

DEMOCRATIC REPUBLIC OF THE CONGO:

IDPs pay an unacceptable price

A profile of the internal displacement situation

21 December, 2010

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The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org.

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OVERVIEW

IDPs pay an unacceptable price

As of September 2010, there were more than 1.7 million internally displaced people (IDPs) in the Democratic Republic of Congo (DRC), the vast majority of them in the eastern provinces of North and South Kivu. Most fled their homes to escape fighting between rebels groups and the Congolese armed forces supported (in some cases) by the UN, while others are victims of direct attacks and violence perpetrated by the warring parties.

Some 5.4 million people have died since 1998 as a result of a series of complex conflicts in DRC that also involved neighbouring states, according to a 2008 estimate by the International Rescue Committee.

Displacement peaked in 2003, with an estimated 3.4 million people forced from their homes, most of them in the east of the country. A further one million people were displaced during 2009, while a similar number are reported to have returned home over the past two years.

The killing and rape of civilians continues at a horrifying rate in eastern DRC, and the protection of IDPs and other civilians remains an urgent concern. Following mass rapes of villagers in North Kivu in late July and early August, and attacks on UN peacekeepers, the UN mission is currently implementing a major internal review of its protection programmes.

A number of national and international organisations are attempting to meet the needs of IDPs and returnees. An effective response has been hampered, however, by the army's ill-disciplined military operations against rebel groups, vicious attacks on the civilian population and the illegal exploitation of DRC's vast natural resources by all parties to the conflict.

National elections are scheduled for November 2011.

Background to displacement and recent developments

Between 1996 and 1997, and again between 1998 and 2003, DRC suffered two major wars. Civilians bore the brunt of the violence, as rebel groups with links to neighbouring states competed for control of large areas of eastern DRC. Of the estimated 3.4 million people forced from their homes by the end of the second conflict, many returned home following the withdrawal of foreign armies and the establishment of a transitional power-sharing government in mid-2003.

In 2006, Joseph Kabila was elected president in the country's first multi-candidate vote in over 45 years. Most internally displaced people (IDPs) were unable to vote, either because of the security situation or because they had lost their electoral cards or had them stolen by armed groups (OCHA, 15 August 2006; NRC, April 2006). The next national elections are scheduled for November 2011.

Despite these political milestones, violence and displacement have continued as the government fights militias in a bid to re-establish its authority across the east of the country. In 2004, General Laurent Nkunda left the Congolese army and created the National Congress for the Defence of the People (*Congrès national pour la défense du peuple*, or CNDP). The group's stated objective was to protect the country's Tutsi minority, concentrated in North Kivu, against the Democratic

Liberation Forces of Rwanda (*Forces démocratiques pour la libération du Rwanda*, or FDLR), a Hutu force that included some of the perpetrators of the 1994 genocide in Rwanda.

In January 2008, the government signed a ceasefire agreement in Goma with 22 armed groups, including the CNDP and local Mai Mai militia groups operating in North and South Kivu. The governments of DRC and Rwanda also made joint commitments to disarm the FDLR in a separate agreement signed in Nairobi in November 2007, but the group remains active in the eastern provinces of North and South Kivu.

An estimated 5.4 million people died as a result of conflict in DRC between August 1998 and April 2007, the majority of them of infectious diseases, malnutrition, and neonatal and pregnancy-related conditions (IRC, 11 January 2008).

Latest displacement and return movements

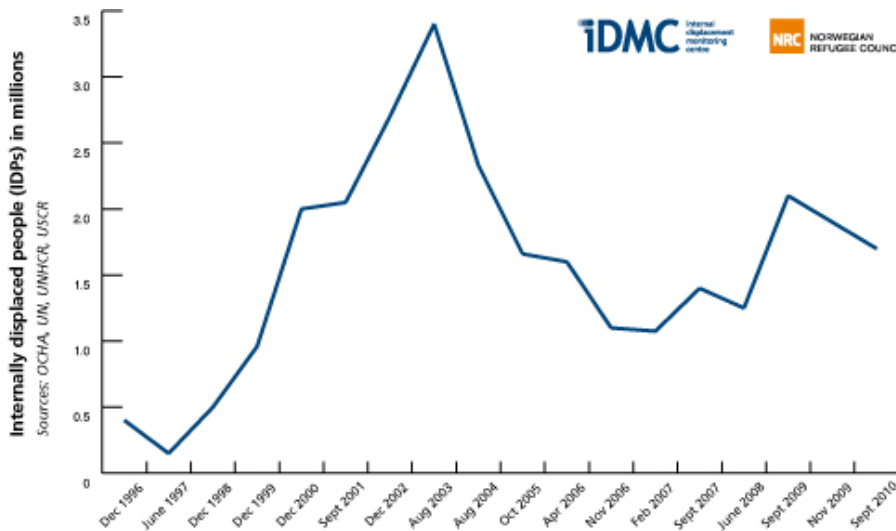
The vast majority of DRC's 1.7 million IDPs are to be found in North and South Kivu. At least 325,000 people abandoned their homes between January and June 2010 (OCHA, 6 July 2010), adding to the estimated one million who were displaced during 2009. Around one million people are also reported to have returned home over the past two years (OCHA, 13 October 2010; 14 October 2010).

Most IDPs have been displaced several times, and with communities increasingly unable to cope with the influx of people, several hundred thousand IDPs in North Kivu have built makeshift settlements, or taken refuge either in dilapidated buildings or in camps managed by international NGOs under the coordination of the UN Refugee Agency (UNHCR). The percentage of IDPs in North Kivu in formal and informal camps increased from five to 35 per cent in 2008, but that figure fell to 16 per cent in 2010. The rest live with host families or in the forest (Unicef/CARE, 27 April 2008; OCHA, 13 October 2010). It should be noted that estimates of IDP numbers may vary considerably, given that there are no common procedures or methods of analysis among the organisations gathering data, and very limited resources dedicated to data management (OCHA, September 2010).

Return has not always been durable. In September 2009, Congolese authorities said that some areas where it claimed to have driven out the FDLR were safe for IDPs to return. According to Human Rights Watch, "five official camps around Goma, housing some 60,000 IDPs were closed and emptied almost overnight" and residents were "under official pressure to leave as the authorities sought to demonstrate that [the military operation] *Kimia II* had created security conditions conducive to return" (HRW, 14 September 2010, p.8). Many people, however, found their land still occupied. Renewed clashes forced some to flee again soon after their arrival.

In contrast, the majority of returning IDPs in North and South Kivu in 2010 said they had encountered an improved security situation, and that they had been able to repossess their former homes (OCHA, 13 October 2010; 14 October 2010).

Fig 1. Fifteen years of forced displacement in DRC



North and South Kivu: military operations and revenge attacks

The security situation across both provinces remains highly volatile (OCHA, 6 October 2010, “Kivus”). An improvement in relations between the Congolese and Rwandan governments in early 2009 led to a joint operation (Operation Umoja Wetu) against the FDLR in North Kivu. The Congolese army then led Operation Kimia II against the FDLR in both provinces, with logistical support from the UN peacekeeping mission in DRC. It also clashed with Mai Mai militias, and both rebel groups responded with widespread attacks on civilians, which prompted massive displacement.

Operations against the FDLR continued in North and South Kivu in 2010, and some rebel fighters have disarmed and demobilised. Many remain active, however, and FDLR fighters operating in collusion with other groups such as the Mai Mai were recently reported to have reoccupied several areas of North Kivu, and to have increased attacks on civilians (UNSG, 8 October 2010). Tens of thousands of people also fled South Kivu for Katanga province in 2010 (OCHA, 15 November 2010), and in September FDLR violence caused the displacement of some 18,000 people in just a few days (OCHA, 12 October 2010). The International Crisis Group notes: “Despite three successive operations conducted by the Congolese army, the latest one Amani Leo in 2010, the humanitarian situation in the Kivus has deteriorated, and instances of extreme violence have multiplied” (ICG, 16 November 2010).

Army operations against the Allied Democratic Forces/National Army for the Liberation of Uganda (ADF-NALU), a Ugandan rebel group primarily based in the Beni territory of North Kivu, resulted in the temporary displacement of up to 100,000 civilians in June 2010, some of whom have since returned (UNSG, 8 October 2010).

Upper and Lower Uele districts, Orientale province: LRA terror attacks

Since mid-2008, Uganda’s Lord’s Resistance Army (LRA) has attacked communities in DRC, killing and abducting civilians and looting in reprisal for military operations against it. The LRA has caused significant displacement not only in DRC but in Central African Republic (CAR) and Southern Sudan as well. The group’s campaign of terror is reported to have intensified, with recent attacks in all three countries. In a village of Upper Uele district of Orientale province, 21 people were killed and 2,500 displaced in September 2010. Another 2,000 people fled the district capital in fear of further attacks. As of October 2010, the LRA was reported to have killed 2,000 people, abducted more than 2,600 and displaced over 400,000 across the region (UNHCR, 15 October 2010). The armies of Uganda, DRC and Southern Sudan have launched offensives against the LRA in Upper Uele, but these operations have consistently failed to adequately

protect civilians, who have been subjected to brutal revenge attacks (Oxfam, 6 October 2010). Following an assault by Ugandan troops in December 2008, the LRA killed more than 865 civilians in a matter of weeks, often hacking their victims to death with machetes and axes or breaking their skulls with wooden clubs (HRW, 16 February 2009).

Equateur province: inter-communal clashes

Internal displacement occurred in Equateur province for the first time in several years at the end of 2009. Fighting broke out in late October when armed members of the Enyele community attacked ethnic Munzayas over fishing and farming rights in the Dongo area. An estimated 100 people were killed in the clashes, and many others reportedly drowned as they tried to cross the river into Republic of Congo (RoC). Some 200,000 people fled, taking refuge in schools, churches or with host families within Equateur, or seeking safety across the border in RoC and CAR. Clashes flared again in April 2010, and an attack on the town of Mbandaka caused renewed displacement. Many of those who fled have said they do not want to return for fear of further violence (OCHA, 6 October 2010, "Equateur").

Main protection issues

The killing and rape of civilians continue at a horrifying rate in eastern DRC, and the protection of IDPs and other civilians remains an urgent concern. Members of both the army and rebel groups also continue to commit other human rights violations and abuses including sexual exploitation, abduction, forced conscription of children, looting, plundering of crops, illegal taxation and general harassment. According to Human Rights Watch, during 2009 "government and rebel forces deliberately attacked civilians ... chopping them to death by machete, shooting civilians dead while they fled, and burning them in their homes" (HRW, 14 December 2009). Many IDPs are based in remote areas, making them more vulnerable to abuses. In January 2010, armed attackers raided two IDP camps in Masisi, North Kivu (IRIN, 8 February 2010).

Commanders of government soldiers and rebel fighters have let their subordinates commit widespread sexual violence as a means of attacking the fundamental values of communities, scaring the civilian population into submission and punishing them for allegedly supporting enemy forces, or simply to provide troops with gratification. Members of an armed militia raped more than 300 women and girls between 30 July and 2 August 2010 in the Walikale region of North Kivu (UN News Centre, 14 October 2010).

According to an Oxfam survey, sexual violence increased dramatically after military offensives against the FDLR began in 2009 (Oxfam, 14 July 2009). The UN reported a steep rise in sexual violence in South Kivu for that year (UNSC, 30 June 2009; IRIN, 3 June 2009), and according to the United Nations Population Fund (UNFPA), a total of 8,300 women reported that they had been raped in the Kivus in 2009. The figure for DRC as a whole was 15,000 (UNSC, 15 October 2010), but real numbers are likely to be much higher as many victims of sexual violence are ashamed or unable to come forward. Thousands of women have also been abducted and kept as slaves by armed groups.

The forced recruitment of children continued in eastern DRC in 2010. Most of the child fighters rescued from rebel groups and the army were reportedly re-recruited later (UNSG, 8 October 2010). In 2008, Unicef reported that internally displaced children in North Kivu, particularly those separated from their families, were at particular risk of being recruited, and also of being raped and exploited (UNICEF, 14 November 2008).

Members of both the army and rebel groups have reportedly been involved in the illegal exploitation of natural resources including gold, coltan and diamonds, and the smuggling of goods

and weapons, contributing to further human rights violations, insecurity and displacement (UNSC, 29 November 2010; GW, 20 July 2009).

Since 2003, the government has sought to integrate some militias into the ranks of the army, but the process has been marred by corruption and conflicts between soldiers that often reflect local ethnic divisions.

In 2008, the UN Security Council (UNSC) sought, through Resolution 1807, to freeze the assets of perpetrators of forced displacement and serious violations of international law in DRC and to ban them from travelling abroad. The UNSC, noting with great concern the persistence of violations against civilians including killing and displacement, renewed these and other measures until November 2011 through Resolution 1952.

Basic needs

Access to basic necessities for IDPs and other vulnerable people in eastern DRC has deteriorated over the past year. The vast majority of IDPs and returnees have no access to health centres and schools, or to clean water, food, seeds, tools, clothes or building materials. Many IDPs have been unable to farm, and those that have risk having their crops plundered. The protracted conflict and the displacement it has caused have been identified as the main causes of food insecurity in the eastern part of the country (OCHA, 6 October 2010, "Kivus"). With health care services in a state of collapse, their precarious living conditions and lack of access to clean drinking water mean IDPs are particularly vulnerable to infectious diseases such as cholera, measles and bubonic plague.

National response

Measures adopted by the central government and provincial authorities have fallen far short of meeting IDPs' needs. The government has made the Ministry for Solidarity and Humanitarian Affairs responsible for IDPs, but it has had no impact and there has been no legislation to further its aims. The government has ratified the Pact on Security, Stability and Development in Africa's Great Lakes region, which came into force in June 2008, and in doing so committed to incorporate the Guiding Principles on Internal Displacement into national law. It also signed the Kampala Convention on IDPs in 2009. A UN report submitted to the Human Rights Council in 2010 found, however, that the Congolese government had neglected its responsibilities to protect and assist IDPs and returnees (UN HRC, 8 March 2010, paragraph 111).

International response

According to a recent evaluation of the European Commission Humanitarian Aid Office (ECHO)'s actions in DRC, "although protection is presently recognised as the first priority, the overall response from the international community, despite its scale, is far from responding to the magnitude of the needs" (DARA/ECHO, 19 October 2010).

The role of the UN peacekeeping mission

MONUSCO, the largest UN peacekeeping mission in the world with more than 18,000 troops, is authorised under Chapter VII of the UN Charter to use all necessary means to protect civilians under imminent threat of physical violence (UNSC, 28 May 2010). It is also mandated to monitor compliance with the UNSC arms embargo on armed groups operating in eastern DRC.

In 2009, the UN adopted a system-wide strategy for the protection of civilians in DRC, drafted by MONUSCO's predecessor MONUC and UNHCR. The document attempts to coordinate the efforts of the mission's military forces and police with those of humanitarian and human rights

agencies to improve access to aid, address the special protection requirements of vulnerable groups including IDPs, create an environment conducive to IDPs' sustainable return and reduce their total number. Despite these efforts, the UN Secretary-General's special representative in DRC has said that it is impossible to ensure full protection for all civilians, given that armed groups operate in many, widely dispersed areas and often move among the civilian population (UNSC, 15 October 2010).

The UN Security Council's change of mandate from MONUC to MONUSCO in May 2010 (UNSC, 28 May 2010) reflects the DRC government request for MONUC's drawdown and a progressive shift towards post-conflict stabilisation and consolidation (UNSC, 28 May 2010).

Humanitarian coordination

Since 2006, UN agencies and international NGOs have worked to make relief efforts more effective by coordinating their response in "clusters". The protection cluster (led by UNHCR) and the reintegration and community recovery cluster (led by UNHCR and UNDP) are particularly relevant to IDPs. Together with MONUC, the protection cluster developed a handbook for peacekeepers detailing measures for the protection of IDPs and other civilians (MONUC, 2009). According to an in-depth evaluation of the cluster approach in DRC, their introduction was particularly successful in the east of the country, the main geographic area for improved humanitarian response. One major weakness, however, is that for the most part decision making and the coordination of resources takes place at the national level (Binder A, de Geoffroy V, Sokpoh B, April 2010).

The humanitarian community has issued annual Humanitarian Action Plans (HAP), which are funded through a multi-donor mechanism called the Pooled Fund, the Central Emergency Response Fund (CERF) and bilateral donors. In 2010, the UN and the government launched two transition plans for eastern DRC: the Stabilisation and Reconstruction of Former Armed Conflict Areas in Eastern Congo (STAREC) and the International Security and Stabilisation Support Strategy (I-SSSS) (DRC, June 2009).

Providing assistance

Humanitarian agencies have struggled to respond to the emergency needs of IDPs and other vulnerable people in the context of ongoing military operations and increased attacks against their staff. Some 120 security incidents involving humanitarian organisations were reported in DRC during the first half of 2010, twice the number reported during the same period in 2009 (UNSG, 8 October 2010). Insecurity has also prevented agencies from carrying out comprehensive needs assessments and providing assistance to IDPs in remote areas. The sheer size of the country, the absence of roads and the wide dispersal of IDPs also hamper the delivery of support.

A Rapid Response to Movements of Populations (RRMP) mechanism managed by Unicef and OCHA provides emergency assistance, based on vulnerability criteria, to IDPs and their host communities, returnees and populations affected by sudden-onset disasters (OCHA, 8 July 2010). In February 2009 the UN Office for Project Services (UNOPS) and its partners set up a data centre for IDPs in camps in North Kivu in an effort to better target assistance (<http://www.dc4idp.org/htdocs/>). As IDPs and other vulnerable people have to declare and negotiate their aid quotas with the warring factions in order not to be attacked, the UN World Food Programme (WFP) and its partners distribute food parcels small enough to allow beneficiaries to conceal their assistance, a complicated and costly system. Several international organisations, such as the UN Human Settlements Programme (UN-HABITAT) and UNHCR, carry out emergency mediation on land and early reconciliation, essential to the success of IDPs' return (DARA/ECHO, 19 October 2010).

RÉSUMÉ DU PROFIL EN FRANÇAIS

Les personnes déplacées payent un prix inacceptable

En septembre 2010, il y avait plus de 1,7 millions de personnes déplacées internes en République démocratique du Congo (RDC). La grande majorité d'entre elles se trouve dans les provinces orientales du Nord et du Sud-Kivu. La plupart ont fui leurs maisons pour échapper aux combats entre les groupes rebelles et les forces armées congolaises soutenues (dans certains cas) par l'ONU, tandis que d'autres sont victimes d'attaques directes et de violences perpétrées par les parties au conflit.

D'après une estimation effectuée par le Comité International de Secours (IRC) en 2008, depuis 1998, quelque 5,4 millions de personnes ont perdu la vie à cause d'une série de conflits complexes en RDC ayant aussi impliqué les Etats voisins.

Le déplacement a atteint un sommet en 2003, avec 3,4 millions de personnes forcées de quitter leurs maisons, la plupart d'entre elles dans l'est du pays. Un million de personnes supplémentaires ont été déplacées au cours de 2009, alors qu'on considère qu'un nombre similaire de personnes seraient rentrées chez elles au cours des deux dernières années.

Le meurtre et le viol de civils se poursuivent dans des proportions effroyables dans l'est de la RDC, et la protection des personnes déplacées et autres civils demeure une préoccupation urgente. À la suite de viols en masse de villageois au Nord-Kivu à la fin du mois de juillet et au début du mois d'août, et d'attaques contre les soldats de maintien de la paix des Nations Unies, la mission de l'ONU est actuellement en train de conduire une évaluation interne approfondie de ses programmes de protection.

Un certain nombre d'organisations nationales et internationales tentent de répondre aux besoins des personnes déplacées et des rapatriés. L'apport d'une réponse efficace a cependant été entravé par les opérations militaires menées par une armée indisciplinée contre les groupes rebelles, des attaques brutales contre la population civile et l'exploitation illégale des vastes ressources naturelles de la RDC par toutes les parties au conflit.

Des élections nationales sont prévues pour novembre 2011.

Historique et évolution récente des déplacements

Entre 1996 et 1997, et de nouveau entre 1998 et 2003, la RDC a connu deux grandes guerres. Les civils ont porté le poids de la violence, les groupes rebelles liés aux Etats voisins se disputant le contrôle de vastes zones de l'est de la RDC. Quelque 3,4 millions de personnes ont été contraintes de quitter leurs foyers. Nombre d'entre elles sont rentrées après le retrait des armées étrangères et l'instauration mi-2003 d'un gouvernement de transition basé sur le partage du pouvoir.

En 2006, Joseph Kabila a été élu président suite au premier scrutin multipartite depuis plus de 45 ans. La plupart des personnes déplacées n'ont pas pu voter, soit en raison de la situation d'insécurité soit parce qu'elles avaient perdu leur carte électorale ou encore parce que celle-ci avait été volée par des groupes armés (OCHA, 15 août 2006; NRC, avril 2006). Les prochaines élections nationales sont prévues pour novembre 2011.

En dépit de ces avancées politiques, la violence et les déplacements se sont poursuivis, de même que les combats du gouvernement contre les milices dans l'espoir de rétablir son autorité dans l'est du pays. En 2004, le Général Laurent Nkunda a quitté l'armée congolaise et a créé le

Congrès national pour la défense du peuple (CNDP) dans le but affiché de protéger la minorité Tutsi du pays, concentrée dans le Nord-Kivu, contre les Forces démocratiques pour la libération du Rwanda (FDLR), un groupe Hutu qui compte parmi ces rangs certains des auteurs du génocide rwandais de 1994.

En janvier 2008, le gouvernement a signé à Goma un accord de cessez-le-feu avec 22 groupes armés, notamment le CNDP et les milices locales Maï Maï opérant au Nord et au Sud-Kivu. Les gouvernements de la RDC et du Rwanda ont également pris des engagements conjoints pour désarmer les FDLR dans le cadre d'un accord distinct signé à Nairobi en novembre 2007, mais le groupe rebelle reste actif tant au Nord qu'au Sud-Kivu.

On estime qu'entre août 1998 et avril 2007 le conflit a coûté la vie à quelque 5,4 millions de personnes en RDC, la majorité à cause de maladies infectieuses, de malnutrition, ainsi que d'affections néonatales et liées à la grossesse (IRC, 11 janvier 2008).

Derniers déplacements et mouvements de retour

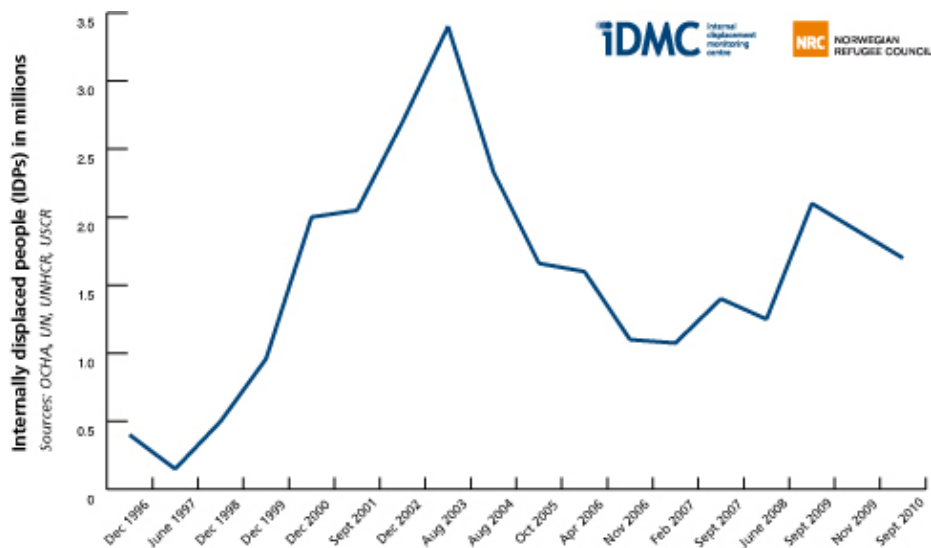
La grande majorité des 1,7 millions de déplacés internes que compte la RDC se trouvent dans les provinces du Nord et du Sud-Kivu. Au moins 325 000 personnes ont abandonné leurs foyers entre janvier et juin 2010 (OCHA, 6 juillet 2010), se rajoutant au nombre estimé à un million de personnes déplacées en 2009. On considère qu'environ un million de personnes sont rentrées chez elles au cours des deux dernières années (OCHA, 13 octobre 2010 ; 14 octobre 2010).

La plupart des personnes déplacées ont dû fuir leurs foyers à plusieurs reprises. Les communautés d'accueil étant de plus en plus dans l'incapacité de faire face à l'afflux de personnes déplacées, au Nord-Kivu, plusieurs centaines de milliers de personnes ont créé des zones d'installation de fortune, ou se sont réfugiées soit dans des bâtiments délabrés soit dans des camps gérés par des ONG internationales sous la coordination du Haut Commissariat des Nations Unies pour les réfugiés (HCR). Le pourcentage des personnes déplacées dans des camps officiels et informels dans le Nord-Kivu est passé de 5 à 35 pour cent en 2008, mais ce chiffre est tombé à 16 pour cent en 2010. Les autres personnes vivent avec des familles d'accueil ou dans la forêt (UNICEF / CARE, 27 avril 2008; OCHA, 13 octobre 2010). Il est à noter que les estimations du nombre de personnes déplacées peuvent varier considérablement, étant donné qu'il n'existe pas de procédures ou méthodes d'analyse communes au sein des organisations qui collectent des données, et très peu de ressources sont consacrées à la gestion des données (OCHA, septembre 2010).

Les retours n'ont pas toujours été durables. En septembre 2009, les autorités congolaises ont déclaré que certaines zones d'où elles prétendaient avoir chassé les FDLR étaient désormais sans danger pour le retour des personnes déplacées. Selon Human Rights Watch, « cinq camps officiels de PDI situés aux environs de Goma et abritant quelque 60 000 personnes, ont été vidés pratiquement du jour au lendemain »... sous la pression des autorités « qui cherchaient à démontrer que l'opération militaire Kimia II avait été un succès et avait créé la paix et la sécurité permettant à des dizaines d'IDP de rentrer chez elles» (HRW, 14 septembre 2010, p. 9). Beaucoup de personnes se sont cependant heurtées au fait que leurs terres étaient encore occupées. La reprise des affrontements a contraint certaines personnes à fuir de nouveau peu de temps après leur arrivée.

En revanche, la majorité des personnes déplacées qui sont rentrées dans le Nord et le Sud-Kivu en 2010 ont témoigné d'une amélioration de situation sécuritaire et ont déclaré qu'elles avaient pu reprendre possession de leurs anciennes maisons (OCHA, 13 octobre 2010 ; 14 octobre 2010).

Tableau 1. Quinze ans de déplacement forcé en RDC



Nord et Sud-Kivu: opérations militaires et représailles

La situation sécuritaire dans les deux provinces demeure très volatile (OCHA, 6 octobre 2010). Une amélioration des relations entre les gouvernements congolais et rwandais au début de l'année 2009 a conduit à des opérations conjointes (Umoja Wetu) contre les FDLR au Nord-Kivu. L'armée congolaise a ensuite dirigé l'opération Kimia II contre les FDLR dans les deux provinces, avec l'appui logistique de la mission de maintien de la paix des Nations Unies en RDC. Elle a également affronté des milices Maï Maï. Les deux groupes rebelles ont répondu par des attaques généralisées contre les civils, provoquant des déplacements en masse.

Les opérations contre les FDLR ont continué dans le Nord et le Sud-Kivu en 2010, et certains combattants rebelles ont été désarmés et démobilisés. Leur nombre est cependant resté suffisamment important pour continuer à faire des ravages. Agissant en collusion avec d'autres groupes tels que les Maï Maï, il a récemment été signalé que les rebelles avaient réoccupé plusieurs régions du Nord-Kivu, et qu'ils avaient intensifié les attaques contre les civils (SGNU, 8 octobre 2010). Des dizaines de milliers de personnes ont également fui le Sud-Kivu pour la province du Katanga en 2010 (OCHA, 15 novembre 2010), et en septembre la violence perpétrée par les FDLR a provoqué le déplacement de quelque 18 000 personnes en quelques jours (OCHA, 12 octobre 2010). L'International Crisis Group note: «Malgré trois opérations successives menées par l'armée congolaise, la situation humanitaire se détériore au Kivu, et les actes d'extrême violence extrême se multiplient» (ICG, 16 novembre 2010).

L'opération contre les Forces démocratiques alliées /Armée nationale pour la libération de l'Ouganda (ADF-NALU), un groupe rebelle ougandais basé principalement sur le territoire de Beni au Nord-Kivu, s'est traduit par le déplacement temporaire de presque 100 000 civils en juin 2010, dont certains sont rentrés depuis (SGNU, 8 octobre 2010).

Haut et Bas Uélé, Province Orientale: attaques de la LRA

Depuis mi-2008, les rebelles de l'Armée de résistance du Seigneur (Lord's Resistance Army, LRA) de l'Ouganda ont mené des attaques de représailles contre des communautés de la RDC pour répondre aux opérations militaires, tuant, enlevant et pillant des civils. Ces attaques ont entraîné d'importants déplacements non seulement en RDC mais également en République

centrafricaine (RCA) et au Sud-Soudan. La campagne de terreur menée par ce groupe s'est intensifiée comme en témoignent les attaques récentes dans les trois pays. En septembre 2010, 21 personnes ont été tuées et 2 500 personnes ont été déplacées dans un village du Haut-Uélé. 2 000 personnes ont fui la capitale du district dans la crainte de nouvelles attaques. En octobre 2010, on estimait qu'au total la LRA avait tué 2 000 personnes, enlevé plus de 2 600 personnes et provoqué le déplacement de 400 000 personnes dans toute la région (HCR, 15 octobre 2010). Les armées de l'Ouganda, de la RDC et du Sud-Soudan ont lancé des opérations contre la LRA dans le district du Haut-Uélé, mais ces opérations ont systématiquement échoué dans la protection des civils soumis à de brutales attaques de représailles (Oxfam, 6 octobre 2010). Suite à un assaut des troupes ougandaises en décembre 2008, la LRA a tué plus de 865 civils en quelques semaines, souvent à la machette ou à la hache ou en les frappant mortellement à la tête avec des gourdins (HRW, 16 février 2009).

Province de l'Equateur: des affrontements intercommunautaires

Fin 2009, des déplacements internes ont eu lieu dans la province de l'Equateur pour la première fois depuis plusieurs années. Des combats ont éclaté fin octobre quand des membres armés de la communauté Enyele ont attaqué des membres de l'ethnie Munzayas. Le conflit concernait les droits de pêcher et de cultiver dans la région de Dongo. On estime que 100 personnes ont été tuées dans les affrontements, et beaucoup d'autres se seraient noyées alors qu'elles tentaient de traverser la rivière pour rejoindre la République du Congo. Quelque 200 000 personnes ont fui et ont cherché refuge dans les écoles, les églises ou dans des familles d'accueil dans la province de l'Equateur, ou ont traversé la frontière vers la République du Congo et la RCA en quête de sécurité. Des affrontements ont éclaté à nouveau en avril 2010, et une attaque sur la ville de Mbandaka a causé de nouveaux déplacements. Bon nombre des personnes qui ont fui ont dit qu'elles ne voulaient pas rentrer de peur de nouvelles violences (OCHA, 6 octobre 2010, « Equateur »).

Principaux problèmes de protection

Le meurtre et le viol de civils se poursuivent dans des proportions effroyables dans l'est de la RDC, et la protection des personnes déplacées et d'autres civils dans la région demeure une préoccupation urgente. Des membres de l'armée et des groupes rebelles continuent à commettre des violations et des abus des droits de l'homme comme l'exploitation sexuelle, l'enlèvement, l'enrôlement forcé d'enfants, le pillage, le vol des récoltes, la taxation illégale et le harcèlement généralisé des civils. Selon Human Rights Watch, en 2009 « les forces gouvernementales et les forces rebelles ont délibérément attaqué des civils ... tué et mutilé à coups de machette, abattu ceux qui tentaient de fuir et brûlé leurs maisons » (HRW 14 décembre 2009). De nombreuses personnes déplacées sont basées dans des régions éloignées, les rendant plus vulnérables aux abus. En janvier 2010, des hommes armés ont attaqué deux camps de personnes déplacés à Masisi, au Nord-Kivu (IRIN, 8 février 2010).

Les commandants des forces gouvernementales et des groupes rebelles ont laissé leurs subordonnés commettre des violences sexuelles généralisées comme un moyen d'attaquer les valeurs fondamentales sur lesquelles reposent les communautés, de soumettre la population par la peur, de la punir pour avoir soi-disant soutenu les forces ennemies, ou tout simplement pour récompenser leurs troupes. Les membres d'une milice armée ont violé plus de 300 femmes et jeunes filles entre le 30 juillet et le 2 août 2010 dans la région de Walikale au Nord-Kivu (Centre d'actualités de l'ONU, 14 octobre 2010).

Une enquête menée par Oxfam, a révélé que la violence sexuelle a connu une augmentation spectaculaire depuis les offensives militaires contre le FDLR qui ont débuté en 2009 (Oxfam, 14

juillet 2009). L'ONU a également fait état d'une forte augmentation des violences sexuelles au Sud-Kivu cette année-là (Conseil de sécurité, 30 juin 2009; IRIN, 3 juin 2009), et selon le Fonds des Nations Unies pour la population (FNUAP), un total de 8 300 femmes ont déclaré qu'elles avaient été violées dans les provinces du Kivu en 2009. Le chiffre pour la RDC dans son ensemble serait de 15 000 (Conseil de sécurité, 15 octobre 2010), mais les chiffres réels sont probablement beaucoup plus élevés car de nombreuses survivantes de violences sexuelles ont honte ou sont dans l'impossibilité de se manifester. Des milliers de femmes ont également été enlevées et gardées comme esclaves par des groupes armés.

Le recrutement forcé d'enfants s'est poursuivi dans l'est de la RDC en 2010. La plupart des enfants soldats qui avaient été retirés des groupes rebelles et de l'armée ont été de nouveau recrutés plus tard (SGNU, 8 octobre 2010). En 2008, l'UNICEF a signalé que les enfants déplacés au Nord-Kivu, en particulier ceux qui ont été séparés de leur famille, sont plus exposés au recrutement, mais également au viol et à l'exploitation (UNICEF, 14 novembre 2008).

Des rapports font état de l'implication des membres de l'armée et des groupes rebelles dans l'exploitation illégale des ressources naturelles notamment de l'or, du coltan et des diamants, ainsi que dans la contrebande de marchandises et d'armes, contribuant à de nouvelles violations des droits de l'homme, à l'insécurité et à des déplacements (CSNU, 29 novembre 2010 ; GW, 20 juillet 2009).

Depuis 2003, le gouvernement a cherché à intégrer certains groupes rebelles dans les rangs de l'armée, mais le processus a été entaché par la corruption et les conflits entre les soldats qui sont souvent le reflet des divisions ethniques locales.

En 2008, le Conseil de sécurité (CSNU) a demandé, dans sa résolution 1807, de geler les avoirs financiers et d'interdire les voyages à l'étranger des auteurs de déplacement forcé et de violations graves du droit international en RDC. Par sa résolution 1952, le Conseil de sécurité, notant avec une vive préoccupation la persistance des violations contre les civils, y compris des meurtres et des déplacements, a prolongé ces mesures jusqu'en novembre 2011.

Les besoins de base

L'accès aux nécessités de base pour les personnes déplacées et autres personnes vulnérables dans l'est de la RDC s'est détérioré au cours de l'année écoulée. La grande majorité des personnes déplacées et des rapatriés n'ont pas accès aux centres de santé et aux écoles. Ils n'ont pas non plus accès à l'eau potable, à la nourriture, aux semences, aux outils, aux vêtements ou aux matériaux de construction. De nombreuses personnes déplacées n'ont pas pu cultiver des terres, et celles qui l'ont fait risquent de voir leurs récoltes pillées. Le conflit prolongé et les déplacements qu'il a provoqué ont été identifiés comme les principales causes de l'insécurité alimentaire dans la partie orientale du pays (OCHA, 6 octobre 2010, « Kivus»). A cause de l'état d'effondrement des services de santé, de leurs conditions de vie précaires et de l'absence d'accès à l'eau potable, les personnes déplacées sont particulièrement vulnérables aux maladies infectieuses comme le choléra, la rougeole et la peste bubonique.

La réponse nationale

Les mesures adoptées par le gouvernement central et les autorités provinciales sont loin d'avoir répondu aux besoins des personnes déplacées. La responsabilité des personnes déplacées a été donnée au Ministère des Affaires sociales, de l'Action humanitaire et de la solidarité, mais il

n'a eu aucun impact et aucune loi n'a été adoptée pour lui permettre d'atteindre ses objectifs. Le gouvernement a ratifié le Pacte sur la sécurité, la stabilité et le développement dans la région des Grands Lacs, qui est entré en vigueur en juin 2008, et ce faisant, il s'est engagé à incorporer dans son droit interne les Principes directeurs de l'ONU relatifs au déplacement interne. Il a également signé la Convention de Kampala sur les personnes déplacées en 2009. Un rapport de l'ONU présenté au Conseil des droits de l'homme en 2010 a toutefois constaté que le gouvernement congolais avait négligé ses responsabilités de protection et d'assistance envers les personnes déplacées et les rapatriés (CDH, 8 mars 2010, paragraphe 111).

La réaction internationale

Selon une évaluation récente de l'Office d'aide humanitaire de la Commission européenne (ECHO) sur ses actions en RDC, «bien que la protection soit actuellement reconnue comme la première priorité, la réponse globale de la communauté internationale, malgré son étendue, est loin de répondre à l'ampleur des besoins » (DARA / ECHO, 19 octobre 2010).

Le rôle de la mission de maintien de la paix des Nations Unies

La MONUSCO, la plus vaste mission de maintien de la paix des Nations Unies dans le monde avec plus de 18 000 soldats, a été autorisée en vertu du Chapitre VII de la Charte des Nations Unies à employer tous les moyens nécessaires pour protéger les civils en cas de menace imminente de violence physique (CSNU, 28 mai 2010). Elle est également chargée de surveiller le respect de l'embargo imposé par le Conseil de sécurité aux groupes armés opérant dans l'est de la RDC.

En 2009, l'ONU a adopté une stratégie d'ensemble pour la protection des civils en RDC, rédigée par la MONUC (mission qui a précédé la MONUSCO) et le HCR. Le document tente de coordonner les efforts des forces de police et militaires de la mission et celles des agences humanitaires et de droits de l'homme pour améliorer l'accès à l'aide, répondre aux besoins spécifiques de protection des groupes vulnérables, y compris les personnes déplacées, créer un environnement propice au retour durable des personnes déplacées et réduire leur nombre total. Malgré ces efforts, le Représentant spécial du Secrétaire général de l'ONU en RDC a déclaré qu'il est impossible d'assurer une protection complète pour tous les civils, étant donné que les groupes armés opèrent dans de nombreuses régions très dispersées et se déplacent souvent parmi la population civile (CSNU, 15 octobre 2010).

Le passage de la MONUC à la MONUSCO en mai 2010 (CSNU, 28 mai 2010) reflète la demande de retrait de la MONUC sollicitée par le gouvernement de la RDC et un changement progressif vers la stabilisation et la consolidation post-conflit (CSNU, 28 mai 2010).

La coordination humanitaire

Depuis 2006, les agences onusiennes et les ONG internationales ont travaillé à rendre l'aide plus efficace en coordonnant leur réponse à travers des groupes sectoriels ou «clusters». Le groupe de protection (dirigé par le HCR) et le groupe de réintégration et relèvement communautaire (dirigé par le HCR et le PNUD) sont particulièrement pertinents pour les personnes déplacées. De concert avec la MONUC, le groupe de protection a mis au point un manuel pour les soldats de maintien de la paix détaillant les mesures pour la protection des personnes déplacées et les autres civils (MONUC, 2009). Selon une évaluation approfondie des clusters en RDC, leur introduction a été particulièrement efficace dans l'est du pays, là où l'amélioration de l'intervention humanitaire était la plus nécessaire. Une faiblesse majeure a cependant été relevée. Il s'agit du

fait qu'en majeure partie la prise de décisions et la coordination des ressources a lieu au niveau national (Binder, de Geoffroy V, Sokpoh B, avril 2010).

La communauté humanitaire publie également chaque année des plans d'action humanitaire (HAP), financés par un mécanisme multi donateurs appelé Fonds de gestion commune (Pooled Fund), par le Fonds central d'intervention d'urgence (CERF) ainsi que par les donateurs bilatéraux. En 2010, l'ONU et le gouvernement ont lancé deux plans de transition pour l'est de la RDC: le Programme de Stabilisation et Reconstruction des zones sortant des conflits armés dans l'est du Congo (STAREC) ainsi que la Stratégie des Nations Unies pour la sécurité et à la stabilisation (UNSSSS) (République démocratique du Congo, juin 2009).

Fournir une assistance

Les agences humanitaires ont du mal à répondre aux besoins les plus urgents des personnes déplacées et autres personnes vulnérables face à la poursuite des opérations militaires et à l'augmentation des attaques contre les travailleurs humanitaires. Quelque 120 incidents de sécurité impliquant des organisations humanitaires ont été signalés en RDC au cours de la première moitié de l'année 2010, le double par rapport à la même période en 2009 (SGNU, 8 octobre 2010). L'insécurité a aussi empêché les organisations de mener des évaluations complètes des besoins et de fournir une assistance aux personnes déplacées dans les régions éloignées. La taille du pays, l'absence de routes et le fait que les personnes déplacées soient dispersées dans de vastes régions sont également des obstacles à l'acheminement de l'aide.

Un mécanisme de réponse rapide aux mouvements de population (RRMP), mécanisme géré par l'UNICEF et OCHA fournit une aide d'urgence, sur la base des critères de vulnérabilité, aux personnes déplacées et à leurs communautés d'accueil, aux rapatriés et aux populations touchées par des catastrophes naturelles soudaines (OCHA, 8 juillet 2010). En février 2009, l'UNOPS et ses partenaires ont créé un centre de données pour les personnes déplacées dans les camps au Nord-Kivu dans le but de mieux cibler l'aide (<http://www.dc4idp.org/htdocs/>).

Comme les personnes déplacées et autres personnes vulnérables doivent déclarer et négocier leurs rations d'aide avec les factions belligérantes pour ne pas être attaquées, le Programme alimentaire mondial (PAM) et ses partenaires distribuent des colis de vivres assez petits pour permettre aux bénéficiaires de dissimuler leur existence. Ce système est cependant coûteux et compliqué. Plusieurs organisations internationales, telles que le Programme des Nations Unies pour les établissements humains (ONU-HABITAT) et le HCR, appliquent la médiation d'urgence sur les questions liées aux terres et à la réconciliation rapide, qui sont essentielles pour que le retour des personnes déplacées soit un succès (DARA/ECHO, 19 octobre 2010).

CAUSES AND BACKGROUND

Background

Historical background (1992-2006)

What is known today as the Democratic Republic of Congo was settled in the 6th and 7th century by ethnic Bantus from present-day Nigeria. A Belgium colony from the late 19th century until its independence in 1960, DRC has been plagued by political violence and ethnic tensions and suffered from the repercussions of major conflicts and human rights violations in neighbouring countries, as well as interference in its internal affairs. The exact origin of the current conflict is subject to debate, with some dating it to ethnic strife in Katanga in 1992, or in North Kivu in 1993, and others to 1996 when President Mobutu was ousted and replaced by President Kabila. In 1992, organised young Katangans carried out with the support of communal and provincial authorities a campaign of persecution and forced displacement against the Kasaian (from the provinces of Eastern and Western Kasai) who had settled in Katanga. Dozens Kasaian were killed and some 500,000 internally displaced (OHCHR, 31 August 2010, p.52, *for more see section below on Katanga Province*). In 1993, conflict in Masisi Territory, North Kivu Province, broke out between various ethnic groups, in particular the Hunde, Nyanga and Nande against the Banyarwanda (ethnic Tutsi). The coup in Burundi against Hutu President Melchior Ndadaye led to the arrival of some 80,000 Burundian refugees in DRC (then called Zaire) (MSF, 19 Nov 2002, p.64). In 1994, between 500,000 and one million of the Tutsi minority and moderate Hutus were killed by a Hutu-dominated regime in Rwanda within a three-month period. Following a Tutsi led counter offensive led by ethnic Tutsi rebels who then took power, over one million refugees, mainly Hutus, crossed the border into the North Kivu Province of DRC. The following year, ethnic conflicts in Masisi erupted again. The Rwandan refugee camps soon became rear-bases for members of the former Rwandan Hutu regime to launch counter-insurgency operations inside Rwanda against the newly-established Tutsi-dominated government. Members of the former regime launching operations against Rwanda became known as ex-FAR/Interhamwe. Their arrival in North Kivu and the presence of substantial numbers of Hutu refugees in North Kivu led to conflicts which in turn triggered the massive displacement of Congolese Tutsi from Masisi, Rutshuru and Walikale into Rwanda (Enough Project at the Center for American Progress, 16 July 2010). The Rwandan then army launched massive attacks against the camps in North Kivu at the end of 1996. More than one million Rwandan refugees were forced back to Rwanda, practically overnight.

Between 1996 and 1997, and again between 1998 and 2003, DRC suffered two major wars, during which several millions died either directly or indirectly and millions more were forcibly displaced. Most of DRC's neighbours have been involved in conflict in DRC, i.e. Angola, Namibia, Zimbabwe, Chad, Uganda, Rwanda and Burundi, with changing alliances and links to various armed groups. Civilians bore the brunt of the violence as a number of rebel groups, more or less closely linked to neighbouring states, competed to control large areas of eastern DRC. While the exploitation of natural resources were done by illegal and parallel networks rather than under State control for a long time, in the 1990s, Kampala and Kigali became the main axes for the transit of minerals from DRC, to be then sold on the world market (EURAC, 11 November 2010).

In 1996 Rwandan and Ugandan forces invaded DRC, ousted long-time ruler Mobutu Sese Seko, and installed Laurent Desiré Kabila in power. Fifteen months after having taking over the country, Kabila lost the support of his former allies, Rwanda and Uganda, and in 1998 Congolese rebel

forces, backed by Rwanda and Uganda, attacked Kabila's forces and conquered the east of the country. Angola, Namibia and Zimbabwe came to Kabila's aid and pushed the rebels back from Kinshasa. For several years, the country was split between the western area, under government control, and the eastern part, under the control of a rebel group, the Rassemblement congolais pour la démocratie (RCD), with Rwandan, Ugandan and Burundi support. Following a strong disagreement between Rwanda and Uganda, the RCD split into smaller movements. In 1999, under intense diplomatic pressure, an agreement was signed in Lusaka, Zambia, between the principal belligerents, but fighting continued. In 2001, President Kabila was shot dead by one of his bodyguards, and his son Joseph took over.

In 2002 Presidents Kabila and Kagame of Rwanda signed an accord committing Rwanda to withdraw its troops from the DRC, and committing DRC to address Rwanda's security concerns in DRC. The same year, through continued international pressure, the DRC government and major rebel movements signed a power-sharing agreement at Sun City, South Africa in April, that allowed for the establishment of the Global and All Inclusive Peace Agreement which set up the transitional government in June 2003. Despite this agreement and other bilateral and regional security agreements, insecurity continued in large parts of eastern DRC (HRW, 2 June 2005).

2006 Elections

In 2006, millions of voters elected Joseph Kabila as president in the country's first multi-candidate vote in over 45 years. Most IDPs could not vote due to insecurity, or because they had lost electoral cards or had them seized by armed groups (OCHA, 15 August 2006; NRC, April 2006). Overall, the elections, which were supported logistically and financially by the international community, were seen by many international observers as a success and as the beginning of the country's stabilisation of years of turmoil. Despite these political milestones, violence and displacement continued, as the government continued to fight militias in a bid to re-establish its authority throughout the east.

Latest developments

The security situation across the Kivus and in Upper and Lower Districts of Orientale province remains highly volatile. An improvement in relations between the Congolese and Rwandan governments in early 2009 led to a joint operation (Operation Umoja Wetu) against the FDLR in North Kivu. The Congolese army then led Operation Kimia II against the FDLR in both provinces, with logistical support from the UN peacekeeping mission in DRC. It also clashed with Mai Mai militias, and both rebel groups responded with widespread attacks on civilians, which prompted massive displacement.

Operations against the FDLR continued in North and South Kivu in 2010, and some rebel fighters have disarmed and demobilised. Many remain active, however, and FDLR fighters operating in collusion with other groups such as the Mai Mai were recently reported to have reoccupied several areas of North Kivu, and to have increased attacks on civilians (UNSG, 8 October 2010). The International Crisis Group notes: "Despite three successive operations conducted by the Congolese army, the latest one Amani Leo in 2010, the humanitarian situation in the Kivus has deteriorated, and instances of extreme violence have multiplied" (ICG, 16 November 2010). Army operations were also conducted against the Allied Democratic Forces/National Army for the Liberation of Uganda (ADF-NALU), a Ugandan rebel group primarily based in the Beni territory of North Kivu.

Since mid-2008, Uganda's Lord's Resistance Army (LRA) has attacked communities in Upper and Lower Uele districts, Orientale province, killing and abducting civilians and looting in reprisal for military operations against it. In Equateur province, fighting occurred for the first time in

several years at the end of 2009, when armed members of the Enyele community attacked ethnic Munzayas over fishing and farming rights in the Dongo area.

For more information on particular provinces, see the following envelopes.

The Kivus

North Kivu is a strategic province situated on the DRC's border with Uganda and Rwanda. It is home to a mix of ethnic groups with historically troubled relations, particularly around to land tenure issues. The major ethnic groups in North-Kivu are the Hunde, the Nande, the Nyanga and Banyarwanda, with smaller populations of other ethnic groups, such as the Tembo. It is a province of prime economic importance, with lucrative customs revenues from the Uganda and Rwanda border-crossings, mineral deposits, and valuable agricultural and cattle. One of the flashpoints of the conflict has been the relationship of various groups with people of Rwandan origin. There were populations of Rwandan descent in North Kivu prior to 1910 when parts of Kivu were ceded to the Belgium Congo (present day DRC) from the German ruled Ruanda-Urundi (Present day Rwanda and Burundi). Hundreds of thousands of Rwandans were transferred by the Belgian colonial administration to the Congo between 1937 and the mid-1950s, to ease demographic pressures in densely-populated Rwanda, and to provide a workforce for agriculture and mining in North Kivu. Shortly prior and following the independence of Rwanda in 1962, several thousand Rwandan families, mainly Tutsi, settled in Congo to flee insecurity or persecution from the Hutu-dominated government and its supporters. In 1993, conflict between various ethnic groups, in particular the Hunde, Nyanga and Nande against the Banyarwanda broke out in the area of Masisi, North Kivu Province. The large-scale displacement of civilian populations brought by these attacks led to the creation of a number of ethnically homogeneous enclaves in the Masisi and Rutshuru territories. While there are no exact estimates, the inter-ethnic conflict is thought to have caused close to 1,000 deaths in 1995 and led to the displacement of 100,000 people. In June 1996, there were between 100,000 and 250,000 IDPs in the province. From 1993 to 1996, between 70,000 and 100,000 people are estimated to have died as a result of the ethnic war in the province (OHCHR, 31 August 2010, pp.61, 64). In 1994, in the aftermath of the genocide in Rwanda and the victory of the Tutsi-led RPF, over a million Rwandan Hutu refugees fled to then eastern Zaire. In 1996, Rwandan government forces together with the Alliance of Democratic Forces for the Liberation of Congo (AFDL), a coalition of Zairian armed groups led by Laurent-Désiré Kabila invaded the Kivus, to eliminate Rwandan Hutu combatants, their bases and their known or suspected supporters. They reportedly massacred tens of thousands of unarmed Hutu refugees and Congolese civilians in the process and also forced hundreds of thousands of Hutu refugees to return to Rwanda, while many more were scattered into the forests of Zaire, in appalling humanitarian circumstances (for more information, see OHCHR, 31 August 2010). Tensions remained high in the province after Laurent Kabila took power in Kinshasa in 1997, and the following years violence intensified, following the August 1998 military intervention by Rwanda and Uganda against Kabila, and the subsequent conflict of former allies Rwanda and Uganda. The allies' proxy, the Rassemblement Congolais pour la Démocratie (RCD), split between the ethnic Banyarwanda-led RCD based in Goma, and the ethnic Nande-led RCD-ML based in the northern part of the Province. As Rwandan security forces were allowed to get economic advantages (mining, business) at the time, inter-communal mistrust continued to grow. Popular resentment was aimed particularly at the Congolese of Tutsi origin (ICG, 31 October 2007). The RCD was part of the power-sharing agreement and joined the national government in 2003. In 2004, a new nationality law conferred the right to Congolese nationality on all people- and their descendants – were were resident in DRC on or before 30 June 1960, the date of independence. While most of the ethnic Tutsi have been in DRC since before June 1960 and therefore received Congolese citizenship, they are still viewed by many as outsiders and ethnic relations in the region have remained strained. Ethnic Tutsi lost much of their

power in the Kivus following the 2006 elections, since the RCD movement obtained comparatively few votes. Tutsi businessmen and former RCD members felt isolated and soon became more interested in Laurent's Nkunda's insurgency to defend their economic assets and deter acts of revenge by members of other ethnic groups (ICG, 31 October 2007).

In 2004 General Laurent Nkunda left the Congolese army and created the National Congress for the Defence of the People (*Congrès national pour la défense du peuple*, or CNDP) with the stated objective of protecting the country's Tutsi minority (concentrated in North Kivu) against the Democratic Liberation Forces of Rwanda (*Forces démocratiques pour la libération du Rwanda*, or FDLR, which replaced the ex-FAR/Interhamwe and included some perpetrators of the 1994 genocide in Rwanda). In 2007, an agreement supposed to put an end to fighting between Congolese army troops and the CNDP, unravelled rapidly. In January 2008, the government signed a [ceasefire agreement](#) in Goma with 22 armed groups, including the CNDP and Mai Mai local militia groups operating in North and South Kivu. According to the agreement, all militias had to undergo disarmament, demobilisation and reintegration or brassage; and parties to the agreement had to facilitate the return of refugees and IDPs (UNSC, 2 April 2008). A mechanism called the "Amani Programme" was set up to ensure the follow up of the agreement, but the latter was not respected in practice.

The governments of DRC and Rwanda made joint commitments regarding the disarmament of the FDLR in a separate agreement signed in Nairobi in November 2007, but the rebel group continued its activities in North and South Kivu.

Violence and displacement surged in the second half of 2008 when large-scale fighting broke out between the army and the CNDP. CNDP troops advanced towards the North Kivu provincial capital Goma, while the army scattered, with many soldiers then going on a looting spree. In November 2008, long time adversaries President Kabila and President Kagame, negotiated an agreement whose content remains secret, which in turn led to the arrest of the head of CNDP by Rwanda, to a joint operation against the FDLR in early 2009 and to the signing of an agreement by the DRC government and the CNDP in March 2009, according to which the CNDP would integrate troops into the national army and police, and form a political party. Early 2009, DRC and Rwanda jointly led operations against the FDLR in North Kivu. After the end of the joint operations, the Congolese army launched in North and South Kivu Operation Kimia II against the FDLR, with logistical support from MONUC, the UN peacekeeping mission in DRC. The army also clashed with Mai Mai militias, and the FDLR and Mai Mai groups both made widespread attacks in reprisal against civilian communities, causing large-scale displacement. Operation Kimia II finished at the end of December 2009. Several humanitarian and human rights NGOs also expressed serious concerns about these operations (IRIN, 22 June 2009). The rapid integration of the CNDP forces into the Congolese army and subsequent military operations against the FDLR has allowed the CNDP to de facto control much of North Kivu (Enough Project at the Center for American Progress, 16 July 2010).

In July 2009 the national army and international peacekeepers started military operations in South Kivu against the FDLR militia. These operations as well as reprisal attacks by the FDLR against the population caused the displacement of several hundred thousands. Villagers from South Kivu reported that since the beginning of operations against the FDLR in the area, both the regular army and the rebels had forced them from their homes, including in villages where they had previously coexisted with the FDLR.

In 2010, army operations (new code name: Operation Amani Leo) against the FDLR continued in the Kivus, with some support from MONUC and then from its successor, MONUSCO. Such support was done in accordance with MONUSCO conditionality policy, which spells out that no support is given to units whose elements have committed grave violations of human rights, international humanitarian law or refugee law. Most areas of the Kivu provinces however remain

unstable, and the security situation is highly volatile (OCHA, 6 October 2010, "Kivus"). The International Crisis Group noted that "Despite three successive operations conducted by the Congolese army, the humanitarian situation in the Kivu has deteriorated, and instances of extreme violence have multiplied (ICG, 16 November 2010). FDLR attacks in Mwenga territory, South Kivu, caused the displacement of some 18,000 people in September 2010 (OCHA, 12 October 2010).

Lower and Upper Uele Districts (Orientale Province)

Since mid-2008, the Ugandan Lord's Resistance Army (LRA) rebel group has led reprisal attacks against communities in DRC, killing, abducting and looting from civilians, and leading to high levels of displacement in DRC, Central African Republic (CAR) and southern Sudan. As of October 2010, the LRA was reported to have murdered 2,000 people, abducting more than 2,600 and displacement over 400,000 in the three countries (UNHCR, 15 October 2010). The LRA seems to be focused on their own survival, and does not attack strategic targets, nor fight over the control of natural resources (IPIS, 17 March 2010).

The armies of Uganda, DRC and Southern Sudan have launched operations in the Upper Uele District of Orientale Province against the LRA. Military operations against the LRA have consistently failed to make adequate provision for the protection of civilians, who then have been the object of brutal reprisal attacks (Oxfam, 6 October 2010). Following an assault by Ugandan troops, the LRA killed more than 865 civilians at the end of December 2008 and early January 2009, often hacking their victims to death with machetes and axes or crushing their skulls with heavy sticks (HRW, 16 February 2009). LRA attacks in Lower Uele and Upper Uele led to the displacement of several hundred thousand people in 2009 and 2010. The LRA's campaign of terror against civilians is reported to have intensified since September 2010, with attacks in the Central African Republic, DRC, and southern Sudan. In a village of Upper Uele district, 21 people were killed and 2,500 displaced, while another 2000 people fled the district headquarters for fear of further attacks (UNHCR, 15 October 2010). According to a recent report by Oxfam, "The extreme brutality of the LRA and their targeting of the most vulnerable, isolated villages mean that even small-scale attacks send waves of terror throughout communities, causing mass displacement for miles around and leaving individuals traumatised for years to come. Hundreds of thousands of civilians live in daily fear of the LRA, but their suffering has been largely forgotten by the outside world" (Oxfam, 6 October 2010).

Ituri District (Orientale Province)

The district has experienced major internal displacement over the last decade. As a land dispute between ethnic Hema and Lendu escalated into full conflict, more than 60,000 people were killed, 50,000 houses were burnt and 500,000 people were displaced between 1999 and September 2002. Conflict between the Hema and Lendu has previously occurred in 1972, 1985 and 1996. One major element fuelling violence in Ituri has been the struggle to exploit the district's natural resources. The district is rich in gold, timber, diamond, oil and coltan, and produces substantial amounts of coffee. In addition, a lot of transborder trade between DRC and Uganda goes through Ituri, offering lucrative opportunities for transporting and taxing goods (HRW, 7 July 2003). The war in DRC, the related vacuum created by the collapse of state authority and the availability of political and military support from external actors – notably Uganda and Rwanda – strengthened local armed political groups based on ethnic loyalties (AI, 19 January 2007; HRW, 8 November 2006).

In recent years, violence has decreased, mostly thanks to the international community's determined commitment to disarming local armed groups, but also thanks to the DRC government dialogue with the heads of the remaining militias, and its rapprochement with the Ugandan government. However, the few still active militia have proved to be difficult to disarm. In October 2010, the UN Secretary-General's report to the UNSC said that a MONUSCO-supported FARDC operation had dislodged two rebel groups, the Front de résistance patriotique d'Ituri (FRPI) and the Front Populaire, from their bases in southern Ituri territory. However, a former FRPI leader who had joined the national army was reported to have deserted in June 2010 and to have started reorganising a militia group in southern Ituri (UNSG, 8 October 2010). Local militias continued to cause internal displacement, albeit at a lower level than in previous years, in 2009 and 2010 (see for example the displacement of 30,000 by fighting between local militia, UNHCR, 7 April 2009).

Equateur Province

Internal displacement occurred in the north-western Province of Equateur at the end of 2009 for the first time in several years. In November and December 2009, some 200,000 people fled inter-communal clashes in the province. An estimated 85,000 found refuge in schools, churches, host families or open shelter in the province and at least 115,000 fled across the border in the Republic of Congo (RoC) and CAR (OCHA, 6 October 2010, "Equateur"; IRIN, 30 November 2009). 80 percent of whom are estimated to be women and children. Fighting started in late October 2009 when armed elements from the Enyele community attacked ethnic Munzayas over fishing and farming rights in the Dongo area of Equateur. An estimated 100 people have been killed in the clash, and many others reportedly drowned when crossing the river to reach the RoC. Tensions then expanded to the rest of the province, and the national army supported by the UN peacekeeping mission launched an offensive against the Enyele militia. New clashes occurred in April 2010, when armed elements attacked the town of Mbandaka, causing renewed displacement. Many are afraid to return, for fear of renewed violence (OCHA, 6 October 2010, "Equateur").

See also:

1. [OCHA, DR Congo: Humanitarian Situation in Equateur Province - Snapshot report, 28 July 2010](#)
2. [RI, 31 March 2010, Spotlight on the Equateur Crisis](#)

Katanga Province

Currently, the vast majority of IDPs who have found refuge in Katanga, some 18,000, have fled military operations against armed groups in South Kivu Province (OCHA, 15 November 2010).

A few years ago, the province was known as the "triangle of death", due to the fighting between the Congolese army and Mai Mai militias who killed, raped, pillaged, and burned villages to the ground, and displaced some 220,000 people in 2005 and 2006 (UNHCR, 11 August 2008). The home province of President Joseph Kabila and other senior Kinshasa politicians was divided by three conflicts (ICG, 9 January 2006):

Tensions between the north and the south of the province, as northerners sought to control the copper and cobalt-rich south;

Tensions between native Katangans and immigrants from Kasai province who came under Belgian rule to run the mining companies and state administration. In 1992 and 1993, Kasaians were victims of ethnic cleansing by the Mobutu regime, and Katangans became involved, enticed

by the promise of Kasaiian-held jobs at the country's largest state-owned mining company. Thousands of Kasaiians were killed and over 500,000 were forcibly displaced and then sequestered in inhuman conditions before being evacuated by humanitarian organisations to Kasai, where most of them had never set foot before (MONUC, 27 November 2003). The UN report mapping human rights violations between 1993 and 2003 said that according to an IDP committee (Comité des refoulés de Kolwezi), between March 1993 and January 1994 a total of 1,540 displaced Kasaiian died due to lack of food and medicine or as a result of diseases contracted in IDP settlements (called "refoulement sites") or on trains transporting them to the Kasai provinces (OHCHR, 31 August 2010, pp.53-54).

Fighting between the national army and Mai Mai militias: Mai Mai militias received a lot of support from Kinshasa to stem the advance of Rwandan-based rebels during the war, and then fought each other and the army over poaching and taxation rights.

Widespread displacement occurred in Central Katanga Province between 2004 and 2006, due to fighting between Mai Mai militia groups, and subsequent counter attacks by the FARDC. The province had been the place of constant attacks since the beginning of the latest war in 1998 (MSF, January 2006). Mai Mai militias burned and looted villages in retaliation for the villagers' perceived support of the FARDC and to deny haven to the army. In turn, the FARDC viewed the displaced from these villages as Mai-Mai sympathizers, and all armed groups often extorted food, money, household goods, relief supplies and labor from IDPs and the local population. Women were particularly vulnerable to abuses, including rape (RI, 8 March 2006).

Security and the humanitarian situation improved in 2006, following a military operation by the national army against a major Mai Mai group in Central Katanga, under the command of a mystic leader, Gedeon, and the deployment of international peacekeepers in the province (ICG, 5 July 2007).

For more information on the conflict in DRC and human rights violations during the conflict, see the detailed [Report of the Mapping Exercise documenting the most serious violations of human rights and international humanitarian law committed within the territory of the Democratic Republic of the Congo between March 1993 and June 2003](#), OHCHR, 31 August 2010.

Causes of displacement

General

The immediate main causes of displacement in DRC have been:

Inter-ethnic clashes;

Attacks by armed groups and army elements, which are currently the primary cause of displacement;

Military operations against armed groups;

Preventive displacement, in particular to avoid rapes and children to be recruited by militias;

Illegal exploitation of natural resources, which has become a more central goal of the conflict;

Non-conflict related: sudden onset disasters.

In the Kivus, issues linked to citizenship (who is a "real Congolese") and land have been underlying causes of displacement as well.

Ethnic clashes, attacks between government troops, armed groups

Principle 8, Guiding Principles on Internal Displacement

Displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty and security of those affected.

In 2008, OXFAM conducted a survey with 900 individual and focus group participants in three provinces, which highlighted how people flee to escape a succession of abuses by different actors, from theft, looting, beating to sexual assault in the field, the market, on the road or in their own homes (Oxfam, 1 September 2008).

In the 1990s

While the eastern province of North Kivu and of Katanga were the location of ethnic clashes which led to the displacement of thousands in the early 1990s, internal displacement spread to the rest of DRC during fighting in 1996 and 1998. The underlying causes of displacement have been the disintegration of the state, which started long before the 1996 demise of President Mobutu Sese Seko's regime, and the subsequent competition among various ethnic groups for political and economic power in their respective provinces. A series of rebel groups, more or less closely linked to outside powers such as Uganda and Rwanda, have competed to control large areas of eastern DRC. These groups have repeatedly clashed among themselves, as well as with the Kinshasa government and foreign troops. Most foreign troops (including Rwanda, Uganda but also governments allied to DRC, i.e. Angola, Zimbabwe, Namibia) officially left DRC in 2002, raising hopes that displacement may be reduced.

Peak of displacement in 2003

Displacement peaked in 2003, with an estimated 3.4 million people forced from their homes, mostly in the east of the country. Many of them returned home following the withdrawal of foreign armies and the establishment of a power-sharing transitional government in mid-2003. In the second half of 2004 and in 2005 however, a series of crises caused heightened insecurity and displacement, and the Congolese government struggled to affirm its authority in the east of the country, particularly in Ituri and in the Kivus. One major problem was that while in theory former belligerents who joined the transitional government should have handed control of their armed groups to a new national army, in reality most of the combatants were still controlled by the same military hierarchies as before the transition (ICG, 30 March 2005).

At the end of 2004, the Congolese army launched a series of military operations – some with the support of international peacekeepers – to disarm armed groups before the national elections planned for April 2006. While these operations have contributed to improving access to IDPs and allowed some to return home, they have also caused the displacement of hundreds of thousand people in eastern DRC. Meanwhile, armed groups stepped up their attacks against civilians, causing large-scale displacement throughout the east in 2005 and early 2006.

From 2006 to present, military operations and attacks by armed groups

At the beginning of 2006, military operations by the national army supported by MONUC against militias, inter-ethnic conflict and the combined exactions of armed groups and government forces in Ituri, Katanga and the Kivus, caused the displacement of at least 500,000, most of them women and children (OCHA, 30 November 2006, pp.10-11). Still, the scale and intensity of the conflict considerably decreased in 2004-2006, and far more people were returning home than were fleeing.

Attacks by militia groups and intense combat between the army and troops loyal to dissident general Laurent Nkunda displaced more than 370,000 people in North Kivu province between December 2006 and October 2007 (IRIN, 15 October 2007). Nkunda and his followers said to be defending the interests of Congolese Tutsis in ethnically mixed North Kivu. From the end of August 2008 to the end of October 2008, due to large scale fighting between the Congolese Army and the CNDP, an estimated 250,000 civilians fled their homes in North Kivu (UN News, 31 October 2008). Over a million people were displaced in 2009, the majority of them in North Kivu Province (OCHA, 30 November 2009). Between January and September 2009, the Congolese army, including newly integrated CNDP troops, also perpetrated attacks on civilians in areas previously controlled by the FDLR, resulting in the displacement of villagers accused of having supported the FDLR (HRW, 14 September 2010, p.29).

In recent years, displacement in South Kivu has often due to the national army's operations against the FDLR, and the violent retaliation by the latter against the local population. Confrontations between the Congolese army and various groups in North Kivu have also caused people to flee to South Kivu province. Armed groups have repeatedly attacked villagers in South Kivu, killing and wounding civilians, including women and children, or abducting them, causing the survivors to flee.

While some FDLR militia members have disarmed and demobilised, enough remain active to cause devastation. Despite military operations to weaken the group, FDLR has been reported to have reoccupied several territories in North Kivu, and to have increased attacks against civilians, with other groups such as the Mai Mai (UNSG, 8 October 2010).

According to Human Rights Watch and to local observers, local authorities and health workers who lived near FDLR positions and who know the group well said they believed that FDLR attacks on civilians had intended to cause a humanitarian disaster, including large-scale displacement, to force to call off military operations. This belief seems to be supported by a number of FDLR combatants who left the group and entered the UN demobilisation programme (HRW, 14 September 2010, pp.25-26). In October 2010 the political leader of the FDLR rebel group was arrested in France, and according to the court documents, the FDLR "used violence against civilians as their main bargaining tool," creating a humanitarian crisis that they will end of given if they want (CSM, 14 October 2010).

In June 2010, the Congolese army launched operations against an Ugandan rebel group primarily based in Beni territory, North Kivu province, the Allied Democratic Forces/National Army for the Liberation of Uganda (ADF-NALU). The military operations resulted in the temporary displacement of up to 100,000 civilians in the territory, some of whom have since returned (UNSG, 8 October 2010).

In Equateur Province, tens of thousand of people fled inter-communal clashes in western DRC's Equateur Province at the end of 2009, which were reportedly fuelled by demobilised militia members. At least 60,000 people were displaced in other parts of the Province, while over 125,000 sought refuge in the Republic of Congo and the Central African Republic (OCHA, 9 February 2010).

In Orientale Province (including Ituri District), both local militias have members of the Lord's Resistance Army (LRA) have caused displacement. Main causes were fighting over territory and natural resources, as well as direct attacks against the population, which included killings, rapes, abductions, pillages and destruction of houses and fields.

Preventive displacement

The **fear of being raped** has been reported to be a cause of displacement, although there are few public documents on the subject. During fighting between the DRC army and the CNDP in

October 2006, women in the region were reported to have “fled the threat of rape by armed groups.” (IRIN, 16 October 2007). A woman told Human Rights Watch, for example, that she fled her village in September 2008 because the FDLR were raping women in the fields during the day and in the houses at night. She fled from place to place, escaping the shifting front line (HRW, 14 September 2010, p.25).

The **fear of having children recruited by armed groups** in public spaces such as schools was also mentioned as a cause of displacement in 2006 and 2007, during the fighting between the national army and the CNDP (Office SRSG-CAAC, 14 December 2007). According to Amnesty International, “Many others, fearing abduction by Nkunda's troops, have been forced to flee their homes and families to seek protection in major towns and cities. Many of the children had previously been recruited by armed groups and had already passed through a formal release and family reunification programme.” (AI, 31 March 2006).

For studies on and mapping of armed groups operating in the DRC, please see:

[IRIN, Who's who among armed groups in the east, 15 June 2010](#)

[International Peace Information Service \(IPIS\), “Mapping conflict motives: eastern DRC,” by Steven Spittaels & Filip Hildert, 4 March 2008](#)

[Hans Romkema, June 2007, “Opportunities and Constraints for the Disarmament & Repatriation of Foreign Armed Groups in the Democratic Republic of Congo, The Cases of the FDLR, FNL, and ADF/NALU”](#)

On specific armed groups:

Mayi Mayi

[IRIN, 16 March 2006, DR Congo: From protection to insurgency - history of the Mayi-Mayi](#)

[HRW, 21 July 2006, Mai Mai Analyse Légale](#)

FDLR

[Marina Rafti, South Kivu: a Sanctuary for the Rebellion of the Democratic Forces for the Liberation of Rwanda, May 2006, Institute of Development Policy and Management, University of Antwerp](#)

National Army

[HRW 21 July 2006, FARDC Analyse Légale](#)

On the various armed groups in Orientale Province and their motivations (Uele districts, Ituri district):

[IPIS, Mapping Conflict Motives: Province Orientale \(DRC\), 17 Mars 2010](#)

Illegal exploitation of natural resources

A major cause of conflict in DRC has been due to the struggle by various Congolese and international players to control the country's natural resources, which include 10 percent of the world's copper, two-thirds of its coltan, as well as gold, diamonds, uranium, zinc, among others - and a river system that could provide hydro-power to all of Africa (ISN, 27 July 2006). According to the Brookings Institution-University of Bern Project on Internal Displacement, in DRC “the distinction between conflict and development-induced displacement has been blurred as civilians have been displaced to make way for resource extraction, which in turn has fueled the war and further displacement.” (Brookings Institution-University of Bern Project on Internal Displacement, 26 August 2005, p.5). According to the Institute for Security Studies, “most armed groups control

some part of the mining industry allowing them to generate funds and to pay for or exchange minerals for weapons from regional actors” (ISS, 5 October 2010).

Since the beginning of the second Congolese war – from 1998 onwards – the control of natural resources has become a more central goal of the conflict, for the countries supporting the rebels against the national government, and for Kinshasa’s allies. On both sides, DRC’s looting was organised with the complicity of Congolese elites (EURAC, 11 November 2010).

In 2000, the UNSC appointed a panel of experts tasked to analyse how DRC’s natural resources were fuelling the war. The experts published a series of reports showing how army officers and businessmen from neighbouring countries, as well as members of the Congolese elite were growing rich from DRC’s natural resources. The reports also showed how the extraction of resources helped fund armed groups, and how the minerals of DRC found their way into international commerce networks. However, the UNSC has generally failed to hold the responsible parties for the illegal exploitation of resources. In recent years, members of the CNDP, the FDLR, Mai Mai and of the Congolese army have all been reported to exploit natural resources illegally. Fighting between the FARDC, the FDLR and a Mai Mai group operating in Maiko National Park (which extends over the provinces of Maniema, Province Orientale and North Kivu) was reported to have erupted in December 2009 over the control of several of the mining sites in and around the park, causing the displacement of some 8,000 to 10,000 people to Walikale, North Kivu Province and Lubutu, Maniema Province (IA, IPIS, 30 November 2010, pp.38-39). MONUC reported previously that the FDLR had regularly forced the population to carry minerals exploited to their bases which require travelling on foot for one to two weeks. In some villages of the western part of Lubero territory, North Kivu Province, this situation had caused displacement of populations (MONUC, 19 March 2007). Already in 2002, armed groups had reportedly forced people out of areas to exploit natural resources, like in the Kivus and Maniema (APPG Nov 02, p29).

Despite recent military attempts to neutralise rebel groups such as the FDLR and the CNDP, rebel groups still control various mines and may even have extended their grip (SIPRI, 31 July 2010). In mid-2010, the US Senate passed a bill requiring companies to disclose whether specific minerals such as coltan and gold are from DRC and adjoining countries and to detail the measures taken to avoid sourcing these minerals from armed groups (Global Witness, 15 July 2010). In September 2010, the DRC government announced a ban on the mining, processing and marketing of minerals in North Kivu, South Kivu and Maniema provinces in an effort to curb illegal mining activities (UNSG, 8 October 2010). But as in the absence of a functioning State, it is difficult to see how such a ban can be enforced (Tegera, 17 May 2010).

UN Reports

Since 2001, a Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo has issued periodic detailed reports. See for example:

[UNSC, 29 November 2010, Final report of the Group of Experts on the Democratic Republic of the Congo, submitted in accordance with paragraph 6 of Security Council resolution 1896 \(2009\) \(S/2010/596\)](#)

For the central role the exploitation of natural resources is playing in the conflict and for the account of the control of mines in eastern DRC by armed groups and members of the army, see:

[Global Witness, 11 March 2010, Ex-rebels take over mineral trade extortion racket](#)

For an account of killings and displacement close to a mine in Katanga, and subsequent impunity of perpetrators, please see:

[ASADHO/KATANGA, 17 July 2007, DRC: Kilwa Trial - a Denial of Justice](#)

For allegations of gold trafficking by MONUC troops in 2007, please see:

[MONUC, 23 May 2007, DR Congo: United Nations investigates allegations of gold trafficking in Ituri](#)

For more information on the extent and use of DRC's natural resources, see:

[Global Witness, 30 June 2004 Same old story - A background study on natural resources in the DR Congo](#)

Sudden Onset Disasters

In addition to fleeing conflicts, many people in DRC have lost their homes due to a series of natural disasters. Earthquakes, floods, hurricanes and fires have caused displacement throughout the country. Here are some examples:

In late 2010, torrential rains caused the displacement of about 1,000 people and the destruction of basic infrastructure, some 270 kilometers of Muji Mayi, provincial capital of Kasai Oriental. A hurricane in Bandundu province caused the displacement of several thousand people, the destruction of schools and other infrastructures, and wounded tens of people, including children (Protection Cluster DRC, 20 October 2010).

In May 2010, the eruption of the Nyiragongo volcano, one of the two active volcanoes in North Kivu Province, killed 46 people, destroyed more than 200 homes, and displaced an unknown number of families (Alertnet, 19 May 2010).

In 2008, thousands lost homes in Bukavu during an earthquake which primarily affected South Kivu Province (AFP, 4 February 2008).

End 2006/early 2007 DRC experienced its worst floods in ten years, which affected approximately 200,000 people and destroyed crops on a massive scale in Equateur, Katanga, and Oriental Provinces (OCHA, 17 July 2007).

Accidental fires or fires by arsonists left thousands of villagers homeless, see for example a fire in Ituri (MONUC, 4 March 2008), another in Maniema province (IRIN, 26 September 2006). Many homes are constructed with straw, making them highly flammable.

In 2002, the eruption of the volcano Nyiragongo half of the city of Goma in North Kivu, causing the displacement of 400,000, most of them into neighbouring Rwanda (IFRC, 22 September 2009).

IDP POPULATION FIGURES

Number of IDPs, disaggregated by age and sex where data area available

1 1.71 million IDPs in DRC as of September 2010

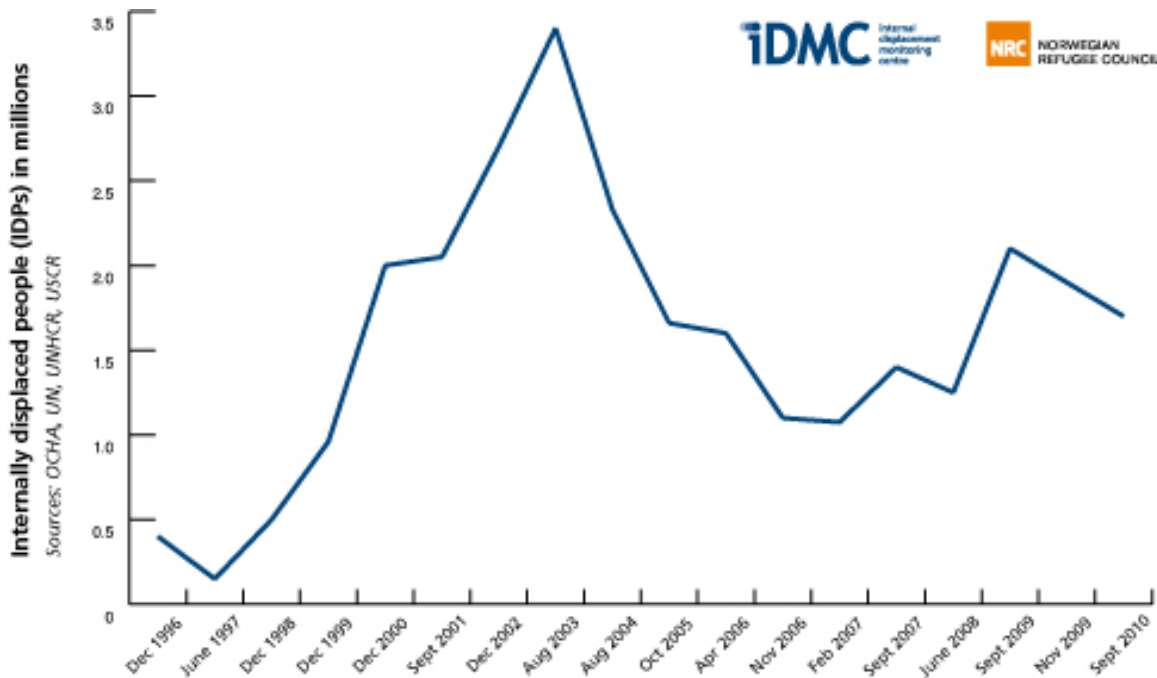
As of September 2010, there were over 1.71 million IDPs in DRC, the vast majority of them in the eastern provinces of North and South Kivu. Following an assessment in Lubero territory, North Kivu, the total number of IDPs in that province was reduced from 815,000 in mid-2010 to 590,000 in September (OCHA, 15 November 2010; OCHA, 15 September 2010).

At least 325,000 people fled their homes from January to June 2010 (OCHA, 6 July 2010). An estimated one million people were displaced during 2009, while another one million people are reported to have returned home in 2009 and 2010.

Most IDPs in DRC live with host families and are not registered by authorities or humanitarian organisations. IDP estimates represent a consolidation of data furnished by provincial commissions on Population Movements (CMP) as well as reports of various evaluation missions to provide direct assistance or protection. IDP data are therefore in general not disaggregated by age and sex. The exception is the statistics of IDPs in camps in North Kivu, which are regularly updated by the UNOPS Data Centre for IDPs (centre financed by UNHCR) together with UNHCR, INGOs managing the camps and camp administrators. See: [The UNOPS Data Center Project for IDP population \(CD4IDP\)](#).

In September 2010, OCHA commissioned a study of how information on IDPs in collected in North Kivu (OCHA, September 2010, "Etat des lieux"). The study found that the data collection and coordination of support to IDPs in host families presented several challenges. There is no dedicated mechanism or single actor tasked with collecting and analysing these data. Data are either obtained by local NGOs which are not paid for this work and by local authorities or by INGOs which assess IDP numbers as part of their work and then shared with the CMP. There are no common standards and procedures among the various actors collecting such information. The study also noted the lack of clarity and mixing of various concepts including households vs. families (absent family members may be counted as members of households), and IDPs vs. people who may have returned or integrated locally and may still be counted. An added difficulty is the lack of access to many IDPs due to insecurity. As a result, IDP numbers may be underestimated in some cases, while overestimated in others. For more information, see also a profiling exercise done in Lubero, North Kivu, in 2010, a territory hosting over half of the province's IDPs (OCHA, September 2010, "Lubero").

IDP figures by year



2010- As of September 2010, there were over **1.71 million** IDPs in DRC, the vast majority of them in the eastern provinces of North and South Kivu. People were also displaced in the provinces of Orientale (Upper and Lower Uele districts, Ituri district), Equateur and Katanga (OCHA, 15 November 2010).

2009- Over **2.1 million** people were displaced in the Kivus and Orientale Province as of September 2009, and at least **1.9 million** were still displaced at the end of the year (OCHA, 2010; OCHA, 30 November 2009; OCHA, 30 September 2009).

2008- At the end of June 2008, estimated **1.25 million IDPs** had been registered in North and South Kivu and Ituri District. This total estimate shows that there have not been substantive changes in the situation in these eastern provinces compared to the first quarter of 2008 (OCHA, 31 July 2008).

2007- According to an unpublished report by OCHA, there were close to **1.4 million IDPs** in DRC as of September 2007. OCHA estimates that at least 529,000 people have been displaced in 2007. In February 2007, UNHCR estimated the total of IDPs at **1.075 million** (UNHCR, 13 February 2007).

2006- In the wake of successful elections and relative stability, as of the end of November 2006, **1.1 million** people were displaced, a significant decrease compared to 2005. Half of them were in North Kivu (OCHA, 30 November 2006, pp.10-11). In August 2006, the number of IDPs were estimated to stand at **1.48 million**, as opposed to **1.6 million** in April 2006, due to returns in Katanga and Ituri (OCHA, 31 August 2006).

2005- According to OCHA, an estimated **1.66 million** people were displaced as of the end of 2005, while 1,680,100 were reported to have returned home from the end of 2004 to the end of 2005. The regions most affected by internal displacement were the provinces of North and South Kivu, Katanga, and Ituri (OCHA, October 2005).

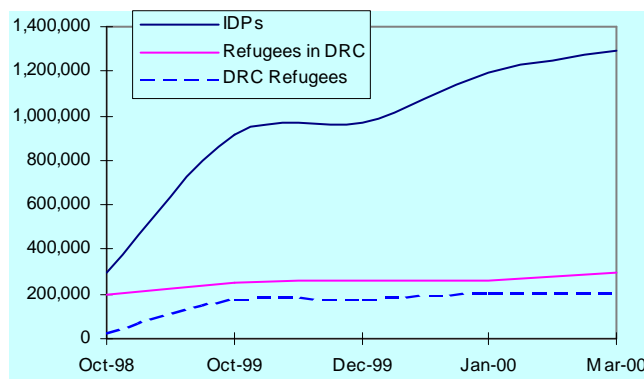
2004- The number of IDPs fell for the first time since the mid-1990s, following the return of hundred of thousands at the end of 2003 and in 2004. As of August 2004, **2.33 million** people were estimated displaced in DRC, the highest number of them in North Kivu Province, followed by Orientale Province (mainly Ituri District) and Katanga. At the same time, 725,000 were estimated to have returned home recently (OCHA, 31 August 2004).

2003- The number of IDPs increased from **2.7 million** in January 2003 to **3.4 million** in August 2003. Much of the increase was due to crises in North Kivu and in Ituri (OCHA, 18 November 2003, p.18).

2002- There were at least **2.7 million** IDPs at the end of 2002, according to OCHA (UN, 16 January 2003).

2001- According to UN estimates, there were about **2.05 million** IDPs in DRC as of the end of September 2001 (OCHA, 30 September 2001). The vast majority of them were reported to be children and women (UN, 7 June 2001).

2000- There were about **2 million** IDPs in DRC by the end of December 2000 (OCHA, 31 December 2000, p.3) This represents a significant increase during the last part of 2000, since there were **1.4 million** IDPs by June 2000 and **1.8 million** by September 2000 (UN, November 2000, p.15). This is despite the fact that an estimated 810,000 former IDPs have returned to their habitual place of residence.



Source: OCHA, 17 April 2000

1999- By the end of 1999, there were some **960,000 IDPs** in eight of the 11 provinces of the Democratic Republic of the Congo (UNSC, 17 January 2000, para. 24).

1998- According to the UN, the number of IDPs was estimated to have almost tripled since the outbreak of hostilities in 1998 in the DRC and **500,000 IDPs** were estimated to be scattered in North and South Kivu, Orientale, Maniema, Kasai, Equateur and Katanga provinces by the end of the year (UN, December 1998, p.14).

1997- According to the US Committee for Refugees (since then renamed US Committee for Refugees and Immigrants), up to **150,000** remained displaced as of mid-1997. It also concluded following a visit that year that up to half of the populations in some areas of eastern DRC were at least temporarily displaced during the war (USCR, 1998, pp.60-61).

1996- There were an estimated 400,000 IDPs due to the widening civil war in Zaire/DRC (USCR, 1997, p.107).

Prior to 1996- According to the US Committee for Refugees, the number of IDPs prior to the 1996-1998 war was at least **100,000**, due to ethnic conflicts (USCR, 1998, p.60).

Location(s) of IDP populations

IDP figures by Province

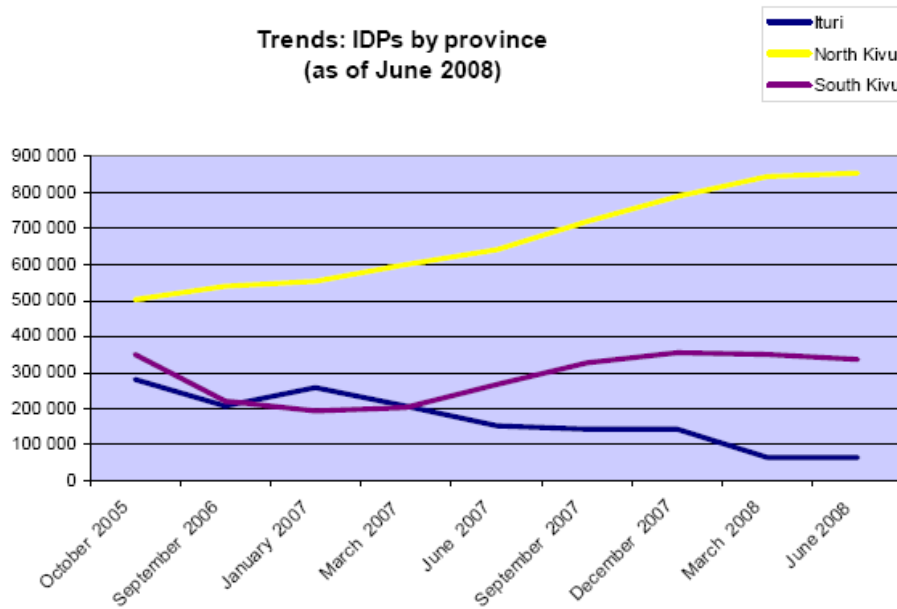
The second DRC war which started in 1998 affected most of the country, and people fled from and found refuge in all provinces, except for Bandundu in the west of the country. Over the last years, the eastern part of the country has been predominantly affected by internal displacement and the Kivus still have the highest numbers of IDPs. Recently, thousands of people have fled from South Kivu to Katanga Province to escape military operations against the FDLR. LRA campaigns of terror have caused high level of displacement in the Uele districts of Orientale Province, and inter-ethnic clashes in Equateur have caused internal displacement and refugee movement from that province.

2010

Province	IDP estimate
North Kivu	589,617
South Kivu	676,005
Orientale (Ituri/Haut Uélé/Bas-Uélé)	389,627
Katanga	18,580
Equateur	32,762
Total	1,706,591

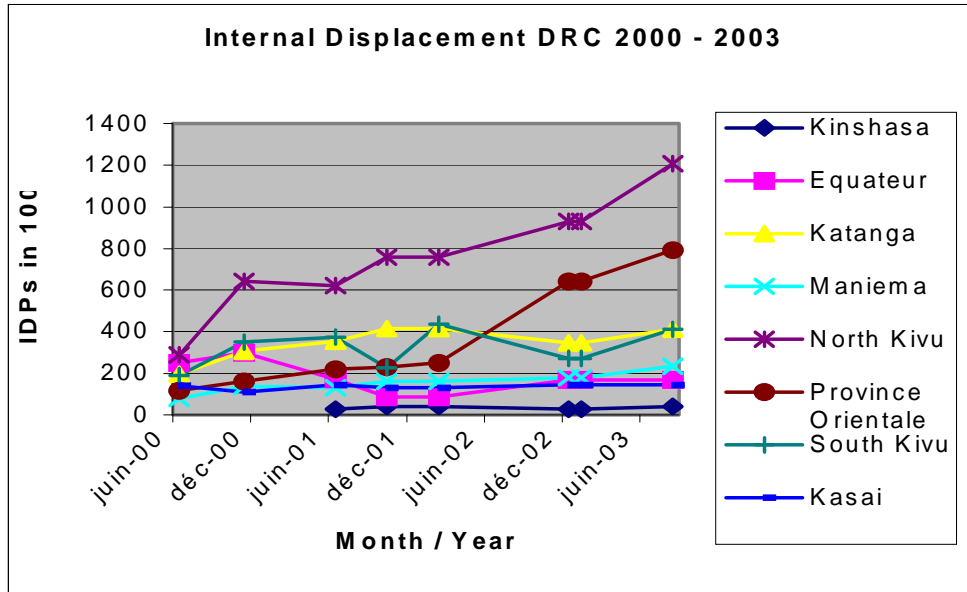
Source: OCHA, 15 November 2010

Trends: IDPs by province
(as of June 2008)



LOCATION	Nov 03	Aug 04	July 06
Equateur	168,000	165,000	100,000
Katanga	412,000	365,000	175,815
Maniema	234,000	165,000	5,650
North Kivu	1,209,000	785,000	686,097
Orientale	791,000	455,000	Ituri: 185,500; Orientale: 85,330
South Kivu	413,700	254,000	197,135
East and West Kasai	145,000	95,000 (includes +/- 40,000 expellees from Angola)	40,000
Kinshasa	41,000	45,000 (includes +/- 3,000 expellees from Angola)	1,800
TOTAL IDPs	3.4 million	2,329,000	1,477,327

(based on numbers provided by OCHA, 18 November 2003, p19; OCHA 31 August 2004; OCHA, July 2006)



Source: OCHA, 18 November 2003, p.18

Area	July 1999	June 2000	Dec 2000	Sept 2001	Feb 2002	August 2002
Equateur	100,000	250,000	300,000	85,000	85,000	85,000
Orientale	70,000	215,000	160,000	230,000	250,000	250,000
North Kivu	160,000	287,000	640,000	760,000	760,000	760,000
South Kivu	195,000	220,000	350,500	225,000	435,111	435,000
Katanga	150,000	250,000	305,000	415,000	415,000	415,000
Maniema	20,000	110,000	137,000	160,000	160,000	160,000
Eastern Kasai & Western Kasai	60,000	30,000 and 140,000	30,000 and 80,000	130,000	130,000	130,000
Kinshasa	N/A	N/A	N/A	40,000	40,000	40,000
Total	775,000	1,502,000	2,002,500	2,045,000	2,275,111	2,275,000

(Based on figures by: OCHA, 15 July 1999; 11 July 2000, 31 December 2000 (p.11) ; 30 September 2001; 28 February 2002, p.13; August 2002; 31 July 2002)

IDP POPULATION MOVEMENTS AND PATTERNS

Population movements (displacement, return and/or (re)settlement as relevant)

Four major waves of displacement

Forced displacement covered in this profile started in the early 1990s. Four major waves of displacement can be identified:

From 1992 to 1996: inter-ethnic clashes and in some cases reported ethnic cleansing caused the forced displacement of tens of thousands ethnic Kasaians from Katanga to Kasai, and of at least 100,000 people in North Kivu (OHCHR, 31 August 2010).

From 1996 to 1997: displacement linked to the conflict which brought Laurent Désiré Kabila to power, with the support of neighbouring countries. Many Rwandan refugees and Congolese civilians were then killed or displaced during the hunt of the ex-FAR/Interhamwe (OHCHR, 31 August 2010). The majority of IDPs are thought to have returned to their homes in 1997.

From 1998 to 2003: massive displacement occurred following the fall out between President Kabila and his former allies, Uganda and Rwanda, and then the dispute between the latter, as well as a series of localised conflicts. Displacement peaked in 2003, but many people then returned home following the setting up of the transition government.

From 2004 to present: what is generally thought as the “post-war period” in DRC has been characterised by high level of displacements, although they have not reached the ones of the previous period. In the last years, hundreds of thousand people have been displaced in DRC, often for the second or third time, while hundreds of thousands have been able to return to their former villages in other areas. Military operations by national armed forces, often with the support of UN peacekeeping troops, and attacks by armed non-state actors, including the FDLR, the Mai Mai and the CNDP, have all caused internal displacement in recent years.

Patterns of movement (displacement, return and (re)settlement as relevant)

Patterns of displacement

Most IDPs in eastern DRC have been displaced several times. In rural communities IDPs are often absorbed by host villages, accommodated and fed for the initial stages. In urban areas, people move in with family and friends or squat wherever they can in the towns. Hosting IDPs put an enormous strain put on already limited resources. The longer the presence of IDPs in a host community, the less resources and the more tensions there are, causing IDPs to move to public buildings, spontaneous or organised camps (RI, 21 May 2008, “Key facts” & “Break the routine”). Starting 2007, several hundred thousand IDPs in North Kivu built makeshift settlements, found

refuge in dilapidated buildings or in camps managed by international NGOs under the coordination of UNHCR. According to OCHA, as of October 2010, about 84 percent of IDPs in North Kivu were in host families in villages and urban areas, or in the forest, and 16 percent in IDP camps (OCHA, 15 October 2010). According to a UNICEF/CARE study conducted in 2008, people turned to camps as they actually became an option, as displacement became increasingly longer in duration due to the continuing insecurity, as camps were perceived to have benefits compared to a long-term hosting arrangement, and as the volume of displacement seemed to exceed hosting capacity in some locations. Also, the study reported that distance, repeated displacement and ethnicity all played a role in the decision of the place of refuge. The majority of the people interviewed who had found refuge with a host family reported that they had arrived there because they were seeking family or friends, or people of the same ethnic group. If it provided difficult to join family or one's ethnic group, IDPs would rather go to larger towns with a mixed ethnic profile such as Goma. Those who found refuge in a camp said that they had either gone there directly, were following others they knew who had gone to that camp, or because they had left the host family they were staying with. Most of the respondents indicated that they had tried to stay as close to their homes as possible, in order to remain in a familiar environment, to monitor security, and/or to access crops (UNICEF/CARE, 27 April 2008).

Several patterns of displacement in eastern DRC can be identified: those 1) remaining close to home to be able to cultivate their fields, staying for weeks or months in nearby forests or with host families in unsafe areas beyond the reach of humanitarian agencies; 2) moving back and forth between villages and displacement sites to check on their property, often daily, making it difficult to assist such populations; 3) returning home for significant periods when violence subsides, only to flee again when it flares ; 4) moving from one displacement settlement to the next, in a bid to escape insecurity or in a bid to try to find assistance, creating huge challenges for agencies for which it would be easier to provide assistance in one location; 5) occupying abandoned property, leading to tensions and to renewed displacement for the IDPs or the previous owners when they return home; the same happens when returning IDPs find their property occupied by fellow villagers who never left (HRW, 14 September 2010, pp.21-22).

Since the start of the first DRC war in 1996, there have been numerous reports of IDPs hiding in the forests, inaccessible as a result of insecurity and therefore left without assistance. This type of displaced is believed to be the most vulnerable among all IDPs. IDPs in this situation often clear a portion of the forest and start cultivating. They are vulnerable to infections and parasites, have practically no access to health care, and have to consume whatever berries and raw food they find (see for example UN, November 2000, p.15; MONUC, 27 December 2006). According to one account in Katanga Province: "I stayed in the forest for close to a year. It was really hard. There was nothing to eat. Many did not survive" (translated from French, HRW, 21 July 2006, "Mai Mai").

There are often simultaneous movements of displacement and of return, with people fleeing clashes in an area, and others finally able to return home, at least for a while. Sometimes, both categories of people find themselves in the same town or village, complicating the identification of those needing assistance.

IDP camps in North Kivu Province

Until 2007 almost all IDPs lived with host families and only a small number sought refuge in what aid agencies call "spontaneous sites", i.e. churches, mosques, schools, open fields near towns and villages, peacekeeping bases (HRW, 14 September 2010, p.20). Since then, as communities have become increasingly unable to cope with the influx of people in North Kivu Province, several hundred thousand IDPs have built makeshift settlements, found refuge in dilapidated buildings or

in camps managed by international NGOs under the coordination of UNHCR. According to OCHA, the percentage of IDPs living in formal and informal camps in North Kivu grew from 5 to 35 percent in 2008, but it fell again to 16 percent in 2010 (OCHA, March 2008 quoted by UNICEF/CARE, 27 April 2008; OCHA, 15 October 2010). Today, approximately 78,000 IDPs are hosted in official camps, mostly in Masisi and Rutshuru territories (OCHA, 6 October 2010, "Kivus").

In a recent report, HRW gives a possible explanation for the increase and then decrease of IDP camps in North Kivu: "From 2007 through 2008 the sprawling IDP camps outside of Goma were seen by many people as a kind of human shield to help block a CNDP rebel advance on the provincial capital. Government officials had an interest in maintaining them, and some reportedly used police to prevent IDPs from leaving. This changed in early 2009 when the CNDP joined the government and effectively solidified their control over military and administrative structures in Rutshuru, most of Masisi, much of Walikale, and parts of southern Lubero territory. It then became a key goal of the government, including the newly integrated CNDP political cadre, to encourage IDPs to leave the camps and return to their areas of origin." (HRW, 14 September 2010, p.53)

There are two main types of collective sites or camps. *Spontaneous sites* are generally unsafe and badly structured, receive little systemic assistance, exist in part from opportunities in the area, and are usually located in insecure areas where displaced women and children are extremely vulnerable to abuses including rape and forced recruitment. They are also generally built on private land, which can cause disputes with the land owner. *Managed camps* on the other hand receive significant quantities of aid. **See also [Section Basic Necessities of Life, subsection on shelter](#).**

PHYSICAL SECURITY AND INTEGRITY

Physical security, dignity, mental and moral integrity

General

Principle 10, Guiding Principles on Internal Displacement

1. Every human being has the inherent right to life which shall be protected by law. No one shall be arbitrarily deprived of his or her life. Internally displaced persons shall be protected in particular against:

- (a) Genocide;
- (b) Murder;
- (c) Summary or arbitrary executions; and
- (d) Enforced disappearances, including abduction or unacknowledged detention, threatening or resulting in death.

2. Attacks or other acts of violence against internally displaced persons who do not or no longer participate in hostilities are prohibited in all circumstances. Internally displaced persons shall be protected, in particular, against:

- (a) Direct or indiscriminate attacks or other acts of violence, including the creation of areas wherein attacks on civilians are permitted;
- (b) Starvation as a method of combat;
- (c) Their use to shield military objectives from attack or to shield, favour or impede military operations;
- (d) Attacks against their camps or settlements; and (e) The use of anti-personnel landmines.

Principle 11, Guiding Principles on Internal Displacement

1. Every human being has the right to dignity and physical, mental and moral integrity.

2. Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against:

- (a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution and any form of indecent assault;
- (b) Slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation, or forced labour of children; and
- (c) Acts of violence intended to spread terror among internally displaced persons.

IDPs in DRC have been suffering direct acts of violence threatening their life in many cases in the context of horrendous attacks against civilians in general. According to a study commissioned by the UN Department for Peacekeeping Operations (DPKO), “belligerents have subjected the Congolese population to looting, ethnic cleansing, torture, mass rape, sporadic massacres, and, in some instances, attempted genocide (DPKO, November 2009). Over the last years, the national army, FDLR and Mai Mai have been responsible for increased insecurity and many human rights violations and abuses in North and South Kivu. Since 2008, the LRA has led campaigns of terror against civilians in Upper and Lower Districts of Orientale Province.

For several years, many of the cases of violations against IDPs and other civilians – including summary executions, beatings and rape - were reported to involve members of the national forces. From January to June 2006, MONUC said that over 50 percent of all reported violations involved member of the national armed forces. It reported that: “FARDC soldiers, who are ill-

equipped, largely unpaid and unfed, continued to live on the back of the local population, harassing civilians and extorting their goods” (MONUC, 8 March 2007). One major problem has been the embezzlement by some commanders of their salaries. Also, military operations have been business opportunities for some commanders. During the Kanyabayonga crisis of November 2005 for example, about 30 million USD was likely embezzled when government-chartered planes flew food rations from the Kivus to Kinshasa and back, without delivering them to soldiers, leading to mass desertions and the looting of villages (ICG, 20 July 2006).

The FDLR militia is also reported to have committed widespread violations against IDPs and other civilians in the Kivus, including killings, cannibalism, rapes and abductions. According to the UN Secretary-General's report to the UNSC, “among the most serious incidents was the systematic rape of at least 303 people in 13 villages on the Mpopi-Kibua axis in Walikale territory between 30 July and 2 August by FDLR and Mayi-Mayi Cheka elements. At least 923 houses and 42 shops were also looted, and 116 civilians were abducted and subjected to forced labour by the assailants. Partial reports of the attacks did not reach MONUSCO until several days after they had begun, and MONUSCO patrols and protection mechanisms in this case were unable to detect the gravity of the situation, prompting widespread criticism of the Mission's perceived failure to protect civilians” (UNSG, 8 October 2010).

IDP camps have been the object of direct and indirect attacks in North Kivu. Here are some examples:

In January 2010, armed attackers **raided two IDP camps** in Masisi, North Kivu (IRIN, 8 February 2010);

In June 2008 the FDLR militias were reported to have **attacked a camp** in the Rutshuru region, leaving nine dead (OCHA, 5 June 2008; UNHCR, 5 June 2008).

In 2008, **IDPs in camps** near Goma **reported numerous killings and death threats**, particularly by demobilised fighters, as well as **abduction** and **rape** inside and outside the camps, and some cases of **sexual violence against men** (Oxfam, September 2008).

In July 2008, OCHA reported numerous violations against the physical security, dignity, mental and moral integrity of IDPs and other civilians in North Kivu, including **physical violence by armed groups, pillaging, sexual violence against women and girls, theft of I.D. cards**, therefore exposing people to arbitrary arrest and other problems, forced labour, particularly to transport looted goods or military gear, family separation, destruction and occupation of schools and health centres (OCHA, 16 July 2008).

In November 2007, thousands of IDPs **fled the camps** where they had found shelter some 15 kilometers outside Goma, when they heard **heavy gunfire** in the area (IRIN, 15 November 2007).

In June 2007, another **camp** in the territory of Rutshuru was allegedly **looted** by armed men in uniform of the national army, the third **attack against this camp** after the distribution of assistance by humanitarian agencies (MONUC, 17 September 2007).

In May 2007, displaced people in North Kivu are being subjected to **looting** every day by all the factions engaged in fighting - the Congolese army and the Rwandan rebels - and **are victims of atrocities, including killings, robbery and other kinds of mistreatment by other civilians** (UNHCR spokesperson, quoted by IRIN, 8 May 2007).

In October 2010, the High Commissioner for Human Rights issued a report documenting serious human rights violations committed in the Democratic Republic of the Congo between 1993 and 2003. The report describes more than 600 incidents that took place in the country over the 10-year period, including those allegedly committed by foreign and Congolese forces and other armed groups, and identifies options for address impunity in the country (OHCHR, 31 August 2010).

*For information on sexual violence against women and girls, and on recruitment of displaced children, see section on **PROTECTION OF SPECIAL CATEGORIES OF IDPs (AGE, GENDER; DIVERSITY)***

BASIC NECESSITIES OF LIFE

Food and water

General

Principle 18, Guiding Principles on Internal Displacement

1. All internally displaced persons have the right to an adequate standard of living.
2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:
 - (a) Essential food and potable water.

According to OCHA, the protracted armed conflict with its massive population displacements has been identified as the main cause of food insecurity in the eastern part of the country (OCHA, 6 October 2010, "Kivus"). According to UNHCR, only 22 per cent of the population in DRC had access to potable water as of 2007 (UNHCR, 13 February 2007).

According to the latest Multiple Indicator Cluster Survey (MICS) conducted in 2010 in all 11 provinces, 24 percent of children under five were underweight and 43 percent suffered from delayed growth due to malnutrition (ECHO/UNICEF, 14 October 2010).

A recent Human Rights Watch report documented how the limited assistance available to most IDPs may lead them to take desperate measures to survive. "Many told Human Rights Watch that the lack of food meant they had little choice but to return for days or weeks to unsafe villages or forests near their fields. Some IDPs said they were so desperate they still went to such areas, despite specific threats against them. Many said they spent nights in the forest and briefly went to their fields by day, braving the constant threat of discovery by armed groups. Many humanitarian agencies also report that most IDPs' main source of food and income is their own fields in insecure areas" (HRW, 14 September 2010, p.41)

Here is a testimony by Claudine Ngomora, 25, who fled her home after an attack by people she says are known as the Rasta [a militia group] in February 2007. She survived on the goodwill of friends and relatives in Walungu Territory, South Kivu Province. She recounted her story at a school in the Cagala area of Walungu, where NGO Malteser International was distributing food to IDPs:

'I have five children, the eldest of whom is eight years old. I live with all the children, together with my husband, with a family that has been kind enough to host us here in Walungu. I left my home in Kaniola five months ago and I cannot say I have had a full stomach since.

I am always hungry. There is not enough food for me and my children. Hunger and disease are the biggest problems we currently face. I left my banana trees and my cassava crop was just getting ready. I know it was looted by the attackers.

Nowadays, I find that life has become pointless. I feel so helpless. I wake up in the morning, sweep the house and do general household chores. I wash the children's clothes with or without soap, and then I take the hoe to till the land my husband has leased on a short-term basis.

We haven't harvested anything yet from this small piece of land. That is why we are always hungry. After coming back from the farm, I help the host family with whatever needs to be done;

cooking, cleaning, clearing the compound of weeds etc, but I ask myself: For how long will this go on?" (IRIN, 31 July 2007)

See also:

IRIN, 9 April 2010, DRC: [Half a million children at risk of malnutrition](#)

Shelter and housing

General

Principle 18, Guiding Principles on Internal Displacement

1. All internally displaced persons have the right to an adequate standard of living.
2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:
 - (b) Basic shelter and housing.

Most IDPs in DRC live among the population with friends or family members, or putting up temporary shelters on small plots rented in exchange for day labor. According to Refugees International, "This puts enormous strain on resources already limited by the lack of social infrastructure such as markets, law enforcement, schools, and health centers, not to mention natural resources such as arable land and water. In the South Kivu village of Hombo, for example, the resident population of 4,420 has had to welcome an additional 40,000 people displaced from their homes. When a sudden influx overwhelms the capacity of a host community, makeshift camps spring up in any safe, open area. Before help arrives, shelters built from branches or reeds and covered with straw crowd together, with just enough space between them for cooking fires; water is sometimes far away and rarely clean, and latrines usually non-existent. Some may earn money as day laborers or petty traders, but most are obliged to wait for assistance" (RI, 17 October 2006, p.6)

Here is an excerpt of a report by UNICEF and CARE, which describes typical arrangements by communities hosting IDPs, and corresponding challenges:

"Host family dwellings were in most cases inadequate to accommodate both a host and displaced family. House sizes varied but most would be approximately 5-10m x 5m, made of mud and wattle or wood in most villages. Occasionally homes of brick or stone would be seen. In urban centres, houses are predominantly of traditional materials but more homes of stone or at least a stone foundation can be seen. Roofs were often grass but also metal roofs were commonly seen. [...]

The house would often have four rooms, a store-room, two bedrooms and a main living room which also served as the kitchen. Floors were mud. Windows were small and light would be from candles or paraffin lamps. Furniture is limited to a bed for adults, and a bench made of wood, a few stools, and possibly a wooden table. Election posters or pages from newspapers or magazines are used to decorate the walls. Temporary internal walls in many homes visited were made of plastic sheeting, to provide privacy for guests, or to reduce wind and improve warmth. Sleeping would normally be in one or two of the rooms, depending on the size and number of the children. If a family is hosting, all rooms, including the store may be utilised to accommodate guests. Stores normally accommodate surplus food, cooking utensils, farming equipment, kindling etc. If possible, the adults would sleep separately, but often together with some of their children. Children might also sleep in the main room, depending on their age. If no bed was

available, the displaced would construct one for the adults or sleep on a mat. Children would sleep on a mat on the floor. Displaced did not always have mats. Some were also seen to sleep on straw. Sleeping areas of others were in dilapidated rooms, or parts of dilapidated houses open to the elements.

A *kitchen* is a small charcoal cooker which can accommodate a single pot and would be placed in a corner of the main room. Cooking would be done for hosts and displaced in this *kitchen*. It requires agreement and consent between the women on what will be cooked and how. Dining would be done around the table if there were one, otherwise the meal would be taken on the floor of the main room or outside. Generally, only breakfast and dinner are eaten, with children snacking on leftovers or food cooking throughout the day. One evening meal is prepared which will then be eaten in the morning. There is not a habit of morning, mid-day and evening meals.

Housing is much denser in urban areas. Each house will have a compound which will range in size but are maybe 3 to 4 times the area of the house. Normally, there would only be one building per compound. Latrines were regularly found outside of houses, but not in all cases. Latrines construction was of local materials and long-drops of two to three meters. When available, latrines would be used by both host and guest. For the many homes without latrines, defecation would be in the nearest private place. Men would urinate on walls or trees.

Water is stored in jerry-cans around the house. Most jerry-cans belonged to the host, but if a displaced guest had a jerry-can, they would share it with the host. Girls or women of both the host and displaced would collect water, which in most sites visited was piped, and nearby. Bathing is done in local rivers or swamps. In urban areas, a small privacy shelter might be constructed behind the house for bathing. Cloth washing is often done in local streams and rivers.

Most people will spend the day outside of the house either working or attending to household duties. Children would play within the villages or communities.” (UNICEF/CARE, 27 April 2008)

Since the end of 2006, many IDPs have found refuge in makeshift shelters and in more organised camps. In 2007, the UN Emergency Relief Coordinator said while visiting a camp close to Sake, North Kivu Province: “It is neither normal nor acceptable that you have to live this way,” He also told them that the United Nations and its partners would try to get more resources and would carry on assisting them as much as possible (OCHA, 7 September 2007). In 2008, Refugees International reported that spontaneous sites were especially unsafe and badly structured, and were usually located in insecure areas where displaced women and children were extremely vulnerable to abuses, including rape and forced recruitment (RI, 21 May 2008, “Key facts”).

Medical care and sanitation

General

[Principle 18, Guiding Principles on Internal Displacement](#)

1. All internally displaced persons have the right to an adequate standard of living.
2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:
 - (d) Essential medical services and sanitation.

[Principle 19, Guiding Principles on Internal Displacement](#)

1. All wounded and sick internally displaced persons as well as those with disabilities shall receive to the fullest extent practicable and with the least possible delay, the medical care and attention they require, without distinction on any grounds other than medical ones. When necessary, internally displaced persons shall have access to psychological and social services.
2. Special attention should be paid to the health needs of women, including access to female health care providers and services, such as reproductive health care, as well as appropriate counseling for victims of sexual and other abuses.

The health system in DRC has been extremely weakened by negligence and bad governance since the 1980s, followed by years of crises and armed conflict. Epidemic diseases are prevalent throughout the country, in particular meningitis, measles, cholera, diarrhoea, hemorrhagic fevers (Ebola), yellow fever, plague, etc. High levels of and frequent displacements of populations have also severely limited access to healthcare and contributed to the spreading of diseases. According to the DRC Minister of Health, thousands of people have died of treatable diseases (OCHA, 23 May 2008). In eastern DRC, access to healthcare has been severely restricted due to the conflict, in particular due to the destruction of health infrastructure, the displacement of populations, the destruction of roads and insecurity. The precarious living conditions of IDPs and the lack of access to drinkable water have led to prevalent cholera and measles epidemics in Ituri, Katanga and in the Kivus. Women and children have according to WHO been the most affected by the situation. Child mortality in the DRC is one of the most alarming of Africa, with 127/1000 children dying before their first birthday (WHO, January 2007; OCHA, 31 August 2005). Pregnant women – whether displaced or not - are among the most affected by precarious health conditions, and have no access to emergency assistance or crucial obstetrical services. Reproductive health services for young women and adolescents are also lacking (OCHA, 6 October 2010, “Kivus”).

HIV/AIDS

The DRC Ministry of Health estimated 5 per cent HIV prevalence in the country, but surveys of blood donors in the Eastern region showed in an HIV prevalence of approximately 20%. There are no data to disaggregate between the general population and IDPs (UNHCR/Internal Displacement Division, January 2006, pp26-27). Many women and girls are infected with sexually transmitted diseases through rape and due to the stigma of rape, they generally do not seek treatment unless it is absolutely necessary (HRW, June 2002, p.69).

According to a survey by the International Rescue Committee (IRC), some 5.4 million people are estimated to have died in DRC from August 1998 to April 2007 due to the impact of the conflict, the majority of them of infectious diseases, malnutrition, and neonatal and pregnancy-related conditions (IRC, 11 January 2008). The IRC survey was published in a respected British journal, the *Lancet*, with methodological support from the US Center for Disease Control and, subsequently, the Burnet Institute at the University of Melbourne, Australia. According to IRC, these deaths are indirectly caused by the conflict, meaning that it was estimated how many people would have “normally” died in DRC without conflict, and the 5.4 million are in a way “excess deaths” mostly due to lack of access to basic services due to the conflict. While the survey has been met with wide acceptance, some epidemiologists and other scientists have debated some elements of the survey’s methodology, in particular the baseline mortality rate prior to the 1998 conflict, and the under-five mortality rate during the conflict.

[Here is a link to the IRC survey and its methodology.](#)

PROPERTY, LIVELIHOODS, EDUCATION AND OTHER ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Land and Property (arbitrary deprivation, inheritance, restitution and compensation)

General

Principle 21, Guiding Principles on Internal Displacement

1. No one shall be arbitrarily deprived of property and possessions.
3. Property and possessions left behind by internally displaced persons should be protected against destruction and arbitrary and illegal appropriation, occupation or use.

Insufficient or insecure access to land in many part of eastern DRC has led to the impoverishment of many rural people. Land has been the source of many conflicts in the East, but the conflict has in turn changed access to land patterns, through forced displacement and the change in the level of authority enjoyed by customary and administrative leaders. According to ODI: "Conflict is producing new competition for land, as part of a wider renegotiation of the local economic space and re-drawing of ethnic, class, and other 'boundaries' between groups. Land is no longer merely a source of conflict, but a resource for its perpetuation." (ODI, 1 March 2005). According to the mid-year review of the 2010 UN Humanitarian Plan, land conflicts and inter-ethnic tensions have been increasing in eastern DRC (OCHA, 6 July 2010).

Women who marry under customary law, i.e. the majority of marriages in DRC, cannot make claims over their assets of their deceased spouse. Under state law however, a widow and her children are given priority to inherit (IRIN, 1 October 2001).

For more information on IDPs and property issues:

The local NGO Aide et Action pour la Paix published with NRC support a booklet to help IDPs know their property rights: [Ce qu'il faut connaître sur le sol en droit congolais, 2004](#)

See also the information below on North Kivu Province and Ituri District, Orientale Province

Land issues related to IDPs in North Kivu Province

In North Kivu, most people make a living from cultivating the land, and land has often been the object of dispute, contributing to the creation of ethnic-based militia and the outbreak of ethnic violence. Traditionally, the local customary chief would be responsible for distributing land, against some form of tribute from the tenant. Under the Belgian colonial rule, Rwandan newcomers were given land, thereby disrupting traditional land-holding patters. Post-independence, particularly in 1963-65, small-scale ethnic conflicts over land pitting the Hunde, Nande and Nyanga against the Banyarwanda erupted. The gradual shift in land use from agriculture to extensive cattle-farming, especially in Masisi and Rutshuru terriotires, concentrated large areas in hand of a small number of mainly Tutsi owners at the expense of smallholders. A new land law in 1973 abolished the traditional customary control over land, further undermining

the authority over land between the “indigenous” ethnic groups and the Banyarwanda, as well as between Hutu and Tutsi population (AI, 28 September 2005). At that time, those in political or economic power got any land not yet titled. Immigrants from Rwanda, who had now Zairian citizenship, were able to concentrate a large number of former colonial estates in their hands (ODI, 1 March 2005).

Ethnic tensions in the province increased as President Mobutu's rule began to crumble in the early 1990s. In 1993, Hunde and Nyanga militias massacred Hutu and Tutsi civilians in Masisi and Walikale territories, followed by reprisals, and an estimated 7,000 died and another 200,000 were displaced. The fragile 1993 peace settlement in North Kivu lasted until the arrival of over one million Hutu refugees from Rwanda in 1994, following which armed Hutu militias attacked communities in North Kivu, particularly ethnic Tutsi. Landowners on all sides were reported to have hired armed groups or government forces to protect their land and property. Following the fall of President Mobutu, the RCD-Goma – which de facto governed North Kivu, organised the clandestine return of Congolese Tutsi living in refugee camps in Rwanda to North Kivu. Many in North Kivu accused the Rwandan government and the RCD-Goma of masterminding a systematic, illegal Tutsi “land-Grab” of areas in North Kivu. A number of cases about land tenure were submitted to North Kivu courts, but courts failed to resolve them at the time. The RCD-Goma as well as another group the RCD-ML, also in North Kivu, both replaced customary tribal leaders with people loyal to them, further undermining customary leaders (AI, 28 September 2005).

In recent years, the return of some Congolese refugees from Rwanda (primarily ethnic Tutsi) to North Kivu have played into the fears from other ethnic groups at the local level that these arrivals are part of a coordinated effort by the CNDP to seize lands and shift the demographics of Masisi and Rutshuru to consolidate their political and economic control of the area. Tensions over refugees are further exacerbated by longstanding disputes between farmers and herders in North Kivu. A further source of land conflict occurs when IDPs return to their villages, to find their lands sold by relatives or occupied by armed groups. This affects women particularly as according to customary law they do not inherit land (Enough Project at the Center for American Progress, 16 July 2010).

According to a report based on 157 interviews conducted in June and July 2009 with IDPs and refugees who were displaced from or within North Kivu, “Those who are displaced are desperate to return. Many are living in appalling conditions with limited or no assistance. At the time of the research, they indicated that they would return to their homes as soon as there is just enough peace for them to sleep in their houses and not have to hide in the surrounding bush at night, and indeed tens of thousands already have. Most intended to “return” to the place that they identify as their original home. The ability to (re)assert their rights as citizens is particularly pertinent with regard to the potential for return of displaced persons: at the point of return, questions of identity and belonging are only likely to become more intense.” (International Refugee Rights Initiative/ Social Science Research Council, March 2010).

Land issues related to IDPs in Ituri District, Orientale Province

One of the causes of violence in Ituri, according to ODI, was the contested purchase and the expansion of agricultural and ranching concessions. Following the adoption of the 1973 land law which emphasised individual ownership, members of the Hema community profited from their easy access to education and to employment opportunities to appropriate any land not yet titled, therefore concentrating a large number of lands in their hands (ODI, 1 March 2005).

In 2008, the International Crisis Group (ICG) documented the land disputes arising in Ituri district following IDP return on land where other IDPs from other communities had set up their homes, and how these issues caused tensions throughout Ituri, leading in some cases to open resistance to IDP return, [ICG, 13 May 2008, Congo: Four Priorities for Sustainable Peace in Ituri](#)

Primary education and educational programmes

General

[Principle 23, Guiding Principles on Internal Displacement](#)

1. Every human being has the right to education.
2. To give effect to this right for internally displaced persons, the authorities concerned shall ensure that such persons, in particular displaced children, receive education which shall be free and compulsory at the primary level. Education should respect their cultural identity, language and religion.
3. Special efforts should be made to ensure the full and equal participation of women and girls in educational programmes.
4. Education and training facilities shall be made available to internally displaced persons, in particular adolescents and women, whether or not living in camps, as soon as conditions permit.

The latest conflict in DRC has had a terrible impact on an already failing education system. Hundreds of thousands of children and their teachers have been forced to flee with their families. IDPs are often unable to send their children to school. When possible, they send their children to the local, host community schools, which are then unable to cope with the influx of students (OCHA, 6 October 2010, "Kivus")

In 2008, Refugees International interviewed internally displaced parents who said that their children had been attending school prior to displacement, but had not been able to resume their education in the area of refuge (RI, 21 May 2008, "education"). Already in 2001 OCHA noted that "The absolute majority of IDP children have been deprived of proper or any schooling since 1998" (OCHA, 26 November 2001, pp.47-48).

According to UNICEF, 75 percent of children of primary school age and 32 percent of secondary school age attend school nationwide (IWPR, 1 November 2010). In 2006, Save the Children estimated that about 5.3 million primary aged children (6-11 years) and six million 12-17 year old adolescents were out-of-school in the DRC, reportedly one of the highest numbers of out-of-school children in the world (Save the Children Alliance, 14 September 2006). According to a 2002 UNICEF/Government survey, there were more girls (35 percent) than boys (28 percent) who had never been in school (UNICEF/Ministry of Planning and Reconstruction of the DR Congo, July 2002, p.75).

Destruction of physical infrastructure and continuing insecurity- Heavy fighting has destroyed or heavily damaged existing school buildings in eastern DRC. Many parents also keep their children at home rather than sending them to school due to insecurity and various incidents on the roads to school (Watchlist, April 2006). Military operations in South Kivu in 2010 for example have resulted in continual population displacements which have made access to school extremely difficult and have resulted in the destruction and pillaging of schools (OCHA, 6 October 2010, "Kivus").

Occupation of schools- another obstacle to education is the occupation of school buildings by the military, or by displaced families (see for example report by OCHA, 31 August 2006).

Quality of education – the quality of education for all children in DRC is generally not up to standard. The government is responsible for paying teachers' salaries, providing school buildings, benches, tables. In practice many buildings need repair, and the children learn in crowded classrooms on logs, without pens books or paper (see for example IRIN, 12 July 2006). With the influx of displaced families to certain areas, schools have accommodated displaced children by running two sessions per day. Teachers have had to learn how to deal with hundreds of children who have lived through violent conflict and are often deeply affected by that experience (see for example report by UNICEF, 11 March 2008). When families move, they must register their children in their new location, a task particularly difficult in cities during the school year according to the 2002 UNICEF/Government survey quoted above (UNICEF/Ministry of Planning and Reconstruction of the DR Congo, July 2002, p.79). Many teachers are themselves IDPs and have never seen the National Curriculum and have not received training on 'new' teaching methodologies (OCHA, 6 October 2010, "Kivus").

Need to pay school fees, impossible expense for many displaced families - While primary education is supposed to be obligatory and free for all children in DRC (article 43 of the Constitution), many of them are asked to pay \$1 to \$4 per month as a school fee. The fee pays the salary of teachers who are not paid by the state or supplement the salaries of those who are paid, but it represents a major obstacles to access education for displaced children whose parents generally do not have the means to do so (RI, 21 May 2008, "education"; IWPR, 1 November 2010). Parents also need to pay for school materials, uniforms and shoes (an estimated 40 dollars per child per year as of 2006, see Watchlist, April 2006).

Additional obstacles for girls, whether displaced or not: girls face obstacles such as early marriage, domestic chores, child labour and poverty. Many families seem to give priority to the education of boys rather than girls, when faced with the material impossibility to afford schooling for all siblings (OCHA, 6 October 2010, "Kivus"; Watchlist, 2006). Both boys and girls are vulnerable to recruitment in the various militia groups (See Section **PROTECTION OF SPECIAL CATEGORIES OF IDPs (AGE, GENDER; DIVERSITY)**

Lack of education leads to increased vulnerability of displaced children – Refugees International noted that displaced children were as a result of the lack of education more vulnerable to abuses, including forced recruitment and exploitation. Being left idle, displaced children and young adolescents are more likely to "embark in activities that put themselves at risk, such as drinking or stealing, and many have become street children as a result" (RI, 21 May 2008, "education"). At the same time, some schools have actually been targeted by armed groups in North Kivu to forcibly recruit children (see for example MONUC, 19 December 2007).

Work and livelihood opportunities and coping strategies

General

[Principle 22, Guiding Principles on Internal Displacement](#)

1. Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights:
 - (b) The right to seek freely opportunities for employment and to participate in economic activities;

Since the mid-1990s, the little infrastructure that existed prior to the latest conflicts has collapsed. The war has reduced the poorest among the population, IDPs and vulnerable residents in eastern DRC, to a very difficult existence. The coping strategies of many IDPs in North and South Kivu are completely exhausted, after being displaced several times over the last years. Their difficulty in accessing healthcare, their high level of malnutrition following the lack of access to their field, epidemics and violence against civilians increase vulnerability and erode IDPs' coping capacities.

DRC is ranked 168 out of 182 on the Human Development Index (UNDP, 4 November 2010). Those who can do rely on the support from churches, as well as local and international organisations to access health services and go to school. The movement of food supplies from rural to urban areas has largely ceased, due to the crumbling of roads and insecurity. Agricultural production has also dropped across the east of the country. Insecurity, limited access to markets and the difficulty to get enough money from the sale of crops all discourage people from cultivating. In mineral-rich areas such as Walikale, North Kivu Province, the short-term benefits of mining have led farmers to abandon agriculture for digging for minerals.

A 2008 UNICEF/CARE survey noted that IDPs, while very poor, had been able to integrate into local economies relatively seamlessly. According to the survey results, "The primary source of income for displaced persons is day labour on the farms of others. The wage day farm labour is almost USD 1 per day. There are reports that this is an exploitatively low wage level, but it nevertheless provides a critical source of income to displaced and likely improving productivity of farmland." A small number of the interviewed displaced and hosts relied on petty trade or small business for additional income, particularly by brewing and selling local beer or alcohol. The survey also studied the positive and negative coping strategies adopted by IDPs and their hosts. Survey respondents should that both hosts and IDPs showed great perseverance, enabling them to coexist for a long period, with no immediate hope of resolution and with limited resources. The most frequent complaint of hosts about IDPs was the theft of crops from field. Another negative short-term coping strategy mentioned was excessive alcohol consumption by male youth and men to fill spare time, ease frustration and to forget about hunger. Rape and sexual abuses of displaced and resident women were frequently reported in the survey. Most rapes were reported to occur away from home, when gathering firewood or food from fields, and to be mostly committed by armed groups. To address the problem of space, shelters were being built on the same property as the hosts, often made of poles covered with banana leaves, which mean that they are cold at night and leak. According to the survey, access to aid was not a crucial component for IDPs in host communities, unlike for IDPs in camps. According to UN OCHA statistics only 10% of displaced persons in North Kivu receive regular direct food assistance. On the other hand, many community services such as health, counselling, education/training services are supported by the international community, but these programmes were according to the survey not recognised as "part of a strategy to help the community as a whole to address the presence of IDPs." Also, the survey mentioned that "humanitarian aid for most displaced is nonexistent, sporadic or insufficient." At the same time, "interviews reflect an unrealistic expectation in the minds of displaced and hosts alike that there is the potential for the humanitarian community to relieve their burden and daily struggle." (UNICEF/CARE, 27 April 2008).

Following the set up of camps in North Kivu at the end of 2006, humanitarian workers noted the growing resentment between IDPs in camps who were receiving food aid, and resident communities in Goma who had been affected by rising food prices but were not receiving aid (IRIN, 26 November 2007).

See also:

[Humanitarian Policy Group \(HPG\), July 2004, Missing the point: An analysis of food security interventions in the Great Lakes, by S. Levine and C. Chastre, Number 47, ODI](#)
[FAO, 31 August 2003, Information sur la sécurité alimentaire en RDC](#)

FAMILY LIFE, PARTICIPATION, ACCESS TO JUSTICE, DOCUMENTATION, AND OTHER CIVIL AND POLITICAL RIGHTS

Documentation and citizenship

Citizenship

Whether someone is or is not a Congolese citizen has fuelled tensions in eastern DRC, particularly between ethnic Tutsi and Hutu and other communities. A recent report by the International Refugee Rights Initiative/ Social Science Research Council has highlighted how conflict, displacement, land and identity in North Kivu are intertwined (International Refugee Rights Initiative/ Social Science Research Council, March 2010).

In 2004, a new nationality law conferred the right to Congolese nationality on all people- and their descendants – were resident in DRC on or before 30 June 1960, the date of independence. While most of the ethnic Tutsi have been in DRC since before June 1960 and therefore received Congolese citizenship, they are still viewed by many as outsiders and ethnic relations in the region have remained strained.

Voting and participation in public affairs

General

[Principle 22, Guiding Principles on Internal Displacement](#)

1. Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights:

(d) The right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right; and

A number of problems were reported for IDPs to be registered and vote in the 2006 national elections.

According to article 7 of Law number 04/028 of 24 December 2004, voter registration must be done in the area of the elector's principal residence. However, those living away from their principal residence are allowed according to the law to register in their temporary place of residence. According to an NRC report on the participation of IDPs to the 2006 national elections, this should allow IDPs to register in their current area. One major problem for IDPs is that according to article 10 of the same law, to become a registered voter have to provide a certificate of nationality or other means (such as I.D., driving license, etc) to prove the identity and age of the elector. In cases when it is not possible to present such documents, the law allows five witnesses already residing for five years in the area and who are registered on the list of electors of the same registration centre to confirm the potential elector's identity. According to NRC, many IDPs were not able to register as electors. They were not able to provide documents proving their identity, and had difficulty providing witnesses vouching for their identity, since they were new in the area. In some instances they were not allowed to register in their area of displacement and were told to register in their area of origin (NRC, April 2006).

The majority of IDPs, particularly in eastern Ituri, North and South Kivu and the centre of Katanga Province did not vote in the 2006 national elections. Most of them had lost their electoral card during their flight, or had it confiscated by armed men. Many IDPs were not able to register due to the prevalent insecurity, or to access the voting booth due to insecurity on election day (OCHA, 15 August 2006).

Following the elections, the UN Secretary-General stated in a periodic report on DRC that DRC electoral authorities had decided to update the electoral register to take into account IDPs and refugee return (UNSC, 3 July 2008).

See also :

[United Nations Office for the Coordination of Humanitarian Affairs - Integrated Regional Information Networks \(IRIN\), 30 Jul 2006, DRC: Militiamen stop voters from going to polls](#)

[Mission Electorale de l'UE en RDC 2 août 2006, Déclaration préliminaire du 2 août 2006](#)

[OCHA - Integrated Regional Information Networks \(IRIN\), 3 Aug 2006, DRC: Hear our voices - "Why we didn't vote"- displaced persons](#)

[Reuters Foundation, 29 Oct 2006, Congo army blocks thousands from voting – observer](#)

PROTECTION OF SPECIAL CATEGORIES OF IDPS (AGE, GENDER, DIVERSITY)

Gender - Women and Men

Coping strategies of displaced women

The war has produced a large number of widows, and large-scale displacement has often led to the separation of families. As a result, many displaced women have become the heads of household without any respect and acknowledgement for this new role. A study by International Alert and partners found that many of them depended largely on food aid to survive, or resorted to prostitution as a means of survival. This is in addition to structural problems exacerbating their poor situation, including the difficulty for them to access land due to the lack of available fertile lands, but also because of patriarchal traditions, and the lack of other economic opportunities (International Alert & AI., 2005, pp.25-26). The level of education of women is generally weak, making them more at risk as well (WFP, 31 October 2006). Already in 2001, OCHA found that in several locations of Maniema, 60 to 80 percent of IDPs were from families of which husbands had fled or been enrolled in the army or armed militias (OCHA, 6 March 2001).

Impact of displacement on adolescent girls and boys, and on young adults

Few public reports focus on the impact of displacement on adolescents and young adults in DRC. A 2008 study mentioned that: "Less prevalent but commonly reported was the phenomenon of adolescent youth joining armed military groups. Idleness, hunger, lack of decent clothing, inability to maintain personal hygiene and lack of hope for their future were reported as factors prompting youth to join armed groups.[...] A regularly reported negative coping strategy among young woman was prostitution. Young women started prostituting themselves due to the same difficulties experienced by male youth or after becoming pregnant— sometimes from rape — and subsequently being ostracised from their families. Young women who left school as a result of displacement were idle, without direction, and were reported more likely to begin prostituting themselves as a means of survival. Out of the many different gendered age groups interviewed, the plight of young women impressed the interview team as the most desperate. Reports of witchcraft were rare, and when reported, interviewees said that it was used by individuals to gain advantage over others. Some key informants considered witchcraft to be rife. Witchcraft was also reported by health practitioners to be the first recourse to manage illness" (UNICEF/CARE, 27 April 2008).

High incidence of rapes among displaced and other women

[Principle 11, Guiding Principles on Internal Displacement](#)

2. Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against:

(a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender specific violence, forced prostitution and any form of indecent assault;

Despite all initiatives undertaken to counter sexual violence and the adoption of two Laws on Sexual Violence on 20 July 2006, rape continues to be widespread throughout the country. Challenges in the fight against impunity include the weakness of the judicial system and the lack of denunciation by victims due to taboos and fear of persecution.

In late 2010, UN human rights team confirmed that more than 300 women and girls had been raped between 30 July and 2 August in the Walike region of North Kivu Province by members of armed groups including the Mai Mai Cheka and the FDLR. According to the UNSG Special Representative on Sexual Violence in Conflict Margot Wallström, there is some information from the UN peacekeeping mission MONUSCO that rapes, killings and lootings were subsequently perpetrated by FARDC soldiers (UN News Centre, 14 October 2010). According to UNFPA, some 8,300 women were reported to have been raped in the Kivus in 2009, and 15,000 for the entire country (UN News Centre, 9 February 2010; UNSC, 15 October 2010).

While some surveys on sexual violence specifically mention internally displaced women and girls, it is difficult to estimate who is displaced or not in overall estimates. According to a UNSG report to the UNSC, a third of reported cases of rapes are in North Kivu, the majority of them IDPs (UNSC, 3 July 2008). A 2008 UNICEF/CARE survey of IDPs and host populations found that rape and sexual abuse of displaced and resident women were prevalent, and that rapes occurred while women were away from homes gathering firewood or food from fields. Displaced girls also reported rapes during the insecurity which displaced them or during flight. The perpetrators were mostly members of armed groups and of the national army, but also increasingly non combatants and local men (UNICEF/CARE, 27 April 2008). In Ituri, during continuous military operations against armed groups still active in the District, MONUC reported that “the FARDC have carried out brutal acts of sexual violence in a legal vacuum without being held responsible for their actions. IDP camps, which are often located in close proximity to military camps, are inhabited mostly by women and children who easily become victims of soldiers” (MONUC, 8 March 2007)

In any case, the number of non-reported rapes is estimated to be greater than the number of rapes actually reported, as rape victims are heavily stigmatised in DRC. Single women are rarely able to marry after being raped, and if they are married, they may be rejected by their family and become an outcast. Rape has been used as a weapon of war by all sides of the conflict, often in conjunction with abduction and sexual slavery. Women are routinely raped by more than one man, violated in front of their families or tortured after the rape. The age of victims ranged from babies to octogenarians, but the majority of victims were between the ages of 19 and 45 (over fifty per cent) whilst close to forty per cent were under 18 (ActionAid, 17 November 2006).

In September 2008, Oxfam asserted that women and girls were less safe than the previous year. Schoolgirls were identified as especially vulnerable to sexual attack, sometimes from their own teachers. Oxfam also said that men and boys faced sexual violence in nearly half the communities surveyed in North Kivu and parts of South Kivu (Oxfam, September 2008).

The special Rapporteur of the UN Human Rights Council on Violence against Women, said that sexual violence in the DRC amounted to war crimes and crimes against humanity (HRC, 28 February 2008; HRC, 30 July 2007). According to the UN Special Representative on Children in Armed Conflict, 54,000 victims of sexual violence had been identified between 2004 and 2006, of which 16 per cent were children (DPI, 16 March 2007).

See also:

USIP, June 2010, Rape in War: Motives of Militia in DRC

UNIFEM, Addressing Conflict-Related Sexual Violence – An Analytical Inventory of Peacekeeping Practice , June 2010

Harvard Humanitarian Initiative/Oxford International, 15 April 2010 “Now the World is Without Me”: An investigation of Sexual Violence in Eastern Democratic Republic of Congo

Maria Eriksson Baaz and Maria Stern; The Complexity of Violence: A critical analysis of sexual violence in the Democratic Republic of Congo (DRC). Sida Working Paper on Gender Based Violence; 2010

UNICEF, 24 June 2008, As DR Congo crisis persists, UN classifies rape as weapon of war

IRIN, 18 March 2008, DRC: "Majority of rapists go unpunished"

FIDH, 18 March 2008, Sexual Crimes in DRC : Breaking the cycle of impunity

IRIN, 21 January 2008, DRC: "The rapists roam the streets

ICRC, 20 January 2008, Eastern DRC: Widespread sexual violence against women threatens families

Women's Commission for Refugee Women and Children, 17 Oct 2007, Over 27,000 sexual assaults in DRC in 2006: violence against women and girls continues to rise

OCHA, 11 October 2007, Congo's rape war - Savage sexual violence is sweeping the troubled nation, demanding a global response

Journal of Humanitarian Assistance (JHA), 6 August 2007 Hell on Earth - Systematic Rape in Eastern Congo

C. Rodriguez, 25 Jan 2007, Sexual violence in South Kivu, Congo, Forced Migration Review

IRIN, 12 Dec 2006, DRC: Healing the wounds of war at Panzi Hospital, South Kivu

IRIN, 1 Aug 2006, DRC: Help and justice for raped, displaced women

IRIN, 21 Jul 2006, RDC : Survivre au viol et au déracinement

HRW, 7 March 2005, Seeking Justice: The prosecution of sexual violence in the Congo war

International Alert & AI., 2005, Women's Bodies as a Battleground: Sexual Violence Against Women and Girls During the War in the Democratic Republic of Congo (1996-2003)

AI, 26 October 2004, Democratic Republic of Congo: Mass rape – time for remedies

HRW, June 2002, the War within the War: Sexual Violence Against Women and Girls in Eastern Congo

UN peacekeepers accused of sexual abuse against internally displaced women and girls, and host communities

In 2006, the UN investigated 176 cases of sexual abuses allegedly committed by MONUC personnel. The UN Office of Internal Oversight Services (OIOS) found out a pattern of sexual exploitation by uniformed personnel involving women and girls (UNSC, 20 March 2007; UNSC, 22 March 2005). The OIOS requested the concerned troop-contributing countries to take swift disciplinary action. Authors of these rapes had to leave the DRC to return to their country. In a report to the UNSC, the UNSG noted that the reputation of MONUC had been severely damaged by acts of sexual exploitation and abuse committed by some peacekeepers against the local population. In 2008 there were renewed UN investigations into allegations of sex abuses and exploitation by peacekeepers (UNSG, 12 August 2008; UN Radio, 15 May 2008).

For the full report by the Office of Internal Oversight Services, see:

[United Nations General Assembly, 5 Jan 2005, Investigation by the OIOS into allegations of sexual exploitation and abuse in the UN Organization Mission in the Democratic Republic of the Congo](#)

See also:

[Institute for Security Studies \(ISS\), 28 Feb 2006, DRC: Who guards the guards? The International Criminal Court and serious crimes committed by peacekeepers in Africa](#)

[United Nations Security Council, 23 Feb 2006, Problem of sexual abuse by peacekeepers now openly recognized, broad strategy in place to address it, Security Council told](#)

Boys, girls and adolescents

Violations against internally displaced children

[Principle 4, Guiding Principles on Internal Displacement](#)

2. Certain internally displaced persons, such as children, especially unaccompanied minors, expectant mothers, mothers with young children, female heads of household, persons with disabilities and elderly persons, shall be entitled to protection and assistance required by their condition and to treatment which takes into account their special needs.

Internally displaced children in DRC have been at a direct risk of all sorts of violence, in particular sexual violence, exploitation, physical abuse. They have been recruited by armed groups to fight, but also to be used as porters, spies, guards and cooks. Girls have been taken to be the forced "wives" or sex slaves of many of the officers of these groups (IRIN, 19 September 2007). According to UNICEF, some 3,000 children were in armed forces and groups in eastern DRC in 2008. Forced recruitment of children continued in eastern DRC in 2009 and 2010). While most of the recruitment is now done by militia groups, recruitment of children by the national army was still ongoing as of October 2010. Most of the children who had been separated from armed groups or the national army reportedly were later re-recruited several times by armed elements ((MONUC, 24 July 2008; UNICEF, 22 June 2009, UNSG, 8 October 2010). The reintegration of children in communities has been in challenge, and children – often faced with the choice of destitution at home or paid military service with the armed groups, have too often re-enlisted (UNICEF, 24 July 2006; AI, 11 October 2006). In 2007, it was reported that MONUC, UNICEF

and some international NGOs had discovered that armed groups in DRC had been trying to pass off the children into the army reintegration process by falsifying ages (IRIN, 7 February 2007).

At the height of the war, estimates suggested that as many as 30,000 children were fighting or living with armed forces or militia groups. It was estimated that 30 to 40 per cent of children associated with armed forces and groups were girls. In 2007, the UN reported that a total of some 29,291 children had so far been demobilised (DPI, 16 March 2007).

Monitoring violations against children and armed conflict in DRC

There is a UN Monitoring Task Force on Children and Armed Conflict established by UNSC Resolution 1612 in DRC. The Task Force does not monitor forced displacement as a specific violation, but IDPs can be affected by the monitored violations, which include attacks against schools and hospitals, sexual violence, killing and maiming, abductions, denial of humanitarian access for children and child recruitment.

Every year, the report of the UN Secretary-General on children and armed conflicts details the violations and abuses committed by all parties to the conflict. It has some information on violations against children in DRC, including killings and maiming, recruitment, maiming, and sexual violence. See the latest report:

[UNGA/UNSC, 13 April 2010, Children and armed conflict: Report of the Secretary-General \(A/64/742–S/2010/181\)](#)

[There are also specific reports of the UNSG on children and armed conflict in DRC. See the latest report UNSC, 9 July 2010, Report of the Secretary-General on Children and Armed Conflict in the Democratic Republic of the Congo \(S/2010/369\)](#)

For more information, see also:

[Office of the Special Representative on Children and Armed Conflict, Developments in the Republic Democratic of Congo](#)

[UN News, 2 December 2010, DR Congo army colonel added to UN sanctions list for massacring women, children](#)

[Watchlist on Children and Armed Conflict, January 2008, Getting It Done and Doing It Right, Implementing the Monitoring and Reporting Mechanism on Children and Armed Conflict in the Democratic Republic of Congo](#)

Legal aspects

DRC is party to the Convention on the rights of the Child and – since 2001 - to its Optional Protocol on the involvement of children in armed conflict. By ratifying the optional protocol, DRC must not engage children under 18 in hostilities and forbids armed groups from integrating children in their troops.

DRC also committed to respect International Labour Organisation Convention no 182 on the worst forms of child labour which qualifies as such «forced or compulsory recruitment of children for use in armed conflict». Member states must «take effective and time-bound measures to prevent and eliminate» these practices «urgently».

However, DRC had not signed as of November 2010 the African Charter on the Rights and Welfare of the Child (which came into force in 1999), and which has specific provisions on internally displaced children.

DRC is party to the Geneva Conventions (humanitarian law), according to which the recruitment and use of child soldiers under 15 years is a war crime.

DRC is also party to the Rome Statute of the International Criminal Court, which consider the recruitment and use of child soldiers as war crimes.

National laws

The law in respect to the Congolese army expressly forbids the enlistment of persons under the age of 18 years in the regular armed forces. The 2005 Constitution, even though it forbids enlistment in the armed forces, does not set a minimum age. According to a JRS report, in May 2005 the FARDC chief of staff issued explicit orders that this practice be stopped and instructed military prosecutors to pursue all offenders (JRS, 13 February 2007). Efforts have been obstructed by the lack of independence or lack of training for judges, insufficient investigative capacities, poor infrastructure and inadequate regulations to guarantee a fair trial and the rights of the accused. The legal system is also plagued by corruption, leading people to resort to private revenge.

More in-depth reports on children in armed conflict in DRC:

[Watchlist on Children and Armed Conflict, 26 April 2006, Struggling to Survive: Children in Armed Conflict in the Democratic Republic of the Congo](#)

[Amnesty International \(AI\), 11 Oct 2006, DRC: Children at war, creating hope for the future](#)

Internally displaced children at risk of being recruited

[Principle 13, Guiding Principles on Internal Displacement](#)

1. In no circumstances shall displaced children be recruited nor be required or permitted to take part in hostilities.

While reports on the recruitment of children in DRC generally do not specify whether internally displaced children have been particularly targeted, there is specific information on such recruitment in some instances, particularly a series of reports from 2007 and 2008 (*text in bold by IDMC*):

UNICEF reported that **displaced children in North Kivu, particularly those separated from their families, were at particular risk of being recruited by militias, but also of being raped and exploited** (UNICEF, 14 November 2008).

"In the Democratic Republic of the Congo, children have been **recruited from internally displaced person camps in North Kivu Province** by forces loyal to rebel leader Laurent Nkunda during the recent upsurge in violence." (UNGA, 21 December 2007).

The UN Monitoring Task Force on Children and Armed Conflict established by UNSC Resolution 1612 noted that "**young people and children were surprisingly underrepresented in some internally displaced populations**. UN monitors found out that families were subjected to intimidation to give their children to armed groups, and are therefore trying **to hide them from forced recruitment**." (Office of the Special Representative of the Secretary-General for children in armed conflict, 14 December 2007).

"The **forced recruitment of children** has struck fear into the hearts of many of the **displaced** who say they will not leave the camps and return home until their security can be assured. 'I have

heard of a lot of children being recruited, even the little girls,' said Ame Muhima, the president of a grouping of 4,000 displaced families waiting to be integrated into formal camps for the displaced outside of Goma. 'There were 17 children who have escaped and come back to us here,' Muhima said." (IRIN, 8 October 2007, "recruitment")

"Armed groups in eastern Congo are **recruiting fighters in camps for those displaced by violence**, the U.N. refugee chief said on Sunday, as diplomats tried to revive a peace plan that has failed to halt fighting."Members of armed groups as well as members of the national army go into the camps. It is necessary for the protection of the civilian population that the camps are kept arms-free," said U.N. High Commissioner for Refugees Antonio Guterres. "There is recruitment of young people in the camps. This is not acceptable," Guterres told reporters [...]" (Reuters, 16 December 2007).

Since February 2008, the LRA has carried out abductions of children, and information obtained by Human Rights Watch from foreign observers and domestic authorities suggest that boys are made to act as porters or are subject to military training, while girls are used as sex slaves, cooks and porters (HRW, 19 June 2008).

Already in 2001, AI reported that the break-down of the political, social and economic infrastructures (schools, communities, household, health facilities), as well as displacement, had weakened or destroyed children's immediate source of care and protection, making them an easy target for recruitment. "War and poverty have also led to the displacement of many children. Some are orphaned or unaccompanied and forced to live on the streets. Such children are at particular risk of recruitment into the armed forces. An independent observer told Amnesty International that all over the Kivus 'children have become cannon fodder and slaves: they are recruited to become soldiers. Girls and sometimes boys are forced to become domestic servants or wives of combatants, and sometimes they are also used for child labour and exploited without payment to work in the mines.'" (AI, 19 June 2001). Children recruited into militias were often reported to take drugs, and in Shabunda (South Kivu) for example, they were reported to be ordered to kill a member of their family, generally their father or mother (International Alert & AI., 2005, p.46).

[Coalition to Stop the Use of Child Soldiers \(CSC\), Briefing Paper, Democratic Republic of the Congo, Mai Mai Child Soldier Recruitment and Use: Entrenched and Unending February 2010](#)

Indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands

Internally displaced Batwa (Pygmies)

[Principle 9, Guiding Principles on Internal Displacement](#)

States are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands.

"Characterised by their small stature, pygmies are predominantly members of hunter gatherer communities living in equatorial rainforests across Central Africa. They are considered to be the original inhabitants of the continent" (IRIN, April 2006, p.7).

In eastern DRC, pygmies are generally called Batwa and number some 90,000 people. They are the DRC's original inhabitants (MRG, 13 May 2010). While many more Batwa have been able to maintain their lives in the forests in DRC than in any other country in the Great Lakes region, over the last 15 years, these forests have become the hiding places of rebel groups and often a battleground. Army operations against rebel groups in North Kivu have often driven the rebels into the forests, where in turn the rebels have attacked the Batwa, causing their displacement. The Batwa have been accused by armed groups and government forces of colluding with the opposing side, and have become the victims of forced displacement and other violations. While some Batwa have joined rebel and government forces, the majority are innocent victims of armed conflict (RI, 12 August 2003). The Batwa have also fell victim to superstitions that pygmies have transmissible supernatural powers, either by sexual intercourse- leading to brutal gang rapes of pygmy women – or by ingestion – leading to cannibalism. Rebel groups also target pygmy communities, who are generally discriminated against by other ethnic groups. From October 2002 to 2003 for example, rebel forces ran an operation in Ituri to rid the forest of pygmies (opération effacer le tableau, wipe the slate clean) (IRIN, April 2006, pp.15-16).

In 2006, UNICEF noted that “For the first time in their history they [the Batwa] were forced out of the forest, carrying their bows and arrows, their musical instruments, a few pots and pans – and not much else” (UNICEF, 24 July 2006).

DURABLE SOLUTIONS (RETURN, LOCAL INTEGRATION, SETTLEMENT ELSEWHERE IN THE COUNTRY)

Documented returns, settled locally and settled elsewhere

Documented returns

OCHA provides consolidated figures of return movements, but there is no public information available on IDPs who have settled locally or somewhere else in DRC. OCHA reported that one million people had returned home from early 2009 to the end of 2010. According to OCHA, the vast majority of returning IDPs in North Kivu reported in 2010 that improvement of security prompted them to return, and that they were able to regain their former homes (OCHA, 15 October 2010).

In 2009, there were claims of forced return, particularly from camps around Goma. In September 2009, Congolese authorities said that some areas where it claimed to have removed the FLDR militia were safe for IDPs to return. According to a Human Rights Watch report, “five official camps around Goma, housing some 60,000 IDPs were closed and emptied almost overnight”. The report then said that IDPs were put under official pressure to leave as the authorities sought to demonstrate that the Kimia II had created security conditions conducive to return—for both IDPs and Congolese refugees who had been in Rwanda since 1996. As people were leaving, armed police and bandits of youth raided the camps, looting belongings left behind, destroying latrines and other camp structures, and wounding numerous IDPs who had not yet packed up and left. It remains unclear how many IDPs actually returned home and were able to stay or instead joined the vast majority of their displaced compatriots staying with host families or in informal IDP settlements (HRW, 14 September 2010, p.8-9).

In October 2008 the CNDP captured the towns of Kiwanja and Rutshuru in North Kivu. CNDP officials then announced that IDPs in the area (some 50,000 in registered camps, unofficial settlements and in host families) had to return home and that the camps would be destroyed. The CNDP gave the displaced people until the next morning to return to their homes, warning that they would feel the CNDP’s “pressure” if they did not comply. The next day almost all the IDPs had left the camp (HRW, 14 September 2010, pp.51-52)

Prospects for and obstacles to voluntary return, local settlement and settlement elsewhere

General

[Principle 15, Guiding Principles on Internal Displacement](#)

Internally displaced persons have:

(d) The right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.

[Principle 28, Guiding Principles on Internal Displacement](#)

1. Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned or resettled internally displaced persons.

Return has not always been durable, as the reduction of food rations in camps and the need to start up the new planting season were major factors in return in 2009 rather than the improvement of security. Many people returned home to then find their land occupied. Renewed clashes in return areas also forced people to flee again soon after their arrival home. In 2010 however, according to OCHA, the vast majority of returning IDPs in North and South Kivu reported that improvement of security prompted them to return, and that they were able to regain their former homes (OCHA, 13 October 2010 *and* 14 October 2010).

One major problem for return to be durable has been the lack of support to returning IDPs. A December 2008 assessment in return areas found that at the end of 2008, IDPs who had gone home were in greater need of food than the rest of the conflict-affected population in eastern DRC, and that it takes approximately one-and-a-half years for IDPs who have been displaced for longer than just brief periods to re-establish their lives (PEAR, "Quarterly Analytical Report: Humanitarian Situation in IDP Return Areas," October-December 2008, quoted by HRW, 14 September 2010, p.70). In Equateur Province for example, returning IDPs have lost many household items, and in return areas schools have been destroyed, hospital and health centres looted. Food prices have increased, markets are not functioning, and purchasing power in general has plummeted (Caritas, 28 July 2010).

Support for return integration and reintegration

Support by authorities

[Principle 28, Guiding Principles on Internal Displacement](#)

1. Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned or resettled internally displaced persons.

Local authorities in North Kivu have been providing NFI (non food items) kits to accompany the return of IDPs. However, many IDPs have nowhere to go, as their entire villages are now destroyed and occupied by others, and local integration seems the only option for them (OCHA, 13 October 2010).

International support

[Principle 30, Guiding Principles on Internal Displacement](#)

All authorities concerned shall grant and facilitate for international humanitarian organizations and other appropriate actors, in the exercise of their respective mandates, rapid and unimpeded access to internally displaced persons to assist in their return or resettlement and reintegration.

Several organisations support the return and reintegration of IDPs, for example through socio-economic projects. IEDA-Relief has been supporting returning IDPs in Masisi through the development of small businesses (chicken, guinea pigs, etc.) ([International Emergency and Development Aid](#), 27 October 2010). Several international organisations, such as UNHABITAT and UNHCR, have also developed activities of emergency mediation on land and of early reconciliation, essential for the success of IDP return (DARA/ECHO, 19 October 2010).

NATIONAL AND INTERNATIONAL RESPONSE

International human rights and humanitarian law framework including references to the Guiding Principles on Internal Displacement

DRC's international human rights and humanitarian legal obligations

Convention or Treaty	Ratification/Accession
International Covenant on Civil and Political Rights	01.11.1976
Optional Protocol to the International Covenant on Civil and Political Rights	01.11.1976
International Covenant on Economic, Social and Cultural Rights	01.11.1976
Convention on the Rights of the Child	27.09.1990
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	11.11.2001
Optional Protocol to the Convention on the Rights of the child on the sale of children, child prostitution and child pornography	11.11.2001
Convention on the Elimination of All Forms of Discrimination against Women	17.10.1986
Convention relating to the Status of Refugees	07.07.1965
Protocol relating to the Status of Refugees	04.10.1967
Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment	18.03.1996
International Convention on the Elimination of All Forms of Racial Discrimination	21.08.1976
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	31.05.1972
The 1949 Geneva Conventions on the protections of victims of armed conflicts	24.02.1961
Additional Protocol I to the four Geneva Conventions	03.06.1982
Additional Protocol II to the four Geneva Conventions	12.12.2002
Convention on the Prevention and Punishment of the Crime of Genocide	31.05.1962
Rome Statute of the International Criminal Court	11.04.2002

Regional instruments

OAU Convention governing the specific aspects of refugee problems in Africa 20.06.1974

African Charter on Human and Peoples' Rights	20.07.1987
Ouagadougou Protocol creating an African Court on Human and Peoples' Rights	28.03.2001
African Charter on the Rights and Welfare of the Child	29.03.2001
Pact on Security, Stability and Development in Africa's Great Lakes region (the Great Lakes Pact)	02.10.2007

Known references to the Guiding Principles on Internal Displacement in DRC

- Reference to the Guiding Principles in the national legislation
- Other References to the Guiding Principles (in chronological order)
- Availability of the Guiding Principles in local languages
- Training on the Guiding Principles (in chronological order)

Reference to the Guiding Principles in the national legislation

While there is no reference to the Guiding Principles in the DR Congo legislation, DRC is one of the states part of the International Conference on the Great Lakes Region, which established a series of protocols, including an IDP protocol. The DRC Parliament adopted the **Great Lakes Pact on security, stability and economic development on October 2, 2007**. The Pact entered into force in June 2008. For more information, see the following documents (links below):

- Internal Displacement Monitoring Centre, September 2008, The Great Lakes Pact and the Rights of Displaced People: A Guide for Civil Society
- African Union, Report of the Chairperson of the Commission on the International Conference Process on the Great Lakes Region, 13 March 2007-04-25
- International Conference on the Great Lakes Region, Pact on Security, Stability and Development in the Great Lakes Region, 14 and 15 December 2006 (also in French below)
- Protocol on the Protection and Assistance of IDPs, October 2005

Other References to the Guiding Principles (in chronological order)

OCHA IDP Unit undertook mission in December 2002 to assess training needs on the Guiding Principles
Date: October 2002
Documents: IDP Unit Mission to the Democratic Republic of Congo, 7-10 October 2002 [Link below]

UN Inter-agency mission focuses on IDPs and emphasises the training needs on the Guiding Principles within the humanitarian community and authorities
Date: February 2003
Documents: Inter-agency mission on internal displacement in the Democratic Republic of Congo (DRC) 26 January – 8 February, 2003 [Link below]

Availability of the Guiding Principles in local languages

The GP are available in French and Swahili (DRC)
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Documents:
 GP in Swahili [Internet]
<http://www.brookings.edu/fp/projects/idp/resources/GPsSwahiliDRC.pdf>
 GP in French [Internet]
<http://www.brookings.edu/fp/projects/idp/resources/GPFrench.pdf>

Training on the Guiding Principles

Protection cluster organises training on the Guiding Principles for Congolese armed forces

Date: 2006

A regional seminar on internal displacement was convened in Gaborone, Botswana, hosted by the Government of Botswana and co-sponsored by the Office of the United Nations High Commissioner for Refugees (UNHCR), the Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons (IDPs), and the Brookings Institution-University of Bern Project on Internal Displacement. It was the first seminar of its kind focused on internal displacement in the Southern African Development Community (SADC) region.

The purpose of the seminar was to discuss the phenomenon of internal displacement in the SADC region, the needs of the displaced, and effective national, regional and international responses. The meeting brought together over 100 participants representing: the SADC member states; the SADC Secretariat; the African Union; the African Commission on Human and Peoples' Rights; national human rights institutions; local, regional and international non-governmental organizations; the United Nations (UN) and other international organizations; and donor governments; as well as experts from research institutions.

The meeting resulted in a set of recommendations for action at the national, regional and international levels to improve responses to internal displacement in the region.

Date: 24-26 August 2005

Documents: Regional Seminar on Internal Displacement in the Southern African Development Community [Internet] http://www.brook.edu/fp/projects/idp/SADC_rpt.pdf

NRC and OCHA IDP Unit have undertaken a training program on the Guiding Principles for authorities, UN agencies, international and local NGOs, and IDPs. See list of sources for NRC document containing conclusions and recommendations. Since then, NRC has continued the diffusion of the Guiding Principles to authorities, churches, NGOs, local populations and international agencies.

Date: 2003-Present

Documents: Zeender, G., NRC, Advocating for IDP Protection in the Democratic Republic of Congo, April-September 2003, [Link below]

National Response

General

Principle 3, Guiding Principles on Internal Displacement

1. National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.
2. Internally displaced persons have the right to request and to receive protection and humanitarian assistance from these authorities. They shall not be persecuted or punished for making such a request.

Principle 25, Guiding Principles on Internal Displacement

1. The primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities. In February 2006, DRC enacted a new Constitution, but according to Amnesty International, it has failed to amend most of its Acts of Parliament, some of which now breach the Constitution (AI, December 2009). DRC has also enacted two laws on Sexual Violence (July 2006), and the Child Protection Code (January 2009).

At the national level, the Ministry for Solidarity and Humanitarian Affairs has the primary responsibility for responding to the needs of IDPs. The Ministries of Interior and of Defence are also involved in protecting IDPs and returning IDPs, but their role in practice is far from clear. The Ministry of Gender, Family and Children is responsible for implementing the national strategy on sexual and gender-based violence and coordinates with MONUSCO.

Measures by the central government and provincial authorities have so far fallen very short of meeting the needs of IDPs, despite their obligations to protect displaced populations. Instead, local authorities and networks have been at the forefront of care for IDPs. The government has ratified the Pact on Security, Stability and Development in Africa's Great Lakes region, which came into force in June 2008, and in doing so has committed to incorporate the Guiding Principles on Internal Displacement into national law. During his first visit to DRC in February 2008, the Representative of the UN Secretary-General on the human rights of IDPs called upon the government to speedily enact a legislative framework for the protection of IDPs, and urged the international community to support this endeavour (HRC, 16 May 2008). In February 2010, DRC also signed the AU IDP Convention but it had as of early December 2010 not ratified it. As of November 2010, DRC had not enacted specific legislation to protect IDPs or to foster durable solutions.

In 2007, UNHCR highlighted the urgent need for a national framework or strategy for solutions to displacement which outlines the rights of returning IDPs and refugees and facilitates their reintegration (UNHCR, 13 February 2007).

At a regional meeting on internal displacement held in Botswana in August 2005, a representative of the Ministry for Social Affairs noted that the absence of a legislative framework based on the *Guiding Principles* as well as coordination problems were curtailing progress under the current institutional arrangements. (Brookings Institution-University of Bern Project on Internal Displacement, 26 August 2005, p11)

See also:

Le Potentiel, 26 January 2008, RDC : Situation humanitaire au Nord et au Sud-Kivu - La réinstallation des déplacés sous-tendue par un plan humanitaire du gouvernement [[Internet](http://www.reliefweb.int/rw/rwb.nsf/db900sid/RMOI-7B9NNW?OpenDocument&rc=1&cc=cod)]
<http://www.reliefweb.int/rw/rwb.nsf/db900sid/RMOI-7B9NNW?OpenDocument&rc=1&cc=cod>

IRIN, 31 July 2007, DRC: Government seeks help for 75,000 IDPs [[Internet](#)]
<http://www.irinnews.org/report.aspx?ReportId=73506>

Humanitarian access and assistance

General

Principle 25, Guiding Principles on Internal Displacement

3. All authorities concerned shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced.

Principle 26, Guiding Principles on Internal Displacement

Persons engaged in humanitarian assistance, their transport and supplies shall be respected and protected. They shall not be the object of attack or other acts of violence.

Principle 30, Guiding Principles on Internal Displacement

All authorities concerned shall grant and facilitate for international humanitarian organizations and other appropriate actors, in the exercise of their respective mandates, rapid and unimpeded access to internally displaced persons to assist in their return or resettlement and reintegration.

Humanitarian agencies have struggled to respond to the emergency needs of IDPs and other vulnerable people in a context of ongoing military operations and increased attacks against humanitarian workers. In North and South Kivu, humanitarian NGOs are particularly affected by insecurity, because of their greater presence in the field and because, unlike UN agencies, they avoid using a military escort. Some 120 security incidents affecting humanitarian organisations were reported in DRC during the first half of 2010, double the number during the same period in 2009 (UNSG, 8 October 2010). Insecurity also prevented humanitarian agencies from carrying out comprehensive needs evaluations and providing assistance to IDPs in remote areas. Operation Kimia II carried out by the FARDC with the support of the UN Peacekeeping mission was reported to have significantly complicated access to affected populations for humanitarian actors. Furthermore, the military operation pushed FDLR into remote areas, which subsequently led to the displacement of communities to areas more and more difficult to reach (UNSC, 9 July 2010). Still, according to OCHA, rough estimates suggest that in North Kivu, approximately 70% of those displaced in 2009 and 2010 are accessible and in receipt of humanitarian assistance, while the figure is 60% for South Kivu (OCHA, 6 October 2010, "Kivus").

In Orientale Province, less than 1,000 peacekeepers are estimated to be deployed in Upper and Lower Uele District, despite horrendous attacks by the LRA there over the last two years (Oxfam, 15 October 2010). In February 2010, aid workers reported that 100,000 IDPs were inaccessible due to LRA attacks (IRIN, 12 February 2010). Other factors hampering the delivery of support to displaced people and returnees include the sheer size of the country, the absence of roads and the high degree of geographical dispersal of IDPs.

For more information on incidents affecting humanitarian workers in DRC, see the Aid Worker Security Database [need to search for DRC] <http://www.aidworkersecurity.org/search.php>

International Response

Coordination

In February 2010, Fidèle Sarassoro replaced Ross Mountain as the UN's Resident Coordinator/Humanitarian Coordinator in DRC. Since 2006, UN agencies and international NGOs have worked to make relief efforts more systematic and predictable by means of a response coordinated by "cluster". Of particular relevance to IDPs are the Protection Cluster led by UNHCR and the Reintegration and Community Recovery Cluster led by UNHCR and UNDP. The Protection Cluster has developed together with MONUC a handbook for peacekeepers, detailing measures for the protection of IDPs and other civilians (Protection Cluster/MONUC, 2009). However, it is not clear to what extent these guidelines have actually been followed (HRW, 14 September 2010, p.80). Since 2006, the Humanitarian Coordinator has also been managing the "Pooled Fund", DRC's multi-donor humanitarian fund, which aims to strengthen coordination and to cover funding gaps in the humanitarian response, through an emergency intervention fund, financing of under-funded strategic projects and short-term loans pending funds from traditional donors. The mechanism is consistent with the principles of the Good Humanitarian Donorship (GHD) initiative for which the DRC is a pilot country, and is also part of wider humanitarian reforms. At Kinshasa level, there is also a Humanitarian Information Meeting; a newly introduced Humanitarian Country Team (HCT) meeting and an inter-cluster meeting. The new HCT is chaired by the HC and deals with strategic and operational questions. The inter-cluster meeting, chaired by OCHA, had as of April 2010 no clearly defined constituency and terms of reference (Binder A., de Geoffroy V., Sokpoh B., April 2010).

According to a 2010 in-depth evaluation of the cluster approach in DRC, the introduction of the clusters was particularly successful in eastern DRC, which were in the main focus for improved humanitarian response. One major weakness however is that decision-making power and coordination resources are often too concentrated at the national level (Binder A., de Geoffroy V., Sokpoh B., April 2010). A recent evaluation of ECHO's activities in eastern DRC noted that "the protection cluster still needs further improvement in terms of effectiveness. Despite the difficulty of its coordination task, the cluster was able to perform its most fundamental duties of streamlining the monitoring of violations, reviewing gaps and duplications within the sector and carrying out joint advocacy on behalf of all cluster members (DARA/ECHO, 19 October 2010).

According to a 2007 evaluation undertaken by UNHCR, the introduction of the cluster approach enabled humanitarian organisations to better coordinate their interventions benefiting IDP and other affected civilian populations (UNHCR, 28 September 2007).

Working with the MONUC military, protection clusters have managed to reverse FARDC decisions to force IDPs to return home, launch investigations of FARDC troops accused of violating the human rights of civilians, and facilitate the establishment of thematic sub-groups to deal with issues such as SGBV and child protection. Agencies have trained integrated FARDC brigades on the Guiding Principles on Internal Displacement, humanitarian principles and SGBV. The Early Recovery Cluster, established in May 2006, carried out a mapping of UN and non-UN reintegration/post-conflict/poverty reduction programmes to identify gaps, which was then used for the *UN common strategy on reintegration in the DRC* (OCHA, 9 March 2007). Authorities have been involved in the Reintegration and Community Recovery Cluster, but not in the protection cluster due to the sensitivity of certain topics discussed.

While the national protection cluster does not have a focus on internal displacement, the North Kivu cluster has IDPs as one of its strategic focus. Meanwhile, the Reintegration and Community

Recovery Cluster supported the drafting of a national strategy on return, reintegration and community recovery, but it was apparently never finalised.

In order to strengthen the response to the crisis in DRC, the humanitarian community issues yearly Humanitarian Action Plans (HAP), which are usually funded through a multi-donor mechanism called the Pooled Fund, and the Central Emergency Response Fund (CERF) through its grants for under-funded emergencies, as well as bilateral donors. In 2010, the UN and the government started to implement transition plans for eastern DRC: the Stabilisation and Reconstruction of Former Armed Conflict Areas in Eastern Congo (STAREC) and the International Security and Stabilisation Support Strategy (I-SSSS) (DRC, June 2009).

The overall goal of the STAREC is to stabilise eastern DRC by improving the security environment and restoring the state's authority in areas formerly controlled by armed groups, and simultaneously facilitate the return and reintegration of IDPs and refugees and to foster economic growth (DRC, June 2009). It should be noted that STAREC only applies to the areas officially declared as stabilised, and not to the entire eastern DRC (DARA/ECHO, 19 October 2010). Also, the UN adopted in January 2010 a system-wide strategy for the protection of civilians in DRC which "aims to significantly improve access to humanitarian aid, address the special protection requirements of vulnerable groups including IDPs, create an environment conducive to sustainable return of displaced persons, and reduce the total number of IDPs. Key measures involve streamlining data collection and analysis to better determine protection activities and more efficiently identify locations where MONUC and others should prioritise their work ("priority protection areas") and identifying "protection focused areas [including] IDP sites where [civilians] would be ... secured by MONUC." The field level Protection Cluster in North Kivu has developed its own protection strategy within the system-wide strategy, which plans to assist and protect IDPs and their host communities and returnees (HRW, 14 September 2010, p.75, 81).

In order to deal with the widespread sexual violence in DRC, the UN and the Congolese government are implementing a "Comprehensive Strategy to Combat Sexual Violence" (United Nations, 18 March 2009). However, in October 2010, the Special Representative of the Secretary-General on Sexual Violence in Conflict said that the implementation of the strategy lagged because UN agencies were still largely working in "silos", and that even of the most critical services for survivors had not yet been delivered in an effective and timely manner (UNSC, 14 October 2010).

OCHA plays an important coordination role, and provides details updates on the situation of IDPs in eastern DRC.

In 2008, the UN Security Council (UNSC) sought, through resolution 1807, to freeze the assets of perpetrators of forced displacement and serious violations of international law in DRC and to ban them from travelling abroad. The UNSC, noting with great concern the persistence of violations against civilians, including killing and displacement, renewed these and other measures until November 2011 through resolution 1952.

For more information on the clusters in the DRC see:

UNHCR, 28 September 2007, Real time evaluation of UNHCR's IDP operation in the Democratic Republic of Congo [[Internet](#)]

[OCHA/ICVA Mission to the DRC to Support Implementation the Cluster Approach \(6-18 March 2006\)](#), Internal Displacement Division (IDD), 18 March 2006

The Journal of Humanitarian Assistance (JHA), 5 October 2007, Responsibility to protect: A policy recommendation based on the protection Cluster's implementation in South Kivu, DRC [[Internet](#)]

UN peacekeeping mission

MONUSCO (and its predecessor MONUC), the largest UN peacekeeping mission in the world with more than 18,000 troops, is authorised under Chapter VII of the UN Charter to use all necessary means to protect civilians under imminent threat of physical violence. The mandate of the UN mission has been gradually transformed to allow for a reinforced role in the protection of civilians, and it has explored new techniques such as joint protection teams (since 2009) and the setting-up of temporary or mobile operation bases. MONUC provided key support to accompany the Congolese government in the political transition process, and to assist DRC with its successful elections in 2006. Over the last years, it shifted most of its troops to the Kivus, but it was unable to stop several surges of violence against civilians, which led to massive displacement. The mission's reputation also suffered from a sexual abuse scandal in 2004, and from reports of corruption in its own ranks, for example when MONUC soldiers were reported to have traded military information to the FDLR and other armed groups in North Kivu and in Ituri in return for gold (HRW, 23 October 2007).

In 2009, MONUC and UNHCR drafted a UN System-Wide Strategy for the Protection of Civilians in DRC. The document includes a common strategy for MONUC military, MONUC police, and humanitarian and human rights agencies, and recommends a strong cooperation between these groups. However, the blurred limit between peacemaking and protection raises the difficult issue of an increased collaboration between the mission and humanitarian actors on protection issues (DARA/ECHO, 19 October 2010).

MONUSCO and government teams in Kinshasa lead a joint assessment process on the progress realised. In late July and early August, horrific attacks by militia against villagers in North Kivu, including mass rapes, as well as attacks against peacekeepers, prompted the UN mission to undertake a "major internal review" of its protection programmes. In September, it undertook a unilateral military operation, Operation Shop Window to put pressure on the armed groups, improve protection of local populations, and support the government's efforts to capture the perpetrators of the late July/early August attacks (UNSC, 15 October 2010). Still, the new Special Representative of the Secretary-General in DRC, Roger Meece, recognised that it was impossible for the UN mission to ensure full protection for all civilians, given that armed groups operated in many widely dispersed areas and were often intermixed with civilian populations (UNSC, 15 October 2010).

MONUC also has a mandate to monitor compliance with the arms embargo imposed by the UNSC on armed groups operating in eastern DRC, despite which, weapons have continued to be channelled to various armed groups. Following a May 2009 visit to DRC, the UNSC noted that MONUC's competing roles of protecting civilians and supporting army-led operations had inevitable humanitarian consequences (UNSC, 11 June 2009). MONUC and its successor MONUSCO have been sharply criticised by international NGOs for not protecting civilians adequately.

Response

Principle 25, Guiding Principles on Internal Displacement

2. International humanitarian organizations and other appropriate actors have the right to offer their services in support of the internally displaced. Such an offer shall not be regarded as an unfriendly act or an interference in a State's internal affairs and shall be considered in good faith.

Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance.

Principle 27, Guiding Principles on Internal Displacement

1. International humanitarian organisations and other appropriate actors when providing assistance should give due regard to the protection needs and human rights of internally displaced persons and take appropriate measures in this regard. In so doing, these organizations and actors should respect relevant international standards and codes of conduct.

According to a recent evaluation of ECHO's actions in DRC, "Although protection is presently recognised as the first priority in DRC, the overall response from the international community, despite its scale, is far from responding to the magnitude of the needs." Also, according to the same evaluation, the speed of massive displacement, and of subsequent return of populations following operations against armed groups in 2009/2010 have been assessments and the distribution of assistance extremely complex, as it has been difficult to differentiate between temporary and longer term needs. An added difficulty has been the question of the impartiality of distributions in areas where rival ethnic groups are living (DARA/ECHO, 19 October 2010).

International organisations and local NGOs are providing emergency assistance to IDPs, as well as transport assistance and return packages to returning IDPs. A Rapid Response to Movements of Populations (RRMP) mechanism managed by UNICEF and OCHA provides emergency assistance to IDPs and communities hosting them based on vulnerability criteria, as well as returning IDPs and populations affected by sudden onset disasters (OCHA, 8 July 2010). UNDP started in 2009 a joint UN social and economic recovery programme over 18 months intended to benefit 125,000 IDPs in South Kivu. In February 2009 UNOPS and partners set up a data centre for IDPs in camps in North Kivu to better target assistance (<http://www.dc4idp.org/htdocs/>). IDPs and other vulnerable people generally have to negotiate a certain quota of assistance received with armed groups and members of the army in order not to be attacked. As a result, WFP and partners generally distribute small portions of food to allow beneficiaries to hide such assistance, a complicated and costly system. Several international organisations, such as UNHABITAT and UNHCR, have developed activities of emergency mediation on land and of early reconciliation, essential for the success of IDP return (DARA/ECHO, 19 October 2010).

Local NGOs have offer counseling and assistance to IDPs and other vulnerable people in DRC. Most organisations with almost no money and work in incredibly dangerous conditions. International agencies rely increasingly on local NGOs, particularly the Catholic Church and its network.

The role of the International Criminal Court (ICC)

In 2004, the International Criminal Court and the DRC signed an accord allowing investigations into war crimes and crimes against humanity committed in DRC since 1 July 2002. In 2006, Thomas Lubango Dyilo, leader of a Hema militia named the Union of Congolese Patriots (UPC), was arrested by the DRC authorities, and transferred to ICC custody. In 2007, the ICC confirmed the charges for war crimes committed in Ituri during 2002 and 2003, including the forced conscription of children under the age of 15 to fight in combat (UNSC, 20 March 2007). The ICC currently has three militia leaders from Ituri in custody (IRIN, 11 October 2010). However, as of early December 2010, the government had not arrested and surrendered General Bosco Ntaganda to ICC, where he is wanted on war crimes charges. Bosco Ntaganda is accused among other to have been a key figure of an Ituri rebel group, which massacred civilians in 2002/2003 and caused the displacement of over 100,000 civilians. In 2006, he joined the CNDP.

In January 2009, he claimed he had supplanted Laurent Nkunda as the head of CNDP, and then declared that he would join its troops to the government ones in fighting the FDLR.

Monitoring and reporting on the rights of IDPs and other civilians in DRC

In recent years, there has been increased international attention on the situation of civilians in eastern DRC. Since 2008, a coalition of international and Congolese aid agencies and human rights groups - the Congo Advocacy Coalition has focused its attention on the protection of civilians as part of the peace process in eastern Congo. It called on the international community to put further pressure on armed groups and the Congolese government to make real their promises to protect civilians. International organisations which regularly issue reports which may include information on IDPs in DRC include Human Rights Watch (www.hrw.org), Amnesty International (www.amnesty.org) and the International Crisis Group (www.crisisgroup.org).

Several prominent international initiatives are focusing on the plight of civilians in eastern DRC, such as the Enough Project (<http://www.enoughproject.org/>) and the Eastern Congo Initiative (www.easterncongo.org).

In February 2008, The Representative of the Secretary General on the Human Rights of IDPs Walter Kälin submitted with six other experts a joint report to the Human Rights Council on the human rights situation in DRC. The experts found that the DRC government had neglected its responsibilities to protect and assist IDPs and returnees (UN HRC, 8 March 2010, paragraph 111). In February 2008, the RSG/IDPs paid a ten-day working visit to the DRC. He called upon governmental authorities to commit themselves to protecting the IDPs by speedily enacting a legislative framework for the protection of the IDPs. He also urged the GoDRC to guarantee incorporation into national legislation of the Protocol on the Protection and Assistance to IDPs contained in the Nairobi Pact of 15 December 2006 on Security, Stability, and Development on the Great Lakes Region. He further called on the international community, including UN agencies to assist the GoDRC in fulfilling its international obligations with regard to IDPs (HRC, 16 May 2008). In mid-2008, the Comité Provincial Inter-Agences du Nord Kivu developed a draft strategy to assist IDPs and host families (OCHA, 16 July 2008).

Local human rights groups have been monitoring human rights abuses against IDPs and other civilians. Most operate with almost no money and work in incredibly dangerous conditions. Human rights activists in eastern DRC have been beaten, detained and killed. International agencies rely increasingly on local NGOs, particularly the Catholic Church and its network.

Despite the extent of serious human rights violations, the UN Human Rights Council decided in March 2008 not to renew the mandate of the Independent Expert on the situation of human rights in DRC, established in 2004.

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