

## Democratic Republic of Congo:

**Some 40,000 flee ongoing fighting every month**

A profile of the internal displacement situation

1 March 2006

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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](http://www.internal-displacement.org).

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## OVERVIEW

### **DR Congo: some 40,000 flee ongoing fighting every month**

*Since the mid-1990s, millions of Congolese have fled their homes to escape fighting between rebel groups and the national government in a complex conflict which has, at times, involved as many as nine neighbouring states. Close to four million people are estimated to have died as a result of the conflict which has been accompanied by widespread human rights violations. Displacement in the Democratic Republic of Congo (DRC) peaked in 2003, with an estimated 3.4 million people forced from their homes, most of them in the east. The UN estimated that over 1.6 million people remained displaced as of October 2005. Since then, however, every month an estimated 40,000 people have fled their homes in eastern DRC.*

*Hundreds of thousands of IDPs returned home in the wake of the establishment of a transitional power-sharing government in June 2003 and following the strengthening of international peacekeeping operations. Armed groups continued, however, to attack civilians and to cause large-scale displacement in many parts of eastern DRC. 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 by early 2006. Meanwhile, armed groups stepped up their attacks against civilians, causing large-scale displacement throughout the east in 2005 and early 2006. Displacement has been accompanied by the killing of civilians, widespread sexual violence against displaced and other women, child recruitment and looting and burning of IDP possessions. Despite the length of the displacement crisis in the DRC, no comprehensive strategy was in place as of early 2006 to respond to IDPs' needs. In January 2006, the UN Security Council urged all relevant actors to increase humanitarian assistance to IDPs in the Great Lakes region, and to support their reintegration.*

### **Background of displacement and recent developments**

While the eastern province of North Kivu was the location of ethnic clashes and the displacement of thousands in the early 1990s, internal displacement spread throughout the DRC (formerly Zaire) 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 number of rebel groups, more or less closely linked to outside powers such as Uganda and Rwanda, competed to control large areas of eastern DRC. Civilians have borne the brunt of the violence, often being targeted for ethnic or political reasons. Their meagre resources have been seized, children have been conscripted into armed forces, and women and girls have been used as sex slaves by combatants. Displacement peaked in 2003, with an estimated 3.4 million people forced from their homes, most of them in eastern DRC.

Following an upsurge of violence by militias in Ituri in mid-2003, the UN Security Council authorised the MONUC (UN Mission in the Democratic Republic of Congo) peacekeeping force, under "Chapter VII" of the UN Charter, to use all necessary means to protect civilians under imminent threat of physical violence in Ituri and in the Kivus. MONUC was also tasked with monitoring compliance with the arms embargo imposed by the UN Security Council in July 2003 on armed groups operating in eastern DRC. MONUC currently has some 17,000 troops, mainly from Pakistan, India, Uruguay, South Africa and Bangladesh (MONUC, 24 August 2005).

With the establishment in mid-2003 of a Transition Government, which included the main armed groups and the political opposition, violence decreased until mid-2004. Since then however, a series of crises caused heightened insecurity and displacement, and the Congolese government has struggled to affirm its authority in the east of the country, particularly in Ituri, in the Kivus and in Katanga.

One of the major challenges for the Congolese government is the need to disarm and to demobilise over 150,000 excess military personnel, as well as to disarm and repatriate foreign armed groups. Since the end of 2004, the Congolese army has launched a series of operations against militias in Ituri and in the Kivus, with the support of MONUC troops. Despite these operations, the looting of DRC's natural resources by various armed groups continued, and those responsible for their illegal exploitation have not been held responsible. Weapons continued to be channelled to various armed groups in DRC from neighbouring countries, despite the establishment of the 2003 arms embargo (AI, 5 July 2005). A positive development, however, was the approval by Congolese voters of the new national constitution in December 2005. In order to promote the participation of IDPs in the referendum, special registration stations were installed in IDP camps in Ituri, Kivu and northern Katanga (Mission Electorale de l'UE en RDC, 21 December 2005). Presidential and parliamentary elections were postponed from April to June 2006.

### **Renewed displacement while others return**

From October 2004 to October 2005, 1.6 million IDPs are estimated to have returned to their homes, particularly in the provinces of Ituri, Maniema, Katanga and the Kivus (OCHA, October 2005). Most of them returned home with little or no assistance, despite enormous needs.

Meanwhile, hundreds of thousands fled attacks by armed groups and operations by the national army. The latest IDP estimate – 1.6 million – dates from October 2005 (OCHA, October 2005). Since then, however, every month, an estimated 40,000 people have fled their homes in Ituri, North and South Kivu, and Katanga, due to attacks by armed groups such as militias in Ituri, the Hutu Rwandan Armed Liberation Forces (FDLR) and Mai Mai factions, as well as operations by the Congolese army against such groups (OCHA, 13 February 2006). In addition, at the end of 2005, elements of the Ugandan Lord's Resistance Army rebel group entered eastern DRC, where they caused temporary displacement and committed atrocities against civilians and UN peacekeepers. Most IDPs in eastern DRC live with host communities or hide in forests. Following massive influxes of people, IDP camps have also been set up, particularly in Ituri, North Kivu and Katanga. In January 2006, the UN Security Council strongly condemned attacks against civilians and humanitarian personnel committed by armed groups operating in the DRC and in the rest of the Great Lakes region. It reiterated its demand that such groups should disarm voluntarily and without delay (UNSC, 27 January 2006).

### ***Displacement per region: main actors and patterns***

**Ituri:** civilians have fled attacks by militias, as well as operations by the Congolese army and MONUC against those militias. Attacks by ethnic Lendu militias caused for example the displacement of some 100,000 ethnic Hema Congolese north of Ituri's main town, Bunia, in the first part of 2005 (IRIN, 4 April 2005).

**North & South Kivu:** civilians have fled attacks by the Rwandan Hutu militia FDLR, as well as fighting between the FDLR and the national army. In South Kivu, Congolese troops regained in December 2005 the control of some localities formerly controlled by Hutu militias, but then went on to systematically loot houses and fields, causing extensive displacement (OCHA, 31 December 2005). Also, dissident troops which refused to integrate into or deserted from the

national army, as well as fighting between these troops and the regular army, had caused the displacement of some 70,000 people in North Kivu as of early 2006 (IRIN, 10 February 2006).

**Katanga:** Mai Mai militias have repeatedly attacked civilians and caused widespread displacement. In November 2005, Congolese troops started a vast operation to disarm Mai Mai militias in Katanga Province, and nearly 120,000 people had fled their villages by early 2006 (IRIN, 9 January 2006).

### **Physical security**

The protection of the displaced and other civilians remains a serious concern in eastern DRC. Armed groups are committing grave human rights violations, including killings, rape, sexual exploitation, abductions, forcible conscription of children, looting, plundering of crops, illegal taxation and general harassment of civilians. The illegal exploitation of natural resources (gold, coltan and diamonds), and the smuggling of goods and weapons add to the violence. The International Rescue Committee estimates that 3.9 million people have died as a result of the war since 1998 (IRC, 6 January 2006). At the end of 2005, OCHA noted the increasing vulnerability of populations living in certain areas of Ituri, North and South Kivu and Katanga, where armed groups had burned and looted their houses, and stolen their cattle. Several IDP camps were attacked by Mai Mai groups in Katanga Province in December 2005 (IRIN, 9 January 2006).

According to the International Crisis Group, unruly and unpaid Congolese military personnel may have become the largest threat for Congolese civilians, as they were reported to terrorise farmers, steal livestock and pillage local plantations (ICG, 9 January 2006). In February 2006, a spokesperson for MONUC said that UN peacekeepers would stop fighting alongside national troops if they continued to commit human rights violations during operations (Reuters, 8 February 2006).

Rape has been used extensively as a weapon of war by virtually all the forces involved in the conflict. Soldiers and rebel fighters have engaged in acts of sexual violence in the context of fighting, to attack the fundamental values of the community, to scare the civilian population into submission, to punish them for allegedly supporting enemy forces or to provide gratification for the fighters (HRW, 7 March 2005; AI, 26 October 2004). Thousands of women have also been abducted and kept as slaves in the forces' camps to provide sexual, domestic and agricultural services. Often the combatants take the women's clothes so that they cannot run away (International Alert & al., 2005). In December 2005, several hundred cases of sexual violence against women and girls committed by soldiers of the national army as well as militia fighters were registered in Ituri and in the rest of Orientale Province, as well as in North Kivu (OCHA, 31 December 2005). MONUC estimates at least 25,000 cases of sexual violence a year in North Kivu Province alone (UNSC, 28 November 2005). In early 2006, Mai Mai groups were reported to have raped countless women and children in Katanga Province (IRIN, 6 January 2006). Men and boys in increasing numbers are also reporting having been sexually assaulted by combatants (HRW, 7 March 2005). Members of the MONUC peacekeeping force have also committed abuses against displaced women and girls. The highly publicised scandal over UN peacekeepers and child prostitution led to an investigation by the UN Office of Internal Oversight Services. The office identified a pattern of sexual exploitation by uniformed personnel involving women and girls and asked the concerned troop-contributing countries to take swift disciplinary action.

Many displaced children have been forced into the ranks of the armed groups. According to UNICEF, an estimated 33,000 children were associated with armed forces and groups as of the end of 2005 (OCHA, 13 February 2006). Girls too are recruited, and often suffer both sexual abuse and forced labour. Up to 12,500 girls were estimated to be in armed groups as of early 2005 (Save the Children Alliance, 25 April 2005).

## **Humanitarian conditions**

Civilians continue to live in crisis conditions in many parts of the DRC. Millions lack access to basic infrastructure (health centres, schools and roads), potable water, food, seeds, tools, clothes and straw to build houses.

With DRC's healthcare structures collapsing, displaced people are particularly vulnerable to infectious diseases. Every day, 1,250 people die in DRC above what is considered a "normal level" for the country. Over 70 percent of these deaths are due to easily preventable and treatable diseases (IRC, 6 January 2006). In Ituri, overcrowding and poor sanitation were killing some 25 IDPs every day in just one camp in early 2005 (Reuters, 23 March 2005). In March and April 2005, aid workers were unable due to insecurity to reach thousands of displaced in camps in Ituri, where cholera had broken out (IRIN, 22 April 2005). Cholera epidemics broke out among IDPs in North and South Kivu, Katanga and Maniema in 2005 (OCHA, 31 December 2005). Displaced people are also exposed to HIV/AIDS infection, as they usually lack the means to protect themselves and do not have information about its transmission. They may even be more at risk to HIV than the general population in the DRC, but more information and data are needed before conclusions can be drawn (UNHCR/Internal Displacement Division, January 2006).

The displacement of farmers, the burning of fields and food stocks, and the destruction of infrastructure have caused widespread malnutrition in eastern DRC, an area with considerable agricultural potential. Save the Children Alliance reported that in the first four months of 2005, 59,000 children died as a direct or indirect result of the conflict in the DRC, the vast majority of them from easily preventable and curable causes such as diarrhoea, malnutrition and malaria (Save the Children Alliance, 27 April 2005).

Without food, medicines and shelter, displaced people have also been denied a range of other essential rights. Few attend school in the current war-damaged education system, reducing their prospects for a more secure future. Only 40 per cent of children in eastern DRC are enrolled in school, and in some areas, such as in North Kivu, only a third of girls go to school (UNICEF, 16 December 2004).

## **Humanitarian Access**

In 2005, access to IDPs and other vulnerable populations improved in some parts of Ituri and South Kivu, but it remained difficult in many areas of eastern DRC, due to the continued presence of uncontrolled armed groups and to the harassment of civilians by unpaid government soldiers, according to the UN Secretary-General (UNSC, 28 December 2005). Other factors hampering the response to the needs of displaced people and returnees include the sheer size of the country, the absence of roads and the high degree of geographical dispersal of IDPs. Thirteen UN staff were killed in the DRC in 2005, making it one of the most dangerous places for humanitarian staff to work (UN News Services, 5 January 2006). Armed groups also killed 12 peacekeepers in 2005, and eight in early 2006, and repeatedly attacked, looted and took hostage humanitarian staff. The Norwegian Refugee Council warned after three of its drivers were detained by government troops and forced to transport soldiers and their weapons in the organisation's trucks in North Kivu in January 2006, that conditions for humanitarian workers seemed to be worsening in the region (NRC, 26 January 2006). As of early 2006, NGOs could not access IDPs and other vulnerable populations trapped in conflict areas in North Kivu and Katanga provinces (IRIN, 3 January 2006; MSF, 31 January 2006).

## **Inadequate response to the needs of IDPs and returnees**

In January 2006, the UN Security Council urged national authorities, civil society actors, UN agencies, peacekeeping missions in the Great Lakes region, and NGOs to increase humanitarian assistance to and protection of IDPs and to support their reintegration (UNSC, 27 January 2006).

At the national level, there was no policy on IDP protection or reintegration as of early 2006. Both the Ministry for Solidarity and Humanitarian Affairs and the Ministry for Social Affairs have responsibility for responding to the needs of IDPs. The first focuses on protection and assistance during displacement, while the second is the focal point for return. Other ministries also have some responsibilities towards IDPs, which complicates coordination arrangements (OCHA, 8 June 2005). At a regional meeting on internal displacement held in Botswana in August 2005, a representative of the Ministry for Social Affairs deplored the lack of progress on developing a national legislative framework based on the Guiding Principles (Brookings Institution-University of Bern Project on Internal Displacement, 26 August 2005).

UN agencies, national and international NGOs and the ICRC are providing emergency assistance to IDPs as well as transport assistance and return packages to returning IDPs. According to OCHA's Internal Displacement Division, while a number of agencies are involved in activities related to return and reintegration, there is as yet no overall strategic framework for the return of the displaced. As a result, in most cases humanitarian and development actors operate in separate worlds (OCHA, 8 June 2005).

There are, however, plans to strengthen the response to internal displacement. The Resident Coordinator and Humanitarian Coordinator for the DRC, Ross Mountain, is responsible for ensuring a strategic and coordinated response to internal displacement in the country. A first step to improving the capacity to respond to the needs of IDPs, was the establishment within OCHA of an IDP section to address IDP identification, appropriate humanitarian support, and protection issues in 2005. The DRC was selected as one of the pilot countries where the UN has begun in 2006 to introduce its new "cluster" approach, aimed at increasing accountability and predictability by designating lead agencies for humanitarian sectors. Each cluster will include UN agencies and NGOs, which will coordinate their action in a specific sector. Of particular relevance to IDPs in the DRC are the cluster on protection led by UNHCR and the cluster on return/reintegration led by UNHCR/UNDP. In order to further strengthen the response to the crisis in the DRC, the humanitarian community is requesting some \$680 million to finance projects by UN agencies, as well by national and international NGOs in 2006. This is more than three times what the UN Consolidated Appeal had called for in 2005, which received only a mediocre response. Projects described in the 2006 plan aim to save lives in emergency situations, to build a protective environment for communities and to accelerate recovery and reconciliation (OCHA, 13 February 2006). At the launch of the action plan in Brussels in February 2006, UN Under-Secretary-General for Humanitarian Affairs Jan Egeland made an impassioned call for a response: "We must end this tyranny of silence. [...] We can – we must – do more to alleviate such extreme suffering. Now is the time to act" (IRIN, 13 February 2006).

(March 2006)

## **RÉSUMÉ DU PROFIL EN FRANÇAIS**

# CAUSES AND BACKGROUND

## Political developments

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### DRC political developments- Chronology: 1870-2002

**1870s:** Commissioned by King Leopold II of Belgium, the explorer H.M Stanley establishes the King's authority in the Congo basin.

**1884-85:** Leopold's claim on the Congo is formalized at the Berlin Conference. The "Congo Free State" was created as a personal fiefdom of the Belgian Crown.

**1908:** The Congo becomes a Belgian colony.

**1960:** The Congo becomes an independent state, with Patrice Lumumba as Prime Minister and Joseph Kasavubu as President.

**1961:** Lumumba is murdered, reportedly with US and Belgian complicity.

**1965:** President Kasavubu is ousted by General Mobutu, army chief of staff.

**1990:** Mobutu announces multiparty democracy but keeps significant powers.

**1991:** Anti-Mobutu sentiments explode in mass rioting and looting by unpaid soldiers in Kinshasa.

**1992:** Riots and looting by unpaid soldiers in Goma, Kisangani, Kolwesi; ethnic tensions rise between the Hunde, Nyanga and Nande and the Banyarwanda in North Kivu.

**1993:** Ethnic strife between the local populations and the Banyarwanda breaks out in Masisi area. The coup in Burundi against new Hutu President Melchior Ndadaye results in the arrival of some 80,000 Burundian refugees in Zaire.

**1994:** Genocide of the Tutsis in Rwanda. Following the Tutsi led counter offensive, one million refugees, mainly Hutus, cross the border with Zaire.

**1995:** Renewal of the ethnic war in Masisi.

**1996:** Revolt of the Zairian Tutsis "Banyamulenge" in South Kivu; the ADFL's (Alliance of Democratic Forces for the Liberation of Congo-Zaire) "Liberation" war led by Laurent-Désiré Kabila begins from the east.

**1997:** Mobutu is ousted by the ADFL forces and flees in exile to Morocco.

**1998:** Congolese rebel forces, backed by Rwanda and Uganda, start attacking Kabila's forces and conquer the east of the country. Angola, Namibia and Zimbabwe come to Kabila's aid and push the rebels back from Kinshasa.

**1999:** First confrontation of Rwandan and Ugandan troops in Kisangani. Signature of a cease-fire agreement by all six of the countries involved in the conflict; MONUC observers are deployed in the DRC.

**2000:** Six-day war between Rwanda and Uganda in Kisangani.

**2001:** President Kabila is shot dead by one of his bodyguards; his son Joseph takes over.

**2002:** Eruption of volcano Nyiragongo in Goma. Accord signed between Presidents Kabila and Kagame of Rwanda committing Rwandan to withdraw its troops from the DRC and Kinshasa to address Rwanda's security concerns in the DRC." (MSF 19 Nov 2002, p64)

### **Political developments (1996-2005)**

"In 1996 Rwandan and Ugandan forces invaded the Congo, ousted long-time ruler Mobutu Sese Seko, and installed Laurent Desiré Kabila in power. In July 1998 Kabila tried to expel the Rwandan troops, but they and the Ugandan forces instead engaged Kabila's government in the second Congo war, one that eventually drew in Zimbabwe, Angola, Namibia (supporting Kabila) and Burundi (allied with the Rwandans and Ugandans). Often termed as Africa's first world war, the conflict resulted in the deaths of 3.5 million people, the great majority in eastern DRC. Many victims were displaced people who died from exposure, hunger, or lack of medical assistance. A first peace agreement, signed in Lusaka in 1999, had little effect but the U.N. agreed to establish a peacekeeping force known as the U.N. Organization Mission in the Democratic Republic of Congo (MONUC) in November 1999. Through continued international pressure, the national government and major rebel movements eventually signed a power-sharing agreement at Sun City in April 2002 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 Congo. (HRW 2 June 2005)

### **2003**

**March 6:** After 11 days of talks in Pretoria, delegates adopt a draft constitution and a memorandum on the military and security arrangements during the transition period.

**March 16-30:** At the end of talks on integrating rebels into the DRC armed forces and on security measures during the transition period, only the RCD rebel group signs an agreement in Pretoria on a high command for an integrated armed force." (AFP, 31 March 2003)

*"1 April:* In Sun City, South Africa, DRC government and rebel groups unanimously endorse a transitional constitution to govern DRC for two years. They also endorse the global agreement signed in Pretoria on 17 December 2002. [...]

*30 June:* Kabila names his transitional government to lead the country out of nearly five years of war to democratic elections in 2005." (IRIN 5 Jan 04)

### **2004**

*14 May:* Representatives of seven armed militia groups from the embattled northeastern district of Ituri sign an agreement in Kinshasa with the government to disarm and participate in the transitional process towards democracy.

16 May: Transitional government appoints 11 provincial governors.[...]

26 May: Fighting breaks out in the eastern town of Bukavu, between soldiers loyal to the Kinshasa government and renegade soldiers of a former Rwandan-backed rebel group.[...]

21 Jul: In a report, the Expert Panel on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in DRC accuses the Rwandan government of supporting Congolese dissidents who, in June, seized Bukavu, thus breaking an arms embargo instituted in 2003 by the Council.[...]

25 Aug: The DRC, Rwanda and Uganda agree, at a meeting in Kampala, to disarm groups operating in their territories within a year.[...]

1 Sep: A programme involving the disarmament of some 15,000 ex-combatants in the northeastern district of Ituri, and their reintegration into civilian life, is officially launched in Bunia, the main town in the area.[...]

20 Sep: A five-day conference for representatives of NGOs in the Great Lakes region opens in Arusha, Tanzania, as part of a preparatory process for an UN-AU international conference on the region.[...]

6 Oct: The International Criminal Court and the DRC sign an accord allowing the prosecutor to begin investigations into war crimes and crimes against humanity committed in the country." (IRIN 4 January 2005)

## 2005

In December 2005, "Hopes for change and democracy were high on 18 December 2005, as 25 million Congolese went to cast their first free vote. The Democratic Republic of Congo (DRC) has never held an election since it gained independence in 1960.

Despite the challenges posed by the huge size of the country, as big as western Europe, and threats issued by small political parties, there was a massive turn-out for the vote, which was extended by one day.

The Congolese were voting on a new constitution which provides for a decentralised political system and limits the president to two five-year terms. It also guarantees women half the seats in government." (Christian Aid 20 December 2005)

"An overwhelming number of voters have approved a new constitution put to a referendum in December 2005, which is expected to lead to general elections in the Democratic Republic of Congo, official results of the poll show." (IRIN 12 January 2006)

See IRIN, 9 January 2006, DRC: Year in Brief - Democratic Republic of Congo 2005 - A chronology of key events [\[Internet\]](#)

See also for 2005: MONUC, 10 Jan 2006, DRC: 2005 - A year in review [\[Internet\]](#)

## MONUC Peacekeeping mission works to bring security to eastern DRC (1999-2005)

- Some 17,000 troops currently deployed
- MONUC had to transform itself from a ceasefire observation mission to one that handles a multitude of other tasks in support of the transition

- More forceful response by MONUC to protect civilians in March 2005, following criticism
- UNSC has imposed a mandatory arms embargo on the provinces of North and South Kivu and the Ituri region of the eastern DRC, but according to Amnesty International and the International Crisis Group, reports of arms and related deliveries continued despite the embargo
- In December 2005, the UNSC calling on all armed groups in Africa's Great Lakes region to lay down their arms by 15 January, 2006

"The UN Mission's mandate has expanded greatly since its inception in 1999, from ceasefire observation to include now:

- support of the transitional government;
- assistance in security sector reform;
- disarmament, demobilisation and reintegration (DDR) of armed groups;
- aid in re-establishing a state based on the rule of law;
- monitoring of the arms embargo;
- protection of civilians in imminent danger; and
- election support.

These political and military tasks have proven extremely difficult to fulfil, especially since MONUC is often forced to work through a weak and factious transitional government and army. It has also been plagued by insufficient troop numbers, inadequate equipment and an ambiguous concept of military operations, and its reputation has suffered from a sexual abuse scandal in 2004.[...]

Even in the areas of the Congo where MONUC has had the resources to act, it has often failed to protect civilians, most obviously during the May 2002 massacre in Kisangani, the fighting in Bunia in 2003, and the mutiny in Bukavu in May 2004. Its inaction was mainly due to the reluctance of troop-contributing countries to put their soldiers in danger and a lack of clarity in the concept of operations that led the mission to react to rather than anticipate and prevent trouble. In the Kivus, MONUC has been cautious due to the terrain and FDLR strength.

In 2005 MONUC began to interpret its mandate more robustly in Ituri, carrying out aggressive cordon and search operations, demilitarising zones, and killing over 100 militiamen. Though much of Ituri remains beyond either Kinshasa's or MONUC's control, more than 14,700 combatants entered the demobilisation program following these actions. By August, however, MONUC had shifted its focus to the Kivus and cut back on operations in Ituri.

This led to a loss of momentum and allowed the armed groups, who still amount to 4,000 to 5,000 fighters, to settle back in." (ICG 19 October 2005)

"Since its arrival in the Congo in 2000, the UN Mission has had to respond to constantly changing challenges in a complex political environment. It has often been hampered by an unwieldy bureaucracy and organizational problems. While the media and the Congolese often see MONUC inefficiency as a problem of mandate and resources, a more fundamental impediment has been the lack of coherent strategy and vision to implement the mission. As a consequence, it has been unable to live up to its mandate in several areas, most notably protection of civilians, support to the national army in demobilizing the FDLR and enforcement of the arms embargo." (ICG 30 March 2005, p23).

"[The UN SC] Calling on all armed groups in Africa's Great Lakes region to lay down their arms, and specifically deploring the failure so far of foreign militia in the eastern part of the Democratic

Republic of the Congo to do so, the Security Council demanded today that they disarm by 15 January 2006, or face sanctions, if the Secretary-General determined that the disarmament process was not being completed. [...]

[The UNSC] [e]mphasizes that, as per resolution 1565, MONUC is authorized to use all necessary means, within its capabilities and in the areas where its armed units are deployed, to deter any foreign or Congolese armed group from attempting to use force to threaten the political process, and to ensure the protection of civilians under imminent threat of physical violence." (UN SC 21 December 2005)

"In July 2003, the UN Security Council adopted Resolution 1493, which imposed an embargo against illicit arms trafficking in the Congo and authorised MONUC to monitor points of entry into the country. Resolution 1565, adopted on 1 October 2004, gave MONUC the authority to conduct unannounced inspections and seize arms and any other material related to violation of the embargo. An overstretched MONUC has failed to implement this mandate forcefully. While the primary responsibility for enforcement of the arms embargo lies with the Congolese government, it currently lacks the willingness and ability to take this on. The insufficiently staffed and poorly resourced Panel of Experts is unable to monitor the arms embargo properly, and the Security Council Sanctions Committee has yet to recommend sanctions against the list of targeted individuals submitted to it by the Panel." (ICG 19 October 2005)

"Yet, before and after the imposition of the UN embargo, reports of arms and related deliveries continued. International arms flows into the region have corresponded to the clandestine supply of military aid by powerful forces in the DRC, Rwanda, and Uganda to their competing client armed groups and militia in eastern DRC who practice banditry and show little or no respect for human rights." (AI 5 July 2005)

To view the UNSC Resolution extending the mandate of MONUC until 30 September 2006, please see United Nations Security Council, 28 Oct 2005, DR Congo: Resolution 1635 (2005) adopted by the Security Council at its 5296th meeting, on 28 October 2005

[\[Internet\]](#)

***The [home page of MONUC](#) contains links to recent UN documents on DRC***

## **UN Security Council condemned activities of armed groups and urged increased assistance to IDPs**

### ***Resolution 1653 (2006) (excerpts):***

"The Security Council

[...]

"Aware that the link between the illegal exploitation of natural resources, the illicit trade in those resources and the proliferation and trafficking of arms is one of the factors fuelling and exacerbating conflicts in the Great Lakes region of Africa, and especially in the Democratic Republic of the Congo,

[...]

"Welcoming the efforts undertaken by the Tripartite Plus Joint Commission comprising of Burundi, the Democratic Republic of Congo, Rwanda and Uganda as a significant contribution to heightened dialogue between the countries of the Great Lakes,

"[...]

"Taking note with satisfaction of the holding of the First International Conference on Peace, Security, Democracy and Development in the Great Lakes region, in Dar es Salaam, on 19 and 20 November 2004,

“Recognizing the ‘Good Neighbourly Declaration’ of September 2003 by the representatives of Burundi, the Democratic Republic of the Congo, Rwanda and Uganda and the Dar es Salaam Declaration of 2004 adopted by the first Summit of the International Conference on the Great Lakes Region,

“Recognizing the significant achievements and progress in the peace processes in the Great Lakes region, the recent installation of a democratically elected government in Burundi and progress in the transition to democratic institutions in the Democratic Republic of the Congo,  
[...]

“6. Urges all States concerned to take action to bring to justice perpetrators of grave violations of human rights and international humanitarian law and to take appropriate measures of international cooperation and judicial assistance in this regard;

[...]

“8. Strongly condemns the activities of militias and armed groups operating in the Great Lakes region such as the Forces Démocratique de Liberation du Rwanda (FDLR), the Palipehutu-Forces National de Liberation (FNL) and the Lord’s Resistance Army (LRA) which continue to attack civilians and United Nations and humanitarian personnel and commit human rights abuses against local populations and threaten the stability of individual States and the region as a whole and reiterates its demand that all such armed groups lay down their arms and engage voluntarily and without any delay or preconditions in their disarmament and in their repatriation and resettlement;

“9. Stresses the need for the States in the region, within their respective territories, to disarm, demobilize and cooperate in the repatriation or resettlement, as appropriate, of foreign armed groups and local militias, and commends in this regard the robust action of MONUC, acting in accordance with its mandate, in support of the Forces Armées de la République Démocratique du Congo (FARDC) in the eastern part of the Democratic Republic of the Congo;

“10. Underscores that the governments in the region have the primary responsibility to protect their populations, including from attacks by militias and armed groups and stresses the importance of ensuring the full, safe and unhindered access of humanitarian workers to people in need in accordance with international law;

“11. Calls upon all States in the region to deepen their cooperation with a view to putting an end to the activities of illegal armed groups, and underlines that these States must abide by their obligations under the Charter of the United Nations to refrain from the threat or use of force against the territorial integrity or political independence of their neighbours;

“12. Urges the international community, non-governmental organizations and civil society to increase humanitarian assistance to civilians affected by displacements and violence from years of protracted conflicts in the Great Lakes region;

“13. Commends the efforts of the United Nations Organization Missions in the region in accordance with their respective mandates, to protect civilians, including humanitarian personnel, to enable delivery of humanitarian aid and to create the necessary conditions for the voluntary return of refugees and internally displaced persons;

“14. Requests the Secretary-General to make recommendations to the Council, as appropriate, on how best to support efforts by States in the region to put an end to the activities of illegal armed groups, and to recommend how United Nations agencies and missions -- UNMIS, MONUC and ONUB -- can help, including through further support the efforts of the governments concerned to ensure protection of, and humanitarian assistance, to the civilians in need;

“15. Calls upon the countries of the region to continue in their efforts to create conducive conditions for voluntary repatriation, safe and durable integration of refugees and former combatants in their respective countries of origin. In this regard, calls for commensurate international support for refugees, reintegration and reinsertion of returnees, internally displaced persons and former combatants;

“16. Calls upon the countries of the region to reinforce their cooperation with the Security Council’s Committee and with the Group of Experts established by resolution 1533 in enforcing

the arms embargo in the Democratic Republic of the Congo and to combat cross-border trafficking of illicit small arms, light weapons and illicit natural resources as well as the movements of combatants, and reiterates its demand that the Governments of Uganda, Rwanda, the Democratic Republic of the Congo and Burundi take measures to prevent the use of their respective territories in support of activities of armed groups present in the region;  
“17. Urges the governments concerned in the region to enhance their cooperation to promote lawful and transparent exploitation of natural resources among themselves and in the region; [...]” (UNSC 27 January 2006)

### **Fighting continues despite establishment of transition government (2005-2006)**

- While in theory the former belligerents who have joined the transitional government should hand over the control of their armed group to a new national army, in reality most of the combatants are still controlled by the same military hierarchies as before the transition (2005)
- Conflict between military units has been most frequent in North and South Kivu where divisions between soldiers often reflect local ethnic divisions
- Instability caused by several armed groups occurred throughout 2005, including a new comer, the LRA
- At the end of March 2005, the Hutu Rwandan rebel group FDLR announced it was giving up its armed struggle and agreeing to go back to Rwanda, but then it continued fighting
- Delays and a slow Disarmament, Demobilisation, Reintegration, Rehabilitation (DDRR) process have led to the remobilisation of militias and widespread insecurity (June 05)
- National elections planned for June 2005 have been delayed, notably due to the logistical challenge of registering 28 million voters in a country without roads
- A successful referendum on the national constitution in December 2005 paves the way for elections in 2006

### ***Nature of Transition Government***

“The transitional government, which was sworn in on 30 June 2003, is a political compromise between the five main armed groups:

- Joseph Kabila's *Forces Armées Congolaises* (FAC, the old government's army);
- Jean-Pierre Bemba's *Mouvement de Libération du Congo* (MLC);
- Azarias Ruberwa's *Rassemblement Congolais pour la Démocratie-Goma* (RCD-G);
- Mbusa Nyamwisi's *Rassemblement Congolais pour la Démocratie-Mouvement de Libération* (RCD-ML);
- Roger Lumbala's *Rassemblement Congolais pour la Démocratie-National* (RCD-N);
- as well as Mai-Mai militias from the east of the country.

These disparate groups have in theory converted themselves into political parties that now share power in Kinshasa with representatives from civil society and the political opposition. According to the transitional agreement and the constitution, the former belligerents should hand over control of their armed groups to a unified and apolitical new national army, the *Forces Armées de la République Démocratique du Congo* (FARDC).

The reality is very different. Most of the 300,000 combatants in the country are deployed in the same positions and are controlled by the same military hierarchies as before the transition. These parallel chains of command have also been replicated in the administrative and financial structures in the capital and provinces.” (ICG 30 March 2005, p.1)

“With army integration incomplete, formerly belligerent forces remain hostile to the transition process and each retains its’ own chain of command parallel to the official FARDC structure. Some occasionally engage in combat with each other.[...]

Conflict between military units has been most frequent in North and South Kivu where divisions between soldiers often reflect local ethnic divisions: soldiers of the former RCD-Goma often are supported by Congolese Tutsi (and sometimes Congolese Hutu) and soldiers of other units are more usually supported by Congolese of other ethnic groups.” (HRW 15 December 2005)

“Many factors contribute to insecurity in eastern DRC. Infiltration by Rwandan Commandoes or Congolese mutineers and refugees in Rwanda, Rwandan armed refugees of the Hutu Forces of the Democratic Liberation of Rwanda (FDLR), and Burundi armed refugees of FNL resisting voluntary DDRRR conducted by the MONUC, and some Mayi-Mayi groups in Kivu and Katanga, and stubborn Ituri militia continue to cause insecurity in the east.” (ISS 31 December 2005, p11)

“In late September 2005, Vincent Otti, the indicted LRA deputy chairman, led an estimated 400 fighters into Garamba National Park in the Congo. Crisis Group interlocutors agree that the operation was well planned, not the act of desperation described by some Ugandan officials and international observers. It opened a third theatre of operations, created an alternative safe-haven for the LRA, and further stretched the Ugandan military, reducing its capacity to respond in southern Sudan and northern Uganda.<sup>30</sup> Although the incursion is a serious threat to international peace and security, the collective response has been ineffectual, and local aid workers say the insurgents now regularly enter and leave the Congo.” (ICG 11 January 2006, p5)

“After hiding in the jungles of the east of the DRC for the past 11 years, on March 31 the FDLR announced in Rome they were giving up their armed struggle and agreeing to go back to Rwanda.

Their presence has soured relations between the DRC and Rwanda for a decade, with Kigali charging that the rebels took an active part in the genocide of an estimated 800,000 minority Tutsis and moderate Hutus in 1994.

The DRC argued that Rwanda had used the presence of the FDLR as an "excuse" for regular forays into its territory.” (AFP 22 April 2005)

“Democratic elections in Congo will be delayed well beyond the original end of June deadline, with voter registration for post-war polls ready in October at the earliest, a top United Nations official said on Wednesday.

‘Compared to Congo, organising elections in Iraq was a walk in the park. It’s a nightmare,’ Ross Mountain, the U.N.’s chief coordinator for the Democratic Republic of Congo, told a seminar in Stockholm.

Congo’s first democratic elections in 40 years were a key part of a 2003 peace deal to end a five-year war that killed an estimated 4 million people.

They were supposed to be held by the end of June but government wrangling, legislative delays and logistical hitches in the massive country have held-up preparations, causing widespread expectations of a postponement.

‘Congo is facing enormous challenges. ... It’s the size of western Europe, with no roads,’ Mountain said.

Before elections can be held, a process of registering some 28 million voters must be completed. After that a referendum would be held on Congo's new constitution, electoral laws formally adopted and elections held.

'We are starting the registrations and we hope they will done by October,' Mountain said." (Reuters 1 June 2005)

"In Democratic Republic of Congo (DRC), delays and a slow Disarmament, Demobilisation, Reintegration, Rehabilitation (DDRR) process, which has led to the remobilisation of militias and widespread insecurity, have marked the country's political transition." (OCHA 23 June 2005)

**Successful referendum on Constitution:** "The Secretary-General congratulates the people of the Democratic Republic of the Congo and the Independent Electoral Commission for the successful conduct of their constitutional referendum on 18 and 19 December, despite the tremendous challenges which they faced." (UNSG 23 December 2005)

**For more information on the challenges related to the election process, please see:**

Netherlands Institute of International Relations 'Clingendael', 29 April 2005, Elections between hope and fear [Link below]

### **The Challenge of demobilisation of Congolese and foreign combatants (December 2005)**

- One of the main challenges of the Congolese government is the need to disarm and to demobilise over 150,000 excess military personnel, as well as to disarm and repatriate foreign armed groups
- UN Secretary-General welcomes a decision by the DRC Transitional Government to disarm a Rwandan rebel militia on DRC territory by force after it failed to honour its pledges to disarm and return home (August 2005)

"Despite the need to unite and build up its capabilities, the DRC has to disarm and demobilise over 150,000 excess military personnel. A demobilisation, disarmament and reintegration DDR process was adopted by the signatories to the Global and All-inclusive Agreement and the Final Act of 2 April 2003 (including the Mayi-Mayi and Ituri armed groups). The integration process thus involves two complex disarmament and demobilisation processes. One refers to the DDR. DDR deals with the demobilisation of Congolese combatants. The other one involves the repatriation of foreign armed groups/rebels who must be demobilise, disarm, reintegrate, rehabilitate and resettle (DDRRR) in their home countries.

[...]

[S]everal donors have pointed to an apparent lack of political will within the transitional government to fully participate and engage in the national DDR programme as different components appear to be more interested in maintaining their individual capacities, certainly until after the general election.

[...]

The DDR program aims to 'decongest' the army (currently 250,000 strong) and downsize it to 150,000 better-qualified and equipped soldiers. This programme has also been delayed due to the slow pace of its institutional organisation, (delayed input from military integration structures, an incomplete global census, ill-defined individual profiles, successive formats of the army, and a

shortage of logistics skills) and to the absence of a convincing policy of combatant consciousness-raising by the Disarmament, Demobilisation and Reinsertion National Commission. Evidence of this is that, in Mahagi, for example, where there are so many heavily armed men and children, only 18 children and 19 arms had been recovered by the DDR programme at the end of 2004. The situation is no better in North Katanga, where vandals, armed groups, and abandoned disabled soldiers have become a major security concern for the civilian population.” (ISS 31 December 2005, pp14-15)

“United Nations Secretary-General Kofi Annan welcomes a decision by the Democratic Republic of Congo’s (DRC) Transitional Government to disarm a Rwandan rebel militia on DRC territory by force after it failed to honour its pledges to disarm and return home.

In his 18th report to the Security Council on the peacekeeping UN Organization Mission in the Democratic Republic of the Congo (MONUC), he also calls for the extension of state authority across the whole country so that the Government can collect the revenues needed to provide services to the Congolese people.” (UN News Service 8 August 2005)

“During the reporting period, the national disarmament, demobilization and reintegration process also continued to face difficulties. Delays in the payment of demobilization allowances by the Commission nationale de la démobilisation et de la réinsertion (CONADER) generated serious discontent among ex-combatants. Despite recent efforts to address the backlog, the reintegration of former combatants into society remains slow.” (UNSC 28 December 2005, para.35)

See also International Crisis Group (ICG), 13 Feb 2006 DRC: Security sector reform in the Congo Africa Report N°104 - 13 February 2006 - Nairobi/Brussels [\[Internet\]](#)

### **Renewed tensions in Eastern DRC following the massacre of Tutsi Congolese refugees in Burundi (2004-2005)**

“On the evening of 13 August, an armed group carried out the massacre of 150-160 Tutsi Congolese who were seeking refuge just across the border from South-Kivu Province in Gatumba, Burundi. A Burundian Hutu rebel group, Forces for National Liberation (FNL), immediately claimed responsibility but preliminary reports from a UN investigation indicated that Rwandan Hutu rebels and ex-Mayi-Mayi coming from DRC may have been the perpetrators. The repercussions of the massacre at Gatumba were instantaneous. Burundi immediately closed its border with DRC. Authorities from both Burundi and Rwanda threatened to return to Eastern DRC to secure their own borders. Vice-President Azarias Ruberwa (RCD-G) announced from Goma the temporary suspension of the RCD-G participation in the Transitional Government. Security check points multiplied in many cities and border areas.

By the end of the month, the situation in the Kivus had improved slightly. After spending one week in Goma following his momentous announcement, Ruberwa returned on 30 August to Kinshasa with the facilitation of MONUC. On the evening of 01 September, the founders of the RCD-G met and in a press release signed by Ruberwa announced that the RCD-G had decided to revoke its previous decision to suspend its participation in the transitional government. Another positive sign for the month was that insurgent leader General Nkunda respected the 04 August ceasefire and there were no major confrontations in the Kivus.

The problem of the integration of former rebel groups into the national army continued throughout DRC this month. The demobilization and community reintegration program for armed groups in the Ituri District, supported by the UN Mission in Congo (MONUC), is expected to officially take off on 01 September.” (UN OCHA 31 August 2004)

*According to the International Crisis Group, "Recent events in South Kivus and the reactions to them domestically and internationally, as well as an outbreak of fighting in northern Ituri between two of the armed groups, underscore the fragility of the peace process in the entire country." (ICG 26 August 2004)*

"The Banyamulenge, often referred to as Congolese Tutsi, are Congolese people whose ancestors migrated generations ago from Rwanda and Burundi to the high plateau area in South Kivu. Relations between the Banyamulenge and other Congolese groups have been strained and are frequently manipulated by politicians in both Rwanda and the DRC. The past six years of war have contributed to hostility against them, as they are increasingly identified as "Rwandan" by other Congolese. Rwanda has partially justified its presence in the DRC as an effort to protect the Banyamulenge people. This justification was significantly undermined, however, when in 2002 they attacked the Banyamulenge homelands killing scores of Banyamulenge civilians, shooting some of them from Rwandan helicopters." (HRW 3 July 2004)

"The Kinyarwanda speakers -- called Banyarwanda in North Kivu and Banyamulenge in South Kivu -- are caught between two mutually reinforcing ideologies. On the one hand, the Goma political leadership has recently tried to bind the various Hutu and Tutsi communities together behind a new rwandophone concept, claiming that their very survival is at stake. This rhetoric is used to justify their campaign to keep the economic and political assets of North Kivu away from Kinshasa. On the other side of the country, politicians in the presidential camp have roused popular sentiment against the Rwandan threat, attributing all the Congo's woes to Kigali's meddling and describing all Kinyarwandaspeakers as foreigners and puppets." (ICG 30 March 2005, p8)

#### **UP International Criminal Court has jurisdiction to investigate crimes committed in DRC (2003-2004)**

"After initially indicating in July 2003 that it might investigate the situation in Ituri, the International Criminal Court (ICC) formally announced on 23 June 2004 that it would commence its first investigation into crimes committed in the DRC since 1 July 2002. This was preceded by a letter of referral from President Kabila in March 2004. ICG [International Crisis Group] welcomes this development. Ituri is the proper locale for the court's debut for a number of reasons. There are a number of individuals there who have been directly involved in the deaths of approximately 5,000 people since July 2002 (and another 55,000 since 1999). The main perpetrators are the leaders of the still active armed groups. Their prosecution would not only advance justice but would also be a significant deterrent. The ICC can isolate this initial investigation so that it does no political damage to the fragile transitional process, without excluding the possibility that future investigations might examine the roles of those in or associated with the Transitional Government. The fact that the potential targets in Ituri are outside the wider political process minimises the likelihood of outside interference. Successful prosecutions in Ituri would serve as a clear demonstration to all in the DRC, including those currently destabilising the Kivus, that the time of impunity is over." (ICG 26 Aug 04, p18)

"The Office of the Prosecutor has selected the situation in Ituri, Democratic Republic of Congo, as the most urgent situation to be followed. The Prosecutor himself and selected staff are analysing the information available and will request additional information on the occurrence of crimes and assess the ability of the State to deal with them.[...]

The report on the latest of four Security Council missions to the Democratic Republic of Congo, issued on 16 June 2003, described the occurrence of gross violations of human rights in the eastern part of the country, including murder, mass rape, large-scale displacement of civilians,

the use of child soldiers and even, reportedly, cases of ritual cannibalism. These crimes could constitute genocide, crimes against humanity or war crimes, and could thus, fall within the jurisdiction of the International Criminal Court." (ICC 16 July 03)

"The International Criminal Court (ICC) and the Democratic Republic of the Congo (DRC) signed an accord on Wednesday allowing the court to begin investigations into war crimes and crimes against humanity committed within the country.[...]

The court is due to be properly established in the country by the beginning of 2005." (IRIN 8 October 2004)

### **Insecurity caused by continuous attacks by Hema and Lendu militias in Ituri District (2002-2005)**

- Conflict between the Hema and Lendu has previously occurred in 1972, 1985 and 1996
- According to MONUC, conflict in 1998 was sparked by land dispute between ethnic Hema and Lendu escalated conflict since mid-December 1999
- Use of modern weapons such as Kalashnikov instead of traditional weapons
- Exploitation of natural resources fuels violence in Ituri
- In 2003, a French-led EU Interim Emergency Multinational Force (IEMF) stabilised Bunia, and paved the way for the UN to return a substantially reinforced MONUC
- The gradual deployment of the national Congolese army and MONUC troops outside Bunia and the process of voluntary disarmament have had only a very minor impact on violence against civilians (August 2005)

### ***Struggle to keep control over rich Ituri region***

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

Several groups rebelling against the Kinshasa government have fought each other and splintered within themselves as they struggled to get and keep control over this wealthy region. The conflicts over political preeminence and control of resources have taken place increasingly along ethnic lines and have spilled over to encompass groups not originally touched by these hostilities. Thus a long standing rivalry between Hema and Lendu over the control of land and access to fishing rights now brings violence to various groups -- like the Nande, Gegere, Bira, and Alur -- said to be associated with one or the other of the original contenders. The conflict first involved some 40 percent of the local population -- roughly the numbers of Hema and Lendu -- but now brings devastation to far greater numbers. With the increase in attacks and victims on both sides, the level of fear has risen, making it easier for leaders to mobilize people for violence, supposedly as a measure of self-defense." (HRW 31 Oct 02)

### ***Ethnic clashes in Ituri have increased over the past years***

"The ethnic clashes that have raged between the Hema and the Lendu since 1999 have grown and now include other tribes such as the Alur, Ngiti, Babira and N'do Okebo. The authorities and the military appear to do very little to control these tensions, and in many cases even fuel them. " (Oxfam 25 April 2002)

"Unrest in the east of the Democratic Republic of the Congo is extremely alarming, with an ethnic dispute being inflamed by the use of modern weapons, the military commander of the United Nations Mission to the DRC (MONUC) said on Sunday.[...]

Where as before conflicts between the Hema and Lendu ethnic groups were resolved with traditional weapons now they are using Kalashnikov assault rifles. Even worse, the Hema, like the Lendu are both running training camps where hundreds of recruits trained in how to use modern arms." "(AFP 9 June 2002)

"There have long been tensions and conflict between the Hema and Lendu communities in the district, fuelled by bad governance. The latest conflict - which has provoked so many of the abuses - was sparked off by a particular land dispute in 1998 when some Hema concessionaires took advantage of the weakened State apparatus to illegally enlarge their estates to the detriment of neighbouring mostly Lendu agriculturalists. The agriculturalists revolted when law enforcement agents came to evict them and in response they tried to destroy the land of the Hema concessionaires. Initially starting to the north of Bunia, this violence gradually extended to the whole of Ituri district. Moreover, while spreading through the district, the conflict quickly turned into a confrontation opposing the two communities, the Hema and the Lendu. This conflict would not have reached such a level of violence without the involvement of national Congolese players, as well as of foreign Governments. The Ugandan army, already present in Ituri since late 1998, fuelled the conflict by initially supporting some Hema notables and allegedly bombed hundreds of Lendu villages. Some Lendu traditional authorities created self-defence units. Believing that a Hema conspiracy existed against them, the Lendu militias began attacking Hema villages solely on account of their ethnicity. They also benefited from external support to organize themselves, from either the Congolese (pre-transition Government, rebel movements) or individual Ugandan officers.

The conflict entered a new phase of violence at the end of 2001 with the intensification of ethnically targeted attacks on villages, including killings, torture, rape of civilians, looting of homes, and destruction of social infrastructure. When the Hema militia UPC took over Bunia, first in August 2002 and again in May 2003, they adopted an ethnic cleansing policy, to empty the town of its Lendu and Bira populations, as well as the "non-Iturian" Nande community, which was a commercial rival to the Hema businessmen. Hundreds of Lendu villages were completely destroyed during attacks by Ugandan army helicopters together with Hema militia on the ground.

Different rebel faction leaders struggling for political power in Ituri have continued to profit from the ethnic resentment originally created by the land dispute. A series of splits, from 1999 to mid-2003, have in fact resulted in Bunia, the capital of Ituri, being the stage for repeated power struggles and skirmishes. At each stage in the fragmentation of the rebel groups, new militias were recruited loyal to one or another commander or faction leader. Often half of the militias were children. They were deployed not only to fight each other but also to whip up insecurity in the countryside and seize strategic localities and commercial opportunities. Ugandan army commanders already present in Ituri, instead of trying to calm the situation, preferred to benefit from the situation and support alternately one side or the other<sup>3</sup> according to their political and financial interests.

The chiefs of armed groups took over the roles traditionally held by administrators, businessmen, traditional chiefs and law enforcement officers. They appointed "public officers", collected local taxes, sold the natural resources of their area of control, arrested civilians, judged them and in some cases executed them. The competition for the control of natural resources by combatant forces, exacerbated by an almost constant political vacuum in the region, has been a major factor in prolonging the crisis in Ituri. Those resources have also been of continued interest to foreign

business networks in the region. One source of revenue for rebel groups has been the sale of concessions to foreign businesses.” (UN SC 16 July 2004, para 4-7)

“Efforts by the international community (Operation Artemis, in June–September 2003; MONUC under Chapter VII, in July 2003) did not change the status quo: Bunia Town is secure; however, a large part of the region is subject to the control and violence of various armed groups.

The gradual deployment of the Armed Forces of the DRC (FARDC) and troops from the UN Mission in the DRC (MONUC) outside Bunia and the process of voluntary disarmament have had only a very minor impact on violence against civilians.” (MSF August 2005, p4)

“A United Nations peacekeeper from India, soldiers of the Armed Forces of the Democratic Republic of the Congo (FARDC) and leaders of a Ugandan rebel movement were among the scores of people killed as the Congolese troops took back nine localities in the troubled eastern region of the country.

The Indian peacekeeper who died Sunday was one of 1,000 MONUC forces supporting about 4,000 national Armed Forces of DRC (FARDC) troops, who have been conducting operations against armed rebel groups so as to restore the authority of the Congolese State. Another four peacekeepers were wounded, with one of the four having been seriously wounded.” (MONUC 27 December 2005)

For more information on the background of the conflict, please see Forum on Early Warning and Early Response, 31 Oct 2003 **Ituri: Stakes, actors, dynamics [link below]**

**For more information on the disarmament process in Ituri, see** Tsjeard Bouta, *Assessment of the Ituri Disarmament and Community Reinsertion Programme (DCR)* May 2005 [link below]

### **Katanga Province: a violent yet neglected region (2006)**

- Three conflicts: tensions between southerners and northerners, between outsiders and natives, and between Mai-Mai militias and the national army

“Katanga province is one of the most violent yet neglected regions of the Democratic Republic of the Congo. Most of its problems are the same as those that are systemic in the rest of the country but it needs urgent attention because it is both the heartland of national politics and the nation’s most mineral-rich province, a potential economic dynamo whose mines once produced 50 per cent to 80 per cent of the national budget. [...]

The home province of President Joseph Kabila and many other senior Kinshasa politicians is divided by three conflicts: tensions between southerners and northerners, between outsiders and natives, and between Mai-Mai militias and the national army.

The north-south competition has become pronounced since Laurent Kabila, a northerner and father of the current president, Joseph Kabila, seized power by overthrowing the Mobutu dictatorship in 1997. The south is one of the most mineral-rich areas of the continent, whose copper and cobalt deposits have prompted Katangan politicians – mainly northerners – to cultivate personal networks in the local security forces to protect their interests and threaten their rivals. These officials are resented by southerners, who feel excluded from the wealth of the province. This rivalry has triggered violence. In October 2004, for example, the army killed over 70 civilians while suppressing a rebellion by a ramshackle militia in the mining town of Kilwa. In May 2005, officials alleged a secession plot in Lubumbashi and arrested south Katangan

politicians and military officers. Both operations appear to have been prompted by Kinshasa politicians eager to protect their mining interests and to squash opposition.

The election campaign has reignited conflict between native Katangans and immigrants from Kasai province. Under Belgian rule, many Luba from Kasai came to run the mining companies and state administration, creating tensions manipulated by politicians, who in 1992-1993 organised militias to ethnically cleanse the province. More than 5,000 Luba were killed. The Union of Congolese Nationalists and Federalists party (UNAFEC), which is run by some of the same figures who led the violence in the early 1990s, is using its youth gangs to intimidate its opposition, who are often Luba. Leaders of the party's youth wing have called for "necklacing" opponents with burning tyres.

The violence in the remote areas of northern Katanga is tightly linked to actors in Kinshasa. During the war, Laurent Kabila created Mai-Mai militias in the region to stem the advance of Rwandan-backed rebels. These militias, bolstered by arms from officials in Kinshasa as recently as 2004, have not been integrated into the national army and are fighting each other and the army over poaching and taxation rights." (ICG 9 January 2006)

#### **"Insecurity [...]"**

The problems between the Mai Mai and the FAC can be traced to Laurent-Désiré Kabila's call to arms in 1998, and the perception among the Mai Mai that while they were defending Lubumbashi and Kamina from Rwandan-backed RCD forces, FAC soldiers were looting their villages and abusing their families. As a result, most Mai Mai today don't trust the FAC, and feel they haven't been properly compensated for their efforts to defend Kabila Sr. They claim to be ready to turn in their weapons to the international community, but not to the local authorities.

#### **Ethnic tension**

During the last decade, Katanga has been the scene of violent ethnic clashes. In 1992 and 1993, Kasaians were victims of ethnic cleansing by the Mobutu regime in retaliation for the election of Etienne Tshisekedi as prime minister. The Governor of Katanga, Gabriel Kyungu, was encouraged to persecute people from Kasai province. Katangans themselves became involved, enticed by the promise of Kasai-held jobs at the Gecamines, the country's largest state-owned mining company. According to MONUC's human rights section, thousands of Kasaians were killed and over 500,000 sequestered in inhuman conditions before being evacuated by humanitarian organizations to Kasai, where most of them had never set foot before. Although tension has decreased in the past few years, there is a risk of flare-up especially during the pre-elections period when ethnicity may be exploited for political gain." (MONUC 27 Nov 03)

#### **North Kivu: a strategic province marred by violence (2005)**

- North-Kivu is currently the stage on which national political and military antagonisms are being played out

"North-Kivu is among the most strategic of the DRC's provinces, situated on the DRC's border with Uganda and Rwanda, whose security concerns, as well as economic and political interests, have twice tipped the DRC into disastrous armed conflicts since 1996. The province contains the

intersecting zones of control of different, largely ethnic-based, Congolese armed political groups, each sponsored at one time or another by the three governments and their national armies. The province is home to a mix of ethnic groups with historically troubled relations, focused particularly on the issue of land tenure. North-Kivu also is of prime economic importance, with lucrative customs revenues from the Uganda and Rwanda border-crossings, substantial mineral deposits and valuable agricultural and cattle-rearing concerns.[...]

North-Kivu is currently the stage on which national political and military antagonisms are being played out. Far from improving the security climate in North-Kivu, the DRC's transitional authorities at government and provincial levels have allowed a deterioration in the situation, including an inflammation of ethnic tensions, to take place. Rwanda and Uganda have also continued to have a detrimental influence on events in the province. As a result, the human rights situation has worsened. In December 2004 a large-scale military confrontation between different military units in North-Kivu, all of them officially part of the FARDC, almost brought about the collapse of the transition. In the course of the confrontation, hundreds of civilians in North-Kivu were victims of killings, acts of torture, rape and other human rights abuses, which in many instances amounted to crimes under international law. Many of these human rights abuses appeared to be ethnically-motivated, in apparent reprisal for the presumed support of a particular ethnic group for an opposing armed group. As has become typical of the DRC's tragic recent past, the perpetrators of the human rights abuses committed during the December fighting were left unchallenged and the victims quickly forgotten by political leaders.

The fighting, relatively short-lived, gave way to a grudging military stand-off, as the government and international community, not for the first time, tried to chart the DRC's way out of crisis. However, the underlying causes of the December confrontation have not been addressed and as the DRC's transition unsteadily approaches its end in June 2006, the political, economic and military stakes in North-Kivu are looming ever larger over the country's future. As tensions sharpen, the risk is deepening of mass human rights abuses in the province. At the same time, UN peacekeeping (MONUC) resources are overstretched and directed mainly to other areas of insecurity in eastern DRC.[...]

#### NORTH-KIVU: POWER, LAND AND ETHNICITY

North-Kivu province comprises six territories and the provincial capital, Goma. Beni and Lubero territories, often referred to as the grand nord; lie in the north of the province, Walikale territory to the west; and grouped around Goma the three territories of Masisi, Rutshuru and Nyiragongo, collectively referred to as the petit nord.

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. Goma has a mixed ethnic population. The Banyarwanda(25) form the majority of the population in Masisi, Rutshuru and Nyiragongo territories. The remainder of the population in these territories is primarily Hunde or Nande. The territory of Walikale, in the west of the province, is shared primarily between the Nyanga and Hunde, with only a small Banyarwanda population. The Nande predominate in Beni and Lubero territories.

##### a. Political power built on an ethnic base

The mainly Tutsi-led RCD-Goma controls the capital Goma and the territories of Rutshuru (bordering Rwanda and a small area of Uganda), Nyiragongo and most of the territory of Masisi. Since December 2004 [...], Walikale and the western-most part of Masisi territory (formerly held by the RCD-Goma) is now under government control. Beni and Lubero territories, which along their eastern edge border Uganda, are controlled by the RCD-ML, headquartered on the city of Beni. The RCD-ML, which is primarily Nande-led, suffered major military reversals shortly before

the beginning of the transition, has two ministerial posts in the transitional government, one of which is occupied by the RCD-ML President Mbusa Nyamwisi, himself a Nande.[...]

The other two major ethnic groups in North-Kivu, the Hunde and Nyanga, have little in the way of political power or representation in North-Kivu, and are largely marginalized by the Nande and Banyarwanda communities. Before power politics became dominated by armed political groups, both groups used to hold a traditional, customary authority in the petit nord, through a system of tribal chieftaincies. This customary authority is slowly waning. Militarily, both groups are represented by relatively weak and incoherent mayi-mayi militia units. Their simmering sense of resentment is an added factor in North-Kivu's troubled ethnic mix.[...]

#### b. North-Kivu's Banyarwanda communities

The presence of populations of Rwandan descent in North-Kivu predates 1910 when parts of Kivu were ceded to the Belgian Congo(26) (present day DRC) from the German-ruled Ruanda-Urundi (present day Rwanda and Burundi). Between 1937 and the mid-1950s, the Belgian colonial administration transferred hundreds of thousands of Rwandans (Ruanda-Urundi being by then under Belgian rule) to the Congo, primarily to Masisi and Rutshuru territories. This resettlement was designed partly to ease demographic pressures in densely-populated Rwanda, but mainly to provide a ready workforce for large colonial agricultural and mining concerns in North-Kivu. Significant numbers of Rwandan migrants also came to Congo to seek land in the then relatively sparsely populated east of the country.

Between 1959 and 1963 several thousand Rwandan families, mainly Tutsi, settled in Congo fleeing pre- and post-independence insecurity in Rwanda. Other Rwandan, again mainly Tutsi, families sought refuge from persecution by the Hutu-dominated government and its supporters in Rwanda during subsequent years. In July 1994, the aftermath of the genocide in Rwanda and the victory of the Tutsi-led RPF over the then Hutu Rwandan government, led to the flight of over a million Rwandan Hutu refugees to eastern Zaire. The influx had a profoundly destabilizing effect on the region: much of the Hunde population was displaced and almost all the Tutsi population was forced to flee to Rwanda by violence perpetrated by elements among the Rwandan Hutu refugee and the Congolese Hutu populations. Many Tutsi were later encouraged to return to DRC in the course of RCD-Goma rule in the Kivus.

In August 1996 the Rwandan RPF government helped to form and gave their support to the AFDL (Alliance of Democratic Forces for the Liberation of Congo), a coalition of Zairian armed groups led by Laurent-Désiré Kabila and opposed to the Mobutu government. In September 1996, Rwandan government (Rwandan Patriotic Army, RPA) and AFDL forces invaded the Kivus, to eliminate Rwandan Hutu combatants, their bases and their known or suspected supporters. The RPA and the AFDL 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.

#### c. Contradictory nationality laws

The question of the nationality of the Banyarwanda population has been a divisive issue in post-independence Congo, affecting the rights of members of these groups to hold land and political office, and thus impacting on the tenure of political and economic power in the east. In the course of the last 40 years, Congolese nationality laws have been amended four times, sometimes to the disadvantage of the Banyarwanda who have periodically been stripped of their entitlement to Congolese nationality. By and large, these changes have been driven by the competing political and economic interests of the leaders of the various ethnic groups.[...]

In November 2004, after a hotly contested passage through the DRC's Parliament, a new nationality law was promulgated which confers the right to Congolese nationality on all people – and their descendants - who were resident in the DRC on or before 30 June 1960, the date of independence. Dual nationality is not permitted under the law.

Although this new law should put an end to debate about the status of the Banyarwanda – the majority of whom were present in the territory of DRC before June 1960 - the status of the Banyarwanda in the Kivus, and of Tutsi especially, remains precarious. The practical impact of the new law will be limited until much more has been done to calm strained ethnic relations in the Kivus, particularly in the context of forthcoming national elections where eligibility to vote is a key issue dividing the communities in North-Kivu [...]" (AI 28 September 2005)

## **Overview of armed groups**

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### **Overview of armies and groups involved in eastern DRC (2005-2006)**

"The 1998 war ended when the Global and All-Inclusive Agreement was signed in Pretoria on 17 December 2002 between Kabila's FAC, the Rwandan-backed Congolese Rally for Democracy (RCD), the Ugandan-backed Movement for the Liberation of the Congo (MLC), two other Uganda proxies (the RCD-Liberation Movement and the RCD-National), and the Mai-Mai, tribal militias that served as proxies for Kabila. Separate agreements were signed in July and September 2002 with Rwanda and Uganda respectively for the withdrawal of their troops. Angolan and Zimbabwean troops that had been supporting Kabila followed suit." (ICG 13 February 2006, p13)

#### **Congolese Armed Groups:**

##### **Forces Armées Congolaises (FAC)**

"When Kabila came to power, he decided to reform the army. This was to become an integrated force comprised of soldiers of Mobutu's Forces Armées Zairoises (FAZ), and Kabila's own core force of Banyamulenge and Katangan gendarmes. However, neither of the latter elements was sufficiently well equipped or adequately trained to take command of the new FAC army. [...]"

Most of the better-trained FAC troops belonged to the elite unit of the 10th Battalion stationed in Goma. It was this unit, numbering 25,000 men, which launched the rebellion on 2 August 1998 from FAC headquarters in Kivu. An official announcement that the FAC had started a war to liberate their country was broadcast over Radio Goma by one of their officers, Sylvain Mbuki. Kabila denounced them as traitors and puppets of Rwanda and Uganda. Their defection led directly to the loss of Kivu. They immediately started marching north towards Oriental and Equateur provinces, south to Northern Katanga and also towards the centre of the country; the FAC troops stationed in those provinces all defected to the rebel movement.

In response, Kabila has embarked on a massive recruitment exercise to plug the gap in the FAC's ranks. However, the deserters included the more experienced FAC soldiers and the new and obviously inexperienced recruits have not proved up to the job. Kabila has therefore had to co-opt more seasoned fighters from among the ex-FAR and Interahamwe militias, soldiers who formerly fought for Idi Amin, and the Burundian FDD in order to beef up his war machine." (ICG 21 May 1999, "The Congolese parties to the Conflict")

##### **Mai-Mai militias**

For many Congolese, the idea of Maï Maï is linked to a state of mind: the determination to take up arms against the presence and domination of foreigners on Congolese soil. The Maï Maï are regarded by a large proportion of the population as groups of resistance fighters opposing the occupation,<sup>27</sup> and some Maï Maï commanders do present themselves as symbols of Congolese resistance.[...]

One of the cornerstones of the Maï Maï movements is, in a reflection of the 'Simba' [lions in Kiswahili] of the 'muléliste' rebellion of the 1960s, the use of magical religious practices which basically consist of initiation and immunisation rites, and specific prohibitions. These practices have the dual function of protecting the combatants on the battlefield and enhancing discipline and the internal cohesion of the group.[...]

These movements are by their nature highly diversified and very unstable. Many of them were set up spontaneously around a leadership which had no previous political experience. The ups and downs, the risks inherent in fighting, the internal conflicts, the constant splits and regrouping that these movements experience mean that their structures and their methods are constantly called into question. This results in a lack of cohesion within the groups and in opportunism on the part of many Maï Maï fighters who, while presenting themselves as symbols of the resistance, kill, pillage, rape, seize local people's property, and engage in the illegal exploitation of resources." (International Alert & al., 2005, p20)

#### **Rassemblement Congolais pour la Démocratie/Congolese Rally for Democracy (RCD)**

"The RCD-Goma had its own army, l'Armée Nationale Congolaise (ANC), which was the main armed opposition to the regime in Kinshasa. This heterogeneous army was made up of soldiers from the remnants of Mobutu's army, 'Kadogos' [child soldiers] of the Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre (AFDL), who had taken part in the capture of Kinshasa in 1996, elements from Kasai, recruited under the patronage of Dr Adolphe Onusumba Yemba, former president of the RCD, Banyamulenge militias, who had fought in the ranks of the Rwandan Patriotic Front (RPF) in 1990, Congolese Hutus recruited in Rutshuru, and other Banyamulenge militias. The RCD army numbered between 20,000 and 30,000 men.

The RCD exercised political, administrative and military control in eastern DRC from 1998 to 2003, thanks to the active support of Rwanda. It justifies its existence by the need to protect the Congolese Tutsi population.[...]

The RCD joined the transitional government of national unity which was set up in Kinshasa in June 2003, following the signing of the Pretoria Accords. Having been originally a politico-military movement, the RCD transformed itself into a political party, whilst its army was to be integrated in the new national army. However, this integration has still not taken place, since the transitional government continues to be undermined and torn apart by internal power struggles and also is paralysed by mutual suspicion among its different components. The former RCD factions, and other armed groups that are part of the new government in fact retain their own military structures, under the aegis of the restructured national army. Moreover, despite the official reunification of the country in June 2003, the transitional government has met with enormous difficulties in exercising its political, military and administrative authority throughout the country, especially in the provinces of South and North Kivu, where the RCD remains very influential." (International Alert & al., 2005, p19)

"[T]he RCD-Goma is divided between a faction willing to keep faith with the DRC's political transition and a faction that has become increasingly hostile to it. The latter "hardline" element has shown a willingness to resort to military force and is believed to maintain strong military links with the Rwandan government. The cleavage between these two wings became even more pronounced during reversals of the RCD-Goma's fortunes in 2004. Driven by a deep mistrust of the government in Kinshasa and fears that the Banyarwanda (Congolese Hutu and Tutsi of

Rwandan origin whose mother-tongue is Kinyarwanda) community in eastern DRC may be the target of Kinshasa-inspired ethnic violence, the hardline wing sees its interests lying in the maintenance of firm RCD-Goma military control over its last remaining bastion in North-Kivu and a close relationship with Rwanda, including by remaining under Rwanda's military umbrella." (AI 28 September 2005)

"The first major change came after mutinies within units of the former National Congolese Army (ANC) – the armed wing of the RCD – in North and South Kivu. Under the integration proposed by the transitional government, a former FAC general, General Prosper Nabyolwa, was deployed in September 2003 to command the tenth military region in South Kivu. His authority was thwarted by the RCD troops, who were particularly worried that he would arrest some of their officers who had been sentenced to death in absentia for the assassination of Laurent Kabila in January 2001. When Nabyolwa did move to arrest one of these in February 2004, there was a mutiny, leading to a battle for Bukavu three months later. To regain control, Kinshasa deployed 10,000 FAC and MLC troops to North and South Kivu. They took Bukavu back but RCD hardliners in Goma accused Kabila of besieging their communities and power base in North Kivu. These tensions unleashed further fighting around the town of Kanyabayonga in November 2004.

As a consequence, the RCD lost military control over South Kivu and northern Katanga. Two FAC and one MLC brigade were deployed to South Kivu, and many hardline RCD commanders fled to Rwanda and Goma. In North Kivu, in turn, a sort of ad hoc integration took place between the RCD-ML, MLC and FAC units that had been brought in to deal with the RCD insurgency.

However, the RCD troops had carved out a stronghold in the territories of Masisi and Rutshuru and resisted attempts to deploy others there. At least two brigades of the RCD, although paying lip service to Kinshasa's authority, have still not been integrated.

By the end of 2005, however, around 3,500 RCD troops had been integrated into one of the six formed brigades. As no reliable census of the army has been published, it is difficult to know how many RCD troops remain in the field. MONUC officers estimate that around 4,000 to 8,000 are in South Kivu, 3,000 to 6,000 in North Kivu and another 4,000 to 8,000 in northern Katanga, Maniema, Kasai Oriental and Province Orientale. Like other factions, the RCD has maintained parallel chains of command in order to protect its interests. But the deployments to the East in 2004 have broken down its civilian and military command structures, and the former rebels are only able to control directly the 81st and 83rd Brigades in Masisi, Rutshuru and Goma." (ICG 13 February 2006, pp13-14)

### **MLC**

"The Army of Liberation of the Congo (ALC), the military wing of the MLC, is very weak. At the Sun City talks, the MLC claimed to have 20,000 soldiers. As with all the other factions, however, these figures were wildly inflated. Independent estimates by MONUC and other observers put their strength closer to 10,000. After the Bukavu crisis, the MLC sent between 3,000 and 5,000 troops to the East. These troops were later integrated into the military regions and have lost most of their links to the MLC hierarchy. A further 1,800 joined the six integrated brigades, with more than 1,500 opting for demobilisation. Between 1,000 and 1,500 MLC troops remain in formed units in Equateur, while the rest of their troops are either waiting for demobilisation or for army integration." (ICG 13 February 2006, p14)

### **The RCD-ML**

"At the beginning of the transition, Mbusa Nyamwisi, president of the RCD-ML declared he had 8,000 to 10,000 Patriotic Congolese Army (APC) troops based in the Beni-Lubero area of North Kivu. More realistic estimates are between 3,000 and 5,000. While around 1,000 of these have joined one of the integrated brigades or been demobilised, Mbusa retains control over several

thousand, whom he will use to secure his home base during the elections.” (ICG 13 February 2006, p14)

## **Foreign armies and groups**

### **Rwandan Army**

“Until its official withdrawal from the east of the DRC in September–October 2002, the Rwandan army retained a strong presence there. It was obliged to withdraw its troops under pressure from the international community, notably the United States of America, but Rwanda nevertheless reorganised itself, restructuring the military arm of the RCD-Goma and creating a rapid intervention force which could be redeployed in eastern Congo if necessary. Before their withdrawal, it was estimated that the Rwandan troops numbered between 25,000 and 35,000.

Rwanda cites security considerations as the justification for its presence in the DRC; i.e. the need to protect its borders from Rwandan Hutu rebels operating in North and South Kivus under the banner of the Forces Démocratiques de Libération du Rwanda (FDLR), numbering between 15,000 and 20,000 men.” (International Alert & al., 2005, p19).

### **Burundian Army**

“The Burundian army was present in the Fizi and Baraka regions before it officially withdrew from South Kivu in September 2002. Its presence in DRC was dictated by Burundi’s concern to protect its borders from infiltration by the various rebel movements opposed to the government in Bujumbura, in particular the Forces de Défense pour la Démocratie (FDD) and the Forces Nationales de Libération (FNL). It was in this context that the Burundian army allied itself with the Rwandan army to fight against the FDD. » (International Alert & al., 2005, p20)

### **Rwandan Hutu militias**

“The Rwandan Hutu rebels present on Congolese territory have, since 2000, been grouped together in a politico-military formation called Forces Démocratiques de la Libération du Rwanda (FDLR), which numbers between 15,000 and 20,000 men. This rebel force is made up of three main groups: the ex-FAR and Interahamwe who took part in the genocide in Rwanda in 1994; the ex-FAR who did not take part in the genocide; and new, post-genocide recruits, who constitute the majority of the troops. Since 1994, Congolese territory has been used as a home base for Rwandan Hutu militias in their war against the regime in Kigali. After the Hutu refugee camps in the east of the DRC were dismantled in 1996, almost 20,000 militiamen and soldiers of the former Forces Armées Rwandaises (FAR) formed the Armée de Libération du Rwanda (ALiR) and, starting from Kivu, infiltrated the north-west of Rwanda. Here, for two years they led an insurrection, which was eventually crushed by the RPA in mid-1998. The Rwandan Hutu militias, better known in the region under the label of Interahamwe, were allied for several years with the Burundian FDD rebels. However, this alliance came to an end when the FDD laid down their arms after signing a ceasefire agreement with the Burundian government. The Hutu militias have committed widespread acts of violence in eastern DRC. In the course of the research for this study, they were identified as the armed group most actively engaged in acts of sexual violence and assaults against women in South Kivu.” (International Alert & al., 2005, p21)

“The Congo: Solving the FDLR Problem Once and for All, [...] from the International Crisis Group, examines the continued existence in the Congo of 8,000 to 10,000 FDLR troops, Hutu rebels with links to the 1994 genocide in their home country, Rwanda. Though too weak to threaten Kigali, and though many of its members are not themselves genocidaires, the FDLR remains a key source of regional instability.” (ICG 12 May 2005)

“Currently, Rwandan rebels are organising themselves into a political party that seeks to position itself carefully within the new geopolitical dynamics of the Great Lakes region. Coalitions and alliances with some Mayi-Mayi groups in the Masisi and Ruzizi areas, where there are larger concentrations of the Rwandan language-speaking groups. The FDLR faces the serious problem of securing a regular supply of arms, ammunition, food and medicines. To survive, they engage in banditry, called ‘Rasta operations’, in which local Congolese criminals are involved.” (ISS 31 December 2005, pp15-16)

### **The Burundian Hutu militias: Forces de Défenses de la Démocratie (FDD) and Forces Nationales de Libération (FNL)**

“The FDD and FNL used eastern DRC as a home base from which to attack Burundi. The FDD made alliances with Maï Maï, Babembe and Bafulero groups of combatants. They also carried out particularly bloody attacks on the Haut Plateaux of Itombwe, where a large Banyamulenge community lives. The FNL also benefited from the military support of Maï Maï groups. The ceasefire agreements signed between Burundi’s transitional government and the two rival branches of the CNDD-FDD35 in November and December 2002 respectively, provided for the withdrawal of the FDD militias from Congolese territory. The FNL, for their part, remain active in South Kivu.” (International Alert & al., 2005, p21).

### **Ugandan Armed Groups**

#### **Allied Democratic Forces (ADF)**

"Information gathered by MONUC indicates that only one of the six Ugandan armed groups mentioned in the Lusaka Ceasefire Agreement is still active in the Democratic Republic of the Congo, namely, the Allied Democratic Forces (ADF).[...]

The Allied Democratic Forces are reckoned to have 200 to 300 fighters, mainly in the Ruwenzori Mountains close to the border with Uganda. Unlike some of the other foreign armed groups operating in the Democratic Republic of the Congo, ADF are not known to have external allies. Like most other armed groups, ADF are believed to be only lightly armed." (UN SC 5 April 2002, para.12-13)

#### **Lord Resistance Army (LRA)**

“Ugandan and Democratic Republic of the Congo (DRC) authorities have agreed on a joint strategy to fight the Lord's Resistance Army (LRA), a rebel group fighting the Ugandan government. [...]

According to the Ugandan military, Vincent Otti who is the LRA' s second-in-command led more than 50 rebels entering Congo early September from southern Sudan.

The military says that the rebels are moving about with their wives, children and Sudanese they abducted on their way to Congo.” (Xinhua News Agency 28 December 2005)

### **Main armed groups in Ituri (2005-2006)**

“The Ituri militia and the Mai-Mai of northern Katanga did not sign the Sun City Agreement. The transitional government, in particular Kabila, later tried to strike deals with various commanders. These were condemned by domestic and international human rights groups, as some of the commanders were guilty of serious human rights abuses. Commanders Thomas Lubanga, Chinja-Chinja and Floribert Ngjabu were arrested in Kinshasa. In Ituri, joint operations of MONUC and the new national army (FARDC), in coordination with extensive local community efforts, led to the demobilisation of some 15,000 combatants in 2005. Around 1,000 have entered into army integration, leaving approximately 1,000 to 1,500 Ituri militiamen.” (ICG 13 February 2006, p15)

### **“Union of Congolese Patriots (Union des Patriots Congolais, UPC)**

Leader: Thomas Lubanga.

The UPC is an armed group in Ituri promoting the interests of the ethnic Hema. It took control of Bunia in August 2002 with the help of Uganda. Soon after the UPC received support from Rwanda. In late 2003 the UPC split into two factions, one under Kisembo Bahemuka (known as UPC-K) and the other under Thomas Lubanga (known as UPCL).

The Lubanga faction was militarily stronger, led by Commander Bosco Taganda in the absence of Thomas Lubanga detained in Kinshasa. Despite series allegations of human rights abuses carried out by Commander Bosco Taganda, he was offered a position as a general in the new Congolese army, the FARDC (Forces Armées du la République Démocratique du Congo), in January 2005. To date he has refused to take up his post.

### **Nationalist and Integrationist Front (Front des Nationalistes et Intégrationnistes, FNI)**

Leader: Floribert Njabu.

The FNI is an armed group in Ituri promoting the interests of the ethnic Lendu.

Established in late 2002 it temporarily integrated the Lendu militia, known as the FNI, together with the Ngiti militia (Lendu from the south) known as the FRPI. The two branches split into separate armed groups in 2004 after leadership wrangles. The FNI is supported by Uganda. While Ugandan forces were in Congo in 2003 they carried out joint military operations with the FNI. In 2002 and 2003, the FNI also benefited from military training and support from a national rebel group, the RCD-ML. One of their senior commanders, Gode Sukpa, was integrated into the FARDC as a general in January 2005. No checks were carried out as to his suitability for the role.

### **People’s Armed Forces of Congo (Forces Armées du Peuple Congolais, FAPC)**

Leader: Jérôme Kakwavu Bukande.

An Ituri armed group based in northeastern Congo (Aru and Ariwara), established in March 2003 with the support of Uganda. Commander Jérôme switched alliances several times since 1998 moving from the RCD-ML, to the UPC before launching his own armed group. In May 2003 a mutiny attempt to overthrow Commander Jérôme was brutally put down with Ugandan support. Despite serious allegations of war crimes carried out on the order of Commander Jérôme, he was integrated into the new Congolese army, the FARDC, as a general in January 2005.” (HRW 2 June 2005)

***See also IRIN, 20 April 2005, DRC: Who's who in Ituri - militia organisations, leaders [link below]***

## **Main causes of displacement**

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### **Plunder of natural resources by warring parties continues to be major factor causing displacement (1998-2005)**

- In May 2001, UN report on exploitation of natural resources accused foreign armed forces and Congolese fighters of using DRC's natural resources to fuel the conflict
- In Oct 2002, the final version of the UN report stated that due to elite criminal networks, the illegal exploitation of DRC's resources would continue, despite the withdrawal of foreign armed forces
- NGOs stress that the UN must address the role of multinational corporations in war (Oct 03)

- Various NGO reports show the central role of natural resources, such as coltan and diamonds, in the conflict
- The UN failed to follow up on the UN panel's reports recommendations, and those responsible for the illegal exploitation of the resources have not been held responsible (June 2005)

"In the 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 Aug 05, p5)

"In 2000, the U. N. Security Council expressed concern that Congo's natural resources such as gold, diamonds and other minerals were fuelling the deadly war. They appointed a panel of experts<sup>11</sup> to look into the matter who published four separate reports between April 2001 and October 2003. <sup>12</sup> In these series of reports, the U.N. panel of experts reported that Rwandan, Ugandan, and Zimbabwean army officers as well as members of the Congolese elite were growing rich from the wealth of the Congo. They showed how extraction of these resources helped fund armed groups, thus fueling the war. They further documented how the minerals of the Congo were fed into the networks of international commerce. The panel concluded in its report of October 2002 that the withdrawal of foreign armies would not end the resource exploitation because the elites had created a self-financing war economy.

In 2002, following heavy international pressure, in part because of the U.N. panel reports, both the Rwandan and Ugandan governments agreed to withdraw their soldiers from Congo. Uganda subsequently arranged with the Congolese government to keep some forces in northeastern Congo until 2003 when the last of their troops withdrew. This report [by HRW], focused on control of gold in northeastern Congo, shows that the pattern of exploitation of natural resources described by the U.N. panel of experts, does indeed continue as of this writing, resulting in widespread abuses of human rights. The trade in gold is just one example of a wider trend of competition for resources and resulting human rights abuses taking place in mineral rich areas throughout the Congo.[...]

During eighteen months of conflict in 2002 and 2003, Hema and Lendu armed groups fought to control the gold-mining town of Mongbwalu in Ituri. As they passed control of the rich prize back and forth five times, they also slaughtered some two thousand civilians, often on an ethnic basis. In addition, they carried out summary executions, raped and otherwise injured thousands of civilians, engaged in torture, and arbitrarily detained persons whom they saw as enemies. During the frequent clashes, tens of thousands of civilians were forced to flee their homes, losing much or all of their goods to looting or destruction." (HRW 2 June 2005, p14, p23)

*To see the Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (S/2001/357), 12 April 2001, [\[External Link\]](#)*

***For the UN SC 13 November 2001 Addendum to the report on exploitation of natural resources, please see source below.***

***For May 2002, UN SC 22 May 2002 Interim Report on the exploitation of natural resources in the DRC, see reference below. "***

***To see the 2002 report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of DR Congo, 16 Oct 2002, see [\[External Link\]](#)***

***For the 2003 report of the Panel, 23 October 23, see reference below***

"The panel's reports raised the expectation that U.N. member states would hold to account those companies that were responsible for misconduct, but these hopes were misplaced. After the publication of their final report in 2003, its mandate of the U.N. panel of experts was ended and the information uncovered by the panel was archived for 25 years. The failure of the U.N. to follow up on the panel's recommendations has been a major blow to further progress on the critical issue of the link between conflict and natural resources in the DRC and beyond." (HRW 2 June 2005, p120)

*According to a statement by several national and international NGOs:* "The Security Council has failed to act on previous reports from the panel showing the link between the activities of multinational corporations and armed groups guilty of massacres and other atrocities." (HRW 27 Oct 03)

### **Study by Pole Institute (North Kivu)**

"The study found that:

as crisis and war in North Kivu have severely hampered industrial mining, existing industrial mining concessions have been turned over to informal or artisanal mining, mainly of coltan. This phenomenon has led to a population exodus of all age groups with the aim of finding coltan; as a result, agricultural and pastoral activities are being abandoned in favor of coltan. There is a real danger of food insecurity in North Kivu if the agricultural populations continue to leave their fields in order to mine coltan or turn their fields into mines; young people, easily attracted by easy money, abandon school in favour of coltan mining. [...] unplanned coltan mining and export in a context of State collapse and prolonged crisis has been a source of wealth for a handful of businessmen working with old and new mineral trading networks in Eastern Congo, but has also meant the emergence of a mafia economy organized around the rebel armies and their allies and the armed Mai-Mai groups. [...]

The coltan trade is closely intertwined with the activities of all armed groups present in the area. No demobilization, disarmament and reintegration programme can succeed without taking economic security into account. Proper regulation of mining and other trade is essential for disengagement and reconciliation programmes. [...]

Coltan is an abbreviation for colombite-tantalite, a mineral from which the precious metals Tantalum (Ta) and Columbium (Cb), also known as Niobium (Nb) are extracted. [...] According to mining specialists, 80% of known tantalite reserves are found in the Democratic Republic of Congo, almost entirely in the Eastern part controlled by rebel movements allied to Rwanda and Uganda." (Pole Institute Jan 2002)

*For more information on the coltan trade and the role of European companies, please see "Supporting the War Economy in the DRC: European Companies and the Coltan Trade" by the International Peace Information Service (IPIS), January 2002 [[External Link](#)]*

### **2002 and 2003 Study by Partnership Africa Canada (Ottawa), International Peace Information Service (Antwerp) and the Network Movement for Justice and Development (Freetown):**

"The report provides details of numerous lucrative commercial enterprises undertaken by foreign armies in the Congo, suggesting that a failed state can offer significant financial rewards to the political and military elite of adjacent countries." (Partnership Africa Canada 17 June 2002)

"Where diamonds are concerned, instead of citing OECD guidelines with false teeth, the UN's DRC Expert Panel might have been better advised, where it had concrete evidence, to consult some basic definitions of war crimes. The Constitution of the Nuremberg Military Tribunal, for example, included as a war crime, the 'plunder of public or private property' and said that

'leaders, organizers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit [war] crimes are responsible for all acts performed by any persons in execution of such plan.'" (Smillie, June 03)

### **Reports by Amnesty International (2001 & 2003):**

"Amnesty International is [...] concerned at reports of human rights abuses such as killings, torture, use of forced labour, including by children and prisoners, and displacement of population that have taken place in the context of the exploitation of the resources. For example, Amnesty International has received reports of unarmed civilians being killed during fighting between the RCD-Goma troops and Hutu armed groups over mining areas; of villages being burned down; or people attacked and forced to flee the area. An independent observer told Amnesty International delegates that 'when a new RCD-Goma or RPA commander is nominated in the mining area of Walikale, Masisi, or Shabunda, the insecurity in the region decreases. However, once a commander is in a region for a while, he understands that insecurity has an advantage. His troops start shooting, killing and provoking massive displacement of the population, in order to make access to the extraction of the mineral wealth easier because the population is dead or has fled.'" (AI, 19 June 2001)

"The report, entitled '*Democratic Republic of Congo - 'Our brothers who help kill us'*', identifies the drive to control and exploit the DRC's natural resources as the biggest single factor underpinning the continuing violence in the country.[...]

Wealth for a small military, political and commercial elite has come at a huge price. Hundreds of thousands of Congolese civilians have been tortured and killed during fighting to secure control of natural resources. Thousands of others have died due to malnutrition and lack of access to humanitarian assistance after being forced to flee their homes.

Foreign forces have also deliberately stoked inter-ethnic conflicts and mass killings in order to promote their economic interests. This has been the case in Ituri for example, resulting in further mass killings and large scale destruction of habitations. Thousands of women have been raped. Children as young as 12 have been forced into hard labour in the mines. Human rights defenders who have denounced these abuses have been beaten, detained, forced to flee or killed." (AI, 28 April 2003)

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** [\[Internal Link\]](#)

<http://www.globalwitness.org/reports/download.php/00141.pdf>

### **Continued fighting between various armed groups causes displacement in North & South Kivu (2004-2005)**

- 25,000 people were displaced by fighting between FDLR and the Congolese army troops in Uvira Territory, South-Kivu Province (April 04)
- 20,000 new IDPs in Masisi in North Kivu following attacks of Kalehe in South Kivu (Sept 04)
- More than 15,000 civilians have fled their homes in September in North Kivu Province and found safety in Butembo (Sept 04)
- FDLR (Democratic Liberation Forces of Rwanda) causes the displacement of thousands in South Kivu (Aug 04)
- Over new 180,000 IDPs in North Kivu in December 2004

- In May 2005, 6,000 people fled attacks in South Kivu
- In June 2005, according to MONUC, members of the Congolese army caused the displacement of 190 families, following looting, extra-judiciary executions and rapes
- In July 2005, FDLR militia attacks caused the displacement of over 5,000 people in South Kivu
- In June 2005, 2,000 families fled their homes in North Kivu, due to clashes between the Congolese Army and the Rwandan Hutu militia, and 3,000 families fled in South Kivu
- In North Kivu, the Congolese army launched military operations against ADF/NALU militias to push them to return to Uganda; this caused massive displacement in Beni territory in December 2005
- In South Kivu, Congolese troops regained control of some localities formerly controlled by Hutu militias, but then went on to systematically loot houses and fields, which caused the displacement of these villages (December 2005)

“Beginning in February 2004, dissidents from the former rebel movement Rassemblement Congolais pour la Démocratie-Goma (RCD-G) sparked clashes in the Kivu provinces of the eastern Congo. These were the result of disagreement within the transitional government over power-sharing in the army and the administration but the conflict was exacerbated by the interference of Rwanda, which sent troops across the border in November 2004, claiming to pursue the Hutu extremist FDLR. The resulting fighting displaced over 100,000 civilians and pushed the transition to the brink of collapse.” (ICG 30 March 2005)

“The humanitarian situation in North Kivu deteriorated in the end of 2004, with more than 100,000 displaced in the Kanyabayonga/Kayna crisis alone. The cause of crises in North Kivu over recent months has been an escalation of conflicts between armed groups, characterized by pillaging, rape and murder of civilians by military forces, leading to mass movement of populations to host communities or to isolated forest areas. Epicentres of displacement in North Kivu include Kanyabayonga/Kayna/Kirumba, and north as far as Lubero, where up to 150,000 were estimated to have fled from their villages during the end of November/start of December due to conflict between ex-ANC and FARDC (Kinshasa) military; Nyabiondo town was systematically looted by ex-ANC following an advance of their position against Mayi-Mayi forces, leading to 100% displacement of the population of the town and surrounding localities (estimated at 26,000 people); and Mangerudjipa, west of Butembo, which was totally deserted following Mayi-Mayi movement into the town, which has been subsequently retaken by FARDC forces.

South Kivu also experienced a number of acute emergencies in recent months, including flooding in Uvira, displacements in Walungu and Minova due to conflict, and an outbreak of cholera throughout the province.” (UNICEF 24 March 2005)

“Recent combat between rival units of the Congolese army has forcibly displaced more than 180,000 civilians, raising the risk of a new humanitarian disaster in the Congo’s eastern Kivu region, Human Rights Watch warned today. Fighting between loyalist troops and rebel factions at Kanyabayonga in North Kivu, and soldiers’ looting of homes and shops in nearby villages caused residents to flee, many of them into the forest. [...]

In November, authorities in neighboring Rwanda threatened repeatedly to intervene militarily in Congo, claiming that Rwandan Hutu rebel groups (including some former Rwandan Armed Forces, known as ex-Forces armées rwandaïses, or ex-FAR) there endangered Rwanda’s security. Following reports that Rwandan soldiers had crossed into the Congo in late November, troops of the Congolese army who used to fight for the Rwandan-backed rebel movement, the Congolese Rally for Democracy (Rassemblement congolais pour la démocratie-Goma, or RCD-

Goma) rebelled again against the Congolese army and are now advancing against them north of Kanyabayonga.” (HRW 21 December 2004)

“There has been ongoing fighting between troops loyal to the DRC government (FARDC), and elements of the RCD-Goma backed by Rwanda, in the territories of Walikale, Rutshuru and Massisi in North Kivu, since early December 2004. There are strong indications that Rwanda has reinforced and resupplied the dissident RCD-Goma forces and it is widely reported that Rwandan government troops (RDF) entered the DRC in strength in November [2004].” (AI 21 December 2004)

“The situation in North and South Kivu remains very tense. In response to threats by Rwanda in December 2004 to enter the Democratic Republic of the Congo to forcibly disarm FDLR, additional FARDC troops were sent to the area. As a result, there has been an increase in the number of inter-FARDC clashes. Reports have also been received of collaboration between FDLR and the Mayi-Mayi and between FDLR and elements of FARDC.” (UNSC 22 March 2005)

“Due to an increase in FDLR activities throughout North and South-Kivu Provinces resulting in armed conflicts and tension between this group and the Congolese national army and Rwandan troops, IDP movements during April were the greatest in this region. The humanitarian community estimated that nearly 25,000 people were displaced by fighting between FDLR and the Congolese army troops in Uvira Territory, South-Kivu Province between 19 and 27 April. The massive population movement started when fighting broke out between 19 and 23 April near Lemera and Lubarika (Uvira Territory) and then again on 27 April near Lemera. The majority of the displaced population (an estimated 15,000 persons) sought refuge in Sange, which is also in Uvira Territory. Another 10,000 IDPs sought safety in Luberizi, Luvungi, Mutarule, and Runingu (also in Uvira Territory).” (UN OCHA 30 April 2004)

“Renewed fighting in the volatile Kivu region of eastern Democratic Republic of Congo has forced 20,000 people to flee their homes, according to international aid agency Oxfam. This new information comes as the UN Security Council discusses the fate of the UN's military presence in Eastern DRC on Monday 27 September.

Oxfam Staff in DRC report that in the last two weeks more people have fled their homes from nearby villages arriving at the makeshift camp in Ngungu, North Kivu, 60 km from Goma the provincial capital.

"Some people saw armed groups attacking villages and burning houses, others left because they were scared of what could happen to them if they stayed in a place where there is no one to protect them," said Oxfam's Gemma Swart." (Oxfam 24 Sept 04)

« ...des nouveaux déplacés estimés à 17.000 (tous des Rwandophones) ont quitté Kalehe vers Masisi au Nord Kivu alors que les déplacés qui avaient fui les localités Nyabibwe, Bushushu, Lushebere et Mukwidja vers Kalehe centre et dans les îlots commencent à revenir dans leurs villages d'origine. [...]

Une mission inter agences a eu lieu le 16/09/04 à Ngungu, territoire de Masisi, afin d'évaluer la situation des déplacés qui avaient commencé à arriver le 10 septembre.

L'afflux massif des déplacés dans le Masisi en provenance de Kalehe, au Sud Kivu, a été au centre de la réunion CPIA du 14/09/04 et de la réunion inter agences du 17/09/04. » (UN OCHA 23 Sept 04)

« Par ailleurs, le Chargé de l'Information au sein de la Section Humanitaire de la MONUC, Patrice Bogna, a fait part à la presse de la situation préoccupante des nombreux déplacés à l'Est de la

RDC. Il a relevé la complexité de ces mouvements de populations qui préoccupent la communauté humanitaire. « Avec l'avancée des troupes des FARDC, certaines personnes, se sentant rassurées, regagnent leurs domiciles tandis que d'autres, notamment les Banyamulenge, fuient les zones occupées par les troupes régulières congolaises », a-t-il indiqué. » (MONUC 15 Sept 04)

« More than 15,000 civilians have fled their homes in the past two weeks in North-Kivu Province, Eastern Democratic Republic of Congo, according to humanitarian sources. Fearing armed confrontations and exactions from armed groups, civilians have reportedly taken flight from villages around Mangurejipa and Ndjiyapanda, North-Kivu Province to seek refuge approximately 80 kms away in the Butembo region (also part of North-Kivu). All IDPs have reportedly endured a three-day trek through a dense forest to reach relative safety. [...]

The Mangurejipa zone, inaccessible to humanitarian actors since 1999, is a mineral rich region and has been a battleground for armed groups for the past five years. A radical branch of the Mayi-Mayi armed opposition maintains control in this area and is reportedly refusing integration into the national army." (UN OCHA 10 Sept 04)

« Des milliers de personnes continuent d'être affectées par les attaques des FDLR dans les localités riveraines du Parc National de Kahuzi-Biega, dans la province du Sud-Kivu. On estime à 13.000 le nombre de personnes actuellement déplacées par ces attaques. Des mouvements de populations sont observés ces dernières années dans ces localités où continuent à sévir les FDLR. Parmi les villages les plus touchés, on cite Cisaza, Cindubi, et Mushwere, en territoire de Walungu, et Ninja, en territoire de Kabare. Les déplacés venus récemment de ces villages se retrouvent actuellement à Kaniola, Izege, et Chagala. » (UN OCHA 27 Aug 04)

"Innocent civilians have been once again caught up in the fighting between armed groups in South Kivu, with 19 people killed and many others wounded during an attack on the Collectivity of Nindja, 75km north-west of Bukavu, South Kivu, last Monday.

An estimated 1,280 families, or 6,000 people, have now fled towards the village of Ihembe, fearing further attacks.

"Once again it is innocent civilians who suffer", said Jean Marc Cordaro, OCHA's Head of Office in South Kivu. "OCHA condemns all acts of violence against civilians. Such attacks must cease immediately."

Amongst the wounded were those who had limbs hacked off by machetes, with at least four people reportedly still in a critical condition. Up to 50 more villagers have disappeared –carried off by the armed men into the bush. Kidnapping of civilians for ransom is common in the area, with more than 70 people abducted over the last six months. Of these, 18 have already been executed.

To add to the list of horrors, over 200 women and girls have been raped in the wider Walungu area since the beginning of the year, mostly by armed men.

"Humanitarian access to the conflict area is severely limited, with local people reporting that attacks are continuing", said Mr Cordaro. "Life-saving aid could only be sent on Friday, when the security of the convoy had been assured" (OCHA 31 May 2005)

« Des militaires de l'armée nationale causent le déplacement d'environ 190 familles dans la localité de Bukavu:

La Section humanitaire de la MONUC a mené une mission d'évaluation dans les localités de Mukanda et Chiruko, situées dans un périmètre de 3 km de Kavumu, près de Bukavu. La mission visait essentiellement à vérifier les allégations d'exactions commises par des militaires des forces

armées congolaises (FARDC) sur des civils et le déplacement subséquent d'environ 190 familles. La MONUC a noté le pillage de maisons privées et a enregistré des allégations d'exécutions sommaires de civils par les militaires des FARDC aussi bien que des cas de violence sexuelle dont ils seraient également les auteurs. La plupart des déplacés vivent dans des familles d'accueil dans les villages voisins. Une autorité locale, dont le témoignage corrobore les allégations, a annoncé que le climat social s'améliorait graduellement. Une éventuelle enquête de la MONUC ainsi qu'une assistance aux personnes déplacées, y compris les victimes des violences sexuelles, est à l'étude.

De nouveaux combats provoquent un déplacement accru de populations dans la localité de Bukavu:

L'ONG américaine IRC a informé qu'environ 1 300 familles déplacées ont été identifiées dans la localité de Nindja, située à environ 80 km à l'ouest de Bukavu. Ce nombre pourrait s'amplifier à cause des combats en cours dans la région entre les FARDC aidées des FDLR contre les milices RASTAS. Les organisations non gouvernementales IRC et Malteser fournissent respectivement des non-vivres et des kits médicaux aux personnes déplacées. L'ONG Malteser a également annoncé son projet de réhabilitation de l'axe routier Izege-Ihembe distant de 36 km. Ce projet devrait faciliter l'accès au centre médical de la localité d'Ihembe et donner également un nouvel essor aux activités commerciales dans la région. » (MONUC 7 June 2005)

« Environ 2 000 familles dans la localité de Kanyabayonga, à 150 km de Goma, auraient récemment fui leurs domiciles. Cette nouvelle vague de déplacements des populations civiles est attribuée à des affrontements entre militaires des FARDC et ceux des FDLR dans les localités de Kibirizi et Miriki, situées respectivement à environ 153 km et 176 km de Goma. [...]

La communauté humanitaire a noté un nouvel afflux d'environ 3 000 personnes déplacées de la localité de Nindja à Mule, dans la zone de santé de Kalonge, à environ 80 km à l'ouest de Bukavu. Ce nouveau mouvement de populations porte désormais le nombre total de personnes déplacées dans cette localité à 13 000.» (MONUC 13 June 2005)

"Most of the people living in the village of Kigalama, in the Democratic Republic of Congo's (DRC) South Kivu Province, have fled after Rwandan rebels launched an attack there last week, the provincial governor said on Monday.

"Thirteen villagers and seven Rwandan rebels were killed," Didace Kaningini Kyoto, the governor, said.

He said almost 5,000 people normally lived in Kigalama, about 130km southwest of the provincial capital, Bukavu. Most of them have now fled.

Kiningini said the attack started late on Thursday when Hutu Rwandan combatants from the Forces de liberation de Rwanda (FDLR) surrounded the village. Then, they killed people who tried to flee with machetes and other crude weapons." (IRIN 25 July 2005)

"- Au Nord Kivu, les FARDC ont lancé des opérations militaires contre les milices ADF/NALU afin de les pousser au désarmement et au rapatriement volontaire en Ouganda. La poursuite de ces offensives a causé un déplacement massif des populations du Nord-Est du territoire de Béni à l'Est de Eringeti. Le nombre de personnes déplacées recensées par les humanitaires sur l'axe Oicha-Eringeti s'élève à 20.840 personnes. La majorité de ces déplacés vivent dans des bâtiments publics (église, école) et quelques 20 % ont trouvé refuge dans des familles d'accueil.[...]

- Au Sud Kivu : les combats engagés par les FARDC pour la reprise des zones jadis sous contrôle des FDLR dans les Hauts plateaux de Kalehe ont causé de mouvements de populations.

Plusieurs familles fuyant les combats se sont réfugiées dans les localités de Kigoma, Karasi, Bulambika et Numbi. Les FARDC ayant repris le contrôle de certaines localités se sont investis dans le pillage systématique des maisons et des champs. Fuyant ces pillages, les habitants des villages situés sur l'axe Lugushwa-Itutu se sont enfuis vers Itutu-centre et dans la plaine de Ruzizi où 500 IDP ont été recensés." (OCHA 31 December 2005)

### **Fighting between Congolese army and dissident troops in the Kivus (2004-2006)**

- Thousands of people were displaced following clashes between insurgent group and Congolese army in mid-2004 in South Kivu
- Some 80,000 people fled their homes in North Kivu early 2006, either to other villages in North Kivu or across the border to Uganda

**“The Bukavu crisis.** In late May and June 2004, dissident ex-RCD/Goma officers Jules Mutebusi and Laurent Nkunda mutinied against the Kinshasa-appointed regional military commander in South Kivu resulting in two weeks of fighting in and around the town of Bukavu. Humanitarian assistance for the area was disrupted, local populations displaced, and the border with Rwanda closed as tensions between the two countries again mounted. Local residents suffered extensive violence, looting, and rape. At least 88 people died, more than 100 were injured, and thousands of residents became either internally displaced or fled to neighboring Burundi and Rwanda.

At one point during the crisis, nearly 1,300 local residents felt sufficiently insecure to take refuge inside the MONUC compound in Bukavu. The U.N. High Commissioner for Refugees (UNHCR) estimates that 3,500 Tutsi residents of Bukavu fled to Rwanda out of fear of ethnically-based reprisals, since the dissident commanders are both Tutsi. An estimated 20,000 Congolese Tutsis fled to Burundi.

When Bukavu fell to the dissidents, students and others in many major cities throughout the DRC rioted for two days against the lack of international action to end the violence. The riots caused considerable damage to the property of U.N. and international nongovernmental organizations (NGOs). Humanitarian agencies lost an estimated \$1.5 million in supplies, equipment, and vehicles during the violence, and three OCHA offices sustained considerable damage. Humanitarian organizations suspended efforts in the Bukavu area for nearly a month as expatriate personnel were evacuated and local staff remained restricted to Bukavu center.

Once MONUC convinced the dissident leaders to leave Bukavu, the GDRC deployed Congolese Armed Forces (FARDC) reinforcements to eastern DRC in July to prevent further destabilization attempts. Since then, clashes between the FARDC and remaining armed opposition forces in the Kalehe area have caused the displacement of an additional estimated 20,000 persons.” (USAID 20 August 2004)

« En ce qui concerne les déplacés internes du territoire de Kalehe, OCHA estime leur nombre à 36 000, dont 31 000 ont fui vers le sud du territoire dès le début des combats et quelque 5 000 autres se sont dirigés plus au nord vers la fin du mois de juillet. » (MONUC 4 Aug 04)

2005

“Even since the official end of the war in 2002, North Kivu has been the theatre of violence, fighting and looting by a mixture of armed groups operating in the region. Through out the past year, the population has been subject to harassment, racketeering, rape and forced displacement. In 2005 alone, MSF treated over 1200 rape patients in Beni, Kayna and Rutshuru areas, where men in arms committed most rapes. The territory of Rutshuru has been particularly

violent and unstable, leading MSF to open a project in August 2005 to support the surgery, pediatrics and internal medicine wards of the general referral hospital in Rutshuru, and to provide much needed primary health care and a referral system to the population of Katwiguru health zone. However, it has been over a year since such heavy fighting erupted in the region provoking so much displacement." (MSF 31 January 2006)

### **Early 2006**

"Despite a heavy deployment of UN peacekeeping contingents in the province, insecurity and violence have taken the whole region ablaze. In just over one month, heavy fighting in the Rutshuru and Beni regions have led to over 80 000 people being displaced either within North Kivu or across the border as refugees in Uganda." (MSF 31 January 2006)

"Hundreds of civilians have been displaced in eastern Democratic Republic of Congo (DRC) in the latest round of fighting between dissident soldiers and the army's fifth brigade, a humanitarian official has said.

The new wave of the displaced started arriving on Friday in areas of North Kivu Province, near the borders of Uganda and Rwanda.

"The dissident soldiers have captured some villages, including Tongo and Bunagana," Lina Ekomo, a spokeswoman for the UN Office for the Coordination of Humanitarian Affairs, said.

The villages are about 140 km northeast of the provincial capital, Goma. Ekomo said almost 1,000 civilians were seen fleeing towards Bunagana, while others were heading out of the village.

"Some have crossed the border into Rwanda," she added.

Several battles were reported this week between the army and dissident forces loyal to Laurent Nkunda, a renegade general in the Congolese army." (IRIN 20 January 2006)

### **Fighting by local militias, and between the army/MONUC and militia all caused major displacement in Ituri District (1999-2006)**

- According to MONUC, more than 60,000 people have been killed and 500,000 displaced in the northeastern Ituri district between 1999 and 2003
- UN OCHA reported displacement following fighting in July 2004 between the FAPC (Forces Armées du Peuple Congolais) and FNI (Front des Nationalistes et Intégrationnistes) in Mahagi Territory
- UN observers and NGOs believe the Lendu militias' objective in displacing the Hema is to change the ethnic composition of Djugu, a territory to the north of Ituri's main town, Bunia (March 2005)
- Fighting between local militias and Congolese Army/MONUC caused displacement in 2005
- Some 200,000 people in the Democratic Republic of Congo remain in camps and temporary housing after fleeing from the violence of rival militias in Ituri
- Anticipating attacks by the Congolese Army and MONUC, local Ituri militias attack the population, causing the displacement of thousands (November 2005)
- At the end of 2005, intense fighting between Congolese troops and FRPI and MRC militias in Mahagi territory caused the displacement of populations to Pono, Bogi and to Uganda (December 2005)

- More than 6,000 people fled fighting between in southern Ituri (February 2006)

“More than 60,000 people were killed, 50,000 houses burnt and 500,000 people got displaced in DR Congo's Ituri region between 1999 and September 2002, a reliable source at the UN Observer Mission in the country (MONUC) here said.

Violence against civilians and hard-line positions among belligerents in Ituri caused ‘the most worrying humanitarian crisis in the Democratic Republic of Congo,’ the source disclosed Wednesday. [...]

Initially, the conflict in Ituri (Eastern province where Bunia is capital) was a feud between Hema and Lendu, before the involvement of armed groups whose leaders are fighting in a power struggle over the region.

The rebel factions of RCD-National led by Roger Lumbala (supported by Jean-Pierre Bemba's MLC), the Union of Congolese Patriots (UPC led by Thomas Lubanga) and the Mbusa Nyamwisi's RCD-ML, evicted from Bunia and Mambasa, are engaged in the bloody struggle.

In the past two weeks, clashes have intensified between the first two movements, causing more than 100 deaths and several thousand persons freshly displaced.” (PANA, 26 December 2002)

“In early November [2003], Bunia experienced an escalation in violent clashes between several entities: 1) between the two major ethnic Hema militias (the Rwandan-backed Union des Patriotes Congolais (UPC) and the Ugandan-backed Parti pour l'Unité et la Sauvegarde de l'Intégrité du Congo (PUSIC)), 2) between the UPC and MONUC, and 3) to some degree between the ethnic Lendu militia Forces de Résistance Patriotique en Ituri (FRPI) and MONUC following the arrest of the FRPI commander, Colonel Ngodjolo, for his alleged involvement in the assassination of an UPC advisor. A series of attacks occurred when approximately twenty UPC soldiers opened fire on several MONUC positions, including MONUC headquarters. These attacks prompted retaliation by MONUC, which initiated the arrest of suspected gunmen in armed assaults, night foot patrols, and a ban on all uniforms and public meetings within a designated perimeter around MONUC headquarters in Bunia. MONUC's approach brought renewed calm to the city, but questions remained regarding civilian control of Bunia. Also in Bunia, MONUC completed the re-training of a 70-member national police force. The French Cooperation allocated 180,000 Euros for the rehabilitation of judicial infrastructures such as courts and a prison in Bunia. The UPC militia returned its zones of control to the Ituri Interim Administration on November 14, 2003. Before this handover, Bunia was controlled by two administrations: the UPC and the Ituri Interim Administration (IIA). Having one administration governing Ituri and recognized by the national and international community is an important symbol of unity in the region, which will also improve the effectiveness, credibility, and legitimacy of the IIA.” (USAID 30 Nov 03)

“[T]he numbers of persons displaced by three weeks of fighting in July between the FAPC (Forces Armées du Peuple Congolais) and FNI (Front des Nationalistes et Intégrationnistes) in Mahagi Territory, Ituri District continued to rise this month. By 28 August, the number of IDPs displaced in this region had risen to 90,000. Despite the fact that roughly 75,000 of these IDPs were accessible only 20-30,000 had received emergency food and NFI assistance.” (UN OCHA 31 Aug 04)

“Since mid-December 2004, violent attacks have caused the displacement of some 100,000 Hema; 80,000 of them are now living in the Kakwa, Gina, Tchomia and Tché displaced camps.” (OCHA 4 May 2005)

“UN observers and NGOs believe the [Lendu] militias' objective is to change the ethnic composition of Djugu, a territory to the north of Ituri's main town, Bunia (IRIN 23 March 2005).

“Thousands of Congolese civilians may have been displaced by recent fighting between UN peacekeeping troops and local militiamen in northeastern Democratic Republic of Congo, the UN mission's public information officer, Mohammad Abdoul Wahab, said on Tuesday.

A Medu resident who arrived in Bunia late Monday, Jean Mbafele, said: ‘We all fled into the bush. Only people who participated in the fighting stayed in the village.’

They escaped as an eight-hour battle raged around their village of Medu, 25 km south of Bunia, in Ituri District, Orientale Province. Medu has a population of some 4,000. [...]

During Monday's fighting, UN Bangladeshi and Indian troops fought more than 1,000 militiamen of the Fronts des nationalistes et intégrationnistes who were armed with mortars, rockets and grenades, Wahab said. The UN used two MI-25 combat helicopters in the operation and reinforced its troops with Pakistanis.” (IRIN 28 June 2005)

“Some 200,000 people in the Democratic Republic of Congo remain in camps and temporary housing after fleeing from the violence of rival militias in the northeastern Ituri region, humanitarian groups said on Friday.” (AFP 5 August 2005)

“Des affrontements entre les groupes armés du MRC/FNI et les FARDC ont provoqué un déplacement des milliers de personnes dans le territoire de Mahagi. Les habitants de Nioka situé à 55 km au sud-ouest de Mahagi a été pris de panique le samedi 19 novembre lorsque les éléments de Peter Karim y ont fait éruption. 1897 familles se sont déplacées à Baboge (15 km à l'est de Nioka) et sur l'axe Nioka-Ngoté. Dans ce climat de tension exacerbée par une probable attaque des FARDC et de la MONUC, les hommes de Peter Karim ont lancé une opération le 22/11 qui les a conduit de Nioka à Jupuchama sur la frontière ougandaise. Lors des affrontements qui les opposèrent aux FARDC à Gwok Nyeri (27 km au sud-ouest de Mahagi) et à Luga (à environ 7 km de Gwok Nyeri) plusieurs ménages furent contraints de se déplacer vers Mahagi.” (OCHA 25 November 2005)

“- En Ituri, alors que les déplacés de Kagaba ont commencé à retourner dans leurs villages d'origine, d'intenses affrontements entre FARDC et milices FRPI et MRC à Kudikoka en territoire de Mahagi ont fait fuir les populations vers Pono, Bogi et en Ouganda.” (OCHA 31 December 2005)

“More than 6,000 people have fled the fighting and violence in southern Ituri, Democratic Republic of Congo (DRC), making them totally dependent on external help for their survival. Alerted by the Pakistani contingent of the UN Mission in Congo (MONUC), UNICEF together with its partners organized a humanitarian convoy to help the affected population.

Although the security situation in the Ituri-district has improved over the last several months, military operations between the governmental armed forces (FARDC) of and militias in the southern part of the district have resulted in massive displacements of people. Recent clashes and burning of houses by militia troops have pushed people to flee their homes and seek refuge near the village of Aveba, 70 kilometers south of district capital of Bunia. Pakistani MONUC troops have a compound in Aveba. More than 6,000 people have sought refuge near the compound.” (United States Fund for UNICEF 10 February 2006)

***For an overview of the armed groups in Ituri in 2002-2003, and a chronology of major political events human rights violations in 1998-2003, please see UN SC DR Congo: Letter***

***dated 16 July 2004 from UN SG addressed to the President of the Security Council, 16 July 2004, annex I and II [Reference below]***

### **Displacement caused by Hutu Rwandan militias (2005)**

- Attacks against civilians in North and South Kivu in 2005
- Hutu Rwandan militia FDLR signed an agreement at the end of March 2005, according to which they would demobilise and return to Rwanda

“Deux fosses communes ont été signalées à la Mission de l’ONU en République démocratique du Congo (MONUC). Elles renfermeraient les cadavres de 39 civils tués samedi dans le village de Ntulumamba, dans la commune de Kalonge, à 75 km au nord de Bukavu, a déclaré un porte-parole de l’ONU. [...]

Des survivants ont affirmé à la MONUC que les attaques avaient été menées par les rebelles hutus rwandais des Forces démocratiques de libération du Rwanda (FDLR), un avis partagé par Didas Kaningini, gouverneur de la province de Sud Kivu.

Les rescapés affirment que les rebelles ont agi durant la nuit et qu’ils ont enfermé les villageois dans leurs cases, avant d’incendier ces dernières. Ceux qui ont résisté ont été mutilés à coups de machettes.

« Ils nous ont demandé des dollars et comme nous n’en avons pas, ils nous ont ligotés avant de nous asperger d’essence et de mettre le feu », a expliqué un survivant à Radio Okapi, la station radio de l’ONU.

Edmong Ngarambe, un officier supérieur des FDLR, nie toute responsabilité au nom de son groupe. Il accuse les Rastas, un groupe de dissidents des FDLR qui, selon lui, opère en collaboration avec des milices congolaises. Un autre survivant a confirmé la version de Ngarambe à la radio congolaise.” (IRIN 14 July 2005)

“The Security Council this evening condemned the massacre of some 50 people, most of them women and children, which occurred on 9 July in Ntulu-Mamba, Democratic Republic of the Congo.” (UNSC 13 July 2004)

“Trois soldats congolais ont été tués et quatre autres blessés lors de combats qui ont opposé dimanche dernier les forces gouvernementales à des miliciens hutus rwandais dans la province orientale de Nord-Kivu en République démocratique du Congo (RDC). Les combats ont entraîné le déplacement de centaines de civils. [...]

Des centaines de civils déplacés ont fui Miriki pour Kanyabayonga, selon le chef de village, Joël Luhonu.

‘Pour le moment, ils demeurent auprès de leurs proches là-bas’, a-t-il dit.

Selon Amisi, le calme était revenu à Miriki, et a demandé aux civils déplacés de regagner leur village.

Les rebelles hutus du Rwanda basés dans l’est de la RDC ont été accusés de nombreuses attaques menées contre des civils, particulièrement sur le territoire de Walungu et de la Plaine de la Ruzizi au Sud-Kivu.

Murwanashyaka a signé un accord le 31 mars au nom des FDLR, annonçant que les miliciens rebelles sous son autorité déposeront les armes et retourneront au Rwanda. » (IRIN 8 June 2005, North Kivu)

"An armed group of mostly Rwandan Hutus in the eastern Democratic Republic of Congo (DRC) is accused of killing 18 civilians, mutilating 11 others and taking around 50 hostages on Monday.

The group, known as the Rastas, has been committing numerous human-rights abuses in the region, according to sources in the government and the UN Mission in the DRC, known as MONUC." (IRIN 26 May 2005)

### **Pygmy populations in North Kivu flee forests (February 2006)**

"The preferred way of life for the Pygmy population around North Kivu is to remain in forested areas. But now they are being forced to flee their villages by a recent upsurge in fighting in the area.

According to humanitarian relief workers, this is an indication that the situation has become much worse in recent weeks. "Pygmies very seldom leave their forests," said Gregory Chevrel of Solidarité, a UNICEF-supported non-governmental organization which assists people who have had to abandon their homes. "They keep to themselves, hunting and remaining very isolated from others.

"But in the past few weeks there are several factions of armed rebels operating all around their villages, so they've fled now for help. If they go home they could be tortured, or killed."

At sites for displaced people, huts with plastic sheeting provide shelter and are equipped with mosquito nets to help prevent malaria. Brand new latrines and water containers have been supplied by UNICEF, Oxfam and Solidarité.

Most of the people who have fled here are staying simply out of fear. "We cannot go home, there's nothing there," said Kibanjanga Malaibi, one of the displaced and a member of the Pygmy population. "We must just stay here near the others." (UNICEF 3 February 2006)

### **Temporary displacement of thousands due to fear of attacks by LRA (October 2005)**

"More than 300 Ugandan rebels who had crossed into remote northeastern Congo have withdrawn back into Sudan after Congolese government forces moved to confront them, local officials and civilians said on Saturday.

Thousands of local residents had fled the area, which is near Democratic Republic of Congo's border with Sudan, fearing a spate of attacks and looting by the heavily armed Lord's Resistance Army fighters who came across the border last month.[...]

Dismissing questions about why the LRA rebels had been allowed to escape back into Sudan without being apprehended, Congolese army officers said they had done their job to expel a foreign armed group from their soil.

"I don't know how they entered Sudan. What matters is that they left Congo," said Major Tito Yamfwa, the senior government officer in Aba.

"Anyway, I don't know what Vincent Otti looks like. If you have a photo of Otti, give it to me and we will look for him," he told Reuters.

But residents expressed relief that the LRA rebels had gone and that government troops were in the border area.

"We have felt abandoned up here ... This is the first time the Congolese army has come to look after us," said health worker Meshaka." (Reuters 8 October 2005)

### **Thousands flee due to ethnic clashes in Kasai Oriental (April 2005)**

"[I]n the southwestern province of Kasai-Occidental thousands of civilians are 'fleeing raging ethnic conflict'.

'Several reports suggesting growing armed robberies, rapes and other cases of sexual violence highlight the deterioration of the security conditions in and around Kananga [capital of Kasai-Occidental],' Patrice Bogna, the information focal point for MONUC's Humanitarian Affairs Section, said on Monday.

The fighting in recent days was mostly taking place near Luiza, about 250 km south of Kananga." (IRIN 27 April 2005)

### **People flee Mai Mai attacks in the Katanga Province (2003-2006)**

- The Mai-Mai are the greatest security threat in Katanga and the main cause of the displacement of 286,000 people in the province (Jan 06)
- Massacres and clashes despite setting-up of transition government in June 03
- Displacement continued as of early-2006
- In March 2005, fighting between Mai Mai militias and government troops caused the displacement of 5,300 civilians. The militias mutilated some of the displaced and burned down their homes
- At least 1,700 people fled villages in Katanga Province following attacks by Mayi-Mayi militiamen (May 2005)
- More than 15,000 were displaced from May to August 2005, due to clashes between the army and Mai Mai groups (August 2005)
- Mai Mai militias raped 15 women and girls in an attack on a remote Congolese village in May 2005 stealing their clothes so they were forced to flee naked
- Mai Mai militias killed a customary chief and attacked the homes of villagers, causing their flight; militiamen also confiscated their registration cards (November 2005)
- 60,000 people fled fighting between the army and Mai Mai militia refusing to lay down their weapons in November 2005

"Over the past few years, the people of central Katanga have been forced to flee their homes over and over again; each time losing everything they own to escape violence. Many eventually arrive to impromptu camps or settle in villages where little assistance awaits them; others are feared trapped in the bush. Without help and with little hope to return home, their situation remains unacceptable. Neither the Government nor the international community have shown an adequate commitment to fulfill their responsibilities to protect and assist these civilians in need.

Violence has held sway across much of central Katanga since at least 1998, when many people found themselves trapped along the front-line between the Rwandan-supported RCD-Goma on the one hand, and the Congolese Government army and Mai-Mai militia on the other.

By the early 2000s, as peace agreements were signed, power-sharing arrangements made and official support for the Mai-Mai dwindled, a different form of conflict began to emerge. Having long been the informal suppliers of foodstuffs for both FARDC troops and Mai-Mai militia, civilian populations are increasingly abused, attacked and manipulated. Meanwhile, military operations against insurgent parties are resulting in massive population displacement further increasing vulnerability to disease, malnutrition and mental trauma in areas where adequate emergency relief is almost entirely absent." (MSF January 2006)

"The Mai-Mai are the greatest security threat in Katanga and the main cause of the displacement of 286,000 people in the province. More than nineteen warlords in the northern and central territories command bands – estimated by the UN to total 5,000 to 8,000 – who regularly abuse the local population. This violence is closely linked to figures in the transitional government. Officials such as General John Numbi, head of the air force, and former Katangan Governor Aimé Ngoy Mukena, who helped create and supply these militias, now seem unable or unwilling to dismantle them. The Mai-Mai commanders in turn do not want to relinquish control of local resources and integrate into the national army." (ICG 9 January 2006, p2)

"[I] northern Katanga, especially in the localities of Kitenge and Mitwaba, new and violent conflicts have left approximately 100,000 people displaced and in need of urgent humanitarian assistance. Villages have been attacked, looted and destroyed by opposing factions of armed groups. Access has been limited and humanitarian actors have been forced to flee and close life saving operations in both zones." (UNICEF 7 May 2004)

"5,300 civilians displaced in the Democratic Republic of Congo's southwestern province of Katanga following fighting between government troops and Mayi-Mayi militias, a UN official told IRIN on Wednesday.

The fighting took place on 17 March but information on the incident reached the capital, Kinshasa, late due to lack of communication with the village of Konga, 446 km northwest of the provincial capital, Lubumbashi, where the fighting took place.

An officer in charge of special investigations in the UN Mission in the DRC (MONUC), Sonia Bakar, said a UN inter-agency meeting in Kinshasa on Friday discussed the incident.

"These people fled their village, heading to Mitwaba, 60 km to the south, after a Mayi-Mayi attack on the 17 March," she said.

Apart from the deaths, she said, the militias also mutilated some of the displaced people and burnt down 15 homes." (IRIN 7 April 2005)

"At least 1,700 people have fled villages in the Democratic Republic of Congo's (DRC) Katanga Province following attacks by Mayi-Mayi militiamen, a UN official told IRIN on Tuesday.

"The Mayi-Mayi raped seven women, eight under 18-year-olds and burnt eleven houses," Rachel Scott, the spokeswoman for the UN Office for the Coordination of Humanitarian Affairs (OCHA), said.

The attacks had been occurring since late May in the villages of Manono, Mpiana, Kayongu and Nkumbu in Kalemie Territory in the north of Katanga, Scott said. The most recent was at Manono on 29 May, where civilians there fled 100 km northwest to Mpiana.[...]

The attacks follow a dispute between the local population and the Mayi-Mayi militia over the reinstatement of a local chief, allied to the Mayi-Mayi.[...]

The DRC's transitional government, installed in June 2004, recently began its disarmament, demobilisation and reintegration process for former combatants countrywide. However, Mayi-Mayi militias continue to destabilise the eastern parts of the country despite signing an agreement

that would see them incorporated into the nation's newly integrated army.” (IRIN 8 June 2005, Mai Mai)

“Pro-government militiamen raped 15 women and girls in an attack on a remote Congolese village last month, stealing their clothes so they were forced to flee naked, the United Nations said on Monday.

The attack by Mai Mai militiamen and policemen took place in the village of Sonsa -- some 250 km (156 miles) southwest of the lakeside town of Kalemie, which separates Congo and Tanzania.

Anne Edgerton, head of the U.N. Office for Coordination for Humanitarian Affairs in Kalemie, said the women had fled for six days to seek assistance, but had only been able to move at night because they had no clothes on.

She said the raid on Sonsa appeared to be a revenge attack after the village's residents turned away a village chief dispatched to their village by local authorities.” (AFP 6 June 2005)

“Les plus récents déplacements de populations enregistrés dans la localité de Lubumbashi au mois de mai 2005 touchent environ 250 familles à Mpiana, à environ 90 km au sud de Manono, près de Lubumbashi. Un groupe de 750 personnes aurait trouvé refuge dans les forêts, près de Kyabondo, au sud-est de Mpiana. L'ONG GOAL y a mené une mission d'évaluation afin de s'enquérir de leurs conditions de vie ainsi que de leurs besoins dans le cadre des préparatifs d'une possible assistance humanitaire. Par ailleurs, un groupe d'éléments armés identifiés comme étant des combattants Mayi-Mayi et des éléments de la police locale auraient attaqué puis incendié le village de Sonsa, à environ 60 km au sud de Manono. Plusieurs rapports font état de cas de viols perpétrés par les assaillants au cours de l'attaque. » (MONUC 13 June 2005)

“Violence in parts of the Democratic Republic of Congo's (DRC) Katanga Province has been displacing thousands of civilians, according to local media and two international NGOs.

“More than 15,000 displaced people have arrived in [the village] of Mukubu since May,” said Loick Barriquand, the programme manager for Médecins Sans Frontières (MSF) that has a new primary health care project in the village.

On Monday he said that fighting there was between the regular army and local Mayi-Mayi militiamen.” (IRIN 3 August 2005)

“Some 60,000 people fleeing fighting between the Congolese army and local Mayi-Mayi militiamen resisting demobilisation have now arrived in the village of Dubie in the Democratic Republic of Congo's Katanga Province, Roman Catholic Bishop Fulgence Muteba said on Tuesday.” (IRIN 23 November 2005)

“In northern Katanga, Mayi Mayi militia are believed to be responsible for terrorising the local population and causing them to flee their villages. According to military observers in Pweto -600 km from Kalemie- a group of 221 IDPS claim to have fled their villages ( Kalela, Beni and Kabato) after attacks by Mayi Mayi (Gédéon) on 28 November 2005. According to the IDPS, a customary chief was killed by Mayi Mayi and their homes set alight. Voter registration cards were also confiscated by the militiamen, many of whom were armed with bows and arrows.” (MONUC 23 January 2006)

2006

“Some 49,000 civilians who have fled fighting between the Congolese army and Mayi-Mayi militia in the northern province of Katanga are living under very difficult conditions, according to an official of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA).

"We need clothing, plastic sheeting, kitchen utensils, soap and other things," said Anne Edgerton, the OCHA spokeswoman in Kalemie, a town in Katanga Province, on Friday. She said nearly 120,000 people in the region had fled their villages since the government launched an operation to disarm the militia groups on 15 November 2005. Humanitarian organisations have also received reports of similar dire conditions for IDPs in the territory of Malembankulu, but they have not yet carried out an assessment." (IRIN 6 January 2006)

### **Demobilized Mai Mai fighters commit abuses against the population in Beni, North Kivu, and cause displacement (October 2004)**

- Demobilized Mai Mai await assistance in transit camp and terrorize the local population
- Reports of abuses including rapes, lootings of harvests and cattle, houses destroyed

« A la suite de récurrentes allégations reçues par la MONUC Beni, au sujet d'exactions des Mayi Mayi sur les habitants, dans la collectivité de Mangango, une délégation composée des sections DH, AH, et PIO escortées par des éléments de la TF1 se sont rendues à Mangango Centre à une vingtaine de kilomètres de Beni sur la route de Mangina et de Mambasa, pour se rendre compte des faits. Mangango, c'est le centre d'accueil des Mayi Mayi du Grand Nord Kivu, de Mangurejipa notamment qui attendent leur démobilisation. Impossible d'accéder à ces villages par voiture, mais les récits des notables que nous avons rencontrés sont tout simplement pathétiques. Des villageois systématiquement dépouillés de leurs biens et forcés à abandonner ce qui reste pour prendre la route de l'inconnu, l'exil.

Des villages entiers vidés petit à petit de leurs populations dans la localité de Mangango, c'est la réalité dans cette collectivité située à une vingtaine de kilomètres de Beni. «Le phénomène a commencé un peu il y a quatre ans, mais c'est depuis l'installation du camp de transit des Mayi Mayi à Mangango que l'exode s'est accentuée» nous a raconté le chef du village de Kambao. «Mon village comptait 500 familles, mais aujourd'hui il est pratiquement vide», a ajouté le chef Jacques Mangala Lusenge.[...]

Depuis la création du centre de transit des Mayi Mayi à Mangango, ces nouveaux arrivants ont tout simplement investi les lieux pillant tout ce qui appartient au villageois qui vivent dans la localité : champs dévastés, volaille, bétail, récoltes systématiquement pillés, maisons détruites avec les pièces (tôles, poutres) emportées pour construire des habitations dans le camp de transit. Même au centre ville ici, il vous ne trouverez plus une seule chèvre (effectivement, on n'en a pas trouvé), ils ont tout pris.

Ils viennent en tenue militaire ou en civil avec des flèches ou des armes et soumettent la population assujettie à toute sorte de sévices, de mauvais traitements y compris le viol, s'ils ne trouvent rien. » (MONUC 5 October 2004)

## POPULATION FIGURES AND PROFILE

### Global Figures

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#### 1.6 million IDPs as of the end of 2005

According to OCHA, an estimated 1,664,000 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 are the provinces of North and South Kivu, Katanga, and Ituri.

DRC total		
Provinces/ Districts	IDPs	Retournés - 12 mois
Ituri	280,000	213,500
Orientale	30,000	1,200
Nord Kivu	502,500	300,000
Sud Kivu	351,500	456,500
Maniema	7,600	252,000
Tanganyika	48,500	369,000
Katanga	263,900	77,900
2 Kasais	40,000	0
Equateur	100,000	10,000
Kinshasa	40,000	0
<b>Total</b>	<b>1,664,000</b>	<b>1,680,100</b>

(OCHA October 2005)

#### 2.3 million IDPs as of end 2004

### Table of IDPs and Returnees in DRC

As of August 2004\*

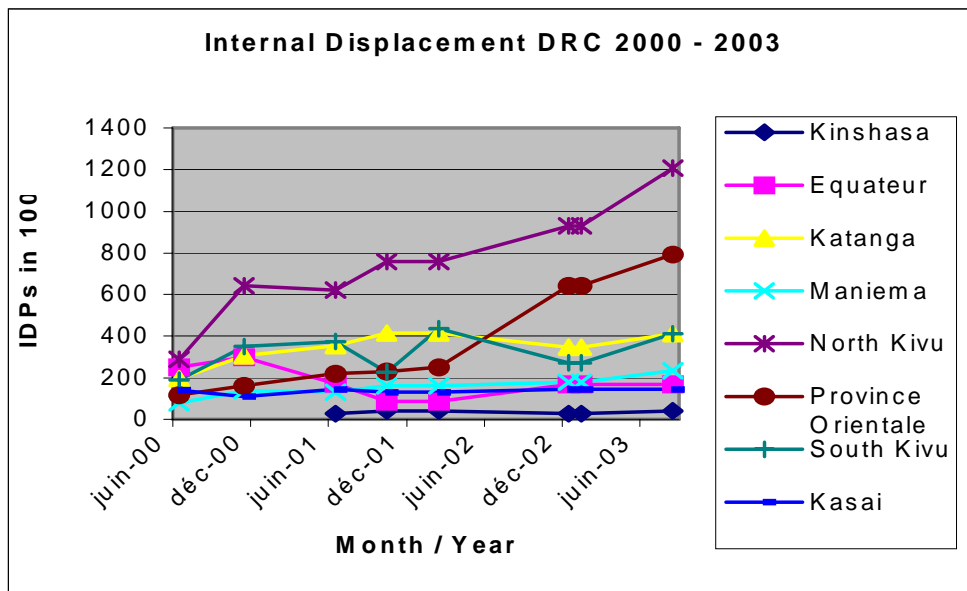
Provinces	Displaced	Returns	Date of Information
Katanga	365,000	190,000	August 2004
Province Orientale	455,000	260,000	August 2004
Maniema	165,000		August 2004
North-Kivu	785,000		August 2004
South-Kivu	254,000	275,000	August 2004
Equateur	165,000		August 2004
Kinshasa			
Bandundu			
Bas Congo	45,000 (includes +/- 3,000 expellees from Angola)		August 2003 for the IDPs and June 2004 for the expellees.
East and West Kasai	95,000 (includes +/- 40,000 expellees from Angola)		August 2004
<b>TOTAL</b>	<b>2,329,000</b>	<b>725,000</b>	<b>August 2004</b>

\*These figures are estimations representing a consolidation of data furnished by provincial commissions on Population Movements as well as reports of various evaluation missions.

(UN OCHA 31 August 2004)

### From 2 to 3.4 million people displaced in DRC (2000-2003)

- Approximately 3.4 million people displaced in DRC by end 2003
- More than 2.7 million IDPs by end of 2002
- Over 2 million IDPs in DRC by end of September 2001



(UN OCHA 18 Nov 03, p18)

End 2003

"A fifth year of uninterrupted war in large parts of the DRC further eroded coping mechanisms, and pushed entire populations to near exhaustion. This was reflected in the startling increase in IDP numbers from 2.7 million in January 2003 to 3.4 million in August 2003." (UN OCHA 18 Nov 03)

***Major increase mainly due to the crisis in Ituri:***

"Some 8,000 civilians lost their lives as a result of deliberate killing or indiscriminate use of force from January 2002 to December 2003. More than 600,000 have been forced to flee from their homes." (UN SC 16 July 2004, para.40)

**End 2002**

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

"The recent aggravation of violence in rebel-held areas (mainly in Ituri region, South Kivu, Kindu, Shabunda and northern Katanga) increased the number of displaced persons by at least 500,000 since the beginning of the year, putting considerable pressure on the humanitarian community's response capacity. The continuous eruption of cholera epidemics in many provinces (Kasais, Katanga, Orientale and Kivus) is an indication of the exhaustion of the population's survival strategies after years of protracted crisis and the need to reinforce the existing emergency response and coordination mechanisms." (OCHA 19 Nov 2002, p27)

"The Humanitarian Coordinator described the situation in the border region of Uvira, the Hauts Plateaux and Fizi- Baraka as a "creeping disaster", with over 100 villages deserted and 20,000 newly displaced families, bringing the total number of internally displaced people in South Kivu to an estimated 400,000." (UN SC 18 Oct 02, para.60)

**End 2000-2001**

***According to UN estimates, there were about 2,045,000 IDPs in DRC as of the end of September 2001 (UN OCHA 30 September 2001).***

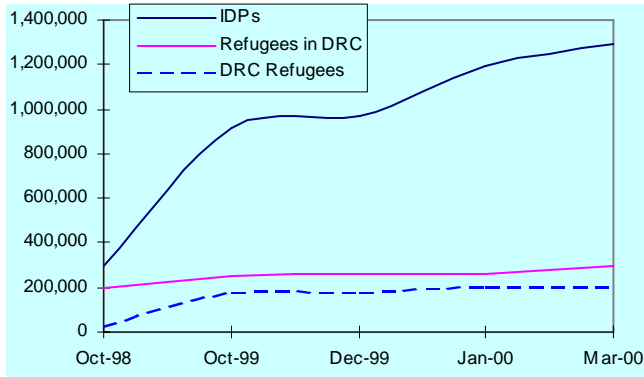
According to the United Nations, "The vast majority of the 2 million people displaced by war are children and women." (United Nations 7 June 2001)

***There were about 2,002,500 IDPs in DRC by the end of December 2000. (OCHA 31 December 2000, p.3) This represents a significant increase during the last of part 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. (OCHA 31 December 2000, p.6).***

**From 500,000 to close to a million IDPs (1998-1999)**

- 960,000 IDPs in DRC by end of 1999
- 500,000 IDPs in DRC by end of 1998

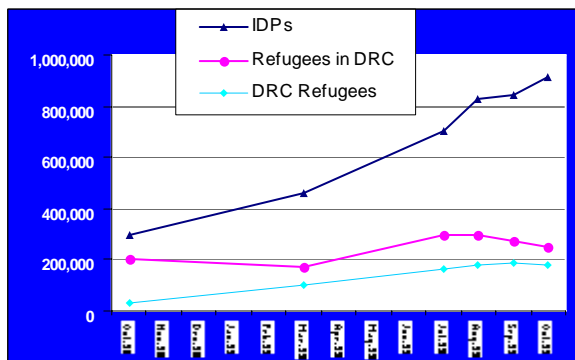
***Increase of the number of IDPs 1998-2000***



(OCHA 17 April 2000)

### End 1999

"[By January 2000 there were] some 960,000 internally displaced persons in eight of the 11 provinces of the Democratic Republic of the Congo and over 300,000 refugees from six of its nine neighbouring countries.." (UN SC 17 January 2000, para. 24)



(OCHA 15 November 1999)

### End 1998

"The number of IDPs is believed to have almost tripled since the outbreak of hostilities in the DRC and is estimated to have reached the level of 500,000 persons scattered in North and South Kivu, Orientale, Maniema, Kasai, Equateur and Katanga provinces. In rebel-held areas, the current conflict is marked by patterns some of which are similar to those that affected humanitarian action during the 1996-1997 war in former Zaire, i.e. all communities of Northern and Southern Kivu are considered - and consider themselves as - collective targets for military attacks. Massive, durable displacements are expected to have been amplified during the last three months. The situation is usually different in other parts of the DRC, where the populations are only afraid of looting and side-effects of military confrontations. Thus, they only leave their houses for as long as fighting, looting or take-over of a town will last at local level." (UN December 1998, p.14)

***It should be noted that USCR apparently subscribed to a more careful estimate of IDPs by the end of 1998:***

"The outbreak of renewed war in Congo-Kinshasa in August uprooted hundreds of thousands of people, some for a few days, others for the rest of the year. At year's end, displacement persisted primarily in the eastern one-third of the country.

Although an estimated 300,000 persons were internally displaced at year's end and some 130,000 were refugees in neighboring countries, some aid workers estimated that 80 percent of the population in some eastern regions (a million or more people) might have fled their homes temporarily for several days at different times during the year. Such estimates were impossible to confirm because much of the country remained inaccessible to local and international aid workers." (USCR 1999, p.59)

### **100,000 believed to be displaced by the end of 1997**

- After the main civil war ended (May 1997), eruptions of violence in eastern Congo/Zaire pushed additional tens of thousands from their homes
- About 40,000 Congolese fled early in 1997 hundreds of kilometres westward with Rwandan refugees to the city of Kisangani

"The number of residents who became internally displaced during the civil war remains uncertain. More than 100,000 were already uprooted in eastern Zaire prior to the civil war due to ethnic conflicts. Poor roads, impenetrable forests, and pockets of insecurity impeded full assessments of humanitarian needs in the country's vast isolated areas throughout 1997.

A UN funding appeal in March estimated that nearly a half-million Congolese/Zairians were displaced. U.S. aid officials estimated in August that some 230,000 probably were uprooted within the country. A UN human rights official reported in mid-year that 250,000 to 400,000 were displaced. An international NGO put the number at 190,000. All sources agreed that the most pervasive displacement was in the chronically unstable Masisi zone of eastern Congo/Zaire, near the town of Goma.

USCR site visits to eastern Congo/Zaire during 1997 concluded that up to half the population in some areas of the east were at least temporarily displaced during the war. Many were able to return home after several weeks, but thousands of families endured long-term displacement caused by lingering insecurity in their home areas. USCR estimated that up to 150,000 people remained internally displaced at mid-year, but a majority were "invisible to outsiders because they are dispersed," USCR's report noted.

About 40,000 Congolese fled hundreds of kilometers westward with Rwandan refugees to the city of Kisangani early in the year. More than 70,000 fled to Tanzania. Smaller numbers entered Uganda, Burundi, Sudan, Zambia, and other countries as refugees. As many as 10,000 former Zairian soldiers and their families reportedly fled to Central African Republic.

[...]

In the second half of 1997, after the main civil war ended, eruptions of violence in eastern Congo/Zaire pushed additional tens of thousands from their homes. Some 8,000 people converged on the town of Goma in late April. At least 15,000 fled to Rwanda. Entire areas of Masisi zone, in the east, lay deserted, with 15,000 homes burned and 1,000 people dead." (USCR 1998, pp. 60-61)

## 400,000 believed to be displaced by the end of 1996

"Uprooted Zairians were the virtually forgotten victims of their country's widening civil war [after October 1996].

An estimated three million Zairians lived in the conflict zones. An estimated 400,000 became internally displaced, and approximately 50,000 others became new refugees in Tanzania, Rwanda, and Uganda. An additional 1,000 or more Zairian or Rwandan Tutsi fled to neighboring Congo to escape anti-Tutsi violence in the Zairian capital, Kinshasa.

In addition to the new Zairian refugees created during 1996, tens of thousands of Zairians remained refugees from previous years." (USCR 1997, p.107)

## Disaggregated figures

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### Distribution of IDPs by province (July 99-mid 2004)

- Decrease of IDP figures in all Provinces (mid-2004)
- Great increase of IDPs in Orientale due to crisis in Ituri (mid-2003)
- The majority of displaced persons were found in the eastern provinces of North Kivu, Katanga, Orientale and South Kivu, (Aug 2002)The majority of displaced persons were found in the eastern provinces of North Kivu, Katanga, Orientale and South Kivu, (Aug 2002)
- about 1 million IDPs in the Kivus as of Aug 2002
- The number of IDPs in Equateur decreased greatly from Dec 2000 to Sept 2001
- The number of IDPs in Orientale increased greatly from Dec 2000 to Sept 2001 and then increased again in Feb 2002
- The number of IDPs in Katanga increased by 100,000 IDPs between Dec 00 and Sept 01

LOCATION	ORIGIN	Nov 03	Aug 04
Equateur	DRC	168,000	165,000
Katanga	DRC	412,000	365,000
Maniema	DRC	234,000	165,000
North Kivu	DRC	1,209,000	785,000
Orientale	DRC	791,000	455,000
South Kivu	DRC	413,700	254,000
East and West Kasai	DRC	145,000	95,000 (includes +/- 40,000 expellees from Angola)
Kinshasa	DRC	41,000	45,000 (includes +/- 3,000

TOTAL IDPs 3.4 million expellees from Angola) 2,329,000

(based on numbers provided by UN OCHA, 18 Nov 03, p19; UN OCHA 31 August 2004)

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
<b>Total</b>	<b>775,000</b>	<b>1,502,000</b>	<b>2,002,500</b>	<b>2,045,000</b>	<b>2,275,111</b>	<b>2,275,000</b>

Source: UN 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

#### New survey of IDPs in camps in Kalemie, North Katanga (Jan 04)

According to survey on internal displacement in 4 IDP camps in Kalemie:

##### Effectifs globaux pour l'ensemble des sites d'hébergement de Kalemie

« La détermination du nombre exact des déplacés des guerres hébergés dans les différents sites de la ville de Kalémie a été un des objectifs principaux de l'opération de recensement la fin du mois de décembre 2003. Il en ressort que plus de 7.000 familles séjournent dans les quatre sites déjà cités, quelques uns depuis le début de l'année 2003, à la lumière de la distribution qu'offre le tableau suivant.

Tableau n°.1 : Répartition des effectifs des familles des déplacés de guerre par site

Sites	Fréquences absolues	Fréquences relatives
Kabutonga	477	6.7
Lukwangulo	1052	14.7
Lumbwe	3088	43.1
Makala	2549	35.0
<b>Total</b>	<b>7166</b>	<b>100</b>

Lumbwe reste le site le plus peuplé avec 3088 familles recensées. Cet effectif est relativement inférieur à celui de plus de 3.900 déclaré par le comité du camp au terme de l'entretien que l'on a eu avec lui en début de l'opération. Il y aurait probablement eu tendance à la surestimation des effectifs pour en tirer certains avantages notamment d'ordre matériel. On aura donc réussi à élaguer au moins 800 familles fictives pour ce seul camps. C'est à Kabutonga qu'on aura réussi à élaguer le moins de faussaires possibles, soit à peine une vingtaine.

Il a été estimé nécessaire de mettre en évidence la répartition des effectifs des répondants au regard de leur sexe dans la mesure où la vulnérabilité des individus en grande partie en dépend. Ainsi donc comme en témoignent les éléments du tableau suivant plus de la moitié des répondants était des femmes. » (UN OCHA Jan 04, p10)

# **PATTERNS OF DISPLACEMENT**

## **General**

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### **Displacement is constant feature in the life of most people in central and northern Katanga (2006)**

In the last two years violence has provoked several waves of displacement in the Mitwaba – Upemba – Manono triangle.

- In early 2004, political divisions among Mai-Mai factions sparked fighting among groups and counter attacks by the FARDC north of Mitwaba causing a major population exodus towards the forest and the south of the territory;

- In March/April 2005, further fighting between Mai-Mai and military along the axes of Konga-Kintya and Dilenge-Mwema, left some 15,000 men, women and children spread across the camps and villages of Mitwaba, Mazombwe, Kasungeshi and Sampwe. In the zone around Kakonona, 6,000 persons also fled fighting;

- In July/August just under 2,000 civilians fled towards Lukona from villages such as Mukunda, Kyabwe, Shamwana, Kamazanga, Kibemba and Kampangwe. Another 2,000 or so arrived in Dubie around the same time from villages including Mutendele, Kishale and Mpaza in particular;

- In mid-November, following intensified military operations, 6,000 persons sought refuge in Dubie while a further 4,000 decamped to Kizabi near Pweto and another 5,000 to Kabalo.

Over December/January, another 10,000 people made their way towards Dubie while the displaced in Mazombwe were forced to flee after an attack by Mai-Mai. Of the 3,000 original inhabitants, only 1,000 appear to have returned. Another 15,000 persons fled to the shores of Lake Upembe adding to an existing 20,000 displaced. And a further 6,500 persons to Sampwe and Mitwaba.[...]

For most of the people across central and northern Katanga, such upheavals and displacement have been a constant feature of their lives ever since the war started in 1998, and have continued to this day with the conflict between the Mai-Mai and Congolese army.

Thousands of civilians have frequently been obliged to flee to their fields, following waves of abuse and violence. They have lived in their fields away from their villages for anything from a few days to several months –even up to one year – only then managing to return home.

Some had perpetually been going back and forth from their village to their fields and back again – for nights, for weeks or longer. Still others had eventually decamped from their fields to the bush unwilling and/or unable to return to their villages; many had lived a life of continually fleeing from one bush area to another continually in search of safer refuge during one or several months.” (MSF January 2006)

### **Night commuters in South Kivu (2005)**

- 1,500 inhabitants of villages in South Kivu found refuge in town every night

“Throughout the east, militia groups continue to prey on civilians, stealing harvests and food stocks, burning houses, raping women and kidnapping people for ransom.

As a result, hundreds of people in South Kivu are commuting at night to sleep with families who live in more secure towns such as Walungu and Kaniola, 40 and 60 kilometres respectively from Bukavu.

According to the Kaniola administration, 15,000 displaced people are living in the centre of Kaniola with host families, and some 1,500 people come into the centre to sleep every night, with as many as ten families sleeping in one home.

These children who attend a school in the centre of Kaniola don't feel safe even there. Every afternoon they are joined by their teacher, the parish priest and local farmers who no longer feel safe sleeping at home, and they all make the two-hour walk into Walungu.

WFP provides food to both the internally displaced and the host families who have opened up their one-room homes to others.” (WFP 2 June 2005)

### **Multiple and long term displacement (2004)**

“The conflict in DR Congo has been going on for quite some time, so you have massive displacement of women and children and whole families,’ says the head of UNICEF's office in eastern Congo, Johannes Wedenik. ‘You have people who have been displaced several times, so you have successive waves of displacement. Many children, many families have been in a dire situation for many years.’ (UNICEF 16 December 2004)

### **Batwa “Pygmy” population has been displaced and marginalized (2003-2004)**

- Batwa have been evicted from their original homeland in forests without compensation
- Since the beginning of the conflict, Batwa have been accused of collaborating with the opposite side

“A group of Pygmies, the Batwa, face particular challenges. The Batwa, who live in Rwanda, Burundi, Uganda and the Democratic Republic of the Congo (DRC), number an estimated 70,000-87,000, according to Minority Rights Group International

Starting in the late 1960s, with the establishment of the Kahuzi-Biega Forest in South Kivu, DRC, and still continuing today, international conservation groups have joined with national governments to forcibly expel Pygmies from newly declared game parks and forest preserves. They are evicted from their homelands and offered neither compensation nor recourse. Homeless, they take up a marginalized status on the periphery of local communities. [...]

It is a social taboo to share food, occupy the same bench and socialize with Batwa in public spaces. While other citizens are issued birth certificates and identity cards free of charge, Batwa must undergo an involved bureaucratic process. Without these cards, it is difficult to enroll in schools and receive government-funded health care, which are otherwise guaranteed to other vulnerable people in the country. [...]

[...] [I]n the DRC, where many more Batwa are able to maintain their lives in the forests than in any other country in the Great Lakes region. However, these forests are popular among rebel groups and are often the battleground for the conflicts raging there today. The Batwa have been

accused of exchanging information, becoming spies, or joining an opposing side, and so often become victims of violence. Amnesty International recently reported cannibalistic incidents of armed groups killing the Batwa and forcing prisoners to eat the flesh. While some Batwa do join with rebel and government forces that can provide subsistence, many more are innocent victims of armed conflict." (RI 12 Aug 03)

"Civil wars, poorly planned conservation parks, lack of access to education, healthcare and land, ethnic discrimination, economic hardships, and inequalities threaten to destroy Batwa cultural heritage. In August 2003 Refugees International released a report entitled, "Forgotten People: The Batwa 'Pygmy' of the Great Lakes Region of Africa" documenting these threats. They remain the challenges confronted by the 70,000-87,000 Batwa living in Uganda, the Democratic Republic of the Congo, the Central African Republic, Rwanda and Burundi. One year later and still forgotten, the Batwa are vulnerable." (RI 20 August 2004)

### **Forced displacement from areas rich in mineral wealth in the Kivus and in Maniema (2001-2002)**

- In the Kivus, reports that activities of the Rwanda Army and of soldiers of the Rassemblement Congolais pour la Démocratie have led to the displacement of villages as the armies have moved into areas in order to 'secure' a mining site
- In Maniema, reports that the Mai-Mai and the Interahamwe have forcibly moved people out of rural areas where they want to be involved in mining and exploiting other resources

*According to a report by the All Party Parliamentary Group on the Great Lakes Region and Genocide Prevention:*

"It was also reported that the activities of RPA and RCD soldiers have led to the displacement of villages as the armies have moved into areas in order to 'secure' a mining site. Numerous cases were mentioned by local sources in North and South Kivu. There are also reports from Masisi, Walikale and Maniema that the Mai-Mai and the Interahamwe have forcibly moved people out of rural areas where they want to be involved in mining and exploiting other resources. For example, it was reported that the Mai-Mai took control of the gold and coltan area of Kampene (Maniema) in May 2002. As they have taken control of villages near to mining sites, the population has fled which in turn has sometimes attracted the RPA and RCD to try to take the villages themselves. Displacement has led to population movement into other villages, towns and forests, which has increased malnutrition and food insecurity and exerted pressure on depleted health and education services." (APPG Nov 2002, p29)

*According to Amnesty International:*

"Large-scale population displacement is particularly prevalent in areas rich in mineral wealth. In the Masisi territory of North-Kivu, on 29 June 2000, the RCD-Goma and RPA reportedly fired continuously into the air for an hour-and-a-half, terrorizing the local population and forcing thousands of people to flee, leaving the area empty and easy accessible to troops. In another case, 34,000 were displaced during the months of July and August 2000, and a further 27,000 in September and October 2000, due to fighting around the town of Shabunda, a rich coltan mining area. [...] Most of these Internally Displaced People are receiving no humanitarian assistance." (AI 19 June 2001)

### **Changed frontline and strategy by armed groups in South Kivu make the displaced flee greater distances (2000-2001)**

- Previously IDPs used to make efforts to stay near their villages and fields
- Anticipation of an all-out war, affected communities flee on far greater distances
- New strategy of uncontrolled armed groups to destroy villages forces IDPs constantly on the move from village to village in search for protection from attacks by the numerous armed factions
- In some instances, people in South Kivu are displaced five or more times, in various directions, as fighting breaks out in their places of refuge

"For much of 1999 humanitarian agencies were able to trace and reach most of IDP communities, since their movement was generally stable once away from insecure areas, i.e. IDPs were on the move for some time and making efforts to stay near their villages and fields. The displacement patterns of South Kivu noticeably changed starting from November-December 99, but especially in January 2000 when the frontline stretched from western parts of Maniema province down to Shabunda and even Kalonge. The dramatic shift of the frontline that has also led to significant changes - the Mayi-Mayi activity is now perceived by the civilian population, especially in towns, as a resistance movement, with which it overwhelmingly sympathises. Thus a qualitative change in the patterns of displacement- in search of security and in anticipation of an all-out war, affected communities flee on far greater distances. If the current levels of tension were to be sustained for another month, the majority of rural areas of South Kivu might be deserted and a significant rise in refugee numbers in Tanzania might occur." (OCHA 15 February 2000)

" The fact that uncontrolled armed groups in the Kivus are much better armed and co-ordinated than previously results in focused fighting of longer duration. On a number of occasions during the reporting period the uncontrolled-armed groups (UAGs) have gained the upper hand over RCD forces. A distinct change in the modus operandi of these groups has been observed: it would appear they no longer fight, loot and withdraw. In many instances they fight for control of villages or territories and remain there as an occupying force. This was notably reported by recent IDPs from Masisi in North Kivu.

[...]

The most important pattern of displacement in South Kivu during the reporting period has been the change in strategies of attacks on populations and thus the change in displacement practices. Those dwelling in forests habitually displaced from settlements to camps further into the forest in order to be out of the way of whatever insecurity arising. This would be sufficient to keep them protected until their villages were safe and they could return. This method of self-preservation is no longer adequate. It would appear that there are previously unknown UAGs operating who are clearing entire areas with the express purpose that people do not return to their villages. As a result, waves of people who had been living rough in forests are now being swept before UAGs, constantly on the move." (OCHA 17 April 2000)

"The continued fighting in North and South Kivu provinces in the eastern Democratic Republic of Congo (DRC) has displaced nearly half a million people in recent months. Congolese have fled from village to village in an illusory search for protection from attacks by the numerous armed factions in the region. Host communities up to this point have welcomed internally displaced people (IDPs). Individual households have swollen to twenty or more people in some areas. However, African hospitality and limited international resources are reaching their limits." (RI 5 May 2000)

"This province [of South Kivu] has seen the development of a pattern of displacement in which civilians, whose villages are raided for food and livestock, have to flee either to neighbouring villages, or to large towns such as Bukavu. In some instances, people are displaced five or more times, in various directions, as fighting breaks out in their places of refuge. In other cases, people have returned to their home villages once security returned, only to be displaced by fresh fighting. For the most part, they flee without belongings and many of those who return discover that their villages and farms are burned or otherwise destroyed by armed belligerents." (ACT 13 July 2001)

### **Majority of IDPs are not housed in camps but have merged into host communities (1999-2000)**

- 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

"A characteristic feature of displacement in eastern DRC is the fact that IDPs are not housed in camps but have merged into host communities. Their conditions remain precarious due to lack of farming land, vital services and general insecurity. Remaining in proximity to their places of origin, the displaced are prone to be subjected to the same hazards and abuses that caused them to flee in the first place. On a number of occasions during 1998-99, the displaced and local communities were stranded in combat areas and were removed by military authorities in a bid to create security zones." (UN July 1999, p.8)

"The great majority of displaced persons are relatively well received by foster communities thanks to the family or tribal ties. In urban areas, IDPs are sheltered and fed by their foster families thus becoming an additional burden on the already poverty-stricken urban households. It is not uncommon that the continued stay of IDPs creates discontent that eventually bursts into a conflict with the subsequent expulsion of the displaced. In rural communities on the other hand, IDPs are often absorbed by host villages, accommodated and fed for the initial stages. With the approval of traditional chiefs, the displaced subsequently receive land plots and in due course overcome their dependence on the local community. Eventually, the relations between the displaced and their hosts improve, as the former start contributing to the general well-being of the community." (UN November 2000, p.18)

### **IDPs seeking shelter in the forest constitute be the most vulnerable IDP group (2000)**

- Forest dwellers lack access to health care and subsistence on wild foods
- This IDP category estimated at 200,000

"Tragically, it is estimated that less than half the displaced communities and families are receiving humanitarian assistance. Those vulnerable and displaced populations left without assistance are hiding in the forests, inaccessible as a result of insecurity and some who emerged for their hiding places in August [2000] were disturbingly described as 'living in animal-like-conditions.'" (OCHA 31 December 2000)

"This group of displaced is legitimately believed to be the most vulnerable among all IDP communities. Most commonly, these people have been displaced several times, having left their home communities seeking security in remote and barely accessible areas. Communities then cleanse a portion of forest and start cultivating. This category of displaced has practically no

access to health care and is reduced to consuming wild berries and “non-human” and raw food. Ashamed of their physical appearance and nudity, precarious health conditions (infections, dermatosis, parasitosis, etc.), “forest dwellers” avoid any contacts with the outside world and seek to further distance and alienate themselves from the neighbouring communities. The previous (1996-1998) experience with similar groups of displaced suggested that practically every family loses on average one child under five. Because of its survival tactics, this group is the hardest to access and assist. The largest concentrations of people in the forest were observed in Shabunda (South Kivu) and Bokungu-Ikela (Equateur). The number of people in this category is estimated at 200,000.” (UN November 2000, p.15)

# PHYSICAL SECURITY & FREEDOM OF MOVEMENT

## General

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### **Ignored humanitarian crisis in Katanga: IDPs' urgent clothing and other basic needs (Jan 06)**

"An enormous humanitarian crisis is emerging in the Democratic Republic of Congo's Katanga Province, with tens of thousands of people being displaced, but so far the government and the international community are doing little.

"Katanga is not on the political map, which is why such a massive humanitarian crisis can go ignored," said Jason Stearns, the International Crisis Group's senior analyst on Central Africa, who is working on a report on Katanga to be released in early 2006.

"The situation is as bad as Ituri and the Kivus and has the potential of spinning out of control," Stearns said, referring to the provinces of North Kivu and South Kivu in the east of the Democratic Republic of the Congo (DRC), and Ituri District in the northeast.[...]

'The number of displaced in central and northern Katanga now exceeds 100,000,' said Anne Edgerton, head of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) in the town of Kalemie on Lake Tanganyika. 'We know of at least 39,000 people who were recently displaced -- they do not include 72,000 displaced earlier in 2005.'

[...]

OCHA's Edgerton said many of the displaced people recently interviewed upon their arrival in Dubie said they had fled their villages more than two months ago and had been living in the bush. "Their most immediate need is clothing," she said. "Many arrived with clothes rotting off their bodies."

Most of the assistance they have been receiving has come from locals, who themselves live on less than a US \$1 a day, she said. "They are already overburdened, hosting almost 16,000 displaced people who arrived in the area in August." (IRIN 3 January 2006)

***See also Le Potentiel, 30 Nov 2005, RDC : Près de soixante mille déplacés de guerre réfugiés à Dubie [Internet]***

### **Serious protection concerns for IDPs and other civilians despite transition government (2004-2005)**

- According to the International Crisis Group, the poor and irregular payment of soldiers has made the Congolese army the largest security threat for Congolese civilians (Jan 06)
- MONUC spokesperson said that UN peacekeepers would stop fighting alongside national troops if they continued to commit human rights violations during operations (Feb 06)
- Widespread human rights violations by armed groups continue with almost total impunity (2005)
- Civilians in the Kivus and in Maniema are particularly at threat according to OCHA (2004)

- HRW denounced pattern of deteriorating security and massive violations of international human rights and humanitarian law (2004)
- IDPs in Manon Territory, Katanga Province, said they witnessed cannibalism, murders and forced recruitment of children by Mai Mai groups (April 2004)
- MSF reports widespread human rights violations against IDPs in Ituri (August 2005)
- In December 2005, OCHA noted the increased vulnerability of populations living in areas of Ituri, North and South Kivu and Katanga where armed groups have burned and looted their houses, and stolen their cattle

“The poor and irregular payment of soldiers, for example, has made the national army, FARDC, arguably the single largest security threat for Congolese civilians. Foreign experts estimate that of the \$8 million allocated each month for salaries and rations, between \$3.5 million and \$5.8 million goes missing. Much of the embezzlement happens through payment of “ghost soldiers”, but even the real soldiers are often not paid and rarely receive their rations.” (ICG 9 January 2006, p14)

“United Nations peacekeepers will stop fighting alongside Congolese government forces if they continue to commit human rights violations during operations, the world body said on Wednesday.

The U.N. mission has gathered a list of complaints against the army -- detailing dozens of cases of executions, pillaging and rape that took place during and after operations -- and handed it to the head of the army, demanding action be taken.” (Reuters 8 February 2006)

“La vulnérabilité des populations dans les zones d’action des groupes armés s’est accentuée avec les incendies des maisons, le pillage des habitations, le vol du bétail. Tel est le cas des habitants des régions de Mahagi en Ituri (Kagaba, Gety et Aveba, des villages situés sur l’axe Lugushwa-Itutu et Kalehe au Sud- Kivu, des localités Sake et Miriki dans le Nord Kivu ainsi que du village Kizabi dans la province du Katanga.” (OCHA 31 December 2005)

“While some provinces, such as Equateur, have been relatively calm over the last three years, much of the eastern part of the country remains volatile and insecure, with sporadic clashes amongst armed groups and civilians continuing to bear the brunt. Widespread human rights violations by armed groups continue with almost total impunity, including killings, rape, sexual exploitation, abductions, forcible conscription of children, looting, plundering of crops, illegal taxation and general harassment of civilian populations. Unpaid Government troops (FARDC) are responsible for many of the crimes. Lack of salaries for these troops is a major problem.

Ethnic clashes, the presence of foreign troops, illegal exploitation of natural resources (gold, coltan and diamonds), and smuggling of goods and weapons all add to the violence. There is no functioning judicial system in much of the eastern DRC. A recent survey showed that it would cost a woman US\$ 300 to succeed in having a rape case brought to court.” (OCHA 8 June 2005)

“The protection of civilians remains a serious concern throughout DRC, particularly for populations living in the Kivus and Maniema who are under threat of FDLR movements and clashes between insurgent groups and government troops, not to mention the possibility of foreign intervention. Further north in the Mahagi Territory, Ituri District, the FNI and FAPC forces continue to wreak havoc for civilian populations in this region. [...]

In flagrant violation of international humanitarian law and human rights principles, war crimes continue to be carried out by both renegade armed groups and the national army throughout the Democratic Republic of Congo. Violations of the right to life, physical integrity, freedom of movement and property continue to be systematically violated by those in positions of power while impunity reigns unchecked.” (UN OCHA 31 Aug 04)

“The recent fighting in Bukavu is only the latest event in a pattern of deteriorating security and massive violations of international human rights and humanitarian law. For millions of Congolese

citizens who live in the highly populated eastern region and face daily struggles for survival, there is no peace.

Rebellious factions of former rebel groups plus other armed groups that have not joined the transitional process use violence to oppose integration into the new DRC army and to challenge the authority of the fragile DRC transitional government. Leaders of the former rebel groups have apparently encouraged or tolerated these challenges even while taking part in the transitional government, perhaps seeking to keep all options open should the peace process not bring the desired dividends. The Kinshasa transitional authorities have been unable to meet the political challenges and have failed to stop the violence.

Human Rights Watch researchers have documented war crimes and other human rights abuses including summary executions, of which some were committed on an ethnic basis, rape, and looting by all the fighting groups since May 26, 2004 as well as in the previous months.

The violence against civilians in Bukavu, the capital of South Kivu province, followed the May 26 clash between soldiers loyal to Colonel Jules Mutebutsi, a commander from the Rally for Congolese Democracy – Goma (RCD-G) who had been suspended from the integrated national army in late February 2004, and pro-government forces of the newly created Tenth Military Region under the command of General Mbuza Mabe. At least one soldier from Mabe's forces was killed in the fighting. Over the following two days other soldiers from Mabe's forces killed civilians of the minority Banyamulenge ethnic group in apparent reprisal for the killing of their fellow soldier. Some Banyamulenge were apparently targeted because they were of the same ethnicity as Mutebutsi.

The Banyamulenge are Congolese people whose ancestors migrated from Rwanda and Burundi generations ago to the high plateau area in South Kivu and are often referred to as Congolese Tutsi. Relations between the Banyamulenge and other Congolese groups have been strained and are frequently manipulated by politicians in both Rwanda and the DRC. The past six years of war have contributed to hostility against them as they are increasingly identified as "Rwandan" by other Congolese. Rwanda has often justified its presence in DRC in part as an effort to protect the Banyamulenge people, though this was challenged in 2002 when they attacked the Banyamulenge homelands killing scores of Banyamulenge civilians, shooting some of them from Rwandan helicopters.

Brigadier General Laurent Nkunda, another RCD-G commander based in North Kivu, moved some one thousand of his forces south to support Mutebutsi in taking control of Bukavu on June 2. Nkunda claimed he "wanted to protect his people." There had been some killings of Banyamulenge people, as well as of other civilians, but the claim that the military operation was motivated solely by this concern seems unlikely. In the ongoing struggle for power in eastern DRC, ethnicity frequently serves to cover other motives for action.

Public news reports in Rwanda exaggerated the threat against the Banyamulenge claiming that massacres were taking place and that "genocide" was planned. Some members of the Banyamulenge community may have welcomed action by Nkunda and Mutebutsi, but others denounced the actions of the two renegade commanders, saying in a press statement that they have "no need of these criminals for their defense."

### **Serious Human Rights Crimes**

Human Rights Watch researchers have documented continued widespread human rights abuses in significant pockets of eastern DRC, including war crimes carried out by pro-government soldiers under the command of General Mabe and those carried out by forces under General Nkunda and Colonel Mutebutsi in Bukavu over the last two weeks." (HRW 12 June 2004)

« Les populations du territoire de Manono, dans la province du Katanga sont terrorisées par des Mayi-Mayi. Une mission de la MONUC rapporte des témoignages d'actes de cannibalisme, de meurtres et de recrutement forcé des enfants dans des groupes armés. Suivant ces témoignages, ces actes s'inscrivent dans le cadre des objectifs ultimes du commandant Mayi-Mayi Gédéon de procéder au renforcement de ses effectifs et d'élargir son rayon d'action. Ces témoignages ont été recueillis le mercredi 07 avril 2004 à Manono auprès des populations déplacées en provenance des villages de Kahongo, Samba, Kipoki, Kabusonji, Konde, Muyela... Selon la section des Affaires Humanitaires de la MONUC, les familles déplacées sont hébergées provisoirement dans des écoles. Les malnutris sont gardés à l'hôpital général où ils constituent la majorité des malades internés. » (UN OCHA 16 April 2004)

MSF report on Ituri: "It was reported that the entire population of displaced people were the victim of looting, either in their village during attacks by militia or during their escape into the bush. Some people saw their huts deliberately burned to the ground by their attackers, who purposely destroyed all of a community's resources and structures." (MSF August 2005, pp7-8)

### **Protection is most crucial need of newly displaced people in North Kivu (February 2006)**

"Thousands of people continue to flee their homes in the Democratic Republic of the Congo (DRC) as fighting continues between the Army and dissident forces in the eastern part of North Kivu province, the Office of the United Nations High Commissioner for Refugees (UNHCR) said today.

UN and other humanitarian agencies are particularly concerned about people whom have fled the Kiberezi area to surrounding hills and forests and are surviving in the bush with no shelter, water, food or access to assistance.

Kiberezi's normal population is around 40,000, but there are now only about 2,000 people in the area as 30,000 people have fled to the town of Kanyabayonga while others fled to the countryside.

"The extent of the violence and abuse faced by displaced people in North Kivu is extremely serious and very shocking," said Ralf Gruenert, UNHCR's Deputy Representative in DRC, who is now in the area.

Villagers returning to Kiberezi say protection is their most crucial need, followed by water, food and shelter. "These people who were forced to leave their homes and stayed in the region are far more at risk than those who managed to seek refuge in Uganda," said Mr. Gruenert." (UN News Service 10 February 2006)

### **IDPs are subject to theft and widespread violence in central Katanga (January 2006)**

- Entire villages have been burnt, making it harder for IDPs to return home
- Physical violence, including rapes, and psychological threats are prevalent, creating a climate of fear among IDPs

"Diversion of Assistance and Violence

Already dealing with health problems, the IDPs are also having to struggle with the fear of theft and violence. A number of IDPs in both Pweto, Dubie and Mitwaba, as well in the Kabalo area, regularly report that the military loot their cooking pots, blankets and any other possessions they might own.[...]

Diversion of food by the military is also regularly mentioned in Mitwaba and has been seen in the past in Dubie.

In Mitwaba in the past, both residents and displaced, men and women also complained of sexual violence and torture. In many cases, the perpetrators went unpunished.[...]

More recently, in mid-December alone, seven women and one girl of 14 years were treated by MSF following rape by military. Due to taboo and stigmatisation, sexual violence may well be under-reported.[...]

Increasingly, the displaced tell us, the Mai-Mai resorted to burning whole villages, whether following combat with the military or not. For many, this was often a decisive trigger to population flight – leaving most people with few belongings with which they could return to their homes.[...]

The displaced reported widespread psychological threat and physical violence whether in the villages, the fields or the bush. Recruitment into the ranks of the Mai-Mai became involuntary. Families that refused, ran the risk of beatings or death – so sons, husbands and uncles went instead to save the family 'honour' – and their own lives.[...]

Some of the displaced have also mentioned both Mai-Mai and military raping villagers in the fields and the bush. Forced marriages were systematically reported in the zone around Dubie where a token amount, either in-cash or in-kind, had been paid for the bride.[...]

The displaced commonly mentioned other forms of violence affecting men, women and children. If the performance of a new recruit was bad for example, then often the Mai-Mai would avenge themselves by killing a family or other village member – burning them alive." (MSF January 2006)

### **Some Congolese troops guarding IDP camps are reported to extort IDP belongings (2005)**

- According to OCHA, IDPs in Tché are worried about actions of Congolese Army and envisage to return to Bunia

"According to a high ranking official of the FARDC [Congolese army] in Ituri, 'Troops are successfully redeploying deeper and deeper inside Ituri. No single armed group has tried or successfully opposed our deployment within the district.'

As a positive consequence of this redeployment, there is a growing sense of security among the civilian population who feel, according to sentiments expressed by most of them, much safer with the FARDC troops than their own tribal militias.[...]

At the same time, there are emerging reports indicating that some FARDC soldiers deployed at Kafé and Tché are already engaging in extortion of IDPs in these locations. The credibility of the FARDC will depend on the TNG's [Transitional National Government] ability to provide for the upkeep of its military on the ground, at least (in the short term) providing them with food. The news of some FARDC elements loosening up their ethics is worrying and everything possible

must be done to stop this before it negatively affects the peace process. The spoilers are watching and waiting for such opportunity to unravel the gains made.[...]

The DRC government should ensure that the many FARDC troops and the police force in the process of being deployed in Ituri are adequately paid to avoid creating an official militia group in replacement of those that have been in existence for the last five years or so.” (Africa Initiative Programme 1 April 2005)

“Les déplacés de Tché ont affirmé vouloir se rendre à Bunia si la MONUC se retirait définitivement de Tché. Les populations de ces camps craignent des tracasseries et d’autres exactions de la part des FARDC. Des vols de biens appartenant aux déplacés par les militaires gouvernementaux ont déjà été rapportés.” (OCHA 1 April 2005)

### **Rwandan Hutu rebel groups based in DRC committed massive human rights abuses in South Kivu (2005)**

“Rwandan Hutu rebels based in eastern Congo are responsible for hundreds of summary executions, rapes, beatings and hostage-taking of Congolese civilians in the territory of Walungu, South Kivu Province, the UN Mission in the Democratic Republic of Congo, MONUC, said on Wednesday in a report documenting the human rights violations.

“The 1,724 accusations of abuse are essentially against two groups of Rwandan combatants,” Fernando Castanon, the head of the MONUC section of human rights, said.

He said one group is the Rwandais forces democratiques pour la liberation du Rwanda (FDLR) while the other one, known as the Rastas, consists of Rwandan Hutus and some Congolese.

The report is based on 405 confidential interviews taken from 12 to 29 April by a multidisciplinary team from MONUC. The alleged abuses took place from June 2004 to April 2005.” (IRIN 19 May 2005)

### **Returnees in South Kivu find their property looted by armed groups (July 2004)**

- ACF says that rebels and government forces looted or destroyed cattle, kitchen utensils, fields and hospitals in June 2004 and during the following months in Bukavu

« En juin 2004, après la prise de Bukavu (Est du Congo) par les forces rebelles du colonel Mutebusi, près de 80 000 personnes ont fui la région située entre Bweyera et Kamanyola, dans le Sud Kivu. Pendant plusieurs mois, les combattants -forces rebelles et armée gouvernementale- ont pillé les villages de manière systématique, dérobant et détruisant tout ce qui pouvait assurer la survie alimentaire des habitants : animaux d'élevage, ustensiles de cuisine, moissons non récoltées. Des hôpitaux ainsi que des centres nutritionnels thérapeutiques d'Action contre la Faim ont également été pillés.

Si le retour au calme permet aujourd'hui aux réfugiés de rentrer chez eux, c'est avec le plus grand désarroi qu'ils retrouvent leurs habitations détruites et plus de la moitié de leurs récoltes disparue. Selon les responsables d'Action contre la Faim, ces populations doivent aujourd'hui faire face à une grande précarité alimentaire : « Les mouvements de populations, les pillages, l'insécurité alimentaire et la progression d' une épidémie de choléra sont des indicateurs nous font craindre une détérioration de la situation médicale et nutritionnelle dans cette région, dans les mois à venir », déclare Samuel Cadassou, volontaire d'Action contre la Faim. La plupart des

habitants ont réduit leur consommation à un seul repas par jour. Le prix de la farine est cinq fois plus élevé qu'avant la récente insurrection. » (ACF 28 July 2004)

### **MONUC reported massive human rights violations in territories of South Kivu (May 2005)**

- Hutu militias kidnap and ransom civilians to create terror among the population and finance their armed operations
- MONUC reinforced its presence, which led to the return of 2,000 IDPs

“Durant trois semaines, du 12 au 29 avril 2005, une équipe de l'unité d'enquête spéciale de la division des droits de l'Homme de la MONUC a enquêté sur les nombreuses allégations de violations des droits de l'Homme perpétrées par les groupes armés entre juin 2004 et avril 2005, dans ce territoire de collines entouré de forêts denses, situé à l'ouest de Bukavu. Elle en a visité les groupements les plus affectés: Kanyola, Mushinga, Ikoma, Mulamba, Burhinyi et Tubimbi, où elle a eu l'occasion de s'entretenir avec des centaines de victimes.

Le 18 mai 2005, lors du point de presse hebdomadaire de la MONUC, le Directeur de la division des droits de l'Homme, Fernando Castanon, a livré les premières conclusions de l'enquête. Celles-ci sont accablantes. Au cours de son séjour à Walungu, l'équipe a mené pas moins de 405 entrevues confidentielles. 2 129 cas de violations des droits de l'Homme ont été répertoriés, dont 177 exécutions sommaires, 320 viols, 465 enlèvements, et 748 cas de mauvais traitements, traitements cruels, inhumains et dégradants et 14 cas de disparitions forcées. Pour le seul groupement de Kanyola, au cours de la période considérée, quelque 25 365 dollars ont dû être rassemblés par la population en échange de la libération des otages enlevés par ces groupes armés.

Dans son rapport préliminaire, l'équipe d'enquête spéciale souligne qu'à Walungu les enlèvements de civils assortis de demandes de rançon sont devenus un moyen de terroriser la population et de financer les groupes Hutu disséminés dans les forêts du territoire. Les auteurs présumés de ces violations des droits de l'Homme sont en majorité des Hutu armés appartenant aux groupes FDLR et Rasta, et dans une moindre mesure des militaires des FARDC.

Les FDLR ont démenti leur alliance avec le groupe dit des Rasta. Parmi celui-ci, la population et les victimes ont identifié des civils congolais appartenant à l'ethnie Mushi et des déserteurs des ex-composantes militaires congolaises. Le directeur de la division des droits de l'Homme a indiqué à ce propos qu'en l'absence de preuves suffisantes, la MONUC n'est pas en mesure de donner des chiffres précis sur les effectifs ni de dégager une typologie claire des liens, des allégeances ou des dissidences au sein des groupes Hutu.

Malgré la persistance des attaques, la population de Walungu est un peu plus soulagée: A la fin du mois de mars les Casques bleus de la MONUC et les FARDC ont mis en place un dispositif renforcé de sécurisation du territoire et ont lancé, en étroite collaboration avec la population, des patrouilles nocturnes dans les zones les plus sensibles du territoire. Depuis la mise en place de ce dispositif, plus de 2000 déplacés qui s'étaient réfugiés dans le stade de la petite cité de Walungu, sont rentrés chez eux.” (MONUC 31 May 2005)

## **MONUC reported massive human rights violations against IDPs and others in Ituri in 2002-2003 (July 2004)**

- The UN estimated that 8,000 were civilians killed, countless rapes of women and 600,000 IDPs
- Abuses committed with total impunity by all Ituri armed groups, as well as groups now part of the transition government, Rwanda and Uganda
- 

“The Ituri district, located in the Orientale Province of the Democratic Republic of the Congo, currently has one of the world's worst - and for a long time largely ignored - human rights records. Based on the investigations carried out by MONUC and other human rights entities, it is estimated that 8,000 civilians, probably more, were deliberately killed or were the victims of indiscriminate use of force from January 2002 to December 2003. The exact number of female victims of rape or sexual slavery is impossible to estimate at this time. Countless women were abducted and became "war wives", while others were raped or sexually abused before being released. More than 600,000 civilians have been forced to flee their homes. Thousands of children aged from 7 to 17 were drawn forcibly or voluntarily into armed groups, placing their very lives at risk and depriving them of a childhood. In addition, entire villages ~ belonging to all the different ethnic groups - were destroyed, including health and education facilities, housing and other infrastructure.

These abuses have been carried out with total impunity by all Ituri armed groups and several non-Ituri groups (MLC, RCD, RCD-MI., RCD-N). In addition, the pre-transition Government in Kinshasa and the Governments of Rwanda and Uganda all contributed to the massive abuses by arming, training and advising local armed groups at different times.” (UN SG 16 July 2004)

## **UN reports cannibalism, systematic killing and rape (2003-2004)**

- Two United Nations reports on human rights violations occurring in 2002-2003 in DRC point to instances of cannibalism, systematic killing, rape and looting
- Reports of cannibalism continued in 2004 in Katanga Province

“Two United Nations reports on human rights violations occurring late last year and earlier this year in the Democratic Republic of the Congo (DRC) point to instances of cannibalism, systematic killing, rape and looting, and unprecedented violence arising from the proliferation of rival factions.

One of the reports, both of which were transmitted to the Security Council by Secretary-General Kofi Annan, was compiled by the UN High Commissioner for Human Rights (UNHCHR) after an investigation team visited Mambasa [Ituri] in the eastern Congo and heard testimony indicating a pattern of looting, killing and violence against women by the armed factions during fighting last October and December.

The team noted acts of cannibalism, and tactics to force family members to eat parts of their loved ones, that could be considered part of a policy of psychological torture, mainly conducted against the Nande and Pygmy populations.

In all the team interviewed 368 people -- victims and witnesses alike. One witness reported that soldiers killed his brother and four other people, including a three-year-old child, then took the heart of one of the victims and sucked the blood from it.

Another said soldiers killed his father, cut his chest open, removed the heart, cooked it and ate it in front of him. In yet another reported case, soldiers under the command of a woman executed six people out of a group of 13, pulled out their hearts and forced the other prisoners to taste the human flesh.

The second report, by the UN Organization Mission in the DRC (MONUC), on the violence in the Drodro area in Ituri province in April, concludes that the proliferation of rival factions and militias that are manipulated by warlords and some neighbouring countries explains the unprecedented violence that has swept Ituri for a number of months." (UN News Service 31 July 03)

"With all of the negative press that Gedeon has been getting for his flesh eating and violent killing, the territory of Manono [Katanga Province], which seemed to be moving at a swift pace towards peace and pacification with at least four groups of Mai Mai having handed over their arms and waiting to integrate into the national army, is moving again towards violence.

Reports of massacres and cannibalism have been reaching the ears of the population and state authorities of Katanga since December 2003. The accused perpetrator: Colonel Gedeon, head of a group of Mai Mai originally from the Kahongo area in the Manono territory of Katanga Province.

In Manono, the local administrator as well as the 661-battalion commander, are saying that the reports of cannibalism are true. The Mai Mai lead by Emmanuel Moise who were chased from Kahongo to Manono by Gedeon in early January, say they are true. But actual witness accounts are missing. The Moise Mai Mai group have several soldiers who say their brothers or uncles were killed and eaten, and later they saw the bones. They say the Gedeon group wear amulets of hands and fingers, and when they are fighting they nibble pieces of flesh to intimidate their enemy. They say that Gedeon is so fierce, he has renamed himself "Wafwa Kuta," or "Already Dead." (MONUC 14 April 2004)

See also International Alert, Réseau des Femmes pour un Développement Associatif, Réseau des Femmes pour la Défense des Droits et la Paix, Women's Bodies as a Battleground: Sexual Violence Against Women and Girls During the War in the Democratic Republic of Congo South Kivu (1996-2003), 2005  
[Link below]

In July 2003, MSF denounced in a report the lack of protection and assistance in Ituri. See MSF, 25 July 2003, *Ituri: Unkept Promises? A Pretense of Protection and Inadequate Assistance*, [Link below]

In July 2003, Human Rights Watch (HRW) described the ethnically targeted violence in northeastern DRC. See HRW, 8 July 03, *Ituri: "Covered in blood" – Ethnically targeted violence in northeastern DR Congo*, [Link below]

### **Landmines are difficult to locate but present danger for civilian population and humanitarian workers (2002-2004)**

- Kisangani, Ikela, as well as the Uvira region are thought to be heavily mined
- According to a Swiss Landmine-clearance organization, the extent of landmines in DRC is unknown, but the worse areas appeared to be in Ituri, North and South Kivu (Apr 04)
- Danish Church Aid reported landmines in Katanga Province (July 04)

"There is little information on the presence of mines in the DRC. Information gathering seems very difficult, but it is certain that most of the belligerents and their alliances have laid landmines

more or less extensively, essentially along the frontlines. The presence of these mines is a risk for humanitarian workers and the civilian population." (UN 19 Nov 02, p62)

"While less of a hazard than in other mission areas, mines and unexploded ordnance are still present in the Democratic Republic of the Congo. Most mines were planted in 1999 and 2000. In particular, the areas of Kisangani and Ikela are heavily mined. Reportedly, FAC, RCD, UPDF and RPA frequently used mines in the Mbuji-Mayi, Kabinda, Kabalo, Pweto, Beni, Buta and Tshopo areas. As a consequence of the conflict in Burundi, landmines were planted in Kivu in the Uvira region, close to the Burundi border. It is believed that Uvira, Baraka, Makobolo and the Ruzizi Valley are mined. Reportedly, UPC has also used mines in the recent fighting around Bunia." (UN SC 18 Oct 02, para.64)

According to a Swiss landmine-clearance organisation, Fondation Suisse de Déminage (FSD), "the extent of landmine and UXO pollution in the DRC was unknown, but that the Mine Action Centre had catalogued 300 "dangerous area reports". These were mostly based on accident reports, he added. The areas most heavily polluted, he said, appeared to be in Ituri District, North and South Kivu provinces and in the former combat zones." (IRIN 14 April 2004)

"Now that the District of Tanganyika is at peace, a quiet little legacy of the war lays in wait for the civilian population: antipersonnel mines and UXO. Both blindly kill innocents in the fields, or hunting, or while walking.

Danish Church Aid (DCA), an NGO specialized in demining, with experience ranging from Albania, to Sudan and Iraq, shared the results of its interim investigation report on the presence of mines and UXO in the District of Tanganyika, and in the territory of Pweto, Province of Katanga, in the Southeast of the Democratic Republic of the Congo (DRC).

Based on a map created by UNMACC with potentially-mined zones identified, DCA teams have gathered information for three months from such sources as village chiefs, mine victims and IDPs before verifying the information on the ground themselves. If one can add information associated with armed groups, it helps identify the infected zones. Apame Saidi of DCA explains, "If armed soldiers prevented a population from going to a certain area, for example, it can be a very revelatory indicator."

### **110 zones are suspected to be mined**

Almost 110 zones have been declared suspect by the NGO. The territory of Nyunzu, seemingly the heaviest mined, has 38 suspected zones, followed by Kalemie (21 suspected zones) and finally Moba (19 zones).

According to the NGO's report, one area in particular seems to be especially contaminated. This would be the triangle running from Nyunzu to Manono and to Kongolo." (UN OCHA 16 July 2004)

## **Women and children**

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### **Displaced children need protection from recruitment by armed groups (2001-2005)**

- Displaced children are particularly vulnerable to forced recruitment - as soldiers, domestic servants or sex slaves
- They are often sent to the frontlines and forced to commit human rights abuses, says Amnesty International (Sept 03)
- In Ituri, militias used children to terrorize the town of Bunia(June 03)
- According to UNICEF, an estimation of 33,000 children were associated with armed forces and groups as of the end of 2005
- According to Save the Children, 12,500 of them are girls (2005)
- According to UNICEF, at least 3,000 more children were still in the hands of armed groups in Ituri and an even greater number remained in armed groups in the rest of the country (April 2005)

"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. [...]"

The break-down of the political, social and economic infrastructures (schools, communities, household, health facilities), as well as displacement, weaken or destroy children's immediate source of care and protection, making them an easy target for recruitment. Unable to adequately provide for their children's needs, some parents in the region believe that recruitment into the armed forces will offer their children the food, education and security they need, and encourage separated from their families, displaced or have limited access to education." (AI 19 June 2001)

"The armies and militias are made up mostly of young men, often with very little education or who are completely illiterate. Some were forcibly conscripted, whilst others took up arms by choice in a socioeconomic situation marked by extreme poverty and an absence of alternative employment opportunities for young men in the whole of the sub-region. For these young men without work, the rifle becomes a means of getting an income, and of gaining social promotion and power. [...]"

The young militia recruits are initiated at the outset into violence and drug-taking through a ritual designed to strengthen their character and toughen them up. In Shabunda, for example, they are ordered to kill a member of their own family, generally their father or mother. They are also forced to take drugs." (International Alert & AI. 2005, p46)

"In the DRC, there are up to 12,500 girls currently in armed groups. (Save the Children Alliance 25 April 2005)

According to UNICEF, An estimation of 33,000 children are associated with armed forces and groups (OCHA 13 February 2006)

"UNICEF estimated that in Ituri alone, at least 3,000 more children were still in the hands of armed groups and that an even greater number remained in armed groups in the rest of the country." (IRIN 5 April 2005)

**According to the UN Secretary General:**

"15. Since the establishment of the Transitional Government in the Democratic Republic of the Congo, the Forces armées congolaises (FAC, the armed forces of the former Government), the

Mouvement de libération du Congo (MLC), the Rassemblement congolais pour la démocratie-Goma (RCD-Goma), the Rassemblement congolais pour la démocratie-Kisangani/Mouvement de libération (RCD-K/ML), the Rassemblement congolais pour la démocratie-National (RCD-N) and the main Mai-Mai groups represented at the inter-Congolese dialogue are being integrated into the new national army, the Forces armées de la République démocratique du Congo (FARDC). While this is a positive step, the various military units have yet to be fully integrated; in many cases the units are only nominally FARDC, and some of them continued to use children. The slow progress in this restructuring has resulted in continued insecurity in many areas and has been one of the obstacles to ending armed conflict, thereby contributing as well to ongoing risks of recruitment and use of children.

16. In early 2004, the Transitional Government adopted a national policy and procedural framework for the disarmament, demobilization and reintegration of children in FARDC and all other armed groups. Reflecting constitutional and legislative provisions that had come into force over the past year, this framework reinforced the commitment that no persons under 18 years of age should be recruited into or present in any armed group or force. The Commission nationale de désarmement, démobilisation et réinsertion, the national disarmament, demobilization and reintegration body established in March 2004, has been actively planning the national disarmament, demobilization and reintegration programme with the Structure militaire d'intégration, MONUC, the United Nations country team and NGOs. A certificate formalizing the release of children came into effect in May 2004. During the reporting period, MONUC, UNICEF and child protection partners have been collaborating with the Commission nationale in the ongoing separation of children from armed forces and groups, as well as in other child related aspects of the national disarmament, demobilization and reintegration programme. They have also continued dialogue with military officials to advocate and plan the separation of children. This dialogue has involved direct contact with field-level commanders, the Ministry of Defence and the FARDC leadership. Since the designation of FARDC regional military commanders in October 2003, some 5,000 children, a small number of them girls, have been released from armed forces and groups. The planning of reintegration projects has also continued.[...]

#### **Parties in the Democratic Republic of the Congo**

1. Forces armées de la République démocratique du Congo (FARDC)
2. Laurent Nkunda and Jules Mutebutsi, dissident elements of FARDC  
*This party has also been responsible for rape and other grave sexual violence against children and attacks on schools and hospitals in the reporting period.*
3. Force démocratique de libération du Rwanda (FDLR)  
*This party has also been responsible for killing, maiming and committing rape and other grave sexual violence against children in the reporting period.*
4. Forces armées populaires congolaises (FAPC)  
*This party has also been responsible for the killing and maiming of children in the reporting period.*
5. Front nationaliste et intégrationniste (FNI)  
*This party has also been responsible for the killing and maiming of children in the reporting period.*
6. Mai-Mai in the Kivus, Maniema and Katanga  
*This party has also been responsible for the killing and maiming of children in the reporting period.*
7. Mudundu-40
8. Parti pour l'unité et la sauvegarde du Congo (PUSIC)
9. Union des patriotes congolais (UPC)-Thomas Lubanga and Floribert Kisembo  
Factions." (UNGA & UNSC 9 February 2005)

"Since Bunia, in war-torn Ituri district of eastern Congo, plunged into violence and chaos about a month ago, it is difficult to escape the impression that the town has been taken over by children. Groups of heavily armed children -- some in their pre-teens -- now dominate the town and terrorise its residents. Atrocities of an enormous scale have been committed, including random killings, rape, looting and arson.

Children have been the immediate authors of many of these crimes. But, the gun-toting children are themselves being controlled by adults. Bunia highlights an appalling trend: the increased use of children in armed conflict. There are a number of reasons why these children need to be seen as victims of war.

First, warlords are increasingly aware that under international humanitarian law, they may have to answer tomorrow for crimes committed today. The use of children conveniently distances them from these acts. Second, the ethnic dimension of many conflicts (including Ituri's) further eases the involvement of children, who need to understand no more than which tribe is "good" or "bad". Third, where abject poverty is the norm many children -- and their parents -- find it difficult to see alternatives. The deeper the poverty, the more susceptible children and families become to "patriotic" appeals for recruitment into armed groups." (SCF-UK 9 June 03)

"Children have been abducted in the streets or taken from classrooms, refugee camps or camps for the internally displaced. Many others have also been taken from their homes at gunpoint, as their distraught parents looked on helplessly. Others have reported being picked up while playing in their neighbourhood or walking along the road. Some children are known to have voluntarily joined the army or militia forces on being separated from their families and in conditions of poverty and the collapse of basic social services such as educational and health centres.

Once recruited, children are usually sent to training camps along with adult conscripts for military training and indoctrination. Here, they are subjected to violent treatment and in some camps, children have died from deplorable conditions. After a few weeks of training, the children are deployed to the frontlines for combat to be used as cannon fodder. Frontline missions include serving as decoys, detectors of enemy positions, bodyguards for commandants, or sex slaves. Most girl soldiers have reported being sexually exploited or raped by their commanders or other soldiers. Boys and girls are also often used as porters for ammunition, water and food, or as cooks.

Once on the frontlines, children are repeatedly forced to commit abuses, including rape and murder, against enemy soldiers and civilians. Some have been made to kill their own family members, while others have been forced to engage in cannibalistic or sexual acts with the corpses of enemies killed in battle. Children are often given drugs and alcohol to steel their emotions as they carry out these crimes. " (AI 9 Sept 03)

"All of the armed groups have recruited and trained children to turn them into combatants. According to some estimates, 40 per cent of each militia force could be composed of children under **18** years of age. Given the uncertain figures for the total strength of the armed groups, it is impossible to give accurate figures for children. Current estimates suggest 6,000 children in armed groups, with several thousand others possibly involved in local defence groups. Children have been used as combatants but also as labour in the illegal exploitation of natural resources. Girls have been forced into domestic labour and sexual slavery. Throughout the Ituri conflict, there have been a number of allegations that Uganda and Rwanda have been involved in aiding and abetting Ituri armed groups to recruit and train children." (UN SC 16 July 2004, para.39)

"Girls who became child soldiers in the ethnic conflict in the northeastern Democratic Republic of Congo (DRC) face rejection when they come home, a UN official warns.

"The boys won't have too many problems, but the girls, who are no longer virgins, who even have children, are not marriageable," Christine Peduto, a UN expert on child protection here, adding: "And their parents won't get a dowry. Their families won't want them."

Nor will the fighters who got them pregnant. "Very few have managed to form relationships," Peduto said.

About 6,000 former child soldiers are awaiting UN help to rejoin civilian life in the troubled Ituri region, where two rival tribes, the Hemas and the Lendus, continued to fight each other even after wider national peace pacts were signed for the DRC in 2002." (AFP 13 April 2004)

"[C]hildren are often directly involved in the fighting. They make up around 30 – 50 per cent of fighting forces in eastern Congo." (UNICEF 16 December 2004)

***For further information on the recruitment of children as soldiers in DRC, see Child Soldiers Global Report 2004, Democratic Republic of the Congo", Coalition to Stop the Use of Child Soldiers, 17 November 2004 [reference below]***

### **Rape of hundreds of thousands of girls and women by all forces in eastern DRC (2000-2006)**

- Amnesty International and Human Rights Watch have both reported extensively on sexual violence as a weapon of war (2001 & 2003)
- Rape is a form of reprisal, but superstition of fighters plays a part too (Nov 03)
- Many women are abducted and kept as slaves in the forces' camps to provide sexual, domestic and agricultural services (2005)
- Women who have been raped are also rejected and socially stigmatized (May 2004)
- In its Oct 01 report, the UN Secretary General said that internally displaced women are often preyed upon by armed elements and have been the victims of torture, sexual and other abuses and ethnically motivated killings
- Lack of response of de-facto authorities to protect women and girls
- Rape and abduction of women and girls continued as of end 2003, with the report of sexual mutilation and even cannibalism
- MSF pointed out in April 2004 that after years of neglect, there was an increase in efforts to confront sexual violence in Eastern DRC
- MSF reported in March 2005 that each week 40 raped girls and women sought MSF's help in Bunia
- MONUC estimates at least 25,000 cases of sexual violence a year in North Kivu (2005)
- Hundreds cases of sexual violence against women and girls and by soldiers of the national army as well as members of militia were registered in Ituri and the rest of Orientale Province, as well as North Kivu in December 2005
- Incidents of rape have risen sharply along the Kanyabayonga-Kayna road, North Kivu Province, where fighting between the army and renegade soldiers has displaced at least 70,000 people (Feb 06)

"Nothing better defines the de-humanization process that has developed over a decade of turmoil in eastern DRC than the culture of rape of women and girls by armed groups." (UN OCHA 26 Nov 2001, p.34)

"Sexual violence has been used as a weapon of war by most of the forces involved in this conflict.." (HRW June 2002, p23)

According to Amnesty International, "Rape of girls and women of all ages has been extensively used by all forces. 'Many women have been subjected to rape and other forms of sexual violence by members of the security forces,' the Amnesty report said. However, rape is seriously under-reported because of the social stigma that victims must endure." (IRIN-CEA 27 June 2001)

"The conflict has also been marked by the deliberate and widespread use of rape and other forms of sexual violence as a weapon of war. The victims are believed to number tens of thousands. In many cases rape was followed by the deliberate wounding or killing of the victims. On occasion armed political groups have committed rapes deliberately to humiliate civilian populations accused of collaborating with enemy forces. Thousands of women and girls have been abducted from their homes and forced to remain with armed groups as sexual slaves. The prevalence of HIV/AIDS among combatants has added considerably to the trauma faced by these women. Victims also suffer social stigma and fear of being ostracized by their community and abandoned by their families. Medical and psychological treatment appropriate to the needs of the victims is uniformly absent throughout the DRC. Few of those responsible for these extraordinarily brutal crimes have been brought to justice." (AI 27 Nov 03)

"Most of the time, rape is a form of reprisal: when a group takes a village, they punish the women they suspect of having collaborated with the group there before. [...]  
Superstition also plays a part: sex with young girls supposedly adds to a fighter's invulnerability." (AFP 13 Nov 03)

"In the Democratic Republic of the Congo, where hundreds of thousands of women are thought to have been raped since 1998, sexual mutilation and even cannibalism were reported in 2003, with armed groups particularly targeting Pygmy women for cannibalism and genocide," according to a UNIFEM fact sheet." (UN News Service 4 Nov 03)

"[P]erpetrators of sexual violence are members of virtually all the armed forces and armed groups that operate in eastern Congo..[...]

In a number of cases men and boys were also raped or sexually assaulted.[...]

There were several patterns of sexual abuse against civilians. Soldiers and rebel fighters engaged in acts of sexual violence in the context of military confrontations, to scare the civilian population into submission, punish them for allegedly supporting enemy forces or to provide gratification for the fighters, sometimes after a defeat. In Ituri where armed groups of different ethnicity have fought each other for years, combatants often used sexual violence to target persons of ethnic groups seen as the enemy." (HRW 7 March 2005)

"Rape has been used deliberately and strategically to attack the fundamental values of the community, to terrorize and humiliate those suspected of supporting an enemy group and to impose the supremacy of one group over another." (AI 26 October 2004, p 1)

"The combatants utilise the women's productive and reproductive capacities as a means of ensuring their own day-to-day survival. Women are abducted and kept as slaves in the forces' camps to provide sexual, domestic and agricultural services. As well as providing sex, they have to cook, wash and mend the men's clothes, cultivate small patches of land in the forest, gather firewood, fetch water and carry weapons and ammunition or other items. Often, the combatants take the women's clothes away from them so that they cannot run away. This happened to 10% of the women interviewed. Women can be confined in the camps for several months or even several years. Rape is a means of obtaining access both to produce intended for the market and

to the harvest, which is mainly controlled by the women, most of whom are farmers.” (International Alert & Al., 2005, p46)

“Dr. Rowan Gillies, Medecins Sans Frontieres' International President, has recently returned from Bunia, the capital of Ituri District in northeastern DR Congo, where he worked as a surgeon treating war victims, general and accident trauma, and obstetric emergencies. He is shocked by the relentless abuse.

"Rape and gross violations against civilians continue unabated, and today we find ourselves unable to reach them because of the extreme levels of violence in the area," said Dr Gillies. "Each week 40 raped girls and women seek MSF's help in Bunia. Many, many more never reach us." (MSF 3 March 2005)

"One might expect, with the conflict dying down in the DRC, sexual assault cases, too, would drop. However, the institutionalized fusing of sex, power and masculinity means that rape has become the terrifying norm. Aid groups report that sexual violence tripled in some provinces in 2003; a year after the conflict supposedly ended." (PAC 13 December 2004, p18)

"In general, refugee and internally displaced women are often preyed upon by armed elements and have been the victims of torture, sexual and other abuses and ethnically motivated killings. Rape has been used as a weapon of war. The situation is particularly dire in the eastern provinces. The recruitment of able-bodied males into armed forces and factions have left households headed by women and girls to fend for themselves in a country whose economy and infrastructure has been decimated by years of war." (UN SC 16 Oct 2001)

**"Women who have been raped are also rejected and socially stigmatised"**. When asked if they had reported the rape to the police or other authorities all the women interviewed shook their heads. When asked why they hadn't most simply looked away and remained silent, others said; "When it happens you think this is an accident that has happened to me. You have to try and get on with your life." "Who do I tell? Where do I report this? There is no one. Nothing would happen, but people would know I'd been raped. It is better if I say nothing." "I'm not married...if people knew, if I complained no one would want to marry me." (Oxfam May 2004)

"After years of neglect, there has in the last couple of years been an increase in efforts to confront sexual violence in Eastern DRC. Sexual violence against civilians is now acknowledged as a problem and it is recognised that more should be done to assist the victims and to address the impunity with which it has been occurring to date. Whilst extremely welcome, current efforts still fall short of what needs to be done to help prevent these atrocities from happening again." (MSF 1 April 2004)

"While there are no precise figures on this abuse, the Joint Initiative on the Fight Against Sexual Violence Towards Women and Children (Initiative conjointe de la lutte contre les violences sexuelles faites a la femme et a l'enfant) has tried to assemble some statistics. Created after the DRC's five-year war, the group includes representatives from the UN, NGOs and the Congolese government.

"There were 25,000 cases of sexual violence record in South Kivu [Province], 11,350 cases in Maniema [Province], 1,625 cases in Goma [capital of North Kivu Province], and some 3,250 cases in Kalemie [a town in southeastern DRC]" since war first erupted in August 1998, Flora Tshirwisa, a member of the Joint Initiative and director of the health and reproduction programme and the World Health Organization (WHO), told IRIN.

She added that this phenomenon could also be found in areas that were not directly affected by the war, such as in the capital, Kinshasa, with 1,162 cases of rape of women and children recorded since August 1998." (IRIN 8 March 2004)

"The United Nations Mission in the Democratic Republic of Congo (MONUC) estimates at least 25,000 cases of sexual violence a year in North Kivu, one region of the Democratic Republic of the Congo alone." (UNSC 28 November 2005)

"Des cas de violences sexuelles commis par les éléments de l'armée nationale et les milices ont été enregistrés au mois de Décembre : au moins 174 victimes ont été recensées en Ituri, plus de 40 au Nord Kivu, particulièrement à Béni et 22 dans la Province Orientale. Ces victimes étaient des filles âgées respectivement de 4, 8 et 11 ans ainsi que des femmes mariées." (OCHA 31 December 2005)

"Incidents of rape have risen sharply along the Kanyabayonga-Kayna road in the Democratic Republic of Congo's North Kivu Province, where fighting between the army and renegade soldiers has displaced at least 70,000 people, according to humanitarian workers.

"We are witnessing a quadruple increase in rape cases in the Kanyabayonga-Kayna axis this week, where victims have been treated by [Medecines Sans Frontieres] MSF-France," Patrick Lavand'homme, the head of the UN Office for the Coordination of Humanitarian Affairs (OCHA) in Goma, the provincial capital, said on Thursday.

Kanyabayonga, Kibirizi and Kayna are towns in North Kivu's Lubero Territory. Those blamed for the rapes are suspected to members of the army and the renegades." (IRIN 10 February 2006)

### **Reports of sexual abuses against children and women in Ituri (2004)**

« 1.600 femmes victimes des violences sexuelles à Bunia et dans les environs (district de l'Ituri) entre le mois de janvier 2002 et avril 2004, selon la Protection de l'Enfance de la MONUC. Il s'agit d'un rapport fait le 19 mai lors de la réunion de la Sous-commission juridique de la Commission Violences Sexuelles. La même source rapporte que 450 femmes ont été violées à Kpadroma et Rethy par des miliciens. » (UN OCHA 21 May 2004)

"Lendu combatants engaged in inhumane acts such as mutilation and cannibalism, often under the effect of drugs prepared by their traditional healers. They abducted children and women for forced labour and sexual slavery. According to two eyewitnesses who were released, Lendu combatants told them that they were not killing Hema children but giving drugs to "transform them into Lendu". Hundreds of Hema women were sexually abused and forced into working for the combatants. Many children and women of Hema origin were never released." (UN SC 16 July 2004, para.36)

### **Rapes of displaced women in South Kivu and in Katanga (2002-2004)**

- Local NGOs report over 200 rapes of Congolese Tutsi women from Kalehe, South Kivu (July 04)
- InterAgency Committee Against Violence Against Women found that 70 % of the women interviewed in IDP camps and in Kalemie had been victim of rape, cruel, inhuman or degrading treatment, kidnapping, or other human rights violations (July 04)

### **South Kivu**

"Security and the protection of IDPs in the territory of Kalehe were of real concern. Reports of massacres of Banyamulenge and Bahutu communities in Kalehe could not be confirmed by MONUC/Human Rights teams, however. Most, if not all, civilians of these ethnic groups were thought to have fled west towards the high plains region or north of Kalehe to seek protection from Nkunda's troops. 221 women had reported being raped in the Kalehe zone, according to local sources." (UN OCHA 31 July 2004)

" There were reports that Interahamwe militia in South Kivu Province often raped women. [...]

Rwandan troops and RCD rebels also reportedly engaged in the rape of women in public and often in the presence of their families and in-laws. A woman raped in this manner generally is forced out of the village, leaving her husband and children behind. According to a number of credible human rights organizations, marauding bands of armed men in the occupied territories often put victims of rape through further abuse by inserting rocks, sharp sticks, and hot peppers into their vaginas." (US DOS 4 March 2002)

### **In Katanga**

"After months of interviews, the InterAgency Committe Against Violence Against Women found that 70 % of the women they interviewed in the IDP camps and in the town of Kalemie had been victim of either rape, cruel, inhuman or degrading treatment, kidnapping, or other human rights violations.

Most of the women are widows or have been rejected by their husbands. These women have kept locked away inside themselves the trauma of these ignoble experiences, and have tried to survive first the war, and now society's indifference." (UN OCHA 16 July 2004)

### **Investigation of sexual abuses allegedly committed by UN peacekeepers (2004-2005)**

- UN is investigated 72 cases of sexual abuses allegedly committed by MONUC personal
- The UN Office of Internal Oversight Services found out a pattern of sexual exploitation by uniformed personnel involving women and girls
- The Internal Oversight Office requested the concerned troop-contributing countries to take swift disciplinary action
- In a report to the UN SC, the UN SG 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 December 2005, the UNSG reported that as a result of the investigations, allegations had been substantiated against 78 personnel, and that mechanisms to prevent future abuses have been put in place within MONUC

On 5 January [2005], the Office of Internal Oversight Services released the results of its four-month investigation into misconduct by peacekeepers serving in Bunia (A/59/661). As preliminarily indicated in my last report on MONUC to the Security Council, dated 31 December 2004 (S/2004/1034), of the 72 allegations originally reported to MONUC, eight were fully substantiated. Upon receiving the Office of Internal Oversight Services reports on individual cases, the Department of Peacekeeping Operations transmitted them to the troop-contributing countries concerned, requesting them to take swift disciplinary action. The Department has since followed up with those Member States, requesting information on the status of these cases.

The observation of the Office of Internal Oversight Services that there was a pattern of sexual exploitation by uniformed personnel involving women and girls is a source of major concern,

which is now being addressed in a comprehensive manner by the Department of Peacekeeping Operations and MONUC. During the first week of January, at the request of the Under-Secretary-General for Peacekeeping Operations, Assistant Secretary-General Angela Kane was deployed to the Democratic Republic of the Congo to head a special investigative team, the first elements of which had been deployed in late December. The team was augmented in February by five highly skilled investigators and will be further strengthened to meet the medium-term investigation requirements. Given the number of allegations of sexual exploitation and abuse received by MONUC in recent months, the special investigation team focused its attention on the review of those allegations and on the conduct of as many investigations as possible.

The reputation of MONUC has been severely damaged by acts of sexual exploitation and abuse committed by some peacekeepers against the local population.” (UNSC 22 March 2005, para.64-65, 85)

“From 25 December 2004 to mid-October 2005, 111 investigations into allegations of sexual exploitation and abuse, involving 167 MONUC personnel, were completed. As a result of the investigations, allegations were substantiated against 78 personnel (more than 50 per cent of the alleged perpetrators), comprising 0.4 per cent of all MONUC personnel. Allegations against all levels and categories of personnel, from support staff to senior managers and from the rank and file to commanding officers, were substantiated.[...]

In accordance with my Special Representative’s instructions on the development and implementation of regional action plans for the prevention of sexual exploitation and abuse, eight action plans have been submitted to the Team and 77 civilian, military and police focal points have been nominated for their respective regions. Measures to prevent sexual exploitation and abuse in all components of MONUC remain in place.” (UNSC 28 December 2005, para.62-65)

*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 [[External link](#)]

**See also Oxfam’s special page on DRC- Rape, Destiny, Stigma and Impunity [[Internet](#)]**

## SUBSISTENCE NEEDS

### General

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#### **MSF draws attention to the urgent humanitarian needs of IDPs in Rutshuru, North Kivu (Jan 06)**

- MSF teams have evacuated the area
- Many people are in the bush and do not know where to turn to get protection and assistance
- Resident population under considerable strain, as each household is hosting 2 to 3 displaced families in their homes

"[T]he situation for the population in Rutshuru is particularly difficult as heavy fighting continues and humanitarian access to the population has been impossible since hostilities started two weeks ago. Looting by armed groups has led to protests by local youth, however combats have not yet stopped, putting the local population at great risk.

"The population doesn't know who is fighting who or what is going on. They are terrified and completely at a loss," says Frédéric Delmavoisine, our field coordinator for Rutshuru. "A man we know who has been displaced in the bush has been calling me several times. He can hear the fighting, the use of heavy weaponry, but doesn't know where to go or how to seek protection".

MSF teams who were working in the Rutshuru referral hospital, have evacuated and have only been able to return twice in the past week in order to provide the hospital with much needed medicine and medical material. [...]

The MSF team working in Katwiguru health centre has also evacuated but has been unable to return. Prior to the evacuation, MSF doctors carried out an average of 300 consultations a week in Katwiguru, with 50% of consultations being due to malaria. [...] The health centre in Katwiguru, which provided care for over 17 000 people, is now closed due to lack of medicine, and the referral system is not functional. The people who remain in the area are subject to looting and harassment by armed groups.

Subject to increased insecurity, unable to work

"We are extremely worried about all the people who remain hiding in the bush with no access to care," explains Jean Sebastian Matte, the MSF head of mission currently in Kayna. "The population of Kibiridzi is spending its fifth day in the bush, living in terrible conditions. All the 10 health centers on the axe between Kiwanja and Ishasha are non functional as they have no medicine left, and we are unable to supply anymore. In this zone we used to refer many children for complications linked to malaria, 60% of them requiring blood transfusions. The MSF ambulance which was referring an average of 50 patients a week no longer works, which means that people are dying at home without any chance to reach the hospital ."

MSF teams continue to work in Kayna general hospital and are still receiving wounded. Our teams have also started providing medical care for over 25 000 displaced people in Kanyabayonga. The resident population is also under considerable strain, as each household is hosting 2 to 3 displaced families in their homes. MSF teams are also providing medical care for

5000 people who fled to Uganda. But MSF is still unsure when it will be able to return to work in Rutshuru.

As Jean Sebastian concludes: "The situation is so confusing for us that we don't know when we'll be able to bring assistance to the population who is still trapped in Rutshuru. Unfortunately there is no security for our teams to work properly, yet the civilians are at high risk and their situation is dramatic. Currently all we are able to do is to continue to supply the hospital in Rutshuru with medicine and medical material, and bring attention to the plight of these people so that their situation is not ignored". (MSF 31 January 2006)

### **At least 37,000 IDPs need urgent humanitarian assistance in North Kivu (February 2006)**

- IDPs are the towns of Goma, Kanyabayonga, Kahina, Kirumba and Lubero
- In Goma, they are hosted by local villagers, in a church and in a transit site

"At least 37,000 internally displaced persons (IDPs) are without humanitarian relief because of continued attacks by military insurgents in North Kivu Province in the Democratic Republic of Congo (DRC), officials said.

"There seems to be a relative cessation of hostilities, but tensions are so high in the area that it is very difficult for us to access these populations for intervention," said Ibrahima Diarra, the head of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) in the North Kivu town of Beni, on Thursday.

Attacks by military insurgents on loyalist Congolese army troops have been ongoing in the province since 17 January [2006]. The latest wave of attacks - on 28 and 29 January in Rutshuru territory, to the east of the province - displaced about 2,200 civilians.

According to OCHA, the 2,220 IDPS are in the main centre of Goma, the provincial capital, while the remaining 35,000 are in localities further north such as Kanyabayonga, Kahina, Kirumba and Lubero.

"In Goma, 50 percent of the displaced who arrived on Tuesday are being hosted by local villagers, 25 percent took shelter in a church, and the remaining 25 percent are in a transit site where World Vision and UNICEF [UN Children's Fund] have intervened, mainly with the supply of drinking water," said Patrick Lavand'homme, head of OCHA in Goma, on Thursday.

He said humanitarian partners had evaluated the food and non-food needs for the IDPs in Goma. Diarra said a UN interagency mission scheduled for 23-25 January to prepare for a full-scale humanitarian intervention in the area had been cancelled due to renewed attacks by insurgents belonging to the 5th Brigade of the Congolese army.

According to OCHA, some of the IDPs had started returning to Rutshuru during two days of calm preceding the attacks, but renewed fighting had pushed them back.

Loyalist elements of the 5th Brigade responded to the attacks with the help of helicopters from the UN Mission in the DRC (MONUC) and drove out the insurgents from the villages they had captured in Rutshuru.

However, another group of insurgents - said to be close to renegade Congolese general Laurent Nkunda, against whom an international arrest warrant has been issued - launched a new attack in

the Rwindi territory near Rutshuru and Kirumba this week, creating panic and preventing the return of the IDPs.

A recent visit by Congolese Defence Minister Adolphe Onusumba to the province had not led to a resolution of the problem between the insurgents and the loyalist Congolese troops.

Haile Menkerios, the deputy Special Representative of the UN Secretary-General, has also visited North Kivu in the recent past and held talks with the local authorities, community leaders, civil society representatives and religious leaders.

MONUC reported that during these discussions there were indications that the cause of the attacks lay in the difficulties integrating former rival rebel movements into the Congolese army and a lack of trust between the various communities of North Kivu." (IRIN 3 February 2006)

### **Urgent humanitarian needs of new IDPs in South Kivu (June 2005)**

"An estimated 7,400 civilians who fled violence in May in the Democratic Republic of Congo's South Kivu Province are in urgent need of relief aid, the International Rescue Committee (IRC) reported on Friday.

'The humanitarian situation is urgent [with] mass displacement in the area amid increasing tension and threats of new attacks,' IRC said in a statement.

The displaced, from the village of Nindja, have sought refuge in and around the town of Walungu after Rwandan Hutu rebels attacked their homes on 23 May, killing 19 civilians, mutilating others and taking 50 others hostage.

IRC said there have been reports of subsequent ambushes in the region, including one on a truck carrying people who were trying to flee. The head of IRC's rapid response team, Gang Karume, said the attackers cut off hands and feet of several villagers.

Karume's 'team brought with them a supply of emergency items, including blankets, plastic sheeting and containers for water, and have since supplemented the initial delivery with soap, emergency food rations and materials to build latrines,' IRC said.

IRC added it would bring in additional supplies and was closely monitoring the water supply and sanitation situation to prevent possible outbreaks of disease." (IRIN 6 June 2005)

### **Overview of humanitarian needs in South Kivu (November 2004)**

- Few roads have been rehabilitated or rebuilt
- Great needs in the sectors of health, nutrition, food security, water and sanitation, shelter and education

#### **"Un territoire dévasté par la guerre**

Le Sud Kivu traverse en effet depuis les événements de Bukavu en juin 2004, des crises successives qui ne cessent d'accroître les nécessités d'assistance en poussant les capacités de réponse humanitaire à leurs limites. La situation est d'autant plus grave que les séquelles des guerres de 1996 et de 1998 dans ce territoire sont encore présentes. Les combats ont ainsi poussé cette partie de la RDC dans une extrême pauvreté en raison des pillages et des destructions massives des biens.

#### **Un accès physique et géographique recouvré**

L'accès des humanitaires à cette zone est cependant aujourd'hui possible grâce au plaidoyer engagé par OCHA. La forte présence d'hommes en armes ne semble plus être un obstacle à des interventions humanitaires, la mission ayant pu évoluer normalement. Des cas de tracasseries militaires à l'encontre des populations civiles continuent toutefois d'entraver la sécurité alimentaire et la relance économique. Les difficultés et les lenteurs de la réunification de l'armée conduisent en effet les militaires à vivre sur le dos de la population.

L'accès géographique a été également amélioré. Bien qu'il n'existe qu'une route reliant Uvira à Fizi, ACTED a réhabilité ou reconstruit 30 des 48 ponts entre Uvira et Baraka. A l'exception de cette voie toutefois, les autres routes et dessertes agricoles demeurent dans un état de délabrement.

### **De large besoins humanitaires non couverts**

Du point de vue humanitaire, des besoins immenses nécessitant l'implication de partenaires supplémentaires ont été constatés dans les secteurs de la santé et de la nutrition, de la sécurité alimentaire, de l'eau et de l'assainissement, des abris et de l'éducation.

La situation sanitaire est déplorable sur l'ensemble du territoire, a rapporté la mission d'évaluation. La zone de Fizi ne compte qu'un hôpital de référence, délabré, sans médecin et sans équipement adéquat. La paupérisation de la population la prive d'accès aux soins ce qui l'oblige à recourir à la médecine traditionnelle. Des ONG comme MSF et AMI interviennent dans ce domaine mais leur champ d'action ne couvre que 35 % de la superficie du territoire.

Le territoire de Fizi n'est plus le grenier de la province du Sud Kivu. Nombres de terres arables sont en jachères. Les guerres et les pillages ont eu raison des outils aratoires, des semences, du petit élevage alors que la pêche traditionnelle ne permet pas une couverture de tous les besoins. Les faibles récoltes actuelles sont souvent pillées par les militaires.

Malgré les interventions en la matière, de l'Organisation pour l'Agriculture et l'Alimentation (FAO), du Comité International de la Croix Rouge (CICR) et d'Action Contre la Faim (ACF), seule une petite partie des besoins est couverte. Cette situation risque de surcroît de s'aggraver avec le rapatriement massif des réfugiés.

L'eau et l'assainissement sont également des problèmes majeurs dans ce territoire. 29 sources aménagées existaient avant la guerre, il n'en reste que 5 aujourd'hui. Les maladies hydriques augmentent en raison de la consommation de l'eau du lac Tanganyika ou des rivières.

Les importantes réalisations par l'ONG Tear Fund dans le domaine de l'eau et de l'assainissement (notamment dans les écoles où le manque de latrines est patent) ne suffisent cependant pas à satisfaire tous les besoins.

Une intervention conséquente est aussi nécessaire dans le secteur de l'éducation. 95% des bâtiments scolaires sont délabrés et le matériel didactique fait cruellement défaut. Les élèves étudient à même le sol, sans équipement ni matériel, a rapporté la mission. Là aussi, seul l'UNICEF intervient dans le cadre de la scolarisation des filles.

Enfin, les problèmes immobiliers risquent de poser des difficultés sont précédents compte tenu de la destruction importante de l'habitat durant les affrontements et du retour massif prévisible des réfugiés et des déplacés en vue des élections. Malgré les progrès enregistrés grâce au programme de reconstruction de maisons conduit par Tear Fund, la demande reste importante. » (OCHA 15 November 2004)

## Health

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### Conflict causes degradation of the health care system (2001-2006)

- Deterioration of health system has resulted in spread of cholera, HIV/AIDS and malaria
- In 2005, the main health problems in DRC were malaria, tuberculosis and diarrhea (including cholera)
- In the context of displacement, there were many cases of cholera in Ituri, North and South Kivu, Katanga and Maniema in 2005
- Health care systems paralysed in many provinces as qualified staff have fled war-affected regions
- At least 37 per cent of the population don't have access to any formal health care
- In South Kivu, close to 4.5 million people or 30 percent of the population do not have access to health care (January 2006)
- Situation in eastern DRC is worse due to war damage
- Health personnel run the risk of being taken hostage or prisoner
- According to MSF study, the population doesn't have more access to health care in 2005 than in 2001

“A la faveur des nombreux mouvements des populations, les maladies infectieuses ont continué à toucher les populations, causant plusieurs cas de décès. Le choléra a sévi en Ituri (à Rwampara et Songolo), au Sud-Kivu (Fizi), au Nord-Kivu (Goma, Béni, Rutshuru et sur l'axe Oicha-Eringeti), dans le district du Tanganyika (Kabalo, Moba, Kitenga et Kasenga), au Maniema (Lubutu et Mwengue). Des cas de rougeole, de méningite et de dysenterie ont été enregistrés dans le Nord-Kivu, le Maniema, le Katanga et la Province Orientale.” (OCHA 31 December 2005)

"Malaria is the number one cause of mortality for the population of nearly 20 million in the east. There are big problems of security, logistics and infrastructure, low access to health services, no preventative activities and a real lack of standardization of approach to surveillance and treatment. [...]"

Health care in DRC must be redirected from the current facility-based curative care to a public health approach focused on the main killer conditions if humanitarian interventions are to address the unacceptable mortality and morbidity evident in the country. This was the key message of a joint WHO-UNICEF mission which spent late July in DRC.

The mission found that, despite good intentions, up to 70% of the population is now excluded from accessing basic health services, while all forms of preventative public activities are severely curtailed, not least because salaries of health service workers are linked to curative care. This observation led to the mission's second key recommendation: that "health worker remuneration must be separated from payment by patients... and linked to performance of a package which directly targets the main killers, both in the health centre and at household level." (WHO 9 August 2001)

“Au Sud Kivu – environ 4.450.000 habitants -, 30% de la population est toujours privée d'accès aux soins, faute d'infrastructures de santé ou parce que ces dernières sont incapables de fournir le «paquet de services» minimum défini par l'Organisation Mondiale de la Santé (OMS).” (MONUC 17 January 2006)

"More than four million new cases of malaria were registered in Democratic Republic of Congo last year, a sharp rise from 2.5 million cases in 2002, the head of the national anti-malaria programme (PNLP) said Tuesday." (AFP 27 April 2004)

"A dearth of recent statistical data from across the country makes a full assessment of the population's access to health services difficult.[1] However, conservative estimates of the coverage of health facilities show that at least 37 per cent of the population, or approximately 18.5 million people, have no access to any form of formal health care.[2]

[Notes:

[1] Access is defined as both geographical and economic, ie being within a reasonable walking distance of a functioning health service and being able to afford to pay for the consultation and treatment.

[2] Figure published in the 8th Report of the Secretary General on the UN Organisation Mission in DRC (S/2001/572), 8th June 2001. However, OCHA estimates that the percentage could be as high as 75%, meaning that over 37 million people would be denied access to health care. (Oxfam August 2001, pp.15-17)

"Dans les 18 zones de santé du Maniema, environ 80% des structures sont à réhabiliter, environ 90% ont besoin de médicaments essentiels et déquippement." (OCHA 2 Jan 04, p4)

"In May [2005], the World Health Organisation (WHO) supported a health needs assessment [...]. According to the study, the main health problems in DRC are malaria, tuberculosis and diarrhea (including cholera). Malaria causes 45% of the infant mortality rate, Acute Respiratory Infections (ARI), diarrhoea, and measles are the other major causes of infant morbidity and mortality. The mortality rate in several areas in the east of the country is above the threshold of more than 1 death per 10,000 people per day, indicating unacceptable ongoing levels of emergency. Infant mortality rate is double that of the sub-Saharan average, underscoring the severity of the humanitarian crisis in the east. The rate of maternal mortality in the east is estimated to be greater than 1,800 per 100,000 live births; this rate is also double the sub-Saharan average." (OCHA 21 March 2005)

"Bien que les conflits armés aient cessé dans la plupart des régions de la République démocratique du Congo (RDC), la population n'a pas pour autant plus accès aujourd'hui aux soins de santé qu'en 2001, au plus fort de la guerre civile, indiquent les conclusions des enquêtes menées dans cinq secteurs sanitaires de la RDC et publiées mardi par l'ONG Médecins Sans Frontières (MSF)." (IRIN 15 November 2005)

To view MSF study: MSF, October 2005, Access to healthcare, mortality and violence in the DRC [\[Internet\]](#)

### **Cholera epidemic in IDP camps of Ituri (April 2005)**

- Epidemics reported in Tché and Kafé camps

"Aid workers are unable to reach camps for thousands of internally displaced persons (IDPs) in northeastern Democratic Republic of Congo (DRC), where cholera has broken out, the UN Office for the Coordination of Humanitarian Affairs (OCHA) has said.

"The situation is likely to worsen in the Tché camp, where the lives of about 25,000 people is at risk," OCHA said in a statement issued on Tuesday.

It said that since the outbreak of the disease on 26 March, some 1,420 people had been affected by the epidemic, which has killed 29 people.

Aid workers are unable to reach Tch , 62 km northeast of Bunia - the main town in the district of Ituri - where various militias are operating.

OCHA said UN peacekeepers and troops of the newly integrated national Congolese army have forcibly disarmed thousands of Ituri militiamen, but in and around Tch , the militias are "still wreaking havoc on innocent civilians". (IRIN 22 April 2005)

"Le chol ra s vit dans le camp de d plac s   Kaf , en Ituri, et risque de contaminer d'autres camps. Pr s d'une centaine de cas ont  t  signal s entre le 29 mars et le 2 avril. Le mouvement des d plac s vers d'autres sites risque de propager le chol ra   plusieurs localit s notamment dans d'autres camps de d plac s." (OCHA 1 April 2005)

### **3.9 million people are estimated to have died as a result of DRC war, according to IRC (2006)**

- DRC's mortality rate is higher than UN reports for any country in the world
- Health conditions are far worse in the east of the country than in the west
- Majority of deaths are due to easily preventable and treatable diseases
- In spite of positive trends, mortality rates in DR Congo have not improved significantly since 2002

"The prestigious British medical journal *The Lancet* has published the results of an International Rescue Committee-led mortality survey in the Democratic Republic of Congo in its January 7 issue. The article [registration required], containing slightly revised data from the IRC mortality study initially released in December 2004, demonstrates that nearly four million people have died as a result of the ongoing conflict.

"It is a sad indictment of us all that seven years into this crisis ignorance about its scale and impact is almost universal, and that international engagement remains completely out of proportion to humanitarian need," IRC's health director Rick Brennan said in a *Lancet* press release.

The three previous IRC studies, conducted between 2000 and 2002, demonstrated that an estimated 3.3 million people had died as a result of the war. Latest estimates from the 2004 study highlight how 3.9 million people have died since the conflict began in 1998." (IRC 6 January 2006)

"Over the past four years the International Rescue Committee (IRC) has documented the magnitude of the humanitarian crisis in DR Congo through a series of four mortality surveys. The first three surveys, conducted between 2000 and 2002, demonstrated that an estimated 3.3 million people had died as a result of the conflict. The fourth and latest study, covering the period from January 2003 to April 2004, is among the largest ever conducted in a conflict zone. Investigators used a three-stage cluster sampling technique to survey 19,500 households in total, visiting every province in the country, and measuring mortality among nearly 58 million people (over 90% of the Congolese population). An estimated five million people were inaccessible due to security problems. [...]When analyzed in conjunction with the IRC's previous mortality surveys, the findings indicate that from the beginning of the war in August 1998 to the end of April 2004, approximately 3.8 million people have died as a result of the crisis. The survey demonstrates that

the Congolese conflict is by far the deadliest war in the world since World War II and the deadliest in Africa ever recorded.

2. Death rates are highest in the unstable eastern provinces. The CMR in the eastern regions of DR Congo (CMR = 2.3) are more than one third higher than those for the West (1.7). The five eastern provinces, where the conflict has been most intense and protracted, have a CMR of 2.7, which is 80% higher than the average rate for sub-Saharan Africa (1.5). The mortality rate for children under five years of age (U5MR) in these provinces is 70% higher than the regional norm. The eastern provinces account for 77% of the excess mortality documented in DR Congo, with 27% of eastern health zones experiencing a CMR that is higher than the accepted emergency threshold of 1 death per 10,000 per day for the entire 16-month recall period. These rates do not include the period since April 2004, during which there have been several violent incidents in the East.

3. The majority of deaths are due to easily preventable and treatable diseases. While security problems continue in the eastern provinces, less than two percent of deaths over the past 16 months have been due to war-related violence. The most devastating byproducts of the conflict have been the disruption of the country's health services and food supplies. As a result, the vast majority of deaths have been among civilians and have been due to easily preventable and treatable illnesses such as fever and malaria, diarrhea, respiratory infections, and malnutrition. Children under five years old are at particular risk from these diseases. They account for 45.4% of the 500,000 deaths documented in this last survey period, even though they represent less than 20% of the total population.

4. Lack of security has a direct effect on the number of deaths from both violent and non-violent causes. Deaths from non-violent causes, such as infectious diseases, are highest in the most conflict-prone regions where security problems continue to impede access to health care and humanitarian assistance. In health zones where violent deaths were reported, CMRs are 75% higher than those of health zones where no violent deaths were reported. If the effects of insecurity and violence in the eastern provinces were removed entirely, it is estimated that mortality rates would reduce to almost normal levels (from 2.7 to 1.6 deaths per 1,000 per month). In the health zone of Kisangani-Ville, for example, fighting stopped in 2002 allowing health, water, and sanitation services to be rehabilitated. Since then, the CMR has declined by 79% and excess mortality has been eliminated.

5. In spite of positive trends, mortality rates in DR Congo have not improved significantly since 2002. During the period of this survey, January 2003 to April 2004, there was a gradual decrease in the total number of deaths in eastern provinces, largely due to improvements in security that allowed for increased humanitarian access. The national CMR has reduced from 2.4 to 2.0 since 2002, but this change was not statistically significant because of overlapping confidence intervals with the previous survey. Similarly, the CMRs for both eastern and western DR Congo have declined, but -- for the same reason - are not significantly different from the survey of 2002." (IRC 8 December 2004)

### **Overcrowding and poor sanitation kills IDPs in Ituri (March 2005)**

"Overcrowding and poor sanitation kills some 25 people die every day in Gina just one of eastern Congo's camps for displaced people, a senior U.N. aid worker said Wednesday.

Diarrhoea alone kills four children on a daily basis in the nearby Tche camp for people fleeing the latest violence in the Ituri district, where an array of tribal militias hold sway despite the presence of more than 4,000 U.N. peacekeepers.

"There are enormous amounts of people who are displaced and many of these are dying," Jahal de Meritens, the head of the U.N. Office for the Coordination of Humanitarian Affairs in the Democratic Republic of Congo, told reporters.

The two camps he singled out north of Ituri's main city of Bunia, are each home to some 20,000 people out of the 100,000 civilians who have fled violence in mineral-rich Ituri in the last three months." (Reuters 23 March 2005)

### **Lack of data on HIV/AIDS prevalence among IDPs (2006)**

- Ministry of Health estimates 5% HIV prevalence in the country, but surveys of blood donors in the Eastern region show an HIV prevalence of approximately 20%
- Some findings suggest that IDPs may be more at risk to HIV than the general population in DRC.
- However, more information and data are needed before generalizations about IDPs can be made

"In contrast to Sierra Leone, southern Sudan and Angola, increases in HIV infection among the general population in eastern DRC (HIV prevalence is estimated to be between 15 and 24 per cent), primarily attributed to extensive sexual violence by paramilitary groups as well as foreign militaries (from, for example, Rwanda, Uganda and Zimbabwe) and a breakdown of health services, have been reported (Save the Children, 2001; Wax, 2003). However, many of the reports are anecdotal and further studies are needed to confirm these results and assess trends." (Spiegel 2004)

"Eastern DRC, where the majority of IDPs live, is a chronic health emergency. The minimum standards for reproductive health are not being met. The Ministry of Health estimates approximately 5% HIV prevalence in the country. However, surveys of blood donors in the Eastern region show an HIV prevalence of approximately 20%, which *suggests* that HIV prevalence is higher in the rebel-controlled area of the country; much more data are needed to substantiate this claim as blood donor data are suffer from significant biases. JSI [John Snow International] reported that most facilities visited were using syndromic diagnosis and treatment of sexually transmitted infections. Few health facilities had condoms and none conducted Information, Education and Communication activities on AIDS. The National AIDS Control Programme, 80% of health facilities that transfuse blood do not test donated blood for HIV, but NGOs health facilities do test for HIV. According to JSI, condoms are only available in the two family planning facilities. In Goma, all facilities use syndromic diagnosis of sexually transmitted infections, and condoms are not generally available in health facilities but are occasionally found in pharmacies. GBV is a huge problem in the country, especially as the stigma of rape and domestic violence persists, preventing many women from seeking medical help and counselling. In such circumstances, the risk of contracting HIV may increase, though there are no data to corroborate this claim.

The DRC Ministry of Health has also conducted a two-part survey of the HIV situation in the country. In July 2003, sentinel surveillance was done in 7 urban and 2 rural sites in the West of the country; from January to May 2004 sentinel surveillance in 5 urban and 3 rural sites in the Eastern regions (Bukavu, Bunia, Goma, Karawa, Kindu, Kisangani, Lodja and Neisu), where the majority of IDPs live, was undertaken. Results of the second study in the Eastern part of the country will soon be published, but there are no data to disaggregate between the general population and IDPs.

HIV serosurveys were also conducted in 2002 by a team of doctors in 4 major cities: Kinshasa, Mbuji-Mayi, Lumbumbashi (government-controlled areas) and Kisangani (under the control of rebel factions). Pregnant women, blood donors, sexually transmitted infection disease patients, commercial sex workers, as well as IDPs, were voluntarily tested. The IDP sample came solely from Kisangani (N=112), and had the highest HIV prevalence of all groups (7.1%). This finding suggests that IDPs may be more at risk to HIV than the general population in DRC. However, more information and data are needed before generalizations about IDPs can be made. There are no other HIV-specific seroprevalence data for the other IDP populations in DRC. (UNHCR/Internal Displacement Division, pp26-27)

### **Civil war inflicts unbearable hardship on women and children (2000-2005)**

- Violence perpetrated against women a feature of the war
- Number of women dying as a result of pregnancy is three to five times higher than the African average
- Significant number of women and girls are infected with STD through rape, the most deadly being HIV/AIDS and do not seek medical treatment
- UNICEF/DRC government study shows high level of malnutrition, insufficient vaccination of children, very limited access to prenatal care; rising infant and childhood mortality and significant decrease of number of children attending school (Oct 02)
- According to UNICEF, 1.9 million children suffer from acute malnutrition throughout DRC (May 2004)
- DRC holds the sad world record for mother-child mortality (2005)

"The number of women dying as a result of pregnancy is three to five times higher than the African average. Under-nourishment, forced and economic prostitution, overwork for insufficient compensation, untreated ailments and the psychological strain of maintaining large families are exacting a terrible toll. Out of the 2.5 million babies born in an average year, 20% will not reach their first birthday. Infant mortality is 50% higher than the African average." (UN 26 Nov 2001, p.42)

"A significant number of women and girls are infected with sexually transmitted diseases through rape and for any or all of the above reasons [such as stigma of rape] do not seek treatment unless it is absolutely necessary. The large majority of rape victims interviewed had never received any medical treatment after the rape, and often did not even tell doctors about the rape when they gave birth. Social workers and medical staff confirmed that only a small minority of victims ever get any treatment. Thus, many relatively easily treatable sexually transmitted diseases remain untreated, some causing considerable pain and inconvenience to the woman, and some causing irreversible consequences. The most deadly disease that can be contracted through rape is HIV/AIDS. Not only are the lives of HIV-positive women and girls shortened and their livelihood possibilities seriously impaired, but being HIV-positive or even being suspected of being positive adds to the stigma of rape to make for a double stigmatization of these women and girls. One woman who had been raped said that her husband rejected her, saying he was afraid that she had contracted HIV and would "contaminate" him. 177 The scarcity and high cost of HIV testing makes it more difficult for women who are not infected to demonstrate this to their husbands and families." (HRW June 2002, p69)

### ***UNICEF study on women and children:***

"A new study by the United Nations Children's Fund (UNICEF) and the Ministry of Planning and Reconstruction of the Democratic Republic of the Congo has shown that the condition of women and children in the has not improved since the last such study was carried out in 1995.

According to the latest "Enquete Nationale sur la Situation des Enfants et des Femmes", released on Monday, malnutrition of children and their mothers remains high, vaccination of children is still insufficient, access to prenatal care remains very limited, infant and childhood mortality are continuing to rise, and the number of children attending school has decreased significantly. In a statement, UNICEF said that the myriad of problems documented by this latest study "date back many years, and their solution was to be found in a radical change of development policy and greater awareness-raising of communities".

The information for the 'Multiple Indicator Cluster Survey 2' was gathered by a team of 355 people from April to October 2001 in all provinces of the country, in an effort to evaluate progress made since the 1990 World Summit for Children. 10,305 households were visited for the study, which received the technical and financial support of UNICEF and the US Agency for International Development. "" (IRIN 16 Oct 02)

*For more information, see the study:*

*UNICEF/Ministry of Planning and Reconstruction of the DR Congo July 2002, Enquête nationale sur la situation des enfants et des femmes MICS2/2001, Rapport d'analyse, Kinshasa, [reference below]*

"According to various nutritional surveys, it is estimated that over 1.9 million children suffer from acute malnutrition throughout the territory. A major effort is underway not only to establish identification and referral systems and nutritional surveillance but also to set up traditional and 'non-traditional' nutritional centres to receive and meet the immediate needs of children in these newly accessible areas." (UNICEF 7 May 2004)

"In the first four months of this year [2005] 59,000 children have died as a direct and indirect result of the conflict in the Democratic Republic of Congo.[...]

The vast majority are dying from easily preventable and curable causes such as diarrhoea, malnutrition and malaria." (Save the Children Alliance 27 April 2005)

"DRC holds the sad world record for mother-child mortality with 1,289 deaths per 100,000 live births, which represents a loss each year of 585,000 children. The mortality rates for under-fives are around 213 deaths per 1,000 live births. This means that one in five newborn Congolese children will never reach the age of five years. Among the under-fives, 30% of deaths are caused by malaria, which claims the lives of 300,000 children each year." (MSF October 2005)

## **Nutrition and food**

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### **Militia attacks and crop destruction have left IDPs and others dependent on food aid in Ituri (April 2005)**

"On the surface, Ituri - a district in northeastern Democratic Republic of Congo (DRC) twice the size of Rwanda - is as green and fertile as ever. The rainy season has just begun and huge rain clouds that build up early in the afternoon are followed by heavy downpours, thunder and lightning.

Normally, the arrival of the rains is greeted with joyous activity in and around villages - farmers and their families prepare plots, sow maize, and plant cassava, sweet potatoes and other vegetables.

But this year, many villages - or what is left of them - are deserted. Plots are overgrown with weeds and elephant grass, and an eerie silence hangs over the landscape, where busy people should be going about their daily work. [...]

Agricultural production has plummeted, with serious consequences for the long-term food security of hundreds of thousands of people.

Agricultural NGOs and the UN World Food Programme (WFP) are calculating how much more food aid needs to be shipped into Ituri to prevent theoretically wealthy farmers from starving in the coming months.

'In the first three months of 2005, we distributed as much food aid as was planned for half a year. In a few months we will have run out of supplies and there will be a big problem towards the end of the year,' Rudi Sterz, project coordinator at German Agro Action (AAA), told IRIN in March.

'There was no way we could have planned for such a development,' he added. [...]

Since the tempo of fighting between Lendu and Hema militias increased in December 2004, the number of people fleeing to IDP camps has dramatically increased in Djugu Territory. More than 88,000 Hema fled the attacks of Lendu militias and are now cramped into five camps.[...]

During their attacks, Lendu militias burnt down homes, looted food and animals, and even destroyed crops that were growing in the fields.

'Their aim was to chase the people away and keep them in the camps,' Louis-Marie Bouaka of the UN Mission in the DRC, known as MONUC, told IRIN in Bunia.[...]

'The militias made sure that when the IDPs return they have nothing left to eat, so they will not go back to their villages and start anew,' said Aime Boyemba, an agricultural expert of AAA, based on eyewitness accounts.

'Now that many farmers live in the camps and cannot plant, the production crunch will also hit towns like Bunia,, Boyemba said, predicting that the situation would become worse in the next six months.'"(IRIN 4 April 2005)

### **Malnutrition as a result of massive displacement in eastern DRC (2001-2004)**

- Improvement of the security situation seems to have played a role in the amelioration of the nutrition status in some areas (May 04)
- Nearly two-thirds of the population suffers from food shortages (June 03)
- Many populations have exhausted their coping mechanisms, and are unable to meet their basic nutritional needs
- As a result of massive displacement, between 10 and 30 percent of population in some areas in Katanga, Orientale, North and South Kivu suffer from acute malnutrition (Nov 02)
- In 2001, 16 million people (33 % of population) were estimated to have critical food needs as a result of prolonged displacement and other factors

"The improvement of the security situation since mid-2003 seems to have played a part in the amelioration of the food security and nutrition status in some areas [...], whilst others remain at risk [...]." (UNSCN 31 May 2004)

"Murder and rape are increasing in the war-ravaged eastern Democratic Republic of the Congo (DRC) and children are slowly dying of starvation, with nearly two-thirds of the population estimated to suffer from food shortages, United Nations officials reported today even as the Security Council was being briefed on the latest peacekeeping efforts." (UN News Service 18 June 03)

"During 2002, the general acute malnutrition remained unchanged. Areas that were previously inaccessible, such as North Katanga, experienced an improvement in the rate of malnutrition. However, areas such as South Kivu and Ituri saw an increase in armed conflict lead to increased rates of acute malnutrition.

A June 2001 study by WHO and UNICEF reported that the majority of the Congolese live on US\$ 0.20 a day, and consume less than two thirds of the calories required to meet their basic needs and remain healthy. With the continuation of the war in certain areas and the continued economic instability, many populations will remain vulnerable as they cannot meet their basic nutritional needs. Without intervention, these families will not possess the coping mechanisms needed to react and adjust to crisis. This coupled with limited access to basic social services and limited access by humanitarians to the most vulnerable places millions of Congolese in a precarious state. Overall, the coping mechanisms that enabled most of the population to survive crises are by now totally exhausted. Insecurity and bad infrastructure make it difficult to gain access to the most vulnerable population, and this holds for punctual and sustainable humanitarian interventions." (UN, 16 January 2003, p43)

"Between 10 percent and 30 percent of the population are suffering from acute malnutrition in many areas of eastern Democratic Republic of the Congo (DRC), says the United Nations Food and Agriculture Organisation (FAO). Those most affected are women and children.

The hardest-hit areas are Kiambi, Nyunzu, Manono, Pweto, Pepa, Kalemie and Malemba-Nkulu in Katanga Province; Bunia, Mahagi, Mambasa and surrounding villages in Orientale Province; Shabunda, Walungu, Ngweshe, Bunyakiri and the plain of Ruzizi in South Kivu; and Beni, Butembo, Rutshuru and Masisi in North Kivu Province.

The high rates of malnutrition were attributable to massive displacement resulting from ongoing fighting in the region, Ad Spijkers, the FAO's representative in the DRC, told IRIN. Forced to flee at a moment's notice, people had been unable to carry away food, seeds or tools with them. Moreover, the displaced people had also become a huge burden on the areas to which they had fled.

"Under these conditions, everyone - that is the displaced populations and the families in the areas they flee to - loses the capacity to feed themselves," he said.

General insecurity in the region was uprooting people repeatedly as soldiers, rebels and militia groups looted villages and emptied homes of food, drugs, stocks of seeds, electric household appliances, tools, and clothing, he said.

Malnutrition in eastern DRC, an area with enormous agricultural potential, was a new phenomenon, except for parts of South Kivu where the density of the population was significant and the soil not very fertile, said Spijkers." (IRIN 6 Nov 02)

"Some 16 million people in the Democratic Republic of the Congo are estimated to have critical food needs as a result of prolonged displacement, the rupture of traditional sources of supply due to war and the alarming increase in prices." (UN SC 8 June 2001, para.57)

***Nutritional surveys:***

ACF Rapport de l'enquête nutritionnelle Zone de santé Lubutu, Province du Maniema, December 2004

[Link below]

ACF, Enquêtes Nutritionnelles Anthropométriques Zones de Santé de Malemba et le Lwamba République Démocratique du Congo Province du Katanga, July 2004 [Link below]

## **Shelter**

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### **IDPs in camps in central Katanga need urgent assistance (January 2006)**

- Camps are over-crowded with few facilities, limited shelter and poor hygiene conditions
- Malaria, respiratory infections and diarrhea are common among the displaced, as well as malnutrition
- IDPs depend on the goodwill of the host population for food, clothes, etc.

"Today there are several sites in and around Mitwaba, including 3 camps; there are 3 camps around Dubie, and scattered displaced families around Pweto, Kabalo and Upembe Park. Supposedly safe and secure, the camps and their surroundings lack assistance and security. Despite efforts by MSF and the host communities, the camps that exist are over-crowded, with few facilities, limited shelter and poor hygiene conditions. Around Upembe Park, thousands of people live in mosquito-infested swamps or on small floating islands on the lake itself. MSF is currently providing emergency medical care, shelter, non-food items and water/sanitation facilities across the displaced of Mitwaba, Dubie, Kabalo and Pweto; however, the effective presence of other national and international actors is thin despite the ever-increasing need.

There are large medical needs ranging from malaria through respiratory infections to diarrhea – all of which are common and treatable problems and exacerbated by pre-existing vulnerability, over-crowding and unhygienic conditions. Food remains a major challenge, with malnutrition – also preventable – rising. And the threat of violence and the reality of theft persist. The host communities have also been significantly affected. [...]

The displaced have found refuge in areas ill-equipped to receive them with little prepared for their arrival. Having arrived with nothing, they have largely been dependent upon the goodwill of host communities – for food, clothes, shoes, shelter... Yet as much as they try local populations lack the capacity to help, affected in their turn by the insecurity around them, poor infrastructure and limited resources." (MSF January 2006)

### **MSF reports terrible living conditions in camps in Ituri (August 2005)**

- Overcrowding, with little or no access to water and few or no latrines, lead to the spreading of diseases

“Following repeated attacks on villages, populations had no choice but to gather spontaneously, often in unsuitable locations. For instance, one camp, along the shores of Lake Albert, is accessible only by boat, while another emerged in the middle of nowhere between two hills.

The areas considered safe were very limited. As a result population density is very high, increasing the risk of epidemics and directly threatening the lives of the most at-risk population, children under five.

One of the most striking examples was the treatment of 1,633 cholera patients beginning in March 2005 for a period of seven weeks.

Extreme living conditions, with little or no access to water and few or no latrines are the direct cause of the epidemic. During the study, there were 11 times more people per latrine—or 296 people sharing the same one latrine—than is generally accepted in emergency situations.

The overcrowded conditions also encouraged the spread of measles. More than 10,000 children between six months and 15 years of age were vaccinated between February and March 2005, in three of the camps.

The deaths that occurred after populations arrived in the camps were due mainly to the very poor hygiene conditions, an inappropriate and inadequate diet, and the lack of access to health care and supplies for basic needs. People who died in the camps during this time primarily lost their lives to fevers and diarrhea (86% of reported deaths for children under five). Seen as often in outpatient consultations as in hospitalizations, malaria and acute respiratory infections are the two main pathologies affecting the displaced and are intimately linked to the unstable conditions surrounding this population.[...]

Children under five account for one third (32.4%) of hospitalizations. They arrive at the hospital very late and are in a critical condition that requires emergency hospitalization, greatly increasing the risk of death in the first 24 hours. Moreover, the fighting began at the start of the rainy season, forcing the population to leave their homes at planting time. Today, most of the displaced still do not have access to their fields. In the coming months, they will depend on food aid from outside.” (MSF August 2005, pp13-14)

# ACCESS TO EDUCATION

## General

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### Conflict has had terrible impact on already failing education system (2001-2005)

- UN says that absolute majority of IDP children have been deprived of formal and informal schooling since 1998
- 400,000 displaced children of primary school age have no access to basic education (2001)
- UNICEF estimated in 2005 that , 4.6 million children in DRC do not receive any formal education; 2.5 million are estimated to be girls
- Situation is the worse in eastern part of DRC where IFRC estimates that 70% of children do not go to school at all
- 47% of children in North Kivu and 42% in South Kivu have never attended school, according to UNICEF 2002 study
- A higher percentage of girls have never attended school
- Parents lack the financial means to pay school fees and schools refuse students which have not paid the fees
- In eastern Katanga, parents pay double school fee to enable displaced children to also attend school

"The absolute majority of IDP children have been deprived of proper or any schooling since 1998. In urban areas, there is a marked increase in the number of dropouts with primary school attendance declining, as many families are unable to afford exorbitant education fees. For the first time since the beginning of the war, the CHAP 2001 will attempt to revive the importance and value of the education sector, through launching a series of primary education campaigns in areas of population displacement." (UN OCHA 26 Nov 2001, pp.47-48)

"The education system has suffered from the devastating effects of the war as well as from bad governance over the past decades. The national budget spent on education has dropped to 0.3%. It is estimated that only 30% of children attend and finish primary school and just 12% actually finish secondary education. Some children are unable to attend school either for economic reasons or the lack of any educational services and infrastructures in their region, or they have been obliged to quit school due to the war (displacement, insecurity problems, etc). This puts the future of the country in a precarious situation." (UN, 16 January 2003, p44)

"Displaced children in particular have little or no chance to continue with their education. Of the two million displaced people, approximately 400,000 are thought to be children of primary school age. These children have no access to any form of basic education, prejudicing their opportunities later in life, and increasing their risk of enlistment into armed forces in search of a better situation." (Oxfam August 2001, p.29-30)

"The conflict in the DRC has had a terrible impact on an education system that was already failing. In 1998, the Ministry of Education reported that 40 per cent of children of primary school age were not attending school. The situation for girls was even worse. Nationally, half of all girls were not in school; in North Kivu, the figure was 69 per cent. The investment that was made in the Congolese education system in the 1970s and 1980s has been squandered. School

enrolment rates plummeted from 94 per cent in 1978 to an estimated 60 per cent in 2001. Adult literacy rates fell from 74 per cent in 1992 to 58.9 per cent in 1998.[...]

In eastern DRC, insecurity, poverty and the frequent closure or destruction of schools will have reduced attendance to a fraction of the 1998 figures. Many parents can no longer afford to send their children to school." (Oxfam 6 August 2001, p.29-30)

“Après des années de guerre et de recul économique, la situation de l'éducation est mauvaise en République démocratique du Congo (RDC) : il y a 4,6 millions d'enfants non scolarisés, dont 2,5 millions de filles. » (UNICEF 11 April 2005)

[In Malemba-Nkulu, Katanga] "Le secteur éducatif bien que bénéficiant du soutien de l'Unicef, est à l'image de toute la zone, sinistré. Bâtiments brûlés et pillés dans de nombreux villages, fuite des élèves, carence d'enseignants et non-paiement des salaires, non-paiement du minerval, absence de matériel d'enseignement (craies, bancs, tableaux), fournitures scolaires rares et trop onéreuses." (OCHA Oct 02, p9)

La proportion d'enfants n'ayant jamais fréquenté l'école primaire est élevée en RDC (31%). Elle est plus importante en milieu rural où elle atteint 39%, contre 14% en milieu urbain. Entre les provinces, les disparités sont importantes, notamment entre Kinshasa où 9% d'enfants n'ont jamais fréquenté l'école, et certaines autres provinces dont le Sud-Kivu (42%), l'Equateur (44%) et surtout le Nord-Kivu (47%).

Les filles sont plus nombreuses (35%) que les garçons (28%) à n'avoir jamais fréquenté l'école. Cette disparité entre les sexes existe également en milieu rural (44% de filles contre 34% de garçons) et dans la plupart des provinces. [...]

Deux faits complémentaires peuvent expliquer cette situation : le manque réel de moyens financiers permettant aux parents de payer les frais de scolarité, et la pratique actuelle qui consiste à ne pas admettre les enfants non en règle de paiement de minerval avec l'école. Dans certains cas, les élèves sont expulsés pour un ou quelques jours seulement de retard de paiement. Cette pratique résulte, selon les chefs d'établissements, de la nécessité d'avoir les moyens nécessaires pour faire fonctionner l'école, y compris le paiement de la « prime » due aux enseignants. Ceci pose le problème de la responsabilité de l'Etat congolais vis-à-vis du financement de la scolarisation des enfants. Sa démission et le fait de faire endosser cette charge aux parents conduisent à la non-fréquentation, momentanée ou prolongée, d'une bonne moitié des enfants congolais.

Plusieurs autres causes sont citées pour expliquer la non-fréquentation scolaire. Il y a d'abord un ensemble de causes dites « autres », que les mères n'ont pas voulu ou pu déclarer au moment de l'enquête. Il peut s'agir des causes pour lesquelles elles se sentent coupables, car il semble invraisemblable qu'un parent ne sache pas pourquoi son enfant ne fréquente pas. Il faudrait approfondir les analyses sur cette question. L'éloignement des écoles par rapport aux domiciles des enfants est une autre cause de non-fréquentation de 9% d'enfants : 11% en milieu rural et 2% en milieu urbain.[...]

Dans certains milieux ruraux, les enfants doivent franchir des kilomètres pour effectuer les va-et-vient entre leurs villages et leurs écoles. La situation serait particulièrement dramatique dans la province Orientale, au Kasaï Oriental et au Bandundu. Il se pose là un problème de la carte scolaire, c'est-à-dire de la distribution de l'offre éducative en fonction de la demande sociale de chaque milieu.

Les maladies prolongées constituent également une cause de non-fréquentation scolaire ; elles gênent indistinctement les enfants en milieu urbain et en milieu rural.

Les changements de résidence provoquent aussi la non-fréquentation scolaire, principalement dans les milieux urbains, sans doute parce qu'ils exigent de faire réinscrire les enfants dans les écoles des nouveaux lieux de résidence. Or l'inscription d'un enfant dans une école, notamment en ville, au cours d'une année scolaire n'est pas aisée." (UNICEF/Ministry of Planning and Reconstruction of the DR Congo July 02, pp75-79)

"In Eastern Katanga province, parents are actually paying double school fee to enable displaced children to also attend school, and health clinics are desperately trying to cater for the IDPs." (WV 30 July 2001)

"Only 40 per cent of children in the region are enrolled in school. In some areas, such as in North Kivu, only a third of girls go to school." (UNICEF 16 December 2004)

# ISSUES OF SELF-RELIANCE AND PUBLIC PARTICIPATION

## General

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### **Agencies conduct household economy studies, livelihood analysis in eastern and northeastern DRC (July 2004)**

- In Masisi, North Kivu, the displacement of many of the large livestock owners made it possible for some people to extend their area of cultivation in 1999 into abandoned pastures
- In Goma, the fall in household incomes following the volcano eruption in 2002 hit IDPs and non-displaced equally
- Around Bunia, Ituri, surveys found that local administrators have expropriated land from the largely Lendu population in the south to sell to wealthier Hema cattle owners from the North

### **Eastern Masisi, North Kivu, DRC (1999–2003)**

#### *Assessments conducted*

Household economy studies were carried out by SC-UK in 1999 and 2002. WVI and Asrames carried out assessments in 2001 and 2003 respectively. SC-UK also commissioned a livelihood study focusing on land. One agency made an impact assessment of a road building project. Several nutrition surveys were carried out by SC-UK, WVI and MSF-H (in September 2001, May 2002, October 2002, and April, May and October 2003).

#### *Livelihoods analysis*

The system of land control means that the 'poor' (40–50% of the population) cultivated just one quarter to half a hectare, supplementing their crops by selling labour. In addition, insecurity of tenure meant that there was no investment in soil conservation and soil fertility. Yields were therefore low, exacerbated by the new cassava mosaic virus. The displacement of many of the large livestock owners made it possible for some people to extend their area of cultivation in 1999 into abandoned pastures. Middle-income households (30–35% of the population in 1999) hired labour to work their fields (usually around two hectares), and engaged in trade. In 2000, the rapid rise in price of the mineral coltan attracted many young people to work in mining, where they remained despite the price fall the following year. With relative recovery between 1999 and 2002, the number of livestock increased, reaching around 10% of pre-1993 levels by 2003. The middle economic group replaced the poor as the majority by 2002, the poor were able to grow more of their own food (up from 60% to 70%) and work for food became rare. On top of the constraints to livelihood security [...], one study also identified the importation of food aid by donors as a factor depressing farm-gate prices.

In 2002, the cash income of the poor remained at the 1999 level of \$160 per household per year. They had few sources of income locally apart from selling labour or selling parts of their harvest at low prices. They resorted to charcoalmaking, seasonal migration to towns, migration to mines, and reducing their spending on health and education. With the introduction of school fees payable in cash (rather than in beer, as previously), fewer poor households sent children to school. Nutrition surveys found under-five malnutrition rates between 3% and 9% for moderate and severe (marasmus) malnutrition combined, but rates of kwashiorkor were unusually high (3–11%).

### **Goma town, DRC (February–July 2002)**

#### *Assessments conducted*

The provincial authorities carried out a needs assessment though this was not used by agencies – they requested quantities of food that would have been enough to feed the entire population of 400,000 for 18 months. A needs assessment of the displaced was carried out. SCUK made a household economy assessment within a month of the eruption (SC-UK 2002), which widened attention from a focus on destroyed infrastructure and housing to the overall economic situation. Monitoring and impact assessments were carried out by SC-UK and by the DEC (DEC 2002, 2003).

#### *Livelihoods analysis*

Before the crisis, poor households (15–5% of the population) frequently depended on the income from just one person – the smallest-scale trade or women’s daily labour. The whole household would only earn \$25–50 a month, half of which went on food. Capital enabled people to earn significantly more by expanding trade: with capital of \$50–100 (35–40% of the population) and two people working, a household could earn \$50–90 a month, the same as a teacher or a male labourer’s household. With over \$150 (15–25%) a household could earn \$100–150 a month, similar to a skilled artisan. The fall in household incomes following the eruption hit the displaced and non-displaced equally. The urban economy proved to be more resilient than rural ones, with a wider range of economic options, and quicker returns on work.

### **Bunia suburbs, Ituri District, DRC (2003)**

#### *Assessments conducted*

A rapid assessment was conducted in July 2003, followed by a household economy study in October 2003. This study excluded the population in the camp by the MONUC barracks as they were receiving much more humanitarian support. OCHA made a survey of the number of displaced in 2003.

#### *Livelihoods analysis*

By October 2003, insecurity still restricted access to fields in the southern peri-urban areas; instead, people cultivated small plots of 0.1–0.2ha around their houses in town. Local administrators have expropriated land from the (largely Lendu) population in the south to sell to wealthier (Hema) cattle owners from the north. These two factors meant many people were almost totally dependent on the market for food, at least until garden crops were ready in early 2004. Finding employment was more difficult for those living in the south (who could not easily reach the commercial centre in the north). Daily contract workers (30–35% of the population) could make \$30–90/month, and artisans and small traders (45–65%) \$60–120. These latter would have around \$100–200 working capital invested. Most households spent just over half of their net income on food. Spending on services and household items was very small, because of humanitarian aid and deliberate economy. (HPG July 2004, pp.24-25)

### **People displaced in camps around Beni, North Kivu, are cheap labor for local population (July 2004)**

- Displaced from Ituri do not have the right to cultivate land but are cheap daily laborers or domestics
- Sexual harassment by local population and armed groups
- International NGOs work to improve the living conditions of the displaced

« Ces personnes se sont déplacées par vagues successives notamment à la suite des combats en Ituri en août 2002 et des affrontements de mai / juin 2003, dans le même district. Selon des sources humanitaires, plus de 80.000 personnes de l'Ituri se sont réfugiées dans 93 sites autour de Beni.

Depuis décembre 2003 cependant, des retours spontanés des alentours de Beni vers les milieux d'origines en Ituri ont été constatés. Ils se justifiaient surtout par l'amélioration de la situation sécuritaire à Bunia, chef-lieu de district de l'Ituri, et dans la région en général. Le pourcentage de retour des déplacés reste faible cependant, selon l'ONG Solidarités qui l'estime entre 10 et 15 % de la population concernée. [...]

Ces déplacés de longue durée ont, en marge de l'assistance humanitaire perçue, mis en place des mécanismes de survie qui tournent parfois à l'asservissement.

#### ***Conditions de vie difficiles dans les camps***

L'accès aux terres leur est interdit par la population locale. Celle-ci utilise en revanche cette main d'œuvre bon marché pour des travaux agricoles ou domestiques, en la sous-payant.

Le commerce sexuel se développe également à Tenambo, Oïcha, Mbimbi et Kasindi ; La population locale recourant à l'harcèlement sexuel à l'encontre des déplacés à la recherche d'un travail.

Les violences sexuelles à l'égard des populations vulnérables commises par des groupes armés ou des civils deviennent elles aussi monnaie courante dans un système où l'impunité règne.

#### ***Des actions humanitaires tentent néanmoins d'améliorer leurs conditions de vie.***

L'ONG Solidarités, à titre exemple, travaille ainsi avec la REGIDESO dans le but d'augmenter la quantité d'eau à 10 litres par personne et par jour dans la ville de Béni. Le problème de l'approvisionnement en eau est cyclique à chaque saison sèche dans cette ville et dans sa périphérie mais aussi à Oïcha et Mbimbi. Dans les camps de Tenambo et d'Oïcha la quantité d'eau est de 3,62 litres par jour et par personne alors que le standard minimum acceptable en cas d'urgence est de 15 litres selon les critères Sphère.

Des latrines auraient dues être construites par Oxfam dans le camp de Eringeti. La nature marécageuse de la zone n'a cependant pas permis ces travaux. Des risquent de maladies existent donc pour les 13.617 personnes présentes dans le site.

D'autres initiatives existent. Le bureau de OCHA / Béni organisera toutefois une rencontre au mois d'août avec les organisations humanitaires dans le but d'envisager d'autres alternatives en vue d'aider ces populations. » (UN OCHA 24 July 2004)

#### **Vulnerable IDPs who lost all possessions during volcano eruption did not receive any assistance (2002-2005)**

- Eruption of Mount Nyiragongo near Goma in Jan 2002
- As a result of the disaster, assessments indicate that around 15 per cent of Goma town has been destroyed, 120,000 people have been made homeless and 147 have died
- With their property destroyed and their livelihoods wiped away, the entire Goma population has been affected

"Perhaps among the most unlucky are those who fled violence only to be forced to flee again from Goma as the Nyiragongo erupted: chased away one more time but by natural disaster. [...]

The eruption of Mount Nyiragongo near Goma, on January 17 [2002], has caused a severe natural disaster in an area that has already suffered from years of conflict and distress. The lava

flowed into the city and nearby Lake Kivu, causing fires, devastating the area, and generated an estimated 350,000 people to flee towards neighboring Rwanda. The vast majority of those who fled the town on January 17 returned home as early as Sunday 20 January and decided to stay in Goma despite fear due to a number of heavy earthquakes, continued eruptions, opening of fissures by earth tremors and serious risks of lethal gasses emission.

As a result of the disaster, assessments indicate that around 15 per cent of Goma town has been destroyed, 120,000 people have been made homeless and 147 have died.

With their property destroyed and their livelihoods wiped away, the entire Goma population is affected. Relief agencies and local authorities continue to debate options for the support of affected families. Possible options include moving to sites near Goma, resettling in neighboring towns, or returning previously displaced people to their areas of origin. The Rassemblement Congolais pour la Democratie (RCD), which controls the area, has banned any reconstruction on top of the recent lava flows and has announced that two sites outside of Goma (Lac Vert and Mugunga) would be available for resettlement. However, a survey of homeless Goma residents by the International Rescue Committee (IRC) revealed strong resistance to settling in the outside of Goma or in other towns.

The specificity of this natural disaster is that it has happened in a stateless area, ravaged by war and this situation has further complicated the response by the humanitarian actors. For example, the extent of the distrust between the two populations has been a factor leading to a much earlier return of the population to Goma and the suspicion of "hidden motives" about declaration and advice from RCD have also created a specific dynamic to the crisis. " (UN OCHA 28 Feb 02, pp.4 & 14)

"However, those who are dirt poor by Goma's standards - arguably those who should have received particular attention - have proven to be those who have suffered the most. They needed a long-term solution that never came. This is the case of the community of Virunga-Majengo, a stone's throw away from the runway of Goma's airport, and one of the fourteen villages that were completely destroyed in the eruption.

Virunga-Majengo is today littered with rows and rows of small, black wooden homes that each reassembles a child's version of a one-dimensional house. But instead of the standard-fare green blades of grass, each box springs forth from charcoal-coloured lava. There are no garages, no chimneys, no gardens, or even trees nearby. Certainly there are no roads, electricity poles, water pipes or tanks.

The families with multiple children who live in these houses are known as les sinistrés: French for "the disaster-stricken." These destitute - and largely unemployed people - are only now, three years later, starting to grow new roots in the lava.

The very fact that they have attempted to rebuild at all is an initiative lauded by provincial governor Eugene Serufuli, who on the occasion of the third anniversary of the volcano's most recent eruption took the opportunity to commend their collective spirit of determination and resolve.

Governor Serufuli didn't however promise any new financial assistance, nor make any promises of connecting these sinistrés to the city's energy supply, water utilities, or roadways. Not that anyone expected he would, three years after the international event, and at a time when the country has moved on. Concurrently - apart from the work of scattered NGOs on the ground - news agencies, politicians and the philanthropists remain united in their resolve to adequately address today's global crises." (MONUC 27 January 2005)

### **Loss of livelihoods and assets due to conflict and displacement in Bunia, Ituri (Nov 03)**

- Before 2003, most of the population depended on fields outside of Bunia.
- Bunia town also depended heavily on trade with villages in Ituri and civil service were other important sources of income for Bunia town
- Impact of Ituri conflict has been catastrophic with regard to loss of livelihoods and assets
- More economic options in northern than in southern neighborhoods, which have suffer more internal displacement as well

"Before the 2003 attacks, the majority of the population was made up of small to large merchants/traders, artisans, daily workers and a smaller percentage of state employees. Most of the population also depended on fields outside of Bunia – either in the periphery areas or farther in the rural interior. Often those who depended primarily on trade either farmed early in the day and managed their commerce for the remainder of the day or would hire farm help. Agriculture was an important source of food for household consumption and, to a lesser extent, for income. Bunia Town also depended heavily on trade with villages and production centres in the rural interior for cash. In addition, important market exchange took place with larger towns such as Kisangani, Goma, Beni, Butembo, and Kampala in Uganda. Mineral exploitation cannot be neglected as an important source of income and in particular gold extraction. However, this activity benefited an elite minority and has been heavily taxed by combatant forces since the onset of the war in 1999.

The civil service was also an important source of livelihood for a considerable number of households. State employees were more or less present all over Bunia. Most public jobs were in Mudzi Pela where there is a concentration of schools and health facilities (also location of main hospital). Bankoko neighbourhood was the home of retired Mobutu military. The neighbourhood of Lumumba, the commercial heart of Bunia, also contained a number of administrative bodies as well as larger scale private enterprises and the UN and NGO community – good sources of salaried employment. Overall, the southern suburban neighbourhoods were typified by a more monolivelihood culture – leaning towards agriculture (commerce and artisanal activities existed on a smaller scale) –, while the northern and eastern suburbs were of a more multi-livelihoods nature, carrying out agricultural, trade, artisanal, and livestock activities. Certain neighbourhoods in the suburbs were known for brick-making activities.[...]

#### *Insecurity and Socio-Political Divisions Today*

The Ituri conflict has had a semi-paralysing effect on Bunia Town. Most neighbourhoods were systematically pillaged and militia destroyed (burnt) some houses. In general, the impact of the conflict with regard to loss of livelihoods and assets was catastrophic. Sporadic shootings and killings still occur in Bunia. This has led to temporary displacements from some neighbourhoods (most often in the southern neighbourhoods) as the population flees to seek refuge in surrounding villages, only to return to homes that have been pillaged once again. Bunia can be divided into two political zones. A red line cuts across the city – a separation characterised by a predominantly Northern Hema (equally known as 'Gegere') and allied groups and pro-UPC population in the northern neighbourhoods and a predominantly Lendu (and allied groups) population in the south. As a result of this division, the population encounters great difficulties in crossing from one side to the other.[...]

Today, the population has limited access to its fields. Exchange networks, although having survived to some extent the crisis, have been greatly reduced. The lack of labour opportunities has significantly decreased the population's purchasing power. Reduced access to land has meant that households depend heavily on the market to meet their food needs. The unavailability

of cash has created a vicious cycle where lack of cash reduces labour and income-generating opportunities, in turn leading to a poor monetary circulation. Noteworthy, pessimism in the evolution of future events also prevents people from spending.

A greater diversity of economic options is present in the north than in the south. In the north, activities centre around medium and small trade and work contracts – gold digging in Shari, small- and medium-scale import and sale of food and non-food items, artisanal activities, daily work contracts, civil services (education and health sectors), contracts with church structures, etc. Due to the presence of the main central market in the north, households can also access more labour opportunities. The south depends principally on small trade, which revolves around the purchase and sale of staple food items and vegetables and the production and sale of local beer, and on daily work contracts. Medium- to large-scale commerce is rare. Artisanal activities exist but are limited when compared to the north. Jobs as civil servants are almost non-existent. The influx of the displaced population has put an economic strain on residents of certain neighbourhoods as well as on the limited land within the town itself. This is especially true for the northern neighbourhoods where mainly better-off households host two or more displaced persons.[...]

Livelihoods in Bunia centre on daily work contracts – e.g. construction, assistants of artisans, carriers, etc. – artisanal and technical activities – e.g. ironwork, carpentry, construction, etc. - and small trade – e.g. production and sale of local beer ('mandro' -made out of maize or 'Kaikpo' – made with cassava), purchase and resale of staple food items (especially cassava flour, beans, palm oil, vegetables, etc.), sale of diverse items (e.g. soap, salt, petrol, sugar, bread, coal, etc.) at home or in small stands, etc.

Most households have two or more members involved in income-generating activities. The woman in the household often manages a trade activity. However, profit from trade is usually insufficient to cover all household needs or sustain the business. Often the man or a second person in the household is involved in a secondary activity. This is often an activity characteristic of the two other groups – i.e. artisanal or daily work contracts. The same logic applies to the groups of artisans and daily contract workers. Artisanal activities are usually the main source of income for the artisans, followed by an equal or secondary activity of trade carried out by other members of the household. In most cases, daily contract workers do not have sufficient start-up funds or profit to increase the size of trade activities of the second member of the household. Trade in daily contract worker households is, therefore, on the lower end of the income ladder for the group of small traders. Very little to no income of all groups comes from the sale of harvests, which is mainly for household consumption needs. [...]

### **Coping Strategies**

Households have developed the following range of coping strategies to deal with changes in accessibility to food and income:

- \_ Diversification and intensification of economic activities within the household;
- \_ Huge consumption of fruits such as mango, avocado, guava, and papaya during the months of June/July (one person could eat up to 20 mangoes a day);
- \_ Sale of remaining assets – livestock, clothes, shoes, household equipment, production tools, etc. This is done during displacement or on return/arrival to Bunia. However, generally, the sale of assets brings in negligible quantities of income;
- \_ Destruction of abandoned houses for use and sale of material;
- \_ Reduction in investment costs – for businesses, for the rehabilitation and construction of houses, and for certain household equipment;
- \_ Risky movements – attempts to cultivate in fields and many travel to production areas in the rural interior;
- \_ Increased garden production;
- \_ Increased consumption of vegetables;

- \_ Cultivation of crops with short growing cycles (e.g. sweet potatoes and cassava varieties);
- \_ Premature harvesting of crops (especially beans and maize).(SCF-UK Nov 03, Pp11-25)

### **Displacement means agricultural production is at all-time low (2003-2005)**

- Many populations have abandoned their fields due to displacement or to look for other means of subsistence
- Former main agricultural areas - especially the Kivus, northern Katanga and Ituri - are now producing about 10 percent of their pre-war agricultural output
- In more stable areas, farmers are often reduced to survival cultivation, lacking the necessary inputs to resume their activities or increase production
- In the volatile eastern provinces, food insecurity stems primarily from unruly, unsalaried military personnel
- Rural farmers now request guinea pigs as livestock donations because they are more easily hidden from military thieves and are easily transported when families are forced to flee fighting (May 05)

“Situating on the Equator, the DRC has a wide climatic variety and immense agricultural resources. However, only ten percent of fertile land is being exploited. Due to four years of war, worsened by several natural disasters as the eruption of volcanoes, drought, etc., the agriculture sector has suffered immensely and the production has decreased as never before. The low population purchasing power and the lack of sufficient and balanced food have led to endemic malnutrition in the population.

Ever since the beginning of the war, the original trade circuits have been cut and roads and other infrastructure have further deteriorated. In addition, populations have abandoned their fields as a result of displacement or in order to look for other means of subsistence. Others turned to subsistence agriculture only.

The most affected zones, especially the Kivus, northern Katanga and Ituri, used to be the main agricultural production areas in the country. Presently, the agricultural production of these parts of the country is estimated at ten percent of the pre-war production.

In the relatively stable areas, weak purchasing power and the destruction of infrastructures has turned farmers back toward survival cultivation. They actually lack the most basic essential agricultural inputs (tools or seeds) to resume their activities or to increase production.” (UN, 16 January 2003, p42)

“In the volatile eastern provinces, food insecurity stems primarily from unruly, unsalaried military personnel. In the Walikale area of North Kivu, for example, mobile armed groups, including government soldiers, terrorise rural farmers, steal livestock and pillage local plantations. Local authorities follow in the wake of the armed attackers, picking over the remains and delivering leftovers to their families. As a result, all forms of small livestock (chickens, ducks, goats) have disappeared from rural communities. World Relief, an agency operating out of Goma, has reported that rural farmers now request guinea pigs as livestock donations because they are more easily hidden from military thieves and are easily transported when families are forced to flee fighting.” (ODI 25 May 2005)

***For detailed studies of the economic and food security situation in areas of North Kivu, see:***

*Save the Children Fund (SCF), "Update of the Household Economy Analysis of the Rural Population of the Plateaux Zone, Masisi, North Kivu, DRC" – SCF report, 31 Jan 2003*

*SCF, "Household Economy Analysis of the Rural Population of South-Western Bwito, Rutshuru, North Kivu, DR Congo" – SCF report, 31 Jan 2003*

### **FAO analyses coping mechanisms of IDPs and other vulnerable populations in eastern DRC (Aug 03)**

« **Est de la RDC : Les mécanismes de survie développés par la population sinistrée suite à la guerre.** Les communautés qui ne s'adaptent pas en changeant de manière de vivre quand les conditions de leur environnement changent sont vouées à la disparition. Cela s'observe clairement dans la vie courante. La crise engendrée par les guerres, en anéantissant le tissu socio-économique, a frappé toute la population, incluant même les familles qui ont pu rester chez elles. Les déplacements massifs, l'enclavement de certaines provinces et grandes villes, l'absence de revenu et donc une baisse considérable du pouvoir d'achat, ont contraint les populations à développer des stratégies de survie suivantes. » (FAO 31 Aug 03)

***Strategies described in the report include developing gardens and handicraft, reducing costs allocated to health, clothing and schooling, to ask religious associations for assistance, to become a daily laborer, etc.***

***The report also analyses mechanisms specific to certain provinces.***

### **Deteriorating socio-economic situation due to the war (2001-2005)**

- Rise in poverty level has dramatic impact on humanitarian situation
- Little health and education and road infrastructures existing before the two wars of 1996 and 1998 are in a state of collapse
- June 2001 WHO/UNICEF study reported that majority of Congolese live on 20 cents US a day, and consume less than two thirds of the calories required to meet basic needs
- Devaluation of currency and cost of imported goods (kerosene, salt) has eroded people's purchasing power
- Agricultural production has dropped and in mineral-rich areas, farmers have abandoned agriculture to dig for coltan, gold or diamond
- Deprived of state support, with little access to income, and without meaningful external aid, the resources and resilience of Congolese households have simply run out
- As a result of years of mismanagement, corruption and war, the DRC is one of the poorest countries in the world, with per capita annual income of about \$98 in 2003
- Majority of the population survives on informal economic activities, mainly carried out by women (Feb 2002)
- The average Congolese is 53% poorer than 30 years earlier (2005)

"Situated on the Equator, the DRC has a wide climatic variety and immense agricultural resources. However, only ten percent of fertile land is being exploited. Due to four years of war, worsened by several natural disasters as the eruption of volcanoes, drought, etc., the agriculture sector has suffered immensely and the production has decreased as never before. The low

population purchasing power and the lack of sufficient and balanced food have led to endemic malnutrition in the population.

Ever since the beginning of the war, the original trade circuits have been cut and roads and other infrastructure have further deteriorated. In addition, populations have abandoned their fields as a result of displacement or in order to look for other means of subsistence. Others turned to subsistence agriculture only.

The most affected zones, especially the Kivus, northern Katanga and Ituri, used to be the main agricultural production areas in the country. Presently, the agricultural production of these parts of the country is estimated at ten percent of the pre-war production.

In the relatively stable areas the weak purchasing power and the destruction of infrastructures turn the farmers to survival cultivation. They actually lack the most basic essential agricultural inputs (tools or seeds) to resume their activities or to increase production." (UN 19 Nov 2002, p56)

"The little infrastructure that existed prior to the two wars of 1996 and 1998 has crumbled. Health and education systems are in a state of collapse, continuing to rely on support from the churches, local organisations, and international agencies to provide limited services to the population. The poor state of the roads all over the country, compounded by insecurity in the east, impedes trade and makes the delivery of humanitarian assistance difficult and costly. Of the 145,000km of roads, no more than 2,500km are asphalt. Many of the remaining roads are often impassable during the rainy season. The threat of armed attack leads many business people to abandon road traffic completely. River-transport connections along the Congo River and its tributaries, once the crucial highway of the DRC, have also been severed. In many places, access is only possible by air, putting many basic necessities, including medicines, beyond people's reach. The movement of food and other supplies from rural to urban centres has completely ceased, resulting in large food deficits in towns and reduced production in the rural hinterlands.

In eastern DRC, the war has reduced the poorest sections of the population, both displaced and host/local communities, to an extremely marginal existence. Conflict continues between the various armed groups and insecurity has worsened, particularly in rural areas. The devaluation of the currency and rise in the cost of imported goods such as kerosene and salt has eroded people's purchasing power. In isolated areas of rebel-held territories, such as Shabunda, Kindu, and East Kasai, which can only be reached by air, the cost of items such as salt, oil, soap, and even clothes has become even more prohibitive.

Agricultural production has dropped across the east of the country, meaning that some formerly surplus producing areas no longer grow enough to feed their populations. Insecurity, limited access to markets, cassava blight [1], and difficulties in making enough money from the sale of crops, all discourage people from cultivating. [...]

In mineral-rich areas such as Walikale, Punia, and Kalima, the short-term benefits of mining have also encouraged some farmers to abandon agriculture. Instead of working in their fields, they prefer to dig for coltan, gold, or diamond. This will have long-term implications for communities' access to food."

[1] Cassava is the staple for 70% of the Congolese population. Over the past 7 years, cassava crops across the country have suffered from viral and bacterial diseases that have totally wiped out production in some areas such as Bandundu. The war has hindered the application of measures to control the diseases and provide healthy disease-resistant varieties to farmers] (Oxfam August 2001, pp.9,24)

"International attention has focused on those areas and populations directly affected by the war but the reality is that the vast majority of Congo's 50 million people live on around 20 cents per person per day and eat less than two thirds of the calories a day needed to maintain health. Long deprived of state support, with dramatically reduced access to income, without meaningful external aid, the resources and resilience of Congolese households have simply run out." (WHO 29 June 2001)

"In the economic front, the situation throughout the country continues to deteriorate rapidly, poverty and unemployment having reached intolerable levels. The economic purchasing power of the population is extremely weak and the majority of the population survives on informal economic activities, mainly carried out by women." ( UN OCHA 28 Feb 2002, pp.18-19)

"The Economist Intelligence Unit (EIU) Country Profile 2004 stated 'Although the economic situation has improved considerably, it will take years before new investment has any impact on the quality of life of most Congolese, the majority of whom live in abject poverty. It has been calculated that the economy would have to grow by 5% in real terms for 70 years to return to the 1960 level of real income per head.'

[T]he D.R.C. is one of the poorest countries in the world, with per capita annual income of about \$98 in 2003. This is the result of years of mismanagement, corruption, and war." (UK Immigration and Nationality Directorate 20 April 2005)

"The average Congolese is 53% poorer than 30 years earlier. GDP is lower now in real terms than at independence in 1960, having declined from US\$360 per head to US\$119 per head in 1990 and to US\$115 per head in 2004. This economic disaster definitely affects the defence integration and DDR process." (ISS 31 December 2005, p18)

### **Many displaced women have become the head of the household and pay an very heavy price (2001-2005)**

- War had devastating effect on women's economic and social activities, and produced large number of widows and displaced women who became the head of the household
- In Maniema, at Kalonge, at Bunyakiri, at Shabunda, in northern Shaba, more than 60% of displaced families are headed by women
- Women, who often hold the household together, are paying an extraordinary price

"The war has had a devastating effect on women's economic and social activities. The already meagre resources and revenue of grassroots women's organisations, as well as their means of production, have been destroyed or looted. In addition to the volatile security situation, women also face basic structural problems that exacerbate their impoverishment. First of all, it is difficult for them to have access to land because of over-exploitation and overpopulation of fertile lands, and because of patriarchal traditions; on top of this, the economic infrastructure that would have enabled them to carry on productive activity has been destroyed, or did not exist anyway. Moreover, the heavy taxes imposed during the period of administration by the Rassemblement Démocratique Congolaise (RCD), especially on economic activities, have helped to erode women's incomes in particular.

The war has produced a large number of widows and displaced women who have become heads of household without their having had any preparation for this role. They live below the poverty line and depend largely on food aid (when it is available) for their survival. There are high rates of HIV/AIDS, partly owing to the widespread incidence of rape committed against women by forces fighting on the ground. War and poverty have also forced many women and girls into prostitution

as a means of survival, and this makes them particularly vulnerable to sexual violence. This has been described as 'survival sex' and creates conditions "... in which abusive sexual relations are more widely accepted and where many men, both civilians and combatants, regard sex as a service that is easy to obtain by means of coercion". At the same time, domestic violence has increased, as a result of tension caused by the upsurge of unemployment among men, as well as fear and uncertainty regarding the country's political future." (International Alert & Al., 2005, pp.25-26)

"The heavy displacement of populations mostly lead to dislocation of various families. Separated, women become responsible for their children future and have the obligation to guarantee the survival of the family in such a chaotic situation. According to various sources, in Maniema, at Kalonge, at Buyakiri, at Shabunda, in northern Shaba, more than 60% of displaced populations are from families of which husbands have ran away or have been enrolled in the army or in armed militia. In Maniema, they are estimated to be 80%. The monoparental system as imposed on women is a source of permanent tension. Moreover, it is to be feared that this extended conflict will have side effects in establishing a culture of violence considered as normal lifestyle of which women are actually victims. [...]

[However] Far from being uniquely silent victims of the present conflict, women have progressively granted themselves a leadership role trying to ward off the consequences of the conflict on their families and attempting by all means to reduce the side effects of the war on their communities." (OCHA 6 March 2001)

"Women, who often hold the household together, are paying an extraordinary price. This year over 42,000 will die in childbirth alone. Under-nourishment, forced and economic prostitution, overwork for pathetic recompense, untreated ill health and the psychological strain of maintaining large families are exacting a terrible toll." (WHO 29 June 2001)

"The war has exhausted the reserves of the people of eastern Congo. The burden of trying to survive and assure that others in the family survive fall heavily on women. As the socio-economic situation worsens, more women and girls are resorting to trading sex for food, shelter, or money in order to provide for themselves and their families." (HRW June 2002, p21)

#### **Displacement adds pressure on host families' self-reliance (2004)**

- IDPs in Sange, South Kivu, have found refuge with families they did not know, and one house sometimes hosts up to 30 people (2004)
- Prices have gone up due to the massive increase of the population and insecurity, and local residents have registered as IDPs to get some assistance as well (2004)

"Sange se trouve à près de 85 km au sud de Bukavu et à quelque 35 km de Lemera, village d'origine de la majorité des déplacés. Ces derniers ont commencé à arriver à Sange à partir du vendredi 21 avril et continuent toujours d'y affluer en grand nombre, malgré l'éloignement et les longues heures de marche. "J'ai quitté Lemera avec mes enfants le jeudi 22 avril, vers 10h. du matin, raconte Rehema Anania, l'une des déplacés. Nous avons marché toute la journée et passé la nuit à Kahanda. Le lendemain, nous avons marché encore toute une journée avant d'arriver la nuit tombée à Sange".

Les conditions de vie à Sange sont loin d'être des plus agréables. Les déplacés ont trouvé refuge auprès de familles d'accueil qu'ils ne connaissaient pas au préalable. Ils doivent ainsi vivre à 10, 20 ou 30 personnes dans des maisons bien trop étroites pour eux. "Il y a 26.340 habitants à

Sange, précise l'administrateur de la localité Albert Masumbuko. Or, la population qui vient d'arriver comprend entre 15.000 et 16.000 personnes.»

Pas facile. Avec l'arrivée des nouveaux venus, les prix ont flambé sur le marché. Et pour cause, les produits disponibles ne suffisent plus pour nourrir la population locale qui a grossi en l'espace de quelques jours. De plus, la majorité des produits alimentaires provenant autrefois de Lemera (haricots- manioc- patate douce- oignons) ont disparu des étalages suite à l'interruption du trafic commercial. Heureusement, Caritas a commencé depuis ce mardi à distribuer des rations alimentaires du PAM. "Toutefois, nous rencontrons beaucoup de problèmes, explique Pascal, l'un des représentants de Caritas. Les chiffres des déplacés ont été grossis de telle sorte que des gens de Sange puissent aussi profiter de l'aide alimentaire. Nous nous retrouvons donc aujourd'hui avec des listes de 4.300 ménages alors que les responsables concernés confirment que la population des déplacés ne dépasse pas 3.000 ménages». » (MONUC 13 May 2004)

## Public Participation

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### **Some registration centers for future electors opened in IDP camps of eastern DRC (December 2005)**

- Registration of electors was major challenge in the context of a weak state lacking basic infrastructure, and in the absence of reliable data
- Registration was however successful, despite delays and a few security incidents
- Information campaigns on the registration and election process have had mixed results

L'élaboration de listes électorales constituait un défi majeur dans un contexte de faiblesse de l'Etat et des infrastructures de base, et en l'absence de données démographiques fiables. En dépit du retard engendré par des difficultés techniques et logistiques considérables, l'enregistrement des électeurs marque un succès incontestable, traduisant l'intérêt manifeste de la population. Le 15 décembre dernier, avant correction des données, un peu plus de 25 millions d'électeurs étaient enregistrés, sur une population éligible estimée à un maximum de 28 millions.

Débutées à Kinshasa le 20 juin 2005, les opérations d'enregistrement ont été étendues de façon séquentielle aux autres provinces, afin d'optimiser l'usage des ressources disponibles. L'utilisation d'une technologie avancée, avec collecte des données biométriques, permettait d'assurer la délivrance immédiate des cartes d'électeurs et de minimiser les risques de fraude. Les difficultés de coordination, l'absence d'infrastructures et de moyens de transport, les diverses pannes techniques et les actions de protestation d'agents électoraux

payés avec des retards importants ont ralenti l'ouverture des 9,119 centres d'inscription répartis sur tout le territoire. Dans les provinces de l'Equateur et du Bandundu, les opérations n'ont ainsi pu débuter que le 25 septembre – quelques bureaux n'ayant été ouverts que fin novembre, et ont été poursuivies jusqu'au 15 décembre, atteignant des résultats comparables à ceux des autres provinces. En raison de ces retards, la détection des fraudes et erreurs relatives à l'enregistrement par contrôle des données biométriques n'a pu être réalisé que sur les listes des électeurs inscrits à Kinshasa. Dans les autres provinces, les listes électorales ne seront rendues définitives qu'avant les prochaines élections, après correction des « doublons »

Quelques centres spéciaux ont également été ouverts, dans le Sud Kivu pour les populations réfugiées en provenance de Tanzanie, ainsi que dans les camps de déplacés en Ituri, dans les Kivus et dans le nord du Katanga.

[...]

La loi référendaire confiait à la CEI la responsabilité de traduire le projet de Constitution dans les quatre langues nationales (Lingala, Kikongo, Tshiluba, Swahili) et d'en coordonner la diffusion et la vulgarisation. La CEI et le PNUD/APEC ont travaillé de concert pour produire une série d'instruments de vulgarisation mis à disposition des formations politiques et des organisations de la société civile. Leur diffusion, qui devait être assurée par le financement de projets d'acteurs non étatiques, a été sérieusement retardée par la complexité des procédures de financement du PNUD et le manque de capacités propres des acteurs non étatiques. En dépit des initiatives diverses d'organisations de la société civile et du rôle important joué par les églises dans les efforts de vulgarisation du projet de Constitution et d'information des électeurs sur les procédures de vote, la campagne de sensibilisation a eu un impact fort limité. On notera cependant que les projets sélectionnés portaient sur l'ensemble du processus électoral et pas seulement sur le référendum. Ils pourront donc être mis en oeuvre pour assurer l'éducation civique et la sensibilisation électorale des électeurs d'ici la tenue des prochaines élections.[...]

Le référendum constitutionnel s'est déroulé dans le calme sur l'ensemble du territoire de la République Démocratique du Congo, à l'exception de quelques incidents signalés dans les provinces du Kasai, du Nord Kivu ainsi que dans la Province Orientale. Les électeurs congolais, venus en nombre, ont généralement pu exprimer leur choix librement." (Mission Electorale de l'UE en RDC 21 December 2005)

## DOCUMENTATION NEEDS AND CITIZENSHIP

### General

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#### **IDP committees work with the UN to establish lists of beneficiaries in Beni, North Kivu (August 2004)**

- Difficulty for IDPs to agree on the representatives of the IDP committee

« Plus de 26 mille personnes déplacées vivent toujours dans des sites ou hors sites, dans le territoire de Beni, Province du Nord-Kivu. Contrairement aux informations qui avaient circulé avant la fin de l'année scolaire passée, les sites des déplacés sont toujours pleins et rien n'augure un retour massif. L'ONGI CESVI vient de terminer la distribution des vivres à ces déplacés. Pour sa part, l'ONGI Solidarités poursuit la vérification des listes et la remise des jetons en prévision de la distribution des vivres à ceux qui vivent dans et hors sites à Oicha. OCHA a facilité la réunion des déplacés en provenance de Oicha et Eringeti qui se disputent la représentation du comité des déplacés de l'Ituri. L'accent a été mis sur le profit qu'un membre du comité fasse partie de la commission sectorielle sur le mouvement des populations en contribuant au partage des statistiques des déplacés. » (UN OCHA 13 August 2004)

#### **62% of women in DRC marry under customary law and cannot get inheritance priority (Oct 2001)**

"A national campaign to inform people of the advantages to officially registering their marriages was launched last week by the Ministry of Social Affairs and Family (Ministère des Affaires sociales et Famille) of the Democratic Republic of the Congo (DRC), in collaboration with UNICEF.

According to a statement from UNICEF in Kinshasa, a widow and her children are given inheritance priority under state law, as opposed to customary law, where other family members may make claims of the deceased assets. A woman is also entitled to greater protection against spousal abuse under state law. An estimated 62 percent of women in the DRC marry under customary law, while only 25 percent officially register their marriages with the state." (IRIN 1 Oct 2001)

# PROPERTY ISSUES

## General

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### North Kivu: land and ethnicity as a cause of conflict (September 2005)

- Local authorities have manipulated the tension around ethnicity and land issues as a means of securing power base and control over economic resources
- Traditionally, the distribution of land was primarily in the gift of the local customary chief, who would extract some form of tribute from the tenant
- During their rule, the RCD-Goma and RCD-ML ensured its officials controlled the civilian administration system and replaced a number of customary leaders, strengthening their control over land

"Ethnicity in North-Kivu, as in other densely populated areas of the DRC, is closely linked to the issue of land tenure and political power. Throughout recent history, local authorities have manipulated the tension around ethnicity and land issues as a means of securing their power base and their control over economic resources, be this agricultural, forestry or mining land. Land or the lack of it remains the strongest factor governing the economic survival of most people in North-Kivu, and has contributed at different times to the creation of ethnic-based militia and outbreaks of ethnic violence.

Traditionally, the distribution of land was primarily in the gift of the local customary chief, who would extract some form of tribute from the tenant. Belgian colonial rule did not fundamentally alter this system, although the colonial scheme to transplant Rwandans to North-Kivu did disrupt traditional land-holding patterns by allocating the Rwandan newcomers plots of land within a specified area purchased from the local Hunde chief, and placing this area under the authority of a Rwandan chief. Towards the end of colonial rule, the Rwandan chieftom was abolished and the Banyarwanda placed under Hunde tribal authority. This, and demographic growth over time, combined to make land tenure increasingly uncertain, conflictual and bound up with ethnic identity(28).

Post-independence, these pressures led to a series of small-scale ethnic conflicts over land, most notably a 1963-65 conflict which pitted the Hunde, Nande and Nyanga against the Banyarwanda, who were seeking greater political autonomy in the zones in which they were established. A gradual shift in land use from crop agriculture to more extensive cattle-farming, especially in Masisi and Rutshuru territories, concentrating large areas of pasture in the hands of a small number of mainly Tutsi owners at the expense of (often Hutu) smallholders created additional resentments. A new land law in 1973, which finally abolished traditional customary control of land, further undermined the authority of mainly Hunde and Nyanga tribal leaders(29). These developments deepened tensions over land between the "indigenous" ethnic groups and the Banyarwanda, as well as between Hutu and Tutsi populations.

Ethnic tensions in North-Kivu became particularly inflamed as President Mobutu rule began to crumble. This was notably so after President Mobutu launched the "democratisation" process - a transition to multiparty democracy - in April 1990. Political office (which from the Mobutu period to the present day has generally served its holder for private profit) lay primarily in the hands of the Hunde and Nande. Alarmed at the prospect that democratisation might lead to loss of power,

Hunde and Nande politicians moved to exclude the Banyarwanda from participating in national debate and elections by labelling them as "foreigners". At the same time, Hutu Banyarwanda(30) began a campaign of resistance to Hunde and Nande political control. Ethnic-based militia were formed, and in March 1993 violence erupted when Hunde and Nyanga militias massacred Hutu and Tutsi civilians in Masisi and Walikale territories. Reprisal succeeded reprisal and by September the violence had left an estimated 7,000 dead and 200,000 displaced.

In July 1994, the arrival of more than one million Hutu refugees from Rwanda further aggravated an explosive situation. Armed Hutu militias attacked Tutsi and other ethnic communities in North-Kivu, raiding cattle and agricultural property and establishing control over large areas which were once ethnically mixed. Much of this fighting appeared designed to drive out the remaining Tutsis from the area. The Zairian authorities failed to control the fighting and offered little protection to civilians. Landowners on all sides were reported to have hired armed groups and/or Zairean government forces to protect their land and property.

The situation changed again after the fall of President Mobutu and the subsequent Rwandan and Ugandan invasion in August 1998. During this period, the RCD-Goma, with Rwandan government assistance or acquiescence, organized the clandestine return of Congolese Tutsis living in refugee camps in Rwanda to North-Kivu. Years of violence and massive population displacement, however, had by this stage removed any certainty about who owned or held title to particular pieces of land. Among the non-Tutsi populations, many suspected the Tutsi returnees of harbouring Rwandan Tutsi and accused the Rwandan Government and RCD-Goma of masterminding a systematic, illegal Tutsi "land-grab" of areas of North-Kivu. A number of legal cases about land tenure were submitted to the North-Kivu courts during this time, but the judicial authorities, under the control or menace of the RCD-Goma, failed to resolve them.

During its rule, the RCD-Goma also ensured its officials controlled the civilian administration system, in the process replacing a number of customary tribal leaders with Banyarwanda. The RCD-ML similarly ensured that its loyalists controlled northern North-Kivu. The new structures ensured RCD-Goma and RCD-ML control over land, natural resources and lucrative customs revenues in their respective zones, all of which were directed towards the continuation of conflict and the private profit of leading officials." (AI 28 September 2005)

### **Lack of access to land is seen as a structural cause of the conflict in eastern DRC (March 2005)**

- In Ituri and in Masisi (North Kivu), contested purchase and expansion of agricultural and ranching concessions have been identified as one of the causes of violence
- The present conflict has radically changed land access patterns, through forced displacement and shifts in the level of authority enjoyed by different customary and administrative leaders

"The complex conflicts in the Eastern DRC have numerous sources. In addition to various economic and political issues, ranging from the military and economic strategies of Western powers and neighbouring countries, the weak nature of the state in DRC, and the historical relationships between ethnic groups, these include natural resources of much greater value, and much more 'lootable' character, than agricultural or pastoral land - such as diamonds, gold, cobalt, cassiterite, and coltan.

Nonetheless, land remains important for several reasons. First, insecure or insufficient access to land in many parts of the East is a significant factor in the impoverishment of thousands of rural people, and is seen by many as a 'structural' cause of conflict.

Second, in the case of Ituri Territory, contested purchase and expansion of agricultural and ranching concessions have been identified as one of the proximate causes of violence; and the same may be true in Masisi. Third, the present conflict has radically changed land access patterns, through a number of mechanisms including forced displacement and shifts in the level of authority enjoyed by different customary and administrative leaders. 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.

In the DRC, a 'modern' system of land administration for white settlers, enabling them to establish their plantations, was superimposed on traditional systems, with compensation paid to the customary leaders (mwami), rather than to the people, and leading eventually to an undermining of both the customary and statutory systems.

Colonial promotion of migration also generated conflict over resource access. After the First World War, the Belgians brought Rwandan farmers into parts of Eastern DRC (such as Masisi) to provide the necessary labour for the newly created agricultural plantations and mining centres. When denied equal access to land after independence, they finally started purchasing land, but local chiefs continued to expect customary tribute. This explains the first major conflict: the 'Guerre des Kinyarwanda', which lasted for two years, was the first rebellion against chiefly abuse and the first step of a spiral of unending local violence.

The independent Zairian state introduced a land law emphasising individual ownership in 1973, removing the legal status from land occupied under customary rule. This enabled those in political or economic power to appropriate any land not yet titled. The traditional authorities became the privileged intermediaries for the sale of land. Rewarded with ministerial posts and newly armed with Zairian citizenship, immigrants from Rwanda were able to concentrate a large number of former colonial estates in their hands. In Ituri Territory, similar developments could be observed. Here, it was members of the Hema who profited from their easy access to education and to employment opportunities within the local colonial administration, the mines and plantations.

With a peasant population under growing stress in the land-scarce areas of Eastern DRC, one might have expected more (or earlier) protest or regular outbursts of violence by peasant farmers against those responsible for land alienation. To understand why this did not happen, the traditional authorities need to be the focal point of analysis. In order to guard their position, and avoid blame for land sales, ethnic discourse proved to be a perfect instrument. This significantly raised ethnic tensions. In North Kivu, a wave of inter-ethnic violence which erupted in March 1993, lasted for more than six months and killed between 6,000 and 10,000 people, while more than 250,000 people were displaced.

The fragile 1993 peace settlement in North Kivu lasted until the arrival of more than one million Hutu refugees from Rwanda and the settling of the ex-Armed Forces of Rwanda (ex-Far) and Interahamwe militia in camps in Masisi and the Ruzizi Plain. A new coalition between the refugee-leadership and militias, shifted the balance of power, creating the concept of 'Hutu-land' and leading to persecution of the local Tutsi population.

Historical analysis of land access dynamics before 1994 suggest that even if the conflict-related changes could be rectified, and 'law and order' restored in Eastern DRC, a return to the status quo will not lead to an equitable outcome. Only a reform of land laws and institutions, along with some form of land redistribution, could achieve that." (ODI 1 March 2005)

## **Dual land system and resources like coltan have increased tensions in eastern DRC (August 2002)**

- DRC has two land tenure systems, the modern and the customary
- In eastern DRC, land ownership is still believed to belong to the traditional king who distributes the land to its subjects
- Many fields have been left unattended as a result of forced displacement or the involvement of some section of the population in coltan digging

“The DRC has two recognised land tenure systems: the modern and the customary. Under the modern system, the government owns all land. The right to use land is thus assigned or allocated by the government through the Department of Land Affairs, Environment, Nature Conservation, and Tourism.

Under the customary land tenure system, land ownership is collective: groups or clans hold land. The group, through its appointee, assigns land for use to its members. Land used by a family over a long period of time is recognized by the group or clan as belonging to that family, but the family may not sell the land because, in practice, land ownership rights belong, ultimately, to the national government.

However, in places where strong chieftaincy exists, land ownership is believed to belong to the traditional king (Mwami) who then distributes it to his subjects through a sophisticated system of reward and punishment. This system is still very much alive in the eastern parts of the DRC, especially in the South Kivu Province where many traditional chiefs command authority. Allegiance to this system may also explain why the land issue is linked to the control of power and has become a sensitive matter. In particular, this aspect was improperly dealt with during Mobutu’s regime. Indeed, Mobutu used to buy the cooperation of the Bamis – allowing them to continue exercising their traditional powers, while the official laws and regulations of the country said otherwise. The Banyamulenge factor in the war in DRC found its meaning around the struggle for land ownership and recognition of Mwami power. In this sense, the issue of citizenship (which sparked off the Banyamulenge violent uprising against the Mobutu regime) was just another way to claim the right to land ownership.

Agriculture’s contribution to exports has declined sharply over the 40 years since independence. In particular, the illegal exploitation of natural resources (including coltan) has impacted on agricultural production. Many fields have been left unattended as a result of forced migration or the involvement of some section of the population in coltan digging. Agricultural productivity has thus declined – with resultant food shortages in urban areas and soaring food prices.

Across the east of the country, formerly surplus producing areas no longer grow enough to feed their populations. Reasons include insecurity, limited access to markets, cassava blight, and difficulties in making enough money from the sale of crops. Moreover, the mine exploitation has diverted the existing manpower from agricultural activities to mine exploitation, especially coltan. In mineral-rich areas such as Walikale, Punia, and Kalima, the short term benefits of mining have also encouraged some farmers to abandon agriculture. Instead of working in their fields, they prefer to dig for coltan, gold, or diamonds. In addition to the already high level of food insecurity in places in South and North Kivu, there is an additional problem posed by armed groups from all sides, who sustain themselves by stealing the limited food and crops from communities who are already struggling to survive.” (ACTS August 2002, pp.170-171)

### **Local NGO Aide et Action pour la Paix published a brochure to help IDPs know their property rights (2004)**

- While the land of IDPs is often occupied, few know where to seek justice and recover their property
- The local NGO Aide et Action pour la Paix (AAP) published a simplified version of the property law of 1973, with the support of the Norwegian Refugee Council

« Parmi les obstacles majeurs au retour des déplacés dans leur milieu d'origine figure la dépossession par ruse ou par violence de leurs champs par des riches. Les personnes déplacées dont les champs sont occupés illégalement ne savent pas à qui se confier pour recouvrer leurs droits, et cela, à cause de l'ignorance de la loi dite foncière.

C'est pourquoi, Aide et Action pour la Paix, AAP en sigle, a pensé que la vulgarisation de la loi de 1973 à travers sa publication Etude Juridique pourrait contribuer à la protection des droits des déplacés dont la vulnérabilité expose à beaucoup d'abus.

Le Conseil Norvégien pour les Réfugiés / Goma, dans sa dynamique de protection et d'assistance aux personnes déplacées, a accepté d'appuyer la production et la multiplication de cette brochure et nous lui en remercions.

La présente publication ne reflète pas l'intégralité de la loi de 1973, mais tente de présenter les grands principes en matière foncière.

Cette brochure servirait de guide et renforcerait le travail amorcé en faveur des personnes déplacées. Tout citoyen pourra savoir la garantie du droit foncier par la Constitution de la Transition, les institutions de l'Etat qui interviennent en matière foncière, les catégories des terres qui existent en République Démocratique du Congo, comment acquérir le terrain, les obligations du concessionnaire et de l'Etat, la procédure en cas de conflit foncier, la succession et la prescription en matière foncière.

Que nos lecteurs trouvent, dans les lignes qui suivent, une perspective pour protéger et assister les personnes déplacées. » (AAP 2004, introduction)

# PATTERNS OF RETURN AND RESETTLEMENT

## General

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### Most people in Aero camp in Ituri returned home (August 2005)

- Humanitarian assistance to the remaining IDPs in camp are scheduled to stop at the end of August 2005

"A large number of internally displaced persons in eastern DRC's regional capital of Bunia are returning home, thanks to the significant advances made by UN peacekeepers, Government troops and the Congolese National Police in providing 24-hour security in the town and surroundings. The displaced had numbered 17,000 individuals at the height of the political crisis. The international community, including donors (ECHO), NGOs running the camp and local authorities are encouraging IDPs to voluntarily return home. As a result, humanitarian assistance programmes including food and water distributions, sanitation, health facilities and education, among others, will come to a close on 31 August 2005.

According to the site's managing NGO, Atlas Logistique, of the 5,487 camp dwellers, only 960 individuals are considered vulnerable and will continue to receive the usual humanitarian assistance after the August deadline. "Other persons not in this category who continue to stay in the camp after the said deadline will be considered as normal citizens under the direct administration of the state", explained Mr. Yannick Bézy, the Project Coordinator for Atlas Logistique. Food distribution will be handed over to a local NGO for the continuing care and maintenance programmes of the remaining vulnerable caseload.

"The site no longer represents a humanitarian concern, so we are encouraging the IDPs to return home and take advantage of ongoing community reintegration projects in their communities", said Mr. Bézy. Each returnee family receives a direct assistance of two month's food ration and non-food items.

UN OCHA who actively advocated for the protection and assistance of the IDPs since the camp's inception in May 2003 now says the time is ripe for IDPs to resume normal activities at home. "We encourage IDPs to take full advantage of the facilities offered to them and return home to rebuild their lives in Bunia and safe areas around" said Dr Modibo Traore, OCHA Head of Office in Bunia.

The call to return to settlements of origin is supported by the Office of the District Commissioner and the Chairman of the Displaced Committee, Mr. Kahwa Paliech Réginald who himself returned to his residence in Bunia. "Most of our people are happy with the return package and will never forget the good Samaritans particularly Atlas Logistique, MSF-Switzerland, Oxfam-UK, COOPI, WFP, UNICEF and OCHA whose humanitarian efforts have kept us alive till this day", said the ex-IDP Chairman." (OCHA 3 August 2005)

### UNDP Pilot programme supports the return of IDPs to Orientale and Equateur Province (2005)

- The returnees received food, non-food aid and money

“Some 1,600 internally displaced people (IDPs) began their journey home on Thursday along the mighty River Congo, from Kinshasa, capital of the Democratic Republic of Congo, to the provinces of Equateur and Orientale, according to a UN official.

In a statement, Jens Laerke, the information officer in the post-conflict unit of the UN Development Programme (UNDP), said on Friday the IDPs boarded a Congolese naval vessel at the Kinshasa harbour, marking the start of the operational phase of a joint UN pilot project aimed at providing protection and security for 67,554 IDPs.[...]

Laerke said being a pilot project, the operation would seek new knowledge 'by testing different methods, tools, and approaches in the reinsertion process, for instance in terms of identification, registration, protection, and assistance provided to the returnees'.

In addition, host communities would be prepared for the influx of IDPs, he said. Lessons learned from the project would, at a later stage, be incorporated in the search for durable solutions to the IDP problem on a national scale.

In January 2005, the first reinsertion of 350 IDPs took place in Equateur. In April, Laerke said, an additional 300 IDPs, who had taken refuge in Kinshasa, were reinserted in and around Kindu, the main city in the central province of Maniema.

He said the IDPs received a kit comprising basic necessities, foodstuff, a bicycle, and a cash grant of \$55 to \$90, depending on the number of people in a household.” (IRIN 23 May 2005)

“Some 1,000 people who had fled their homes to live in the Democratic Republic of Congo's capital, Kinshasa, for six to nine years have returned to their villages in the provinces of Equateur in the northwest of the country and Orientale in the northeast, humanitarian aid workers said on Thursday.

The returnees, travelling in two convoys, left Kinshasa in October, according to the UN Development Programme (UNDP), which supports the Congolese government's repatriation programme for war-displaced people.

‘Some 200 of them arrived on Wednesday in Basankusu, some 300 others arrived four days earlier in Mbandaka (capital of Equateur), while others groups are still on their way to different directions, to Lisala and Bumba farther north in Equateur Province, and to Kisangani in Orientale Province,’ Joseph Désiré Kasiwa, an assistant in UNDP's post-conflict programme, told IRIN Thursday.

He said another 100 people were still travelling on the River Congo and were scheduled to arrive in Lisala and Bumba in two weeks. Another group of 250 went further northwest towards villages along the Ubangi River.

‘There are teams of nurses in case people need care and policemen, deployed by the Ministry of Social Affairs, are present on the boats in order to support the displaced people,’ Kasiwa said.

The UNDP said the repatriation of the displaced was part of the government's programme. However, the government still has to come up with a reintegration programme for the displaced.

The UNDP, through the Jesuit Refugee Service, an NGO, provided funds for the displaced people to buy household goods to help them resettle in their villages.

"The money was given according to the size of the family, to enable each family to buy goods it needs to settle back in its village," Kasiwa added.

The director of public information in the UN Mission in the Congo, Kemal Saiki, said the UN World Health Organization provided aid kits to support the local Red Cross who had launched a vaccination drive against measles for children between aged up to six years in Mbandaka.

Saiki said on 11 November, the returnees received food, non-food aid and the money from the UNDP and the UN World Food Programme (WFP) while MONUC provided them with drinking water.

Kasiwa said three camps for the displaced in Kinshasa had been emptied since the departure of the convoys to Equateur and Orientale.

'The camp set up in Tata Raphaël stadium is totally empty, while people in the camps of Nganda Mosolo and Sicotra, around Kinshasa, are waiting for planes to go back to Kivu, Katanga, Isiro and Bunia districts, in the northeast of the country,' he said." (IRIN 18 November 2005)

### **900,000 IDPs estimated to have returned home from end-2003 to mid-2005**

- Continued insecurity, ethnic conflict and poor road conditions hamper rapid return

"The Congo's transition may be failing in some respects, but for hundreds of thousands of people the option of returning to their towns and villages of origin is more attractive than that of remaining displaced, either in camps or with host families. In spite of the continued violence and human rights abuses, there are also pockets of stability where in many cases small-scale recovery projects have already started.

OCHA estimates that some 900,000 IDPs have returned to their places of origin since the end of 2003. While it is difficult to verify this figure, it is clear that large-scale returns have taken place and continue to take place. While it is difficult to verify this figure, it is clear that large-scale returns have taken place and continue to take place. In some cases, people who have been displaced for relatively short periods of time (up to two years) are returning, as in the case of IDPs returning from North Kivu to Ituri." (OCHA, 8 June 2005)

"A visiting United Nations team including IDP specialists traveled to South Kivu to discuss with partners possible improvement of the return and subsequent reintegration of Congolese IDPs and refugees as well as ex-combatants. This involves need assessments and a common response strategy. The humanitarian community cited continued insecurity, poor road conditions and ethnic conflicts as the main reasons hindering a rapid return of IDPs and refugees to South Kivu." (MONUC, 23 May 2005)

### **Many IDPs return to troubled Ituri region (2003-2005)**

- Over 100,000 people returned to Mahagi territory (March 04)
- One of the two camps in Bunia closed down following the return of IDPs (Sept 04) 10,000 returning families are now in Komanda-Lolwa-Ngeleza zone in Ituri (Sept 04)
- Of the 100,000 Ituri IDPs who fled to North Kivu, over half have now returned (Aug 04)
- Over 7,000 IDPs remained at Bunia airport as of May 05

- Some IDPs in Ituri say their houses are occupied by armed groups (July 04)

***In September 2003, some IDPs started to return home in Ituri***

"On 1 September [2003], the UN peacekeeping force, known as MONUC, took over control of Bunia from the French-led multinational force deployed in June to restore order. Unlike the multinational force, whose mandate was confined to Bunia, MONUC is authorised to enforce peace throughout Ituri.

WFP said it did not know how many people were still hiding in the forests of Ituri, fearful of armed groups that have terrorised the region for months. However, some, encouraged by recent political developments and improved security, were returning to their homes, it said." (IRIN 15 Sept 03)

***Increased pace of return at the end of 2003***

« Les retours des populations se poursuivent en provenance du Nord-Kivu plus précisément de la cité de Beni et des sites d'Eringeti. Les départs de Beni se font surtout en convoi, les mardis et vendredis, et les candidats au retour arrivent à Komanda (territoire d'Irumu, district de l'Ituri) après 3 jours de marche. Selon OCHA-Beni, le nombre des retours est encore inconnu, mais certaines ONGs avancent le chiffre de 4.000 personnes, avec une fréquence d'environ 30 personnes par jour. 90 % de ces déplacés retournent à Komanda et Irumu. Selon OCHA-Bunia, plus de 500 retournés ont été identifiés à Bunia en provenance du Nord-Kivu.

Les raisons qui les poussent à retourner sont : la sécurité qui revient petit à petit en Ituri ; les marchés qui ont repris dans certaines localités et la vie dure qu'ils mènent dans les camps et/ou dans les familles d'accueil. Dans le site d'Oicha, les déplacés attendent la distribution des vivres du PAM pour commencer à retourner alors que dans d'autres, ils attendent de connaître la position du Gouvernement de transition sur l'Ituri ainsi que la réhabilitation de la route Beni-Bunia. » (UN OCHA 21 Nov 03, p1)

***Survey showed that people in Bunia IDP camp were hesitant to return home as of Dec 03***

**« Enquête : pourquoi les déplacés du camp de Bunia ne veulent pas retourner chez eux ?**

Voici les résultats de l'enquête sur les raisons du non-retour des déplacés, réalisée par la Commission pour la Prévention et le Contrôle des Conflits :

- 28% du fait de l'insécurité ;
- 23% en raison de maisons incendiées ou détruites ;
- 15% pour des raisons économiques ;
- 13% à cause de l'occupation de leurs maisons ;
- 11% pour d'autres raisons ;
- 10% pour des causes politiques. »" (OCHA 26 Dec 03, p1)

"Environ 35.000 IDPs et plus de 100.000 retournés sont identifiés dans le territoire de Mahagi, dans le district de l'Ituri. L'ONGI AAA a identifié de janvier à mars 2004 6.978 ménages de déplacés et 22.971 ménages de retournés au nord du territoire de Djugu et au sud de Mahagi. Les IDPs qui avaient fui l'insécurité sont installés à Panduru (80 km de Mahagi), Shari (70km de Mahagi), Simbi (à l'ouest de Mahagi), Mokambo ( au sud-ouest de Mahagi) et à Mahagi port. Ils sont originaires des territoires de Djugu, Tchomia et Kasenyi. Les retournés reviennent de l'Ouganda et de la périphérie de Mahagi. Ils sont dans les différents endroits du territoire de Mahagi ( Nioka, Ngote, Nyarambembe et Ame)." (UN OCHA 12 March 04)

***As of August 2004, 33 percent of IDPs from Ituri had returned home***

"According to OCHA, 83,000, or 33 percent, of IDPs in Ituri District are estimated to have returned home since June 2003. Of the 100,000 Ituri IDPs who fled to North Kivu, over half have now returned, though those from Bunia and areas north of Bunia have largely remained." (USAID 20 Aug 04)

« 10.000 familles des retournés se trouvent présentement dans la zone Komanda-Lolwa-Ngeleza en Ituri, dans la Province Orientale. Selon l'ONGI Première Urgence, on enregistre chaque semaine l'arrivée à Komanda de 100 à 200 familles des retournés en provenance de Beni. » (UN OCHA 3 Sept 04)

#### ***IDPs complain about persisting insecurity in 2004***

“More than a year after inter-militia fighting in Ituri district in northeastern Democratic Republic of the Congo sent thousands of residents fleeing for their lives, many are still holed up in an internally displaced persons' (IDPs) camp near the airport of Bunia, the main town in the district.

"I can't return to my home because the militiamen have taken everything I had," said Maki Ayanga, one of the IDPs. "If I had all I needed to resettle safely somewhere else I would gladly leave this camp."

The displaced mostly come from Bunia or from the territory of Djugu, north of the town. "They number around 13,000 today, as opposed to 15,000 in April 2003," Modibo Traore, of the UN Office for Coordination of Humanitarian Affairs (OCHA) in Bunia, told IRIN last week.

They had fled fighting between several militias, including the Union des patriotes Congolais (UPS), a militia mainly composed of people from the Hema ethnic group, and the Front des nationalistes intégrationnistes (FNI), which is mostly composed of ethnic Lendus. The fighting was particularly intense between April and June 2003. Some 8,000 people died, according to an August report issued by the Human Rights department of the UN Mission in the DRC, MONUC

In May 2004, seven militias signed a cease-fire agreement under the supervision of MONUC. But by early July, other militias, the Forces armées populaires congolaises, and the FNI started fighting again.

Militiamen continue squatting in houses owned by civilians, said Traore. "The situation is precarious. Most [IDPs] come from the neighbourhood of Muzipela, which is under the control of UPC militiamen." He said members of other non-Hema ethnic groups "are not safe there".

"Armed groups have turned into thugs," said Matteo Frontini, a spokesperson for the UN Children's Fund (UNICEF), which provides treatment for women and girls who were victims of sexual violence. "The rape of women remains a major issue."

A year ago, MONUC began deploying around 5,000 troops in Ituri with a mandate to disarm militias. But the proliferation of small arms in the region has been a daunting task. "Bunia is not free from arms; at night there are many armed robberies," Traore said.

Some IDPs spend the day in town, but return to the camp at night because of insecurity.

IDPs at the Bunia camp often complain of hunger, according to a relief worker who requested anonymity. Even so, few have volunteered to return home through a joint programme set up by OCHA in collaboration with MONUC and other UN agencies such as UNICEF, the World Food Programme as well as the Humanitarian Aid Office of the European Commission (ECHO) and the NGO Atlas Logistique.

Those who decide to return are given kits containing plastic sheeting, cooking utensils, soap and blankets. So far only around 2,000 IDPs have expressed interest in returning." (IRIN 16 Aug 04)

“Des IDPs de Rwankole [Ituri] souhaitent retourner dans leurs maisons. Ils déplorent que celles-ci soient illégalement occupées par des groupes armés. Ils sont présentement dans différents quartiers de Bunia. » (UN OCHA 30 July 2004).

### ***General trend of return to places of residence in Ituri***

“There seems to be a generalised trend of IDPs returning to their former places of residence. Those in Bunia returning to their homes either within town or outside, those in Beni (North Kivu province) trickling back to Bunia [For this category of IDPs from Ituri who fled for safety to Beni, there appears not to be an organised and coordinated action by anyone or organisation/agency to ship them back into Ituri. Most of the returnees so far have come back on their personal initiatives, using their financial means. However, some efforts are being made to correct this situation. For instance, in June,, a meeting was held at the Bunia OCHA office to strategise on how to help the Ituri residents, now IDPs in Beni, to come back to Ituri.] and those who have been hiding in the bushes are returning to their villages. In addition, displaced peoples from Bogoro, on the Uganda shores of Lake Albert, are willing to return home. Bogoro is currently an FNI/FRPI-controlled territory, and most of the people who fled away from this area are ethnic Hemas. Three meetings of customary dignitaries from this area took place in Bunia during the second fortnight of June to plan and secure from all local stakeholders (including representatives of different ethnic groups) a safe return of all those that had been displaced.

For those in the IDP camp near the Bunia airport, Atlas Logistics, an international French NGO, is facilitating their return and their resettlement by first surveying the security conditions of the places they want to return to and then by providing those leaving the camps with a support kit made of food rations for a one-month period and tools for land tilling. (E.g. hoes, machetes)

This trend is indicative of significant improvements in security conditions in most parts of Ituri district compared to when Ituri got partitioned into different areas, each controlled by different ethnic armed groups.” (FEWER 4 July 2004)

### ***May 2005***

“Les effectifs du Camp Aero de Bunia sont de 7.778 personnes. Le 27 mai, 26 familles ont quitté le Camp Aero pour s’installer dans la ville de Bunia.” (OCHA 27 May 2005).

### **Most of the displaced of Mambasa, Ituri returned home without any assistance (May 2004)**

- Massive human rights violations occurred during the ruthless military operation called “Effacer le Tableau”
- Widespread killings, rapes and looting of civilians, as well as report of cannibalism
- 20,000 people have returned to Mambassa, despite trauma and lack of assistance

« Ville de l'Ituri dans la Province Orientale, à l'Est de Bafwasende, Mambasa est situé à environ vingt minutes de vol de Bunia et trente minutes de Beni (Grand Nord Kivu) sur la route de Isiro au Nord. Les habitants de cette ville (entre 25 000 et 30 000 âmes) doivent leur relative prospérité aux activités d'exportation de riz, de bois mais aussi d'une petite quantité de la ressource aurifère. En automne 2002, la guerre qui ravageait la République Démocratique du Congo depuis pratiquement six ans déjà était arrivée à Mambasa et l'enfer y a élu domicile jusqu'en janvier 2003. [...]

[S]urvint l'éclatement du FLC (Front de libération du Congo) qui fut une alliance entre le MLC de Jean Pierre Bemba et le RCD/KML de Mbusa Nyamuisi. Le premier a juré d'« effacer » le second de la carte congolaise et du coup joindre l'Equateur à l'Ituri. Cette «opération » de suppression mise aux prises du MLC à l'UPC de Thomas Lubanga, autre transfuge du RCD/ML. Ainsi fut lancé la fameuse « Opération effacer le tableau », une opération militaire de grande envergure

menée conjointement par le MLC et le RCD-N qui plongeait toute la localité dans une indescriptible désolation. Mambassa qui, jusque-là, abritait des milliers de réfugiés qui fuyaient les affres de la guerre en Ituri perdit son statut de havre de paix. [...]

A la fin du mois de décembre début janvier, encore une fois, les forces coalisées du MLC et du RCD-N auxquelles se sont ajoutées les forces de l'UPC reviennent dans une violente contre-attaque qui éclate à Komanda pendant qu'une partie de la coalition était en progression vers Beni. Les actes de pillage, de viols de filles, aussi préméditées que systématiques étaient légion sur les territoires conquis. Même les paisibles pygmées n'étaient pas non plus épargnés. Les atrocités étaient gratuites. Mourir ne suffisait plus pour en être « épargné ». On risquait même d'être mangé. Des rapports font état d'une déclaration d'un chef de guerre qui, à partir d'un pays étranger recommandait à ses hommes « d'émasculer tout soldat du RCD-KML qu'ils auraient tué. »

A partir de décembre 2002 et janvier 2003, explique un témoin, « Mambassa était devenue une ville fantôme, vidée de sa population, enveloppée dans un silence de mort où règne une atmosphère de terreur qui donnait la nausée.[...]

Le retrait des troupes du MLC et du RCD-KML obtenu grâce à l'Accord de Gbadolite du 26 décembre négociée par Mme Sundh, Représentante Spéciale Adjointe du Secrétaire Général des Nations Unies pour la RDC, avait permis l'arrêt des exactions. L'équipe des Droits de l'Homme de la MONUC avait effectué une enquête qui confirmait les viols systématiques des femmes, le rapt d'enfants, le pillage maison par maison de la localité, les tortures contre les hommes, et les témoignages de cannibalisme, y compris le cannibalisme force.

### **Un an après, les victimes pansent toujours leur plaie avec très peu d'aide extérieure**

Un an après, le cauchemar s'est estompé et la délégation de la Monuc qui s'est rendue à Mambassa a eu l'agréable plaisir de voir la ville reprendre pied et se reconstruire. Les enfants ont réappris depuis à sourire. La nombreuse population qui a fui la ville y est revenue. Même vu du ciel, les changements sont évidents. Les maisons sont reconstruites, tout paraît normal, finie la vision cauchemardesque de décembre 2002, janvier 2003. Selon le père Silvano Ruaro, l'âme de Mambassa, plus de 20.000 habitants, sur 30 000 auparavant, sont rentrés et s'attèlent à la reconstruction de leur vie brisée. » (MONUC 19 May 2004)

### **In Katanga, many IDPs are ready to return (2004)**

- According to UN survey, people in camps cite security reasons for not returning (Jan 04)
- In Lubumbashi, returning IDPs receive land from the government to resettle (Sept 04)
- About 20 percent of IDPs around Kalemie had returned voluntarily by end July, and planning to support the return of IDPs in camps around Kalemie in Aug 04
- According to UN OCHA, 40,000 households around Kalemie were ready to return home as of July 04, but lack the means to do so
- Urgent food, seeds and tools assistance needs for IDPs returning to Kabongo and Kabalo Territories as of April 04
- Vast campaign to prepare for IDP return organised by humanitarian actors in several zones of Katanga in October 2004

- Some 50,000 IDPs who returned to their homes in Katanga without adequate assistance face food insecurity, as their crops and tools have been looted (March 2005)
- In June 2005, 341 families displaced in Lumbwe and Makala camps, close to Kalemie, returned home with international assistance

"Le District de Tanganika situé dans la partie Nord-est de la province du Katanga est l'une des multiples zones ou parties du pays qui auront été fortement touchées par les différentes guerres qu'a vécues la République Démocratique du Congo depuis un peu plus de six ans. Il en a résulté d'importants mouvements des populations fuyant les zones des combats à la recherche des lieux plus sécurisants. Et à cet effet on a observé des déplacements des masses vers la ville de Kalemie qui aux yeux de beaucoup est apparue comme un havre de paix. Ainsi il s'est créé dans cette ville pour la seule période allant de février à Juillet 2003 quatre sites d'hébergement des déplacés des guerres auxquels il fallait apporter assistance. En effet, des familles entières se sont constituées des abris de fortune et vivent dans des conditions les plus inhumaines.[...]

Malgré la guerre et/ou l'insécurité à la base du départ forcé des déplacés de guerre, ceux continuent à afficher leur intention de retourner dans leur village d'origine. En effet, plus de huit déplacés sur dix souhaitent regagner leurs villages en dépit du traumatisme vécu.

#### **Intention du retour au village (tous sites confondus)**

Motifs	Pourcentages
1. Oui	88.8%
2. Non	11.2%

Il y a, à coté de la multitude, quelques retissants qui, pour diverses raisons refusent de rentrer dans leurs villages d'origine.

Cependant même ceux qui souhaiteraient rentrer, il s'agit d'une intention assortie de condition de sécurité notamment. Ainsi donc par rapport aux motifs d'empêchement, l'insécurité qui sévit au village vient en première position à en croire les informations du tableau qui suit.

#### **Motifs d'empêchement d'un retour au village**

*Quatre modalités principales ont été proposées aux déplacements quant aux motifs qui les empêcheraient de rentrer dans leurs villages d'origine :*

1. L'insécurité ;
2. Jamais de proposition de retour ;
3. Ignorance du motif réel ;
4. Présence ou exercice d'une activité ici sur place. » (OCHA Jan 04)

In September 2004 : « Les anciens déplacés de guerre de la Kassapa viennent de décider de leur réintégration à Lubumbashi. Le gouvernement vient de leur octroyer des terres pour ériger des cases.

L'Armée du Salut vient de donner à ce même groupe des tôles pour la construction d'abris. » (UN OCHA 23 Sept 04)

### ***IDPs from camps close to Kalemie:***

“Contrary to other crises covered by the media in the Democratic Republic of Congo (DRC), a certain area in Katanga Province, as affected by the war as the other regions in the East, suffers from a lack of attention and therefore a smaller humanitarian response.

More than 4,000 families displaced in the District of Tanganyika have started to go home, according to Djuma Baudouin, OCHA liaison officer in Kalemie. All of them fled the war and the insecurity caused by various armed groups, active in the district since 1998.

The reasons that these people fled do not exist anymore today. The war is officially over. According to the head of the committee of IDPs from the camp of Lumbwe, the terror created by Mayi Mayi elements in villages disappeared three weeks ago with their integration into the DRC army.

### **A massive return of IDPs**

The main worry for the humanitarian community, based in Kalemie, is the delivery of humanitarian assistance to vulnerable persons in their villages of origin. The purpose is not only to allow IDPs to return in dignity but also to create a social and economic environment for them to fight their own vulnerability and to facilitate their reconciliation with those who did not choose to leave the village.” » (UN OCHA 16 July 04)

“According to the Inter-agency mission to Kitenge, Kabalo Territory, the majority of the 35,000 IDPs, displaced between June 2003 and April 2004 in the Kabongo Territory never received any substantial humanitarian assistance in food or Non Food Items. Since January 2004, nearly half (15,000) of these IDPs have already returned to their home villages, especially in the zone south east of Kitenge, and require urgent food, seeds and tools assistance.” (UN OCHA 30 April 2004)

« A l'issue de la vérification effectuée le samedi 24/07 par OCHA, l'ONGI NRC et Caritas pour évaluer la tendance du mouvement de retour des déplacés des sites de Makala et Lumbwe, il a été constaté un retour volontaire de 472 ménages sur un total de 3.088 ménages recensés par OCHA en décembre dernier au camp de Lumbwe. Soit 14,6%. Au Camp de Makala, on a noté un retour de 845 ménages sur un total de 2.549 ménages recensés. Soit 21,5%.» (UN OCHA 30 July 2004).

“Le processus de retour des personnes déplacées installées dans les sites des déplacés autour de Kalemie était au centre des discussions [de la commission mouvement des populations]. Pour permettre aux retournés de pouvoir développer des mécanismes d'auto prise en charge pour faciliter leur réinsertion socio économique, référene a été faite au projet d'appui à la réinsertion des ménages des déplacés, projet qui sera exécuté par la CARITAS en partenariat avec les autres acteurs humanitaires, sur financement de l'ONGI CORDAID. » (UN OCHA 6 August 2004)

« Le manque de partenaires et de financements adéquats rend très difficile la couverture de tous les besoins humanitaires [au Katanga], alors que la durée trop courte de certains programmes - pour des raisons budgétaires -- annule bien souvent les effets des initiatives mises en oeuvre. [...]

La gestion de 40.000 déplacés internes dans ce district devient problématique, elle aussi. Malgré les efforts déployés seuls 20% de cette population bénéficie d'une assistance au retour. Les disponibilités en biens non alimentaires, en semences, en houes sont insuffisantes.” (OCHA 6 November 2004, Tanganyika)

“Dans le but de promouvoir la pacification sociale à l'occasion du retour des déplacés internes, une vaste campagne de sensibilisation des populations dans les localités d'origine vient d'être

menée dans le district du Tanganyika, dans le sud-est de la République Démocratique du Congo (RDC).

Cette initiative menée conjointement par les autorités locales, Caritas, la Commission Diocésaine et Paix et OCHA s'inscrit dans le cadre d'un projet pilote visant le retour et la réinstallation de 3000 déplacés actuellement répartis dans les quatre camps situés autour de Kalemie. Cette initiative sera soutenue par le Programme Alimentaire Mondial (PAM) et la l'Organisation pour l'Alimentation et l'Agriculture (FAO) à travers des distributions de vivres pour trois mois et de semences au moment du retour.

Sur les trois axes de retour identifiés (Kalemie / Bendera, Kalemie / Nyunzi, et Kalemie / Moba) 15 séances de sensibilisation ont été ainsi conduites jusqu'au 24 octobre [2004]. Ont été évoqués la pacification sociale, les principes directeurs au retour, la participation communautaire aux travaux de reconstruction des villages, l'interdiction de marginaliser la femme et la nécessité dans certains cas de restaurer sa dignité et enfin la prévention du recrutement d'enfants dans les groupes armés.

Ces séances ont également été l'occasion pour les acteurs humanitaires d'évaluer les besoins et la sécurité dans les zones." (OCHA 6 November 2004, pacifié)

"Plusieurs factions Mayi-Mayi ont nui à la population civile en occupant d'anciennes positions tenues par des éléments FARDC partis dans les centres de brassage, en attaquant des villages ou encore en combattant les forces gouvernementales encore présentes sur place. Malgré l'insécurité ambiante, une mission inter- Agences d'évaluation a toutefois constaté le retour progressif des 50.000 personnes qui s'étaient déplacées en raison des exactions. D'ores et déjà ces familles font face à des problèmes sérieux de sécurité alimentaire, les champs et outils aratoires ayant été pillés, sans qu'une aide adéquate ne puisse être fournie aux plus vulnérables ." (OCHA 31 March 2005)

« Caritas a annoncé le retour et la réintégration de 341 familles déplacées des camps de Lumbwe et de Makala, près de Kalemie. La plupart des personnes déplacées sont originaires de plusieurs villages situés dans un périmètre de 30 km au Sud-ouest de Kalemie. Le PAM et Caritas ont respectivement fourni des vivres et des non-vivres aux personnes concernées par cette opération de retour qui a débuté le 27 mai. De même, environ 3 000 familles déplacées avaient regagné leurs lieux d'origine en janvier le long des différents axes routiers Kalemie-Bendera, Kalemie-Moba et Kalemie-Nyunzu. La Section humanitaire de la MONUC continue son plaidoyer auprès de la communauté humanitaire pour faciliter le retour et la réintégration d'environ 1 500 familles déplacées dans les camps de Lukwangulo et Kabutonga, situés respectivement à 9 km et 28 km de Kalemie. » (MONUC 7 June 2005)

### **In Maniema, many return home without any assistance (2004)**

- While over 20 percent of population in Maniema is displaced, few have received any assistance
- When they return, IDPs are faced with the lack of basic services and infrastructure, such as hospitals, health centres, schools and roads
- 12,500 IDPs returning to Kibombo cannot be accessed by humanitarian agencies (Aug 04)

« Plus de 20 % de la population du Maniema (165 427 personnes) est constituée de déplacés et l'assistance qui leur a été apportée jusque là est insignifiante. Si l'on constate aujourd'hui un retour progressif des déplacés vers leurs villages d'origine, ceux-ci sont toutefois confrontés à des multiples problèmes de réinstallation. Les infrastructures publiques (hôpitaux, centres de

santé, écoles, entreprises de production) ont été pillées ou fermées dans de nombreuses localités. Ces personnes qui retournent constatent bien souvent que leurs maisons sont détruites, leurs biens pillés et leurs champs saccagés.

Aujourd'hui, les écoles ont rouvert leurs portes partout dans la province, contrairement aux années de guerre où les enfants de plusieurs territoires sous contrôle Maï Maï n'ont pas été scolarisés. Cependant, il faut bien le constater, les conditions dans lesquelles les élèves suivent les cours sont déplorables, faute d'équipements de base comme les bancs tables, les portes, fenêtres, fournitures scolaires et mis à jour des livres.

Enfin, il faut noter plus le plus sérieux des problèmes auquel fait face la province du Maniema : l'absence d'une infrastructure routière fonctionnelle du fait de l'impraticabilité de la plupart des routes et de l'état de délabrement des ponts. » (MONUC 18 May 2004)

« 12.500 personnes retournées au Sud-Ouest du Maniema ont besoin d'une assistance pour leur réinstallation, selon les premières conclusions d'une mission inter agences. D'après le rapport préliminaire de la mission qui s'est rendue à Kibombo, 2.500 ménages retournés dans plusieurs groupements du territoire de Kibombo n'ont jamais reçu d'assistance humanitaire et sont confrontés à de sérieuses difficultés de réinstallation. La partie ouest du territoire n'offre pas d'accès physique. L'action humanitaire n'est pas envisageable. L'accès aux soins de santé primaires y compris le PEV de routine pour les enfants n'est pas possible. Plusieurs cas de violences sexuelles ont été rapportés par des organisations locales dont 5 nouveaux cas commis contre les jeunes filles entre mars et avril 2004. L'ONGI Care International assiste la zone de santé de Kibombo en médicaments essentiels au départ de Kasongo. Mais cette assistance ne suffit pas au vu des besoins énormes du milieu. Care International vient aussi d'aménager 38 sources d'eau dans la même région. L'ONGI COOPI qui travaille dans la prise en charge psychosociale des victimes de viol vient d'ouvrir une base à Kibombo. » (UN OCHA 27 Aug 04)

### **In North Kivu, many return despite heightened insecurity (2003)**

- Returnees to Walikale, North Kivu, have great humanitarian needs (Nov 03)

“Some 10,000 of Walikale town's estimated population of 15,000 have returned since March, after having sought refuge in surrounding bush for several months. As populations continued to return, demands for food continued to increase as availability of food supplies continued to decrease. The mission found that populations were reluctant to resume agricultural activity, as armed groups helped themselves to food cultivated by others. [...]

The mission found that only one the area's of 24 health centres was found to be fully accessible. The one non-governmental organization that is operational in the area, Medecins Sans Frontiers, is working to rehabilitate the facility. The mission also found serious problems in obtaining medical supplies, given poor roads and insecurity; a very low level of vaccination coverage - less than 21 percent; and "very weak" epidemiological monitoring and reporting. Anti-polio vaccinations had not taken place in the past two years - despite the fact that the region had experienced a major outbreak of polio as recently as 1998.

The territory's education system was devastated. All schools had been seriously damaged, while many had been completely pillaged and destroyed during recent years of occupation both by various armed groups as well as by waves of IDPs and refugees. An estimated 40 percent of school-age children did not attend school at all, with girls constituting a majority of absentees. Of eight schools visited, none had a source of running water, and only two were equipped with latrines, making the risk of disease "enormous", according to the mission.” (UN OCHA 24 Nov 03)

# HUMANITARIAN ACCESS

## General

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### Humanitarian workers at risk in the DRC (2004-2006)

- DRC was one of the most treacherous places for UN and NGO staff in 2005

"Last year [2005], one of the most treacherous places for the UN was DRC, where 13 staffers were killed. It was also the site of one of the bloodiest attacks that produced the largest number of fatalities among the world body's personnel when unidentified militia members ambushed and murdered nine Bangladeshi peacekeepers in the country's eastern Ituri district in late February of last year. The blue helmets, who had been trying to protect a camp for internally displaced persons from harassment by local militias, lost their lives in the worst-ever attack against the UN Organization Mission in the Democratic Republic of the Congo (MONUC)." (UN News Service 5 January 2006)

"In January 2006, After three NRC-drivers were taken hostage by the governmental army, Norwegian Refugee Council warns that the situation for humanitarian workers seems to be worsening in eastern parts of DR Congo." (NRC 26 January 2006)

"A recent kidnapping of aid workers and continuing violence against civilians have forced the French medical charity Doctors Without Borders to stop field operations in Congo's lawless Ituri district. Their decision to limit operations to an emergency hospital in the main town, Bunia, will deprive 100,000 displaced civilians of basic healthcare and highlights the on-going trouble in Ituri.

The aid workers were released unharmed 10 days after they were captured in June by gunmen in the rolling hills of Ituri. But after months of continuing violence against civilians, a French medical charity has decided it has had enough and stopped much of its operation in the field." (VOA 2 August 2005)

"Medair strongly condemns the repeated acts of physical aggression, looting and hostage taking that the humanitarian community of Ituri has been subjected to by armed groups operating in this region, located in the eastern part of the Democratic Republic of the Congo. Medair will suspend its humanitarian activities for 9 days as a sign of protest against this violence." (Medair 17 June 2005)

"In Orientale, MONUC said the NGO Atlas Logistique temporarily suspended its rehabilitation of the 244-km Kisangani-Lubutu road because a Mayi-Mayi militia has been harassing some 2,000 people working for the NGO in the area." (IRIN 27 April 2005)

"[D]uring March [2005] humanitarian workers have been specifically targeted by armed militiamen. The latest case in point is that of the French INGO Solidarites whose staff, including an expatriate, were violently bullied around and beaten up by guntotting UPC-L militiamen near the village of Lopa, over 50 Km North of Bunia on 24th of this month. This is not an isolated incident as there have been others. On March 11, a death threat was made to a German Agro Action (AAA) staff member and their humanitarian cargo was looted at Katoto while they were heading to do food distribution to the IDPs at Tche, some 60 Km Northeast of Bunia. On March 17, a team from Atlas Logistique was attacked between Boga and Bukiringi, some 45 Km

southeast of Bunia. Their communication equipment and other personal belongings were taken from them." (Africa Initiative Programme 1 April 2005)

"Supply lines to an estimated 54,000 civilians living in camps to which they had fled, and who were relying on aid agencies, and on the protection of UN forces, have been cut by the rise in violence.

The entire corps of international aid agencies working in Ituri withdrew their staff from the sites earlier this week, after the killing in preceding days of nine UN peacekeepers in a militia ambush.

Humanitarian organizations have had to temporarily suspend their relief efforts in critical areas such as health, water and food distribution. In one large camp, a water source maintained by aid agencies had broken down, but aid agencies were not able for several days to safely reach the site." (UNICEF 4 March 2005)

"The United Nations Mission in the Democratic Republic of Congo (MONUC) condemned Wednesday the Monday 15 November 2004 attack against an International Non-Government Organisation 'Première Urgence/First Emergency' in Bukiringui district situated a hundred kilometres South of Bunia.

Addressing the Weekly Mission's press conference, MONUC Spokesman, Mamadou Bah, indicated that "the attack targeted four members of the NGO on board a vehicle". Three villagers were killed and a humanitarian worker wounded by bullets, he further said.

The attack took place in a zone under control of the Ngiti ethnic armed troops led by the "Forces de Résistance Patriotiques de l'Ituri (FRPI)". The group carried out a number of attacks against international NGOs during the last two months, Mr. Bah said, noting that MONUC condemns the attack, having occurred at a time when the Ituri key armed groups are engaged in the DCR process, Disarmament and Community Reintegration. MONUC urges these groups to abide by their commitment. " Either, they control their armed troops and respond for their act or do not and still are responsible", MONUC Spokesman declared." (MONUC 18 November 2004)

### **Killing of peacekeepers by militias in 2005-2006**

"An armed, unidentified group killed eight peacekeepers from Guatemala and injured five others on Monday, during an ambush in Garamba National Park, in the northeast of the Democratic Republic of Congo (DRC) near the borders of Sudan and Uganda, according to the United Nations Mission in the DRC (MONUC).

MONUC spokesman Kemal Saiki said the ambush occurred in Aba, north of Bunia, the main town in Ituri district, Orientale province.

'We have yet to confirm the identity of those behind the attack," Saiki said, "but we have received reports of the presence of fighters from the Ugandan rebel Lord's Resistance Army [LRA] in the region.' [...]

In February 2005, an unidentified armed group killed nine MONUC troops Ituri. In all, 12 peacekeepers were killed in military operations in the DRC during 2005." (IRIN, 23 January 2006)

### **Humanitarian access remains difficult in eastern DRC (2005-2006)**

- UN Secretary-General noted increased access to vulnerable groups in key areas thanks to the improved security situation, but still difficult to access others in need in other areas (December 2005)
- MSF suspended activities in war-torn area of North Kivu (January 2005)
- Looting of logistical base of NGO in North Kivu (March 2005)
- Administration requires NGOs in South Kivu to pay taxes, which they refuse to do (November 2005)
- MSF said the Congolese army had been stopping them from entering the conflict zone itself in Katanga Province

“In Ituri and parts of South Kivu, there has been an encouraging return of internally displaced persons and refugees and increased access to vulnerable groups in key areas thanks to the improved security situation. However, the continued presence of uncontrolled armed groups in the east, coupled with harassment of civilians by unpaid Government soldiers, often hinders the delivery of critical assistance to vulnerable populations. MONUC has continued to support the activities of humanitarian agencies throughout the country, facilitating the delivery of critical assistance to inaccessible areas and providing security.” (UNSC 28 December 2005, para.42)

“Significant progress was made towards improving the security situation in early 2005 in the eastern provinces. Several events have led to this positive evolution: a more aggressive approach by MONUC, disarmament in Ituri and deployment of FARDC troops all contributed to internally displaced person (IDPs) returning home.

As a result, large areas of eastern DRC became accessible to humanitarians, a stark contrast with earlier years. Thus more sustainable programming to reduce vulnerabilities was implemented in place of pure emergency distributions.

However, the second phase – reaping the benefits in newly-stabilized zones, and disarming the remaining hardliners – became increasingly difficult and protracted in the second half of the year. In addition, as previously isolated communities with urgent humanitarian needs became accessible in other areas, total requirements to be met were higher than initially planned.” (OCHA 13 February 2006, Chapter 1 1.1)

“Au Sud-Kivu, la direction de l'Impôt, sur ordre du Procureur de la République, a scellé les bureaux de sept ONG internationales et de trois autres nationales qui réclamaient ainsi le paiement de taxes et impôts. Plusieurs rencontres ont eu lieu entre les ONG, OCHA, MONUC/HAS, le Gouverneur et les responsables des services des impôts pour régler cette crise. à Mwenga, les FARDC et les FDLR ont érigé des barrières où ils exigent des populations le paiement de taxes illégales à chaque passage.” (OCHA 30 November 2005)

“Médecins Sans Frontières (MSF) has suspended aid activities in one of the most war-torn areas of the Democratic Republic of Congo (DRC)'s North Kivu Province after people in army uniform attacked the charity's facility late Tuesday.” (IRIN 20 January 2005)

“L'ONGI IRC se retire du District du Tanganika, dans la province du Katanga, à la suite du pillage dont elle a été victime. Le désengagement de l'ONGI IRC intervenu le lundi 28/02. Une dernière distribution de médicaments dans les centres de santé des zones de santé de Nyunzu et Kabalo a toutefois eu lieu. Des tracasseries et des pillages de matériels ont été rapportés au cours de l'évacuation des différentes bases (Kalemie, Nyunzu et Kabalo). Le départ de l'ONGI laisse un vide au sein de la communauté humanitaire, étant donné le nombre limité de partenaires présents dans le district du Tanganika.” (OCHA 14 March 2005)

« La délégation de la Commission européenne en République démocratique du Congo (RDC) suspend deux projets dans la province du Nord-Kivu suite aux pillages de la base logistique de l'organisation non-gouvernementale (ONG) Agro action allemande (AAA) dans le territoire de Nyabondo, a-t-elle annoncé ce mardi.[...]

'La décision fait suite aux pillages systématiques survenus à la base logistique de AAA à Nyabiondo, entre le 20 décembre 2004 et le début de janvier 2005'» (IRIN 1 March 2005)

"Those aid organisations that are able to work near the conflict zone [in Katanga Province], like Médecins Sans Frontières (MSF), say the Congolese army has been stopping them from entering the conflict zone itself.

'We are asking for access so that we can assess the situation,' Laurence Sally, the coordinator of MSF's emergency team in the DRC, told IRIN from Kinshasa in early December." (IRIN 3 Jan 06)

### **Fixing of railroad improves access to IDPs in Maniema and Orientale Provinces (2004-2005)**

- Rehabilitation of railroad line from Katanga to Maniema Provinces (August 2004)
- "Humanitarian trains" will benefit over 2.2 million in Orientale Province (November 2004)
- Kisangani-Ubundu railroad line is rehabilitated and is crucial to provide humanitarian access (September 2005)

**"Kindu-Kabalo railroad complete.** On June 29, the first train to travel to Maniema Province in five years arrived in Kindu, the provincial capital. The train's arrival marked the completion of the \$1.3 million USAID/OFDA project with Food for the Hungry International (FHI) to rehabilitate the railroad line from Kabalo, Katanga Province, to Kindu, Maniema Province. The line ceased operating with the outbreak of hostilities in 1998 and the ensuing partial destruction of Zofu Bridge near Kabalo.

The completed railroad line improves food security by reconnecting food-producing areas with urban markets and facilitates the delivery of humanitarian assistance in an area that previously relied solely on air transport. USAID/OFDA also funded rehabilitation of the road from Kasongo to the rail line so that this city would also benefit from the return of train traffic. FHI and its implementing partners-including CARE International, Catholic Relief Services (CRS), and Concern Worldwide-cleared 490 km of track that had been neglected since 1998, completed repairs to a key bridge in Kabalo, and restored critical railroad communications systems." (USAID 20 Aug 04)

« Les organisations humanitaires lancent des "Trains humanitaires" pour ouvrir l'accès à plus de 2.200.000 personnes après l'inauguration du trafic ferroviaire Kisangani - Ubundu. Le Ministre des Transports a en effet inauguré le mercredi 10 novembre le chemin de fer reliant Kisangani à Ubundu. Les organisations humanitaires proposent le lancement des " Trains humanitaires " sur ce tronçon à la fin du mois de novembre 2004. L'opération permettra d'assister plusieurs centaines de personnes dans la région, directement ou indirectement concernées par ce projet présenté par l'ONGI IRC et financé par le fonds d'urgence EHI d'OCHA et par OTI/USAID. » (OCHA 12 November 2004)

"For 90 years, the Kisangani-Ubundu railroad was the lifeline of the region, enabling trade and the delivery of supplies to hundreds of remote villages along its corridor. But in 1998, war enveloped eastern Congo, leading to massive displacement, staggering mortality and the collapse of the

local economy and health care system. The Kisangani train route was among the conflict's casualties, as were the tens of thousands of villagers who relied on it for their sustenance and livelihood.

Navigating overgrown dirt roads by motorbike and foot, IRC health teams were able to reach many stricken villages during the war, providing primary health care, restocking looted clinics and rehabilitating destroyed health centers. But many more villages were completely cut off from basic services, with tragic consequences.

[...]

In March 2004, with stability returning to the region [Kisangani], the IRC and its U.N. and local partners were able to begin work rebuilding the railway system and on December 3, the "humanitarian train" took its inaugural ride to Ubundu. Access was restored.

"Suddenly we were able to provide life-saving care by getting simple things like aspirin and vaccine to children previously out of reach," says the IRC's assistant health manager Christine Sefu.

IRC provincial coordinator Andrea de Domenico, who helped oversee the rehabilitation of the railroad, says the project reopened vital links to hundreds of isolated war-torn villages. "The project not only enabled aid to reach extremely vulnerable populations," he explains, "but it helped revive a once thriving trade route." " (IRC 30 September 2005)

## NATIONAL AND INTERNATIONAL RESPONSES

### National Response

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#### Ministries in charge to respond to the needs of IDPs and returnees (2005)

The proliferation of Ministries at the Kinshasa level has also complicated coordination arrangements – more than 50 were created, to allow all the parties to get Government posts. This has meant that return and reintegration activities are handled by at least four different Ministries, such as the Ministry for Solidarity and Humanitarian Affairs and Ministry for Social Affairs (OCHA, 8 June 2005). The first one focuses on protection and assistance during displacement, while the second one is the focal point for return. In several Provinces, Governors have established offices to coordinate humanitarian assistance. (Based on correspondence with OCHA, 23 September 2004).

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)

### International Response

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#### UN Coordination

As per the recommendations of a multi-donor mission visit to DRC in May 2002, humanitarian coordination mechanisms were restructured, both at the strategic and operational levels, in order to enhance and improve the humanitarian response capacity of the UN system and the NGO community to adequately address the new needs and challenges (OCHA 18 Nov 03, p36).

In November 2004, the UN Secretary-General appointed Ross Mountain, a national of New Zealand, as his Deputy Special Representative for the DRC. In this capacity, he also serves as Resident Coordinator and Humanitarian Coordinator for the DRC and is responsible for ensuring a strategic and coordinated response to internal displacement in the country (UN SG, 18 November 2004). In 2006, the Humanitarian Coordinator will also manage a “Pooled Fund” which aims 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 (OCHA, 13 February 2006).

OCHA, the coordinating body for the UN system, strengthened its field presence in eastern DRC in 2003, 2004 and 2005, and provided more regular monitoring on access and information on the humanitarian situation in DRC (OCHA 18 Nov 03, p11). The UN deployed in 2005 Field Coordination Units in isolated zones, including Walikale, Lubero, Baraka, Lubutu, Kabalo, Shabunda and Mbuji-Mayi, in order to better identify needs in newly-accessible and emergency areas, and support timely humanitarian response.

The Humanitarian Advocacy Group (HAG), and the Inter-Agency Standing Committees (IASCs) – its equivalent at the Province level – has the role to set humanitarian policy and to seek to eliminate gaps in the humanitarian response. The HAG is chaired by the Humanitarian Coordinator and meets weekly. In 2005, OCHA also created an IDP section to address issues such as IDP identification, appropriate humanitarian support, and protection issues. The IASCs are chaired by OCHA (OCHA, 13 February 2006).

The UN Inter-Agency Displacement Division (IDD) (and its predecessor, the Internal Displacement Unit), undertook several missions to DRC to support the UN's response to internal displacement. The latest mission, which occurred in May 2005, aimed to review activities related to the return and reintegration of IDPs, including a UNDP-funded Pilot Project (Projet de Protection, Réinsertion et Reclassement Social des Déplacés de Guerre). The mission recommended the set-up of Protection Working Group in eight hubs, namely Bunia, Beni, Goma, Bukavu, Kalemie, Lubumbashi, Kisangani, Kindu and Kinshasa. If established, such working groups would include a focus on issues relating particularly to displacement and return of displaced persons, such as disputes over property rights, which is a serious obstacle to return in many places. It also welcomed the planned establishment of a Return and Reintegration Working Group in Kinshasa, to be jointly chaired by UNDP and UNHCR, as there is no overall strategic framework for IDP return and reintegration, and as most humanitarian and development actors operate in separate worlds (OCHA, 8 June 2005).

In 2006, the UN introduced a “cluster” approach in order to strengthen coordination in the DRC and better respond to humanitarian needs. Each cluster will include UN agencies and NGOs. UNCHR will lead the cluster on protection, including IDPs, and UNCHR/UNDP will lead the cluster on return/reintegration (OCHA, 13 February 2006).

## **UN and NGO activities**

One of the major problems in DRC is the lack of operational capacity to assist vulnerable groups, like IDPs and returnees. Due to the shortage of operational partners, when humanitarian assistance does arrive in favour of vulnerable groups, it rarely meets international standards, such as those outlined in the Minimum Standards in Disaster Response (SPHERE Project). Also, some provinces receive less attention than others. It is particularly the case of the Provinces of Maniema, Oriental and of the Tankanyika district in Katanga Province.

Humanitarian activities related to the return of IDPs have until now focused mainly on transport assistance and the distribution of return packages, mainly for lack of funding for other projects, such as the rebuilding of infrastructure and basic services in return areas. In 2005, UNDP launched, in partnership with the Congolese Ministry of Social Affairs, a Pilot Project on Return and Reintegration of IDPs in the DRC. According to the UN Inter-Agency Displacement Division, the project demonstrated that many IDPs in the DRC are ready to return to their homes if minimal support is provided. It also showed that for returns to be sustainable, improved collaboration between a wide range of government authorities, humanitarian and development actors is needed (OCHA, 8 June 2005). UNHCR does not have programmes assisting IDPs in the DRC, but it has stated that it will ensure that IDPs returning to the same areas as refugees will be included in their reintegration assistance programmes (OCHA, 8 June 2005).

The humanitarian community also responds to the needs of new and longer-term IDPs, providing food and non-food items, seeds and tools, health care, and emergency education. The UN reported that from January to December 2005, more than 450,000 people displaced within the

past three months had received non-food assistance, mainly in the East (OCHA, 13 February 2006).

A Rapid Response Fund (RRF), managed by UNICEF and OCHA, supports vulnerable communities hosting large numbers of displaced families, by providing emergency assistance. The project also supports IDP returnees in the case where they were not served during the period of displacement, or when needs are severe and life-threatening (OCHA, 13 February 2006).

UNICEF and NGOs work to protect women and children against sexual violence. Since mid-2003, the NGO DOCS has identified close to 4,000 rape survivors, 17% of whom were children. The center has provided medical, surgical, and psychological care to over two-thirds of them. UNICEF is establishing an outreach program to monitor the conditions of their return once they have been cared for, in order to insure that women can recover fully and go on to lead a full life. (RI 16 November 2005).

In 2005, UN agencies and NGOs mobilised to respond to the needs of IDPs. MONUC provided logistical support (UN OCHA 20 August 04). At the end of 2004 and in early 2005, UN agencies and NGOs provided emergency assistance to more than 50,000 recently displaced civilians in the Tchomia area of Ituri, while MONUC military doctors treated more than 1,000 displaced persons who had sustained various types of injuries (UNSC, 22 March 2005). UNICEF and MSF-Holland provided emergency relief items to 10,000 people displaced in camps north of Katanga province, the majority of them women and children, at the end of 2005 (UNICEF, 21 December 2005). WFP illustrated in December 2005 some of the challenges to bring timely assistance to IDPs: "The newly displaced in Katanga exemplify the enormous challenge of providing critical humanitarian assistance in many parts of this vast country. New pockets of insecurity regularly result in a new cycle of displaced who urgently need our help. But unless we get sufficient funding, essential stocks are quickly depleted. These contingency stocks are crucial to our ability to respond promptly to very sudden surges of people in need," (WFP, 9 December 2005).

Local human rights groups have been monitoring human rights abuses against IDPs and other civilians. They also offer counseling and assistance. Most operate with almost no money and work in incredibly dangerous conditions. Human rights activists in eastern DRC have been beaten, detained and killed.

## **Donor Response**

According to UNICEF, in general, the major constraint in implementing emergency activities in the DRC has been a combination of both low response to funding appeals and extraordinary levels of need throughout the country (UNICEF, 24 March 2005).

DRC is the second pilot country, with Burundi, to benefit from the Good Humanitarian Donorship initiative which was launched in Stockholm in June 2003. 18 donors have pledged to: improve the flexibility of their financing; provide funds based on needs; reinforce local capacities to prevent crises; respond rapidly; and support the transition from emergency to development through appropriate funding. Under this initiative, donors also agreed recently to limit funding outside the CAP and to report all funding to OCHA, a step which is expected to provide a more comprehensive framework for measuring available funding against agreed upon priorities (OCHA, 31 July 2004).

Following the establishment of the transition government in June 2003, donors announced increased humanitarian assistance to DRC. Still, the level of funds committed to respond to the humanitarian needs of IDPs in 2004 was disappointing. One problem is the decision by donors to

exclude “transition” activities from the 2005 CAP for DRC, which appears to have had the effect of helping to keep the humanitarian and development actors in two separate spheres, hindering efforts to develop a common strategy (OCHA, 8 June 2005).

At the end of 2005, the European Commission announced that it had allocated €38 million for the DRC’s humanitarian programmes. Resources would be devoted to helping IDPs and refugees, and also focus on health, with an emphasis on children and women (ECHO 26 December 2005).

The 2005 UN Consolidated Appeal, which requested some \$220 million for essential life-saving assistance only received 58 percent of funding.. On the other hand, a substantial portion of humanitarian resources were funded outside the CAP (USD 122 million). In 2006, the humanitarian community requested some \$680 million, in order to finance projects by UN agencies, as well by national and international NGOs. Their ambitious plan aims to save lives, where they are threatened by conflict or other emergency situations, to build a protective environment for communities and to accelerate recovery and reconciliation (OCHA, 13 February 2006). At the launch of the action plan in Brussels in February 2006, UN Under-Secretary-General for Humanitarian Affairs Jan Egeland said that "We must end this tyranny of silence," and that "We can - we must - do more to alleviate such extreme suffering. Now is the time to act" (IRIN, 13 February 2006).

The largest donor of humanitarian aid to DRC is the European Union’s Humanitarian Aid Office, ECHO. From 1997 to 2002, ECHO allocated just under €120 million to DRC (ECHO, 28 January 2003). In 2004, ECHO declared it would increase its aid to the DRC in 2004 by €5 million (US \$6.3 million) over 2003 to €40 million as recent improvements in the security situation allow aid agencies to gain access to more people in need. ECHO will link relief rehabilitation to development. Key areas of ECHO’s intervention will include the health sector, food aid, nutrition and support for rehabilitation and resettlement activities to assist returning populations and pave the way for sustainable recovery (OCHA, 15 March 2004, p17).

## **References to the Guiding Principles on Internal Displacement**

### **Known references to the Guiding Principles (as of February 2006)**

- 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**

None

### **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 Swahili (DRC)

Document:

GP in Swahili [[Internet](#)]

[http://www.idpproject.org/training/guiding\\_principles/Guiding\\_principles\\_Swahili\\_DRC.pdf](http://www.idpproject.org/training/guiding_principles/Guiding_principles_Swahili_DRC.pdf)

### **Training on the Guiding Principles**

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](http://www.brook.edu/fp/projects/idp/SADC_rpt.pdf)

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