

DRC (60)

134

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## **PROFILE OF INTERNAL DISPLACEMENT : DEMOCRATIC REPUBLIC OF THE CONGO**

Compilation of the information available in the Global IDP  
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## PROFILE SUMMARY

### DR Congo: Waves of displacement follow heightened hopes of peace

*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. More than three million people have died as a result of the conflict which was accompanied by widespread human rights violations, including systematic killings and rape. The UN estimates that over 2.3 million people remain displaced.*

*The security situation improved at the end of 2003, following the establishment of a transitional government at the end of June 2003 and the strengthening of international peacekeeping operations. As a result, internally displaced people (IDPs) had better access to assistance and hundreds of thousands returned home. In mid-2004, following clashes between insurgent groups in South Kivu and the Congolese army, increased insecurity caused large-scale displacement in eastern DRC. The north-eastern Ituri region also remains highly volatile, due to recurrent inter-ethnic clashes. Stronger action to protect the displaced and the population in general is necessary to avoid jeopardising progress achieved over the last year.*

#### Background of displacement

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 (Democratic Republic of Congo, 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, and the subsequent competition among various ethnic groups for political and economic power in their respective provinces. A series of rebel groups, more or less closely linked to outside actors such as Uganda and Rwanda, have competed to control large areas of DRC. These groups have repeatedly clashed among themselves, as well as with the Kinshasa government and foreign troops. Displacement peaked in 2003, with an estimated 3.4 million people forced from their homes, most of them in the two Kivu provinces and in the Ituri district. The UN estimated that 600,000 people were displaced in Ituri between January 2002 and December 2003 (UN SC, 16 July 2004).

Following the upsurge of violence 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 had been present in the country since 1999, and has also monitored compliance with the arms embargo which was imposed by the UN Security Council in July 2003 on armed groups operating in the territories of North and South Kivu and Ituri. With the establishment in mid-2003 of a Transition Government, which includes the main armed groups and the political opposition, violence decreased. At the end of 2003 and the beginning of 2004, hundreds of thousands returned home. Progress for IDPs in general remained fragile, however, as the government, which is supposed to take the country into elections by June 2005, had to struggle to affirm its authority in the east of the country.

Sporadic violence continued in various parts of eastern DRC, particularly North and South Kivu and Ituri, as the Hutu Rwandan Armed Liberation Forces (FDLR), Mai Mai factions, and other local armed groups continued to threaten the local population. Despite the presence of UN peacekeepers, much of Ituri remains under the control of militias, who collect revenues from gold-mining, smuggling goods and weapons to and from neighbouring Uganda, and taxing the population (IRIN, 17 May 2004). In South Kivu, the situation worsened in May/June 2004. The mutiny of dissident officers against the regional military commander resulted in fighting and large-scale displacement, particularly of ethnic Tutsi. Over 150 ethnic Tutsi who had found refuge in Burundi, were also massacred. There are fears that these events could have far-reaching

***Sharp increase of IDPs since the mid-1990's***

**1996** Over 400,000 people were temporarily displaced, following the war waged by Laurent Kabila's forces, supported by Uganda and Rwanda, against the regime of President Mobutu (USCR 1997, p.107).

**1998** Over 500,000 people fled fighting, in the wake of a rebellion organised and supported by Rwanda and Uganda against President Laurent Kabila's new regime (UN, December 1998, p.14).

**1999** The number of IDPs reached one million, as violence continued despite the signing of a ceasefire agreement between the DRC government, its allies Zimbabwe, Angola and Namibia, and former opponents Rwanda and Uganda (UNSC, 17 January 2000, para. 24).

**2001** The number of IDPs reached two million, as fighting continued following the accession of Kabila's son Joseph to power (OCHA, 30 September 2001).

**2002** Over 2.7 million people remained displaced, as fighting among militias intensified following the withdrawal of most foreign troops from DRC. At the end of the year, the Kinshasa government and the armed and unarmed opposition agreed to establish a government of national unity (OCHA, January 2003).

**2003** Internal displacement reached 3.4 million, as clashes among various groups and massacres of civilians continued throughout the year. There were hopes of improvement for the displaced, following the establishment of a Transition Government integrating former belligerent groups in June 2003 (OCHA, 18 November 2003, p.5).

**2004** The number of displaced fell for the first time since the mid-1990s, reaching 2.3 million, following the return of hundred of thousands at the end of 2003 and in 2004 (OCHA, 31 August 2004).

**While some return, others are displaced in 2004**

Over the past year, hundreds of thousands have spontaneously returned home in eastern DRC, particularly in the provinces of Ituri, Maniema, Katanga and the Kivus. The United Nations estimated a total of 2,329,000 IDPs as of August 2004, a decrease of over a million since their August 2003 estimate (OCHA, 31 August 2004, 18 November 2003). Most of the displaced have returned home with little or no assistance. In Ituri, half of the 100,000 people who had found refuge in Beni, North Kivu, have now returned home. Many other displaced in Ituri however – like the 13,000 who found refuge at Bunia airport – say they still

Despite the establishment of the Transition Government, 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. The International Rescue Committee (IRC) estimates that 3.3 million people have died as a result of the war since 1998 (IRC, 18 April 2003).

With DRC's collapsed healthcare structures, displaced people are particularly vulnerable to infectious diseases. In Maniema Province, for example, 80 per cent of healthcare structures have been destroyed during the fighting or in subsequent looting (OCHA, 2 January 2004). In Ituri, over a thousand people are believed to have caught the Bubonic Plague in 2004. A DRC Health Ministry official attributed the upsurge to incessant population displacements caused by the continued fighting between rebel groups (IRIN, 29 July 2004). Thousands of other displaced in Mahagi Territory, Ituri, lack sufficient food and clean water (OCHA, 26 July 2004). Displaced people are also disproportionately exposed to HIV/AIDS infection, as they usually lack the means to protect themselves and do not have information about its transmission. In eastern provinces, up to 20 per cent of the population may be infected with HIV (IRIN, 5 November 2003).

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. According to the UN, nearly two-thirds of the population was estimated to be suffering from food shortages in 2003, and an estimated 1.9 million children suffered from acute malnutrition as of mid-2004 (UN News Service, 18 June 2003; UNICEF, 7 May 2004).

Without food, medicines and shelter, displaced people have also been denied a range of other essential rights. Few attend school under the current war-torn education system, reducing their prospects for a more secure future. In eastern DRC, for example, up to 70 per cent of children have no access to education (IFRC, 17 July 2002).

#### **Improved access but lack of funding and operational capacity**

At the national level, 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. Governors of several provinces have established offices to coordinate humanitarian assistance (OCHA, 23 September 2004).

UN agencies, national and international NGOs and the ICRC are providing IDPs and returnees with food and non-food items, seeds and tools, health care, and emergency education. The worsening security situation in mid-2004 has slowed down assistance to IDPs. In early 2004, OCHA organised workshops with all relevant partners in Maniema, Katanga, North and South Kivu to plan assistance and the return of the displaced. The degradation of security conditions since May 2004 has, however, prevented further consultations with partners in other provinces (OCHA, 23 September 2004). In June 2004, 20 aid agencies lost \$1.5 million in humanitarian supplies, equipment and vehicles due to looting by the military and civilians in Bukavu, Goma, Kalemie, Kinshasa and Kindu (OCHA, 28 June 2004).

Other factors hampering the response to the needs of displaced people and returnees include the sheer size of the country, the absence of roads, the high degree of geographic dispersion of IDPs and the lack of operational capacity of humanitarian organisations. As of the end of August 2004, for example, 50,000 IDPs in Mahagi Territory, Ituri, were accessible but did not receive emergency humanitarian assistance due to the lack of supplies (OCHA, 27 & 31 August 2004). At the same time, several initiatives have strengthened the humanitarian presence in eastern DRC. Humanitarian agencies like OCHA have opened offices in isolated locations to get closer to displaced communities. The rehabilitation of the railroad system in parts of Maniema Province facilitated the delivery of humanitarian assistance to IDPs in an area which previously relied solely on air transport (USAID, 20 August 2004).

## CAUSES AND BACKGROUND OF DISPLACEMENT

### 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, Kolwezi; 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.

- President Kabila, Rwanda, Uganda, Zimbabwe, Angola and Namibia signing cease-fire agreement on 10 July 1999 in Lusaka
- Major rebel forces signing agreement on 31 August 1999
- Continued stalemate means absence of solutions to the problem of massive displacement
- Assassination of President Kabila on 16 January 2001 moved the peace process in a new direction (2001)
- One of the most problematic elements of the Lusaka Accord is the disarming and demobilization of the militia including the Interahamwe (Sept 2001)
- Increased localized violence in Eastern DRC following cease-fire

"The seven month long peace talks under auspices of Zambia between the parties to the DRC conflict concluded a first significant step- signature of a cease-fire agreement by the Heads of DRC, Rwanda, Uganda, Zimbabwe, Angola and Namibia on 10 July [1999] in Lusaka. Unable to overcome persisting internal divergences, the two factions of the RCD and the MLC abstained from signing the Lusaka agreement" UN OCHA 15 July 1999, "Context")

"Following intense diplomatic activity, especially by President Chiluba of Zambia and his Government and the Government of South Africa and others, representatives of the remaining rebel movement, RCD, signed the Ceasefire Agreement in Lusaka on 31 August [1999]. " (UN SC 1 November 1999)

"The signing of a cease-fire agreement in the summer of 1999, constituted a real prospect for bringing an end to the violent conflict in Congo DR. The agreement included the establishment of a joint military commission made up of African countries to monitor the implementation of the agreement and disarmament of the Interahamwe militia, another major goal included in the accord. The agreement also included the deployment of a UN peacekeeping force in the DRC and opening a national debate among all domestic factions and civil society on the future of the DRC [the "Inter-Congolese dialogue]." (EPCPT October 2000, "prospects")

#### ***Renewed hope following coming to power of President Joseph Kabila***

"Since the change of power in Kinshasa in January 2001, the peace process in the DRC has gained new momentum. The ceasefire formally concluded in mid-1999 by the main belligerents has by and large been respected; the parties to the inter-Congolese dialogue have had a conclusive preparatory meeting in Gaborone and agreed to convene for substantive negotiations on 15 October; President Joseph Kabila has expressed his readiness to distance himself from the ex-FAR and Interahamwe, providing an opportunity to find a solution to the problem that has been at the heart of the regional conflict. The new government of the DRC has also taken a number of steps to stabilize the economy, ease restrictions on political activities and adopted a cooperative approach to the international community thus allowing the UN peacekeeping mission in the DRC (MONUC) to deploy in all provinces of the country.

Rwanda and Uganda have withdrawn their troops from the frontline in accordance with the provisions of the Lusaka Ceasefire Agreement. Uganda has also pledged to withdraw its troops from the DRC, with the exception of a few positions close to its border where they will pursue a limited objective of dismantling residual ADF forces. Rwanda has started to encourage the rank-and-file Hutu rebels in the DRC, notably in North Kivu, to desert and return home. Kigali has also offered a *de facto* amnesty to all rebels who were not involved in the 1994 genocide, in line with the formal amnesty in place in Uganda which has contributed to the dismantling or weakening of the Ugandan rebel groups." (UNDP 28 Nov 2001)

#### ***But fighting continued in 2002***

### **Progress in the disarming of the militia and withdrawal of foreign forces (2002-2003)**

- In July 2002 DR Congo agreed to make its border with Rwanda safe while Rwanda agreed to withdraw its troops from DR Congo
- Rebel group RCD said they were willing to negotiate power-sharing deal with Congolese government (Aug 02)
- DRC government declared all political leaders of the Forces démocratiques de libération du Rwanda persona non grata (Sept 02)
- Burundi agreed to withdraw remaining two battalions from DRC (Oct 02)
- Withdrawal of armed forces of Angola, Namibia and Zimbabwe from DRC (Oct 02)
- According to UN panel in Oct 02, Rwanda and Uganda have put in place control mechanisms which do not rely on an explicit presence of their army in DRC
- By the end of April 2003, Uganda has withdrawn 1650 troops from eastern DRC

"Rwanda and the Democratic Republic of Congo have reached a peace agreement which could put an end to four years of fighting.

DR Congo has agreed to make their common border safe by flushing out Rwandan rebels sheltering in the east of the country, according to the French news agency, AFP. For its part, Rwanda has agreed to withdraw its troops from DR Congo, which are estimated to number as many as 30,000. But the peace deal, reached in Pretoria, South Africa, after five days of talks, needs to be approved by the presidents of Rwanda and DR Congo to be valid." (BBC News 22 July 2002)

*To view the text of the peace agreement, please see Government of South Africa 30 July 2002, Peace Agreement between Rwanda and DRC [See document below]*

"The Luanda accord [dated 6 Sept 02], brokered by Angolan President Jose Eduardo dos Santos, also arranged for the withdrawal of Ugandan troops from the DRC. Uganda has said that only one of its army battalions remain in the troubled northeastern DRC city of Bunia, at the request of MONUC, and along the slopes of the Rwenzori mountains." (IRIN 26 Nov 02)

"As the withdrawal of foreign forces proceeded, the Government of the Democratic Republic of the Congo on 24 September declared all political leaders of the Forces démocratiques de libération du Rwanda (FDLR) persona non grata, and ordered them to leave the country within 72 hours." (UN SC 18 Oct 02, para.13)

"Burundi has agreed to withdraw its remaining two battalions of troops from the neighbouring Democratic Republic of the Congo, while Kinshasa has pledged that its territory will not serve as a rear base for Burundi Hutu rebel groups, delegations from the governments of the two countries said in a joint communique issued on Sunday at the end of talks in the Burundi capital, Bujumbura." (IRIN 14 Oct 02)

In December 2002, "The United Nations Mission in the Democratic Republic of Congo (MONUC) on Wednesday sent observers to Bukavu, South Kivu, to investigate the alleged presence of Rwandan soldiers in the region after their official withdrawal in October." (IRIN 5 Dec 2002)

"The government of the Democratic Republic of the Congo (DRC) officially bade farewell on Wednesday to the armed forces of Angola, Namibia and Zimbabwe with a parade in their honour organized in the capital, Kinshasa." (IRIN 30 Oct 02)

*According to UN Final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of DR Congo:*

"Warring parties in the Democratic Republic of the Congo signed an all-inclusive power-sharing deal on Tuesday to establish a government of national unity and hopefully end four years of war, news organisations reported.

Under the agreement, reached after months of stop-start negotiations known as the inter-Congolese dialogue (ICD), President Joseph Kabila will remain in office for the next two years until the country's first elections since independence from Belgium in 1960 are held. He will be assisted by four vice-presidents, respectively representing the government, the Rassemblement congolais pour la démocratie-Goma, the Mouvement de libération du Congo (MLC) and the unarmed political opposition.

There will be 36 ministers and 25 deputy ministers, a 500-member National Assembly and a 120-member Senate.

The accord provides for a Higher Defence Council (Conseil supérieur de la défense) to be chaired by the president of the republic. An integrated national police force will provide security.[...]

Representatives of the government, rebel movements, militias, opposition parties and civil society all signed the accord - their first all-inclusive deal." (IRIN 17 Dec 2002)

#### **2003-2004**

"The current transition government was inaugurated on 30 June 2003 following the signing in April 2003 of the Global and All-Inclusive Peace Accord in Pretoria. It is composed of representatives of the three main belligerent groups, the Rwandan-backed Rally for Congolese Democracy-Goma (RCD-G), the Ugandan-backed Movement for the Liberation of Congo (MLC) and the ex-government of Joseph Kabila (henceforth to be identified as members of the Parti Pour la Reconstruction et le Développement (PPRD), as well as the representatives of smaller armed groups, the RCD-National (RCD-N) and the RCD/Kisangani Liberation Movement (RCD/K-ML) and opposition political parties, civil society and the Mayi-Mayi militia.

The RCD-G, MLC and ex-government components are the largest components in the transition government and hold the majority of senior-level positions in the national assembly and the senate as well as ministerial posts. The other components all have representatives at ministerial level as well as in the national assembly and the senate.

Since its inauguration, the transition government has met with several delays in implementing key aspects of the peace accord, most notably the reintegration of the national army, the nomination of provincial governors and of regional military commanders as well as the promulgation of key laws such as the amnesty law, the nationality law and the military law. These delays have generally been attributed to high levels of distrust among the various parties and the concurrent unwillingness to reach compromise on key appointments, as well as a certain level of technical incompetence within the transition government.

With regard to the extension of the transition government's authority beyond the capital Kinshasa, two achievements have been registered to date: the appointment of military commanders for the country's eleven military zones at the start of the year, and the nomination and inauguration of new provincial governors in early May. Both of these issues involved extensive negotiations, and the repartition of posts indicates that the three main belligerents at least are still holding on to power in their key constituencies. A case in point is the maintenance of two key senior political and military RCD-G officials in North Kivu province, where RCD-G ally Eugene Serufu remained governor, and where General Obed, another key RCD-G ally was appointed head of the eighth military region. On the side of the ex-government, the appointment of a member of the PPRD as governor of Katanga province, a post that was to be designated by the Mayi-Mayi component, indicates not only the ex-government's desire to control the important, mineral-rich province, but also the extent to which it has managed to appropriate key elements of other components into its own." (ISS 20 July 2004)

In Gihembe camp in Byumba, Rwanda, in the months before the looting of Bukavu, "in the presence of Rwandan officials, Nkunda personally requested that refugees enrol and conveyed to them that the time had come to continue warfare inside the Democratic Republic of the Congo against the Kinshasa Government", the experts say. Among its many recommendations to the Security Council, the Group calls for tightening border security by creating a joint verification mechanism, which would include representatives of the African Union, MONUC and other parties." (UN SC 27 July 2004)

"Essentially, the May-June events, therefore, were a contest for control of the province between the transitional government and the elements of RCD-Goma supported by Rwanda. These rebellious elements have no interest in a transition based on the reconstruction of a unitary state. They aspire to an immediate federalism that would give them security through political and economic control of the Kivus. The two provinces would then become satellites of Rwanda, which considers the economic and political control of these regions to be necessary for its own stability and long-term development." (ICG July 2004, p5)

"The Governments of the Democratic Republic of the Congo (DRC) and neighbouring Rwanda have agreed to a joint mechanism to address border security issues, United Nations Secretary-General Kofi Annan announced today.

The new technical body, first discussed in June at a summit convened by Nigerian President Olusegun Obasanjo, will be launched in October and be known as the Joint Verification Mechanism (JVM). It will comprise experts from the Governments of both countries as well as the UN and the African Union. [...]

In a related development, Mr. Annan also welcomed the statement adopted today by the International Committee in Support of the Transition (known by its French acronym CIAT) that endorsed the "critical path" of the DRC transition, called for a mechanism for sustained dialogue between the Committee and the country's transitional institutions, and urged the international community to provide the assistance in military integration and police training. [...]

"He stresses that at this critical juncture of the peace process in the DRC, the international community must increase its involvement to ensure that the progress achieved to date is consolidated, and that many outstanding tasks of the transition are completed," the statement by Mr. Annan's spokesman said." (UN News Service 22 Sept 04)

"Given the size of the Democratic Republic of the Congo, its population of over 50 million and the absence of basic infrastructure, the holding of national elections will pose a number of challenges. In accordance with the Transitional Constitution, the electoral process is to include a referendum on the post-transitional constitution and legislative elections and will culminate in presidential elections in July 2005," (UN SC 16 August 2004)

#### **International Committee overseeing transitional process in DRC deplored climate of intolerance in regard to MONUC (March 04)**

"An international committee overseeing the two-year transitional process in the Democratic Republic of the Congo (DRC) has again expressed concern over the national unity government's continuing failure to undertake key actions, as well as the "climate of mistrust that has taken root in the government and its various constituent bodies".

In a statement issued on Friday following a meeting with President Joseph Kabila and his four vice presidents, the International Committee to Accompany the Transition (known by its French acronym, CIAT) called on the leaders of the transition to undertake efforts to re-establish a spirit of trust immediately; pass legislation necessary for the holding of elections; install a national government

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)

### **International Criminal Court investigates crimes committed in DRC (2003-2004)**

- International Criminal Court investigates crimes in Ituri (July 2003)

"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)

### **Fighting between splinter groups and ethnic violence causes total collapse of public authority in Ituri and Orientale Provinces (2002-2004)**

- 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
- New phase of violence at the end of 2001 with the intensification of ethnically targeted attacks on villages
- When Hema militia UPC took over Bunia, first in August 2002 and again in May 2003, they adopted an ethnic cleansing policy against Lendu, Bira and Nande communities
- Exploitation of natural resources fuels violence in Ituri
- In 2003, the UNSC mandated a French-led EU Interim Emergency Multinational Force (IEMF) to restore order and prevent further massacres by warring Hema and Lendu ethnic militias

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)

#### ***Stabilization of Bunia by French-led EU Interim Emergency Multinational Force***

"The district of Ituri, in the north-east of the Democratic Republic of Congo (DRC), came to international attention in mid-2003 as inter-ethnic conflict, long suppressed under former President Mobutu Sese Seko but inflamed in the anarchy that accompanied his ousting, exploded. Thousands of civilians were killed and many more displaced, and the prestige of the UN Mission (MONUC), which had failed to protect them, suffered. The UN Security Council authorised Operation Artemis, a French-led EU Interim Emergency

Uganda, and there is a real possibility of many civilian deaths, especially if fighting regains an inter-ethnic character. (ICG 26 Aug 04, pp.10-11)

"Armed groups in Democratic Republic of Congo's restive Ituri region have shown great reluctance to lay down their weapons and return to civilian life under a UN-backed programme started this month.

Since last week, six sites have been opened around the northeastern region, including one in the main city of Bunia, to allow soldiers to voluntarily hand over their weapons and join programmes to prepare them for a return to non-military life.

But since the centres opened on September 13, members of only one militia group out of six in the region, the Popular Front for Democracy in Congo (FPDC), have responded to the call to disarm." (AFP 21 Sept 04)

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]

### **A chronology of peace talks for DR Congo (1998-2003)**

"Since war broke out in Democratic Republic of Congo on August 2, 1998, numerous efforts have been made to end the conflict through dialogue.

Herewith a chronology of the key talks on the war:

#### **1998**

**Aug 8:** The first summit on the DRC conflict brings together seven heads of state from southern and east Africa at Victoria Falls, Zimbabwe.

**Sept 13-14:** The annual summit of the Southern African Development Community (SADC) recognises Zimbabwe's, Angola's and Namibia's intervention on behalf of the Kinshasa government and condemns Rwanda and Uganda for supporting DRC rebels.

**Oct 26-27:** Ministers from 11 African countries meet in the Zambian capital Lusaka and adopt the framework for a ceasefire in DRC. Zambia acts as regional mediator.

#### **1999**

**July 10:** A ceasefire agreement is signed at a summit in Lusaka by the DRC government and its allies Zimbabwe, Angola and Namibia, and by Rwanda and Uganda. The Congolese Liberation Movement (MLC, backed by Uganda) and the two factions of the Congolese Rally for Democracy (RCD, backed by Rwanda) ratify the agreement in August.

#### **2000**

**Jan 24-26:** Seven regional heads of state meet in New York with UN mediators.

**Feb 23:** Seven African heads of state meet in Lusaka and adopt a new timetable for applying the DRC ceasefire.

coherent. The failed to happen in Congo, first of all because of major differences among the third-circle actors in the perceptions and analysis of the conflict. Whereas a group of (francophone) states would consider that the DRC has been in essence invaded and systematically plundered, others such as the United Kingdom and the Netherlands would stress that Rwanda and Uganda merely acted in self-defense against cross-border raids by rebel groups based in Congo and exploited the country's natural resources quite understandably to finance their operations." (Rogier July 2003, p44)

## Overview of armed groups

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### Overview of warring parties (2002-2004)

*The information below presents briefly the major armed groups involved in the DRC conflict prior to the Sun City Agreement. The information should be considered indicative only, and excludes numerous smaller armed groups and factions within and outside the main armed groups involved in the conflict.*

#### 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**

"The Mai Mai are the most important group of armed, Congolese, fighters who are neither signatories of the Lusaka Agreement nor mentioned by name in the text. Yet, in eastern Congo, they have become a force of such power that any attempt to conclude a peaceful solution to the current war will likely fail if they are not taken into account. Although there are many Mai Mai groups with different interests and goals, they do appear to have one common denominator which is the expulsion of foreign "occupiers" which translates into the Rwandan armed forces, their Congolese allies, the RCD and frequently appears to extend to all Tutsi.[...]

The Mai Mai have been given both moral and material support by the DRC Government approximately from the start of the second Congo War in the summer of 1998 up to the present. Indeed, in military terms, the alliance between Kinshasa and the Mai Mai has produced important victories for Kinshasa because it

Today, many of these forces are said to be undisciplined, and thus utilizing their authority to further individual gains. As a consequence, members of the North Kivu Congolese Tutsi community are apprehensive that large numbers of these undisciplined forces could join the Interahamwe movement." (UNDP 28 Nov 2001, part 2)

#### **The Movement for the Liberation of Congo (MLC)**

"A handful of Congolese exiles led by Jean-Pierre Bemba told the Ugandan president in October 1998 that they wanted to change their government at home, but did not want to join the RCD. Ugandan authorities sent the group to a crash military and ideological training course and weeks later flew them to Equateur to launch what would become the MLC. [...] With crucial battlefield support from the UPDF, the MLC was able to roll back a major government offensive in the second half of 2000. In contrast with the other two major rebel groups, the MLC was also reported to be financially self-sufficient, mainly from taxes levied on local produce" (HRW March 2001, sect.III)

#### **Rwandan Armed Groups**

##### **Forces Démocratique de Libération du Rwanda (FDLR)**

"Between 8,000 and 12,000 Forces Démocratiques de Libérations du Rwanda (FDLR), Rwandan Hutu rebels, still roam the hills of South Kivu with no significant national or international effort to disarm them. Although these fighters no longer have the strength to represent a genuine security threat for Rwanda, they offer it both a real incentive and an ideal excuse to remain deeply involved in the political affairs of the two Kivus through the manipulation of frightened Rwandophone communities and periodic threats of military intervention. It is widely acknowledged that Rwanda's governing elite has developed important commercial interests in the Congo that alone may be sufficient to motivate continuing involvement in its internal affairs." (ICG 7 July 2004, p1)

"The FDLR had fought alongside the former Congolese government against Rwandan backed Congolese rebels who are now part of a power sharing government in Congo. UN officials in Congo said they were optimistic that Hutu rebels would return home after the surrender of FDLR leader Major General Paul Rwarakabije [Rwandan Hutu leader] in November 2003. But General Rwarakabije was seen as a moderate member of his movement who was not even officially named as a perpetrator of genocide. Of the 15,000 Rwandan Hutu combatants believed to be in eastern Congo, less than a third had been repatriated by the end of 2003. Congo's new government said it will not tolerate the presence of foreign armed groups in the country for much longer." (Global Security 24 Jan 04)

#### **Burundian Armed Groups**

##### **Burundian Forces for the Defence of Democracy (FDD)**

"The Burundian Forces for the Defence of Democracy (FDD) forms the second largest of the armed groups, estimated at roughly 10,000 militia. They are also integrated in the FAC and are moving between the DRC, Burundi and Tanzania. They have shown consistent resistance in joining the Burundi peace process. Both the Rwandan and the Burundians Hutus fight alongside each other and with various Congolese resistance groups, collectively known as Mai Mai, composed of many different groups and a few thousands fighters." (ICG 12 June 2001)

"MONUC estimates that there are 3,000 to 4,000 FDD troops operating in the Democratic Republic of the Congo. These are mainly located in the South Kivu and Katanga Provinces, along the shores of Lake Tanganyika." (UN SC 5 April 2002, para.17)

##### **Front de Libération Nationale (FLN or FROLINA)**

"The FLN [a Burundi military splinter group] is not mentioned in the Lusaka Agreement directly as an organization that has to be disarmed and demobilized. But it is a significant militia organization that has maintained bases and troops, though limited in number, in eastern DRC." (UNDP 28 Nov 2001, part 2)

A second, more recent, UPC splinter group. Backed, and well supplied by, another circle of Ugandan officers.

Hundreds of inhabitants in a 120-kilometre (75-mile) radius arc north of Bunia have said that men from the FAPC (normally known as Jerome's men from the name of their commander) were involved, alongside the Lendu combatants, in a series of massacres over the past month.

The FAPC is thought to have formed a short-lived alliance with the FNI, which it withdrew from after some of the worst massacres, whilst continuing to work together with Lendu fighters on an informal basis.

#### **– The Popular Forces for Democracy in Congo (FPDC)**

The fifth and least prominent of the signatories to the Dar es Salaam agreement. Founded and backed by Uganda, its members come from the Alur ethnic group (opposed to the Lendu).

In addition to the five groups involved in the Ituri pacification process, two groups who are part of the wider transition process in the DRC also have men in Ituri.

They are Jean-Pierre Bemba's former rebel group, the Movement for the Liberation of Congo (MLC) and the Rally for Congolese Democracy-Liberation Movement (RCD-ML).

In addition to the organised armed groups, several small local ethnic militias also operate in Ituri." (AFP 31 Aug 03)

## **Main causes of displacement**

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### **Plunder of natural resources by warring parties continues to be major factor causing displacement (1998-2004)**

- 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 Nov 2001, the Addendum to the May report explored further the link between the exploitation of resources and the continuation of the conflict in DRC
- 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
- MONUC reported in August 2004 that human rights abuses will not end until the DRC government take control of the extraction of natural resources

"Issued on 21 October, the report stated that despite the withdrawal of foreign forces from the Congo, "elite criminal networks" had become so deeply entrenched that continuing illegal exploitation of the country's natural resources was assured, independent of the physical presence of foreign armies.

It accused three distinct criminal groups, respectively linked to the armies of Rwanda, Uganda and Zimbabwe (the last-named linked to the DRC government), of benefiting from overlapping micro-conflicts. These groups, it said, would not disband voluntarily even as the foreign military forces continued their withdrawals." (IRIN 28 Oct 02)

*To see the Final 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]*

*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)*

***Final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of DR Congo***

"Illegal exploitation remains one of the main sources of funding for groups involved in perpetuating conflict, especially in the eastern and northeastern regions of the Democratic Republic of the Congo. Over the last year, such exploitation has been characterized by intense competition among the various political and military actors as they have sought to maintain, and in some instances expand, their control over territory.

45. In that connection, the power vacuum caused by the withdrawal of the Rwandan Defence Forces (RDF) and later by the Ugandan People's Defence Forces (UPDF), spurred the proliferation of militias. Those militias have vied for control over strategic zones where lucrative resources are located, and which were formerly held by the foreign forces. The Panel is of the opinion that the deteriorating security situation in the eastern Democratic Republic of the Congo, which resulted from intensifying armed confrontations among the militias, has had a direct impact on the level and nature of resource exploitation, compared to previous years. Overall, the transition of control from foreign forces to the armed groups has led to a temporary reduction in the volume of illegally exploited resources." (UN SC 23 Oct 03, para.44-45)

***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 columbite-tantalite, a mineral from which the precious metals Tantalum (Ta) and Columbium (Cb), also known as Niobium (Nb) are extracted. [...] According to mining specialists,

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)

According to Human Rights Watch (2003).

"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. The war in the DRC is estimated to have caused the deaths of more than three million people, the highest death toll in terms of civilian lives since World War II. According to the Panel of Experts, established by the Security Council in June 2000, the drive to control natural resources was a major motive for the war." (HRW 27 Oct 03)

### **Exploitation of resources and displacement in Walikale, North Kivu (March 2004)**

"The fighting here in June [2004] was accompanied by such widespread looting that nearly all of Walikale's 15,000 residents fled the area. The United Nations and foreign aid agencies left too.

Walikale is now a ghost town, with rows of mud houses along the main road abandoned and stripped to the bone, their wooden doors kicked in and thatched roofs sagging from neglect. The market consists of empty wooden shacks.

"We are cut off, living in a black hole in the jungle. We are still at war," says one of the few remaining residents.

"There are fabulous riches being pulled out from underneath us, but the population does not benefit at all. Instead, we suffer," he said, too afraid to give his name.[...]

Since August 1998, most of the cassiterite concessions have reportedly been sold on by RCD to Rwandese interests," said a June report by the London-based organisation, Global Witness.

"A highly efficient network has been set up by the RCD and the Rwandan army to transport the resources by planes and trucks from eastern Congo to Kigali," the report said.

Rwanda is also a cassiterite producer and shipments can easily be "lost" among the country's own supplies while flight paths used for resource extraction also move "troops, equipment, supplies and arms into Congo", the report added.[...]

In Walikale, the nightly whine of mosquito swarms is replaced by the daytime drone of airplanes swooping in from the eastern border city of Goma to collect their precious cargo.

About 10 planes a day land on a short strip of remote, skid-marked tarmac 30 km (19 miles) from Walikale, near the town of Mubi, where the market is thronging with traders selling 50 kg (110 lb) bags filled with heavy cassiterite stones.

Each flight brings in goods from Goma and carries off up to two tonnes of cassiterite, removing a daily total of about \$50,000, or some \$1 million per month of the mineral, which is cleaned or sold in Goma and exported at a higher price.

Cassiterite has been legally mined for decades in the former Zaire, but war has turned the business into a deadly racket that forces terrified villagers from their farms and into the bush, where too often they starve, fall sick and die.

« ...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 Ndjipapanda, 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)

*For political analysis of the conflict in the Kivus, see 'The Kivus: The forgotten crucible of the Congo conflict', International Crisis Group, 24 January 2003 ([click here](#))*

#### **Thousands of displaced in mid-2004 in South Kivu (August 2004)**

- Bukavu residents found refuge in MONUC compound
- 20,000 Congolese Tutsi fled to Burundi
- Thousands of people were displaced following clashes between insurgent group and Congolese army

**"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

foes especially in the area north of Kasongo city, with the gold mining towns of Bikenge, Kampene, and Saramabila and the diamond mining city of Kibombo being the most sought after positions. The civilian population living on or near these front lines has not been spared, as campaigns are often characterized by innocent killings, rapes, lootings and general human rights abuses exacted by both parties. Today, with several thousand families hiding in forests and fields in fear of being seen by one armed group or another, it could be deduced that the belligerents in Southern Maniema are also targeting the civilian population.

Besides insecurity, Southern Maniema's logistical isolation is another major constraint, exacerbated by the war. Before the beginning of the second war in 1998, Maniema was considered the bread basket of Congo but that was before the railroad closed and river traffic halted for political reasons and feeder roads fell into decay. With few roads and trucks, the bicycle is the only feasible method of transportation of goods to and from Kasongo city for its 46,000 inhabitants." (OCHA 22 Nov 02, p1)

"Thousands of residents were forced to flee into a nearby forest when Rwandan-backed Rassemblement congolais pour la démocratie (RCD-Goma) forces attacked the town of Kampene, eastern Democratic Republic of the Congo, Missionary Service News Agency (Misna) reported on Saturday.[...]

It reported that the fighting took place 6 and 7 June in Kampene, some 500 km southwest of Bukavu, in the Maniema region. Misna said that a month earlier, a Mayi-Mayi faction called the Kala Sawa (Righteous Brothers) had seized control of the gold- and coltan-rich area from RCD-Goma.

While the exact toll of the fighting in Kampene remained unknown, Misna reported that the town was deserted." (IRIN 10 June 2002)

#### **Violent conflict between the Hema and Lendu people in Orientale province has caused major displacement (1999-2004)**

- In Dec 99, ethnic clashes displace tens of thousands of civilians
- MSF reported 150,000 IDPs in February 2000
- 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 between the FAPC (Forces Armées du Peuple Congolais) and FNI (Front des Nationalistes et Intégrationnistes) in Mahagi Territory

"[In December 1999 it was reported that] Ethnic clashes between the Lendu and Hema people in Ituri district of eastern DRC have broken out again in the past fortnight, displacing tens of thousands of civilians and greatly increasing humanitarian needs in an already difficult situation, the regional head of the International Committee of the Red Cross (ICRC) Philip Spoerri told IRIN on Tuesday.

[...]

The current clashes were at their most intense around Djugu, and had sent 20,000 to 30,000 displaced people towards nearby towns, particularly Bunia, for shelter, he said. In light of the renewed clashes, the ICRC hoped to reach 85,000 internally displaced people (IDPs) in 10-15 sites in and around Bunia and Djugu by the end of January, Spoerri told IRIN." (IRIN 21 December 1999)

"The conflict in the district has cost the lives of thousands and caused over 150,000 people to be displaced within the region. Many villages have been razed to the ground; the fields that were used for crop cultivation are totally deserted. The conflict has led to the collapse of the already fragile healthcare system. In the past six months, the area has been ravaged by various epidemics including measles, the plague, and cholera." (MSF 2 February 2000)

*Renewed fighting in Feb 2002 causes displacement of 15,000 around Bunia*

The massacres, which took place on Thursday in the northeastern region of Ituri, claimed 'at least one thousand victims', the UN mission in the DRC said in a statement sent to AFP's office in the Rwandan capital Kigali.

It said this information came from 'witness accounts' of the massacres, which took place in the parish of Drodó and 14 neighbouring areas.

According to lists compiled by local leaders, 966 people were 'summarily executed' in three hours of massacres, said the UN mission, which on Saturday sent a team to Drodó and the surrounding areas.

The UN mission said it had visited 49 seriously injured victims in a local hospital. Most had machetes wounds and some had been hit by bullets. The team had also witnessed '20 mass graves, identifiable by traces of blood that was still fresh'.

The UN mission, MONUC, said it would continue its investigations to identify those responsible for the bloodletting.

DRC's minister for human rights, Ntumba Luaba, called on the MONUC to help catch the killers. 'MONUC, which has already gathered some information on the massacre, must quickly pursue its investigation so the perpetrators are don't remain unpunished,' he told AFP in a telephone interview from the capital Kinshasa.

The violence came one day after the warring parties in the Democratic Republic of Congo signed a historic pact on Wednesday to end more than four years of brutal warfare.

The accord between the government, opposition parties and several rebel groups ended 19 months of tortuous peace negotiations. It enabled President Joseph Kabila to issue on Friday a new constitution which opens the way for a national unity government and the first democratic elections in the former Belgian colony for more than 40 years.

A commission, set up to try and bring peace to the troubled Ituri region, began work on Saturday." (AFP, 6 April 2003)

"Fighting involving heavy weaponry and light arms erupted on Wednesday between ethnic Hema and Lendu militias in the town of Bunia in Ituri District of northeastern Democratic Republic of the Congo (DRC).

The ensuing situation was described by residents as 'chaotic' and 'terrifying', with sporadic fighting continuing to erupt at irregular intervals on Thursday. The situation outside Bunia, however, remained largely unknown because of prevailing insecurity and lack of access.

The international NGO Medair said on Wednesday that insecurity had prevented it and other NGOs from carrying out their relief efforts, forcing them to take refuge in their homes. It reported groups of men and children, armed and drugged, roaming the streets, pillaging and killing.

One Bunia resident, who requested anonymity, said the current situation could be defined as an ongoing contest for control, on the one hand, between the Ituri Pacification Commission (IPC), which seeks to restore order in the region, and on the other hand ethnic Lendu and Hema militias fighting each other, while both trying to disrupt the establishment of order within Bunia by all means.

'The population, no matter what [ethnic] community, is in constant fear of looting and harassment by Lendu combatants,' the resident reported, and this was forcing thousands of ethnic Hema civilians, in particular, to flee.

[...]

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)

*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]*

### **People flee fighting at the frontline in the Katanga Province (1998-2004)**

- Massacres and clashes despite setting-up of transition government in June 03
- Over 15,000 people displaced in Katanga by Mai Mai exactions (Feb 04)
- Displacement continued as of mid-2004

### **"Insecurity**

Over the past six months, human rights organizations have reported massacres of civilians and clashes between Mai-Mai, self-defense forces (FAP) and the Congolese Armed Forces (FAC) along the former disengagement line in northern Katanga. When fighting broke out in May after the assassination of a Mai Mai chief named Makabe in Malemba Nkulu territory, thousands of people fled their homes to take refuge in the bush. A second larger displacement took place in October along the border between Mitwaba and Pweto territories as a result of a Mai Mai attack on a FAC base. Most of the 10,000 civilians who fled the violence are only now returning to their villages.

"[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)

### **Women and girls from eastern Congo flee to escape sexual violence (2002)**

"Women and girls of eastern Congo, their families, and the larger community have developed different strategies to protect them from sexual violence. Some families have sent their women and girls to safer locations. A Bukavu resident told Human Rights Watch researchers, "I have a girl in my house whose parents sent her away to keep her from being raped." In other cases, most of the family has fled to safer areas. A priest from a rural parish said, "Women, girls and young men are not in the villages anymore—you only find old people." (HRW June 2002, p75)

### **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 TFI 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)

### **Many displaced who had found refuge in Goma had to flee again when the Nyiragongo volcano erupted (2002)**

- Eruption of Mount Nyiragongo near Goma in Jan 2002

## POPULATION FIGURES AND PROFILE

### Global Figures

Significant decrease of IDPs as of mid-2004 compared to 2003 (August 2004)

| Table of IDPs and Returnees in DRC<br>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                                                                                                                                                                          | 45,000 (includes +/-<br>3,000 expellees from<br>Angola)  |                | August 2003 for the IDPs<br>and June 2004 for the<br>expellees. |
| Bandundu                                                                                                                                                                          |                                                          |                |                                                                 |
| Bas Congo                                                                                                                                                                         |                                                          |                |                                                                 |
| East and West Kasai                                                                                                                                                               | 95,000 (includes +/-<br>40,000 expellees from<br>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)

### Approximately 3.4 million people displaced in DRC as of end 2003

- The majority of the displaced are in the East, but the figure is a rough estimate at best

"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)

*(UN OCHA, 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." (UN 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)

**Other vulnerable groups include about 200,000 people who live hidden and are totally destitute (Feb 2002)**

#### **OTHER VULNERABLE GROUPS IN THE DRC**

Estimated child soldiers 6,000

Widows 15,000

Handicapped including war wounded 25,000

Urban vulnerable +/- 3,500,000

Hidden population/ total destitution 200,000

Food insecure 16,000,000

Host families (estimate) 87,500 (households) x 5 (individuals) = 437,500

**TOTAL 20,987,500\***

*\*It is recognised that several of these groups will, naturally, overlap, possibly rendering this figure slightly exaggerated.*

(UN OCHA 28 Feb 02, p.14)

#### **Over 2 million IDPs in DRC by end of September 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).*

*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).*

*IDP growth since 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.

|            |     |             |                                                                                |
|------------|-----|-------------|--------------------------------------------------------------------------------|
| Kinshasa   | DRC | 41,000      | expellees from Angola)<br>45,000<br>(includes +/- 3,000 expellees from Angola) |
| TOTAL IDPs |     | 3.4 million | 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      |
| Total                         | 775,000   | 1,502,000          | 2,002,500         | 2,045,000 | 2,275,111 | 2,275,000   |

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 Kalemie 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%                 |

## **PATTERNS OF DISPLACEMENT**

### **General**

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#### **Continued displacement despite new transition government (2004)**

- Wave of displacement in North & South Kivu in November and December 2003
- Two waves of displacement from Kalehe, South Kivu, in mid-2004

#### **North Kivu**

"Rape and abduction of women and girls, and pillage of crops by armed groups continue to plague the southern Lubero region, North Kivu Province of eastern Democratic Republic of the Congo (DRC), a joint UN-NGO humanitarian assessment mission reported on Thursday.

More specifically, the mission visited several towns and villages in the Kayna health zone, where widespread displacement of thousands of people, and inaccessibility to thousands more, has outstripped humanitarian organizations' abilities to meet the health, nutritional and educational needs of vulnerable populations.

Many armed groups continue to be active across the region, including the forces of the Rassemblement congolais pour la démocratie-Kisangani/Mouvement de libération (RCD-K/ML), RCD-Goma and Mayi-Mayi militias, all of which are now part of the Congo's unified national government and military. Also present are elements of the Interahamwe, Rwandan Hutu militias that fled their country after playing a major role in the 1994 genocide of some 800,000 Tutsis and politically moderate Hutus."

#### **South Kivu**

"A wave of attacks has displaced some 20,000 people since late December in the volatile South Kivu province bordering Rwanda, say aid agencies and MONUC, the UN mission in the Democratic Republic of Congo. [...]

The attacks took place near the towns of Bunyakiri and Hombo, about 100 kilometres (60 miles) northwest of Bukavu. UN officials said witnesses had spoken of 10 deaths, but this figure had not been verified. Lapierre blamed the attacks on the Democratic Liberation Forces of Rwanda (FDLR), an extremist Rwandan Hutu group that includes thousands of "Interahamwe" gunmen accused of committing the 1994 Rwandan genocide." (Reuters 12 Jan 04)

"Fighting that erupted on Friday between a Mayi-Mayi militia and a Rwandan rebel group in South Kivu Province, eastern Democratic Republic of the Congo (DRC), has resulted in the displacement of thousands of civilians.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) estimates that anywhere between 2,000 and 4,000 internally displaced persons (IDPs) sought refuge in Mwenga. Some of the IDPs were reported to be staying with host families, while others were temporarily settled in sites set up by local authorities. Humanitarian agencies are reportedly overwhelmed by the sudden influx, and concerted efforts are underway to respond to IDP needs.

This new round of displacement follows a recent humanitarian needs assessment mission conducted jointly by several UN agencies in South Kivu. The mission found widespread humanitarian needs in the region from Uvira to Fizi, which is south of Mwenga." (UN OCHA 4 Nov 03)

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)

### **In Ituri, hundreds of thousand of people flee clashes and violence targeted at them (2003)**

- 500,000 to 600,000 civilians flee to avoid being indiscriminately attacked, mutilated and killed.

"MONUC multidisciplinary special investigation teams have confirmed that massacres of both Lendu and Hema have been perpetrated in Ituri since February 2003. From 17 January to 6 March, in an attempt to take over full control of the Ituri region, a militia group known as the Union of Congolese Patriots (UPC) engaged in large-scale military operations in four localities, resulting in killings, destruction of property and the displacement of a large number of people. Eyewitnesses stated that around 330 civilians were killed in Bogoro, which was completely destroyed, and reported 160 additional deaths in Mandro. In Drodoro, there were killings on a scale hitherto unknown in the area, hundreds of civilians being murdered in a series of well-coordinated summary executions near the parish and 16 neighbouring locations. Twenty mass graves have been identified by MONUC. MONUC, together with forensic experts from the Office of the United Nations High Commissioner for Human Rights, dispatched a second investigative mission to this area, but its work had to be cut short because of the deteriorating security conditions.

The humanitarian impact of the armed conflict for the 4.6 million inhabitants of Ituri has been catastrophic. According to the Office for the Coordination of Humanitarian Affairs, between 500,000 and 600,000 internally displaced persons - many of whom remain in hiding and cannot be accounted for - in addition to

### **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

## PHYSICAL SECURITY & FREEDOM OF MOVEMENT

### General

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

- Civilians in the Kivus and in Maniema are particularly at threat according to OCHA
- HRW denounced pattern of deteriorating security and massive violations of international human rights and humanitarian law
- IDPs in Manon Territory, Katanga Province, said they witnessed cannibalism, murders and forced recruitment of children by Mai Mai groups (April 2004)

"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.

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 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
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"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)

#### **Worsening climate for Banyamulenge community (2004)**

"Since 1989, the Banyamulenge had gradually become more accepted by the other communities, but the political manoeuvring in Kinshasa and the events in Bukavu were seized upon by a small group of extremists to renew the propagation of xenophobic ideas. A clandestine radio station, Radio Patriot, has recently resumed broadcasting since being silenced in 1997. This radio station is again disseminating messages inciting hatred among the different groups. And, although it is fairly successful in avoiding the direct mentioning of ethnic groups, the station's discourse leaves no doubt that it is referring to the Tutsis, Banyamulenge and Rwandans. Although it is not clear to exactly what extent, it is obvious that some of the politicians in Kinshasa as well as a number of Church and civil society leaders support these extremist ideas." (ISS 7 May 2004)

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 led 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)

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)

"MONUC Investigation Mission's preliminary report confirms human rights abuses by MLC and RCD-N troops at Mambasa and in the villages on the Mambasa/Mangina main road.

On 31 December 2002, MONUC deployed a multidisciplinary Investigation team to Mambasa, Mangina, Beni, in North-Kivu and Ituri - consisting of members from the Human Rights, Child Protection, Civilian Police sections as well as two members from the Public Information Office - following the serious allegations of human rights abuses perpetrated by MLC and RCD-N troops during their occupation of Mambasa territory on 12th -29 October 2002, since their return to the territory on 29 November, and during their advance towards Beni.

The investigation team interviewed 368 peoples - victims and witnesses alike- during the two weeks spent in Mangina and Oicha villages where tens of thousands of displaced people found refuge.

The investigation mission received testimonies corroborating 'systematic looting and rape as well as summary executions and abductions, as war weapons, practiced by MLC and RCD-N military forces (including 19 UPC elements during the period from 12-24 October), in an operation which the aggressors termed 'erasing the blackboard' presented to the population as 'a vaccination operation', aimed at looting every house and raping every woman'. The summary executions particularly targeted the Nande community in Mambasa and the Pygmies as well as the populations in the villages located on Mambasa-Beni main road.

The report also confirms that among the people executed, mutilated and cannibalized, there were members of the Pygmies' community forced to leave the forest." (MONUC, 15 January 2003)

"3. The human rights situation remains grave throughout the Democratic Republic of the Congo. Despite having committed themselves to political and judicial reform for the promotion of human rights, all parties to the conflict continue to carry out gross violations of human rights with impunity. There has been a widespread failure to provide minimum guarantees to the particular needs of the most marginalized and vulnerable people: women, children, the internally displaced and those affected by HIV/AIDS.

4. MONUC, OHCHR, and the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Democratic Republic of the Congo have continued to document massive violations of human rights continuing in the country, especially in areas controlled by the rebels of the Rassemblement congolais pour la démocratie, Goma (RCD-G), the Mouvement de libération du Congo (MLC) and the Union des patriotes congolais (UPC). In Government-controlled territory, concerns continue over the administration of justice because of the weakness of the judicial system. In the territories controlled by the rebels, reports continue to be received of massive human rights violations, especially in the east of the country. The Special Rapporteur is scheduled to undertake a mission from 28 February to 10 March 2003 and she will report on her findings to the Commission on Human Rights at its fifty-ninth session in late March.

5. It is in this context that I visited the country to make a first-hand assessment of the human rights situation in the light of the signing of the Pretoria Agreement of 16 December 2002. During my stay, I held consultations with a wide section of actors in Kinshasa and Kisangani, including President Kabila and members of his Government, leaders of RCD-Goma, former President Masire (the facilitator of the inter-Congolese dialogue), the international diplomatic community, MONUC, humanitarian groups and civil society representatives.

6. My overall assessment is that the prevailing human rights situation in the Democratic Republic of the Congo is alarming and a threat to the fragile peace process. Despite the conclusion of the Pretoria and other peace agreements, the ongoing war in eastern Congo is causing massive violations of human rights and terrible suffering to thousands of civilians. The fighting in the Uvira area, clashes in the Ituri District and atrocities committed in the Beni-Mambasa area have led to the displacement of thousands of people.

7. Both the Government and rebel leaders have acknowledged that there are violations of human rights. However, the impunity of perpetrators of gross human rights violations, especially high-ranking military

"A quick reaction was made, the camp was surrounded, people arrested and weapons found," Major Abou Thiam, a Senegalese U.N. military press officer, told Reuters late on Saturday night.

According to Thiam, a hand grenade belonging to a 13-year-old boy, 12 machetes, two axes, four knives and 49 daggers were confiscated along with a wireless communication device.

Residents said the U.N. force has been slow to confiscate arms.

"We the population have been arresting people with weapons in the camp for some time because the reaction from the U.N. has been too slow," said 55-year-old camp resident Theophile Ngoy." (Reuters 7 Sept 03)

### **Serious protection issues in Malemba-Nkulu, Katanga (2002-2003)**

- Total impunity of armed groups committing human rights violations
- MSF reported lootings and burning of villages, and torture, causing tens of thousands of IDPs from Malemba Nkulu, Kikondja, Kitenge, Mukubu and Mukanga
- Rape, looting of food stocks, destruction of goods and forced displacement are common
- In Oct 02, The new administrator of Malemba-Nkulu said to the UN that IDPs would be send back home as soon as possible and that humanitarian assistance would not be allowed

"Medecins sans Frontieres (MSF) called on Thursday for greater humanitarian intervention in northern Katanga Province of southeastern Democratic Republic of the Congo (DRC), where civilians were still suffering the consequences of armed conflict and untreated diseases.

"Although this government-controlled part of the country has been considered peaceful during the past years of war, civilian populations are subjected to extremely violent attacks and suffer from gravely insufficient assistance," the international relief NGO reported.

It recounted numerous instances in which various armed groups had pillaged and burned down villages as well as beaten and killed civilians, causing tens of thousands in the region to flee to areas often inaccessible to aid groups because of continued hostilities. It warned that this lack of access could allow otherwise treatable diseases such as cholera to erupt, "with catastrophic consequences".

Among others, it cited Malemba Nkulu, Kikondja, Kitenge, Mukubu and Mukanga as areas that had been particularly hard-hit by fighting.

"It is high time that the public authorities assume their responsibilities with regard to the abandoned Congolese people of northern Katanga," MSF said." (IRIN 12 Sept 03)

"Il est apparu que de nombreuses violations des droit de la personne sont intervenues tout au long de l'année et que bien que les combats aient cessés, la population continue à subir des exactions.

La signature d'accords de paix entre le gouvernement et certains groupes Mayi-Mayi, le dépôt d'armes de certains de ces groupes, la levée de nombreux barrages, le remplacement des FAC par les PPU contribuent à détendre l'atmosphère.

The captors ordinarily held the women and girls at places distant from their homes and often in areas that were unfamiliar to them, making it difficult for them to try to escape. In some cases, women and girls were kept under armed guard.

Women and girls held in the forest ordinarily lived in conditions of misery in temporary shelters constructed of leaves, wood, and sheets of plastic. In one case captors deprived the women of sleeping mats and forced them to sleep on the ground. In some cases, women and girls had no shelter and were exposed to drenching rains whenever the weather was bad. Often short of water and with no soap, women found it difficult to stay clean." (HRW June 2002, pp61-62)

"Some 100 civilians of the Hema people are reported to have been deported to "labour camps" organised by Lendu militias near Fataki, about 80 km north of Bunia, in the troubled Ituri District of northeastern Democratic Republic of the Congo (DRC), the Missionary Service News Agency (MISNA) reported on Tuesday.

It reported that the prisoners were abducted during fighting that took place between the end of July and the beginning of August, during which an estimated 80 civilians were killed on or about 20 July.

"Women and young people are being held in slavery," one witness told MISNA.

Others talked of the existence of "labour camps" in an area between 10 and 20 km from Fataki, where prisoners are forced to do agricultural work at gunpoint." (IRIN 27 Aug 03)

## **Women and children**

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### **Displaced children need protection from recruitment by armed groups (2001-2004)**

- 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 Nov 02, the UN Secretary General named all groups which recruit children
- In Feb 03, the UN SG reported that children were still present in all armed groups in DRC, sometimes representing up to 35 percent of troops, and were being sent to front lines
- In Ituri, militias used children to terrorize the town of Bunia and 6,000 children have been recruited in Ituri (June 03)
- Issue of impunity for war crimes and other abuses against children, including recruitment of child soldiers, was highlighted by the UN SG as a particular concern
- According UNICEF, Although the total number of children associated with the armed forces and groups is unknown, estimates vary from 20-40,000 (May 2004)
- Continuing recruitment of children in North and South Kivu reported by OHCHR (July 04)

Children's Fund, MONUC monitored and provided advice on the disarmament, demobilization or reintegration processes for Congolese child soldiers being set up by the RCD-Goma, and by the Government, which is preparing a new disarmament, demobilization, repatriation, resettlement or reintegration phase in Lubumbashi. MONUC is preparing to monitor implementation of the commitments made by MLC and RCD-K/ML to demobilize child soldiers under the Gbadolite Agreement of 30 December. There is a particular need to focus on setting up reintegration programmes, with the necessary resources to implement them, throughout the country in order to prevent demobilized child soldiers from returning to the army (voluntarily or forcibly) or the street, as has already happened in some cases. MONUC has contributed funds from the Norwegian Trust Fund to the non-governmental organization (NGO) Let's Protect Children, which runs a transit centre and reintegration project for demobilized child soldiers and other children in Musienene.[...]

38. A particular concern is the need to address the issue of impunity for war crimes and other abuses against children, including the recruitment of child soldiers, as highlighted in my November 2002 report on children and armed conflict (S/2002/1299), which contains a list of parties in the Democratic Republic of the Congo responsible for recruitment of child soldiers." (UN SC, 21 February 2003)

"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)

- 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
- UN Emergency Relief Coordinator called on DRC government to make greater efforts to end sexual violence against women and children during his visit to the country in November 2003
- MSF pointed out in April 2004 that after years of neglect, there was an increase in efforts to confront sexual violence in Eastern DRC

"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. Combatants of the RCD, Rwandan soldiers, as well as combatants of the forces opposed to them – Mai-Mai, armed groups of Rwandan Hutu, and Burundian rebels of the Forces for the Defense of Democracy (Forces pour la défense de la démocratie, FDD) and Front for National Liberation (Front pour la libération nationale, FNL) – all frequently and sometimes systematically raped women and girls in the last year." (HRW June 2002, p.23)

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)

"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)

## **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 Committee 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 (July 2004)**

- UN is investigating 68 cases of sexual abuses allegedly committed by MONUC personnel
- Investigation may not lead to any result, as soldiers are protected by special agreements and generally carry out short assignments in DRC
- MSF reported several cases of abuses allegedly committed by MONUC personnel in Bunia
- Residents of zones patrolled by MONUC have organized information campaigns in the area

« Des reportages récents ont affirmé que l'auditeur interne des Nations unies, le Bureau des services de contrôle interne (BSCI), a ouvert une enquête sur 68 cas d'abus sexuels qui auraient été commis par le personnel de la mission de l'ONU en RDC, la MONUC. Les accusations vont d'échanges de nourriture contre des faveurs sexuelles jusqu'à des viols de mineurs et l'organisation d'un réseau de prostitution infantile par des troupes de l'ONU depuis un aéroport à Bunia, en Ituri.

Le BSCI "ne commente pas les enquêtes qui sont en cours," indique un responsable du Bureau à New York, qui confirme que l'enquête n'a pour l'instant conduit à aucune arrestation.

Patricia Tome, porte-parole de la MONUC, affirme que la procédure devrait toucher à sa fin en août. Elle précise que c'est la MONUC elle-même qui était à l'origine de l'enquête, ouverte après qu'elle ait pris connaissance des accusations portées contre ses troupes.

- Churches, women's associations and human rights NGOs denounce violence against women and girl

"Rape and abduction of women and girls, and pillage of crops by armed groups continue to plague the southern Lubero region, North Kivu Province of eastern Democratic Republic of the Congo (DRC), a joint UN-NGO humanitarian assessment mission reported [...]" (IRIN 11 Dec 03)

***Churches, women's associations and human rights NGOs denounce violence against women and girls***

"Churches and some local NGOs provided both material and emotional support to women and girls who had been raped, otherwise sexually abused, or abducted.[...]"

An increasing number of women's associations and human rights NGOs have begun denouncing abuses against civilians in the context of the current armed conflict, and violence against women and girls in particular. Investigators went regularly into the rural areas of North and South Kivu, speaking to the victims and witnesses, and they have pulled together a substantial amount of information about sexual violence." (HRW June 2002, p76-79)

### **IDPs from Kalehe, South Kivu lack clothes, shelter and cooking utensils (August 2004)**

- Most of the IDPs are in school buildings, sleeping on the floor without any blanket. Food is lacking and IDPs have no cooking utensils
- New arrivals of IDPs threatens food security of host community

« Près de 1.200 familles déplacées sur des Hauts Plateaux à l'Est de la République Démocratique du Congo (RDC) bénéficieront d'une assistance humanitaire hélicoptérée. Au total, 90 tonnes de vivres et de non vivres seront ainsi acheminées du 18 au 21 août 2004.

La voix des airs était en effet le seul moyen de venir en aide à ces populations réfugiées à Numbi et à Shanje, au sud-ouest de Minova dans la province du Sud Kivu. Elles avaient fui des exactions perpétrées par des militaires et des groupes armés dans les environs de Kalehe (60 km au nord de Bukavu) au courant du mois de juillet.

Parties sans rien avoir emmené, ces familles vivaient dans le dénuement le plus total lorsqu'elles n'avaient pas eu la chance d'être hébergées dans des familles d'accueil comme à Numbi. La majorité des déplacés de Shanje occupent eux, des bâtiments scolaires. Ils dorment à même le sol, sans couvertures. Les vêtements manquent. Ils n'ont rien pour cuisiner, avait rapporté Patrick Lavand'Homme, chef du Bureau OCHA à Goma à la suite d'une mission conjointe d'évaluation effectuée le 24 juillet dernier.

La pression démographique engendrée par ces nouvelles arrivées menace par ailleurs une sécurité alimentaire déjà précaire. Le nombre d'habitants à Shanje avait en effet augmenté de la moitié, celui de Numbi du quart. Selon World Relief qui s'était rendu sur les lieux du 6 au 8 août, une intervention devenait urgente en la matière, les stocks de nourriture des familles hôtes ayant été entièrement consommés. » (UN OCHA 24 August 2004)

### **36,000 IDPs in Mahagi Territory, Ituri lack food (July 2004)**

- Increased risks of malnutrition among pregnant women
- Lack of water exposes the displaced and the host community to diseases such as cholera
- Four of the health centers in the area have been looted

« Les récoltes de haricots et de maïs du mois de juillet sont faibles du fait de la sécheresse. La population est de surcroît de plus en plus empêchée, par des éléments armés, de se rendre la journée au champ pour chercher des vivres... quand elle n'est pas brutalisée à la machette, a indiqué le rapport mission sur Draj. Les risques de malnutrition augmentent, notamment chez les femmes enceintes. Les déplacés se contentent d'un repas par jour alors que les prix des denrées de base ne cessent d'augmenter sur les marchés.

L'insuffisance de l'eau par rapport à une population en expansion expose par ailleurs l'ensemble des habitants des zones concernées à des maladies hydriques et crée des conditions hygiéniques dangereuses. Des cas de choléra avaient été signalés dans la zone de santé de Rethy, un endroit de surcroît connu pour ces épidémies de peste. Même si ces maladies ont pu être contenues, elles continuent de menacer, telle une épée de Damoclès, la population si rien n'est entrepris pour améliorer l'approvisionnement en eau, l'hygiène et l'assainissement.

"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.[...]"

Disparities are apparent between the north and the south in relation to access to social infrastructure and services. Traditionally, schools, health centres, hospitals, and charity institutions (such as churches) have been concentrated in the northern neighbourhoods. In the past, the population in the south could easily access these services. Today, however, although reduced since July/August 2003, the ethnic component of the conflict is an obstacle, preventing households in the south from using services in the north. The south also has greater difficulties acquiring clean water due to a lack of water collection points and often draws its water from unsafe sources such as rivers." (SCF-UK Nov 03, pp16-17)

## Health

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### **Cholera epidemic in Walikale, and hundreds of cases in Goma, North Kivu (July-Aug 04)**

- Lack of medical personal and treatment in Walikale
- Increase of cholera cases due to lack of drinkable water and new displacement movements in Goma

"Les analyses menées à Goma [...] ont confirmé l'existence de l'épidémie à Walikale. Sur les trois échantillons prélevés, deux ont révélé la présence du Vibrien Cholerae. L'OMS a notifié 158 cas dont 38 décès à la 31<sup>ème</sup> semaine. Sur ces cas notifiés à la 31<sup>ème</sup> semaine ; 92 cas dont 35 décès proviennent de l'aire de santé de Biruwe. Cette épidémie aurait débuté à la 26<sup>ème</sup> semaine et aurait fait jusqu'à la 31<sup>ème</sup> semaine un total de 429 malades dont 49 décès soit un taux de létalité de 11% (6 fois plus que la norme établie par l'OMS soit 2%). Ce taux élevé de létalité dénote d'une mauvaise prise en charge des cas ; soit par manque des intrants de lutte ou par l'insuffisance du personnel qualifié. Comme riposte à cette épidémie, une réunion des partenaires s'est tenue autour de l'inspection provinciale de la santé et a permis de dégager la disponibilité des intrants de lutte contre le choléra, qui seront acheminés à Walikale d'ici mardi de la semaine prochaine. Il faudra aussi noter que MSF/Hollande s'est engagé à soutenir une formation du personnel de santé sur la prise en charge du choléra. OCHA fait le plaidoyer pour l'acheminement à Walikale, des intrants contre le choléra. » (UN OCHA 13 August 2004)

« 198 de cas de choléra signalés à Goma, dans la province du Nord-Kivu. La cellule épidémiologique de la province composée de l'Inspection de la Santé, de l'OMS, de l'UNICEF et de certains partenaires ont en effet déclaré 198 cas de choléra à Goma dont 115 dans l'aire de santé de Karisimbi et 83 dans l'aire de santé de Goma pendant la période du 14 juin au 1<sup>er</sup> juillet. Cette recrudescence des cas de choléra est due au manque d'eau potable et aux derniers déplacements des populations dans ces aires de santé. Un système de réponse est déjà mis sur place pour une prise en charge des cas et une sensibilisation de la population sur les mesures d'hygiène. Cependant, l'autorité provinciale n'a pas encore déclaré officiellement l'épidémie de choléra dans la ville de Goma. » (UN OCHA 2 July 2004)

decreased dramatically in 2002 compared to the previous three years. In past surveys, violent death rates have consistently been correlated with the overall crude mortality. Probably not by chance, the only surveyed health zone with a large recorded outbreak of violence, Kisangani Ville, was the one place where the CMR increased from previous mortality surveys.

Mortality in the eastern DRC decreased in 2002 compared to past years. The CMR of 3.5/1000/mo. recorded during the 2002 surveys contrasts with the IRC's previous CMR estimate of 5.4/1000/mo. for the period August 1998 to April 2001. In four out of five locations previously surveyed during this war and revisited as part of this survey, the CMR dramatically decreased. The lower rates of death and violent death, and an increase in the areas accessible to survey teams, all indicate an overall improvement of conditions in the eastern provinces.

Based on past and current IRC data, it is estimated that 3.3 million people have died as a result of this war. While this estimate could vary from 3.0 to 4.7 million depending on assumptions about the populations excluded from the survey, the conclusion remains the same: this is the most deadly war ever documented in Africa, indeed the highest war death toll documented anywhere in the world during the past half-century.

Many factors may have contributed to the improved health conditions in eastern DRC in 2002. While historians, public health workers and politicians would benefit from studying the causes of this exceptionally deadly conflict, they may profit still more by determining what caused the favorable turn of events during the fourth year of the war.

Nevertheless, the present CMR of at least 3.5/1000/mo. among 9 to 14 million people in eastern DRC is a crisis of extraordinary proportions, and the adverse consequences of this war continue. If the world's peacemakers and the international community fail to give due attention to this crisis at this crucial time, all of the gains made to date could easily be lost. It is hoped that the positive trends in mortality rates documented in this report will encourage diplomatic and humanitarian efforts and inspire the international community to stay the course toward peace." (IRC, 8 April 2003)

### **Conflict causes degradation of the health care system (2001-2004)**

- Deterioration of health system has resulted in spread of cholera, HIV/AIDS and malaria
- More than four million new cases of malaria were registered in DRC in 2003, a sharp rise from 2.5 million cases in 2002
- 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
- Situation in rebel-held areas is even worse due to war damage
- Health personnel run the risk of being taken hostage or prisoner
- Destruction of 13 health centres in Bukavu in May/June 2004

"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.

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

"The DRC epidemiological profile for 2003 has been marked by the upsurge of epidemic outbreaks. The war and the consequences of insecurity significantly increased this risk, as did the lack of funding for the minimum package directed against the seven leading diseases and the weakness of surveillance system played a role in those outbreaks. WHO Statistics for 2003 illustrate the horrendous human cost of the conflict: Cholera: 17,086 cases, 573 deaths; Measles: 40,136 cases, 1,941 deaths; Meningitis: 6,573 cases, 1,650 deaths; Monkey pox 459 cases, 23 deaths; Malaria: 2,122,878 cases 374,520 deaths." (UN OCHA 18 Nov 03, p8)

"At least three potentially life-threatening illnesses are ravaging eastern Democratic Republic of Congo (DRC), from where aid workers were evacuated this month as dissident soldiers seized the town of Bukavu, UN-backed Radio Okapi said Friday.

More than 300 people in the Kasongo region are suffering from diarrhea, some 300 have cholera in Bukavu, capital of Sud-Kivu province, while there was a measles epidemic in other parts of the province, which lies just over the border from Rwanda, the radio reported.

Okapi did not say if the epidemics had claimed any lives.

Bukavu was overrun by dissident soldiers on June 2. They held the town for a week before pulling out without a fight.

According to the United Nations, 13 health centres in the regional capital have been looted, both by the dissident soldiers and by the army troops who chased them out." (AFP 18 June 2004)

### **IDPs are more exposed to HIV/AIDS infection as a result of the conflict (2001-2003)**

- IDPs have no means to protect themselves from HIV/AIDS infection nor access to information about its transmission
- 800,000-1 million children are orphaned because of AIDS
- Eastern provinces have the highest rates of HIV/AIDS infection, with 20-22 percent of population affected
- Coordination of actions against HIV/AIDS in the eastern DRC is not operational and inaccessibility to different HIV/AIDS services is still a major problem in regions outside government control

"Multiple troop movements and population displacements in the DRC, and to and from neighbouring countries with high HIV prevalence rates, have left the DRC well set for "an explosion of HIV/AIDS", according to WHO focal point Dr Tshioko Kweteminga, cited in an agency situation report late last week. [...]

National statistics collected through the health information system suggested that there were just under 10,000 new HIV cases last year but public health authorities have estimated – based on information from five regional sites – that there were in the region of 173,000 new HIV cases each year in the DRC, and almost 1.3 million adults and children living with HIV." (IRIN-CEA 15 August 2001)

"In both government- and rebel-controlled areas, the population has suffered greater exposure to infection as a result of the conflict. People who are internally displaced, or who have lost all means of earning a livelihood, do not have the resources to protect themselves from infection, nor access to information about

"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)

## **Nutrition and food**

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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)

#### **Despite transition government, armed groups continue to loot harvests which contributes to malnutrition (March 04)**

- In Kirothse Health zone, close to Goma, North Kivu, the global malnutrition rate was 7.9 percent
- Malnutrition is due to continued insecurity caused by armed groups despite end of the war
- Fleeing populations in search of calmer locations also share already limited food resources with local resident populations

"Elevated levels of malnutrition prevail in eastern and northern regions of the Democratic Republic of the Congo (DRC), according to a number of recent studies conducted by a variety of UN agencies and NGOs. In the Kirothse Health Zone, 30 km southwest of Goma, in the eastern province of North Kivu, the global malnutrition rate was found to be 7.9 percent of the zone's approximately 500,000 residents, [...]

According to Dr Alpha-Jean Asani Akilimani, chief medical officer of the zone, malnutrition in this otherwise lush and fertile region is due to continued insecurity caused by armed groups which, despite the end of war, continue to impose their own laws and prevent the population from freely cultivating their lands.

"Once populations displaced by fighting return to their lands and resume cultivation, armed groups wait until harvest time to pillage everything that has grown," Asani told IRIN.

Furthermore, he added, fleeing populations in search of calmer locations must share already limited food resources with local resident populations.

"The rate of severe malnutrition is 3.4 percent in this zone, while the global malnutrition rate is 7.9 percent," Lucien Matata, a nutritionist in the zone, said.

He attributed the malnutrition to a lack of protein-rich meats in people's diets, as most livestock is brought to large towns to be sold.

"Parents believe they are meeting their families' needs with the money they make, while malnutrition slowly takes hold," Matata said." (IRIN 18 March 2004)

information, said at a news conference in the capital, Kinshasa, on Wednesday. About 30,000 people normally live in Mambasa.

'It is now the harvest season, but the population does not have access to its fields, and will therefore depend entirely on international humanitarian aid - but this must be sent as soon as possible,' she said.

The heads of the three rebel movements - Jean-Pierre Bemba of the Mouvement pour la libération du Congo (MLC), Roger Lumbala of the Rassemblement congolais pour la démocratie-National (RCD-N), and Mbusa Nyamwisi of the RCD-Kisangani-Mouvement de libération (RCD-K-ML) agreed in the northwestern DRC town of Gbadolite on 30 December to withdraw their forces to the positions they held prior to the most recent outbreak of hostilities.

[...]

The latest round of hostilities among the three rebel movements erupted only three days after the ceasefire was signed, and resulted in the new displacement of thousands of people. According to MONUC, some 130,000 people were already displaced in the surrounding region." (IRIN, 8 January 2003)

*See also 'Informations sur la sécurité alimentaire en RDC No. 27,' FAO, 30 December 2002 [\[click here\]](#)*

### **Alarming high malnutrition rates among displaced and other children (2001-2004)**

- In rebel-held areas, global malnutrition rates among children under five have reached 41 % and severe malnutrition rates up to 25.79% (SCF-UK & Nueva Frontiera surveys)
- In certain parts of government-held areas, global malnutrition rates among children have reached 42% (SCF-UK survey)
- In remote areas of Equateur Province, majority of children under 5 suffer from malnutrition and child mortality rates are reportedly unacceptably high (Dec 01 & Feb 02)
- World Vision found a 13.9% rate of serious malnutrition among children under 5 in Rwanguba health zone (North Kivu)
- In Kindu (Maniema Province), IDP and resident children show alarming signs of malnutrition (June 2002)
- Malnutrition of small children in Baraka, South Kivu (Feb 2002)
- In Gemena (Equateur Province), over one-third of children under five experience stunted growth, while nearly one child in eight was suffering from acute malnutrition and 3 percent from severe malnutrition (March 04)

"In rebel-held areas, the rates of global malnutrition among children under five reported in the past year have reached 41 per cent,[1] with severe malnutrition rates of up to 25.79 per cent.[2] These figures were recorded at the point at which the humanitarian community gained access to previously isolated communities. Consequently, it is reasonable to expect that in areas of the east which continue to be too insecure to allow any form of assistance to be delivered, the situation is at least as bad, and possibly worse. Displaced populations inaccessible in the forests are in a particularly bad nutritional state, as illustrated by WFP's figures for South Kivu, which show that 75 per cent of malnourished children currently registered in feeding centres belong to families which have just emerged from the forests. When Manono and Kiambi (northern Katanga) became accessible in January 2001, Nuova Frontiera conducted a nutritional survey which found a global malnutrition rate among under fives of 32.07 per cent and a severe malnutrition rate of 25.79 per cent" (Oxfam August 2001, p. 26)

*In the Kivus*, "Children, as usual, are being disproportionately impacted by the displacement. Therapeutic and supplementary feeding centers remain full. However, a shortage of therapeutic dry milk is being felt,

"8,230 displaced persons cannot return to their villages because of a lack of housing and clothing," the report stated. "There are some 6,000 persons displaced from Abuzi who are living in camps in the forest who have expressed their strong desire to leave the woods." " (IRIN 18 March 04)

## **Shelter**

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### **Over 10,000 IDPs look for shelter in forest in Walikale, North Kivu (Aug 04)**

« Plus de 10.000 personnes seraient toujours à la recherche d'un abri dans les forêts en dehors de Walikale centre, dans la province du Nord-Kivu, à la suite des affrontements au début du mois de juin dernier. Malgré le retour d'un calme relatif dans la cité, la population tarde à retourner. La forte présence militaire (ex-ANC) ne rassure pas. La population se retrouve dispersée sur différents axes. Avant le 4 juin 2004, Walikale comptait quelque 16.000 habitants. Aujourd'hui, il n'en reste que 2.400. Les acteurs humanitaires tournent au ralenti. » (UN OCHA 20 August 2004)

### **Close to 15,000 IDPs living in the forest in Equateur Province need urgent assistance (June 2004)**

« Les 6.500 déplacés de la forêt de ABUZI et les 8230 déplacés du secteur d'Itimbiri, dans le territoire de Yakoma appellent à l'assistance humanitaire et manifestent vivement le désir de quitter la forêt. Ces déplacés vivent dans des campements qui sont éloignés des centres et agglomérations d'environ 20 Km à 40 Km. Ces déplacés très vulnérables vivent dans des conditions inhumaines et humiliantes. » (UN OCHA 18 June 2004)

### **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

## ACCESS TO EDUCATION

### General

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#### Conflict has had terrible impact on already failing education system (2001-2003)

- 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 for 2000/2001, 3-3.5 million children between 6-11 in DRC do not receive any formal education; 2 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

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)

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. SCUUK 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,

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

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)

*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 (2001-2002)**

- 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
- 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
- Majority of the population survives on informal economic activities, mainly carried out by women (Feb 2002)

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 [4], 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."

[Notes:

[1] The population at the time of the last census (1985) was 34.7 million. Current estimates range from 49 million to 59 million.

[2] Estimates of the population of Kinshasa range from 5-10 million people.

[3] Enquête Socio-Economique, Nord Kivu, Decembre 2000, ASRAMES

[4] 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)

### **Many displaced women have become the head of the household and pay an very heavy price (2001-2002)**

- 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 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

- Many IDPs, host communities and urban residents are affected by chronic food shortages and too high prices due to civil war (1999)
- Most IDPs have found refuge with host families (2000)
- 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)

"Two consecutive wars in 1996-1997 and in 1998 prompted a large number of people to flee their home communities. In most cases, the displaced have lost their belongings and survival means, such as agricultural tools and seeds. They are being hosted by other rural communities whose capacity for agricultural production is already extremely weak due to a continued economic crisis, severe shortages of agricultural inputs and ongoing hostilities. The whole agricultural production system is, therefore, on the verge of collapse as the output dramatically diminishes and the demand for basic produce is almost doubling in the host communities. The most critical issue is the availability of agricultural inputs." (UN July 1999, p.32)

"Congolese people are known for their hospitality. In the African tradition, room must always be made for a guest or those in need. Hundreds of thousands of Congolese who have been displaced by the fighting in eastern DRC have benefited from this tradition. Room has been made at the table in the homes of countless thousands of host communities throughout this war-torn region. Thanks to the generosity of the Congolese and their tradition of helping each other, large camps - so often the mark of similar crises - are not seen.

But this generosity comes at great cost. A household of six can host at most one extra person before the family's food security is seriously impacted. In the Kivus, this number is frequently far exceeded. On a recent mission to South Kivu, Refugees International interviewed displaced and host families where. The situation has reached a point in many communities where host families have exhausted their meager reserves of food and money, placing their own children at risk. When this point is reached, those displaced by fighting must move on in search of other shelter, thus repeating the process with a new host family." (RI 14 September 2000)

"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)

## 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)

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)

"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)

« Avec le retour des 245 retournés du Camp Basadi dont 51 pour Bunia, ce camp cesse d'exister. 11.822 personnes restent au Camp Aéro qui connaît quelques problèmes de sécurité. » (UN OCHA 23 Sept 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.

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 lancée la fameuse « Opération effacer le tableau », une opération militaire de grande envergure menée conjointement par le MLC et le RCD-N qui plongea 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 prémédités 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 forcé.

#### **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 Mambasa 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

"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)

#### **In South Kivu, return of IDPs to Baraka and Fizi areas (Aug 04)**

"According to USAID/OFDA field reports, IDPs have begun to return to the Baraka and Fizi area of southern South Kivu Province. On the Uvira-Baraka axis, an estimated 60 percent of the population has returned, while on the Baraka-Fizi axis only 30 percent of the population has returned." (USAID 20 Aug 04)

In Fizi: "De janvier à mi août 04, le comité territorial de la Croix Rouge de Fizi a enregistré 810 ménages, soit 3376 personnes, rapatriés spontanés. Le nombre ne cesse de croître en prévision de la rentrée scolaire prochaine. Tous ces rapatriés vivent sur la côte car leurs villages sont inaccessibles et leurs habitations ont été détruites par la guerre et les intempéries. Certains rapatriés viennent d'abord prospector le milieu et commencent à préparer les champs." (UN OCHA 13 August 2004)

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)

### **In Equateur, steady flow of return (2002)**

- 80 percent of houses in Ikela (Equateur) have been destroyed during the war and have to be rebuilt now that the displaced are returning home

"Humanitarian interventions increased in scale and effectiveness in stabilised areas such as Equateur, where developments over the past twelve months have shown that a combination of a steady flow of spontaneous returns on the one hand and a proactive process of assessment and introduction of new humanitarian actors on the other can help pave the way towards a transition scheme supported by more appropriate funding channels." (UN OCHA 19 Nov 2002, p37)

## HUMANITARIAN ACCESS

### General

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#### Aid brought by helicopter to IDPs from Kalehe (6 August 2004)

“L’acheminement de l’aide aux déplacés des hauts plateaux de Kalehe pose un sérieux problème étant donné le mauvais état et l’étroitesse de la route entre Kalungu et Shanje. La MONUC et OCHA travaillent de manière coordonnée afin d’acheminer l’aide par hélicoptère. » (UN OCHA 6 August 2004)

#### Humanitarian access difficult in eastern DRC (2003-2004)

- UN urged UPC rebels to improve humanitarian access, particularly in UPC-held areas near Bunia (Feb 2003)
- Renewed insecurity in the Kivus hampered safe and unimpeded humanitarian access (2003)
- AAH withdrew from its humanitarian base in Shabunda for the second time in less than six months due to access problems
- Humanitarian access to Bunia became possible once again with the takeover by Ugandan troops in March 2003
- Access remained difficult despite withdrawal of foreign troops and the set up of transition government (Aug 03)
- Humanitarian needs of population along newly accessible axes of Maniema and South Kivu
- Lack of roads makes it very difficult for humanitarian agencies to access IDPs in South Kivu who would like to return home (April 04)
- 20 aid agencies lost a \$1.5 million in humanitarian supplies, equipment and vehicles due to looting by military and civilian demonstrations in Bukavu, Goma, Kalemie, Kinshasa, and Kindu (June 04)

“45. On 2 December in Bunia, my Special Representative, together with diplomatic and humanitarian representatives, urged the UPC leadership to improve humanitarian access and ensure the protection of civilians and humanitarian staff. That action followed several deliberate incidents of looting of humanitarian supplies and harassment of humanitarian workers, including the arrest or detention of certain NGO staff and the expulsion of an officer from Bunia in the Office for the Coordination of Humanitarian Affairs. While verbal assurances were received, the humanitarian community continues to impress upon UPC the need to deliver on that commitment, particularly by giving access to UPC-controlled areas outside Bunia.

46. The withdrawal of foreign troops significantly altered the security landscape in the Kivus and led to a situation that has become increasingly complex and fragmented. That has led to new displacements in some areas while encouraging the return of previously displaced persons to their homes in other areas. In many areas throughout North and South Kivu, Mayi-Mayi fighters have filled that power vacuum, making it

"The poor state of roads in this province is having a huge impact on the humanitarian situation, especially for humanitarian partners wanting to access or assist vulnerable groups. For example, thousands of IDPs living in Bukavu want to return home to Shabunda Territory but due to the poor state of roads, humanitarian partners cannot accompany their return. For those who want to return on their own, they must face a 10-day trek. The same is true for many other zones in this war-torn province." (UN OCHA 30 April 2004)

*Following clashes in South Kivu in May/June 2004*, "In the Democratic Republic of the Congo, 20 aid agencies lost an estimated \$1.5 million in humanitarian supplies, equipment and vehicles due to recent looting by military and civilian demonstrations.[...]"

Ninety per cent of the humanitarian organizations operating in Bukavu, Goma, Kalemie, Kinshasa, and Kindu have been affected by either looting, suspension of activities, or lack of access to vulnerable groups. A total of 193 staff from more than 30 United Nations agencies and aid organizations was relocated to safer areas." (UN OCHA 28 June 2004)

"[H]umanitarian organisations estimate that approximately 2.6 million vulnerable persons have been affected by the reduction of humanitarian activities. The sectors most affected are health, water, food security, and protection. For example, in Katanga Province, an estimated 61,000 vulnerable persons will not receive planned food and/or seeds and tools assistance because of the looting of WFP and FAO stocks in Kalemie. This includes 9,000 malnourished children and 17,000 children in difficulty. In South-Kivu Province, 514,000 people are no longer receiving health or water and sanitation assistance from INGO IRC, who have suspended their activities.[...]"

Humanitarian organizations are cautiously starting to resume activities in the most affected areas in the Kivus, Maniema, and northern Katanga. For instance, INGO AVSI, who lost everything to looting in Walikale, North-Kivu Province, was able to partially restart its food security activities in the Rutshuru and Masisi Territories. In neighbouring Maniema Province, INGOs are now starting to return to their operations, albeit at reduced staffing levels. In South-Kivu Province, INGOs MSF and ACF continue their health and nutritional activities in Shabunda, but at 50% of their previous capacity. At the end of last week, fewer than 25% of the humanitarian organisations affected by this crisis had returned to normal operations." (UN OCHA 25 June 2004, Bukavu)

### **Fixing of railroad improves access to IDPs in Maniema Province (Aug 04)**

**"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)

Internally, OCHA fully implemented restructuring of its offices, and opened new field offices in the east, which strengthened coordination, and provided more regular monitoring on access and information on the humanitarian situation in the provinces." (UN OCHA 18 Nov 03, p11)

"The United Nations has opened a Humanitarian Information Centre (HIC) in the city of Goma in eastern Democratic Republic of the Congo (DRC), the UN Office for the Coordination of Humanitarian Affairs (OCHA) announced on Tuesday.

Located within OCHA's offices, the purpose of the centre is to create a space for the exchange of vital information among humanitarian actors operating in eastern DRC in order to better coordinate aid to and advocacy for vulnerable populations.

OCHA said that one problem encountered when coordinating the response to any humanitarian emergency was the lack of timely, accurate and relevant information. In order to overcome this problem, OCHA has in recent years opened these centres in areas of complex humanitarian emergencies." (IRIN, 28 January 2003)

"Coordination structures functioned in 2001 according to a two-pronged mechanism decided by the IASC: merging of Humanitarian Coordinator and Resident Coordinator functions and centralized coordination functions in Kinshasa around the UN country team, while at the provincial level, particularly in rebel-held areas, coordination has been entirely delegated to local representatives of UN operational agencies (UNICEF in Northern Kivu and Province Orientale, WFP in Southern Kivu). OCHA was asked to support these provincial humanitarian coordinators.

[...]

Thematic groups have been created in order to re-launch durable solutions: HIV-AIDS (WHO), nutrition (WFP), humanitarian assistance to IDPs and affected populations (OCHA), human rights (OHCHR), logistics (WFP), population, women and development (UNFPA), struggle against poverty (UNDP)." (UN OCHA 26 November 2001)

"In view of the drastic changes that occurred in the political and humanitarian scopes in the DRC over the past years, the existing humanitarian co-ordination mechanisms were deemed no longer suitable for the purposes for which they were established. Hence the multi-donor mission which visited DRC in May 2002 recommended their restructuring, 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. Moreover, the expected consequences of the successive political developments on the humanitarian situation made the restructuring inevitable in view of the challenges to be met in terms of the delivery of humanitarian assistance." (UN OCHA 18 Nov 03, p36)

« Le Bureau des Nations Unies pour la Coordination des Affaires Humanitaires (OCHA) a officiellement transféré, jeudi, la gestion de son antenne humanitaire de Walikale, à l'est de la République Démocratique du Congo (RDC), à des ONG oeuvrant dans cette zone.

Conçue pour faciliter les actions humanitaires et encourager la venue de nouveaux partenaires dans des aires nouvellement accessibles, ces antennes n'ont en effet qu'une durée de vie de six mois. Dans le prolongement de cette dernière toutefois, une autre verra très prochainement le jour à Lubero cette même province du Nord Kivu (Voir l'article : Une antenne humanitaire s'éteint, une autre apparaît).

Les ONG Save the Children et AVSI se sont ainsi proposées de prendre ensemble le relais de la coordination à Walikale. » (UN OCHA 27 August 2004)

« Une mission du HAG (Groupe Restreint de Suivi Humanitaire) à Bukavu pour l'élaboration d'un plan d'action pour le Sud-Kivu. Du mercredi 29 septembre au 1er octobre 2004, le Coordonnateur Humanitaire, M. Herbert McLeod, a conduit une importante mission du HAG en provenance de Kinshasa, comprenant le

## **Coordination between UN peacekeeping mission (MONUC) and other UN agencies in DRC is criticised (2003)**

- Geneva-based Centre for Humanitarian Dialogue issues report criticising lack of coordination between MONUC and other UN agencies in DRC during the period from the Lusaka Agreement of 1999 to September 2002
- MONUC is described as weak, with a non-integrated mission structure
- MONUC describes the report as 'outdated'

"A new report from The Henry Dunant Centre for Humanitarian Dialogue criticises the international response to the crisis in the Democratic Republic of the Congo (DRC), particularly what it perceives as a lack of coordination between the UN peacekeeping mission (MONUC) and other UN agencies in the country.

The paper, entitled 'Politics and Humanitarianism: Coherence in crisis?' includes a case study of the DRC, covering the period from the Lusaka Agreement of 1999 to September 2002.

'Most striking in this case study is the enormous gulf between the scale of the tragedy and the response on every front from the international community ' the report states. 'The response, whether political, military or humanitarian, has been minimal.'

It further states that the consequence of a weak MONUC and non-integrated mission structure was that there was neither a negative nor positive effect on humanitarian space of association with MONUC.

Responding, Nancee Oku Bright, Chief of the Humanitarian Affairs Section of MONUC, called the report 'outdated'.

'Unfortunately, the report is outdated as far as MONUC's recent interaction with the humanitarian community and support to humanitarian action is concerned,' she said.

'Since my arrival in August 2002, we have substantially increased our support to humanitarian action, including monthly deliveries of humanitarian goods for UN and NGO counterparts; a commitment to allow humanitarian counterparts to utilise our logistical resources (planes/boats) as long as it does not interfere with the operations of the mission; increased participation in areas where few humanitarian actors are; back-stopping and supporting OCHA [the UN Office for the Coordination of Humanitarian Affairs] where [we] can; pressuring for access where we are asked by OCHA or others to do so; and increased participation in joint assessment missions and making MONUC resources available to support such missions,' she added." (IRIN, 25 February 2003)

[Click [here](http://www.hdcentre.org/Resources/Documents/Politics%20and%20Humanitarianism.pdf) for the full report, which also includes case studies for Afghanistan and Sierra Leone]

<http://www.hdcentre.org/Resources/Documents/Politics%20and%20Humanitarianism.pdf>

## **International political response**

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### **Deployment of UN mission, MONUC, to help implement Lusaka agreement and monitor security conditions (1999-2004)**

- MONUC Phase I deployed in support of the Lusaka Peace Accords in Nov 1999

withdrawal of foreign troops from the DRC. In addition, riverine units would be used to support the reopening of the Congo river to commercial traffic, the UN said." (IRIN 5 Dec 2002, "MONUC reinforced")

"The United Nations operation in the Congo was the most complex logistical mission ever undertaken by the United Nations, the Fifth Committee (Administrative and Budgetary) was told this morning as it concluded its consideration of the financing of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC)." (UN GA 12 March 2002)

"The arms embargo imposed by the UN Security Council, in Resolution 1493 (July 2003) on the Ituri district and the Kivu province is welcome, but its effectiveness is limited by the lack of capacity and support for MONUC to monitor compliance. MONUC observers are frequently denied access to military installations, airports and other facilities. Their task is made more problematic by the numerous air, lake and land crossings available to arms traffickers. Nor can the embargo address the problem of widespread availability of weapons already in the country." (AI 27 Nov 03)

"The Security Council, this afternoon, extended the weapons embargo against movements and armed groups in the Democratic Republic of the Congo, set to expire on 31 July, for a further year.

Unanimously adopting resolution 1552 (2004) and acting under Chapter VII of the Charter, the Council also requested the Secretary-General to re-establish, within 30 days and for a period ending on 31 January 2005, the Group of Experts initially established by resolution 1533 (2004) to monitor the embargo.

The Council did so in light of the failure by the parties to comply with demands set out in operative paragraphs 15, 18 and 19 of resolution 1493 (2003), to wit: non-interference with freedom of movement of United Nations personnel and providing access to the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) military observers; and no direct or indirect financial or military assistance to movements or armed groups by States." (UN SC 27 July 2004)

"The current UN mission in the DRC, MONUC, has recently been strengthened, following massacres in the Ituri region in mid-2003 that UN peacekeepers were helpless to prevent. In July and August, a French-led European force, deployed in support of MONUC, quelled violence in the town of Bunia, although it did little to address continuing violence in the countryside. On September 1, the French turned the mission over to a new UN force that is operating with a strengthened mandate, allowing the use of force as the UN commander sees fit in order to enforce the peace and assure the safety of Congolese civilians." (RI 18 Sept 03)

"United Nations peacekeepers sent to stem ethnic bloodshed in the Congo's northeastern Ituri region will take up to six months to fully deploy, their commander in the region said on Wednesday....]

Under the new mandate, the U.N. troops can deploy outside the multinational force's zone of operation, beyond Bunia to other towns in the Ituri region and use firepower to quell the militias who still roam the region killing, looting and raping." (Reuters 3 Sept 03)

"On 28 July, the Council adopted resolution 1493, extending the mandate of the United Nations Mission there until 30 July 2004, raising its authorized military strength to 10,800, and instituting a 12-month arms embargo over areas in the eastern part of the country. For the first time since the United Nations Mission was established in November 1999, the Council put it in the context of Chapter VII of the United Nations Charter and authorized "all necessary means" to fulfil its mandate in the eastern part of the country -- the Ituri district and in North and South Kivu - where armed conflict continues." (UNSC 26 Aug 03)

"The Security Council this morning extended the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), which was to expire on 31 July, until 1 October.

reputation for inadequate action that will embolden those wishing to disrupt the peace process in the Congo for personal and political gain." (RI 17 June 2004)

### **The Watchlist on Children and Armed Conflict urges the UN SC to work to end abuses against Congolese children (June 03)**

"This report is a call to all parties to conflict in DRC to immediately halt abuses against children and uphold all international obligations to protect children's security and rights. It is also a call to the international community, particularly the UN Security Council, to work vigorously to ensure the end of abuses against Congolese children and adolescents. This includes abuses committed by all parties to conflict and international personnel stationed in DRC. To this end, the UN Security Council must press for special attention to the security and rights of children in peace negotiations, an end to impunity for crimes against children and support for programs and policies to protect and improve the lives of Congolese children, even as the conflict continues." (Watchlist on Children and Armed Conflict 16 June 03)

## **Donor Response**

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### **DRC is pilot case for Good Humanitarian Donorship (July 2004)**

"A Good Humanitarian Donorship meeting was held in Kinshasa on 27 July. The objective of this meeting was to discuss and agree upon, with more than 70 participants, including the representation of 13 donors and embassies, the proposed Common Humanitarian Strategy for DRC in 2005.

Under the Good Humanitarian Donorship global initiative, donors 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.

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." (UN OCHA 31 July 2004)

### **Donors increase support to DRC following establishment of transition government (2003-2004)**

- Belgium, the US government, and the World Bank all announced increased humanitarian assistance to DRC

"Belgium is to double aid to its former colony, the Democratic Republic of Congo (DRC), to help build public services and allow democratic institutions to take root, [...]." (AFP 6 Oct 03)

"The United States has granted Democratic Republic of Congo's (DRC) government 108 million dollars in aid for development programmes, the head of the US Agency for International Development (USAID) has said here." (AFP 7 Sept 04)

"USAID/OFDA has provided more than \$10.4 million in emergency assistance to the DRC during FY 2003. USAID/OFDA provides emergency assistance in the food security and nutrition sectors, contributes to emergency market infrastructure rehabilitation, and supports agricultural programs for war-affected, vulnerable, and internally displaced persons.

USAID/OFDA's projects target the geographic areas with the highest mortality and malnutrition rates, and encourage implementing NGOs to expand into new areas as security permits. USAID/OFDA supports programs that provide emergency assistance to the most vulnerable, and integrate components for building local capacity in order to promote the development of people's sustainable livelihoods.

USAID/OFDA supports two Emergency Disaster Response Coordinators (EDRCs) in the DRC to monitor the humanitarian situation throughout the country and make programmatic recommendations to USAID/OFDA in Washington.

USAID's Office of Food For Peace (USAID/FFP) has provided 21,770 MT of P.L. 480 Title II Emergency Food Assistance to WFP in FY 2003, valued at approximately \$20 million.

USAID's Office of Transition Initiatives (USAID/OTI) is providing \$4.6 million in FY 2003 for programs in the DRC. USAID/OTI has developed a national, multi-faceted program to support the transition to peace in the DRC. USAID/OTI supports MONUC's Radio Okapi (through Fondation Hirondelle and Search for Common Ground) in order to increase availability and access to balanced information on humanitarian assistance, the peace process, and demobilization and reintegration. Through a sub-grants program with CARE, USAID/OTI provides assistance to local and national groups, and encourages support of the Lusaka Peace Accords and the Inter-Congolese Dialogue.

To date in FY 2003, the State Department's Bureau of Population, Refugees, and Migration (State/PRM) has provided \$3.65 million to assist refugees in the DRC." (USAID, 16 April 2003)

### **ECHO is DRC's largest donor of humanitarian aid (2003-2004)**

- In 2004, 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
- ECHO approved a Euro 35 million package for DRC in 2003 (Jan 2003)
- ECHO funds will partly be used to treat some 60,000 acutely malnourished children and to provide their families with food, seeds and tools
- ECHO will continue to support the Congolese public health system through the provision of drugs, training and supervision
- Since 1998, ECHO has allocated just under Euro 120 million to DRC, making it the country's largest donor of humanitarian aid

"The European Commission has approved a €35 million package to help meet humanitarian needs in the Democratic Republic of Congo (DRC) in 2003. These funds will be channelled through partner organisations working in the field by the Humanitarian Aid Office, ECHO, which comes under the responsibility of Commissioner Poul Nielson. 'ECHO always aims to provide humanitarian assistance on an equitable, needs-driven basis. The DRC programme has been one of our biggest in recent years because

regions of the country," he said. He added that the grant was specifically in support of the ICRC's efforts to assist IDPs.

He said the bulk of Britain's \$27 million in humanitarian assistance had been credited to the ICRC, UN agencies, and NGOs such as Medecins Sans Frontieres (MSF) and Caritas. The \$4 million was in response to an emergency appeal made by the ICRC in December 2002. "Great Britain wants to show its solidarity with the Congolese people during this difficult period," Godefroy said.

In December 2002, the emergency aid fund of the UK Department for International Development had granted the DRC some \$1.16 million towards the cost of medical assistance being provided by MSF in the northern DRC provinces of Equateur and Orientale.

Also in December, a sum of \$800,000 was donated to the international NGO Population Services International towards a programme to fight the spread of sexually transmitted diseases, including HIV/AIDS, which involved the distribution of 21 million condoms for men and 50,000 for women." (IRIN, 5 March 2003)

"The British Secretary of State for International Development pledged US \$38 million to support the peace process in the DRC as part of consistent efforts to fight against poverty in the Great Lakes region on 9 December 2003. The aid will be allocated to the development of a strategic document on poverty reduction, the fight against HIV/AIDS and social service benefits. The DDR process will also receive financial assistance, as would the police and justice departments." (UN OCHA 15 March 2004)

## **Selected UN activities**

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### **Lack of operational capacity affects assistance to IDPs and returnees (August 2004)**

- As of end of August 2004, 45-55,000 IDPs in Mahagi Territory, Ituri District, were accessible but did not receive emergency humanitarian assistance due to lack of stocks

"One of the major unmet humanitarian needs in the Democratic Republic of Congo remains the lack of operational capacity to assist an enormous vulnerable population living throughout a vast and difficult to access terrain. There are currently only 95 international NGOs and representatives from the Red Cross Movement implementing programs in a country with millions of affected populations spread throughout 2.3 million km<sup>2</sup> (a region 213 times the size of Kosovo, 86 times the size of Burundi, and 24 times the size of Liberia). Due to this shortage of operational partners, when humanitarian assistance does arrive in favour of vulnerable groups, like newly displaced persons or returnees, it rarely meets international standards, such as those outlined in the Minimum Standards in Disaster Response (SPHERE Project)." (UN OCHA 31 Aug 04)

« 45 à 55.000 personnes déplacées accessibles mais toujours sans assistance humanitaire d'urgence dans le territoire de Mahagi, District de l'Ituri, Province Orientale. Depuis le mois de juillet 2004, environ 18.673 nouveaux ménages des déplacés (soit 93.000 personnes) ont été enregistrés par les organisations humanitaires et les autorités locales dans tout le territoire de Mahagi. L'ONGI Malteser a étendu la prise en charge médicale des déplacés dans la plupart des centres de santé, proches des sites actuels des déplacés : Jupahoyi, Buu, Gamba, Gwok nyeri et Luga (Territoire de Mahagi). Les ONGI AAA (Agro Action Allemande) et CESVI ont distribué une assistance en vivres PAM et non-vivres UNICEF à environ 20 à 30.000 des 90.000 personnes déplacées le mois dernier par trois semaines d'affrontement entre les FAPC et le FNI. A la fin du mois d'août, 45 à 55.000 personnes accessibles et 15.000 inaccessibles étaient sans assistance du fait de la rupture des stocks d'urgence. De plus de 18.000 familles déplacées, seules 4.095

### **UN agencies and NGOs respond to the needs of newly displaced in North Kivu (October 2004)**

- Essential non-food items such as blankets, jerry cans, plastic sheeting and soap, have begun being distributed to 21,000 IDPs
- Caritas distributes food in collaboration with WFP
- Oxfam will provide potable water

"Thousands of people recently displaced by fighting in the eastern province of North Kivu in the Democratic Republic of the Congo (DRC) began receiving relief aid on Wednesday, the head of the UN Office for the Coordination of Humanitarian Affairs (OCHA) in the main town of Goma said.

Essential non-food items such as blankets, jerry cans, plastic sheeting and soap, have begun being distributed to 21,000 displaced people, the OCHA official, Patrick Lavand'Homme, told IRIN.

The items are being distributed by the NGO, World Vision.

Distribution of food stuffs are to begin on Sunday, Robert Dekker, the official in charge of the Goma sub-office of the UN World Food Programme, said. The Roman Catholic NGO Caritas is set to distribute maize, flour, salt and vegetable oil; the German government's development organisation, GTZ, is organising the storing the food.

OXFAM-UK is to provide potable water. OCHA reported on Tuesday that the displaced people at Ngungu, one of the four sites hosting 4,136 displaced families, are already receiving the water.

The other sites are at Murambi, Gasake, Luinzi and Ruzirantaka, located between 65 and 89 km southeast of Goma. Pit latrines are still urgently needed. "Some 30 have been built, but 150 are still needed to cope with the number of displaced," OCHA said.

OCHA said humanitarian organisations were encouraging the displaced families to form committees to build their own latrines out of material furnished by the UN Children's Fund.

The humanitarian organisations are taking a similar approach to digging ditches to drain rainwater. Water sources in Luzirantaka - an administrative zone in the locality of Lwisi - have caused gastroenteritis among the displaced.

Many people are still in need of sheeting, jerry cans and soap though some have arrived with non-food items they received in August when they were in Numbi, Shanje and Ciamilongue, OCHA said.

OCHA is still assessing the displaced people's need for food. "Many have come with their cattle," OCHA said." (UN OCHA 1 October 2004)

### **Lack of humanitarian presence in Maniema Province (May 2004)**

- 20 percent of population in Maniema are IDPs, and few have received any assistance

In addition to funding within the CAP, donor reported contributions outside the CAP totalled US\$59.7 million at the beginning of August. This included substantial contributions from the European Commission, in particular in the health sector." (UN OCHA 31 July 2004)

"The year 2003 will be characterized, for the first time in a decade, by a flow of fund contributions for peace-keeping and economic rehabilitation purposes. It is essential that the needs of the voiceless and of those most exposed to armed violence be also addressed through a robust humanitarian response. The CAP 2003 for the Democratic Republic of Congo will seek approximately US\$ 270 million." (UN, 16 January 2003, p1)

#### **MONUC has developed with OCHA a mapping system to determine areas of origin of IDPs (March 2004)**

"MONUC is also assisting humanitarian actors in addressing the difficult problem of the return of some of the 3.4 million internally displaced persons in the Democratic Republic of the Congo to their areas of origin. MONUC has initiated and developed, with assistance from the Office for the Coordination of Humanitarian Affairs, a mapping system to determine areas of origin of internally displaced persons. MONUC has also participated with the Office for the Coordination of Humanitarian Affairs, and other United Nations and nongovernmental organizations (NGO) partners in humanitarian missions to numerous areas of population displacement. The Mission pursued a three-pronged strategy of discussing with internally displaced persons their requirements for return, conducting dialogue with communities in areas of return to prepare the ground for acceptance of internally displaced persons back into their communities and securing agreement from military commanders in the areas of return to ensure the protection of the returnees. United Nations agencies and NGOs are providing short-term assistance to facilitate the sustainable readjustment of the displaced into their communities. To foster dialogue on cross-cutting issues, my Special Representative holds quarterly meetings with international NGOs and monthly meetings with the United Nations country team." (UN SC 25 March 2004, para.53)

#### **Inter-agency mission assesses IDP situation nationwide (January 2003)**

- Inter-agency assessment mission to DRC in January 2003 aims to devise strategic plans to overcome IDP problem country-wide
- Agencies/ institutions with humanitarian or recovery/ reintegration mandates were invited to participate
- UN IDP Unit conducted preliminary missions to DRC in October and December 2002

"An inter-agency mission will begin a two-week tour on Monday to assess the situation of internally-displaced persons (IDPs) in the Democratic Republic of the Congo (DRC) with a view to devising strategic plans to overcome the country-wide problem, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA).

The country has an estimated 2.4 million IDPs according to the 2003 Consolidated Inter-Agency Appeal. OCHA said on Thursday that the recent withdrawal and demobilisation of foreign troops in the DRC had led to significant changes on the ground: certain areas previously inaccessible were now reachable for humanitarian organisations, and that might encourage the return of IDPs. Conversely, increased insecurity in other areas due to renewed fighting between Congolese armed groups was hampering the delivery of humanitarian aid to vulnerable populations and resulting in further displacement and increased protection problems.

IDPs, most of whom were women and children, received WFP emergency food assistance comprising maize flour, pulses, beans and vegetable oil.

WFP said it was currently targeting around 1.5 million IDPs throughout the DRC, whose living conditions and nutritional status were extremely insecure. A further special airlift operation to deliver about 102 mt of food to Kasongo and the surrounding area in southeastern DRC is also being planned.

However, WFP cautioned, there were still significant numbers of people within the country whom WFP had been unable to reach because of prevailing insecurity. The agency said it would be appealing for further resources to assist these people once they had been reached and identified." (IRIN, 21 February 2003)

"In the Democratic Republic of the Congo, FAO said that harvesting of the 2003 second-season food crops was underway in eastern and northeastern regions. However, favourable growing conditions notwithstanding, production was expected to be sharply reduced following the escalation of the civil war in these areas, mainly in Ituri District. In mid-June, FAO and the UN World Food Programme jointly approved an emergency operation to assist 483,000 of the most affected people in the northern and eastern parts of the country, including the internally displaced, returnees from neighbouring countries and other vulnerable groups. The operation, to last six months starting mid-June, would provide 32,236 mt of cereals and 9,934 mt of beans." (IRIN 29 Aug 03)

"Some 20,000 people who have sought refuge in Bunia, the main town of the troubled Ituri District of northeastern Democratic Republic of the Congo (DRC), have started to receive some 400 mt of food aid from the UN World Food Programme (WFP), the agency announced on Wednesday.

However, WFP warned that with displaced people continuing to arrive in Bunia daily, attracted by its relative security, supplies would become strained.[...]

Prevailing insecurity in Ituri has meant that humanitarian access to Bunia is possible only by air. Two aircraft from the EU-led force are, therefore, delivering food daily to Bunia from Entebbe in neighbouring Uganda." (IRIN 21 Aug 03)

"WFP's plan to mobilize 84,000 MTs of food to feed 1.1 million IDPs, malnourished children and lactating nursing women, refugees, returnees and other vulnerable groups broadened as access improved and the agency had to review its planned food assistance in order to attend to the needs of vulnerable populations in the newly accessible areas. Consequently, it launched an emergency operation for an additional 46,000 MTs to feed 483,000 people in Bunia, Lubero, Beni, Ruzizi plains, Baraka, Fizi, Kitutu, Rural Kindu, Kasongo, Kabalo, Nynzu, Kongolo and Kalemie.

According to the latest Food Crops and Shortages report released by FAO despite favorable conditions, this season may not experience positive crop production due to fighting mainly in Ituri. WFP and FAO joint emergency operation to assist 483,000 persons in the northern and eastern part of the country which started in mid June continued till December 2003 and provided assistance amounting to 32,236 Mt of cereals and 9,934 Mt of beans. Donations of \$4.3 million from the EC and \$9.5 million from the US have provided WFP with 41% of the \$38 million it requested in its appeal to feed the above-mentioned vulnerable population." (UN OCHA 15 March 2004)

### **IDP camps in Ituri receive assistance by international and local NGOs (2003)**

- Coordination of assistance to IDPs by OCHA

"The UN Office for the Coordination of Humanitarian Affairs (OCHA) began handing over to a French NGO on Saturday the coordination and supervision of a camp hosting 11,240 internally displaced people in Bunia town, Ituri District, northeastern Democratic Republic of the Congo (DRC).

## **UNICEF and NGOs work to protect women and children against sexual violence (May 2004)**

"UNICEF has supported, since 2002, a number of national and international organisations such as Doctors on Call for Services (DOCS), Panzi Hospital, International Rescue Committee (IRC), GTZ and COOPI, to provide essential medical treatment and psychosocial responses. Where communities have been displaced, traditional prevention mechanisms have been eroded. UNICEF has supported a warning and prevention system to enable communities to protect their women and children against sexual violence. A training programme for health care workers, community leaders, women's groups, justice and security personnel is being developed to ensure wider accessibility for women and children to assistance when required.

UNICEF, with various implementing partners, provided support to 5,000 children and women survivors of sexual violence with medical care and/or psychosocial support as well as ensured that 550 vulnerable children and women, some HIV+, benefited from skills training and micro credit programmes." (UNICEF 7 May 2004)

"Overwhelmed by the extent of the suffering that is still going on today, MSF started treating victims of sexual violence in an emergency hospital set up in Baraka in July 2003. Between August 2003 and January 2004, more than 550 victims of sexual violence have come for consultations and it is believed that hundreds more are still cut off from help in inaccessible areas." (MSF 1 April 2004, Introduction)

## **Emergency Education programs for displaced children (January 2003)**

- UNICEF focuses on educational activities for displaced and war-affected children
- UNESCO, with its partners, developed a programme aiming to respond to immediate needs of children obliged to drop out of school

"Both UNICEF and UNESCO have developed a philosophy on emergency education (in the context of the rehabilitation of the education structure as a whole, which is a long-term process, but each targets different groups.

UNICEF focuses on educational activities for displaced and war affected children, mainly in the most affected areas of the country (Kivus, Orientale, Northern Katanga, Equateur, Maniema and the Kasai). This programme was developed under the UNICEF Education Regular Programme's Plan of Action to ensure a complementarity between UNICEF regular and emergency education programmes in DRC in the DRC.

UNESCO developed a programme within the context of the global 'Education For All' appeal with several major partners including UNDP, UNFPA, UNICEF, UNESCO and the World Bank. Their aim is to respond to the immediate needs of children who have been obliged to drop out of school over the past period, especially disabled children, ex-child soldiers and orphan street children." (UN, 16 January 2003, pp44-45)

## **UNICEF, International and local NGOs in the area of Child Protection (2002-2004)**

- UN agencies, the DRC government and NGOs have established centers for street children
- Within the light of the DDR process, first objective is support to demobilization, disarmament and reintegration of child soldiers

## **Emergency Humanitarian Interventions (EHI) and Quick Impact Projects benefit IDPs (2003)**

- EHI is a UN inter-agency rapid response structure
- EHI concept is meant to operate as first aid mechanism aiming at saving lives and restoring family and communal livelihood

"While designed to enhance the UN's emergency preparedness capacity, the EHI [Emergency Humanitarian Interventions] concept is meant to operate as first aid mechanism aiming at saving lives and restoring family and communal livelihood. The scope of interventions under EHI will be limited to emergency food, distribution of seeds, tools, medical assistance, emergency water projects and control of epidemics.

[...]

EHI will be managed by the Office of the UN Humanitarian Co-ordinator in conjunction with the UN Country Management Team. All donor contributions for EHI are proposed to be channelled through OCHA and earmarked for a specific activity [...]" (UN November 1999, pp. 19, 57)

« In 2003 Emergency Humanitarian Interventions (EHI) were conducted to the sum of US\$ 400,000 supporting more than 25 emergency humanitarian actions and numerous interdisciplinary assessment missions in attempts to consolidate access. » (UN OCHA 18 Nov 03, p11)

## **Humanitarian agencies complete first round of training on IDP principles (2003)**

"The Norwegian Refugee Council and the IDP unit of the UN Office for the Coordination of Humanitarian Affairs (OCHA) have complete the first round of training workshops on the UN Guiding Principles on Internal Displacement, the agencies reported.

In their October update, the agencies said that since April 2003, they had conducted nine two- to three-day workshops in the Democratic Republic of the Congo (DRC).

"The workshops constituted the first phase of a long-term programme designed to identify and promote durable solutions for the country's IDPs [internally displaced persons] by raising awareness of the Guiding Principles - the key international framework for assisting and protecting IDPs - among the government, local authorities, non-governmental organisations, aid workers and internally displaced persons themselves," the agencies reported.

They said their joint training programme had been developed following two UN inter-agency missions to the country in 2002 and early 2003, which had identified a lack of knowledge and training on IDP issues." (IRIN 21 Oct 03)

## **Selected activities of the Red Cross Movement**

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**ICRC provides assistance, including family reunification, for IDPs in DRC (2003-2004)**

bornes fontaines et la pose de la conduite d'adduction sur 6,5 km, selon le CICR. "La population a participé à ces travaux en creusant des tranchées," a précisé le CICR.

Le groupement de Mudusa est situé à 12 km à l'ouest de la ville de Bukavu, le chef-lieu du Sud Kivu. Selon le CICR, des besoins supplémentaires en eau potable sont apparus du fait de l'arrivée d'un nombre important de déplacés internes dans les alentours de cette ville et dans le territoire de Walungu, du fait de l'insécurité. » (IRIN 17 March 2004)

## Response by Non Governmental Organisations

### NRC provides information and counseling to IDPs on their rights, including for return (2004)

- NRC organizes training workshops with international and local partners on the rights of IDPs, as well as radio programmes
- NRC provides information and counseling to IDPs on return
- NRC has promoted the establishment of local commissions identifying the needs of IDPs and response

#### I. « Programme de vulgarisation des droits des déplacés internes »

Ce programme a débuté en Avril 2003 avec des Ateliers de formation sur les principes directeurs relatifs au déplacement de personnes à l'intérieur de leur propre pays, des Emissions radio diffusées, des sketch radio diffusés et des publications de documentations sur les droits des déplacés.[...]

Les ateliers ont été organisés à Goma, Kalemie, Kinshasa, Masisi, Beni, Kasongo dans la Province de Maniema,...Le tableau ci-dessous reflète les ateliers exécutés du 1 janvier au 30 juin 2004.

| Atelier                                    | Collaborateurs                | Période            | Nombre des participants | Lieux                |
|--------------------------------------------|-------------------------------|--------------------|-------------------------|----------------------|
| Atelier de restitution                     | ONG<br>ACADDE                 | 12 au 14<br>.01.04 | 58 personnes            | Goma                 |
| Atelier de formation                       | OCHA                          | 16 au<br>17.02.04  | 58 personnes            | Walikale             |
| Atelier de formation des ONG locales       | Société civile                | 23 au<br>25.02.04  | 58 personnes            | Kalemie              |
| Atelier de formation des Eglises           | Commission<br>des Eglises     | 5 au<br>7.04.04    | 50 personnes            | Kalemie              |
| Atelier de formation                       | Commission<br>Justice et Paix | 20 au<br>22.04.04  | 51 personnes            | Masisi/<br>Bobandana |
| Atelier de formation des autorités locales | Autorité locale               | 6 au<br>8.05.04    | 42 personnes            | Masisi<br>centre     |
| Formation des représentants des déplacés   | Comité<br>des déplacés        | 13 au<br>15.05.04  | 41 personnes            | Beni                 |
| Formation des déplacés ITURI               | ONG<br>des femmes             | 25 au<br>27.05.04  | 59 personnes            | Goma                 |

paix dans les villages, procède à des médiations entre population suivant les cas recueillis par l'équipe mobile et analysé par l'équipe technique du Conseil Norvégien pour les Réfugiés (NRC).

- La deuxième phase de l'aide juridique aux déplacés se rapporte à la saisine des juridictions judiciaires par l'équipe des avocats soutenus par le NRC et ce, pour des cas non résolus à l'amiable par les commissions d'accueil et réinstallation des déplacés.[...]

### **III. Programme de plaidoyer en faveur des déplacés internes.**

#### **1. Le renforcement des capacités locales à traiter la question des déplacés.**

Des ateliers qui ont été organisés à l'attention des autorités locales, des représentants des organisations locales, des églises et des déplacés internes ont abouti à la mise sur pied des structures locales de protection des déplacés internes ayant en charge l'identification des déplacés et leurs besoins, l'étude des violations des droits des déplacés et les contacts avec les acteurs politiques et humanitaires pour une assistance en faveur des déplacés. De telles commissions sont opérationnelles dans la Province du Nord-Kivu, à Masisi, Kitchanga, Bweremana et Beni, dans la Province du Katanga (Kalemie), et celle du Maniema (Kasongo). » (NRC 30 June 2004)

#### **CARITAS is supporting the return of IDPs who had found refuge close to Kalemie, Katanga (July 2004)**

- Programme will assist 15,000 people
- Distribution of return kits, food, seeds and tools

“Caritas prévoit le démarrage de son projet d'appui à la réinsertion socioéconomique des ménages des retournés sur financement de l'ONGI CORDAID. Faute de moyens suffisant, environs 3.000 ménages des retournés des camps de Lubwe et Makala situés respectivement à 7 et 17 Km de Kalemie seront touchés soit 15.000 personnes. Le type d'assistance prévu porte sur une distribution des kits de retour, des vivres pour une prise en charge alimentaire qui va s'étendre sur une période des trois mois, la distribution de semences et outils aratoires pour faciliter le développement des mécanismes d'auto prise en charge dans les villages de retour. La construction des infrastructures scolaires permettra également de promouvoir l'éducation des enfants des ménages retournés et l'élargissement du projet à toutes les communautés. » (UN OCHA 30 July 2004)

#### **MSF provides medical assistance to IDPs in eastern DRC – although access is limited (2003-2004)**

- Fighting in 2003 prevented MSF medical teams accessing large parts of the population
- MSF monitored the health situation of 100,000 IDPs in Bunia (July 03)
- MSF provided assistance to IDPs and other vulnerable people in Kitenge, Katanga Province (March 04)

“As fighting continues to ravage the eastern part of the Democratic Republic of Congo (DRC), about 35,000 people fled from heavy artillery shootings around their home town of Makeke, on the border between North-Kivu and Ituri, to the town of Beni on December 31st. MSF has been present in the Beni area since early December and has already seen tens of thousands displaced people arriving, seeking refuge from war.

There have been several cases of rape case who have been cared for by MSF teams.

MSF is also treating 100 severely malnourished children in a therapeutic feeding center (TFC) in Kitenge.” (MSF 4 March 2004)

**Catholic Relief Services (CRS) provides assistance to IDPs from Lomami River Valley, central DRC (2003)**

- CRS has worked in DRC since independence from Belgium in 1960 - in the fields of emergency relief, food security, community health and peace and reconciliation
- As the only international NGO working in the area, CRS assisted thousands of IDPs in Lomami River Valley with non-food items and medical care (2003)
- CRS and local partner Caritas Congo organised a convoy of 700 returning IDPs and humanitarian aid from the capital, Kinshasa, to Bena-Dibele (April 2003)

Catholic Relief Services (CRS) today announced plans to assist more than 30,000 people displaced by fighting in the Lomami River Valley in central Democratic Republic of the Congo. The area has been cut off from the capital, Kinshasa, since the war began in 1998.

‘Many people fled with only the clothes on their backs,’ said Kevin Hartigan, CRS’ Regional Director for Central Africa. ‘We are working to get relief supplies to those who have been displaced. At the same time, we’re also looking to the longer term effect of this situation and are providing tools, seeds and other staples people will need to begin their lives again.’

CRS and local partners from the Diocese of Tshumbe will distribute cooking utensils, clothing, agricultural tools and seed, fishing lines and hooks, mosquito nets and soap to those affected. Additionally, displaced families will receive medical consultations and basic medicines. CRS is the only international nongovernmental organization working in the area.

Since last April, sporadic fighting between the Mai Mai and the Rwandan-backed Rassemblement Congolais pour la Democratie-Goma has created instability in the area. As attacks have continued and increased in intensity, villagers have been caught in the middle, with both groups accusing them of collaborating with the other. Those who have been displaced report looted and burned villages, destroyed crops and a host of human rights abuses, including rape, torture and targeted executions.

Now in its fifth year, the ongoing conflict in the Democratic Republic of the Congo has been called ‘Africa’s first World War.’ At least seven African countries and three rebel groups have been involved, and more than 50 million innocent lives have been disrupted and jeopardized.

CRS has worked in the Democratic Republic of the Congo since its independence from Belgium in 1960. Program areas include emergency relief, food security, community health and peace and reconciliation work.” (CRS, 7 March 2003)

“Catholic Relief Services (CRS) and local partner Caritas Congo today announced the departure of a convoy carrying 700 returning displaced persons and humanitarian aid from the capital, Kinshasa, to rebel-controlled Bena-Dibele, some 1300 kilometers upriver. This action marks the first significant attempt to reunite families separated by the civil war’s frontline.

## **SCF: Improving health care and food security of displaced women and children (2002-2004)**

- SCF-UK has offices in Kishasa, as well as in Goma, Bukavu, Bunia and Kalemie cities in the east
- In eastern DRC SCF-UK seeks to encourage the return of displaced families to their villages of origin

"Save the Children UK (SC UK) began working in the Democratic Republic of Congo (DRC) formerly known as Zaire, in August 1994, running a family-tracing programme for Rwandan refugees in camps around Bukavu. Having completed this work, SC UK shut down its operations in July 1996. Later that year, when civil war broke out in Zaire, SC UK was invited back as the lead NGO in the repatriation of Rwandan refugee children. In addition to family tracing in South Kivu SC UK also ran a therapeutic feeding programme for severely malnourished displaced and refugee children.

SC UK maintains field offices in Goma, Bukavu, Bunia and Kalemie cities in the east of the country. These areas are controlled by rebels, making work difficult in terms of security and logistics. SC UK has helped to negotiate access for humanitarian agencies in these areas, and works to build close co-operation and co-ordination amongst international NGOs, and between NGOs and the local authorities.

SC UK opened a country office in Kinshasa in January 1998, where it runs a multi-sector urban programme which aims to prevent children moving onto the street. SC UK is currently exploring possibilities for further programmes in western DRC.[...]

In the war affected areas in East DRC SC UK seeks to encourage the return of displaced families to their villages of origin. Despite security having been restored to some areas, the loss of basic means of production and destruction of social infrastructure have been major factors preventing displaced families from returning. Over the course of the year SC UK, with support from ECHO provided 13,867 vulnerable households with seeds, tools, household kits and some food aid. In addition, eighteen primary schools were rehabilitated; 7,174 pupils provided with school supplies and 51 kilometres of roads were rehabilitated. " (SCF-UK June 2002)

"In the absence of formal structures to ensure the protection of vulnerable children, Save the Children has supported the establishment of informal child protection networks. These help ensure that demobilised child soldiers and others who have been reunited with families are protected by their communities from further risk. In the past year Save the Children has been focusing on strengthening these networks through various means, among them community discussion groups.[...]

### **Child soldiers**

Save the Children's advocacy work in the DRC has focused on preventing the recruitment of child soldiers and raising awareness amongst military authorities of children's rights, including their right to protection. Since 1999 Save the Children has also supported the successful demobilisation and community reintegration of over one thousand former child soldiers, mainly in North and South Kivu provinces.

### **Children separated or expelled from families**

In North and South Kivu provinces Save the Children has continued its programme of identification, documentation, tracing and reintegration of separated children. In the first three months of 2003 the organisation launched an additional emergency IDTR programme in response to the sharp rise in the number of displaced people in the Beni-Mambasa area due to the abrupt escalation of conflict. Between January and March 2003 over 650 children were identified.[...]

### **Health care**

## **References to the Guiding Principles on Internal Displacement**

### **Known references to the Guiding Principles (as of October 2004)**

- 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**

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

Date: March 2003

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

IDP Unit and NRC, Workshop on Internal Displacement and the Guiding Principles, Kinshasa, 26-28 May 2003 [Link below]

For other NRC workshop reports, please see [Internet]

## ABBREVIATIONS AND ACRONYMS

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|            |                                                                                                                                             |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| ACF        | Action Against Hunger (Action contre la faim)                                                                                               |
| ACT        | Action by Churches Together (ACT)                                                                                                           |
| ADFL       | Alliance of Democratic Forces for the Liberation of Congo-Zaire (Alliance des forces démocratiques pour la libération du Congo-Zaire)       |
| ADF        | Alliance of Democratic Forces                                                                                                               |
| ADL        | Local Defense Unit                                                                                                                          |
| ANR        | National Information Agency                                                                                                                 |
| APC        | Popular Congolese Army (Armée Populaire Congolaise)                                                                                         |
| BOAD       | Ecumenical Office for Support to Development                                                                                                |
| Coltan     | Colombium Tantalum                                                                                                                          |
| CRS        | Catholic Relief Services                                                                                                                    |
| DDRR       | disarmament, demobilization, repatriation and reintegration operations                                                                      |
| DPKO       | UN's Department of Peacekeeping Operations                                                                                                  |
| DMIAP      | Détection Militaire des Activités Anti-Patriotiques                                                                                         |
| DRC (RDC)  | Democratic Republic of the Congo (République Démocratique du Congo)                                                                         |
| ECC        | Congolese Church of the Christ (Eglise Congolaise du Christ)                                                                                |
| ECHO       | European Union Humanitarian Office                                                                                                          |
| EHI        | Emergency Humanitarian Intervention                                                                                                         |
| ex-FAR     | Former Rwandan Armed Forces (Ex- Forces Armées Rwandaises)                                                                                  |
| FAC        | Congolese Armed Forces (Forces Armées Congolaises)                                                                                          |
| FAO        | Food and Agriculture Organization                                                                                                           |
| FAZ        | Zairian Armed Forces (Forces Armées Zaïroises)                                                                                              |
| FDD        | Forces for the Defense of Democracy (Forces pour la Défense de la Démocratie)                                                               |
| FLC        | Front for the Liberation of Congo (Front pour la libération du Congo)                                                                       |
| ICG        | International Crisis Group                                                                                                                  |
| ICRC       | International Committee of the Red Cross                                                                                                    |
| IDP        | Internally Displaced Person                                                                                                                 |
| ILO        | international Labor Organization                                                                                                            |
| IMC        | International Medical Corps                                                                                                                 |
| IRC        | International Rescue Committee                                                                                                              |
| IRIN       | Integrated Regional Information Network                                                                                                     |
| JMC        | Joint Military Commission                                                                                                                   |
| MLC        | Movement for the Liberation of the Congo                                                                                                    |
| MONUC      | United Nations Observer Mission in the DRC (Mission d'Observation des Nations Unies au Congo)                                               |
| MSF-H      | Médecins Sans Frontières- Holland                                                                                                           |
| NGO (ONG)  | Non Governmental Organization (Organisation non gouvernementale)                                                                            |
| OAU        | Organization of African Unity                                                                                                               |
| OCHA       | United Nations Office for the Coordination of Humanitarian Affairs                                                                          |
| OFDA       | U.S. Office of Foreign Disaster Assistance                                                                                                  |
| OHCHR      | Office of the High Commissioner for Human Rights                                                                                            |
| PALIPEHUTU | Party for the Liberation of the Hutu People (Parti pour la Liberation du Peuple Hutu)                                                       |
| PPU        | Presidential Protection Unit                                                                                                                |
| PRRO       | Protracted Relief Recovery Operation                                                                                                        |
| RCD-Goma   | Congolese Rally for Democracy – Goma (Rassemblement Congolais pour la Démocratie)                                                           |
| RCD-ML     | Congolese Rally for Democracy-Movement of Liberation (Rassemblement congolais pour la démocratie-Mouvement de libération)                   |
| RCD-N      | Congolese Rally for Democracy-Movement of Liberation-National (Rassemblement congolais pour la démocratie-Mouvement de libération-National) |
| RPA        | Rwandan Patriotic Army                                                                                                                      |
| SADC       | Southern African Development Community                                                                                                      |

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