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DR Congo: Massive Increase in Attacks on Civilians

Government and UN Peacekeepers Fail to Address Human Rights Catastrophe

July 2, 2009

(Goma, Democratic Republic of Congo) - United Nations-backed Congolese armed forces conducting intensified military operations in eastern and northern Democratic Republic of Congo have failed to protect civilians from brutal rebel retaliatory attacks and instead are themselves attacking and raping Congolese civilians, Human Rights Watch said today. The attacks on civilians from all sides have resulted in a significant increase in human rights violations over the past six months.

"The Congolese government's military operations have been a disaster for civilians, who are now being attacked from all sides," said Kenneth Roth, executive director of Human Rights Watch, on a visit to eastern Congo. "Congo and the UN need to take urgent measures to protect people and keep this human rights catastrophe from getting even worse."

Since January 2009, nine Human Rights Watch fact-finding missions to frontline areas found a dramatic increase in attacks on civilians and other human rights abuses in Lubero, Rutshuru, Masisi, and Walikale territories in North Kivu, Kalehe and Shabunda territories in South Kivu, and Haute Uele district in northern Congo.

The Congolese army initiated military operations against the Ugandan Lord's Resistance Army (LRA) rebels in December 2008 in northern Congo, followed a month later by the launching of operations in eastern Congo against the Democratic Forces for the Liberation of Rwanda (FDLR), the Rwandan Hutu militia. Since then, the rebel forces and Congolese army troops combined have killed more than 1,500 civilians, raped thousands of women and girls, abducted hundreds of adults and children, and burned to the ground thousands of homes, sometimes entire villages.

According to the UN, more than a million people have been forced to flee for their lives from these conflict areas, adding to the tens of thousands of others displaced from earlier waves of violence. Many of those newly displaced have limited or no access to humanitarian assistance.

Retaliatory Attacks by FDLR and LRA Rebel Groups

FDLR and LRA combatants are responsible for the great majority of killings of civilians documented by Human Rights Watch. Both armed groups are deliberately terrorizing and punishing civilians and attacking their property as a military tactic in retaliation for Congolese government military operations. Those who committed or ordered such attacks are responsible for war crimes.

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Kenneth Roth, executive director

On May 10, for example, FDLR combatants brutally massacred at least 86 civilians, including 25 children, 23 women, and seven elderly men at Busurungi, in the Waloaloanda area of Walikale territory, North Kivu. Twenty-four others were seriously wounded. Some of the victims were tied up and executed; others were shot or their throats were slit by knives or machetes as they tried to flee. A number of people were burned to death when FDLR combatants deliberately locked them in their homes and torched the village.

One witness who lived near the village outskirts took four of his children by the hand and ran, calling on his wife to take the other children. "I was the first out the door holding the children behind me and calling on my wife to follow," he told Human Rights Watch. "But she was too late. The FDLR pushed her back in the house with my daughter and brother and then set it on fire. We heard their screams as we ran away."

The FDLR carried out similar attacks in Mianga, Walikale territory, on April 12, killing 45 civilians including decapitating the local chief, and in Chiriba, Kalehe territory, around May 25, killing 10 civilians. Human Rights Watch found that in total at least 403 civilians were killed by the FDLR since January 2009.

The LRA, whose leaders are wanted by the International Criminal Court for war crimes and crimes against humanity committed in Uganda, are currently in northern Congo and continued their brutal attacks against civilians, bringing the death toll to more than 1,000 civilians since December. Abductions of children and adults have increased, indicating that the LRA may be seeking to replenish its ranks. In two attacks in early June in Dakwa, local sources reported that the LRA abducted some 135 adults and children.

The Congolese army's operations against these two cross-border groups were initially supported by Ugandan forces in northern Congo and Rwandan forces in eastern Congo, and since March by UN peacekeepers in Congo (MONUC). These forces have provided only limited protection for civilians from the deliberate and brutal rebel attacks.

"Rebel atrocities against civilians in eastern and northern Congo seem boundless," said Roth. "The Congolese army should recognize by now that offensive military operations need to include effective measures to protect vulnerable civilians from these predictable retaliatory attacks."

Abuses by the Congolese Army

Congolese army soldiers have also committed war crimes against civilians. Soldiers have deliberately attacked civilians whom they accused of collaborating with the FDLR, raped women and girls, looted, unlawfully forced civilians to act as porters, and torched homes in villages that they claim harbored FDLR supporters.

In an attack on an FDLR position in Shalio, near Busurungi, in late April, Congolese army soldiers killed an unknown number of FDLR family members and Rwandan refugees. This possibly led to the brutal May 10 reprisal attack by the FDLR on Busurungi.

Rape cases have also dramatically increased in areas of Congolese army deployment. In nearly all the health centers, hospitals, and rape counseling centers visited by Human Rights Watch, rape cases had doubled or tripled since the start of military operations in the Kivus in January. While all sides continue to use rape and other sexual violence as a weapon of war, the majority of the rape cases investigated by Human Rights Watch were attributed to soldiers from the Congolese army.

The Congolese army's practice of forcing civilians to provide dangerous labor has put civilians further at risk. Hundreds of

civilians have been regularly forced at gunpoint to carry heavy ammunition and other supplies for Congolese forces. On June 21, Human Rights Watch researchers witnessed dozens of civilians being forced to carry supplies for the army from Bunyakiri in Kalehe territory while soldiers deployed to frontline positions in South Kivu.

Salary arrears, limited food rations, and an unclear chain of command following the integration of more than 12,000 former Congolese rebel combatants into the army's ranks in early 2009 have contributed to the rise in abuses against civilians. In Kalehe territory in South Kivu, soldiers who had not been paid for five months are regularly pillaging, looting, and extorting the civilian population. On June 15, government soldiers, angry because they had not been paid, tried to kill their commander and then attacked a UN base in Pinga, North Kivu. On June 17, more than 30 armed soldiers who had not been paid deserted in Ngora, Walikale territory.

Senior army officials conceded the problem of salary arrears and told Human Rights Watch that soldiers involved in military operations were now being paid, although Human Rights Watch could not independently verify the claim.

The integration into the top ranks of the Congolese army of individuals implicated in serious human rights abuses further exacerbates an already dangerous human rights environment. The most glaring example is Bosco Ntaganda, now a general in the Congolese army involved in military operations in eastern Congo, who is wanted on war-crimes charges by the International Criminal Court.

"The government's failure to feed and pay its soldiers regularly is a virtual invitation for them to prey on the civilian population," said Roth. "Then to allow these troops to be led by commanders like Bosco Ntaganda with a known track record of horrific abuse creates a climate in which atrocities flourish."

Limited Protection of Civilians by UN Peacekeepers

UN peacekeepers in Congo, MONUC, have provided logistical, planning, and other support to the Congolese army's operations, known as "Kimia II." But the peacekeepers have not exerted adequate pressure on the Congolese army to stop brutal abuses.

The peacekeepers began an initiative in early 2009, known as joint protection teams, to act as an early-warning system in areas where civilians might be at risk of attack. While these teams have gathered important information and sometimes contributed to reducing abuses, their recommendations to UN peacekeepers and Congolese forces have rarely been followed.

Following the Busurungi massacre in May, a UN assessment team visited the area and recommended urgently setting up a base nearby to protect local people. To date, no base has been established, and there have been no regular UN patrols from existing bases. UN officials told Human Rights Watch that a base is due to be established in the coming days. Congolese soldiers who fled the area following the attack have also not provided adequate protection for civilians.

"Civilians at risk of rebel attack in the Waloaloanda area have been left too long without adequate protection even though MONUC has identified the area as a priority protection zone," said Roth. "The MONUC command should not delay any further, and should urgently deploy peacekeepers to the area."

Congolese forces and UN peacekeepers have also yet to establish promised humanitarian corridors that would allow a safe exit from conflict zones for thousands of Rwandan refugees and FDLR combatants who wish to disarm voluntarily. Congolese and UN officials have said that such individuals will be allowed safe passage.

"UN peacekeepers should not support Congolese armed forces that are committing war crimes and failing to protect civilians and refugees," said Roth. "By continuing to back such military operations, the peacekeepers risk becoming complicit in abuses."

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