

DEMOCRATIC REPUBLIC OF CONGO

Chaos in Eastern Congo: U.N. Action Needed Now

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Main Parties to the Current Crisis in South Kivu Province

- Congolese Rally for Democracy–Goma (RCD-Goma) supported by the Rwandan government.
- Rwandan Patriotic Army (RPA), the Rwandan government army.
- Burundian government troops.
- Mai-Mai groups of local combatants.
- Banyamulenge, Congolese people of Rwandan ancestry, opposed to the RCD-Goma and Rwandan government troops.
- Rwandan rebels against the Rwandan government, some of them including soldiers of the former Rwandan Armed Forces (FAR) and the Interahamwe militia.
- Burundian rebels against the Burundian government.

Main Parties to the Current Crisis in Ituri and Orientale Provinces

- Congolese Rally for Democracy–Liberation Movement (RCD-ML), led by Mbusa Nyamwisi, and its military wing, the Congolese People's Army (APC).
- Lendu and Ngiti ethnic militias, frequently coopted by the RCD-ML.
- Union of Congolese Patriots (UPC), led by Thomas Lubanga.
- Hema and Gegere ethnic militias, associated with the UPC.
- Mai-Mai groups of local combatants, sometimes aligned with the RCD-ML.
- Movement for the Liberation of Congo (MLC) under Jean Pierre Bemba, once in control in Ituri but then pushed back west to Gbadolite, and now moving east again.
- Congolese Rally for Democracy–National (RCD-N), under Roger Lumbala—another splinter group of the RCD-ML, currently allied to the MLC.
- Ugandan People's Defence Force (UPDF, the Ugandan army).

Overview

In recent weeks civilians have once again paid the price of local and international struggles to control the resource-rich eastern and northeastern Democratic Republic of Congo (DRC). Hundreds have been killed and injured and tens of thousands have fled their homes to join about two million others previously displaced. The fighting is concentrated in three zones:

- South Kivu province, where the Congolese Rally for Democracy based in Goma (RCD-Goma) has battled local and Rwandan rebel combatants
- Orientale province, where the forces of the Movement for the Liberation of Congo (MLC) and those of another RCD faction, the RCD-National (RCD-N), wrested territory from a third RCD faction, the RCD-Liberation Movement (RCD-ML) and began moving east, scattering civilian populations before them. This advance threatens to take the conflict into North Kivu province.
- Ituri province, just east of (and formerly part of) Orientale, where political and ethnic rival groups have contested control for several months.

In South Kivu, violence has been sparked by the withdrawal of Rwandan government troops, formerly dominant in the area, although latest developments indicate their renewed involvement, and also the involvement of Burundian forces. Uganda remains the predominant power in Orientale and Ituri, at different times supporting one or other of the contending forces. Ugandan army troops remain present in part of Ituri.

Whether in zones recently vacated by foreign troops or in areas where these are still present, the United Nations (U.N.) Security Council must intervene to halt the slaughter. It must expand its peacekeeping operation in the Congo, the United Nations Organization Mission in the Democratic Republic of Congo (MONUC), to enable it to execute its mandate to “protect civilians under imminent threat of physical violence.” U.N. Secretary-General Kofi Annan has proposed that the Security Council expand the force, now some 5,500 troops, to 8,700 with two strong “task forces” to be located near areas where civilians are most at risk.

South Kivu Province

Rwanda has been the chief support of the RCD-Goma since this movement began its rebellion against the Congolese government in 1998. Since then several armed groups have split off from the RCD-Goma, and have started operating in the Ugandan-held areas of Orientale and Ituri provinces.

The RCD-Goma has retained its link to Rwanda and relied on Rwandan government troops to control most of South and North Kivu. In addition, Burundian forces also provided some military support to the RCD-Goma in South Kivu.

In late September and early October Rwanda recalled its soldiers from the Congo under the terms of an agreement signed on July 30 with the Congolese government; in return the Congo was to help disarm and repatriate groups of rebels opposed to the Rwandan government based in the eastern Congo. In late September Congolese President Joseph Kabila banned all Rwandan rebel groups and ordered several rebel leaders to leave the country.

After the withdrawal of Rwandan government troops, RCD-Goma forces lost control of important parts of South Kivu, including the port of Uvira from which they fled on October 13. They were defeated by a coalition of Mai-Mai groups and two different groups of Banyamulenge, one led by Patrick Masunzu and the other led by a commander called Aron Nyamusheba. The Banyamulenge, Congolese whose ancestors had come from Rwanda, had originally provided many of the troops for the RCD-Goma, and the Rwandan government had frequently claimed to be in Congo in part to defend the Banyamulenge against other Congolese. But since early 2002 an important group of Banyamulenge led by Masunzu, once an officer in the RCD-Goma forces, rejected RCD-Goma control and fought to keep Rwandan and RCD-Goma troops out of their home territory on the high plateaus of South Kivu.

Since mid-October other local combatants reportedly fighting together with some Rwandan rebel groups have challenged RCD-Goma in the Ruzizi plain north of Uvira. Some of these Rwandan rebels are former soldiers of the Rwandan Armed Forces (FAR) and Interahamwe militia who participated in the 1994 genocide of Tutsi in Rwanda, but the majority are recent recruits not formerly involved in the genocide.

Suspecting the backing of the Congolese government in Kinshasa for the forces challenging it in South Kivu, on October 14 the RCD-Goma broke off discussions with the Congolese government and began an offensive to retake lost territory. On October 19 local combatants abandoned Uvira and RCD-Goma forces reentered the town. According to one local source, RCD soldiers killed five civilians, among them a catechist accused of being a Mai-Mai, and arrested more than twenty people.

A Short-Lived Withdrawal— Role of the Rwandan and Burundian Armies

The Rwandan army presence in support of the RCD-Goma has numbered over 20,000 soldiers in the eastern Congo. On October 7, the Rwandan government informed the Security Council that “the last Rwandan soldier left” the country two days before. However, on October 17, the Rwandan government expressed shock at the recent fighting in eastern Congo and stated that it “reserves the right to defend the country against the ex-FAR and Interahamwe and it intends to choose the most appropriate way to do that, when the right time comes.”

Since the start of the war in 1998, the Rwandan army has committed systematic and widespread abuses against civilians often accused of supporting the “enemy.” The Rwandan army is responsible for several large massacres, as well as for uncounted cases of extrajudicial executions, “disappearances” and sexual violence. In March and April 2002, responding to the challenge posed by Masunzu’s Banyamulenge forces, RCD-Goma and Rwandan government forces killed scores of civilians, some of them shot from Rwandan helicopters. They forced tens of thousands of others to leave their homes for areas close to RCD-Goma and Rwandan military camps.

The Burundian army has backed the RCD-Goma in parts of South Kivu that are close to the Burundi border, such as the Ruzizi plain and the shore of Lake Tanganyika. On October 14, the governments of Burundi and the Congo agreed that the Burundians would withdraw their forces from the Congo and that the Congolese government would ensure that no Burundian rebel group used the country as a rear base.

After the recapture of Uvira, local sources have reported the presence of Rwandan government soldiers in the city and the surrounding areas and have reported that Burundian army forces bombarded Uvira from ships on Lake Kivu.

Oriente and North Kivu Provinces

Civilians in the northeastern Congo have been repeatedly attacked in conflicts between the MLC combatants under Jean-Pierre Bemba and forces of the RCD-ML, a faction that split from the RCD-Goma, led by Mbusa Nyamwisi. In early 2001 Uganda backed Bemba’s efforts to impose a merger of the several groups opposed to the Congolese government that were contesting control of this rich region. In mid-2001 Bemba was ousted by Nyamwisi, then prime minister of the short-lived merger, and retreated to Gbadolite (in Equateur province, to the west). Toward the end of 2001, Bemba started an offensive against Nyamwisi’s forces, and by early 2002 he and his ally Roger Lumbala, head of the splinter RCD-N, captured the key towns of Isiro, Watsa, and Bafwasende, killing and displacing scores of civilians. Watsa is known for its gold and diamond mines and Bafwasende for diamonds.

After a period of inaction the MLC and RCD-N moved forward again in mid-October. They took the towns of Epulu and Mambasa in Orientale from RCD-ML forces and headed for Beni in North Kivu. The death toll from this most recent fighting is not yet known.

Ituri Province

Fighting between ethnic and political groups in Ituri province of the northeastern Congo has cost hundreds of lives in the last few weeks and threatens many more. In the absence of any legitimate administrative authority, political leaders increasingly incite ethnic violence that encompasses an ever larger number of groups.

Ugandan army troops of the UPDF continue to occupy Bunia, the chief town of Ituri, although they have withdrawn from other parts of the northeastern Congo. Under the terms of a September 6 agreement between Uganda and Congo, UPDF troops may remain in Bunia until a new administration is established there. The U.N. Security Council confirmed this arrangement but reminded Uganda that “as long as its troops are there, Uganda is duty-bound to ensure the protection of the population.”

Combat in August and September

Recent fighting in Ituri pitted the forces of Thomas Lubanga, head of the Union of Congolese Patriots (UPC) against those of Mbusa Nyamwisi of the RCD-ML and its Congolese Peoples' Army (Armée du Peuple Congolais, APC). Each drew on ethnic loyalties: Lubanga was associated with locally-based Hema and their ethnic kin the Gegere; Nyamwisi recruited heavily among the Lendu and the related Ngiti peoples, groups that have been sporadically fighting the Hema for control of land and other resources over the last four years. Nyamwisi's support base included also his own people, the Nande, who are from North Kivu and are seen by local residents as outsiders.

In February 2002, the RCD-ML controlled Ituri province and Nyamwisi named a new governor, Jean-Pierre Molondo, who also was from outside the region (from Kasai). Molondo took effective control of the military away from Lubanga, then nominally minister of defense for the RCD-ML. In April a local Hema bishop was replaced by a Nande, strengthening the Hema perception that Nande were displacing them from local leadership.

In April the head of Nyamwisi's presidential guard was assassinated, a crime widely attributed to Lubanga. This set off fighting between Nyamwisi's APC and Lubanga's forces which then took shape as the UPC and established a military base at Mandro, some fifteen kilometers outside Bunia. The UPC took control of part of Bunia town from the RCD-ML. Both groups carried out abuses against the civilian population, with no intervention by UPDF forces to prevent this.

In June, Lubanga and eight aides were arrested during a stay in Kampala, the Ugandan capital, by a Ugandan minister who delivered them to Congolese authorities.

The UPC takes Bunia

Although Lubanga was still detained in Kinshasa, the Congolese capital, in early August 2002, his UPC forces and the UPDF on August 6 attacked Ndoromo military camp in Bunia, where the APC was training an estimated 1,200 combatants of the Lendu and Ngiti ethnic groups. According to local sources, the UPC used antipersonnel mines, one of which wounded an APC soldier. After fourteen hours of fighting, the APC repulsed the attackers, claiming to have killed two UPDF soldiers among them. Families of the Lendu and Ngiti combatants fled to the governor's residence in Bunia.

On August 7 and 8, UPC militia tried to occupy some neighborhoods of Bunia and in the process killed Lendu civilians and others, such as Nande and Bira, seen as Lendu allies. Lendu militia killed dozens of Hema civilians in the Mudzi Pela neighborhood and in other predominantly Hema neighborhoods such as Saio, Rwambuzi, and Simbiliabo. In the days after, UPC killed Lendu, Nande, and Bira in Mudzi Pela. Both sides burned houses, displacing large numbers of civilians.

Lendu militia killed at least thirty Hema civilians who had sought shelter at the farm at Lengabo of Tibasima Ateenye, a Hema leader once affiliated with the RCD-ML but now resident in Kinshasa after having broken with Nyamwisi. The militia reportedly killed two UPDF soldiers who had been protecting the Hema and drove others away.

On August 9, UPC militia and UPDF troops killed some forty-five civilians in attacks on the residential neighborhood known as the *sous-region* where RCD-ML officials and the governor lived. As the UPDF used tanks and heavy weapons to assault the governor's residence, Governor Molondo and many APC soldiers fled on foot toward Beni. After they left, the UPC continued killing Lendu, Nande, and Bira civilians near the main hospital in the Bigo neighborhood; others were killed near the central prison. UPDF forces that accompanied the UPC failed to stop the killings and other abuses, and joined the UPC in looting the shops of Nande businesspeople.

According to MONUC, 110 people died in the August violence, but local sources have estimated the dead as at least 150, most of them civilians. Several mass graves have been discovered, two near the governor's residence and others near the prison and the hospital. According to witnesses, some victims were thrown into the Chari River.

The Congolese government sent its minister of human rights, Ntumba Lwamba, to Bunia several times to try to mediate between the warring groups. On August 29 Lwamba returned to Bunia with UPC leader Lubanga, who was supposed to persuade the UPC to join in a peace conference in Kinshasa. The UPC then took the minister and a journalist from his entourage hostage and released them only after having obtained the freedom of Lubanga in exchange. By this coup and by the military takeover of Bunia earlier in August, the UPC established itself as the force controlling the situation in Bunia.

The RCD-ML and Ngiti Militia Attack Nyankunde

On September 5 the APC and Ngiti militia took the town of Nyankunde, after defeating the UPC and killing hundreds of civilians. A survivor described what he saw:

Thousands of Ngiti came down in groups to loot: men, women, and children, all armed with machetes, axes, knives, bows and arrows, spears and firearms. The attack so traumatized the whole population that no one wants to return to try to live in Nyankunde again.

The assailants killed patients at the church-affiliated medical center, slaughtering them in their beds, and also killed care staff and others: They burned alive Pastor Salomon Isereve and also killed Estelle Buma, a nun, a nurse named Kabagambe and several children of the staff. They first targeted Hema and then killed members of other ethnic groups whom they saw as “collaborators” with the Hema, particularly Bira. Among the Bira victims was the highest local authority, the *chef de collectivité* J.

The attackers looted the medical center and burned many homes. The displaced fled towards the town of Oicha, a journey of more than a week on foot by an extremely hazardous road.

The Stakes in Ituri

Ituri province, created in 1999 out of part of Orientale province, is rich in gold, timber, and coltan (colombo-tantalite, a precious mineral). In addition it produces substantial amounts of coffee. Because of its location near Lake Albert and the Ugandan frontier, Ituri is a locus of trans-border trade that offers lucrative opportunities for transporting and taxing goods.

Several groups rebelling against the Kinshasa government have fought each other and splintered within themselves as they struggled to get and keep control over this wealthy region. The conflicts over political preeminence and control of resources have taken place increasingly along ethnic lines and have spilled over to encompass groups not originally touched by these hostilities. Thus a long standing rivalry between Hema and Lendu over the control of land and access to fishing rights now brings violence to various groups—like the Nande, Gegere, Bira, and Alur—said to be associated with one or the other of the original contenders. The conflict first involved some 40 percent of the local population—roughly the numbers of Hema and Lendu—but now brings devastation to far greater numbers. With the increase in attacks and victims on both sides, the level of fear has risen, making it easier for leaders to mobilize people for violence, supposedly as a measure of self-defense.

Continuing dubious role of the Ugandan army

Since 1998 when its troops first occupied the northeastern Congo, Uganda has claimed to be promoting peace in the region. On occasion the UPDF has in fact placed forces between adversaries to stop violence. On other occasions Uganda has summoned bickering political leaders to Kampala and obliged them to negotiate their differences. In this way, Ugandan authorities in early 2001 imposed a merger of several groups into the Forces for the Liberation of Congo (FLC) under the leadership of Jean-Pierre Bemba, head of the Movement for the Liberation of Congo (MLC). This solution, like others brokered by the Ugandans, collapsed because several groups such as the RCD-ML and the RCD-N were dissatisfied that in the new arrangement the share of power they received was nominal. It was after this collapse that Nyamwisi’s RCD-ML pushed Bemba out of Ituri.

Despite the pose of peacemaker, numerous Ugandan officers have fueled local conflicts by politically and militarily supporting rival rebel factions. It was a UPDF commander in the DRC, James Kazini, who in 1999 created Ituri province, naming as governor Adele Lotsove Mugisa, a leader identified closely with Hema interests. UDFP officers sometimes deployed soldiers to fight alongside Hema against Lendu militia, and UPDF soldiers were involved in several cases of killing Lendu civilians during 1999 and 2000. Hema also hired UPDF soldiers to protect their property against Lendu attacks. Human Rights Watch documented these abuses in a March 2001 report, "Uganda in Eastern DRC: Fueling Political and Ethnic Strife."

In occasional cases, UPDF soldiers aided Lendu militia. Col. Peter Kerim, seen by some Lendu as their protector, reportedly trained Lendu militia during 1999. Named by Ugandan authorities to oversee reconciliation between Hema and Lendu in March 2002, Kerim subsequently left Bunia after Hema accused him of favoring the Lendu and threatened his life. Kerim and his troops are stationed at Paida, Uganda, close to the Congolese border. Hema groups continue to accuse him of arming Lendu militia.

Human Rights Watch field research in the area also showed that during 2000 UPDF troops trained and armed both Hema and Lendu young men to be part of a force for the RCD-ML. Many were younger than eighteen, and therefore can be described as child soldiers. After the RCD-ML splintered, these young men took their military skills and arms into ethnic militia and now fight each other as well as carrying out abuses against the civilian population.

Given its record of fueling local conflicts, including its most recent failure to prevent violence in Bunia and Nyankunde, the UPDF cannot be expected to keep the peace and protect civilians in Ituri.

Humanitarian Crises from the Recent Fighting

Some 11,000 Congolese have fled from the South Kivu fighting to Burundi, and thousands of others have sought safety in bush areas or towns distant from combat zones. Humanitarian organizations caring for the 430,000 already displaced there have suspended activities in the combat zones and the injured and displaced are not receiving needed assistance.

Humanitarian sources report that thousands of exhausted and hungry displaced people fleeing from Orientale have scattered throughout the region, while others have fled across the border into Uganda. In Ituri, civilians have fled the fighting in Bunia, Nyankunde, and surrounding areas, adding to some half a million people already displaced in the region prior to the August-September fighting, with little access to food, water, or medical care; others fled to Uganda. Lendu militia challenging UPC control of Bunia cut the water supply to the town for several weeks. Representatives of humanitarian organizations still fear that there may be an outbreak of cholera and other diseases given the poor conditions of sanitation.

The northern conflict zones in particular are far from centers like Goma and Kisangani and roads in some places are virtually impassable. Representatives of humanitarian organizations find it extremely difficult to provide needed assistance, especially to those persons who have fled to rural areas.

Recommendations

- The U.N. Security Council should increase the size of the MONUC force, as recommended by the secretary-general, in order to implement its mandate to “protect civilians under imminent threat of physical violence.” A substantial number of these new forces should be deployed to eastern and northeastern Congo.
- If the Congolese government establishes a local administration and police force as it has said it will do in Ituri, MONUC should monitor, and assist the Congolese police as well as train them, as is being done in Kisangani.
- All local groups should immediately cease attacks on civilians and meet to seek to reconcile their differences, building on the experience of such a meeting held in 2001.
- International and local humanitarian agencies must urgently deliver needed assistance, particularly to displaced persons.
- Human rights officers from MONUC and from the field office of the U.N. High Commissioner for Human Rights should begin investigating war crimes and crimes against humanity committed in eastern and northeastern Congo, to facilitate future prosecution of those accused of such crimes.
- Radio Okapi, the radio station associated with MONUC, should begin broadcasting in areas of eastern and northeastern Congo where it is not yet heard, in order to disseminate accurate information and to reduce inter-group conflict.