuka. When take together, the seats held by the *Front commun pour le changement* in the National Assembly and the Senate represent a majority of over three fifths, giving the coalition wide-ranging legislative powers. In the provinces, the Front commun pour le changement has a majority in 25 of the 26 assemblies, with Lamuka having the most seats in North Kivu. Furthermore, the *Front commun pour le changement* holds the presidency in 24 assemblies, and 23 governors hail from its ranks. Lamuka holds the presidency in two provincial assemblies, and *Cap pour le changement* presides over one. The Lamuka and *Cap pour le changement* coalitions hold one governor post each.<sup>30</sup>

The France24 article further noted with regards to the influence of the former President Kabila that "the country's politics remain overshadowed by Kabila, who amassed extensive clout after 18 years in power. His political allies retain the upper hand in parliament,

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<sup>26</sup> Media Congo, [Tshisekedi et Kabila : partage inéquitable du pouvoir](#), 28 March 2019 [Unofficial translation provided by a COI researcher]

<sup>27</sup> France 24, [DR Congo's Tshisekedi names new prime minister](#), 20 May 2019

<sup>28</sup> France 24, [DR Congo's Tshisekedi names new prime minister](#), 20 May 2019

<sup>29</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, II. Political developments, para. 3

<sup>30</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, II. Political developments, para. 10

provincial assemblies and governorships across the unstable country. His men also play a major role in security services”.<sup>31</sup>

The International Crisis Group noted in its June 2019 ‘CrisisWatch’ that:

Tshisekedi’s alliance Heading for Change (CACH) and Kabila’s coalition Common Front for Congo (FCC) 22 June [2019] agreed that of 45 ministries CACH members would head fifteen and FCC members 30; CACH would hold defence, foreign affairs and justice and FCC interior ministry, but Tshisekedi would choose interior minister. FCC contested Tshisekedi’s “unilateral” 3 June [2019] presidential orders to appoint new heads of national railways and mining company, which have yet to enter into force. In response, supporters of Tshisekedi’s party 10-11 June [2019] protested in capital Kinshasa, Lubumbashi and Goma, clashing with security forces in Kinshasa.<sup>32</sup>

According to a Reuters news article of 26<sup>th</sup> July 2019 “Allies of Congo President Felix Tshisekedi and his predecessor Joseph Kabila said they had reached an agreement [...] on the division of cabinet posts between the two political camps [...] Three sources familiar with the negotiations, who spoke on condition of anonymity, said Kabila’s FCC coalition would control three of the four ministries generally considered the most prestigious: defense, finance and justice. It will also control the ministry of the public portfolio, which oversees state companies like copper and cobalt miner Gecamines, a joint venture partner of Glencore and China Molybdenum, they said. Tshisekedi’s CACH coalition will control the fourth main ministry, foreign affairs, as well as the ministries of the interior, budget and economy, the sources said. The FCC’s demands that it control of most of the highest-profile ministries by virtue of its sizable majorities in parliament had held up the talks”.<sup>33</sup>

## 2.2. The March 2019 Senate Election

African Arguments, explaining the Senate elections and laying out the results, noted that:

On 15 March [2019], the DRC appointed its senators. These politicians are elected indirectly by the provincial assemblies, which are mostly aligned with former President Joseph Kabila’s Front Commun pour le Congo (FCC). It was expected that the Senate would end up with a similar composition. It came as a surprise therefore when the results gave the FCC an even stronger majority than anticipated.

Of 100 senators elected (with eight seats still to be filled), 91 were affiliated with Kabila’s FCC. President Tshisekedi’s *Union pour la Démocratie et le Progrès Social* (UDPS) ended up with just one senator, in Kasai Oriental, despite having enough provincial representatives to expect victories in at least Kinshasa and Kasai Central too. The election was allegedly highly corrupt, with FCC candidates buying votes on a large scale for tens of thousands of dollars as opposition deputies happily sold theirs [...]

What this means is that Tshisekedi is now even more isolated in government than before. The FCC not has overwhelming control of the senate with 90 of 108 seats, but accounts for 341 of 500 members of the National Assembly; despite performing terribly in the hugely questionable 2018 presidential elections, the former regime somehow managed to increase its legislative majority. Kabila loyalists also occupy top positions in the security apparatus as well as in key sectors of Congo’s economy.<sup>34</sup>

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<sup>31</sup> France 24, [DR Congo's Tshisekedi names new prime minister](#), 20 May 2019

<sup>32</sup> International Crisis Group, [CrisisWatch](#), June 2019, *Latest Updates, Africa, Democratic Republic of Congo*

<sup>33</sup> Reuters, [Congo president and predecessor agree on division of cabinet posts](#), 26 July 2019

<sup>34</sup> African Arguments, [DRC: President Tshisekedi's leash just got a little tighter](#), 2 April 2019

In its March 2019 'CrisisWatch', the International Crisis Group stated that "In 15 March [2019] senatorial election, FCC won 84 of 100 seats, triggering opposition protests in capital Kinshasa, Goma, Mbuji-Mayi and Lubumbashi. Consequently, electoral commission, national assembly, outgoing senate, prosecuting authority and presidency 17 March [2019] suspended senate's appointment and postponed provincial governor elections sine die [indefinitely]; FCC contested decision. Tshisekedi 29 March [2019] lifted suspension following investigation by court of cassation".<sup>35</sup>

In May 2019 the International Crisis Group reported that "Kabila's Common Front for Congo (FCC) coalition took four of five posts in North Kivu province's parliamentary bureau 14 May [2019] and won with significant margins in delayed senatorial elections in North Kivu and Mai-Ndombe provinces 18 May [2019]; FCC now has 86 of 109 senate seats".<sup>36</sup>

The UN Secretary-General report on MONUSCO's activities covering the period 8 March to 28 June 2019 noted that "By 18 May [2019], indirect elections for the posts of senators were held in all 26 provincial assemblies. The polls were surrounded by allegations of corruption and triggered demonstrations and sporadic violence, mainly by supporters of the *Union pour la démocratie et le progrès social*. Some demonstrators were angry that the *Front commun pour le changement* won the majority of senate seats, including in provincial assemblies in Kasai Oriental and Kinshasa, where the *Union pour la démocratie et le progrès social* holds the majority. The senators were installed on 2 April [2019] but have yet to elect their President and Bureau".<sup>37</sup>

The International Crisis Group noted in its July 2019 'CrisisWatch' that:

Senator Bahati Lukwebo, president of Alliance for the Democratic Forces of Congo and Allies (AFDC-A), major party within Kabila's coalition, 10 July [2019] declared himself candidate for senate presidency, challenging dominance of Kabila's party within coalition. FCC expelled Bahati, prompting AFDC-A politicians and activists to stage protests in Bukavu in east 11 July [2019]. In senate council elections 27 July, Kabila's candidate former Minister Alexis Thambwe Mwamba won presidency, but AFDC-A candidate Samy Badibanga won vice presidency. In Sankuru province in centre, provincial parliament 20 July [2019] elected Joseph-Stéphane Mukumadi, nominally independent candidate but reportedly close to Tshisekedi, as governor, beating Kabila ally Lambert Mende.<sup>38</sup>

*Jeune Afrique* reported on 27<sup>th</sup> July 2019 that [unofficial translation]: "Alexis Thambwe Mwamba, candidate of the Common Front for Congo (FCC), the political coalition of former President Joseph Kabila, was elected [...] to the presidency of the Senate [...] Former Justice Minister Alexis Thambwe Mwamba, however, won only 65 votes to 43 for his opponent, dissident Modeste Bahati Lukwebo. He is the candidate of the Common Front for Congo

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<sup>35</sup> International Crisis Group, [CrisisWatch](#), March 2019, *Latest Updates, Africa, Democratic Republic of Congo*

<sup>36</sup> International Crisis Group, [CrisisWatch](#), May 2019, *Latest Updates, Africa, Democratic Republic of Congo*

<sup>37</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, *II. Political developments, para. 5*

<sup>38</sup> International Crisis Group, [CrisisWatch](#), July 2019, *Latest Updates, Africa, Democratic Republic of Congo*

(FCC), the political coalition of Joseph Kabila, which had 90 seats out of 108 according to the result of the senatorial elections of March [2019]”.<sup>39</sup>

### 2.3. Remaining opposition groups/parties

A list of the main political parties and its leaders is listed in the CIA’s ‘The World Factbook’ webpage on the DRC, which can be accessed [here](#).<sup>40</sup> In July 2019 the Immigration and Refugee Board of Canada’s Responses to Information Requests published a compilation of country information found on the ‘Treatment of opposition members since the 2018 elections, including members of the Union for Democracy and Social Progress (Union pour la démocratie et le progrès social, UDPS), as well as clergy (December 2018–July 2019)’, which can be viewed [here](#).<sup>41</sup>

Al Jazeera provided the following summary on Martin Fayulu, leader of the Engagement for Citizenship and Development Party and main contender of the December 2018 general election:

Martin Fayulu [...] was among the most vociferous voices against the president's efforts to cling to power.

A former oil executive educated in the United States and France, though a rank outsider from a minor party [...] Hailing from the Lingala-speaking west of the country, Fayulu owns a hotel in Kinshasa located midway between Kabila's residence and the president's office [...]

Fayulu entered the political arena during a national conference in 1991-1992 that ended the single-party rule of longtime dictator Mobutu Sese Seko in the former Belgian colony. Fayulu won his first elective office in 2006 when he was elected to parliament.<sup>42</sup>

In November 2018 the main opposition parties in the DRC’s new coalition called *Lamuka* chose Martin Fayulu as their candidate for the December 2018 elections.<sup>43</sup> According to the same source members of the coalition are “banned former vice-president, Jean Pierre Bemba, and former governor of Katanga Province, Moïse Katumbi [...] Vital Kamerhe (UNC [Union for the Congolese Nation]), Freddy Matungulu Mbuyamu (CONGO NAS BISO/SYENCO), Adolphe MUZITO (*NOUVEL ELAN*) and Felix Tshisekedi (UPDS [Union for Democracy and Social progress])”.<sup>44</sup> The organisation Security Council Report noted that following Martin Fayulu’s announcement, “Felix Tshisekedi, head of the largest opposition party, the Union for Democracy and Social Progress, broke away from the agreement and retained his candidature” to stand in the December 2018 election.<sup>45</sup>

The German Federal Office for Migration and Refugees described that in March 2019 President Felix Tshisekedi signed a decree following which 700 political prisoners were to be

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<sup>39</sup> Jeune Afrique, [RDC: Alexis Thambwe Mwamba, un pro-Kabila élu à la tête du Sénat](#), 27 July 2019 [unofficial translation provided by a COI resaeacher]

<sup>40</sup> CIA, [The World Factbook: Cong, Democratic Republic of the](#), last updated: 10 July 2019

<sup>41</sup> See Immigration and Refugee Board of Canada, [Democratic Republic of the Congo: Treatment of opposition members since the 2018 elections, including members of the Union for Democracy and Social Progress \(Union pour la démocratie et le progrès social, UDPS\), as well as clergy \(December 2018–July 2019\)](#), 15 July 2019

<sup>42</sup> Al Jazeera, [Who is Martin Fayulu, the DRC opposition's candidate pick?](#), 11 November 2018

<sup>43</sup> Africanews, [DRC opposition coalition picks united candidate, Martin Fayulu](#), 12 November 2018

<sup>44</sup> Africanews, [DRC opposition coalition picks united candidate, Martin Fayulu](#), 12 November 2018

<sup>45</sup> Security Council Report, January [2019 Monthly Forecast](#), 27 December 2018, *Africa, Democratic Republic of the Congo, Key Recent Developments*

released many of whom “were jailed solely for their political opinions or their participation in peaceful protests between 1 May 2015 and 31 December 2018. Among those pardoned are the opposition members Franck Diongo, Diomi Ndongala and Firmin Yangambi, who were imprisoned on charges such as insurrection against the Congolese state”.<sup>46</sup>

In April 2019 Tellerepor stated that *Lamuka* members “decided to turn their coalition into a more conventional political platform” and “reaffirmed their flawless unity and decided that their coalition would now have a rotating presidency. The first quarterly presidency will be held by former Katanga governor Moïse Katumbi”.<sup>47</sup>

In May 2019 the International Crisis Group reported that “Martin Fayulu, *Lamuka*’s losing presidential candidate, continued to contest results and 15 May [2019] threatened to mobilise protests if Tshisekedi did not resign within weeks”.<sup>48</sup>

In May 2019 the International Crisis Group reported that “Moïse Katumbi, coordinator of opposition platform *Lamuka* and former Katanga governor, 20 May [2019] returned from three-year exile after court overturned conviction and prosecutors dropped investigation against him initiated by govt of former President Kabila. Ne Muanda Nsemi, leader of politico-religious movement Bundu Dia Mayala whom Kabila govt imprisoned but who escaped and disappeared in 2017, reappeared in Kinshasa 6 May [2019], arrested 9 May [2019] but released next day at Tshisekedi’s request”.<sup>49</sup>

The UN Secretary-General report on MONUSCO’s activities covering the period 8 March to 28 June 2019 summarised the political opposition as follows “The dynamics within the opposition evolved during the reporting period. Following a meeting of its founding members in Brussels in late March [2019], the *Lamuka* electoral platform was transformed into a political platform, with Moïse Katumbi appointed as its first coordinator, a position that will rotate every three months. Amid allegations of internal dissensions, *Lamuka*’s presidential candidate in the elections of 30 December 2018, Martin Fayulu, continued to demand that the “truth of the ballot” be upheld and held well-attended rallies in Kisangani and Kinshasa. On 20 May [2019], Mr. Katumbi returned to the Democratic Republic of the Congo after two years in exile. His return followed the annulment of a three-year prison sentence for property fraud and the dropping of all pending legal proceedings against him. Mr. Katumbi welcomed the progress achieved by President Tshisekedi, especially in opening the political space, and pledged to take a pragmatic approach, promote national cohesion and work constructively as a member of the “republican opposition”. However, he warned against alleged attempts to change the Constitution. On 31 May [2019], opposition leader Antipas Mbusa Nyamwisi, a member of the *Lamuka* coalition, returned to the Democratic Republic of the Congo after seven years in exile. On 17 June [2019], he pulled out of the coalition, citing the need to devote all his energy to supporting the Government’s efforts to address the Ebola outbreak and insecurity in Beni territory, North Kivu. On 23 June [2019],

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<sup>46</sup> Bundesamt für Flüchtlinge und Migration (BAMF) [Federal Office for Migration and Refugees (Germany)], [Briefing Notes](#), 18 March 2019, *Democratic Republic of the Congo, Political prisoners pardoned*

<sup>47</sup> Tellereport, [DRC: Lamuka coalition transformed into political platform – RFI](#), 28 April 2019

<sup>48</sup> International Crisis Group, [CrisisWatch](#), May 2019, *Latest Updates, Africa, Democratic Republic of Congo*

<sup>49</sup> International Crisis Group, [CrisisWatch](#), May 2019, *Latest Updates, Africa, Democratic Republic of Congo*

Jean-Pierre Bemba, another member of Lamuka and the president of the political party *Mouvement de libération du Congo*, returned to the Democratic Republic of the Congo”.<sup>50</sup>

The International Crisis Group noted in its June 2019 ‘CrisisWatch’ that:

Constitutional court 11 June [2019] invalidated election of 33 MPs in Dec polls, 23 of them from opposition Lamuka platform, in each case benefitting FCC. [...] Tshisekedi 17 June [2019] met constitutional court’s president, who promised to review decisions. Lamuka supporters defied govt ban and protested on independence day 30 June [2019] in Kinshasa and Goma, North Kivu; police violently dispersed protests, one killed in Goma. Several political exiles returned including former VP Jean-Pierre Bemba 23 June [2019], who signalled his opposition to Tshisekedi.<sup>51</sup>

The East African reported in July 2019 that “DR Congo President Felix Tshisekedi has nominated [...] Freddy Matungulu of the Lamuka coalition” for a “post in the African Development Bank, thereby obliging him to drop his political activities”.<sup>52</sup> The same source further noted that the opposition coalition *Lamuka’s* “remaining leaders now are Martin Fayulu who claims victory in the December election won by Tshisekedi; Moïse Katumbi — the powerful former governor of the mineral-rich Katanga region; Jean-Pierre Bemba, an ex vice-president and erstwhile warlord and former PM Adolphe Muzito”.<sup>53</sup>

### 3. National Security Forces and the International Peacekeeping Mission

#### 3.1. *Forces Armées de la République Démocratique du Congo (FARDC)*

For information on links to non-state armed groups see [4.4. Allied Democratic Forces \(ADF\)](#) and [4.3. Nduma defense du Congo-Renove \(NDC-R\)](#).

For further information on the human rights violations committed by FARDC see sections [5. Overview of the Security Situation, including conflict-related human rights violations](#), [6. Human Rights Situation – Civil and Political Rights](#), [7. Conflict-related Sexual and Gender-Based Violence \(SGBV\)](#), and [8.1. Recruitment and use of child soldiers](#).

According to the October 2018 Roméo Dallaire Child Soldiers Initiative’s report “The FARDC is the official DRC military, and is comprised of members of several ethnicities. Significantly, the FARDC is made up of the regional militias against which it had previously fought. FARDC is comprised of ‘some 130,000 troops’ though it is suggested that ‘three quarters [...] are operational but can hardly be considered a reliable force’”.<sup>54</sup>

The Jamestown Foundation provided the following summary of the FARDC in its November 2018 report: “FARDC is far from a cohesive entity, being composed of both integrated and non-integrated former rebel factions with different languages and customs. President Kabila,

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<sup>50</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, *II. Political developments*, para. 16

<sup>51</sup> International Crisis Group, [CrisisWatch](#), June 2019, *Latest Updates, Africa, Democratic Republic of Congo*

<sup>52</sup> The East African, [DRC opposition figure drops activism for African Bank job](#), 12 July 2019

<sup>53</sup> The East African, [DRC opposition figure drops activism for African Bank job](#), 12 July 2019

<sup>54</sup> Roméo Dallaire Child Soldiers Initiative, [Democratic Republic of the Congo Country Report: Children & Security](#), October 2018, 2. *State, Non-State, and International Actors*, a) *State Actors, Forces armées de la République démocratique du Congo (FARDC) – National Army*, p. 11

who regards his army as a potential threat, relies on the three brigades of the *Garde Républicaine* (Republican Guard) for his own personal security. Pay problems are endemic and encourage trade and economic cooperation with the rebel movements they are intended to fight. There is little incentive to venture into the bush without remuneration”.<sup>55</sup>

With regards to FARDC’s links to armed non-state groups, the same source further noted:

With ADF [Allied Democratic Forces] militants wearing FARDC uniforms and operating with apparent immunity at times, there are major local suspicions of FARDC corruption and collusion in the attacks. There is growing anger in the region at the military’s inability or unwillingness to bring armed groups under control. Locals arrested as suspected insurgents are often subject to summary executions. Many of the FARDC units operating in Kivu region are from the western provinces of the DRC and tend to behave more as an occupation force than defenders of Kivu civilians.

Led by General Marcel Mbangu, FARDC launched its own anti-ADF operations independent of MONUSCO in January [2018]. Though the military promised a conclusive campaign, local residents have noted lethargy and inefficiency in FARDC’s efforts, which often appear to be focused on self-preservation rather than protecting the community [...] Belief in collaboration between the two supposed antagonists is strong enough that locals refer to “the ADF FARDC” (*Le Monde*, March 6, 2017). Both FARDC and MONUSCO [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo] suffer from poor intelligence work due to the suspicion and fears of the Nord Kivu community.<sup>56</sup>

Covering events from January 2017 to October 2018 a report by the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) stated with regards to FARDC forces’ involvement with non-state armed groups [unofficial translation]:

The Butembo and Lubero area is covered by units from the 3310th, 3401st and 3402nd FARDC regiments, and elements of the FARDC sub-sector of Lubero. FARDC positions are understaffed, making them ineffective - and vulnerable - to counter attacks by well-organised armed groups. Some commanders of armed groups are former FARDC soldiers who have abandoned their units. For example, Saperita Kitelemire, a former FARDC soldier, federated Mai-Mai groups around Butembo in 2010. He was arrested in Beni in 2012. Lieutenant Oscar, known as Tango, a former FARDC soldier from the Department of Border Security in Kirumba, Lubero territory (until 2009), also joined Mai-Mai fighters before being arrested in 2015. Thus, some sources report alleged complicity between FARDC soldiers and armed groups. In April 2018, the Beni Supreme Military Prosecutor's Office opened an investigation into the alleged links between NDC / R combatants and FARDC soldiers. At least two soldiers from the FARDC sub-sector based in Lubero-center were arrested as part of this investigation for their involvement in trafficking FARDC uniforms, weapons and ammunition with the NDC/R [*Nduma défense du Congo-Rénové*] in Kagheri and Kasugho. On 11 September 2018, in Bingi village, a woman from Goma was reportedly arrested with 800 rounds of ammunition and FARDC uniforms that she was planning to sell to the NDC/R fighters. According to sources, this woman is said to be a member of the family of a FARDC officer who defected to join the NDC/R [...]

The reporting period has been marked by the authorities abandoning populations of Kasugho and Kagheri into the hands of armed groups. However, while these localities remained under the control of the NDC/R between June 2017 and August 2018, many sources indicate that

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<sup>55</sup> The Jamestown Foundation, [Violence and Viruses: How a Poorly Armed Insurgency in the Congo Poses a Global Threat](#), 2 November 2018

<sup>56</sup> The Jamestown Foundation, [Violence and Viruses: How a Poorly Armed Insurgency in the Congo Poses a Global Threat](#), 2 November 2018

the NDC/R were at least temporarily supported by FARDC soldiers, including through the provision of logistics and equipment.<sup>57</sup>

The UN Group of Experts on the DRC in its report focusing on events between 26 July and 9 November 2018 on four territories in the North and South Kivu Provinces found that “some FARDC elements in Masisi territory [North Kivu] were using armed groups such as APCLS-R [*Alliance des patriotes pour un Congo libre et souverain*] and NDC-R in their fight against other armed groups. Fifteen sources, including eyewitnesses, civil society members, local researchers, human rights actors, community leaders and State authorities, confirmed that fact to the Group”.<sup>58</sup>

In July 2018 Agence France-Presse reported that then President Joseph Kabila “replaced the country's army chief in a military shake-up” which resulted in “Lieutenant General Celestin Mbala [...] replace[ing] retiring General Didier Etumba as the head of the [FARDC]”.<sup>59</sup>

In relation to FARDC’s leadership in South Kivu, the FARDC commander for Operation Sukola II in South Kivu was named as General Philemon Yav, according to the UN Secretary-General report covering the period 15 September 2017 to 28 February 2018.<sup>60</sup>

### 3.2. UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)

A map of February 2019 depicting the location of MONUSCO troops can be found [here](#).<sup>61</sup>

The Jamestown Foundation provided the following summary of the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) in November 2018: “The UN Organization Stabilization Mission in the Democratic Republic of the Congo (*Mission de l’Organisation des Nations Unies pour la Stabilisation en République Démocratique du Congo*—MONUSCO) was founded in 1999-2000. It is now the UN’s largest peacekeeping mission, with 17,000 troops and an annual budget of \$115 billion”.<sup>62</sup>

The U.S. Congressional Research Service in April 2019 described MONUSCO’s mandate:

MONUSCO is the world’s largest U.N. peacekeeping operation, authorized to comprise up to 16,875 military and 1,441 police personnel. Its mandate has long focused on protecting civilians in conflict zones and supporting stabilization in the east. U.N. Security Council

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<sup>57</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 9 -10

[Unofficial translation provided by a COI researcher]

<sup>58</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, IV. Masisi territory, B. Armed groups, Role of the Forces armées de la république démocratique du Congo, para. 63

<sup>59</sup> Agence France Presse, [DRC’s Kabila promotes blacklisted generals in army shake-up](#), 16 July 2018

<sup>60</sup> UN Secretary-General, [Report of the Secretary-General on the implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 8 March 2018, II. Major developments, A. Security situation, para. 3

<sup>61</sup> See UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, p. 17

<sup>62</sup> The Jamestown Foundation, [Violence and Viruses: How a Poorly Armed Insurgency in the Congo Poses a Global Threat](#), 2 November 2018

Resolution 2409 (2018) identified two top “strategic priorities”: (1) protection of civilians and (2) “support to the implementation of the 31 December 2016 [St. Sylvestre] agreement and the electoral process.” In March 2019, the Security Council extended MONUSCO’s mandate and authorized troop ceiling for nine months, while reorienting the mission’s second priority task toward supporting state institutional strengthening and reforms. Other enduring tasks include the protection of U.N. personnel and facilities, support for demobilization of ex-combatants, and support for security sector reform. The Council has also called for an independent strategic review of the mission in 2019, including the articulation of a phased, progressive, and comprehensive “exit strategy”.<sup>63</sup>

The same report further noted the following criticisms of MONUSCO:

MONUSCO has drawn criticism for failing to protect Congolese civilians in various instances. Such shortfalls may be attributed to a combination of factors, including a wide-ranging mandate, logistical challenges, the DRC government’s limited commitment to work with the mission to improve stability, and limited capacity and political will among troop-contributing countries. MONUSCO’s mandate instructs it to support the DRC government in various ways, and its ability to operate is de facto contingent on government acceptance. MONUSCO personnel have also repeatedly been implicated in sexual abuse and exploitation.<sup>64</sup>

Within the time frame of this report MONUSCO’s mandate was renewed twice. In March 2018 the UN Security Council “renewed the mandate of [MONUSCO] until 31 March 2019 with a more focused mandate to help protect civilians and support implementation of the New Year’s Eve political agreement, including preparations for elections later in 2018”.<sup>65</sup> On 29<sup>th</sup> March 2019 the UN Security Council “decided unanimously [...] to renew the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo MONUSCO, until as of December 20, 2019. With two strategic priorities [...] to contribute to the protection of civilians and the stabilization and strengthening of State institutions”.<sup>66</sup>

#### **4. Major Armed Groups in the Region**

For further information on the human rights violations committed by non-state armed groups see sections [5. Overview of the Security Situation, including conflict-related human rights violations](#), [6. Human Rights Situation – Civil and Political Rights](#), [7. Conflict-related Sexual and Gender-Based Violence \(SGBV\)](#), and [8.1. Recruitment and use of child soldiers](#).

##### **4.1. Forces démocratiques de libération du Rwanda (FDLR)**

Further information on links to other non-state armed groups can be found in [4.5. Nyatura Groups](#) and [4.8. Miscellaneous Armed Acors Active in Eastern Congo](#).

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<sup>63</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *U.N. Peacekeeping: Current Issues*

<sup>64</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *U.N. Peacekeeping: Current Issues*

<sup>65</sup> UN, [Unanimously Adopting Resolution 2409 \(2018\), Security Council Extends Mission in Democratic Republic of Congo until 31 March 2019](#), 27 March 2018

<sup>66</sup> UN UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [THE UN SECURITY COUNCIL EXTENDS THE MANDATE OF MONUSCO UNTIL 20 DECEMBER 2019](#), 30 March 2019

For information on FDLR's main location of activities, including human rights violations, see [5.1 North Kivu](#).

At [Annex 1](#), an unofficial translation is provided of a table presenting an overview of the main armed groups active in Masisi and Lubero, North Kivu, as included in the following report: UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, 3. *Annexe 3 – Tableaux des principaux groupes armés actifs dans le Masisi et Lubero, pages 29-36.*

According to the October 2018 Roméo Dallaire Child Soldiers Initiative's report:

The Forces Démocratiques de Libération du Rwanda (FDLR), formed in 2000, is one of the largest and most violent foreign organised armed groups operating in the DRC. Comprised largely of members of the Hutu ethnic group, it includes former members of President Juvénal Habyarimana's army and Interahamwe militia. The activities of the FDLR are said to have triggered the first Congo war and significantly contributed to the second war between mid-1998 and 2002. Initially allied with former President Laurent-Désiré Kabila after 1998, current president Joseph Kabila permitted Rwandan troops to enter Congo to assist in efforts against the FDLR in 2009. In response, the FDLR committed crimes against the civilian population, including children in North and South Kivu provinces. In recent years, the FDLR has maintained the largest number of combatants of the many armed groups in the DRC, ranging between 700 and 1,200 fighters, and operates alongside other Congolese armed groups in North Kivu and South Kivu Provinces.<sup>67</sup>

The April 2019 U.S. Congressional Research Service report provided the following summary of the FDLR:

The FDLR has historically been among the largest armed groups in eastern DRC, with several thousand reported fighters as of the mid-2000s. Its size has since reportedly dwindled to 1,000-2,500 as of 2015, and it has been further weakened by subsequent splits and defections. Formed by ethnic Hutu extremists implicated in the 1994 Rwandan genocide, the FDLR has been implicated in severe abuses and resource trafficking. The FDLR and several of its leaders are subject to U.N. and U.S. sanctions, and alleged commander Sylvestre Mudacumura is the target of an ICC arrest warrant. Rwanda views the FDLR as a national security threat, noting that its founders have vowed to overthrow the Rwandan government. The FDLR has not launched a major attack on Rwanda since the early 2000s, however, and its activities appear primarily oriented toward self-preservation within DRC. The FDLR's complex embedded relationship with civilian communities makes it a challenging target for military operations. FARDC-led operations since 2009, some of which have been jointly carried out with Rwandan forces or local militias, have weakened the group, but they have also reportedly produced abuses on all sides. Local-level collusion between elements of the FARDC and the FDLR is also periodically reported. MONUSCO and Rwanda have sought to entice FDLR members to defect and undergo voluntary repatriation to Rwanda, while also encouraging continued military pressure. International calls for joint FARDC-MONUSCO operations against the FDLR in the aftermath of the M23's 2013 defeat were stymied by a lack of political will on the part of U.N. troop contributors (namely South Africa and Tanzania), along with DRC's decision to appoint military commanders that could not benefit from MONUSCO logistical support because they did not pass U.N. human rights vetting. In recent years, the FARDC has backed local rival militias to help counter the FDLR. This tactic

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<sup>67</sup> Roméo Dallaire Child Soldiers Initiative, [Democratic Republic of the Congo Country Report: Children & Security](#), October 2018, 2. *State, Non-State, and International Actors, b) Non-State Actors, FDLR, p.*

has helped weaken the group, although it has also driven FDLR elements to cultivate local allies and proxies of their own. Some observers warn that the FARDC's approach has made other conflicts more difficult to resolve.<sup>68</sup>

The UN Group of Experts on the DRC stated in their report covering events from 10 November 2017 to 8 April 2018 that the FDLR, "a sanctioned entity [...] continued to be active in parts of North Kivu, especially in western Rutshuru territory, often inside the Virunga National Park. Although significantly weakened over the past 18 years of its existence owing to defections, FARDC operations and breakaway factions, FDLR remained a threat to civilians. During the reporting period, FDLR trained and armed local armed groups known as Nyatura, which extorted the local population and targeted both FARDC positions and other armed groups".<sup>69</sup>

The 2018 Conflict Barometer produced by the Heidelberg Institute for International Conflict Research noted with regards to the FDLR that "In May 2016, high-ranking FDLR members had defected to form the National Council for Renewal and Democracy (CNRD), significantly weakening the FDLR. Throughout the year, FDLR was mainly active in Nyiragongo and Rutshuru territories, North Kivu province, while CNRD activities focused on Rutshuru and Walikale territory, North Kivu. According to a UN report, the FDLR comprised between 600 and 700 fighters. Both the FDLR and CNRD continued to cooperate with Mayi-Mayi Nyatura groups, clashing with other Mayi-Mayi militias in North Kivu as well as the Armed Forces of the DR Congo (FARDC) [...] Throughout the year, FDLR and CNRD attacked civilians on several occasions".<sup>70</sup>

With regards to FDLR's leadership, location and strength the UN Group of Experts found that:

Most of the FDLR leadership has remained intact since the previous report [published December 2017] According to 11 former FDLR combatants, the sanctioned individual Gaston Iyamuremye [...] 3 often referred to as the "President" of the movement, was located in Rubare, near Kirama, about 30 kilometres south-east of Kazaroho in Rutshuru territory. Colonel Gustave Kubwayo, also known as Sirkoff, was the military leader of subsector Mediane (formerly subsector Sinai) in Kazaroho, west of Kiwanja and east of the Kanyosha River. The headquarters of sector North, led by Pacifique Ntawunguka [...] also known as Omega Israel, was located near Tongo towards the Nyamulagira volcano, in a base called Paris [...]

Sylvestre Mudacumura [...] also known as Bernard Mupenzi, the FDLR army commander, changed bases frequently during the reporting period [...]

On the basis of the testimony of former combatants, there were 600 to 700 FDLR combatants scattered in various bases, mostly near Kazaroho and Makomarehe. This number is also consistent with the Group's previous findings [...] While the troop strength of FDLR has diminished over time, new recruits continued to join, although in relatively small numbers.<sup>71</sup>

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<sup>68</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *Conflict in Eastern DRC, Key Foreign-Origin Armed Groups in the Kivu Provinces: the FDLR and the ADF*

<sup>69</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, A. Forces démocratiques de libération du Rwanda, para. 15

<sup>70</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo Rwanda (FDLR, CNRD)*, p. 74/75

<sup>71</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, A. Forces démocratiques de libération du Rwanda, paras. 16-18

With regards to the activities attributed to the FDLR, a UN Secretary-General report covering the period 1 March to 31 August 2018 noted that the period “witnessed continuing weakening of FDLR, due to reported internal divisions as well as some progress towards the repatriation of disarmed former FDLR combatants and dependants to Rwanda. This notwithstanding, FDLR remained active and allegedly recruited from within the Hutu-dominated Nyatura armed groups and in Virunga National Park, in North Kivu Province. Furthermore, FDLR reportedly provided logistical support to local armed groups, particularly Nyatura”.<sup>72</sup>

With regards to FDLR’s former leadership the Heidelberg Institute for International Conflict Research ‘2018 Conflict Barometer’ reported that “On October 31 [2018], the appeal against the 2015 sentences of former FDLR president Ignace Murwanashyaka and vice president Straton Musoni started at the Federal Supreme Court of Germany. On December 20 [2018], the court upheld the conviction that they had acted as ringleaders of a terrorist organization. However, the conviction of Murwanashyaka for war crimes was partially overturned and referred to a different court”.<sup>73</sup>

The UN Group of Experts report covering the period November 2018 to 18 April 2019 reported that it had “received information that Ignace Murwanashyaka [...] President of the *Forces démocratiques de libération du Rwanda* (FDLR) [...] died in the university clinic of Mannheim, Germany, in April 2019, while awaiting retrial on charges of war crimes”.<sup>74</sup> Moreover it noted that “Two important members of FDLR were arrested by Congolese authorities at the border post of Bunangana, Rutshuru territory, North Kivu, on 16 December 2018. The FDLR spokesperson, Ignace Nkaka, also known as “La Forge Fils Bazeye” [...] and the deputy intelligence officer of the military branch of FDLR, Jean-Pierre Nsekanabo, also known as “Abega”, were arrested upon their return from Kampala, where they had met with a delegation of the Rwanda National Congress (RNC)”.<sup>75</sup>

Covering the period November 2018 to 18 April 2019 the UN Group of Experts found that the “status of FDLR, a sanctioned entity [...] did not change significantly during the mandate of the Group [...] FDLR elements continued to be active in parts of North Kivu, and the main structure of the movement remained intact, with the exception of the arrests described above[...] The Group assessed that neither the arrests nor the death of Murwanashyaka had had a major impact on the structure of the movement”.<sup>76</sup>

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<sup>72</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 2 October 2018, II. Major developments, A. Security situation, para. 8

<sup>73</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo Rwanda (FDLR, CNRD)*, p. 75

<sup>74</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, I. Introduction Update on sanctioned individuals and entities, para. 10

<sup>75</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, II. Armed groups in North Kivu, D. *Forces démocratiques de libération du Rwanda*, para. 63

<sup>76</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, II. Armed groups in North Kivu, D. *Forces démocratiques de libération du Rwanda*, para. 65

## 4.2. Conseil nationale du peuple pour la souveraineté du Congo (CNPSC)

For information on CNPSC's main location of activities, including human rights violations, see [5.2 South Kivu](#).

The October 2018 Roméo Dallaire Child Soldiers Initiative's report noted that:

The CNPSC is a new coalition of armed groups in South Kivu, which has clashed repeatedly with the Congolese army to take control of villages along Lake Tanganyika. The group's stated goal is to topple the Kabila Presidency, which it characterises as illegitimate following Kabila's refusal to step down in December 2016. More than 100,000 people have been displaced in areas where the CNPSC operates since the fighting began in June 2018, and the FARDC reportedly arrested scores of local youth suspected of having links with the coalition.<sup>77</sup>

A UN Secretary-General report covering the period 1 March to 31 August 2018 noted that "Some local armed groups, including the [...] Coalition nationale du peuple pour la souveraineté du Congo, led by Mayi-Mayi Yakutumba, operating in parts of South Kivu, Maniema and Tanganyika Provinces, strengthened their anti-government postures".<sup>78</sup>

Covering the period from 1 September 2018 to 28 February 2019 the same source noted that "Military operations in December [2018] and January [2019] against an FDLR splinter group, Conseil national pour le renouveau et la démocratie-Ubwiyunge, forced the latter to abandon positions in North Kivu and move into South Kivu".<sup>79</sup>

### Further reading

The Congo Research Group published a useful briefing on the *Coalition Nationale pour la Souveraineté du Congo (CNPSC)* in February 2019, which focuses on the reasons for such an alliance, which can be accessed [here](#).<sup>80</sup> The report also includes a useful map listing the members of the CNPSC and their location in South Kivu.<sup>81</sup>

## 4.3. Nduma défense du Congo-Rénové (NDC-R)

For information on links to the *Forces Armées de la République Démocratique du Congo* (FARDC) see [3.1. Forces Armées de la République Démocratique du Congo \(FARDC\)](#).

For information on NDC-R's main location of activities, including human rights violations, see [5.1 North Kivu](#).

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<sup>77</sup> Roméo Dallaire Child Soldiers Initiative, [Democratic Republic of the Congo Country Report: Children & Security](#), October 2018, 2. *State, Non-State, and International Actors*, b) *Non-State Actors*, *Coalition nationale du peuple pour la souveraineté du Congo (CNPSC)*, p. 20

<sup>78</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 2 October 2018, II. *Major developments*, A. *Security situation*, para. 5

<sup>79</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 12 March 2019, II. *Major developments*, A. *Security situation*, para. 5

<sup>80</sup> See Congo Research Group, [The CNPSC, Rebellion Social Marginalization and State Complicity in South Kivu](#), February 2019

<sup>81</sup> See the map 'Members of the CNPSC January 2018' on p. 2. Congo Research Group, [The CNPSC, Rebellion Social Marginalization and State Complicity in South Kivu](#), February 2019

At [Annex 1](#), an unofficial translation is provided of a table presenting an overview of the main armed groups active in Masisi and Lubero, North Kivu, of which the NDC-R is one, as included in the following report: UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, 3. *Annexe 3 – Tableaux des principaux groupes armés actifs dans le Masisi et Lubero*, pages 29-36.

The Heidelberg Institute for International Conflict Research '2018 Conflict Barometer' noted that "Activism by the Nduma Defense of Congo (NDC) decreased in 2018 after its leader, Ntabo Ntaberi Sheka, surrendered on 26 June 2017. However, break-away faction NDC-Renewed (NDC-R), led by Shimiray Mwiswa Guidon, emerged as one of the largest groups in North Kivu, consisting of around 1,000 to 1,250 fighters and controlling large parts of Walikale and Lubero territories and small parts of Masisi territory [...] NDC activities mainly concentrated on clashes with NDC-R as well as attacks on FARDC".<sup>82</sup>

With regards to its leadership, the UN Group of Experts noted in their June 2018 report that:

According to a large variety of sources, NDC-R is an armed group that is considered to be well-disciplined and structured. Guidon [...] together with deputy commander "General" Gilbert Bwira Chuo and his chief of staff, "Colonel" Deo Bafosse Mparanyi, resides in the armed group's headquarters, located in Irameso in Walikale territory. Other important individuals in the movement are cited below, starting with "Colonel" Masiya Sita Tondeze, the T510 of the movement. He was one of the main leaders during the attack on Miriki in July 2017 [...] and started the occupation of Kasugho in March 2017. "Colonel" Jean-Claude Kamutoto was the brigade commander in Kasugho, while "Colonel" Kasereka Kifagiyo was the brigade commander in Irameso. Eustache Kabaya Suwamene and Désiré Ngabo Kisuba, respectively the spokesperson and secretary of Guidon, also manage public relations. They travel regularly to Kinshasa, Goma or Beni.<sup>83</sup>

The report by MONUSCO covering events from January 2017 to October 2018 provided the following background on the NDC-R [unofficial translation]:

According to various local sources, 70 % of Lubero territory is under the control of various armed groups, including Nduma Defense of Renovated Congo (NDC/R), Mai-Mai Mazembe, various other Mai-Mai groups, and various other groups. It is difficult to estimate their numbers given their movements between the territories of Lubero, Beni and Walikale. In addition, some coalitions are forged and splits occur over time [...] The NDC/R was forged after a dissent within Cheeka's NDC. Mostly of Nyanga ethnic origin, in 2016 they joined forces with Mai-Mai Mazembe in the Lubero territory, including the Union of Patriots for the Defense of the Innocent (UPDI), in the hunt for the Democratic Forces of The Liberation of Rwanda (FDLR) - Hutu rebels who fled Rwanda after the 1994 genocide. After being driven out of Lubero, the NDC/R and Mai-Mai Mazembe separated due to diverging economic interests, including the control of mining squares and villages where they have imposed illegal taxes on activities and people. Mai-Mai groups, particularly Mai-Mai Mazembe, were originally set up to protect their Nande community by pushing back combatants from foreign armed groups, particularly the FDLR. [...] While ethnicity is a determining factor in the

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<sup>82</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo (Mayi-Mayi et al.)*, p.73

<sup>83</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. *Armed groups, D. Nduma défense du Congo-Rénové*, para. 73

formation of alliances and therefore in the intensity of conflict in these areas, economic interests also appear to significantly affect the evolution of armed groups and their operations. For example, discrepancies between the NDC/R and Mai-Mai Mazembe may have emerged in April 2016 due to financial clashes between their commanders, making Butembo's western zone a new battleground for controlling minerals. The majority of armed groups operating in Lubero territory are involved in the illegal exploitation of natural resources. The NDC/R, and some Mai-Mai groups control deposits of raw materials including gold, wood and coal, over which they have the monopoly in the western part of the territory of Lubero. They are also involved in poaching and trafficking in protected species (including elephants, gorillas and leopards) [...] In April 2018, the Beni Supreme Military Prosecutor's Office opened an investigation into the alleged links between NDC/R combatants and FARDC soldiers. At least two soldiers from the FARDC sub-sector based in Lubero-center were arrested as part of this investigation for their involvement in trafficking FARDC uniforms, weapons and ammunition with the NDC/R in Kagheri and Kasugho. On 11 September 2018, in Bingi village, a woman from Goma was reportedly arrested with 800 rounds of ammunition and FARDC uniforms that she was planning to sell to the NDC/R fighters. According to sources, this woman is said to be a member of the family of a FARDC officer who defected to join the NDC/R.<sup>84</sup>

The UN Group of Experts, reporting between 10 November 2017 and 8 April 2018 found that "NDC-R was one of the largest armed groups active in North Kivu and that it had increased its zone of influence significantly since the Group's last reporting on the group [...] The name of the NDC-R leader, 'General' Shimiray Mwissa Guidon, was added to the sanctions list of the Committee on 1 February 2018 [...] The Group found that sanctioned individual Guidon was still popular among the local community in Walikale territory owing to his ability to provide security and to defend their interests. At the same time, NDC-R combatants were involved in illegal taxation of the local population, as well as in committing human rights violations against the population. NDC-R took advantage of the lack of the FARDC presence in the region, their own disciplined organization and their relationship with some FARDC elements to control a significant part of North Kivu".<sup>85</sup> The group was estimated to have around "1,000 to 1,250 active NDC-R combatants".<sup>86</sup>

The UN Group of Experts stated in relation to the location of this armed group in the reporting period November 2018 to 18 April 2019:

Three ex-combatants told the Group that Guidon had a close protection unit of about 90 combatants and that several hundred combatants were present in Irameso. At the time of preparation of the present report, Kasugho in Lubero territory was considered to be the second headquarters of the movement. Several ex-combatants and two civilians told the Group that, at any one time, 150 to 250 combatants were present in Kasugho, with an advanced post in Kagheri comprising 75 elements. Other localities with a significant presence

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<sup>84</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [\*Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018\*](#), December 2018, p. 8 [Unofficial translation provided by a COI researcher]

<sup>85</sup> UN Group of Experts on the Democratic Republic of the Congo, [\*Final report of the Group of Experts on the Democratic Republic of the Congo\*](#), 4 June 2018, II. Armed groups, D. Nduma défense du Congo-Rénové, para. 75

<sup>86</sup> UN Group of Experts on the Democratic Republic of the Congo, [\*Final report of the Group of Experts on the Democratic Republic of the Congo\*](#), 4 June 2018, II. Armed groups, D. Nduma défense du Congo-Rénové, paras. 70 and 71

of NDC-R combatants were Bukumbirwa, Bunyatenge, Fatua, Buleusa, Oninga, Mutongo, Fungulamachu and Makokundu.<sup>87</sup>

The same source further found that the NDC-R “expanded its territorial control in North Kivu and increased its troop strength, thereby posing a serious threat to stability in the area. Armed clashes between NDC-R and other local armed groups in northern Masisi and western Rutshuru territories in mid-January 2019 resulted in a number of serious human rights violations. The Group also identified collaboration between FARDC and NDC-R in these areas, consistent with previous findings”.<sup>88</sup> It further noted that “As previously reported [...] the Group confirmed that NDC-R continued to finance its activities through the control of mining sites and taxation in Walikale and Lubero territories, expanding into Masisi territory”.<sup>89</sup>

The UN Group of Experts documented several human rights violations committed by the NDC-R, notably the “brutal enforcement of an established community service activity called *salongo* [...] which was instituted by NDC-R commanders at Kasugho and Kagheri and involved adult men [...] cleaning in the military camp, building houses for the combatants or rehabilitating roads in the region. Those who did not attend to perform such labour were beaten and detained. Several ex-combatants confirmed the use of forced labour”.<sup>90</sup> Other violations reported to the UN Group of Experts included the forcible order to transport goods to other NDC-R camps and the witnessing of summary executions.<sup>91</sup>

ACLEDA noted in its ‘Fact Sheet’ of 25<sup>th</sup> July 2019 that “The NDC-Renove — led by Guidon Mwissa, a militia commander who faces UN sanctions for alleged war crimes — has continued to clash with other armed groups as it expands its territory across Masisi, Lubero, Rutshuru, and Walikale. The militia often targets Hutu armed groups and pushed National Council for Renewal and Democracy (CNRD) forces from the region, according to a recent UN Group of Experts report. Allegedly allied with the Armed Forces of the Democratic Republic of the Congo (FARDC), the NDC-Renove is often left unopposed in the territory it gains, facilitating frequent human rights abuses. From July 2018 to the present, the NDC-Renove has been responsible for 17 attacks on civilians, resulting in over 40 reported fatalities. The group also engaged in 56 armed clashes, resulting in more than 220 reported fatalities”.<sup>92</sup>

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<sup>87</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, D. Nduma défense du Congo-Rénové, para. 74

<sup>88</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, Summary, p. 2

<sup>89</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, V. Natural resources and financing, C. Financing of the Nduma défense du Congo-Rénové, para. 187

<sup>90</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, D. Nduma défense du Congo-Rénové, para.87

<sup>91</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, D. Nduma défense du Congo-Rénové, paras. 88 and 89

<sup>92</sup> ACLED Admin, [Fact Sheet – Conflict in the DRC](#), 25 July 2019

#### 4.4. Allied Democratic Forces (ADF)

For information on ADF's main location of activities, including human rights violations, see [5.1 North Kivu](#).

The April 2019 U.S. Congressional Research Service report provided the following summary with regards to the Allied Democratic Forces (ADF):

The ADF, estimated at 1,200-1,500 combatants as of 2013, was founded in 1995 in Uganda as an Islamist inspired opposition group. The group has been based in DRC for two decades and is predominantly active in and around Beni territory in North Kivu. It is subject to U.N. and U.S. sanctions. The ADF's motivations are unclear and its structure opaque. FARDC and MONUSCO operations in 2014 reportedly splintered the ADF, and founder Jamil Mukulu was arrested in 2015 in Tanzania and extradited to Uganda. The ADF reportedly continues to operate and recruit from the sub-region, although whether it remains a coherent organization is debated. Research by the U.S.-based Congo Research Group (CRG) suggests that activities attributed to the ADF may implicate a mix of actors, including state security force elements and other militia groups. In April 2019, the Islamic State media outlet Amaq claimed IS responsibility for an attack on local security forces in Beni on behalf of a nominal "IS-Central Africa Province," seemingly confirming previously reported IS-ADF ties. In 2018-2019, the U.S. Treasury Department designated two Kenyan nationals for allegedly assisting transfers of money between the IS organization and fighters in "Central Africa," an apparent reference to ADF combatants. At the same time, the ADF is a nebulous and opaque organization, its authorship of specific attacks has long been disputed, and the extent to which it has concrete ties to any transnational Islamist extremist organizations remains subject to debate. Prior to 2018, officials in Uganda and DRC asserted that the ADF was linked to Al Qaeda or its Somali affiliate Al Shabaab. Analysts have generally been skeptical of such claims. A series of large civilian massacres in Beni have been attributed to the ADF since 2014. The group also reportedly carried out a December 2017 attack on U.N. peacekeepers in Beni that killed 15 and injured 43, in what the U.N. Secretary-General termed the "worst attack on United Nations peacekeepers in the Organization's recent history." Both tactics represented a significant shift for the group compared to its first two decades of existence. The CRG reported "extensive evidence indicating that members of the FARDC have actively participated in massacres" attributed to the ADF. According to U.N. investigators, "involvement of FARDC military units [in extrajudicial killings] could be explained by long-standing ties between some of them and the ADF in the territory of Beni, especially in relation to the illegal exploitation of natural resources".<sup>93</sup>

The Social Science in Humanitarian Action Platform noted in its August 2018 briefing that "The Allied Democratic Forces is a Ugandan armed group formed in 1995 on Islamist principles. ADF crossed into Congo (Beni territory) and joined with the National Army for the Liberation of Uganda (NALU). ADF and NALU were merged until 2007 when NALU demobilised. ADF remains one of the most active but complex groups in Beni Territory and uses religion (Salafi doctrine) to maintain order within camps and mobilise combatants. It has strong links with local political authorities, economic figures, resource industries and other armed groups in Beni and into Butembo. MONUSCO, local residents and combatants, and international researchers have documented evidence of its opportunistic connections to armed actors linked with the political opposition. It is fiercely predatory, but since Sukola I,

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<sup>93</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *Conflict in Eastern DRC, Key Foreign-Origin Armed Groups in the Kivu Provinces: the FDLR and the ADF*

its organisational structure is uncertain and the group is fragmented throughout Bambuba-Kisiki, Kainama and Mwalika areas”.<sup>94</sup>

The 2018 Conflict Barometer produced by the Heidelberg Institute for International Conflict Research noted with regards to the ADF: “The limited war over subnational predominance and resources continued between the Islamist armed group Allied Democratic Forces (ADF) and the governments of Uganda and the DR Congo (DRC), supported by MONUSCO. The ADF was mainly active in Beni territory, North Kivu province, DRC. The group maintained cross-border economic and logistical networks, especially those of illegal logging and gold mining. The UN estimated the number of ADF fighters at approx. 400 to 450. Recruiting in Uganda continued, primarily among its youth. As in previous years, the UN found no evidence for sustained links between ADF and international jihadist groups. Throughout the year, alleged ADF fighters repeatedly clashed with the Armed Forces of the Democratic Republic of the Congo (FARDC) as well as MONUSCO [...] In 2018, at least 190 civilians were killed, 38 injured, and thousands displaced [through attacks by fighters on civilians]”.<sup>95</sup>

The Jamestown Foundation noted in May 2019 with regards to ADF’s founder, Shaykh Jamil Mukulu:

ADF was founded by Shaykh Jamil Mukulu, a Ugandan who converted from the Roman Catholic Church to Islam. Mukulu, born as David Staven, was known to be an ardent critic of Islam when he was a Christian. Converting to Islam, Mukulu quickly became a hardline Islamist following his exposure to Tablighi Jamaat teachings. Tablighi Jamaat is a missionary movement of Islam that urges Muslims to return to a certain practice of Islam, focusing on dress ritual and behavior.

Mukulu is believed to have spent time in Khartoum, where he met Osama bin Laden, the former al-Qaeda leader, and other Islamist militant leaders who had sought refuge there.

Some reports suggest Mukulu received extensive training in Sudan and Afghanistan following his encounter with Bin Laden, although this has not been confirmed. Regardless, this prepared him to form and lead an Islamist outfit that has remained resilient despite continued operations by the Congolese army and UN forces in the DRC.

Mukulu is now in prison in Kampala after he was extradited to Uganda following his arrest in Tanzania in 2015. He faces several charges including terrorism, murder, crimes against humanity, aiding and abetting terrorism, among others.<sup>96</sup>

The UN Group of Experts report covering the period November 2018 to 18 April 2019 found with regards to ADF’s leadership:

While ADF was weakened and dispersed following the FARDC operations against it in 2014, the Group observed that the armed group has since regrouped and reinstated a single command and control structure. Fifteen ex-combatants and former abductees confirmed the continued presence and leadership of long-standing ADF commanders [...] The overall and undisputed leader of ADF continued to be Seka Musa Baluku. He resided in the Kajaju quarter of the Madina complex. Sources confirmed that Baluku tightly controlled the movement [...]

In Madina, “Sheikh” Lumisa was the religious leader and in charge of external communications. Abdulrahman Waswa, also known as “PC Sentongo”, was a judge and

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<sup>94</sup> Social Science in Humanitarian Action, [Key considerations: the context of North Kivu province, DRC](#), August 2018, *Insecurity dynamics*, p. 4/5

<sup>95</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo Uganda (ADF)*, p. 75

<sup>96</sup> The Jamestown Foundation, [Has Islamic State Really Entered the Congo and is an IS Province There a Gamble?](#), in *Terrorism Monitor* Volume: 17 Issue: 11, 31 May 2019

police commissioner responsible for discipline and punishment. Kasadha took over as camp commander from Kajaju, who left for another unknown position [...]

In Mwalika, recruits and ex-combatants identified a man called Amigo as being in charge of recruitment and communications with Madina camp. “Sheikh” Koko was the religious leader and Kikote the camp commander [...]

Ex-combatants, former abductees and recruits cited a number of other military leaders, including Kajaju, Kikote, Werrason, Mugisa, Rafiki, Mulalo, Braida and Akeda, who rotated across different camps [...]

The majority of ADF combatants were Ugandan nationals, but the movement also included nationals of Burundi, the Democratic Republic of the Congo, Rwanda, the United Republic of Tanzania and other countries. Two sources identified a certain Hussein, or Marabou, as a non-African, Arabic-speaking member of ADF [...] Combatants included men, women and children [...]

FARDC sources and two ex-combatants told the Group that an important ADF commander, Richard Mugisa, also known as Mzee (son of the founder and long-time ADF leader Jamil Mukulu, who was arrested in the United Republic of Tanzania in 2015 [...] had been killed. Three ex-combatants confirmed that Mzee was no longer in the ADF camps, while two of them believed that he had been killed by members of ADF. FARDC sources also told the Group that the deputy of Baluku, Lukwago Hood, had died in 2018. While two ex-combatants confirmed Hood’s death, a former abductee told the Group that Hood was still alive. Ugandan officials also informed the Group during an official meeting that Hood was still alive.<sup>97</sup>

With regards to the current leader of the ADF and other high-profile members, the UN Group reported that “Two former ADF combatants told the Group that Baluku [Seka Baluku] remained the leader of Madina and Hood Lukwago, also known as London, was army commander and Baluku’s deputy [...] Other commanders included Richard Mugisa, also known as Mzee, one of the sons of Jamil Mukulu (CDi.015) (former ADF leader and sanctioned individual), and Fezza Seguja, known for having ties to some local communities between Mbau and Eringeti”.<sup>98</sup> The Jamestown Foundation reported in November 2018 that “The ADF has a low-profile and highly isolated leadership. Mukulu’s successor as leader of the main ADF faction is believed to be Imam Seka Musa Baluku, the subject of an Interpol red notice”.<sup>99</sup> The same source noted the following ADF factions to include “the Feza Group (more religiously inclined than the others), the Matata Group, the Abialose Group (commanded by “Major” Efumba) and the ADF-Mwalika [...] Factional leaders have often married the daughters of local chieftains to strengthen local ties”.<sup>100</sup>

The Social Science in Humanitarian Action Platform noted in its August 2018 about the “Faux ADF”: “(False ADF) and the clandestine nature of violence – In Beni, it is common for armed groups and their backers to conceal their activities and remain anonymous. Various armed groups use ‘ADF’ as a pseudonym to conduct operations and violence. These include national army officers who are involved in organising kidnappings or civilian killings and who may disguise themselves as ADF during operations, Congolese mafia-like organisations and

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<sup>97</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, II. Armed groups in North Kivu, A. Allied Democratic Forces, paras. 21-2

<sup>98</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, B. Allied Democratic Forces, paras. 30 and 31

<sup>99</sup> The Jamestown Foundation, [Violence and Viruses: How a Poorly Armed Insurgency in the Congo Poses a Global Threat](#), 2 November 2018

<sup>100</sup> The Jamestown Foundation, [Violence and Viruses: How a Poorly Armed Insurgency in the Congo Poses a Global Threat](#), 2 November 2018

armed groups often formed along ethnic lines. The local affiliation of these groups makes them no less predatory: they are involved in kidnapping, killings, and ransoming civilians (sometimes in conjunction with other political figures or the ADF). They are financed by politicians and receive weapons from parallel networks in the national army. This results from the long history of ADF (and previously, NALU) embedment in the area and the linkages between them and Congolese interests. Key bases include areas of Virunga national park: Mwalika, Rwenzori Sector, Bambuba-Kisiki, Mayangose, and the area around Kainama. Some parallel networks in FARDC also assume 'ADF' as a pseudonym to conceal their activities. Other local armed groups also position themselves as Islamist networks, further clouding distinctions between these groups and the true ADF".<sup>101</sup>

#### Location & activities of the ADF

The UN Group of Experts on the DRC stated in their report covering events from 10 November 2017 to 8 April 2018 that they particularly investigated the ADF in Beni territory and found that "Sources reported that 400 to 450 armed elements were scattered in different bases, operating primarily to the south - east and north-east of Beni" and that the UN Group of Experts "did not find any evidence of links between ADF and international terrorist organizations".<sup>102</sup>

With regards to the activities attributed to the ADF, the UN Secretary-General report on the 'Implementation of the Peace, Security and Cooperation Framework for the DRC and the Region' covering the period 1 March to 31 August 2018 noted that the ADF "remained active in North Kivu Province and reportedly continued to recruit followers from neighbouring countries. Recent operations by the Armed Forces of the Democratic Republic of the Congo against the group reportedly resulted in a split within ADF, which, thereafter, appeared to be operating in small, largely independent groups. Alleged ADF attacks targeted Congolese security forces and the civilian population, as well as MONUSCO forces. Since the beginning of 2018, more than 100 civilians have been killed in ADF attacks. The most severe incident during the reporting period was the killing of 14 farmers on 2 August [2018], on the outskirts of Beni, North Kivu Province".<sup>103</sup>

In October 2018 ACLED reported on ADF's activities and stated:

Despite the difficulties in tracking ADF activities, recorded events suggest that the group is becoming more active in 2018. Violent events involving the ADF in North Kivu have surged more than 140% from 2017, rising to 92 violent events in 2018 thus far. The government's offensive may be behind the increased number of activities involving the rebel group, as well as behind the increase in civilian targeting by rebel groups.<sup>104</sup>

The UN Group of Experts on the DRC in its report focusing on events between 26 July and 9 November 2018 on four territories in the North and South Kivu Provinces "uncovered a well-established international network dedicated to the recruitment of combatants sent to Beni

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<sup>101</sup> Social Science in Humanitarian Action, [Key considerations: the context of North Kivu province, DRC](#), August 2018, *Insecurity dynamics*, p. 5

<sup>102</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, B. Allied Democratic Forces, para. 27

<sup>103</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 2 October 2018, II. Major developments, A. Security situation, para. 7

<sup>104</sup> Hilary Matfess (ACLED), [Layered insecurity in North Kivu: Violence and the Ebola response](#), 28 October 2018

territory [North Kivu]. Although it was not able to confirm that combatants were recruited for the Allied Democratic Forces (ADF), the Group [UN Group of Experts on the DRC] found similarities to previously documented recruitment patterns for ADF”.<sup>105</sup>

In mid-November 2018 “MONUSCO launched a new offensive against the ADF rebel group (Allied Democratic Forces) in eastern Congo together with the government army. On 15.11.18 the town of Kididiwe (around 20 km from Beni, a city with a population of 800,000 in North Kivu province), an ADF stronghold, was captured” reported the German Bundesamt für Migration und Flüchtlinge.<sup>106</sup>

The UN Secretary-General report on the ‘Implementation of the Peace, Security and Cooperation Framework for the DRC and the Region’ covering the period from 1 September 2018 to 28 February 2019 noted that “At least 245 civilians, including 55 women and seven children, were killed in attacks attributed to ADF in 2018” and that the ADF “continued to recruit followers from countries in the Great Lakes region and beyond”.<sup>107</sup> The same source further noted that “On 20 November [2018], the military spokesperson of Uganda announced the deployment of approximately 4,000 troops along the border with the Democratic Republic of the Congo to prevent infiltration and attacks by ADF”.<sup>108</sup>

The 2018 Conflict Barometer produced by the Heidelberg Institute for International Conflict Research noted that “attacks on civilians in North Kivu, allegedly committed by the Allied Democratic Forces (ADF), increased throughout the year, leaving at least 190 people dead”.<sup>109</sup>

The UN Group of Experts report covering the period November 2018 to 18 April 2019 found that:

The Allied Democratic Forces (ADF), led by Seka Musa Baluku, has regrouped and rebuilt its capacity. ADF continued to attack civilians and security forces during the reporting period. The Group found that ADF continued to recruit and use children, in particular during attacks and combat. It also found that ADF engaged in conflict-related sexual violence, including through forced marriage. Although the radical interpretation of Islam by ADF and its recent propaganda suggested a willingness to be associated with other Islamist groups, the Group found no evidence of direct collaboration between them during the period under review. The Group noted that, for the first time, Islamic State in Iraq and the Levant had claimed an attack on Congolese territory in April 2019, but the Group was not able to confirm any direct link with ADF at the time of writing.<sup>110</sup>

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<sup>105</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, *Summary*

<sup>106</sup> Bundesamt für Flüchtlinge und Migration (BAMF) [Federal Office for Migration and Refugees (Germany)], [Briefing Notes](#), 19 November 2018, *Democratic Republic of the Congo, Eight UN soldiers killed in action against ADF rebels*

<sup>107</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 12 March 2019, *II. Major developments, A. Security situation, para. 4*

<sup>108</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 12 March 2019, *II. Major developments, A. Security situation, para. 4*

<sup>109</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, Regional Development, p. 58*

<sup>110</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, *Summary, p. 2*

The same source further noted that “several ex-combatants and former ADF abductees continued to use interchangeably different names for the same armed group, namely, ADF, ADF-NALU (Allied Democratic Forces – National Army for the Liberation of Uganda), NALU (National Army for the Liberation of Uganda) and Madina at Tawhid Wai Muwahedeen (MTM)”.<sup>111</sup>

With regards to its location, the UN Group of Experts stated:

The Group observed that ADF was a well-organized armed group spread over several camps in the Beni-Butembo region near or in the Virunga National Park. On the basis of testimonies of nine ex-combatants, 10 victims, civil society, local researchers, MONUSCO sources and FARDC officers, the Group located several main camps used by ADF [...] It is worth noting that, while exact camp locations have changed over time, most of their names have remained constant. In addition, the Group found that men, women and children were present in all ADF camps [...]

The ADF base camp called Madina, divided into Madina I and Madina II, was a complex of smaller camps in the so-called “Death Triangle”, situated between Oicha, Eringeti and Kamango, some 35 kilometres north of Beni. Leaders of ADF stayed in Madina II, which included Kajaju, Bango, Whisper and Richard camps, all situated approximately one kilometre from each other [...] The Group estimated that there were between 150 and 200 ADF elements in each of the four aforementioned smaller camps [...]

Another important ADF camp, known as Mwalika, Irungu and Domaine, was situated in the vicinity of Mwalika village, between Kasindi and Butembo in Beni territory, in the Virunga National Park. This camp was used primarily as an assembly point for foreign recruits. Mwalika camp was moved frequently and was usually situated near the Semuliki River. Four ex-combatants told the Group that Mwalika had been moved twice during their four-month stay and that it had taken them approximately five hours to reach the new campsite on foot. The Group estimated that Mwalika accommodated between 100 and 150 people depending on the supply of new recruits [...]

A third camp, named Mulalo after its leader and also known as Lahe camp, was situated in the Mayangose forest north-east of Beni [...] This camp counted some 60 to 80 combatants. Mulalo was used as a transit camp for elements of ADF and their captives travelling between Mwalika and Madina. On the basis of satellite images taken in January 2019, it is likely that this camp was moved after the joint FARDC-MONUSCO operations of November 2018 [...] but remained in the same general area [...]

Another ADF camp, situated near Mapobu, was attacked and occupied by FARDC in February 2018 [...] According to an ex-combatant and several former abductees, ADF has since moved the camp between two FARDC positions near Mapobu. The camp was used as a logistical hub for provisions coming from Beni towards Madina and numbered some 30 combatants with dependants.<sup>112</sup>

According to a U.S. Congressional Research Service report “In April 2019, the Islamic State organization claimed responsibility for an attack on local soldiers in the Ebola-affected area [In Bovata, North Kivu], an apparent effort to rebrand a local armed group known as the Allied Democratic Forces”.<sup>113</sup> Also reporting on this incident ACLED noted that “The Bovata

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<sup>111</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, II. Armed groups in North Kivu, A. Allied Democratic Forces, para. 15

<sup>112</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, II. Armed groups in North Kivu, A. Allied Democratic Forces, paras. 16-20

<sup>113</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *Conflict in Eastern DRC*

attack comes a few weeks after President Tshikedi warned that an Islamic threat was stemming from the ADF [...] There has been a significant scaling up of the ADF violence in Nord Kivu over the past five months, amid the presidential elections and the ongoing Ebola outbreak. Half of the violence is targeted at civilians, through regular attacks and abductions in villages in the Oicha area, which the FARDC and MONUSCO sometimes repel. This is an important shift from the group's previous mode of operation, which predominantly consisted of battles against the security forces".<sup>114</sup>

In April 2019 Radio Télévision Belge Francophone reported that [unofficial translation] "At the beginning of the month, during his visit to the United States, the new president of the DRC, Felix Tshisekedi, asked that ADF be officially recognised by the UN as a terrorist organization".<sup>115</sup>

Caleb Weiss writing an entry for the blog of the The Long War Journal reported in May 2019 that "Following recent attack claims from the Democratic Republic of the Congo (DRC), the Islamic State has followed up by publishing several photos from the DRC's North Kivu region [...] Claiming another assault on Congolese troops near 'Kalyanjoki,' the jihadist group released three photos showing the 'spoils' captured from the attack. Several Kalashnikovs and at least one RPG [Rocket-propelled grenade] is shown to have been captured, while another photo shows personal belongings of the Congolese troops. The photos, which were released by the Islamic State's central media office, were labeled under the moniker 'Wilayat Wasat Ifriqiyah,' or 'Central African Province'.<sup>116</sup>

At the end of May 2019 the same journalists contended:

While some observers have casted doubt on the overall presence of the Islamic State in the area, it is evident that an Islamic State-loyal cell does exist in North Kivu. Moreover, this cell likely exists within the context of the ADF.

Researchers from the Congo Research Group have found that the ADF has made several overtures to the Islamic State in recent years.

This includes rebranding itself as "Madinat al Tawhid wal Muwahedeen," or the City of Monotheism and Monotheists (MTM), and producing new imagery more aligned to jihadist organizations.

ADF/MTM videos gathered by the *Bridgeway Foundation* were shared with *FDD's Long War Journal*. Many of the videos demonstrate clear jihadist messaging, including mantras of establishing a caliphate and that their goal is to implement their strict interpretation of Sharia in the DRC and Uganda.

Islamic State material has also been found within the ADF/MTM ranks, including a book published by the Islamic State's *Maktabah al Himma*, an important wing of the Islamic State that once produced theological and ideological treatises [...]

While it is possible that the apparent rebranding within the ADF is a move to garner more international attention, it is clear that the Islamic State made a concentrated effort to reach out to militants within the DRC.

It is also possible that the Islamic State wing in the DRC originated as a splinter within the ADF/MTM, as other observers and regional experts have casted doubt on the overall Islamic State affinity within the ADF.

The existence of a pro-Islamic State splinter within the ADF would help account for the dissonance between the amount of claims made by the Islamic State in the DRC and the

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<sup>114</sup> Margaux Pinaud (ACLED), [Regional Overview – Africa](#), 23 April 2019, p. 1

<sup>115</sup> Radio Télévision Belge Francophone, [Le groupe terroriste Etat islamique en RDC: une revendication qui pose questions](#), 26 April 2019 [Unofficial translation provided by a COI researcher]

<sup>116</sup> Caleb Weiss (The Long War Journal blog), [Islamic State releases photos from DRC](#), 6 May 2019

overall attacks perpetrated by the ADF since the “Central African Province” was formed in April.

Despite the current unknowns about the Islamic State in the DRC, it is abundantly clear that there is in fact an Islamic State-loyal cell operating within the North Kivu region and it is indeed in communication with the overall Islamic State network.<sup>117</sup>

#### Further reading

For more detailed information into the “life and operations of a secretive Jihadi armed group” see the Congo Research Group, [Inside the ADF Rebellion, A Glimpse into the Life and Operations of a Secretive Jihadi Armed Group](#), November 2018. The report provides a historical overview of the Allied Democratic Forces (ADF), describes the structure of the ADF, as well as links between the ADF and other militant Islamist groups.<sup>118</sup>

For a list of ADF leaders see Annex 6 of the report by the UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019.

### **4.5. Nyatura Groups**

For information on Nyatura’s main location of activities, including human rights violations, see [5.1 North Kivu](#) and for links to the Forces Democratiques de Liberation du Rwanda (FDLR) see [4.1. Forces democratiques de liberation du Rwanda \(FDLR\)](#).

For further information on the recruitment and use of child soldiers of the Nyatura Groups see [8.1.1. North Kivu](#).

At [Annex 1](#), an unofficial translation is provided of a table presenting an overview of the main armed groups active in Masisi and Lubero, North Kivu, of which the Nyatura Groups are one, as included in the following report: UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, 3. *Annexe 3 – Tableaux des principaux groupes armés actifs dans le Masisi et Lubero, pages 29-36*.

Covering events from January 2017 to October 2018 a report by MONUSCO stated that [unofficial translation]:

The main actors in the Masisi territory are the Nyatura, the FDLR, the Alliance of Patriots for a free and sovereign Congo (APCLS) de Janvier and the APCLS Mapenzi, as well as the Mai-Mai Kifuafua. Although numerous and active throughout the Masisi territory, none of these groups would have more than 200 combatants. The Mai-Mai Nyatura are distinguished by the number and the bloody nature of documented human rights violations. This group, which brings together at least a dozen different factions, first formed in the 2000s in support of Congolese Hutu populations. Although some factions are supported by FDLR fighters from the National Council for Renewal and Democracy (CNRD), factions between Nyatura factions

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<sup>117</sup> Caleb Weiss (The Long War Journal blog), [Analysis: Islamic State claims in the DRC](#), 30 May 2019. See also The Jamestown Foundation, [Has Islamic State Really Entered the Congo and is an IS Province There a Gamble?](#), in Terrorism Monitor Volume: 17 Issue: 11, 31 May 2019

<sup>118</sup> See Congo Research Group, [Inside the ADF Rebellion, A Glimpse into the Life and Operations of a Secretive Jihadi Armed Group](#), November 2018

and the CNRD are recurrent, as are confrontations between Nyatura factions. These confrontations are often aimed at defending economic and / or territorial interests.<sup>119</sup>

The same source already noted in January 2018 that [unofficial translation] “Among all the parties to the conflict [in Eastern DRC] the Mai-Mai Nyatura fighters are the main perpetrators among the armed groups (10%)”.<sup>120</sup>

The October 2018 Roméo Dallaire Child Soldiers Initiative’s report noted the following in relation to the Mai-Mai Nyatura:

A Congolese militia formed in 2010, the Mai-Mai Nyatura (Nyatura translates to ‘hit them hard’) is allied with the FDLR and FARDC against M23’s support of Hutu interests. In 2012, certain Nyatura forces were integrated into the FARDC. Notwithstanding their formal integration, individuals associated with the MaiMai Nyatura have retained a significant degree of independence.<sup>121</sup>

The 2018 Conflict Barometer produced by the Heidelberg Institute for International Conflict Research noted that “Various Nyatura factions, predominantly recruiting among Hutu communities, mainly operated in Lubero, Rutshuru, Masisi, and Walikale territories, North Kivu. Nyatura groups cooperated with the predominantly Hutu armed group Democratic Forces for the Liberation of Rwanda (FDLR) and repeatedly clashed with the National Council for Renewal and Democracy (CNRD) [...] Reportedly, FDLR provided training, ammunition and uniforms to Nyatura groups, while the latter provided security for FDLR camps”.<sup>122</sup>

The New Humanitarian [formerly IRIN News] reported to have met the two commanders of the Nyatura and reported in July 2018:

But in rare interviews, IRIN met two of the most powerful Nyatura commanders: Domi and John Love.

A squat man with a wide smile, Domi stood on the slope of a remote hilltop base in a plain Congolese army uniform sold to him, he said, by a starving army soldier. His baby-faced fighters lounged and chatted in the elephant grass, a few heavy weapons distributed between them. But what he lacked in manpower, he made up for in rhetoric.

“We are sure that one day we can take power,” he said.

While most know Domi, whose real name is Dominique Ndaruhutse, as the leader of a murderous local militia, the warlord and his unit commander, John Love, see themselves differently.

In separate interviews they introduced themselves not as Nyatura but as the military wing of a political group they called the Collective of Movements for Change (CMC).

They described the CMC as a rainbow coalition uniting 10 different armed groups from across the region. Its objective is not to defend ethnic Hutus or fight against opposing militias, they say, but to challenge President Kabila [...]

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<sup>119</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 8-9 [Unofficial translation provided by a COI researcher]

<sup>120</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Note du BCNUDH sur les principales tendances des violations des droits de l’homme en Janvier 2018](#), January 2018, p. 1 [Unofficial translation provided by a COI researcher]

<sup>121</sup> Roméo Dallaire Child Soldiers Initiative, [Democratic Republic of the Congo Country Report: Children & Security](#), October 2018, 2. *State, Non-State, and International Actors*, b) *Non-State Actors, Mai-Mai*, p. 16

<sup>122</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo (Mayi-Mayi et al.)*, p.73

The CMC is one of a number of new coalitions to emerge in eastern Congo with the stated objective of challenging Kabila. In Butembo, to the north of Rutshuru, is the National Movement of Revolutionaries (MNR), which includes a cluster of mostly Nande Mai-Mai leaders, including some Mazembe factions.<sup>123</sup>

Human Rights Watch reported on the conviction of former Congolese army soldier, Marcel Habarugira, in April 2019 by a military court in Goma, North Kivu, who led a “faction of an armed group known as Nyatura”, and that the group “received armed and training from the Congolese army”, carrying out “many of its worst attacks in 2012”.<sup>124</sup> The same source provided the additional information on the group:

While many of the fighting groups formed by the former Hutu soldiers have their own individual names or are named after their commanders, they are often referred to collectively as the Nyatura. The Nyatura have primarily attacked ethnic Tembo, Nyanga, and Hunde civilians over the years.

Habarugira’s troops were responsible for many of the worst attacks on civilians in southern North Kivu and parts of South Kivu provinces in 2012. Together with another Hutu group, the Democratic Forces for the Liberation of Rwanda (FDLR), Nyatura fighters summarily executed civilians, raped scores of women and girls, and burned down hundreds of homes in an apparent effort to “punish” civilians accused of supporting or collaborating with the “enemy.” [...]

Many of the worst attacks by Nyatura fighters took place between April and November 2012 during operations against the Raia Mutomboki, another armed group in the region, and their allies.<sup>125</sup>

With regards to child recruitment, Human Rights Watch noted that the Nyatura commanders “have forcibly recruited scores of children into their ranks”, recruiting them “on the road to the market, in the market, on their way home from school, or while the children were farming or walking to their fields” as well as re-cruiting them with Nyatura commanders forcing children “to rejoin the movement after they had been demobilized and reunited with their families”.<sup>126</sup>

The UN Group of Experts on the DRC stated in their report covering events from 10 November 2017 to 8 April 2018 that combatants of the Forces démocratiques de libération du Rwanda (FDLR) “provided training, ammunition and uniforms to Nyatura armed group members, especially Nyatura Domi, which reportedly comprises 400 to 500 men, mostly armed and based in the Bukombo groupement in Rutshuru territory”.<sup>127</sup> The same source further noted that “Nyatura combatants often attacked combatants from the Conseil national pour le renouveau et la démocratie (CNRD), an FDLR faction that split in May 2016, as well as FARDC. Nyatura combatants also taxed the local population, at times in conjunction with FDLR combatants [...] In early 2018, there were reports of Nyatura Domi and John Love clashing with Mai-Mai Mazembe near Nyanzalé. The December 2017 killing of

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<sup>123</sup> The New Humanitarian, [“Whoever they met, they would cut and kill”: displaced Congolese recount rebel atrocities](#), 12 July 2018

<sup>124</sup> Human Rights Watch, [DR Congo: Warlord’s Conviction Reveals Trial Flaws, Former Congolese Soldier Guilty of Rape, use of Child Soldiers](#), 19 April 2019

<sup>125</sup> Human Rights Watch, [DR Congo: Warlord’s Conviction Reveals Trial Flaws, Former Congolese Soldier Guilty of Rape, use of Child Soldiers](#), 19 April 2019

<sup>126</sup> Human Rights Watch, [DR Congo: Warlord’s Conviction Reveals Trial Flaws, Former Congolese Soldier Guilty of Rape, use of Child Soldiers](#), 19 April 2019

<sup>127</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, A. Forces démocratiques de libération du Rwanda, para. 22

Nyatara leader Kasongo Kalamo by CNRD in Mweso, Masisi territory, was followed by clashes between members of Kasongo's group and CNRD combatants near Mweso".<sup>128</sup>

A blog post on the website of the Kivu Security Tracker noted that "Nyatura Kavumbi's commander surrendered to the FARDC on April 2nd [2019] in Kirumbu, Masisi territory. Talks are also underway for the surrender of other armed groups: with the Nyatura Kalume Matthias in Lumbishi, Kalehe territory, since mid-April [2019]; and with the Raia Mutomboki Maheshe on April 20th, in Nzibira Walungu territory. The Nyatura Ngwiti are also reportedly en route to Muheto to surrender to the FARDC".<sup>129</sup>

#### 4.6. Mai Mai Groups

For information on Mai Mai Groups's main location of activities, including human rights violations, see [5.1 North Kivu](#) and [5.2 South Kivu](#).

For links to the Congolese armed forces see [3.1. Forces Armées de la République Démocratique du Congo \(FARDC\)](#).

At [Annex 1](#), an unofficial translation is provided of a table presenting an overview of the main armed groups active in Masisi and Lubero, North Kivu, as Mai Mai groups are active there, as included in the following report: UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, 3. *Annexe 3 – Tableaux des principaux groupes armés actifs dans le Masisi et Lubero*, pages 29-36.

The 2018 Conflict Barometer produced by the Heidelberg Institute for International Conflict Research noted with regards to the origin of the Mai Mai groups that "Between 1998 and 2003, various militias had formed in the context of the Second Congo War opposing Rwandan and Ugandan-backed armed groups. After the end of the war, local militias continued to emerge and many groups fragmented further into small factions, increasing in number from around 70 in 2015 to at least 120 in 2017 in North and South Kivu alone. The militias varied in size and strength, often consisting of less than 100 fighters and recruiting among ethnic lines. Most of them were named after their commanders and relied on the illegal taxation of individuals and goods in areas under their control".<sup>130</sup>

The April 2019 U.S. Congressional Research Service report referred to the Mai Mai militias as "disparate groups that operate variously as self-defense networks and criminal rackets".<sup>131</sup>

According to the October 2018 Roméo Dallaire Child Soldiers Initiative's report:

In opposition to the Kabila government and its policies, a proliferation of Mai-Mai groups has emerged across North and South Kivu provinces. These groups, dominated by ethnic Luba,

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<sup>128</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. *Armed groups*, A. *Forces démocratiques de libération du Rwanda*, para. 23

<sup>129</sup> Kivu Security Tracker (Blog), [Is the era of armed groups over?](#), 29 April 2019

<sup>130</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, Regional Development*, p. 58

<sup>131</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *Summary*

were formed in the wake of a power vacuum created by the redeployment of FARDC forces against a crisis emerging in the Kasai region. The unifying feature of the various Mai-Mai groups is their deliberate attacks on symbols of state authority. However, the proliferation of Mai-Mai groups has also resulted in scenarios involving cooperation between the FARDC and Mai-Mai forces. For example, there have been multiple reports that FARDC troops have provided arms, ammunition and funding to proxy militias including the Mai Mai Guidon, also known as Nduma Defense of Congo Rénové (NDC-Rénové) (Nyanga ethnicity). Among the largest Mai-Mai groups are Maï Maï Nyatura and Maï Maï Simba. In shifting alliances and coalitions, the Mai-Mai groups have been reported to commit grave violations against children such as the recruitment of children, and to attack FARDC personnel and installations, with no apparent regard for the consequences affecting civilians. Further, many of these groups are reported to have committed grave violations of children's rights.<sup>132</sup>

The Congo Research Group published a briefing on the *Coalition Nationale pour la Souveraineté du Congo (CNPSC)* in February. This provides useful background information including the reasons for such an alliance of armed actors, mainly consisting of Mai-Mai Groups.<sup>133</sup> The briefing includes also a list of active members of the CNPSC, which are amongst others the following Mai-Mai groups:

- Mai-Mai Aoci
- Mai-Mai Biloze Bishambuje
- Mai-Mai Ebuela
- Mai-Mai Malaika
- Mai-Mai Mshabah
- Mai-Mai Mulumba
- Mai-Mai Napata
- Mai-Mai of Rene Itongwa
- Mai-Mai Reunion
- Mai-Mai Wilondja
- Mai-Mai-Eshilo<sup>134</sup>

#### 4.6.1. Mai Mai Charles

The 2018 Conflict Barometer produced by the Heidelberg Institute for International Conflict Research noted: “Mayi-Mayi Charles fighters, led by Charles Bokande, mainly operated in Rutshuru territory but were also active in Lubero territory, North Kivu. The group depended on the taxation of the local population long the southern shore of Lake Edward and in Virunga National Parc. The group repeatedly targeted civilians, as well as FARDC and members of the Congolese Institute for Nature Conservation (ICCN)”.<sup>135</sup>

A blog post on the website of the Kivu Security Tracker noted that “the important Mai-Mai commander [...] Charles Bokande [was] killed in attacks (by unidentified assailants) at Kamuhororo on February 3<sup>rd</sup> [2019]”.<sup>136</sup>

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<sup>132</sup> Roméo Dallaire Child Soldiers Initiative, [Democratic Republic of the Congo Country Report: Children & Security](#), October 2018, 2. State, Non-State, and International Actors, b) Non-State Actors, Mai-Mai, p. 15

<sup>133</sup> See Congo Research Group, [The CNPSC, Rebellion Social Marginalization and State Complicity in South Kivu](#), February 2019

<sup>134</sup> See Congo Research Group, [The CNPSC, Rebellion Social Marginalization and State Complicity in South Kivu](#), February 2019, *Active Members of the CNPSC*, p. 7

<sup>135</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo (Mayi-Mayi et al.)*, p.73

<sup>136</sup> Kivu Security Tracker (Blog), [Is the era of armed groups over?](#), 29 April 2019

#### 4.6.2. Mai Mai Kifuafua

The 2018 Conflict Barometer produced by the Heidelberg Institute for International Conflict Research stated: “The groups predominantly recruited members of the Tembo community. Two rival factions, one led by Delphin Mbaenda and consisting of around 300 fighters, and its breakaway faction Shalio, led by Shabani Shalio, repeatedly clashed in 2018”.<sup>137</sup>

Covering events from January 2017 to October 2018 a report by MONUSCO stated that [unofficial translation]:

Mai-Mai Kifuafua, a Tembo ethnic group, active since the 1990s, controls the area north of Hombo, and has split into two factions. The main one is led by Delphin Mbaenda, based in a particularly inaccessible area around the village of Hombo, on the border between North and South Kivu [...]

The main actors in the Masisi territory are the Nyatura, the FDLR, the Alliance of Patriots for a free and sovereign Congo (APCLS) de Janvier and the APCLSMapezi, as well as the Mai-Mai Kifuafua. Although numerous and active throughout the Masisi territory, none of these groups would have more than 200 combatants.<sup>138</sup>

#### 4.6.3. Mai Mai Kilalo/*Union des patriotes pour la libération du Congo* (UPLC)

The Social Science in Humanitarian Action Platform noted in its August 2018 briefing that the “Mayi Mayi Kilalo is currently the largest identified armed group in the area of the Ebola outbreak. It formed as a branch of the Corps du Christ movement, and was responsible for the 2016 attack on the MONUSCO headquarters in Butembo”.<sup>139</sup>

The UN Group of Experts, reporting between 10 November 2017 and 8 April 2018 provided the following information:

The *Union des patriotes pour la libération du Congo* (UPLC) is commonly known as Mai-Mai Kilalo, after its leader Katembo Kilalo, a locally renowned féticheur or producer of dawa, a potion believed to render combatants invincible [...]

Kilalo’s overall strength has varied over the years. By early 2017, he was reportedly in charge of 200 to 300 combatants [...] According to interviews with eight former combatants and other sources, by February 2018, Kilalo commanded 500 to 600 elements based in different positions to the south-east of Lubero town. In early 2018, Kilalo’s groups were spread across at least 10 different bases, ranging from Mushenge, north-east of Kanyabagonga, to Kyaviyonge, east of Butembo and south of Isango-Isoro. Other bases, mostly on the western

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<sup>137</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo (Mayi-Mayi et al.)*, p. 74

<sup>138</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 8-10 [Unofficial translation provided by a COI researcher]

<sup>139</sup> Social Science in Humanitarian Action, [Key considerations: the context of North Kivu province, DRC](#), August 2018, *Insecurity dynamics*, p. 5

shores of Lake Edward, included Bihanzi, Bukununu, Kirikiri, Kabinirio, Masereke, Muramba and Ngulukira.<sup>140</sup>

The same source covering the period November 2018 to 18 April 2019 found that the UPLC “also known as Mai-Mai Kilalo, is a local armed group active between Beni and Butembo” and “Its headquarters were situated near Kalunguta on the Ndengere hill in Beni territory. On the basis of interviews with ex-combatants, MONUSCO officials and local researchers, the Group estimated the number of combatants at around 400. The military leader of UPLC was Kambale Mayani, also known as Kapitula. UPLC was previously active in the surroundings of Kipese, near Lubero town [...] but it moved its area of operations northwards in mid-2018 [...] The spiritual leader of the movement, François Kambale Twabhiramundu, [...] also known as Kilalo, led these ceremonies and prepared the potions, but boys administered the potions to combatants”.<sup>141</sup>

#### 4.6.4. Mai Mai Mazembe

Covering events from January 2017 to October 2018 the report by MONUSCO stated that [unofficial translation]:

According to various local sources, 70 % of Lubero territory is controlled by various armed groups, including Nduma Defense of Renovated Congo (NDC / R), Mai-Mai Mazembe, various other Mai-Mai groups, and other groups. It is difficult to estimate their numbers given their movements between the territories of Lubero, Beni and Walikale. In addition, coalitions are forged and splits occur over time [...]

Mai-Mai groups, particularly Mai-Mai Mazembe, were originally set up to protect the Nande community by pushing back combatants from foreign armed groups, particularly the FDLR. Around October 2016, various Mai-Mai groups, including Mai-Mai Charles, the Patriotic Union for the Liberation of Congo (UPLC), and UPDI, united under a generic name: Mai-Mai Mazembe. While ethnicity is a determining factor in the formation of alliances and therefore in the intensity of conflict in these areas, economic interests also appear to significantly affect the evolution of armed groups and their operations. For example, discrepancies between the NDC/R and Mai-Mai Mazembe may have emerged in April 2016 due to financial clashes between their commanders, making Butembo's western zone a new battleground for controlling minerals. The majority of armed groups operating in Lubero territory are involved in the illegal exploitation of natural resources [...] Some Mai-Mai groups control deposits of raw materials including gold, wood and coal, over which they have the monopoly in the western part of the territory of Lubero. They are also involved in poaching and trafficking in protected species (including elephants, gorillas and leopards). Other Mai-Mai groups, like Mai-Mai Charles also control mining areas and are heavily involved in illegal fishing, acting as mafia on Lake Edward, and collecting large illegal taxes on illegal fishing.<sup>142</sup>

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<sup>140</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, E. Mai-Mai Kilalo, paras. 95 and 98

<sup>141</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, IV. Serious violations of international humanitarian law and human rights, A. Recruitment and use of children, paras. 102-104

<sup>142</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 8-9 [Unofficial translation provided by a COI researcher]

The October 2018 Roméo Dallaire Child Soldiers Initiative's report noted the following in relation to the Mai-Mai Mazembe "Mai-Mai Mazembe operates in opposition to FARDC and with various Nyatura factions".<sup>143</sup>

The 2018 Conflict Barometer produced by the Heidelberg Institute for International Conflict Research noted the following: "The Mayi-Mayi Mazembe consisted of loosely connected armed groups that recruited its fighters predominantly from the local ethnic Nande population. The group operated in Lubero, Beni, Rutshuru territories, North Kivu".<sup>144</sup>

#### 4.6.5. Mai Mai Ngabito

Radio France International reported in May 2019 that [unofficial translation]:

Since the inauguration of Felix Tshisekedi as President of the Republic, some soldiers from several armed groups surrendered [...] In South Kivu, for example, Alphonse Kabishula, leader of Mai-Mai Ngabito, publicly complained about the care of his men by the country's authorities. About 600 have surrendered to the DRC Armed Forces. They have been stationed for almost two months in Nyamunyunyi, a military camp located about thirty kilometers from Bukavu, capital of the province of South Kivu. They and their leader, self-proclaimed Major-General Alphonse Kabishula, Mai-Mai Ngubito militia, active in Kalehe territory, complain about their treatment. This week Alphonse Kabishula told journalists that he and his men do not have enough to eat. He also reported difficulties in obtaining medical care for his sick fighters [...] An army spokesperson in the region explained that it was a temporary problem related to a rupture of the stocks of medicines and food ration. In the last few days, some 20 militiamen have left the camp and have returned to the forest. The situation is similar in other regions.<sup>145</sup>

#### 4.6.6. Mai Mai Simba

The October 2018 Roméo Dallaire Child Soldiers Initiative's report noted that: "Understood to be the oldest Congolese armed group, the Mai-Mai Simba is led by 'General' Lucien Simba. The force is small, comprising only a few hundred men in Maniema and Orientale provinces. Due to its small size, the Mai-Mai Simba is reported to have collaborated with FARDC and other Mai-Mai groups".<sup>146</sup>

The East African reported in January 2019 that the leader of the Mai-Mai Simba group, Manu [real name is unknown], had been killed.<sup>147</sup>

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<sup>143</sup> Roméo Dallaire Child Soldiers Initiative, [Democratic Republic of the Congo Country Report: Children & Security](#), October 2018, 2. State, Non-State, and International Actors, b) Non-State Actors, Mai-Mai, p. 15

<sup>144</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo (Mayi-Mayi et al.)*, p.73

<sup>145</sup> Radio France Internationale, [Désappointés, des miliciens qui s'étaient rendus retournent dans la forêt](#), 13 May 2019 [Unofficial translation provided by a COI researcher]

<sup>146</sup> Roméo Dallaire Child Soldiers Initiative, [Democratic Republic of the Congo Country Report: Children & Security](#), October 2018, 2. State, Non-State, and International Actors, b) Non-State Actors, Mai-Mai, p. 16

<sup>147</sup> The East African, [Top militia chief killed in eastern DR Congo: army](#), 22 January 2019

#### 4.6.7. Mai Mai Yakutumba

The New Humanitarian reported in July 2018 on the National People's Coalition for the Sovereignty of Congo (CNSPC) and stated that it was "led by a former national army ally William Yakutumba, whose group Mai-Mai Yakutumba is one of the most powerful" in South Kivu.<sup>148</sup>

The UN Group of Experts, reporting between 10 November 2017 and 8 April 2018, conducted "investigations on Mai-Mai Yakutumba, a predominantly ethnic Bembe armed group. The [UN] Group noted that after being dormant for some years, this armed group had made a resurgence, especially after December 2016 and the postponement of the elections. Its leader, William Amuri, also known as Yakutumba [...] managed to unite several small local armed groups and reform an old alliance, the Coalition nationale du peuple pour la souveraineté du Congo (CNPSC). At its peak, Mai-Mai Yakutumba and allies controlled large parts of the border area between South Kivu, Maniema and Tanganyika Provinces".<sup>149</sup> With regards to the location of this armed group, the same source found that "Amuri leads the armed group, which consists of a number of semi-independent units. Most of the troops were located near Amuri and his staff in the Ngandja forest and the Ubwari Peninsula [...] Until recently, he had been based in the vicinity of Kazimia, but since the start of an ongoing FARDC operation, his headquarters has been mobile. At the time of preparation of the present report, he was seen in Lulenge collectivity, in the western part of Fizi territory".<sup>150</sup>

With regards to other high-profile members of the Mai-Mai Yakutumba armed group, the report noted that:

Amuri's deputy was Alonda Bitwa, also known as Alida. He was in charge of the infantry and recruitment of new combatants. Saidi Ekanda, also known as Dragila or Baleine [...] was the commander of the "navy" until he surrendered on 29 January 2018 in Rumonge to the Burundian authorities, who extradited him to the Democratic Republic of the Congo. Other important individuals in the armed group were the chief of operations, ex-FARDC Colonel Christophe Mukua, also known as Aigle, and the person in charge of finance and logistics, Bavon. The chief intelligence officer was Kitoto Kazuri, who died in December 2017.<sup>151</sup>

Links to other factions and armed groups was also noted in the report by the UN Group of Experts as follows:

[...] several semi-independent entities worked closely together with the main group of Mai-Mai Yakutumba. Since the beginning of 2017 they have intensified their relations with other armed groups in the region, which has de facto integrated the movement. This is the case for the groups of Ebuella, René Itongwa, Shetani, Aoci, Mulumba, Apa na Pale and many others. These small groups had their own leaders but coordinated attacks and received new recruits trained in training camps inside the Ngandja forest. Three ex-combatants confirmed the

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<sup>148</sup> The New Humanitarian, "[Whoever they met, they would cut and kill](#)": displaced Congolese recount rebel atrocities, 12 July 2018

<sup>149</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, C. Mai-Mai Yakutumba, para. 43

<sup>150</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, C. Mai-Mai Yakutumba, para. 47

<sup>151</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, C. Mai-Mai Yakutumba, para. 48

rotation of troops between Mai-Mai Yakutumba and its allies. Besides local armed groups, Mai-Mai Yakutumba had close relations with Burundian rebels, especially with the Forces républicaines du Burundi [...] Four ex-combatants and five FARDC officers said that Burundian combatants were integrated in Mai-Mai Yakutumba.<sup>152</sup>

It was estimated that “some 200 combatants were still active with the leader of the movement” in the reporting period of the report of November 2018 to 18 April 2019.<sup>153</sup>

#### **4.7. M23 - Mouvement du 23 Mars**

According to the October 2018 Roméo Dallaire Child Soldiers Initiative’s report:

M23, which stands for the March 23 Movement, was a faction of the former CNDP [National Congress for the Defence of the People] which was integrated into the FARDC in 2009 following signature of a peace agreement between the CNDP and DRC government on 23 March 2009. Dissatisfied with the security situation in April 2012 as well as the poor pay and conditions available to FARDC, the group, led by Bosco Ntaganda, rebelled against FARDC. Mostly comprised of Tutsis, the group had strong ties with Tutsis in Rwanda, and operated primarily in North Kivu province. The government of the DRC and others had accused Rwanda and Uganda of supporting this armed group. Since 2013, remaining splinters of the group have been reported as living in hiding, some in Uganda and Rwanda. Despite a peace deal which saw the disarmament of the group in November 2013, more than 200 former M23 rebel fighters based in Uganda and Rwanda were mobilised by senior security officials and deployed to quash protests against President Joseph Kabila in December 2016. Members of the group are alleged to have committed crimes against civilians. Then-leader Bosco Ntaganda is now facing trial for war crimes and crimes against humanity before the ICC [International Criminal Court]. Many of those in hiding have been identified by Interpol and other security services have been added to international sanctions lists, to preclude their remote support for any resurgence of the group within the DRC.<sup>154</sup>

A UN Secretary-General report covering the period 1 March to 31 August 2018 noted that “While no military confrontation involving the former M23 members was recorded during the reporting period, in a communiqué issued on 13 August, the group declared that its elements had been present on Congolese territory since January 2018. The communiqué stated that the group did not intend to engage in war and, instead, meant to promote a free and credible electoral process in the country”.<sup>155</sup>

In July 2019 Human Rights Watch (HRW) reported that “On July 8, 2019, a panel of three judges [of the International Criminal Court (ICC)] unanimously found [rebel leader Bosco] Ntaganda guilty of 13 counts of war crimes and 5 counts of crimes against humanity committed in Ituri, eastern Congo, in 2002 and 2003. The charges included murder and

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<sup>152</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, C. Mai-Mai Yakutumba, para. 49

<sup>153</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, C. Mai-Mai Yakutumba, para. 50

<sup>154</sup> Roméo Dallaire Child Soldiers Initiative, [Democratic Republic of the Congo Country Report: Children & Security](#), October 2018, 2. State, Non-State, and International Actors, b) Non-State Actors, M23, p. 14/15

<sup>155</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 2 October 2018, II. Major developments, A. Security situation, para. 6

attempted murder, rape, sexual slavery, attacking civilians, pillaging, displacement of civilians, attacking protected objects, and recruiting and using child soldiers. The judges found that Ntaganda and others agreed on a common plan to attack and drive the ethnic Lendu population out of Ituri through the commission of crimes”.<sup>156</sup>

#### 4.8. Miscellaneous Armed Actors Active in Eastern Congo

##### Useful search tools

For a short description of armed groups operating in the Kivus visit the webpage ‘[Armed groups](#)’ of the [Kivu Security Tracker](#) - a useful tool developed jointly by the Congo Research Group and Human Rights Watch to “map violence by state security forces and armed groups in eastern Democratic Republic of Congo to better understand trends, causes of insecurity and serious violations of international human rights and humanitarian law”.<sup>157</sup>

The Uppsala Conflict Data Program facilitates “tailored research” based on actors involved in armed conflict.<sup>158</sup> For example, searching for ‘CNPSC’ results in various infographics depicting number of deaths, location of violence/fatalities within a given timeframe, and also often contains a summary about the specific armed group.<sup>159</sup> Search the database [here](#).<sup>160</sup>

##### Number of armed actors in the Kivus and Ituri

According to the International Federation for Human Rights (FIDH) “As recently as 2017, no fewer than 34 armed groups remained active in the Kivu region”.<sup>161</sup>

In March 2018 the Congo Research Group included a map in its report on ‘Armed Actors in North and South Kivu’ based on a “dynamic online version” of the map as produced by the Kivu Security Tracker, which can be viewed [here](#).<sup>162</sup>

In May 2018 War Child published a report on the “push and pull factors influencing children to join armed groups ‘voluntarily’ in North and South Kivu” and stated that:

there are about 70 active armed groups; 20 of them identify as Mai-Mai (self-defence militias). Most of these factions are small and fragmented, with a maximum of approximately 200 soldiers each. Recruitment tends to follow ethnic lines, but this depends on the recent history of each community and the migration pattern of different tribes coming from neighbouring countries. The three armed groups that are active and most powerful in terms of numbers and zones of influence are the FDLR, followed by the Allied Democratic Forces of Uganda and the Nzabampema wing of the Forces nationales de libération of Burundi. Around

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<sup>156</sup> Human Rights Watch, [ICC: Congo Warlord Guilty of Crimes Against Humanity](#), 8 July 2019

<sup>157</sup> Kivu Security Tracker, [About Us](#), Undated [Last accessed: 17 July 2018]

<sup>158</sup> See [Uppsala Conflict Data Program](#) produced by the Department of Peace and Conflict Research at Uppsala Universitet, undated [Last accessed: 25 June 2019]

<sup>159</sup> See [Uppsala Conflict Data Program](#) produced by the Department of Peace and Conflict Research at Uppsala Universitet, undated [Last accessed: 25 June 2019]

<sup>160</sup> See [Uppsala Conflict Data Program](#) produced by the Department of Peace and Conflict Research at Uppsala Universitet, undated [Last accessed: 25 June 2019]

<sup>161</sup> International Federation for Human Rights (Author), Groupe Lotus (Author), ASADHO (Author), LE - Ligue des Electeurs (Author), published by FIDH – International Federation for Human Rights, [Democratic Republic of the Congo: Five priorities for a State that respects human rights](#), March 2019, p. 6

<sup>162</sup> See Congo Research Group, [The Art of the Possible, MONUSCO’s New Mandate](#), March 2018, Introduction, p. 7

half of children recruited recently and for which there is documentation from MONUSCO were in these three groups: FDLR, Nyatura and Mouvement du 23 mars (M23). The other half is assumed to be distributed between the remaining 67 or so armed groups in the region.<sup>163</sup>

At [Annex 1](#), an unofficial translation is provided of a table presenting an overview of the main armed groups active in Masisi and Lubero, North Kivu, as included in the following report: UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, 3. *Annexe 3 – Tableaux des principaux groupes armés actifs dans le Masisi et Lubero*, pages 29-36.

According to the sources consulted for this report, the following other non-state armed groups in the Kivus and Ituri are active in the region:

*Alliance des Patriotes pour un Congo Libre et Souverain (APCLS) and APCLS-Rénové*

The UN Group of Experts documented “a split in the Alliance des patriotes pour un Congo libre et souverain (APCLS), a dominant armed group in Masisi territory, into two factions: APCLS and APCLS-Rénové. The latter controls the tin, tantalum and tungsten mining sites and is responsible for violations of international humanitarian law. The Group also found some forms of collaboration between that faction and some elements of FARDC. The smuggling of tin, tantalum and tungsten continue to occur in Masisi territory”.<sup>164</sup> The same source further noted that “The [UN] Group investigated armed group activities in the northern part of Masisi territory. The Group found that the split in the dominant armed group APCLS had led to heavy fighting and serious human rights violations in the region. The situation had worsened when other armed groups allied with the different factions of APCLS. Some FARDC elements also played a role in the polarization of the conflict”.<sup>165</sup> Leader of the APCLS is “‘General’ Janvier Buingo Karairi”, whilst leader of the APCLS- Rénové is now “‘General’ Mapenzi Bulere Likuwe”.<sup>166</sup> With regards to coalitions with other armed groups, the report found:

APCLS-R collaborated with the Nduma défense du Congo-Rénové (NDC-R), led by the sanctioned individual “General” Shimiray Mwissa Guidon, and with the Buhoza/Apollo group, led by “General” Apollo. This can be considered a fully fledged coalition. Several sources witnessed joint attacks by those groups against villages and APCLS [...] Furthermore, NDC-R and APCLS-R shared headquarters in Kilambo [...]

On the other side, APCLS developed a loose coalition with Nyatura Kavumbi, Nyatura Nzai and Nyatura Jean-Marie. The foreign armed group Conseil national pour le renouveau et la démocratie (CNRD) was also involved in fighting against NDC-R and APCLS-R. Most of the

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<sup>163</sup> War Child, [Tug-of-war: Children in armed groups in DRC](#), May 2018, 1. *Introduction to the Research, 1.1. Overview of child soldiering in eastern Democratic Republic of the Congo*, pages 21 and 22

<sup>164</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, *Summary*

<sup>165</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, *IV. Masisi territory, B. Armed groups*, para. 56

<sup>166</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, *IV. Masisi territory, B. Armed groups, Split in the Alliance des patriotes pour un Congo libre et souverain and alliance with other armed groups*, para. 57

sources told the Group that the common enemy, in this case the armed Rwandan opposition group NDC-R, was the driving factor behind the loose coalition.<sup>167</sup>

The Heidelberg Institute for International Conflict Research '2018 Conflict Barometer' reported on the APCLS's activities in 2018: "The predominantly ethnic Hunde Alliance of Patriots for a Free and Sovereign Congo (APCLS) reduced its activities in 2018. In December 2017, a group led by Mapenzi Bulere Likuwe had broken away and formed the APCLS-Renewed (APCLS-R), while APCLS was led by Janvier Buingo Karairi. Reportedly, Karairi was opposed to President Joseph Kabila and the split had been encouraged by political actors linked to the presidential majority [...] The two rival factions operated in Masisi, Walikale, and Rutshuru territories, North Kivu. The groups repeatedly clashed over the control of territory as well as mining sites, targeting civilians and other armed groups".<sup>168</sup>

Covering events from January 2017 to October 2018 the report by MONUSCO stated that [emphasis added] [unofficial translation]:

APCLS, an armed group of the Hunde community led by Jan Karairi, has been active since 1998. Its originated from the struggle of some Hunde communities to defend their interests and retain their lands, against those who they call "Rwandophones". This struggle of the Hundes took a violent turn from 1993. The APCLS de Janvier occupied only areas where the populations of Hunde origin were majority and this group was generally well accepted by the local populations and was also perceived by many Hunde members as a self-defense group essential for survival. There have been several failed FARDC-led negotiations between the Congolese authorities and the APCLS for the demobilization of its members or even their integration into the FARDC. In January 2018, APCLS de Janvier saw the splitting of a dissident group known as APCLS Mapenzi.<sup>169</sup>

#### Conseil national pour le renouveau et la démocratie (CNRD)

The UN Group of Experts report covering the period November 2018 to 18 April 2019 found with regards to the *Conseil national pour le renouveau et la démocratie (CNRD)* "a Rwandan armed group, decamped with 4,000 combatants, dependants and Rwandan refugees from Masisi, North Kivu, to Kalehe, South Kivu, beginning in December 2018, following attacks of the *Nduma défense du Congo-Rénové* (NDC-R). Growing tensions between CNRD, the local population and the national armed forces, the *Forces armées de la République démocratique du Congo* (FARDC), raise concerns for civilian protection, underlining the urgency of durable solutions for an evolving situation".<sup>170</sup> The UN Group of Experts also expressed its concern "about the presence of a large number of civilian dependants and refugees among CNRD

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<sup>167</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, IV. Masisi territory, B. Armed groups, Split in the Alliance des patriots pour un Congo libre et souverain and alliance with other armed groups, paras. 61 and 62

<sup>168</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo (Mayi-Mayi et al.)*, p. 72/73

<sup>169</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 9 [Unofficial translation provided by a COI researcher]

<sup>170</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, *Summary*, p. 2

combatants and in particular the protection of such civilians during any possible future armed clashes”.<sup>171</sup>

Covering events from January 2017 to October 2018 a report by MONUSCO stated that [unofficial translation]:

The CNRD was formed after a split of the FDLR in 2016. It mainly includes Hutu fighters who oppose the Rwandan government from North Kivu. During the period under review, the CNRD was particularly aggressive and its fighters regularly confronted different Nyatura factions, also of Hutu origin, in the border area between the Massi and Rutshuru as well as NDC/R fighters in the border area between Masisi and Walikale.<sup>172</sup>

In June 2019 the Kivu Security Tracker reported that “combatants from the National Council for Renewal and Democracy (CNRD), a dissident wing of the Democratic Forces for the Liberation of Rwanda (FDLR) rebellion, and their dependents have migrated in large numbers to the Kalehe highlands in South Kivu province. The Kivu Security Tracker (KST) has spoken to numerous sources – members of civil society, three Congolese army officers and a UN official – who speak of some 5,000 people, including men and women, and even children who have arrived in two waves”.<sup>173</sup>

#### Front for Patriotic Resistance in Ituri (FRPI)

The October 2018 Roméo Dallaire Child Soldiers Initiative’s report noted in relation to an armed non-state group active in Ituri: “The Front for Patriotic Resistance in Ituri [(FRPI)] is a Bunia-based armed militia and political party primarily active in the south of Ituri Province of north-eastern DRC. The group was formed in 2002 and is comprised primarily of individuals from the Ngiti ethnic group.”<sup>174</sup>

The 2018 Conflict Barometer produced by the Heidelberg Institute for International Conflict Research noted that “In 2018, the FRPI comprised around 300 to 400 fighters and attacked civilians as well as FARDC forces in Irumu territory”.<sup>175</sup>

#### Raia Mutomboki

The October 2018 Roméo Dallaire Child Soldiers Initiative’s report noted in relation to Raia Mutomboki “which translates as ‘outraged citizens’, was formed in 2005 by a FARDC defector in response to FDLR massacres. Its ranks include a large number of local leaders and FARDC deserters. Understood to have been formed in order to counter the FDLR and FARDC, the group is reported to have committed serious human rights violations and acts of

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<sup>171</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, II. Armed groups in North Kivu, B. Conseil national pour le renouveau et la démocratie, para. 52

<sup>172</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 10 [Unofficial translation provided by a COI researcher]

<sup>173</sup> Kivu Security Tracker, [Movements of Rwandan rebels in South Kivu raise fears](#), 21 June 2019

<sup>174</sup> Roméo Dallaire Child Soldiers Initiative, [Democratic Republic of the Congo Country Report: Children & Security](#), October 2018, 2. State, Non-State, and International Actors, b) Non-State Actors, Front for Patriotic Resistance in Ituri (FRPI), p. 20

<sup>175</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, Sub-Saharan Africa, DR Congo (Ituri Militias), p. 71

violence. Initial success against the FDLR gave the group legitimacy within the local population, which sought its assistance in settling personal disputes. Reports have indicated that the group has collaborated with M23, and has employed some of that group's tactics, including those which constitute grave violations against children".<sup>176</sup>

The 2018 Conflict Barometer produced by the Heidelberg Institute for International Conflict Research noted the following with regards to Raia Mutomboki (RM) factions: "Various Raia Mutomboki (RM) factions continued to operate in Shabunda, Wulungu, Kalehe, Kabare, and Mwenga territories, South Kivu, as well as in Walikale territory in North Kivu. RM groups targeted civilians, FARDC, and other armed groups. At least 60 people were killed and eight injured [...] On April 22 [2018], FARDC killed the leader of RM Mabala in Lutika, Shabunda [...] In September [2018], FARDC killed the leader of the RM Kazimoto faction in Bamuga, Shabunda".<sup>177</sup>

In April 2019 the International Crisis Group reported that the leader of the Raia Mutomboki armed group had been arrested and "29 more Raia Mutomboki units surrendered".<sup>178</sup>

#### Mouvement National pour le Renouveau

A UN Secretary-General report covering the period 1 March to 31 August 2018 noted that "Some local armed groups, including the Mouvement national pour le renouveau, operating in North Kivu [...] strengthened their anti-government postures".<sup>179</sup>

#### P5/ Armed network associated with Rwanda opposition groups

The UN Group of Experts on the DRC in its report focusing on events between 26 July and 9 November 2018 on four territories in the North and South Kivu Provinces found that "an armed group active in Fizi and Uvira territories and associated with Rwandan opposition groups benefited from local and external support for the recruitment of its combatants. The Group confirmed that most of the arms and ammunition used by the armed group were transferred from Burundi, but it could not confirm the identities of the individuals and entities involved".<sup>180</sup> Further information on the "Organization of the network" is provided in the report.<sup>181</sup> A UN Secretary-General report covering the period from 1 September 2018 to 28 February 2019 noted that "The Group of Experts on the Democratic Republic of the Congo reported the presence of an armed coalition known as 'P5' associated with Rwandan

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<sup>176</sup> Roméo Dallaire Child Soldiers Initiative, [Democratic Republic of the Congo Country Report: Children & Security](#), October 2018, 2. State, Non-State, and International Actors, b) Non-State Actors, Raia Mutomboki, p. 21

<sup>177</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo (Mayi-Mayi et al.)*, p. 74

<sup>178</sup> International Crisis Group, [CrisisWatch](#), April 2019, *Latest Updates, Africa, Democratic Republic of Congo*

<sup>179</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 2 October 2018, II. Major developments, A. Security situation, para. 5

<sup>180</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, *Summary*

<sup>181</sup> See UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, II. Beni territory, A. Recruitment network of combatants, Organization of the network, p. 5 and III. Fizi and Uvira territories, A. Armed movement associated with the Rwanda National Congress and Ngomino

opposition groups, which was active in South Kivu and reportedly received arms and ammunition from Burundi”.<sup>182</sup>

Armed wing of the *Rassemblement Congolais pour la Démocratie-Kisangani Mouvement de Libération* (ex- *Armée Patriotique Congolaise* (APC))

The UN Group of Experts on the DRC stated in their report covering events from 10 November 2017 to 8 April 2018 that:

There had been reports that another armed group, based in Mayangose, consisted of Congolese combatants from the network of ex-Armée patriotique congolaise (APC) groups, including those formerly led by Kawa Seli and Hilaire Kombi and ex-Mayangose militia formerly led by Leandre Kitsa. The ex-APC is the armed wing of the *Rassemblement congolais pour la démocratie-Kisangani Mouvement de libération*. It is unclear, however, if this group mixed with or operated alongside ADF. The Group previously reported on a group of former APC combatants who had neither demobilized nor integrated into FARDC. It operated near Mwalika, called itself ADF and maintained a relationship with Mukulu, although it had a separate chain of command.<sup>183</sup>

Foreign armed groups

The UN Group of Experts report covering the period November 2018 to 18 April 2019 found with regards to foreign armed groups that:

Collaboration between local and foreign armed groups on Congolese territory was an exacerbating factor. For instance, in South Kivu, several Burundian armed groups, including the *Résistance pour un état de droit au Burundi* (RED Tabara), collaborated with local armed groups in the Middle Plains of Uvira. In turn, at least two military incursions were launched on Congolese territory by the Burundian armed forces, the *Forces de défense nationale du Burundi* (FDN), alongside members of a Burundian youth group known as Imbonerakure, affiliated with the Burundian ruling party, the *Conseil national pour la défense de la démocratie-Forces pour la défense de la démocratie*. Two local armed groups supported FDN and Imbonerakure. Direct military interventions and the provision of material support to armed groups operating in the Democratic Republic of the Congo constitute violations of the sanctions regime.<sup>184</sup>

The April 2019 U.S. Congressional Research Service report referred to the following [emphasis added] “foreign-origin groups” remaining active in Eastern DRC: “the Democratic Forces for the Liberation of Rwanda (FDLR), founded by perpetrators of the 1994 Rwandan genocide, and the aforementioned ADF, a Ugandan-origin group implicated in large massacres (see text box below). Elements of the South Sudanese rebel movement known as the SPLM-iO have also entered DRC. Smaller foreign-origin groups include elements of the

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<sup>182</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 12 March 2019, II. Major developments, A. Security situation, para. 11

<sup>183</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, B. Allied Democratic Forces, para. 33

<sup>184</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, Summary, p. 2

Burundian ex-rebel group the National Liberation Forces (FNL) and the Ugandan-origin Lord's Resistance Army (LRA)".<sup>185</sup>

At the end of April 2019 the Belgian news agency Radio Télévision Belge Francophone [RTBF] reported that [unofficial translation]:

It was last April 18th. The propaganda agency of the terrorist group of the Islamic State terrorist group (Amaq) posted online two messages that caught the attention of the international media. According to the published texts, "Islamic State fighters" had participated, two days earlier, in the attack on a military barracks in the village of Bovata, close by to Kamango, a town in the north-east of the DRC, in North-Kivu province. The claims put the numbers at 3 Congolese soldiers killed and 5 others injured. It is the first time that the Islamic State terrorist group has claimed its active participation in an attack on DRC soil. A positioning that poses questions.<sup>186</sup>

## 5. Overview of the Security Situation, including conflict-related human rights violations

For specific information on conflict-related sexual and gender-based violence and conflict-related violence against children see sections [7. Conflict-related Sexual and Gender-Based Violence](#) and [8. Conflict-related violence against children](#).

The [Kivu Security Tracker](#) is a useful tool developed jointly by the Congo Research group and Human Rights Watch to "map violence by state security forces and armed groups in eastern Democratic Republic of Congo to better understand trends, causes of insecurity and serious violations of international human rights and humanitarian law".<sup>187</sup> The website provides useful interactive maps and graphs, as well as [monthly security reports](#).

The International Crisis Group also provides monthly updates on the security situation in the DRC through its 'CrisisWatch', which can be accessed [here](#).

ACLED further provides bi-monthly regional overviews on major security situations, which can be found [here](#) and a data export tool, which documents events by type and by country.

### 5.1. North Kivu

This section provides a broad overview of insecurity in the province. Note that the situation in the following territories has been documented in distinct subsections:

5.1.2 Beni Territory

5.1.2. Masisi Territory

5.1.3. Lubero Territory

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<sup>185</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *Conflict in Eastern DRC*

<sup>186</sup> RTBF, [Le groupe terroriste Etat islamique en RDC: une revendication qui pose questions](#), 26 April 2019 [unofficial translation provided by a COI researcher]

<sup>187</sup> Kivu Security Tracker, [About Us](#), Undated [Last accessed: 17 July 2018]

## 2017 - 2018 Overview

Covering events from January 2017 to October 2018 the report by MONUSCO summarised the situation in North Kivu as follows [unofficial translation]:

Since the beginning of the 1990s, the province of North Kivu, located in eastern Democratic Republic of the Congo, has been plagued by violence and complex armed conflict with heavy consequences for the Great Lakes Region. Far from the capital, Kinshasa, the province borders on Uganda and Rwanda, has some isolated areas, particularly because of dense forests and mountains. Over the years, some areas have become a battleground for many armed groups on economic, political and/or ethnic grounds. Several groups are fighting over land and access to important natural resources (gold, coltan and cassiterite), as well as for control of an illegal taxation system imposed on an already very poor population. The human rights situation in North Kivu province is by far the most alarming in the country. It alone accounts for more than one-third of the violations and attacks documented by the UNJHRO across the country between January 2017 and October 2018: over one-third of the victims of extrajudicial, summary or arbitrary executions; and nearly a quarter of the victims of sexual violence [...]

This unstable situation generates population movements both inside and outside the country. Many displaced people are afraid to return to their villages of origin because of the security situation. Some return nevertheless, often due to lack of alternatives, and often become victims of human rights violations on a recurring basis. Civilians are not the only targets of armed groups. The latter also fight among themselves in power struggles over access to mineral resources, for interethnic reasons or all these reasons. State representatives, mainly FARDC, as well as PNC, or even traditional leaders and MONUSCO forces have been deliberately targeted. These clashes, often near villages, result in the displacement of civilians in search of security, making them vulnerable to other human rights violations. Some groups retaliate against civilians whom they suspect of supporting or providing information to other armed groups. The growing number of armed groups and the deliberate attacks against the defense and security forces continue to threaten the protection of civilians in these territories and to affect the authority of the state [...]

Armed groups are numerous in North Kivu, and many are active in the territories of Lubero and Masisi. An established named group often hides a nebula of small groups that have de facto loyalty and/or circumstance to the main group. Some coalitions and splits are made according to the time and the economic or political opportunities of the moment, making it complex to study the fluctuating interconnections between groups. Although it is difficult to estimate the operational capacity of these armed groups, a study of their mode of operation and analysis of their various attacks indicate the existence of well-organized groups, including chains of command, roles and functions, discipline and clear disciplinary bodies. Some commanders of armed groups are former FARDC soldiers who have abandoned the uniform either for economic reasons linked to the exploitation of natural resources, or for political reasons (arguing in particular the lack of effectiveness of the FARDC in the fight against foreign armed groups), or for opportunism and the quest for power. These armed groups also have weapons of war, mainly AK47s, some of which were stolen from the FARDC and the PNC during attacks on their positions. Some armed groups also obtained weapons in exchange for mineral resources. The forced collection of illegal taxes at blockades and in the villages under their control as well as the control of mining quarries and other economic activities allows armed groups to gain the financial and material means necessary for their survival and to supply them with arms and ammunition. Trainings are organized for new recruits, often associated with magical-religious rites, tattoos and other mystical ceremonies.<sup>188</sup>

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<sup>188</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [\*Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018\*](#), December 2018, p. 6 [Unofficial translation provided by a COI researcher]

The UN High Commissioner for Human Rights noted in relation to North Kivu in his report covering the period June 2017 to May 2018 that:

The proliferation of militias and armed groups and the increased activities of the latter have contributed to the increase in abuses of human rights and international humanitarian law in the provinces in conflict — in particular in North Kivu — and also to the increase in violations committed by the defence and security forces in the course of their operations against these groups [...]

The provinces of North and South Kivu remain those worst affected by the conflict, North Kivu accounting for more than half of the human rights violations and abuses documented in the provinces in conflict. In these two provinces, armed groups were responsible for 56 per cent of the human rights violations, while, of all the parties to the conflict, the FARDC soldiers bear the greatest responsibility, being involved in more than 25 per cent of all cases [...]

In North Kivu, the Mai-Mai Nyatura fighters are the main perpetrators of human rights violations among armed groups, while those of the Ugandan Allied Democratic Forces conducted particularly deadly attacks against the civilian population in Beni territory, resulting in the deaths of 104 persons (including 13 women and 8 children). Nyatura fighters, often allied to the Democratic Forces for the Liberation of Rwanda, have continued to act in support of Hutu populations in their conflict with the Nande communities, the latter being supported by Mai-Mai Mazembe fighters. In particular, they carried out a number of human rights abuses in Bwito chiefdom (Rutshuru territory) and are the major perpetrators of summary executions (a total of 138 victims, including 28 women and 28 children).<sup>189</sup>

The UN Secretary-General's report on the activities of MONUSCO covering the period 27 March to 29 June 2018 provided the following summary regarding the security situation in North Kivu:

In the Grand Nord area of North Kivu province, ADF continued to attack civilians, although at a lower level of intensity than that seen during the previous reporting period. The renewed ADF activities are likely linked to the operations of the Armed Forces of the Democratic Republic of Congo (FARDC) under way since January. From 12 to 17 April [2018], ADF killed at least 12 FARDC personnel and injured more than 50 in attacks 6 km north of Semuliki. On 14 April [2018], ADF surrounded a FARDC unit 12 km south-east of Mayimoya, prompting MONUSCO to dispatch attack helicopters to disperse the assailants. On 20 May [2018], ADF attacked a FARDC position in Mayimoya, resulting in the deaths of 10 civilians. Four days later, the group attacked FARDC 25 km north-east of Mbau, resulting in the deaths of 12 FARDC soldiers and 16 ADF combatants. On 9 June [2018], ADF conducted an attack on the road between Mabu and Ngite, killing two FARDC soldiers and wounding one. MONUSCO and FARDC responded jointly, with MONUSCO deploying troops and providing medical evacuation support to FARDC. [...]

The deterioration of the security situation in the Grand Nord area, with attacks closer to Beni town, has led to rising frustration among the population, directed against the Government, security forces and MONUSCO. From 23 to 27 April [2018], protests took place in Beni, including a women's protest with over 1,000 participants. In Rwangoma on 28 April [2018], a MONUSCO patrol was stoned by at least 700 civilians, injuring several peacekeepers. On 12 May [2018], a crowd in Boikene also stoned MONUSCO peacekeepers. In recent weeks the situation has improved somewhat, with lowering tensions observed. MONUSCO has undertaken significant community engagement in the area to listen to the concerns of the affected communities. [...]

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<sup>189</sup> UN High Commissioner for Human Rights, [Human rights situation and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo Report of the United Nations High Commissioner for Human Rights](#), 13 August 2018, II. Principal human rights developments, para. 5 and B. Protection of civilians in conflict areas, 1. Current situation and action taken by the Government, paras. 34 and 35

In the Petit Nord area of North Kivu, the security situation also deteriorated. Nyatura continued to engage in extortion and kidnapping. Attacks between armed groups increased or persisted, including between Nyatura and Nande Mai-Mai groups. On 9 April [2018], five Virunga Park rangers and one driver were killed by Mai-Mai Charles. On 29 April [2018], violence reached Goma, the capital of North Kivu Province, with an attack on the Mugunga neighbourhood. In what was allegedly a settling of scores relating to the illegal charcoal trade implicating Forces démocratiques de libération du Rwanda (FDLR) and Nyatura groups, 8 civilians were killed and 22 injured. On 11 May [2018], Nyatura elements attacked a vehicle belonging to the Congolese Institute for Nature Conservation, 27 km north of Goma, kidnapping two British tourists and killing one ranger. The tourists were later released and the Institute announced that the park would remain closed to tourism until at least 2019.<sup>190</sup>

With regards to the human rights situation in North Kivu during the same period the same source noted:

MONUSCO documented 1,183 human rights violations in April and May 2018, an increase as compared with the same period last year (837 violations) and compared with February and March 2018 (931 violations). Of these violations, 79 per cent occurred in conflict-affected provinces and half of these took place in North Kivu province alone, where the human rights situation is of great concern.<sup>191</sup>

A UN Secretary-General report on the activities of MONUSCO provided the following summary with regards to the human rights situation in North Kivu between 29 June and 28 September 2018:

MONUSCO documented 1,135 human rights violations in July and August 2018, which represents a significant increase compared with the same period in 2017 (840 violations), but a decrease compared with April and May 2018 (1,183 violations), illustrating the worrying human rights situation in the country. More than 81 per cent of those violations occurred in conflict-affected provinces, with North Kivu being most affected, notably because of the activities of armed groups.<sup>192</sup>

With regards to the security situation in North Kivu, ACLED summarised in October 2018 that:

The North Kivu province is the site of a disproportionate share of the violent events and protests in the Democratic Republic of Congo (DRC). In 2018 thus far, 51% of violent events and protests have taken place in the province [...]

The number of violent events in North Kivu in 2018 thus far has surpassed the number of violent events recorded for all of 2017. In 2017 there were 307 violent events and protests recorded in the province, resulting in 795 reported fatalities; in 2018 to date [October 2018], there have been 493 violent events and protests, responsible for 801 reported fatalities. Much of the increase in violence in 2018 is driven by an increase in the targeting of civilians

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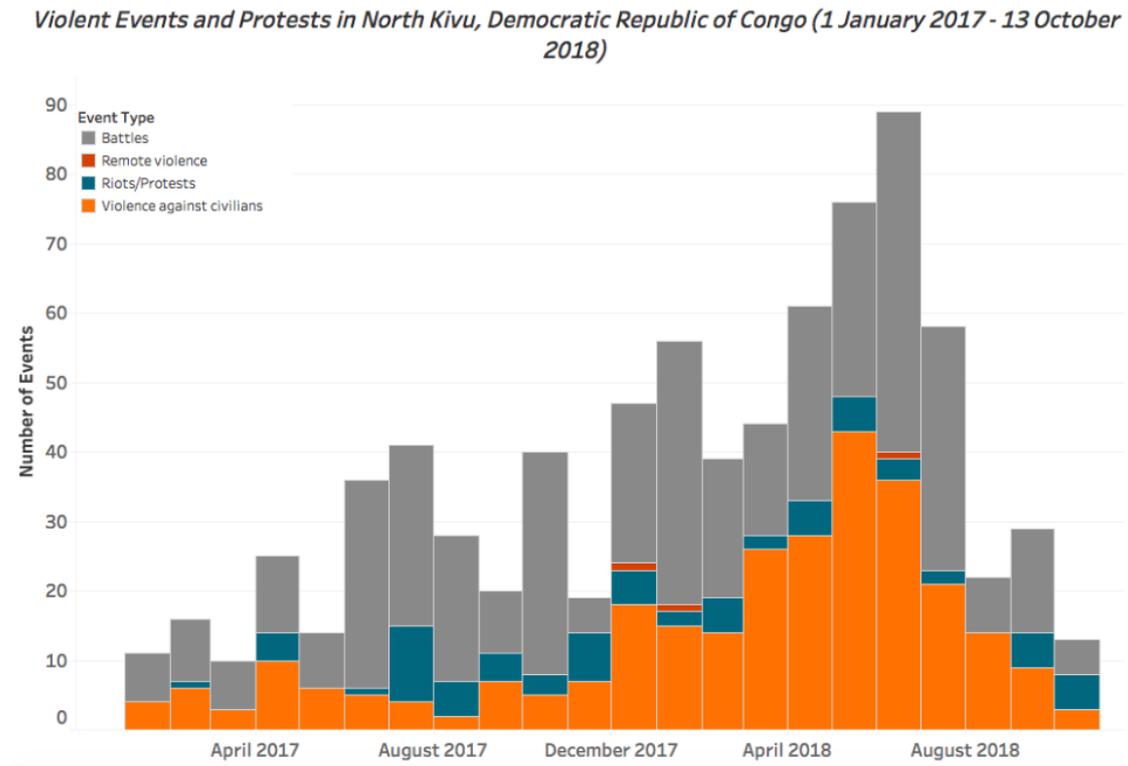
<sup>190</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 2 July 2018, II. Major developments, C. Security situation, paras. 20-22

<sup>191</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 2 July 2018, II. Major developments, C. Security situation, para. 63

<sup>192</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 1 October 2018, II. Major developments, E. Human rights situation, justice and corrections, para. 30

by rebel groups and community militias, as well as battles between armed groups and the government [...].<sup>193</sup>

ACLED provided the following graph documenting this increase:<sup>194</sup>



The same source further noted an increase in civilian casualties and stated: “The Congolese security forces have also targeted civilians in North Kivu in 2018. This year, there have been 17 events in which the Congolese security sector targeted civilians, resulting in a reported 19 fatalities [...] Given the overall surge in violence against civilians, the military offensive has done little to endear the Congolese government to the local population”.<sup>195</sup>

The Heidelberg Institute for International Conflict Research ‘2018 Conflict Barometer’ provided the following overview of the conflict in North and South Kivu, as well as in Ituri, involving the Mayi-Mayi armed groups as follows:

The war over subnational predominance and resources in the eastern provinces North and South Kivu, Maniema, Tanganyika, and Ituri de-escalated to a limited war. The war had been between local armed groups on the one hand, and the Armed Forces of the DR Congo (FARDC) with the support of MONUSCO on the other. It had also involved clashes between local armed groups.<sup>196</sup>

<sup>193</sup> Hilary Matfess (ACLED), [Layered insecurity in North Kivu: Violence and the Ebola response](#), 28 October 2018

<sup>194</sup> See Hilary Matfess (ACLED), [Layered insecurity in North Kivu: Violence and the Ebola response](#), 28 October 2018 © 2018 ACLED All rights reserved. Used with permission from ACLED

<sup>195</sup> Hilary Matfess (ACLED), [Layered insecurity in North Kivu: Violence and the Ebola response](#), 28 October 2018

<sup>196</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo (Mayi-Mayi et al.)*, p. 72

Covering 2018 the U.S. Department of State annual human rights report provided the following security overview in North Kivu:

Conflict among armed groups caused significant population displacement and led to many human rights violations. In North Kivu, the Nduma Defense of Congo–Renewal (NDC-R), Mai Mai Mazembe, the Alliance of Patriots for a Free and Sovereign Congo (ALPCS), the FDLR, as well as a host of smaller armed groups fought among themselves and caused significant population displacements as they fought over territory.<sup>197</sup>

With regards to human rights abuses committed by armed groups in North Kivu, the U.S. Department of State report specifically mentioned “Mai Mai groups summarily executed 33 civilians in North Kivu province” and that “Victims of kidnappings by unknown assailants or suspected RMGs [rebel and militia groups] in North Kivu province reported they were detained outside or in unknown locations for days, stripped of their clothes and belongings, tortured, and then abandoned”.<sup>198</sup>

#### Reporting over shorter time periods in 2018

A UN Secretary-General report on MONUSCO’s activities covering the period 5 January to end of February 2018 provided the following summary regarding the human rights situation in the DRC with special reference to the Kivus and Ituri:

MONUSCO documented 744 human rights violations in January 2018, a substantial increase over the average number of violations per month in 2017 (541 violations). About 78 per cent of those violations occurred in conflict-affected provinces, especially in Ituri, North Kivu and South Kivu. State agents continue to be the main perpetrators, with 60 per cent of the violations, while armed groups were responsible for 40 per cent of human rights violations and abuses. There was a 27 per cent increase in the number of reported human rights abuses by armed groups and militias, confirming the spread and intensification of their activities, which fuelled inter-ethnic and intercommunity violence in Ituri (Hema/Lendu), North Kivu (Hutu/Nande), Kasai (Lulua/Chokwe) and Tanganyika (Twa/Luba).<sup>199</sup>

The same report further stated: “FARDC launched major operations against both foreign and Congolese armed groups in North Kivu and South Kivu. Despite those operations, armed group activity has not decreased and intercommunity tensions continue to fuel violence in the Kivu provinces”.<sup>200</sup>

The same source further noted:

The general security situation in the Grand Nord area of North Kivu remained volatile. Upon receiving reinforcements of troops and equipment from Haut-Lomami and the Kasai provinces, FARDC launched, under Operation Sukola I, a major offensive campaign against the Allied Democratic Forces (ADF). On 8 and 10 January [2018], suspected ADF elements attacked FARDC positions on the MbauKamango axis. FARDC responded on 13 January

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<sup>197</sup> U.S. Department of State, [2018 Country Reports on Human Rights Practices: Democratic Republic of the Congo](#), 13 March 2019, *G. Abuses in internal conflict*

<sup>198</sup> U.S. Department of State, [2018 Country Reports on Human Rights Practices: Democratic Republic of the Congo](#), 13 March 2019, *G. Abuses in internal conflict*

<sup>199</sup> UN Secretary-General, [Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 1 March 2018, *II. Major developments, E. Human rights situation, para. 27*

<sup>200</sup> UN Secretary-General, [Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 1 March 2018, *II. Major developments, C. Security situation, para. 14*

[2018] with artillery fire in the Oicha area, taking control of two major ADF camps. In response to the operations, suspected ADF elements launched attacks on FARDC positions on 19 January [2018], which resulted in the killing of 12 FARDC soldiers and 4 ADF elements. ADF launched further attacks against an FARDC camp near Mayi Moya on 21 January [2018]. On 24 January [2018], suspected ADF elements attacked FARDC in Mapobu (10 km east of Oicha), killing 5 FARDC soldiers and wounding 36 others. MONUSCO provided support in evacuating the wounded. On 13 February [2018], the FARDC spokesperson for Operation Sukola I, Captain Mak Hazukay Mongba, announced that FARDC had released several hostages from ADF and taken control of a major camp of the armed group in Mwalika, about 80 km from Beni. In Lubero territory, Mai-Mai groups continued to attack FARDC positions and build a broader ethnic Nande Mai-Mai coalition. In late January [2018], clashes between Mai-Mai groups intensified along ethnic lines, with Nande Mai-Mai groups such as Mai-Mai Mazembe, the Union des patriotes pour la libération du Congo and Mai-Mai Kilalo clashing with ethnic Nyanga Nduma défense du Congo-Rénové forces in western Lubero. The clashes resulted in the displacement of civilians [...]

Elsewhere in North Kivu, a Hutu Mai-Mai Nyatura faction, led by Mai-Mai John Love, attacked Yobora village (50 km north of Nyanzale) in Rutshuru territory and burned down 140 huts belonging to the Nande community, prompting the population to flee towards Kanyobagonga. In Masisi territory, tensions within the ethnic Hunde Mai-Mai groups, including the Alliance des patriotes pour un Congo libre et souverain, led to the emergence of several splinter groups and an increase in threats to the civilian population [...]

On 12 February [2018], FARDC and the Rwanda Defence Force clashed in the border area close to Virunga National Park, in Rutshuru territory, North Kivu. The Governments of the Democratic Republic of the Congo and Rwanda traded accusations of violation of territorial sovereignty, each claiming that the clashes occurred on its side of the border. Congolese and Rwandan authorities have requested the Expanded Joint Verification Mechanism to investigate the circumstances surrounding the incident. MONUSCO provided support to the investigations of the Mechanism. On 17 February [2018], the Rwanda Defence Force announced that it had handed over the bodies of three Congolese soldiers killed during the clashes to FARDC.<sup>201</sup>

The 2018 Conflict Barometer produced by the Heidelberg Institute for International Conflict Research noted that in mid-February 2018 “For the first time in several years, FARDC and Rwandan Defense Forces clashed in the border area in Rutshuru territory, North Kivu, on February 12 [2018]. Both sides claimed breaches of territorial sovereignty and requested the Expanded Joint Verification Mechanism to investigate the incident. Five days later, Rwandan Defense Forces handed over the bodies of three Congolese soldiers killed in the fighting”.<sup>202</sup>

The UN Group of Experts, reporting between 10 November 2017 and 8 April 2018 stated that “On 13 January 2018, FARDC launched Usalama 2, a large-scale military operation against armed groups in North Kivu, including ADF. By the end of March 2018, FARDC reported it had taken over five positions in Mwalika. Intense fighting in the last two weeks of January and February 2018 occurred in Mapobu and Sesele, north of the Mbau-Kamango road. According to an FARDC commander, Mapobu was finally overtaken by FARDC [...] in early March 2018”.<sup>203</sup>

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<sup>201</sup> UN Secretary-General, [Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 1 March 2018, II. Major developments, C. Security situation, paras. 15-17

<sup>202</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, Regional Development*, p. 58

<sup>203</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, B. Allied Democratic Forces, para. 36

The Armed Conflict Location & Event Data Project (ACLED) documented “221 incidents killing 376 people” in the first quarter of 2018 and highlighted the following locations where such incidents were recorded without providing any further details as to perpetrators, casualties per location etc.: “Baraka, Beni, Bogabo, Bukavu, Bulenga, Bunyakiri, Butembo, Bwalanda, Eringiti, Fizi, Goma, Ishasha, Izege, Kabare, Kabasha, Kahunga, Kahuzi-Biega National Park, Kalehe, Kalembe, Kalole-Mapeto, Kalungu, Kamanyola, Kanyatsi, Kasindi, Katanga, Katsiru, Katwiguru II, Kavumu, Kazimia, Kibati, Kibirizi, Kihoma, Kikuku, Kiliba, Kinyandoni, Kipese, Kisikivi, Kisoro, Kiteraga, Kitumba, Kiwanja, Kokola I, Lemera, Linzo Sisene I, Lubero, Lubondja, Lulimba, Lulingu, Lwibo, Makungulano, Masisi, Matanda, Mavivi, Mayimoya, Mbau, Miriki, Muhangi, Mukaka, Mukangi, Mulima, Murambi, Musasa, Mutambala, Mutanda, Mutarule, Mutongo, Mwalika, Nemba, Ngite, Nkwenda, Nyaleke, Nyanzale, Oicha, Paida, Pinga, Rutshuru, Rwenzori, Sake, Sesele, Shabunda, Ubwari Peninsula, Uvira, Virunga National Park, Vuhombwe, Walikale, Walungu”.<sup>204</sup>

In May 2018 the Kivu Security Tracker noted in its report focusing on kidnappings in the Kivus that “While data regarding kidnappings is difficult to obtain, the provinces of North and South Kivu have rates as high as almost any other country in the world” and that “Most of these kidnappings are concentrated along the main roads leading north from Goma toward Butembo and the Ugandan border; and along the BukavuWalikale road. The high number of attacks on these trade routes has required many businesspeople to rely on FARDC, MONUSCO, and Virunga park convoys for protection and has undermined public safety and economic development”.<sup>205</sup>

The Heidelberg Institute for International Conflict Research ‘2018 Conflict Barometer’ reported on some more violence and fighting between January and May 2018 instigated by the Mayi-Mayi Mazembe which “consisted of loosely connected armed groups that recruited its fighters predominantly from the local ethnic Nande population. The group operated in Lubero, Beni, Rutshuru territories, North Kivu. Throughout the year, at least 54 people were killed and 25 injured in attacks on civilians, as well as in clashes with FARDC, MONUSCO, and other armed groups. For instance, on January 21 [2018], a FARDC attack on a Mazembe position in Munyakondomi, Lubero, left eight dead. On February 15, five people were reportedly killed in an attack by Mazembe fighters on a farm belonging to President Joseph Kabila in Kabasha, Beni. One week later, Mazembe clashed with FARDC and MONUSCO in Vuhoyi, Beni. One person was killed and the local police station was destroyed. On April 6 [2018], FARDC detained Mazembe faction leader Mboka Kambale in Beni. In May, Mazembe fighters repeatedly clashed with predominantly Hutu Nyatura groups in Rutshuru and Lubero. For instance, on May 16 [2018], five people were killed and five injured in a clash between Mazembe and Nyatura fighters in Mirangi, Rutshuru”.<sup>206</sup>

For the second quarter of 2018 ACLED provided the following information with regards to the Kivus:

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<sup>204</sup> ACCORD – Austrian Centre for Country of Origin & Asylum Research and Documentation, [Democratic Republic of Congo, first quarter 2018: Update on incidents according to the Armed Conflict Location & Event Data Project \(ACLED\) - Updated 2nd edition](#), 20 December 2018, *Localization of conflict incidents*, p. 4

<sup>205</sup> Kivu Security Tracker, [Held for ransom: Kidnappings in the Kivus, Situation Report](#), May 2018, p. 1 and p. 3

<sup>206</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo (Mayi-Mayi et al.)*, p.73

In Kivu, 340 incidents killing 467 people were reported. The following locations were among the affected: Beni, Bijombo, Bimpanga, Bingi, Biriku, Bishusha, Boikene, Buhumba, Bukavu, Bulengera, Bunyampuli, Bunyereza, Burungu, Busanza, Bushumba, Busumba, Busurungi, Butembo, Fizi, Goma, Idjwi Island, Kabambare, Kabare, Kafunzo, Kahololo, Kahunga, Kako, Kalehe, Kalembe, Kalungu, Kamango, Kambale, Kamituga, Kamohorera, Kanvinvira, Kanyabayonga, Kanyatsi, Karambi, Kasenga, Kasiki, Katale, Katendere, Katobo, Katsiru, Kayna, Kibati, Kibingu, Kibirizi, Kibumba, Kibutu, Kigoma, Kikuku, Kilambo, Kiliba, Kinyandoni, Kiondo, Kirumba, Kisuma, Kitobi, Kitobo, Kitshanga, Kiwanja, Kyondo, Lake Edward, Lubero, Lugendo, Lukopfu, Lukweti, Lutika, Luvungi, Lwibo, Mabuku, Mahungubwe, Makobola, Malela, Maniema, Masango, Masisi, Matali, Matanda, Mayimoya, Mbau, Minova, Misisi, Mitala, Mugeru, Mugunga, Munigi, Mutanda, Mutarule, Mwalika, Mweso, Namoya, Ndosho, Ngadi, Ngingwe, Ngite, Ngolombe, Ntamugenga, Ntoto, Nyakibamba, Nyaleke, Nyangi Milimba, Nyanzale, Nyiragongo, Oicha, Paida, Rombe1, Rubare, Rubaya, Rugari, Rugenge, Rutshuru, Saramabila, Semuliki River Bridge, Shabunda, Tongo, Tungudu, Utunda, Uvira, Virunga National Park, Vitshumbi, Walikale, Waloa Loanda, Walungu, Wamaza.<sup>207</sup>

In July 2018 The New Humanitarian published an article focusing on the “world’s most neglected crisis”, namely the inter-communal conflict in Rutshuru and Lubero territories which has been going on for the past two years between “Factions of two militias – the Nyatura and the Mai-Mai Mazembe – that claim to defend different ethnic groups” and that “have been burning houses, killing civilians, and dividing communities along ethnic lines”.<sup>208</sup> The same source noted further that “Media reports mention around 100 killings over the past couple of years, but IRIN heard testimony about many more and a large number likely go unreported. Frequent kidnappings, attacks on aid workers, and challenging conditions for those attempting to document the conflict mean there has been little attention on the violence”.<sup>209</sup>

At the end of August 2018 UNHCR stated that it is “alarmed by the latest escalation of violence in already volatile and Ebola-hit North Kivu province” with “fighting involving a number of armed groups operating in the area has intensified in all six territories in North Kivu, a province bordering Rwanda and Uganda” and describing the violence as “rampant” in the “so-called ‘triangle of death’ between the towns of Eringeti, Mbau and Kamango, on the Uganda-DRC border, as well as in the towns of Beni, Oicha and Mavivi”.<sup>210</sup> The same source further noted that “Reports of increased human rights violations and restrictions of humanitarian access are frequent. Estimates are that more than 100 armed groups are active in the province, continually terrorizing the population. Despite a large-scale military offensive of the Congolese Army against one of the main rebel groups, the Allied Democratic Forces (ADF) since January [2018], there has been no let-up in the violence”.<sup>211</sup>

During the third quarter of 2018 the following incidents were recorded by ACLED in the Kivus:

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<sup>207</sup> ACCORD – Austrian Centre for Country of Origin & Asylum Research and Documentation, [Democratic Republic of Congo, second quarter 2018: Update on incidents according to the Armed Conflict Location & Event Data Project \(ACLED\) - Updated 2nd edition](#), 20 December 2018, *Localization of conflict incidents*, p. 4

<sup>208</sup> The New Humanitarian, [“Whoever they met, they would cut and kill”: displaced Congolese recount rebel atrocities](#), 12 July 2018

<sup>209</sup> The New Humanitarian, [“Whoever they met, they would cut and kill”: displaced Congolese recount rebel atrocities](#), 12 July 2018

<sup>210</sup> UNHCR, [Spiralling violence puts millions at risk in Ebola-hit eastern DRC](#), 24 August 2018

<sup>211</sup> UNHCR, [Spiralling violence puts millions at risk in Ebola-hit eastern DRC](#), 24 August 2018

In Kivu, 179 incidents killing 343 people were reported. The following locations were among the affected: Beni, Bijombo, Bitakongo, Boikene, Bukavu, Bulumbu, Busawa, Busurungi, Butale, Butembo, Fizi, Goma, Isale, Kabasewa, Kabeya, Kabindula, Kadou, Kagogo, Kahira, Kakuka I, Kakuku I, Kalehe, Kalengera, Kalingi, Kalungu, Kaniro, Kanyatsi, Kanyihunga Mambira, Kasenga, Kasindi, Kasinga, Kasugho, Katyaza, Kibua, Kibumba, Kididiwe, Kilembwe, Kinigi, Kipupu, Kitemesho, Kitunda, Kiwanja, Kokola I, Lake Edward, Limbushi, Luberizi, Lubero, Lubwe, Mabapula, Maboya, Maindombe, Mangina, Mangobo, Manguredjpa, Mapiki, Masisi, Mavivi, Mayimoya, Mbau, Mera, Minembwe, Mukoko, Mununzi, Munyambelu, Mutabo, Mutupeke, Mwalika, Mwenga, Narunanga, Ngadi, Nyabiondo, Nyaleke, Nyambembe, Nyamilima, Nyangezi, Nyanzale, Nyiragongo, Nyombe, Oicha, Pabuka, Rubaya, Rugari, Rusayo, Rutshuru, Rwindi, Sake, Semuliki River Bridge, Shabunda, Totolito, Tubangoye, Uvira, Walikale.<sup>212</sup>

UNHCR reported in its mid-month update covering 1-15 November 2018 that “Security deteriorated in Beni, Masisi and Rutshuru territories in North-Kivu Province, with ongoing clashes and the displacement of a recorded 574 households in Beni Territory”.<sup>213</sup>

ACLED reported in April 2019 that “tensions around the response to the Ebola outbreak persist and are set to continue as armed groups have threatened to target anyone involved in the Ebola campaign (including journalists). There were a number of attacks in Butembo last week, including one by suspected Mayi Mayi fighters at the Ebola clinic of the Catholic University of Graben who killed a Cameroonian doctor (the Mayi Mayi told the medical staff that Ebola was not real and accused them of killing people); and one by unknown gunmen against the Ebola center in Katwa, which was thwarted by the security forces”.<sup>214</sup>

According to the Internal Displacement Monitoring Centre (IDMC) in May 2019, “In North Kivu, militia activities and clashes between armed groups continued, triggering a significant number of new displacements. North Kivu was also the centre of a major Ebola outbreak and the humanitarian response to it was complicated by the ongoing insecurity in the region”.<sup>215</sup>

The UN Committee against Torture noted in its ‘Concluding observations’ of 3 June 2019 that:

The Committee is deeply concerned about the serious, mass violations of human rights and international humanitarian law that have been and continue to be committed in several parts of the country, including the provinces of North Kivu, South Kivu and Kasai, where summary executions, deliberate – sometimes ethnically motivated – attacks on civilian populations, the large-scale recruitment and use of children, indiscriminate attacks, large-scale sexual violence and the destruction of civilian property by the armed forces and non-State armed militias have caused an unprecedented humanitarian crisis. The Committee deplores the inadequacy of the investigations and proceedings aimed at identifying those responsible for the serious violations committed in the context of the armed conflict,

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<sup>212</sup> [ACCORD – Austrian Centre for Country of Origin & Asylum Research and Documentation: Democratic Republic of Congo, third quarter 2018: Update on incidents according to the Armed Conflict Location & Event Data Project \(ACLED\) - Updated 2nd edition](#), 20 December 2018, *Localization of conflict incidents*, p. 4

<sup>213</sup> UNHCR, [Mid-month update: Democratic Republic of the Congo, 1-15 November 2018](#), 15 November 2018, *Internally Displaced Persons (IDPs)*, p. 1

<sup>214</sup> Margaux Pinaud (ACLED), [Regional Overview – Africa](#), 23 April 2019, p. 1

<sup>215</sup> Internal Displacement Monitoring Centre, [Democratic Republic of Congo, Figure Analysis – Displacement Related Conflict and Violence](#), May 2019, *Context*, p. 1

including the instigators of such acts and senior officers involved, certain recent convictions for war crimes and crimes against humanity notwithstanding (arts. 2, 12 and 16).<sup>216</sup>

The UN Secretary-General report on MONUSCO's activities covering the period 8 March to 28 June 2019 noted "In the first quarter of 2019, MONUSCO documented 1,560 human rights violations and abuses throughout the country, a 10 per cent decrease compared with the last quarter of 2018. Most of the violations and abuses took place in conflict-affected provinces, mainly in Kasai, Maniema, North Kivu and South Kivu. State agents, mainly FARDC soldiers and members of the Congolese National Police, were responsible for 63 per cent of human rights violations and abuses. The remaining 37 per cent of cases were committed by members of armed groups. State actors were responsible for the majority of documented violations of fundamental freedoms and restrictions on democratic space. Furthermore, a high number of violations resulted from the presence and operations of national security forces in conflict-affected areas [...]"

In North Kivu, the province most affected by conflict, the human rights situation deteriorated further, particularly in Masisi territory, where the number of human rights violations and abuses increased by 40 per cent in the first quarter of 2019 compared with the last quarter of 2018. Armed groups were responsible for most of those abuses, which included abductions and a high number of summary killings (51 victims, including 11 women and 2 children)".<sup>217</sup>

### 5.1.1. Beni Territory

For a map depicting the 'Massacres in Beni Territory' see p. 1 and on p. 8 for a map on 'All security incidents (including killings, abductions, kidnappings, mass rape, and clashes) in Beni territory, April 2017-October 2018' in the Congo Research Group, [Inside the ADF Rebellion, A Glimpse into the Life and Operations of a Secretive Jihadi Armed Group](#), November 2018. On p. 9 the same source shows a map on various armed groups' area of influence around Beni Territory in 2018.

The UN Group of Experts, reporting between 10 November 2017 and 8 April 2018, stated in relation to Beni territory:

After a relative lull during the first part of 2017, the killing of civilians resumed in Beni territory in September 2017. The number of deadly attacks against civilians increased from mid-January 2018 [...] immediately after the beginning of FARDC operations in the area [...] As previously reported, since early October 2014 a variety of armed actors have killed hundreds of civilians in Beni territory. Those responsible included local militias, various ADF factions and various armed actors, including some Kinyarwanda-speakers. Some FARDC officers and troops have also been involved As in previous years, no armed group has taken responsibility for the recent killings, although ADF is usually blamed for the attacks".<sup>218</sup>

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<sup>216</sup> UN Committee against Torture, [Concluding observations on the second periodic report of the Democratic Republic of the Congo](#), 3 June 2019, para. 30

<sup>217</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, VII. Human rights situation, justice and corrections, paras. 61 and 62

<sup>218</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, IV. Serious violations of international humanitarian law and human rights, A. Attacks on civilians in Beni territory, para. 147

The same source stated that it “focused its investigations on [...] the attacks against Kithavya, Ngite and Mbau in February 2018 “ where attacks against the civilian population resulted in the “killing [of] seven men, beheading two and slitting the throats of five, and looted homes and a health centre” [Kithavya], “killed eight people with guns and machetes and kidnapped two 12 -year-old boys who eventually managed to escaped” [Ngite], and “killing two civilians by slitting their throats” [Mbau].<sup>219</sup> According to the same source “These attacks bore several similarities, including that, some of the assailants wore FARDC uniforms, the assailants included women and children and the appearance and statements of the assailants suggested that at least some of them were Muslim. The Group was, however, unable to confirm their identities and affiliations or to determine if the same group carried out all three attacks”.<sup>220</sup>

At the end of August 2018 UNHCR stated that it was “alarmed by the latest escalation of violence in already volatile and Ebola-hit North Kivu province” with “fighting involving a number of armed groups operating in the area has intensified in all six territories in North Kivu, a province bordering Rwanda and Uganda” and describing the violence as “rampant” in the “so-called “triangle of death’ between the towns of Eringeti, Mbau and Kamango, on the Uganda-DRC border, as well as in the towns of Beni, Oicha and Mavivi”.<sup>221</sup> The same source further noted that “Reports of increased human rights violations and restrictions of humanitarian access are frequent. Estimates are that more than 100 armed groups are active in the province, continually terrorizing the population. Despite a large-scale military offensive of the Congolese Army against one of the main rebel groups, the Allied Democratic Forces (ADF) since January [2018], there has been no let-up in the violence”.<sup>222</sup>

The UN Secretary-General in his report on the activities of MONUSCO provided the following summary with regards to the security situation in Beni territory between 29 June and 28 September 2018:

In North Kivu, after a lull, the Allied Democratic Forces (ADF) resumed in July [2018] attacks against FARDC, MONUSCO and civilians in Beni territory. Most attacks targeting FARDC took place along the Eringeti-Oicha and Mbau-Kamango axes. On 12 July [2018], a clash between ADF and FARDC in the PK13 neighbourhood in the Mbau area resulted in one FARDC soldier missing in action. On 14 July [2018], ADF attacked FARDC in Mapiki and Masulukwede in the Oicha and Mavivi areas, respectively, resulting in the killing of three civilians and one FARDC soldier. On 24 August [2018], an attack by suspected ADF elements on an FARDC position in Ngadi (on the BeniMavivi road) resulted in the killing of 17 FARDC elements and the theft of weapons and ammunitions. Suspected ADF elements and MONUSCO troops clashed on several occasions. On 6 July [2018], suspected ADF elements ambushed MONUSCO troops in Boikene and injured two peacekeepers. On 29 July [2018], a group of suspected ADF elements opened fire on the MONUSCO company operating base in Semuliki, triggering an exchange of fire. On 3 September [2018], two MONUSCO peacekeepers were injured in an ambush by suspected ADF elements in the Ngadi area. Civilians continued to be the target of attacks by suspected ADF elements, resulting in the killing of at least 120 civilians since January. On 22 and 23 July [2018], the bodies of six civilians reportedly killed by ADF were discovered in the Mavivi-Masulukwede area. On 2 August [2018], ADF abducted 14 civilians,

<sup>219</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, IV. *Serious violations of international humanitarian law and human rights, A. Attacks on civilians in Beni territory, paras. 155-157*

<sup>220</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, IV. *Serious violations of international humanitarian law and human rights, A. Attacks on civilians in Beni territory, para. 154*

<sup>221</sup> UNHCR, [Spiralling violence puts millions at risk in Ebola-hit eastern DRC](#), 24 August 2018

<sup>222</sup> UNHCR, [Spiralling violence puts millions at risk in Ebola-hit eastern DRC](#), 24 August 2018

whose bodies were found in the jungle surrounding Boikene on 7 August. On the same day, suspected ADF abducted 15 civilians in Ngere-Mwalika (30 km south of Beni). On 9 September [2018], simultaneous attacks by alleged ADF elements on villages on the Beni-Mavivi road resulted in the death of a civilian and triggered a displacement of population towards the city of Beni.<sup>223</sup>

USAID reported at the end of September 2018 that “In early September [2018], Allied Democratic Forces (ADF) elements attacked UN Organization Stabilization Mission in DRC (MONUSCO) personnel in North Kivu Province’s Ngadi locality, Beni Territory, injuring two peacekeepers. Subsequent September 23 clashes and reprisal attacks between ADF and Armed Forces of DRC elements in North Kivu’s Beni town resulted in at least 14 civilian deaths, international media report”.<sup>224</sup> UNHCR further reported with regards to this attack on Beni town “While these groups have previously been active around Beni, it is the first time that fighting has reached the city itself” and also reported on another attack on Oicha “a town nearby Beni”, where “an armed group, presumably also from ADF-Nalu, shot dead a 47-year-old man, abducted at least nine children, then looted and burned houses”.<sup>225</sup>

The Jamestown Foundation reported that on 21 October 2018 “angry locals filled the streets of the Congo’s Nord Kivu province town of Beni. The crowd torched the post office, destroyed parts of the town hall and threw stones at vehicles belonging to health workers fighting a deadly outbreak of the Ebola virus. Eventually driven off by tear gas and live ammunition fired into the air, the demonstrators were enraged by the inability of Democratic Republic of the Congo (DRC) troops and UN peacekeepers to prevent yet another terrorist strike in the town. 11 people were hacked to death and 15 others, including children, were abducted by militants of the Allied Democratic Front (ADF)”.<sup>226</sup>

The UN Group of Experts on the DRC in its report focusing on events between 26 July and 9 November 2018 found that “Attacks, which were often deadly and targeted the civilian population, the Forces armées de la république démocratique du Congo (FARDC) and/or United Nations peacekeepers, occurred on an almost daily basis in various locations in the entire north-eastern part of the territory, including in Beni city [...] The Group received conflicting information about possible perpetrators and is not in the position to confirm their identity or whether the same armed group carried out all the attacks”.<sup>227</sup> The same source further noted with regards to the consequences of these attacks:

The attacks in Beni territory have had devastating consequences on civilians: as of the time of writing, at least 200 people have been killed since the beginning of 2018 and many have been injured or abducted, including women and children. The attacks have also led to massive displacements to other locations within Beni territory or to the neighbouring Ituri Province. The Office for the Coordination of Humanitarian Affairs of the Secretariat assessed

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<sup>223</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 1 October 2018, II. Major developments, C. Security situation, 2. North Kivu and South Kivu, paras. 15-17

<sup>224</sup> USAID, [Democratic Republic of the Congo – Complex Emergency](#), 30 September 2018, *Insecurity and population displacement*, p. 2

<sup>225</sup> UNHCR, [UNHCR alarm at recent attacks and rising displacement in eastern DRC](#), 28 September 2018

<sup>226</sup> The Jamestown Foundation, [Violence and Viruses: How a Poorly Armed Insurgency in the Congo Poses a Global Threat](#), 2 November 2018

<sup>227</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, *Summary and II. Beni territory, B. Humanitarian and security situation, para. 18*

that by 24 October 2018, two thirds of the population of the Ruwenzori commune, on the outskirts of Beni city, had left their homes following the armed attacks.<sup>228</sup>

UNHCR reported in its mid-month update covering 1-15 November 2018 that “Security deteriorated in Beni, Masisi and Rutshuru territories in North-Kivu Province, with ongoing clashes and the displacement of a recorded 574 households in Beni Territory”.<sup>229</sup>

In mid-November 2018 “In response to regular attacks on the civilian population in the Beni area [North Kivu], the Congolese armed forces (FARDC) and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) jointly planned offensive operations [...] with the intention of disrupting Allied Democratic Forces (ADF) activities” reported MONUSCO.<sup>230</sup> The same source further noted that “In the context of this major initiative, the FARDC and MONUSCO forces identified, attacked and managed to retake key ADF positions. A number of ADF elements were also captured. During the operations, FARDC and MONUSCO faced significant resistance from the ADF, which led to casualties among FARDC and MONUSCO troops”.<sup>231</sup>

During the reporting period 2 October to 31 December 2018 on the activities of MONUSCO the UN Secretary-General provided the following summary with regards to the security situation in Beni territory:

In Beni territory, on 12 November [2018], FARDC and MONUSCO launched joint military operations against suspected Allied Democratic Forces (ADF) elements in the Mayangose area to prevent a potential attack on Beni town and to protect civilians. Seven peacekeepers were killed, 10 others were injured and another 4 went missing during the operations. Thirteen FARDC soldiers were also reportedly killed and several others injured. Two of the four missing peacekeepers were found on 24 November and 2 December [2018], respectively. Search operations are under way to find the other two [...]

The joint operations followed recurrent attacks by suspected ADF and Mai-Mai groups against civilians, FARDC positions and MONUSCO patrols. On 29 September [2018], the FARDC camps of Mukoko and Mukoko I, near Oicha, were attacked by suspected ADF elements. On 4 October [2018], a MONUSCO quick reaction force responded to a firefight at the FARDC Sukola I headquarters north of Beni town. Eight FARDC soldiers and two civilians were killed during the attack. On 9 November [2018], six FARDC soldiers were killed in an attack by suspected ADF elements on their camp in Silimbamba (40 km north-east of Beni) [...]

Suspected ADF elements launched several attacks against MONUSCO troops. On 24 October [2018], ADF elements attacked a MONUSCO base at Semliki bridge but were repelled. On 16 November [2018], suspected ADF elements fired at the MONUSCO positions outside Beni town in Boikene. On 23 November [2018], suspected ADF elements attacked a MONUSCO patrol, injuring one peacekeeper [...]

Civilians were also targeted during attacks on population centres and military installations. Between 9 and 28 October [2018], 30 civilians were killed in suspected ADF attacks on the Mayangose market, north-east of Beni town, and in three other locations around Beni town. On 3 November [2018], suspected ADF elements launched twin attacks on Mangoko (16 km

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<sup>228</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, II. Beni territory, B. Humanitarian and security situation, Adverse consequences of the attacks, para. 31

<sup>229</sup> UNHCR, [Mid-month update: Democratic Republic of the Congo, 1-15 November 2018](#), 15 November 2018, *Internally Displaced Persons (IDPs)*, p. 1

<sup>230</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [FARDC AND MONUSCO LAUNCH JOINT OPERATIONS AGAINST ADF](#), 16 November 2018

<sup>231</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [FARDC AND MONUSCO LAUNCH JOINT OPERATIONS AGAINST ADF](#), 16 November 2018

north-east of Beni) and Oicha, killing 8 civilians and abducting 14 civilians, mostly children. On 10 November [2018] suspected ADF elements attacked Mayi Moya (11 km north-east of Oicha), killing six civilians, including one woman. On 10 December [2018], suspected ADF elements killed at least nine civilians, including two women, in Oicha. On 6 December [2018], FARDC discovered 12 bodies of farmers allegedly killed by ADF at Nyaleke, near Beni. Two more civilians were killed during an attack south-east of Beni city on 7 December [2018]. Also on 7 December [...], suspected ADF elements reportedly killed five female civilians in Paida [...]

Mai-Mai groups were also active in the area and increased their attacks mainly against FARDC positions. A coalition of the Union des patriotes pour la libération du Congo (UPLC) and Mai-Mai Kiandeng moved towards areas situated north-east of Beni town. On 3 November [...], UPLC elements attacked the prison of the Auditorat militaire of Beni town, freeing 2 high-ranking Mai-Mai elements and up to 20 prisoners. On 5 November [...], Mai-Mai elements attacked the FARDC camp in Paida, north of Beni town. On 7 November [...], Mai-Mai groups carried out attacks and ambushes against FARDC in Chani-Chani and Baoba, in the Mayi Moya area, Beni territory. FARDC positions in Chani-Chani were again attacked on 27 November [...], prompting FARDC to launch an attack against Mai-Mai elements positioned in Mount Ndombi, 12 km north-west of Mayi Moya, the next day. On 7 December [...], UPLC elements attacked FARDC in the Rwangoma area of Beni, killing at least one FARDC soldier [...]

The local population staged several demonstrations in October in Beni town to denounce violence against civilians and call on the national security forces and MONUSCO to step up efforts to protect civilians.<sup>232</sup>

The German Federal Office for Migration and Refugees noted that “According to information from the mayor of the city of Beni (eastern Congo, North Kivu province), suspected fighters of the Islamist rebel group Allied Democratic Forces (ADF) killed twelve civilians in Mangolikene near Beni on 06.12.18. On the night of 06.12.18 they killed five civilians in the village of Paida (near Beni)”<sup>233</sup>

A UN Secretary-General report covering the period from 1 September 2018 to 28 February 2019 noted that “suspected members of the Allied Democratic Forces (ADF) stepped up attacks in the Beni area [North Kivu], targeting civilians, the Armed Forces of the Democratic Republic of the Congo (FARDC) and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). At least 245 civilians, including 55 women and seven children, were killed in attacks attributed to ADF in 2018 [...] On 12 November, FARDC and MONUSCO launched a joint military operation against the group to prevent a potential attack on Beni town and to protect civilians. A total of 13 FARDC soldiers and seven United Nations peacekeepers were killed during the operation”<sup>234</sup>

The UN Secretary-General report on MONUSCO’s activities covering the period from 4 January to 8 March 2019 noted with regards to the security situation in North Kivu:

In North Kivu Province, the security situation in the Grand Nord area [Beni and Lubero territories] continued to be of concern owing to suspected ADF attacks against civilians and

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<sup>232</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, C. Security situation, North Kivu, paras. 17-22

<sup>233</sup> Bundesamt für Flüchtlinge und Migration (BAMF) [Federal Office for Migration and Refugees (Germany)], [Briefing Notes](#), 10 December 2018, *Democratic Republic of the Congo, ADF kills civilians in Beni region*

<sup>234</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 12 March 2019, II. Major developments, A. Security situation, para. 4

FARDC and MONUSCO patrols, mainly in the area between Beni city and the border with Ituri Province. Suspected ADF elements conducted attacks on FARDC positions in an attempt to free themselves from military pressure and to gain access to supplies. On 9 January, suspected ADF elements simultaneously attacked three FARDC positions near Mayi Safi (7 km northeast of Eringeti), resulting in at least 7 civilians and 4 FARDC soldiers killed, 11 civilians and 8 FARDC soldiers injured, and 7 civilians allegedly abducted. On 21 January, suspected ADF elements attacked an FARDC position at Mapobhu (6 km east of Mayi-Moya), killing at least 16 soldiers and wounding 14 others. Between 2 and 17 February, clashes occurred between FARDC and suspected ADF, resulting in the killing of at least 9 FARDC soldiers at Kasinga (7 km east of Beni), Mapobhu (6 km east of Mayi Moya) and Masulukwede (3 km east of Mavivi) [...]

Suspected ADF elements also targeted civilians, including through attacks on population centres. On 24 January, three civilians were killed in an ambush in Kisiki (10 km north of Oicha) and two civilians were killed on the Mbau-Kamango road on 28 January, bringing the total number of civilians killed by suspected ADF elements between early January and 25 February to 39. On 8 January, a unit of the MONUSCO Intervention Brigade providing support to FARDC troops who were under attack came under fire one kilometre north of the Mission's base in Mavivi. During the attack, the assailants killed 10 civilians and abducted another civilian in the area. A second attack near Mavivi took place on 18 February, with two civilians killed, one woman abducted and another civilian injured. On 24 February, presumed ADF elements attacked Mamove, killing at least two men. On 16 and 17 January, suspected ADF elements fired gunshots at the MONUSCO base on the Mbau-Kamango road (45 km northeast of Beni) and at a MONUSCO patrol. MONUSCO troops repelled the assailants [...]

In the Petit Nord area of North Kivu Province, militias continued to operate in the areas of Bwito, Kiwanja, Nyabiondo, Rubaya and Virunga National Park. In early January, a large group consisting of elements of the Conseil national pour le renouveau et la démocratie (CNRD) (a splinter group of the Forces démocratiques de libération du Rwanda (FDLR)), their dependants and other accompanying civilians moved from North Kivu to South Kivu. The movement was allegedly prompted by military pressure on CNRD from FARDC and Mai-Mai Nduma défense du CongoRénové (NDC-R).<sup>235</sup>

According to Al Jazeera in April 2019 the “Islamic State of Iraq and the Levant (ISIL or ISIS) claimed its first attack” near the town of Beni “and declared it the ‘Central Africa Province’ of the ‘caliphate’ after two Congolese soldiers and a civilian were killed in a gunfight”.<sup>236</sup>

The UN Group of Experts report covering the period November 2018 to 18 April 2019 found that “While attacks against civilians continued in various parts of Beni territory during the period under review, most attacks took place further north of Beni city [...] In particular, the following areas were targeted in a series of attacks: (a) Mavivi and its surroundings, in January and February 2019; (b) the area of Mamove in the north-western part of Oicha, from mid-February 2019; and (c) the area of Kamango, close to the Ugandan border, since late March 2019”.<sup>237</sup>

The UN Secretary-General report on MONUSCO's activities covering the period 8 March to 28 June 2019 noted “Compared with the period covered in my last report (4 January–8 March), there were fewer attacks on civilians by the Allied Democratic Forces (ADF) in Beni territory, but there was a high level of violence in Masisi territory and increased violence

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<sup>235</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, C. Security situation, North Kivu, paras. 15-17

<sup>236</sup> Al Jazeera, [ISIL claims its first DR Congo attack](#), 19 April 2019

<sup>237</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, IV. Serious violations of international humanitarian law and human rights, C. Attacks against civilians in Beni territory

against Ebola response teams. Nduma défense du Congo-Rénové elements were the largest perpetrators of attacks on civilians in North Kivu during the reporting period [...]

Alleged ADF elements carried out 49 attacks on civilians, killing 89, including 29 women, and kidnapped 202 people, including 32 women. ADF also conducted 14 attacks on FARDC positions in Beni territory. MONUSCO supported FARDC after ADF elements attacked a FARDC position in Ngite in the Mavivi area on 30 May. FARDC killed 26 ADF elements in a counteroffensive. On 3 June, in an apparent act of reprisal, ADF elements attacked the Rwangoma area of Beni town, killing 12 civilians (7 women and 5 men) and 2 FARDC soldiers. FARDC and the Congolese National Police repelled the attack, killing one assailant. Since the beginning of 2019, ADF has abducted at least 42 minors (24 boys and 18 girls). Mai-Mai groups also continued to threaten civilians, especially in the Butembo and Lubero areas, with 63 attacks recorded during the reporting period, resulting in the killing of 31 people, including 5 women, and the abduction of 80 civilians. No attacks against MONUSCO were recorded during the reporting period”.<sup>238</sup>

In mid-July 2019 CongoForum reported that [unofficial translation]:

The locality of Maleki, in Beni territory (North Kivu), was visited by Ugandan rebels of the ADF. These rebels systematically looted the area. They seized animals, clothes, beans, peanuts, sewing machines, solar panels, batteries and other goods. The local Catholic church was also targeted by the attackers. Before leaving, the rebels took hostage a dozen civilians. These people were tied up. Finally the rebels left with two other citizens, say some sources.<sup>239</sup>

Congo Forum reported at the end of July 2019 that [unofficial translation]: “More than 12 people were killed and seven others wounded during an ADF raid [...] These are 9 people shot by the ADF rebels in the Mabasele district, west of the rural commune of Oicha and 3 others in Eringeti. Nearly all of the victims, including women and children, were shot dead”.<sup>240</sup> Reporting also on the same incident ACLED reported that:

the Allied Democratic Forces (ADF) carried out a string of attacks in the Beni and Oicha territories of Nord Kivu. The group killed nine civilians in Mabasele on July 22<sup>nd</sup> [2019] and also carried out attacks against civilians in Mayimoya and Eringeti. During their attacks, the group also abducted 10 civilians, including several children. The ADF clashed with military forces in Mangboko and Masulukwed, resulting in 11 reported fatalities. These attacks came as a video was released purporting to show well-armed ADF forces pledging allegiance to the Islamic State (IS). Notably present in the video are child soldiers, which the group has a history of using and is likely related to the abduction of children during their attacks.<sup>241</sup>

### 5.1.2. Masisi Territory

Covering events from January 2017 to October 2018 a report by MONUSCO noted that [unofficial translation] “Since 2017, the territories of Lubero and Masisi have witnessed a resurgence of activity by armed groups, marked by human rights violations and abuses that seriously impact civilian populations. During the reporting period, armed groups were

<sup>238</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, III. Security situation, North Kivu, paras. 22 and 23

<sup>239</sup> CongoForum, [Beni: les rebelles ADF pillent à Maleki](#), 14 July 2019 [unofficial translation provided by a COI researcher]

<sup>240</sup> CongoForum, [Beni: les rebelles ADF reprennent les attaques contre les civils après quelques mois d'accalmie](#), 24 July 2019 [unofficial translation provided by a COI researcher]

<sup>241</sup> ACLED Admin, [Regional Overview – Africa](#), 30 July 2019

responsible for two-thirds of documented human rights violations on both of these territories. State agents were responsible for the remaining third, mainly FARDC soldiers (20%) and agents of the Congolese National Police (PNC) (9%)”.<sup>242</sup>

The same source further noted that [unofficial translation]:

The UNJHRO documented 653 human rights violations and abuses in the Masisi territory between January 2017 and October 2018, including 148 violations of the right to life against 228 victims, including 198 victims of extrajudicial or arbitrary executions (including 33 women and 29 children); 172 violations of the right to physical integrity against 370 victims (including at least 103 women and 48 children, including 76 women and 24 children victims of sexual violence); 145 violations of the right to liberty and security of the person against 399 victims (including at least 51 women and 27 children); and 180 property rights violations. Armed groups account for nearly 86 % of these violations, particularly the Mai-Mai Nyatura, where more than 46 % of the violations in Masisi (302 attacks) are attributable. In particular, they are responsible for 88 infringements of property rights; 80 attacks on the right to physical integrity against 129 victims (including 31 women and 14 children, including 17 women and eight children victims of sexual violence); and 68 attacks on the right to liberty and security of the person against 152 victims (including at least 12 women and seven children). They are also responsible for 58 attacks on the right to life, including the arbitrary executions of 99 people (at least 17 women and 17 children). CNRD and APCLS are each responsible for about 14% of documented violations in Masisi; other Mayi-Mayi groups, including Mai-Mai Kifuafua, are responsible for about 6% of the violations, including summary executions (seven victims, including two women and one child) and sexual violence (at least three women and five child victims).

State agents account for nearly 14 per cent of the violations in Masisi territory, mainly FARDC soldiers, responsible for nearly 9 per cent of violations (58 violations). FARDC soldiers, including elements of the 3410th Regiment operating under the command of Sukola 2 operations, are responsible for the extrajudicial executions of 17 people (including at least three women and two children) as well as sexual violence against Muslims. at least 19 women and three children. They also erect roadblocks, demanding illegal taxes. The PNC agents are responsible for 5% of the violations committed in Masisi (29 violations), including extrajudicial executions of seven men and one woman and cruel and inhuman and degrading treatment of 13 men, two women and three children.<sup>243</sup>

The UN Secretary-General’s report on the activities of MONUSCO covering the period 27 March to 29 June 2018 provided the following summary regarding the security situation in Masisi territory:

Masisi territory, also in North Kivu Province, has been marked by escalating tensions near Kitchanga within the Hunde ACPLS militia. On 18 April [2018], nine APCLS and four Nyatura were killed. These incidents followed the assassination on 8 April [2018], in Kitchanga, of a priest and local community leader who was instrumental in many community reconciliation projects.<sup>244</sup>

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<sup>242</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [\*Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018\*](#), December 2018, p. 5 [Unofficial translation provided by a COI researcher]

<sup>243</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [\*Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018\*](#), December 2018, p. 12-13 [Unofficial translation provided by a COI researcher]

<sup>244</sup> UN Secretary-General, [\*United Nations Organization Stabilization Mission in the\*](#)

The UN Secretary-General in its report on the activities of MONUSCO provided the following summary with regards to the security situation in Masisi territory between 29 June and 28 September 2018:

[...] there was internal fighting between two rival factions of the Alliance des patriotes pour un Congo libre et souverain (APCLS) in the general area of Nyabiondo. Clashes between APCLS “Colonel” Janvier (supported by some Nyatura groups) and APCLS-Mapenzi started in early 2018 and intensified until July, resulting in a massive population displacement towards Nyabiondo and Pinga, as well as sexual violence and killings. The situation returned to normal when “Colonel” Janvier withdrew from his stronghold in Lukweti and reportedly fled to Kalungu on the border of Masisi and Walikale territories.<sup>245</sup>

The UN Group of Experts on the DRC in its report focusing on events between 26 July and 9 November 2018 on four territories in the North and South Kivu Provinces found with regards to Kahira village in Masisi territory:

Kahira village and its surroundings, considered to be under the control of APCLS, had been attacked at least six times by armed groups since July 2018. The attacks resulted in serious violations of international humanitarian law and in the displacement of thousands of people to the areas near Nyabiondo and Kitchanga. Eight eyewitnesses and internally displaced persons stated that a coalition of APCLS-R, NDC-R and Buhoza/Apollo combatants, under the command of Mapenzi, his deputy, “General” Poyo, and Apollo, conducted the attacks [...]

They also explained that the village had been attacked by well-armed combatants mostly dressed in military fatigues and accompanied by children, who often carried the loot. More than 150 houses were looted in total [...]

At least 10 villagers were killed during the attacks, including a student and the wife of a village chief. Three witnesses said that seven children were kidnapped by the attackers. In September 2018, five internally displaced persons told the Group that combatants had raped at least 13 women during the different attacks, including 3 girls aged 12, 13 and 14.<sup>246</sup>

The UN-Secretary General provided the following summary with regards to the security situation in Masisi Territory during the reporting period 2 October to 31 December 2018:

While the situation in the rest of North Kivu was relatively calm, there were isolated clashes between the two opposing Alliance des patriotes pour un Congo libre et souverain (APCLS) factions under “General” Janvier and “General” Mapenzi in Masisi territory. In addition, on 29 October, clashes took place between *Nduma défense du Congo-Rénové* (NDC-R) and APCLS under the command of “General” Janvier at Bwenderu (32 km west of Kitchanga), resulting in the displacement of the local population, who later returned after the fighting had ended. Furthermore, a longstanding conflict over mining, within a context of inter-ethnic tensions between the Hutu and Tutsi communities in the Rubaya area, in Masisi territory, escalated into violence on 6 October, resulting in the killing of 13 civilians, including one woman and one child. Elsewhere, fighting between the Conseil national pour le renouveau et

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[Democratic Republic of the Congo, Report of the Secretary-General](#), 2 July 2018, II. Major developments, C. Security situation, para. 23

<sup>245</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 1 October 2018, II. Major developments, C. Security situation, 2. North Kivu and South Kivu, para. 18

<sup>246</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, IV. Masisi territory, B. Armed groups Human rights violations in the Kahira area, para. 69-71

la démocratie and Nyatura elements in early December increased insecurity in parts of Rutshuru territory.<sup>247</sup>

The UN Secretary-General report on MONUSCO's activities covering the period from 4 January to 8 March 2019 noted with regards to the security situation in Masisi Territory:

Other armed groups, seeking to fill the vacuum left in areas vacated by CNRD, fell into competition for control, posing additional threats to civilians. In this context, violent clashes continue to take place in the northern and western parts of Masisi between the Mapenzi and Janvier factions of the Alliance des patriotes pour un Congo libre et souverain, backed by NDC-R and Mai-Mai Nyatura elements, respectively. Since early 2019, these clashes have resulted in over 60 deaths. For example, between 24 and 26 January, rival factions clashed at Nyabura, Kalungu district, as well as in Nyabikeri and Shingisha, Lukweti locality. On 1 and 2 February, NDC-R and its allies clashed with the Janvier faction of APCLS near Ngingwe, Masisi territory. The situation affected the main stretch of road between Kitchanga and Mweso, with the local population in the area being denied access to their fields. With regard to the activities of FDLR, although some members surrendered and FARDC significantly weakened the group, it maintained residual pockets of control in North Kivu, and continued to pose a threat to civilians.<sup>248</sup>

The UN Group of Experts report covering the period November 2018 to 18 April 2019 found with regards to *Nduma défense du Congo-Rénové* (NDC-R) activities in Masisi territory:

Armed clashes resulted in the killing of at least 46 civilians and 101 combatants and the displacement of thousands of civilians between January and March 2019. The Group recorded at least 30 incidents between armed groups in dozens of small and remote villages in the area. Civil society and MONUSCO sources also informed the Group of various cases of sexual violence committed by armed groups in the region.<sup>249</sup>

The UN Secretary-General report on MONUSCO's activities covering the period 8 March to 28 June 2019 noted "In Masisi territory, a coalition of armed groups, led by *Nduma défense du Congo-Rénové*, clashed on several occasions with another coalition led by the *Collectif des mouvements pour le changement-Force de défense du peuple*, resulting in a high number of civilian casualties and gross human rights violations. Between 1 March and 31 May, MONUSCO recorded 127 civilian deaths. Some 52 cases of reported rape by elements of *Nduma défense du Congo-Rénové* were documented, of which 50 were against women and 2 against children".<sup>250</sup>

### 5.1.3. Lubero Territory

Covering events from January 2017 to October 2018 a report by the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) noted that

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<sup>247</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, C. Security situation, North Kivu, para. 24

<sup>248</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, C. Security situation, North Kivu, para. 18

<sup>249</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, II. Armed groups in North Kivu, C. *Nduma défense du Congo-Rénové*, para. 55

<sup>250</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, III. Security situation, North Kivu, para. 25

[unofficial translation] “Since 2017, the territories of Lubero and Masisi have witnessed a resurgence of activity by armed groups, marked by human rights violations and abuses that seriously impact civilian populations. During the reporting period, armed groups were responsible for two-thirds of documented human rights violations on both of these territories. State agents were responsible for the remaining third, mainly FARDC soldiers (20%) and agents of the Congolese National Police (PNC) (9%)”.<sup>251</sup>

The same source further noted that [unofficial translation]:

Between January 2017 and October 2018, the UNJHRO documented 986 violations and human rights violations on the territory of Lubero. There were 117 violations of the right to life (against 177 victims, including 126 victims of extrajudicial or arbitrary executions, including nine women and six children); 236 violations of the right to physical integrity (against 635 victims including at least 156 women and 51 children, including 38 women and 34 children victims of sexual violence); 319 violations of the right to liberty and security of the person (against 1,352 victims including at least 143 women and 51 children); 266 property rights violations; 29 cases of forced labor (against 422 victims including at least 16 women); as well as 11 violations of the right to freedom of opinion and expression and eight violations of the right to peaceful demonstration and assembly. Combatants of armed groups have committed more than 54 % of documented violations in Lubero, including those of the NDC / R, which are the main perpetrators of violations in this territory (more than 27 % of violations, or 270 attacks). In particular, they are responsible for 29 attacks on the right to life, including the arbitrary executions of at least 33 people; 64 attacks on the right to physical integrity against 356 victims (including 89 women and eight children, including seven women and five child victims of sexual violence); 78 violations of the right to liberty and security of the person against 635 victims (including at least 87 women and eight children); and 71 infringements of property rights. Mai-Mai Mazembe is responsible for 147 attacks (about 16% of violations), including the arbitrary executions of at least 37 people (including eight women); other Mai-Mai groups such as Mai-Mai Simba are responsible for about 10% of violations in the Lubero, including sexual violence (at least 14 women and seven child victims). State agents are responsible for nearly 46 % of the violations committed in the territory of Lubero, including FARDC soldiers, responsible for 28 % of these violations (276 violations). Above all, they committed numerous violations of the right to liberty and security of the person (92 violations); property rights violations (75 violations); and torture and other cruel, inhuman or degrading treatment (51 violations). They are also responsible for the extrajudicial executions of 42 people, including at least one woman and five children, and sexual violence against at least six women and 10 children. In addition, the military imposes illegal taxes, mainly as part of roadblocks. PNC agents are responsible for more than 11% of the violations committed in Lubero territory (110 violations) and agents of the National Intelligence Agency (ANR) and other State agents are responsible for nearly 7% of the violations.<sup>252</sup>

In July 2018 The New Humanitarian published an article focusing on the “world’s most neglected crisis”, namely the inter-communal conflict in Rutshuru and Lubero territories, which has been going on for the past two years between “Factions of two militias – the Nyatura and the Mai-Mai Mazembe – that claim to defend different ethnic groups” and that

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<sup>251</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [\*Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018\*](#), December 2018, p. 5 [Unofficial translation provided by a COI researcher]

<sup>252</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [\*Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018\*](#), December 2018, p. 11-12 [Unofficial translation provided by a COI researcher]

“have been burning houses, killing civilians, and dividing communities along ethnic lines”.<sup>253</sup> The same source noted further that “Media reports mention around 100 killings over the past couple of years, but IRIN heard testimony about many more and a large number likely go unreported. Frequent kidnappings, attacks on aid workers, and challenging conditions for those attempting to document the conflict mean there has been little attention on the violence”.<sup>254</sup>

The UN Secretary-General in his report on the activities of MONUSCO provided the following summary with regards to the security situation in Lubero territory between 29 June and 28 September 2018:

Further south, Mai-Mai Mazembe groups, Nduma défense du Congo-Rénové (NDC-R) and Mai-Mai Charles continued to destabilize the Butembo-Lubero area. NDC-R ran a parallel administration in the Kasugho area (45 km west of Lubero) until mid-August [2018]. On 20 July [2018], NDC-R temporarily detained 45 civilians in Kasugho for failing to pay the armed group’s illegal taxes. On 3 August [2018], up to 150 people were detained for the same reason. Twenty-five people remained in detention as at 5 August [2018]. The exactions continued until 14 August [2018], when FARDC launched an operation against NDC-R elements and captured their strongholds in Kagheri and Kasugho. However, NDC-R reinforced its positions and clashed with other Mai-Mai groups on 31 August [2018]. On 14 September [2018], NDC-R occupied the Pitakongo village (55 km west of Kirumba).<sup>255</sup>

The UN-Secretary General provided the following summary with regards to the security situation in Lubero Territory during the reporting period 2 October to 31 December 2018:

Elsewhere in the Grand Nord region of North Kivu, in Lubero territory and near Butembo town, Mai-Mai Mazembe factions continued to pose a security threat, with attacks against national security forces. On 18 October and 21 October, Mai-Mai elements attacked FARDC in Isale (16 km north-east of Butembo) and a Congolese National Police post in Butembo, respectively, killing one police officer. In response to those attacks, on 2 November FARDC launched operations against a UPLC splinter group positioned in Kasyiro (86 km north-west of Lubero town).<sup>256</sup>

The UN Secretary-General report on MONUSCO’s activities covering the period from 4 January to 8 March 2019 noted with regards to the security situation in North Kivu:

In North Kivu Province, the security situation in the Grand Nord area [Beni and Lubero territories] continued to be of concern owing to suspected ADF attacks against civilians and FARDC and MONUSCO patrols, mainly in the area between Beni city and the border with Ituri Province. Suspected ADF elements conducted attacks on FARDC positions in an attempt to free themselves from military pressure and to gain access to supplies. On 9 January, suspected ADF elements simultaneously attacked three FARDC positions near Mayi Safi (7 km northeast of Eringeti), resulting in at least 7 civilians and 4 FARDC soldiers killed, 11 civilians and 8 FARDC soldiers injured, and 7 civilians allegedly abducted. On 21 January,

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<sup>253</sup> The New Humanitarian, [“Whoever they met, they would cut and kill”: displaced Congolese recount rebel atrocities](#), 12 July 2018

<sup>254</sup> The New Humanitarian, [“Whoever they met, they would cut and kill”: displaced Congolese recount rebel atrocities](#), 12 July 2018

<sup>255</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 1 October 2018, II. Major developments, C. Security situation, 2. North Kivu and South Kivu, paras. 16

<sup>256</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, C. Security situation, North Kivu, para.

suspected ADF elements attacked an FARDC position at Mapobhu (6 km east of Mayi-Moya), killing at least 16 soldiers and wounding 14 others. Between 2 and 17 February, clashes occurred between FARDC and suspected ADF, resulting in the killing of at least 9 FARDC soldiers at Kasinga (7 km east of Beni), Mapobhu (6 km east of Mayi Moya) and Masulukwede (3 km east of Mavivi) [...]

Suspected ADF elements also targeted civilians, including through attacks on population centres. On 24 January, three civilians were killed in an ambush in Kisiki (10 km north of Oicha) and two civilians were killed on the Mbau-Kamango road on 28 January, bringing the total number of civilians killed by suspected ADF elements between early January and 25 February to 39. On 8 January, a unit of the MONUSCO Intervention Brigade providing support to FARDC troops who were under attack came under fire one kilometre north of the Mission's base in Mavivi. During the attack, the assailants killed 10 civilians and abducted another civilian in the area. A second attack near Mavivi took place on 18 February, with two civilians killed, one woman abducted and another civilian injured. On 24 February, presumed ADF elements attacked Mamove, killing at least two men. On 16 and 17 January, suspected ADF elements fired gunshots at the MONUSCO base on the Mbau-Kamango road (45 km northeast of Beni) and at a MONUSCO patrol. MONUSCO troops repelled the assailants [...]

In the Petit Nord area of North Kivu Province, militias continued to operate in the areas of Bwito, Kiwanja, Nyabiondo, Rubaya and Virunga National Park. In early January, a large group consisting of elements of the Conseil national pour le renouveau et la démocratie (CNRD) (a splinter group of the Forces démocratiques de libération du Rwanda (FDLR)), their dependants and other accompanying civilians moved from North Kivu to South Kivu. The movement was allegedly prompted by military pressure on CNRD from FARDC and Mai-Mai Nduma défense du CongoRénové (NDC-R).<sup>257</sup>

At the end of July 2019 CongoForum reported that [unofficial translation]: “A teacher was killed [...] by May-May rebels in Lubero territory (North Kivu) for not paying the token. According to MPP Aise Kanande, this illegal tax of 1,000 Congolese francs has become a habit for these rebels. The same source states that this tax applies to people over 15 years old. For this local elected, at least 15 people have already been killed in the space of three months in the territory of Lubero for not paying these chips”.<sup>258</sup> Following on from that incident where a teacher was killed, the same source in a different article noted that [unofficial translation]: “There is a massive displacement of civilian populations from Bunyatenge, southwest of Lubero territory to North Kivu. Since the evening of Monday, residents of Bunyatenge leave the village, fearing for their safety after the lynching of a Mai Mai militiaman by the civilian population, accused of killing a teacher of the place on the same Monday. This displacement is also caused by the reinforcement of the numbers of these militiamen of Nduma defense of Congo, NDC Renovated some of which came from Mbwavinya”.<sup>259</sup>

## 5.2. South Kivu

This section provides a broad overview of insecurity and associated conflict-related human rights abuses in the province. Note that the situation in Fizi Territory has been documented in a distinct subsection.

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<sup>257</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, C. Security situation, North Kivu, paras. 15-17

<sup>258</sup> CongoForum, [Lubero: des miliciens de NDC-Rénové auteurs de plusieurs tueries au sud du territoire](#), 23 July 2019 [unofficial translation provided by a COI researcher]

<sup>259</sup> CongoForum, [Lubero : présence massive des miliciens, le village de Bunyatenge se vide de sa population](#), 24 July 2019 [unofficial translation provided by a COI researcher]

## 2018

The 2018 Conflict Barometer produced by the Heidelberg Institute for International Conflict Research provided the following overview on the conflict in North and South Kivu, as well as in Ituri, involving the Mayi-Mayi armed groups as follows:

The war over subnational predominance and resources in the eastern provinces North and South Kivu, Maniema, Tanganyika, and Ituri de-escalated to a limited war. The war had been between local armed groups on the one hand, and the Armed Forces of the DR Congo (FARDC) with the support of MONUSCO on the other. It had also involved clashes between local armed groups.<sup>260</sup>

A UN Secretary-General report on MONUSCO's activities covering the period 5 January to end of February 2018 provided the following summary regarding the human rights situation in the DRC with special reference to the Kivus and Ituri:

MONUSCO documented 744 human rights violations in January 2018, a substantial increase over the average number of violations per month in 2017 (541 violations). About 78 per cent of those violations occurred in conflict-affected provinces, especially in Ituri, North Kivu and South Kivu. State agents continue to be the main perpetrators, with 60 per cent of the violations, while armed groups were responsible for 40 per cent of human rights violations and abuses. There was a 27 per cent increase in the number of reported human rights abuses by armed groups and militias, confirming the spread and intensification of their activities, which fuelled inter-ethnic and intercommunity violence in Ituri (Hema/Lendu), North Kivu (Hutu/Nande), Kasai (Lulua/Chokwe) and Tanganyika (Twa/Luba).<sup>261</sup>

The same source further reported: "FARDC launched major operations against both foreign and Congolese armed groups in North Kivu and South Kivu. Despite those operations, armed group activity has not decreased and intercommunity tensions continue to fuel violence in the Kivu provinces".<sup>262</sup>

The same source more specifically noted:

In South Kivu, Mai-Mai Yakutumba and allied groups conducted major attacks against FARDC, notably on 5 January [2018], when Mai-Mai elements attacked an FARDC position near Uvira, killing four FARDC soldiers and five national police officers. On 18 January [2018], suspected Mai-Mai Yakutumba elements attacked an FARDC convoy carrying the newly appointed South Kivu commander for Operation Sukola II, General Philemon Yav, killing four FARDC soldiers. FARDC launched operations against Mai-Mai Yakutumba on 21 January [2018] and took control on 25 January [2018] of Kazimia, a stronghold of the armed group. On 25 January [2018], a large group of Mai-Mai elements attacked an FARDC position in Mahembe (25 km west of Lulimba), forcing FARDC to retreat. On 27 January [2018], suspected Mai-Mai elements clashed with FARDC in Kahoho (50 km south-west of Lulimba) and reportedly burned houses before retreating. On the same day, up to 70 suspected Mai-Mai elements ambushed a MONUSCO convoy at Kalonda II (25 km south of Lulimba), killing one Pakistani peacekeeper and wounding another. The violence in this region of South Kivu Province has

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<sup>260</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo (Mayi-Mayi et al.)*, p. 72

<sup>261</sup> UN Secretary-General, [Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 1 March 2018, II. Major developments, E. Human rights situation, para. 27

<sup>262</sup> UN Secretary-General, [Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 1 March 2018, II. Major developments, C. Security situation, para. 14

resulted in the displacement of thousands of civilians, including over 8,000 who fled to Burundi and 1,200 to the United Republic of Tanzania. FARDC military operations forced several Mai-Mai Yakutumba elements to flee to Burundi. On 3 February [...], media reports indicated that the Government of Burundi had extradited 34 Mai-Mai Yakutumba elements to the Democratic Republic of the Congo. On 8 February [2018], General Yav announced that FARDC operations had resulted in the death of 83 Mai-Mai Yakutumba elements and 6 FARDC soldiers and the capture of 120 Mai-Mai elements. He added that almost all the localities formerly under the control of the armed group had been recovered by FARDC, including the Ubwari Peninsula and the coastline of Lake Tanganyika from Kalemie to Uvira [...]

Elsewhere in South Kivu, in Shabunda territory, Mai-Mai Raia Mutomboki factions appeared to be expanding, attacking mining sites and looting population centres. From 17 to 19 January [2018], in the Uvira area, FARDC repeatedly clashed with the Burundian Forces nationales de libération and associated Congolese Mai-Mai groups. On 23 January [2018], a Banyamulenge landowner was killed by unknown assailants near Mutarule, increasing intercommunity tensions. This coincided with an increase.<sup>263</sup>

The Armed Conflict Location & Event Data Project (ACLED) documented “221 incidents killing 376 people” in the first quarter of 2018 and highlighted the following locations where such incidents were recorded without providing any further details as to perpetrators, casualties per location etc.: “Baraka, Beni, Bogabo, Bukavu, Bulenga, Bunyakiri, Butembo, Bwalanda, Eringiti, Fizi, Goma, Ishasha, Izege, Kabare, Kabasha, Kahunga, Kahuzi-Biega National Park, Kalehe, Kalembe, Kalole-Mapeto, Kalungu, Kamanyola, Kanyatsi, Kasindi, Katanga, Katsiru, Katwiguru II, Kavumu, Kazimia, Kibati, Kibirizi, Kihoma, Kikuku, Kiliba, Kinyandoni, Kipese, Kisikivi, Kisoro, Kiteraga, Kitumba, Kiwanja, Kokola I, Lemera, Linzo Sisene I, Lubero, Lubondja, Lulimba, Lulingu, Lwibo, Makungulano, Masisi, Matanda, Mavivi, Mayimoya, Mbau, Miriki, Muhangi, Mukaka, Mukangi, Mulima, Murambi, Musasa, Mutambala, Mutanda, Mutarule, Mutongo, Mwalika, Nemba, Ngite, Nkwenda, Nyaleke, Nyanzale, Oicha, Paida, Pinga, Rutshuru, Rwenzori, Sake, Sesele, Shabunda, Ubwari Peninsula, Uvira, Virunga National Park, Vuhombwe, Walikale, Walungu”.<sup>264</sup>

The UN High Commissioner for Human Rights noted in relation to South Kivu in his report covering the period June 2017 to May 2018 that:

South Kivu continued to be affected by the activism of various Mai-Mai groups, some of which have joined forces within the coalition led by William Yakutumba. Most of the violations committed by FARDC soldiers were recorded in Fizi territory, including in the context of military operations against these groups.<sup>265</sup>

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<sup>263</sup> UN Secretary-General, [Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 1 March 2018, II. Major developments, C. Security situation, paras. 18 and 19

<sup>264</sup> ACCORD – Austrian Centre for Country of Origin & Asylum Research and Documentation, [Democratic Republic of Congo, first quarter 2018: Update on incidents according to the Armed Conflict Location & Event Data Project \(ACLED\) - Updated 2nd edition](#), 20 December 2018, *Localization of conflict incidents*, p. 4

<sup>265</sup> UN High Commissioner for Human Rights, [Human rights situation and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo Report of the United Nations High Commissioner for Human Rights](#), 13 August 2018, II. Principal human rights developments, B. Protection of civilians in conflict areas, 1. Current situation and action taken by the Government, para. 36

The UN Secretary-General's report on the activities of MONUSCO covering the period 27 March to 29 June 2018 provided the following summary regarding the security situation in South Kivu:

In South Kivu Province, the situation remained volatile, with ongoing FARDC operations against the various Mai-Mai groups fighting under the banner of the MaiMai Yakutumba-led Conseil national du peuple pour la souveraineté au Congo, as well as against ethnic Bafulero Mai-Mai in the Ruzizi plain. The FARDC operations had some success, with Yakutumba largely withdrawing from strategic zones such as the Ubwari Peninsula and 600 elements from the allied Mai-Mai Malaika in Shabunda territory and in Maniema borderlands surrendering. However, many Yakutumba elements regrouped in the Itombwe forest and continued to attack FARDC, with a series of attacks launched from 27 April to 3 May [2018] [...]

On 24 May [2018], a coalition of Mai-Mai groups led by Yakutumba launched a massive attack on the mining site of Salamabila, operated by the Canadian gold mining firm Banro, in neighbouring Maniema Province. During the assault, a FARDC camp was raided and looted. A reported 21 FARDC soldiers, two Congolese National Police officers, two civilians and 37 Mai-Mai elements were killed. The Raia Mutomboki factions also remained active and presented a constant threat to the protection of civilians in Shabunda territory.<sup>266</sup>

For the second quarter of 2018 ACLED provided the following information with regards to the Kivus:

In Kivu, 340 incidents killing 467 people were reported. The following locations were among the affected: Beni, Bijombo, Bimpanga, Bingi, Biriku, Bishusha, Boikene, Buhumba, Bukavu, Bulengera, Bunyampuli, Bunyereza, Burungu, Busanza, Bushumba, Busumba, Busurungi, Butembo, Fizi, Goma, Idjwi Island, Kabambare, Kabare, Kafunzo, Kahololo, Kahunga, Kako, Kalehe, Kalembe, Kalungu, Kamango, Kambale, Kamituga, Kamohorera, Kanvinvira, Kanyabayonga, Kanyatsi, Karambi, Kasenga, Kasiki, Katale, Katendere, Katobo, Katsiru, Kayna, Kibati, Kibingu, Kibirizi, Kibumba, Kibutu, Kigoma, Kikuku, Kilambo, Kiliba, Kinyandoni, Kiondo, Kirumba, Kisuma, Kitobi, Kitobo, Kitshanga, Kiwanja, Kyondo, Lake Edward, Lubero, Lugendo, Lukopfu, Lukweti, Lutika, Luvungi, Lwibo, Mabuku, Mahungubwe, Makobola, Malela, Maniema, Masango, Masisi, Matali, Matanda, Mayimoya, Mbau, Minova, Misisi, Mitala, Mugeru, Mugunga, Munigi, Mutanda, Mutarule, Mwalika, Mweso, Namoya, Ndosho, Ngadi, Ngingwe, Ngite, Ngolombe, Ntamugenga, Ntoto, Nyakibamba, Nyaleke, Nyangi Milimba, Nyanzale, Nyiragongo, Oicha, Paida, Rombe<sup>1</sup>, Rubare, Rubaya, Rugari, Rugenge, Rutshuru, Saramabila, Semuliki River Bridge, Shabunda, Tongo, Tungudu, Utunda, Uvira, Virunga National Park, Vitshumbi, Walikale, Waloa Loanda, Walungu, Wamaza.<sup>267</sup>

In May 2018 the Kivu Security Tracker noted in its report focusing on kidnappings in the Kivus that “While data regarding kidnappings is difficult to obtain, the provinces of North and South Kivu have rates as high as almost any other country in the world” and that “Most of these kidnappings are concentrated along the main roads leading north from Goma toward Butembo and the Ugandan border; and along the BukavuWalikale road. The high number of attacks on these trade routes has required many businesspeople to rely on

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<sup>266</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 2 July 2018, II. Major developments, C. Security situation, paras. 24-25

<sup>267</sup> ACCORD – Austrian Centre for Country of Origin & Asylum Research and Documentation, [Democratic Republic of Congo, second quarter 2018: Update on incidents according to the Armed Conflict Location & Event Data Project \(ACLED\) - Updated 2nd edition](#), 20 December 2018, Localization of conflict incidents, p. 4

FARDC, MONUSCO, and Virunga park convoys for protection and has undermined public safety and economic development”.<sup>268</sup>

The UN Secretary-General in its report on MONUSCO’s activities provided the following summary with regards to the security situation in South Kivu between 29 June and 28 September 2018:

the security situation was marred by violence between the Banyamulenge and other communities, notably the Bembe, and their respective armed groups on the high plateaux of Uvira. On 7 July [2018], 10 civilians died in a clash between those groups in the Balala-Nord groupement, at the border of Fizi and Uvira territories. On 8 July [2018], Ngomino (a Banyamulenge armed group) clashed with Mai-Mai groups in Kangwe (80 km north-west of Minembwe), resulting in the deaths of two civilians, the burning down of 20 houses and the displacement of civilian populations. Intercommunal violence in the area led to the displacement of around 76,000 people [...]

After a lull of a few months, fighting resumed in mid-September between FARDC and Mai-Mai Yakutumba on the Kilembwe axis (in the border areas of South Kivu and Maniema provinces and close to Tanganyika). Clashes occurred between FARDC and a coalition of Mai-Mai Malaika and Mai-Mai Yakutumba in areas surrounding Minembwe. On 18 September [2018], FARDC elements were allegedly ambushed by a group of Mai-Mai elements in Mutombo (15 km north of Minembwe), reportedly resulting in the killing of 15 FARDC soldiers. [...]

Civilians in Shabunda territory remained affected by exactions perpetrated by Mai-Mai Raia Mutomboki groups during the reporting period. The upsurge of violence that began in early 2018 continued during the reporting period. Among other incidents, on 19 July [2018], Mai-Mai Raia Mutomboki (Kazimoto factions) abducted 15 civilians in Nyambembe. On 23 July, Kazimoto factions attacked and looted the village of Mulimbwa (90 km north-east of Shabunda).<sup>269</sup>

During the third quarter of 2018 the following incidents were recorded by ACLED in the Kivus:

In Kivu, 179 incidents killing 343 people were reported. The following locations were among the affected: Beni, Bijombo, Bitakongo, Boikene, Bukavu, Bulumbu, Busawa, Busurungi, Butale, Butembo, Fizi, Goma, Isale, Kabasewa, Kabeya, Kabindula, Kadou, Kagogo, Kahira, Kakuka I, Kakuku I, Kalehe, Kalengera, Kalingi, Kalungu, Kaniro, Kanyatsi, Kanyihunga Mambira, Kasenga, Kasindi, Kasinga, Kasughu, Katyaza, Kibua, Kibumba, Kididiwe, Kilembwe, Kinigi, Kipupu, Kitemesho, Kitunda, Kiwanja, Kokola I, Lake Edward, Limbushi, Luberizi, Lubero, Lubwe, Mabapula, Maboya, Maindombe, Mangina, Mangobo, Manguredjpa, Mapiki, Masisi, Mavivi, Mayimoya, Mbau, Mera, Minembwe, Mukoko, Mununzi, Munyambelu, Mutabo, Mutupeke, Mwalika, Mwenga, Narunanga, Ngadi, Nyabiondo, Nyaleke, Nyambembe, Nyamilima, Nyangezi, Nyanzale, Nyiragongo, Nyombe, Oicha, Pabuka, Rubaya, Rugari, Rusayo, Rutshuru, Rwindi, Sake, Semuliki River Bridge, Shabunda, Totolito, Tubangoye, Uvira, Walikale.<sup>270</sup>

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<sup>268</sup> Kivu Security Tracker, [Held for ransom: Kidnappings in the Kivus, Situation Report](#), May 2018, p. 1 and p. 3

<sup>269</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 1 October 2018, II. Major developments, C. Security situation, 2. North Kivu and South Kivu, paras. 19-21

<sup>270</sup> [ACCORD – Austrian Centre for Country of Origin & Asylum Research and Documentation: Democratic Republic of Congo, third quarter 2018: Update on incidents according to the Armed Conflict Location & Event Data Project \(ACLED\) - Updated 2nd edition](#), 20 December 2018, *Localization of conflict incidents*, p. 4

The UN Secretary-General provided the following summary with regards to the security situation in South Kivu during the reporting period 2 October to 31 December 2018:

The security situation remained volatile in Uvira territory, and large groups of armed Burundian combatants were reportedly seen entering Congolese territory and moving, allegedly with the support of Mai-Mai proxies (such as Nyerere and Kijangala), towards the middle and high plateaus of Uvira. The *Forces nationales de libération* (FNL) faction, led by “Major-General” Aloys Nzabampema, was active throughout October and was involved in many clashes with FARDC in the Ruzizi plain. FARDC soldiers and FNL elements clashed near the Rukoko forest and in Nyakabere (36 km north of Uvira) on 4 October and were involved in fighting in Kiliba (13 km north-east of Uvira) on 5 October. Towards the end of October, further clashes between FARDC and FNL occurred in the Ruzizi plain, in the midlands of Butole (near Lemera) and in the highlands of Muramvya, triggering population displacements. In mid-November, intercommunal tensions spiked between Banyamulenge militia and Bafuliro Mai-Mai groups in the highlands of Bijombo [...]

In Fizi territory in South Kivu and in Kabambare territory in Maniema, the military pressure exerted by FARDC continued to weaken Mai-Mai Yakutumba and its allies, resulting in the surrender of over 1,300 Mai-Mai Malaika, Mai-Mai Apa Na Pale and Mai-Mai Shetani elements. Due to a lack of logistics and financial means, only 298 combatants eventually agreed to move to Kindu for demobilization or integration into the national security forces. In late October, FARDC conducted operations against allied groups of the Musumbu faction of Mai-Mai Raia Mutomboki, Mai-Mai Malaika and Mai-Mai Makindo in the border areas of Shabunda and Fizi territories, resulting in a high number of casualties on both sides.<sup>271</sup>

## 2019

USAID reported in February 2019 that “Clashes continue to displace populations and exacerbate humanitarian needs throughout South Kivu Province, particularly in Uvira Territory, where armed clashes displaced approximately 15,000 people in early November [2018] [...] The early November [2018] violence in Uvira also impeded the ability of internally displaced persons (IDPs)—the majority of whom were displaced by intercommunal violence between April and June [2018]—to return to areas of origin in and around the territory’s Bijombo locality”.<sup>272</sup>

The UN Secretary-General report on MONUSCO’s activities covering the period from 4 January to 8 March 2019 noted with regards to the security situation in South Kivu:

In both South Kivu and Maniema Provinces the situation was generally calm. However, both local and foreign armed groups remained active, particularly in Fizi and Uvira and in the gold mining areas under the control of Mai-Mai Raia Mutomboki or other Mai-Mai elements and in militarized areas such as Salamabila, in Maniema [...]

In Fizi, Kabambare, Shabunda and Uvira territories, Mai-Mai Raia Mutomboki or other Mai-Mai elements clashed with FARDC and perpetrated abuses against civilians. On 22 January, Mai-Mai Chuyi combatants ambushed an FARDC convoy travelling from Kabambare to Pene-Mende (35 km south of Kilembwe). Reportedly, three FARDC elements were injured and one Mai-Mai element was killed during the ambush. On 24 January, unidentified armed men shot and killed three FARDC soldiers in Kasenga Quartier of Uvira town and seized their weapons [...]

During the night of 31 January to 1 February, CNRD combatants and their dependants, as well as accompanying civilians, moved from Masisi territory in North Kivu to the Kalehe

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<sup>271</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, C. Security situation, South Kivu, paras. 26 and 27

<sup>272</sup> USAID, [Democratic Republic of the Congo – Complex Emergency](#), 15 February 2019, *Insecurity and population displacement*, p. 2

highlands in South Kivu. The movement of the group into South Kivu increased tensions in the area. While only sporadic clashes were reported, the continued movement into and within South Kivu, in Kalehe and Hauts Plateaux, signified a heightened risk for civilians [...]

In the southern highlands of South Kivu Province, recent fighting between rival Burundian groups active in the Democratic Republic of the Congo, including local Mai-Mai groups, had a serious impact on the security situation, with more than 25,000 people being displaced from their communities [...]

In Maniema, on 27 January, 46 Mai-Mai Malaika elements, including five children associated with the group, accompanied by 10 dependants, surrendered to FARDC in Samba (42 km southwest of Kasongo), seeking demobilization.<sup>273</sup>

ACLED reported in April 2019 that “the FARDC launched offensives against Burundian rebel groups of the National Forces of Liberation (FNL) and Republican Forces of Burundi (FOREBU) in Sud-Kivu after clashes in the Mwenga area the week before. Three soldiers and 36 militia members were reportedly killed in three days of operations between April 9-12th in the Uvira and Mwenga areas. Events involving these groups have been rare since the Burundian military and Imbonerakure youth crossed into the DRC in late January-early February 2019 to pursue them”.<sup>274</sup>

In May 2019 the Kivu Security Tracker reported that:

Since the beginning of the year, crime has risen in several cities in the Democratic Republic of Congo—a wave of kidnappings, grenade attacks, robberies, and murders. What is behind this?

Every month, the NGO *Synergie des associations des jeunes pour l'éducation civique, électorale et la promotion des droits de l'homme au Sud-Kivu* (SAJECEK) publishes a newsletter on the security situation in South Kivu. “Nine people killed, 46 houses attacked by armed bandits, 6 vehicles robbed, 14 kidnapping cases and 5 cases of popular justice” read their April report.

Robert Ndjangala, the coordinator of SAJECEK, says these statistics points to “a surge in crime in Bukavu.” Last month, in the capital of South Kivu alone his association recorded six burglaries, four kidnappings and one murder, on top of many other killings in Bukavu in recent months. In addition, citizens have lamented a trend of dead bodies appearing on streets and alleyways in the morning.

Via WhatsApp, Maschack Bilubi, Bukavu’s mayor, gave his explanation to the Congo Research Group (CRG). “These bodies often smell of alcohol. That makes us believe that the deaths are linked to heavy consumption of alcohol by street youth.” But he does not deny “the proliferation of targeted killings” and “the rise of banditry” which can be explained, according to him, by “the illegal circulation of small arms.” SAJECEK suggests that it is possible to purchase a small weapon in the city for \$20 or \$25.<sup>275</sup>

The same source further noted that “This uptick in crime is noticeable in several other cities in the Kivus, including Goma (a parliamentary mission visited at the end of March to investigate crime here), Butembo and Beni. Since the beginning of the year, the Kivu Security Tracker (KST) has documented 42 people killed and 27 abducted in the cities of Bukavu, Butembo and Goma”.<sup>276</sup>

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<sup>273</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, C. Security situation, North Kivu, paras. 19-23

<sup>274</sup> Margaux Pinaud (ACLED), [Regional Overview – Africa](#), 16 April 2019, p. 2

<sup>275</sup> Kivu Security Tracker, [What is behind the rise of crime in the Congo's cities?](#), 30 May 2019

<sup>276</sup> Kivu Security Tracker, [What is behind the rise of crime in the Congo's cities?](#), 30 May 2019

The UN Committee against Torture noted in its ‘Concluding observations’ of 3 June 2019 that:

The Committee is deeply concerned about the serious, mass violations of human rights and international humanitarian law that have been and continue to be committed in several parts of the country, including the provinces of North Kivu, South Kivu and Kasai, where summary executions, deliberate – sometimes ethnically motivated – attacks on civilian populations, the large-scale recruitment and use of children, indiscriminate attacks, large-scale sexual violence and the destruction of civilian property by the armed forces and non-State armed militias have caused an unprecedented humanitarian crisis. The Committee deplores the inadequacy of the investigations and proceedings aimed at identifying those responsible for the serious violations committed in the context of the armed conflict, including the instigators of such acts and senior officers involved, certain recent convictions for war crimes and crimes against humanity notwithstanding (arts. 2, 12 and 16).<sup>277</sup>

The UN Secretary-General report on MONUSCO’s activities covering the period 8 March to 28 June 2019 noted “South Kivu Province saw heightened foreign armed group activities, as the Conseil national pour le renouveau et la démocratie (CNRD), a Rwandan armed group, continued to strengthen its bases in Kitindiro and Rutare, in Kalehe territory. The group’s movement from North to South Kivu increased markedly by early May. Although the number of documented human rights violations committed by CNRD remained low, the presence of the group posed a latent threat to civilians. Meanwhile, in Fizi and Uvira territories, the incursion of militia groups from Burundi and FARDC operations against those groups and their local allies led to clashes, resulting in casualties, looting, sexual violence, the loss of people’s livelihoods and population displacement”.<sup>278</sup> The same report further noted with regards to Maniema Province that:

Between February and May [2019], a series of clashes occurred between FARDC and Mai-Mai groups fighting under the name “Revendiquants” around Lowa locality in Tshopo Province, close to the border with Maniema. FARDC sent troop reinforcements to the area. The situation caused the displacement of 20,000 civilians from Tshopo Province to Punia territory in Maniema Province [...]

In the south of Maniema Province, FARDC continued to carry out operations against the Mai-Mai Malaika (Mandevu faction) in the eastern part of Kasongo territory and in the Lulindi and Wamazaza sectors of Kabambare territory. In the Babuyu sector of Kabambare territory, FARDC clashed intermittently with Twa militia groups. In Salamabila locality, also in Kabambare territory, Mai-Mai Malaika leaders continued to express their interest in surrendering.<sup>279</sup>

The same source further reported:

In the first quarter of 2019, MONUSCO documented 1,560 human rights violations and abuses throughout the country, a 10 per cent decrease compared with the last quarter of 2018. Most of the violations and abuses took place in conflict-affected provinces, mainly in Kasai, Maniema, North Kivu and South Kivu. State agents, mainly FARDC soldiers and members of the Congolese National Police, were responsible for 63 per cent of human rights violations and abuses. The remaining 37 per cent of cases were committed by members of armed groups. State actors were responsible for the majority of documented violations of

<sup>277</sup> UN Committee against Torture, [Concluding observations on the second periodic report of the Democratic Republic of the Congo](#), 3 June 2019, para. 30

<sup>278</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, III. Security situation, South Kivu, para. 26

<sup>279</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, III. Security situation, South Kivu, paras. 28 and 29

fundamental freedoms and restrictions on democratic space. Furthermore, a high number of violations resulted from the presence and operations of national security forces in conflict-affected areas.<sup>280</sup>

### 5.2.1. Fizi Territory

Detailing the conflict in Fizi territory and its link to the conflict in Uvira, the local NGO *Recherches et Actions pour la Paix* (RAP)<sup>281</sup> reported in mid-June 2019 [unofficial translation]:

The conflict between the Banyamulenge and the local population concerns both the people living in the Uvira territory and that of the Fizi, in the province of South-Kivu, DRC [...]

The territory of Fizi administratively shares borders with the territory of Uvira in the north, the territory of Mwenga and Shabunda in the west, the territory of Kalemie (Tanganyika) in the south, and in the east, it is bordered by Lake Tanganyika, beyond the peninsula of Ubwari.

Fizi is populated mainly by Babembe who are considered as the native people of this area.

The older generation within the region includes the Banyarwanda or Banyamulenge, who first came back shortly before 1900 [...]

An important cause of the conflict is the fact that the Congolese nationality, Zairian at the time, the Banyamulenge has been questioned by the current government, which created the eruption of rebellion in 1996 in Kivu [...]

The second focus of this conflict is the recognition of the spaces of each people and their management. It is about, more precisely, the recognition of the Bijombo area in 1979 and the creation of the territory of Minembwe by the DRC on 9<sup>th</sup> September 1999, in the middle and high lands of Itombwe [...]

The other aspect of the conflict is the instrumentalisation that the elites in each community orchestrate in order to access and maintain power at the local, provincial or national level.<sup>282</sup>

The UN Secretary-General in its report on the activities of MONUSCO provided the following summary with regards to the security situation in Fizi territory between 29 June and 28 September 2018:

On 7 July [2018], 10 civilians died in a clash between those groups in the Balala-Nord groupement, at the border of Fizi and Uvira territories [...]

The border area of Burundi and Uvira territory remained a zone of tension, with elements allegedly belonging to the Forces nationales de libération (FNL) of Burundi regrouping in the Ruzizi Plain. The movement of those elements in areas of Fizi and Uvira territories has increased since the beginning of September [2018]. An attack by FNL elements on a Burundian border post on 14 September resulted in the killing of two FNL elements and one Burundian soldier.<sup>283</sup>

USAID reported at the end of September 2018 that since the middle of that month “intensified clashes and reprisal attacks between government forces and armed groups in

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<sup>280</sup> UN Secretary-General, *United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*, 17 July 2019, VII. *Human rights situation, justice and corrections*, para. 61

<sup>281</sup> To find out more about this organization visit the webpage [here](#) (in French only)

<sup>282</sup> *Recherches et Actions pour la Paix* (RAP)<sup>282</sup>, *Une idée du conflit entre les Banyamulenge et les autres populations des territoires d'Uvira et de Fizi*, 11 June 2019 [unofficial translation provided by a COI researcher]

<sup>283</sup> UN Secretary-General, *United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General*, 1 October 2018, II. *Major developments*, C. *Security situation*, 2. *North Kivu and South Kivu*, para. 19

South Kivu Province's Fizi Territory have displaced approximately 40,000 people from Kilembwe and Kimbi-Lulenge health zones into rural areas".<sup>284</sup>

The UN Secretary-General provided the following summary with regards to the security situation in Fizi Territory during the reporting period 2 October to 31 December 2018:

In Fizi territory in South Kivu and in Kabambare territory in Maniema, the military pressure exerted by FARDC continued to weaken Mai-Mai Yakutumba and its allies, resulting in the surrender of over 1,300 Mai-Mai Malaika, Mai-Mai Apa Na Pale and Mai-Mai Shetani elements. Due to a lack of logistics and financial means, only 298 combatants eventually agreed to move to Kindu for demobilization or integration into the national security forces. In late October, FARDC conducted operations against allied groups of the Musumbu faction of Mai-Mai Raia Mutomboki, Mai-Mai Malaika and Mai-Mai Makindo in the border areas of Shabunda and Fizi territories, resulting in a high number of casualties on both sides.<sup>285</sup>

USAID reported that "after the deteriorating security situation [of September 2018] in South Kivu's Fizi Territory prompted approximately 13,000 people to flee, the majority of IDPs—85 percent—had returned to areas of origin in Fizi as of late December [2018]".<sup>286</sup>

The Heidelberg Institute for International Conflict Research '2018 Conflict Barometer' provided the following overview of activities during 2018 [note that they relate to both Fizi and Uvira territory]:

Throughout the year [2018], violence continued between armed militias of the ethnic groups Banyamulenge and Bafuliiru as well as Bembe and Nyindu around the Haut Plateaux in Uvira and Fizi territories, South Kivu. The main Banyamulenge groups comprised Ngumino and Twiganeho, while Mayi Mayi Biloze Bishambuke, Mayi-Mayi Mwenyemali, MayiMayi Makanaki, and Mayi-Mayi Nyerere were the most active Bafuliiru armed groups. Violence escalated in the beginning of May, when Twiganeho fighters killed nine civilians and burned down several Bafuliiru villages in the Bijombo area in retaliation for killing dozens of cows that belonged to Banyamulenge herders. Between April 30 and May 7 [2018], at least 21,000 people were displaced, 900 huts burned down, and 17 schools destroyed. Ngumino and Twiganeho fighters clashed with Bembe, Bafuliiru, and Nyindu militias in Bijombo area between June 12 and 20 [2018], leaving at least twelve people dead and 3,500 displaced. According to reports, the Rwandan armed group Rwandan National Congress (RNC), led by Kayumba Nyamwasa, supported Ngumino and Twiganeho, while fighters of the two Burundian armed groups Popular Forces of Burundi (FPB) and RED-Tabara cooperated with Bafuliiru, Bembe, and Nyindu militias [...] For instance, on July 1 [2018], Biloze Bishambuke fighters attacked a coalition of Twiganeho, Ngumino, and RNC fighters in Kagogo, Uvira. After gaining control over the village, Biloze Bishambuke fighters burned down several houses and stole the cattle. On August 23 [2018], RED-Tabara fighters carried out raids on cattle belonging to the Banyamulenge community around Mulenge. Violence decreased throughout the rest of the year, with sporadic reports of attacks and clashes. For instance, on September 14 [2018], a FARDC attack on Makanaki fighters near Kitundu, Uvira, left three dead. By October 1 [2018], around 76,000 people were displaced due to intercommunal violence

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<sup>284</sup> USAID, [Democratic Republic of the Congo – Complex Emergency](#), 30 September 2018, *Insecurity and population displacement*, p. 2

<sup>285</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, C. Security situation, South Kivu, para. 27

<sup>286</sup> USAID, [Democratic Republic of the Congo – Complex Emergency](#), 15 February 2019, *Insecurity and population displacement*, p. 2

Activities of armed groups associated with the National People's Coalition for the Sovereignty of Congo (CNPSC), such as Mayi Mayi Yakutumba, Mayi Mayi Malaika, Mayi Mayi Réunion, Mayi Mayi Shetani, and Mayi Mayi Ebu Elahave decreased in 2018. The armed groups operated in Shabunda, Fizi, and Uvira territories, South Kivu province, and Kabambare territory in Maniema province, targeting civilians and FARDC. Fighting spread to Tanganyika province in January when Mayi Mayi Hapa na Pale, member of the CNPSC coalition, and FARDC clashed in Butondo, Kposition near Lumumba, Kongolo territory, on January 1. One day later, Hapa na Pale and Yakutumba fighters killed three FARDC soldiers in an attack on a FARDC position near Lumumba, Kalemie territory. On January 7, three civilians and two Hapa na Pale fighters were killed in clashes between the latter and FARDC in Kongolo. In April, the leader of the Hapa na Pale group and his troops surrendered to FARDC in Makutano, Kongolo. However, violence continued. For instance, on July 21, clashes between FARDC and a coalition of Malaika and Hapa Na Pale killed two people in Kongolo. On August 19, Hape na Pale fighters kidnapped four Red Cross employees in Mponda Luganza, Kongolo. On January 5, Yakutumba and allied groups killed four FARDC soldiers and five police officers in an attack against a FARDC position near Uvira city. Yakutumba fighters ambushed an FARDC convoy carrying General Philemon Yay, commander of FARDC in South Kivu, killing at least three near Lulimba, Fizi, on January 18. Three days later, FARDC started an operation against Yakutumba. On February 8, FARDC announced that it had regained control over the Ubwari peninsula as well as the coastline of Lake Tanganyika from Kalemie to Uvira. According to FARDC, at least 83 Yakutumba fighters and six FARDC soldiers were killed in the offensive on Fizi and Kabambare. Furthermore, at least 20,000 people were displaced in the offensive, including more than 8,000 people who fled to Burundi and 1,200 to Tanzania. On February 14, Malaika attacked FARDC positions in Shabunda. At least 20 civilians and one Malaika fighter were killed, while six FARDC soldiers were injured and several houses burned down. On May 24, a coalition of Yakutumba and Malaika fighters attacked the mining site Salamabila, Kabambare, killing 21 FARDC soldiers, two police officers, and two civilians. At least eight assailants were killed. Violence decreased until mid-September when clashes between CNPSC and FARDC in Kilembwe, Fizi, left at least eight people dead. On September 19, FARDC killed a commander of the Yakutumba group in Kipupu, Kabambare. Throughout the year, Yakutumba fighters reportedly cooperated with the Burundian armed group National Forces of Liberation (FNL). For instance, on December 2 and 3, clashes between FARDC and Yakutumba and FNL in Fizi left at least twelve people dead. By the end of the year, at least 1,300 Malaika, Hapa na Pale, and Shetani fighters had surrendered to FARDC forces.<sup>287</sup>

The UN Secretary-General report on MONUSCO's activities covering the period from 4 January to 8 March 2019 noted with regards to the security situation in South Kivu:

In both South Kivu and Maniema Provinces the situation was generally calm. However, both local and foreign armed groups remained active, particularly in Fizi and Uvira and in the gold mining areas under the control of Mai-Mai Raia Mutomboki or other Mai-Mai elements and in militarized areas such as Salamabila, in Maniema [...]

In Fizi, Kabambare, Shabunda and Uvira territories, Mai-Mai Raia Mutomboki or other Mai-Mai elements clashed with FARDC and perpetrated abuses against civilians. On 22 January, Mai-Mai Chuyi combatants ambushed an FARDC convoy travelling from Kabambare to Pene-Mende (35 km south of Kilembwe). Reportedly, three FARDC elements were injured and one Mai-Mai element was killed during the ambush. On 24 January, unidentified armed men shot and killed three FARDC soldiers in Kasenga Quartier of Uvira town and seized their weapons.<sup>288</sup>

<sup>287</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo (Mayi-Mayi et al.)*, p. 72

<sup>288</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, *II. Major developments, C. Security situation, North Kivu, paras. 19-20*

Media Congo reported in mid-May 2019 that [unofficial translation]:

The intercommunal clashes between the Gumino/Twiraneho, mainly Banyamulenge, and the Mai-Mai Bishake Bishambuke, composed of young Fuliiru, Nyindu and Bembe people, are spreading towards the municipality of Minembwe.

On Tuesday 14<sup>th</sup> May 2019, the clashes continued in the villages of Irumba, Namiringa and Kabingo.

According to Rubawange Matanura Mahwaga, vice-president of the Bijombo Civil Society, who gave us this information, houses were also set on fire in Kabingo and Namiringa.

The latter suggests that these villages are [now] all emptied of their inhabitants, including in the surrounding villages.<sup>289</sup>

The UN Secretary-General report on MONUSCO's activities covering the period 8 March to 28 June 2019 noted "Congolese and foreign armed groups remained active in Fizi and Uvira territories, particularly in the Ruzizi plain, the Uvira mid-plateau and the Bijombo groupement. In addition, tensions between the Bafuliro, Banyamulenge and Barundi communities over the contested Ruzizi chieftaincy led to the loss of civilian lives. In the Minembwe plateau of Fizi, intercommunity clashes between armed groups affiliated with the Banyamulenge and other ethnic groups living in the area (Babembe, Bafuliro and Banyindu) triggered large-scale population displacements across Fizi, Mwenga and Uvira territories. The long-standing intercommunity tensions escalated after a Bafuliro village chief was reportedly abducted and killed by an armed group linked to the Banyamulenge. An estimated 125,000 civilians were displaced as a result of clashes between, on the one hand, the Twigwaneho and Ngomino militias from the Banyamulenge, and on the other, a coalition of Mai-Mai elements from the Babembe, Bafuliro and Banyindu ethnic groups. These armed groups looted and burned villages, causing severe damage to shelter and critical infrastructure, including schools and health-care and sanitation facilities".<sup>290</sup>

### 5.3. Ituri

#### 5.3.1. Hema and Lendu Tribal Conflict

##### 5.3.1.1. History

The Heidelberg Institute for International Conflict Research '2018 Conflict Barometer' provided the following summary of the Hema-Lendu conflict between 1999 and 2003: "Between 1999 and 2003, violence between the two ethnic groups Hema and Lendu had escalated in the context of the Ugandan and Rwandan occupation. Following the integration of the major armed Hema group Union of Congolese Patriots into the Armed Forces of the DR Congo (FARDC) in 2007, the conflict had been dominated by violence of the predominantly Lendu armed group Front for Patriotic Resistance (FRPI) against civilians and the FARDC, mainly in Irumu territory, Ituri".<sup>291</sup>

The Africa Centre for Strategic Studies provided the following historical background summary to the conflict in an August 2018 article [unofficial translation]:

<sup>289</sup> Media Congo, [Fizi : les affrontements intercommunautaires s'étendent vers Minembwe-centre](#), 15 May 2019 [unofficial translation provided by a COI researcher]

<sup>290</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, III. Security situation, South Kivu, para. 27

<sup>291</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, DR Congo (Ituri Militias), p. 70

The Ituri plains, which are rich in oil, timber, gold, diamonds and coltan, have been the scene of long-standing disputes between Hema pastoralists and Lendu farmers. The Lendu population consists of between 750,000 and 1 million inhabitants and their traditional economical activity is agriculture. The Hema, with between 300,000 and 400,000 people, controls most of the plantations and ranches left by Belgian settlers. Over time, and with the support of the local and national authorities, they have expanded their landholdings, grazing and livestock significantly in Djugu in the north, Irumu in the south and along Lake Albert in the east. Demand for greater access to land for livestock and agriculture, rapid population growth and declining fertility and land availability have been at the center of tensions between the two communities. Before the annexation of the region by Belgium, these conflicts were solved by local mediators who regulated grazing rights and seasonal migration, allocated resources and coordinated community safety. The Hema and the Lendu share a common dialect and are linked by mixed marriages and common customs and traditions. However, Belgian settlers raised the status of the Hema to the detriment of the Lendu, allowing them to expand their landholdings, providing them with access to more educational opportunities and greater representation in local government. This policy continued when Mobutu Sese Seko took power, creating deep socio-economic divisions in the region. However, by remaining impartial traditional Hema and Lendu mediators managed to maintain their respect and influence in both communities. Their decisions were always binding and final. As new resources were discovered in the region, the Ituri became increasingly militarized. Local elites, politicians and businessmen based in Kinshasa began arming the Hema and Lendu militias in order to control their vast mineral wealth and territory. Tensions escalated as armed violence erupted in 1975 and again in 1991. As more and more weapons continued to pour in, young Hema and Lendu combatants no longer felt the need to submit to the authority of traditional mediation councils, thus weakening indigenous conflict management mechanisms in Ituri. In addition, those who funded these militias used ethnic incentives to recruit more fighters and mobilize their support base according to ethnic criteria. So, the identities of Hema and Lendu became central to the overall narrative of the conflict [...]. Finally, another layer was added to this explosive mixture: regional interference. The violence in Ituri during the Second War in Congo was much worse than that of 1975 and 1991. During this war, Rwanda, and in particular Uganda, was accused of arming militias based in Ituri, initially as part of their joint campaign against the DRC government and later as proxies after discord arose between the two former allies. After several rounds of fighting, Ugandan forces remained encamped in Ituri, gradually expanding their presence and thus controlling the government based in the capital, Bunia. The Hema and the Lendu are also related to ethnic groups in Uganda and United Nations investigators accused local Ugandan commanders of aggravating the conflict by using these cultural affiliations to strengthen their military positions and illegally exploit Ituri wealth. Despite the emphasis on ethnicity, the Ituri crisis is essentially political. At heart, there is a struggle for power between the Hema and Lendu elites and their efforts, as well as those of their allies based in Kinshasa, to control the administration and resources of the region.<sup>292</sup>

The New Humanitarian provided the following background summary of the violence in Ituri, particularly in Djugu territory:

The roots of the violence are framed in media reports as ethnic, but analysts and local observers say powerful political and commercial interests are what is really driving and exploiting the inter-communal tensions.

Between 1999 and 2004, some 50,000 people, mostly civilians, were killed in Ituri in fighting between different communities, sometimes backed by Uganda and Rwanda [...] After more than a decade of relative peace, violence flared again in December [2017] and resumed in February [2018] on an even larger scale. More than 300,000 people have been displaced and

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<sup>292</sup> Africa Centre for Strategic Studies, [Ituri devient la dernière poudrière du Congo](#), 24 August 2018, [Unofficial translation provided by a COI researcher]

thousands of homes torched in at least 70 villages, according to ACAPS [Assessment Capacities Project], an independent humanitarian information service.

While there is little direct evidence, experts, Ituri residents, and the powerful Catholic clergy have all suggested that unseen forces are driving the violence [...]

Lieutenant Jules Ngongo, the army's spokesman in Ituri, said that youths from Lendu villages have been attacking and torching Hema villages and, more recently, targeting army positions.

The violence has been concentrated in Ituri's Djugu Territory, which lies to the north of the provincial capital, Bunia. The neighbouring territories of Mahagi and Irumu have also been affected.

The attackers have given no reasons for their actions, and no rebel leader from the dozens of armed groups operating in eastern Congo has expressed common cause with them [...]

"Here in Ituri, there is nothing like an ethnic or inter-ethnic war," local bishop Dieudonné Uringi told Radio France Internationale in mid-March. The fact the attackers had communication equipment, money, and were well organised suggested that "invisible hands" were manipulating them, he said.

After a meeting in late February, bishops and archbishops from the region issued a statement warning of powerful forces trying "to pit ethnic communities against each other [that] seems destined to empty these areas of their inhabitants for unknown interests".<sup>293</sup>

In July 2019 Human Rights Watch (HRW) reported that "On July 8, 2019, a panel of three judges [of the International Criminal Court (ICC)] unanimously found [rebel leader Bosco] Ntaganda guilty of 13 counts of war crimes and 5 counts of crimes against humanity committed in Ituri, eastern Congo, in 2002 and 2003. The charges included murder and attempted murder, rape, sexual slavery, attacking civilians, pillaging, displacement of civilians, attacking protected objects, and recruiting and using child soldiers. The judges found that Ntaganda and others agreed on a common plan to attack and drive the ethnic Lendu population out of Ituri through the commission of crimes".<sup>294</sup>

### 5.3.1.2. Renewed Conflict December 2017 – July 2018

#### Overview

The Africa Centre for Strategic Studies provided the following background summary of the renewed conflict in its August 2018 article [unofficial translation]:

Clashes between Hema and Lendu youth in Ituri province, north-east of the Democratic Republic of Congo, erupted in December 2017 and degenerated in [retaliatory – *coup pour coup*] attacks that quickly spread throughout the province. More than 70 villages were destroyed and around 350,000 people sought refuge in neighboring Uganda or were internally displaced. In July 2018, the Office of the United Nations High Commissioner for Refugees (UNHCR) said that its teams had received reports of armed groups committing massacres and raiding entire villages. The outbreak is a reflection of growing instability in various parts of the DRC since President Joseph Kabila controversially extended his presidential term, beyond the constitutional mandate that ended in December 2016. It also broke the peace agreement established by the Ituri Pacification Commission in 2003, long regarded as a model for consolidating peace in the DRC. The return of the crisis in Ituri is particularly alarming because during the second war Congo (1998-2003), the province was the epicenter of the country's deadliest fighting, killing an estimated 50,000 civilians and displacing more than 500,000 civilians. Although the origins of the latest fights are unclear, the trends are similar to those observed previously, meaning that the root causes have never

<sup>293</sup> The New Humanitarian, [Politics and oil: the unseen drivers of violence in Congo's Ituri Province](#), 4 April 2018

<sup>294</sup> Human Rights Watch, [ICC: Congo Warlord Guilty of Crimes Against Humanity](#), 8 July 2019

been dealt with. These include the instrumentalization of ethnic identities by those arming the Hema and Lendu militias, forced eviction with deliberate targeting of civilians by ethnic criteria by these militias of mineral-rich areas. As the situation continues to deteriorate, violence is likely to spread to neighboring countries and potentially lead them into Congo's complex conflicts.<sup>295</sup>

According to the Internal Displacement Monitoring Centre (IDMC), “intercommunal violence escalated significantly between December 2017 and early 2018”.<sup>296</sup> As of April 2018 Human Rights Watch summarised that “Since mid-December [2017], unidentified assailants have killed more than 260 people and burned thousands of homes in [...] Djugu territory in Ituri province. The atrocities we have documented include massacres, rapes, and decapitation. More than 200,000 people have fled their homes, many to neighboring Uganda”.<sup>297</sup>

In March 2018 the Assessment Capacities Project (ACAPS) reported that since December 2017 “Intercommunal violence between Lendu and Hema communities [...] has internally displaced over 300,000 people and led to a severe humanitarian crisis. In a conflict where civilians are being directly targeted, protection of the affected population is a major concern. Thousands of houses have been burned down and livelihood activities, including agriculture, have been disrupted, resulting in significant needs for shelter and food assistance”.<sup>298</sup>

The Heidelberg Institute for International Conflict Research ‘2018 Conflict Barometer’ noted that “In Ituri Province, the conflict between militias such as the predominantly Lendu armed group Front for Patriotic Resistance (FRPI) and the government, backed by MONUSCO, escalated from a violent crisis to a limited war, where violence was also conducted along ethnic lines, most notably between the Lendu and Hema communities”.<sup>299</sup> The same source further summarised the conflict as follows:

However, since December 2017, the conflict was characterized by the escalation of violence between the Lendu and Hema communities, especially in Djugu territory, Ituri. Until mid-April 2018, more than 200 people were killed and at least 300,000 displaced, including around 42,000 people who fled to neighboring Uganda. Thousands of houses were burned down and at least 70 villages destroyed. Reportedly, a confrontation between Lendu youth and FARDC soldiers, allegedly assisted by Hema youth, resulted in reciprocal attacks. For instance, between February 2 and 5, at least 30 people were killed in violence between Lendu and Hema militias in Djugu. Subsequently, MONUSCO installed three temporary bases and intensified patrols in the conflict region. Despite this, Lendu militias attacked the village of Maze on March 1 and 2, killing between 30 and 49 people. Between March 12 and 14, around 40 people were killed in militia attacks on three villages in Djugu. Attacks continued throughout April but decreased in frequency following meetings between FARDC commanders and local customary chiefs on May 1. While sporadic attacks against civilians continued, Lendu militias increasingly attacked the FARDC in September and the following months. For instance, on September 15, alleged Lendu militia attacked a FARDC position in Muvaramu, killing nine soldiers and six civilians. Three days later, Lendu fighters attacked

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<sup>295</sup> Africa Centre for Strategic Studies, [Ituri devient la dernière poudrière du Congo](#), 24 August 2018, [Unofficial translation provided by a COI researcher]

<sup>296</sup> Internal Displacement Monitoring Centre, [Democratic Republic of Congo, Figure Analysis – Displacement Related Conflict and Violence](#), May 2019, *Context*, p. 1

<sup>297</sup> Human Rights Watch, [Displaced Congolese Face Being Returned to Harm’s Way](#), 20 April 2018

<sup>298</sup> Assessment Capacities Project (ACAPS), [DRC, Conflict induced displacement in Ituri](#), 16 March 2018, p. 1

<sup>299</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Global Development*, p. 14

four other FARDC positions, killing three soldiers. Subsequently, FARDC killed eight Lendu fighters in operations against the militias. Attacks continued until the end of the year, additionally leaving at least 23 civilians and 33 soldiers dead.<sup>300</sup>

The New Humanitarian provided the following summary in January 2019 of the situation in Ituri with regards to the renewal of inter-communal tensions:

Inter-communal tensions led to conflict and displacement across Congo last year [2018], but perhaps most noticeably in Ituri province. In the Djugu territory in December 2017, violence between Lendu (farmers) and Hema (herders) escalated and spread. By March 2018, 300,000 people were internally displaced.

Secondary displacement was also reported as people moved in search of food, healthcare, and shelter due to a lack of assistance, while tens of thousands of people crossed the border to Uganda to become refugees. Although displaced people began returning to Ituri in March [2018], Djugu has seen renewed conflict between armed groups and the military since September [2018]. Of the 7,985 households that returned, about one third have been displaced again.

Displaced households do not have access to their fields, while returnees have lost two successive agricultural seasons, according to a report from the Famine Early Warning System Network, or FEWS NET.

In December [2018], UNHCR said it had received reports of close to 100,000 newly displaced people in Ituri. It added that an estimated 88,000 houses in Ituri and North Kivu have been destroyed or damaged due to violence.<sup>301</sup>

#### Specific time-periods

The UN Secretary-General report on MONUSCO's activities covering the period 5 January to end of February 2018 provided the following summary regarding the security situation in Djugu territory in Ituri:

[...] tensions persisted between the Hema and Lendu communities following an outbreak of intercommunal violence in December 2017. Between 12 and 30 January [2018], Lendu youth armed with machetes killed four women and one man and wounded two women and four men from the Hema community. Hundreds of houses were burned down in the intercommunal violence. On 3 February [2018], members of both communities clashed in the villages of Blukwa and Drodro, leading to at least 25 deaths. On 20 February [2018], in Djugu territory, Lendu youths reportedly killed four Hema civilians (two men and two girls) and one FARDC soldier and destroyed some 300 houses in the Tche area (16 km south of Blukwa). The violence has prompted significant population displacements within the province and towards neighbouring Uganda. Since early February [2018], at least 32,000 people have been internally displaced to Bunia, including more than 20,000 sheltering at Bunia General Hospital and 12,000 sheltering with host families. An estimated 39,718 Congolese have also fled to Uganda since 1 January.<sup>302</sup>

The UN Group of Experts, reporting between 10 November 2017 and 8 April 2018, stated in relation to violence in Djugu territory:

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<sup>300</sup> Heidelberg Institute for International Conflict Research, [Conflict Barometer 2018](#), February 2019, *Sub-Saharan Africa, DR Congo (Ituri Militias)*, p. 70/71

<sup>301</sup> The New Humanitarian, [Updated: Four humanitarian challenges for Congo's new leader](#), 10 January 2019, *Ituri*

<sup>302</sup> UN Secretary-General, [Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 1 March 2018, II. Major developments, C. Security situation, para. 22

The Group conducted preliminary investigations into the sudden eruption of violence affecting the Hema and Lendu communities in Djugu territory since mid-December 2017. Djugu territory had been the theatre of a conflict between the Hema and Lendu communities from 1999 to 2003, which had caused tens of thousands of deaths [...]

The Group established that this new wave of violence had started on 16 December 2017 in Uzi, in Walendu Djatsi, when a group of Hema badly beat a young Lendu from Tete, in Walendu Pitsi, allegedly for an altercation with an official of the security forces of the Democratic Republic of the Congo stationed there. In retaliation, the day after, a group of Lendu from Tete attacked with machetes two Hema women in the fields of the village of Maze, in Walendu Pitsi, injuring them seriously. This led to a wave of reprisals from 17 to 20 December 2017, notably with Hema elements burning about 80 Lendu houses in Tete, and Lendu elements burning at least six Hema villages. At least six Hema were also killed in Bahema Nord [...]

On 29 December 2017, on the initiative of the Governor of Ituri Province and with MONUSCO support, leaders of each community reached a peace and sensitization agreement. There was a relative lull in January 2018, although tensions persisted [...]

The violence resumed at the beginning of February 2018, with the killing of more than 20 persons in Blukwa and Drodro, leading to retaliations and a spreading spiral of violence to certain areas, notably Walendu Pitsi, Walendu Tatsi and Walendu Diatsi sectors [...] The violence took the form of the torching of many villages, killings that indiscriminately targeted men, women and children of each community and the massive displacement of the civilian population. In several cases, women and children left their home in anticipation of potential attacks, leaving the men alone in the villages. In mid-March 2018, through the Ministry of Interior and Security of Ituri Province, leaders of both communities signed an agreement to cease hostilities [...] However, according to two reliable sources, they signed the accord without meeting each other to discuss its contents. Nevertheless, at the time of the drafting, the violence had reduced and displaced people started returning home [...]

At this stage of its investigations, the Group is of the view that there may have been some form of coordination for the attacks. Two sources pointed out the simultaneous timing of some of the attacks, with up to seven or eight attacks against Hema villages occurring at the same time, and the use of Motorola radios. One of the two sources also mentioned the use of call signs and some coordination in transporting looted goods. Furthermore, according to two sources, including a Lendu leader, members of the Lendu community retaliated on a much larger scale to provocations or attacks than did members of the Hema community. Only a few killings were committed with guns, the vast majority being committed with bladed weapons such as machetes, knives, arrows or spears [...]

The Hema leader interviewed by the Group, as well as two Lendu detainees, told the Group that those responsible for the violence belonged to a new church called CODECO, created about three years ago. The Group could not confirm this information. Other sources, including a Lendu leader, told the Group that CODECO is known in the area as the Coopérative économique pour le développement du Congo and was formerly known as CODEZA, an agricultural cooperative. The Group noted that the late president of the cooperative was convicted for war crimes by the Ituri Military Tribunal in 2010.<sup>303</sup>

The same source stated that it “focused its investigations on [...] the attacks against Kithavya, Ngite and Mbau in February 2018” where attacks against the civilian population resulted in the “killing [of] seven men, beheading two and slitting the throats of five, and looted homes and a health centre” [Kithavya], “killed eight people with guns and machetes and kidnapped two 12 -year-old boys who eventually managed to escaped” [Ngite], and

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<sup>303</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, IV. *Serious violations of international humanitarian law and human rights*, B. *Violence in Djugu territory*, paras. 158-163

“killing two civilians by slitting their throats” [Mbau].<sup>304</sup> According to the same source “These attacks bore several similarities, including that, some of the assailants wore FARDC uniforms, the assailants included women and children and the appearance and statements of the assailants suggested that at least some of them were Muslim. The Group was, however, unable to confirm their identities and affiliations or to determine if the same group carried out all three attacks”.<sup>305</sup> The Thomson Reuters Foundation put the death toll of the February killings at “At least 30 people were killed in two days of clashes last month between armed Hema and Lendu”.<sup>306</sup>

The German Federal Office for Migration and Refugees reported that in early March 2018 “members of the ethnic group of the Lendu in Ituri province attacks members of the Hema in Maze village, killing 43 person”.<sup>307</sup> BBC News noted that “more than 33 people have been killed” in this spate of violence and reported though that “Some charities put the death toll at 49 or more”.<sup>308</sup>

The German Federal Office for Migration and Refugees reported that in mid-March 2018 “heavily-armed men raided four villages in the areas of Bahema-North and Walendu Tatsi of Djugu district in Ituri [...] killing up to 41 villagers – the majority of whom belonged to the ethnic group of the Hema – and setting people's homes on fire. Since violent clashes erupted between Hema cattle herders and Lendu farmers in Djugu in mid-December 2017, over one hundred persons have been killed in four districts. Between 100,000 and 130,000 persons joined the ranks of internally-displaced persons; over 42,000 fled to neighbouring Uganda”.<sup>309</sup> UNHCR found that “In the space of just three days, between 10 - 13 March [2018], more than 4,000 people crossed into Uganda from the provinces of Ituri and North Kivu. These numbers are on a larger scale still than in 2017 when some 44,000 fled over the course of the entire year”.<sup>310</sup>

An article published by The New Humanitarian in April 2018 reported on the situation in March/April 2018:

In mid-March, the army began a series of operations codenamed Tunapenda Salama (“We Want Peace”) to stem the attacks and re-establish state authority. Since then, according to Lalu, the civil society leader, safe corridors have opened up and some displaced people have started returning to their villages. The army spokesman said markets in some of the attacked villages have also begun to reopen. The administrator of Djugu Territory, Alfred Bongwalanga, was encouraged that leaders of both the Hema and Lendu communities have been issuing calls for peace, and for peaceful

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<sup>304</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, IV. *Serious violations of international humanitarian law and human rights, A. Attacks on civilians in Beni territory, paras. 155-157*

<sup>305</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, IV. *Serious violations of international humanitarian law and human rights, A. Attacks on civilians in Beni territory, para. 154*

<sup>306</sup> Thomson Reuters Foundation, [Ethnic clashes in northeastern Congo kill more than 40 people](#), 2 March 2018

<sup>307</sup> Bundesamt für Flüchtlinge und Migration (BAMF) [Federal Office for Migration and Refugees (Germany)], [Briefing Notes](#), 5 March 2018, *Democratic Republic of the Congo, Dozens killed in Ituri province*

<sup>308</sup> BBC News, [DR Congo violence: Dozens killed in Ituri province](#), 2 March 2018

<sup>309</sup> Bundesamt für Flüchtlinge und Migration (BAMF) [Federal Office for Migration and Refugees (Germany)], [Briefing Notes](#), 19 March 2018, *Democratic Republic of the Congo, Up to 41 killed after ethnic violence erupts in Ituri*

<sup>310</sup> UNHCR, [Congolese flee horrific violence for Uganda](#), 16 March 2018

cohabitation. Neither group profited from the previous conflict and are well aware it slowed down much-needed development in the province, he said.

No attacks against civilians have been reported over the last 10 days. But, according to ACAPS, disruptions of maize harvests mean the impact of the violence in Ituri is likely to last several months. More than 30,000 children in the province are out of school.<sup>311</sup>

In April 2018 Human Rights Watch reported that:

[...] the provincial governor, Jefferson Abdallah Penembaka, called on tens of thousands of internally displaced people (IDPs) living in two makeshift camps in Bunia, the provincial capital, to return home, assuring them there were no longer “any concerns.” The Congolese army’s chief of staff, Gen. Didier Etumba proclaimed that “the security conditions [have] returned to normal” in Djugu. Several displaced people at one camp told us that visiting provincial officials warned them yesterday that “the site must be empty by next week.”

But civilians now in Djugu tell a very different story. “I am in Drodro [village], and we cannot go further than the parish for fear of being killed,” one man who just returned home said yesterday. “Even if the military and police are here with us, we continue to fear for our safety.”

Just in the past few weeks, at least 11 people were reportedly killed and 43 houses burned in Djugu territory.<sup>312</sup>

The UN High Commissioner for Human Rights noted in relation to the repeated clashes between Hema and Lendu communities in his report covering the period June 2017 to May 2018 that:

The resurgence of intercommunal conflict has also been observed in Ituri, where repeated clashes between Hema and Lendu communities have been reported since mid December 2017 in Djugu territory. At least 270 people, including 94 women, were killed, 29 injured and 120 villages were looted and destroyed on both sides during these hostilities, which have also led to the massive displacement of populations. FARDC and the Congolese national police, which is understaffed, have generally been unable to mount an appropriate response to these attacks or to secure the villages.<sup>313</sup>

The UN Secretary-General’s report on the activities of MONUSCO covering the period 27 March to 29 June 2018 provided the following summary regarding the security situation in Ituri:

In Ituri province, the security situation improved in Djugu territory, with fewer violent incidents reported in recent weeks. Sporadic attacks on civilians persisted however and instances of low-level retaliatory attacks between Lendu and Hema were recorded. Some displaced persons and refugees have started to return to their homes [...]

In Irumu territory, also in Ituri province, the Force de résistance patriotique de l’Ituri (FRPI) continued to sporadically attack FARDC positions and to commit human rights abuses, including looting, summary executions and sexual violence. FARDC launched “Operation hero”, from 22 to 25 May [2018], against FRPI positions, killing seven FRPI elements [...]

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<sup>311</sup> The New Humanitarian, [Politics and oil: the unseen drivers of violence in Congo’s Ituri Province](#), 4 April 2018

<sup>312</sup> Human Rights Watch, [Displaced Congolese Face Being Returned to Harm’s Way](#), 20 April 2018

<sup>313</sup> UN High Commissioner for Human Rights, [Human rights situation and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo Report of the United Nations High Commissioner for Human Rights](#), 13 August 2018, II. Principal human rights developments, B. Protection of civilians in conflict areas, 1. Current situation and action taken by the Government, para. 37

In Aru and Mahagi territories, there were reports of the presence of armed ex-M23 elements. On 20 April [2018], two alleged ex-M23 elements surrendered to FARDC in Mahagi while, on 23 April [2018], two alleged ex-M23 elements were arrested by ANR in Aru.<sup>314</sup>

Following UNHCR's team visit to the area where months of conflict between the Hema and Lendu ethnic groups resulted in the displacement of around 350,000 people, UNHCR reported in mid-July 2018 that they "heard numerous, harrowing reports of barbaric violence, including armed groups attacking civilians with guns, arrows and machetes, entire villages razed, and farms and shops being looted and damaged beyond repair".<sup>315</sup>

### 5.3.1.3. Situation in Djugu territory in the aftermath of the conflict

The UN Secretary-General report on the activities of MONUSCO provided the following summary with regards to the security situation in Ituri, in particular in relation to intercommunal violence in Djugu territory, between 29 June and 28 September 2018:

in Djugu territory, intercommunal violence has decreased significantly since April 2018. However, some isolated incidents between Hema and Lendu communities occurred in August [2018], and there was a spike of clashes between FARDC and Lendu militias in September [2018]. On 3 August [2018], suspected Hema young people injured a Lendu woman in Djokwa (65 km north-east of Bunia). On the same day, individuals allegedly from the Lendu group burned houses belonging to Hema people in Tsu village, in the Tchomia area. On 26 August [2018], two FARDC soldiers were killed in Wassa village, allegedly by Lendu assailants. In an apparent retaliation operation, FARDC reportedly looted civilians in the Lendu villages of Djailo and Loko. On 15 September [2018], in Djugu territory, militia members allegedly from the Lendu community attacked FARDC position in Muvaramu (80 km north-east of Bunia), stealing weapons and ammunition and killing nine FARDC soldiers and six civilians. Further attacks by suspected Lendu militia members took place on 18 September [2018] against four FARDC positions in Gobi, Jiro, Nyoro and Ziro, reportedly killing three soldiers. FARDC captured three assailants. In response, FARDC launched operations that resulted in the killing of eight militia members and two FARDC soldiers and in the recovery of weapons.<sup>316</sup>

UNHCR reported at the end of September 2018 that "in Djugu Territory, Ituri province, a series of new attacks are destabilizing the area which was on the way to stabilization after having been shaken by massive violence in the first half of the year, displacing an estimated 350,000 people. This return to peace is now being threatened, and UNHCR staff report 16,000 people fleeing their homes, many of them for the second time in one year".<sup>317</sup>

The UN Secretary-General provided the following summary with regards to the security situation in Ituri during the reporting period 2 October to 31 December 2018:

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<sup>314</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 2 July 2018, II. Major developments, C. Security situation, paras. 27-29

<sup>315</sup> UNHCR, [UNHCR team hears accounts of barbaric violence in eastern Congo's Ituri region](#), 13 July 2018

<sup>316</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 1 October 2018, II. Major developments, C. Security situation, 1. Ituri province, para. 14

<sup>317</sup> UNHCR, [UNHCR alarm at recent attacks and rising displacement in eastern DRC](#), 28 September 2018

The security situation in parts of Djugu territory was tense, and there was an increase in attacks by alleged Lendu youth militias on FARDC positions and civilians. Suspected Lendu youth militias attacked the FARDC position in Linga on 1 and 4 October [2018] and carried out attacks against FARDC in Bule, Jiro and Muvaramu along Lake Albert between 9 October and 5 November [2018]. In addition, on 3 November [2018], unidentified assailants attacked a position held by FARDC in Muganga, resulting in the killing of 16 soldiers and 20 civilians. On 9 November [2018], suspected Lendu youth militias attacked Landjo (25 km north-east of Djugu town), resulting in the killing of 9 soldiers and the wounding of 14 others. The violence spread from Djugu towards Lake Albert with assailants attacking FARDC positions 60 km north-east of Tchomia on 28 November [2018], killing five FARDC elements and three civilians. Assailants also ambushed FARDC patrols on 4 December [2018] in Landjo and again in Jiro on 9 December [2018], killing at least three more FARDC soldiers.<sup>318</sup>

The UN Secretary-General report on MONUSCO's activities covering the period from 4 January to 8 March 2019 noted that "the security situation in Djugu territory remained tense as attacks by alleged Walendu militias on FARDC positions flared up in January. FARDC, in turn, launched military operations in several localities occupied by Walendu militias along the shore of Lake Albert."<sup>319</sup>

The UN Secretary-General report on MONUSCO's activities covering the period 8 March to 28 June 2019 noted "Violence by suspected Lendu assailants re-emerged in Djugu and Mahagi territories, reaching worrying levels. Suspected Lendu youth militias carried out several attacks on villages, resulting in the killing, wounding and displacement of civilians, as well as the destruction and looting of properties. On 1 June [2019], in Bunia, members of the provincial assembly hailing from Mahagi territory issued a statement claiming that the violence had resulted in the killing of at least 40 civilians in May [2019]. Between 8 and 12 June [2019], approximately 72 civilians were reportedly killed in a series of attacks by suspected Lendu assailants in several villages around Lake Albert; however, unconfirmed figures suggest that the number of victims may be substantially higher. On 18 June [2019], the United Nations High Commissioner for Refugees stated that more than 300,000 had fled from the resurgent inter-ethnic violence in Djugu, Mahagi and Irumu territories. FARDC conducted operations against Lendu militia camps in the Wago forest along the shores of Lake Albert. MONUSCO deployed forward bases in the affected areas".<sup>320</sup>

On 28<sup>th</sup> June 2019 the UN High Commissioner for Human Rights noted in her press briefing notes that "At least 117 people were killed in Ituri province [...] between 10 and 13 June [...] The investigative team confirmed that at least 94 people had been killed in Djugu territory and 23 in Mahagi territory, including an as yet undetermined number of women and children. Some of the victims were beheaded. Homes and warehouses were burned down after being looted. The ferocity and scorched-earth nature of the attacks suggests the assailants intended to prevent survivors from being able to return to their villages. Most of the victims belonged to the Hema community, and the rest to the Alur group. The attackers are reported to be unidentified individuals from the Lendu community [...]. The motives of

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<sup>318</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, C. Security situation, Ituri, Bas-Uélé and Haut-Uélé Provinces, para. 30

<sup>319</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, C. Security situation, North Kivu, para. 24

<sup>320</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, III. Security situation, Ituri, Bas-Uélé and Haut-Uélé provinces, para. 31

the perpetrators of these latest attacks are unclear. Originally, they were reported as retaliation for the earlier deaths of four Lendu people. However, the team's analysis of the context suggests this explanation was a pretext. The information gathered so far seems to indicate that despite the attackers reportedly belong to one community, and the victims to others, there appear to be additional political and economic motives underlying the assaults".<sup>321</sup>

In mid-June, Congo Forum reported on the discovery of mass graves in Djugu territory [unofficial translation]:

At least 140 dead bodies were discovered last weekend in the Tché locality in the Losandrema grouping in Djugu territory of the Ituri Province. It was the civil society of the chiefdom of North Bahema who delivered this information on Sunday 16<sup>th</sup> June.

According to this citizen structure, these bodies are in addition to 21 other bodies discovered the same Saturday 15<sup>th</sup> June in the Zendro, Pawi and Tshini regions in the Dhendro area. These new discoveries make an alarming total number of at least 161 dead bodies in this north-eastern region of the DRC.

The civil society states that these bodies were discovered by the local population in a forest, following an attack by men with guns and knives which took place in the night of last Tuesday to Wednesday, 12<sup>th</sup> June.<sup>322</sup>

The UN News Centre reported in mid-June 2019 that "Citing multiple attacks and counter-attacks between Hema herders and Lendu farmers, UNHCR spokesperson Babar Baloch told journalists in Geneva that the situation had worsened in recent days [with] 300,000 flee[ing] [...] The development comes amid reports of intense fighting between the Congolese armed forces (FARDC) and non-state armed actors in Djugu territory, as the authorities attempt to bring the situation under control in the vast, resource-rich region [...] Three of Ituri's five administrative territories - Djugu, Mahagi and Irumu – have all seen mass displacement after self-defence militia reportedly carried out "revenge killings", according to UNHCR".<sup>323</sup> In a subsequent report the same source reported that:

"The investigative team confirmed that at least 94 people had been killed in Djugu territory and 23 in Mahagi territory, including an as yet undetermined number of women and children," OHCHR spokesperson Marta Hurtado said. "Some of the victims were beheaded. Homes and warehouses were burned down after being looted. The ferocity and scorched-earth nature of the attacks suggests the assailants intended to prevent survivors from being able to return to their villages." Most of the victims belonged to the Hema community, while the remainder were Alur people, Ms. Hurtado said. The attackers were reportedly from the Lendu community, she added, her comments echoing an earlier alert from the UN refugee agency, UNHCR, that thousands of people displaced by violence had arrived in Uganda this month, with an average of 311 people crossing the border daily, double the number for May [2019].<sup>324</sup>

At the end of June 2019 ACLED reported that "the communal conflict between the Hema and Lendu in the Djug territory of Ituri has increased drastically, as a reported 291 people have been killed in a series of retaliatory attacks since June 11<sup>th</sup> [2019]. During the past two weeks, numerous villages have been attacked by militias, which have also clashed with

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<sup>321</sup> UN High Commissioner for Human Rights, [Press briefing notes on DRC attacks](#), 28 June 2019

<sup>322</sup> CongoForum, [Ituri: des charniers découverts dans des localités de Djugu](#), 18 June 2019 [unofficial translation provided by a COI researcher]

<sup>323</sup> UN News, [300,000 flee flare-up of ethnic violence in north-eastern DR Congo](#), 18 June 2019

<sup>324</sup> UN News Centre, [Ebola fight ongoing amid evidence of 'several massacres' in DR Congo's Ituri province](#), 28 June 2019

military forces in the region. An estimated 300,000 people have been displaced by the recent attacks, amidst reports that militias are preventing others from fleeing”.<sup>325</sup>

At the end of June 2019 the independent journalist, Roger Mulyata argued in an article published by CongoForum [unofficial translation]: “The military operation Zaruba Ya Ituri (Ituri Storm), launched by the FARDC against the perpetrators of killings of civilians in the territories of Djugu and Mahagi, continues successfully. The Armed Forces of the Democratic Republic of Congo announced the conquest of a dozen villages that were occupied by armed groups in these two territories of the Ituri Province. The army also took control of the WAGO forest in the Djugu territory, considered as a bastion of the armed fighters. Military sources in Ituri Province are providing provisional figures of 19 dead including 16 dead attackers and 3 FARDC soldiers [...] The actions of the armed forces in Djugu and Mahagi, in Ituri Province, is responsible for several hundred deaths and massive displacement of civilians”.<sup>326</sup>

According to reporting by The New Humanitarian “On a visit to Ituri [...] President Felix Tshisekedi described the violence – blamed on an ethnic Lendu militia – as “attempted genocide” and a “plot” to destabilise the central government”.<sup>327</sup>

ACLED reported in early July 2019 that:

Military forces in the Democratic Republic of Congo continued operations against armed militias in the Eastern provinces. In Ituri, military forces carried out operations against the Cooperative for Development of Congo (CODECO) militia, which is mainly comprised of ethnic Lendu. The group is believed to be responsible for recent attacks on Hema communities, which President Felix Tshisekedi called an ‘attempted genocide’. Military forces carried out an offensive against the militia in the Wago area. Despite these operations, attacks on civilians in the Djugu territory have persisted. They have not been on the same scale as the June massacres, but there were several attacks on civilians this week. IDPs appear to have been specifically targeted in four attacks, which resulted in 10 reported fatalities. The current unrest in the province has destabilized the relative calm it has recently achieved.<sup>328</sup>

Radio Okapi reported in mid-July 2019 that [unofficial translation]: “Heavy weapons fights [...] between the Armed Forces of the DRC (FARDC) and groups of armed men in the town of Agu, Ndendro grouping, Walendu Pitsi sector in Djugu territory, continued [...] Sources from local civil society report that twelve people died in both camps”.<sup>329</sup>

The International Crisis Group noted in its July 2019 ‘CrisisWatch’ that:

violence continued in Djugu, Mahagi and Irumu territories as armed groups continued to target civilians and military. Eight headless bodies discovered 10km from provincial capital

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<sup>325</sup> Maya Moseley (ACLED), [Regional Overview – Africa](#), 25 June 2019

<sup>326</sup> Roger Mulyata (CongoForum), [Ituri : 19 morts, bilan à mi-parcours des opérations militaires Zaruba ya Ituri contre les groupes armés dans cette partie Nord-Est de la RDC](#), 28 June 2019 [Unofficial translation provided by a COI researcher]

<sup>327</sup> The New Humanitarian, [Machete attacks and forest escapes, as conflict returns to Congo’s troubled Ituri](#), 9 July 2019

<sup>328</sup> Maya Moseley (ACLED), [Regional Overview – Africa](#), 9 July 2019

<sup>329</sup> Radio Okapi, [RDC: combats à l’arme lourde entre les FARDC et des hommes armés à Djugu](#), 18 July 2019

Bunia 18 July [2019], prompting youth to protest against insecurity. 200 additional police deployed to shore up security 8 July [2019].<sup>330</sup>

ACLED noted at the end of July 2019 that “Insecurity has continued in the Democratic Republic of Congo, as eight civilians were beheaded by unidentified attackers in two separate attacks near Bunia, Ituri. Following the attacks, youth demonstrated by carrying the bodies through the city. Military forces continued operations against militias operating in the Djugu territory in Ituri resulting in 23 reported fatalities”.<sup>331</sup>

ACLED also noted in its ‘Fact Sheet’ of 25<sup>th</sup> July 2019 that “In June 2019, ACLED recorded a surge in violence against civilians in Ituri province, particularly in the Djugu territory. Over 360 civilian fatalities were reported between 1 June 2019 and 20 July 2019. Lendu ethnic militias were responsible for 57% of these fatalities, while unidentified ethnic militias were responsible for 28%. Much of the violence targeted the Hema community. During the same period, ACLED recorded 24 clashes in the province, 95% of which involved state military forces. The violence has displaced over 300,000 people, and at least 10 internally displaced persons (IDPs) were reported killed by unidentified groups during the first week of July”.<sup>332</sup>

According to the head of MONUSCO, Leila Zerrougui, “blasted ‘spoilers’ in Ituri Province for ‘seeking to play on ethnic tensions’ between Lendu farmers and Hema herders that have resulted in violent clashes and forced more than 350,000 people from their homes. ‘The deterioration of the security situation is interrupting the return process that had been gradually taking place since 2018’, she told the UN Security Council. This was ‘causing new displacements towards Bunia [city] and forcing the humanitarian community to reorient its assistance to the most vulnerable populations’, she added [...] Interethnic clashes in the turbulent, gold-rich Ituri region have also left 733,000 people needing aid handouts, Zerrougui told the UN Security Council”.<sup>333</sup>

### 5.3.2. Other conflict locations in Ituri

A UN Secretary-General report on MONUSCO’s activities covering the period 5 January to end of February 2018 provided the following summary regarding the human rights situation in the DRC with special reference to the Kivus and Ituri:

MONUSCO documented 744 human rights violations in January 2018, a substantial increase over the average number of violations per month in 2017 (541 violations). About 78 per cent of those violations occurred in conflict-affected provinces, especially in Ituri, North Kivu and South Kivu. State agents continue to be the main perpetrators, with 60 per cent of the violations, while armed groups were responsible for 40 per cent of human rights violations and abuses. There was a 27 per cent increase in the number of reported human rights abuses by armed groups and militias, confirming the spread and intensification of their activities, which fuelled inter-ethnic and intercommunity violence in Ituri (Hema/Lendu), North Kivu (Hutu/Nande), Kasai (Lulua/Chokwe) and Tanganyika (Twa/Luba).<sup>334</sup>

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<sup>330</sup> International Crisis Group, [CrisisWatch](#), July 2019, *Latest Updates, Africa, Democratic Republic of Congo*

<sup>331</sup> Maya Moseley (ACLED), [Regional Overview – Africa](#), 23 July 2019

<sup>332</sup> ACLED Admin, [Fact Sheet – Conflict in the DRC](#), 25 July 2019

<sup>333</sup> Al Jazeera, [DR Congo ethnic violence stopping refugee returns: UN](#), 25 July 2019

<sup>334</sup> UN Secretary-General, [Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 1 March 2018, II. Major developments, E. Human rights situation, para. 27

Amnesty International together with other local, national and international human rights organisations in a joint statement to the UN Human Rights Council reported in early September 2018 that “Since early this year [2018], violence intensified in various parts of northeastern Congo’s Ituri province, with terrifying incidents of massacres, rapes, and decapitation. Armed groups launched deadly attacks on villages, killing scores of civilians, torching hundreds of homes, and displacing an estimated 350,000 people”.<sup>335</sup>

The UN Secretary-General report on MONUSCO’s activities covering the period 5 January to end of February 2018 provided the following summary regarding the security situation in other areas of Ituri:

In Ituri Province, while the human rights abuses committed by the Force de résistance patriotique de l’Ituri (FRPI) have decreased slightly, the militia remains the greatest source of insecurity. In January [2018], there were reports of involvement of FRPI elements in the looting of villages, rape, and abduction, torture and ill-treatment of civilians [...]

In Aru territory, instability persisted along the border with South Sudan. On 10 January [2018], an hour-long exchange of fire occurred at Ndrimu between FARDC and suspected armed elements of the Armée de libération du peuple congolais, a residual armed group associated with the Kakwa community. The group has been largely dormant, and its strength is assessed to be fewer than 50 elements. On 22 January, in Aru territory, 10 former militia members of the Front des nationalistes et intégrationnistes (FNI) were arrested by national security forces on suspicion of involvement in a campaign to recruit young people to fight in South Sudan. FNI is a Lendu-based armed group that was very active during the HemaLendu conflict in 2000 and subsequently demobilized.<sup>336</sup>

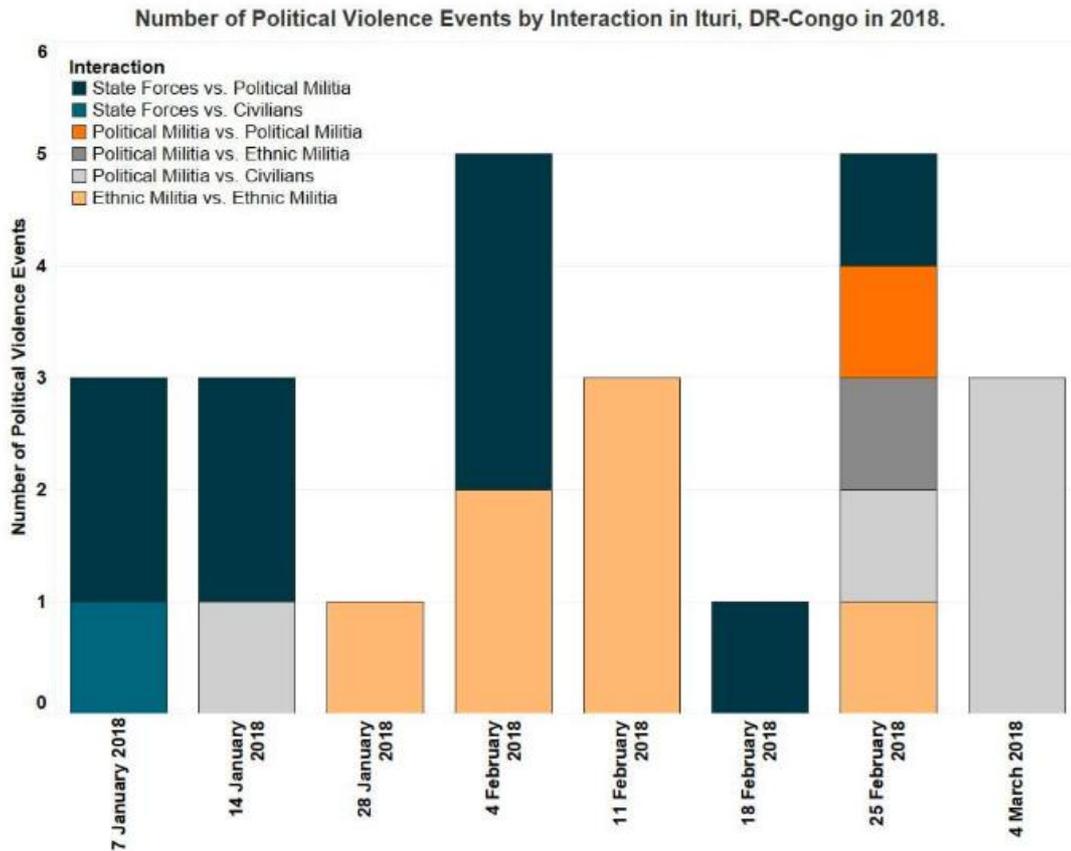
ACLED compiled the following graph depicting the number of political violence events by interaction between January and March 2018<sup>337</sup>:

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<sup>335</sup> Amnesty International, [DRC: OPEN LETTER RE: CREATING A DEDICATED COUNTRY-WIDE HUMAN RIGHTS MONITORING AND REPORTING MECHANISM ON THE DEMOCRATIC REPUBLIC OF CONGO AT THE UN HUMAN RIGHTS COUNCIL](#), 6 September 2018

<sup>336</sup> UN Secretary-General, [Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 1 March 2018, II. Major developments, C. Security situation, para. 22

<sup>337</sup> Miguel Chambel (ACLED), [Democratic Republic of Congo Analysis](#), 16 March 2018 © 2018 ACLED All rights reserved. Used with permission from ACLED



The UN Secretary-General provided the following summary with regards to the security situation in Ituri between 29 June and 28 September 2018:

In Ituri, the Force de résistance patriotique de l’Ituri (FRPI) continued to commit exactions on civilians and to carry out attacks against FARDC. Violence against civilians, including raids and looting of villages, was perpetrated by FRPI, which carried out seven raids in Aveba and Gety on 14 and 15 July [2018]. Five other raids took place in the same area between 21 and 23 July [2018]. In addition, on 11 and 12 August [2018], FRPI looted villages in the general area of Bavi and Bogoro, to the north of Aveba and Gety.<sup>338</sup>

During the reporting period 2 October to 31 December 2018 on the activities of MONUSCO the UN Secretary-General provided the following summary of other areas of Ituri:

The security situation in southern Irumu territory, in Ituri Province, was marred by activities of suspected FRPI elements. Despite the progress made in dialogue initiatives with FRPI, the group continued to undertake acts of violence and to commit human rights violations, including lootings and rapes. From 1 to 7 October, FRPI elements looted at least 16 villages in the general areas of Gety and Aveba. From 3 to 12 October, five women were raped near Aveba. FARDC and FRPI clashed on several occasions, notably on 11 October near Gety, on

<sup>338</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 1 October 2018, II. Major developments, C. Security situation, 1. Ituri province, para. 13

29 October in Burasi, on 30 October in Gety and Kigo (27 km east of Aveba) and on 31 October in Kamasuka (5 km north of Gety).<sup>339</sup>

A UN Secretary-General report<sup>340</sup> covering the period from 1 September 2018 to 28 February 2019 noted that “In Ituri Province, as dialogue on demobilization and disarmament continued between the Government and the rebel Force de résistance patriotique en Ituri, the parties met on 20 January, discussed pre-cantonment and financial issues and agreed on a security assessment of pre-cantonment sites, as well as meetings with provincial authorities”.

The UN Secretary-General report on MONUSCO’s activities covering the period from 4 January to 8 March 2019 noted with regards to the security situation in Ituri:

The southern part of Irumu territory in Ituri Province saw a significant decrease in militia activity and human rights abuses as a result of the ongoing dialogue between the Government and the *Force de résistance patriotique de l’Ituri* (FRPI). In January, FRPI elements that had agreed to regroup in pre-cantonment sites ahead of the signing of a negotiated peace agreement, looted at least three villages near Aveba and Geti and raped a 15-year-old girl. Furthermore, the security situation in Djugu territory remained tense as attacks by alleged Walendu militias on FARDC positions flared up in January. FARDC, in turn, launched military operations in several localities occupied by Walendu militias along the shore of Lake Albert. On 22 January [2019], the leader of an ex-Mai-Mai Simba faction, Manu, was killed during a clash with FARDC in Bendele (205 km southwest of Mambasa).<sup>341</sup>

ACLED reported that on 3 April 2019 “In a rare incursion into Irumu territory (Ituri province) where they [the Allied Democratic Forces (ADF)] abducted 36 civilians [...] the ADF asked the FARDC to allow them to move freely in the area and access markets to stop its attacks on the civilian population”.<sup>342</sup>

The UN Secretary-General report on MONUSCO’s activities covering the period 8 March to 28 June 2019 noted “In Ituri Province, the hiatus in the political process to demobilize the *Force de résistance patriotique de l’Ituri* (FRPI) led to heightened FRPI activity in southern Irumu. While looting was prevalent, a clear decrease of human rights violations by the group was recorded. The uncertainty surrounding the political process reportedly enhanced factionalism within FRPI and strengthened its links with other armed groups, particularly in Djugu territory. Also in Irumu territory, on 1 May [2019], ADF elements reportedly abducted 18 civilians during an attack on Tchaby locality”.<sup>343</sup>

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<sup>339</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, C. Security situation, Ituri, Bas-Uélé and Haut-Uélé Provinces, para. 28

<sup>340</sup> UN Secretary-General, [Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 12 March 2019, II. Major developments, A. Security situation, para. 4

<sup>341</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, C. Security situation, North Kivu, para. 24

<sup>342</sup> Margaux Pinaud (ACLED), [Regional Overview – Africa](#), 23 April 2019

<sup>343</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, III. Security situation, Ituri, Bas-Uélé and Haut-Uélé provinces, para. 30

## 6. Human Rights Situation – Civil and Political Rights

Human rights violations that occur as part of the ongoing conflict in the Kivus and Ituri have been integrated in section [5. Overview of the Security Situation including conflict-related human rights violations](#). For conflict-related sexual and gender-based violence and conflict-related violence against children see [section 7](#) and [section 8](#) of this report respectively.

The human rights situation described in this section relates specifically to reported state and non-state abuses committed in the Kivus and Ituri, mainly against freedom of expression. It is meant as indicative of the situation on the ground as found amongst the sources consulted for this report.

The UN Secretary-General report on MONUSCO's activities covering the period 5 January to end of February 2018 provided the following summary regarding the human rights situation in the DRC with special reference to the Kivus and Ituri:

MONUSCO documented 744 human rights violations in January 2018, a substantial increase over the average number of violations per month in 2017 (541 violations). About 78 per cent of those violations occurred in conflict-affected provinces, especially in Ituri, North Kivu and South Kivu. State agents continue to be the main perpetrators, with 60 per cent of the violations, while armed groups were responsible for 40 per cent of human rights violations and abuses. There was a 27 per cent increase in the number of reported human rights abuses by armed groups and militias, confirming the spread and intensification of their activities, which fuelled inter-ethnic and intercommunity violence in Ituri (Hema/Lendu), North Kivu (Hutu/Nande), Kasai (Lulua/Chokwe) and Tanganyika (Twa/Luba).<sup>344</sup>

The Office of the UN High Commissioner for Human Rights published a report in March 2019 describing the “violations and abuses of human rights and fundamental freedoms committed in the country between 22 November 2018 and 24 January 2019, in the framework of the electoral process, comprising the campaign period, election day, and the immediate post-electoral period until the inauguration of a new president”, and found that:

Armed groups interfered in the electoral process throughout the campaign period, notably in Ituri, the Kasai region, Maniema, North Kivu and South Kivu. Incidents of prevention of electoral campaign activities by blocking access to some candidates were recorded, as were abductions, looting, and death threats and intimidation against candidates and the local population. More than half of the election-related human rights abuses committed by armed groups in 2018 occurred in November and December, during the electoral campaign.<sup>345</sup>

ACLED noted in its ‘Fact Sheet’ that between 25 January and 20 July 2019 that “90 organized political violence events [were recorded] across more than 420 locations in the DRC since Tshisekedi's inauguration on 24 January 2019. Nearly 1,900 total conflict-related fatalities are reported in connection with these events, including over 760 fatalities from violence targeting civilians [...] The highest levels of political violence since Tshisekedi's inauguration have occurred in the North Kivu, South Kivu, and Ituri provinces, with 50% of all political violence events taking place in North Kivu during this period, 23% in South Kivu, and 13% in

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<sup>344</sup> UN Secretary-General, [Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 1 March 2018, II. Major developments, E. Human rights situation, para. 27

<sup>345</sup> See Office of the UN High Commissioner for Human Rights, [Report on the situation of human rights in the Democratic Republic of the Congo before, during and after the elections of December 2018](#), 18 March 2019, Summary, p. 1 and II. Context, para. 9

Ituri [...] Unidentified or anonymous armed groups are responsible for the majority of attacks on civilians so far this year, with over 200 recorded events [...] State forces engaged in the most battles, followed by unidentified or anonymous armed groups, the Allied Democratic Forces (ADF), and the Nduma Defense of Congo- Renove faction (NDC-Renove)”.<sup>346</sup>

## 6.1. North Kivu

Indicative of curtailments to freedom of expression, the regional organisation *Observatoire de la liberté de la presse en Afrique (OLPA)* [unofficial translation: Observatory of the Freedom of Press in Africa (OLPA)] published the following articles on its website within the time frame of this report:

### North Kivu

- OLPA, [Nord-Kivu: OLPA stupéfait par l'interpellation de deux journalistes à Goma](#), 18 July 2019 [unofficial translation: North Kivu: OLPA stunned by the arrest of two journalists in Goma]
- OLPA, [Nord-Kivu: OLPA prend acte de la libération d'un journaliste à Kiwanja](#), 3 May 2019 [unofficial translation: North-Kivu: OLPA takes note of the release of a journalist in Kiwanja]
- OLPA, [OLPA condamne l'interpellation d'un journaliste à Goma](#), 27 February 2019 [unofficial translation: OLPA condemns the arrest of a journalist in Goma]
- OLPA, [OLPA stupéfait par l'interpellation d'un journaliste à Butembo](#), 26 January 2019 [unofficial translation: OLPA stunned after summons of a journalist in Butembo]
- OLPA, [OLPA stupéfait après la convocation d'un journaliste par un parquet militaire à Goma](#), 1 November 2018 [unofficial translation: OLPA stunned after the summons of a journalist by a military prosecutor in Goma]
- OLPA, [Nord-Kivu: OLPA appelle la police de Goma à la retenue après les menaces d'arrestation des journalistes sans carte](#), 2 October 2018 [unofficial translation: North-Kivu: OLPA calls the police in Goma for restraint after threats for the arrest of journalists without cards]
- OLPA, [OLPA s'insurge contre l'interpellation d'un journaliste à Goma](#), 21 September 2018 [unofficial translation: OLPA objects to the arrest of a journalist in Goma]
- OLPA, [Nord-Kivu: OLPA préoccupé par la sécurité d'un journaliste à Mataba](#), 11 September 2018 [unofficial translation: North Kivu: OLPA concerned about the safety of a journalist in Mataba]
- OLPA, [OLPA exige des sanctions contre les ravisseurs d'un journaliste à Rutshuru](#), 5 September 2018 [unofficial translation: OLPA demands sanctions against kidnapers of journalist in Rutshuru]
- OLPA, [OLPA proteste contre les menaces proférées à l'endroit des journalistes à Goma](#), 4 September 2018 [unofficial translation: OLPA protests threats to journalists in Goma]
- OLPA, [OLPA soulagé après la libération d'un journaliste à Rutshuru](#), 1 September 2018 [unofficial translation: OLPA relieved after release of journalist in Rutshuru]

According to a note published by MONUSCO in January 2018 [unofficial translation] “In the month of January 2018, the UNJHRO [United Nations Joint Human Rights Office] documented 744 human rights violations throughout the DRC [...] More than half of these violations occurred in the province of North Kivu alone (299 violations), which remains the province most affected [by the violence]”.<sup>347</sup>

<sup>346</sup> ACLED Admin, [Fact Sheet – Conflict in the DRC](#), 25 July 2019

<sup>347</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Note du BCNUDH sur les principales tendances des violations des droits de l'homme en Janvier 2018](#), January 2018, p. 1 [Unofficial translation provided by a COI researcher]

Reporters Without Borders reported in mid-January 2018 that the director of Radio Télévision Graben Beni, Jadot Mangwengwe, and “around ten other people” were “abducted by unidentified armed men” on the outskirts of Beni.<sup>348</sup> The same source further stated that “According to the local authorities, Mangwengwe’s abductors are thought to have been members of the Allied Democratic Forces (ADF), a rebel group operating in the region. Witnesses said they wore military uniforms”<sup>349</sup> RTVH BBO reported that [unofficial translation] the Radio director, Jadot Mangwengwe, and two others were released after one week in captivity.<sup>350</sup>

At the end of January 2018 five pro-democracy activists were arrested during a “peaceful demonstration in Goma” and have been detained since at Munzenze prison reported Amnesty International.<sup>351</sup> According to the same source “The five pro-democracy activists are members of LUCHA (Fight for Change), a citizen movement which has been vocal in calling President Kabila to step down as his second and last term according to the Congolese constitution, ended in December 2016. They were held incommunicado in an overcrowded, non-ventilated and dark underground police jail called Kahembe in Goma in the first five days after their arrest when they were not allowed family visits or access to their lawyers. They all allege that during this time they were beaten by security officers. The five pro-democracy activists then spent another four days in a cell at the Prosecutor’s Office before being transferred to prison. Since then, they have been granted access to lawyers and their families”.<sup>352</sup> According to Amnesty International (Belgique), the five pro-democracy activists reportedly were all [unofficial translation] “subjected to ill-treatment during the first five days of their detention at the hands of the security forces” and eventually released at the end of March 2018.<sup>353</sup>

The New Humanitarian reported in May 2018 that Congolese authorities “expelled” a British freelance journalists, Philip Kleinfeld, after detaining him and a photojournalist in the Rutshuru region of North Kivu where they were “reporting on inter-communal violence and its effects on the civilian population”.<sup>354</sup>

The World Organization Against Torture (OMCT) was [unofficial translation] “informed of constraints to the freedom of movement of Ms. Rebecca Kabuo Syndy, a member of the Goma branch of the Lutte Pour Le Changement (Fight for Change) movement (LUCHA)” at the end of June 2018.<sup>355</sup> According to information received by the organisation “[...] Ms. Rebecca Kabuo was briefly arrested by the Directorate General of Migration (DGM) at Goma

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<sup>348</sup> Reporters Without Borders, [Democratic Republic Of Congo: Radio station director kidnapped in Nord-Kivu](#), 18 January 2018

<sup>349</sup> Reporters Without Borders, [Democratic Republic Of Congo: Radio station director kidnapped in Nord-Kivu](#), 18 January 2018

<sup>350</sup> RTVH BBO, [BENI : LIBÉRATION DE JADOT MANGWENGWE APRÈS PLUS D'UNE SEMAINE EN CAPTIVITÉ PAR DES INCONNUS](#), 22 January 2018 [Unofficial translation provided by a COI researcher]

<sup>351</sup> Amnesty International, [Urgent Action: Pro-Democracy Activists arbitrarily detained](#), 19 February 2018

<sup>352</sup> Amnesty International, [Urgent Action: Pro-Democracy Activists arbitrarily detained](#), 19 February 2018

<sup>353</sup> Amnesty International (Belgique), [Les 5 de Goma sont libres!](#), 27 April 2018 [Unofficial translation provided by a COI researcher]

<sup>354</sup> The New Humanitarian, [IRIN contributor expelled from Congo](#), 12 May 2018

<sup>355</sup> Organisation Mondiale Contre La Torture (OMCT), [Congo, Rép. Dém.: Etraves à la liberté de mouvement de Mme Rebecca Kabuo Syndy](#), 4 July 2018 [Unofficial translation provided by a COI researcher]

airport, where she was scheduled to take a flight to the Philippines in order to participate in a global forum in partnership with UNESCO. The DGM then informed her that her name appeared on a list of people banned from travelling due to her activities within LUCHA. Ms. Rebecca Kabuo had not been previously notified of her name's entry on such a list, which has not been made public".<sup>356</sup>

The UN Secretary-General's report on the activities of MONUSCO covering the period 27 March to 29 June 2018 provided the following statistics with regards to the human rights situation in the DRC and specifically North Kivu:

MONUSCO documented 1,183 human rights violations in April and May 2018, an increase as compared with the same period last year (837 violations) and compared with February and March 2018 (931 violations). Of these violations, 79 per cent occurred in conflict-affected provinces and half of these took place in North Kivu province alone, where the human rights situation is of great concern.<sup>357</sup>

The DRC Humanitarian Fund noted that from January to June 2018 "130,043 protection incidents were reported nationwide, the largest number in the Kivus. The most common types of incidents are violations of the right to property and the right to liberty, including arbitrary arrests and unlawful detentions".<sup>358</sup>

The UN Secretary-General report on the activities of MONUSCO provided the following summary with regards to the human rights situation in North Kivu between 29 June and 28 September 2018:

MONUSCO documented 1,135 human rights violations in July and August 2018, which represents a significant increase compared with the same period in 2017 (840 violations), but a decrease compared with April and May 2018 (1,183 violations), illustrating the worrying human rights situation in the country. More than 81 per cent of those violations occurred in conflict-affected provinces, with North Kivu being most affected, notably because of the activities of armed groups.<sup>359</sup>

The same source further noted that "At least 134 violations of human rights linked to restrictions on fundamental freedoms and political rights, especially targeting civil society activists and members of political parties, were documented. Most violations occurred in Haut-Katanga, followed by North Kivu, where nine were perpetrated by armed groups, targeting notably journalists and community radios for having denounced the abuses perpetrated by those groups".<sup>360</sup>

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<sup>356</sup> Organisation Mondiale Contre La Torture (OMCT), [Congo, Rép. Dém.: Etraves à la liberté de mouvement de Mme Rebecca Kabuo Syndy](#), 4 July 2018 [Unofficial translation provided by a COI researcher]

<sup>357</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 2 July 2018, II. Major developments, C. Security situation, para. 63

<sup>358</sup> DRC Humanitarian Fund, [2018 Annual Report](#), Undated [Last accessed: 22 July 2019], p. 8

<sup>359</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 1 October 2018, II. Major developments, E. Human rights situation, justice and corrections, para. 30

<sup>360</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 1 October 2018, II. Major developments, E. Human rights situation, justice and corrections, para. 32

Human Rights Watch, in its submission to the UN Human Rights Council, reported “the killing of at least 180 civilians in North and South Kivu by Congolese police and soldiers between April 2017 and September 2018”.<sup>361</sup>

In October 2018 Human Rights Watch reported that “Unidentified fighters have killed more than 1,000 civilians in Beni territory” in “a series of massacres beginning four years ago [...] On September 22, 2018, fighters killed 17 people in Beni town, bringing the number of civilians killed [in 2018] to at least 235. On September 24 [2018], fighters attacked the town of Oicha and abducted 16 people, mostly children, who remain missing”.<sup>362</sup> The same source further noted that between January and September 2018: “According to the Kivu Security Tracker, a joint project of Human Rights Watch and the Congo Research Group, at least 235 people were killed in more than 100 attacks in Beni [...] Many were hacked to death with axes or machetes or shot dead. More than 165 civilians have been kidnapped for ransom or abducted, and dozens of others have been wounded or disappeared this year”.<sup>363</sup> With regards to the perpetrators of violence associated in Beni, Human Rights Watch noted:

Congolese government and army officials have repeatedly asserted that nearly all attacks in Beni have been carried out by the Allied Democratic Forces (ADF), a Ugandan-led Islamist armed group that has been in the area since 1996. But Human Rights Watch research, as well as findings by the UN Group of Experts on Congo, the New York-based Congo Research Group, and Congolese human rights organizations, point to the involvement of other armed groups, and certain Congolese army officers, in planning and carrying out many of these attacks. The ADF also appears to have splintered, with some ADF fighters working with local armed groups.<sup>364</sup>

In October 2018 the World Organization Against Torture (OMCT) was [unofficial translation] “informed by reliable sources that Mr. Rodrigue Mbusa, Mr. Fiston Isambiro and Mr. Bien Aimé Kyaviro, activists at the Beni section of the Fight for change movement (LUCHA), were injured. According to the information received, on 25 September 2018, police fired tear gas bombs at Rodrigue Mbusa, Fiston Isambiro and Bien Aimé Kyaviro while they were participating in a peaceful protest in Beni, North Kivu, organized the day after the violence by the “Allied Democratic Forces” (ADF-NAUL) against civilians, in which one person was killed and seventeen kidnapped. Mr. Fiston Isambiro was wounded in the arm, Beloved Kyaviro in the leg and Mr. Rodrigue Mbusa in the left eye. Because of this injury, Mr. Rodrigue Mbusa may permanently lose the sight in one eye”.<sup>365</sup>

Covering events from January 2017 to October 2018 the report by MONUSCO noted that [unofficial translation]:

The human rights situation in North Kivu province is by far the most alarming in the whole country. It alone accounts for more than one-third of the violations and attacks documented by the UNJHRO across the country between January 2017 and October 2018: over one-third of the victims of extrajudicial, summary or arbitrary executions; and nearly a quarter of the victims of sexual violence.

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<sup>361</sup> Human Rights Watch, [Human Rights Watch Submission to the Universal Periodic Review of the Democratic Republic of Congo, October 2018](#), 13 December 2018

<sup>362</sup> Human Rights Watch, [DR Congo: Upsurge in Killings in ‘Ebola Zone’](#), 3 October 2018

<sup>363</sup> Human Rights Watch, [DR Congo: Upsurge in Killings in ‘Ebola Zone’](#), 3 October 2018

<sup>364</sup> Human Rights Watch, [DR Congo: Upsurge in Killings in ‘Ebola Zone’](#), 3 October 2018

<sup>365</sup> Organisation Mondiale Contre La Torture (OMCT), [Congo, Rép. Dém.: Blessure de M. Rodrigue Mbusa, M. Fiston Isambiro et M. Bien Aimé Kyaviro, militants de LUCHA](#), 19 October 2018 [Unofficial translation provided by a COI researcher]

Since 2017, the territories of Lubero and Masisi have witnessed a resurgence of activity by armed groups, marked by human rights violations and abuses that seriously impact civilian populations. During the reporting period, armed groups were responsible for two-thirds of documented human rights violations on both of these territories. State agents were responsible for the remaining third, mainly FARDC soldiers (20%) and agents of the Congolese National Police (PNC) (9%). During the period under review, according to information verified and documented by MONUSCO, in Lubero and Masisi, at least 324 persons, including at least 42 women and 35 children, were victims of extrajudicial, summary or arbitrary executions; 832 persons, including at least 145 women and 41 children, were victims of torture and / or cruel, inhuman or degrading treatment; 173 people, including 114 women, 58 children and a man, were victims of rape or other sexual violence; 1,751 people, including at least 194 women and 78 children, were victims of attacks on the freedom and security of the person; and 431 people, including at least 17 women and two children, were victims of forced labour. Many people were also victims of robbery or looting. [...] Most of these groups use women and children in hostilities, or as sex slaves, and/or subject them to forced marriage or forced labour. Children are easily indoctrinated into rites and engaged in the game of war. According to certain beliefs to which certain armed groups adhere, the magic of the grigris works best on children who symbolize purity.<sup>366</sup>

As for human rights violations committed by the FARDC in Masis, North Kivu, the report noted [unofficial translation]:

As for the agents of the State present in Masisi, at the end of August 2018, the FARDC had four battalions of the 3410th regiment representing a device of about 1,400 men, operating under the command of the Sukola 2 operations and scattered in small groups, thus rendering them ineffective and vulnerable [...] State agents account for nearly 14 % of the violations in Masisi territory, mainly FARDC soldiers, responsible for nearly 9 % of violations (58 violations). FARDC soldiers, including elements of the 3410th Regiment operating under the command of Sukola 2 operations, are responsible for the extrajudicial executions of 17 people (including at least three women and two children) as well as sexual violence against Muslims - at least 19 women and three children. They also erect roadblocks, demanding illegal taxes. The PNC agents are responsible for 5% of the violations committed in Masisi (29 violations), including extrajudicial executions of seven men and one woman and cruel and inhuman and degrading treatment of 13 men, two women and three children.<sup>367</sup>

The UN Group of Experts on the DRC in its report focusing on events between 26 July and 9 November 2018 on four territories in the North and South Kivu Provinces found that “Attacks, which were often deadly and targeted the civilian population, the Forces armées de la république démocratique du Congo (FARDC) and/or United Nations peacekeepers, occurred on an almost daily basis in various locations in the entire north-eastern part of the territory, including in Beni city [...] The Group received conflicting information about possible perpetrators and is not in the position to confirm their identity or whether the same armed group carried out all the attacks”.<sup>368</sup> The same source further noted that it was made “aware

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<sup>366</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 5 [Unofficial translation provided by a COI researcher]

<sup>367</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 9 -10 [Unofficial translation provided by a COI researcher]

<sup>368</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, *Summary and II. Beni territory, B. Humanitarian and security situation, para. 18*

of recent mob attacks in Beni territory against members of the Hutu community allegedly suspected of joining ADF. Although the Group is not in a position to confirm any of those allegations or the motivations behind those attacks, it will continue to monitor the situation”<sup>369</sup>.

During the reporting period 2 October to 31 December 2018 on the activities of MONUSCO the UN Secretary-General provided the following summary with regards to human rights violations in the DRC and North Kivu in particular:

MONUSCO documented 1,157 human rights violations throughout the country during October and November 2018. That represents a decrease compared with the same period last year (1,405 violations), but is similar to the number of violations documented during July and August 2018 (1,135 violations). Nearly 80 per cent of the violations occurred in conflict-affected provinces, with North Kivu being the most affected, notably due to the activities of numerous armed groups.<sup>370</sup>

The source further specified that “In North Kivu, in the Grand Nord area, 67 attacks, mainly by suspected ADF elements, were documented in October [2018] alone. The most urgent protection threats included targeted killings, abduction, the forced recruitment of both children and adults and large-scale and recurrent displacements”.<sup>371</sup>

The Office of the UN High Commissioner for Human Rights report on election-related violations noted that during the campaign period:

North Kivu was the province where the Joint Human Rights Office documented the highest number of human rights violations. One man was executed extrajudicially by FARDC soldiers who used live ammunition to disperse a crowd of protesters, and 172 people, including 11 women and four children, were arrested arbitrarily by State defence forces and security services. Most of the violations occurred in Beni and Butembo, in the context of demonstrations against the deferral of elections in part of the province. Civil society and youth groups protested intensely in Beni, Isale, Bulambo, Bunyuka, Bulongo and Kasindi (Beni territory) and in the city of Butembo. In Beni, agents of the Congolese National Police shot live bullets into the air to disperse protesters. These demonstrations led to the arbitrary arrests of 151 people (including four women and eight children) between 26 and 29 December 2018. At least 133 of them had been released at the time the present report being finalized, following advocacy by the Joint Human Rights Office. The fact that the Commission électorale nationale indépendante had cited the Ebola outbreak as one of the reasons for postponing the elections led to the destruction by protesters of at least eight health-care facilities in different parts of the territory of Beni – notably in Mutwanga, Bulongo, Kisima and Lume – which significantly slowed down the response to the outbreak.<sup>372</sup>

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<sup>369</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, II. Beni territory, B. Humanitarian and security situation, Adverse consequences of the attacks, para. 35

<sup>370</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, E. Human rights situation, justice and corrections, para. 40

<sup>371</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, III. Deployment of the Mission and implementation of its mandate, C. Comprehensive approach to protection of civilians, Field-level responses, para. 59

<sup>372</sup> See Office of the UN High Commissioner for Human Rights, [Report on the situation of human rights in the Democratic Republic of the Congo before, during and after the elections of December 2018](#), 18 March 2019, IV. Campaign period, A. Human rights violations perpetrated by State actors, para. 24

With regards to abuses perpetrated by armed groups and militias in the same period the report documented “at least three cases of candidates being asked, by armed groups, for money to allow the candidates access to communities – notably in the Masisi and Rutshuru territories (North Kivu), by Mayi-Mayi Nyatura combatants, and in Maniema Province, in areas controlled by Mayi-Mayi Malaika”.<sup>373</sup>

In February 2019 Human Rights Watch reported that “In Goma, North Kivu province, police dispersed demonstrators in the Karisimbi neighborhood and shot dead an 18-year-old man. His uncle said that his nephew, who was on his way home from school, had been wounded in the head and hip”, whilst “In Butembo, North Kivu province, police and military officers arrested a political activist, Tembos Yotama, at his home on January 14 [2019]. Two days earlier he had called for a general strike in the city on local radio stations to demand elections in Beni, Butembo, and Yumbi, three opposition areas where voting had been postponed. CENI’s last-minute decision to postpone the voting – officially based on security and health concerns – excluded more than 1.2 million voters from participating in the presidential elections. The authorities transferred Yotama to Goma and accused him of incitement to uprising and to revolt, and contempt for authority. He was provisionally released on January 30 [2019]”.<sup>374</sup>

The same source reported in July 2019 that police “fired live ammunition, killing one person, in dispersing opposition protests on June 30, 2019. They also used teargas, beatings, and arbitrary arrests against protesters in Kinshasa, the capital, and the eastern city of Goma” following Lamuka’s call for peaceful protests on “June 30 – Congo’s independence day – against widespread corruption and election fraud”.<sup>375</sup> On the same day “Police arrested at least four Lamuka supporters in Goma on June 30 [2019]” and “Later that day, five Lamuka supporters were arrested and held overnight with the others. Another opposition activist was arrested on July 1 after asking about the detention of protesters. They were all released later that day, after paying fines” reported Human Rights Watch further.<sup>376</sup>

## 6.2. South Kivu

Indicative of curtailments to freedom of expression, the regional organisation *Observatoire de la liberté de la presse en Afrique (OLPA)* [unofficial translation: Observatory of the Freedom of Press in Africa (OLPA)] published the following articles on its website within the time frame of this report:

### South Kivu

- OLPA, [OLPA condamne l’interpellation d’un journaliste à Uvira](#), 26 January 2019 [unofficial translation: OLPA condemns the arrest of a journalist in Uvira]
- OLPA, [OLPA saisi le CSAC après la fermeture d’un média à Bukavu](#), 7 December 2018 [unofficial translation: OLPA seized the CSAC after the closing of a media [station] in Bukavu]
- OLPA, [Sud-Kivu: OLPA exige une enquête après la bastonnade d’un journaliste à Bukavu](#), 1 October 2018 [unofficial translation: South Kivu: OLPA demands an investigation after the beating [caning] of a journalist in Bukavu]

<sup>373</sup> See Office of the UN High Commissioner for Human Rights, [Report on the situation of human rights in the Democratic Republic of the Congo before, during and after the elections of December 2018](#), 18 March 2019, IV. Campaign period, B. Human rights abuses perpetrated by armed groups and militias, para. 32

<sup>374</sup> Human Rights Watch, [DR Congo: Post-Election Killings Test New President](#), 14 February 2019

<sup>375</sup> Human Rights Watch, [DR Congo: Police Fire on, Beat Protesters](#), 4 July 2019

<sup>376</sup> Human Rights Watch, [DR Congo: Police Fire on, Beat Protesters](#), 4 July 2019

- OLPA, [Sud-Kivu: OLPA surpris par la convocation de deux journalistes à Kiliba](#), 21 June 2018 [unofficial translation: South Kivu: OLPA surprised by the summons of two journalists in Kiliba]
- OLPA, [Sud-Kivu: OLPA préoccupé par la sécurité de deux journalistes à Bukavu](#), 20 July 2018 [unofficial translation: South-Kivu: OLPA concerned by the safety of two journalists in Bukavu]
- OLPA, [Sud-Kivu: OLPA stupéfait par l'interpellation de deux journalistes à Bukavu](#), 9 July 2018 [unofficial translation: South Kivu: OLPA stunned by the arrest of two journalists in Bukavu]
- OLPA, [Sud Kivu: OLPA surpris par la convocation de deux journalistes par l'ANR/ Kiliba](#), 25 June 2018 [unofficial translation: South Kivu: OLPA surprised by the summons of two journalists by the ANR / Kiliba]

According to a note published by MONUSCO in January 2018 [unofficial translation] “In the month of January 2018, the UNJHRO [United Nations Joint Human Rights Office] documented 744 human rights violations throughout the DRC [...] South Kivu (96 violations)”.<sup>377</sup>

In March 2018 Reporters Without Borders reported that “Radio Télévision Vision Grands Lacs (RTVGL), a TV channel based in Bukavu” has been “off the air since 2 March [2018], when around ten members of the National Intelligence Agency (ANR) raided its headquarters and disconnected its broadcast signal”.<sup>378</sup> According to RTVGL’s director, Fammy Mikindo “The ANR has been demanding administrative documents from us for months [...] We provided them but now they want to fine us 15,000 dollars for operating illegally. This is unacceptable”.<sup>379</sup>

The same source noted that in July 2018 “Two Bukavu journalists had to flee their homes [...] after receiving death threats in connection with their documentary about villagers being evicted from land claimed by President Joseph Kabila”.<sup>380</sup>

In mid-September 2018 Reporters Without Borders reported on the return of a local community radio journalists who went missing earlier in the week in Bukavu following “threatening texts” he received and saying he was kidnapped by “abductors who ordered him to say nothing and told him he would not get a second chance”.<sup>381</sup>

During the reporting period 2 October to 31 December 2018 the UN Secretary-General provided the following summary with regards to human rights violations in the DRC and South Kivu in particular:

Restrictions of democratic space continued. MONUSCO documented 145 violations of fundamental freedoms, including 34 arbitrary arrests affecting 174 persons, including 14

<sup>377</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Note du BCNUDH sur les principales tendances des violations des droits de l'homme en Janvier 2018](#), January 2018, p. 1 [Unofficial translation provided by a COI researcher]

<sup>378</sup> Reporters Without Borders, [DRC intelligence agents shut down TV channel in Bukavu](#), 23 March 2018

<sup>379</sup> Reporters Without Borders, [DRC intelligence agents shut down TV channel in Bukavu](#), 23 March 2018

<sup>380</sup> Reporters Without Borders, [Missing Congolese reporters found “in state of shock”](#), 14 September 2018. Further information can be found in an earlier article published by Reporters Without Borders, [Two Congolese journalists go into hiding after releasing documentary](#), 18 July 2018 and by Human Rights Watch, [Congo: Threats Over Film Exposing Evictions](#), 26 July 2018

<sup>381</sup> Reporters Without Borders, [Missing Congolese reporters found “in state of shock”](#), 14 September 2018

women and 2 children, during the period under review. The most affected provinces were Kinshasa and South Kivu, and civil society activists in particular were targeted.<sup>382</sup>

The Office of the UN High Commissioner for Human Rights report on election-related violations noted that during the campaign period it documented “the closure by State authorities of [...] one [radio station] in South Kivu, all owned by members of the opposition”.<sup>383</sup>

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in May 2019 that “Sud Kivu, following Nord Kivu and Ituri, is one of the provinces with the highest incidence of reported human rights violations. Between 64% and 72% of reported human rights violations reported from Uvira and Fizi territory in April [2019] were attributed to state forces. Reporting and monitoring mechanisms do not reach vast parts of the country and impunity levels are high, adding to the complex operating environment in the area (UNJHRO 24/05/2019)”.<sup>384</sup>

### 6.3. Ituri

According to a note published by MONUSCO in January 2018 [unofficial translation] “In the month of January 2018, the UNJHRO [United Nations Joint Human Rights Office] documented 744 human rights violations throughout the DRC [...] Ituri (88 violations) [...]”.<sup>385</sup>

In August 2018 the regional organisation *Observatoire de la liberté de la presse en Afrique (OLPA)* [unofficial translation: Observatory of the Freedom of Press in Africa (OLPA)] published an article highlighting an assault on a journalist in Mahagi.<sup>386</sup>

The Office of the UN High Commissioner for Human Rights report on election-related violations noted that in the post-election period:

In different parts of the country, notably in Bunia (Ituri), Kisangani (Tshopo), and Uvira and Fizi (South Kivu), the rights to freedom of opinion and expression and freedom of peaceful assembly were violated by a general prohibition by provincial authorities on demonstrations related to the provisional election results. In Bunia, the provincial police commissioner announced on 4 January 2019 that the opposition party leaders were being watched, and threatened to arrest them in case of trouble.<sup>387</sup>

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<sup>382</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, E. Human rights situation, justice and corrections, para. 42

<sup>383</sup> See Office of the UN High Commissioner for Human Rights, [Report on the situation of human rights in the Democratic Republic of the Congo before, during and after the elections of December 2018](#), 18 March 2019, IV. Campaign period, A. Human rights violations perpetrated by State actors, para. 27

<sup>384</sup> Assessment Capacities Project (ACAPS), [DRC Displacement in Sud Kivu](#), 29 May 2019, p. 2/3

<sup>385</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Note du BCNUDH sur les principales tendances des violations des droits de l'homme en Janvier 2018](#), January 2018, p. 1 [Unofficial translation provided by a COI researcher]

<sup>386</sup> OLPA, [Ituri: OLPA exige une enquête après l'agression brutale d'un journaliste à Mahagi](#), 23 August 2018 [unofficial translation: Ituri: OLPA demands investigation after brutal assault on Mahagi journalist]

<sup>387</sup> See Office of the UN High Commissioner for Human Rights, [Report on the situation of human rights in the Democratic Republic of the Congo before, during and after the elections of December 2018](#), 18

ACAPS reported in June 2019 that “Protection concerns are high, as incidents of extreme physical violence, kidnappings, and sexual and gender based violence (SGBV) have been reported (UNHCR 18/06/2019). Consequently, some communities fled to military bases of the Congolese armed forces (FARDC) and UN Stabilisation Mission in the DRC (MONUSCO) (ECHO 18/06/2019; UNHCR 18/06/2019; Al Jazeera 18/06/2019)”.<sup>388</sup>

## 7. Conflict-related Sexual and Gender-Based Violence (SGBV)

Note that the UN Committee on the Elimination of All Forms of Discrimination against Women considered the situation and treatment of women in the DRC at its meeting on 9<sup>th</sup> July 2019. The final version of its ‘Concluding Observations’ should be published shortly after the publication of this report and will be available [here](#), whilst the ‘Advance unedited version’ of the concluding observations of 22 July 2019 have been included in this report.

### General situation in the DRC conflict areas

MONUSCO listed two state actors as “parties credibly suspected of committing or being responsible for patterns of rape or other forms of sexual violence in situations of armed conflict”, despite both parties making “formal commitments to adopt measures to address conflict related sexual violence”:

- (a) Forces armées de la République démocratique du Congo;
- (b) Police nationale congolaise.<sup>389</sup>

MONUSCO also provided a list of “parties credibly suspected of committing or being responsible for patterns of rape or other forms of sexual violence in situations of armed conflict”, which included the following non-state armed groups [note that not all may be operating in the Kivus or Ituri]:

- (a) Alliance des patriotes pour un Congo libre et souverain-Janvier;
- (b) Alliance des patriotes pour un Congo libre et souverain-Rénové led by “General” Mapenzi Bulere Likuwe;
- (c) Allied Democratic Forces;
- (d) Forces pour la défense du Congo;
- (e) Bana Mura militias;
- (f) Forces démocratiques de libération du Rwanda;
- (g) Force de résistance patriotique de l’Ituri;
- (h) Kamuina Nsapu;
- (i) Lord’s Resistance Army;
- (j) Nduma défense du Congo;
- (k) Mai-Mai Kifuafua;
- (l) All Mai-Mai Simba factions;
- (m) Nyatura;
- (n) Nduma défense du Congo-Rénové led by “General” Guidon Shimiray Mwissa; S/2019/280 34/35 19-04552
- (o) Mai-Mai Raia Mutomboki;
- (p) All Twa militia.<sup>390</sup>

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March 2019, VI. *Post-election period, B. Violations of the rights to freedom of opinion and expression and freedom of peaceful assembly and association, para. 60*

<sup>388</sup> Assessment Capacities Project (ACAPS), [DRC: Displacement in Ituri](#), 21 June 2019, p. 2

<sup>389</sup> UN Secretary General, [Conflict-related sexual violence, Report of the Secretary-General](#), 29 March 2019, *Annex, p. 34*

Covering the period January to December 2018 the UN Secretary-General noted with regards to conflict-related sexual violence in the DRC that “the intensified activity by non-State armed actors, as well as the military operations in response thereto, contributed to an increase in the number of documented cases of conflict-related sexual violence. Non-State armed groups, using sexual violence to enforce control over illicit economic activities, including the exploitation of natural resources, were responsible for most cases”.<sup>391</sup>

According to the same report, “A disturbing trend is that of sexual violence perpetrated against very young girls and boys, such as in [...] the Democratic Republic of the Congo” and “As in previous years, reports confirm that men and boys also suffered conflict-related sexual violence. Incidents included rape, gang rape, forced nudity and other forms of inhumane and degrading treatment. Violations against men were reported in [...] the Democratic Republic of the Congo”.<sup>392</sup>

In the same period MONUSCO documented “1,049 cases of conflict-related sexual violence against 605 women, 436 girls, 4 men and 4 boys [across the country]. Most of the cases (741) were attributed to armed groups, while 308 were attributed to the Armed Forces of the Democratic Republic of the Congo and the Congolese National Police. In most incidents, women and girls were targeted while walking to school or collecting firewood or water. A quarter of the cases attributed to the Congolese police were committed while victims were detained in temporary holding cells”.<sup>393</sup>

The UN Secretary-General report on ‘Children and armed conflict’, covering the period from January to December 2018, noted with regards to sexual violence affecting children:

Sexual violence affected 277 girls in North Kivu (107), the Kasais (55), Ituri (36), South Kivu (31), Tanganyika (11) and other provinces (37). Government forces were responsible for 50 per cent of the cases, including FARDC (85), the Congolese National Police (51) and Agence nationale de renseignements (ANR) (5), more than double the number attributed to government forces in 2017. Eight suspected perpetrators were arrested and await trial, while five were given sanctions by their hierarchy. Other perpetrators included Nyatura (24), Raia Mutomboki (17), Conseil national de la résistance pour la démocratie (CNRD), FRPI and unidentified Mai-Mai groups (14 each), Mai-Mai Mazembe (8) and Kamuina Nsapu (7).<sup>394</sup>

The UN Secretary-General report on MONUSCO’s activities covering the period from 4 January to 8 March 2019 noted that “In 2018, at least 609 adults, including 4 men, as well as 436 girls and 4 boys, were victims of conflict-related sexual violence [across the country]. Armed conflicts in the eastern part of the country created conditions conducive to sexual

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<sup>390</sup> UN Secretary General, [Conflict-related sexual violence, Report of the Secretary-General](#), 29 March 2019, *Annex, p. 33/34*

<sup>391</sup> UN Secretary General, [Conflict-related sexual violence, Report of the Secretary-General](#), 29 March 2019, *III. Sexual violence in conflict-affected settings, Democratic Republic of the Congo, para. 45*

<sup>392</sup> UN Secretary General, [Conflict-related sexual violence, Report of the Secretary-General](#), 29 March 2019, *II. Sexual violence as a tactic of war and terrorism: patterns, trends and emerging concerns, para. 19*

<sup>393</sup> UN Secretary General, [Conflict-related sexual violence, Report of the Secretary-General](#), 29 March 2019, *III. Sexual violence in conflict-affected settings, Democratic Republic of the Congo, para. 46*

<sup>394</sup> UN Secretary General, [Children and armed conflict, Report of the Secretary-General](#), 20 June 2019, *III. Information on violations committed against children during armed conflict and progress made by parties on dialogue, action plans and other measures to halt and prevent violations against children, Democratic Republic of the Congo, para. 61*

violence, notably on the part of FARDC soldiers in Uvira in South Kivu, Beni in North Kivu Province [...] MONUSCO documented a 34 per cent increase in the number of cases perpetrated by State actors in 2018 as compared with 2017”.<sup>395</sup>

The UN Secretary-General report on MONUSCO’s activities covering the period 5 January to end of February 2018 provided the following summary regarding sexual violence in Eastern DRC without specifying further the exact location:

In January [2018], at least 44 women and 16 girls were victims of conflict-related sexual violence. While various Mai-Mai groups remained the main perpetrators of sexual violence against women, Kamuina Nsapu militiamen and FRPI elements increasingly targeted minor girls during their destabilizing activities. In January [2018], State agents were responsible for sexual violence against 11 victims (7 women and 1 girl by FARDC soldiers and 2 women and 1 girl by national police elements).<sup>396</sup>

The UN High Commissioner for Human Rights noted with regards to sexual and gender-based violence in his report covering the period June 2017 to May 2018 that “North Kivu, South Kivu, Tanganyika, the three Kasai provinces and Ituri remain the provinces where sexual violence is most rampant.”<sup>397</sup>

The International Federation for Human Rights (FIDH) noted in its March 2019 report that “Violence against women and girls of the Congo is endemic, especially sexual violence. In certain regions of the country (Ituri, Kasai, North and South Kivu, Tanganyika), outbursts of violence or a resurgence of conflict, mass displacement of the population, the recruitment of girls as soldiers, a breakdown in the rule of law, and a proliferation of weapons since 2017 has accentuated violence against women and girls, in particular sexual violence. Both in zones affected by conflict and in the rest of the country, sexual violence is committed on a grand scale and can be used as a weapon of war, torture or repression”.<sup>398</sup>

ACLED noted in its global fact sheet on sexual violence in conflict that “The total number of reported events nearly doubled in the first three months of 2019 compared to the same period in 2018, largely due to an uptick in violence in the Democratic Republic of Congo, which consistently registers high levels of reported sexual violence” and reported that the DRC ranked highest as a country with the “highest number of reported sexual violence events in 2018” and “highest number of reported sexual violence events in 2019 thus far”.<sup>399</sup>

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<sup>395</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, F. Sexual violence, para. 40

<sup>396</sup> UN Secretary-General, [Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 1 March 2018, II. Major developments, E. Human rights situation, Sexual violence, para. 30

<sup>397</sup> UN High Commissioner for Human Rights, [Human rights situation and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo Report of the United Nations High Commissioner for Human Rights](#), 13 August 2018, II. Principal human rights developments, B. Protection of civilians in conflict areas, 1. Current situation and action taken by the Government, para. 56

<sup>398</sup> International Federation for Human Rights (Author), Groupe Lotus (Author), ASADHO (Author), LE - Ligue des Electeurs (Author), published by FIDH – International Federation for Human Rights, [Democratic Republic of the Congo: Five priorities for a State that respects human rights](#), March 2019, p. 13/14

<sup>399</sup> Sam Jones/Hilary Matfess/Melissa Pavlik (ACLED), [Fact sheet: Sexual violence in conflict](#), 19 June 2019

According to an analysis provided by the U.S. Congressional Research Service in April 2019:

Particular international attention has been paid to the issue of sexual and gender-based violence in eastern DRC due to reports of gang rape, child rape, mutilation, and other abuses by armed groups and FARDC personnel. Attacks may be opportunistic and/or designed to systematically intimidate local populations. The prevalence of sexual violence in Congolese conflict zones has been attributed to factors such as the eroded status of women, weak state authority, a deeply flawed justice system, and a breakdown in community protection mechanisms. While women and girls are the primary targets, men and boys have also been victims. As with other human rights problems, sexual violence has also been linked to structural problems within the security sector. Donor efforts to improve accountability for perpetrators of serious abuses have produced legal reforms and some high-profile prosecutions, but appear to have had limited systemic impact.<sup>400</sup>

In May 2019 UN Population Fund (UNFPA) reported that:

In 2019, the DRC is still affected by conflict, food insecurity and epidemics, including an Ebola outbreak that started in August 2018. Consequently,, millions of people are obliged to flee their homes in search of food, health and protection. Women and children among displaced and host communities are the ones most exposed to life threatening forms of gender-based violence (GBV). Sexual violence is the most reported form of GBV, but many survivors are afraid to report rape or violence due to stigma and the fear of reprisal from perpetrators. However, sexual violence committed by national security entities has decreased, according to an impact evaluation on sexual violence published on the 20th May 2019.<sup>401</sup>

Yet, the same report also highlighted that “Risk mitigation but also life-saving activities such as clinical management of rape, mental health/psychosocial support and protection services are severely underfunded despite the Government’s commitment and advocacy [...] The impact evaluation shows four major challenges in the overall GBV response, : impunity and access to justice including reparation; the effectiveness of a « pangovernmental» approach; coordination capacities and dedicated national budget to ensure national coverage and avoidance of discontinuity in prevention and services”.<sup>402</sup>

The UN Committee against Torture noted in its ‘Concluding observations’ of 3 June 2019 that:

The Committee is deeply concerned about the serious, mass violations of human rights and international humanitarian law that have been and continue to be committed in several parts of the country, including the provinces of North Kivu, South Kivu and Kasai, where summary executions, deliberate – sometimes ethnically motivated – attacks on civilian populations, the large-scale recruitment and use of children, indiscriminate attacks, large-scale sexual violence and the destruction of civilian property by the armed forces and non-State armed militias have caused an unprecedented humanitarian crisis. The Committee deplores the inadequacy of the investigations and proceedings aimed at identifying those responsible for the serious violations committed in the context of the armed conflict,

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<sup>400</sup> U.S. Congressional Research Service, [Democratic Republic of Congo: background and U.S. Relations](#), Updated 30 April 2019, *Sexual Violence*

<sup>401</sup> UN Population Fund (UNFPA), [Gender Based Violence in the Democratic Republic of the Congo : Key Facts and Priorities of humanitarian actors](#), May 2019, p. 1

<sup>402</sup> UN Population Fund (UNFPA), [Gender Based Violence in the Democratic Republic of the Congo : Key Facts and Priorities of humanitarian actors](#), May 2019, p. 1

including the instigators of such acts and senior officers involved, certain recent convictions for war crimes and crimes against humanity notwithstanding (arts. 2, 12 and 16).<sup>403</sup>

The UN Secretary-General report on MONUSCO's activities covering the period 8 March to 28 June 2019 noted "From 1 March to 31 May [2019], the United Nations Joint Human Rights Office documented 302 new cases of rape, gang rape, forced marriage and other forms of sexual violence in conflict areas, of which 245 were against women and 57 against children. Over half of the incidents were perpetrated by armed groups in North Kivu. Most of the remaining cases occurred in Maniema, South Kivu and Tanganyika provinces [...] MONUSCO documented an increase in the number of cases perpetrated by State actors compared with the last quarter of 2018. FARDC soldiers and other State actors were responsible for approximately one third of documented cases, especially in the territories of Beni (North Kivu), Kalemie (Tanganyika), Kabambare (Maniema) and Uvira (South Kivu), as well as in Kasai and Kasai Central provinces".<sup>404</sup>

The UN Committee on the Elimination of Discrimination Against Women issued on 22<sup>nd</sup> July 2019 its 'advanced unedited version of its 'Concluding observations' and expressed its "serious concern about":

- (a) The increased number of women and girls victims of sexual violence perpetrated by the FARDC, the Congolese national police, as well as armed groups and militias, including rape, mass rape, gang-rape, and sexual slavery in conflict-affected areas;
- (b) The lack of investigations, prosecutions and sanctions imposed on the perpetrators, including those who have command responsibility;
- (c) The lack of access to reparations by victims of conflict-related sexual violence and the absence of a comprehensive national policy aimed at ensuring adequate reparations to victims; and the complexity and high cost of the procedure as well as fear of stigma and reprisals for reporting cases of sexual violence, which prevent the victims from accessing reparations;
- (d) The lack of timely and adequate multi-sectoral assistance provided to survivors of sexual violence, including medical and psychosocial assistance, legal support, and socio-economic reinsertion;
- (e) The low level of participation of women and their representative organizations in the peace-building process and negotiations, especially at the decision-making level;
- (f) The lack of reliable data and statistics on cases of conflict-related sexual violence against women and girls committed by State and non-State actors.<sup>405</sup>

## 7.1. North Kivu

UNOCHA reported in its 'Humanitarian Overview 2018' that with regards to North Kivu [unofficial translation] "the VBG [sexual and gender based violence] sub-cluster documented 4,649 cases from January to June 2018, an increase of 41 per cent per compared to the same period last year".<sup>406</sup>

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<sup>403</sup> UN Committee against Torture, [Concluding observations on the second periodic report of the Democratic Republic of the Congo](#), 3 June 2019, para. 30

<sup>404</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, VIII. Sexual violence, paras. 68 and 69

<sup>405</sup> UN Committee on the Elimination of Discrimination Against Women, [Concluding observations on the eighth periodic report of the Democratic Republic of the Congo \(Advance unedited version\)](#), 22 July 2019, E. Principal areas of concern and recommendations, Women, peace and security, para. 10

<sup>406</sup> See UNOCHA, [APERÇU DES BESOINS HUMANITAIRES 2018](#), October 2018, p. 11 [unofficial translation provided by a COI researcher]

At the end of August 2018 UNHCR described sexual and gender-based violence as “rampant across the Beni territory”.<sup>407</sup>

The Social Science in Humanitarian Action Platform noted in its August 2018 briefing that “Rates of sexual and gender-based violence are high in North Kivu. Sexual violence may occur opportunistically (e.g. when women leave the home to collect firewood or water) and as a ‘weapon of war’, used to intimidate and subjugate local populations. The trauma and/or stigma experienced by victims of sexual violence, as well as their relatives can be extreme, to such a degree that it is impossible for some women to reintegrate into their families or communities”.<sup>408</sup>

Covering events from January 2017 to October 2018 a report by MONUSCO on North Kivu noted [unofficial translation]:

Among the victims, women and children are particularly affected. Rape and gang rape and other sexual violence are perpetrated by armed groups and elements of the FARDC, particularly during their displacement, during attacks or when women and girls go to the field or search for water or wood. Women and children are also victims of abductions, including for sexual purposes. In some cases, women and children are knowingly targeted to punish and intimidate whole communities accused of collaborating with the enemy. Sexual violence is then used as a tactic of war, perpetrated in a systematic and particularly brutal way.<sup>409</sup>

A news update from UNHCR in December 2018 noted with regards to North Kivu and Ituri “Women and girls are at acute risk of sexual violence”.<sup>410</sup>

According to UNHCR reporting in May 2019 North Kivu “has the highest number of reported incidents of sexual and gender-based violence in the country. The number of reported cases of rape has risen in particular in Masisi Territory”.<sup>411</sup> No further information was provided in this particular source as to the perpetrators.

### 7.1.1. Armed forces

Beyond the information included under sections [5. Overview of the Security Situation including conflict-related human rights violations](#), [7. Conflict-related Sexual and Gender-Based Violence \(SGBV\)](#) and [7.1 North Kivu](#) no specific additional information was found amongst the sources consulted within the time frame for this report.

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<sup>407</sup> UNHCR, [Spiralling violence puts millions at risk in Ebola-hit eastern DRC](#), 24 August 2018

<sup>408</sup> Social Science in Humanitarian Action, [Key considerations: the context of North Kivu province, DRC](#), August 2018, *Overview: North Kivu Province*, p. 7

<sup>409</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 14 [Unofficial translation provided by a COI researcher]

<sup>410</sup> UNHCR, [UNHCR warns of massive shelter needs of DR Congo’s displaced](#), 14 December 2018

<sup>411</sup> UNHCR, [Attacks in Congo’s North Kivu province push tens of thousands to flee – UNHCR](#), 3 May 2019

### 7.1.2. Non-state armed groups

See also information included under sections [5. Overview of the Security Situation including conflict-related human rights violations](#), [7. Conflict-related Sexual and Gender-Based Violence \(SGBV\)](#) and [7.1 North Kivu](#).

Covering events from January 2017 to October 2018 the report by MONUSCO on North Kivu noted in relation to the situations in Kasugho and Kagheri, Lubero Territory [unofficial translation]:

Between June 2017 and August 2018, the NDC/R [*Nduma défense du Congo-Rénové*] managed to control the area after violent clashes with the Mai-Mai Mazembe, resulting in further displacement and numerous human rights violations. [...] In Kagheri, where the NDC/R set up its headquarters, several women and girls were forced into forced marriages with combatants or reduced to sexual slavery. Many women were raped, mostly by NDC / R combatants, while traveling to the fields or being abducted from their homes.<sup>412</sup>

With regards to sexual violations committed by the *Alliance des patriotes pour un Congo libre et souverain* (APCLS), the same source stated [unofficial translation]:

In February 2018, during a fact-finding mission to Nyabiondo, a group of Bashali Mokoto, the UNJHRO was able to confirm that from the beginning of January 2018, an alliance of APCLS Mapenzi and NDC/R fighters had led several attacks north of Nyabiondo, during which at least 40 people (including two women and six children) were killed, 71 women and 13 children raped, and 33 other victims of bodily harm. The attacks were reportedly accompanied by systematic looting. Women rape and summary executions of men in villages suspected of supporting APCLS appear to be part of the APCLS Mapenzi and NDC/R coalition strategy. On January 15, 2018, in the village of Muroba, a 22-year-old woman was allegedly raped and her husband killed by suspected armed men belonging to the APCLS Mapenzi and NDC/R alliance. The couple had been captured while fleeing the fighting between this alliance and APCLS in January. The alleged perpetrators allegedly tied the man and raped the woman. The husband was reportedly shot dead while shouting while his wife was being raped.<sup>413</sup>

MONUSCO documented in March 2018 “The majority of verified incidents involving armed groups occurred in North and South Kivu Provinces and included rape, gang rape and sexual slavery [...] In North Kivu, the dissident wing of Alliance des patriotes pour un Congo libre et souverain-Rénové, led by “General” Mapenzi Bulere Likuwe, and Nduma défense du Congo-Rénové, led by “General” Guidon Shimiray Mwissa, committed rape as part of systematic attacks against civilians in Masisi and Lubero. In Beni [North Kivu], the Allied Democratic Forces abused civilians, including through the abduction of children and women”.<sup>414</sup>

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<sup>412</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 15-16 [Unofficial translation provided by a COI researcher]

<sup>413</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 17 [Unofficial translation provided by a COI researcher]

<sup>414</sup> UN Secretary General, [Conflict-related sexual violence, Report of the Secretary-General](#), 29 March 2019, III. Sexual violence in conflict-affected settings, Democratic Republic of the Congo, para. 47

The UN High Commissioner for Human Rights noted with regards to sexual and gender-based violence in his report covering the period June 2017 to May 2018 that in North Kivu:

The Joint Human Rights Office has documented a worrying number of acts of sexual violence perpetrated by combatants of the Alliance des patriotes pour un Congo libre et souverain (APCLS) since early 2018 in North Kivu. For example, on 3 February 2018, in Lwibo, Bikunje and Muroba (Masisi territory), at least 17 women were raped by APCLS combatants of the Mapenzi faction during attacks against these locations, which had been placed under the control of APCLS combatants of General Janvier Karairi's faction.<sup>415</sup>

The UN Secretary-General report on MONUSCO's activities covering the period from 4 January to 8 March 2019 noted that "In Masisi and Rutshuru territories (North Kivu Province), armed groups, including APCLS-Mapenzi, FDLR, Mai-Mai Nyatura and NDC-R retaliated against civilians by attacking villages and perpetrating rapes and gang rapes against women. In at least two cases, gang rapes led to the deaths of the victims".<sup>416</sup>

The UN Group of Experts report covering the period November 2018 to 18 April 2019 found that "ADF engaged in conflict-related sexual violence, including through forced marriage".<sup>417</sup> It explained further that "While ADF has been abducting children of all ages, the evidence suggests that ADF has not recently targeted younger children and pregnant women. The Group documented four incidents in which ADF abducted young women and their older children but left their babies behind. ADF released pregnant women or women pretending to be pregnant. In one case, ADF elements told a young mother that they needed her but not her two-month-old baby [...] Five former captives of Madina camp reported that girls over the age of 9 years had been separated from boys and men to integrate groups of women and that they had been treated in the same way as the adult women captives in the camp. They were detained in pits in the ground, forced to wear outfits similar to niqabs [...] prohibited from talking to men [...] and, in several cases, subjected to sexual violence".<sup>418</sup> The same source further documented "a practice not previously documented, whereby ADF elements raped girls and women once following their arrival in Madina in order to use the stigma attached to rape to deter them from escaping the camp".<sup>419</sup>

### 7.1.3. Non-conflict related SGBV

The local NGO *Focus Droits & Acces* based in Goma, North Kivu, submitted a report for consideration in July 2019 to the UN Committee on the Elimination of All Forms of Discrimination against Women on the situation and treatment of indigeneous women in

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<sup>415</sup> UN High Commissioner for Human Rights, [Human rights situation and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo Report of the United Nations High Commissioner for Human Rights](#), 13 August 2018, II. Principal human rights developments, B. Protection of civilians in conflict areas, 1. Current situation and action taken by the Government, para. 56

<sup>416</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, F. Sexual violence, para. 41

<sup>417</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, Summary, p. 2

<sup>418</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, IV. Serious violations of international humanitarian law and human rights, A. Recruitment and use of children, paras. 96 and 97

<sup>419</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, IV. Serious violations of international humanitarian law and human rights, B. Conflict-related sexual violence, para. 105

North Kivu, detailing also SGBV they are exposed to.<sup>420</sup> The report can be found [here](#) (in French only).

CongoForum reported in December 2018 on the situation in Butembo as follows [unofficial translation]:

[...] When it comes to Butembo and the surrounding area, lawyers mention, for example, the beating of married women who stay at home, and even those who do not stay at home, the overload on women for the running of the household etc, which constitutes a risk to women's physical and bodily health; everyone knows how often a woman is the target of daily threats, criticisms, reproaches, shouts and public insults aimed at humiliating, controlling and destabilizing her. [...]

While the Congolese Constitution and other legislation advocate parity regarding participation in the management of public affairs, women are excluded even from appointed posts. The city of Butembo is a clear example.

Incidents of sexual violence such as rape, pimping, sexual slavery and child prostitution are committed day and night against women and girls under the helpless eye of the authorities. Perpetrators remain unpunished.<sup>421</sup>

With regards to the groups most affected by sexual violence against women and the location, a further CongoForum article noted in November 2018 [unofficial translation]:

[...] What are the age groups most affected by sexual violence in Lubero? In most cases, they are minors, women farmers living in remote areas away from urban settlements, company workers and agents. Some women are vulnerable because of their jobs: they sell drinks or are forced to work at night.

According to lawyer Cathy Furaha, incidents of sexual violence are frequent in Bulengera municipality, which is part of the city of Butembo. On the territory of Lubero, the areas of Mangurejipa, Njiapanda, Muhangi and Kipese are also affected.<sup>422</sup>

The UN Committee on the Elimination of Discrimination Against Women issued on 22<sup>nd</sup> July 2019 its 'advanced unedited version' of its 'Concluding observations' and expressed its concern about "Reports of forced labour and exploitation of women in artisanal mines, and human trafficking, exploitation, and forced prostitution of girls in conflict areas, including in North Kivu, and the lack of resources to provide assistance to girls who have left these networks".<sup>423</sup>

#### **7.1.4. State protection availability**

MONUSCO documented that during January to December 2018 "With United Nations support, Ntabo Ntaberi Sheka (sanctioned by the Security Council Committee S/2019/280 12/35 19-04552 established pursuant to resolution 1533 (2004) concerning the Democratic

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<sup>420</sup> See Focus Droits & Access, [Les femmes The s en Province du Nord-Kivu, République Démocratique du Congo, Discrimination et exclusion dans la Gouvernance Locale](#), 19 June 2019

<sup>421</sup> CongoForum, [Les juristes de Butembo dénoncent les violences à l'égard de la femme](#), 12 December 2018 [Unofficial translation provided by a COI researcher]

<sup>422</sup> CongoForum, [Les violences sexuelles faites à la femme: une réalité à Butembo](#), 25 November 2018 [Unofficial translation provided by a COI researcher]

<sup>423</sup> UN Committee on the Elimination of Discrimination Against Women, [Concluding observations on the eighth periodic report of the Democratic Republic of the Congo \(Advance unedited version\)](#), 22 July 2019, E. Principal areas of concern and recommendations, Trafficking and exploitation of prostitution, para. 28

Republic of the Congo in November 2011) and Serafin Lionso are being tried in military courts for mass rapes committed in Walikale province [North Kivu] in 2010”.<sup>424</sup>

Human Rights Watch reported in April 2019 on the conviction by a military court in Goma, North Kivu, of a former Congolese army soldier, Marcel Habarugira, on counts of war crimes of rape and use of child soldiers.<sup>425</sup> The human rights organisation however found that whilst “The 15-year prison sentence [...] provides a measure of justice for his victims and may serve as a check on other abusive commanders”, the “trial proceedings raised questions about witness protection, the defendant’s right to an appeal, and the government’s failure to pay reparations to victims”.<sup>426</sup>

## 7.2. South Kivu

In its joint submission to the UN Human Rights Council *Le Mouvement des Survivant.e.s de Viols et Violences Sexuelles en RDC, la Fondation Dr Denis Mukwege, la Fondation Panzi et la Fondation du Prix Right Livelihood* reported “The Panzi Hospital in Bukavu treated between 1,300 and 1,900 women per year, a figure that had not decreased in recent years. Indeed, since 2016, the hospital had noted an increase in the number of victims of sexual violence”.<sup>427</sup> Speaking to Agence France Presse, “‘In 2015, we noticed a noticeable decrease in sexual violence,’ said celebrated gynaecologist Denis Mukwege, a three-time Nobel Peace Prize nominee for his work with gang rape victims from the conflicts that have ravaged his homeland. ‘Since the end of 2016 and 2017, there has really been a rise,’ he told AFP at his 450-bed Panzi Hospital in the city of Bukavu where rape victims undergo reconstructive surgery and receive holistic care”.<sup>428</sup>

The UN Secretary-General report on the activities of MONUSCO provided the following summary with regards to sexual violence in the DRC and particularly in South Kivu between 29 June and 28 September 2018:

In July and August 2018, MONUSCO documented the rape of and other acts of conflict-related sexual violence against at least 129 women, two men, and 39 children, indicating a worrying increasing trend. Most of the rapes occurred in South Kivu. On 25 July [2018], MONUSCO informed the government authorities of the findings of a human rights investigation into rapes, mass rapes and other acts of sexual violence perpetrated by a coalition of Mai-Mai Raia Mutomboki combatants in the villages of Bimpanga, Kamungini, Keba and Wameli, in Shabunda territory, in April 2018. Although some survivors received medical care, the holistic response was insufficient.<sup>429</sup>

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<sup>424</sup> UN Secretary General, *Conflict-related sexual violence, Report of the Secretary-General*, 29 March 2019, III. *Sexual violence in conflict-affected settings, Democratic Republic of the Congo*, para. 48

<sup>425</sup> Human Rights Watch, *DR Congo: Warlord’s Conviction Reveals Trial Flaws, Former Congolese Soldier Guilty of Rape, use of Child Soldiers*, 19 April 2019

<sup>426</sup> Human Rights Watch, *DR Congo: Warlord’s Conviction Reveals Trial Flaws, Former Congolese Soldier Guilty of Rape, use of Child Soldiers*, 19 April 2019

<sup>427</sup> UN High Commissioner for Human Rights, *Summary of Stakeholders’ submissions on the Democratic Republic of the Congo*, 19 February 2019, C. *Implementation of international human rights obligations, taking into account applicable international humanitarian law*, 3. *Economic, social and cultural rights, Rights to health*, para. 41

<sup>428</sup> The East African, *Rapes, ethnic attacks rising in DR Congo’s lawless east*, 28 March 2018

<sup>429</sup> UN Secretary-General, *United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General*, 1 October 2018, II. *Major developments*, F. *Sexual violence*, para. 38

UNOCHA reported in its 'Humanitarian Overview 2018' that with regards to South Kivu [unofficial translation] "increase in cases of sexual violence was recorded. In Shabunda territory in particular, the security void assisted the incursion of militias into villages, where mass rapes were reported in the first half of the year".<sup>430</sup>

### 7.2.1. Armed forces

Beyond the information included under sections [5. Overview of the Security Situation including conflict-related human rights violations](#), [7. Conflict-related Sexual and Gender-Based Violence \(SGBV\)](#) and [7.2 South Kivu](#) no specific additional information was found amongst the sources consulted within the time frame for this report.

### 7.2.2. Non-state armed groups

See also information included under sections [5. Overview of the Security Situation including conflict-related human rights violations](#), [7. Conflict-related Sexual and Gender-Based Violence \(SGBV\)](#) and [7.2 South Kivu](#).

MONUSCO documented "The majority of verified incidents involving armed groups occurred in North and South Kivu Provinces and included rape, gang rape and sexual slavery. Since February [2018], members of the Mai-Mai Raia Mutomboki armed group have committed mass rapes in South Kivu's Shabunda, Walungu and Mwenga territories. In April [2018], during at least four attacks in mineral-rich Shabunda, Mai-Mai Raia Mutomboki members raped and gang-raped at least 66 women, 11 girls and 2 men. Those acts included penetration and intrusive cavity searches, in an alleged search for gold".<sup>431</sup>

The UN Secretary-General provided the following summary with regards to instances of sexual violence in the DRC and specifically in South Kivu between 27 March and 29 June 2018:

In April and May [2018], MONUSCO documented cases of rape and other forms of conflict-related sexual violence committed against at least 98 women and 18 children, confirming an increasing trend. Raia Mutomboki in South Kivu — the most affected province — are the main perpetrators.<sup>432</sup>

The UN Group of Experts on the DRC in its report focusing on events between 26 July and 9 November 2018 on four territories in the North and South Kivu Provinces concluded that "Masudi Alimasi Kokodikoko, leader of a Raia Mutomboki faction in Shabunda territory, was a lead perpetrator of the gang rapes of at least 17 women in September 2018. The Group documented that his group, as well as other Raia Mutomboki factions, profit from the

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<sup>430</sup> See UNOCHA, [APERÇU DES BESOINS HUMANITAIRES 2018](#), October 2018, p. 11 [unofficial translation provided by a COI researcher]

<sup>431</sup> UN Secretary General, [Conflict-related sexual violence. Report of the Secretary-General](#), 29 March 2019, III. *Sexual violence in conflict-affected settings, Democratic Republic of the Congo*, para. 47. See also UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. *Major developments, F. Sexual violence*, para. 41

<sup>432</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 2 July 2018, II. *Major developments, E. Human rights situation, including sexual violence and child protection*, para. 72

exploitation and trade of natural resources”.<sup>433</sup> The UN Group also found that the armed group committed “serious sexual crimes amounting to torture and sexual slavery”.<sup>434</sup> Six rape victims “cited the presence of child soldiers, referring to ‘Kadogo’ or small boys, in charge of Kokodikoko’s escort and/or involved in the attack and abductions in Lubila. Some of the boys also committed rapes”.<sup>435</sup> Moreover, the UN Group of Experts “established that other gang rapes and the recruitment and use of child soldiers by various Raia Mutomboki factions had taken place [...] but could not confirm, based on its methodology, the involvement of the Kokodikoko faction [...] In October 2018, the [UN] Group received information that people assisting rape victims were being threatened by unidentified individuals. In particular, the Group saw text messages containing explicit and targeted death threats sent between 14 and 16 September 2018 to one such person”.<sup>436</sup>

During the reporting period 2 October to 31 December 2018 on the activities of MONUSCO the UN Secretary-General noted that:

In South Kivu, Mai-Mai Raia Mutomboki elements continued to perpetrate sexual violence, maintaining a worrying trend of mass rapes by certain factions in northern Shabunda [...] Five girls survived rape and other forms of sexual violence in North Kivu (four cases) and South Kivu (one case). The rapes, and other forms of sexual violence, were committed by FARDC (three girls), unidentified armed elements (one girl) and Mai-Mai Mazembe (one girl).<sup>437</sup>

The UN Secretary-General report on MONUSCO’s activities covering the period from 4 January to 8 March 2019 noted that “In Shabunda and Mwenga territories in South Kivu Province, Mai-Mai Raia Mutomboki factions targeted villages in gold mining areas and perpetrated mass rapes. In Haut-Uélé Province, the upsurge in the activities of suspected elements of the Lord’s Resistance Army was accompanied by rapes and abductions of women”.<sup>438</sup>

### 7.2.3. Non-conflict related SGBV

Speaking to Agence France Presse and reported by The East African, “gynaecologist Denis Mukwege, a three-time Nobel Peace Prize nominee for his work with gang rape victims from the conflicts that have ravaged his homeland” noted that “the profile of rapists has changed. ‘Now the majority of sexual violence in South Kivu is committed by civilians and no longer by

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<sup>433</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, *Summary*

<sup>434</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, *V. Shabunda territory, A. Conflict-related sexual violence and use of child soldiers in Shabunda territory, para. 72*

<sup>435</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, *V. Shabunda territory, A. Conflict-related sexual violence and use of child soldiers in Shabunda territory, para. 80*

<sup>436</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, *V. Shabunda territory, A. Conflict-related sexual violence and use of child soldiers in Shabunda territory, paras. 82 and 83*

<sup>437</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, *II. Major developments, F. Sexual violence, para. 50* and *G. Child protection, para. 51*

<sup>438</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, *II. Major developments, F. Sexual violence, para. 41*

security forces and armed groups,' he said. However, many of the civilians were former rebels, the Panzi Foundation said".<sup>439</sup>

#### 7.2.4. State protection availability

During the reporting period 2 October to 31 December 2018 on the activities of MONUSCO the UN Secretary-General reported that "the verdict in the Kavumu [South Kivu] child rape case was upheld on appeal. However, despite his conviction in November [2018] for acts of rape constituting crimes against humanity, Lieutenant Colonel Mabilia Ngoma is still at large. Moreover, victims have not yet received the reparations awarded by the military court".<sup>440</sup> In November the UN Secretary-General reported that "On 29 November [2018], a military court in South Kivu found FARDC Major Mabilia Ngoma guilty of crimes against humanity, including murder, rape and torture, and sentenced him to life in prison in relation to the serious crimes perpetrated by FARDC battalions in Mirenzo, South Kivu, in June 2003".<sup>441</sup>

The UN Group of Experts report covering the period November 2018 to 18 April 2019 reported that:

In its midterm report of December 2018, the [UN] Group reported that the Kokodikoko faction of Raia Mutomboki, led by Masudi Alimasi Kokodikoko, had committed conflict-related sexual violence and used child soldiers in Shabunda territory, South Kivu, in September 2018 and had recommended that the perpetrators of those crimes be investigated and prosecuted [...] Kokodikoko, who was injured during combat, surrendered to the Forces armées de la République démocratique du Congo (FARDC) on 26 March 2019, and 28 of his elements surrendered or were captured by FARDC on that day and in the following days. The Group was further informed that the Congolese military judicial authorities had initiated an investigation against Kokodikoko and his deputy for murder, rape, torture and looting. The Group welcomes this positive development.<sup>442</sup>

On 4<sup>th</sup> April 2019 Al Jazeera reported that Masudi Alimsai Kokdikoko, leader of the Raia Mutomboki armed group, and "accused [sic] of orchestrating mass rapes and other atrocities" has been arrested.<sup>443</sup>

### 7.3. Ituri

In May 2018 the 'DRC - Sub-Cluster on Gender-Based Violence North-East' conducted an assessment of the situation in Ituri following the violence that erupted there and found that [unofficial translation]: "According to the informants we met, there are many cases of GBV, but the population has little knowledge of GBV and referral mechanisms do not exist. Between January and April 2018, 652 GBV incidents were reported, 60% of them cases of

<sup>439</sup> The East African, [Rapes, ethnic attacks rising in DR Congo's lawless east](#), 28 March 2018

<sup>440</sup> UN Secretary General, [Conflict-related sexual violence, Report of the Secretary-General](#), 29 March 2019, III. Sexual violence in conflict-affected settings, Democratic Republic of the Congo, para. 48

<sup>441</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, E. Human rights situation, justice and corrections, para. 46

<sup>442</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, I. Introduction, Implementation of the recommendations of the Group, para. 9

<sup>443</sup> Al Jazeera, [DR Congo arrests rebel leader wanted for mass rape](#), 4 April 2019

rape, 5% sexual assault, 7% physical assault, 25% forced marriage, and 2% cases of physical and emotional violence”.<sup>444</sup>

A news update from UNHCR in December 2018 noted with regards to North Kivu and Ituri “Women and girls are at acute risk of sexual violence”.<sup>445</sup>

### 7.3.1. Armed forces

Beyond the information included under sections [5. Overview of the Security Situation including conflict-related human rights violations](#), [7. Conflict-related Sexual and Gender-Based Violence \(SGBV\)](#) and [7.3 Ituri](#) no specific additional information was found amongst the sources consulted within the time frame for this report.

### 7.3.2. Non-state armed groups

Note also the information included under sections [5. Overview of the Security Situation including conflict-related human rights violations](#), [7. Conflict-related Sexual and Gender-Based Violence \(SGBV\)](#) and [7.3 Ituri](#).

During the reporting period 2 October to 31 December 2018 on the activities of MONUSCO the UN Secretary-General noted that:

Conflict-related sexual violence continued to be perpetrated, including an increase in sexual violence perpetrated by FRPI [Front for Patriotic Resistance in Ituri] in southern Irumu and Djugu territories, Ituri Province, often in the form of gang-rape and in association with the looting of villages. Moreover, conflict-related sexual violence was perpetrated by FARDC in Djugu, Ituri Province.<sup>446</sup>

The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) reported for the time period January to December 2019 that in Ituri, “Force de résistance patriotique de l’Ituri continued to perpetrate sexual violence, despite ongoing peace negotiations”.<sup>447</sup>

The UN Secretary-General report on MONUSCO’s activities covering the period from 4 January to 8 March 2019 noted that in January 2019 *Force de résistance patriotique de l’Ituri* (FRPI) “elements that had agreed to regroup in pre-cantonment sites ahead of the signing of a negotiated peace agreement, looted at least three villages near Aveba and Geti and raped a 15-year-old girl.”<sup>448</sup>

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<sup>444</sup> RDC - Sous-Cluster VBG Nord-Est, [RAPPORT D’EVALUATION DE LA SITUATION DES VIOLENCES BASEES SUR LE GENRE EN ITURI](#), May 2018, III. Principaux résultats atteints, p. 34 [unofficial translation provided by a COI researcher]

<sup>445</sup> UNHCR, [UNHCR warns of massive shelter needs of DR Congo’s displaced](#), 14 December 2018

<sup>446</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, F. Sexual violence, para. 49

<sup>447</sup> UN Secretary General, [Conflict-related sexual violence, Report of the Secretary-General](#), 29 March 2019, III. Sexual violence in conflict-affected settings, Democratic Republic of the Congo, para. 47

<sup>448</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, C. Security situation, North Kivu, para.

### 7.3.3. Non-conflict related SGBV

Amongst the sources consulted within the time frame for this report no information was found specific to Ituri.

### 7.3.4. State protection availability

In May 2018 the 'DRC - Sub-Cluster on Gender-Based Violence North-East' conducted an assessment of the situation in Ituri following the violence that erupted there and found that [unofficial translation]:

The capacities of actors in multisectoral care are very limited:

- The medical management of rape is confronted with insufficient staff trained in clinical rape management as well as the low availability of post-rape kits in health facilities serving affected populations by the conflict [...];
- Psychosocial care consists of basic interventions reception and referencing. This service is only integrated in a few structures. Need to systematize its integration into all structures to reduce the stigmatization of victims;
- Legal and judicial support. Low presence of legal clinics on the axes visited. Several cases of GBV are not reported by the community to judicial services through ignorance of the mechanisms of GBV repression. The child and woman protection police are not equipped. Discussions revealed that the few files that reach the police are treated in an uninterested way and often lead to amicable settlements. In addition, the *Tribunal de Grande Instance*, the only competent court to judge sexual violence offences, is located in Bunia. This situation does not facilitate the rapid processing of sexual violence cases at the level of of the judicial authorities.<sup>449</sup>

## 8. Conflict-related violence against children

The UN Secretary-General on children and armed conflict in the Democratic Republic of the Congo published a report in May 2018, which covered the period from 1 January 2014 to 31 December 2017 – outside of the time period for this particular report – but nonetheless might provide some useful contextual background information on the “trends and patterns of grave violations against children by all parties to the conflict [...] and the worsening impact of armed conflict on children”:

- o UN Secretary-General, [Children and armed conflict in the Democratic Republic of the Congo, Report of the Secretary-General](#), 25 May 2018

### 8.1. Recruitment and use of child soldiers

#### 8.1.1. North Kivu

The UN Secretary-General report on 'Children and armed conflict', covering the period from January to December 2018, noted with regards to North Kivu:

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<sup>449</sup> RDC - Sous-Cluster VBG Nord-Est, [RAPPORT D'ÉVALUATION DE LA SITUATION DES VIOLENCES BASEES SUR LE GENRE EN ITURI](#), May 2018, III. Principaux résultats atteints, p. 4 [unofficial translation provided by a COI researcher]

A total of 631 children (91 girls, 540 boys) were recruited during 2018. MaiMai Mazembe (170) and Nyatura (150) accounted for half of the new recruitments, followed by other armed groups. North Kivu remained the epicentre of child recruitment and use, with more than 70 per cent of all cases, followed by the Greater Kasai region (16 per cent) and South Kivu (10 per cent).<sup>450</sup>

The UN Committee against Torture noted in its ‘Concluding observations’ of 3 June 2019 that:

The Committee is deeply concerned about the serious, mass violations of human rights and international humanitarian law that have been and continue to be committed in several parts of the country, including the provinces of North Kivu, South Kivu and Kasai, where summary executions, deliberate – sometimes ethnically motivated – attacks on civilian populations, the large-scale recruitment and use of children, indiscriminate attacks, large-scale sexual violence and the destruction of civilian property by the armed forces and non-State armed militias have caused an unprecedented humanitarian crisis. The Committee deplores the inadequacy of the investigations and proceedings aimed at identifying those responsible for the serious violations committed in the context of the armed conflict, including the instigators of such acts and senior officers involved, certain recent convictions for war crimes and crimes against humanity notwithstanding (arts. 2, 12 and 16).<sup>451</sup>

#### **8.1.1.1. Armed forces**

Amongst the sources consulted within the time frame for this report no information was found specific to North Kivu beyond that included in [8.1.1. North Kivu](#).

#### **8.1.1.2. Non-state armed groups**

In May 2018 War Child published a report on the “push and pull factors influencing children to join armed groups ‘voluntarily’ in North and South Kivu” and found that:

During times when the ongoing conflict is considered low-level, as was the case at the time of writing [December 2017], it becomes apparent that virtually all children who join an armed group in the Kivus do so voluntarily and that forced recruitment becomes the exception. But what does it mean to join voluntarily? Communities where this study was undertaken understood it unanimously as joining of one’s free will, without force or coercion. Children’s joining, even if not coerced, seems, however, to be less about desire and more about a choice made within a limited set of options.<sup>452</sup>

The same source further noted with regards to recruitment profiles:

there are about 70 active armed groups; 20 of them identify as Mai-Mai (self-defence militias). Most of these factions are small and fragmented, with a maximum of approximately 200 soldiers each. Recruitment tends to follow ethnic lines, but this depends on the recent

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<sup>450</sup> UN Secretary General, [Children and armed conflict, Report of the Secretary-General](#), 20 June 2019, III. Information on violations committed against children during armed conflict and progress made by parties on dialogue, action plans and other measures to halt and prevent violations against children, Democratic Republic of the Congo, para. 57

<sup>451</sup> UN Committee against Torture, [Concluding observations on the second periodic report of the Democratic Republic of the Congo](#), 3 June 2019, para. 30

<sup>452</sup> War Child, [Tuq-of-war: Children in armed groups in DRC](#), May 2018, Executive Summary, Findings, p. 9

history of each community and the migration pattern of different tribes coming from neighbouring countries. The three armed groups that are active and most powerful in terms of numbers and zones of influence are the FDLR, followed by the Allied Democratic Forces of Uganda and the Nzabampema wing of the Forces nationales de libération of Burundi. Around half of children recruited recently and for which there is documentation from MONUSCO were in these three groups: FDLR, Nyatura and Mouvement du 23 mars (M23). The other half is assumed to be distributed between the remaining 67 or so armed groups in the region.<sup>453</sup>

UNHCR reported in October 2018 that “The policy introduced in 2013 to prohibit the forced recruitment of children into the national armed forces has had little effect on decreasing the number of children recruited by non-state actors, particularly in the Eastern provinces of South and North Kivu”.<sup>454</sup>

During the reporting period 2 October to 31 December 2018 on the activities of MONUSCO the UN Secretary-General noted that:

MONUSCO continued to engage with armed groups in Ituri, North Kivu and South Kivu, resulting in the release of more than 440 girls and boys. During October and November [2018], six commanders of armed groups signed a declaration stating that they would no longer recruit children or commit other grave, child-related violations. That brought the total number of armed groups who have signed engagements with MONUSCO to eight, five of which are listed by the Secretary-General for child recruitment. The commanders also committed to implementing a road map, which, in addition to preventing grave child rights violations, also requires them to take measures to stop and prevent sexual violence.<sup>455</sup>

The UN Secretary-General report on MONUSCO’s activities covering the period 8 March to 28 June 2019 noted “During the reporting period, commanders of six Mai-Mai groups operating chiefly in North Kivu and South Kivu signed unilateral declarations and road maps, committing themselves to ending child recruitment and other grave violations of children’s rights, including sexual violence and forced marriage. That brings the total number of such agreements signed in 2019 to 10”.<sup>456</sup>

The following non-state armed groups were named amongst the sources consulted for this report recruiting and using child soldiers:

#### Allied Democratic Forces (ADF)

The UN Group of Experts on the DRC stated in their report covering events from 10 November 2017 to 8 April 2018 also found that the Allied Democratic Forces (ADF) included children and reported that “ADF continued to arm and train children, who either were abducted in the Democratic Republic of the Congo, were recruited from neighbouring countries or were born and raised in ADF camps. Two former ADF combatants spoke of

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<sup>453</sup> War Child, [Tug-of-war: Children in armed groups in DRC](#), May 2018, 1. Introduction to the Research, 1.1. Overview of child soldiering in eastern Democratic Republic of the Congo, pages 21 and 22

<sup>454</sup> UNHCR, [Submission by the United Nations High Commissioner for Refugees For the Office of the High Commissioner for Human Rights’ Compilation Report Universal Periodic Review: 3rd Cycle, 33rd Session DEMOCRATIC REPUBLIC OF CONGO](#), October 2018, I. Background Information, p. 1/2

<sup>455</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, F. Sexual violence, para. 50 and G. Child protection, para. 52

<sup>456</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, IX. Child protection, para. 71

young children of 14 and 15 years of age being armed, trained and sent to fight, usually at the front lines”.<sup>457</sup>

A November 2018 report by the Congo Research Group similarly noted with reference to the ADF that “Women and children play an important role in the organization. In two videos, they can be seen as playing active roles in attacks, pillaging and bearing arms. Several older videos, recorded before the recent uptick in violence, feature at least 70-80 children being indoctrinated and undergoing military training”.<sup>458</sup>

The UN Group of Experts report covering the period November 2018 to 18 April 2019 found that “ADF and the Union des patriotes pour la libération du Congo (UPLC) continued to recruit and use children”.<sup>459</sup> Specifically mentioning the ADF, the report stated “Abductions remained one of the main means of recruitment. Children continued to be forced to convert to Islam, to receive military training, to participate in attacks and to be subjected to forced labour [...] Children were abducted generally during attacks and when undertaking daily activities”.<sup>460</sup>

#### *Forces démocratiques de libération du Rwanda (FDLR)*

The UN Group of Experts on the DRC stated in their report covering events from 10 November 2017 to 8 April 2018 that the *Forces démocratiques de libération du Rwanda* (FDLR), who “continued to be active in parts of North Kivu” had “Approximately 200 armed combatants, including some children”, who “comprised the security forces for Iyamuremye [Gaston Iyamuremye: “often referred to as the ‘President’ of the [FDLR], was located in Rubare, near Kirama, about 30 kilometres south-east of Kazaroho in Rutshuru territory] and Ntawunguka [Pacifique Ntawunguka, “also known as Omega Israel”]”.<sup>461</sup> The same source further noted though with regards to the recruitment and use of child soldiers that “The Group previously reported [mid-term report covering up to 10 November 2017] on the use of child soldiers in FDLR ranks [...] a practice that has continued according to former FDLR combatants. For example, a former military trainer who left the base at the end of 2017 claimed that most of the recruits there were aged between 14 and 18 years. The Group was unable to obtain further information on this”.<sup>462</sup>

#### *Mai-Mai Kilalo*

The UN Group of Experts reported in its report covering 10 November 2017 to 8 April 2018 information on the use of child soldiers by the Mai-Mai Kilalo group:

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<sup>457</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, B. Allied Democratic Forces, paras. 34 and 35

<sup>458</sup> Congo Research Group, [Inside the ADF Rebellion, A Glimpse into the Life and Operations of a Secretive Jihadi Armed Group](#), November 2018, Summary, p. 3

<sup>459</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, IV. Serious violations of international humanitarian law and human rights, A. Recruitment and use of children, para. 93

<sup>460</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, IV. Serious violations of international humanitarian law and human rights, A. Recruitment and use of children, paras. 94 and 96

<sup>461</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, A. Forces démocratiques de libération du Rwanda, para. 16

<sup>462</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, A. Forces démocratiques de libération du Rwanda, para. 21

All former combatants interviewed by the Group confirmed the presence of children, many as young as 10 or 11 years of age, in each of the UPLC groups. On 21 February 2018, the Group witnessed the transport, via MONUSCO, of at least 13 children, formerly in UPLC, from Lubero to Beni. The young boys were often in charge of carrying and administering dawa, the potion that Kilalo usually prepares personally. Older boys, between 16 and 17 years of age, received rudimentary training in weapons handling but were often armed with machetes and knives. After joining, most UPLC recruits, both children and young men, were often prevented from leaving. In the case of most adult males, their identity cards (electoral cards) were burned or kept by the group commanders. Three former UPLC combatants told the Group that they could not live a peaceful life at home without electoral cards, as security agents would consider them to be rebels.<sup>463</sup>

The UN Group of Experts report covering the period November 2018 to 18 April 2019 found that the *Union des patriotes pour la libération du Congo* (UPLC) “also known as Mai-Mai Kilalo, is a local armed group active between Beni and Butembo” and “continued to recruit and use children. [...] The Group interviewed 15 ex-UPLC combatants who all confirmed the presence of 15 to 20 children, aged between 10 and 14 years, in the movement”.<sup>464</sup>

#### *Nduma défense du Congo-Rénové (NDC-R)*

The UN Group of Experts found in relation to the *Nduma défense du Congo-Rénové* (NDC-R) that “Ten ex-combatants told the Group that there were many children present in the movement and that several were considered to be combatants. According to MONUSCO officials, there were 46 documented cases of child recruitment by NDC-R in 2017. Guidon, Bwira and Kamutoto were cited as the commanders who ordered these mostly forced recruitments. The Group endeavoured to obtain access to some of the children but did not succeed [...] Several ex-combatants and civil society members told the Group that, for the first time, the children in their camps were gathered and summoned to go home in early February 2018. Guidon’s having been sanctioned on 1 February 2018 appeared to have triggered some reactions from NDC-R [...] and Guidon himself. The Group received a letter allegedly from Guidon requesting the President of the Security Council to reconsider this decision. In April 2018, Guidon’s spokesperson told the Group that NDC-R never used children”.<sup>465</sup>

#### *Nyatara groups*

With regards to child recruitment, Human Rights Watch noted in April 2019 that the Nyatura commanders “have forcibly recruited scores of children into their ranks”, recruiting them “on the road to the market, in the market, on their way home from school, or while the children were farming or walking to their fields” as well as re-cruiting them with Nyatura commanders forcing children “to rejoin the movement after they had been demobilized and reunited with their families”.<sup>466</sup>

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<sup>463</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, E. Mai-Mai Kilalo, para. 107

<sup>464</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, IV. Serious violations of international humanitarian law and human rights, A. Recruitment and use of children, paras. 102-104

<sup>465</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final report of the Group of Experts on the Democratic Republic of the Congo](#), 4 June 2018, II. Armed groups, D. Nduma défense du Congo-Rénové, para. 79

<sup>466</sup> Human Rights Watch, [DR Congo: Warlord’s Conviction Reveals Trial Flaws, Former Congolese Soldier Guilty of Rape, use of Child Soldiers](#), 19 April 2019

### Unspecified non-state armed groups

In May 2018 War Child published a report on the “push and pull factors influencing children to join armed groups ‘voluntarily’ in North and South Kivu” and found that in Kitchanga, North Kivu:

In Kitchanga, male adult respondents reported that armed groups are targeting children in the community and in schools, encouraging them to join with the promise of a better life. In the same site, male and female adult respondents spoke of the enormous influence, direct and indirect, that the national level political authorities have over the participation of children in the armed groups. They reported that armed groups are funded and supported by political authorities who manipulate them based on ethnic rivalries. Groups of women in Kitchanga explained that political authorities are widely distributing arms and are actively encouraging boys in their constituency to join a militia to protect and defend their community and tribe.<sup>467</sup>

The UN Secretary-General report on the activities of MONUSCO provided the following summary with regards to child protection violations in the DRC between 29 June and 28 September 2018:

MONUSCO verified 176 grave violations against children through the monitoring and reporting mechanism on grave violations against children in situations of armed conflict. At least 158 children (14 girls and 144 boys) escaped or were separated from armed groups, including the Forces combattantes abacunguzi, FRPI, Mai-Mai Mazembe and Nyatura, mainly in North Kivu [...]

On 11 July [2018] in Hombo, Walikale territory, North Kivu, Delphin Mbaenda, commander of Mai-Mai Kifuafua, signed a road map to end and prevent child recruitment and other grave violations of the rights of the child. A mechanism was set up for implementing the road map.<sup>468</sup>

Covering events from January 2017 to October 2018 the report by the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) noted with regards to Lubero and Masisi territories [unofficial translation]:

Armed groups are numerous in North Kivu, and many are active in the territories of Lubero and Masisi. [...] Most of these groups use women and children in hostilities, or as sex slaves, and / or subject them to forced marriage or forced labour. Children are easily indoctrinated into rites and engaged in the game of war. According to certain beliefs to which certain armed groups adhere, the magic of the grigris works best on children who symbolize purity.<sup>469</sup>

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<sup>467</sup> War Child, [Tuq-of-war: Children in armed groups in DRC](#), May 2018, *Executive Summary, Findings*, p. 13

<sup>468</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 1 October 2018, II. Major developments, G. Child protection, paras. 40 and 41

<sup>469</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 8 [Unofficial translation provided by a COI researcher]

### 8.1.2. South Kivu

The UN Secretary-General report on 'Children and armed conflict', covering the period from January to December 2018, noted with regards to South Kivu:

A total of 631 children (91 girls, 540 boys) were recruited during 2018. MaiMai Mazembe (170) and Nyatura (150) accounted for half of the new recruitments, followed by other armed groups. North Kivu remained the epicentre of child recruitment and use, with more than 70 per cent of all cases, followed by the Greater Kasai region (16 per cent) and South Kivu (10 per cent).<sup>470</sup>

The UN Committee against Torture noted in its 'Concluding observations' of 3 June 2019 that:

The Committee is deeply concerned about the serious, mass violations of human rights and international humanitarian law that have been and continue to be committed in several parts of the country, including the provinces of North Kivu, South Kivu and Kasai, where summary executions, deliberate – sometimes ethnically motivated – attacks on civilian populations, the large-scale recruitment and use of children, indiscriminate attacks, large-scale sexual violence and the destruction of civilian property by the armed forces and non-State armed militias have caused an unprecedented humanitarian crisis. The Committee deplores the inadequacy of the investigations and proceedings aimed at identifying those responsible for the serious violations committed in the context of the armed conflict, including the instigators of such acts and senior officers involved, certain recent convictions for war crimes and crimes against humanity notwithstanding (arts. 2, 12 and 16).<sup>471</sup>

#### 8.1.2.1. Armed forces

Amongst the sources consulted within the time frame for this report no information was found specific to North Kivu beyond that included in [8.1.2. South Kivu](#).

According to the October 2018 Roméo Dallaire Child Soldiers Initiative's report "In September 2018, a local NGO reported that FARDC entered a local school in Ulvira, recruiting boys and forcing them to carry ammunition".<sup>472</sup>

#### 8.1.2.2. Non-state armed groups

In May 2018 War Child published a report on the "push and pull factors influencing children to join armed groups 'voluntarily' in North and South Kivu" and found that:

During times when the ongoing conflict is considered low-level, as was the case at the time of writing [December 2017], it becomes apparent that virtually all children who join an

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<sup>470</sup> UN Secretary General, [Children and armed conflict, Report of the Secretary-General](#), 20 June 2019, III. Information on violations committed against children during armed conflict and progress made by parties on dialogue, action plans and other measures to halt and prevent violations against children, Democratic Republic of the Congo, para. 57

<sup>471</sup> UN Committee against Torture, [Concluding observations on the second periodic report of the Democratic Republic of the Congo](#), 3 June 2019, para. 30

<sup>472</sup> Roméo Dallaire Child Soldiers Initiative, [Democratic Republic of the Congo Country Report: Children & Security](#), October 2018, 2. State, Non-State, and International Actors, a) State Actors, Forces armées de la République démocratique du Congo (FARDC) – National Army, p. 12

armed group in the Kivus do so voluntarily and that forced recruitment becomes the exception. But what does it mean to join voluntarily? Communities where this study was undertaken understood it unanimously as joining of one's free will, without force or coercion. Children's joining, even if not coerced, seems, however, to be less about desire and more about a choice made within a limited set of options.<sup>473</sup>

The same source further noted with regards to recruitment profiles:

there are about 70 active armed groups; 20 of them identify as Mai-Mai (self-defence militias). Most of these factions are small and fragmented, with a maximum of approximately 200 soldiers each. Recruitment tends to follow ethnic lines, but this depends on the recent history of each community and the migration pattern of different tribes coming from neighbouring countries.<sup>9</sup> The three armed groups that are active and most powerful in terms of numbers and zones of influence are the FDLR, followed by the Allied Democratic Forces of Uganda and the Nzabampema wing of the Forces nationales de libération of Burundi. Around half of children recruited recently and for which there is documentation from MONUSCO were in these three groups: FDLR, Nyatura and Mouvement du 23 mars (M23). The other half is assumed to be distributed between the remaining 67 or so armed groups in the region.<sup>474</sup>

UNHCR reported in October 2018 that "The policy introduced in 2013 to prohibit the forced recruitment of children into the national armed forces has had little effect on decreasing the number of children recruited by non-state actors, particularly in the Eastern provinces of South and North Kivu".<sup>475</sup>

During the reporting period 2 October to 31 December 2018 on the activities of MONUSCO the UN Secretary-General noted that:

MONUSCO continued to engage with armed groups in Ituri, North Kivu and South Kivu, resulting in the release of more than 440 girls and boys. During October and November [2018], six commanders of armed groups signed a declaration stating that they would no longer recruit children or commit other grave, child-related violations. That brought the total number of armed groups who have signed engagements with MONUSCO to eight, five of which are listed by the Secretary-General for child recruitment. The commanders also committed to implementing a road map, which, in addition to preventing grave child rights violations, also requires them to take measures to stop and prevent sexual violence.<sup>476</sup>

The UN Secretary-General report on MONUSCO's activities covering the period 8 March to 28 June 2019 noted "During the reporting period, commanders of six Mai-Mai groups operating chiefly in North Kivu and South Kivu signed unilateral declarations and road maps, committing themselves to ending child recruitment and other grave violations of children's

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<sup>473</sup> War Child, [Tug-of-war: Children in armed groups in DRC](#), May 2018, *Executive Summary, Findings*, p. 9

<sup>474</sup> War Child, [Tug-of-war: Children in armed groups in DRC](#), May 2018, 1. Introduction to the Research, 1.1. Overview of child soldiering in eastern Democratic Republic of the Congo, pages 21 and 22

<sup>475</sup> UNHCR, [Submission by the United Nations High Commissioner for Refugees For the Office of the High Commissioner for Human Rights' Compilation Report Universal Periodic Review: 3rd Cycle, 33rd Session DEMOCRATIC REPUBLIC OF CONGO](#), October 2018, I. Background Information, p. 1/2

<sup>476</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, F. Sexual violence, para. 50 and G. Child protection, para. 52

rights, including sexual violence and forced marriage. That brings the total number of such agreements signed in 2019 to 10".<sup>477</sup>

The following non-state armed group was named amongst the sources consulted for this report recruiting and using child soldiers:

#### Mai Mai Raia Mutomboki

The UN Secretary-General report on the activities of MONUSCO provided the following summary with regards to child protection violations in the DRC between 29 June and 28 September 2018:

On 18 July [2018], in Ziraló, Kalehe territory, South Kivu, Raymond Kabihula, Commander of Mai-Mai Raia Mutomboki (Ngubito faction), released 38 children to MONUSCO and signed a road map for the prevention of child recruitment and other grave violations of the rights of the child.<sup>478</sup>

The UN Group of Experts on the DRC in its report focusing on events between 26 July and 9 November 2018 on four territories in the North and South Kivu Provinces concluded that with regards to the Kokodikoko faction of Raia Mutomboki used child soldiers in Shabunda territory, South Kivu.<sup>479</sup> During the "rape of at least 17 women, between the ages of 15 and 70", six rape victims "cited the presence of child soldiers, referring to 'Kadogo' or small boys, in charge of Kokodikoko's escort and/or involved in the attack and abductions in Lubila. Some of the boys also committed rapes. One victim specified that there were three child soldiers, around 15 or 16 years old, in the cave".<sup>480</sup>

### **8.1.3. Ituri**

#### **8.1.3.1. Armed forces**

Amongst the sources consulted within the time frame for this report no information was found specific to Ituri.

#### **8.1.3.2. Non-state armed groups**

During the reporting period 2 October to 31 December 2018 on the activities of MONUSCO the UN Secretary-General noted that:

MONUSCO continued to engage with armed groups in Ituri, North Kivu and South Kivu, resulting in the release of more than 440 girls and boys. During October and November

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<sup>477</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 17 July 2019, IX. *Child protection*, para. 71

<sup>478</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 1 October 2018, II. *Major developments*, G. *Child protection*, para. 41

<sup>479</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, V. *Shabunda territory*, A. *Conflict-related sexual violence and use of child soldiers in Shabunda territory*, para. 72

<sup>480</sup> UN Group of Experts on the Democratic Republic of the Congo, [Midterm report of the Group of Experts on the Democratic Republic of the Congo](#), 18 December 2018, V. *Shabunda territory*, A. *Conflict-related sexual violence and use of child soldiers in Shabunda territory*, paras. 77 and 80

[2018], six commanders of armed groups signed a declaration stating that they would no longer recruit children or commit other grave, child-related violations. That brought the total number of armed groups who have signed engagements with MONUSCO to eight, five of which are listed by the Secretary-General for child recruitment. The commanders also committed to implementing a road map, which, in addition to preventing grave child rights violations, also requires them to take measures to stop and prevent sexual violence.<sup>481</sup>

## 8.2. Other violence directed against children

Note also the information included in section [7. Conflict-related Sexual and Gender-Based Violence \(SGBV\)](#).

### Overview of human rights violations against children in Eastern DRC

The UN Secretary-General report on MONUSCO's activities covering the period 5 January to end of February 2018 provided the following summary regarding the human rights situation in the DRC of children affected by conflict without specifying the exact location:

Through the monitoring and reporting mechanism on grave violations against children in situations of armed conflict, MONUSCO verified that, in January, at least 189 children had been affected by six grave violations against children in armed conflict. At least 93 children had escaped or been separated from armed groups, including 72 from [...] Mai-Mai Mazembe (26) and Nyatura (13). [...] Furthermore, MONUSCO documented attacks against four schools and three hospitals, mostly by [...] FARDC.<sup>482</sup>

The UN Secretary-General provided the following summary with regards to instances of conflict-related violence against children in the Kivus and Ituri between 27 March and 29 June 2018:

Through the monitoring and reporting mechanism on children and armed conflict, MONUSCO verified 292 grave violations against children. At least 240 children (14 girls, 226 boys) escaped or were separated from armed groups, mainly from Mai-Mai Mazembe (68), Nyatura (59), and FDLR-Forces combattantes abacunguzi (25), mostly in North Kivu (203). A total of 18 girls survived rape and other forms of sexual violence, mostly by FARDC (7) and Raia Mutomboki (6), in North Kivu (9), South Kivu (6), Ituri (2) [...] Some 24 children (9 girls, 15 boys) were killed (7) or maimed (17), mostly by Kamuina Nsapu (13) and FARDC (9), in [...] North Kivu (9), and 9 children (3 girls, 6 boys) were abducted by ADF (5), Mai-Mai Mazembe (3) and Nyatura (1), all in North Kivu. During the period, one school was attacked by FRPI combatants in Ituri.<sup>483</sup>

The UN Secretary-General report on MONUSCO's activities covering the period from 4 January to 8 March 2019 noted that "Through the monitoring and reporting mechanism on grave violations against children in situations of armed conflict, MONUSCO verified 144 grave violations against children since 1 January 2019. At least 137 children, including 30

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<sup>481</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, F. Sexual violence, para. 50 and G. Child protection, para. 52

<sup>482</sup> UN Secretary-General, [Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 1 March 2018, II. Major developments, E. Human rights situation, paras. 31 and 32

<sup>483</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, Report of the Secretary-General](#), 2 July 2018, II. Major developments, E. Human rights situation, including sexual violence and child protection, para. 73

girls, escaped or were separated from armed groups [...] Also in 2018, the number of attacks on schools and hospitals continued to increase, with a total of 153 attacks documented, including 118 in Ituri Province, the majority of which were committed in the context of inter-ethnic conflict between the Hema and Walendu communities in Djugu territory”<sup>484</sup>.

The UN Secretary-General report on ‘Children and armed conflict’, covering the period from January to December 2018, noted with regards to grave violations against children committed by armed groups and government forces:

A total of 2,253 children (including 267 girls) were separated from 39 parties to conflict, including Nyatura (532), Mai-Mai Mazembe (417), Kamuina Nsapu (335), Raia Mutomboki (175), Forces démocratiques de libération du Rwanda-Forces combattantes abacunguzi (FDLR-FOCA) (128), Nduma défense du Congo-Rénové (NDC-Rénové) (75) and Force de résistance patriotique de l’Ituri (FRPI) and Alliance des patriotes pour un Congo libre et souverain (57 each). Almost half of the children were below the age of 15 when recruited (1,067) and 45 per cent were used as combatants (1,014). Following United Nations advocacy, 25 per cent of those children were voluntarily released by the commanders of armed groups [...]

Some 125 children (including six girls) were deprived of liberty by Government forces, owing to their alleged association with armed groups, and were released after periods ranging from 3 to 48 days. In addition, 21 boys who were arrested for their suspected association with Kamuina Nsapu, some since September 2016, continued to be detained in Kananga prison, Kasai Province [...]

There were 169 child casualties, with 77 killed (39 girls, 38 boys) and 92 maimed (29 girls, 63 boys). Of those casualties, 36 were attributed to FARDC (33) and the Congolese National Police (3), mostly in the context of operations in the east. The remaining casualties were attributed to armed groups, including Kamuina Nsapu (45) and the Allied Democratic Forces (ADF) (9), to unidentified armed elements (47), and 18 were caused by unexploded ordnance.<sup>485</sup>

The same report further noted with regards to humanitarian access to children that:

Four incidents of denial of humanitarian access to children were verified, all in South Kivu. For example, Raia Mutomboki attacked and abducted aid workers, hindering the distribution of vaccines to at least 5,000 children. Other incidents involved attacks by unidentified armed elements on humanitarian convoys carrying health supplies. However, the volatile security situation in the Democratic Republic of the Congo affected tens of thousands of children and hindered the environment in which humanitarian personnel operate.<sup>486</sup>

#### Abductions/Kidnapping of children

Le Monde, reporting on Goma in February 2018, highlighted the increasing incidents of kidnapping taking place in the capital of North Kivu [unofficial translation]:

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<sup>484</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, G. Child protection, paras. 42 and 43

<sup>485</sup> UN Secretary General, [Children and armed conflict, Report of the Secretary-General](#), 20 June 2019, III. Information on violations committed against children during armed conflict and progress made by parties on dialogue, action plans and other measures to halt and prevent violations against children, Democratic Republic of the Congo, paras. 58-60

<sup>486</sup> UN Secretary General, [Children and armed conflict, Report of the Secretary-General](#), 20 June 2019, III. Information on violations committed against children during armed conflict and progress made by parties on dialogue, action plans and other measures to halt and prevent violations against children, Democratic Republic of the Congo, para. 65

[...] In the past year, kidnappings have been increasing in the capital of North Kivu, where the situation is permanently tense between the army and the various militia groups. [...] Vanessa is not the only child to have been kidnapped in the working class districts of Goma. The phenomenon began in January 2017 and has continued since. Since spring, dozens of cases have been reported in the local media [...] "In Goma, there was looting during the war. Then the rapes of our women. Then, adult kidnappings. Now we kidnap children," says Valentin Sendegeya.<sup>487</sup>

Similarly, The UK Guardian newspaper reported that "Over the past three years, there have been a growing number of kidnaps in Congo's conflict-ridden Kivu provinces. More than 730 people in North and South Kivu have been abducted or kidnapped for ransom since the beginning of the year, according to the Kivu Security Tracker, a joint project between Human Rights Watch and the Congo Research Group that has tracked the number of kidnappings since April last year. But the kidnapping of children for ransom is a relatively new phenomenon, particularly in Goma, the capital of North Kivu. Exact figures are hard to come by, but one child protection group in North Kivu says that, in 2017, 215 children were abducted in the province and 34 killed. Between January and June this year [2018], 97 children have been abducted and 21 killed".<sup>488</sup>

The UN Secretary-General report on 'Children and armed conflict', covering the period from January to December 2018, noted with regards to abductions:

The number of abductions decreased to 367 (270 boys; 97 girls) and occurred mainly in North Kivu (291), South Kivu (51) and the Kasais (17). Main perpetrators included Nyatura (91), Mai-Mai Mazembe (69), ADF (47), Raia Mutomboki (46), FDLR-FOCA (24), CNRD (14) and Kamuina Nsapu (10). Seven girls and one boy were abducted by FARDC mostly for the purpose of sexual exploitation. Children were mostly abducted for the purpose of recruitment (209). A total of 62 children were subjected to sexual violence during their association. In addition, a total of 151 children (95 girls; 56 boys), who have been abducted by the Bana Mura militia in the Kasai region since 2017 and subjected to forced labour and sexual violence, remain in captivity while 62 children (41 girls; 21 boys) returned to their families. United Nations advocacy with the Government for the release of the remaining abductees yielded limited results.<sup>489</sup>

### 8.2.1. Access to education

The UN Secretary-General report on 'Children and armed conflict', covering the period from January to December 2018, noted with regards to attacks on school in conflict-areas of the DRC:

A total of 87 attacks on schools and 10 attacks on hospitals were verified, a significant decrease since 2017, which is explained by the reduction in violence in the Kasais, where institutions were no longer targeted. Most attacks occurred in the context of intercommunal clashes in Djugu Territory, Ituri (75). In total, 43 schools (42) and hospitals (1) were deliberately burned or damaged, another 51 schools (42) and hospitals (9) were looted and school personnel were attacked (3). Armed groups were responsible for most of the attacks.

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<sup>487</sup> Le Monde, [En RDC, les enfants volés de Goma](#), Last updated 19 February 2018 [Unofficial translation provided by a COI researcher]

<sup>488</sup> The Guardian, ['Mum, please pay or they'll kill me': Congo's child kidnapping crisis](#), 9 July 2018

<sup>489</sup> UN Secretary General, [Children and armed conflict, Report of the Secretary-General](#), 20 June 2019, III. Information on violations committed against children during armed conflict and progress made by parties on dialogue, action plans and other measures to halt and prevent violations against children, Democratic Republic of the Congo, para. 64

Three attacks were attributed to FARDC [...] Three schools and one hospital used for military purposes by FARDC (3) and Nyatura (1) in North Kivu (3) and the Kasais (1) were vacated following United Nations advocacy.<sup>490</sup>

### 8.2.1.1. North Kivu

Covering events from January 2017 to October 2018 the report by MONUSCO noted with regards to access to education in Lubero and Masisi territories [unofficial translation]:

Women and children generally constitute the majority of displaced populations. Many children are thus separated from their families and find themselves in a situation of extreme vulnerability. The drop-out rate is very high in these areas, especially among displaced children, many of whom are forced to work.<sup>491</sup>

The same source further noted with regards to access to education for children from the Piri ethnic group that they [unofficial translation] “appears [...] no longer attending Kasugho schools, fearing for their safety because of prejudices that make them NDC/R accomplices”.<sup>492</sup>

UNOCHA described the limitations faced by children accessing education in North Kivu in its October 2018 report and stating [unofficial translation]:

In North Kivu (Lubero, Masisi, Rutshuru), the children are particularly affected by barriers to access schooling. In addition to weak structures, there is insecurity and the occupation of school facilities by militias and armed groups that sometimes leave behind weapons and unused ammunition. More than 200 schools in the territories Beni and Lubero were affected by insecurity during the 2017-2018 school year.<sup>493</sup>

Radio Okapi reported in November 2018 on a strike organised by teachers highlighting how insecurity was affecting children’s education [unofficial translation]:

teachers' unions organized a peaceful march in the city of Beni (North Kivu) to denounce the persistent insecurity, which has a negative impact on the education of children in this region. These teachers say they have observed "the limitations of the FARDC and MONUSCO in their operations against the ADF rebels" and plead for the deployment of an Artemis-type force. "We would like the massacres to end in order to provide quality education for our children,

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<sup>490</sup> UN Secretary General, *Children and armed conflict, Report of the Secretary-General*, 20 June 2019, III. Information on violations committed against children during armed conflict and progress made by parties on dialogue, action plans and other measures to halt and prevent violations against children, Democratic Republic of the Congo, paras. 62 and 63

<sup>491</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), *Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero (NordKivu) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018*, December 2018, p. 14 [Unofficial translation provided by a COI researcher]

<sup>492</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), *Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero (NordKivu) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018*, December 2018, p. 16 [Unofficial translation provided by a COI researcher]

<sup>493</sup> UNOCHA, *Aperçu des besoins humanitaires 2018*, October 2018, p.12 [Unofficial translation provided by a COI researcher]

who have been suffering at home for a long time now," said SYNECAT Permanent Secretary Pascal Thembo Muliwavyo.<sup>494</sup>

Reach Initiative's Joint WASH and Shelter Assessments in the provinces of Central Kasai, South Kivu, Maniema, Tanganyika, Upper Lomami, Haut Katanga, North Kivu and Ituri published in December 2018 stated [unofficial translation]:

In all eight provinces surveyed, ICs [individuals questioned] questioned reported a total of 1,472 damaged schools (19%) and 1,118 schools destroyed (14%) [...] The destruction and damage impacts the conditions and quality of education for school-age children in these areas. It is likely that for most of these affected schools, damage or destruction of infrastructure has been accompanied by loss of textbooks and materials. Another implication of the lack of infrastructure could be that students end up studying in unsuitable places (public administration premises, churches, under the tree), and are therefore subject to meteorological hazards, and with overcrowded classes due to lack of space or displacement of populations. [...] In terms of access to water and sanitation, the situation is hardly more favorable for the majority of schools in all AS [Health Areas] in the eight provinces evaluated [...] In North Kivu [...] students in only 21% of schools have access to a water point on the school plot, and 26% of these schools provide adequate adapted latrines. The lack of a drinking water point in schools leads to hygiene problems and can force teaching teams and children to perform scouring, treatment and storage of water. Similarly, the lack of latrines forces children to go outdoors or to nearby homes to meet their needs. Girls are particularly affected because the absence of separation and intimacy can cause problems of discomfort, and lead to girls leaving education altogether. It should be emphasized that the quality of the school environment depends on whether schools are equipped with water sources and latrines – and, from the results of the survey, it is possible to conclude that the difficult conditions will probably affect the quality of the school environment and successful education of children in these areas.<sup>495</sup>

### 8.2.1.2. South Kivu

Radio Okapi reported in September 2018 that [unofficial translation] "In Bijombo, South Kivu, school buildings are still occupied by armed groups".<sup>496</sup>

A UNOCHA October 2018 report noted that [unofficial translation] "In South Kivu, the conflict has deprived at least 26,100 children of access to education (Kabambare territory, part of Shabunda territory and the Ubwari peninsula). The floods at the end of May 2018 also destroyed school infrastructure, affecting some 31,000 children".<sup>497</sup> The same source further noted that [unofficial translation] "In 2018, the presence of explosive devices was detected around schools in South Kivu, particularly in the territories of Fizi (ZS Fizi, Kimbi-Lulenge), Uvira (ZS Uvira) and Shabunda (ZS Kalole)".<sup>498</sup>

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<sup>494</sup> Radio Okapi, [Beni : marche pacifique des enseignants contre l'insécurité](#), 2 November 2018 [Unofficial translation provided by a COI researcher]

<sup>495</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 27 [Unofficial translation provided by a COI researcher]

<sup>496</sup> Radio Okapi, [Rentrée scolaire 2018-2019](#), 6 September 2018 [Unofficial translation provided by a COI researcher]

<sup>497</sup> UNOCHA, [Aperçu des besoins humanitaires 2018](#), October 2018, p.12 [Unofficial translation provided by a COI researcher]

<sup>498</sup> UNOCHA, [Aperçu des besoins humanitaires 2018](#), October 2018, p.13 [Unofficial translation provided by a COI researcher]

Reach Initiative's Joint WASH and Shelter Assessments in the provinces of Central Kasai, South Kivu, Maniema, Tanganyika, Upper Lomami, Haut Katanga, North Kivu and Ituri published in December 2018 stated [unofficial translation]:

In all eight provinces surveyed, ICs [key informants] questioned reported a total of 1,472 damaged schools (19%) and 1,118 schools destroyed (14%). [...] The destruction and damage impacts the conditions and quality of education for school-age children in these areas. It is likely that for most of these affected schools, damage or destruction of infrastructure has been accompanied by loss of textbooks and materials. Another implication of the lack of infrastructure could be that students end up studying in unsuitable places (public administration premises, churches, under the tree), and are therefore subject to meteorological hazards, and with overcrowded classes due to lack of space or displacement of populations. [...] In terms of access to water and sanitation, the situation is hardly more favorable for the majority of schools in all AS [Health Areas] in the eight provinces evaluated. [...] In the surveyed ASs [health zones] of South Kivu [...], less than 10% of functional and non-functional schools [...] have access to a water supply and less than 30% have improved latrines. [...] The lack of a drinking water point in schools leads to hygiene problems and can force teaching teams and children to perform scouring, treatment and storage of water. Similarly, the lack of latrines forces children to go outdoors or to nearby homes to meet their needs. Girls are particularly affected because the absence of separation and intimacy can cause problems of discomfort, and lead to girls leaving education altogether. It should be emphasized that the quality of the school environment depends on whether schools are equipped with water sources and latrines – and, from the results of the survey, it is possible to conclude that the difficult conditions will probably affect the quality of the school environment and successful education of children in these areas.<sup>499</sup>

UNOCHA noted in its April 2019 report that [unofficial translation] “This evaluation also showed a fairly large number of schools destroyed as a result of the conflicts in the areas assessed: 382 schools (77 in Uvira, 76 in Kabambare, 54 in Kalehe, 53 in Nundu, 43 in Salamabila, 27 in Shabunda, 27 in Fizi, and 25 in Kimbi Lulenge)”.<sup>500</sup>

### 8.2.1.3. Ituri

Basing its analysis on COI produced by a range of sources the Assessment Capacities Project (ACAPS) reported in March 2018 that “More than 30,000 children are out of school as a result of the violence in Ituri. At least seven schools were looted or burned and over 100 schools are closed down due to insecurity or being used as shelter for IDPs (Radio Okapi 03/03/2018; UNICEF 16/02/2018)”.<sup>501</sup>

In July 2018 UNHCR reported that “In addition to the bloodshed, hospitals, schools, and other key infrastructure have been completely destroyed in former communities, raising concerns about the number of children suffering from severe acute malnutrition and in urgent need of medical care [in Ituri]”.<sup>502</sup>

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<sup>499</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 27

[Unofficial translation provided by a COI researcher]

<sup>500</sup> UNOCHA, [Plan Opérationnel d'urgence 2019: Sud Kivu et Maniema \(RD Congo\), Jan- Jun 2019, 10 April 2019, p.8](#) [Unofficial translation provided by a COI researcher]

<sup>501</sup> Assessment Capacities Project (ACAPS), [DRC, Conflict induced displacement in Ituri](#), 16 March 2018, *Crisis impact, Education*, p. 2

<sup>502</sup> UN News, [Villages 'reduced to ash' amid 'barbaric violence' in DR Congo, reports UN refugee agency](#), 13 July 2018

Radio Okapi reported in September 2018 that [unofficial translation] “In Maliki, Ituri, school activities have not yet resumed because of Ebola”.<sup>503</sup>

An October 2018 UNOCHA report stated that [unofficial translation] “In Ituri, in the territory of Djugu, violence has led to the closure of some 200 primary schools, depriving more than 12,000 children of access to basic education”.<sup>504</sup>

The US Department of State’s annual human rights report covering 2018 noted that “Schools were sometimes targeted in attacks by both the FARDC and RMGs. UNJRO documented 153 attacks on schools, including 118 in Ituri province, the majority that were committed in the context of interethnic conflict”.<sup>505</sup>

Reach Initiative’s Joint WASH and Shelter Assessments in the provinces of Central Kasai, South Kivu, Maniema, Tanganyika, Upper Lomami, Haut Katanga, North Kivu and Ituri published in December 2018 stated [unofficial translation]:

In all eight provinces surveyed, ICs [individuals] questioned reported a total of 1,472 damaged schools (19%) and 1,118 schools destroyed (14%). [...] The destruction and damage impacts the conditions and quality of education for school-age children in these areas. It is likely that for most of these affected schools, damage or destruction of infrastructure has been accompanied by loss of textbooks and materials. Another implication of the lack of infrastructure could be that students end up studying in unsuitable places (public administration premises, churches, under the tree), and are therefore subject to meteorological hazards, and with overcrowded classes due to lack of space or displacement of populations. [...] In terms of access to water and sanitation, the situation is hardly more favourable for the majority of schools in all AS [Health Areas] in the eight provinces evaluated [...] In [...] Ituri, students in only 21% of schools have access to a water point on the school plot, and 26% of these schools provide adequate adapted latrines. The lack of a drinking water point in schools leads to hygiene problems and can force teaching teams and children to perform scouring, treatment and storage of water. Similarly, the lack of latrines forces children to go outdoors or to nearby homes to meet their needs. Girls are particularly affected because the absence of separation and intimacy can cause problems of discomfort, and lead to girls leaving education altogether. It should be emphasized that the quality of the school environment depends on whether schools are equipped with water sources and latrines – and, from the results of the survey, it is possible to conclude that the difficult conditions will probably affect the quality of the school environment and successful education of children in these areas.<sup>506</sup>

The UN Secretary-General report covering the period from 4 January to 8 March 2019 noted that “in 2018, the number of attacks on schools and hospitals continued to increase, with a total of 153 attacks documented, including 118 in Ituri Province, the majority of which were

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<sup>503</sup> Radio Okapi, [Rentrée scolaire 2018-2019](#), 6 September 2018 [Unofficial translation provided by a COI researcher]

<sup>504</sup> UNOCHA, [Aperçu des besoins humanitaires 2018](#), October 2018, p.15 [Unofficial translation provided by a COI researcher]

<sup>505</sup> The US State Department, [2018 Country Reports on Human Rights Practices: Democratic Republic of the Congo](#), 13 March 2019, Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

<sup>506</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 27 [Unofficial translation provided by a COI researcher]

committed in the context of inter-ethnic conflict between the Hema and Walendu communities in Djugu territory”.<sup>507</sup>

In June 2019 ACAPS stated that “As of 11 June, 36 primary and secondary education facilities were closed due to insecurity, depriving some 5,000 students of their education (OCHA 12/06/2019). If the security situation does not improve, this number is likely to increase; during similar events in 2017/18 over 100 schools were closed down due to insecurity or being used as shelter for IDPs (Radio Okapi 03/03/2018; UNICEF 16/02/2018)”.<sup>508</sup>

## 9. Ebola Crisis

The following non-exhaustive list of sources provide regular updates on the Ebola outbreak:

- ❖ [European Commission, Emergency Response Coordination Centre \(ERCC\)](#) (regular updates)
- ❖ [Médecins Sans Frontières \(MSF\)](#) (regular updates)
- ❖ [Relief Web](#), updates for DRC Ebola (ongoing)
- ❖ [UNICEF](#), Ebola Situation reports (monthly)
- ❖ [UN Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#), Ebola location maps (weekly updates)
- ❖ [World Health Organization \(WHO\)](#), Ebola situation reports: Democratic Republic of the Congo (weekly updates)

The following are statistics presented here in reverse chronological order and collated by the [www.securitycouncil.org](http://www.securitycouncil.org) website, which provides monthly forecasts on issues of relevance to the UN Security Council:

- July 2019 Monthly Forecast (posted 28 June 2019): “At press time, the second-largest outbreak of Ebola on record has surpassed 2,200 confirmed cases in the DRC since August 2018. More than 1,500 people have died”<sup>509</sup>;
- The World Health Organization (WHO) noted that “of the 2025 confirmed and probable cases with known age and sex: as of 4 June 2019, 58% (1170) were female, and 29% (589) were children aged less than 18 years. The number of healthcare workers affected has risen to 110 (5% of total cases)”<sup>510</sup>.
- June 2019 Monthly Forecast (posted 31 May 2019): “At press time, 1,920 cases of Ebola and 1,281 deaths had been confirmed, since August 2018. These include at least 99 health workers who were infected, of whom 34 died. The current concern is the high fatality rate, which hovers around 66 percent”<sup>511</sup>;
- March 2019 Monthly Forecast (posted 28 February 2019): “At press time, over 800 people had been infected, resulting in at least 546 deaths, and about 80,000 people had been vaccinated”<sup>512</sup>;

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<sup>507</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, G. Child protection, para. 43

<sup>508</sup> Assessment Capacities Project (ACAPS), [DRC: Displacement in Ituri](#), 21 June 2019, p. 3

<sup>509</sup> Security Council Report, [July 2019 Monthly Forecast](#), 28 June 2019, Africa, Democratic Republic of the Congo, Key Recent Developments

<sup>510</sup> World Health Organization, [Ebola virus disease – Democratic Republic of the Congo](#), 6 June 2019, para. 4

<sup>511</sup> Security Council Report, [June 2019 Monthly Forecast](#), 31 May 2019, Africa, Democratic Republic of the Congo, Key Recent Developments

<sup>512</sup> Security Council Report, [March 2019 Monthly Forecast](#), 28 February 2019, Africa, Democratic Republic of the Congo, Key Recent Developments

- February 2019 Monthly Forecast (posted 31 January 2019): “Approximately 700 people have been reported as infected since last August, and over 400 have died. In December 2018, UNICEF said more than one-third of those infected were children”<sup>513</sup>;
- January 2019 Monthly Forecast (posted 27 December 2018): “According to the World Health Organization (WHO), there had been 512 confirmed and 48 probable cases of Ebola as at 19 December 2018 in the current outbreak in North Kivu, resulting in 336 deaths. Of serious concern is the spread of the virus to Butembo, a city with a population of over one million”<sup>514</sup>;
- October 2018 Monthly Forecast (posted 28 September 2018): “After the World Health Organization (WHO) declared the 2018 Ebola outbreak in the DRC over on 24 July [2018], a new outbreak erupted in North Kivu in August. According to the WHO, by 23 September there had been 119 confirmed and 31 probable cases of Ebola, resulting in 100 deaths”<sup>515</sup>.

WHO provided the following statistics with regards to the Ebola outbreak as of 28<sup>th</sup> July 2018:

Total cases: 2671  
 - Confirmed cases: 2577  
 - Probable cases: 94  
 Deaths: 1790  
 - Confirmed cases: 1696  
 - Probable cases: 94.<sup>516</sup>

On 6<sup>th</sup> August 2019 Save the Children reported that “The deadly Ebola virus has taken the lives of more than 500 children in the Democratic Republic of Congo [...] with the number of deaths accelerating over the past 6 months. In total, around 737 children have been infected with the disease since Ebola surfaced in the DRC. Today’s figures show how the spread of the disease has accelerated: in the first six months after August 1<sup>st</sup> 2018, just under 100 children died of Ebola. In the six months that followed, over four times as many children lost their lives”.<sup>517</sup>

The following two maps provide a useful overview on the Ebola virus outbreak per location:

- World Health Organization (WHO), [Ebola virus disease – Democratic Republic of the Congo](#), 6 June 2019
- European Commission’s Emergency Response Coordination Centre (ERCC), [DRC/Uganda – Ebola Virus Disease outbreak – situation overview](#), 21 June 2019

### Background overview

According to UNICEF’s Consolidated Emergency Report 2018 on West and Central Africa:

The DRC experienced multiple complex emergencies, including two unrelated outbreaks of Ebola in the northern and eastern parts of the country. By the end of 2018, the Bikiro outbreak in the northern province of Equateur led to 88 cases but was contained. However, the outbreak in the eastern province of North Kivu had reported nearly 600 cases since

<sup>513</sup> Security Council Report, [February 2019 Monthly Forecast](#), 31 January 2019, *Africa, Democratic Republic of the Congo, Key Recent Developments*

<sup>514</sup> Security Council Report, [January 2019 Monthly Forecast](#), 27 December 2018, *Africa, Democratic Republic of the Congo, Key Recent Developments*

<sup>515</sup> Security Council Report, [October 2018 Monthly Forecast](#), 28 September 2018, *Africa, Democratic Republic of the Congo, Key Recent Developments*

<sup>516</sup> World Health Organization, [Ebola virus disease](#), Latest numbers as of 28 July 2019

<sup>517</sup> Save the Children, [Press Release](#), 6 August 2019

August 1st, 2018, making it the second largest Ebola outbreak in history – with no immediate end in sight. A large-scale rapid response was mobilized with the Government, UN agencies, including UNICEF and non-governmental agencies (NGOs) to contain the second Ebola outbreak, but ongoing armed conflict as well as population movements, community resistance and restrictions associated with the presidential and provincial elections have rendered the context one of the most complex humanitarian crises of 2018 people on the African continent.<sup>518</sup>

Médecins Sans Frontières (MSF) stated that “retrospective investigations point to a possible start of the outbreak back in May 2018” – the “tenth outbreak of Ebola in 40 years” in the DRC.<sup>519</sup> According to the same source, “The national laboratory (INRB) confirmed on 7 August [2019] that the current outbreak is of the Zaire Ebola virus, the most deadly strain and the same one that affected West Africa during the 2014-2016 outbreak. Zaire Ebola was also the virus found in the outbreak in Equateur province, in Western DRC earlier in 2018, although a different strain than is affecting the current outbreak”.<sup>520</sup>

MSF suggested with regards to the “delay in the alert and subsequent response”, this can be attributed to several factors “including a breakdown of the surveillance system due to the security context (there are limitations on movement, and access is difficult) and a strike by the health workers of the area which began in May [2019], due to non-payment of salaries”.<sup>521</sup>

In September 2018 UNICEF reported that it had “identified 155 children who have been orphaned or left unaccompanied as a result of the latest Ebola outbreak in the eastern Democratic Republic of the Congo (DRC). This figure includes children who have lost one or both parents, or primary caregivers to Ebola, as well as those who have been left unaccompanied while their parents are isolated in Ebola treatment centres. Children who lose a parent due to Ebola are at risk of being stigmatized, isolated or abandoned, in addition to the experience of losing a loved one or primary caregiver. This group of children, in addition to those who have been left on their own while their parents receive in-patient treatment, are particularly vulnerable and UNICEF is concerned for their wellbeing”.<sup>522</sup>

A report by the German Federal Office on Migration and Asylum stated in October 2018 that “Dozens of people who may have come into contact with the fatal disease are said to be hiding from the health organisation’s staff there, thus increasing the risk of Ebola spreading. The authorities in Beni have since warned that anyone harbouring people with suspected cases of Ebola faces a three month prison sentence”.<sup>523</sup>

During the reporting period 2 October to 31 December 2018 on the activities of MONUSCO the UN Secretary-General provided the following summary with regards to the Ebola crisis:

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<sup>518</sup> UNICEF Regional Office for West & Central Africa (WCARO), [Consolidated Emergency Report 2018](#), 2018, p.11

<sup>519</sup> Médecins Sans Frontières (MSF), [DRC Ebola Outbreaks: Crisis Update June 2019](#), 17 June 2019, para. 3

<sup>520</sup> Médecins Sans Frontières (MSF), [DRC Ebola Outbreaks: Crisis Update June 2019](#), 17 June 2019, para. 6

<sup>521</sup> Médecins Sans Frontières (MSF), [DRC Ebola Outbreaks: Crisis Update June 2019](#), 17 June 2019, para. 4

<sup>522</sup> UNICEF, [155 children left orphaned or separated from their parents in DRC’s latest Ebola outbreak – UNICEF](#), 21 September 2018

<sup>523</sup> German Federal Office on Migration and Asylum [Bundesamt für Migration und Flüchtlinge], [Group 62 – Information Centre for Asylum and Migration: Briefing Notes](#), 15 October 2018, p. 3

The Ebola virus disease outbreak in Beni territory, North Kivu, and in adjacent areas in Ituri Province, continued, and now affects 14 health zones. According to official figures, the critical contact tracing rate stands at around 90 per cent. As at 22 December [2018], more than 50,000 people had been vaccinated and more than 20 million travellers had been screened at the main international points of entry. Also as at 22 December [2018], the World Health Organization (WHO) had reported a total of 563 Ebola cases (515 confirmed and 48 probable) and 326 deaths.<sup>524</sup>

The UN Secretary-General report covering the period from 4 January to 8 March 2019 noted that:

An outbreak of the Ebola virus disease in North Kivu Province and in adjacent areas in Ituri Province has continued and now affects 19 health zones. As at 21 February [2019], the epicentre of the epidemic encompassed two health zones, Butembo and Katwa, and the number of reported cases totalled 859, including 536 deaths, bringing the fatality rate to 62 per cent.<sup>525</sup>

Despite medical advances, as of February 2019, MSF reported that:

More than six months after the beginning of the Ebola outbreak in North Kivu and Ituri provinces, the epidemic is not under control with more than 870 confirmed patients and more than 540 deaths. After some successes in stopping transmission in the initial epicentres of Mangina and Beni, and some ancillary locations such as Tchomia, Mutwanga, and Masereka, the epidemic has spread from 4 to 19 health zones. People continue to die in the community, become infected in health centres, and the majority of new cases cannot be related to known Ebola cases.<sup>526</sup>

A report by the German Federal Office on Migration and Asylum on 11 March 2019 reported that:

Since the beginning of 2019, more than 40 percent of people in whom Ebola was confirmed have not come to the treatment centres but have died at home. The use of police and armed forces to compel people to comply with health measures against Ebola is leading to further alienation of the community and is counterproductive to controlling the epidemic.<sup>527</sup>

A rapid assessment conducted by the International Rescue Committee (IRC) in March 2019 shows that “As primary caretakers for the sick, women and girls are at increased exposure to the virus and account for 57-62 percent of confirmed and probable cases”.<sup>528</sup>

The Kivu Security Tracker noted in April 2019 that “In a region where the state and the humanitarian community has often reacted slowly in response to the killing of civilians and other abuses committed by armed groups, the population has become suspicious of outsiders. The recent arrival of large missions to combat Ebola, with experts recruited from

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<sup>524</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, D. Humanitarian situation, para. 38

<sup>525</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 7 March 2019, II. Major developments, D. Humanitarian situation, para. 32

<sup>526</sup> Médecins Sans Frontières (MSF), [North Kivu: Ebola centre inoperative after violent attack](#), 26 February 2019, para. 6

<sup>527</sup> Bundesamt für Migration und Flüchtlinge, [Group 62 – Information Centre for Asylum and Migration: Briefing Notes](#), 11 March 2019, p.3

<sup>528</sup> IRC, [Women and girls in DRC facing an increased risk of violence and higher exposure to Ebola since start of the outbreak](#), 15 March 2019

around the world and considerable financial resources, has prompted cynicism and conspiracies”.<sup>529</sup>

Reuters reported in May 2019 that “Children under five infected with Ebola in eastern Democratic Republic of Congo are dying at a higher rate than other patients as their parents shun special treatment centers” according to the World Health Organization (WHO).<sup>530</sup>

On 4 June 2019, Tariq Riebl, the emergency response director at the International Rescue Committee, reported to The Guardian that:

We are now seeing eight to 20 cases recorded each day, a number that is very likely an underestimate. Just a few months ago, we were only seeing three to five cases a day. To see such a spike in cases at this stage in the outbreak means a drastic change is required. This response requires a total and complete reset. To say that things are not going well is an understatement. [...] It’s time the international community wakes up to the severity of this crisis.<sup>531</sup>

Since the outbreak of the epidemic, MSF reported in June 2019 that:

The response has been marked by community mistrust towards the response; attacks on our Ebola Treatment Centres (ETCs) in Katwa and Butembo in February 2019 led us to withdraw from running these centres. The mistrust and violent attacks against the Ebola response show no signs of abating [...] High levels of insecurity continue to hamper the efforts to control the epidemic and have a negative impact on its evolution: the violence further discourages people from seeking care in Ebola treatment centres, resulting in an increased likelihood of the virus spreading across the healthcare system.<sup>532</sup>

Dr Ibrahima Socé Fall, the WHO's Deputy Director-General for Emergency Response, further explained in June 2019 that “The main obstacle [to the Ebola response] is access to the most vulnerable populations due to the security situation and the manipulation of certain populations that do not adhere to the response”.<sup>533</sup>

The U.S. Congressional Research Service noted the following challenges in its July 2019 report in providing the adequate assistance to combat the Ebola virus:

Security threats have hampered response efforts by forcing temporary cessation of Ebola case management, interrupting contact tracing, and frustrating surveillance efforts in high transmission areas [...]

Communities in Beni and Butembo have long opposed DRC’s central government and complained of neglect and persecution. WHO officials have urged broader international support for political mediation, engagement with opposition, and negotiated solutions, asserting that focusing exclusively on community engagement will not address deep-seated political issues that need to be addressed at a higher level [...]

Perceptions among some Congolese that the infusion of Ebola resources are to protect the donors rather than to help the people of the DRC are also rooted in long-standing and

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<sup>529</sup> Kivu Security Tracker, [Ebola Treatment Centers Attacked by Armed Groups in Butembo](#), 9 April 2019, p. 3

<sup>530</sup> Reuters, [Children under five dying at higher rate in Congo Ebola epidemic: WHO](#), 30 May 2019

<sup>531</sup> The Guardian, [DRC Ebola cases pass 2,000, prompting call for 'total reset'](#), 4 June 2019

<sup>532</sup> Médecins Sans Frontières (MSF), [DRC Ebola Outbreaks: Crisis Update June 2019](#), 17 June 2019, para. 17, 18

<sup>533</sup> Radio Okapi, [DRC : Félix Tshisekedi et David Gressly sur l'éradication des obstacles qui freinent la lutte contre Ebola](#), 8 June 2019, para. 5 [unofficial translation provided by author of this report]

ongoing health challenges. Since January, for example, a measles outbreak has killed almost 2,000 people in Ituri province. There has been little press discussion of this or other health issues, such as high maternal and infant mortality, that have regularly killed more people than the Ebola outbreak within the same time frame [...]

Public health care shortfalls have also hindered Ebola control efforts. The WHO has reported that Ebola transmission is likely occurring in ill-equipped and understaffed health facilities. Inconsistent adherence to infection prevention and control, periodic disruptions in supply chain systems, and limited access to water for handwashing in some health facilities have complicated Ebola control efforts. In addition, some health workers have refused to wear personal protective equipment in health facilities or perform rudimentary infection prevention and control measures due to threats of violence by some members of the community.<sup>534</sup>

The UN News Centre reported in mid-July 2019 that “Deadly attacks on health workers in Ebola-hit areas of the Democratic Republic of the Congo (DRC), including one at the weekend that left two dead, show that combatting the disease outbreak will require far greater international support [...] Since the latest Ebola outbreak was officially declared in the east of the country last August, there have been more than 2,400 confirmed and probable cases, and 1,647 deaths, according to latest data from the country’s authorities. Almost 200 health facilities and workers have been attacked since January, with seven killed in the violence to date”.<sup>535</sup>

On 17<sup>th</sup> July 2019 WHO Director-General Dr. Tedros Adhanom Ghebreyesus “declared the Ebola virus disease (EVD) outbreak in the Democratic Republic of the Congo (DRC) a Public Health Emergency of International Concern (PHEIC)”.<sup>536</sup>

ACLEED noted in its ‘Fact Sheet’ of 25<sup>th</sup> July 2019 that “Aggravating the effects of overall insecurity, the public health response has increasingly come under direct attack: ACLEED records over 40 violent events involving health and aid workers in North Kivu and Ituri since the beginning of 2019. Many events are reported in North Kivu’s Beni and Butembo regions, which is the epicenter of the Ebola outbreak. The Beni region continues to face broader conflict, with over 80 political violence events since January 2019 resulting in over 140 reported fatalities. Unidentified or anonymous armed groups are responsible for over half of all attacks on health and aid workers in North Kivu and Ituri. ACLEED also records eight events in which violent mobs targeted Ebola-related health facilities since January 2019, underscoring the response’s continued struggle to gain community acceptance and support”.<sup>537</sup>

## 9.1. North Kivu

UNOCHA reported in October 2018 that Beni, “the epicentre of the new Ebola outbreak”, has “already caused 244 deaths” since the beginning of the outbreak in August 2018.<sup>538</sup>

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<sup>534</sup> U.S. Congressional Research Service, [Ebola Outbreak: Democratic Republic of Congo](#), 25 July 2019, p. 2

<sup>535</sup> UN News Centre, [Monday’s Daily Brief: numbers of hungry people rising, millions of children need vaccines, Mali children need more protection](#), 15 July 2019

<sup>536</sup> World Health Organization (WHO), [Ebola outbreak in the Democratic Republic of the Congo declared a Public Health Emergency of International Concern](#), 17 July 2019

<sup>537</sup> ACLEED Admin, [Fact Sheet – Conflict in the DRC](#), 25 July 2019

<sup>538</sup> UNOCHA, [DRC: Violent attacks continue to hinder response to Ebola outbreak](#), 24 October 2018

The epicentre of the outbreak in North Kivu “appeared to progressively move towards the south, first to the larger city of Beni, with approximately 400,000 people and the administrative centre of the region”.<sup>539</sup> The epidemic then “continued south to the bigger city of Butembo, a trading hub. Nearby Katwa became a new hotspot near the end of 2018 and cases have recently been found further south, in the Kanya area. Meanwhile, sporadic cases also appeared in the neighbouring Ituri province to the north, most recently in the Komanda health zone”.<sup>540</sup>

According to a report by ACLED in October 2018:

The political dynamics of the North Kivu region have exacerbated the Ebola crisis. Not only is the crisis response impeded by the activity of armed groups, residents’ lack of trust in the government has put humanitarian aid workers in danger and has made it difficult to implement public health measures. The persistent insecurity in the region has hamstrung the response. As of October 12, 7 of the 236 safe burials could not be completed because of security conditions. The Congolese government has deployed the security sector to “protect teams transporting the bodies of Ebola victims for burial”, though, given the community’s frustration with the government, it is unclear how effective this protection will be.<sup>541</sup>

BAMF noted that on 10 November 2018:

The health ministry announced that the tenth Ebola outbreak (which started at the beginning of August 2018) in Congo since 1976 is the most severe to date. In all, 329 people had fallen ill in the provinces of North Kivu and Ituri as at 10.11.18 (294 confirmed cases and 35 suspected cases of Ebola). 205 people have died of Ebola (including 170 confirmed cases and 35 suspected cases). The city of Beni (population approx. 800,000, North Kivu province) and the surrounding area are particularly severely affected. Activities by the local militias and rebel groups are hindering efforts to fight the highly contagious virus disease there.<sup>542</sup>

In December 2018, a report by the European Centre for Disease Prevention and Control (ECDC) concluded that:

As of 16 December 2018, the Ministry of Health of the Democratic Republic of Congo (DRC) has reported 539 Ebola virus disease (EVD) cases, including 48 probable and 491 confirmed cases. This epidemic in the provinces of North Kivu and Ituri is the largest outbreak of EVD recorded in DRC and the second largest worldwide. A total of 315 deaths occurred during the reporting period. As of 16 December 2018, 52 healthcare workers (50 confirmed and two probable) have been reported among the confirmed cases, and of these 17 have died. As of 10 December 2018, the overall case fatality rate was 58%.

Since mid-October, an average of around 30 new cases has been reported every week, with 14 health zones reporting confirmed cases in the past 21 days. This trend shows that the outbreak is continuing across geographically dispersed areas. Although the transmission intensity has decreased in Beni, the outbreak is continuing in Butembo city, and new clusters are emerging in the surrounding health zones. A geographical extension of the outbreak

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<sup>539</sup> Médecins Sans Frontières (MSF), [DRC Ebola Outbreaks: Crisis Update June 2019](#), 17 June 2019, para. 11

<sup>540</sup> Médecins Sans Frontières (MSF), [DRC Ebola Outbreaks: Crisis Update June 2019](#), 17 June 2019, para. 11

<sup>541</sup> Hilary Matfess (ACLED), [Layered Insecurity in North Kivu: Violence and the Ebola Response](#), 26 October 2018, para. 1

<sup>542</sup> Bundesamt für Migration und Flüchtlinge, [Group 62 – Information Centre for Asylum and Migration: Briefing Notes](#), 12 November 2018, p.3

(within the country and to neighbouring countries) cannot be excluded as it is unlikely that it will be controlled in the near future.<sup>543</sup>

In February 2019 The Guardian reported that “An unparalleled Ebola vaccination programme in the Democratic Republic of the Congo has become engulfed in allegations of impropriety, amid claims that women are being asked for sexual favours in exchange for treatment”.<sup>544</sup>

The International Rescue Committee found in its ‘Rapid assessment on gender and violence against women and girls in the Ebola outbreak in Beni’, published in March 2019, that:

Women and girls carry primary responsibility for caring for the sick and for managing household prevention. This means that women and girls, and particularly adolescent girls, must increase the number of times they travel long distances by foot each day to fetch water. This results in elevated risks of sexual violence and harassment.

Community members perceive an increase in violence against women and girls during the current crisis, with the highest risks being viewed as sexual violence and domestic violence. Community members report commercial sexual exploitation of women and girls to meet basic personal and household needs; and report concerns regarding sexual exploitation and abuse.

Some women and girls in need of EVD-related services face barriers including lack of information, misinformation, and lack of financial means.

Some women and girls who experience violence do not feel confident in or able to safely access confidential, quality GBV response services.<sup>545</sup>

As of 26 May 2019, UNICEF reported that the number of “deaths among confirmed cases” from EVD in North Kivu totalled 1,094, with hotspots reported in May 2019 to be “ Beni, Butembo, Kalunguta, Katwa, Mabalako, Mandima, and Musienene”.<sup>546</sup>

The Guardian reported in mid-July 2019 that “The Ebola virus has reached the Congolese city of Goma, home to two million people, for the first time since the epidemic began nearly a year ago”. The Ebola virus has reached the Congolese city of Goma, home to two million people, for the first time since the epidemic began nearly a year ago.<sup>547</sup> On 30<sup>th</sup> July 2019 Médecins Sans Frontières (MSF) noted that “a second person in Goma was diagnosed with Ebola; they died the next day and a third case was announce”.<sup>548</sup>

According to the WHO Emergency Committee meeting on Ebola in the DRC on 17<sup>th</sup> July 2019 “There are increased numbers of cases in Butembo and Mabalako; the epicentre has moved from Mabalako to Beni; and there is one imported case in Goma. Factors affecting the outbreak include population movement in highly densely populated areas; weak infection and prevention control practices in many health facilities; complex political environment; continued reluctance in the community; and the ongoing unstable security situation, which

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<sup>543</sup> ECDC, [Ebola virus disease outbreak in North Kivu and Ituri Provinces, Democratic Republic of the Congo – second update](#), 21 December 2018, p. 1

<sup>544</sup> The Guardian, [Ebola vaccine offered in exchange for sex, Congo taskforce meeting told](#), 12 February 2019

<sup>545</sup> International Rescue Committee, [“Everything on her shoulders”, Rapid assessment on gender and violence against women and girls in the Ebola outbreak in Beni, DRC](#), March 2019, Key findings, p. 2/3

<sup>546</sup> UNICEF, [Democratic Republic of the Congo, Ebola Situation Report, North Kivu and Ituri](#), 26 May 2019, p. 2

<sup>547</sup> The Guardian, [Ebola virus reaches Congolese city of Goma](#), 15 July 2019

<sup>548</sup> Médecins Sans Frontières (MSF), [Crisis update – August 2019](#), 2 August 2019

led to the recent murders of two community health workers”.<sup>549</sup> Moreover, “Ongoing challenges include insecurity, community acceptance, delays in case detection and isolation, challenges in contact tracing, a highly mobile population, and multiple routes of transmission. Nosocomial transmission, burial practices, and the use of traditional healers continue to amplify transmission in affected communities”.<sup>550</sup>

The same source further noted that “Beni remains the epicentre of the outbreak, with 46% of the cases over the last 3 weeks. Mangina has 18% of the cases, and one new case in Goma came from Beni, with diagnosis confirmed within one hour of the patient’s arrival at a health facility [...] The intensity of the epidemiological situation is fluctuating, with about 80 new cases reported weekly”.<sup>551</sup>

### 9.1.1. Effect of Violence on Health Response

The Kivu Security Tracker detailed in August 2018 that:

In Beni territory, attacks by the Ugandan rebel group Allied Democratic Forces (ADF) have intensified despite the spread of the Ebola virus in the area since early August [2018 [...]] These attacks, and the presence of armed groups, has greatly complicated the humanitarian operations against Ebola virus disease, whose epicenter is around thirty kilometers west of Beni.<sup>552</sup>

A report by ACLED in October 2018 stated that:

The North Kivu province is the site of a disproportionate share of the violent events and protests in the Democratic Republic of Congo (DRC). In 2018 thus far, 51% of violent events and protests have taken place in the province. Since August [2018], residents have also had to contend with another source of insecurity: an outbreak of the Ebola virus. The political dynamics of the North Kivu region have exacerbated the Ebola crisis. Not only is the crisis response impeded by the activity of armed groups, residents’ lack of trust in the government has put humanitarian aid workers in danger and has made it difficult to implement public health measures.<sup>553</sup>

In October 2018, UNOCHA reported that “In Beni [...] repeated incursions by alleged non-state armed groups have regularly forced medical response teams to suspend their activities [...] Activities had already been suspended before in September [2018] for several days due to direct threats against humanitarian actors. WHO was forced to suspend all activities for a

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<sup>549</sup> World Health Organization, [Statement on the meeting of the International Health Regulations \(2005\) Emergency Committee for Ebola virus disease in the Democratic Republic of the Congo on 17 July 2019](#), 17 July 2019

<sup>550</sup> World Health Organization, [Statement on the meeting of the International Health Regulations \(2005\) Emergency Committee for Ebola virus disease in the Democratic Republic of the Congo on 17 July 2019](#), 17 July 2019

<sup>551</sup> World Health Organization, [Statement on the meeting of the International Health Regulations \(2005\) Emergency Committee for Ebola virus disease in the Democratic Republic of the Congo on 17 July 2019](#), 17 July 2019

<sup>552</sup> Kivu Security Tracker, [Monthly Report: August 2018](#), August 2018, p. 1

<sup>553</sup> Hilary Matfess (ACLED), [Layered Insecurity in North Kivu: Violence and the Ebola Response](#), 26 October 2018, para. 1

period of two days after attacks in late September [2018] in and around Beni, which left more than 20 dead”.<sup>554</sup>

A news report by Reuters in October 2018 reported that:

Unidentified gunmen killed at least 14 people, including two health workers, on Saturday [the previous day] in an area of eastern Democratic Republic of Congo where militia violence has hampered efforts to contain an Ebola outbreak, authorities said. [...] Eleven civilians and one soldier were killed in the city of Beni, where scores of people have contracted the virus, Alloys Mbwara, mayor of Beni’s Rwenzori neighborhood, told Reuters on Sunday. In the city of Butembo, 50 km south of Beni, militiamen killed two members of the medical unit of Congo’s army, Health Minister Oly Ilunga said on Saturday.<sup>555</sup>

In November 2018, the “ADF rebel group attacked the Boikene district in the north-east of Beni with rockets. An attic storey in the Ebola operations centre shared by the Congolese authorities and WHO collapsed in the attack. The building’s upper storey, containing rooms used by WHO staff, was destroyed. On security grounds, the government subsequently suspended operations to combat the Ebola epidemic, which is particularly prevalent in the city of Beni and the surrounding area”.<sup>556</sup>

Peter Salama, then-WHO Deputy Director-General of Emergency Preparedness and Response, highlighted in November 2018 the critical importance of winning community trust for the success of the response, stating, “Whenever there is a violent incident, we see a major drop in contact tracing”.<sup>557</sup>

A report by the Safeguarding Health in Conflict Coalition reviewing attacks against health facilities and health workers in 2018 noted:

In the DRC in 2018, we identified 24 attacks that affected health workers and facilities. Three health workers were killed, eight were kidnapped, two were assaulted, and two were sexually assaulted; at least 13 patients were also affected, with 12 stabbed and one raped. In the incident in which a patient was raped, armed men in plain clothes entered a health facility, looted it, and attacked and raped one nurse and a patient, before attempting and failing to rape another nurse. After beating some of the patients, they stole some unspecified items and left the facility.<sup>558</sup>

The same source noted that:

In September and November [2018], attacks on the Norwegian Refugee Council, the WHO, and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) personnel prompted the closure of medical facilities and paused the Ebola response, affecting access to health care for scores of people and heightening the risk of the disease’s spread. [...] Of the 24 recorded attacks, 23 took place in the east of the country, with eight attacks taking place in the Ebola hotspots of the North Kivu and Ituri

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<sup>554</sup> UNOCHA, [DRC: Violent attacks continue to hinder response to Ebola outbreak](#), 24 October 2018, para. 2

<sup>555</sup> Reuters, [At least 14 killed in violence in eastern Congo’s Ebola zone](#), 21 October 2018, para. 1, 4, 5

<sup>556</sup> Bundesamt für Migration und Flüchtlinge, [Group 62 – Information Centre for Asylum and Migration: Briefing Notes](#), 19 November 2018, p. 3

<sup>557</sup> Center for Strategic & International Studies. [“North Kivu’s Ebola Outbreak at Day 105: What’s Next?”](#) 14 November 2018

<sup>558</sup> Safeguarding Health in Conflict, [Attacks on Health Care in 23 Countries in Conflict: 2018](#), May 2019, p. 26

provinces following the outbreak of Ebola in August. Eleven of the attacks took place between October and December 2018, with seven attacks perpetrated in November alone. [...] We received sufficient contextual evidence to consider intent in 20 of the 24 cases. Based on contextual evidence, we have coded 16 of these incidents as suspected intentional and four as suspected indiscriminate.<sup>559</sup>

In February 2019 the organisation 'Security Council Report' noted that "On 8 February [2019], two Médecins Sans Frontières staff members active in Ebola prevention were abducted in the Masisi health zone in North Kivu. While the staff members were returned unharmed, safety fears remain, and field operations were suspended at press time".<sup>560</sup>

Also reporting on a "violent attack" on the MSF ETC in Katwa MSF reported in February 2019 that the attack resulted in the facility being "partially burnt down" and the "brother of a patient died while reportedly trying to flee the scene. The exact circumstances of his death are still unclear".<sup>561</sup> According to the same source following this attack MSF "decided to suspend activities at the centre".<sup>562</sup>

According to an infographic produced in March 2019 by UNOCHA, since the beginning of the epidemic there have been 317 security incidents that have had an impact on the response to the epidemic in Ituri and North Kivu.<sup>563</sup>

A World Bank report from March 2019 described the health care situation in North Kivu in the context of Ebola crisis as follows:

In this context, the medical teams faced resistance from the communities they were trying to serve, where distrust of institutions sometimes hampered the humanitarian workers' efforts. The situation worsened in late December [2018], when residents of Beni and Butembo in eastern DRC, the two main epicenters of the epidemic, saw their participation in the presidential elections cancelled because of Ebola. More recently, following attacks on its Ebola treatment centers in the towns of Butembo and Katwa, now the epicenters of the epidemic in North Kivu, Médecins sans Frontieres (MSF) was forced to suspend its activities.<sup>564</sup>

The Kivu Security Tracker detailed in April 2019 that:

Between the end of February and mid-March [2019], within two weeks, several Ebola Treatment Centers (ETC) were attacked in the town of Butembo in eastern DRC. On February 11, 2019 [...] there was an attack on the ITAV health center, where assailants killed a policeman, burned down part of the centre and scattered 12 patients who were under

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<sup>559</sup> Safeguarding Health in Conflict, [Attacks on Health Care in 23 Countries in Conflict: 2018](#), May 2019, p. 27

<sup>560</sup> Security Council Report, [March 2019 Monthly Forecast](#), 28 February 2019, *Africa, Democratic Republic of the Congo, Key Recent Developments*

<sup>561</sup> Médecins Sans Frontières (MSF), [North Kivu: Ebola centre inoperative after violent attack](#), 26 February 2019, para. 1,2

<sup>562</sup> Médecins Sans Frontières (MSF), [North Kivu: Ebola centre inoperative after violent attack](#), 26 February 2019, para. 1, 4

<sup>563</sup> UNOCHA, [RD Congo – Ituri et Nord-Kivu: Etat de la riposte de la Maladie a Virus Ebola \(Semaine 12: due 18-24 March 2019\)](#), 28 March 2019 [unofficial translation provided by author of this report]

<sup>564</sup> The World Bank, [DRC: A Trip to the Front Lines of the Fight Against Ebola](#), 4 March 2019

quarantine. The second attack took place on March 11, 2019 [...] an attack on the ITAV health center leaving a policeman dead and injured a health worker.<sup>565</sup>

ACLED reported in April 2019 that “tensions around the response to the Ebola outbreak persist and are set to continue as armed groups have threatened to target anyone involved in the Ebola campaign (including journalists). There were a number of attacks in Butembo [town in North Kivu] last week, including one by suspected Mayi Mayi fighters at the Ebola clinic of the Catholic University of Graben who killed a Cameroonian doctor (the Mayi Mayi told the medical staff that Ebola was not real and accused them of killing people); and one by unknown gunmen against the Ebola center in Katwa, which was thwarted by the security forces”.<sup>566</sup>

The IRC issued a press release in April 2019 stating that “Three International Rescue Committee staff members have been caught up in an attack on an IRC supported hospital in Butembo, Democratic Republic of Congo (DRC), in which an Ebola response staff member was killed.”<sup>567</sup> According to The Global Observatory, “The April 19 [2019] murder of a World Health Organization (WHO) official in the Democratic Republic of the Congo (DRC) has brought to center stage the issue of escalating violence against Ebola responders. The WHO epidemiologist was killed and two others injured when gunmen stormed a hospital in Butembo, located in North Kivu province. Following the incident, doctors and nurses in Butembo threatened to strike unless government security forces did more to protect health workers”.<sup>568</sup>

The UN Group of Experts report covering the period November 2018 to 18 April 2019 found that “Ongoing insecurity caused by armed groups continued to hamper the response to the outbreak of the Ebola virus disease in Beni territory. Challenges relating to community acceptance and trust, coupled with repeated attacks against treatment centres and medical staff, were exacerbating factors”.<sup>569</sup>

A recent MSF update in June 2019 also reported that on “25 May [2019], a health worker was killed in Vusahiro while working to prevent the spread of Ebola”.<sup>570</sup>

At the end of June 2019 The Guardian provided the following overview as to the contributing factors to this particular Ebola outbreak: “Mistrust of officials and foreigners is harming efforts to tackle the disease and conspiracy theories are rampant. Some believe the outbreak is fake news spread by rapacious NGOs and the UN to justify their presence in the country and allow the extraction of valuable mineral resources. Others believe the outbreak was deliberately created for the same reason. Some locals wonder why money is poured into fighting Ebola when many more people die each year of malaria without any similar international interest. Many people also fear going to Ebola treatment centres, choosing instead to stay at home and risk transmitting the disease to carers and neighbours.

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<sup>565</sup> Kivu Security Tracker, [Ebola Treatment Centers Attacked by Armed Groups in Butembo](#), 9 April 2019, para. 1

<sup>566</sup> Margaux Pinaud (ACLED), [Regional Overview – Africa](#), 23 April 2019, p. 1

<sup>567</sup> IRC, [Attack on IRC supported hospital in DRC leads to loss of life; IRC Ebola responders caught in violence](#), 19 April 2019

<sup>568</sup> IPI Global Observatory, [Ebola Response in DRC Undergoes “Important Shifts” as Violence Intensifies](#), 22 May 2019

<sup>569</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, Summary, p. 2/3

<sup>570</sup> Médecins Sans Frontières (MSF), [DRC Ebola Outbreaks: Crisis Update June 2019](#), 13 June 2019

Insecurity also has prevented vaccination teams from getting to some areas, further limiting the health response”.<sup>571</sup>

## 9.2. South Kivu

According to the sources consulted within the specified time frame for this report, no cases of Ebola have been reported in the South Kivu region.

### 9.2.1. Effect of Violence on Health Response

According to the sources consulted within the specified time frame for this report, no cases of violence affecting the health response against Ebola in South Kivu was reported, as (so far) no cases of Ebola have been reported in this region.

## 9.3. Ituri

An article in The New England Journal of Medicine noted that “nosocomial transmission within health centres amplified the outbreak [in North Kivu], prompting detection and spread of the outbreak northward to Ituri province” in late July 2018.<sup>572</sup> According to the same source “transmission in Ituri was largely brought under control by late August 2018”.<sup>573</sup>

However, according to the same source:

Since late February 2019, increasing trends in incident cases and high proportions of community deaths have been observed. These have coincided with large-scale organized attacks targeting the response, which have resulted in recurrent suspension of response activities and reduced effectiveness of interventions. As of May 7, 2019, a total of 1600 cases (1534 confirmed and 66 probable) have been recorded, and 1069 people have died — a case fatality rate of 67%.<sup>2</sup> Of all the infected people whose age and sex were recorded, 57% (907) were female and 30% (475) were children under 18 years of age. Six percent (97) of total cases occurred in health care workers.<sup>574</sup>

As of 4 June 2019, there have been a total of 174 confirmed and 13 probable cases reported WHO in the following health zones of Ituri: Bunia, Komanda, Mandima, Nyakunde,

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<sup>571</sup> The Guardian, [Ebola in the DRC: everything you need to know](#), 25 June 2019

<sup>572</sup> Kalenga, O.L., Moeti, M., Sparrow, A., Nguyen V-K., Lucey D., Tedros A., [The Ongoing Ebola Epidemic in the Democratic Republic of Congo, 2018-2019](#), The New England Journal of Medicine, 29 May 2019, *para. 8*

<sup>573</sup> Kalenga, O.L., Moeti, M., Sparrow, A., Nguyen V-K., Lucey D., Tedros A., [The Ongoing Ebola Epidemic in the Democratic Republic of Congo, 2018-2019](#), The New England Journal of Medicine, 29 May 2019, *para. 9*

<sup>574</sup> Kalenga, O.L., Moeti, M., Sparrow, A., Nguyen V-K., Lucey D., Tedros A., [The Ongoing Ebola Epidemic in the Democratic Republic of Congo, 2018-2019](#), The New England Journal of Medicine, 29 May 2019, *para. 10, 11*

Rwampara, and Tchomia.<sup>575</sup> According to the same source there have been 97 deaths among the confirmed cases.<sup>576</sup>

### 9.3.1. Effect of Violence on Health Response

A report by the Safeguarding Health in Conflict Coalition covering the whole of 2018 stated that:

In the DRC in 2018, we identified 24 attacks that affected health workers and facilities. [...] Of the 24 recorded attacks, 23 took place in the east of the country, with eight attacks taking place in the Ebola hotspots of the North Kivu and Ituri provinces following the outbreak of Ebola in August. Eleven of the attacks took place between October and December 2018, with seven attacks perpetrated in November alone. [...] We received sufficient contextual evidence to consider intent in 20 of the 24 cases. Based on contextual evidence, we have coded 16 of these incidents as suspected intentional and four as suspected indiscriminate.<sup>577</sup>

According to an infographic produced in March 2019 by UNOCHA, since the beginning of the epidemic there have been 317 security incidents that have had an impact on the response to the epidemic in Ituri and North Kivu.<sup>578</sup>

## 9.4. Potential spread of Virus

In September of 2018, responding to the increasingly poor security situation, the WHO elevated the national and regional risk level from “high” to “very high”<sup>579</sup> and called on “on governments in surrounding countries to accelerate the preparedness activities which they have begun, with WHO support, to ensure a level of readiness should they face cases of Ebola themselves”.<sup>580</sup>

A report by the Safeguarding Health in Conflict Coalition reported in May 2019 that “There are international concerns about the heightened risk of the disease spreading, in a region with a highly mobile population and many armed groups”.<sup>581</sup>

With regards to the projected trajectory of the epidemic, MSF noted in its June 2019 updated that:

[...] the geographic spread of the epidemic appears to be unpredictable, with scattered small clusters potentially occurring anywhere in the region. This pattern makes ending the

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<sup>575</sup> World Health Organisation, [Ebola virus disease – Democratic Republic of the Congo](#), 6 June 2019, Table 1

<sup>576</sup> World Health Organisation, [Ebola virus disease – Democratic Republic of the Congo](#), 6 June 2019, Table 1

<sup>577</sup> Safeguarding Health in Conflict, [Attacks on Health Care in 23 Countries in Conflict: 2018](#), May 2019, p. 26-27

<sup>578</sup> UNOCHA, [RD Congo – Ituri et Nord-Kivu: Etat de la riposte de la Maladie a Virus Ebola \(Semaine 12: due 18-24 March 2019\)](#), 28 March 2019 [unofficial translation provided by author of this report]

<sup>579</sup> World Health Organisation, [Ebola virus disease – Democratic Republic of the Congo: Disease outbreak news](#), 20 December 2018

<sup>580</sup> World Health Organisation, [WHO calls for protection of humanitarian workers and civilians in Democratic Republic of the Congo](#), 26 September 2018, para. 10

<sup>581</sup> Safeguarding Health in Conflict, [Attacks on Health Care in 23 Countries in Conflict: 2018](#), May 2019, p. 26

outbreak even more challenging. Given the appearance of new confirmed cases ever further to the south, the risk of the epidemic reaching Goma, the capital of the province, is another cause for concern.<sup>582</sup>

On 17 October 2018 and again on 12 April 2019, the WHO announced that the Ebola outbreak did “not constitute a Public Health Emergency of International Concern (PHEIC)”, reported MSF.<sup>583</sup> On 7 June 2019, a spokesperson for WHO noted that “the latest assessment concluded that national and regional risk levels remain very high, while global risk levels remain low”; the organisation also suggested that indicators in the previous two weeks showed the first signs of a decline in intensity of transmission.<sup>584</sup>

With regards to reaching neighbouring countries, in June 2019, MSF reported that “On 11 June 2019, Uganda announced that three people had been positively diagnosed with Ebola, the first cross-border cases since the outbreak began”.<sup>585</sup>

On 6 June 2019 the WHO advised “against any restriction of travel to, and trade with, the Democratic Republic of the Congo based on the currently available information”.<sup>586</sup> Similarly, in April 2019, the ECDC noted that:

To date, no travel-associated EVD cases have been reported among travellers returning to Europe from the DRC in 2018 and 2019. The risk may increase with the upward trend if the number of cases and difficulties in applying control measures persist or worsen. Staff members of humanitarian, religious and other organisations and healthcare workers in particular who are in direct contact with patients and/or local communities in the affected areas are more likely to be exposed to the virus. EU/EEA citizens working for humanitarian aid organisations remain at low risk provided they strictly adhere to recommended precautionary measures.<sup>587</sup>

On 17<sup>th</sup> July 2019 WHO Director-General Dr. Tedros Adhanom Ghebreyesus “declared the Ebola virus disease (EVD) outbreak in the Democratic Republic of the Congo (DRC) a Public Health Emergency of International Concern (PHEIC)”.<sup>588</sup>

## 10. Socio-Economic Situation for the local population

The following is a non-exhaustive list of sources that produce regular updates on the humanitarian situation in the DRC, which may be consulted for the most up-to-date information:

- [European Commission, Emergency Response Coordination Centre \(ERCC\)](#) (regular updates)

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<sup>582</sup> Médecins Sans Frontières (MSF), [DRC Ebola Outbreaks: Crisis Update June 2019](#), 17 June 2019

<sup>583</sup> Médecins Sans Frontières (MSF), [DRC Ebola Outbreaks: Crisis Update June 2019](#), 17 June 2019

<sup>584</sup> Radio Okapi, [Ebola en RDC : l'OMS note les premiers signes d'une diminution de l'intensité de la transmission](#), 8 June 2019 [unofficial translation provided by author of this report]

<sup>585</sup> Médecins Sans Frontières (MSF), [DRC Ebola Outbreaks: Crisis Update June 2019](#), 17 June 2019, para. 2

<sup>586</sup> World Health Organisation, [Ebola virus disease – Democratic Republic of the Congo](#), 6 June 2019

<sup>587</sup> European Centre for Disease Prevention and Control, [Ebola virus disease outbreak in North Kivu and Ituri Provinces, Democratic Republic of the Congo - Fourth update](#), 16 April 2019, *Risk to EU/EEA citizens living or travelling in DRC*, p. 9

<sup>588</sup> World Health Organization (WHO), [Ebola outbreak in the Democratic Republic of the Congo declared a Public Health Emergency of International Concern](#), 17 July 2019

- [UN Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#), Situation Reports (in French)
- [UN Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#), Humanitarian Bulletins (in French)
- [UNICEF](#), Monthly situation reports
- [USAID](#), Democratic Republic of Congo – Fact Sheets

The following databases are also useful to consult:

- [Assessment Capacities Project \(ACAPS\)](#), DRC specific page
- [Humanitarian Response](#), DRC specific page
- [Reliefweb](#), DRC specific page

The IPC Integrated Food Security Phase Classification produced in August 2018 a map showing the ‘Acute Food Insecurity Situation’ in the DRC, which can be viewed [here](#).<sup>589</sup>

UNOCHA produced a map in its ‘Humanitarian Overview 2018’, published in October 2018 which highlights people in need across provinces in the DRC throughout 2018, which can be accessed [here](#).<sup>590</sup> According to the map [unofficial translation]:

- 2,723,201 people were in humanitarian need in Ituri
- 1,626,006 people in North Kivu; and
- 1,708,521 people in South Kivu.<sup>591</sup>

The Famine Early Warning Systems Network (FEWS NET) published a map of the DRC showing the current ‘food security situation’ as of June 2019, which can be accessed [here](#).<sup>592</sup>

## 10.1. North Kivu

In February 2018 The East African reported that “Two Congolese aid workers were killed and a third abducted by an unidentified armed group” near the village of Mushikiri in North Kivu and further noted that “Kidnappings, including of foreign and Congolese personnel of humanitarian organisations, are frequent in the territories of Masisi, Lubero, Rutshuru and Walikale in the province of North Kivu”.<sup>593</sup>

With regards to humanitarian access ACAPS reported in May 2019 that:

Humanitarian access has continued to be restricted, and subject to local conflict dynamics. Most security incidents were reported from Nord and Sud Kivu, Ituri, Tanganyika and Haut-Uele provinces. Besides armed conflict and insecurity, remoteness and poor infrastructure are major obstacles for humanitarians. Whereas access to Maniema and Kasai provinces has improved due to surrender of armed groups since the elections in December [2018], violence and violent clashes between FARDC and armed militia in Fizi and Shabunda territory, Sud

<sup>589</sup> See IPC Integrated Food Security Phase Classification, [IPC Analysis Portal – Congo, DRC: Acute Food Insecurity Situation August 2018](#), August 2018 [Last accessed: 22 July 2019]

<sup>590</sup> See UNOCHA, [APERÇU DES BESOINS HUMANITAIRES 2018](#), October 2018, p. 2

<sup>591</sup> See UNOCHA, [APERÇU DES BESOINS HUMANITAIRES 2018](#), October 2018, p. 2 [unofficial translation provided by a COI researcher]

<sup>592</sup> Famine Early Warning Systems Network (FEWS NET), [RÉPUBLIQUE DÉMOCRATIQUE DU CONGO Perspectives sur la sécurité alimentaire, Juin 2019 à Janvier 2020](#), June 2019, p. 1

<sup>593</sup> The East African, [2 aid workers killed in eastern DR Congo – UN](#), 20 February 2018

Kivu, and Beni and Masisi territory, Nord Kivu, diminished access to affected populations. Attacks on humanitarian staff and facilities, including kidnapping and looting, continue in various provinces and force humanitarian actors to suspend activities. Attacks against Ebola treatment centres have increased since December [2018] as community mistrust against aid workers persists.<sup>594</sup>

### 10.1.1. Access to housing

An August 2018 report from Refugees International described the housing situation in Beni City as follows: “Many host families have up to 30 IDPs living with them. These families, whose members barely have the means to provide for themselves, are also struggling to provide for the new additions to their households. Illnesses are prevalent and spread quickly within these overcrowded homes”.<sup>595</sup>

Reach Initiative’s Joint WASH and Shelter Assessments in the provinces of Central Kasai, South Kivu, Maniema, Tanganyika, Upper Lomami, Haut Katanga, North Kivu and Ituri published in December 2018 stated [unofficial translation]:

For NK [North Kivu], direct observations revealed that 51,836 shelters were destroyed in total [...]. It should also be noted that the vast majority of these destroyed or damaged shelters were located in villages and a small minority in urban areas. In case of return, shelter needs are likely to be important for households as well as their ability to rehabilitate or rebuild their shelters.<sup>596</sup>

A news update from UNHCR in December 2018 noted:

UNHCR estimates that around 1.5 million people have had their homes damaged or destroyed. The assessments are based on findings from a UNHCR-led Shelter Working Group from seven of DRC’s 26 provinces, which were surveyed between May and November of this year [2018]. Deadly clashes involving armed groups and Government forces, as well as targeted attacks, have seen many houses being burned to the ground, and building materials and roofs looted and stripped. Some of those forced to flee report entire villages having been reduced to ash.

In the eastern provinces of Ituri and North Kivu, an estimated 88,000 houses have been destroyed or damaged due to violence.

Many people have been left with no choice but to seek shelter elsewhere, where they rely on host families to take them in. This is placing a strain on already limited resources, forcing some to engage in sexual services or child labour.

In spontaneous settlements, people are in destitute and dire conditions, sleeping in huts made of branches and plastic bags. With little protection against the elements or from intruders, they are exposed to sickness and disease. The minimal possessions people still have often end up being stolen.<sup>597</sup>

UNOCHA’s Emergency Operational plan for January-June 2019 described the situation in North Kivu in 2018 as follows [unofficial translation]:

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<sup>594</sup> Assessment Capacities Project (ACAPS), [CrisisInSight, Humanitarian Access Overview](#), May 2019, p. 7

<sup>595</sup> Refugees International, [Leaving Millions Behind: the harmful consequences of donor fatigue in the Democratic Republic of Congo](#), August 2018, p.11

<sup>596</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 21

[Unofficial translation provided by a COI researcher]

<sup>597</sup> UNHCR, [UNHCR warns of massive shelter needs of DR Congo’s displaced](#), 14 December 2018

Throughout 2018, severe vulnerabilities were observed for the population affected by armed conflicts in North Kivu. In the context of the violence, essential household items or shelters that families had in their areas of origin are often looted, destroyed or burned. Many are left destitute, without means of subsistence for their survival and dignity. This situation not only affects families recently displaced but also those who decide to return to their area of origin. The displaced and returnees place a strong demographic pressure on the local community, as most of them are living with host families. The accommodation conditions do not guarantee protection of households due to lack of shelter or its poor state as well as the overcrowding caused by the high number of occupants or the modalities of access to housing.<sup>598</sup>

### 10.1.2. Access to livelihood

A press release from the Norwegian Refugee Council from April 2019 explained as a way of background: “Upper North Kivu’s territories have been insecure for years with massive inter-communal and inter-ethnic conflicts causing the majority of farming families to flee and abandon their fields. This has led to instances of crop failure and a decline in markets. Low humanitarian funding has also had a crippling effect on the people in need within these areas. Several aid agencies have had to close operations in the beleaguered province between 2017 and 2018”.<sup>599</sup>

In March 2018 Ms. Jeanine Bandu Bahati, coordinator of the local women’s non-governmental organization, *Encadrement des Femmes Indigenes et des Ménages Vulnérables* (EFIM), based in Goma, North Kivu province, briefed members of the UN Security Council during its meeting discussing the situation in the DRC and stated that:

the deterioration of the socioeconomic situation of women and girls is also one of the major consequences of the humanitarian crisis that stems from myriad chronic insecurity-related tensions. I am referring here to North Kivu, but I should point out that the Democratic Republic of the Congo, as a whole, is affected and almost engulfed by the scourge. With less than a dollar a day, it is almost impossible to live in other areas. It is an intolerable situation for women and girls. What is worse is that they spend entire days with nothing to eat. Such extreme poverty deprives them, men and boys, of prospects and opportunities, which leads some young people to join armed groups and perpetrate other abuses. I know a widow who, before the war, would sell her goods in several markets. She was well-off, but due to the insecurity, she was robbed and became very poor and vulnerable. She can no longer feed her children or take care of her family. That is just one example among many.<sup>600</sup>

For its upcoming evaluation of World Food Programme’s (WFP) interim strategic plan, the Terms of Reference noted that “In 2018, the situation has deteriorated further: the Emergency Food Security Assessments (EFSA) carried out by WFP and partners in June 2018 in Ituri, Kasai, Kasai Central, Kasai Oriental, Maniema, North Kivu, South Kivu, Tanganyika, estimates that there has been a 100% increase compared to the previous year in the number of food insecure people (affecting over 13 million) and that there are 4.6 million

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<sup>598</sup> UNOCHA, [Plan Opérationnel d’urgence 2019: Provinces de Nord Kivu et de l’Ituri \(RD Congo\), Jan-Jun 2019, 10 April 2019, p.9](#) [Unofficial translation provided by a COI researcher]

<sup>599</sup> Norwegian Refugee Council, [DR Congo: Imminent hunger crisis threatens Ebola-stricken North Kivu](#), 24 April 2019

<sup>600</sup> UN Security Council, [The situation concerning the Democratic Republic of the Congo](#), 19 March 2018, p. 4

malnourished children”.<sup>601</sup> The same source further noted that “From 2013 to 2017, the response of WFP in DRC was classified as a Level 2 Regional Emergency; following a deterioration of the security situation, in October 2017, the response was upgraded to a Level 3 Corporate emergency. The Level 3 emergency was initially declared to respond to needs in the Kasai region, but in May 2018, following a significant deterioration of the food security situation and an increase in the number of internally displaced people the emergency was extended to include the Ituri, North Kivu, South Kivu and Tanganyika regions”.<sup>602</sup>

An August 2018 report from Refugees International described lack of access to livelihoods in Beni City as follows:

In Beni city, the capital of the Beni territory of North Kivu, the current wave of displacement has been ongoing for years. Since 2013, mass killings committed by armed groups have been on the rise, forcibly displacing over 180,000 people within Beni city and its outskirts since the uptick in violence. This has pushed populations from surrounding villages and the outskirts of Beni into the city center. However, over the last few years, violence has been consistently creeping closer and closer. The city is surrounded by violence and is under a tremendous amount of pressure, with increasing needs—unmet by the humanitarian response—and a crippled economy. Instability has cut off the city of Beni from many of its food sources on the rural outskirts, and most people no longer have a source of income. Market prices have dramatically increased, and both the displaced and host communities struggle to feed their families. During RI’s [Refugees International] time in Beni, it was very clear that the needs of the displaced were not dissimilar from those of the families welcoming them. RI met with families that had been displaced for years without ever receiving assistance from the aid community.<sup>603</sup>

The Social Science in Humanitarian Action Platform noted in its August 2018 briefing that “In Beni territory (particularly areas north and east of Oicha) a further divide separates ‘migrant Nande’, who moved to Beni territory from neighboring Lubero territory, from the ‘original populations’ of Beni that include minority groups (Vuba, Bakapombe, Batalinga, Batangi) and native Nande. Many of the migrant Nande have been targeted in the recent violence and killings to enable local authorities to reclaim access to farming land. In areas of southern Lubero territory (unaffected by Ebola at the time of writing) another set of conflicts exists between Nande and Hutu regarding access to land. Due to the presence of the militia groups to the north of Beni, agriculture in the area around Mangina was an important source of food for the city, but now that access is largely cut off due to the Ebola outbreak, fears of escalating food insecurity in the city have been reported”.<sup>604</sup>

With regards to access to water and electricity in North Kivu, the same source noted:

There is a lack of basic infrastructure across the province including electricity and running water. People often have to travel great distances to collect drinking water and many collect

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<sup>601</sup> World Food Programme (WFP), [Terms of Reference, DEMOCRATIC REPUBLIC OF CONGO1: AN EVALUATION OF WFP’S INTERIM COUNTRY STRATEGIC PLAN \(2017 - MID 2019\)](#), Undated [last accessed: 22 July 2019], para. 9

<sup>602</sup> World Food Programme (WFP), [Terms of Reference, DEMOCRATIC REPUBLIC OF CONGO1: AN EVALUATION OF WFP’S INTERIM COUNTRY STRATEGIC PLAN \(2017 - MID 2019\)](#), Undated [last accessed: 22 July 2019], para. 31

<sup>603</sup> Refugees International, [Leaving Millions Behind: the harmful consequences of donor fatigue in the Democratic Republic of Congo](#), August 2018, p. 10

<sup>604</sup> Social Science in Humanitarian Action, [Key considerations: the context of North Kivu province, DRC](#), August 2018, *Social and demographic details*, p. 5

rainwater to drink. The population of North Kivu relies almost exclusively on wood-based fuels for their energy needs. In urban areas, households purchase wood from the market, but in rural areas, women are responsible for collecting firewood. Due to the pressure that deforestation has put on local ecosystems, they often have to search in areas far from their communities and are vulnerable to violence and rape whilst undertaking this daily domestic task. Some households and businesses produce their own electricity with engine-generators and solar panels. The Rutshuru Hydroelectric Power Station (operational since 2015) provides some electricity to Rutshuru Territory.<sup>605</sup>

Covering events from January 2017 to October 2018 the report by MONUSCO noted with regards to Lubero and Masisi territories [unofficial translation]:

While much of the population of Lubero and Masisi lives below the poverty line, many civilians, especially women who are engaged in agricultural activities, or trade face intimidation or threats daily linked to the collection of illegal taxes (usually between 1,000 and 2,000 Congolese francs) by different armed groups or the defense and security forces. The occupation of a village by armed groups is usually accompanied by the imposition of illegal taxes on the population that has no choice but to comply or suffer other serious violations.<sup>606</sup>

The same report stated in relation to the situations in Kasugho and Kagheri, Lubero Territory [unofficial translation]:

The imposition of illegal taxes is widespread in Kasugho, and more generally in southern Lubero. The inability to pay or present the token given by the armed group as proof of payment is severely punished, including by detention, corporal punishment, or the accusation of collaboration with the enemy that would have cost the death of some people. Another source of insecurity is the requirement for systematic forced labor, particularly by the NDC/R, in Kasugho and surrounding areas. For example, on 30 January 2018, in Kasugho, more than 150 people, including at least 70 women and girls, were abducted from their homes by NDC/R fighters, who were then taken to their Kiviri camp because that they could not prove the payment of the illegal fee of 1,000 Congolese francs required monthly by the attackers from the inhabitants of the villages under their control. The victims were undressed, tied up and stripped of everything they possessed then beaten with sticks and rifle butts. The payment of between 20,000 and 50,000 Congolese francs would have conditioned their release.<sup>607</sup>

With regards to the situation of populations living in Kashuga, Masisi territory, the same report found [unofficial translation]:

Following the death of Nyatura Kasongo commander in November 2017, armed groups stepped up their offensive to control the area north of the Mweso-Kashuga-Kalembe axis. Unlike the situation around Nyabiondo, where people can flee their villages and take refuge in neighboring villages, the populations of this area are constantly subjected to the terror of multiple armed groups and cannot escape. Populations, including internally displaced

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<sup>605</sup> Social Science in Humanitarian Action, [Key considerations: the context of North Kivu province, DRC](#), August 2018, *Overview: North Kivu Province*, p. 6/7

<sup>606</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 15 [Unofficial translation provided by a COI researcher]

<sup>607</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 16 [Unofficial translation provided by a COI researcher]

persons, are systematically accused of colluding with one or other armed group and subjected to serious violations.<sup>608</sup>

Since October 2018, food insecurity has had a major impact on the whole of the DRC and particularly in North and South Kivu described the Norwegian Refugee Council: “There have also been reports of women and girls in North Kivu going into prostitution to make money to buy food, as well as some men and boys joining armed groups just to receive regular meals”.<sup>609</sup>

*Médecins Sans Frontières* (MSF) reported in November 2018 that its teams witnessed “an increase in the mortality of malnourished children in Masisi [...] from 6.4 per cent to 8 per cent”.<sup>610</sup>

Reach Initiative’s Joint WASH and Shelter Assessments in the provinces of Central Kasai, South Kivu, Maniema, Tanganyika, Upper Lomami, Haut Katanga, North Kivu and Ituri published in December 2018 stated [unofficial translation]:

ICs [*Informateurs clés*: key informants] reported that in the majority of AS [*aires de santé*: health areas] assessed in all provinces (49%), lack of transportation was the main barrier to market access for populations. A second obstacle mentioned by ICs in a large proportion (32%) of surveyed AS is insecurity on the road to markets. The lack of a functional market is also an obstacle for the populations [...] and 37% of the AS surveyed in NK [North Kivu] [...] the terminology of the functional market took into account the following criteria: a market on which most food and non-food products are accessible to people, which take place on a regular basis (at least twice a week) and located less than two hours walk back and forth. The lack of access to a functional market as defined here does not therefore mean the absence of markets in general. People sometimes have to make much longer trips to and from home or access certain products through smaller markets (local purchase) or through free collection.<sup>611</sup>

UNOCHA reported in its ‘Humanitarian Overview 2018’ that [unofficial translation] “Across North Kivu province, more than 500,000 persons are listed in Phase 4 of the IPC [IPC: Acute food insecurity and livelihood crisis], mainly in the territories of Beni, Lubero, Masisi, Rutshuru and Walikale”.<sup>612</sup> The same source further noted that:

In North Kivu, malnutrition remains a critical problem (especially in the Lubero territories, Rutshuru, Walikale and Masisi), exacerbated by factors such as food insecurity, displacement

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<sup>608</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 16 [Unofficial translation provided by a COI researcher]

<sup>609</sup> Norwegian Refugee Council, [Hunger Levels Double in Congo as violence intensifies](#), 16 October 2018

<sup>610</sup> *Médecins Sans Frontières* (MSF), [Mortality among malnourished children on the rise in Masisi](#), 29 November 2018

<sup>611</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 28 [Unofficial translation provided by a COI researcher]

<sup>612</sup> See UNOCHA, [APERÇU DES BESOINS HUMANITAIRES 2018](#), October 2018, p. 16 [unofficial translation provided by a COI researcher]

of population, epidemics, limited access to health services and screening [...] In these areas, malnutrition is the cause of 45 per cent of deaths among children under five years of age.<sup>613</sup>

USAID reported in February 2019 that “In North Kivu, an outbreak of Small Ruminant Plague—a destructive, fast-spreading viral disease that kills sheep and goats—resulted in the deaths of approximately 50,000 animals, which could reduce access to food and income for some households”.<sup>614</sup>

The UN Food and Agriculture Organisation (FAO) Country brief on the Democratic Republic of Congo from February 2019 detailed:

Although crops benefited from adequate rains during the season in the main producing areas, the ongoing conflict in the Kasai, North Kivu, South Kivu, Ituri and Tanganyika regions continued to disrupt agricultural activities and limited farmers’ access to crop growing areas. Moreover, Fall Armyworm infestations throughout the country have caused significant crop damage and production losses, particularly in maize-growing regions. As a result, aggregate production of the 2018 crop production is expected below the near average level of 2017.<sup>615</sup>

Media Congo reported in March 2019 on the socio-economic situation in Mavivi, a town 15km north-east of the city of Beni in North Kivu [unofficial translation]:

Mavivi, a town situated about 15 kilometers north-east of the city of Beni in North Kivu province, has been suffocated by an unprecedented security, economic and socio-humanitarian situation following repeated attacks by the rebels presumed to be from the Democratic Allied Forces. (ADF). [...]

Lessons have stopped in the schools. Pupils, schoolchildren and teachers have all left with their families. [...]

Cults and masses are no longer held in churches and mosques because of the lack of believers and religious leaders. [...]

"The situation is deplorable here. The rebels attack us every day and our leader is succumbing to fear. I am put off working here, even living here. We heal people during the day and at 2 pm everyone goes back to look for somewhere to sleep, but outside this place. There is no hospitalization any more", he says [nurse, Alomi Claude]. [...]

Just as the economy started to grow in the area, everything went back to square one. The population can no longer get to their fields, and yet agriculture is one of the few revenue generating activities said Miss Furaha, who decided to open a bar that allows him to meet his basic needs. [...]

The place is frequented by young people who no longer accept to work in their fields – which explains the high level of unemployment.

"We live by wandering around. We don't go to work in the fields any more because of the risk. I'm a climber, I cut palms, but I cannot do this because the fields are inaccessible. We do not make money any more like this – it's miserable ... "said one of these young people. [...]

Civil society advocates for large-scale military operations to restore peace, security and state authority in this area in particular, as well as throughout Beni, areas which have been shaken by the activities of different armed groups.

"I regret that people do not telling the truth about the situation. If we continue to be hypocritical about this we will continue to suffer. There are no military operations in this

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<sup>613</sup> See UNOCHA, [APERÇU DES BESOINS HUMANITAIRES 2018](#), October 2018, p. 16 [unofficial translation provided by a COI researcher]

<sup>614</sup> USAID, [Democratic Republic of the Congo – Complex Emergency](#), 15 February 2019, *Food security and nutrition*, p. 3

<sup>615</sup> Food and Agriculture Organisation of the United Nations, [GIEWS Country Brief: The Democratic Republic of Congo](#), 15 February 2019

area any more. It is the attackers who are on the offensive. Yes - the army retaliates or defends, but that's not what we want. We want operations like at the time of the late General Bahuma. We do not want to see civilian and military authorities coming to take stock after the massacres have happened before disappearing again ... ", said Sheikh Jamali Mussa.

Meanwhile, soldiers of the RDC armed forces and Monusco are permanently visible along national highway number 4. Monusco helicopters regularly fly in the skies above this area. (Mavivi).<sup>616</sup>

UNOCHA's Emergency Operational plan for January-June 2019 described access to livelihoods in certain territories in North Kivu as follows [unofficial translation]:

This reality is present in the territories of Masisi, Lubero, Rutshuru, Walikale and in the city of Beni and its surroundings where, due to insecurity, the eastern part of the city has access to limited to fields, while the population is predominantly agricultural. Therefore, access to livelihoods and basic food has become weak, resulting in food stocks are quickly depleted and activities are being carried out of the city's various markets are also paralyzed. The households therefore often resort to work in the fields and other small jobs to survive.<sup>617</sup>

### 10.1.3. Access to healthcare

The Social Science in Humanitarian Action Platform noted in its August 2018 briefing that:

North Kivu Province has 27 health zones (*zones de santé*) organised around the general referral hospital in Goma. At the time of writing [August 2018], five health zones in Beni had been affected by the Ebola outbreak (Beni, Oicha, Mbalako and Musienene), one health zone in Lubero territory (Butembo), and two health zones in Ituri Province (Mandima and Mambasa). Health zones are subdivided into smaller health areas (*aires de santé*) organised around health centres (*centres de santé*) and may also contain one or more smaller health posts (*postes de santé*). As elsewhere in the DRC, health structures are weak, resources are limited, health workers are often under-skilled and the quality of care is generally low. It is difficult for the population to access care due to both financial and non-financial barriers (including distance from household to point of service delivery and conflict). There is a lack of essential drugs and a reliance on informal user fees to help cover staff salaries, operational costs, and health zone management. The ongoing conflict has had a detrimental impact on access to healthcare, and the health system is fragmented and politicised with recent attacks reported on pharmacies (most recently in July [2018] in Kabasewa, a town 60km from Beni) and hospitals (for example, the 2016 Oicha hospital attack, around 55km from Beni).<sup>618</sup>

The brief further stated that "Much of the Grand Nord is part of Virunga National Park, which is occupied by armed groups and difficult for security services, humanitarian workers, or health professionals to access. Implications for health zones – Many civilians fled areas north and east of Oicha following the onset of the violence. Many of the healthcare

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<sup>616</sup> Media Congo, [Beni: Mavivi au coeur d'un drame economico-socio-sécuritaire et humanitaire oublié \(reportage au Triangle de la mort\)](#), 10 March 2019 [Unofficial translation provided by a COI researcher]

<sup>617</sup> UNOCHA, [Plan Opérationnel d'urgence 2019: Provinces de Nord Kivu et de l'Ituri \(RD Congo\), Jan-Jun 2019, 10 April 2019, p.10](#) [Unofficial translation provided by a COI researcher]

<sup>618</sup> Social Science in Humanitarian Action, [Key considerations: the context of North Kivu province, DRC](#), August 2018, *Overview: North Kivu Province*, p. 6

professionals in Beni's *Centres de Santé*, particularly those east of the Beni-Eringeti road (Route Nationale no 4) can no longer operate in this area".<sup>619</sup>

Refugee International's August 2018 report on the situation in Beni city, in Beni territory, North Kivu decried:

The city's dwindling economy has forced many schools and health centers to shut their doors, because they go unused as residents do not have the funds to access them. A handful of organizations have been able to support local health centers, but these interventions have been limited, and most of the displaced with whom RI [Refugee International] met were unaware of the services available to them or if they were eligible to receive financed health services. As cases of Ebola increase in the outskirts of Beni city, health actors have been intervening in the city to stop its spread. However, their presence does not translate to the provision of health services for displaced or host populations.<sup>620</sup>

Reach Initiative's Joint WASH and Shelter Assessments in the provinces of Central Kasai, South Kivu, Maniema, Tanganyika, Upper Lomami, Haut Katanga, North Kivu and Ituri published in December 2018 stated [unofficial translation]:

The REACH assessments reveal a disparate situation in terms of accessibility to health facilities between the different provinces (Table 8). Thus, aggregated data from the South East Pole provinces indicate that a small proportion of villages (45%) have a functional health structure within 2 hours of walking back and forth compared to 88% of villages in Kasai Central.

Table 8: Proportion of villages in the evaluated ASs [*aires de santé* (AS): smaller health areas] in which populations have access to a functional health facility within 2 hours of walking, as reported by the ICs [*Informateurs clés*: key informants], by province

Province	% villages with functional health facility
Kasai	88%
Sud Est [South Kivu]	45%
Nord Est [North Kivu]	59%
Centre Est	61%

Health problems indicated by ICs in the ASs surveyed are:

- 1) cases of diarrhoea (over 36 000 cases reported in all health facilities evaluated, all provinces combined)
- 2) cases of severe acute malnutrition (SAM - with more than 31,500 cases reported in all health facilities evaluated, all provinces combined)
- 3) cases of cholera (with more than 500 cases reported in all health facilities evaluated, all provinces combined). The prevalence of diarrhoea and SAM is potentially related to the previously mentioned water quality problems, which suggests increased exposure of people to waterborne diseases and a cause of malnutrition in children.<sup>621</sup>

<sup>619</sup> Social Science in Humanitarian Action, [Key considerations: the context of North Kivu province, DRC](#), 10 September 2018

<sup>620</sup> Refugees International, [Leaving Millions Behind: the harmful consequences of donor fatigue in the Democratic Republic of Congo](#), August 2018, p.10

<sup>621</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 31 [Unofficial translation provided by a COI researcher]

UNOCHA reported in its 'Humanitarian Overview 2018' that [unofficial translation] "In ten provinces, some health zones have reached a "critical" or "catastrophic" level of protection: the North Kivu, South Kivu, Maniema, Haut-Katanga, Haut-Katanga Haut-Lomami, Tanganyika, Kasai, Kasai, Kasai Central, Kasai Oriental and Sankuru".<sup>622</sup>

A report by the Safeguarding Health in Conflict Coalition stated in 2018 "In the DRC [...] over half of the total number of attacks were attributed to non-state actors [...] In the DRC, 83% of reported attacks were attributed to non-state actors, including the Mai-Mai rebel group, and 88% of all reported attacks took place in the eastern provinces of North and South Kivu".<sup>623</sup> The same source further noted that "Attacks impeded access to medicines and health care for the population. In one incident in June [2018], prior to the Ebola outbreak in North Kivu province, an MSF team in the Masisi-Nyabiondo axis (North Kivu) were ambushed and robbed, prompting MSF to halt its hygiene assistance work in the area as a result".<sup>624</sup>

UNOCHA's Emergency Operational plan for January-June 2019 provided the following overall summary on health care provision and epidemics in North Kivu in 2018 [unofficial translation]:

Root causes related to poor indicators of North Kivu population's health are an ecosystem conducive to the spread of certain infectious diseases, a low quality of basic health services and water, hygiene and sanitation, as well as insufficient and inadequate food. This is due, in some localities, to the poor condition or non-existence of transport routes, but mainly to displacement and the vulnerability caused by insecurity. Of the 34 areas of that make up North Kivu, 16 have been selected as for humanitarian interventions. However, only 7 are easily accessible and the others are not for reasons of both physical and secure access. In the territories of Masisi, Rutshuru and Walikale, the insecurity generated by armed groups is reflected in kidnappings, roadblocks and intimidation, and often in addition poor condition of the terrain, impassable in the rainy season. The health zone of Pinga, for example, remains inaccessible by land: about 164,000 vulnerable people are therefore unable to receive assistance other than by helicopter. The Provincial Division of Health (DPS) is often faced with managerial difficulties, that have a negative impact on health care workers and services they provide. In 2018, a strike by health service providers paralyzed the information system between the 19th and 32nd epidemiological weeks. The rate of completeness and timeliness of reports received at the level of the epidemiological surveillance office and the crisis management during this period decreased to very low levels of 20%. This situation has been at the origin of the delays in late notification of first cases and therefore in the management of epidemics. Beyond the Ebola virus (EVI) - a specific description of which is attached - North Kivu is afflicted by other serious diseases, such as cholera, measles and rabies. With regard to cholera, fewer cases have been reported but more deaths in 2018 than in 2017, with 2,992 cases of cholera with 32 attributable deaths were reported mainly in the health zones of Goma, Itebero, Kibua, Kirotshu, Masisi, Mweso and Walikale, compared to 4,376 cases with 14 deaths in 2017.

For the measles epidemic, it is mainly concentrated in Walikale Territory since, of the 621 cases of measles 443 cases - including 3 deaths - were reported in the Walikale Health Zone. However, the epidemic continues. As for canine rabies, 73 cases of dog bites and 3 deaths of bitten people occurred in 2018. These cases were reported in 6 of the 34 health zones in North Kivu (Kibua, Masisi, Mweso, Walikale, Pinga and Rutshuru). The morbidity in children under 5 years of age is also dominated by malaria, acute respiratory infections (IRA) and

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<sup>622</sup> See UNOCHA, [APERÇU DES BESOINS HUMANITAIRES 2018](#), October 2018, p. 33 [unofficial translation provided by a COI researcher]

<sup>623</sup> Safeguarding Health in Conflict, [Attacks on Health Care in 23 Countries in Conflict: 2018](#), May 2019, p. 10

<sup>624</sup> Safeguarding Health in Conflict, [Attacks on Health Care in 23 Countries in Conflict: 2018](#), May 2019, p. 27

malnutrition. The highest mortality rate is caused by anemia, neonatal infections, neonatal infections, and severe malaria, pneumonia and malnutrition. The cumulation of malaria cases reported at the end of 2018 was 997 798 cases and 272 deaths. The most affected health zones are Walikale, Oïcha, Mweso, Masisi, Kibua and Kibirizi. Beyond that epidemics, the lives and well-being of children are also threatened by severe acute malnutrition (SAM).<sup>625</sup>

The UN Group of Experts report covering the period November 2018 to 18 April 2019 described the following attacks on health care centres in North Kivu, which occurred in February 2019:

On 12 February 2019, the first of a series of attacks in the area of Mamove, the breadbasket of Oïcha, was launched. The attack targeted the health centre of Mamove, which was looted together with houses and shops. A clash with FARDC followed the attack [...] As the assailants retreated, they abducted at least 17 civilians between Mamove and Oïcha. Mamove was attacked a second time on 24 February 2019. During the second attack, three civilians were killed and the health centre, houses and shops were looted and set aflame [...] At least 24 civilians were abducted during the attack and its aftermath. Most of those abducted during and after the attacks on 12 and 24 February 2019 were released on 2 and 5 March 2019, respectively.<sup>626</sup>

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in May 2019 that “Poor WASH conditions, malnutrition, and recurrent displacement contribute to the challenging health situation in Nord Kivu and Ituri provinces (CAID 31/03/2017; OCHA POU 2019; UNHCR 07/02/2019). A weak national health system, lack of qualified staff and supplies as well as the current Ebola outbreak in Nord Kivu and Ituri provinces are likely having a negative impact on access to healthcare in the affected areas (DRC RRP 2019- 2020). Malaria is prevalent in the area (Actualite 30/04/2019). [...] Limited hygiene and access to safe latrines increases the risk of diseases”.<sup>627</sup>

A UN News Centre article of May 2019 described the issue of insecurity affecting availability of health care as follows: “So far, in 2019, there have been 174 attacks against health care facilities or workers [in North Kivu]. That’s a three-fold increase compared to the number of attacks that took place during the previous five-month period (August through December 2018)”.<sup>628</sup>

A news update from WHO in May 2019 described the response to the cholera outbreak in North Kivu as follows:

More than 800,000 people will be immunised against cholera in North Kivu in the Eastern part of the Democratic Republic of the Congo (DRC) following the launch of a major vaccination campaign today.

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<sup>625</sup> UNOCHA, [Plan Opérationnel d’urgence 2019: Provinces de Nord Kivu et de l’Ituri \(RD Congo\), Jan-Jun 2019, 10 April 2019, p.10](#) [Unofficial translation provided by a COI researcher]

<sup>626</sup> UN Group of Experts on the Democratic Republic of the Congo, [Final Report of the Group of Experts on the Democratic Republic of the Congo](#), 7 June 2019, IV. *Serious violations of international humanitarian law and human rights, C. Attacks against civilians in Beni territory, para. 111*

<sup>627</sup> Assessment Capacities Project (ACAPS), [DRC Conflict and displacement in Nord Kivu and Ituri](#), 14 May 2019, p. 3

<sup>628</sup> UN News, [DR Congo: Strengthened effort against Ebola is paying off, but insecurity still major constraint – UN health agency](#), 28 May 2019

The campaign will be implemented by the DRC Ministry of Health with support from the World Health Organization (WHO) and partners, and funded by Gavi, the Vaccine Alliance. A total of 835,183 people in Binza, Goma, Kayina, Karisimbi, Kibirizi, Kirotshu and Rutshuru areas will be vaccinated by 1 June 2019. The campaign will administer the first of two doses of oral cholera vaccine (OCV) to people in these areas. Following successful implementation, a campaign to administer the second dose will take place at a later stage to provide full protection against cholera.

Over 10,000 cases of cholera have been reported in the country since January 2019, leading to more than 240 deaths. In addition, over 80,000 suspected cases of measles have led to over 1,400 deaths so far this year while a case of circulating vaccine-derived poliovirus type 2 was reported in Kasai province earlier this month.<sup>629</sup>

The New Humanitarian reported in July 2019 on health epidemics apart from Ebola that have affected populations in North Kivu:

Aid groups say the Ebola outbreak is stretching their limited capacity to tackle these other emergencies in the midst of a deteriorating humanitarian situation.

For example, health workers in North Kivu were so consumed by responding to the Ebola epidemic that measles vaccinations were interrupted.

Key aid programmes like the Rapid Response to Population Movements (RRMP) - which is managed by UNICEF and assists vulnerable people forced to flee their homes following conflict - are still awaiting funds for future interventions [...]

The energy and attention directed towards Ebola have already led to prevention measures for cholera and measles being overlooked despite these diseases costing more lives than Ebola. [...]

Cholera January to June 2019: 12,711 cases, 276 deaths.

Measles January to June 2019: 107,061 cases, 1,879 deaths.

Ebola May 2018 to June 2019: 2,325 cases, 1,563 deaths. [...]

Before the Ebola epidemic began, health workers were giving measles vaccinations twice a week in all health facilities in North Kivu, according to Stephane Bateyi Mustafa, measles vaccination coordinator for the province. "When Ebola arrived, a lot of health workers began working in the [Ebola] response," Mustafa said. "The frequency [of vaccinations] diminished and a lot of children were not vaccinated."

Poor living conditions and constant movement of displaced people have contributed to the spread of measles, which, like Ebola, is contagious and can easily pass across a nearby, porous border into Uganda. Those most at risk are children: 69 percent of cases are among those aged under five; and if they are malnourished there's increased risk of mortality.

Cholera has also cropped up in areas close to Lake Kivu and Lake Albert in both North Kivu and Ituri provinces. During the dry season many people living in these areas take water from the lakes, where vibrio cholerae - the disease-giving bacterium - is present.

There have been 1,820 cases in North Kivu since the start of the year. "The mortality rate isn't as high [as Ebola], but the number of people impacted is massive," said the IRC's Terlouw.

The cholera and measles outbreaks are both underfunded. Just in order to restart its routine vaccination plan, the Ministry of Health says it needs \$800,000. On 25 June, the ministry began vaccinating 22,000 children aged between six months and fifteen years of age in Kamango, but it requires more funding in order to scale up the campaign.<sup>630</sup>

In June 2019 *Médecins Sans Frontières* (MSF) news brief described their attempt to control a measles outbreak in 2019:

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<sup>629</sup> World Health Organisations (WHO) [Major cholera vaccination campaign begins in North Kivu in the Democratic Republic of the Congo](#), 27 May 2019

<sup>630</sup> The New Humanitarian, [Congo-Kinshasa: Hunger, Measles, Cholera, and Conflict - Ebola Not the Only Killer Ravaging Congo](#), 3 July 2019

In the first five months of 2019, more than 1,500 measles-related deaths were officially recorded, making this the worst measles epidemic since 2011 and 2012, which had been the deadliest the country had seen in a decade. Almost all of these deaths were among children. Measles is a highly contagious viral disease for which no treatment exists. Children are particularly vulnerable to complications from measles, and the only way to protect them against the potentially life-threatening disease is vaccination. Measles remains a leading killer of young children all over the world despite the fact that an effective, low-cost vaccine has been available for decades. [...]

Measles mainly affects children. In DRC, several factors explain its recurrence, including low immunization coverage, irregular supply and access to—or even stock-outs of—vaccines, a weakened surveillance system, limited logistical means that undermine the cold chain that keeps vaccines refrigerated and effective, armed conflicts and displacement that paralyze the health system in certain areas, and financial or geographical barriers limiting or even preventing patients' access to health facilities.<sup>631</sup>

## 10.2. South Kivu

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in May 2019 that “84,454 refugees (mostly from Burundi) are hosted in Sud-Kivu. In addition, there are 647,000 IDPs in Sud-Kivu, mainly located in Kalehe (226,000) and Fizi (188,000) territories”.<sup>632</sup>

USAID reported in February 2019 that “Clashes continue to displace populations and exacerbate humanitarian needs throughout South Kivu Province, particularly in Uvira Territory, where armed clashes displaced approximately 15,000 people in early November [2018]. The fighting damaged or destroyed civilian infrastructure, with 80 percent of the houses in Uvira’s Katala Health Zone burned during the clashes. The early November [2018] violence in Uvira also impeded the ability of internally displaced persons (IDPs)—the majority of whom were displaced by intercommunal violence between April and June [2018]—to return to areas of origin in and around the territory’s Bijombo locality. Additionally, after the deteriorating security situation in South Kivu’s Fizi Territory prompted approximately 13,000 people to flee, the majority of IDPs—85 percent—had returned to areas of origin in Fizi as of late December [2018]”.<sup>633</sup>

With regards to humanitarian access ACAPS reported in May 2019 that:

Humanitarian access has continued to be restricted, and subject to local conflict dynamics. Most security incidents were reported from Nord and Sud Kivu, Ituri, Tanganyika and Haut-Uele provinces. Besides armed conflict and insecurity, remoteness and poor infrastructure are major obstacles for humanitarians. Whereas access to Maniema and Kasai provinces has improved due to surrender of armed groups since the elections in December, violence and violent clashes between FARDC and armed militia in Fizi and Shabunda territory, Sud Kivu, and Beni and Masisi territory, Nord Kivu, diminished access to affected populations. Attacks on humanitarian staff and facilities, including kidnapping and looting, continue in various provinces and force humanitarian actors to suspend activities. Attacks against Ebola

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<sup>631</sup> Médecins Sans Frontiers (MSF), [Massive efforts needed to respond to growing Measles epidemic in DRC](#), 11 June 2019

<sup>632</sup> Assessment Capacities Project (ACAPS), [DRC Displacement in Sud Kivu](#), 29 May 2019, p. 6

<sup>633</sup> USAID, [Democratic Republic of the Congo – Complex Emergency](#), 15 February 2019, *Insecurity and population displacement*, p. 2

treatment centres have increased since December as community mistrust against aid workers persists.<sup>634</sup>

### 10.2.1. Access to housing

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in August 2018 that “On 17 August, a fire broke out in the Nyalukemba neighbourhood of Ibanda Municipality in the city of Bukavu, Sud Kivu, only a few days after two fires affected the neighbouring municipality of Kadutu. 289 houses were damaged, and between 2,500 and 3,000 people were left homeless in the aftermath of the fire. They are yet to receive any shelter and NFI assistance”.<sup>635</sup>

UNOCHA’s report of April 2019 highlighted the housing situation in South Kivu and noted [unofficial translation]:

In all provinces of South Kivu and Maniema, the conflict has resulted in a significant number of destroyed or damaged shelters.

However, displaced and returnee households face obstacles to the construction or rehabilitation of their shelters in the majority of health zones, particularly due to a lack of resources [...] The shelter assessments conducted in 2018 by the Shelter Working Group (SWG) in collaboration with REACH in Maniema and South Kivu provinces identified high vulnerabilities in this area. IDPs represent 36% of the surveyed population, returnees 30% and the local population 34%.<sup>636</sup>

### 10.2.2. Access to livelihood

In January 2018 a UN News story described how “Violence [in South Kivu] has also prevented many people from working the fields to raise crops, fuelling a heightened risk of food insecurity and raising the possibility that thousands of children could suffer from malnutrition due to the lack of food”.<sup>637</sup>

According to ACTED’s website access to humanitarian aid in South Kivu, especially in Fizi and Shabunda territories, is impeded by road conditions:

The activities of most of the organizations operating in the Fizi and Shabunda territories [South Kivu] are often slowed down or stopped because of the road condition. Access routes are impassable, preventing humanitarian workers to reach populations in need of emergency aid. Consequently, populations with already low incomes see their socio-economic conditions steadily deteriorating, in areas where basic necessities are particularly expensive.<sup>638</sup>

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<sup>634</sup> Assessment Capacities Project (ACAPS), [CrisisInSight, Humanitarian Access Overview](#), May 2019, p. 7

<sup>635</sup> Assessment Capacities Project (ACAPS), [DRC \(Sud Kivu\) Fire in Ibanda municipality, city of Bukavu](#), 24 August 2018, p. 1

<sup>636</sup> UNOCHA, [Plan Opérationnel d’urgence 2019: Sud Kivu et Maniema \(RD Congo\), Jan- Jun 2019, 10 April 2019, p.8](#) [Unofficial translation provided by a COI researcher]

<sup>637</sup> UN News, [Restive eastern DR Congo home to one of world’s worst displacement crises for children – UNICEF](#), 25 January 2018

<sup>638</sup> ACTED, [Restoring humanitarian access to landlocked territories](#), undated [Last accessed: 17 July 2019]

The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reported in February 2018 that “The vast green fields and the abundance of water in South Kivu belie the fact that malnutrition and food insecurity are rife in that province. Families whose food needs and incomes are based on agriculture have been forced to abandon their fields to stay alive. Each month, an estimated 1.9 million people in South Kivu do not even eat a meal every day. Diseases that attack staple food, such as cassava and bananas, have aggravated the situation”.<sup>639</sup>

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in August 2018 that “Access to drinkable water is a major problem in Ibanda [municipality in the city of Bukavu]. Overpopulation and a lack of funding mean the absence of a regular water supply is a recurring problem, and people living in Bukavu sometimes spend months without running drinking water. People resort to drinking unclean water from the river or digging wells in their land. These makeshift wells are often built near latrines, which poses serious health concerns and exacerbates the risk of waterborne diseases spreading. (AFEM 24/03/2017, Speak 13/11/2015)”.<sup>640</sup> The same source further noted that “Bukavu is in Stressed Phase (IPC 2) and food insecurity levels are expected to remain unchanged until January 2019. (FEWSNET accessed 22/08/2018)” and that “Only 58% of the population have access to drinkable water in Sud Kivu. (OCHA 21/08/2018)”.<sup>641</sup>

In October 2018, food insecurity has had a major impact on the whole of the DRC and particularly in North and South Kivu described the Norwegian Refugee Council: “Some parents in South Kivu’s Fizi territory have taken their underage children out of school to send them to work in minefields so that money can be earned to feed the family”.<sup>642</sup>

For its upcoming evaluation of World Food Programme’s (WFP) interim strategic plan, the Terms of Reference noted that “In 2018, the situation has deteriorated further: the Emergency Food Security Assessments (EFSA) carried out by WFP and partners in June 2018 in Ituri, Kasai, Kasai Central, Kasai Oriental, Maniema, North Kivu, South Kivu, Tanganyika, estimates that there has been a 100% increase compared to the previous year in the number of food insecure people (affecting over 13 million) and that there are 4.6 million malnourished children”.<sup>643</sup> The same source further noted that “From 2013 to 2017, the response of WFP in DRC was classified as a Level 2 Regional Emergency; following a deterioration of the security situation, in October 2017, the response was upgraded to a Level 3 Corporate emergency. The Level 3 emergency was initially declared to respond to needs in the Kasai region, but in May 2018, following a significant deterioration of the food security situation and an increase in the number of internally displaced people the

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<sup>639</sup> UN Office for the Coordination of Humanitarian Affairs, [South Kivu: A spiraling humanitarian crisis](#), 22 February 2018

<sup>640</sup> Assessment Capacities Project (ACAPS), DRC (Sud Kivu) Fire in Ibanda municipality, city of Bukavu, 24 August 2018, p. 2

<sup>641</sup> Assessment Capacities Project (ACAPS), DRC (Sud Kivu) Fire in Ibanda municipality, city of Bukavu, 24 August 2018, p. 4

<sup>642</sup> Norwegian Refugee Council, [Hunger Levels Double in Congo as violence intensifies](#), 16 October 2018

<sup>643</sup> World Food Programme (WFP), [Terms of Reference, DEMOCRATIC REPUBLIC OF CONGO1: AN EVALUATION OF WFP’S INTERIM COUNTRY STRATEGIC PLAN \(2017 - MID 2019\)](#), Undated [last accessed: 22 July 2019], para. 9

emergency was extended to include the Ituri, North Kivu, South Kivu and Tanganyika regions”.<sup>644</sup>

Reach Initiative’s Joint WASH and Shelter Assessments in the provinces of Central Kasai, South Kivu, Maniema, Tanganyika, Upper Lomami, Haut Katanga, North Kivu and Ituri published in December 2018 stated [unofficial translation]:

Concerning the essential household goods sector (MEA), the sudden displacement and the partial or total destruction of conflict-affected villages in the provinces of South Kivu [...] has created an emergency situation. This is exacerbated by the cyclical, multiple and prolonged nature of displacement and promiscuity in places and shelters. In terms of access to basic services, the situation remains critical. Health centers and schools were severely affected in the clashes, with major damage to infrastructure and equipment. The poor state of the road network throughout the territory must also be taken into account, as it restricts the ability of humanitarian organizations to conduct assessments and obtain information on the needs of the populations affected by the crisis.<sup>645</sup>

The same report further noted [unofficial translation]:

[I]n all provinces (49%), lack of transportation was the main barrier to market access for populations. A second obstacle mentioned by ICs [*Informateur clé*: Key informants] in a large proportion (32%) of surveyed AS [*Aire de santé*: health areas] is insecurity on the road to markets. The lack of a functional market is also an obstacle for the populations in 30% of the AS evaluated in SK [South Kivu] [...] the terminology “functional market” took into account the following criteria: a market on which most food and non-food products are accessible to people, which take place on a regular basis (at least twice a week) and located less than two hours walk back and forth. The lack of access to a functional market as defined here does not therefore mean the absence of markets in general. People sometimes have to make much longer trips to and from home or access certain products through smaller markets (local purchase) or through free collection. Subsequently, ICs were asked to indicate whether non-food items (NFIs) [...] were generally available in these functional markets.<sup>646</sup>

UNOCHA reported in its ‘Humanitarian Overview 2018’ that with regards to food security [unofficial translation] “In South Kivu, a deterioration has been observed since 2016 in the territories of Fizi and Kalehe. In 2018, they are, with Shabunda, listed in phase 4, as well as the territory of Kabambare in Maniema”.<sup>647</sup> The same source further noted that:

The nutritional situation remains alarming in South Kivu and in Maniema, with an overrun of the thresholds in the middle of the year [2018] in almost all priority health zones in the Operational Plan. Some worrying peaks have been reported in the territories of Fizi, Nundu, Kabambare, Salamabila and Ruzizi. The cholera epidemic that has broken out in September [2018] in the territories of Fizi and Uvira could have an aggravating impact. In Bijombo, where important population displacements took place in July and August [2018],

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<sup>644</sup> World Food Programme (WFP), [Terms of Reference, DEMOCRATIC REPUBLIC OF CONGO1: AN EVALUATION OF WFP’S INTERIM COUNTRY STRATEGIC PLAN \(2017 - MID 2019\)](#), Undated [last accessed: 22 July 2019], para. 31

<sup>645</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 9 [Unofficial translation provided by a COI researcher]

<sup>646</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 28 [Unofficial translation provided by a COI researcher]

<sup>647</sup> See UNOCHA, [APERÇU DES BESOINS HUMANITAIRES 2018](#), October 2018, p. 16 [unofficial translation provided by a COI researcher]

communities may miss the agricultural season, which would lead to a further deterioration of the situation nutritional.<sup>648</sup>

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in May 2019 that “Food insecurity in Sud Kivu has deteriorated in 2018 due to large-scale population movements which are the main driver of food insecurity and malnutrition in the DRC (FAO 02/2019). In Sud Kivu, 3.65 million of 5.75 million people are food insecure, including 112,000 people in estimated to be in Crisis (IPC-3) and 634,000 people to be in Emergency (IPC-4) for the period August 2018 – June 2019 (IPC Info August 2018). Fizi and Uvira territories are facing Emergency levels of food insecurity with close to 400,000 people in Crisis and Emergency while Mwenga territory is facing Crisis levels (41,000 people in IPC3) (OCHA, assessed 27/05/2019). Although up-to-date data on food security in Sud Kivu is limited, violent clashes, internal displacement and return movements are likely to negatively impact food security as food stocks are lost, access to crops and livestock is limited, and markets in host areas are likely under pressure (FEWS NET April 2019). In DRC, nearly 2 million children are suffering from severe acute malnutrition (SAM); Sud Kivu is one of the worst affected provinces. (USAID, March 2018)”<sup>649</sup>.

### 10.2.3. Access to healthcare

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in August 2018 that “In Nyalukemba neighbourhood [of Ibanda, in Bukavu], where the fire broke out [in mid-August 2018], the only medical structure (Etoile du Congo Clinic) was partially destroyed. The 50 patients being treated there were promptly evacuated. The pharmacy where all the medicines and medical equipment were stored was destroyed. (Le Nouvelliste 19/08/2018) There are five hospitals in Ibanda health zone. The most important one (Hôpital Général), located in Panzi, can accommodate 450 patients. 42 doctors and 79 nurses work at this hospital, which was not affected by the fire and is still functional. (CAID 15/04/2018)”<sup>650</sup>.

UNOCHA reported in October 2018 about the various epidemics affecting the populations in South Kivu [unofficial translation]:

In South Kivu and Maniema, the trend of the epidemic of cholera is improving. However, some spikes have also been reported in endemic areas like the territories of Fizi and Minova. The risks of spread of the disease are aggravated by the destruction hygiene and sanitation infrastructure following the floods in April and May (ZS Uvira, Ruzizi Plain) [...]

During 2018, cholera outbreaks were reported in endemic areas, including Fizi (2,384 cases) and Uvira (1,122 cases), Minova (372 cases), Bukavu city (349 cases). At the same time, measles epidemics were confirmed in the High Health Zone Plateaux (964 cases), Mulungu (408 cases), Lulingu (503 cases), Fizi (526 cases and 6 deaths, a fatality of 1.14%), Kamituga (147 cases and 2 deaths, a fatality of 1.36%), Kabare (1,192 cases), Mubumbano (103 cases) and Mwenga (201 cases and 3 deaths, for a fatality of 1.5%). Specific attention is paid to the availability of pre-positioned stocks and the strengthening of prevention activities.

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<sup>648</sup> See UNOCHA, [APERÇU DES BESOINS HUMANITAIRES 2018](#), October 2018, p. 16 [unofficial translation provided by a COI researcher]

<sup>649</sup> Assessment Capacities Project (ACAPS), [DRC Displacement in Sud Kivu](#), 29 May 2019, p. 4

<sup>650</sup> Assessment Capacities Project (ACAPS), DRC (Sud Kivu) Fire in Ibanda municipality, city of Bukavu, 24 August 2018, p. 2

Sanitation is still a concern in the health zones of Uvira and Ruzizi, following the floods between April and May 2018. The destruction of hygiene and sanitation infrastructure seriously increases the risks associated with the spread of the cholera epidemic in an endemic area. In addition, there are the challenges of the epidemiological surveillance mechanism and the new displacement of populations that, because of crowding, increase the risk of contamination.<sup>651</sup>

Reach Initiative’s Joint WASH and Shelter Assessments in the provinces of Central Kasai, South Kivu, Maniema, Tanganyika, Upper Lomami, Haut Katanga, North Kivu and Ituri published in December 2018 stated [unofficial translation]:

The REACH assessments reveal a disparate situation in terms of accessibility to health facilities between the different provinces (Table 8). Thus, aggregated data from the South East Pole provinces indicate that a small proportion of villages (45%) have a functional health structure within 2 hours of walking back and forth compared to 88% of villages in Kasai Central.

Table 8: Proportion of villages in the evaluated ASs [*aires de santé* (AS): smaller health areas] in which populations have access to a functional health facility within 2 hours of walking, as reported by the ICs [*Informateurs clés*: key informants], by province

Province	% villages with functional health facility
Kasai	88%
Sud Est [South Kivu]	45%
Nord Est [North Kivu and Ituri]	59%
Centre Est	61%

Health problems indicated by ICs in the ASs surveyed are:

- 1) cases of diarrhoea (over 36 000 cases reported in all health facilities evaluated, all provinces combined)
- 2) cases of severe acute malnutrition (SAM - with more than 31,500 cases reported in all health facilities evaluated, all provinces combined)
- 3) cases of cholera (with more than 500 cases reported in all health facilities evaluated, all provinces combined). The prevalence of diarrhoea and SAM is potentially related to the previously mentioned water quality problems, which suggests increased exposure of people to waterborne diseases and a cause of malnutrition in children.<sup>652</sup>

UNOCHA reported in its ‘Humanitarian Overview 2018’ that [unofficial translation] “In ten provinces, some health zones have reached a "critical" or "catastrophic" level of protection: the North Kivu, South Kivu, Maniema, Haut-Katanga, Haut-Katanga Haut-Lomami, Tanganyika, Kasai, Kasai, Kasai Central, Kasai Oriental and Sankuru”.<sup>653</sup>

A report by the Safeguarding Health in Conflict Coalition stated in 2018 “In the DRC [...] over half of the total number of attacks [against health facilities] were attributed to non-state actors [...] In the DRC, 83% of reported attacks were attributed to non-state actors, including

<sup>651</sup> UNOCHA, [Aperçu des besoins humanitaires 2018](#), October 2018, p.9 [Unofficial translation provided by a COI researcher]

<sup>652</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 31 [Unofficial translation provided by a COI researcher]

<sup>653</sup> See UNOCHA, [APERÇU DES BESOINS HUMANITAIRES 2018](#), October 2018, p. 30 [unofficial translation provided by a COI researcher]

the Mai-Mai rebel group, and 88% of all reported attacks took place in the eastern provinces of North and South Kivu”.<sup>654</sup>

*Médecins Sans Frontières* (MSF) reported in February 2019 that “In South Kivu, as in most of the rest of the vast Democratic Republic of Congo, paved roads are rare and health facilities are few and far between. For many people living outside cities and urban areas, it is normal to have to walk dozens of kilometres for access to even the most basic medical care. For us, meanwhile, transporting staff and supplies and referring patients is a challenge – the most feasible forms of transport are by motorbike or on foot. These challenges only grow during the rainy season, when trails that can normally be traversed by motorbike become rivers of mud, sometimes doubling the length of journeys that were already measured in days rather than hours”.<sup>655</sup> The same article further noted that “diseases like malaria and cholera are endemic in the region, and can kill if left untreated. All of these factors combine to form a perfect storm for patients, who are exposed to high levels of risk from multiple sources and with few possibilities of accessing quick treatment.”<sup>656</sup>

An article by *Agence Congolaise de Presse* noted in May 2019 with regards to the measles outbreak in South Kivu that [unofficial translation]:

The South Kivu-Maniema Health Cluster, presented Friday in Bukavu, an overview of the measles epidemic in the 34 health zones in South Kivu province, according to statistics provided by WHO, surveillance reported a total of 5648 cases with 33 deaths. Three health zones emerge from the lot and are classified as "Hot spots". These are the Shabunda health zone: 1,118 cases with 20 deaths, Idjwi: 2,826 cases with 6 deaths and Kamituga: 963 cases with 7 deaths. In terms of ongoing response actions, it is reported that medical care for patients is continuing in health facilities with the support of "Médecins Sans Frontières (MSF) Holland" in Kamituga and MSF/Spain in Shabunda and Idjwi, in addition to a "VAR" vaccination response organized in the Rubumbano, Kabare, Kamituga and Idjwi health zones with the support of WHO and Unicef.<sup>657</sup>

### 10.3. Ituri

At the end of August 2018 UNHCR stated that it is “alarmed by the latest escalation of violence in already volatile and Ebola-hit North Kivu province [...] home to some 1.3 million people”.<sup>658</sup> The same source further noted that “Spiralling conflict has left the population living there virtually in a state of siege since October 2017”.<sup>659</sup>

With regards to humanitarian access ACAPS reported in May 2019 that:

Humanitarian access has continued to be restricted, and subject to local conflict dynamics. Most security incidents were reported from Nord and Sud Kivu, Ituri, Tanganyika and Haut-Uele provinces. Besides armed conflict and insecurity, remoteness and poor infrastructure are major obstacles for humanitarians. Whereas access to Maniema and Kasai provinces has

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<sup>654</sup> Safeguarding Health in Conflict, [Attacks on Health Care in 23 Countries in Conflict: 2018](#), May 2019, p. 10

<sup>655</sup> *Médecins Sans Frontières* (MSF), [South Kivu: Marathon journeys to access basic medical care](#), 8 February 2019

<sup>656</sup> *Médecins Sans Frontières* (MSF), [South Kivu: Marathon journeys to access basic medical care](#), 8 February 2019

<sup>657</sup> *Agence Congolaise de Presse*, [Sud-Kivu : état des lieux de l'épidémie de rougeole dans les zones de santé](#), 10 May 2019 [Unofficial translation provided by a COI researcher]

<sup>658</sup> UNHCR, [Spiralling violence puts millions at risk in Ebola-hit eastern DRC](#), 24 August 2018

<sup>659</sup> UNHCR, [Spiralling violence puts millions at risk in Ebola-hit eastern DRC](#), 24 August 2018

improved due to surrender of armed groups since the elections in December, violence and violent clashes between FARDC and armed militia in Fizi and Shabunda territory, Sud Kivu, and Beni and Masisi territory, Nord Kivu, diminished access to affected populations. Attacks on humanitarian staff and facilities, including kidnapping and looting, continue in various provinces and force humanitarian actors to suspend activities. Attacks against Ebola treatment centres have increased since December as community mistrust against aid workers persists.<sup>660</sup>

In June 2019 ACAPS stated that “Humanitarian access in Ituri province is limited and most of the affected areas are currently inaccessible (UNHCR 18/06/2019). Active fighting and intercommunal clashes are a major concern for humanitarian operations (Al Jazeera 18/06/2019; UNHCR 18/06/2019). Armed youth belonging to both groups are restricting movement of displaced people to access assistance and services (UNHCR 18/06/2019). The UN Stabilization Mission in the DRC, MONUSCO, has three temporary military bases in Djugu and Mahagi (UN 18/06/2019). Much of DRC’s 1,700km road network is in poor condition. Most roads are made of dirt, and only 11% are paved (OCHA 31/07/2018; Logistics Cluster 30/01/2019). The ongoing rainy season likely further decreases terrestrial access to affected areas. Insecurity along the Mahagi-Djugu-Bunia road, the primary supply route, poses significant challenges for humanitarian actors due to blockades by armed men (Logistics Cluster 18/03/2019; Radio Okapi 18/06/2019; OCHA 12/06/2019). The resurgence of violence has sparked protests, disrupting traffic in some locations (Radio Okapi 10/06/2019)”.<sup>661</sup>

### 10.3.1. Access to housing

UNOCHA described in October 2018 the difficulty of access to housing for people affected by the conflict in Ituri [unofficial translation]:

During the crises in the Kasai region, Tanganyika and Ituri, several homes were destroyed and burned and fields ransacked or looted in the areas of origin, which is a barrier to return. In addition, in displacement areas, displaced persons are hosted by families who themselves face difficulties in living in adequate housing. In the search for durable solutions, return to the areas of origin is often preferred; but returnees sometimes find their homes destroyed or uninhabitable and do not have the means to rebuild them. Homelessness exposes them to bad weather, physical and sexual violence and forced evictions in the event of secondary occupation.<sup>662</sup>

In December 2018 UNHCR reported that:

[...] around 1.5 million people have had their homes damaged or destroyed. The assessments are based on findings from a UNHCR-led Shelter Working Group from seven of DRC’s 26 provinces, which were surveyed between May and November of this year [2018]. Deadly clashes involving armed groups and Government forces, as well as targeted attacks, have seen many houses being burned to the ground, and building materials and roofs looted and stripped. Some of those forced to flee report entire villages having been reduced to ash. In the eastern provinces of Ituri and North Kivu, an estimated 88,000 houses have been destroyed or damaged due to violence.

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<sup>660</sup> Assessment Capacities Project (ACAPS), [CrisisInSight, Humanitarian Access Overview](#), May 2019, p. 7

<sup>661</sup> Assessment Capacities Project (ACAPS), [DRC: Displacement in Ituri](#), 21 June 2019, p. 3

<sup>662</sup> UNOCHA, [Aperçu des besoins humanitaires 2018](#), October 2018, p.13 [Unofficial translation provided by a COI researcher]

Many people have been left with no choice but to seek shelter elsewhere, where they rely on host families to take them in. This is placing a strain on already limited resources, forcing some to engage in sexual services or child labour.

In spontaneous settlements, people are in destitute and dire conditions, sleeping in huts made of branches and plastic bags. With little protection against the elements or from intruders, they are exposed to sickness and disease. The minimal possessions people still have often end up being stolen. Women and girls are at acute risk of sexual violence.<sup>663</sup>

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in May 2019 that “There are 7 hospitals and 91 health centres in Fizi territory, 17 hospitals and 85 health centres in Uvira and 6 hospitals and 99 health centres in Mwenga (as of March 2017). There is no up-to-date information available concerning functionality of these health facilities and it can be assumed that some health facilities have been impacted by recent fighting”.<sup>664</sup>

In June 2019 ACAPS stated that “The systematic burning and destruction of villages means that the need for shelter assistance and household items will remain high upon return (UNHCR 18/06/2019; OCHA 12/06/2019). The extent of damaged or destroyed houses is unclear, however, during similar incidents between February and April 2018, 16,000 houses across 75 villages were destroyed (OCHA 12/06/2019)”.<sup>665</sup>

### 10.3.2. Access to livelihood

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in March 2018 that “Violence and displacement have disrupted the agricultural system and resulted in significant loss of maize harvest, driving most of the conflict-affected areas into Crisis food insecurity (IPC3). The next harvest season (June to August) is likely to be negatively impacted by the conflict as people are likely to have limited access to their fields. The most affected territory is Djugu which is especially concerning as it is considered to be the grain basket of the province (Jeune Afrique 13/03/2018; Fews Net 28/02/2018; OCHA 28/02/2018)”.<sup>666</sup>

For its upcoming evaluation of World Food Programme’s (WFP) interim strategic plan, the Terms of Reference noted that “In 2018, the situation has deteriorated further: the Emergency Food Security Assessments (EFSA) carried out by WFP and partners in June 2018 in Ituri, Kasai, Kasai Central, Kasai Oriental, Maniema, North Kivu, South Kivu, Tanganyika, estimates that there has been a 100% increase compared to the previous year in the number of food insecure people (affecting over 13 million) and that there are 4.6 million malnourished children”.<sup>667</sup>

Following UNHCR’s team visit to the area where months of conflict between the Hema and Lendu ethnic groups resulted in the displacement of around 350,000 people, UNHCR reported in mid-July 2018 that “Conditions are grim. In all around 350,000 people are

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<sup>663</sup> UNHCR, [UNHCR warns of massive shelter needs of DR Congo’s displaced](#), 14 December 2018

<sup>664</sup> Assessment Capacities Project (ACAPS), [DRC Displacement in Sud Kivu](#), 29 May 2019, p. 6

<sup>665</sup> Assessment Capacities Project (ACAPS), [DRC: Displacement in Ituri](#), 21 June 2019, p. 2

<sup>666</sup> Assessment Capacities Project (ACAPS), [DRC, Conflict induced displacement in Ituri](#), 16 March 2018, *Crisis impact, Food*, p. 2

<sup>667</sup> World Food Programme (WFP), [Terms of Reference, DEMOCRATIC REPUBLIC OF CONGO1: AN EVALUATION OF WFP’S INTERIM COUNTRY STRATEGIC PLAN \(2017 - MID 2019\)](#), Undated [last accessed: 22 July 2019], para. 9

estimated to have fled the violence, and those who have returned so far are in many cases finding that their villages and homes have been reduced to ash – making them displaced again [...] The humanitarian challenges are enormous with hospitals, schools, and other key infrastructure having been completely destroyed. UNHCR is particularly concerned about the number of children suffering from severe acute malnutrition and who are in need of urgent medical care”.<sup>668</sup>

Reach Initiative’s Joint WASH and Shelter Assessments in the provinces of Central Kasai, South Kivu, Maniema, Tanganyika, Upper Lomami, Haut Katanga, North Kivu and Ituri published in December 2018 stated [unofficial translation]:

ICs [*Informateurs clés*: key informants] reported that in the majority of ASs [*aires de santé* (AS): smaller health areas] assessed in all provinces (49%), lack of transportation was the main barrier to market access for populations. A second obstacle mentioned by ICs in a large proportion (32%) of surveyed AS [health areas] is insecurity on the road to markets. The lack of a functional market is also an obstacle for the populations [...] 37% of the AS surveyed in [...] IT [Ituri] the terminology of the functional market took into account the following criteria: a market on which most food and non-food products are accessible to people, which take place on a regular basis (at least twice a week) and located less than two hours walk back and forth. The lack of access to a functional market as defined here does not therefore mean the absence of markets in general. People sometimes have to make much longer trips to and from home or access certain products through smaller markets (local purchase) or through free collection.<sup>669</sup>

The US Department of State’s annual human rights report covering 2018 noted that “In Djugu territory in Ituri, the PNC and FARDC prevented humanitarian aid from accessing a significant percentage of the territory where a series of community attacks took place”.<sup>670</sup>

UNOCHA reported in its ‘Humanitarian Overview 2018’ with regards to food security that [unofficial translation] “Ituri has more than 700,000 people in phase 4, the highest number in a province. In total, 57 percent of the population is in phases 3 and 4. The most affected territories are Djugu, Irumu, Mahagi and Mambasa”.<sup>671</sup>

USAID reported in February 2019 that “Increased conflict—particularly in Ituri [...] is the main driver of the deteriorating food security conditions, according to the IPC assessment. Similarly, the Famine Early Warning Systems Network (FEWS NET) reports that violence, population displacement, and disease outbreaks continue to contribute to food insecurity in the DRC. Renewed conflict in Ituri since September [2018] has also limited household access to agricultural and pastoral fields, undermined agricultural livelihoods activities, and restricted access to food. Relief actors estimate that nearly 40,000 people are displaced in Ituri’s Djugu town as of December 2018 and populations continue to face heightened humanitarian needs”.<sup>672</sup>

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<sup>668</sup> UNHCR, [UNHCR team hears accounts of barbaric violence in eastern Congo’s Ituri region](#), 13 July 2018

<sup>669</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 28 [Unofficial translation provided by a COI researcher]

<sup>670</sup> The US State Department, [2018 Country Reports on Human Rights Practices: Democratic Republic of the Congo](#), 13 March 2019, section 1., G. ABUSES IN INTERNAL CONFLICT

<sup>671</sup> See UNOCHA, [APERÇU DES BESOINS HUMANITAIRES 2018](#), October 2018, p. 16 [unofficial translation provided by a COI researcher]

<sup>672</sup> USAID, [Democratic Republic of the Congo – Complex Emergency](#), 15 February 2019, *Food security and nutrition*, p. 3

ACAPS reported in June 2019 that “Food insecurity levels are high across the affected territories, including the ‘grain basket’, Djugu territory, where much of the violence was concentrated (UNHCR 18/06/2019; OCHA 12/06/2019; Jeune Afrique 13/03/2018; Fews Net 28/02/2018; OCHA 28/02/2018). The volatile security situation means that affected populations lose access to their livelihoods, which is to a large extent based on agricultural or related activities. While farmers lose access to their crops during the current harvesting season, herders are likely unable to move their livestock to new pastoral lands. Insecurity likely impacts food availability in local markets and can increase staple food prices. All activity in Bunia, Ituri’s capital, was suspended between 12 and 14 June to mourn the victims, which could impact the fragile local economy (Radio Okapi 12/06/2019)”.<sup>673</sup>

The UN News Centre reported in early July 2019 that “Food aid is being tripled for troubled Ituri province in the Democratic Republic of the Congo (DRC), to respond to what the World Food Programme (WFP) has described as the world’s second largest hunger crisis in the world, after Yemen”.<sup>674</sup>

### 10.3.3. Access to healthcare

In July 2018 UNHCR reported that “In addition to the bloodshed, hospitals, schools, and other key infrastructure have been completely destroyed in former communities, raising concerns about the number of children suffering from severe acute malnutrition and in urgent need of medical care [in Ituri]”.<sup>675</sup>

With regards to the measles epidemic in Ituri province, UNOCHA reported in October 2018 that [unofficial translation]:

Ituri and the other northeastern provinces also experienced an improvement with a decrease in the number of cases registered. However, local actors are expressing their concern about the poor performance alerting and surveillance system and the Expanded Program of Vaccination. The lack of reactive laboratory equipment in the first half of 2018 impeded making a proper epidemiological surveillance with case confirmation. Confirming cases is also necessary to detect possibly other diseases such as rubella.<sup>676</sup>

Reach Initiative’s Joint WASH and Shelter Assessments in the provinces of Central Kasai, South Kivu, Maniema, Tanganyika, Upper Lomami, Haut Katanga, North Kivu and Ituri published in December 2018 stated [unofficial translation]:

The REACH assessments reveal a varied situation in terms of accessibility to health facilities between the different provinces (Table 8). Thus, aggregated data from the South East Pole provinces indicate that a small proportion of villages (45%) have a functional health structure within 2 hours of walking back and forth compared to 88% of villages in Kasai Central.

Table 8: Proportion of villages in the evaluated ASs [*aires de santé* (AS): smaller health areas]

<sup>673</sup> Assessment Capacities Project (ACAPS), [DRC: Displacement in Ituri](#), 21 June 2019, p. 2

<sup>674</sup> UN News Centre, [DR Congo: UN food agency triples aid in strife-hit Ituri province](#), 2 July 2019

<sup>675</sup> UN News, [Villages ‘reduced to ash’ amid ‘barbaric violence’ in DR Congo, reports UN refugee agency](#), 13 July 2018

<sup>676</sup> UNOCHA, [Aperçu des besoins humanitaires 2018](#), October 2018, p.15 [Unofficial translation provided by a COI researcher]

in which populations have access to a functional health facility within 2 hours of walking, as reported by the ICs [*Informateurs clés*: key informants], by province

Province	% villages with functional health facility
Kasaï	88%
Sud Est [South Kivu]	45%
Nord Est [North Kivu]	59%
Centre Est	61%

Health problems indicated by CIs in the ASs surveyed are:

- 4) cases of diarrhoea (over 36 000 cases reported in all health facilities evaluated, all provinces combined)
- 5) cases of severe acute malnutrition (SAM - with more than 31,500 cases reported in all health facilities evaluated, all provinces combined)
- 6) cases of cholera (with more than 500 cases reported in all health facilities evaluated, all provinces combined). The prevalence of diarrhoea and SAM is potentially related to the previously mentioned water quality problems, which suggests increased exposure of people to waterborne diseases and a cause of malnutrition in children.<sup>677</sup>

The April 2019 UNOCHA report described access to healthcare in Ituri as follows [unofficial translation]:

In Ituri Province, the impact of the humanitarian crisis on the health of the population is also evident, as the persistence of insecurity and inter-ethnic violence since December 2017 in the Djugu Territory has continued to limit people's access to minimum and complementary packages of essential health care and basic social services, adequate and quality food, as well as drinking water, hygiene and sanitation. Of the 29 health zones in the province, 17 are priorities for multisectoral humanitarian interventions. In the Djugu Territory, 8 of the 13 health zones present were in need of health assistance in July 2018 - with 35 health structures non-functional due to looting, destruction, occupation or abandonment out of 107 existing. Daily mortality in some IDP sites in these areas was above the emergency threshold. Key indicators of child and women's health remain of concern. Infant and child mortality is 112 per 1,000 live births and about 15 women die each month from pregnancy-related problems. Moreover, it is children under the age of 5 years who continue to pay a heavy price for the main fatal diseases, such as malaria, acute respiratory infections and diarrhoea. With regard to malaria, about 20,000 suspected cases were reported weekly with outbreaks without reaching the epidemic threshold in some health areas in the Aru, Ariwawa, Logo, Mahagi and Rethy areas. As in 2017, the main epidemics - cholera and measles - persisted, despite the efforts of the humanitarian community to eradicate them. At the end of 2018, 1,067 cases of Cholera out of 32 attributable deaths were recorded, the majority in the health zones of Gety, Angumu, Nizi and Tchomia. For Measles, 3,276 cases of children under 5 years of age were recorded with 45 deaths mainly in the localities of Nia-Nia and Nyarambe. The impact of the crisis is also evident from a nutritional point of view, as the situation of children has rapidly deteriorated.<sup>678</sup>

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in May 2019 that "Poor WASH conditions, malnutrition, and recurrent displacement contribute to the challenging health situation in Nord Kivu and

<sup>677</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 31

[Unofficial translation provided by a COI researcher]

<sup>678</sup> UNOCHA, [Plan Opérationnel d'urgence 2019: Provinces de Nord Kivu et de l'Ituri \(RD Congo\), Jan-Jun 2019, 10 April 2019, p.11](#) [Unofficial translation provided by a COI researcher]

Ituri provinces (CAID 31/03/2017; OCHA POU 2019; UNHCR 07/02/2019). A weak national health system, lack of qualified staff and supplies as well as the current Ebola outbreak in Nord Kivu and Ituri provinces are likely having a negative impact on access to healthcare in the affected areas (DRC RRP 2019- 2020). Malaria is prevalent in the area (Actualite 30/04/2019) [...] Limited hygiene and access to safe latrines increases the risk of diseases”.<sup>679</sup>

## 11. Situation of Internally Displaced Persons (IDPs) in Eastern DRC

The following is a non-exhaustive list of sources that produce regular updates on the humanitarian situation in the DRC, which may be consulted for the most up-to-date information:

- [European Commission, Emergency Response Coordination Centre \(ERCC\)](#) (regular updates)
- [UN Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#)
- [UNHCR Mid-Month Updates](#)
- [UN Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#), Situation Reports (in French)
- [UN Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#), Humanitarian Bulletins (in French)
- [UNICEF](#), Monthly situation reports
- [USAID](#), Democratic Republic of Congo – Fact Sheets

The following databases are also useful to consult:

- [Assessment Capacities Project \(ACAPS\)](#), DRC specific page
- [Humanitarian Response](#), DRC specific page
- [Reliefweb](#), DRC specific page

Care International’s news update from January 2018 decried the situation of IDPs in Eastern DRC and noted “Together, North and South Kivu account for almost 40 per cent of the total internally displaced population in the DRC. Schools, health centres and infrastructure have been destroyed, and farmers have missed planting seasons”.<sup>680</sup>

The UN High Commissioner for Human Rights noted with regards to IDPs in his report covering the period June 2017 to May 2018 that “There is no national strategy or legislation, however, for the protection of and assistance to internally displaced persons”.<sup>681</sup> The UN Secretary-General report on the ‘implementation of the Peace, Security and Cooperation Framework for the DRC and the Region’ covering the period 15 September 2017 to 28 February 2018 reported that “There are over 4.4 million internally displaced persons, more than double the amount recorded in 2016. This is the largest population of internally

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<sup>679</sup> Assessment Capacities Project (ACAPS), [DRC Conflict and displacement in Nord Kivu and Ituri](#), 14 May 2019, p. 3

<sup>680</sup> Care International, [More violence, displacement and hunger for the people of the DRC in 2018](#), 3 January 2018

<sup>681</sup> UN High Commissioner for Human Rights, [Human rights situation and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo Report of the United Nations High Commissioner for Human Rights](#), 13 August 2018, II. Principal human rights developments, B. Protection of civilians in conflict areas, 1. Current situation and action taken by the Government, para. 41

displaced persons in any country on the African continent”.<sup>682</sup> The same report further stated that “According to the Internal Displacement Monitoring Centre, the Democratic Republic of the Congo was, for the second consecutive year, the country worst affected by conflict-related displacement in the world. In the light of the dramatic increase in humanitarian needs, the United Nations activated the highest level of emergency preparedness in the Provinces of Kasai, Tanganyika and South Kivu and supported the development of a humanitarian response plan, which requires \$1.68 billion to address the urgent needs of 10.5 million people”.<sup>683</sup>

Refugees International summarised the humanitarian situation in eastern DRC as of August 2018 as follows:

[...] a devastating humanitarian crisis, which has degenerated into one of the world’s worst humanitarian emergencies over the last two years. During this period, a new surge in conflict and bloodshed has swept across several DRC provinces, killing thousands. The potential for further deterioration continues to rise. Currently, over 13.1 million Congolese require humanitarian assistance—about the same number of people in need as those within Syria. An estimated 5 million Congolese have been displaced—internally and into neighboring countries, including 2 million people in 2017 alone, making the DRC’s displacement crisis the most severe in Africa. Millions of Congolese are not receiving the life-saving aid they require. To make matters worse, international funding is at its lowest in a decade. In the worst-affected provinces—Tanganyika, North and South Kivu, Ituri, and the Kasais—aid is present but is spotty and often slow.<sup>684</sup>

The Internal Displacement Monitoring Centre (IDMC) noted in its ‘Figure Analysis’ on the DRC that “Regarding the data from OCHA, many of the reported population movements cannot be verified, due to access constraints. The figure only includes verified caseloads and is likely an underestimate of the total number of new displacements that took place during the 2018 calendar year. For the data for the provinces covered by IOM, this data is also considered to be an underestimate. As most villages were surveyed only once, it was not possible to measure the increase in IDP populations in each village at different times during the year”.<sup>685</sup>

In April 2019 *Médecins Sans Frontiers* (MSF) described the ongoing cycle of displacement in Eastern DRC and noted:

Every day, our teams in eastern DRC witness the dramatic effect of violence and insecurity on the people. Each time there is an outbreak of violence, people flee to safer areas. This happens so regularly that we observe a cycle of displacement: one day people find themselves displaced, only to become the ones to host displaced populations themselves the next day. Over and over again.<sup>686</sup>

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<sup>682</sup> UN Secretary-General, [Report of the Secretary-General on the implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 8 March 2018, II. Major developments, C. Humanitarian situation, para. 28

<sup>683</sup> UN Secretary-General, [Report of the Secretary-General on the implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region](#), 8 March 2018, II. Major developments, C. Humanitarian situation, para. 28

<sup>684</sup> Refugees International, [Leaving Millions Behind, The harmful consequences of donor fatigue in the Democratic Republic of the Congo](#), August 2018, Summary, p. 4

<sup>685</sup> Internal Displacement Monitoring Centre (IDMC), [Democratic Republic of the Congo, Figure Analysis – Displacement Related to Conflict and Violence](#), May 2019, New Displacements, p. 2

<sup>686</sup> Médecins Sans Frontiers (MSF), [The Daily Struggle for Survival in DRC](#), 4 April 2019

### 11.1. North Kivu

The Social Science in Humanitarian Action Platform noted in its August 2018 briefing that “North Kivu hosts over one million IDPs, the greatest number in any province. 27 Most IDPs are sheltered in host communities, particularly in Beni city, Oicha, and around Kasindi near the Ugandan border. In January 2018, it was reported that over 18,000 people in Beni Territory had almost no access to humanitarian assistance due to security constraints. Since mid-March, approximately 4,200 newly displaced people have arrived in Beni Territory, but displacement and return movements happen concurrently across the territory”.<sup>687</sup> Moreover the same source highlighted that “Ongoing insecurity threatens the delivery of humanitarian assistance. Between January and March 2018, three abductions of humanitarian workers were reported (two of whom were released), and two Congolese aid workers were killed in Rutshuru territory in Virunga National Park”.<sup>688</sup>

UNHCR reported at the end of September 2018 that “It is estimated that more than a million people are displaced in North Kivu. An estimated half a million people have been forced from their homes this year alone”.<sup>689</sup> The same article further stated that North Kivu is the province “that has the highest number of internally displaced people in all DR Congo”.<sup>690</sup>

Covering events from January 2017 to October 2018 the report by MONUSCO noted with regards to Lubero and Masisi territories [unofficial translation]:

For many civilians, the only solution is to flee the conflict zones. In the sites for displaced persons in North Kivu, 38% of the registered persons come from Masisi, i.e. 46,143 people. The territory of Lubero has 22,569 internally displaced persons. Women and children generally constitute the majority of displaced populations. Many children are thus separated from their families and find themselves in a situation of extreme vulnerability. The drop-out rate is very high in these areas, especially among displaced children, many of whom are forced to work. Some suffer sexual exploitation, especially in brothels. Other population groups, such as the elderly or people with disabilities, are also particularly affected because it is difficult for them to flee.<sup>691</sup>

According to UNHCR “insecurity in the Democratic Republic of the Congo’s North Kivu province led to more than 100,000 people fleeing their homes in April [2019] [...] It is estimated that up to 60,000 people fled in April [2019] as a result of fighting around Kamango near the town of Beni. In the same month, an estimated 50,000 people fled in neighbouring Lubero Territory, where the Congolese Army was fighting Mai-Mai armed

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<sup>687</sup> Social Science in Humanitarian Action, [Key considerations: the context of North Kivu province, DRC](#), August 2018, *Overview: North Kivu Province*, p. 6

<sup>688</sup> Social Science in Humanitarian Action, [Key considerations: the context of North Kivu province, DRC](#), August 2018, *Overview: North Kivu Province*, p. 6

<sup>689</sup> UNHCR, [UNHCR alarm at recent attacks and rising displacement in eastern DRC](#), 28 September 2018

<sup>690</sup> UNHCR, [UNHCR alarm at recent attacks and rising displacement in eastern DRC](#), 28 September 2018

<sup>691</sup> UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l’homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, p. 14 [Unofficial translation provided by a COI researcher]

groups”.<sup>692</sup> With regards to human rights violations directed against IDPs the source reported “Kidnappings and killings have traumatized the population. Often, displaced people are the targets. Last week, five mutilated bodies were found in a river in Masisi Territory, around 60 kilometres to the northwest of Goma. The bodies included those of three children. Four of the dead were people who had been kidnapped from Kashuga, a nearby displacement site”.<sup>693</sup>

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in May 2019 that “Displaced populations are particularly exposed to protection risks such as SGBV, survival sex, and the forced recruitment of children into armed groups. These continue to be grave concerns among the displaced in Nord Kivu and Ituri provinces (UNHCR 10/05/2019; IRIN 10/01/2019; UNICEF 31/01/2019)”.<sup>694</sup>

From January to July 2019 the Internal Displacement Monitoring Centre (IDMC) collected ‘latest new displacement’ figures on North Kivu from EU and UN sources as follows [reverse chronological order]:

- 27 February - 3 March 2019: “In North Kivu, about 4,800 people arrived in Bukombo locality, Masisi territory, after fleeing clashes between armed groups between 27 February and 4 March [2019] occurring in Nyamaboko, Bapfuna and Bashali Mokoto groups”
- 27 February – 8 March 2019: “In North Kivu, about 7,000 people arrived in Niabiondo locality, Masisi territory on the 8th of March, 2019. They fled clashes between armed groups which occurred between 27 February and 4 [sic; 2019] near Nyamaboko, Bapfuna and Bashali Mokoto village groups”
- 7 – 8 February 2019: “On the 7th of February [2019], more than 21,000 people were displaced from multiple localities located to the south east of Beni, in North Kivu, fleeing raids from armed groups. They sought refuge in neighbourhoods in the commune of Bungulu. They started returning home on the 8th of February [2019]”
- 28 January – 4 February 2019: “About 1,000 people fled clashes between government forces and armed groups occurring near villages west of Kitchanga, in Masisi territory, North Kivu, moving temporarily to stay in Kitchanga town”
- 21 – 24 January 2019 “More than 8,000 people had to leave their homes in Mayi- Moya, Oicha territory, North Kivu between 21 and 24 January [2019], due to clashes. Some fled to Eringeti and surrounding areas, while others fled to Oicha”
- 1 January – 23 February 2019: “In North Kivu, about 2,300 people arrived in Bukombo, Masisi territory on the 23rd of February [2019], fleeing clashes between armed groups across the territory that has been ongoing since the beginning of the year”
- 1 January – 3 March 2019: “In North Kivu, about 240 people arrived in Pinga, Walikale territory on the 2nd of March [2019], after fleeing ongoing clashes in Bashali Mokoto village group in Masisi territory, which has been ongoing since the beginning of 2019”
- 31 December 2018 – 10 February 2019: “About 11,000 people fled villages in Karestora and Ndwali in Lubero territory, North Kivu, in fear of attacks by armed groups. They sought refuge in Kamadi Gite and surrounding areas”
- 31 December 2018 – 10 February 2019: “About 7,000 people fled villages in Karestora and Ndwali in Lubero territory, North Kivu, in fear of attacks by armed groups. They sought refuge in Kamandi Lac and surrounding areas”

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<sup>692</sup> UNHCR, [Attacks in Congo's North Kivu province push tens of thousands to flee – UNHCR](#), 3 May 2019

<sup>693</sup> UNHCR, [Attacks in Congo's North Kivu province push tens of thousands to flee – UNHCR](#), 3 May 2019

<sup>694</sup> Assessment Capacities Project (ACAPS), [DRC Conflict and displacement in Nord Kivu and Ituri](#), 14 May 2019, p. 3

- 15 November 2018 – 10 February 2019: “Between mid November 2018 and the 10th of February 2019, it is estimated that about 29,000 people fled several waves of violence in Bashali Mokoto and Nyamaboko 1 village groups, in Masisi territory, seeking refuge in other parts of Masisi territory, including Mpati, Mweso, Kashuga and Kalembe”
- 31 October 2018 – 31 January 2019: “As of the 5th of March 2019, about 19,000 people had arrived in Kasindi and Ighaviro localities in Beni territory, North Kivu, having fled their homes due to several waves of violence between October 2018 and January 2019.”<sup>695</sup>

In July 2019 UNOCHA reported with regards to IDPs in Masisi Territory [unofficial translation]:

According to the Commission provincial population movements, approximately 221 730 displaced people are in the Territory from Masisi [up] to May 25, 2019 of which nearly 20 percent (approximately 45,500) at 12 IDP sites; the 80 percent live in spontaneous sites that exist or within host families. This climate of insecurity results in an endless series of incidents, abuses and other harassment on civilians. Illegal taxes, erection of illegal fee barriers, arrests arbitrary acts, kidnappings, rapes, killings, destruction or house looting is part of the community's daily burden [...]

Nearly 1,600 civilians were victims of the violence from the beginning of the year until the end of June [2019]. A total of 577 civilians were reported to have lost their lives between January and June 2019 - an official figure that misrepresents everyday reality. One of the aggravating factors of the situation the Masisi Territory is also regularly confronted with cholera. Since the beginning of the year, 82 cases have been reported in the health zones of Masisi and Kirotshé. The largest number of cases is generally recorded in the dry season, between the months of June and August, due to water scarcity [...]

While insecurity persists, resulting in ongoing humanitarian needs and growing, the size of the humanitarian community in the area has shrunk drastically. If in March 2017, the number of humanitarian actors in the Masisi Territory amounted to 73, two years after, it has risen to 28; a reduction of 62% [...]

IDPs express needs for food, basic household items and shelter, water hygiene sanitation, protection, education, as well as access to basic health care. Moreover, return of armed groups in the area may further hamper the movements of families returning home. began to return to their homes, fields and other basic services.<sup>696</sup>

### 11.1.1. Access to housing

An August 2018 report from Refugees International described “There are no displacement camps in Beni city. In other parts of the Beni territory, there are informal IDP settlements that are reported to receive more attention from aid organizations than the populations residing within Beni city”.<sup>697</sup>

At the end of August 2018 UNHCR stated that its teams “found the vulnerable displaced indigenous communities to be in some of the most critical situations. Forced out of their areas of origin in the forests, their living conditions in makeshift sites are abysmal. Families are sleeping rough, barely protected from the elements by their flimsy shelters. They have few or no means of survival as they can no longer hunt in the forests, now under the control

<sup>695</sup> See Internal Displacement Monitoring Centre (IDMC), [Latest New Displacement](#), Undated [Last accessed: 22 July 2019]

<sup>696</sup> UNOCHA, [NORD-KIVU – République démocratique du Congo Contexte humanitaire dans le Territoire de Masisi](#), July 2019, p. 1/2

<sup>697</sup> Refugees International, [Leaving Millions Behind: the harmful consequences of donor fatigue in the Democratic Republic of Congo](#), August 2018, p. 11

of armed groups. There's a genuine risk of these people losing their culture and way of life".<sup>698</sup>

Reach Initiative's Joint WASH and Shelter Assessments in the provinces of Central Kasai, South Kivu, Maniema, Tanganyika, Upper Lomami, Haut Katanga, North Kivu and Ituri published in December 2018 stated [unofficial translation]:

In seven of the eight provinces covered, ICs [*Informateur clé*: Key informations] reported cases of eviction in a significant proportion of AS [*Aire de santé*: Health Areas] affecting either IDP households, returned households, or both. The provinces of NK [North Kivu] [...] and SK [South Kivu] have the highest proportion of reported eviction cases (61%, [...] and 38% respectively).<sup>699</sup>

The European Commission's Emergency Response Coordination Centre report from May 2019 described how IDPs in North Kivu had to seek shelter in public places:

Intense fighting has been ongoing since mid-April 2019 between the Congolese armed forces and a non-state armed actor, the "Allied Democratic Forces (ADF)", in North Kivu and in particular around the city of Beni – also affected by an Ebola outbreak. The ADF are one of the most organised and aggressive armed groups in North Kivu. Around 60,000 people have been displaced as a result, according to local sources. Many have sought refuge in public places including 7,000 in a school located 1 km from the Ugandan border, with little or no access to food, water and sanitation, increasing the risk of diseases spreading.<sup>700</sup>

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in May 2019 that "There is only limited information available on current conditions and needs of newly displaced people in the affected area; however, shelter needs are likely. 80% of 12,000 newly displaced people in Boga are reportedly staying with host families while the rest found shelter in public places such as schools and churches. This is supported by findings of on-site assessments previous to the current displacement, showing some 50-58% of IDPs in Ituri province and up to 68% of IDPs in Nord Kivu were staying with the host community without charge (REACH December 2018)".<sup>701</sup>

### 11.1.2. Access to livelihood

An August 2018 report from Refugees International described "Access to food and basic services is extremely limited. Despair has forced many IDPs to go back to their homes and fields, in the hope of being able to farm before conditions permit a sustainable return. Those who return often confront the same violence from which they fled."<sup>702</sup>

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<sup>698</sup> UNHCR, [Spiralling violence puts millions at risk in Ebola-hit eastern DRC](#), 24 August 2018

<sup>699</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 24  
[Unofficial translation provided by a COI researcher]

<sup>700</sup> European Commission, [Echo Daily flash, European Civil and Humanitarian Protection Operations](#), 8 May 2019

<sup>701</sup> Assessment Capacities Project (ACAPS), [DRC Conflict and displacement in Nord Kivu and Ituri](#), 14 May 2019, p. 3

<sup>702</sup> Refugees International, [Leaving Millions Behind: the harmful consequences of donor fatigue in the Democratic Republic of Congo](#), August 2018, p. 10

In July 2018 The New Humanitarian published an article focusing on the “world’s most neglected crisis”, namely the inter-communal conflict in Rutshuru and Lubero territories, which has been going on for the past two years between “Factions of two militias – the Nyatura and the Mai-Mai Mazembe – that claim to defend different ethnic groups” and that “have been burning houses, killing civilians, and dividing communities along ethnic lines”.<sup>703</sup> The same source noted further that “In Rutshuru, most of the displaced are living outside camps in host families that have little to offer. Since arriving in Kibirizi last August [2017], Muhindo, 36, and his family of eight have been forced to move house five times for lack of money. ‘If you are not able to pay, they chase you away and you move into another place,’ he said [...] In exchange for cultivating his host’s fields, Muhindo said his family receives a small serving of cassava flour and beans each day, or the equivalent of roughly one dollar. Neither is sufficient [...] Bad roads and insecurity have weakened humanitarian access. In February, two members of the Congolese NGO Hydraulics Without Borders were killed by armed men causing NGOs to suspend their activities for several weeks”.<sup>704</sup> With regards to Rukoro camp, The New Humanitarian found during its visit to the region that “there was no clean water or health services on-site and just two latrines for more than 40 families. Five children had died in the past 12 months, according to the mother-of-seven, Nzamukosha”.<sup>705</sup>

UNHCR in its mid-month update of April 2019 noted how “Nine prostitution houses were recorded, employing IDP girls aged 14 to 17 who resorted to survival sex” in Masisi territory.<sup>706</sup>

Congo Forum reported in May 2019 on the situation in Goma [unofficial translation]:

Armed conflict in eastern DRC continues to have negative effects in the city of Goma (North-Kivu). Not only is insecurity increasing in different neighbourhoods in Kivu; [but] the problems are equally visible in Goma (North Kivu) and Bukavu (South Kivu).

The massive displacement of the population is at the base [the root cause] of several cases of begging and theft in Goma; the people in question have no employment or [means of] income. Alice Kahindo, a woman [we] met while she was begging, tells us that her presence in Goma is the result of insecurity in her region; her husband was killed in Kibumba (Nyiragongo), together with her younger brother. Kibumba is about 30 km from Goma. The deceased husband was working there as a taxi driver. After his death, he left behind a widow with 4 children. The wife has taken refuge in a refugee camp in Kanyarutshinya, but in this camp the government and NGOs have not given any assistance for 3 years.

Alicen Kahindo adds that several women in her area were raped and killed by bad men. The insecurity prevents her return to her territory. Alice is afraid of being killed too, with her children.<sup>707</sup>

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in May 2019 that “87% of displaced people in Nord Kivu are estimated to live on only one meal per day (NRC 24/04/2019). Displaced populations left

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<sup>703</sup> The New Humanitarian, [“Whoever they met, they would cut and kill”: displaced Congolese recount rebel atrocities](#), 12 July 2018

<sup>704</sup> The New Humanitarian, [“Whoever they met, they would cut and kill”: displaced Congolese recount rebel atrocities](#), 12 July 2018

<sup>705</sup> The New Humanitarian, [“Whoever they met, they would cut and kill”: displaced Congolese recount rebel atrocities](#), 12 July 2018

<sup>706</sup> UNHCR, [Mid Month Update: Democratic Republic of Congo, 1-15 April 2019](#), undated

<sup>707</sup> CongoForum, [Goma subit aussi les conséquences de la violence au Nord-Kivu](#), 20 May 2019 [unofficial translation provided by a COI researcher]

their livelihoods in areas of origin and only have limited access to land and livelihoods in displacement sites (UNHCR 10/05/2019)".<sup>708</sup>

### 11.1.3. Access to healthcare

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in May 2019 that "Poor WASH conditions, malnutrition, and recurrent displacement contribute to the challenging health situation in Nord Kivu and Ituri provinces (CAID 31/03/2017; OCHA POU 2019; UNHCR 07/02/2019). A weak national health system, lack of qualified staff and supplies as well as the current Ebola outbreak in Nord Kivu and Ituri provinces are likely having a negative impact on access to healthcare in the affected areas (DRC RRP 2019- 2020). Malaria is prevalent in the area (Actualite 30/04/2019). Access to healthcare is likely particularly challenging for displaced communities (DTM 13/02/2019; MSF 08/02/2019). Limited hygiene and access to safe latrines increases the risk of diseases. Outbreaks of waterborne diseases and cases of anaemia among IDPs had been reported among in April and are likely to also affect the latest wave of displacement in the affected area (Actualite 30/04/2019)".<sup>709</sup>

### 11.1.4. Access to education

With regards to Goma, the capital city of North Kivu, Congo Forum reported in May 2018 on the situation for street children [unofficial translation]:

[...] In the town of Goma, a cosmopolitan town, there are many children who end up on the streets due to the poor living conditions of their unemployed parents. CongoForum found that on the city streets, insecurity is rife: there are thefts, harassment, rape. Many street children 'maibobo' are at the cause of this since 2000. A lot of parents have taken refuge in Goma because of the repeated wars and armed conflicts in several territories of the province of North Kivu. In the city, one finds a multiplicity of tribes. Some parents give up their children, who start living on the street. They have no education, and there is not a center to supervise them.<sup>710</sup>

## 11.2. South Kivu

UNOCHA reported that by 31 December 2017 South Kivu had 647,000 IDPs and was the "second most-affected province by population movement in DRC, after North Kivu and Tanganyika".<sup>711</sup> The same source further noted that "In South Kivu, 96 per cent of the displaced people live with host families, who represent their first line of assistance".<sup>712</sup>

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<sup>708</sup> Assessment Capacities Project (ACAPS), [DRC Conflict and displacement in Nord Kivu and Ituri](#), 14 May 2019, p. 3

<sup>709</sup> Assessment Capacities Project (ACAPS), [DRC Conflict and displacement in Nord Kivu and Ituri](#), 14 May 2019, p. 3

<sup>710</sup> CongoForum, [Les enfants de la rue de Goma veulent vivre une vie saine](#), 10 May 2018 [Unofficial translation provided by a COI researcher]

<sup>711</sup> UN Office for the Coordination of Humanitarian Affairs, [South Kivu: A spiraling humanitarian crisis](#), 22 February 2018

<sup>712</sup> UN Office for the Coordination of Humanitarian Affairs, [South Kivu: A spiraling humanitarian crisis](#), 22 February 2018

The International Organization for Migration (IOM) reported in its 'Displacement Matrix' for Kasai, Kasai Central, Kasai Oriental, Lomami, Sankuru, South Kivu and Tanganyika evaluating the situation between February and November 2018 [unofficial translation]: "For 22% of IDPs and returnees [in those seven provinces], access to safe drinking water was reported as a problem priority need in villages, followed by education (18%) and access to food".<sup>713</sup>

UNHCR found that "In the space of just three days, between 10 - 13 March [2018], more than 4,000 people crossed into Uganda from the provinces of Ituri and North Kivu. These numbers are on a larger scale still than in 2017 when some 44,000 fled over the course of the entire year".<sup>714</sup>

USAID reported that since mid-September 2018 "intensified clashes and reprisal attacks between government forces and armed groups in South Kivu Province's Fizi Territory have displaced approximately 40,000 people from Kilembwe and Kimbi-Lulenge health zones into rural areas".<sup>715</sup> The same report further noted that "The violence also prompted relief agencies to suspend humanitarian operations in Kilembwe in mid-September, impeding access to life-saving interventions for an estimated 85,000 vulnerable people, according to the UN".<sup>716</sup>

USAID reported that "after the deteriorating security situation in South Kivu's Fizi Territory prompted approximately 13,000 people to flee, the majority of IDPs—85 percent—had returned to areas of origin in Fizi as of late December [2018]".<sup>717</sup>

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in May 2019 that "Since 4 May [2019] intercommunal clashes between armed groups affiliated to Banyamulenge and Bafuliri ethnicities have triggered large-scale displacement across three bordering territories (Fizi, Uvira and Mwenga) in Sud Kivu province. Some 125,000 people from 100 villages fled to safer neighbouring villages and to the surrounding forests. Armed groups looted and burnt villages, causing severe damages to shelter and critical infrastructure including health and sanitation facilities. Displaced people are in need of food, shelter and NFIs, WASH and health assistance".<sup>718</sup>

### 11.2.1. Access to housing

UNOCHA's April 2019 report described the housing situation of IDPs as follows [unofficial translation]:

In analysing the different types of IDP housing, the evaluation found that 47% lived in free housing, 29% in rented houses, 10% in collective centres, 9% in spontaneous sites and only

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<sup>713</sup> International Organization for Migration (IOM), [Matrice de suivi des déplacements République Démocratique du Congo Principaux résultats Février - Novembre 2018](#), May 2019, p. 11 [Unofficial translation provided by a COI researcher]

<sup>714</sup> UNHCR, [Congolese flee horrific violence for Uganda](#), 16 March 2018

<sup>715</sup> USAID, [Democratic Republic of the Congo – Complex Emergency](#), 30 September 2018, *Insecurity and population displacement*, p. 2

<sup>716</sup> USAID, [Democratic Republic of the Congo – Complex Emergency](#), 30 September 2018, *Insecurity and population displacement*, p. 2

<sup>717</sup> USAID, [Democratic Republic of the Congo – Complex Emergency](#), 15 February 2019, *Insecurity and population displacement*, p. 2

<sup>718</sup> Assessment Capacities Project (ACAPS), [DRC Displacement in Sud Kivu](#), 29 May 2019, p. 1

4% in their own houses. In addition, IDPs were often evicted due to non-payment of rent (66%) and disagreement with host families [...]

The types of materials used are dominated by items that do not offer enough resistance to the elements. For example, for IDPs, 40% of the structures are built with adobe bricks, 25% with natural clays, 22% with wooden structures, and 13% with bamboo while for roofs 56% are made of straw, 33% of sheet metal and 11% of tarpaulins. The situation is almost the same for returnees.<sup>719</sup>

ACAPS reported in May 2019 that “The total extent of destroyed or damaged houses is unclear; however, a high need for emergency shelter is anticipated. While needs are likely particularly high among those who fled into the forests, where the most urgent needs cannot be absorbed by the host community, displaced people within host communities are reported to sleep outdoors, exposed to the elements (VOA Afrique 17/05/2019)”.<sup>720</sup>

### 11.2.2. Access to livelihood

ACAPS reported in May 2019 that “Food and household items are among the priority needs of displaced people. Three out of four displaced families in Minembwe Centre, Fizi territory, are estimated to not have sufficient food (La Prunelle RDC 21/05/2019). Looting and destruction of villages leads to the loss of food stocks and hampers access to crops and livestock (Actualite 21/05/2019). This is particularly concerning as agriculture is one of the main sources for livelihoods in the affected area. Given the sudden-onset nature of displacement, affected people likely had to leave personal assets and belongings behind, aggravating already high levels of food insecurity prevalent in the areas of displacement, particularly in Fizi and Uvira provinces (Actualite 21/05/2019; OCHA, assessed 27/05/2019; OCHA 16/05/2019). Increased demand and access constraints due to insecurity are impacting food availability. The influx of IDPs into host communities is also likely to negatively impact the resilience of host families and adds pressure on local markets”.<sup>721</sup>

### 11.2.3. Access to healthcare

ACAPS reported in May 2019 that “Access to health services is limited as several medical facilities were looted, set on fire and medical staff displaced (La Prunelle RDC 21/05/2019; OCHA 16/05/2019). The influx of large numbers of displaced people puts pressure on health facilities in areas of displacement where a lack of medical supplies has already been reported (Actualite 21/05/2019). Low density of health infrastructure and limited funding will likely mean that there are no sufficient resources in case of disease outbreaks among displaced people living in overcrowded spaces. Physical access constraints are taking a toll on those health facilities still operating, as the provision of supplies is interrupted (KI unpublished, 27/05/2019). Although there is limited information available, a lack of psychosocial support for victims and witnesses of incidents of physical violence, including sexual and gender-based violence, can be anticipated”.<sup>722</sup>

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<sup>719</sup> UNOCHA, [Plan Opérationnel d'urgence 2019: Sud Kivu et Maniema \(RD Congo\), Jan- Jun 2019, 10 April 2019, p.8](#) [Unofficial translation provided by a COI researcher]

<sup>720</sup> Assessment Capacities Project (ACAPS), [DRC Displacement in Sud Kivu](#), 29 May 2019, p. 2

<sup>721</sup> Assessment Capacities Project (ACAPS), [DRC Displacement in Sud Kivu](#), 29 May 2019, p. 2

<sup>722</sup> Assessment Capacities Project (ACAPS), [DRC Displacement in Sud Kivu](#), 29 May 2019, p. 2

#### 11.2.4. Access to education

ACAPS reported in May 2019 that “Fighting in the affected area led to the closure of schools. It is currently unclear when schools will re-open as teachers are likely to be among those displaced (OCHA 16/05/2019). Considering the large number of displaced people, host communities’ education facilities are likely unable to absorb the influx. Furthermore, the lack of livelihoods and limited resources as well as food insecurity prevalent in the area are likely to have an impact on education, as limited funds tend to be allocated to the acquisition of food items (NRC 16/10/2018; Food for the Hungry, 30/11/2017)”.<sup>723</sup>

#### 11.3. Ituri

In February 2018 *Médecins Sans Frontières* (MSF) reported that following the violence that erupted in December 2017 “Some of the displaced [from Ituri] made their way south to Bunia in DRC, whilst others travelled north to Mahagi. Many, however, remain in areas as yet inaccessible to aid organisations. In the last couple of weeks over 40,000 Congolese have paid to cross Lake Albert to reach safety in Uganda”.<sup>724</sup> The emergency coordinator in the DRC, Florent Uzzeni, noted that “Most of the displaced people in Ituri are living with host families, but some are sheltering in schools, churches or small informal camps [...] Many in Bunia are women and children who are totally reliant on aid for their most basic needs, such as food and water. We know that there are many displaced people in the areas we can’t yet reach due to insecurity, and every effort needs to be made to bring them the assistance they so desperately need”.<sup>725</sup>

The New Humanitarian reported in early March 2018 that “Tens of thousands of people have fled clashes in [...] Ituri Province over recent” with “More than 48,000 refugees” arriving in Uganda since January 2018, and “more than 100,000 people remain displaced in the DRC”.<sup>726</sup>

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in March 2018 that “Children, women, and older people constitute the biggest part of the displaced population (UNHCR 15/02/2018). Some 120,000 children are estimated to have been displaced by the conflict, including over 300 who are unaccompanied or have been separated. Children are also highly vulnerable to recruitment by armed groups (UNICEF 16/02/2018; UNICEF 15/03/2018)”.<sup>727</sup>

UNHCR found that “In the space of just three days, between 10 - 13 March [2018], more than 4,000 people crossed into Uganda from the provinces of Ituri and North Kivu. These numbers are on a larger scale still than in 2017 when some 44,000 fled over the course of the entire year”.<sup>728</sup>

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<sup>723</sup> Assessment Capacities Project (ACAPS), [DRC Displacement in Sud Kivu](#), 29 May 2019, p. 3

<sup>724</sup> *Médecins Sans Frontières* (MSF), [Violence in Ituri province forces tens of thousands from their homes](#), 28 February 2018

<sup>725</sup> *Médecins Sans Frontières* (MSF), [Violence in Ituri province forces tens of thousands from their homes](#), 28 February 2018

<sup>726</sup> The New Humanitarian, [Tales of terror from Congo’s Ituri province](#), 8 March 2018

<sup>727</sup> Assessment Capacities Project (ACAPS), [DRC, Conflict induced displacement in Ituri](#), 16 March 2018, *Crisis impact, Vulnerable groups affected*, p. 2

<sup>728</sup> UNHCR, [Congolese flee horrific violence for Uganda](#), 16 March 2018

In March 2018 the Assessment Capacities Project (ACAPS) reported that since December 2017 “Intercommunal violence between Lendu and Hema communities [...] has internally displaced over 300,000 people and led to a severe humanitarian crisis [...] Thousands of houses have been burned down and livelihood activities, including agriculture, have been disrupted, resulting in significant needs for shelter and food assistance”.<sup>729</sup> The briefing note specifically mentioned that “The highly volatile security context is constraining the access to the most affected areas, including displacement sites. Temporary suspension of humanitarian operations due to insecurity occur regularly”.<sup>730</sup>

Following UNHCR’s team visit to the area where months of conflict between the Hema and Lendu ethnic groups resulted in the displacement of around 350,000 people, UNHCR reported in mid-July 2018 that “conditions at displacement sites are as desperate. In many places, there is no clean water, no access to healthcare and inadequate sanitation facilities. This is particularly concerning at the displacement site near to the General Hospital in Bunia, where there is a significant and rising risk of diseases spreading. There, the rate at which people are dying has been increasing. Several people were registered dead in June [2018], while the number of people suffering from respiratory diseases and anemia is growing fast”.<sup>731</sup>

UNHCR reported at the end of September 2018 that “in Djugu Territory, Ituri province, a series of new attacks are destabilizing the area which was on the way to stabilization after having been shaken by massive violence in the first half of the year, displacing an estimated 350,000 people. This return to peace is now being threatened, and UNHCR staff report 16,000 people fleeing their homes, many of them for the second time in one year”.<sup>732</sup> The same source further noted that “Some of the displaced in Ituri have again joined their former host families but others lack proper shelter and are forced to live in the open. They are in urgent need of shelter materials, food and medicines”.<sup>733</sup>

During the reporting period 2 October to 31 December 2018 on the activities of MONUSCO the UN Secretary-General provided the following summary with regards to the humanitarian situation in Ituri: “Fighting in Djugu territory, Ituri Province, in early November displaced thousands of people towards Irumu and Mahagi and exacerbated pre-existing needs for protection, food, health and shelter”.<sup>734</sup>

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in May 2019 that “Displaced populations are particularly exposed to protection risks such as SGBV, survival sex, and the forced recruitment of children into armed groups. These continue to be grave concerns among the displaced in Nord Kivu and Ituri provinces (UNHCR 10/05/2019; IRIN 10/01/2019; UNICEF

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<sup>729</sup> Assessment Capacities Project (ACAPS), [DRC, Conflict induced displacement in Ituri](#), 16 March 2018, p. 1

<sup>730</sup> Assessment Capacities Project (ACAPS), [DRC, Conflict induced displacement in Ituri](#), 16 March 2018, p. 1

<sup>731</sup> UNHCR, [UNHCR team hears accounts of barbaric violence in eastern Congo’s Ituri region](#), 13 July 2018

<sup>732</sup> UNHCR, [UNHCR alarm at recent attacks and rising displacement in eastern DRC](#), 28 September 2018

<sup>733</sup> UNHCR, [UNHCR alarm at recent attacks and rising displacement in eastern DRC](#), 28 September 2018

<sup>734</sup> UN Secretary-General, [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo](#), 4 January 2019, II. Major developments, D. Humanitarian situation, para. 35

31/01/2019)".<sup>735</sup> The same source further noted that "A recent survey of 18,000 displaced people in Ituri province found that 85% of displaced children did not possess birth certificates, exposing them to multiple protection risks, including statelessness (UNHCR 10/05/2019)".<sup>736</sup>

ACAPS reported in June 2019 that "Since early June intense intercommunal clashes between Hema and Lendu communities led to the displacement of more than 300,000 people across Djugu, Mahagi and Irumu territories of Ituri province in northeast DRC. The majority of people are staying in host communities, mostly in public buildings or in the open. Some 30,000 people have arrived at existing displacement sites and at least 4,500 people crossed into Uganda in search for safety and assistance as of 18 June. Displaced people are in urgent need of shelter, NFI, and food assistance; however, most affected areas are largely inaccessible for humanitarian operations. Protection concerns are high as at least 161 people have been killed since 10 June and other incidents of extreme physical violence and sexual violence have been reported".<sup>737</sup> The same source further noted that "Armed youth belonging to both groups are restricting movement of displaced people to access assistance and services (UNHCR 18/06/2019)".<sup>738</sup>

The UN Committee on the Elimination of Discrimination Against Women issued on 22<sup>nd</sup> July 2019 its 'advanced unedited version' of its 'Concluding observations' and expressed its 'deep' concern "that the majority of internally displaced people are women and children, including elderly women, and that they lack access to humanitarian assistance, including food and health services, in particular in the Ituri province".<sup>739</sup>

### 11.3.1. Access to housing

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in March 2018 that "Houses are systematically burned in the attacks. Thousands of houses in over 70 villages have been burned down, mainly in Djugu territory (Congo Research Group 05/03/2018; UNICEF 16/02/2018; UNHCR 15/02/2018). Most of the IDPs are in need of shelter and NFIs. Many of them have sought refuge in churches or schools in order not to spend nights outside (OCHA 08/03/2018; Radio Okapi 03/03/2018; UNHCR 15/02/2018)".<sup>740</sup>

An August 2018 report from Refugees International described "Displaced communities have temporarily resettled in various camps throughout the province or have been residing in the homes of friends and family. The majority of the Hema fled south to the city of Bunia, or to

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<sup>735</sup> Assessment Capacities Project (ACAPS), [DRC Conflict and displacement in Nord Kivu and Ituri](#), 14 May 2019, p. 3

<sup>736</sup> Assessment Capacities Project (ACAPS), [DRC Conflict and displacement in Nord Kivu and Ituri](#), 14 May 2019, p. 3

<sup>737</sup> Assessment Capacities Project (ACAPS), [DRC: Displacement in Ituri](#), 21 June 2019, p. 1

<sup>738</sup> Assessment Capacities Project (ACAPS), [DRC: Displacement in Ituri](#), 21 June 2019, p. 3

<sup>739</sup> UN Committee on the Elimination of Discrimination Against Women, [Concluding observations on the eighth periodic report of the Democratic Republic of the Congo \(Advance unedited version\)](#), 22 July 2019, E. Principal areas of concern and recommendations, Internally displaced women and girls, para. 48

<sup>740</sup> Assessment Capacities Project (ACAPS), [DRC, Conflict induced displacement in Ituri](#), 16 March 2018, Crisis impact, Shelter and NFIs, p. 2

villages along the Djugu-Bunia road, whereas many from the Lendu community fled into the Mahagi and Irumu territories”.<sup>741</sup> The same source further reported that:

Following the second spike in violence in early February [2018], populations formed two displacement camps in the city of Bunia, on the grounds of the hospital and near a school. In these camps, aid is limited. Food distributions occur on a monthly basis in both, but many of the IDPs stated that the food rations were insufficient to last the month. In April [2018], the government authorities supported the return of 398 households from Bunia to their areas of origin. The government provided kits with basic nonfood items and transportation back, but the majority of those who chose to return found that their home areas were still dangerous. Further, they had no access to their fields because of security concerns or found that their crops had been stolen or burnt. Most chose to return to living in camps in Bunia, and they do not anticipate returning until security concerns have been addressed and the dry season comes to an end in the fall.<sup>742</sup>

According to the same source:

The residents of the camps that RI [Refugee International] visited along the Bunia-Djugu road, in the villages of Iga Barrière and Lopa, stated that they were not receiving any food or shelter assistance. However, the camps were equipped with water and sanitation facilities, and the residents reported having access to local health centers that were being supported by NGOs.<sup>743</sup>

Reach Initiative’s Joint WASH and Shelter Assessments in the provinces of Central Kasai, South Kivu, Maniema, Tanganyika, Upper Lomami, Haut Katanga, North Kivu and Ituri published in December 2018 stated that [unofficial translation] “In [...] Ituri, in [...] 21% [...] of the AS [health areas] covered, ICs [*Informateur clé*: Key informants] indicated that IDPs did not have access to land to build shelters”.<sup>744</sup>

UNOCHA reported how in the last quarter of 2018 “80% of internally displaced persons have limited access to essential household goods. In host families as well as in the sites, displaced people live in crowded conditions and lack essential household items, including clothing and bedding to protect them from the elements”.<sup>745</sup>

In February 2019 *Médecins Sans Frontiers* (MSF) described the housing situation for IDPs in Ituri as follows:

Some of the makeshift straw huts have been reinforced with plastic bags or sacks left over from past food distributions, but this provides scant protection from the rain [in Tsé Lowi site] “It helps a little, but in most huts the water still seeps in,” says Mambo, who lives in Tsé Lowi. “Some people have no protection at all.” Mambo’s neighbour, Joachim, joins in. “There

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<sup>741</sup> Refugees International, [Leaving Millions Behind: the harmful consequences of donor fatigue in the Democratic Republic of Congo](#), August 2018, p. 12

<sup>742</sup> Refugees International, [Leaving Millions Behind: the harmful consequences of donor fatigue in the Democratic Republic of Congo](#), August 2018, p. 12/13

<sup>743</sup> Refugees International, [Leaving Millions Behind: the harmful consequences of donor fatigue in the Democratic Republic of Congo](#), August 2018, p. 13

<sup>744</sup> Reach Initiative, [Evaluations conjointes EHA et abris dans les provinces du Kasai Central, Sud Kivu, Maniema, Tanganyika, Haut Lomami, Haut Katanga, Nord Kivu et Ituri](#), December 2018, p. 24 [Unofficial translation provided by a COI researcher]

<sup>745</sup> UNOCHA, [Plan Opérationnel d’urgence 2019: Provinces de Nord Kivu et de l’Ituri \(RD Congo\), Jan-Jun 2019, 10 April 2019, p.9](#) [Unofficial translation provided by a COI researcher]

are no tarpaulins, no food, no latrines and only one water source that's far away with a very low flow," he says. "People are worried about finding food. We live in great difficulty." [...] Limani and Tsé Lowi are just two of 13 similar sites in the Nizi region, which together shelter around 10,000 people. Elsewhere in Djugu territory, part of Ituri province, there are an estimated 26 similar sites, while a further 8,700 people are sheltering in two sites in the city of Bunia. According to the International Organization for Migration (IOM), the displaced people living in these informal sites represent just one quarter of the total number of displaced people in the region, most of whom live with host families.<sup>746</sup>

In June 2019 UNHCR reported that:

Violence in north-eastern parts of the Democratic Republic of Congo (DRC) is reported to have displaced more than 300,000 since early June [2019] [...] The majority of the displaced have sought shelter with the host communities. Some 30,000 arrived in existing displacement sites where conditions were already dire, with many needs including shelter and health [...] People are now sleeping in the open or in public buildings, with the biggest concentration of displaced people being 10,000 sleeping in or near the church in Drodoro, Djugu Territory, without any viable assistance. Nearly 20,000 people have reached Ituri's provincial capital, Bunia. Efforts are underway to identify suitable sites around the city. Many more people are trying to get to the relative safety of sites near Bunia but are reportedly blocked by armed youth from both ethnic groups. Others are trying to cross Lake Albert to Uganda.<sup>747</sup>

ACAPS reported in June 2019 that "Emergency shelter and household items are priority needs of displaced people, who are mostly staying in open spaces, with little protection from the ongoing rainy season. The influx of new IDPs to existing displacement sites strain the capacity of the settlements and increase existing needs for shelter materials and household items".<sup>748</sup>

### 11.3.2. Access to livelihood

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in March 2018 that "Violence and displacement have disrupted the agricultural system and resulted in significant loss of maize harvest, driving most of the conflict-affected areas into Crisis food insecurity (IPC3). The next harvest season (June to August) is likely to be negatively impacted by the conflict as people are likely to have limited access to their fields. The most affected territory is Djugu which is especially concerning as it is considered to be the grain basket of the province (Jeune Afrique 13/03/2018; Fews Net 28/02/2018; OCHA 28/02/2018)".<sup>749</sup>

A Report from Refugees International from August 2018 described:

Much like those in Beni, the vast majority of affected populations from Djugu are agriculturalists. Persistent violence has not only uprooted them from their homes but has also cut them off from their sole sources of income and food. Now, they have missed two planting seasons, from which they could store food for their families or sell to markets.

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<sup>746</sup> Médecins Sans Frontiers (MSF), [Ten thousand people living in desperate conditions in northeastern DRC](#), 7 February 2019

<sup>747</sup> UNHCR, [Massive displacement reported in north-eastern DRC amid new violence](#), 18 June 2019

<sup>748</sup> Assessment Capacities Project (ACAPS), [DRC: Displacement in Ituri](#), 21 June 2019, p. 2

<sup>749</sup> Assessment Capacities Project (ACAPS), [DRC, Conflict induced displacement in Ituri](#), 16 March 2018, *Crisis impact, Food*, p. 2

Without this food or cash from sales, and with the onset of the dry season, Djugu residents are food insecure. They are unable to afford the limitedly available food at prices that have more than doubled. Given that crops were burnt or stolen, residents will not return before they are able to plant and harvest, even if security were to be reestablished. Malnutrition is prevalent, and the risks for further deterioration are high for all people in the affected regions in Ituri, not only the IDPs. The capacity—in terms of both financing and expertise—to respond to malnutrition is extremely limited. Despite the presence of the UN World Food Program (WFP), current aid level may not be enough, especially given that nutrition remains one of the lowest funded sectors in the response.<sup>750</sup>

In February 2019 *Médecins Sans Frontiers* (MSF) noted that “Innocent, Melchior and some 10,000 others have been living in the Nizi area [Ituri province] for a year. ‘We’re living in bad conditions, without plates, without containers to carry water,’ says Espérance. ‘The surrounding fields have already been cultivated and we are many, so we have to go very far to find work for a salary of only 500 to 1,000 francs [US\$0.30 - \$0.60]’”.<sup>751</sup>

UNOCHA described in April 2019 that [unofficial translation] “the majority of displaced, returnees or host families live with only one meal a day, and spend more than 75% of their income on food, as the food consumption score - which reflects the quantity and quality of the population’s food - is poor ( $\leq 28$ ), especially in the territories of Aru, Djugu, Irumu, Mahagi, Mambasa and Bunia City (Ituri)”.<sup>752</sup>

### 11.3.3. Access to healthcare

Basing its analysis on country information compiled by a range of sources the Assessment Capacities Project (ACAPS) reported in March 2018 that “Due to poor living conditions, inadequate shelter and a lack of food, IDPs are at risk of contracting diseases. Amongst the displaced deaths have been reported as a result of malaria, respiratory infections and diarrhoea. Many of the displaced have suffered or witnessed atrocities and are in need of mental health care (OCHA 08/03/2018; MSF 01/03/2018). There are reports that dead bodies following attacks have been left to decompose which is increasing the risk of disease spreading in the area (Radio Okapi 15/03/2018). Existing health structures do not have sufficient capacities to respond to the increase in health needs related to the conflict. As of early March, Rethy health zone in Djugu territory was reporting to be almost out of medicine following the care provided to IDPs (Radio Okapi 03/03/2018). In addition, the destruction and/or looting of health structures which had already been reported in 2017 is ongoing and the presence of some 50,000 IDPs on the site of Bunia’s general hospital is further disrupting the health system in the province (UNICEF 16/02/2018)”.<sup>753</sup>

In May 2019 ACAPS reported that “Poor WASH conditions, malnutrition, and recurrent displacement contribute to the challenging health situation in Nord Kivu and Ituri provinces (CAID 31/03/2017; OCHA POU 2019; UNHCR 07/02/2019). A weak national health system, lack of qualified staff and supplies as well as the current Ebola outbreak in Nord Kivu and

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<sup>750</sup> Refugees International, [Leaving Millions Behind: the harmful consequences of donor fatigue in the Democratic Republic of Congo](#), August 2018, p.13

<sup>751</sup> Médecins Sans Frontiers (MSF), [Ten thousand people living in desperate conditions in northeastern DRC](#), 7 February 2019

<sup>752</sup> UNOCHA, [Plan Opérationnel d’urgence 2019: Provinces de Nord Kivu et de l’Ituri \(RD Congo\), Jan-Jun 2019, 10 April 2019, p.10](#) [Unofficial translation provided by a COI researcher]

<sup>753</sup> Assessment Capacities Project (ACAPS), [DRC, Conflict induced displacement in Ituri](#), 16 March 2018, *Crisis impact, Health*, p. 2

Ituri provinces are likely having a negative impact on access to healthcare in the affected areas (DRC RRP 2019- 2020). Malaria is prevalent in the area (Actualite 30/04/2019). Access to healthcare is likely particularly challenging for displaced communities (DTM 13/02/2019; MSF 08/02/2019). Limited hygiene and access to safe latrines increases the risk of diseases. Outbreaks of waterborne diseases and cases of anaemia among IDPs had been reported among in April and are likely to also affect the latest wave of displacement in the affected area (Actualite 30/04/2019)".<sup>754</sup>

In June 2019 ACAPS stated that "Due to poor living conditions, inadequate shelter and a lack of food, IDPs are at high risk of contracting diseases, including malaria diarrhoea, acute respiratory infections, and malnutrition that are prevalent among displaced people in Ituri province (MSF 7/02/2019; Fews Net January 2019). Although measles outbreaks occur frequently in the country, the incidence of cases has been particularly high in 2019 with close to 5,000 cases in Ituri province (WHO 16/06/2019). Measles cases in an IDP settlement of close to 10,000 people in Bunia have increased with the arrival of new displaced people; more than 100 suspected cases have been reported (7sur7 19/06/2019). Cholera has an endemic and epidemic presence in DRC, often linked to poor access to water and sanitation – especially in rural areas; there is no data available on cholera cases among displaced people (Act Alliance 11/12/2018) [...] Existing health structures are anticipated to not have sufficient capacities to respond to the increase in health needs due to conflict-induced displacement and damages to health structures because of conflict (OCHA 10/04/2019). Concurrent with previous incidents, looting, destruction of health facilities and displacement of health workers is likely. Bodies that are decomposing pose an additional health risk (Radio Okapi 16/06/2019). Mental and psychosocial health needs are likely high, as many of the displaced have suffered or witnessed extreme physical violence".<sup>755</sup>

In June 2019 *Médecins Sans Frontiers* (MSF) noted that "Since October 2018, MSF has conducted three mortality surveys in the locations of Drodoro, Nizi and Angumu. All showed that the mortality rates in these communities were far above emergency levels."<sup>756</sup>

#### **11.3.4. Access to education**

Amongst the sources consulted for this report within the set time frame no information specific to South Kivu's IDP population and access to education was found

#### **11.4. IDPs from the Kivus and Ituri in other areas of the country**

According to UNHCR, as of the end of 2018, "A total of 5.4 million Congolese from DRC were also forcibly displaced, of whom 4,517,000 were IDPs and 854,000 were refugees or asylum seekers".<sup>757</sup> Similarly, UNICEF's Consolidated Emergency Report 2018 on West and Central Africa noted that "At the end of the year [2018], the DRC was home to 4.5 million IDPs, the largest population of displaced people on the African continent."<sup>758</sup> In comparison, the

<sup>754</sup> Assessment Capacities Project (ACAPS), [DRC Conflict and displacement in Nord Kivu and Ituri](#), 14 May 2019, p. 3

<sup>755</sup> Assessment Capacities Project (ACAPS), [DRC: Displacement in Ituri](#), 21 June 2019, p. 2/3

<sup>756</sup> *Médecins Sans Frontiers* (MSF), [Urgent humanitarian response needed on unprecedented crises in northeast DRC](#), 27 June 2019

<sup>757</sup> UNHCR, [Global Trends 2018](#), 19 June 2019, p.7

<sup>758</sup> UNICEF Regional Office for West & Central Africa (WCARO), [Consolidated Emergency Report 2018](#), 2018, p.11

Internal Displacement Monitoring Centre (IDMC) recorded that as of 31 December 2018 there were 3,081,000 IDPs.<sup>759</sup> However, the IDMC “considers this figure to be a significant underestimate. It does not cover displacement in many provinces highly affected by displacement, which are not part of IOM DTM’s geographical coverage. This includes North Kivu, Ituri, Maniema, Haut Katanga, Haut Lomami, Haut Uele, Tshopo, Lualaba, Kwilu and Kwango”.<sup>760</sup>

A map published by the Congo Research Group and published in March 2018 detailed displacement by province, which can be accessed [here](#).<sup>761</sup>

Focusing on the situation in the provinces of Kasai, Kasai Central, Kasai Oriental, Lomami, Sankuru, Sud Kivu, Tanganyika the February - November 2018 IOM Displacement Tracking Matrix provided an infographic of internal displacement, which can be viewed [here](#).<sup>762</sup>

It also detailed the origin of IDPs by province, which is accessible [here](#).<sup>763</sup>

UNOCHA’s infographic also detailed the number of targeted persons by province, as can be accessed [here](#).<sup>764</sup>

In March 2018 Mr Nshole, Secretary-General of the *Conférence Episcopale Nationale du Congo* briefed members of the UN Security Council during its meeting discussing the situation in the DRC and stated that the DRC “is the African country with the most internally displaced persons, more than 60 per cent of whom are children and 55 per cent of whom reside in just three provinces — 26 per cent in North Kivu, 15 per cent in South Kivu, and 14 per cent in Tanganyika”.<sup>765</sup>

For additional province specific information on displacement it is recommended to consult the following sources:

- [IOM displacement datasets and data visualisation](#)
- [UNHCR Mid-Month Updates](#)
- [UN Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#), Situation Reports (in French)
- [UN Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#), Humanitarian Bulletins (in French)
- [UNICEF](#), Monthly situation reports
- [USAID](#), Democratic Republic of Congo – Fact Sheets

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<sup>759</sup> IDMC, [DRC Figure Analysis – Displacement Related to Conflict and Violence](#), 2019, p.1

<sup>760</sup> IDMC, [DRC Figure Analysis – Displacement Related to Conflict and Violence](#), 2019, p.1

<sup>761</sup> See Congo Research Group, [The Art of the Possible MONUSCO’s New Mandate](#), March 2018, Introduction, p. 6

<sup>762</sup> See IOM, [DRC — Kasai, Kasai Central, Kasai Oriental, Lomami, Sankuru, South Kivu, And Tanganyika: Key Findings 1 \(February - November 2018\)](#), February 2019, p.3

<sup>763</sup> See IOM, [DRC — Kasai, Kasai Central, Kasai Oriental, Lomami, Sankuru, South Kivu, And Tanganyika: Key Findings 1 \(February - November 2018\)](#), February 2019, p.3

<sup>764</sup> See UNOCHA, République Democratique Du Congo, [Presence Operationelle](#), April 2019

<sup>765</sup> UN Security Council, [The situation concerning the Democratic Republic of the Congo](#), 19 March 2018, p. 5

The following databases are also useful to consult:

- [Assessment Capacities Project \(ACAPS\)](#), DRC specific page
- [Humanitarian Response](#), DRC specific page
- [Reliefweb](#), DRC specific page

## Annex 1: Overview of the main armed groups active in Masis and Lubero, North Kivu

Unofficial translation provided by a COI researcher of a table presenting an overview of the main armed groups active in Masis and Lubero, North Kivu, as included in the following report:

UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), [Détérioration de la situation des droits de l'homme dans le Masisi et le Lubero \(NordKivu\) et défis relatifs à la protection des civils entre janvier 2017 et octobre 2018](#), December 2018, 3. *Annexe 3 – Tableaux des principaux groups armés actifs dans le Masisi et Lubero, pages 29-36*

APCLS Janvier (Alliance of Patriots for a Free Sovereign Congo)								
Documented violations	Formed	Leaders	Ethnicity	Alliances	Relations with FARDC	Area active	Aims	Other information
Between January 2017 and October 2018, the UNJHRO documented 67 human rights violations attributed to APCLS combatants in January, more than 11% of the total number of violations in Massi territory over this period. These are mainly 15 attacks on the right to life,	Active since 1998	January Karairi commanded a group estimated at about 200 to 250 fighters. Towards the end of 2017	Hunde (only)	Since May 2018, the APCLS January fighters have been pushed north by APCLS Mapenzi's coalition with Guidon's NDC / R in Bashali Mokoto (Masisi). They found themselves in a Hutu-dominated area and made alliances with several small Nyatura (Hutu) groups	The APCLS January tried in vain to infiltrate FARDC twice in the past. The APCLS January regularly	Masisi, [...] in the communities of Bashali and Osso Banyungu.	The APCLS de Janvier traditionally defends an ethnic agenda in a context where the Hunde have lost much of their land in Masisi and Rutshuru over the last 50 years and a large part of their population, especially since 1995, and during the various wars that affected North Kivu because Hunde armed groups opposed any Rwandophone presence from the beginning of the 1990s.	Some sources indicate that the FARDC would have exploited the splitting within the APCLS in January 2018, thus causing an increase in human rights violations in Masisi during the year 2018. The area controlled by the APCLS before this

including summary executions of 14 people, including at least two women and two children; 16 attacks on physical integrity (19 victims, including four women and three children); 17 violations of the right to liberty and security of the person (36 victims including at least four women and two children); and 19 breaches of property rights.		the name Mapenzi began circulating as one of the other commanders of the APCLS January which split up to form APCLS Mapenzi		including Nyatura Jean Mary Nzai, Nyatura Kavumbi and Nyatura Benjamin. In the same period they also created an alliance with the UPDC (Patriotic Union for the Decency of Congo), also of Hutu origin. They also allied themselves with dissidents from FDC Luanda, another Hunde group (with Hutu sympathies) in Mahanga in the Nyamaboko grouping.	fighters against the FARDC.		APCLS does not occupy a place with significant mineral resources, economic interests do not seem to be their primary objective. They occupy Hunde areas and are generally accepted by the population and perceived as a self-defense group essential for the survival of the Hunde community. This is also why the APCLS have made difficult compromises with the FARDC or other armed groups in negotiations in the past.	split was rather stable.
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<b>APCLS MAPENZI (Alliance of Patriots for a Free Sovereign Congo)</b>								
<b>Documented violations</b>	<b>Formed</b>	<b>Leaders</b>	<b>Ethnicity</b>	<b>Alliances</b>	<b>Relations with FARDC</b>	<b>Area active</b>	<b>Aims</b>	<b>Other information</b>
Between January and August 2018, the UNJHRO documented 20	January 2018 about 50	Mapenzi.	Hunde (only) but work with NDC/R	Since January 2018 APCLS Mapenzi fighters cooperate with the ND / R.	Many sources indicate collaborati	In Masisi, grouping Bafuna with	Mapenzi could act on the promise of integration within FARDC. However, the Goma Senior Military Prosecutor	The split between APCLS Mapenzi / Janvier resulted in an intra-ethnic conflict

human rights violations attributed to APCLS Mapenzi, including sexual violence against 27 women, and summary executions of seven people, including a woman and four children.	fighters		(Nyanga and other ethnic groups).	In the weeks following the split with the APCLS de Janvier, Mapenzi found other Hutu allies, including Nyatura Bagaruzza Bajoboza, Nyatura Eric and Nyatura Munyabariba and FDC Luanda (the non-dissident faction).	on between FARDC soldiers and APCLS Mapenzi from January 2018, including mutual camp visits, transfer of arms and ammunition and joint patrols.	headquarters in Lwibo.	opened a case against Mapenzi after pressure from the UNJHRO as well as against Guidon (from the NDC / R).	that divided the Hunde community.
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<b>NDC/R (Nduma Defense of Congo Renovated)</b>								
<b>Documented violations</b>	<b>Formed</b>	<b>Leaders</b>	<b>Ethnicity</b>	<b>Alliances</b>	<b>Relations with FARDC</b>	<b>Area active</b>	<b>Aims</b>	<b>Other information</b>
Between January 2017 and October 2018, the UNJHRO documented 261 human rights violations attributed to NDC / R combatants	NDC / R from Guidon is a dissident of NDC / Checka that dates back to	Self-proclaimed Colonel Jean Claude Kamutoto, commander	Nyanga and others.	Since the split of the APCLS, the NDC / R have	Credible sources suggest that FARDC elements and the NDC / R have collaborated since 2015. For example,	In Masisi in Nyabiondo, Lwibo, Lukweti / Bafuna	NDC / R controls mining resources in certain areas. In 2016, in Lubero, they allied with Mai-Mai Mazembe,	Several allegations of violations of human rights and international humanitarian law involving NDC / R

<p>in Lubero and nine in Masisi. Mainly attacks on the right to liberty and security of the person (79 attacks against 637 victims, including at least 87 women and eight children); 72 infringements of the right of ownership; 69 attacks on the right to physical integrity (368 victims including 95 women and 13 children, including 12 women and eight children victims of sexual violence); 31 violations of the right to life (including summary executions of 35 persons, including at least one child); and 19 cases of forced labour (283 victims, including at least five women and one child).</p>	<p>2013/2014. Prior to NDC / R operations in the Kasugho area in August 2018, the NDC / R force was estimated at about 400 people.</p>	<p>of NDC / R and alleged perpetrator of violations of human rights and international humanitarian law, in the Kasugho area between March 2017 and August 2018, was arrested in Goma on 12 October 2018. Commander Shimirayi Mwishu alias Guidon took over.</p>		<p>been allied with the APCLS Mapenzi</p>	<p>some NDC / R fighters were seen wearing new FARDC uniforms. In Pinga, Masisi territory, the FARDC reportedly carried out a joint patrol with NDC / R fighters. FARDC commander was transferred to Nyabiondo (Masisi) in April 2018. In Lubero, information gathered indicates that in the Kasugho area general staff of the Lubero sub-sector headquarters company carry out patrols jointly with the NDC / R fighters. They reportedly fought together against Mai-Mai Mazembe around the village</p>	<p>Group / Osso Sector. In the Lubero: west and south-west of Butembo, in the Manzya and Bulengya groups in chiefdom of Baswagha and in Bapere sector, in the Musindi group, Batangi chiefdom, and in the Tama, chieftaincy of Bamate</p>	<p>including the UPDI, in the hunt for the FDLR. Once the FDLR was repulsed from Lubero, they separated as a result of diverging economic interests, including the control of mining squares and villages where they imposed illegal taxes on activities and people.</p>	<p>combatants in the Lubero territory are under investigation.</p>
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					of Kasugho			
<b>Mai-Mai Nyatura</b>								
<b>Documented violations</b>	<b>Formed</b>	<b>Leaders</b>	<b>Ethnicity</b>	<b>Alliances</b>	<b>Relations with FARDC</b>	<b>Area active</b>	<b>Aims</b>	<b>Other information</b>
Between January 2017 and October 2018, UNJHRO documented 273 human rights violations attributed to FDLR / CNRD combatants in Masisi, accounting for 46 % of documented violations in that territory during this period. These include 73 attacks on the right to physical integrity (112 victims, including 30 women and 12 children, including 16 women and six children victims of sexual violence); 63 violations of the right to liberty and security of the person (144	About nine groups of which only Nyatura Dominique has 100 fighters. While the term Nyatura ("those who hit hard" in Kinyarwanda) appeared in association with the armed mobilization in the Congolese Hutu community around 2011, the Nyatura groups originated in the armed mobilization of the early 1990s, especially the combatants of the Virunga Agricultural Mutual (MAGRIVI), the Mongols and later the Hutu branch of the Congolese Resistance Patriots (PARECO). Most	Differ depending on group	Hutu	Some Nyatura have allied with the APCLS January and others with the APCLS Mapenzi. Nyatura groups often fight among themselves for domination of a zone and / or control of resources.		With regard to the Masisi: <ul style="list-style-type: none"> <li>• Bigiri Bagabo: Masisi - Bashali Mokoto</li> <li>• Delta: Masisi South between Kashebere and Nyabiondo and Katoyi.</li> <li>• Jean Marie: Masisi Bashali Mokoto / ally of Kasongo.</li> </ul>	Hutu self-defense groups and opportunistic interests (mines, taxation).	Not available

victims, including at least 11 women and six children); 52 summary executions (80 victims, including at least 15 women and 14 children); as well as 77 property rights violations.	Nyatura groups claim to protect the Congolese Hutu population from other Mai-Mai groups or attacks by the Congolese army.							
<b>FDLR/CNRD (Democratic Forces for the Liberation of Rwanda/National Council for Renewal and Democracy)</b>								
<b>Documented violations</b>	<b>Formed</b>	<b>Leaders</b>	<b>Ethnicity</b>	<b>Alliances</b>	<b>Relations with FARDC</b>	<b>Area active</b>	<b>Aims</b>	<b>Other information</b>
Between January 2017 and October 2018, the UNJHRO documented 85 human rights violations attributed to FDLR / CNRD combatants in Masisi. These are mainly summary executions (33 victims, including at least four women and two children) and violations of the right	The FDLR / CNRD was created after a split with the FDLR FOCA in May 2016. The FDLR FOCA are active in the north-west of Rutshuru territory. The CNRD opposes the Rwandan	Wilson Trategeka with an estimated 200 fighters.	Hutu (only)	No signs of coalitions in the medium or long term. However, temporary, opportunistic coalitions cannot be ruled out.	Sukola 2 operations have often targeted the FDLR / CNRD.	Based in an area between northeastern Masisi territory (Bashali Mokoto) and northwestern Rutshuru territory (area around Kashuga).	The CNRD would have been more open to negotiations with the Rwandan government and to return to Rwanda, as it was young people who did not participate in the genocide.	The CNRD was not involved in the events opposing the two wings of the APCLS. It has however been very active during the year 2018 especially with many confrontations with various Nyatura groups according to their shifting

to liberty and security of the person (61 victims, including at least six women and five children) ; 14 attacks on physical integrity (20 victims, including seven women and four children); as well as 26 violations of property rights.	government from the DRC.							interests.
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<b>Mai-Mai Mazembe / UPDI (Union of Patriots for the Defense of the Innocent)</b>								
<b>Documented violations</b>	<b>Formed</b>	<b>Leaders</b>	<b>Ethnicity</b>	<b>Alliances</b>	<b>Relations with FARDC</b>	<b>Area active</b>	<b>Aims</b>	<b>Other information</b>
Between January 2017 and October 2018, the UNJHRO documented 142 human rights violations attributed to Mai-Mai Mazembe / UPDI fighters in the Lubero. These are primarily attacks on the right to liberty and	2015	Joint Command self-appointed generals Albert Kasheke and Kitete Bushu Roger Ethnies	Kobo and Nande	In 2016, Mai-Mai Mazembe / UPDI joined forces with the NDC / R fighters, in pursuit of the FDLR before separating due to economic	They have clashed with the FARDC several times in the south of Lubero territory, in the	Base is in Kateku of Iboko with headquarters in the village Kimaka, Itala, chiefdom of Batangi territory of Lubero	End FDLR presence in the Lubero territory and protect the Kobo and Nande communities against the FLDR and their dependents considered as invaders.	Not available

<p>security of the person (30 attacks against 178 victims, including at least seven women and three children); 40 infringements property rights; 34 attacks on the right to physical integrity (87 victims including 26 women and four children, including seven women and two children victims of sexual violence); 29 attacks on the right to life (including summary executions of 37 people, including at least one child); and two cases of forced labour (nine victims, including at least five women).</p>				<p>interests, including the control of the mining areas and villages where they established illegal taxation activities and people, after forcing the FLDR to flee.</p>	<p>Miriki area.</p>			
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<p><b>Mai-Mai Mazembe / UPLC (Patriotic Union for the Liberation of Congo)</b></p>								
<p><b>Documented</b></p>	<p><b>Formed</b></p>	<p><b>Leaders</b></p>	<p><b>Ethnicity</b></p>	<p><b>Alliances</b></p>	<p><b>Relations with</b></p>	<p><b>Area active</b></p>	<p><b>Aims</b></p>	<p><b>Other</b></p>

<b>violations</b>					<b>FARDC</b>			<b>information</b>
Not available	Active since July / August 2016 originated in the Mwenye chieftaincy group in Baswagha after Kilalo's defection of a Mayi-Mayi Yira group in the area between the Bapere area of North Kivu and the province of Ituri.	Kakule Kilalo	Nande and Piri	UPLC elements allegedly operated with elements of Saperita's group, Jackson's group from Rutshuru, Etoile Kiyibunja's Mayi-Mayi group, which, a few weeks after its creation, was integrated into the UPLC as well as with UPDI.	Some sources indicate possible collaboration with FARDC soldiers, which would explain the return of Colonel Jackson to Kipese in 2017 where he operated with the UPLC while he is a former Mai-Mai who had already joined the FARDC in 2008 (deployed in Province Orientale), as well as the weapons that UPLC has [...]	Since its creation in 2016, the group has formed short-term coalitions with the Mai-Mai Mazembe factions in Lubero territory and claims to defend the Nande community against ADF attacks in the Beni territory. In 2017, these groups allegedly participated in attacks around the city of Beni, possibly with other Mai-Mai groups, and carried out attacks against the FARDC in Lubero territory.	End the FDLR presence in the Lubero territory and protect the Kobo and Nande communities against the FLDR and their families considered as invaders.	

<b>Mai-Mai Simba de Luc Yabili</b>								
<b>Documented violations</b>	<b>Formed</b>	<b>Leaders</b>	<b>Ethnicity</b>	<b>Alliances</b>	<b>Relations with FARDC</b>	<b>Area active</b>	<b>Aims</b>	<b>Other information</b>
Not available	2000	Luc Yabili	No information available	Mai-Mai Simba occasionally collaborates with Mai-Mai Lumumba in areas of common interest, the exploitation of natural resources against the FARDC. They protect mining squares and villages where they have imposed illegal taxes.	They have several times clashed with the FARDC in the Bapere sector in the north-west of Lubero territory, on the border with Ituri and Tshopo.	With regard to Lubero: the Babika and Bapakombe groups in the Bapere sector	Illegal exploitation of natural resources and struggle for survival of indigenous people who have been deprived of lands and resources following the creation of nature reserves and parks.	Not available

<b>Mai-Mai Lumumba of Mangaribi Manu</b>								
<b>Documented violations</b>	<b>Formed</b>	<b>Leaders</b>	<b>Ethnicity</b>	<b>Alliances</b>	<b>Relations with FARDC</b>	<b>Area active</b>	<b>Aims</b>	<b>Other information</b>
Not available	2005	Mangaribi Manu, brother of Paul Sadala aka Morgan. Mangaribi took	Not available	Mai-Mai Lumumba collaborate with Mai-Mai Simba of Luc Yabili in areas of common interest. They protect	They have clashed several times with the FARDC in the Bapere area in the north-west of	Their base is in the Kateku in Iboko with an headquarters in the village of	To defend the populations living near Maiko National Park who have been evicted from their	Not available

		over the group after the death of his brother.		mining areas under their control and villages where they have imposed illegal taxes. From 2015 and 2016 they collaborated with the group Kilalo party of the area to train them and share rites and coryances in exchange for minerals.	Lubero territory on the border with the provinces of Ituri and Tshopo.	Kimaka, Itala, chiefdom of Batangi territory of Lubero	lands following the creation of the park. The fighters in this group illegally mine minerals and trade in this area, which is reputed to be rich in mineral resources, including coltan and gold.	
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<b>Mai-Mai Kifuafua</b>								
<b>Documented violations</b>	<b>Formed</b>	<b>Leaders</b>	<b>Ethnicity</b>	<b>Alliances</b>	<b>Relations with FARDC</b>	<b>Area active</b>	<b>Aims</b>	<b>Other information</b>
Between January 2017 and October 2018, the UNJHRO documented 11 human rights violations attributed to Mai-Mai Kifuafua fighters in Masisi, mainly attacks on the right to physical integrity and sexual violence against children. two women	Created in 2002 by the self-proclaimed general Delphin Mbaenda, this group has its roots in the various armed movements of the Tembo community of the 1990s. Delphin Mbaenda inherited the armed group from his brother, who was traditionally based in southern Masisi and	Delphin Mbaenda	Tembo	Data not available	Data not available	South Walikale and South Masisi, including Ufamando 1 (Col. Bahunde).	Data not available	Various attempts to integrate with the FARDC since the beginning of 2009 have failed.

and a child, as well as violations of the right to liberty and security of the person (six victims, including two women and two children). They also practice forced marriages, illegal taxation and looting, particularly in confrontations with Mayi-Mayi Kirikitcho.	Walikale between the villages of Hombo, Busurungi and Remeka. Despite numerous internal conflicts - which led to factions led by leaders known as Shalio, Maachano and Limenzi / Baeni - and subsequent reunifications, Delphin Mbaenda managed to maintain his group through an effective tax system and his reluctance to confront some strong actors such as the FARDC or the FDLR.							
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<b>AFRC (Alliance of Revolutionary Forces of the Congo) also known as Mai-Mai Charles</b>								
<b>Documented violations</b>	<b>Formed</b>	<b>Leaders</b>	<b>Ethnicity</b>	<b>Alliances</b>	<b>Relations with FARDC</b>	<b>Area active</b>	<b>Aims</b>	<b>Other information</b>
Not available	2011	Self-proclaimed General Kakule Muhima Charles alias Bokande	Nande, Hunde and Nyanga	Since its creation, the group has colluded with other armed groups, including the UPCP of Lafontaine and the UPDI. The group has forged an alliance with the UPDC	AFRC combatants fought with the FARDC and the park wardens of the Congolese Institute of	Virunga National Park, South East of Lubero, Musindi Group, Batangi Chiefdom, Ndwali Zone, on Lake Edward and	AFRC combatants are seen as a self-defense group essential for the survival of Nande and	Allegations of mass graves in the Ndwali area remain unverified.

				(Patriotic Union for the Decency of Congo), also of Hutu origin as part of the establishment of the National People's Coalition	Nature Conservation (ICCN) often along Lake Edward and in Virunga National Park. They would collaborate with some elements of the naval force in the Ndwali area where they control illegal fisheries.	Rutshuru North.	Hunde communities in Rutshuru territory where tensions between these communities and Hutu and Tutsi communities in the face of land and customary / traditional powers have persisted since the 1950s. AFRCs are involved in illegal fishing on Lake Edward, poaching and illegal exploitation of natural resources in Virunga National Park.	
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