

**Flygtningenævnets baggrundsmateriale**

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# DR Congo: Rwandan Forces, M23 Rebels Shell Civilians

Congolese Army Puts Displaced People Around Goma at Greater Risk



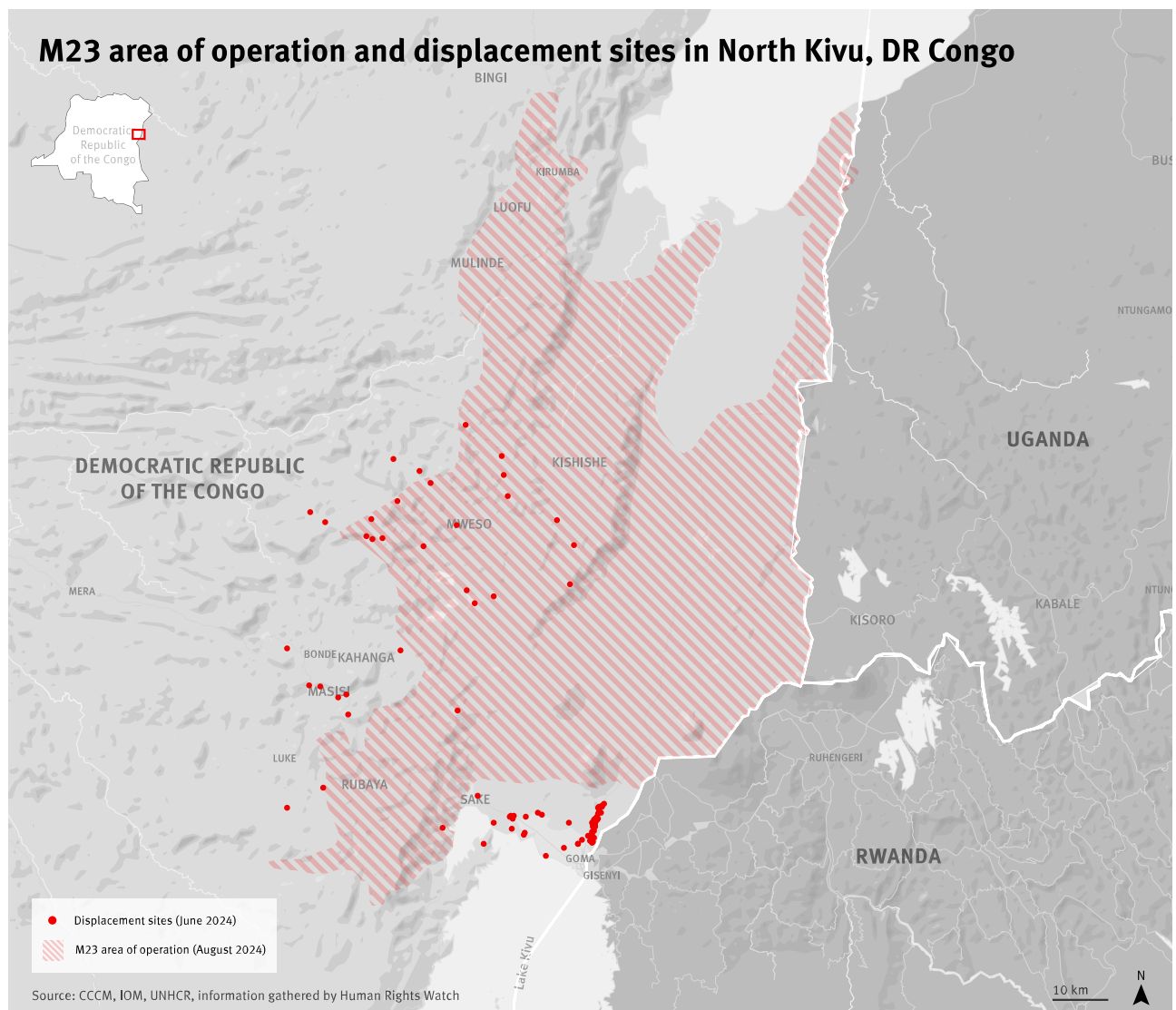
[Click to expand Image](#)

*Displacement camp shelters destroyed in the impact zone of a 122mm rocket strike on May 3, which killed at least 17 civilians of whom 15 were children, Goma, North Kivu province, DR Congo, May 4, 2024. © 2024 Hugh Kinsella Cunningham*

- The [Rwandan](#) army and the M23 armed group have throughout 2024 indiscriminately shelled displacement camps and other densely populated areas near Goma in eastern Congo.
- The [Congolese](#) armed forces and allied militias have increased the risk faced by displaced people in the camps by deploying artillery nearby and by entering the camps, where they have committed abuses against residents.
- The United Nations, the African Union, and concerned governments should press both sides to stop violating international humanitarian and human rights law, promote the protection of civilians, and support sanctions and prosecutions of commanders responsible for war crimes.

(Nairobi) – The [Rwandan](#) army and the M23 armed group have indiscriminately shelled displacement camps and other densely populated areas near Goma in eastern [Democratic Republic of Congo](#) throughout 2024, Human Rights Watch said today. The Congolese armed forces (Forces armées de la République démocratique du Congo, FARDC) and allied militias have increased the risk faced by displaced people in the camps by deploying artillery nearby. Both sides have killed and raped camp residents, interfered with aid delivery, and committed other abuses. Human Rights Watch also issued a [question-and-answer document](#) about the application of the laws of war to the situation.

In January the Rwanda Defence Force (RDF) and the M23 armed group neared the town of Sake, 25 kilometers west of Goma, cutting off the North Kivu provincial capital's supply routes. The M23 with Rwandan forces have since expanded their control over North Kivu, the armed group's largest gains since its resurgence in 2021, [according to the United Nations](#).



[Click to expand Image](#)

*Map of the area of operation of the M23 as of August 2024 and of displacement sites as of June 2024 in North Kivu, Democratic Republic of Congo. Data © CCCM, IOM, UNHCR, information gathered by Human Rights Watch. Graphic © 2024 Human Rights Watch*

“As the conflict between Rwandan and Congolese forces and their allied militias has approached Goma, the area’s residents and over half a million displaced people have been increasingly at risk of being caught in the fighting and denied humanitarian aid,” said [Clémentine de Montjoye](#), senior Africa researcher at Human Rights Watch. “Rwanda and Congo should end their support for abusive armed groups, abide by their laws-of-war obligations, and allow unfettered access to humanitarian aid.”

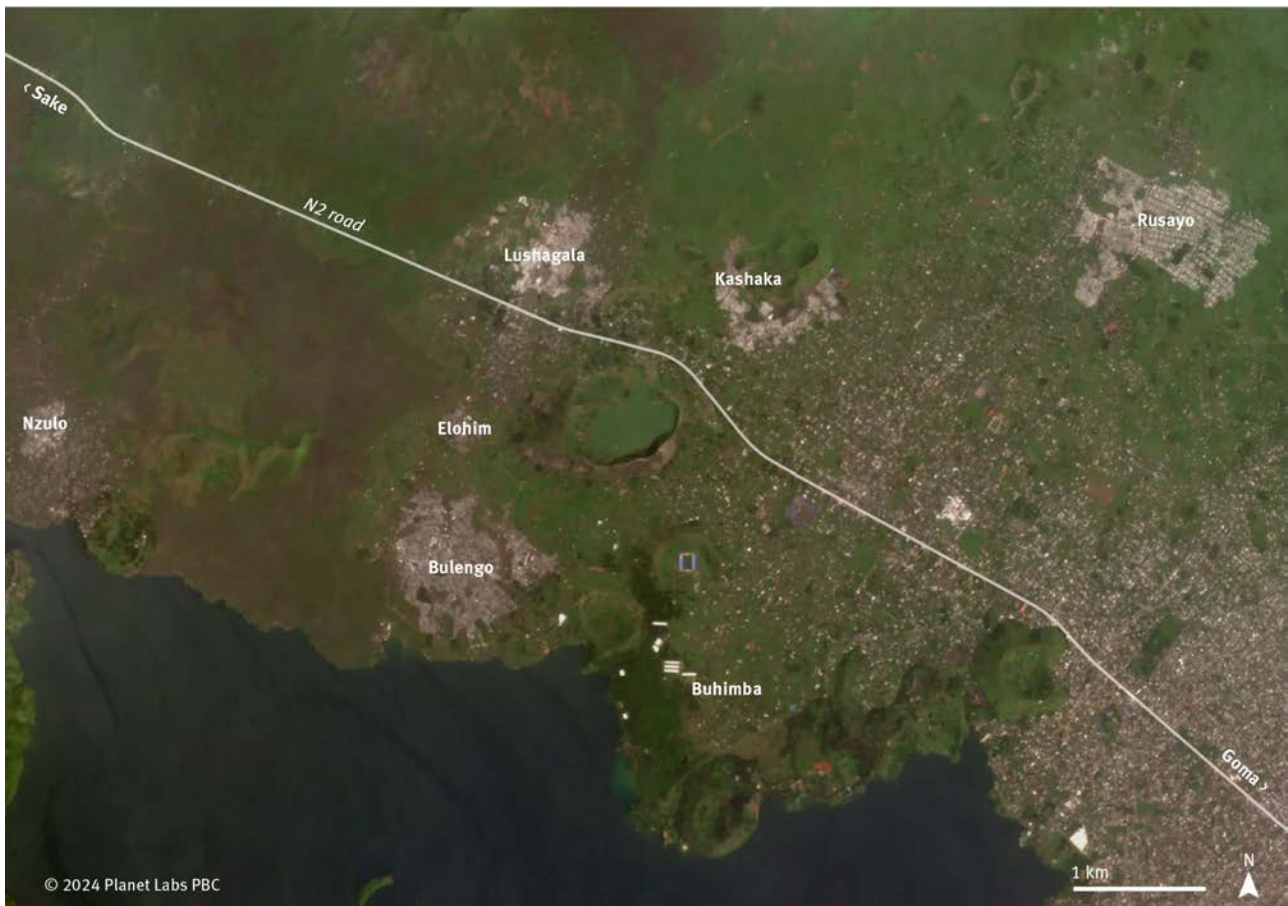
The UN, the African Union, and concerned governments should press the parties to the conflict, including non-state armed groups, to cease violating international humanitarian law, promote the protection of civilians, and support sanctions and prosecutions of commanders responsible for war crimes, Human Rights Watch said.

Between May and July 2024, Human Rights Watch researchers visited the displacement camps or sites of Bulengo, Bushagara, Kanyaruchinya, Lushagala, Mugunga (also referred to as “8ème CEPAC”), and Shabindu-Kashaka around Goma, and interviewed 65 victims of abuses, witnesses, and camp authorities. Those interviewed included nine survivors of sexual violence and five people with credible information about sexual violence. Researchers also interviewed 31 humanitarian, diplomatic, UN, and military sources. Human Rights Watch reviewed and analyzed photographs

and videos of sites after attacks shared online or directly with researchers; photographs of weapon remnants; and satellite imagery to determine the distance of reported artillery positions and targets from displacement camps.

On September 2 Human Rights Watch emailed its preliminary findings to Congolese and Rwandan authorities, but has received no replies at time of publication.

As the Rwandan military and M23 have gained ground closer to Goma, [over half a million people](#) have sought refuge in displacement camps surrounding the city, pushing the total number of displaced people in North Kivu [to about 2.4 million](#). These forces have used heavy artillery in attacks that have indiscriminately struck densely populated areas in apparent violation of the laws of war.



December 2023



June 2024  
JuxtaposeJS

*Satellite imagery comparison of the displacement site or camps along the N2 road west of Goma from December 2023 to June 2024. According to the UN, the number of displaced people in the territories of Goma and Nyiragongo increased by 137,000 from December 2023 to July 2024. Camps names: CCCM Cluster; Image Planet Monthly Basemaps © 2024 Planet Labs PBC. Graphic © 2024 Human Rights Watch*

Human Rights Watch documented five apparently unlawful attacks by Rwandan forces and the M23 since January 2024, in which artillery or rocket fire struck displacement camps or populated areas near Goma. On May 3, Rwandan or M23 forces launched at least 3 rockets into displacement camps around Goma, killing at least 17 civilians, including 15 children, in a site known as 8ème CEPAC. The Congolese army placed artillery positions and other military objectives close to the camps, putting civilians at unnecessary risk.

“We don’t know what to do anymore,” a displaced man in Mugunga camp said after the May 3 strikes. “To stay or return home, it seems it’ll have the same outcome. Death is with us everywhere we go.”

Congolese soldiers and a [coalition of abusive militia](#) known as “Wazalendo” (“patriots” in Swahili) have opened fire inside displacement camps, killing and wounding civilians. They have also raped women, including women in the camps and others searching for food and firewood nearby. In the Kanyaruchinya camp, they detained people in a pit in the ground to extort them. M23 fighters raped women who crossed the front line in search of food.

In August the humanitarian organization Médecins Sans Frontières (Doctors Without Borders, MSF) [said](#) more than 1 in 10 young women in camps in and around Goma had reported being raped between November 2023 and April 2024, with this number as high as 17 percent in some camps.

The fighting close to Goma and the camps has seriously affected the [delivery of humanitarian aid](#) and created food [shortages](#) in the city. The Congolese forces and allied militias deployed close to the displacement camps have subjected them to counterfire from opposing belligerent parties. “This is affecting humanitarian access,” an aid agency official said. “Now, as soon as the FARDC start firing artillery, the [nongovernmental organizations] and UN start leaving the camps.”

“We’ve had a big influx of patients since February,” said a doctor in Goma. “The bombs are the cause, as well as the Wazalendo, who are out of control. The bullets kill the men and youths; the explosive weapons kill the women and children. During the day, the men go to work and are not in the camps. We are treating more children below age 5.”



[Click to expand Image](#)

*Displacement camp shelters destroyed in the impact zone of a 122mm rocket strike on May 3, 2024, Goma, North Kivu province, DR Congo, May 4, 2024. © 2024 Hugh Kinsella Cunningham*

The armed conflict in eastern Congo is bound by the Geneva Conventions of 1949, including Common Article 3, and customary international humanitarian law. The laws of war prohibit deliberate or indiscriminate attacks on civilians and civilian objects. Warring parties must take all feasible precautions to minimize civilian harm, including by avoiding placing military targets near densely populated areas. The laws of war also prohibit as war crimes killing anyone in custody, torture, sexual violence, and other forms of mistreatment. All warring parties need to facilitate the delivery of humanitarian aid.

Anyone who commits or orders serious violations of the laws of war with criminal intent is responsible for war crimes. Commanders may also be liable as a matter of command responsibility if they knew or should have known about abuses by forces under their control but did not stop or punish the crimes. A state that knowingly provides weapons to abusive armed groups may be complicit in war crimes.

In addition, all parties should avoid using explosive weapons in populated areas. The use of explosive weapons with wide area effects such as heavy artillery in populated areas frequently results in indiscriminate attacks, in violation of the laws of war. In addition to their immediate deadly effects, these weapons also have long-term indirect, or “reverberating,” effects.

The European Union and the United States have imposed [sanctions](#) on leaders of abusive armed groups in eastern Congo, including the M23, and on several senior Congolese and Rwandan officials responsible for supporting abusive armed groups.

“All parties to the conflict in North Kivu have displayed a callous disregard for the lives of civilians, whose protection is enshrined in international law,” de Montjoye said. “Congo and

Rwanda should recognize that abuses by one warring side never justify abuses by the other, end their support to abusive armed groups, and hold accountable anyone responsible for war crimes.”

**For additional details, please see below.**

### **Abuses against civilians and displaced people around Goma**

In late 2021 the M23 resurfaced in eastern Congo, and since then military forces and armed groups in the region have increased. The UN Group of Experts on Congo estimated in [July 2024](#) that at least 3,000 Rwandan troops were on Congolese soil, and that the Ugandan military also provided “active support for M23.” Burundi’s armed forces also remain in the country. While the East African Regional Force withdrew in December 2023, the Southern African Development Community (SADC) mission, made up of Malawian, South African, and Tanzanian troops, was [deployed](#) in January 2024. In September 2023, Congolese President Félix Tshisekedi requested an “accelerated” withdrawal of the UN peacekeeping mission (MONUSCO), although it has not been completed. Congolese have [accused](#) MONUSCO of repeatedly failing to provide adequate protection for civilians, which has resulted in anti-MONUSCO [violence](#) and looting.

The UN reported that, in April 2024, 48 armed group leaders from eastern Congo travelled to Kinshasa, the country’s capital, to discuss the Wazalendo coalition and collaboration with the Democratic Forces for the Liberation of Rwanda (FDLR), a largely Rwandan Hutu armed group, some of whose leaders took part in the 1994 genocide in Rwanda. The Congolese government supports the Wazalendo and FDLR to fight alongside Congolese forces. In September 2023, some members of the Wazalendo alliance were chosen to form the Patriotic Defence Volunteers (Volontaires pour la défense de la patrie, VDP), an “official” auxiliary force.

Human Rights Watch researchers experienced GPS jamming in the area surrounding Goma, and received information about several humanitarian flights that were cancelled or delayed because of GPS jamming. On July 29, 2024, Congolese authorities [alleged that](#) the Rwandan army was carrying out the jamming, which has led to the grounding of some civilian and military assets.

### **Increased Use of Explosive Weapons in Populated Areas**

Human Rights Watch reviewed information on approximately 10 attacks using heavy artillery or rockets on displacement camps and neighborhoods around Goma between February and May; and 12 attacks in the areas of Sake and Minova between January and June. The [International Committee of the Red Cross](#) has reported that 40 percent of injured civilians seeking treatment in North Kivu are victims of shelling or other heavy weaponry.

Other incidents of heavy artillery use on urban or densely populated areas are not detailed in this report. The deadliest incident at time of writing was on January 25, when after several days of fighting for control of Mweso, Masisi territory – which Rwandan and M23 forces held – the Congolese army fired at least 2 rounds of heavy artillery into the town, [killing at least 19 civilians](#) and hitting close to the Mweso hospital, according to media reports and witnesses.

As fighting moved closer to Goma, the Congolese army placed artillery positions close to the displacement camps, sometimes as little as dozens or hundreds of meters away from them.

On February 2, a 122mm rocket [attributed to Rwandan and M23 forces](#) struck less than 100 meters from Nengapeta primary school in Mugunga neighborhood, west of Goma, injuring a man and a young girl, and damaging at least two houses, according to witnesses, verified social media information, and satellite imagery.

## Rocket impact site close to the Nengapeta school, Goma, DR Congo

March 2, 2024



[Click to expand Image](#)

*Map showing the location of houses damaged by a suspected M23/Rwanda Defence Force rocket strike on February 2, 2024, approximately 75 meters away from Nengapeta primary school. Image © 2024 Planet Labs PBC. Graphic © 2024 Human Rights Watch*

On April 6 and 7, in response to Congolese army and SAMIDRC (Southern Africa Development Community Mission in the Democratic Republic of Congo) attacks, the Rwandan military and M23 launched rockets that hit areas near Sake and Mubambiro, as well as the Mugunga and Lac Vert areas, where displacement camps are located.

At least one rocket hit the Shabindu-Kashaka displacement site on April 6, killing a 19-year-old man and seriously injuring two other people, and destroying about forty shelters, according to two camp sources and an aid official. In July Human Rights Watch visited the location of the strike, which satellite imagery showed had been emptied of shelters by April 22.



March 2, 2024



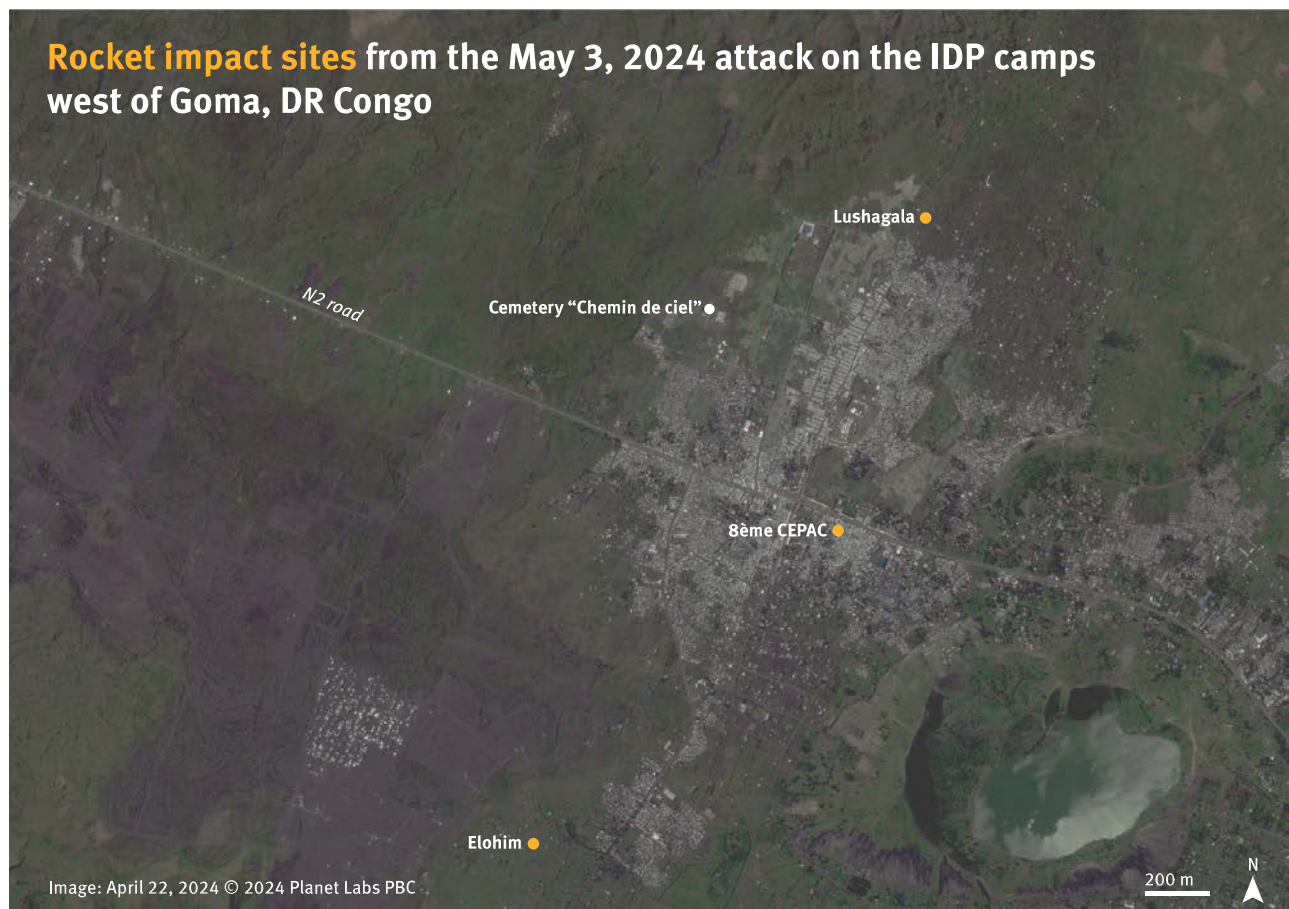
April 22, 2024

[JuxtaposeJS](#)

*Satellite imagery from April 22, 2024, shows an empty area around the impact location in Shabindu-Kashaka camp, where shelters were visible before the strike on imagery from March 2. Image © 2024 Planet Labs PBC. Graphic © 2024 Human Rights Watch*

## May 3 Attack on Displacement Camps

On May 3 between 10 and 11 a.m., at least three rockets hit displacement camps in Lac Vert and Mugunga neighborhoods, about 15 kilometers west of Goma's city center. Human Rights Watch confirmed the identities of at least 17 civilians killed in the attacks, including 15 children, and at least 35 people who were injured. It was the second deadliest shelling for civilians recorded in 2024.



[Click to expand Image](#)

*Location of the three confirmed impact sites of the May 3 attack and of the cemetery from where the Congolese army allegedly first fired artillery leading to the retaliatory attack. Image © 2024 Planet Labs PBC. Graphic © 2024 Human Rights Watch*

Human Rights Watch reviewed photographs taken at Mugunga camp and identified remnants of 122mm artillery rockets. Military and other sources, as well as photographs reviewed by Human Rights Watch, confirmed that these were launched from single-barrel rocket launchers from a Rwandan army and M23 position northwest of Sake. With three rockets launched at the same time toward displacement camps, it was unlikely that they had been misfired.

The rockets were fired in apparent response to Congolese artillery fire from a position close to a cemetery known as “Chemin du Ciel,” in the Mugunga area, according to a Congolese army [spokesperson](#) and Human Rights Watch interviews. There was also unconfirmed information that the Burundian army fired from a position close to the camps the same morning.



April 22, 2024



May 16, 2024

[JuxtaposeJS](#)

*Satellite imagery from May 16, 2024, shows an empty area around the impact location, where a dozen shelters were visible before the strike on imagery from April 22. Image © 2024 Planet Labs PBC. Graphic © 2024 Human Rights Watch*

Human Rights Watch analyzed satellite imagery, and geolocated photographs posted to social media and from reliable sources to locate the points of impact. One rocket hit shelters for displaced people along the N2 road, near 8ème CEPAC in Mugunga, and destroyed about a dozen shelters. Verified photographs and videos of the immediate aftermath of the scene show destroyed tents and bodies, mostly of children.

Craters from two other rockets were geolocated to an empty area close to the Elohim camp and north of the Lushagala camp, also in an empty area.

Immediately after the attacks, camp residents erected barricades with rocks on the N2 road to prevent humanitarian workers from leaving the camps. Soldiers from an apparent Congolese army convoy fired shots, killing a woman about 150 meters from the 8ème CEPAC rocket impact site, according to a geolocated video and two relatives of the victim. The convoy, which included a military truck mounted with a multi-barrel rocket launcher, was driving east on the N2 toward Goma, coming from the direction of the artillery position close to the Chemin du Ciel cemetery.



[Click to expand Image](#)

*Location where soldiers from a suspected Congolese army convoy fired and killed a woman along the N2 road, shortly after the May 3 attack. Image © 2024 Planet Labs PBC. Graphic © 2024 Human Rights Watch*

Shortly after the shelling, the Alliance Fleuve Congo (Congo River Alliance), a politico-military movement allied to the M23, [issued a statement](#) accusing the Congolese army of placing artillery positions within displacement camps and using civilians as “human shields.” Human Rights Watch identified Congolese artillery positions close to displacement camps, but none within the camps themselves.

A humanitarian worker said: “We [advocated] to have the [Congolese] heavy artillery moved away from the camps, but a week before the [May 3] shelling we saw that the [Congolese] defense lines had gotten closer. People in the camps tell us: ‘We fled war only to get massacred here in deplorable conditions.’”

Five parents who lost children aged between 2 weeks and 17 years old, as well as other witnesses, described the rocket attack's devastating impact. A father who lost two children said: "My wife and I were away. My children were reduced to dust – small pieces that we buried... I fled Sake to protect my children, and I lost everything in the space of a second."



[Click to expand Image](#)

*An 18-year-old woman who lost her leg after the May 3 shelling, being treated at a hospital in Goma. June 2024 © 2024 Private*

Human Rights Watch confirmed the names of at least 35 civilians injured during the bombing. An 18-year-old woman who was in her shelter when the rockets hit Mugunga camp lost a leg. Fragments were lodged in a 20-year-old woman's neck and throat, injuring her and preventing her from swallowing. Many said they had fled the fighting in Sake in February in the hope of finding safety closer to Goma.

On May 4 the US condemned the attack by Rwanda's military forces and the M23 on the Mugunga camp. Rwanda [denied](#) the accusations, blaming "this kind of atrocity" on Congolese forces and militias.

After the attack, MSF [said its teams](#) had to stop distributing essential items and halt medical consultations because of the rising insecurity.

### Shelling in Late May

On May 30 local media reported that the Congolese army used artillery from a position close to the Sam-Sam displacement camp, east of Lushagala camp. Rwandan military and M23 returned fire on May 30, hitting the outskirts of Lushagala camp and injuring at least two children, sources in Lushagala said.

On May 31 the Congolese army started firing from an artillery position only a few hundred meters from a childcare center with hundreds of children in Lushagala camp, sources in the camp said. Because the Congolese army did not warn the center, the nursery staff had only 30 minutes to evacuate the children before Rwandan and M23 forces returned fire. The return fire appeared to strike 100 meters from the childcare center, where Human Rights Watch identified two possible impacts on satellite imagery, that local sources confirmed.

“For the children here, it’s extremely traumatic,” said a staff member. “They have nightmares and flashbacks, many have PTSD [post-traumatic stress disorder]. Some lost family members in bombings.”

### **Militarization of Displacement Camps and Abuses**

Human Rights Watch researchers visited five camps in June, and found armed men identified either as Congolese army or Wazalendo militia in all five camps. The most heavily militarized camps appeared to be the newer ones, located along the road connecting Goma to Sake.

Camp residents said the presence of Congolese soldiers and Wazalendo inside the camps has led to increased insecurity and abuses against residents, which amount to war crimes. They described frequent exchanges of gunfire and looting by the Wazalendo. A resident of Kanyaruchinya camp said, “It’s not safe to go out after 5 p.m. There are armed men, often in uniforms, who are around. Sometimes people are killed.”

On May 30 a suspected Wazalendo fighter shot a 16-year-old girl in Bulengo camp near Goma. She died of her injuries two days later. On July 11 a suspected Congolese soldier killed a 7-year-old girl in Lushagala camp, according to a relative and a reviewed video. “A soldier didn’t want to pay for his drinks and a fight erupted,” said a witness. “He started shooting and killed a young girl and injured others. The population got angry and lynched the soldier.”

Residents expressed alarm about deadly hand grenade attacks in the displacement camps, although Human Rights Watch was unable to determine responsibility. On April 4 a grenade explosion in the Shabindu-Kashaka camp killed a 16-year-old boy and injured 12 other people, including an 11-year-old who was seriously injured. Human Rights Watch confirmed that grenade explosions in the Lushagala camp on April 6 killed 4 people and wounded 11.



[Click to expand Image](#)

*Photo of a man who was detained by Wazalendo fighters for a night in July in a pit in the ground with his arms tied behind his back in Kanyaruchinya camp. July 2024 © 2024 Private*

In Kanyaruchinya camp, Wazalendo fighters unlawfully detained and extorted displaced people in a pit known as “kiboro.” The fighters detained two people on May 19, after one of them complained that the camp leader was not paying people for transporting food and other goods.

“We spent the night in the kiboro – it’s a hole on top of which they put planks of wood, a tarpaulin, and some grass,” one of the men said. The two said the Wazalendo stole around US\$500 from them,

their phones, shoes, and belts, and accused them of supporting the M23 and encouraging people in the camp to return to M23-held areas.

Another man said the Wazalendo detained him in March for alleged theft and put him in the kiboro overnight: “They beat me with sticks on my buttocks and, when I moved, they beat me everywhere ... my back, my side. Until today I still experience pain on my right kidney.” He said his father, who had to pay a bribe to have him released, had been previously detained for three days in the kiboro in January: “When the suffering gets too intense, you have to pay not to die.”

Former detainees said they were given food once a day, little to no water, and had to sleep in the mud when it rained. Some were detained with their limbs bound with a rope, and beaten. One former detainee said the militia fighters whipped him morning and evening with an electric cable for two weeks until his family agreed to pay \$2,500.

In May, the governor of North Kivu issued orders for the Wazalendo fighters and Congolese soldiers to stop entering the camps, or to disarm if they were there to visit relatives. “Despite the provincial authorities' decision to ban armed men from entering the camp, they are often there,” said Jacinthe Maarifa, a volunteer working in the displacement camps. “This exacerbates the climate of violence.”

On June 9 Gen. Janvier Ngowa, a commander of the armed group known as the Patriots' Alliance for a Free and Sovereign Congo (Alliance des patriotes pour un Congo libre et souverain, APCLS) and of the VDP, told Human Rights Watch: “We want to create a mixed unit to supervise. It was the governor who called us and told us to get the elements out of the camps. It's true that before there were killings, rapes, and so on. But when we tried to see what was going on, we didn't arrest the people.”

### ***Sexual Violence***

Displaced people, camp leaders, and aid workers all said that the presence of armed men in the displacement camps plus the need for residents to leave the camps to search for firewood and food put women at heightened risk of sexual violence. Survivors of sexual violence, which is a war crime, said that their attackers were wearing a uniform or were armed. They however struggled to identify the specific military unit responsible because there were various forces with varying uniforms and attire in the area.

Maarifa, the camp volunteer, said: “Unidentified armed men are regularly accused by the displaced of raping women in the camps or in the nearby areas.” A humanitarian worker said that they were recording between 50 and 100 cases of rape or sexual assault a week in certain camps.

Five survivors interviewed by Human Rights Watch identified their attackers as Wazalendo, three said they were raped by M23 fighters as they traveled to their homes in M23-held areas to search for food, and one said she was not able to identify her attackers.

A 31-year-old woman was raped in Mugunga camp on May 28 by a man she believed to be a Congolese soldier due to the uniform he was wearing. The man threatened to kill her with a knife, while two others stood guard outside her tent. “I have dark bruises from trying to resist him,” she said. “Everyone knows I was raped. My husband never came back after he found out.”

Women in the camps said that they were afraid of being attacked while leaving the sites to search for food, which was necessary because insufficient food was provided to the camps. A 26-year-old woman who arrived in Mugunga camp in February, said that she was raped in May while collecting firewood from a place known as “Shovu,” in a nearby park. “I was alone in the forest when a man wearing an old military uniform [attire typically worn by Wazalendo] stopped me and said he wanted to sleep with me,” the woman said. “I said no, and he asked if I thought I was stronger than him.... He said he would kill me if I refused.”

Women also described crossing the front line to access their fields in the areas surrounding Sake. A 35-year-old woman who was raped in May said: “Some M23 rebels came to my house and asked me why I was here. They accused me of being sent by the enemy as a spy.... I didn’t have a choice, four of them raped me.” She was told after she returned to the camp and sought medical treatment that she had been infected with a sexually transmitted disease. Another woman said she and seven other women travelled to their homes in Shasha, an M23-held area, to collect supplies and produce. M23 fighters prevented them from leaving Shasha for three days and repeatedly raped them.

## Recommendations

- All parties to the armed conflict in North Kivu should abide by their obligations under international humanitarian and human rights law.
- Congolese authorities should act to ensure that the civilian and humanitarian character of the displacement camps is maintained in accordance with the [2012 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa \(Kampala Convention\)](#). The Congolese armed forces should avoid deploying artillery positions close to the camps and other densely populated areas.
- The Rwandan armed forces should cease indiscriminate attacks harming civilians.
- The Rwandan and Congolese governments should end their military support to abusive non-state armed groups, including the M23 and Wazalendo/VDP, which may make them complicit in war crimes.
- Congo and Rwanda should investigate and appropriately prosecute those responsible for war crimes, including sexual violence, under the principle of command responsibility.
- Congo and Rwanda should facilitate humanitarian assistance to all civilians at risk, including ensuring access to legal, social, and medical support for survivors of sexual violence.
- Congo and Rwanda should endorse the [2022 Political Declaration](#) on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas.
- The UN, EU, and US should maintain and expand sanctions against senior M23 commanders, leaders of other armed groups, and senior officials from Congo, Rwanda, and countries across the region found responsible for or complicit in recent serious abuses by their forces or those for which they have command responsibility.
- The EU and its member states should monitor and review their [military assistance](#) to the Rwandan and Congolese armed forces to ensure that they do not contribute directly or indirectly to abusive military operations in eastern Congo.
- UN peacekeepers and the SADC mission should act to improve protection of civilians in camps, promote humanitarian access, and ensure that women and girls, and girls in particular, can safely travel to markets or to collect firewood.