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Letter dated 13 June 2023 from the Group of Experts on the Democratic Republic of the Congo addressed to the President of the Security Council

The members of the Group of Experts on the Democratic Republic of the Congo, whose mandate was extended pursuant to Security Council resolution [2641 \(2022\)](#), have the honour to transmit herewith, in accordance with paragraph 9 of that resolution, the final report on their work.

The report was provided to the Security Council Committee established pursuant to resolution [1533 \(2004\)](#) concerning the Democratic Republic of the Congo on 1 May 2023 and was considered by the Committee on 19 May 2023.

The Group would appreciate it if the present letter and the report could be brought to the attention of the members of the Security Council and issued as a document of the Council.

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extended pursuant to Security Council resolution [2641 \(2022\)](#)

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Final report of the Group of Experts on the Democratic Republic of the Congo

Summary

During the reporting period, episodes of intense violence affected the three provinces of the eastern Democratic Republic of the Congo, and intercommunal conflict in Mai-Ndombe Province escalated. The political situation remained tense in the run-up to general elections scheduled for December 2023. The Group of Experts on the Democratic Republic of the Congo noted with concern that dynamics related to the electoral process, combined with the ongoing heightened conflict in the east and strained regional relations, posed a threat to the country's peace and stability.

The security and humanitarian situation in Ituri, North Kivu and South Kivu Provinces continued to deteriorate significantly, despite the deployment of multiple uniformed actors – namely the Armed Forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo, FARDC), peacekeepers of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, the East African Community Regional Force, the Uganda People's Defence Forces and private military companies – and the state of siege in North Kivu and Ituri that has now been in place for two years.

In North Kivu, Operation Shuja had an impact on the sanctioned armed group Allied Democratic Forces (ADF). Nonetheless, ADF pursued expansion beyond North Kivu and Ituri Provinces and continued to conduct deadly attacks on civilians. The use by ADF of improvised explosive devices reached a new peak with a deadly detonation during a religious service, for which Da'esh claimed responsibility. The Group documented financial support from Da'esh to ADF and links between ADF and Da'esh cells in South Africa.

Despite bilateral, regional and international efforts to de-escalate the crisis related to the Mouvement du 23 mars (M23), the sanctioned armed group continued to significantly expand its territory and increase its attacks. The armed group's expansion engendered a catastrophic humanitarian crisis, causing the displacement of more than 1 million civilians in North Kivu Province. Announced withdrawals and disengagements appeared to have been temporary and tactical, aimed mainly at buying time amid mounting international pressure. M23 also launched attempts to win allies in South Kivu, in particular the armed group Twirwaneho, with the objective of opening a front in South Kivu.

The variety of M23 military equipment, some produced recently, provided insight into the significant firepower of the armed group and attested to violations of the arms embargo.

The Group of Experts obtained further evidence of direct interventions by the Rwanda Defence Force (RDF) on Democratic Republic of the Congo territory, either to reinforce M23 combatants or to conduct military operations against the Forces démocratiques de libération du Rwanda (FDLR) and local armed groups. The Group identified several RDF commanders and officials coordinating RDF operations in the Democratic Republic of the Congo.

A new pattern of targeted attacks by M23 on civilians emerged, with several deadly operations targeting populations associated with, or presumed to support, FDLR and other armed groups. Incidents of rape, including gang rape by M23 combatants, were prevalent.

Local armed groups and FDLR created the “Congolese Patriotic Resistance Network”, which fought M23 alongside FARDC. Collaboration was coordinated by senior FARDC officers, who supported the armed groups with logistics, military equipment and financing.

The hostilities triggered by the territorial expansion of M23 continued, stoking xenophobia and hate speech and accentuating ethnic rifts between the warring sides. Hateful and belligerent rhetoric, intended to vilify Rwandophone populations perceived to support M23, continued to be propagated by political figures, civil society actors, local populists, activists and members of the Congolese diaspora, and were widely amplified on social media. Exclusionary discourse, including the rejection of citizenship rights for Rwandophone citizens, re-emerged, significantly with regard to voter registration in the electoral context.

In Ituri, the security situation deteriorated significantly, with recurrent attacks between the armed group Zaïre and the Coopérative pour le développement du Congo/ Union des révolutionnaires pour la défense du peuple congolais (CODECO/URDPC) and the creation of the Mouvement d'autodéfense populaire de l'Ituri. Meanwhile, internal rifts within the Front patriotique et intégrationniste du Congo (FPIC) (also known as Chini ya Kilima) resulted in the emergence of a new leader who claimed to adhere to the Disarmament, Demobilization, Community Recovery and Stabilization Programme of the Government of the Democratic Republic of the Congo. Nonetheless, FPIC combatants remained armed and mobilized.

Violence escalated throughout the province, also extending into Mahagi and Irumu territories. Reprisal attacks on civilians by CODECO/URDPC and Zaïre reflected growing tensions between the Lendu and Hema communities. CODECO/URDPC was by far the most belligerent group, conducting systematic, brutal, large-scale and well-coordinated attacks on villages, killing mainly civilians.

In South Kivu, while the joint operations of the Burundi National Defence Force (Force de défense nationale du Burundi) and FARDC continued to have an impact on the dynamics of armed groups, the crisis related to M23 also had repercussions with intertwined effects, including the creation of new alliances. Some armed groups sent combatants to North Kivu or remobilized to prevent M23 from entering South Kivu, while other combatants and leaders liaised with M23. Cycles of retaliatory clashes between armed groups and attacks on civilians continued, in particular in the Hauts Plateaux of Mwenga, Uvira and Fizi territories.

Regional recruitment, including of Banyamulenge youth in the wider region, boosted M23 and Twirwaneho numbers. The Group of Experts documented the mass recruitment, training and use of children in hostilities by Twirwaneho.

Twirwaneho continued to finance itself through a local taxation scheme and funding from the Banyamulenge diaspora living in the region and in the United States of America. Some humanitarian relief funds sent by the Mahoro Peace Association, a Banyamulenge community association based in the United States, were used to finance Twirwaneho.

Regarding natural resources, Primera Gold DRC, a partnership between the United Arab Emirates and the Democratic Republic of the Congo aimed at combating gold smuggling, was launched in January 2023. In the space of three months, Primera Gold DRC has exported 10 times the amount of gold that was exported officially by the Government of the Democratic Republic of the Congo in 2022. Primera Gold DRC put in place compliance mechanisms to meet national, regional and international requirements for responsible sourcing. However, the Group of Experts documented a

number of challenges, including the risk of Primera Gold DRC becoming a channel for laundering illegal gold.

A criminal network involving Burundian economic actors and officials organized gold smuggling from the Democratic Republic of the Congo. The six transactions investigated by the Group of Experts yielded at least \$455,000 to members of the criminal network.

Tin, tantalum and tungsten supply chains from the mining town of Rubaya, North Kivu, have become compromised by the presence of armed groups and the suspension of all activities to ensure the traceability of minerals. This also threatened tin, tantalum and tungsten supply chains in South Kivu Province, where the production of minerals in Rubaya was laundered.

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* The annexes are being circulated in the language of submission only and without formal editing.

I. Introduction

1. The mandate of the Group of Experts on the Democratic Republic of the Congo was extended on 30 June 2022 by the Security Council in its resolution [2641 \(2022\)](#). Five members of the Group of Experts were appointed by the Secretary-General on 24 August 2022 (see [S/2022/641](#)). Owing to a lack of consensus in the Security Council Committee established pursuant to resolution [1533 \(2004\)](#) concerning the Democratic Republic of the Congo on two proposed natural resources/finance experts, the sixth expert (the second natural resources/finance expert) was not appointed until 21 February 2023 (see [S/2023/132](#)).

2. The final report of the Group of Experts is submitted pursuant to paragraph 9 of resolution [2641 \(2022\)](#). The Group exchanged information with the panels of experts on the Central African Republic, Haiti, Libya, Somalia and South Sudan.

Cooperation with the Group of Experts

3. The Group of Experts expresses its gratitude for the support provided by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) during the reporting period.

Compliance with the requests of the Group of Experts for information

4. The Group of Experts met with government officials, private sector actors and organizations of several countries. The Group addressed a total of 52 official communications to 27 Member States, international organizations and private entities. The Group notes that it informs the country of registration/location when sending information requests to private entities and individuals. At the time of drafting the present report, the Group had received 20 responses.

5. The Group of Experts regrets the untimeliness and the low overall number of responses to its official requests for information from private sector actors and Member States and underlines that responses to such requests are essential to its investigations.

Methodology

6. The Group of Experts used the evidentiary standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions ([S/2006/997](#)). It based its findings on documents and, wherever possible, on first-hand, on-site observations by the experts themselves.

7. Given the nature of the conflict in the Democratic Republic of the Congo, few documents provide definitive proof of arms transfers, recruitment, command responsibility for grave human rights abuses and the illegal exploitation of natural resources. The Group of Experts has therefore relied on eyewitness testimony from members of local communities, former combatants and current members of armed groups. The Group has also considered expert testimony by government officials and military officers of countries in the Great Lakes region and other countries, as well as United Nations sources. The Group corroborated information by using at least three independent and reliable sources.

8. The present report covers investigations conducted up to 15 April 2023. Owing to word count limitations, the Group of Experts has detailed some of its findings and evidence in the annexes.

II. Mai-Ndombe

9. The Group of Experts continued to follow with concern an escalation in intercommunal conflict, primarily between members of the Teke and Yaka communities in Kwamouth territory, Mai-Ndombe Province. The origins of the conflict lie in changes to the taxation system, in May 2022, wherein the Teke sought to impose higher agricultural taxes on “non-native” communities, having local Congolese National Police and the Armed Forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo, FARDC) use force to extract payment in some instances. The situation deteriorated over the months that followed, drawing in other “non-native” communities alongside the Yaka, with organized groups of armed civilians forming to attack villages, targeting primarily local chiefs and notables and damaging infrastructure and the local economy. Inflammatory speech stirred pre-existing ethnic tensions and reignited generations-old disputes over customary power and land rights.¹

10. The violence has resulted in mass internal displacement of the civilian population, from the Mongata-Masia-Mbia axis towards Kinshasa; however, it is challenging to determine precise numbers owing to the absorption of these internally displaced persons into the vast metropolis of Kinshasa.² Access to voter registration for displaced populations is likely to have been affected. The Group of Experts will investigate the instability in Mai-Ndombe Province.

III. North Kivu

A. Allied Democratic Forces

Operational developments

Operation Shuja of the Armed Forces of the Democratic Republic of the Congo and the Uganda People’s Defence Forces

11. Operation Shuja – a joint operation of FARDC and the Uganda People’s Defence Forces ([S/2022/967](#), paras. 7, 16–18) – was still ongoing at the time of writing in Beni territory, North Kivu, and in southern Ituri. Multiple sources, including Allied Democratic Forces (ADF) ex-combatants and former ADF abductees, reported an increase in the pace of the operations since the end of 2022, in particular in Beni territory.³ This had an impact on ADF, which lost several commanders, including Boaz, who was killed in combat in Ituri (see [S/2022/479](#), annex 7). ADF also had to constantly move its camps, sometimes on a daily basis, to avoid being targeted by those operations.

12. While the joint military operations led to a relative lull in ADF activities towards the end of 2022, the armed group remained resilient, demonstrating its capability to continue conducting deadly attacks, including an attack in Uganda, on 12 December 2022, a bombing in Kasindi (see paras. 22–28 below) and frequent attacks on civilians, including in Mukondi (see paras. 18–21 below).

¹ United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and humanitarian, non-governmental organization (NGO) and diplomatic sources.

² Ibid.

³ Allied Democratic Forces (ADF) ex-combatants, ADF collaborators, former abductees, Armed Forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo, FARDC) sources, researchers and civil society, diplomatic and MONUSCO sources.

Allied Democratic Forces expansion

13. Multiple sources reported that ADF sent combatants and collaborators on scouting missions as it attempted to further expand its area of operations beyond North Kivu and Ituri Provinces.⁴ ADF sought to recruit and conduct attacks in Kinshasa and in Tshopo, Haut-Uélé and South Kivu Provinces (see annex 1 and [S/2022/967](#), annex 13).

14. ADF increased its activity in South Kivu, where the armed group had long-standing networks, as has previously been documented ([S/2018/1133](#), paras. 13–15⁵ and [S/2021/560](#), annex 6).⁶ ADF continued recruiting in several mosques in Uvira and Kalemie.⁷ Since late 2021, it has also held several meetings with representatives of Da'esh and/or Ahl al-Sunna wal-Jama'a in Mozambique, in South Kivu, to discuss operational strategy and tactics.⁸ One such encounter occurred in Shabunda territory, in June 2022, following a similar meeting in Kigoma, Tanzania, in August 2021.⁹ Sources reported that, in early 2023, Ibn Omar and Sheikh Abu Yassir Hassan, the military and spiritual leaders of Ahl al-Sunna wal-Jama'a in Mozambique, respectively (see para. 39 below), travelled to South Kivu, where they met with senior members of the leadership of ADF.¹⁰

15. In addition, ADF contacted the Mai-Mai Malaika based around Salamabila, Maniema Province (see annex 2 and [S/2020/482](#), paras. 45–51).

Internal dynamics of the Allied Democratic Forces

16. In January 2023, the majority of combatants of the smaller ADF splinter group led by Benjamin Kisokeranio, Hassan Nyanzi alias Isaac (Jamil Mukulu's son) and Muzaya ([S/2021/560](#), para. 15), rejoined ADF or surrendered to FARDC, after the arrest of Kisokeranio, in January 2022 (see [S/2022/479](#), para. 43), and recent Shuja operations in their area around Mwalika weakened the group.¹¹

17. Internal tensions within the leadership of ADF were reported. In 2022, Amigo, one of the main leaders of ADF operating in Mwalika (see [S/2021/560](#), annex 4), was sidelined by Seka Baluku (alias Musa Baluku, CDi.036), who sent a trusted commander, Seka Umaru, to oversee Amigo's activities and assume command of his camp.¹² The leadership of ADF had concerns regarding Amigo's closeness to some FARDC members and his management of funds.

Attacks on civilians

18. ADF continued perpetrating large-scale, deadly attacks on civilians. Despite the concentration of Shuja operations in the Boga and Tchabi areas, ADF attacked civilians in those areas, conducting faster operations in smaller groups and, to avoid retaliation, killing victims, mostly with machetes ([S/2022/967](#), paras. 13–15). As it moved

⁴ ADF ex-combatants, ADF collaborators, FARDC sources, researchers and civil society, diplomatic and MONUSCO sources.

⁵ One of the main ADF collaborators identified by the Group of Experts, Senga Khaled, who was arrested in 2018 by Democratic Republic of the Congo authorities ([S/2018/1133](#), para. 13), was recently released and reportedly back in South Kivu, collaborating with ADF.

⁶ ADF ex-combatants, ADF collaborators, FARDC sources, researchers, intelligence sources and civil society, diplomatic and MONUSCO sources.

⁷ ADF ex-combatant, FARDC sources, researchers and diplomatic and MONUSCO sources.

⁸ Researchers and diplomatic sources.

⁹ Ibid.

¹⁰ Researchers and civil society sources. Abu Yassir had reportedly already travelled to Beni territory, the Democratic Republic of the Congo, in 2017.

¹¹ ADF ex-combatants, ADF collaborator, FARDC sources and researchers.

¹² ADF ex-combatants and abductees, ADF collaborator, FARDC sources and researchers.

westward, it increased attacks along the Luna-Komanda and Luna-Mambasa roads, west of the RN4 road.¹³

19. In March 2023, ADF intensified attacks in southern and south-eastern Beni territory, killing more than 80 civilians in a single week and abducting more than 20 others, including in Mukondi, on 8 March, when at least 38 were killed, including 11 children, the youngest only two months old. At least 17 civilians were injured, including several children, and at least 30 houses were burned down.¹⁴

20. ADF continued attacking civilians as at the time of drafting the present report, targeting villages, killing and kidnapping civilians and looting their households, including in retaliation for offensive operations against the armed group. On 8 April 2023, at least 21 civilians were killed in an attack in Musandaba, on the outskirts of Beni.¹⁵ As in other similar attacks, the perpetrators used machetes. By mid-April 2023, ADF had killed nearly 100 civilians in less than a month.¹⁶

21. Da'esh claimed responsibility for several of those attacks, including the attacks carried out on 8 March and 8 April 2023 (see annex 3).

Improvised explosive devices and Allied Democratic Forces networks

22. The increased use of improvised explosive devices by ADF in urban settings, as has reported been previously by the Group of Experts ([S/2022/479](#), paras. 48–52, and [S/2022/967](#), paras. 20–26), reached a new peak on 15 January 2023 when a device detonated during an outdoor baptism service of the Lubiriha Pentecostal Church in Kasindi, a small town on the Ugandan border in the Rwenzori sector, Beni territory (see annex 4).

23. The large explosive charge and the positioning of the bomb in a crowded place demonstrated that the attack was intended to inflict the maximum number of casualties on churchgoers. The explosion killed 16 civilians and wounded at least 62, representing the highest number of victims of an ADF bomb in a single incident. Many victims were dismembered by the explosion, as witnessed by the Group of Experts at Beni hospital and documented by national authorities and MONUSCO at the morgue.

24. Clear conclusions on the design and trigger mechanism of the improvised explosive device could not be reached owing to contamination of the scene prior to its inspection by the MONUSCO improvised explosive device team. Still, traces of explosives, namely urea nitrate-based home-made explosives, were recovered, as were metal pieces intended to increase the lethal radius and cause severe injuries.¹⁷ The use of nitrate was confirmed by an ADF collaborator, Moise Mbusa Mupalalo (see annex 5), who was arrested in February 2023 and acknowledged having purchased nitrate at a pharmacy in Butembo, at the end of 2022, and sending it to ADF commander Abwakasi, who built the bomb.¹⁸ The pharmacist, who was first contacted by Abwakasi (see also paras. 34, 36 and 37 below and [S/2022/967](#), para. 23), confirmed the purchase by Mupalalo. The improvised explosive device team and the national authorities estimated the explosive charge to be between 7 and 10 kg, which is greater than that of any other improvised explosive device that has exploded or been recovered in the Democratic Republic of the Congo to date, thereby demonstrating that ADF now has better access to explosive materials.

¹³ MONUSCO sources, researchers and FARDC sources.

¹⁴ MONUSCO sources, researchers, FARDC sources, witnesses and local authorities.

¹⁵ FARDC, MONUSCO sources, researchers and civil society sources.

¹⁶ Ibid.

¹⁷ MONUSCO document on file with the Group of Experts.

¹⁸ He was also arrested while he was collecting more nitrate, which he confirmed was intended for the building of new improvised explosive devices.

25. Injuries sustained by one of the deceased victims initially raised the prospect of a suicide bomb (i.e. a person-borne improvised explosive device); this was initially also suggested by ADF internally.¹⁹ Further analysis showed that the improvised explosive device was deposited prior to the explosion and that no person-borne device was used in the attack (see also S/2022/479, paras. 48–52 and 57). Mathe Nzanu Magnifique (S/2022/967, annex 10), who was arrested in March 2023, acknowledged that he had been sent to Kasindi by Amigo from 12 to 18 January 2023, precisely during the time of the explosion. Whereas he initially acknowledged having laid the bomb, he later retracted his statement.

26. Only a few hours after the explosion, Da'esh claimed responsibility for the attack in at least two communications (see annex 6). In one such claim, it also announced future operations, warning that it would “let the Congolese forces and their allies know that their successive campaigns against the mujahidin will only lead to more failure and loss, God willing”. In addition, the Group of Experts obtained an authenticated audio clip sent by an ADF combatant to an ADF collaborator, in which it was stated that: “If you received the news from Kasindi, we did it to avenge our children that the Kafirs killed and then they burned their bodies. That is why we are in a state of anger, because it is a commandment from Allah. This is the retribution of the Kafirs.”

27. On 25 January 2023, another improvised explosive device exploded in a crowded market in the Ma Campagne subdistrict of Beni town, after an ADF collaborator close to Abwakasi deposited a bag containing the improvised explosive device on the ground. At least 18 civilians, including 10 children, were injured. This improvised explosive device contained a smaller amount of explosives than the device used in Kasindi; it was estimated by the improvised explosive device team to be between 500 and 750 g. Fragments of a cell phone were recovered at the blast site, indicating that the explosion was probably activated via radio-controlled device or that a timer was used (see also S/2022/479, paras. 53 and 54).

28. According to Mupalalo, who had received the bomb prior to turning it over to the ADF collaborator, Abwakasi had also built this bomb, as well as another one that he had instructed be deposited in a church in Oicha. Mupalalo explained that Abwakasi had requested that the bombs inflict the maximum number of casualties.

Links with Da'esh and regional networks

Financial flows from Da'esh in Somalia to Allied Democratic Forces

29. On the basis of significant documentary evidence and testimony, the Group of Experts was able to establish that Da'esh had provided financial support to ADF, since at least 2019, through a complex financial scheme involving individuals in several countries on the continent, emanating from Somalia and going through South Africa, Kenya and Uganda.²⁰ Evidence indicates that several channels were being used by Da'esh. The Group outlined how one such mechanism had been used to transfer funds from operatives of Da'esh in Somalia (also known as IS-Somalia) to ADF collaborators (see annex 7).

30. Multiple sources noted that at the centre of the financial scheme was Suhayl Salim Mohammed Abdelrahman²¹ (alias Bilal al-Sudani)²² a Da'esh in Somalia commander under the command of Yusuf Abulqadir Mumin, the group's founder and

¹⁹ ADF collaborator, security forces and Telegram messages.

²⁰ The Group of Experts regrets that it did not receive responses to its repeated requests for information on this matter from the countries listed in the paragraph.

²¹ Researchers and intelligence sources.

²² Sanctioned by the Department of State of the United States of America and killed in Somalia, in early 2023, in a drone strike carried out by the United States.

the emir of Al-Karrar (S/2022/479, para. 46). Under Al-Sudani's direction, Somali national Abdirizak Mohamed Abdi Jimale (S/2022/479, para. 39) started working in the finance department of Da'esh in Somalia after joining the group in 2016.²³

31. Between 2019 and 2020, Jimale transferred over \$400,000 to two Da'esh operatives based in Johannesburg, South Africa – Maisa Cissa (aliases Missa Issa and Maise Isse), a Ugandan national; and Sheikh Abdi Oromay, an Ethiopian national – using a hawala system, through the Heeryo Trading Enterprise, a company registered in Somalia and South Africa by Bashir Abdi Hassan (see annex 8), a Somali national also based in Johannesburg. Abdi Hassan was then instructed by Cissa and Oromay to retransfer part of the funds to Abdiweli Dubat Dege, a Kenyan national living in Nairobi. Dege subsequently transferred the funds to individuals in Uganda, the United Republic of Tanzania and Mozambique.²⁴ Abdi Hassan and Dege used hawala and money transfer services, such as Mama Money and Selpal, which became a backdoor for Da'esh and other criminal networks to facilitate huge money flows throughout the region (see annex 9).²⁵

32. The Group of Experts identified that at least \$60,000 of the \$400,000 originally transferred from Da'esh in Somalia by Jimale was received by known ADF collaborators in Uganda affiliated with ADF commander Meddie Nkalubo, who instructed them on how to use the funds. These included Aisha Katushabe and Sanyu Nakitende, Nkalubo's ex-wife, who received \$10,000 and \$30,000, respectively, in September 2020 (see also S/2022/479, annexes 25 and 26). They remitted the funds to two further ADF collaborators, including Hamidah Nabagala, who has been accused of having funded the Kampala bombings in October 2021.²⁶ While the Group could not definitively confirm that those funds were used to finance the Kampala bombings, it could confirm that this channel constitutes a direct link between ADF and Da'esh in Somalia, including financial flows to support ADF activities.

33. Aisha Katushabe and Sanyu Nakitende were arrested in Uganda, in October 2021, notably for their involvement in financing the bombings.²⁷ Jimale, meanwhile, was tried and sentenced, in August 2021, by a court in Somalia for having links with Da'esh, including with Bilal al-Sudani, and for financing terror, including through the Heeryo Trading Enterprise.

Links with Da'esh cells in South Africa

34. The Group of Experts identified Da'esh individuals and cells based in South Africa linked to ADF. Some of those individuals helped to establish links between Da'esh and ADF as early as 2017 (S/2022/479, para. 43), including through Abwakasi, who joined ADF in 2017 from South Africa (see S/2021/560, annex 4).

Abdella Hussein Abadigga, Farhad Hoomer and others

35. For the first time, the Group of Experts obtained documentary evidence of clear organizational links between ADF and Da'esh operatives in South Africa.

36. These operatives included Abdella Hussein Abadigga and Farhad Hoomer (see annex 10), both sanctioned by the United States of America, in March 2022, for their links with Bilal al-Sudani and Da'esh²⁸ and in contact with Patrick Modise (see annex

²³ Researchers, regional authorities and intelligence sources.

²⁴ Researchers, regional authorities and source with knowledge of the matter.

²⁵ Ibid.

²⁶ Researchers and regional authorities.

²⁷ Researchers, diplomatic sources and regional authorities. See also: www.upf.go.ug/second-incident-of-deadly-bomb-explosion-was-a-suicide-attack/.

²⁸ See <https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions/20220301>.

11), who worked in the Da'esh immigration and logistics committee in the Syrian Arab Republic from 2014 to 2017.²⁹ Abadigga was also reportedly in the Syrian Arab Republic, in 2014, to join Da'esh, following which he led a Da'esh cell in Johannesburg.³⁰ All these operatives were in contact with one another and with Abwakasi. In particular, Modise helped to establish the initial contacts between ADF and Da'esh in 2017.³¹ He informed Musa Baluku that his pledge of allegiance had been accepted by Da'esh in October 2017.

37. Also in October 2017, Abadigga travelled with three other individuals from South Africa to Goma, where they were arrested by the Congolese authorities while trying to join ADF (see annex 12).³² At the time of his arrest, Abadigga was carrying at least two drones and a camera intended for ADF (see annex 13). Abwakasi tried to obtain their release, including through Farhad Hooper, who travelled to the Democratic Republic of the Congo in early 2018. Upon his return to Johannesburg, in 2020, Abadigga reportedly continued to lead a Da'esh cell. He was arrested in South Africa, in late 2022, on the basis of his alleged involvement in a terror threat. His current whereabouts are unknown.

Swalleh Abubakar

38. Meddie Nkalubo, one of the key ADF commanders managing collaboration with Da'esh at the regional level (see S/2021/560, annex 4), relied upon significant contributions from the ADF collaborator and recruiter, Swalleh Abubakar (see annex 14). Swalleh, who has moved funds and recruits for ADF through South Africa, Uganda, Zambia and the Democratic Republic of the Congo since at least 2017,³³ was linked to the ADF-affiliated Usafi mosque in Kampala. He lived in Uganda until at least mid-2018 or 2019, and then moved to South Africa where, at Nkalubo's instruction, he joined a Da'esh cell linked to Nkalubo and was involved in robberies and kidnappings for ransom.³⁴ Swalleh also travelled back to the region, including to the border between Tanzania and Uganda and to Zambia,³⁵ moving money and recruits for ADF until at least mid-2021. In April 2021, he remitted \$30,000 to Nkalubo's ex-wife, Sanyou Nakitende, in Lusaka.³⁶

Links with Ahl al-Sunna wal-Jama'a in Mozambique

39. For the first time, the Group of Experts obtained evidence of organizational links between ADF and Ahl al-Sunna wal-Jama'a in Mozambique (see annex 15).

B. Crisis related to the Mouvement du 23 mars

Territorial expansion

40. Despite bilateral, regional and international efforts to de-escalate the situation since the midterm report of the Group of Experts (see annex 16), the frequency of attacks by the Mouvement du 23 mars (M23) against the Armed Forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo, FARDC, the Forces démocratiques de libération du Rwanda (FDLR) and

²⁹ Researcher, intelligence sources, regional authorities and diplomatic sources.

³⁰ Researcher, regional authorities and diplomatic sources.

³¹ Researchers and diplomatic sources.

³² FARDC, intelligence sources, researchers and diplomatic sources.

³³ ADF ex-combatants and researcher.

³⁴ ADF ex-combatant, regional authorities and researcher.

³⁵ Ibid.

³⁶ Regional authorities and researchers.

related armed groups continued to trend upward.³⁷ As a result, there has been a catastrophic deterioration of the humanitarian crisis, including the displacement of over 1 million civilians (see annex 17 and paras. 63–70 below). Clashes between M23 and FARDC, with both accusing each other of violating successive ceasefire agreements (see annex 18), resulted in significant losses on both sides. M23, which is well organized and equipped (paras. 52 and 53 below), continued to sustain intense fighting on several fronts simultaneously and often for prolonged periods of time (see also [S/2022/967](#), paras. 30 and 32).

41. M23 continued to expand the area under its control, pushing further north-east, south and west, often with the support of the Rwanda Defence Force (RDF),³⁸ despite a vigorous FARDC counteroffensive supported by local armed groups, FDLR and private military companies (paras. 47 and 48 below). M23 took control of additional strategic roads, bridges and towns, including Nyamilima, in early January 2023; Kitshanga in late January; Mushaki, at the end of February; and, briefly, the Rubaya mining area, on 26 February (see paras. 91–97 below). M23 nearly achieved the complete encirclement of Goma town.

42. In late February 2023, M23 controlled an area twice the size of the territory it had controlled in early November 2022 (see annex 19 and [S/2022/967](#), para. 31). Until mid-March 2023, M23 continued to threaten Sake, only 25 km north-west of Goma on the Mweso-Kitshanga-Goma road, including with mortar fire.³⁹ In mid-March, M23 clashed with FARDC and armed groups in the south and south-west of Sake and took control of hills overlooking the road between Sake and Minova, in South Kivu, along Lake Kivu. M23 failed to sever this final remaining axis to Goma, take control of the lake or move into Kalehe territory, South Kivu; nonetheless, the clashes resulted in massive population displacements of civilians to South Kivu and further isolated Goma. Besides restrictions on the movements of MONUSCO and humanitarian agencies, M23 control of key transport roads, including those leading to Rwanda and Uganda, also had a direct economic impact on Goma, as food and other supplies were disrupted and prices increased.

43. M23 also continued to operate and develop its parallel administration and to tax civilians and economic actors in territories under its control (see also [S/2022/967](#), annex 23).

Incomplete withdrawal

44. Despite ceremonial withdrawals from certain positions and areas, evidence shows that the announced withdrawals and disengagements by M23 appeared to have been merely tactical, aimed at buying time in the face of mounting international pressure, while the armed group was given assurances that the “disengaged” areas would not be handed over to FARDC but to the East African Community Regional Force, as envisaged at the mini summit on peace and security in the eastern region of the Democratic Republic of the Congo, held in Luanda on 23 November 2022 (see annex 20).

45. Despite a symbolic handover by M23 to the East African Community Regional Force of Kibumba and Rumangabo towns on 23 December 2022 and 5 January 2023, respectively, M23 leaders and combatants remained present and operational in those towns and the surrounding areas. Other combatants from the disengaged zones were redeployed to other areas.⁴⁰ In January and February 2023, the Group of Experts also received evidence that M23 and RDF had moved troops along this axis, including

³⁷ Some periods were also characterized by a momentary lull in fighting.

³⁸ Documents and photographic evidence on file with the Group and interviews with over 80 sources.

³⁹ The mission of the Group of Experts to Sake, February and March 2023.

⁴⁰ The mission of the Group of Experts to Kibumba in January 2023 and interviews with over 40 sources, including the East African Community Regional Force.

through Rugari and Kibumba, to reinforce the western front towards Kitshanga and Sake. Such movements were not prevented by the Regional Force.⁴¹ A similar pattern in which M23 did not vacate the area around Sake-Mushaki-Karuba was reported in mid-March 2023 and again in and around Bunagana in early April 2023.⁴²

46. Although the front lines between M23 and FARDC remained calm in early April 2023, M23 failed to fully comply with the East African Community timetable adopted in mid-February, in which 30 March 2023 had been set as the deadline for complete withdrawal. For example, on 12 April 2023, M23 summoned economic actors for a meeting at M23 coordination offices in Rutshuru (see annex 21).

Multiplicity of military actors on the ground

47. The period under review was characterized by the militarization of Goma town and the Sake area, as well as by the presence of multiple uniformed actors – namely FARDC supported by armed groups (paras. 71–90 below), MONUSCO peacekeepers, the East African Community Regional Force (see annex 22) and private military companies (see annex 23) – deployed to, among other aims, stop the territorial conquest by M23 and ease the military pressure on Goma town (paras. 40–42). Regional Force contingents were progressively deployed to areas and positions partially vacated by M23 (paras. 44–46 above), and the President of Angola announced the deployment of an Angolan contingent to ensure the projected cantonment of M23 in Maniema and protect the members of the Expanded Joint Verification Mechanism.

48. While East African Community Regional Force troops were not engaged in offensive operations, FARDC increasingly resorted to artillery and air strikes against M23 positions, slowing down the group's progress towards Sake and precipitating its withdrawal from some positions, especially in the Sake and Mushaki areas.⁴³ The planning and support of private military companies to those FARDC operations, including from companies Agemira RDC and Congo Protection, has regularly been denounced by M23, which has claimed that the Government of the Democratic Republic of the Congo worked with “mercenaries” (see annex 24).

Organization, demands, troop reinforcement and training

49. In addition to denouncing a lack of progress in the implementation of the Declaration of Commitments by the Movement of March 23 at the Conclusion of the Kampala Dialogue and Declaration of the Government of the Democratic Republic of the Congo at the conclusion of the Kampala Dialogue (the Nairobi Declarations) signed on 12 December 2013 ([S/2022/479](#), para. 69), the M23 narrative has evolved. The armed group has increasingly focused on protecting the Tutsi community from an alleged genocide and the related necessity of neutralizing FDLR (para. 98 below). M23 requested a direct dialogue with the authorities of the Democratic Republic of the Congo and articulated new conditions for its own withdrawal, such as “the end of corruption” and “reform of the army”, de facto rejecting the requirements of the Luanda and Nairobi processes.⁴⁴

50. The leadership of M23 (see annex 25) remained under the overall military command of sanctioned individual “General” Sultani Makenga (see also [S/2022/967](#), para. 35). The civilian-military structure of M23 was further consolidated, including

⁴¹ Documents and photographic evidence on file with the Group and interviews with over 30 sources.

⁴² FARDC, private military companies, armed group combatants, civil society and MONUSCO sources.

⁴³ Still under the control of FARDC and private military companies at the time of drafting the present report.

⁴⁴ Mouvement du 23 mars (M23) communiqués, interviews with M23 leaders, and MONUSCO sources.

with several FARDC officers and soldiers who joined M23.⁴⁵ According to several sources, sanctioned individual Baudoin Ngaruye (CDi.019) and M23 combatants under his command (see also [S/2013/433](#), paras. 14, 25, 29 and 52, and text box on p. 6), all of whom were cantoned in Rwanda until recently, were brought to the Democratic Republic of the Congo, in February 2023, to join M23, trained in Tshanzu and redeployed, including to Rwindi and Kisheshe area ([S/2022/479](#), para. 58).⁴⁶ The Group of Experts also documented the operational rapprochement between M23 and Twirwaneho, an armed group active in South Kivu (see paras. 142–145 below).

51. Captured and surrendered M23 combatants confirmed that “Colonel” Kanyamibwa continued to command military and ideological training in Tshanzu for new recruits, with the support of “Lieutenant” Moise and “Sous-Lieutenant” Masengechu, both reportedly former members of FARDC. New recruits were trained for between six and nine months; the most promising recruits were selected for the commando unit and benefited from specific training. In early March 2023, the training of new combatants was completed, bringing the total number of M23 combatants to approximately 3,000.⁴⁷

Military equipment

52. Photographic evidence and drone and video footage show M23 leaders and combatants wearing new matching uniforms, Kevlar helmets and bulletproof vests (see also [S/2022/967](#), para. 44). One surrendered M23 combatant, the aide of a leader of M23, confirmed that M23 had purchased new uniforms, but was unable to give details of the precise origin of those uniforms. M23 and/or RDF combatants were also equipped with VHF radios, night-vision equipment and vehicles. The variety and good condition of the military equipment recovered and documented in areas occupied by M23 and/or where RDF incursions and/or operations were conducted – including various types of assault rifles, heavy and light machine guns, various types of rocket-propelled grenade launchers, rockets, grenade launchers and grenades, recoilless guns, mortar shells and boxes of ammunition – provided some insight into the significant firepower of M23 (see annex 26).

53. Certain military equipment was produced recently and thus could not belong to the older M23 stockpiles from 2012 and 2013.⁴⁸ For example, several 40 mm anti-personnel rifle grenades and a box of 7.62 x 54 mm ammunition, both produced in 2021, as well as 12.7 x 108 ammunition and Kevlar helmets, all produced in 2020, were recovered in mid-March 2023 at abandoned M23 positions approximately 3–5 km north-east of Sake, Masisi territory (see annex 27). The Galil-type and AK-103-type assault rifles spotted, on 3 March 2023, in a mixed M23/Rwanda Defence Force camp, in Mushaki, had never before been documented on Democratic Republic of the Congo territory by the Group of Experts (see annex 26). This indicates that either M23 had recently acquired new military hardware or the recovered equipment belonged to a regular army supporting M23 on the battlefield (see also [S/2022/967](#), para. 45).

Rwanda Defence Force incursions, military operations, and support to and organization of the Mouvement du 23 mars

54. On 24 March 2023, in an official communiqué, FARDC reiterated the claims of the Government of the Democratic Republic of the Congo that RDF continued to operate under the guise of M23. On 29 March, military authorities claimed that Rwanda

⁴⁵ FARDC, M23 ex-combatants, researchers and MONUSCO and civil society sources.

⁴⁶ Researchers and M23 sources.

⁴⁷ M23 ex-combatants, researchers and intelligence sources.

⁴⁸ See, inter alia, the 2013 embargo assessment of M23 arsenal (document on file with the Secretariat) and [S/2012/348/Add.1](#).

had sent reinforcements in the form of troops and equipment to the Democratic Republic of the Congo, and that RDF and M23 troops had attacked Mweso town, Masisi territory (see annex 28 and [S/2022/967](#), para. 50). While the Government of Rwanda continued to deny that it provided support to M23, including in response to information requests from the Group of Experts, several Member States and the European Union called upon Rwanda to halt its support. Notably, the United States “reiterate[d] its call on Rwanda to end support to the United Nations-sanctioned Mouvement du 23 mars (M-23) and urged Council members to consider how that kind of support [ran] afoul of the existing sanctions regimes”.⁴⁹

55. The Group of Experts obtained further evidence – including documentary and photographic evidence and aerial footage – of military operations by soldiers clearly attired in RDF military uniform in Rutshuru, Masisi and Nyiragongo territories between November 2022 and March 2023 (see also [S/2022/967](#), paras. 47–51). Eyewitnesses, civil society actors, local authorities, armed group leaders and combatants, captured M23 combatants, Rwandan officials, two Rwandan intelligence officers and one RDF soldier, and diplomatic sources also reported the presence of RDF troops in border areas, towns occupied by M23 and newly created RDF and M23 positions in those three territories (see also paras. 86 and 88 below).

56. RDF troops conducted operations against FDLR and Rassemblement pour l’unité et la démocratie (RUD)-Urunana positions in the Democratic Republic of the Congo, with the aim, among other things, of neutralizing FDLR “Colonel” Ruvugayimikore Protogène (alias Ruhinda),⁵⁰ sanctioned FDLR military commander “General” Pacifique Ntawunguka (alias Omega) (CDi.024), and allied Congolese armed groups.⁵¹ In mid-December 2022, “Colonel” Gavana, the leader of the RUD-Urunana, was reportedly killed in a targeted RDF operation.⁵² The presence of RDF in Kisheshe and Bambu, Rutshuru territory, and Mushaki area, Masisi territory, was reported regularly prior to and after M23 had taken control of the areas, known for hosting numerous local armed groups and FDLR (see also paras. 67 and 86–90 below).⁵³ Several sources reported the killing of RDF members in those locations; killings that were attested to by documents collected on the battlefield (see annex 29).

57. RDF also engaged in specific operations and provided troop reinforcements to M23 with the aim of seizing or reinforcing strategic areas. For example, in a video shot on 15 November 2022, at least 25 combatants, reportedly members of RDF,⁵⁴ were shown marching in columns in Kiwanja town, which had been under M23 control since 29 October 2022 (see annex 30). In addition, in February and March 2023, RDF soldiers of the eleventh battalion commanded by Lieutenant-Colonel Alex Nkuranga were present in Mushaki and Karuba areas,⁵⁵ Masisi territory, where they fought against FDLR, Alliance des patriotes pour un Congo libre et souverain (APCLS) and Nyatura-Abazungu (Alliance des nationalistes congolais pour la défense de droits humains/Alliance de force de défense du peuple) elements.⁵⁶ On 7 March 2023, combatants wearing military uniforms and weapons similar to those of RDF were spotted on a fortified hill in Karuba (see annex 31). The Group of Experts also obtained a notebook recovered at a mixed M23/RDF position, in Mushaki, containing handwritten notes in English and Kinyarwanda detailing the names and grades of

⁴⁹ Security Council meetings, December 2022 ([S/PV.9215](#)) and March 2023 ([S/PV.9298](#)).

⁵⁰ See also [S/2022/967](#), annexes 31 and 34.

⁵¹ Researchers, civil society sources and intelligence sources, RDF soldier.

⁵² RDF intelligence, MONUSCO and armed group sources.

⁵³ Eyewitnesses, researchers, Forces démocratiques de libération du Rwanda (FDLR), Collectif des mouvements pour le changement (CMC) and civil society sources, and drone footage.

⁵⁴ Eyewitnesses, civil society and diplomatic sources, and armed group combatants.

⁵⁵ RDF soldier, researcher and eyewitnesses.

⁵⁶ RDF soldier, researcher and eyewitnesses, armed group combatants and civil society sources.

suspected RDF soldiers and commanders sent on mission in the area, the use of 82 mm and 60 mm mortars and the mission, which was articulated as “destroying the armed forces by breaking their integration” (see annex 32). Aerial footage and photographic evidence confirmed the presence of RDF soldiers on Democratic Republic of the Congo territory (see annex 33).

58. Multiple independent reliable sources of diverse background, including one RDF soldier and several eyewitnesses, reported that RDF troops arrived from the Rwandan side of the border and entered the Democratic Republic of the Congo through various entry points (see annex 34).⁵⁷

59. The Group of Experts received information confirming that, on the ground, operations by RDF, including those by RDF special and reserve forces, were coordinated by Brigadier General Andrew Nyanvumba (see also [S/2022/967](#), annex 29).⁵⁸ Deployed RDF troops included members of the 201st and 301st brigades,⁵⁹ as well as members of the RDF special forces, commanded by Captain Niragire Jean Pierre (alias Gasasira),⁶⁰ who were deployed for specific operations from May 2022 onward. Gasasira, in turn, received instructions from Major General Ruki Karusisi, the overall commander of the RDF special forces.⁶¹ Major General Alexis Kagame, who commanded several RDF operations on Democratic Republic of the Congo territory in 2022 (see [S/2022/967](#), annex 32), was recalled to Kigali and replaced by Major General Emmy Ruvusha.⁶²

60. Several sources with knowledge of the matter, including two RDF intelligence personnel, uniformed personnel and sources close to M23, reported to the Group of Experts that the objective of the RDF military actions on Democratic Republic of the Congo territory, labelled “North Kivu operations” was to reinforce M23 by providing troops and materiel and to use them to secure control over mine sites, gain political influence in the Democratic Republic of the Congo⁶³ and decimate FDLR.⁶⁴ The Group notes that, to date, the North Kivu operations have been unsuccessful in achieving those objectives.

61. According to two RDF intelligence personnel, one RDF officer, three researchers and foreign intelligence services, the North Kivu operations were designed and coordinated by General James Kabarebe, who is currently the Defence and Security Adviser to the President of Rwanda (see also [S/2012/843](#), text box on p. 10). Kabarebe received support for the implementation of the operations from, among others, General Jean Bosco Kazura, Lieutenant General Mubarakh Muganga, Major General Franck Mugambage, Major General Vincent Nyakarundi, Major General Ruki Karusisi, Major General Eric Murokore and Brigadier General Rugumyangabo Gacinya (see annex 35).

⁵⁷ Civil society sources, local authorities, diplomats, researchers.

⁵⁸ Researchers, RDF soldier and Government of the Democratic Republic of the Congo and diplomatic sources.

⁵⁹ The 201st brigade included members of the sixth, nineteenth and twenty-fifth battalions and reserve forces (see also [S/2022/967](#), annex 29). The 301st brigade included members of the fourth and eleventh battalions and reserve forces.

⁶⁰ The Group of Experts documented that, in 2020, Gasasira cooperated with, among others, FARDC Colonel Claude Rusumbi and General Gahizi in Rutshuru territory when conducting operations against FDLR ([S/2020/1283](#), paras. 36–41). Researchers, FARDC sources and documentary and photographic evidence.

⁶¹ Researchers, sources close to M23 and RDF intelligence sources.

⁶² Ibid.

⁶³ RDF intelligence, researchers, sources from the Office of the President of the Democratic Republic of the Congo, Democratic Republic of the Congo security sources close to Twirwaneho, Twirwaneho and M23 ex-combatants, and diplomatic sources.

⁶⁴ RDF soldier, M23 ex-combatants, researchers, armed group sources and eyewitnesses.

Tensions between the Democratic Republic of the Congo and Rwanda

62. The territorial expansion of M23 and the operations led by FARDC and allied armed groups against M23, which have been denounced by the Government of Rwanda on several occasions (see also [S/2022/967](#), paras. 64–71), have worsened already tense relations between the Democratic Republic of the Congo and Rwanda.⁶⁵ Tensions were heightened when, on 24 January 2023, RDF shot at a Sukhoi (SU-25) fighter jet belonging to FARDC over Goma, in Congolese airspace, while the jet was approaching Goma airport for landing (see annex 36).

Abuses against civilians perpetrated by the Mouvement du 23 mars, including killings, arbitrary arrests, torture, rape and forced labour

63. The Group of Experts documented multiple violations of international humanitarian law and serious human rights abuses perpetrated by M23 fighters in areas under their control (see paras. 41 and 42 above), including killings and rapes.⁶⁶ The acts listed henceforward constitute acts that are sanctionable pursuant to paragraph 7 (e) of Security Council resolution [2293 \(2016\)](#), the measures contained in which were renewed by the Council, by its resolution [2641 \(2022\)](#).

64. Civilians in areas occupied by M23 reported living in fear of persecution, as individuals suspected of collaborating with the Government of the Democratic Republic of the Congo, FARDC or with “enemy armed groups” were arbitrarily arrested, detained and sometimes tortured to death. Some individuals taken by M23 have disappeared without a trace (see annex 37).⁶⁷ Witnesses living in areas under M23 control, including a local leader installed by M23, spoke of a “duty” to denounce suspected FARDC or enemy armed group collaborators.⁶⁸

65. The Group of Experts documented a pattern of both indiscriminate and targeted killings of civilians by M23, a shift in tactics compared with the previous reporting period. In particular, operations against FDLR strongholds coincided with the killing of civilians as punishment for being suspected of being relatives or supporters of FDLR or of other armed groups hostile to M23,⁶⁹ especially when M23 was faced with some local resistance to the occupation (paras. 66 and 67 below). The Group also documented summary executions of civilians and captured or suspected combatants by M23 (see annex 38) and the rape of dozens of women (paras. 68 and 69 below). M23 also systematically pillaged the goods and crops of the local population and forced local people to contribute to rations for M23 combatants.⁷⁰

Killings at Kisheshe on 29 November 2022

66. M23 conducted a series of revenge killings targeting civilians in the town of Kisheshe, on 29 November 2022, following an armed confrontation with local armed groups, notably FDLR and Mai-Mai. M23 denied the killing of civilians, claiming that “only” eight had perished in crossfire (see annex 39).⁷¹ However, investigations conducted by the Group of Experts revealed that over 100 people had been killed after

⁶⁵ See also: Jeune Afrique, “Paul Kagame: M23 en RDC, Tshisekedi, Macron, présidentielle au Rwanda ... L'entretien exclusif en video”, video, 31 January 2023.

⁶⁶ Based on over 50 interviews with victims, witnesses, researchers, civil society, community leaders and governmental, humanitarian and MONUSCO sources, as well as on photographic, video and documentary evidence.

⁶⁷ Testimonies of relatives of victims, civilians living in areas under M23 control, researchers and civil society and MONUSCO sources.

⁶⁸ Local leaders who collaborated with M23, and community members.

⁶⁹ Community leader, local witnesses, researchers and MONUSCO and humanitarian sources.

⁷⁰ Direct witnesses, victims, community leaders, civil society sources, researchers.

⁷¹ M23 communiqué of 3 December 2022, signed by the President of M23, Bertrand Bisimwa.

M23 conducted a house-to-house search, executing unarmed civilians, mostly men and boys, some as young as 12 years of age, on the basis of assumptions that they were combatants or supporters of enemy armed groups, without carrying out any verification so as to ascertain their identity. Following the takeover of Kisheshe, M23 combatants systematically looted civilian property and raped several women.⁷² A detailed presentation of the Group's findings on this incident is contained in annex 40.

Killings in Kazaroho in February 2023

67. Evidence collected by the Group of Experts confirmed the killing of at least 11 individuals, including a woman and two children,⁷³ in Kazaroho, on or around 26 February 2023. According to witnesses, the victims were killed by M23 while harvesting crops on agricultural fields previously controlled by FDLR. Kazaroho, formerly the seat of the FDLR sector headquarters, was a key target of M23 and RDF operations (see annex 41).⁷⁴ According to witnesses, the killings were committed by M23 as punishment against those presumed to be FDLR members and their relatives, as there had been no armed confrontation with FDLR prior to the killings. Photographs obtained by the Group depicted bodies of victims; some had been killed with their arms tied behind their backs. Numerous houses were burned, some of them were confirmed to belong to FDLR or their dependants. A detailed presentation of the Group's findings on this incident is contained in annex 42.

Rapes in areas controlled by the Mouvement du 23 mars

68. Numerous rapes were reported in areas under M23 control, perpetrated by M23 combatants.⁷⁵ Individuals working with sexual violence survivors documented at least 60 women, including eight minor girls, who had been raped by M23 combatants in Rutshuru territory since November 2022.⁷⁶ The Group of Experts interviewed 12 women, including one minor,⁷⁷ who had been raped when they returned to their abandoned homes in search of food. The women described the attackers as M23 combatants wearing full military uniform, being well armed and speaking "Kinyarwanda from Rwanda" (see annex 43).

69. The Group of Experts also documented the rape of more than 20 women and girls in or near Bambo, in Bwito *chefferie*, on or after M23 took control of the town on 21 November 2022.⁷⁸ The Group interviewed three women who had been gang-raped by M23 combatants in similar circumstances. A young woman had been gang-raped while sheltering in a house with six other women. Twelve men, whom she identified as Kinyarwanda-speaking M23 combatants, took turns raping the seven women. A striking similarity in the testimonies of the three women is that they were all asked for the whereabouts of their husbands before being raped. One was told that she was a "Nyatura wife" because of her braided hair. On the basis of evidence collected, the Group noted a trend in rapes being used to punish or humiliate women presumed to be

⁷² Testimonies of eyewitnesses and victims from Kisheshe, community leaders, researchers and civil society and MONUSCO sources.

⁷³ According to the most conservative figures reported by witnesses, including locals who participated in the collection of bodies, researchers, civil society and FDLR sources.

⁷⁴ Witnesses, researchers, civil society and MONUSCO sources, and a public announcement on an M23-affiliated Twitter account.

⁷⁵ Community leaders, witnesses, and NGO and civil society sources.

⁷⁶ Statistics provided by professional staff working with sexual violence survivors in Nyiragongo territory.

⁷⁷ All internally displaced persons living in the Kanyaruchinya internally displaced person camp.

⁷⁸ Rape victims, community leaders, witness working with rape survivors, researchers and MONUSCO sources.

relatives of enemy combatants. A detailed presentation of the evidence is contained in annex 44.

Forced labour

70. M23 combatants systematically used civilians to carry out forced labour, notably to transport ammunition and looted goods, or to do *salongo*, or mandatory community service.⁷⁹ Those who refused faced punishment; some were killed (see annex 45).⁸⁰

Armed group coalitions and coordination by the Armed Forces of the Democratic Republic of the Congo

71. In May 2022, the President of the Democratic Republic of the Congo, Tshisekedi Tshilombo, called upon the military hierarchy to refrain from using proxies in the fight against M23. Nonetheless, the Group of Experts has continued to document the clear engagement of a coalition of armed groups alongside FARDC in fighting M23 (S/2022/967, paras. 64–71). The engagement of armed groups – crucial for constraining M23 advances – was organized, coordinated and supported by senior FARDC officers.

72. In fact, armed groups have increased recruitment; restructured, defined and coordinated their areas of armed operations; and rearmed themselves in response to the rapid territorial expansion of M23 and the intensity of the fighting (see paras. 40–43 above).

Recruitment and remobilization of ex-combatants

73. Between December 2022 and January 2023, to reinforce their ranks in Walikale, Masisi and Rutshuru territories, APCLS recruited 200 combatants, the Nduma défense du Congo-Rénové (NDC-R) faction led by sanctioned individual Guidon Shimiray Mwisa (CDi.033) recruited 305 combatants and the Collectif des mouvements pour le changement/Forces d'autodéfense du peuple congolais (CMC-FAPC) led by “General” Bigabo recruited 241 combatants (see annex 46).⁸¹ Collectif des mouvements pour le changement/Forces de défense du peuple (CMC/FDP) led by “General” Dominique Ndarahutse (alias Domi) and FDLR also intensified their recruitment drives (see para. 87 below).

74. Demobilized combatants who had been cantoned in a demobilization centre in Mumbambiro, close to Sake, Masisi territory, decamped and joined either local armed groups, FDLR or M23.⁸² The few remaining combatants were sent home and the centre was temporarily closed on 5 February 2023.⁸³

Armed group alliance to counter the Mouvement du 23 mars

75. Local armed groups active in North Kivu organized themselves into a coalition called Alliance des résistants de la patrie (ARP). The leader of APCLS, “General” Janvier Buingo Karahiri, led the alliance, and NDC-R leader Guidon Shimirayi Mwisa oversaw logistics and operations with the assistance of Domi, leader of CMC/FDP.⁸⁴

76. Local armed groups joined the alliance to fight alongside FARDC. In Walikale and Masisi territories, these included CMC/FDP, Alliance des nationalistes congolais pour la défense de droits humains/Alliance de force de défense du peuple, APCLS,

⁷⁹ In addition to M23, other armed groups also regularly impose *salongo* on the local population.

⁸⁰ Civil society sources, community leaders, researchers, eyewitnesses and victims.

⁸¹ Armed group combatants, local authorities, researchers and FARDC and civil society sources.

⁸² FARDC sources, armed groups’ combatants, local authorities and researchers.

⁸³ The visit of the Group of Experts to Sake and Mumbambiro, February and March 2023.

⁸⁴ Armed group combatants, FARDC and civil society sources, researchers and local authorities.

NDC-R (led by Guidon) and Mai-Mai Kifuafua. In Rutshuru territory, these groups included the Mouvement patriotique d'autodéfense (MPA), the Collectif des mouvements pour le changement/Forces armées du peuple congolais (CMC/FAPC), NDC-R/Bwira (now led by Mapenzi).⁸⁵ Lastly, FDLR, also part of the coalition, mostly operated as a distinct unit also known as “the fifth column”.⁸⁶

77. The Group of Experts received consistent information regarding the participation of the armed groups of the coalition in operations against M23 and RDF, including in Kitshanga and Rubaya, in January and late February 2023, respectively (see annex 47).⁸⁷

78. In November 2022, the armed group known as Coalition des patriotes résistants congolais/Force de frappe (PARECO/FF) re-emerged, reportedly to fight M23 and RDF and defend the territorial integrity of the Democratic Republic of the Congo (see also [S/2008/773](#), paras. 114–120).⁸⁸ PARECO/FF was led by the former M23 leader, Sendugu Hakizimana (alias Museveni) (see annex 48 and [S/2012/843](#), para. 46).

Armed Forces of the Democratic Republic of the Congo coordination

79. Multiple sources informed the Group of Experts that FARDC Generals Janvier Mayanga (see also [S/2008/773](#), paras. 116 and 117) and Hassan Mugabo-Baguma (see also [S/2015/19](#), paras. 169 and 170) were sent to North Kivu to supervise operations, and to mobilize and coordinate armed groups in support of FARDC.⁸⁹ Multiple reliable, independent sources of diverse background have stressed that this cooperation was endorsed by national military authorities,⁹⁰ in particular the head of the Maison Militaire of the Democratic Republic of the Congo, General Franck Ntumba, and the Chief of Army Staff, General Christian Tshiwewe Songesha.⁹¹

80. In late December 2022 and early January 2023, General Chico Tshitambwe (see also [S/2009/603](#), para. 44), then second-in-command of operations against M23, convened at least three meetings between the official military hierarchy and armed group leaders in Goma to seal this collaboration.⁹² At the January meeting, attended also by FDLR-Forces combattantes abacunguzi (FOCA), each armed group leader received \$5,000 and assurances that they would be provided with adequate weaponry.⁹³ During the same period, armed group leaders met with Generals Mayanga and Mugabo to agree on logistics and financial support to ARP. For example, a coordination meeting was held at Hotel Nyarusumba in Kitshanga on 10 and 11 December 2022.⁹⁴

81. FARDC Colonel Salomon Tokolonga (see also [S/2022/967](#), para. 65) served as a contact point between FARDC military hierarchy and armed groups. He coordinated several operations and weapons supplies.⁹⁵ The leader of NDC-R/Guidon, and the chief

⁸⁵ See [S/2022/967](#), annex 51.

⁸⁶ Ex-combatants, armed groups leaders, FARDC and civil society sources.

⁸⁷ Ibid.

⁸⁸ Local authorities, FARDC and security sources, armed group leaders and combatants, civil society sources and researchers.

⁸⁹ FARDC and security sources, local authorities, ex-combatants, researchers, civil society, MONUSCO and intelligence sources.

⁹⁰ FARDC and intelligence sources, armed group combatants, civil society sources and researchers.

⁹¹ FARDC and intelligence sources, armed group combatants, researchers, civil society, Government of the Democratic Republic of the Congo and security sources.

⁹² Armed group combatants, local authorities, researchers and civil society, FARDC, intelligence and security sources.

⁹³ Armed group leaders and combatants, researchers and diplomatic sources.

⁹⁴ Armed group leaders, researchers, local authorities and intelligence, civil society and MONUSCO sources.

⁹⁵ Armed group combatants, local authorities, researchers and civil society and intelligence sources.

of staff of NDC-R in Kitshanga, Deo Bafosse Mparanyi, are shown in several pictures and in a video, together with Colonel Tokolonga, in December 2022 (see annex 49).

82. Multiple sources reported that, at the instruction of Generals Mayanga and Mugabo, FARDC provided armed groups with uniforms, weapons, ammunition, generators, fuel, food and monetary incentives.⁹⁶ FARDC also distributed red armbands so as to be able to identify and distinguish friendly armed groups from the enemy.⁹⁷

83. ARP coalition combatants told the Group of Experts that armed group leaders conditioned their participation on a series of demands.⁹⁸ For example, NDC-R/Guidon expected the arrest warrant issued by the Government of the Democratic Republic of the Congo against Guidon to be lifted, FDLR-FOCA requested the release of its members that had been detained by the Government and APCLS requested to join FARDC as a special unit.

84. Armed group combatants and leaders complained about ineffective coordination and personal antagonism within the FARDC hierarchy, FARDC soldiers decamping in the face of M23 and Rwanda Defence Force attacks and insufficient and inadequate ammunition provided by FARDC. Frequent changes in FARDC command created instability for FARDC soldiers and all other combatants engaged in the fighting (see annex 50).

85. On 3 March 2023, the Cabinet of the Government of the Democratic Republic of the Congo met and an agreement was reached on a draft law related to the creation of a reserve defence force. While that agreement was interpreted to mean allowing elements of local armed groups to be enrolled in the national reserve forces,⁹⁹ the Government issued a statement denying it.¹⁰⁰ However, the Group of Experts was informed of a meeting, held in Goma, on 13 April 2023, and presided over by General Constant Ndima, during which the deployment of almost 6,000 combatants and ex-combatants to constitute the reserve force – paid and equipped by FARDC – was projected (see annex 51).¹⁰¹ The Group is concerned that the incorporation of armed groups into a reserve force would undermine both the Nairobi process and the Disarmament, Demobilization, Community Recovery and Stabilization Programme.

Structure of the Forces démocratiques de libération du Rwanda-Forces combattantes abacunguzi and cooperation with the Armed Forces of the Democratic Republic of the Congo and local armed groups

86. FDLR-FOCA, under the political leadership of sanctioned individual “Lieutenant General” Gaston Iyamuremye (CDi.003)¹⁰² and the military command of Omega Israel (CDi.024) ([S/2017/1091](#), para. 15 and [S/2022/479](#), paras. 73 and 74), remained active in North Kivu.¹⁰³ During attacks by M23 and RDF on FDLR-FOCA bases in December 2022, the latter’s spokesperson, known as Fontaine, was killed. Niyiturinda Placide

⁹⁶ Armed groups combatants, researchers, FARDC and civil society, security, intelligence and diplomatic sources.

⁹⁷ Ex-combatants, local authorities and FARDC, intelligence and civil society sources.

⁹⁸ Active and ex-combatants, researchers and FARDC, civil society, security and intelligence sources.

⁹⁹ Minutes of the Cabinet meeting of the Government of the Democratic Republic of the Congo, 3 March 2023. See also: “En RDC, des miliciens pourraient-ils devenir des réservistes de l’armée ?”, *Jeune Afrique*, 13 March 2023.

¹⁰⁰ Armed group leaders, researchers, civil society and diplomatic sources.

¹⁰¹ FARDC officer and armed group combatants.

¹⁰² Also known as Byiringiro Victor Rumuli, Victor Rumuri, Michel Byiringiro, Victor Byiringiro and Rumuli.

¹⁰³ FDLR ex-combatants, researchers, local authorities, and security and civil society sources.

(alias Cure Ngoma), assured communication thereafter (see para. 80). FDLR-FOCA remained active in Rutshuru and Nyiragongo territories.¹⁰⁴

87. In addition to recruiting and training combatants for other armed groups,¹⁰⁵ FDLR-FOCA recruited and trained new combatants to reinforce its special unit, known as the Commando de recherche et d'action en profondeur, under the command of "Colonel" Ruvugayimikore Ruhinda.¹⁰⁶ FDLR-FOCA recruited mainly in Rutshuru and Masisi territories. After being trained by "Colonels" Taffi and Makoma, the best combatants were sent to Omega in Kibirizi, Rutshuru territory, who registered and dispatched them to various protection and combat units, including the Commando de recherche et d'action en profondeur unit. In early February 2023, between 150 and 170 newly trained elements joined the unit.¹⁰⁷

88. The Commando de recherche et d'action en profondeur, comprising between 300 and 500 elements, defended FDLR-FOCA positions in Bwisa, Buhara, Kazahoro, Mozambique, Paris and Suncity, in the Rutshuru and Nyiragongo territories, when M23 and RDF launched a wave of attacks between November 2022 and February 2023.¹⁰⁸ The Group of Experts notes that FDLR withdrew from several positions, exposing the population to reprisal attacks (see paras. 66 and 67 above).

89. FDLR-FOCA closely collaborated with local armed groups and FARDC.¹⁰⁹ "Colonel" Ruhinda attended several planning meetings with FARDC in Kitshanga on 10 and 11 December 2022 (see para. 80 above) and again on 10 January 2023, and was provided with weapons and ammunition by FARDC.¹¹⁰ Within the same period, several sources reported that Omega had held meetings in Goma with FARDC military hierarchy to discuss collaboration.¹¹¹

90. FDLR-FOCA sources indicated that they had fought alongside FARDC and local armed groups to defend their positions and dependants from M23 attacks.¹¹² For example, they had fought with CMC/FDP in Tongo, Kibirizi and Kikuku, and with APCLS in Birambizo, Rusekera, Shonyi, Kitshanga and Rubaya.¹¹³

C. Threats to the tin, tantalum and tungsten supply chain in Rubaya

91. The Group of Experts received information regarding the involvement of armed groups in the exploitation and smuggling of tin, tantalum and tungsten minerals in Rubaya. The Group notes that the involvement of armed elements in the supply chain (see also [S/2021/560](#), para. 58) undermines the integrity of the supply chain of those minerals.

92. Elements of the armed groups Nyatura-Abazungu and PARECO/FF made incursions into mining sites in Rubaya to impose taxes on artisanal miners ([S/2021/560](#), paras. 57–71).¹¹⁴ While those incursions were sporadic until late 2022, they became more frequent following the advance of M23, which, for example, drove the Nyatura

¹⁰⁴ Ex-combatants, local authorities, researchers, and civil society and FARDC sources.

¹⁰⁵ Including for CMC/FDP (Domi) and the Alliance des patriotes pour un Congo libre et souverain. See also [S/2022/479](#), annex 41.

¹⁰⁶ FDLR ex-combatants, researchers, local authorities, and security and civil society sources.

¹⁰⁷ Ibid.

¹⁰⁸ Ex-combatants, FDLR spokesperson, researchers, and intelligence and security sources.

¹⁰⁹ Ex-combatants, FDLR spokesperson, researchers, and diplomatic, intelligence and security sources.

¹¹⁰ Ibid.

¹¹¹ Combatants, researchers and security, military intelligence and civil society sources.

¹¹² Ex-combatants, researchers and military intelligence and civil society sources.

¹¹³ Ibid.

¹¹⁴ Rubaya-based diggers and a security source.

group from its base in Masisi territory closer to Luke village in Nyamaboko grouping, near Rubaya. Mining police in Rubaya town were tolerant of Nyatura-Abazungu and PARECO/FF incursions into the mining sites, as they considered them to be FARDC allies in the fight against M23.¹¹⁵ The Group of Experts was informed that, in recent months, those armed groups had consolidated control over Rubaya mine sites and their relationships with the smuggling networks operating in the area.¹¹⁶

93. On 10 February 2023, Société minière de Bisunzu, the company that held the rights to the main production sites around Rubaya, suspended its activities and left the site with all personnel. Miners, who were mostly members of the Cooperative des exploitants artisanaux miniers de Masisi, nevertheless continued to work, including at the company's sites.

94. On 26 February 2023, M23 occupied Rubaya, but was driven out a few days later by local armed groups.

95. On 28 February 2023, following the discovery of a cache of weapons on his property in Masisi, the head of Société minière de Bisunzu, Edouard Mwangachuchu Hizi, a member of Parliament representing the Congrès national pour la défense du peuple (S/2008/773, para. 19), was arrested and subsequently charged with serious crimes, including treason and criminal association.¹¹⁷

96. On 15 March 2023, the activities and exports of Société minière de Bisunzu were suspended by the Minister of Mines (see annex 52), who alleged that the company was exploiting minerals within the perimeter of a site operated by Société aurifère du Kivu et du Maniema, a government portfolio company.

97. The Group of Experts received information that, although production continued in Rubaya, the traceability process had been suspended, rendering all minerals extracted from the area ineligible for the international market. Several sources reported that the minerals were being smuggled towards Rwanda and South Kivu Province, where they were being tagged and laundered through various mining sites.¹¹⁸

D. Escalating ethnic tensions in the context of the territorial expansion of the Mouvement du 23 mars

Instrumentalizing genocide narrative

98. M23 exploited the narrative that it was protecting the Congolese Tutsi and Banyamulenge communities in eastern Democratic Republic of the Congo from extermination in order to justify its aggressive territorial expansion in North Kivu (see para. 49 above). In public communiqués, M23 referred to an “imminent genocide” against the Tutsi community it purported to protect, thereby inextricably linking the Tutsi community to its belligerent and expansionist objectives. This narrative was similarly used by Rwanda, as well as Twirwaneho, with regard to the Banyamulenge community (see annex 53).

99. Perversely, this genocide narrative created a dangerously fertile ground for the fearmongering, hateful discourse and violent reprisals, including killings, against the above-mentioned communities by those who opposed M23 (see annex 54 and S/2022/967, paras. 72–75). Members of the Tutsi community interviewed by the Group

¹¹⁵ Ibid.

¹¹⁶ Civil society and security sources.

¹¹⁷ Civil society sources and Democratic Republic of the Congo officials. See also: “Procès du député Édouard Mwangachuchu en RDC: le contenu d’un coffre-fort saisi révélé”, *RFI*, 12 April 2023.

¹¹⁸ Civil society sources, Rubaya-based miners and traders.

of Experts confirmed that incidents of violence, including the killing of Tutsi civilians, had coincided with the resurgence of M23.¹¹⁹

100. The Group of Experts notes that, while incidents of violence against Rwandophone communities in the current context were beyond doubt, the manipulation of the genocide narrative by M23 and the Rwandan authorities has significantly increased the risk of civilians being targeted and could trigger widespread inter-ethnic violence between communities.

Hate speech

101. The crisis related to M23 accentuated ethnic rifts among the warring sides and continued to stoke xenophobia and hate speech against Rwandophone populations¹²⁰ living in the Democratic Republic of the Congo, notably the Tutsis and the Banyamulenge (see also [S/2022/967](#), paras. 72–75).¹²¹

102. Hateful and belligerent rhetoric intended to vilify Rwandophones, perceived to support M23, continued to be propagated by political figures, civil society actors, local populists, activists and members of the Congolese diaspora and was amplified on social media. The common thread in such xenophobic discourse was the narrative that Rwandophones, including Tutsis and Banyamulenge, were alien ethnic groups who should return to Rwanda. In the context of the upcoming elections, this discourse has morphed into calls for the exclusion of Rwandophones from voter registration.¹²² Specific incidents of mob violence against and the harassment of Rwandophones at voting registration centres instantly followed (see annex 55).

103. Explicit threats to kill Rwandophones were also made by some extremist figures (see annex 56).¹²³ The Group of Experts documented several incidents of lynching, arbitrary killings and mob violence, which were causally linked to the increase in xenophobic discourse against Rwandophones¹²⁴ (see annex 57 and [S/2022/967](#), para. 74). Demonstrations against the East African Community Regional Force and MONUSCO, in Goma on 6 and 7 February 2023, took on an unexpected ethnic dimension, as several homes, businesses and churches belonging to or used by Rwandophones were attacked and vandalized by demonstrators (see annex 58). Rwandophones were harassed and threatened throughout the city, forcing many into hiding.¹²⁵

IV. Ituri

A. Factions of the Coopérative pour le développement du Congo

104. The Coopérative pour le développement du Congo/Union des révolutionnaires pour la défense du peuple congolais (CODECO/URDPC) faction remained extremely violent, despite its unilateral commitment to the cessation of hostilities and its

¹¹⁹ Witness testimonies, community leaders and civil society and MONUSCO sources.

¹²⁰ The term “Rwandophone” comprises the Kinyamulenge- and Kinyarwanda-speaking groups, such as the Banyamulenge in South Kivu, who are mainly Tutsi, and the Banyarwanda of North Kivu, comprising both the Hutu and Tutsi communities.

¹²¹ Witnesses, researchers, media analysis and civil society and MONUSCO sources.

¹²² Analysis of public statements, civil society sources, researchers, MONUSCO sources and Rwandophone community members.

¹²³ Public statements and videos shared on social media.

¹²⁴ Witnesses, researchers and civil society and MONUSCO sources.

¹²⁵ Video footage and open-source information on social media, members of the Tutsi and Banyamulenge communities, and civil society and MONUSCO sources.

participation in the Nairobi process (S/2022/967, paras. 82–86).¹²⁶ Its areas of operations extended from Djugu to Mahagi territory. CODECO/URDPC principally targeted civilians, in addition to Zaïre, FARDC and Congolese National Police elements, be it in retaliation or to deter attacks or obtain weapons.

105. Whereas the leadership structure of CODECO/URDPC remained unchanged (see annex 59), the faction's *modus operandi* became more coordinated and was increasingly controlled from its headquarters located in Ndalo, Walendu-Pitsi sector, Djugu territory.¹²⁷

106. CODECO/URDPC sources claimed that the armed group had between 25,000 and 40,000 combatants within its ranks, while other sources believed the total to be roughly between 10,000 and 15,000 combatants.¹²⁸

107. According to the CODECO/URDPC leadership, all other CODECO factions had been absorbed into URDPC (S/2022/967, paras. 82 and 83). Under this set-up, the Force de défense contre la balkanisation du Congo (also known as Force contre la balkanisation du Congo), the Armée de libération du Congo, CODECO/Bon temple de Dieu and CODECO/Catholique had delegates at the CODECO/URDPC headquarters and operated under its leadership. Decisions to retaliate, to launch or claim responsibility for attacks or to negotiate the release of hostages emanated from the CODECO/URDPC leadership.¹²⁹ CODECO/URDPC leadership added that operational instructions on potential operations were delivered to combatants during meetings or through social media platforms.

108. CODECO/URDPC intensified its attacks along the RN27 road, in the mining area of Mongbwalu and in the Bahema-Nord, Bahema-Badjere and Banyali-Kilo *chefferies*.¹³⁰ Other attacks were reported in Djugu centre and Tchomia (paras. 125–128 below). CODECO/URDPC conducted significant attacks on FARDC positions, notably between January and March 2023, resulting in the seizure of weapons and ammunition.¹³¹ For instance, on 28 January 2023, CODECO/URDPC attacked the 3401st Regiment of FARDC, based in Njala, killing 17 FARDC elements, wounding 14 and stealing 14 AK-type assault rifles, 2 PKM-type machine guns and nine boxes of ammunition (see annex 60).

109. Concomitant with and subsequent to the participation of CODECO/URDPC in the Nairobi conclave, in November 2022, the Group of Experts documented a spree of deadly attacks on civilians attributed to the armed group, targeting civilians associated with the rival armed group Zaïre (paras. 124–128 below).

110. The spree of violent attacks on government forces and civilians contradicted the commitment made by CODECO/URDPC to end hostilities and posed a serious threat to peace and security in the region. CODECO/URDPC leaders defended the attacks as retaliation for atrocities that had been committed by Zaïre elements in their community. On 7 February 2023, an organization known as G5, representing five communities that had been victims of attacks by the various CODECO factions,¹³² sent a letter to the

¹²⁶ S/2022/479, paras. 81–83.

¹²⁷ Researchers, civil society and intelligence sources, FARDC and Congolese National Police sources, and ex-combatants.

¹²⁸ Sources from the Disarmament, Demobilization, Community Recovery and Stabilization Programme, local authorities, and civil society, FARDC, intelligence and security sources.

¹²⁹ Researchers, ex-combatants, Coopérative pour le développement du Congo (CODECO) leadership, civil society sources, military intelligence sources, and FARDC and Congolese National Police sources.

¹³⁰ Researchers, ex-combatants, military intelligence sources, and FARDC, Congolese National Police and MONUSCO sources.

¹³¹ Ibid.

¹³² Alur, Hema, Mambisa, Ndo Okebo and Nyali.

facilitator of the Nairobi process, Uhuru Kenyatta, in which it requested the exclusion of CODECO/URDPC from the talks and the deployment of the East African Community Regional Force to fight the armed group (see annex 61). At the time of writing, no such decision had been taken.

111. CODECO/URDPC elements remained in control of mining sites, drawing resources therefrom, including to purchase weapons and ammunition.¹³³ Additional resources were drawn from taxation of and contributions from members of the Lendu community and from the proceeds of kidnappings.¹³⁴

112. In December 2022, CODECO/URDPC, the Front patriotique et intégrationniste du Congo (FPIC), also known as Chini ya Kilima,¹³⁵ and the Force de résistance patriotique d'Ituri forged an alliance known as G3.¹³⁶ According to several sources, the purpose of the alliance was to share views and harmonize strategies ahead of the third inter-Congolese dialogue under the EAC-led Nairobi process of 6 December 2022.¹³⁷ The alliance had not yet translated into an operational partnership to carry out joint attacks at the time of drafting the present report.

B. Internal tensions in Zaïre/Mouvement d'autodéfense populaire de l'Ituri

113. The armed group Zaïre continued to be involved in armed violence in Djugu and Mahagi territories.¹³⁸ Zaïre continued to launch attacks on rival CODECO factions, FARDC camps, Congolese National Police elements and civilians in Djugu, Mahagi and Irumu territories (see para. 127 below).

114. Zaïre also faced internal tensions.¹³⁹ On 22 December 2022, a new movement called the Mouvement d'autodéfense populaire de l'Ituri (MAPI) was created and claimed to be the official representation of Zaïre. MAPI claimed to represent the Hema community and drew some of its members from Zaïre. It expressed its willingness to join the Nairobi process, which Zaïre had not joined.

115. The leadership of MAPI was composed of some former leaders of Zaïre (see annex 62). On 23 January 2023, the creation of MAPI was officially announced at the premises of the Ituri provincial government, thereby benefiting from the endorsement of the provincial authorities.

116. The creation of MAPI was contested by notables from the Hema community, G5 and by some Zaïre combatants, who challenged the representativeness of the new movement.¹⁴⁰ They warned that MAPI did not represent the interests of the Hema community and considered MAPI to be a manipulative initiative of the provincial governor, General Luboya Johny Kashama, and MONUSCO, with the intention of weakening Zaïre.¹⁴¹ As a result, threats were levelled against the Governor and

¹³³ Researchers, intelligence sources, and FARDC and Congolese National Police sources.

¹³⁴ Ibid.

¹³⁵ S/2021/560, para. 102; and S/2022/479, paras. 124–129.

¹³⁶ CODECO leadership, combatants, researchers and FARDC, Congolese National Police, intelligence and civil society sources.

¹³⁷ CODECO leadership and combatants, Front patriotique et intégrationniste (FPIC) ex-combatants, researchers, FARDC, Congolese National Police, intelligence and civil society sources.

¹³⁸ See also S/2022/479, paras. 101 and 102.

¹³⁹ Researchers, Zaïre combatants, FARDC, civil society and MONUSCO sources.

¹⁴⁰ Zaïre combatants, local authorities, researchers and civil society and MONUSCO sources.

¹⁴¹ This refers to an initiative of MONUSCO and the provincial government to hold intercommunal dialogue.

MONUSCO staff, who were accused of being involved in the creation of MAPI, and violence erupted between members of MAPI and Zaïre.

117. Several sources stated that, despite the creation of MAPI, Zaïre remained structured around four factions, namely Zaïre-K, Zaïre-Malayika, Zaïre-Mazembe and Zaïre-Djamaïque. Each faction operated in specific areas (see annex 63). All those factions continued to perpetrate attacks against FARDC, CODECO and civilians.

C. Split of the Front patriotique et intégrationniste du Congo

118. Since December 2022, FPIC has been embroiled in internal disputes that have resulted in a split within the armed group. Tensions arose when the leadership of FPIC forced its military commander, “General” Songambe Selyabo, to step down; Tondabo Erabo (also known as “General” Herode) was to become the new commander of the armed group.¹⁴² The discord led to armed confrontations between Songambe and Herode’s combatants. While Herode established his headquarters in Nyakunde, Songambe retreated to Mwenga, Sulasula.

119. During the investigations conducted by the Group of Experts in Marabo and Nyakunde, the latter being the headquarters of Herode’s faction, several sources informed the Group that the new leader had considerably reduced the influence of Songambe’s faction, as most FPIC combatants had joined Herode.

120. In a communiqué issued by Herode, he named his faction “FPIC/Chambre noire-sanduku”.¹⁴³ In a subsequent letter to government officials and local chiefs, Herode called for the restoration of State authority, including the return of FARDC, Congolese National Police and local chiefs (see annex 64). FARDC, Congolese National Police and local chiefs confirmed to the Group of Experts that they were again allowed and able to operate in areas under FPIC control. They also acknowledged the retreat of combatants that had previously roamed the city, harassing civilians and imposing taxes.

121. On 28 March 2023, Herode convened a meeting in Nyakunde to finalize a reconciliation agreement with the local community. In a communiqué, FPIC reiterated its unity, its commitment to end hostilities, to work with the Government of the Democratic Republic of the Congo and to adhere to the Disarmament, Demobilization, Community Recovery and Stabilization Programme (see annex 65).

122. Songambe denounced the FPIC/Chambre noire-sanduku faction, which he labelled “a terrorist armed group” in a communiqué, and invited the Congolese authorities, MONUSCO and officials of the Disarmament, Demobilization, Community Recovery and Stabilization Programme to disregard its leaders (see annex 66).

123. At the time of drafting the present report, the Group of Experts had not observed any disarmament or demobilization initiatives by the new FPIC leaders. Sources believed that Herode had carried out a propaganda campaign to consolidate his own legitimacy.

¹⁴² FPIC combatants and security and civil society sources.

¹⁴³ Video on file with the Group of Experts.

D. Attacks on civilians by Coopérative pour le développement du Congo/Union des révolutionnaires pour la défense du peuple congolais and Zaïre/Mouvement d'autodéfense populaire de l'Ituri militias

124. CODECO/URDPC continued attacking civilians, even while its leaders attended the third Nairobi conclave, held in November and December 2022 (see paras. 104 and 109 above). Zaïre was not represented in Nairobi. Commitments made with regard to peace or demobilization did not hold, as almost daily attacks and killings were reported as of the time of writing the present report.

125. Since early December 2022, the Group of Experts has documented a substantial increase in violent attacks on civilians by CODECO/URDPC, ostensibly in reprisal for similar, albeit much less frequent, attacks by Zaïre.¹⁴⁴ As in the past, CODECO/URDPC retaliated on a much larger scale than did Zaïre (S/2018/531, paras. 162 and 163).

126. Retaliatory attacks by Zaïre (see annex 67) and CODECO/URDPC mainly targeted villages and civilians from rival communities, including a disproportionate number of women and children, in a spate of indiscriminate killings and kidnappings, frequently coupled with the pillaging and destruction of civilian property and infrastructure, including schools and hospitals. Over 300 civilians were killed in attacks documented by the Group of Experts between mid-November 2022 and early April 2023. The upsurge in violence reflected growing tensions between the Lendu and Hema communities.¹⁴⁵

127. The pattern of tit-for-tat attacks extended beyond Djugu territory into the territory of Mahagi, which has previously been less affected by armed group activity, pitting the Zaïre-affiliated Alur against the Lendu in the Walendu-Watsi *chefferie* (see annex 68). The RN27 road linking Bunia with Mahagi territory remained largely under CODECO/URDPC control, with systematic ambushes and killings severely hampering civilian traffic, including commerce, along this crucial axis.¹⁴⁶

128. Other than under the guise of retaliation, CODECO/URDPC also conducted large-scale and coordinated attacks on villages in Djugu territory, systematically targeting civilians from the Hema or Alur communities. On 8 January 2023, a well-coordinated attack on the localities of Blukwa, Largu and Drodoro left more than 23 civilians dead.¹⁴⁷ On 13 January 2023, CODECO/URDPC killed at least 49 civilians, including women, in the predominantly Hema villages of Nyamamba and Mbogi, on the shores of Lake Albert. The attackers conducted a door-to-door search targeting civilians, tying the hands of some to prevent them from fleeing before executing them.¹⁴⁸ Five women, including one who was eight months pregnant at the time, were abducted¹⁴⁹ and allegedly kept as sex slaves in a CODECO/URDPC camp at

¹⁴⁴ Based on over 40 interviews conducted with members of civil society, victims, members of armed groups, local community leaders, researchers, international and other NGOs, civil and military authorities, intelligence and MONUSCO sources, and on photographic and documentary evidence.

¹⁴⁵ Ibid.

¹⁴⁶ Ibid.

¹⁴⁷ Witnesses, photographic evidence, researchers, and FARDC, MONUSCO and civil society sources.

¹⁴⁸ Photographic and video evidence examined by the Group of Experts and corroborated by eyewitness testimony depicts several bodies of victims, including women, with their hands tied behind their backs, some showing signs of severe mutilation.

¹⁴⁹ Witness testimony of two survivors of the attack and civil society and FARDC sources.

Salimboko.¹⁵⁰ A detailed presentation of evidence on these attacks is contained in annex 69.

V. South Kivu

A. Armed group confrontations and attacks

129. In the Hauts Plateaux of Mwenga, Fizi and Uvira territories, Mai-Mai armed groups and Twirwaneho continued to clash and engage in retaliatory attacks, killing civilians, looting cattle and destroying property (S/2022/479, paras. 152–161). While they mostly targeted the opposing communities, those armed groups also attacked civilians of their own communities, in particular in the case of Twirwaneho, which continued conducting executions of those perceived as not supporting it (see annex 70).¹⁵¹

130. Most of the incidents were reported to have occurred around Bijombo, Karegerege, Mikenge, Minembwe,, and Rugezi. In particular, since late 2022, Twirwaneho had regularly attacked the Bafuliro, Babembe and Banyindu populations in Rugezi, where they targeted the internally displaced person camp and looted and burned several houses and the local hospital (see annex 71).¹⁵² In mid-March 2023, Twirwaneho simultaneously attacked Musika and surrounding villages, clashing with the Forces armées “Biloze Bishambuke” (FABB) and killing a dozen civilians, including children.¹⁵³ After the attacks, Mai-Mai combatants, in particular those of FABB, retaliated with incidents of cattle rustling and ambushes against Banyamulenge civilians, which, in turn, led to sustained clashes with Twirwaneho. Twirwaneho and FABB also regularly clashed over control of the nearby Bigaragara mine.¹⁵⁴

131. Since October 2022, Twirwaneho has increased its attacks on FARDC and regularly clashed with it¹⁵⁵ following reinforcements in the form of recruitment and armaments and the expansion of the Twirwaneho area of operations.¹⁵⁶

132. FABB and Mai-Mai Yakutumba and their allied group Mai-Mai Apa Na Pale also remained active in Fizi territory, in particular in Mutambala and Ngandja sectors, notably around Misisi and the various mining sites in the area (S/2022/479, paras. 180–189).¹⁵⁷ The armed groups kidnapped and attacked civilians and humanitarian actors and targeted mining sites for their control.¹⁵⁸ Clashes concerning the control of mines at the border between Fizi and Kalemie were reported between allied groups Mai-Mai Yakutumba and FABB at the end of 2022.¹⁵⁹

B. Conseil national pour le renouveau et la démocratie: split and activity

133. Following months of internal tensions, Conseil national pour le renouveau et la démocratie-Forces de Libération Nationale (CNRD-FLN) split at the end of 2022, a

¹⁵⁰ According to a direct relative of one of the women kidnapped.

¹⁵¹ Ex-Twirwaneho combatant, researchers, and FARDC, security, intelligence, civil society and MONUSCO sources.

¹⁵² FARDC sources, researchers and intelligence, civil society and MONUSCO sources.

¹⁵³ Researchers and MONUSCO sources.

¹⁵⁴ FARDC, intelligence, civil society and MONUSCO sources, and researchers.

¹⁵⁵ Since 2019, MONUSCO has documented over 60 attacks against FARDC by Twirwaneho.

¹⁵⁶ FARDC sources, researchers and security, intelligence, civil society and MONUSCO sources.

¹⁵⁷ Researcher, and civil society and MONUSCO sources.

¹⁵⁸ Ibid.

¹⁵⁹ FARDC, intelligence and MONUSCO sources.

period which coincided with increased activity and communication by the group (see annex 72).

C. Joint operations of the Burundi National Defence Force and the Armed Forces of the Democratic Republic of the Congo

134. The deployment of Burundian armed forces in South Kivu continued (S/2022/967, paras. 102–107), with several troop reinforcements¹⁶⁰ and a further expansion of the area of the operations being conducted jointly with FARDC.¹⁶¹ This again led to alliances and cooperation between armed groups to either support or fight the coalition of the Burundi National Defence Force (Force de défense nationale du Burundi, FDNB) and FARDC (S/2022/967, paras. 106 and 107). It also triggered movements by armed group to avoid being targeted. In certain areas where these groups were redeployed, such as in Itwombe sector, there was an increase in the number of reported incidents, including cases of kidnapping and killing of civilians, lootings and ambushes against the security forces of the Democratic Republic of the Congo.¹⁶²

135. FDNB continued to progress south in pursuit of Résistance pour un État de droit au Burundi (RED Tabara) and the Forces nationales de libération (FNL), although the latter was the only group attacked. FDNB-FARDC clashed with FNL, between January and March 2023, in Itombwe sector, Mwenga territory.¹⁶³ After the most recent clash in late March, FNL elements led by Aloys Nzabampema moved south towards Lulenge sector, closer to RED Tabara positions.¹⁶⁴

136. While moving south, in December 2022 and January 2023, the FDNB-FARDC coalition temporarily gained control over several Twirwaneho positions, notably its headquarters in Bijabo, without any fighting, as Twirwaneho had vacated them pre-emptively. Weeks later, Twirwaneho returned to some of those areas, in particular Kihamba, close to Bijabo.¹⁶⁵

137. In early January 2023, some FDNB troops arrived in Minembwe, as several RED Tabara positions were reported nearby, in particular around Rugezi (south of Minembwe, Fizi territory).¹⁶⁶ Their arrival caused panic among the Banyamulenge population, which temporarily fled the area, and triggered a defensive posture by Twirwaneho, which reinforced its troops and positions around town and increased forced recruitment (see paras. 150–156 below).¹⁶⁷

138. Alliances or cooperation among armed groups continued to be reported (S/2022/967, paras. 106 and 107), with the aim of fighting the FDNB-FARDC coalition or, on the contrary, collaborating with it against RED Tabara and/or Twirwaneho and M23.¹⁶⁸ In particular, since late 2022, CNRD and other Mai-Mai groups, such as Mai-Mai Kapapa and Mai-Mai Kijangala,¹⁶⁹ have held several meetings to coordinate

¹⁶⁰ On 4 March 2023, additional FDNB troops were deployed to North Kivu under the East African Community Regional Force agreement.

¹⁶¹ Researchers and FARDC, civil society and MONUSCO sources.

¹⁶² Researchers and FARDC, civil society, MONUSCO and intelligence sources.

¹⁶³ Intelligence, researchers and civil society sources.

¹⁶⁴ Researchers and security and MONUSCO sources.

¹⁶⁵ Ibid.

¹⁶⁶ Armed group leader, FARDC and MONUSCO sources. Although, since March 2023, some RED Tabara combatants have returned to Masango where they re-established a position.

¹⁶⁷ Source close to Twirwaneho, researchers and FARDC, intelligence, civil society and MONUSCO sources.

¹⁶⁸ Source close to Mai-Mai groups, researchers and FARDC, security, intelligence, civil society and MONUSCO sources.

¹⁶⁹ Kijangala, however, surrendered in April 2023, but his deputy continued in the alliance led by Kapapa.

activities and collaboration with FDNB-FARDC and Gumino against RED Tabara.¹⁷⁰ More generally, it appears that many Mai-Mai groups sided with the FDNB-FARDC coalition as a way of self-preservation.

139. FNL and RED Tabara, on the other hand, grew closer owing to the military pressure against them.¹⁷¹ Multiple sources continued to report an alliance between Twirwaneho and RED Tabara (S/2022/967, para. 107),¹⁷² with both groups reportedly being supported by Rwanda¹⁷³ and possibly also collaborating with M23 (see paras. 142–145 below).¹⁷⁴

140. In addition, another Mai-Mai coalition was renewed at the end of January 2023 during meetings held in Fizi territory,¹⁷⁵ notably spearheaded by Emo ya M'Mbondo.¹⁷⁶ Similar to the one mentioned in the report of the Group of Experts dated June 2021 (S/2021/560, paras. 138–140), this coalition was led by Yakutumba, Ebuela, Alida and René and it included FABB. It was aimed, inter alia, at countering FDNB-FARDC operations, as well as at launching operations against Minembwe town and fighting M23 in North Kivu.

D. Impact of the crisis related to the Mouvement du 23 mars on South Kivu

141. Several armed groups operating in South Kivu, including Mai-Mai Yakutumba, expressed their willingness to fight M23. They mobilized some of their elements either to reach North Kivu or to prevent M23 from entering South Kivu, as outlined in annex 73.

E. Links between Twirwaneho and the Mouvement du 23 mars

Rapprochement

142. As in 2012, M23 launched attempts to win allies in South Kivu, in particular Twirwaneho and RED Tabara, but also other armed groups (see annex 74), with the objective of opening a second front in South Kivu (see also S/2012/843, paras. 69–81).¹⁷⁷ Several individuals played a key role in facilitating the rapprochement.

143. Charles Sematama, a former aide-de-camp of Laurent Nkunda and a FARDC deserter who joined Twirwaneho in February 2021 (see also S/2021/560, para. 142 and S/2022/479, para. 156), was the principal liaison with Sultani Makenga (see para. 50 above).¹⁷⁸ Sematama notably used his close relative Saint Cadet Ruvuzangoma (see para. 154 below) to coordinate the rapprochement. Initially, Makanika remained sceptical of Twirwaneho support to M23, owing in particular to the lack of support of

¹⁷⁰ Sources close to Mai-Mai groups and intelligence, civil society and MONUSCO sources.

¹⁷¹ Researcher and security, intelligence, civil society and MONUSCO sources.

¹⁷² Sources close to Twirwaneho and Mai-Mai groups and FARDC, security, intelligence and MONUSCO sources.

¹⁷³ It appeared, however, that RED Tabara might be divided on the rapprochement with Rwanda.

¹⁷⁴ Sources close to Twirwaneho and Mai-Mai groups and FARDC, security, intelligence and MONUSCO sources.

¹⁷⁵ Source close to Mai-Mai groups and researchers, civil society and MONUSCO sources.

¹⁷⁶ Researchers and MONUSCO sources. Emo ya M'Mbondo is a grouping (*mutualité*) of the Babembe diaspora, with branches in several countries, including the United States. The Group of Experts has reported previously about its role in supporting Mai-Mai groups in South Kivu (see S/2022/479, annex 82).

¹⁷⁷ Researcher and security, intelligence, Banyamulenge, civil society and MONUSCO sources.

¹⁷⁸ FARDC, Banyamulenge, civil society and MONUSCO sources.

the wider Banyamulenge community for M23 and Rwanda.¹⁷⁹ This created tensions within the leadership of Twirwaneho.

144. After his participation in the Nairobi talks, in November 2022, Saint-Cadet,¹⁸⁰ together with a prominent member of the Mahoro Peace Association, Lazare Sebitereko, led a campaign encouraging the Banyamulenge community in Nairobi to financially support M23 and encouraged Banyamulenge youth to join the ranks of Twirwaneho (see paras. 150–156 below).¹⁸¹ In mid-January 2023, Saint-Cadet, accompanied by Willy Munezero and Jules Rutebuka, met with M23 leaders in Bunagana.¹⁸²

145. Multiple sources reported that Colonel Moïse Byinshi Gakunzi, a Munyamulenge FARDC deserter, joined M23, in March 2023, to support the opening of a second M23 front in Kalehe, South Kivu.¹⁸³ RDF General Vincent Nyakarundi (see para. 61 above) was also cited as having participated in the sensitization of armed groups in South Kivu to support M23.¹⁸⁴

Recruitment

146. Since late 2021, recruitment campaigns directed at Banyamulenge youth living in Burundi, Kenya and Uganda had been launched. Young recruits were sent to M23 camps (see paras. 50 and 51 above) through the border towns of Kisoro and Bunagana, both in Uganda (see also [S/2022/479](#), para. 67).¹⁸⁵

147. At least 80 Banyamulenge were recruited in Kenya and sent to M23.¹⁸⁶ Several Banyamulenge M23 ex-combatants, Banyamulenge community leaders and civil society in the Democratic Republic of the Congo and Kenya, as well as Banyamulenge young people, reported that the majority of the Banyamulenge youth had been deceived and diverted to M23 instead of Twirwaneho.¹⁸⁷

148. The Group of Experts collected evidence of several structures representing Banyamulenge interests in the Democratic Republic of the Congo and the wider region having been involved in the regional recruitment mechanism. Multiple sources reported that individuals involved in, and local cells of, Mahoro Peace Association provided financial support to this recruitment mechanism, including Willy Munezero and Jean-Luc Muvura in Kenya.¹⁸⁸

149. The Group of Experts documented that M23 executed at least eight Banyamulenge, recruited in Kenya and Uganda, when they tried to escape from the armed group.¹⁸⁹ Several Banyamulenge recruits were also killed during fighting between M23 and FARDC.

¹⁷⁹ Ibid.

¹⁸⁰ Researchers and security, FARDC, civil society and MONUSCO sources.

¹⁸¹ Self-defence leader, and civil society, security, Banyamulenge and MONUSCO sources.

¹⁸² Munyamulenge source and FARDC, security, civil society and MONUSCO sources.

¹⁸³ Munyamulenge source, researchers and civil society, intelligence and MONUSCO sources.

¹⁸⁴ Researchers and FARDC, civil society and MONUSCO sources.

¹⁸⁵ Twirwaneho ex-combatants, Munyamulenge source, and intelligence, civil society and MONUSCO sources.

¹⁸⁶ Banyamulenge, FARDC, MONUSCO and civil society sources.

¹⁸⁷ Twirwaneho and M23 ex-combatants, and Banyamulenge, civil society and MONUSCO sources.

¹⁸⁸ Civil society, Banyamulenge, security and MONUSCO sources.

¹⁸⁹ Twirwaneho and M23 ex-combatants, Banyamulenge community members and MONUSCO sources.

F. Recruitment and use of children: the case of Twirwaneho

150. Most armed groups active in South Kivu used children under 18 years of age to participate actively in hostilities or in other auxiliary roles, in violation of the sanctions regime. The Group of Experts documented the presence of children among various Mai-Mai groups, as well as in Gumino and Twirwaneho (S/2021/560, para. 151). The Disarmament, Demobilization, Community Recovery and Stabilization Programme resulted in the demobilization of a significant number of children, and many groups committed to releasing minors, with the marked exception of the Twirwaneho and Gumino groups, which opposed the process and continued denying the existence of children in their ranks.¹⁹⁰

151. Twirwaneho, under the leadership of Mekanika, continued to recruit massively,¹⁹¹ including children as young as 12 years of age.¹⁹² Children were utilized to guard positions, carry out patrols, gather intelligence, participate in combat operations, act as personal escorts or work as domestic aids in military camps. Senior officers, including Mekanika, Charles Sematama, Freddy Rushombo, Kamasa and Gakunzi, have used minors aged 14 to 15 years old, including as armed escorts.¹⁹³ The new combatants, including minors, continued to be recruited locally, nationally and regionally, including by force, almost exclusively within the Banyamulenge community¹⁹⁴ (S/2021/560, paras. 133–137, 141 and 142).

152. Twirwaneho continued to rely on armed civilians living in villages, acting as a reserve force to be mobilized when needed to defend against attacks or to conduct offensive operations (see also S/2021/560, para. 136).¹⁹⁵ During a visit by the Group of Experts to Minembwe, in March 2023, local notables, civil society leaders and representatives of the community openly admitted that, in case of threat, everyone in the community, including women and schoolchildren,¹⁹⁶ participated in combat.

153. Multiple sources reported that a mass recruitment and training campaign was carried out during the summer of 2022. Schoolchildren from 12 years of age, teachers and pastors were conscripted and underwent mandatory military training that lasted at least a month, during school holidays.¹⁹⁷ The majority of recruits were trained at a camp in Bijabo forest, and Mekanika himself was among the trainers.¹⁹⁸ Thereafter, some children remained in the military camps, while others returned to their villages and were given weapons and tasked to be part of a reserve force.¹⁹⁹ Demobilized children reported having to conduct patrols at night.²⁰⁰

154. Saint Cadet Ruvuzangoma, president of Minembwe civil society and active Twirwaneho member (S/2022/967, para. 109), confirmed during an interview with the

¹⁹⁰ Researchers, government source, ex-Twirwaneho combatant and civil society and MONUSCO sources.

¹⁹¹ The use of children as personal escorts by Michel Rukunda (alias Mekanika) was already documented by the Group of Experts in 2010, when he served as deputy commander of the Forces républicaines fédéralistes (S/2010/596, paras. 131 and 132), and in 2011, when he was FARDC Deputy Commander of Operation Amani Leo South Kivu (S/2011/738, paras. 655 and 656).

¹⁹² Researchers, NGOs, and civil society, FARDC and MONUSCO sources.

¹⁹³ Researchers, civil society, Twirwaneho ex-combatant, statements of former child soldiers and MONUSCO sources.

¹⁹⁴ Researchers and civil society, FARDC, government and MONUSCO sources.

¹⁹⁵ Researchers, civil society sources, Twirwaneho ex-combatant and MONUSCO sources.

¹⁹⁶ They specified that it was only children attending secondary school, not children from elementary school.

¹⁹⁷ Researcher, testimonies of demobilized children and MONUSCO sources. Several sources reported that the training was conducted in several rotations.

¹⁹⁸ Civil society and MONUSCO sources, researcher and testimonies of demobilized children.

¹⁹⁹ Researcher and civil society, former child soldiers and MONUSCO sources.

²⁰⁰ Also civil society and MONUSCO sources.

Group of Experts that, in Minembwe, all the Banyamulenge young people do “rounds” to patrol around the villages and that the “inexperienced ones”, including “pupils” (*élèves*) who did not know how to handle a weapon, all underwent training during the summer of 2022 to “face the attacks well”.

155. While some recruits joined Twirwaneho voluntarily, forced recruitment remained prevalent. Many civilians were killed or punished for refusing to join or send their children (see annex 75).²⁰¹

156. Twirwaneho and some local leaders remained fiercely opposed to demobilization.²⁰² They threatened to attack the assets and base of MONUSCO in Minembwe if the demobilization process through MONUSCO continued.²⁰³ Following the killing of a peacekeeper in Minembwe on 30 September 2022 (S/2022/967, paras. 108–110), the number of demobilizations facilitated by MONUSCO dropped drastically,²⁰⁴ and another organization working in demobilization suspended its activities in the area.

G. Twirwaneho financing

157. The investigations conducted by the Group of Experts revealed that Twirwaneho continued to support its operations by drawing upon a combined model of local taxation and diaspora funding (see also S/2022/479, annex. 82). Support to Twirwaneho, which is responsible for killings, the recruitment of children and attacks on United Nations personnel (see paras. 150–156 above and S/2022/967, paras. 108–113), constitutes a violation of the sanctions regime.

Local taxation

158. A taxation system imposed on members of the Banyamulenge community living in areas controlled by Twirwaneho constituted the primary source of local funding for the armed group. Beyond the Banyamulenge community, other persons were also forced to pay Twirwaneho to avoid reprisals.²⁰⁵

159. The investigations conducted by the Group of Experts revealed a monthly taxation scheme; for example, police officers, traders and motorbike drivers were each required to pay \$10, while teachers paid 10,000 francs congolais. A teacher based in the Bijombo grouping said that he and his colleagues were required to pay that amount to special tax collection agents belonging to a Twirwaneho committee.

160. Minembwe-based sources and sources familiar with Twirwaneho also informed the Group of Experts that local financial institutions were complicit in implementing the taxation scheme. For example, two teachers who received their salaries through local banks reported that the tax was deducted directly by their banks.

161. Twirwaneho commander Charles Gikwerere (see S/2021/560, annex 95) was cited as being key to local Twirwaneho financing, managing, within the group’s leadership structure, all money collected through the illegal taxes.²⁰⁶

²⁰¹ NGOs, researchers, Twirwaneho ex-combatant, and FARDC and MONUSCO sources.

²⁰² Researcher, civil society sources, Twirwaneho ex-combatant and MONUSCO sources.

²⁰³ FARDC, civil society and MONUSCO sources.

²⁰⁴ MONUSCO statistics.

²⁰⁵ Ex-Twirwaneho combatant and Minembwe community leaders.

²⁰⁶ Ex-Twirwaneho combatant, researchers, teachers, other individuals from Minembwe and MONUSCO sources.

Key diaspora support

162. Alongside local taxation in Twirwaneho-controlled areas, there was significant financial support from the diaspora. Sources from the Banyamulenge community in the Democratic Republic of the Congo and abroad, former Twirwaneho members, researchers, other armed group members operating in Fizi territory and security services confirmed that the primary sources of financing of Twirwaneho were Banyamulenge diaspora in the region and in the United States. Several combatants who left the armed group in March 2023 told the Group of Experts that their superiors in Twirwaneho had frequently referenced this funding stream, advising them to work hard so as to honour the funding provided by the diaspora.

163. The Group of Experts also collected evidence of senior community leaders in the United States-based diaspora publicly urging members of the community to provide financial support to Twirwaneho. For example, during a memorial ceremony in the United States for a deceased Twirwaneho commander, Bonheur Sekunzi Muragwa,²⁰⁷ three community leaders linked to the Mahoro Peace Association²⁰⁸ expressed their support to Twirwaneho; one of them requested the audience to increase their monthly contributions of \$20 in order to support people like Bonheur who “go into battle without shoes or food”.²⁰⁹ Another community leader threatened that those who did not contribute would not be recognized as part of the community (see annex 76).

Mahoro Peace Association

164. The Mahoro Peace Association, founded by Banyamulenge in the United States, is one of the largest Banyamulenge community associations globally. Several community leaders left the Mahoro Peace Association to set up another association called Banyamulenge Mutuality-Unity. They told the Group of Experts that their decision had been a consequence of the fact that the leadership of the Mahoro Peace Association provided support to Twirwaneho only and not to Gumino also. They also rejected the rapprochement between Twirwaneho, the Mahoro Peace Association and Rwanda (see para. 143 above).

165. Several sources explained that contributions from the diaspora, including the Mahoro Peace Association, began when Twirwaneho operated as a self-defence group (S/2021/560, para. 133), but that contributions had increased under Makanika’s leadership.²¹⁰ According to these sources, the more military conquests the fighters made, the more funding they received.

166. The Mahoro Peace Association did not provide all details of money transfers made to the Democratic Republic of the Congo and the region to the Group of Experts, but confirmed that it had spent \$384,286 on humanitarian aid in 2022. Based on this amount and on additional information obtained during its investigations, the Group estimated that the Mahoro Peace Association had channelled more than \$1 million into the region since 2020.

167. The Mahoro Peace Association told the Group of Experts that the funds it sent to the region were directed exclusively for humanitarian needs through individuals from the Banyamulenge community in Burundi, the Democratic Republic of the Congo, Kenya and Rwanda. The Group received evidence that some of those individuals were

²⁰⁷ Ex-Twirwaneho leader who died in prison in Kinshasa.

²⁰⁸ Banyamulenge community leaders in the United States and MONUSCO sources.

²⁰⁹ Several sources told the Group of Experts that the standard monthly contribution collected by the Mahoro Peace Association in the United States was \$20.

²¹⁰ Banyamulenge community and MONUSCO sources.

linked to Twirwaneho, and multiple sources reported that some of the funds were diverted to Twirwaneho.²¹¹

VI. Primera Gold DRC: a new partnership between the United Arab Emirates and the Democratic Republic of the Congo to counter gold smuggling

168. Following cooperation agreements signed between the Democratic Republic of the Congo and the United Arab Emirates in October 2021,²¹² Primera Gold DRC was created in December 2022. The company is the result of a public-private joint venture partnership and officially launched its exports of artisanal gold on 13 January 2023. Several sources within the Government of the Democratic Republic of the Congo and Primera Gold DRC informed the Group of Experts that the initiative was aimed at combating gold smuggling and promoting fair trade in gold produced in the country, in line with a recommendation of the Group ([S/2017/1091](#), para. 102). From January to March 2023, Primera Gold DRC exported more than 500 kg of artisanal gold, while, in 2022, the total that had officially been exported by the Democratic Republic of the Congo was 42.25 kg, showing that the artisanal gold trade in the country has always been largely underreported and primarily traded through illicit networks ([S/2016/466](#), paras. 123 and 157; and [S/2019/469](#), para. 165).

169. In line with the mandate of the Group of Experts to monitor the trade in gold sourced in the Democratic Republic of the Congo to ensure that it does not finance armed groups and criminal networks, the Group investigated the activities of Primera Gold DRC. The Group held constructive exchanges with all actors involved, including the authorities of the Democratic Republic of the Congo and the United Arab Emirates and Primera Gold DRC representatives. The Group concluded that, while Primera Gold DRC could potentially contribute to ensuring that gold exports occur through official channels, a number of challenges could undermine the project.

Discontent within the mining community

170. Multiple sources reported that the decision to create Primera Gold DRC was taken without the involvement of the Minister of Mines, despite such matters falling clearly within her mandate.²¹³ Three sources with access to information on the matter informed the Group of Experts that the Minister had disapproved of the accord and had thus refused to co-sign the decree governing the company's activities (see annex 77). Additional sources with knowledge of the matter confirmed that the Centre d'expertise, d'évaluation et de certification des substances minérales précieuses et semi-précieuses (CEECC) opposed the issuance of International Conference on the Great Lakes Region certificates for two exports by Primera Gold DRC in January 2023. CEECC questioned the conformity of the exports with Congolese laws and with the requirements established by the International Conference on the Great Lakes Region Regional Certification Mechanism, including that gold must be traded from a validated site and that the supply chain must not be linked to funding armed groups and must not involve child labour. According to sources of the Group of Experts, CEECC did not have all the information to be able to verify compliance with those criteria. However, CEECC lifted its opposition following the intervention of the Office of the President of the Democratic Republic of the Congo. Sources at the Office of the President and Primera

²¹¹ Banyamulenge community, MONUSCO and civil society sources, former Twirwaneho members and ex-combatants.

²¹² The agreements cover several economic aspects, including customs and the promotion and protection of investments in the two countries.

²¹³ Government officials, including senior officials from several ministries and legal experts.

Gold DRC, in turn, reported to the Group that the disapproval within the Ministry of Mines also stemmed from the fear of losing financial gains made from gold smuggling.

171. The Group of Experts received information that officials in the Ministry of Mines and in specialized mining services, as well as the Minister herself, had come under pressure to align themselves with the Primera Gold DRC initiative. They feared reprisals from the Office of the President of the Democratic Republic of the Congo, which had made Primera Gold DRC the cornerstone of its policy initiatives concerning the gold sector.²¹⁴

172. Officials in the Ministry of Mines and in specialized mining services at the national and provincial levels also raised concerns that the arrangement granted to Primera Gold DRC a de facto monopoly in artisanal gold exports from the Democratic Republic of the Congo. This concern was reiterated by South Kivu-based economic actors who had reviewed the ministerial order of 14 March 2023 (see annex 78). They noted that the order required traders to export at least 100 kg per month from the Democratic Republic of the Congo, which they observed would have the effect of excluding all other players from the market in favour of Primera Gold DRC.

Risk of Primera Gold DRC being used as an official channel to launder illegally mined gold

173. The Group of Experts met with Primera Gold DRC managers to discuss the company's internal policies so as to ascertain the precise origin of purchased and exported gold. The Group subsequently sent letters regarding the matter to Primera Gold DRC and AuricHub, the Abu Dhabi-based refinery that refines the gold exported by Primera Gold DRC. The Group acknowledges the cooperation of both companies with it. The Group confirmed that the due diligence policy of Primera Gold DRC included the elements required by national and international instruments. However, it noted that implementation in practice, which may raise additional issues, should be monitored.

174. For example, the company relied upon the traceability conducted by the Service d'assistance et d'encadrement de l'exploitation minière artisanale et à petite échelle, which only monitors a limited number of gold mining sites. It is thus highly possible that the supply chain of Primera Gold DRC could be permeated by gold produced from sites which remain under the control of armed groups, including in Fizi territory (S/2022/479, paras. 170–178). Evidence collected already indicated that several of the company's suppliers were sourcing from illegal sites in Fizi and Shabunda territories.²¹⁵ The Group of Experts could not confirm whether gold from illegal sites was sold to Primera Gold DRC and intends to engage with the company in further investigating this matter.

175. While the Group of Experts does not have clear evidence of illegal activities being conducted by AuricHub in the Democratic Republic of the Congo, it notes that the refinery has not yet undergone any United Arab Emirates or internationally recognized responsible sourcing audits.

VII. Increased cross-border gold smuggling to Burundi

176. During the period under review, the Group of Experts documented an increase in activity by a criminal network of Burundian and Congolese civilians, economic actors,

²¹⁴ Diplomatic source and senior officials with knowledge of the matter.

²¹⁵ Sources familiar with gold activity in Baraka and Bukavu.

intermediaries and Burundian uniformed personnel engaged in gold smuggling across the border between the Democratic Republic of the Congo and Burundi.

177. Several sources informed the Group of Experts that ongoing tensions between the Democratic Republic of the Congo and Rwanda (see para. 62 above) had disrupted the Rwandan gold smuggling route,²¹⁶ owing to heightened controls by the authorities of the Democratic Republic of the Congo on goods and persons transiting the border.²¹⁷ Smugglers, including those linked to armed groups controlling gold production sites in Uvira and Fizi territories, have therefore increasingly diverted the illicit transfer of gold to Burundi, which has already been documented as a transit hub for gold illegally traded from the Democratic Republic of the Congo (S/2016/466, paras. 159–164).

178. The Group of Experts identified a man who was central to the network's activities. He introduced himself with different names, such as Celestin Nduwimana and Gedeon Bigirimana, and various functions, including as a Burundian intelligence officer based in Uvira and as a Burundian police officer seconded to Uvira, where he claimed to be assisting the Burundian contingent of the East African Community Regional Force. The Democratic Republic of the Congo phone number used by Celestin Nduwimana was, however, registered under another name.

179. Numerous sources indicated that Nduwimana was a key interlocutor connecting smugglers in the Democratic Republic of the Congo with buyers in Burundi.²¹⁸ The Group of Experts confirmed that, on at least six occasions, between December 2022 and March 2023,²¹⁹ Nduwimana facilitated the transit of gold with a total weight of 11 kg.²²⁰ According to information received, these transactions generated the equivalent of \$455,000.²²¹

180. Those six transactions revealed a clear *modus operandi* of the criminal network involved. Nduwimana first approached Uvira-based smugglers to express his interest in the gold market and to promise a lucrative deal in Burundi, guaranteeing their protection by the Burundian authorities once they crossed the border.

181. Gold from the Democratic Republic of the Congo was then laundered through official gold cooperatives in Burundi (see annex 79). Several sources complicit in those transactions told the Group of Experts that Nduwimana also facilitated contacts between smugglers interested in crossing into Burundi and representatives of cooperatives managing mining sites in Burundi. During its investigations, the Group obtained, for example, a handwritten document outlining a fraudulent agreement between the Koribilorwa Twikenure Minyago and Dukorere Hamwe Dusoze Ikiwi cooperatives to buy gold from individuals coming from the Democratic Republic of the Congo.²²² One of the signatories of this document is Noël Nshimirimana. The Group obtained a phone number used by Nshimirimana in his relations with other members of the network and noted that it was registered under another name.

182. According to several mules (transporters) involved in smuggling gold for this criminal network, the gold they transported to Burundi came from mining sites in Misisi or Nyange in the Democratic Republic of the Congo. When crossing the border, they divided the concealed gold between several people to lower the risk of losing everything if they were arrested. However, crossing the border from Uvira, Democratic

²¹⁶ Civil society sources, researcher and mining actors.

²¹⁷ Ibid.

²¹⁸ Security sources, economic actor and individuals familiar with Nduwimana and gold smuggling along the border between Democratic Republic of the Congo and Burundi.

²¹⁹ The network exports larger quantities. Nduwimana told several of his partners that he was in contact with individuals in several other regions of the Democratic Republic of the Congo.

²²⁰ Individuals involved in the operations with Nduwimana.

²²¹ Ibid.

²²² Document on file with the Secretariat.

Republic of the Congo, into Burundi presented few challenges, given lax controls and the absence of scanners or conduct of searches to detect the ore.

183. According to Democratic Republic of the Congo security sources and individuals approached by Nduwimana, the latter reported that he was acting upon the orders of his higher authorities. The Group of Experts was unable to confirm whether Nduwimana conducted operations in an official capacity; however, it collected a body of evidence demonstrating that Nduwimana acted with the blessing of senior officials.

184. Three mules informed the Group of Experts that they had been stopped at two police checkpoints while transporting gold on the road between Bujumbura and Muyinga. However, they had passed without difficulty when the driver mentioned the name of a Burundian general. The mules stated that the Burundian police officers had been informed in advance of their passage. According to three other well-informed sources, Nduwimana facilitated a meeting, in Kamenge district, between individuals involved in the smuggling network and a Burundian national, who introduced himself as General Thierry Habimana. During this meeting, Habimana indicated that he was open to supporting the business. Two other mules reported that when they had been summoned to be searched at Gatumba border post, the search had been aborted after Nduwimana called a Burundian police agent.

185. In a letter to the Group of Experts in April 2023, the Burundian authorities stated that the above-mentioned cooperatives were not involved in gold mining from the Democratic Republic of the Congo and that the individuals identified by the Group were unknown to them.

VIII. Recommendations

186. The Group of Experts makes the recommendations set out below.

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

187. The Group of Experts recommends that the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo:

(a) Encourage all Member States to provide the Group of Experts with unhindered and immediate access to all information they, or private entities registered on their territories, may have regarding the financing and provision of arms and related materiel to armed groups active in the Democratic Republic of the Congo, including in relation to the use of improvised explosive devices by Allied Democratic Forces (ADF) (see paras. 22–28 and 29–39 above);

(b) Encourage Member States to ensure that neither they nor elements under their command provide support of any kind to the Mouvement du 23 mars (M23) or any other armed group (see paras. 54–61 above);

(c) Encourage enterprises active in the mineral supply chain of gold produced in the Democratic Republic of the Congo, notably Primera Gold DRC and AuricHub, to ensure that their sourcing practices are in full compliance with national, regional and international requirements, including the due diligence guidelines adopted by the Security Council in its resolution 1952 (2010) (see paras. 173–175 above);

(d) Encourage the Government of the Democratic Republic of the Congo to work with relevant stakeholders in order to restore, without delay, the integrity of the tin, tantalum and tungsten supply chain, notably in Rubaya, North Kivu Province (see paras. 91–97 above);

Government of the Democratic Republic of the Congo

188. The Group of Experts recommends that the Government of the Democratic Republic of the Congo:

- (a) Share information without further delay on, and work with the Group of Experts to resolve, cases concerning financial flows to ADF from Da'esh or individuals and entities linked therewith (see paras. 29–39 above);
- (b) Act proactively to seize private arms caches and weaponry belonging to combatants and work with the Group of Experts to trace the origins of seized and recovered weapons and ammunition (see paras. 52, 53 and 95 above);
- (c) Investigate and prosecute:
 - (i) Individuals responsible for serious violations of international humanitarian and human rights law with regard to the violations documented in the present report (see paras. 18–28, 63–70 and 124–128 above);
 - (ii) Officers of the Armed Forces of the Democratic Republic of the Congo (FARDC) who organize and coordinate cooperation between FARDC elements and armed groups, including the transfer of weapons and ammunition from official government stocks to armed groups, notably in Rutshuru, Masisi and Nyiragongo territories (see paras. 71–85 above);
 - (iii) Individuals and entities based in the Democratic Republic of the Congo that contribute to the financing of armed groups, notably ADF and Twirwaneho (see paras. 160 and 167 above);
- (d) Take urgent action to prevent and condemn incitement to, and acts of, discrimination, hostility and violence, including exclusionary discourse and rejection of citizenship rights in the context of upcoming elections, in particular against Rwandophone populations (see paras. 98–103 above);
- (e) Implement, without delay, the Disarmament, Demobilization, Community Recovery and Stabilization Programme, with a particular focus on the demobilization of children used by armed groups, notably in South Kivu Province (see paras. 150–156 above);

Government of Burundi

189. The Group of Experts recommends that the Government of Burundi investigate and prosecute, as appropriate, entities and individuals, including those mentioned in the present report, involved in fraudulently exporting gold from the Democratic Republic of the Congo to Burundi (see paras. 176–185 above);

Mahoro Peace Association

190. The Group of Experts recommends that the Mahoro Peace Association clarify the nature of its relationship with Twirwaneho to the Group and the Security Council Committee established pursuant to resolution [1533 \(2004\)](#) and develop a comprehensive mechanism for tracking funds sent to the Democratic Republic of the Congo and the region (see para. 167 above).

Annex/Annexe 1:

Map of ADF intended expansion in the DRC

Carte de l'expansion prévue par les ADF en RDC



Map annotated by the Group

Annex/Annexe 2:**Links between ADF and Mai-Mai Malaika****Les liens entre ADF et Mai-Mai Malaika**

Sources indicated that while contact between the two groups may predate the death in 2020 of Sheikh Hassan, Mai-Mai Malaika's leader,²²³ contact with ADF has also continued with his successors.

Two ADF collaborators reported that in 2022, Meddie Nkalubo sent them to meet Mai-Mai Malaika leadership in order to propose collaboration between ADF and Mai-Mai Malaika, as both groups were of Muslim faith. Meddie Nkalubo instructed one of these collaborators to host individuals coming from Salamabila in 2022 and transiting through Goma before joining ADF camps.

²²³ Researchers and intelligence sources.

Annex/Annexe 3:

Da'esh claims of attacks perpetrated by ADF in March and April 2023, published by Islamic State and Amaq News Agency

Revendications de Da'esh concernant des attaques perpétrées par l'ADF en mars et avril 2023, publiées par l'État islamique et l'agence de presse Amaq

(1) Claim and pictures of Mukondi attack of 8 March 2023



Above: Da'esh claim of Mukondi attack. Provided to the Group by security sources.



Above: Amaq News Agency publication of Da'esh claim, published on 10 March 2023. Provided to the Group by security sources.

Translation:

“Thanks to God, soldiers of the Caliphate attacked the Christian village of Mukondi in the Beni area the day before yesterday, where the mujahideen stormed the village, targeting a grouping of Christians with various weapons, resulting in the deaths of at least 35 Christians and the wounding of others, and the mujahideen burned down Christian houses inside the village and captured some of their possessions, and then returned to their positions safely.”

Amaq editorial published on 14 March 2023²²⁴ on attacks perpetrated in the first two weeks of March 2023, including the attack on Mukondi:

“Congo - North Kivu - Amaq Agency: Upwards of 65 were killed within the ranks of the African Christians in a new series of attacks by the Islamic State in the Beni area of North Kivu of eastern Congo. A security source told Amaq Agency that fighters of the Islamic State managed to undertake the consecutive wide scale attacks over the course of the last week on numerous Christian villages in Beni.

²²⁴ Provided to the Group by security sources.

The source added that the fighters attacked last Saturday the village of Kirindera, killing at least 20 Christians and burning down hotels and government structures in addition to houses and various possessions. The source then said that a new attack conducted by the fighters occurred last Sunday, targeting a grouping of Christians in the village of Mabinduno and other nearby villages of Mabulingwa, Kininga and Vulira, resulting in the deaths of more than 30 Christians, among them a village chief. Likewise, the source added that another attack on Tuesday in the village of Mwendiba and its surroundings left at least 15 killed, among them a priest, and a church burned. And remember that upwards of 40 Christians were killed last Wednesday in an attack on the village of Mukondi. These attacks caused a large wave of displacement among the Christian ranks in the areas.

The source stated to Amaq that these attacks, which are continuing even during the writing of this report, are within the context of the practical application of the Qur'an and Sunnah, which states to fight the Christians until they submit to Islam or pay Jizyah to the Muslims.

It is also noteworthy that the Congolese Government is still unable to protect its Christian citizens, despite the military and political alliances it has pursued in the last years to target fighters and the rising attacks of the Islamic State."

(1) Claim of Musandaba attack of 8 April 2023



Claims published by Da'esh and provided to the Group by security sources

Translation:

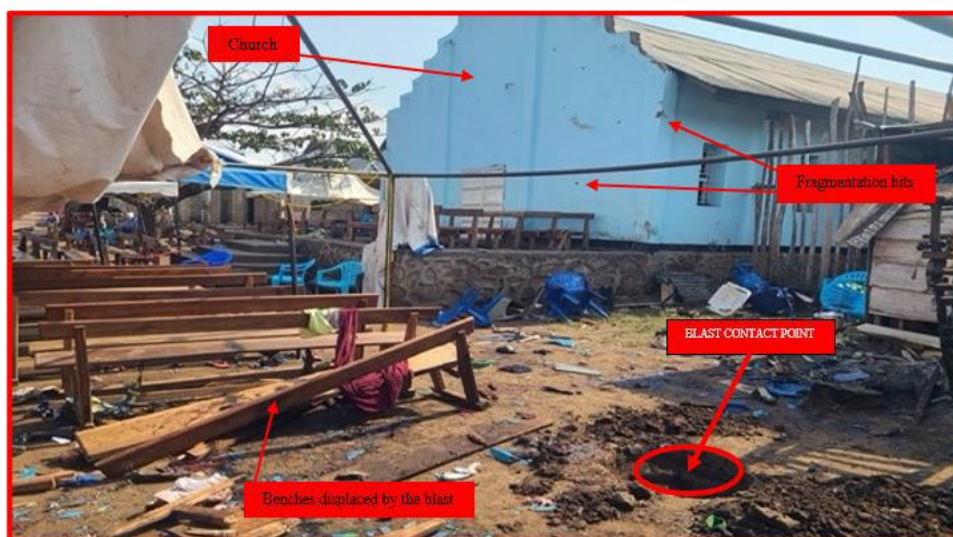
"Thanks to God, soldiers of the Caliphate attacked groupings of infidel Christians near the village of Musandaba in the Beni area yesterday with various weapons, resulting in the death of at least 20 Christians and the burning of a vehicle and motorcycle and other possessions, and the mujahideen returned to their positions safely."

Annex/Annexe 4:

IED detonation in Kasindi on 15 January 2023

Explosion d'un engin explosif improvisé à Kasindi le 15 janvier 2023

Picture and schematic analysis of the blast site scene, showing the church, fragmentation hits, blast contact point and benches displaced by the blast:



Picture and schematic analysis of crater and shrapnel found at the scene:



Pictures and schematics provided by MONUSCO and pictures obtained from DRC security forces and civilians.

Annex/Annexe 5:**Additional elements on Mbusa Mbunga Moise alias Mupalalo****Eléments complémentaires sur Mbusa Mbunga Moise alias Mupalalo**

Mbusa Mbunga Moise, alias Mupalalo (other aliases used: Mbunga Thakukulya and Mbusa Hibrahim), had been arrested in 2020 for collaborating with ADF. In October 2020, he escaped during the Kangbayi jailbreak (see [S/2022/967](#), annex 2). Mupalalo was again arrested on 13 February 2023 in Butembo, as he was picking up a can of nitric acid sent by another ADF collaborator in Kasindi. This ADF collaborator had informed Mupalalo that he had to deliver the nitric acid to Abwakasi, and that the substance was intended for the manufacture of bombs. Several pictures of nails and nitric acid (see below) were found on Mupalalo's cell phone.

When interviewed by the DRC authorities, Mupalalo said that since 2020, he was shipping food supplies but also phones, Motorola radios nails, etc. to ADF commanders through several other ADF collaborators, including "Yahya", "Jeannot", "Mbale Jackson", "Erasmé" and several motorbike drivers. Mupalalo also admitted that he transported two bombs that had been manufactured in ADF camp Isale by Abwakasi. He gave one of the bombs to "Yahya", who lived in Butembo and who transported the bomb to Beni, where it was detonated at Ma Campagne on 25 January 2023. He gave the other bomb to Jeannot, who was to place the bomb at a location in Butembo, possibly Mustanga neighbourhood, central market or a bar.

Mupalalo said that he was coordinating the bomb attacks with Jeannot, Yahya, and another unidentified motorcycle driver. Mupalalo also provided technical details regarding the manufacturing of IEDs.

Mupalalo was in direct contact with several ADF commanders, including Abwakasi, Amigo, Defender and Musa Kamusi. Mupalalo declared that Abwakasi was the one taking the final decision regarding the location and the dates of the IED attacks, and that he required the attacks to inflict the maximum number of casualties.

Mupalalo, however, denied being involved in the Kasindi attack on 15 January 2022.

The above information was provided to the Group by DRC security and intelligence sources and MONUSCO sources.



Picture of Mbusa Mbunga Moise



Acid and second bomb found by DRC judicial authorities at Mupalalo's house in January 2023



Picture found on Mupalalo's phone that he used to purchase the sulphur powder

Photographs provided to the Group by security sources

Annex/Annexe 6:

ISCAP/Da'esh claims of responsibility for the 15 January 2023 explosion in Kasindi

Da'esh revendique la responsabilité de l'explosion du 15 janvier 2023 à Kasindi



ولاية وسط إفريقية
عشرات القتلى والجرحى من النصارى
الكافرين بتفجير لجنود الخلافة داخل كنيسة
بمنطقة (بيني) شرقي الكونغو

Claims published by Da'esh and provided to the Group by security sources

Translation:

“Dozens of unbelieving Christians were killed and wounded in an explosion of the Caliphate soldiers inside a church in the Beni region, eastern Congo.

Sunday 22 Jumada II 1444 AH – Central African State.

By the grace of God Almighty, the soldiers of the Caliphate were able to plant and detonate an explosive device inside a church of unbelieving Christians in the town of Kasindi in the region Beni in eastern Congo, which resulted in the killing of about 20 Christians, and the wounding of dozens of others with varying degrees of severity. And let the Congolese forces and their allies know that their successive campaigns against the Mujahideen will only lead to more failure and loss, God willing.”



Claim published by Da'esh and provided to the Group by security sources

Translation:

"Dozens of Christians were killed and wounded in a (...) bombing by Islamic State fighters inside a church in eastern Congo.

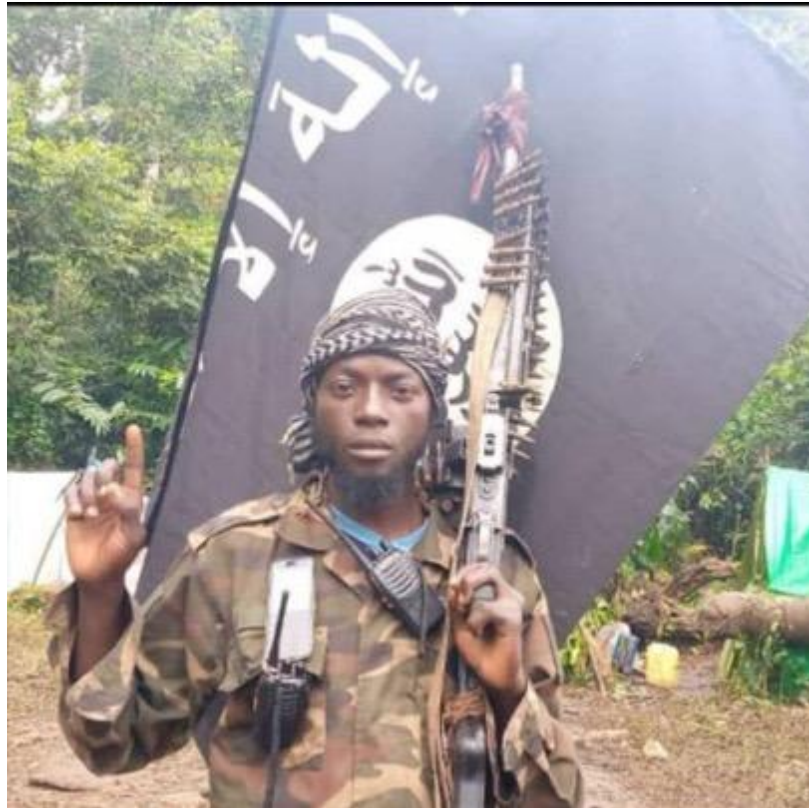
Congo – North Kivu – Amaq Agency: Today, a violent bombing struck a Christian church in the "Beni" region in the "North Kivu" Province, east of the Congo, resulting in the death and injury of dozens of Christians.

Security sources told Amaq Agency, "Islamic State fighters were able to plant and detonate a high-explosive device this afternoon inside a Christian church in Kasindi" in the eastern "Beni" region. The sources added that the bombing targeted a large crowd of Christians who were performing, killing at least 20 Christians and injuring (...) dozens of others, in addition to destroying the church. The same source indicated to Amaq that the qualitative bombing comes to prove the failure of the recent military campaigns of the Congolese forces and their allies in achieving security for their Christians subjects.

15 January 2023."

Via the instant messenger app Telegram, ADF also published a picture of the person who allegedly placed the bomb, most likely a Ugandan citizen. The Group continues to try to identify this individual and could not confirm the involvement of this individual in the Kasindi attack of 15 January 2023.

ISCAP/Da'esh claim with picture of the person who allegedly placed the IED (unconfirmed):

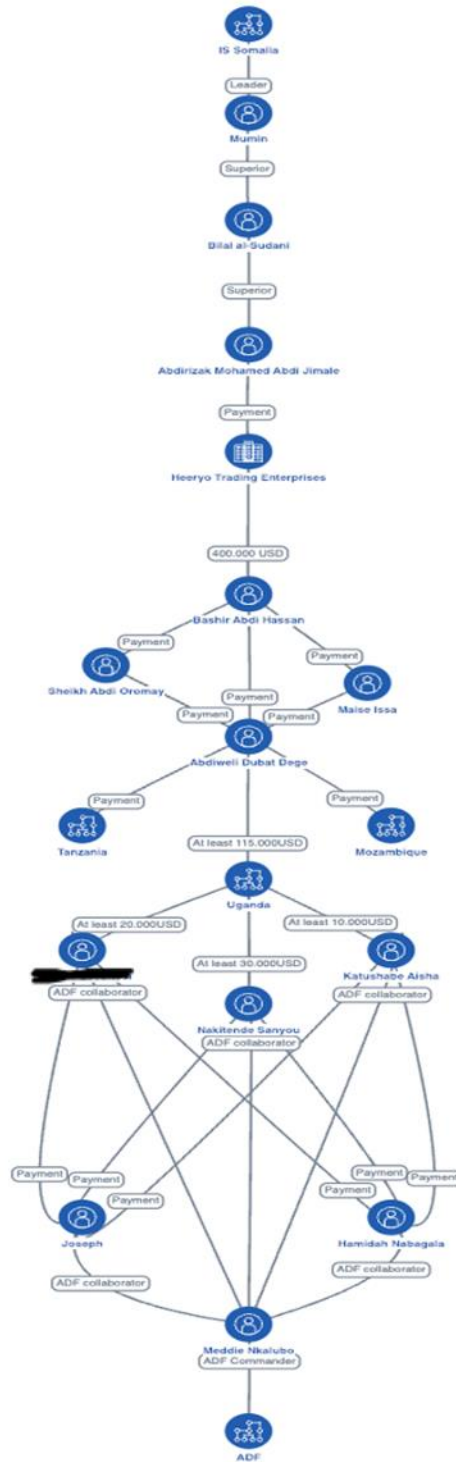


Claim published by Da'esh on 15 January 2023

Annex/Annexe 7:

Simplified diagramme summarizing the cases of financial support from Da'esh to ADF

Schéma simplifié résumant les cas de soutien financier de Da'esh aux ADF



Above: Diagramme prepared by the Group based on available evidence. One name in the diagramme is redacted for security purposes

Annex/Annexe 8:

Bashir Abdi Hassan



Picture of Bashir Abdi Hassan obtained from security sources

Annex/Annexe 9:**Selpal and the risk that third-party payment providers facilitate money flows for Da'esh****Selpal et le risque que des tierces personnes facilitent les flux d'argent au profit du Da'esh**

Bashir Abdi Hassan used the payment system of a company called Selpal to facilitate money transfers. He registered with the Selpal system in May 2020.

Some of the transfers he facilitated were reportedly made using the Selpal payment system which, inter alia, allows for the use of electronic wallets to deposit and withdraw money and to facilitate the payment of remittances (for example from mobile money services such as Mama Money) from anywhere in the world. As such, this system, commonly referred to as a third-party payment provider (TPPP) system, enables users to convert cash into electronic money for informal (and often unbanked) stores and thus to transfer money to other countries undetected and unconstrained by the rigours of anti-money laundering and anti-terrorism laws in South Africa. For example, Bashir Abdi Hassan reportedly had deposited over 1 million South African rand in his electronic wallet, which he was using to facilitate several of the money transfers made to Dege.

Multiple sources, including insider sources, reported that TPPPs have been used by Da'esh and other criminal networks to send large amounts of money throughout the region.



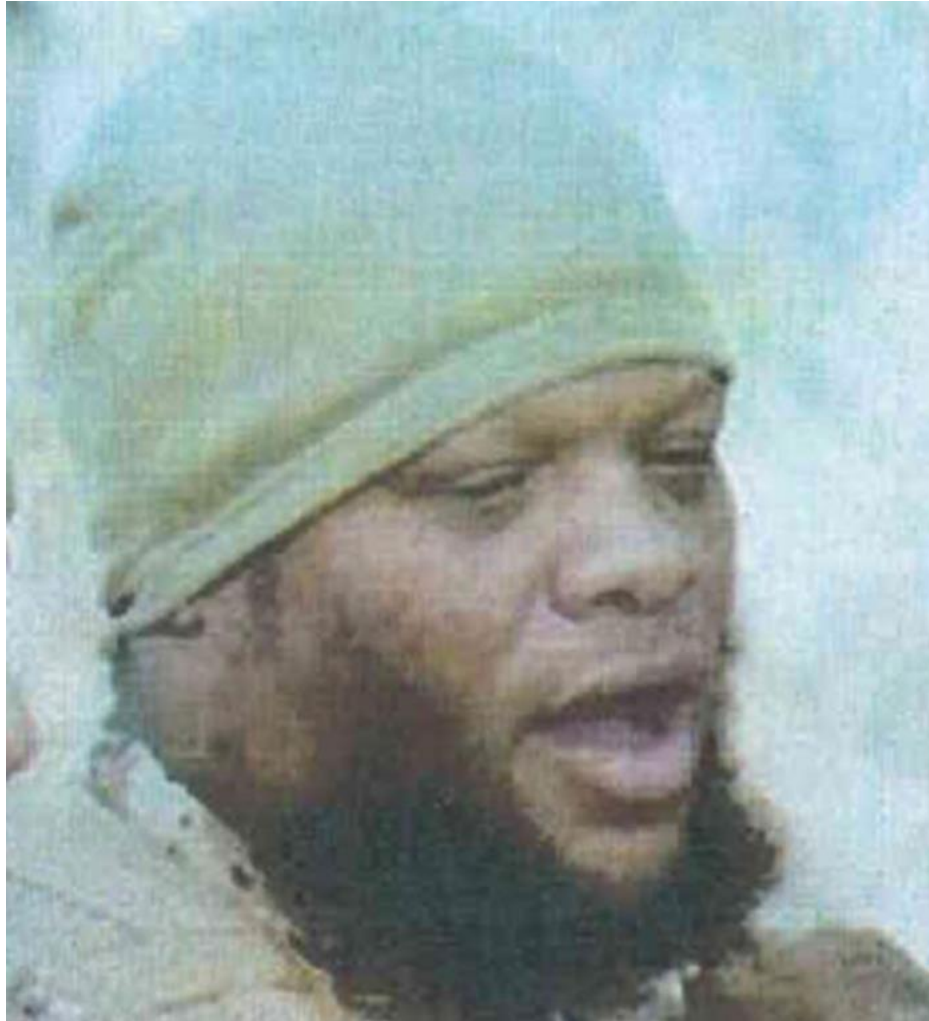
Above: Photograph of Farhad Hoomer

Photograph and documents provided to the Group by security sources

Annex/Annexe 11:

Photograph of Patrick Modise

Photographie de Patrick Modise



Patrick Modise was reportedly arrested in Syria in 2017 and is currently in detention.
Photograph provided to the Group by security sources

Annex/Annexe 12:

Background information, photographs and identification documents of the individuals travelling with Abadigga

Informations générales, photographies et documents d'identité des personnes voyageant avec Abadigga

Abdella Hussein Abaddiga and two individuals travelled from South Africa to Goma (via Kinshasa) where they were arrested on 22 October 2017 at the Goma airport as they were trying to join ADF. These individuals were Abdi Abdulahi Adan, a Somali national, and Ahmed Rashad Elema, a Kenyan national. Another individual, Hamisi Issa Shahame, a Tanzanian national (see below) with a South African temporary residence permit, was arrested on 20 October 2017, two days prior to the arrest of Abaddiga and the other individuals, at Goma port coming from South Africa through Burundi.

The Group obtained evidence that Farhad Hoomeer was in contact with Abwakasi regarding their release. As such, Hoomeer was in contact with Abadigga's brother and uncle, and with Elema's wife, whom he advised in June 2018 to claim that her husband was only travelling to DRC for business. Hoomeer was also in contact with the lawyer of these individuals in the DRC. In August 2018, Abwakasi informed Hoomeer that they had managed to make a deal with a FARDC officer from the Military Intelligence where Abadigga and the others were detained.

Abdi Abdulahi Adan and Abadigga were repatriated to South Africa in February and March 2020, respectively. Hamisi Issa Shahame and Ahmed Rashad Elema were both repatriated in March 2020 to Tanzania and Kenya, respectively, although reportedly they travelled back to South Africa, possibly in 2021.

As mentioned in paragraph 36, before his travel to DRC and after his return, Abadigga was in charge of a Da'esh cell in Mayfair, Johannesburg, reportedly together with Elema.

Below: Photograph and copy of passport and refugee card for Abdi Abdulahi Adan



23-08202





Below: Picture of Hamisi Issa Shahame



Photographs and copies of documents provided to the Group by security sources

Annex/Annexe 13:

Photographs of the drones and camera seized during Abadigga's arrest in 2017

Photographies des drones et de l'appareil photo saisis lors de l'arrestation d'Abadigga en 2017

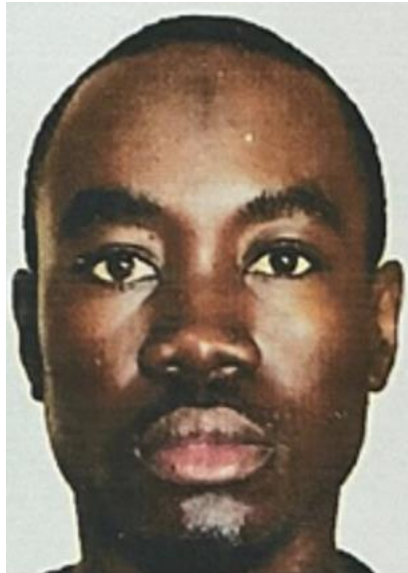


Photographs provided to the Group by security sources

Annex/Annexe 14:

Photograph of Swalleh Abubakar

Photographie de Swalleh Abubakar



Photograph provided to the Group by security sources

Annex/Annexe 15:**Links between ADF and ASWJ****Liens entre les ADF et ASWJ**

As previously reported, since 2019 Da'esh had been referring to ADF in DRC and ASWJ in Mozambique collectively as Islamic State Central African Province or ISCAP, as both groups had pledged allegiance to Da'esh (see [S/2021/560](#), annex 20). ADF was then given authority over ASWJ to which it provided guidance as well as financial support, logistics including training, recruitment and combatants. Leaders of both groups were regularly in contact, and multiple sources reported that Musa Baluku travelled to Mozambique in 2021, and that ASWJ leaders travelled to the DRC in 2017 and 2023.

According to several ADF ex-combatants and abductees, while some combatants came to the DRC from Mozambique until around 2018, conversely several combatants based in the DRC, especially at the ADF camp based around Baraka, South Kivu, joined ASWJ in Mozambique after the camp was dismantled in 2017. Several sources reported that Abdul Rahman Faisal, a religious leader linked to Usafi Mosque, was amongst those sent to Mozambique by Musa Baluku at the end of 2017. Arrested in January 2018 along with other Ugandans, he was presented by the Mozambican authorities as one of the leaders of ASWJ.

However, according to several sources, tensions arose between the two groups over the centralization in the management by ADF, notably of financial support, as well as admonishments by ADF leadership over operational and religious issues. For example, the Group reviewed exchanges between Abwakasi and Hoomeer in July 2018, in which Abwakasi admonished Hoomeer for directly contacting and sending money to ASWJ, explaining that ASWJ had pledged allegiance through ADF and that, as such, all communications and support should pass through ADF first. Reportedly, ASWJ then started requesting more autonomy to report directly to Da'esh. Information retrieved from laptops recovered in ASWJ camps showed that, in 2021, ASWJ had been sending its reports directly to IS Somalia leader Mumin in Somalia, such as the list of fighters, ASWJ operational and administrative structures, etc. This might partly explain why Da'esh referred to Mozambique as the "Wilayah Mozambique" from May 2022 onwards, despite initially referring to ASWJ as ISCAP when claiming responsibility for ASWJ attacks since 2019, in the same manner in which it had referred to claims of attacks in the DRC. Da'esh continued to refer to its DRC affiliate as ISCAP in the latest communications.

Annex/Annexe 16:

Additional information on bilateral, regional and international efforts to de-escalate the situation in North-Kivu Province

Informations complémentaires sur les efforts bilatéraux, régionaux et internationaux visant à apaiser la situation dans la province du Nord-Kivu

Since the resumption of the M23 crisis, the African Union (AU), the East African Community (EAC) and the International Conference on the Great Lakes Region (ICGLR) undertook mediation efforts together with some bilateral initiatives. On the different agreements and diplomatic efforts to resolve the crisis, see also [S/2022/967](#), annex 22.

The Group observed that AU-backed political consultations between leaders of the DRC and Rwanda under the leadership of Angolan President João Lourenço, which led to the Luanda Roadmap on 23 November 2022, had mixed results. For example, M23 did not comply with several deadlines for its withdrawal (see para. 46), forcing leaders to change the timelines, while the DRC Government continued to reject calls for negotiations with M23. Equally, various decisions taken during the EAC-led Nairobi process regarding armed groups faced implementations challenges.

Diplomatic and government sources hinted at a disconnect between the EAC-led Nairobi process and the AU/Angola-led Luanda initiative.²²⁵ They also raised concerns over the EAC's reluctance to engage M23 militarily as per its mandate. According to these sources, neither the Nairobi process nor the Luanda political consultations had a substantial impact on the crisis which worsened, as documented in this report.

In parallel, several bilateral initiatives including the French President's visit to the DRC on 4 March 2023 have yet to yield results.

In addition, a planned meeting between Qatar and the DRC through the Luanda process did not take place.

The United States, Belgium, France and the European Union called on Rwanda to end its support to M23.

At the time of drafting this report, the Group noted that no subsequent actions have been taken against Rwanda.

²²⁵ Diplomatic and civil society sources and researchers.

Annex/Annexe 17:**IDP crisis / humanitarian situation in North Kivu****La crise relative aux personnes déplacées / la situation humanitaire au Nord-Kivu**

Since the start of the M23 conflict, most notably since the second wave of offensive operations launched on 20 October 2022 (see [S/2022/967](#), para. 31), over 1 million civilians have been displaced in North Kivu Province, fleeing areas occupied by M23 (see below a report by OCHA published on 20 April 2023). Over half of the internally displaced (IDPs) have settled in Nyiragongo territory and on the outskirts of Goma, engendering a catastrophic humanitarian crisis.²²⁶

The dire living conditions in IDP settlements,²²⁷ with poor hygienic and sanitary conditions and inadequate access to health care, led to the outbreak of a cholera epidemic in December 2022,²²⁸ with cases increasing considerably until March 2023.²²⁹ While humanitarian agencies began reporting a cautious return of IDPs to certain areas²³⁰ since mid-March 2023, and the European Union delivered close to 70 tonnes of medical and nutritional supplies in March 2023, roughly half of the IDPs still did not have access to basic emergency aid at the time of writing.²³¹

The influx of IDPs also led to a sharp increase in incidents of sexual violence. Women and children had to walk great distances in search of food and water supplies, which exposed them to higher security risks. According to statistics provided by individuals working with sexual violence survivors working with IDPs in Kanyaruchinya camp, reported rape cases more than tripled in November and December 2022 compared to preceding months, to over 100 cases per month in Nyiragongo health district alone.²³² At least nine women, including four minors (i.e. younger than 18 years), were raped by men wearing FARDC uniforms in or around Kanyaruchinya. In most cases, however, the victims were unable to identify the perpetrators.²³³

Approximately 2,000 schools were forced to close due to the security situation in North Kivu between January 2022 and March 2023, affecting the education of approximately 685,000 children. At least 33 schools were attacked, 28 were occupied by armed groups, and 288 used as shelters by displaced people.²³⁴

²²⁶ According to a source working in the management of the Kanyaruchinya camp, over 255,520 IDPs were officially registered by January 2023.

²²⁷ Witnessed by the Group during a field visit to Kanyaruchinya, North of Goma in January 2023.

²²⁸ As [reported by WHO](#).

²²⁹ OCHA statistics [on ReliefWeb](#) published on 5 April 2023.

²³⁰ In Masisi, Rutshuru and Walikale territories.

²³¹ OCHA statistics [on ReliefWeb](#) published on 5 April 2023.

²³² Source: professionals working with IDPs in Kanyaruchinya.

²³³ Statistics provided by three professionals working with victims of sexual violence.

²³⁴ OCHA statistics [on ReliefWeb](#) published on 5 April 2023.



RD Congo : Situation humanitaire dans la province du Nord-Kivu

17 avril 2023

Ce rapport est produit par OCHA RDC en collaboration avec les partenaires humanitaires. Il couvre la période du 1^{er} au 15 avril 2023

FAITS MAJEURS

- 1,1 millions de personnes déplacées dans le Nord-Kivu depuis mars 2022
- Au moins 40 civils tués dans des attaques armées à Beni entre le 1^{er} et le 15 avril
- Flambée de rougeole dans le Nord-Kivu : 1 800 cas et 13 décès enregistrés en une semaine.
- Lancement d'une distribution de 900 tonnes de vivres à 54 000 personnes déplacées dans le territoire de Lubero

CHIFFRES CLES



2,3 M

personnes déplacées internes au Nord-Kivu au 31 mars 2023
(Source: CMP Nord-Kivu)



2,9K

incidents de protection enregistrés au Nord-Kivu au 31 mars 2023 (Source : Cluster Protection)



114

acteurs humanitaires, dont 66 ONG congolaises, opérationnels au Nord-Kivu
(Source : 3W de mars 2023)

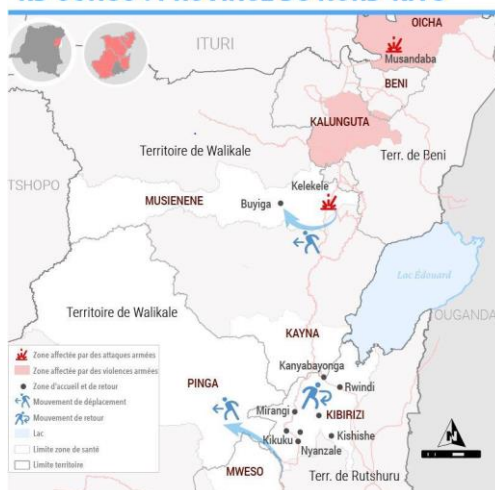
APERÇU DE LA SITUATION

Au moins 1,1 million de personnes déplacées à cause du conflit lié au M23 dans le Nord-Kivu depuis mars 2022

Les affrontements entre l'armée congolaise et le groupe armé Mouvement du 23 mars (M23) ont provoqué le déplacement de plus de 1,1 million de personnes dans le Nord-Kivu depuis mars 2022¹. Plus de 51 % des personnes déplacées internes sont des femmes, 49 % sont des hommes et 58,5 % sont des enfants de moins de 18 ans. La majorité de ces personnes (plus de 51 %) vivent dans le territoire de Nyiragongo et la ville de Goma.

Bien que quelques timides mouvements de retour aient été rapportés, notamment dans le territoire de Rutshuru où près de 50 000 personnes déplacées sont retournées chez elles entre le 13 mars et le 1er avril, la situation reste préoccupante

RD CONGO : PROVINCE DU NORD-KIVU



¹ Source: CMP Nord-Kivu Adhoc du 4 avril 2023

Above: OCHA statistics published on 20 April 2023 (page 1), reporting that 1.1 million internally displaced persons have fled their homes in North Kivu Province since March 2022 due to the M23 crisis

Source: ReliefWeb, at <https://reliefweb.int/report/democratic-republic-congo/rd-congo-situation-humanitaire-dans-la-province-du-nord-kivu-17-avril-2023> (last consulted on 24 April 2023)

Annex/Annexe 18:

FARDC and M23 accusing each other of breaching successive ceasefire agreements

Les FARDC et le M23 s'accusent mutuellement de violer les accords de cessez-le-feu successifs

- M23 communiqué of 16 December 2022 denouncing a violation of the ceasefire by “the Government coalition”:



**LA VIOLATION DU CESSEZ-LE-FEU PAR LA COALITION
GOUVERNEMENTALE**

La Direction du Mouvement du 23 Mars, en sigle M23, informe la Communauté Nationale et Internationale ce qui suit :

1. Ce Vendredi, 16 Décembre 2022, la coalition Gouvernementale a attaqué nos positions de BWIZA en violation du cessez-le-feu issu du mini-sommet de Luanda du 23 Novembre 2022.
2. Il est, désormais, clair que le Gouvernement de Kinshasa n'est plus intéressé par la paix, car son comportement au lendemain de la réunion du 12 Décembre 2022 à Kibumba bafoue les efforts de la région.
3. Le M23 a averti à plusieurs reprises sur la crise humanitaire dans le BWIZA et ne laisserait pas les populations se faire massacrer pendant que le monde se tait.

Fait à Bunagana, le 16 Décembre 2022

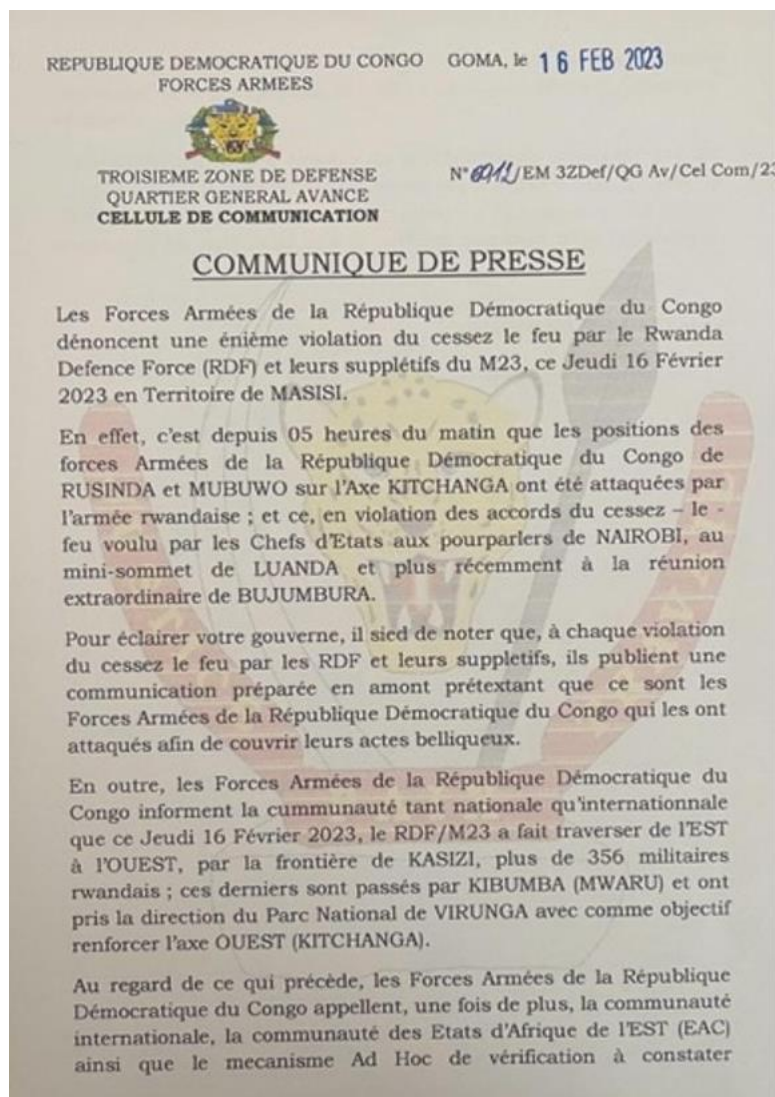
Le Porte-Parole Politique du Mouvement du 23 Mars

Lawrence KANYUKA

Tel : Porte-Parole Politique +243899411093, Porte-Parole militaire +243814946907 Email : mouvementdu23mars2@gmail.com

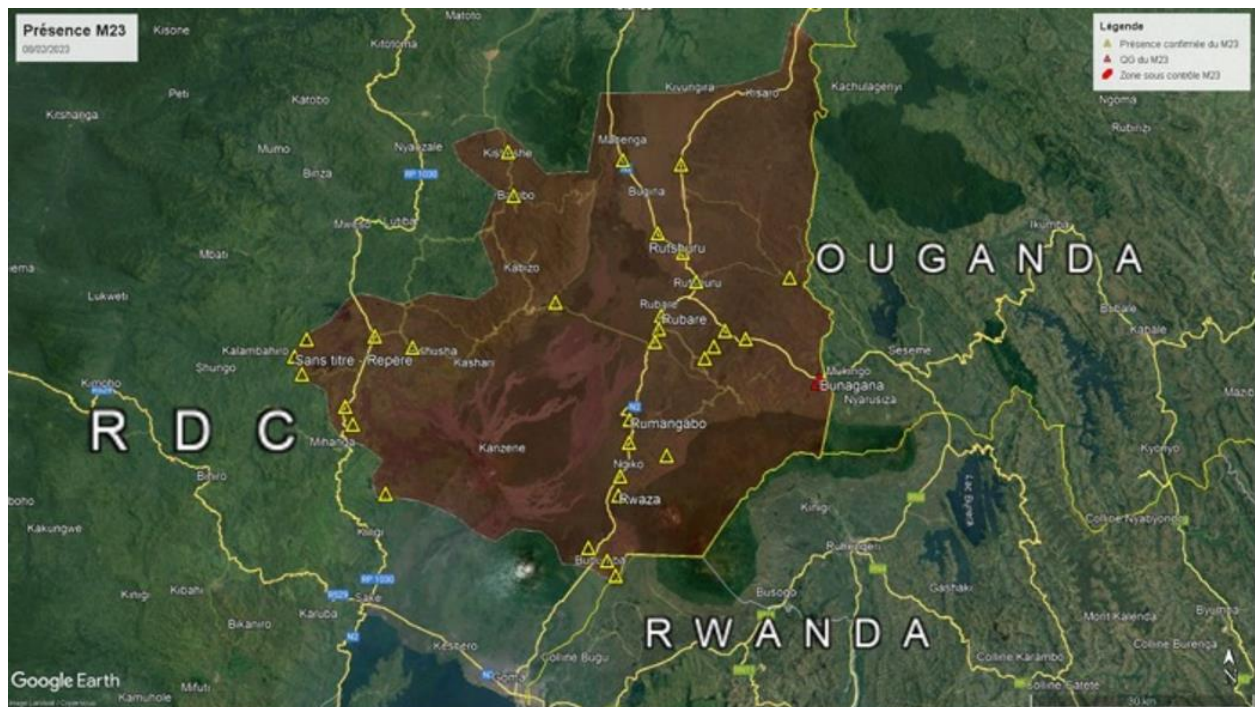
Communiqué provided to the Group by M23 sources

- Excerpt from the FARDC communiqué of 16 February 2023 denouncing the violation of the ceasefire agreement by RDF and M23:

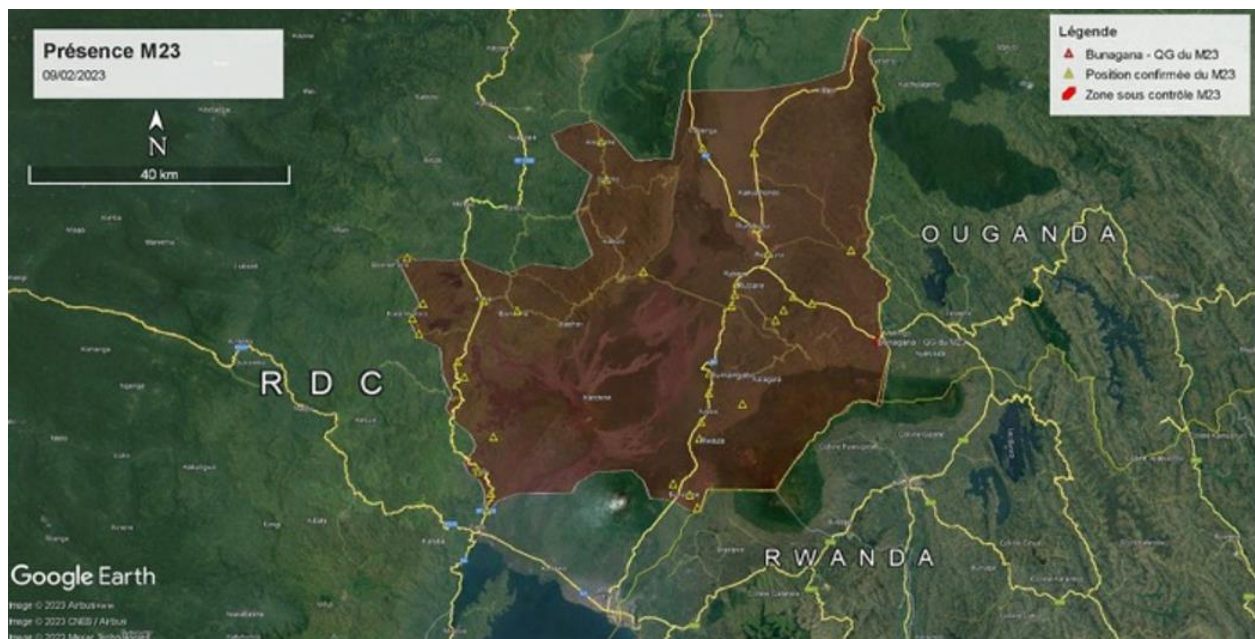


Communiqué provided to the Group by FARDC sources

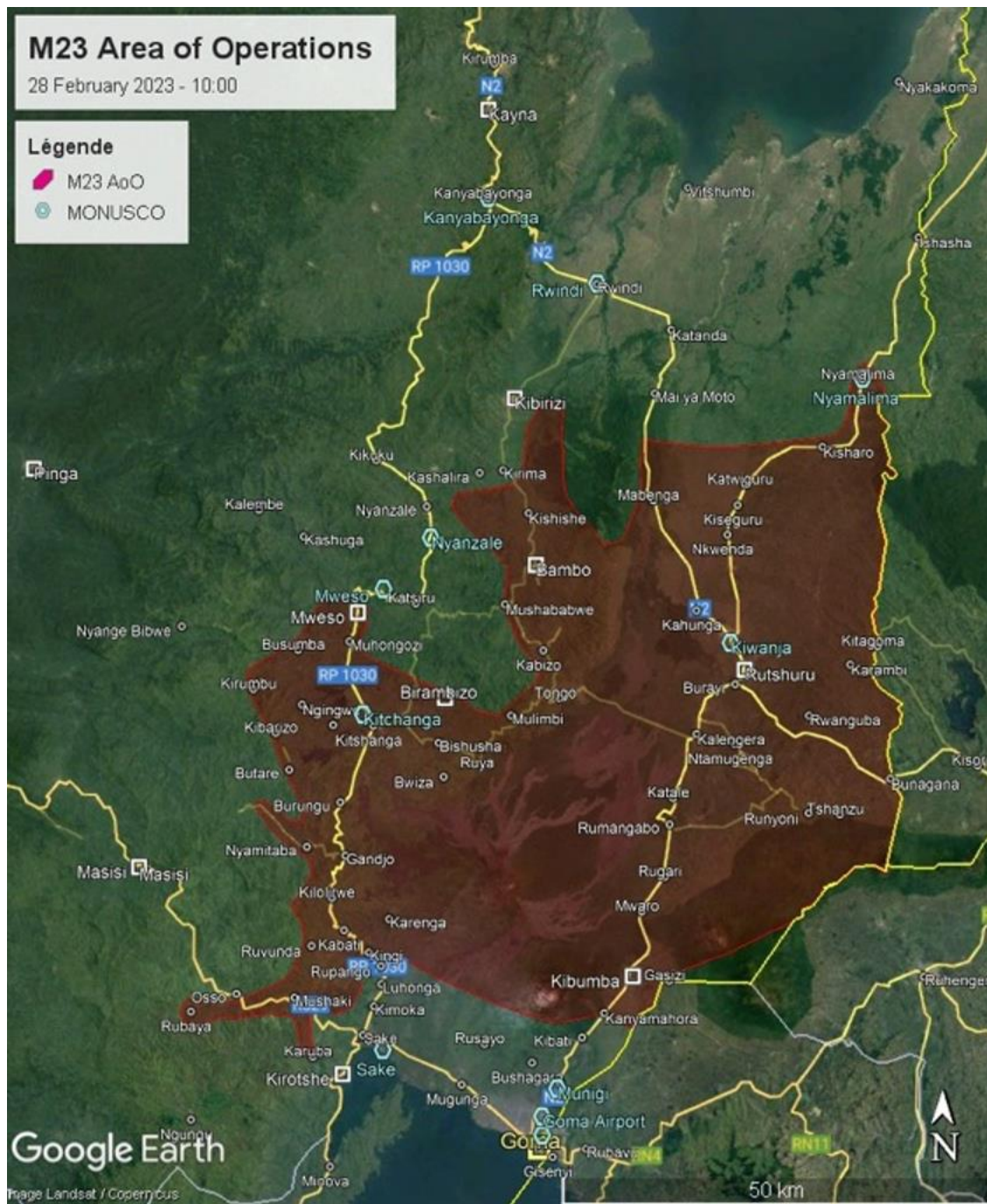
- Below: Map depicting M23 areas of influence and operations as at 6 February 2023:

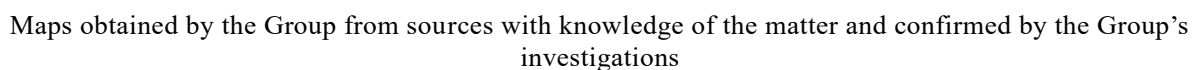


- Below: Map depicting M23 areas of influence and operations as at 9 February 2023 showing further territorial expansion towards the West and Southwest:



- Below: Map depicting M23 areas of influence and operations as at 28 February 2023 showing further territorial expansion towards the North, West and Southwest:





Annex/Annexe 20:

Final communiqué of 23 November 2022 of the Luanda Mini-Summit on peace and security in the eastern region of the DRC

Communiqué final du 23 novembre 2022 du mini-sommet à Luanda sur la paix et la sécurité dans l'est de la RDC

The Mini-Summit decided, inter alia, the following:

- Cessation of hostilities in general, and in particular of M23 attacks against the FARDC and MONUSCO from Friday, 25th of November 2022 at 18h00 (Day D) (point 8 (a));
- Continued full deployment of the EAC Regional Force (point 8 (c));
- Intervention of the EAC Regional Force against M23, as established in the framework of the Nairobi Process and the conclusions of the Extraordinary Meeting of the Chiefs of General Staff of the EAC Armed Forces, held in Bujumbura, on 8th of November 2022, in case of non-compliance by M23 to cease hostilities and withdraw from occupied territories (point 8 (d));
- Withdrawal of the M23 from the currently held positions and its return to its initial positions, as per the Extraordinary Meeting of the Chiefs of General Staff of the EAC Armed Forces of 8 November 2022, held in Bujumbura, Republic of Burundi, under the control of the Regional Force and the Ad Hoc Mechanism in collaboration with MONUSCO (Day D+2), namely:
 - “Kenya to initially deploy its Contingent in Goma, DRC and subsequently in Bunagana, Rutshuru and Kiwanja upon the withdrawal of M23 to its initial positions not beyond the line along Sabinyo (DRC side), Bigega, Bugusa, Nyabikona, Mbuzi, Rutsiro and Nkokwe.
 - If M23 does not withdraw the EAC Heads of States shall authorize use of force to compel the group to comply.” (point 8 (e));
- Creation of the conditions for the occupation of M23 currently controlled zones, by the EAC Regional Force, with the support of MONUSCO and the Ad-Hoc Verification Mechanism (D-Day+2) (point 8 (f)).



REPUBLIC OF ANGOLA

*MINI-SUMMIT ON PEACE AND SECURITY IN THE EASTERN
REGION OF THE DEMOCRATIC REPUBLIC OF THE CONGO*

FINAL COMMUNIQUE

1. At the invitation of His Excellency **João Manuel Gonçalves Lourenço**, President of the Republic of Angola, African Union Champion for Peace and Reconciliation in Africa and Mediator designated to maintain the dialogue between the DRC and Rwanda by the 16th Extraordinary Session of the Assembly of Heads of State and Government of the African Union in Malabo on 28 May 2022, a Mini-Summit on Peace and Security in the Eastern Region of the Democratic Republic of the Congo (DRC) was held on 23rd of November 2022, in Luanda, Republic of Angola.
2. The Mini-Summit was attended by His Excellency **Évariste Ndayishimiye**, President of the Republic of Burundi and current Chairperson of the East African Community (EAC), His Excellency **Félix-Antoine Tshisekedi Tshilombo**, President of the Democratic Republic of Congo, His Excellency **Vincent Biruta**, Minister of Foreign Affairs and International Cooperation of the Republic of Rwanda, representing His Excellency **Paul Kagame**, President of the Republic of Rwanda and His Excellency **Uhuru Muigai**

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Kenyatta, former President of the Republic of Kenya and Facilitator appointed by the EAC for the implementation of the Nairobi Peace Process.

3. Madame **Michelle Ndiaye**, Special Representative of the Chairperson of the African Union Commission and Head of the African Union Liaison Office in the DRC, Ambassador **João Samuel Caholo**, Executive Secretary of the International Conference on the Great Lakes Region (ICGLR), and Lieutenant General **Nassone João**, Commander of the Ad Hoc Verification Mechanism, also attended the meeting as guests.
4. The main objective of the Luanda Mini-Summit was to establish a timetable for the implementation of priority actions, with a view to the cessation of hostilities and the immediate withdrawal of the M23 from occupied Congolese localities, and to coordinates agreed through the Luanda and Nairobi Processes.
5. The Heads of State welcomed the results of the initiatives taken within the framework of the Luanda and Nairobi Processes, namely the operationalisation of the Ad Hoc Verification Mechanism on 9th of November 2022 and the deployment of the EAC Regional Force troops in the provinces of North and South Kivu in the DRC.
6. The Heads of State congratulated His Excellency **João Manuel Gonçalves Lourenço**, President of the Republic of Angola, African Union Champion for Peace and Reconciliation in Africa and Mediator designated by the African Union Assembly, and His Excellency **Évariste Ndayishimiye**, President of the Republic of Burundi and

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current Chairperson of the East African Community (EAC), for the efforts aiming the restauration of peace, security and stability in the Eastern DRC, within the framework of the Luanda and Nairobi Processes.

7. The Heads of State discussed the security situation in the Eastern region of the DRC and expressed their concern about :
 - a) The worsening insecurity and persistent military actions of the M23;
 - b) The acquisition by the M23 of increasingly sophisticated weapons and other means to carry out attacks against the Forces Armées de la République Démocratique du Congo (FARDC) and;
 - c) The persistence of negative and terrorist forces in the eastern DRC, which constitutes a threat to peace, security and stability in the sub-region.
8. The Mini-Summit decided the following:
 - a) Cessation of hostilities in general, and in particular of M23 attacks against the FARDC and MONUSCO from Friday, 25th of November 2022 at 18h00 (Day D);
 - b) Full compliance with the requirements of the Communiqués of the EAC Heads of State Conclaves of 21st of April and 20th of June 2022 (Nairobi Process), the Luanda Roadmap of 6th of July 2022 (Luanda Process) and the conclusions of the Extraordinary Meeting of the Chiefs of General Staff of the EAC Armed Forces (Bujumbura, 8 November 2022);

- c) Continued full deployment of the EAC Regional Force;
- d) Intervention of the EAC Regional Force against M23, as established in the framework of the Nairobi Process and the conclusions of the Extraordinary Meeting of the Chiefs of General Staff of the EAC Armed Forces, held in Bujumbura, on 8th of November 2022, in case of non-compliance by M23 to cease hostilities and withdraw from the occupied territories;
- e) Withdrawal of the M23 from the currently held positions and its return to its initial positions, as per the Extraordinary Meeting of the Chiefs of General Staff of the EAC Armed Forces of 8th of November 2022, held in Bujumbura, Republic of Burundi, under the control of the Regional Force and the Ad Hoc Mechanism in collaboration with MONUSCO (Day D+2), namely:

«Kenya to initially deploy its Contingent in goma, DRC and subsequently in Bunagana, Rutshuru and Kiwanja upon the withdraw of M23 to its initial positions not beyond the line along Sabinyo (DRC side), Bigega, Bugusa, Nyabikona, Mbuzi, Rutiro and Nkokwe.

If M23 does not withdraw the EAC Heads of States shall authorize use of force to compel the group to comply»;
- f) Creation of the conditions for the occupation of M23 currently controlled zones, by the EAC Regional Force, with the support of MONUSCO and the Ad-Hoc Verification Mechanism (D-Day+2);

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- 
- g) Cessation of all politico-military support to the M23, FDLR and all other local and foreign armed groups operating in Eastern DRC and the Region (D-Day);
 - h) FDLR-FOCA, RED-TABARA, ADF and other armed groups operating on Congolese territory shall immediately lay down their arms and initiate their unconditional repatriation under the terms of the Nairobi Process, with the support of MONUSCO, the Ad-Hoc Verification Mechanism and the EAC Regional Force (D-Day+5);
 - i) Disarmament and cantonment of the M23 in Congolese territory under the control of the FARDC, the Regional Force and the Ad Hoc Verification Mechanism, with the collaboration of MONUSCO (D-Day +5);
 - j) Return of Internal Displaced People (IDPs) to their homes (Day D+7);
 - k) Resumption and continuation of political consultations between the Government of the DRC and local armed groups (Day D+10);
 - l) Resumption of bilateral dialogue between the DRC and Rwanda with a view to the normalisation of diplomatic relations and the resumption of cooperation (Day D+60);
 - m) Commitment of the parties to the implementation of the Luanda Roadmap and the agreements reached in the Nairobi Process and the EAC Chiefs of General Staff meeting;

- 
- n) Consideration and resolution of the issue of the return of all refugees to their countries of origin, as referred to in the Luanda Roadmap (Day D+15);
 - o) Need of permanent coordination at all levels between the Luanda Process and the Nairobi Process;
9. The Heads of State requested that the FARDC, the Regional Force and the Chiefs of General Staff (CGS) of the EAC Regional Force, in collaboration with MONUSCO, study all issues related to the disarmament and cantonment of M23 elements and submit proposals to them at their next Mini-Summit.
 10. The Heads of State recommended the acceleration of the implementation of the Disarmament, Demobilisation, Community Reintegration and Stabilisation Programme (PDDR-CS) underway in the DRC, expressed their deep concern about the conditions in which hundreds of thousands of displaced people are living in the war-affected areas of North Kivu province and launched an appeal to the International Community for humanitarian aid to those populations.
 11. The Heads of State agreed to meet again soon in Bujumbura to evaluate the implementation of the conclusions of the resolutions and recommendations of the Luanda Mini-Summit.
 12. Finally, the Heads of State thanked His Excellency **João Manuel Gonçalves Lourenço**, President of the Republic of Angola, African Union Champion for Peace and Reconciliation in Africa and Mediator designated by the

Assembly of the African Union, for the fraternal welcome and hospitality he extended to them as well as his active involvement in the resolution of the security crisis in the Eastern region of the DRC.

Done in Luanda, on 23rd of Novembre 2022.-

By the Republic of Angola

H.E. JOÃO MANUEL GONÇALVES LOURENÇO

President of the Republic of Angola and Mediator mandated by the African Union Assembly

By the Republic of Burundi

H.E. ÉVARISTE NDAYISHIMIYE

President of the Republic of Burundi and Chairperson of the East African Community

By the Democratic Republic of the Congo

H.E. FÉLIX-ANTOINE TSHISEKEDI TSHILOMBO

President of Democratic Republic of the Congo

By the Republic of Rwanda

H.E. VINCENT BIRUTA

Minister of Foreign Affairs and Cooperation Representing H.E. Paul Kagame, President of the Republic of Rwanda

By the East African Community/Facilitator

H.E. Uhuru Muigai Kenyatta

Former President of the Republic of Kenya

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Document provided to the Group by diplomatic sources

The Group notes that the deployment of the EAC Regional Force in areas vacated by M23 was reiterated during the Meeting of East African Community Chief of Defence Forces/Staff held in Nairobi, Kenya, on 9 February 2023:

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2.1.2.3 Observation

As a pre-requisite for successful implementation of the new timelines, the Meeting observed the following key considerations:

- a. Ceasefire to hold in order to facilitate organized and coordinated withdrawal of M23.
- b. Establishment of a Monitoring and Verification Mechanism.
- c. Concurrent withdrawal of all armed groups and EACRF Deployment in the vacated areas.
- e. Deployment of EACRF to areas earmarked for M23 phased withdrawal.
- f. Protection of civilians in areas vacated by M23.

2.1.2.4 Recommendations

2.1.2.4.1 The Meeting took into account the key considerations which led to new withdrawal timelines.

2.1.2.4.2 From the key considerations, the Meeting decided that the withdrawal of M23 be phased over a period of 30 days, with the D-day set for 28 February 2023. Consequently, the new withdrawal timelines, which must be adhered to by M23, were developed as hereunder:

Phase 1: 28 Feb – 10 Mar 23

M23 withdraws from Kibumba, Rumangabo, Karenga, Kirolirwe and Kitchanga.

Phase 2: 13 – 20 Mar 23

M23 withdraws from Kishishe, Bambo, Kazaroho, Tongo and Mabenga.

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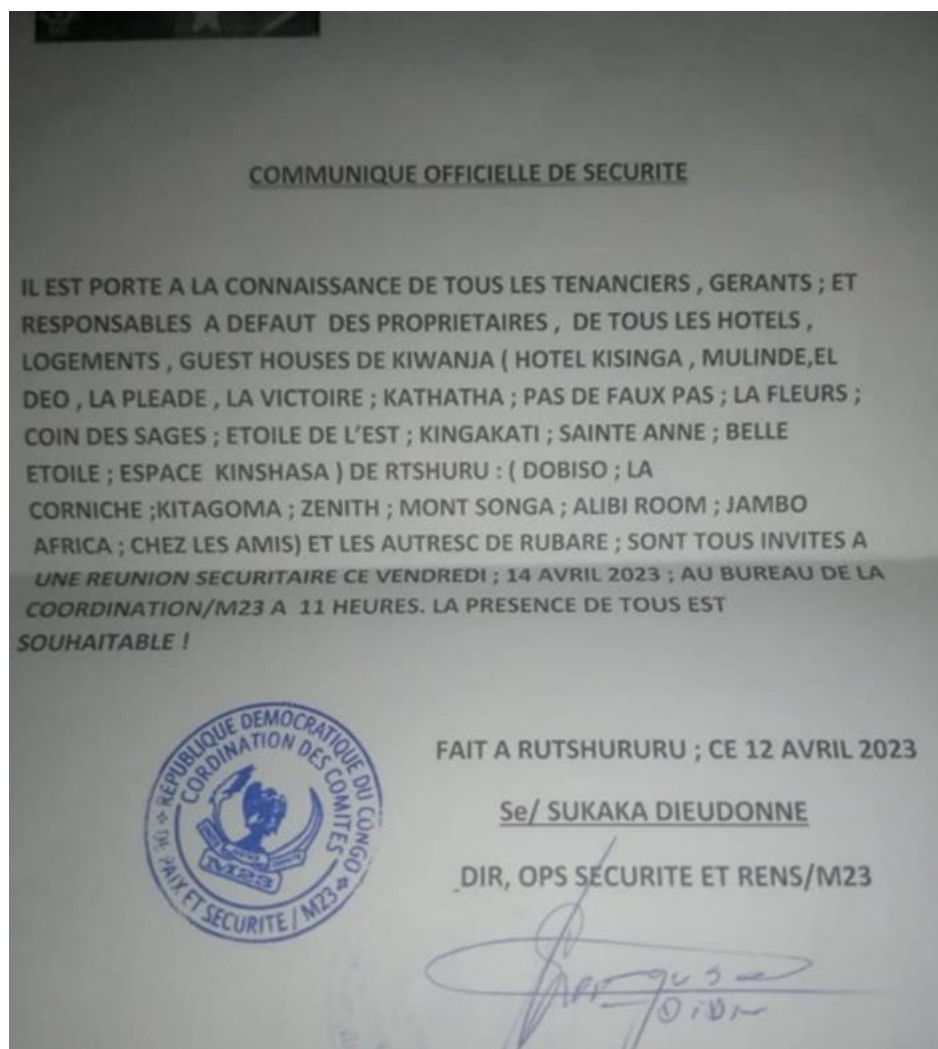


Excerpt of the report of the 9 February 2023 meeting provided to the Group by diplomatic sources

Annex/Annexe 21:

M23 communiqué summoning economic actors for a meeting at M23 coordination offices in Rutshuru

Communiqué du M23 convoquant les acteurs économiques à une réunion dans les bureaux de coordination du M23 à Rutshuru



Document obtained by the Group from civil society sources

Annex/Annexe 22:

Update on the East Africa Community Regional Force

Mise à jour de la force régionale de la Communauté de l'Afrique de l'Est

The deployment of the East Africa Community Regional Force (EACRF) (see also [S/2022/967](#), annex 68) accelerated in March 2023. Citizen discontent, violent mass protests and the intensity of M23 attacks and territorial expansion prompted these developments.

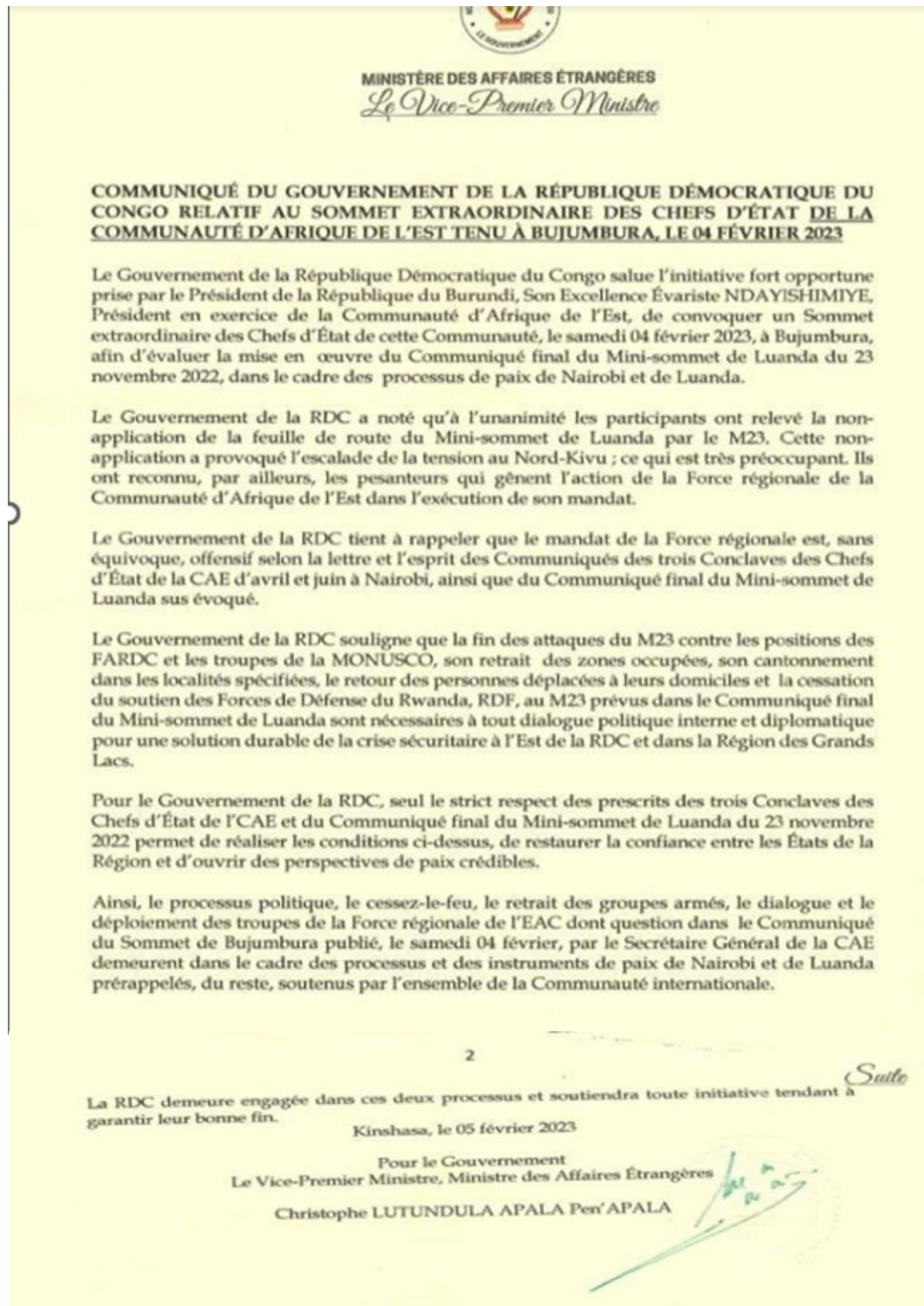
On 3 March 2023, Kenya, Uganda, Burundi, South Sudan and Angola deployed troops in eastern DRC in accordance with the recommendations of the Luanda roadmap and the conclusions of the EAC Defence Ministers' meeting held on 9 February 2023. At the time of drafting, the Kenya Defence Force (KDF) contingent was deployed in Goma, Rumangabo, Kibati, and Kibumba, while the Uganda People Defence Forces (UPDF) contingent was deployed in Bunagana. The FDN (Burundi) contingent was deployed in Karuba, Matanda, Kilolirwe, Mushaki, Neenero, Sake and Kitchanga. The South Sudan Defence Force (SSDF) contingent was deployed in Kibati. Angola planned to deploy troops to Kindu (Maniema) as a "peacekeeping unit" sent to secure the Ad-Hoc Verification Mechanism which was set up to accompany the cantonment process of M23 troops inside the DRC (see map with the EACRF contingent operational boundaries below).

The accelerated deployment followed months of uncertainty and, to some extent, inaction of the EACRF since the initial deployment of the Kenyan contingent on 2 November 2022. For example, the Group observed that until March 2023, in Nyiragongo and Rutshuru territories, the EACRF mostly limited itself to frequent patrolling.

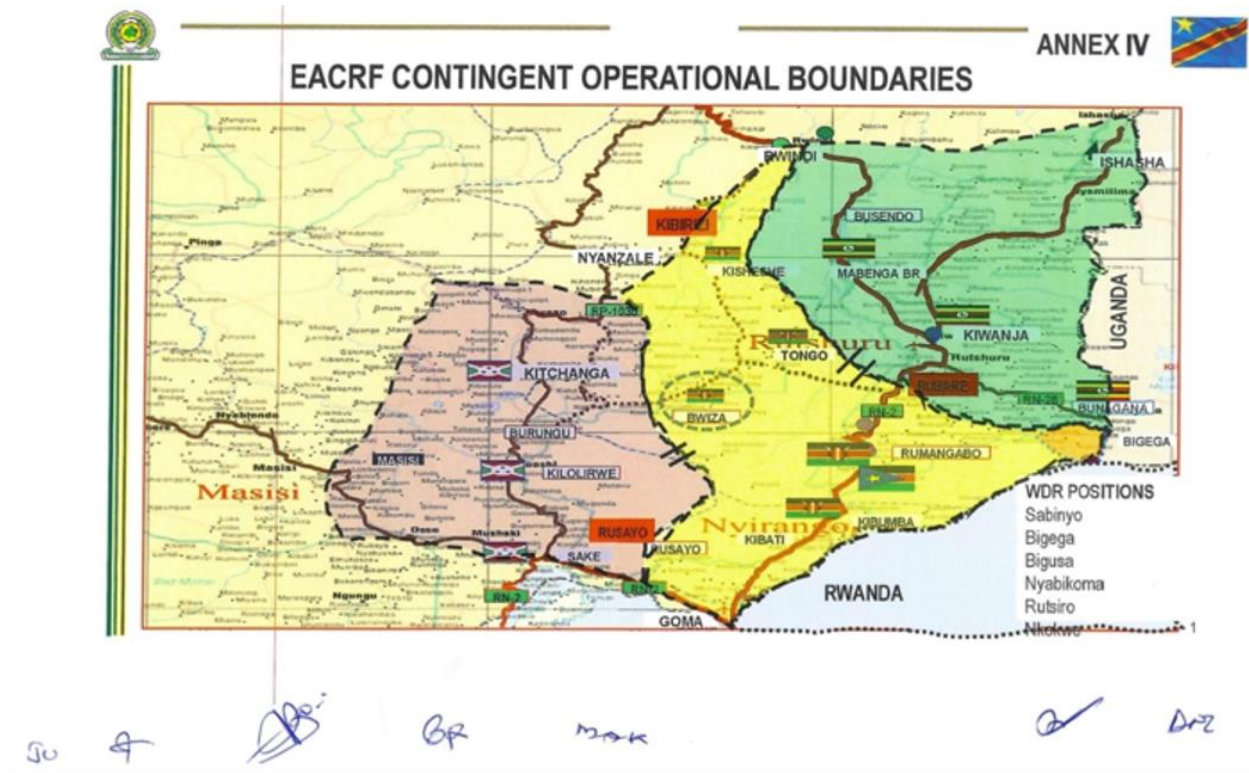
EACRF did not engage in operations against M23 or any other armed group, even though it had the mandate to do so according to the Luanda Mini-Summit (see also annex 20).

The absence of the use of force by the EACRF until March 2023 fuelled speculations over the efficiency and neutrality of the EACRF. The DRC authorities, for example, complained that the EACRF diverted from its original mandate as stipulated in its concept of operations (CONOPS). In a communiqué issued by the Government of the DRC on 4 February 2023 (see below), DRC authorities reiterated the need for the EACRF to fully implement its mandate by engaging in combat against M23, amongst others. The EACRF's perceived inaction also triggered popular discontent. For example, civil society organizations in Goma staged three days of protests against EACRF (and MONUSCO) on 6 and 7 February 2023 which turned violent (see also annex 58).

Below: Communiqué issued by the Government of the DRC on 4 February 2023



Document obtained by the Group from diplomatic sources



Excerpt of the report of the 9 February 2023 meeting provided to the Group by diplomatic sources

Annex/Annexe 23:

Private military companies

Sociétés militaires privées

In July 2022, the *Maison Militaire*, led by General Franck Ntumba, concluded an agreement with a newly created Congolese enterprise, Agemira RDC, headed by Olivier Bazin, a French-Congolese national. Agemira RDC employed Bulgarian, Belarusian, Georgian, Algerian, French and Congolese nationals, of which 35 were deployed in eastern DRC and 35 in Kinshasa.²³⁵ Agemira RDC was contractually engaged in three domains: (1) refurbishing and increasing the DRC's military air assets; (2) rehabilitating airports in eastern DRC (Bukavu/Kavumu and Beni); and (3) ensuring the physical security of aircraft and strategic locations. Under the third domain of the contract, Agemira RDC had been tasked to and did provide strategic advice and direction to FARDC when the latter was engaged in operations against M23 in North Kivu Province.²³⁶

On 24 November 2022, a contract was concluded between Congo Protection, a Congolese company represented by Thierry Kongolo, and "Association RALF", a Romanian enterprise with "ex-Romanians from the French Foreign Legion" represented by its founding president, Horatiu Potra.²³⁷ The agreement was concluded for a 12-month period and became effective on 1 December 2022.²³⁸

The contract specifies that "the Contractor [RALF] has expertise and extensive experience in the provision of security management services that are essential to the Company [Congo Protection] and [that] the Contractor agreed to make its experience available to the Company to provide training and instruction to the FARDC ground troops of the Contracting Authority by means of a contingent of 300 instructors."²³⁹

Officially, Congo Protection's mandate does not go beyond training and instructing FARDC units. However, on the ground, Congo Protection's ex-military personnel also guard Goma airport and are to be deployed to Bukavu to protect Kavumu airport.²⁴⁰ Also, in late January and again late February 2023, when Sake town was threatened by M23, Congo Protection informed the Group that the instructors would not adopt a 'wait and see' attitude if the Sake area, where the FARDC training camps were located, was attacked or threatened by M23. Indeed, on 9 and 10 February 2023 and again in early March 2023 when M23 approached Sake, the instructors and the trainees manned defence posts in Sake and *de facto* prevented M23 from further advancing.²⁴¹

The Group also received information from several sources, including DRC government sources, that the DRC authorities planned to send 2,500 military contractors from Colombia, Mexico and Argentina to North Kivu to stop the advance of M23, and that three South African nationals were present from 15 March to mid-April 2023 to prepare for the arrival of these 2,500 military contractors and coordinate their actions and operations in North Kivu. While several sources informed the Group that the sending of the contractors followed a bilateral agreement concluded between the DRC and the United Arab Emirates, the UAE denied the existence of such an agreement.

The Group was informed that in mid-April 2023, the plan to send 2,500 military contractors was (temporarily) halted.

²³⁵ Olivier Bazin, FARDC and security sources.

²³⁶ Agemira RDC, FARDC and security forces.

²³⁷ Asociația RALF website ([Asociația RALF – Romanii care au Activat in Legiunea Franceza](#)), Horatiu Potra and military sources.

²³⁸ Contract on file with the Secretariat. Congo Protection, FARDC and security forces.

²³⁹ Translation of the contract on file with the Group.

²⁴⁰ Security Forces and FARDC, Group of Experts visit of Goma airport in January 2023.

²⁴¹ Security Forces and FARDC, Agemira RDC and Congo Protection.

Annex/Annexe 24:

M23 communiqué of 17 February 2023 referring to the “Government coalition” including FARDC, armed groups and mercenaries

Communiqué du M23 du 17 février 2023 faisant référence à la "coalition gouvernementale" comprenant les FARDC, les groupes armés et les mercenaires



UPDATE- 17 FÉVRIER 2023

Le M23 présente sa gratitude aux Dirigeants Régionaux pour leurs efforts incessants pour trouver une solution pacifique au conflit en cours dans l'Est de la RDC. Le M23 condamne les attaques barbares des forces de la coalition du Gouvernement de Kinshasa à savoir les FARDC, FDLR, NYATURA, APCLS, PARECO, MAI-MAI et MERCENAIRES depuis 9h45 ce vendredi 17 février 2023 sur toutes ses positions à KINGI, RUVUNDA, KABATI, KAGUSA, RUMENETI, la ville de KITSHANGA et leurs environs. Elles attaquent pendant que les Dirigeants Régionaux sont à Addis-Abeba pour trouver une solution pacifique au conflit en cours dans l'Est de la RDC.

Nous prenons à témoin la Communauté Nationale et Internationale de la énième violation des décisions issues du 20ème Sommet Extraordinaire des Chefs d'Etat de l'EAC du 4 février 2023, tenu à Bujumbura. Le M23 prend note de manque de volonté du Gouvernement de Kinshasa de trouver une solution pacifique au conflit en cours et l'imposition de son option belliciste par tous les moyens.

Le M23 réitère son engagement à résoudre pacifiquement le conflit en cours dans l'Est de la RDC. Cependant, il se réserve le plain droit de se défendre et ne ménagera aucun effort pour protéger les populations civiles et leurs biens dans les zones sous son contrôle.

Fait à Bunagana, le 17 Février 2023

Le Porte-Parole Politique du Mouvement du 23 Mars

Lawrence KANYUKA

Tél : Porte-Parole Politique +243899411093, Porte-Parole militaire +243814946907 Email : mouvementdu23mars2@gmail.com

Document obtained by the Group from M23 sources

Annex/Annexe 25:**M23 leadership and structure****Leadership et structure du M23**

The Group continued to obtain information on individuals known to be part of the M23 leadership structure and military operations (see also [S/2022/967](#), annex 23). At times, the precise responsibility/tasks assigned were not consistently or identically reported to the Group by the different sources it obtained information from, in which case the Group indicated “possibly” in the structure below.

Political branch:

- Bertrand Bisimwa: President
- Benjamin Mbonimpa: Executive Secretary
- Lawrence Kanyuka: Political spokesperson and negotiator
- “Colonel” Erasto Bahati: Finance Officer

Military branch:

- “General” Emmanuel Sultani Makenga: Commander-in-Chief
- “Brigadier-General” Yusuf Mbeneza: Deputy-Commander operations/intelligence
- “Brigadier-General” Bernard Byamungu: Deputy-Commander operations
- “Colonel” Justin Gaceri Musanga: Deputy-Commander administration/logistics
- “Colonel” Ernest Sebagenzi: Chief of Staff and/or possibly second deputy commander operations/intelligence and possibly responsible for civilian-military relations and/or possibly Police Inspector
- “Major” Willy Ngoma: Military spokesperson
- “Colonel” Dieudonné Padiri: G1 (administration))
- “Colonel” Castro Mberabagago: G2 (intelligence)
- “Colonel” Imani Nzenze Idi: G3 (operations)
- “Colonel” Joseph Kabayiza: possibly G4 (logistics)
- “Colonel” Albert Kabamba: G5 (planning)
- “Colonel” Leon Kanyamibwa: Training officer with the support of “Lieutenant” Moise and “Sous-Lieutenant” Masengechu
- “Colonel” Innocent Rukara: Possibly artillery commander
- “Colonel” Kalala Kanyamarere and Doctor Jean Paul: Military hospital commanders

Four M23 Brigades and Battalions:

- 1st Brigade commander: “Colonel” Gacheri Musanga
Battalion commander : “Lieutenant-Col” Karangwa
- 2nd Brigade commander: “Colonel” Nzenze Imani
Battalion commander: “Colonel” Mwiseneza Thomas, alias “Colonel” Rapid
Battalion commander: “Major” Mirindi
- 3rd Brigade commander: “Colonel” Kabundi Emmanuel
Battalion commander: “Colonel” Aigle
Battalion commander; “Colonel” Dabusirindia
- 4rd Brigade: “Colonel” Justin Bihire alias Zéro-Three

Annex/Annexe 26:

Additional information on M23 weaponry and military equipment recovered from areas occupied by M23 and/or areas where RDF incursions and/or operations were documented

Informations supplémentaires sur l'armement et l'équipement militaire du M23 récupérés dans les zones occupées par le M23 et/ou dans les zones où des incursions et/ou des opérations des RDF ont été documentées

This annex provides information on military equipment recovered and/or documented in areas occupied by M23 and/or areas where RDF incursions and operations were conducted. The recovered evidence, which is non-exhaustive, provides some insight into the type and origin of military equipment held by, and the firepower of, M23 combatants and soldiers on the ground.

The Group sent several tracing requests in order to obtain information regarding the diversion of this materiel from its intended legal end-user. Several responses are yet to be received.

Materiel recovered in Sake area on 15 March 2023

The Group documented the following weapons, ammunition and military uniforms recovered on 15 March 2023 at an abandoned M23 and/or RDF position north of Sake town, Masisi territory:



- 12.7x108 mm ammunition rounds (see detailed picture below, annex 27)
- Anti-personnel rifle grenades (see detailed picture below, annex 27)
- One composite ballistic Kevlar helmet produced in 2020, similar to the ones used by RDF and not documented as being part of the FARDC arsenal (see detailed picture below, annex 27).

- One 40mm VOG-25 rifle grenade, produced in 1982, documented as being part, inter alia, of the FARDC arsenal:



- One 60 mm mortar shell:



- One 60 mm mortar shell and packaging documented as being part, inter alia, of the FARDC arsenal:





- Two 82mm mortars shell containers (one produced in 2014), documented as being part, inter alia, of the M23 arsenal and FDLR arsenal²⁴²:



²⁴² Documented respectively in 2013 and 2016.

- Five rocket-propelled grenades of various type (four PG-7 variants and one PG-7M variant in the middle):



- Steel helmets documented as being part of the FARDC arsenal:



- One Kevlar helmet produced in 2018, documented as being part, inter alia, of FARDC and RDF arsenals:



Pictures obtained from source with knowledge of the matter

Materiel recovered in Sake area on 13 March 2023

The Group documented weapons, ammunition and military uniforms recovered on 13 March 2023 at an abandoned M23 and/or RDF position 3 km northeast of Sake town, Masisi territory. However, the Group could not inspect the materiel or obtain detailed pictures to show the year of production and/or origin.



Materiel observed in Mushaki and Karuba area on 4 and 7 March 2023

The Group of Experts documented military equipment observed in early March 2023 at several mixed M23 and RDF positions in the area around Mushaki and Karubi, Masisi territory. Since the documentary evidence was not precise enough to capture serial numbers, the Group could not send tracing requests for the materiel.

- Galil-type assault rifle, most likely Galil ACE GEN1, not documented on DRC territory prior to March 2023:



- AK-103 type assault rifle, not documented on DRC territory prior to December 2022 and March 2023:



In December 2022, in YouTube²⁴³ footage of a video circulated by Lawrence Kanyuka, M23 spokesperson, and showing Willy Ngoma (M23 military spokesperson) and M23 combatants, it appeared that at least one M23 combatant was equipped with an AK-103 type assault rifle:

²⁴³ [\(115\) M23 - RDC : Exclusive interview A BUNAGANA - YouTube.](#)



- AKMS-type assault rifle:



- General-purpose machine gun, possibly PKM:



- Heavy machine gun, possibly Type 85:



- Rocket-propelled grenade launcher with loaded grenade:



- Rocket-propelled grenade launcher with loaded grenade (OG-7 variant):



- Recoilless gun (73mm):



- Grenade launcher (similar to MILKOR MGL, Mk1L version), documented as being part, inter alia, of the RDF arsenal:



- Offensive grenade, possible OG-7 variant:



- Propelled grenade, possibly PG-9 variant:



- Type 69 bounding HE-Frag warhead for RPG-7:



- Box of ammunition:



- Bullet-proof jackets:



- Vision equipment including night vision equipment:





- VHF radio:



Pictures obtained from source with knowledge of the matter

Annex/Annexe 27:

Recovered military equipment produced recently

Matériel militaire récupéré produit récemment

- **40mm anti-personnel grenades**

The Group documented several containers of DQJ03-40 anti-personnel rifle grenades (type 90) (see also [S/2022/967](#), annex 27). The recovered 40mm anti-personnel rifle grenades were recovered at an abandoned M23 and/or RDF position north of Sake town, Masisi territory, on 15 March 2023. This type of grenade is known to be in use by the RDF. It is, however, not documented as being part of the FARDC arsenal.

The Group sent tracing requests in order to obtain information regarding the diversion of this materiel from its intended legal end-user. The Group notes that a representative of the Permanent Mission of the People's Republic of China to the United Nations informed the Group that "after verification by the Chinese authorities, the lack of product batch numbers made it impossible to confirm that the weapons and ammunition (...) were produced by the Chinese side."

Case number	Category	Type / model markings	Identification markings	Lot / serial number	Year of production	Factory code
#1	40 mm grenade	DQJ03-40	06-21-5413	06	2021	5413



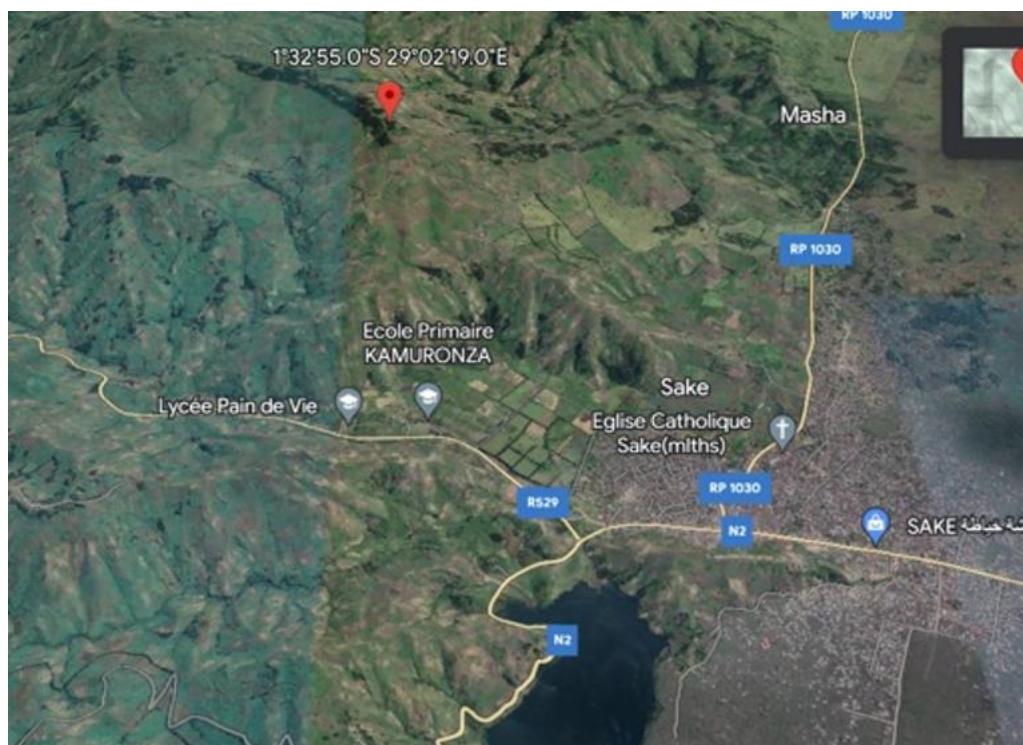
- **7.62x54mm ammunition**

The Group documented a box of 7.62x54 mm ammunition produced in 2021 with characteristics similar to those of Bulgarian production by Arsenal JSCo,²⁴⁴ recovered on 13 March 2023 some 3 km northeast of Sake town.

²⁴⁴ [7.62x54 mm cartridges - Arsenal JSCo. - Bulgarian manufacturer of weapons and ammunition since 1878 \(arsenal-bg.com\)](#)

The Group sent tracing requests in order to obtain information regarding the diversion of this materiel from its intended legal end-user.

Case number	Category	Type / model markings	Lot / serial number	Year of production
#1	7.62x54 mm ammunition	FMJ/SC SSNf-55 10/21	A18-21- ((10))	2021



Map showing location of recovery of the ammunition box

- **12.7x108 mm ammunition**

The Group documented 12.7x108 mm ammunition rounds consistent with production by Chinese State Factory 41 in 2020 which were recovered at an abandoned M23 position north of Sake town, Masisi territory, on 15 March 2023.

The Group sent tracing requests in order to obtain information regarding the diversion of this materiel from its intended legal end-user. The Group notes that a representative of the Permanent Mission of the People's Republic of China to the United Nations informed the Group that "after verification by the Chinese authorities, the lack of product batch numbers made it impossible to confirm that the weapons and ammunition (...) were produced by the Chinese side."

Case number	Category	Type / model markings	Identification markings	Lot / serial number	Year of production	Factory code
#1	12.7x108 mm	41_20	41_20		2020	41

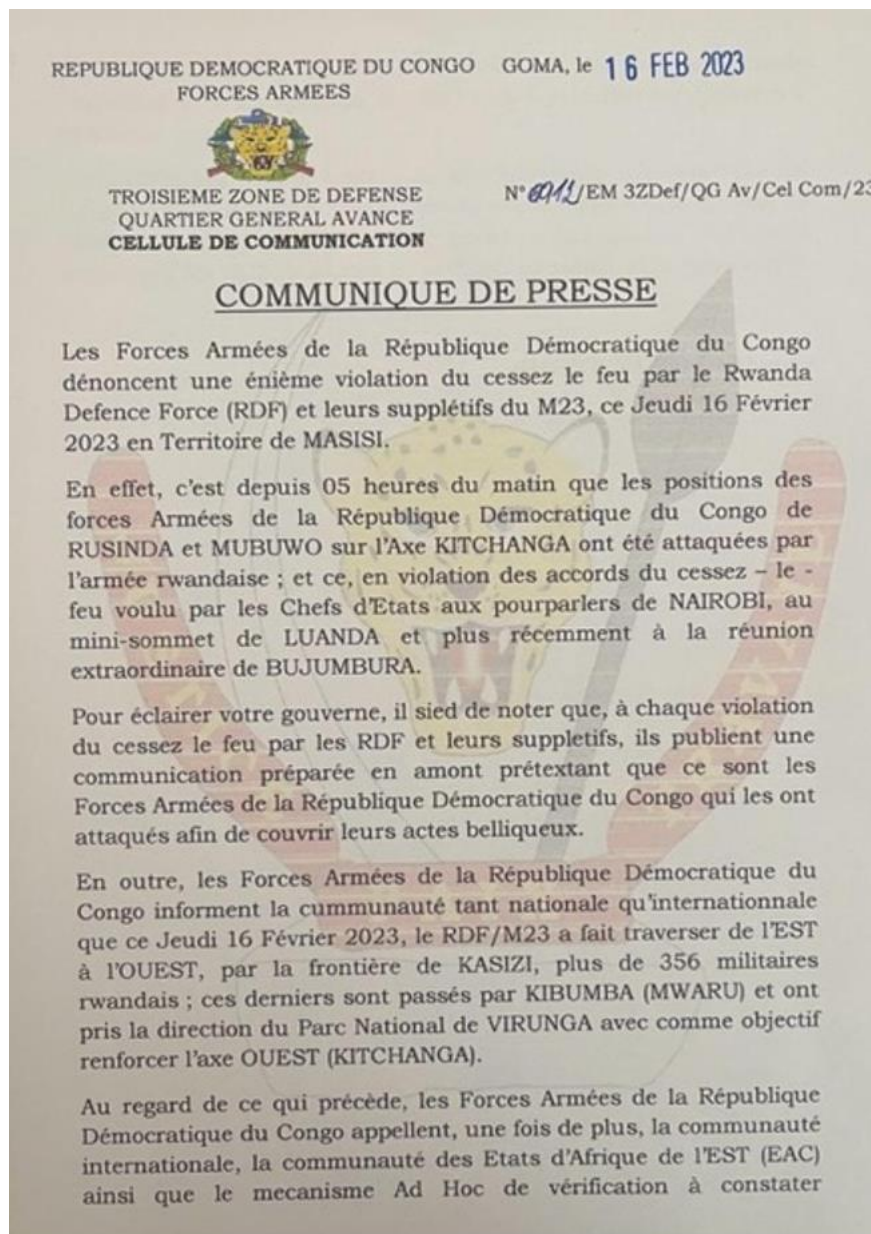


- Composite ballistic Kevlar helmet similar to the ones used by RDF and not documented as being part of the FARDC arsenal, produced in 2020. These helmets were recovered at an abandoned M23 and/or RDF position north of Sake town, Masisi territory, on 15 March 2023.



Annex/Annexe 28:**FARDC communiqués alleging RDF presence and operations on DRC territory****Communiqués des FARDC revendiquant la présence et les opérations des RDF**

- Communiqué of 16 February 2023 denouncing the violation of the ceasefire agreement by RDF and M23 on 16 February 2023, stating that (a) FARDC positions in Rusinda and Mubuwo on the Kitchanga road were attacked by the Rwandan army and (b) 365 RDF elements crossed the border through Kasizi entry point, passed through Kibumba and passed through Virunga Park to reinforce the Kitchanga axis.



urgemment ces multiples violations du cessez le feu par l'armée rwandaise et ses supplétifs du M23 ; et à prendre des mesures y afférentes.

Cependant, les Forces Armées de la République Démocratique du Congo, bien que respectueuses de la volonté des Chefs d'Etats de l'EAC, restent déterminées à répondre à ces actions bellicistes posées par les RDF/M23 afin de protéger la nation et sa population.

NDJIKE KAIKO Guillaume

LtCol

Porte Parole

Document provided to the Group by FARDC source

- Communiqué of 20 February 2023 stating that from 19 to 20 February 2023, RDF/M23 launched general attacks on four FARDC positions in Kyahemba, Butchalwichi, Kihusha and Lubula, Masisi territory and denouncing multiple and repeated violations of the ceasefire by “RDF and their M23 substitutes.”

REPUBLIQUE DEMOCRATIQUE DU CONGO GOMA, le 20 FEB 2023
 FORCES ARMEES

 TROISIEME ZONE DE DEFENSE N° 008 / EM 3ZDef/QG Av/Cel Com/23
 QUARTIER GENERAL AVANCE
 CELLULE DE COMMUNICATION

COMMUNIQUE DE PRESSE

Les Forces Armées de la République Démocratique du Congo portent à la connaissance de l'opinion tant Nationale qu'Internationale que, dans la nuit du Dimanche 19 au Lundi 20 Fev 2023, les RDF/M23 ont lancé des attaques généralisées sur QUATRE de ses positions à KYAHEMBA, BUTCHALWICHI, KIHUSHA et LUBULA en Territoire de MASISI ; et ce, malgré les effort fournis par les Chefs d'Etats à NAIROBI, LUANDA, BUJUMBURA et plus récemment à ADDIS - ABABA afin d'obtenir le cessez-le-feu de la part ce dernier.

Ces affrontements qui sont en cours au moment où nous communiquons, viennent de provoquer des déplacements massifs des populations civiles entraînant de ce fait, un drame humanitaire.

Ainsi donc, au regard de ces multiples violations à répétition du cessez-le-feu par le RDF et ses supplétifs de M23, les FARDC lancent pour la énième fois un appel à la communauté Internationale, à l'Union Africaine, à la Communauté des Etats d'Afrique de l'EST ainsi qu'au Mécanisme de vérification ad hoc de constater ces bavures et d'en tirer toutes les conséquences.

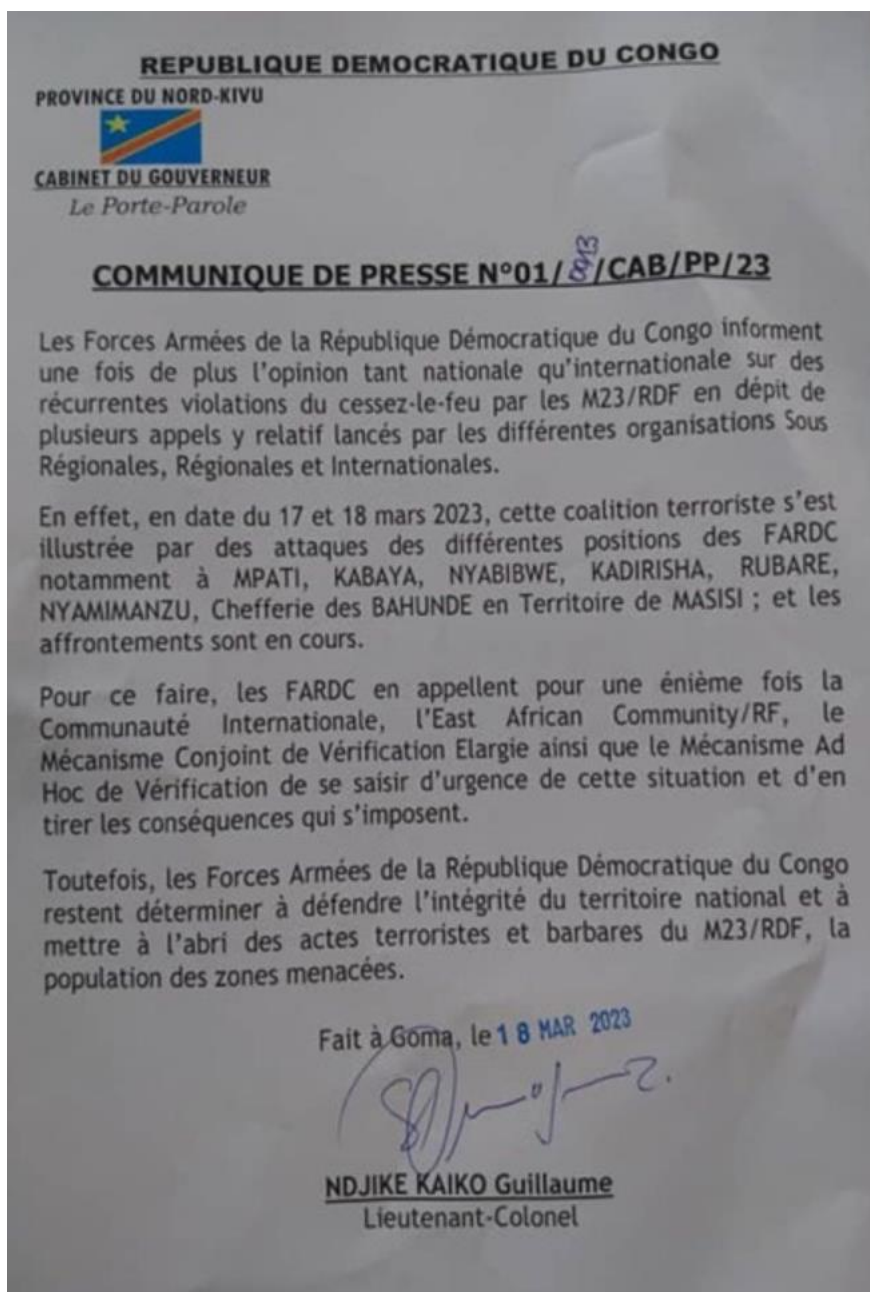
Toutefois, dans le cadre de ses missions constitutionnelles, les Forces Armées de la République Démocratique du Congo ont pris toutes les dispositions qui s'imposent pour éradiquer cette manche et protéger les populations congolaises et leurs biens tout en demeurant respectueuses de la volonté des Chefs d'Etats de l'EAC.

NDJIKE KAIKO Guillaume
 LtCol
 Porte Parole



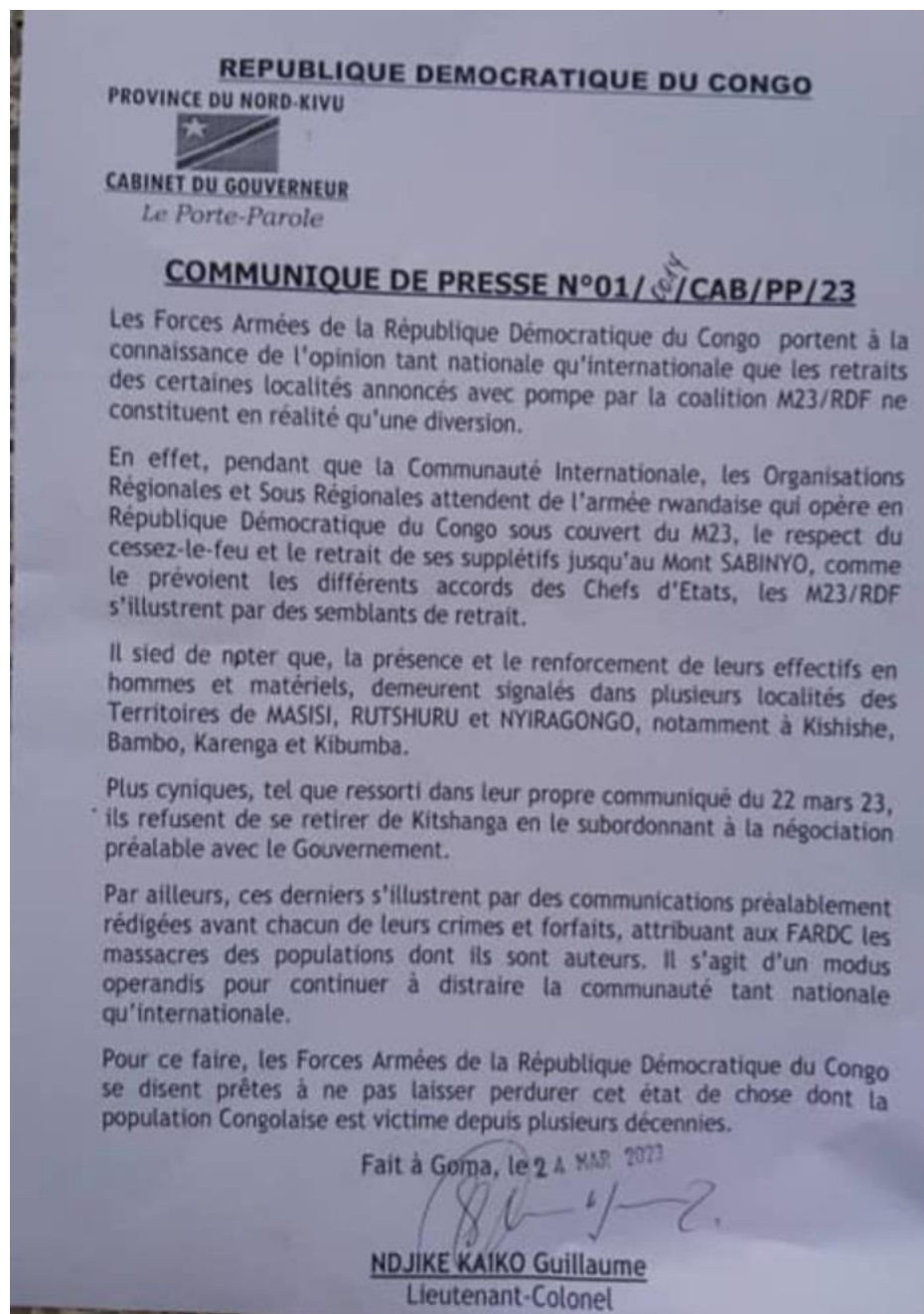
Document provided to the Group by FARDC source

- Communiqué of 18 March 2023 stating that “M23/RDF” violated the ceasefire and that on 17 and 18 March, this “terrorist coalition” attacked different FARDC positions in Mpati, Kabaya, Nyabibwe, Kadirisha, Rubare and Nyamimanzu, Masisi territory:



Document provided to the Group by FARDC source

- Communiqué of 24 March 2023 alleging that the withdrawals from certain localities announced by the “M23/RDF coalition” are only a diversion, and referring to the “Rwandan army that operates under the guise of the M23.”



Document provided to the Group by FARDC source

- Communiqué of 29 March 2023 claiming that Rwanda sent reinforcements of troops and equipment to the DRC, and that RDF and M23 troops attacked Mweso town, Masisi territory, on 28 March 2023.



Document provided to the Group by FARDC source

Annex/Annexe 29:

Additional information on the presence of RDF elements in North Kivu and examples of documents detailing the presence of some RDF elements in North Kivu, including RDF elements killed in North Kivu

Informations complémentaires sur la présence de membres des RDF au Nord-Kivu et exemples de documents détaillant la présence de certains éléments RDF, y compris des éléments tués au Nord-Kivu

The Group obtained lists and pictures of RDF soldiers and commanders reportedly present and some killed while involved in operations in North Kivu. Some names and images of RDF soldiers also circulated on social media and messaging applications (Facebook, WhatsApp, etc.). Other information relating to the presence of RDF soldiers in North Kivu was contained in documents that were recovered at the site of clashes, including some documents recovered on the remains of deceased soldiers, in areas under M23 control and where RDF presence had been reported.

Documents recovered on presumed RDF soldiers at Kilima (Kisheshe) on 29 November 2022

For example, on 29 November 2022, the Group received copies of documents recovered from the remains of at least one RDF soldier killed in combat at Kilima, near Kisheshe. Some of these documents were signed by a “Lieutenant-Colonel E. Mugabo” (see images below). Several sources reported that three RDF officers and many M23 combatants were killed in combat on 29 November 2022 in Kilima, near Kisheshe (see also Annex 40 on the Kisheshe incident). According to these sources, one of the RDF elements killed was Lieutenant-Colonel Emmanuel Mugabo, who had been in charge of the operations in the area. However, the Group could not independently confirm his death.

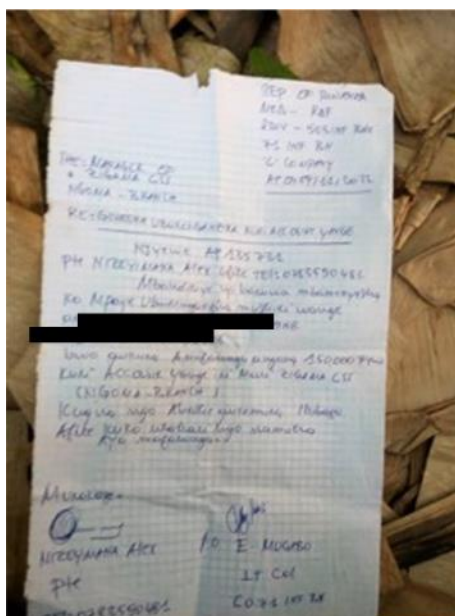
The documents below, recovered by a local armed group engaged in fighting M23 and RDF, are signed by RDF elements (details below in the translations) and by their superior, Lieutenant-Colonel Emmanuel Mugabo, and detail that the RDF elements provided power of attorney on their bank accounts to close relatives. The amounts are shown in Rwandan currency and the banks referred to are located in Rwanda.

One RDF officer confirmed to the Group that RDF soldiers sometimes carry these types of documents when sent to the battlefield.



Translation:

“Power of attorney on my account: Me, AP 13554, Pte Barore Elyse, telephone 9791088723, I am writing to inform you that I give the mandate to my mother who is called [REDACTED](...) to collect my money in my account in Zigama, Ngoma Branch (100.000 Rwf) (...) so that she can use it for her needs in case of my absence (...) Signed: Borare Elyse and Lt-Col E. Mugabo”



Translation:

“Power of attorney on my account: me, AP 135731, Pte Nizeyimana Alex, tel: 0783590481, I am writing to inform you that I give the mandate to my sister [REDACTED] (...) to collect my money in my account in Zigama, Ngoma Branch, 150.000 Rwf (...) so that she can use it (...) Signed: Nizeyimana Alex and Lt-Col E. Mugabo”



Translation:

“(…) 100.000 in my account at the Zigama bank (Kachiru branch) in order to solve the financial problems as I am not present to give the money. Thank you. Signed: Niyoyita J Taime and Lt-Col E. Mugabo.

The above documents were obtained from civil society sources and individuals close to armed groups on 29 November 2022.

Other information about deceased soldiers, presumably RDF elements

The Group received information - including the rank, names, reported dates of death and/or pictures - of 14 individuals reportedly belonging to the Rwandan army or Rwandan reserve force that were allegedly killed in North Kivu, DRC, between May 2022 and March 2023.

The Group sent this information to the Government of Rwanda. Following the Group's request for information, the Government of Rwanda replied that “out of 14 individuals presented (...) eleven (11) of them are indeed deceased members of RDF. However, none of them was killed in DRC but passed away in Rwanda due to either accidents or natural illness.”

The Government of Rwanda also noted that 12 individuals referred to in the Group's request for information appear in a propaganda video clip authored by renowned DRC/FDLR propagandists. While the Group acknowledges that several lists and pictures also circulated amongst FDLR circles and local armed groups too, the Group also obtained information on the majority of the individuals from a range of sources, independent from the FDLR. The Group also notes that Rwandan officials and one RDF officer confirmed the killing of RDF soldiers in North Kivu Province between May 2022 and March 2023 to the Group. The Group further reiterates that RDF soldiers were arrested on DRC territory (see also [S/2022/967](#), annex 28).

One RDF officer informed the Group that one of the objectives of the mid-March 2023 clashes south and southwest of Sake (see also para. 42) was to take control of Minova on the lakefront, in order to evacuate the corpses of deceased RDF soldiers via Lake Kivu. RDF Colonel Deo Rusanganwa, the commanding officer of the marine unit, was reportedly in charge of these operations.

Information on presence of RDF soldiers and officers in Masisi territory

The Group also reviewed information regarding 17 RDF soldiers and officers involved in operations against FARDC, local armed groups and FDLR in Masisi territory, North Kivu, between 1 January and 15 March 2023. The Group obtained detailed information regarding these individuals, including their rank, names and registration numbers.

The Group sent all details regarding the seventeen RDF soldiers and officers to the Government of Rwanda. This included Colonel Alex Nkuranga, whose presence was reported to the Group by reliable sources in Mushaki and Karuba area in February and March 2023 (see also para. 57). The Government of Rwanda denied the alleged presence of Lieutenant Colonel Alex Nkuranga in Mushaki in March 2023.

The Rwandan authorities did not provide any specifics regarding the other sixteen RDF soldiers but stated that “the Government of Rwanda equally refutes these allegations that seek to validate DRC and FDLR propaganda and narrative”.

Annex/Annexe 30:**Column of at least 30 combatants described as RDF marching through Kiwanja town on 15 November 2022****Colonne d'au moins 30 combattants décrits comme des RDF traversant la ville de Kiwanja le 15 novembre 2022**

Eyewitnesses, civil society actors, local authorities and FARDC sources reported that on 15 November 2022, RDF soldiers marched through the centre of Kiwanja town. The video filmed that day and obtained by the Group on 16 November shows at least 25 soldiers marching as part of a column and wearing full battledress and equipment, including helmets, backpacks and personal weapons, similar to those of the RDF. The video was widely distributed on social media on 15, 16 and 17 November 2022 and was geolocated as having been filmed near Radio Racov in Kiwanja.

Eyewitnesses interviewed by the Group identified the armed and uniformed men as RDF members because of their distinct military equipment and uniforms, their well-organized structure which is different from that of the M23, their modus operandi and their spoken language.

Other sources, including intelligence and diplomatic sources, also reported that the soldiers' walking in formation, trained behaviour and equipment suggested that these combatants belonged to a conventional army, while also stressing that M23 and RDF are often indistinguishable.



Above: Screenshots of the video provided to the Group by civil society sources on 16 November 2022.



Above: Tweet of 16 November 2022 by Ricky Paluku claiming to show RDF troop reinforcements in Kiwanja

Annex/Annexe 31:**Combatants wearing equipment similar to those of the RDF****Combattants portant des équipements similaires à ceux des RDF**

On 7 March 2023, combatants wearing military attire and weapons similar to those of RDF were spotted on a fortified hill in Karuba which was under M23 control at the time. Armed group combatants, civil society and security sources confirmed the presence of RDF soldiers in the area that day. The Group notes that one RDF officer also stated that the individuals depicted in these images certainly were RDF soldiers.



Picture on the right below: HE-Frag OG-9 projectile, used in recoilless launchers SPG-9 or 2A28 light tank guns



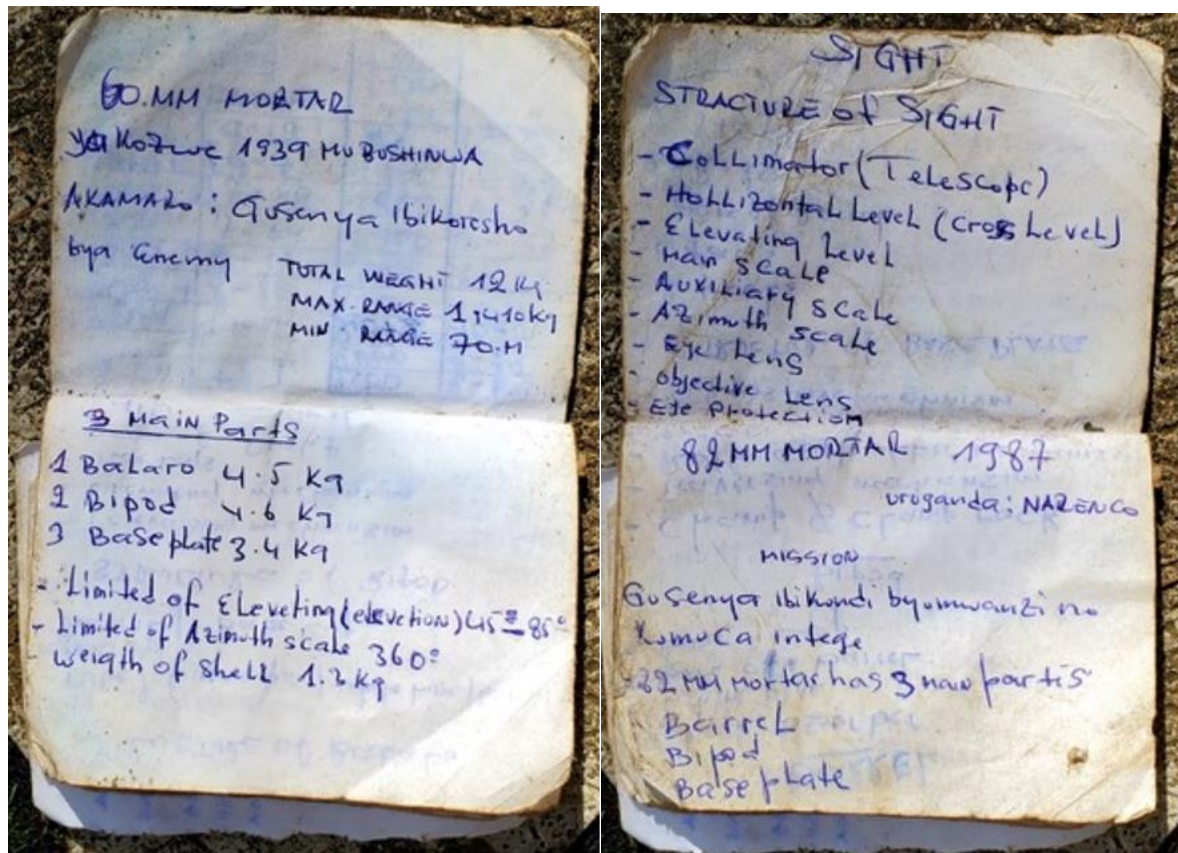
Pictures provided to the Group by a source with knowledge of the matter

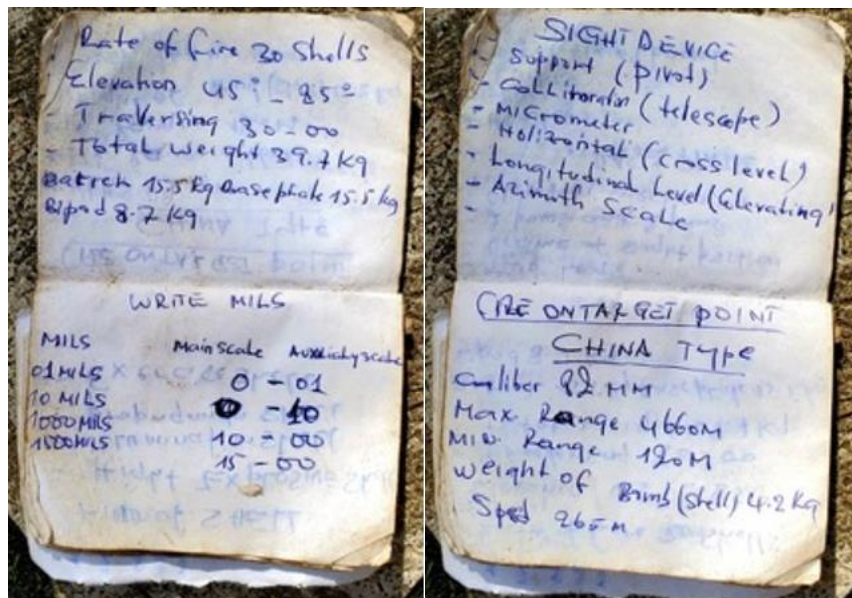
Annex/Annexe 32:

Excerpts of a notebook recovered in Mushaki detailing names and grades of suspected RDF soldiers, presence and use of mortars and mission

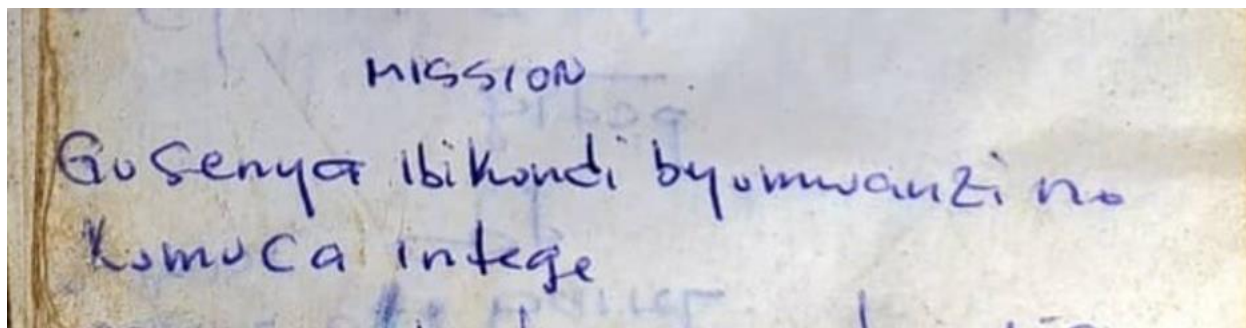
Extraits du carnet de notes retrouvé à Mushaki détaillant les noms et grades des soldats présumés des RDF, la présence et l'utilisation de mortiers et la mission

- Excerpts on the mortar use and weaponry:





- Excerpt on the mission articulated as “destroying the armed forces by breaking their integration” (translation) (see para. 57)

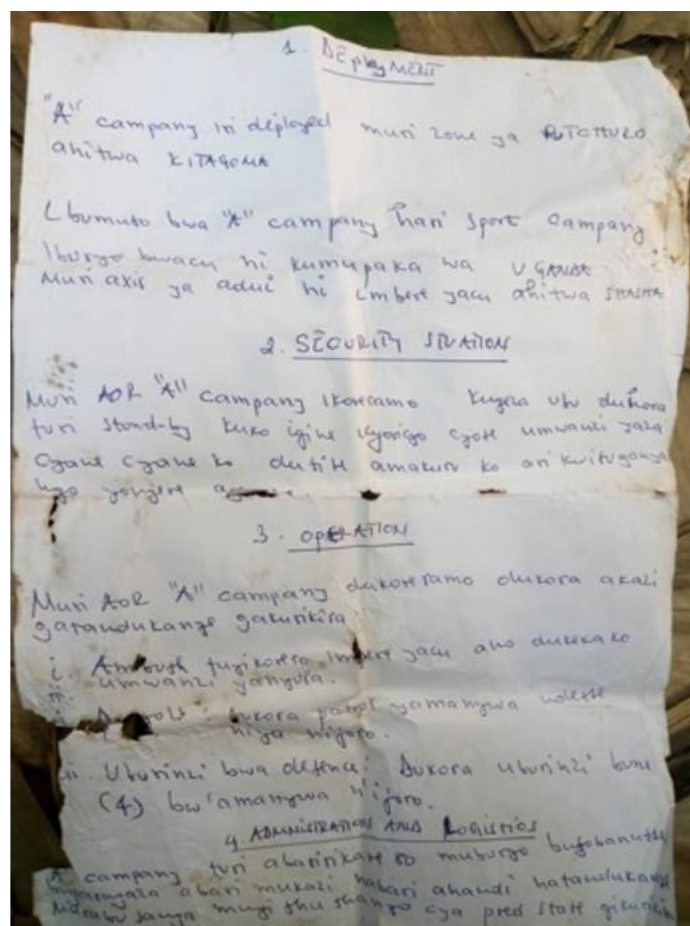


- Excerpt with some names and grades of soldiers (see also annex 29):



Notebook provided to the Group by source with knowledge of the matter

- Example of other documents detailing some operations in North Kivu



Document provided to the Group by civil society sources

Translation:

- "1. Deployment: A company A is deployed in Rutshuru in a place called Kitagoma. To the west of company A there is the company sport, and to the east is the Ugandan border, the enemy is in front of us on the Shasha axis.
2. Security situation: In the AOR where company A is operational, we remain on high alert because we know that the enemy can come and attack us at any time; we have information according to which the enemy will attack us to (...).
3. Operations: In the AOR where our company A is operational, we carry out the following tasks: we set up ambushes in front of our operational sector where the enemy can pass, we do night and day patrols, we defend our positions at night and during the day.
4. Administration and logistics: In our company A we are 80 soldiers in total including those that are in operations and those that are elsewhere."

Annex/Annexe 33:**Examples of aerial footage and photographic evidence confirming the presence of RDF soldiers on DRC territory****Exemples de séquences aériennes et de preuves photographiques confirmant la présence de soldats des RDF sur le territoire de la RDC**

- On 21 and 22 December 2022, about 200 soldiers equipped with uniforms, weaponry and backpacks similar to standard RDF issue were spotted in the so-called “three antennas” area in Kibumba, Nyiragongo territory. Armed group combatants, civil society and security sources confirmed the presence of RDF soldiers in the area during this period. The Group notes that one RDF officer also stated that the individuals depicted in these images certainly were RDF soldiers:





Footage provided to the Group by source with knowledge of the matter

- On 19 January 2023, RDF soldiers, between two and four sections, were spotted 8.6 kilometers southeast of Kitchanga. Aside from the elements assembled at the position, approximatively 15 elements were standing inside the trenches. One image shows about 25 RDF soldiers organized in three groups and wearing similar battledress and equipment. The imagery also shows two objects considered to be either rocket-propelled grenade launchers or portable missiles (possibly type SA7 or SA16t):





Annex/Annexe 34:

RDF entry points

Points d'entrée RDF

Civil society actors, local authorities, diplomats, researchers, one RDF element and eyewitnesses reported that between November 2022 and March 2023, RDF troops arrived from the Rwandan side of the border and entered the DRC through, inter alia, Bukima, from where they moved to Rugari and Kakomero, and further to Burungu via a path in Virunga National Park.

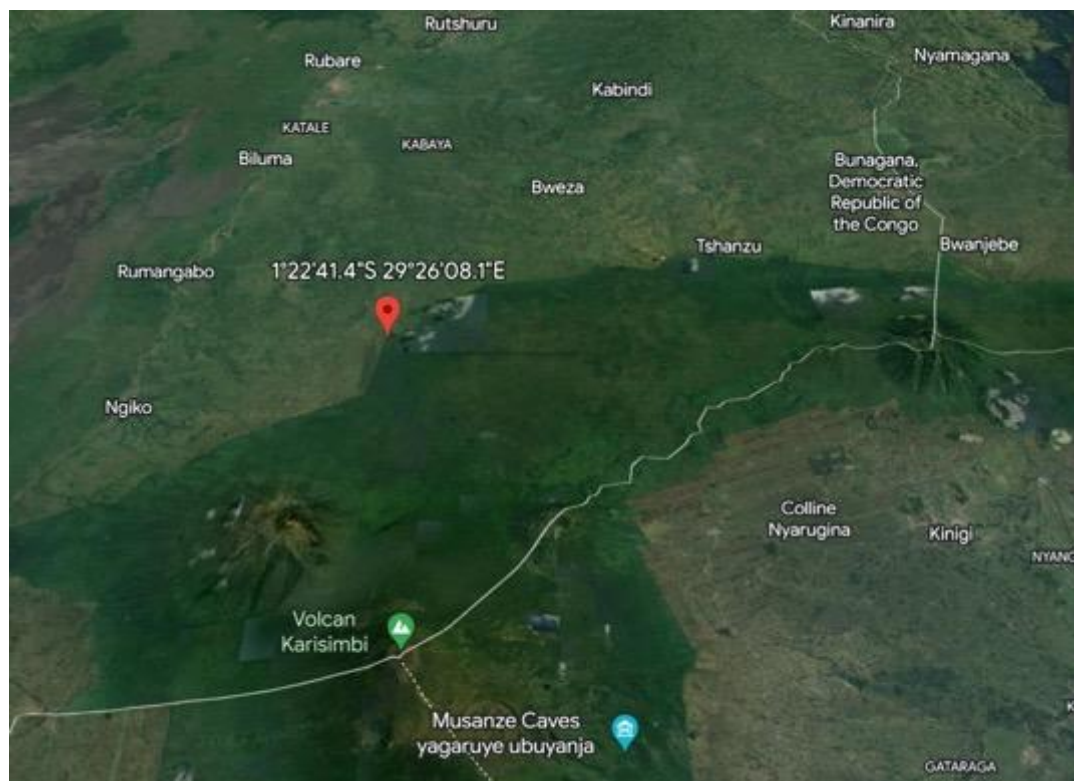
RDF troops also entered through Kabuhanga, south of Kibumba, Nyiragongo territory, to move to the three antennas area, and through Ndiza close to the Sabinyo volcano, to move to Jomba groupement.

The same sources also reported that once RDF troops arrived in Kitshanga area, they split into two directions, i.e., north towards Mweso and south towards Kilolirwe and Mushaki area.

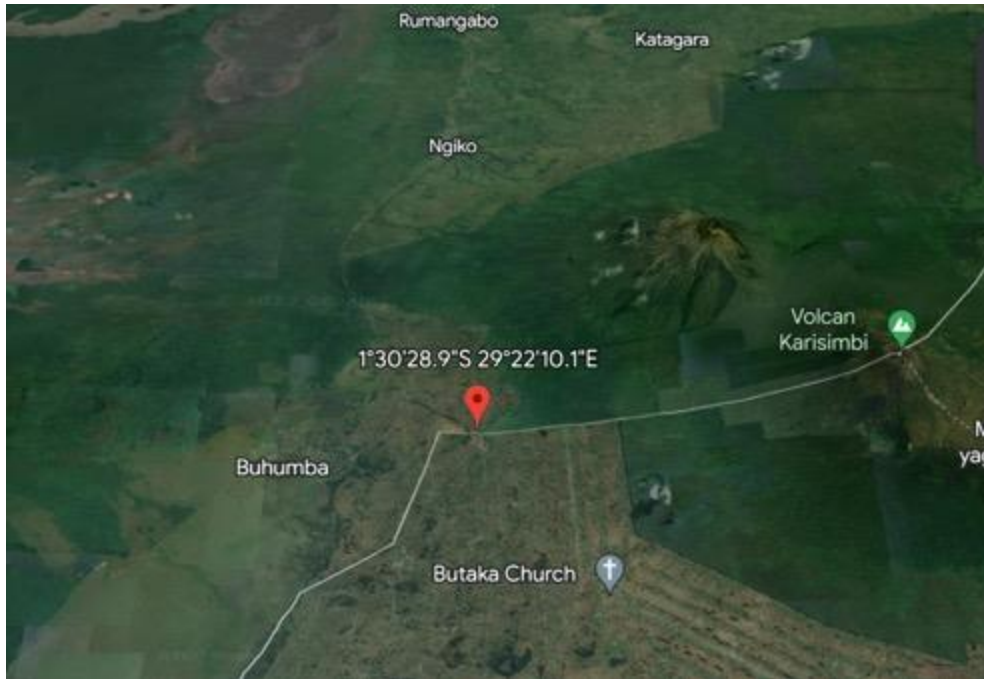
One RDF element involved in operations in Tongo said that his section had been sent to the area from Mukamira in Rwanda.

Civil society sources, eyewitnesses and security sources reported that RDF had a logistics base in Katale, Rutshuru territory.

- Bukima: 1°22'41.4''S-29°26'08.1''E



- Kabuhunga: 1°30'28.99"S-29°22'10.17" E



- Ndiza (1°22'21.2"S-29°33'49.9"E)



Annex/Annexe 35:**Rwandan officers involved in operations in North Kivu****Officiers rwandais impliqués dans les opérations au Nord Kivu**

- General James Kabarebe: Defence and Security Advisor to the President
- General Jean Bosco Kazura: Chief of Defence Staff
- Lieutenant-General Mubarakh Muganga: Army Chief of Staff
- Major-General Vincent Nyakarundi: Chief Military and Defence Intelligence
- Major-General Ruki Karusisi: Special Force Operations Commander
- Major-General Eric Murokore: Reserve Force Coordinator Northern Province including volcanoes area
- Major-General Franck Mugambage: Acting Reserve Force Chief of Staff
- Brigadier-General Rugumyangabo Gacinya: Chief Operations RDF/M23, based in Bunagana

Annex/Annexe 36:**Additional information on the 24 January 2023 shooting of a FARDC SU-25 fighter jet****Informations complémentaires sur le tir du 24 janvier 2023 sur un avion de chasse SU-25 des FARDC**

On 24 January 2023, three shots were fired from the line of the international border between the DRC and Rwanda (see below).²⁴⁵ One surface-to-air missile hit the Sukhoi aircraft which, despite the damage, was able to land at Goma airport.

Rwandan authorities nearly immediately took responsibility for the incident, stating that “defensive measures” had been taken since this was the third time that a Congolese fighter jet had violated Rwandan airspace. Rwanda had already accused Congolese aircraft of violating its airspace in November and December 2022.²⁴⁶

The DRC Government, in an official communiqué, “condemn[ed] and strongly denounce[d] the attack against one of its Sukhoi 25 aircraft by the Rwandan army” and stated that the aircraft “did not fly over Rwandan air space” (see below). The DRC Government also considered this attack to be “a deliberate act of aggression that amounts to an act of war.”

The Group notes that the proximity of Goma airport to the international border with Rwanda, and the position/direction of the landing strip limit most aircraft, whether military or civilian, to briefly transiting through Rwandan airspace prior to landing.

These incidents and others from the recent past (see [S/2022/479](#), para. 63 and [S/2022/967](#), annex 15) forewarned that there was a risk of military aircraft operating in North Kivu to be targeted.

On 5 February 2023, the shooting of a MONUSCO transport helicopter, possibly by M23 elements,²⁴⁷ resulted in two South African pilots being wounded, one of whom subsequently died of his injuries. On 24 February 2023, a UN Humanitarian Air Service (UNHAS) helicopter came under fire at a 10-minute flying distance from Goma (see below). The aircraft managed to land without any casualties. Consequently, MONUSCO and UNHAS decided to suspend all helicopter flights operating in eastern DRC, a move that impacted MONUSCO operations and humanitarian activities in the area. The Group reiterates that attacks on UN peacekeepers and humanitarian staff constitute sanctionable acts under the applicable sanctions regime.

²⁴⁵ The Group of Experts was present in Goma that day and heard the three shots.

²⁴⁶ On 7 November and 28 December 2022.

²⁴⁷ Investigations are ongoing.

- Map showing the international border, the reported position of the missile prior to the shooting and the reported position of the fighter jet when hit:



Annotated map obtained from source with knowledge of the matter
Several videos of the shooting of the fighter jet are on file with the Secretariat

- Official communication of the DRC Government on the 24 January 2023 shooting of a FARDC SU-25 fighter jet:



MINISTÈRE
DE LA COMMUNICATION
ET MÉDIAS

COMMUNIQUÉ OFFICIEL

Le Gouvernement de la République Démocratique du Congo condamne et dénonce fermement l'attaque de son avion de chasse par l'armée rwandaise dans l'espace aérien Congolais et n'entend pas se laisser faire

Le Gouvernement de la République Démocratique du Congo condamne et dénonce fermement l'attaque contre l'un de ses avions Sukhoi-25 par l'armée rwandaise, ce 24 janvier 2023 vers 17h00 à Goma, chef-lieu de la province du Nord-Kivu.

Cet avion de chasse a été attaqué pendant qu'il entamait son atterrissage sur la piste de l'aéroport international de Goma. Les tirs rwandais ont été dirigés vers un avion congolais volant à l'intérieur du territoire congolais. Il n'a nullement survolé l'espace aérien rwandais. L'avion a atterri sans dégâts matériels majeurs.

Cette attaque s'ajoute à l'offensive déclenchée ce matin par l'armée rwandaise vers Kitchanga et immédiatement repoussée par les Forces Armées de la République Démocratique du Congo (FARDC). Dans l'entre-temps, il est observé des colonnes de militaires de l'armée rwandaise en provenance du Rwanda pour renforcer les positions de Kibumba et Bwito en prévision d'autres actions criminelles.

Le Gouvernement considère cette énième attaque du Rwanda comme une action délibérée d'agression qui équivaut à un acte de guerre n'ayant pour objectif que de saboter les efforts en cours dans la mise en œuvre des actions convenues dans le cadre des processus de Luanda et de Nairobi pour la restauration de la paix à l'Est de la République Démocratique du Congo et dans la région des Grands-Lacs.

Par ailleurs, à quelques jours du démarrage des opérations d'enrôlement des électeurs au Centre et à l'Est du pays, le Gouvernement appelle l'attention de la communauté internationale sur la nécessité et l'urgence de maintenir la pression sur le Rwanda et le mouvement terroriste M23 pour qu'ils cessent la violence qui risque d'hypothéquer ces opérations en cette année électorale.

Enfin, bien qu'étant engagé dans les différents processus de paix précités, le Gouvernement de la République Démocratique du Congo se réserve le droit légitime de défendre son territoire national et ne se laissera pas faire.

Fait à Kinshasa, le 24 janvier 2023.

Kinshasa-RDC
Adresse : 83, avenue TARI-LEVY (ex. TOMBALAYE), Bâtiment RATELSCO (RTNC 2), Commune de la Gombe, Kinshasa-RDC
● Courriel : info@communication.gov.cd
● Site web : <http://communication.gov.cd>
● Réseaux sociaux : <https://www.facebook.com/mediasRDC> / <https://www.instagram.com/mediasRDC> / <https://www.linkedin.com/company/mediasRDC>

Communication obtained from FARDC source

- Official United Nations communication on the 24 February 2023 attack of a UNHAS helicopter

United Nations



Nations Unies

Bureau du Coordonnateur humanitaire en République démocratique du Congo

Une attaque sur un hélicoptère opéré par l'UNHAS met en péril l'action humanitaire dans l'est de la RDC

Kinshasa, le 26 février 2023 - Le vendredi 24 février, un hélicoptère opéré par le Service aérien humanitaire des Nations Unies (UNHAS), géré par le Programme alimentaire mondial (PAM), a essuyé des tirs à 10 minutes de Goma, lors de son retour de Walikale. Les trois membres de l'équipage et 10 passagers à bord de l'hélicoptère sont heureusement indemnes.

« Nous sommes profondément préoccupés par la sécurité des opérations aériennes et des acteurs humanitaires qui dépendent de ces vols pour atteindre les groupes les plus vulnérables de la population. L'opération des services aériens humanitaires en République démocratique du Congo reste indispensable pour fournir une assistance humanitaire à des centaines de milliers de personnes dans certaines parties du pays difficilement accessibles » a déclaré le Coordonnateur humanitaire Bruno Lemarquis.

Cette dernière attaque est la deuxième au cours des six derniers mois : une première attaque ayant eu lieu en septembre 2022.

En conséquence, le PAM a décidé de suspendre temporairement tous les vols humanitaires dans les zones de conflit au Nord-Kivu et en Ituri, jusqu'à ce que des mesures supplémentaires soient prises pour garantir la sécurité des vols et des acteurs humanitaires qui les utilisent.

Malheureusement, cette suspension affectera l'axe Goma - Beni - Bunia, et l'axe Goma - Walikale - Pinga - Kibua - Masisi - Oninga - Kirumba - Rwindi - Roe et Nobili. Cette suspension aura un impact négatif sur l'acheminement de l'aide humanitaire indispensable aux personnes vulnérables dans ces zones.

« Nous appelons toutes les parties au conflit à respecter le droit humanitaire international et à épargner les acteurs et les biens humanitaires, y compris les aéronefs humanitaires. Nous devons travailler ensemble pour créer un environnement propice à l'acheminement de l'aide humanitaire aux personnes dans le besoin » a souligné M. Lemarquis.

Cette attaque intervient quelques jours après le lancement du Plan de réponse humanitaire 2023, qui vise à apporter une assistance humanitaire à 10 millions de personnes, dont la plupart se trouvent dans l'Est du pays, pour un montant de \$2,25 milliards.

Communication obtained from MONUSCO sources

Annex/Annexe 37:**Arbitrary arrests, enforced disappearances and torture by M23****Arrestations arbitraires, disparitions forcées et torture par le M23**

The Group documented a practice of arbitrary arrests by M23 in areas under its control.²⁴⁸ Several sources reported that individuals suspected of being members of enemy armed groups, or suspected of collaborating with Congolese authorities, FARDC or enemy armed groups, were systematically arrested, detained, and some were tortured or executed by M23. Many have disappeared and their fate remains unknown (see also [S/2022/967](#), para. 57).

According to a civil society source from Rutshuru, in December 2022 over 70 persons were incarcerated in several cells in Rutshuru, including in an underground holding cell in Nyongera. Witnesses interviewed by the Group reported that prisoners were often tortured and families were denied access to them.²⁴⁹

The Group documented the arrest by M23 elements of Mugabushoboye Bazirushaka Andre at Katale, Rutshuru territory, on 7 December 2022. His arrest was witnessed by several villagers. He was suspected of being a member of FDLR, and according to witnesses, he was forced by M23 to point out the locations where FDLR were possibly hiding in the area. The family of the victim did not receive any news of his whereabouts until the time of writing this report. After Bazirushaka Andre's arrest, M23 accused the civilian population of Katale and neighbouring Rugari of cooperating with FDLR and instructed them to immediately vacate these localities (see copy of statement below issued by the civil society *Force Vive de Congo*). Sources also reported that M23 burned down or destroyed several houses in Rugari, during a search/revenge operation against FDLR combatants or presumed collaborators.²⁵⁰

²⁴⁸ MONUSCO, civil society sources, researchers, and several testimonies of eyewitnesses to arbitrary arrests.

²⁴⁹ Civil society sources, community leaders, and two civilians living in the Rutshuru area.

²⁵⁰ The burning of the houses was confirmed by several eyewitness testimonies, including IDPs who returned to the area in search of food or other supplies.



Above: Statement by the president of the Rumangabo civil society *Force Vive de Congo* on the disappearance of Mugabushoboye Bazirushaka Andre and the persecution of the local population

Similar incidents were reported by multiple sources interviewed by the Group in various areas controlled by M23, including in Kisheshe and Bambo. These sources stated that M23 often punished and incarcerated civilians for allegedly collaborating with the enemy or for refusing to submit to the demands of M23 combatants. They reported that civilians were also confined and prevented from leaving the conquered villages, were thoroughly searched and their phones confiscated, mainly to prevent them from providing information about events in their villages. M23 combatants did not hesitate to shoot civilians who tried to escape.

An inhabitant of Kisheshe reported that M23 systematically harassed the local population and invented false pretexts to punish them. Initially they killed those accused of treason or disobedience, but subsequently began a practice of asking for payment to release the captives. The source claimed that the ransom payment varied between 50,000 and 200,000 Congolese francs.

One inhabitant of Bambo witnessed several incidents of M23 combatants harassing local civilians on suspicion that they were Mai-Mai or FDLR combatants. In particular, he witnessed M23 cutting the leg of a man accused of being a Mai-Mai combatant.

Another source reported the arrest by M23 of two minors in Kisheshe, accused of being the children of a FDLR combatant. The children were taken and were never seen again. The same source explained that M23 inquired about the identities of suspected individuals, and if locals did not vouch for them as belonging to the community, they were killed.

Several sources also indicated that community leaders installed/appointed by M23 were required to regularly report on activities in the village and to denounce all suspicious activities, notably enemy collaborators. This was confirmed by two leaders installed/nominated by M23 in two distinct localities.

Multiple, independent sources interviewed by the Group reported a practice of corporal punishments administered by M23 combatants to those who disobeyed orders or were suspected of wrongdoing. One source explained that as M23 did not have proper prisons, the regular punishment for transgressions was beatings. M23 often killed those suspected or accused of serious offences (for example theft or giving information to the enemy).

Three sources, two of whom had to carry out forced labour on several occasions, had seen other civilians getting severely beaten for refusing to carry out the mandatory community service called “salongo” (see also annex 45 below).

Below: Photographic evidence provided to the Group by a security source shows M23 combatants administering corporal punishment to an unidentified man on 7 March 2023 at Karuba:





Annex/Annexe 38:**Summary executions of civilians and captured or suspected combatants by M23****Exécutions sommaires de civils et de combattants capturés ou présumés par le M23**

Multiple, independent sources reported that M23 often executed civilians as well as individuals suspected of being enemy combatants or collaborators, to punish them or to prevent them from fleeing.²⁵¹

On 21 November 2022, M23 executed 10 young men at Mburambaze on the outskirts of Bambo town in Bwito chiefdom.²⁵² According to local sources, they were executed by M23 combatants allegedly because some of their companions escaped during a brief combat between M23 elements and FARDC on the outskirts of Bambo town. The men were taken by force in the villages of Kabizo and Butare, when M23 passed through their villages on their way to conquer Bambo. An eyewitness had seen the young men transporting baggage for M23 the previous day, as they passed through Buhambi, on their way to Bambo. The same witness had seen their bodies at the entrance of Bambo, soon after they were killed, and confirmed they were the same men seen the previous day. Inhabitants of Bambo identified the victims and contacted their families to recover their remains.

²⁵¹ Civil society, local residents/eyewitnesses to incidents, community leaders, MONUSCO sources.

²⁵² Three independent sources, inhabitants of Bambo, as well as MONUSCO sources.

M23RDCONGO @M23_ARC · 4 Dec 2022

The events of 11/29/2022 in Kishishe were heavily manipulated and publicized for political reasons. The #M23 wanted to make the facts speak without themselves in order to restore the truth. For the first time we are talking about the number and names of the dead. Please, apologies

MOUVEMENT DU 23 MARS

DEVELOPMENT OF EVENTS IN THE VILLAGE OF KISHISHE

What really happened in the village of KISHISHE in the territory of Rutshuru?

The M23 Movement Directorate, firstly, informs the international and national community that the original political and media campaign, waged against it by the DRC Government, is characterized by the sole purpose of provoking a crisis and creating a rift between the Congolese people in the North-Kivu, South-Kivu and Ituri. This is the only truth. The M23 Movement regrets that the qualified allegations derived from the head of a village which are taken as true in the facts which, in the contrary, happened otherwise, have been taken as the inspiration.

The M23 Movement is so affected by the issue of its struggle, terms, also particular attention to the protection of the prisoners and total respect of the rules of engagement on the battlefield in line with international humanitarian law and safeguarding of the fate of civilians. It cannot tolerate unfounded allegations by means of a communication attack that consisting of mixing the fabrications by the DRC Government.

In regard to the specialized armed confrontation between a unit of M23RDC and the DRC Government's coalition of FARDC, FDLR, MONUSCO, RUFURU, AFUCC and Ituri, on November 29th, 2022, in the village of KISHISHE, as well as the political hijacking of the DRC Government, which has never denied a unilateral meeting with the flag of Rutshuru for the thousands of Congolese citizens (organized by the late DRC Government RUFURU, FDLR, MONUSCO and MONUSCO), the M23 is, therefore, obliged to shed the light on the event that got much media attention and huge manipulation.

On 11th November 2022, the DRC Government appointed Brigadier General M23RDC Hugué in the territory of M23RDC as commander in charge of operations with the special mission of moving to the former armed group, M23RDC, located by Rutshuru in 2020 and to gather different armed groups operating in this part of the country to launch an offensive against the M23 in the territory of Rutshuru. This armed group, M23RDC is known for its serious abuse perpetrated against peaceful citizens in the territory of M23RDC between the years 2008 and 2020. DRC M23 COMMUNIQUE OF NOVEMBER 29th, 2022

On November 29th, 2022, marks the official resolution day of M23RDC in the territory of M23RDC, by the M23RDC RUFURU with the objective of using war on M23.

On November 29th, 2022, following the infiltration and attack orchestrated by the DRC Government coalition through the M23RDC RUFURU against the M23RDC General M23RDC Hugué and by other FARDC, MONUSCO and Ituri, to restore the security in the village of KISHISHE and to therefore take control of a M23RDC M23RDC RUFURU was captured in this area which was later used in several scenarios, placing the responsibility with the DRC Government and thus, making them to also take control of M23RDC, MONUSCO and MONUSCO. The M23RDC RUFURU will carry out a counter-offensive

M23 tried to save their dead contacts with weapons in hand in the battlefield as civilians. Their announcements were not on social media with a healthy and emotional call of more than 100 dead, on the one objective of playing with the good faith of people who have peace and justice. Therefore, many reactions followed from newspapers, based on these allegations that have not been verified by credible sources.

On December 1st, 2022, the M23RDC RUFURU officially announced a death toll of 100 civilians after stating that the toll presented by the DRC was too low to be authentic when in reality there were 6 contacts who died from their deaths.

On Friday, December 2nd, 2022, the DRC Government without any real objective of investigation and with lack of verified information from credible sources, for propaganda has taken these allegations with the dead bodies, truly concerning the attacks suffered by its coalition in the Kishishe area and, especially, to divert attention on ongoing demands connected to its coalition of FARDC, FDLR, MONUSCO, RUFURU, AFUCC and Ituri in the territories of M23RDC, MONUSCO and MONUSCO, instead of focusing on the victims who died.

In order to prevent a political hijacking, the DRC Government has decided a national meeting in an unprovoked allegation of the thousands of Congolese citizens that start, in order to identify the victims as it has just released on a healthy M23RDC RUFURU for the sake of it.

However, the DRC Government should have truly communicated and strongly condemned the ongoing killing currently being carried out by its coalition FARDC, FDLR, MONUSCO, RUFURU, AFUCC and Ituri in the territories of M23RDC, MONUSCO and MONUSCO against innocent

1. M23RDC RUFURU
2. The DRC Government

1. M23RDC RUFURU
2. The DRC Government

Our Movement, the M23, presents its sincere condolences to the families of its compatriots killed by war. Sadness and sorrow extend to the souls of the deceased.

Organized by these spontaneous demonstrations, the M23 Movement Directorate solemnly demands, a swift and honest investigation into the events of KISHISHE, as well as the attack by the DRC Government coalition of FARDC, FDLR, MONUSCO, RUFURU, AFUCC and Ituri against innocent civilians under our control by using heavy artillery, combat tanks, helicopters and fighter jets, since the beginning of this deplorable and unjust war instigated by the DRC Government. Our Movement regards such as due to the investigation and that guarantees their security and a safer environment during the time of their work.

The M23 Movement Directorate is extremely concerned that after the establishment of the truth, the entire world will be surprised by the extent of a manipulation program put in place by the DRC Government, coalition of FARDC, FDLR, MONUSCO, RUFURU, AFUCC and Ituri with the sole intention of weakening their protests for refusing the direct dialogue in favor of war.

The DRC Government remains to fight on the ongoing invasion of our compatriots in RUFURU, FDLR, MONUSCO, RUFURU, AFUCC and Ituri who are continuously killed Congolese citizens in the light of the facts. It is the perfect way for the DRC Government to make fun of our innocent compatriots who are humiliated and continually being threatened by its coalition.

The full report of our Movement's Interdepartmental Commission on Human Rights on this matter, is available on the Movement's Website.

M23RDCONGO and 2 others

13

45

Below: Full text of M23 communiqué issued on 3 December 2022 relating to the events at Kishishe, signed by Bertrand Bisimwa as “Chairman of the M23 Movement”



DEVELOPMENT OF EVENTS IN THE VILLAGE OF KISHISHE

What did really happen in the village of KISHISHE in the territory of Rutshuru?

The M23 Movement Directorate, hereby, informs the international and national community that the ongoing political and media campaign, waged against it by DRC Government, is perpetrated with the sole purpose of tarnishing its image and creating a diversion from the ongoing genocide in the North Kivu, South Kivu and Ituri. This truly lacks authenticity. The M23 Movement regrets that the unverified allegations derived from the head of a tribal militia are taken as true to life facts which, on the contrary happened otherwise, herein below is the explanation.

The M23 Movement is so attached to the cause of its struggle, hence, pays particular attention to the protection of the populations and total respects of the rules of engagement on the battlefield in-line with international humanitarian law and safeguarding of the lives of civilian. It cannot tolerate unfounded allegations by means of a communication attack that consisting of relaying the fabrications by the DRC Government.

In regard to the speculated armed confrontation between a unit of ARC/M23 and the DRC Government's coalition of FARDC, FDLR, PARECO/FF, NYATURA, PACLS and Mai-Mai, on November 29th, 2022, in the village of KISHISHE as well as the political hijacking of the DRC Government, which has never decreed a national mourning with the flag at half mast for the thousands of Congolese citizens slaughtered by the the said DRC Government BENI, ITURI, MINEMBWE and KWAMOUTH, the M23 is, therefore, obliged to shed the light on this event that got much media attention and huge manipulation.

01. In mid-November 2022, the DRC Government appointed Brigadier General MUGABO Hassan in the territory of MASISI as commander in charge of operations with the special mandate of reviving his former armed group, PARECO, founded by himself in 2006 and to gather different armed groups operating in this part of the country to launch an immense offensive against the M23 in the territory of Rutshuru. This armed group, PARECO is known for its serious abuses perpetrated against peaceful citizens in the territory of MASISI between the years 2006 and 2009; CFR: M23 COMMUNIQUE OF NOVEMBER 22nd, 2022
02. November 23rd, 2022, marks the official reactivation day of PARECO/FF in CHUGI in the territory of MASISI, by Mr. SENDUGU MUSEVENI with the objective of waing war on M23;
03. November 29th, 2022, following the infiltration and attack orchestrated by the DRC Government coalition through the PARECO/FF a group belonging to the FARDC General MUGABO Hassan and his allies FDLR, NYATURA and Mai-Mai, to violate the ceasefire in the village of KISHISHE and to therefore take control of it, SENDUGU MUSEVENI then published a first audio which went viral in social networks praising the tremendous work of his fighters and thus, orders them to also take control of TONGO, BAMBO and KALENGERA. The ARC/M23 forces will carry out a counter-offensive

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to put the enemy out of harm's way. ARC/M23 chased and pursued the enemy towards the localities of KILIMA and KIBIRIZI.

04. In the 2nd audio, published by the same PARECO's political leader, speaking in Kinyarwanda, in order to be also heard by the FDLR, then, he appeals to all of his fighters to use even stones they are extracting from the mines to kill M23 soldiers and snatch their weapons;
05. On November 30th, 2022, throughout the burial ceremony of the enemies' dead combatants on the battlefield, that was organised by the ARC/M23 Unit on ground in collaboration with the local authorities and population, it was then they discovered the presence of civilians bodies. This is when the DRC Government coalition forces (FARDC, FDLR, NYATURA, APCLS, PARECO/FF and MAI-MAI) tried to claim their dead combatants with weapon in hand on the battlefield as civilians. Their announcements went viral on social media with a fanciful and sensational toll of more than 120 dead, on the sole objective of playing with the good faith of people who love peace and justice. Thereafter, many reactions followed from everywhere, based on these allegations that have not been verified by credible sources;
06. On December 1st, 2022, the FARDC Spokesperson officially announces a death toll of 50 civilians after realising that the toll presented by his allies was too blatant to be authentic when in reality there were 8 civilians who died from stray bullets.
07. On Friday, December 02nd, 2022, the DRC Government without any due diligence or investigation and with lack of verified information from credible sources, for political gains has hijack these false allegations with the dual objective, firstly concealing the setbacks suffered by its coalition in the KISHISHE area and secondly, to diverted one's attention on ongoing Genocide committed by its coalition of FARDC, FDLR, PARECO/FF, NYATURA, APCLS and Mai-Mai in the territories of MASISI, RUTSHURU and MINEBWE (NORTH KIVU, SOUTH KIVU AND ITURI).
08. In away to implement its political hijacking, the DRC Government has decreed a national mourning on an unverified allegation of the massacre of some fifty Congolese civilians that itself, is unable to identify the victims as it has just relied on a hastily fabricated toll record for the sake of it;
09. However, the DRC Government should have really communicated and strongly condemned the ongoing killings currently being carried out by its coalition FARDC, FDLR, PARECO/FF, NYATURA, APCLS and Mai-Mai in the territories of MASISI, RUTSHURU and MINEMBWE against innocent civilians, either for their ethnicity or for their refusal to lend their support to their actions. Some civilians are stuck in their own homes for fear of being identified and executed. Hate Speeches and xenophobia are chanted by adults and young children in the villages' streets against any family and any person with Tutsi facies, ordering them to return to Rwanda, failing to do so, they will be immediately killed because they are assimilated to the M23;

In the way to establishing the truth, the M23 Movement for the very first time and in exceptional manner allows itself to publish the number of enemy combatants and civilians fallen on the battlefield and tremendously apologises in advance.

In the battle mentioned above, the enemy did not only lose the control of KISHISHE, but also left several bodies on the battlefield, including a known Mai-Mai Chief, in the name of PONDU as well as 20 combatants' bodies all belonging to the coalition of FARDC/FDLR/PARECO/NYATURA/ACPLS and Mai-Mai.

In regard to civilian victims hit by stray bullets during the battle amounted to 8 people whose identities were recorded in a report countersigned by all the local leaders, namely the village administrative officials, nurses, teachers, pastors and leaders of different associations, all of them participated in the burial of the victims named below:

- | | |
|--------------------|------------------------------------|
| 1. FUMBO ; | 5. Fils JAMS, |
| 2. JAMS ; | 6. Maman KAMZUNGU ; |
| 3. MUTAMPERA ; | 7. SEMUTOBE, |
| 4. Fils SHAKWIRA ; | 8. PALUKU SIWATULA LETAKAMBA André |

Our Movement, the M23, presents its sincere condolences to the families of 8 compatriots killed by stray bullets and wishes eternal rest to the souls of the deceased.

Outraged by these slanderous denunciations, the M23 Movement Directorate solemnly demands, a swift mixed investigation into the events of KISHISHE as well as the attacks by the DRC Government coalition of FARDC/FDLR/PARECO/NYATURA/ACPLS/CODECO/Mai-Mai, against heavily populated areas under our control by using heavy artillery, combat tanks, helicopters and fighter jets, since the beginning of this despicable and unjust war imposed on us by the DRC Government. Our Movement greatly open its door to the investigators and shall guarantees them security and a sane environment during the time of their work.

The M23 Movement Directorate is extremely convinced that after the establishment of the truth, the entire World will be scandalised by the extend of a manipulation program put in place by the DRC Government coalition of FDLR / PARECO / NYATURA / APCLS / CODECO / Mai-Mai with the sole intention of reinforcing their pretexts for refusing the direct dialogue in favor of war.

The DRC Government remains lip tight on the ongoing massacres of our compatriots in BENI, ITURI, MINEMBWE and KWAMOUTH, but prefers to decree a national mourning of three days for the death of FDLR, PARECO, NYATURA, APCLS and Mai-Mai combatants who are continuously kill Congolese citizens in the East of the country, this is the perfect way for the DRC Government to make fun of our innocent compatriots who are horribly and continually being slaughtered by its coalition.

The full report of our Movement's Interdepartmental Commission on Human Rights on this matter, is expected in the forthcoming hours.

Bunagana, December 03rd, 2022

The Chairman of the M23 Movement



Bertrand BISIMWA

Annex/Annexe 40:**M23 mass killings of civilians at Kisheshe on 29 November 2022****Massacres de civils par le M23 à Kisheshe le 29 novembre 2022*****Investigative methodology***

The Group investigated allegations of mass killings of civilians on 29 November 2022 by M23 at Kisheshe, in Bambo *groupement*, Bwito *chefferie*, Rutshuru territory. The Group interviewed residents of Kisheshe, survivors and eyewitnesses of the attack, local community leaders and members of civil society, and also collected additional information from researchers and MONUSCO. The Group based its findings presented below on corroborated evidence from verified, reliable sources, in line with the evidentiary standards set out in paragraphs 6 and 7 of this report.

The Group was unable to travel to Kisheshe due to the prevailing insecurity in Kisheshe and the region. The Group had informed the M23 leadership that it planned to visit Kisheshe and other areas in Rutshuru territory in January 2023.²⁵³ Lawrence Kanyuka, M23's political spokesperson, initially welcomed the Group's initiative. However, on the day of the Group's departure to the area, both Lawrence Kanyuka and Bertrand Bisimwa, the "president" of M23, denied access to areas under M23 control, stating that M23 could not guarantee the security of the experts at that time. They also insisted that the experts abandon plans of travelling along the RN2 route from Kibumba to Rumangabo, although that road was officially no longer under M23's control (see para. 45). Lawrence Kanyuka suggested that should the experts proceed with the visit, they risked being killed by "enemy" armed groups and the culprits would never be identified, citing the fate of the two members of the Group of Experts, Zaida Catalán and Michael Sharp, who were killed in 2017 (see also [S/2017/672/Rev.1](#), paras. 165-173). In these circumstances, to avoid putting members of the Group and potential witnesses in Kisheshe at risk, and because of significant M23 and RDF troop movements along the axis reported at that time (see para. 45), the Group decided not to proceed with a field visit.

The Group once again contacted the M23 leadership in March 2023 to inform them of a new attempt to visit Kisheshe. Lawrence Kanyuka requested additional time to consider a response, but to this day has not responded to the Group's request.

Kisheshe – geography and context

Kisheshe is a locality in the Bambo *groupement*, in the Bwito chiefdom,²⁵⁴ inhabited by a population predominantly from the Hutu community, but also from the Hunde, Nande and other communities. At the time of the incident, most of the inhabitants were farmers, including seasonal workers who came to work the fertile land surrounding Kisheshe but did not live there permanently. In November 2022, the town was also inhabited by displaced civilians who had fled previous fighting in other areas of Rutshuru territory.

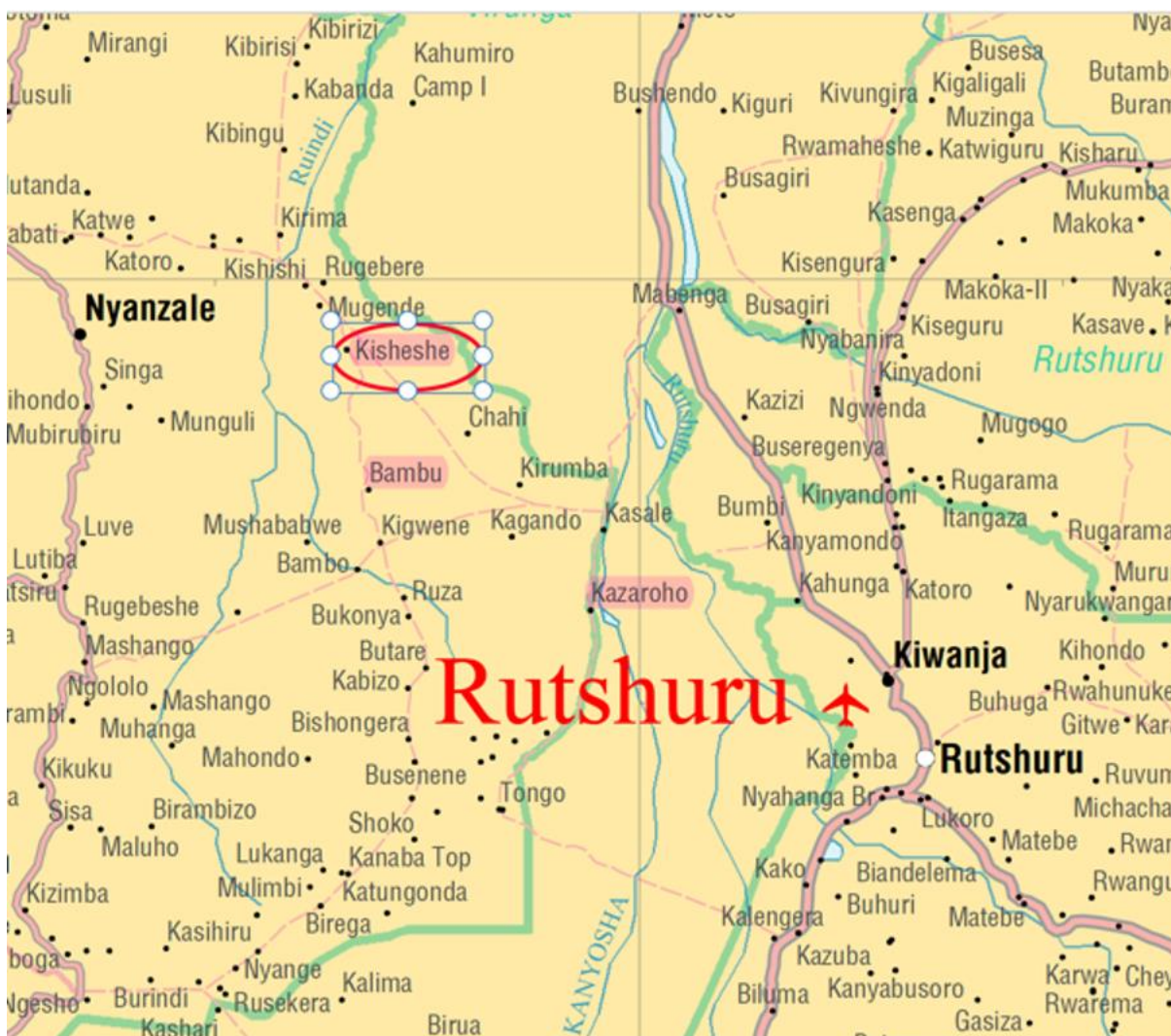
Kisheshe town is subdivided in two localities – Kilama (also referred to as Kilima)²⁵⁵ and Kisheshe proper. References to events in Kisheshe in general include both localities.

²⁵³ Phone conversation with Mr Lawrence Kanyuka the spokesperson of the M23 movement and Bertrand Bisimwa, M23 "President", 25 January 2023.

²⁵⁴ Located 9.5 km north of Bambo, the *chef-lieu* of the Bambo *groupement*, (at ca. 2 hours walking-distance), and 8.5 km south of Kilima, the nearest town.

²⁵⁵ There is also a town called Kirima, depicted on some maps as Kilima, 8.5 km north of Kisheshe, which is different from the Kilama/Kilima neighbourhood of Kisheshe.

Witnesses stated that the agricultural land around Kisheshe had been exploited by FDLR since 1994 when they settled in adjacent areas in the Virunga National Park (VNP). FDLR had given “permission” to civilians to work the land in exchange for the payment of taxes, either in money or goods.



Above: Map of Rutshuru territory indicating the location of Kisheshe

Presence of FARDC and armed groups hostile to M23 in and around Kisheshe, prior to the events

Prior to the attack, FARDC had occupied several defensive positions in and around Kisheshe, including south of Kisheshe, in direction of Bambo.²⁵⁶

Also, according to witness testimonies, several armed groups were also present in or around Kisheshe prior to the arrival of M23.

²⁵⁶ According to a local authority, FARDC had several positions in the centre of Kisheshe, one along the Nyabihanda river, on a hill in the direction of Bambo. Another position was at Matete, on a hill in the south of Kisheshe. Another position was at Kilama.

FDLR were present in certain localities of the Bwito chiefdom and in the VNP, in areas bordering both the Tongo and the Bambo *groupements*. FDLR controlled a vast area in the VNP called La Domaine, only a few kilometers northeast of Kisheshe. The FDLR headquarters located in “Mozambique” was located approximately 15 km northeast of Kisheshe. According to witnesses, “Mozambique” was built by FDLR where FDLR members lived with their families. Civilians from surrounding villages, including from Kisheshe, commuted, or lived there seasonally to work the fields in and around “Mozambique” and La Domaine.

Witnesses also reported the presence of the armed group Nyatura/CMC led by “Domi” (Dominique), as well as Mai-Mai of Kabido and commander Pondu, based in the Bwito chiefdom. These groups joined forces, including with FDLR, in an ad-hoc alliance to oppose the advancement of M23 in the area.

Events leading up the Kisheshe massacre

On 21 November 2022, M23 attacked Bambo town, 10 km south of Kisheshe.²⁵⁷ After a brief combat with FARDC, the latter abandoned their positions and M23 took control of Bambo.²⁵⁸ Although no civilian casualties were reported,²⁵⁹ several women were raped by M23 combatants the day they took over the town and in the following days (see para. 69 and annex 44 below).

On 22 November 2022, the day after taking control of Bambo, M23 convened a meeting with the population of Bambo, informing them that M23 had come to liberate the Congolese people and to search for FDLR combatants.²⁶⁰ According to a witness who was present at the meeting, M23 warned that if they heard even one gunshot in town, they would “rip the town apart” until they found the culprit.

On 23 November, M23 troops left Bambo in the direction of Kisheshe, where they engaged in combat with FARDC defending the town. FARDC fled after a few hours of fighting and M23 took control of Kisheshe. Witnesses reported that a house was destroyed by a bomb and a few civilians, including children, were injured but there were no confirmed reports of targeted killings of civilians by M23.

Concordant testimonies by several eyewitnesses and local community leaders indicated that after taking control of Kisheshe, M23 combatants began breaking down doors of houses, pillaging stores and looting goods from the villagers. Witnesses reported that M23 raped several women on 23 November and in the following days.²⁶¹ A community leader from Kisheshe described how a 29-year-old woman²⁶² refused to be raped outside, and asked to be taken inside her home. M23 took her to a neighbour’s house where she was raped.

Between 23 and 28 November, a few days after taking control of Kisheshe, all M23 combatants present in Kisheshe left the town and moved towards Mozambique, the FDLR stronghold in the vicinity of Kisheshe. Aware of the imminent arrival of M23, the majority of FDLR and their dependents had left “Mozambique” shortly before the arrival, taking a different route to enter Kisheshe, thus avoiding a direct confrontation with M23. Many of the displaced from Mozambique took refuge in the Adventist church in Kilama.

²⁵⁷ Arriving from the direction of Kabizo, south of Bambo.

²⁵⁸ Several local witnesses interviewed by the Group and MONUSCO sources.

²⁵⁹ Local witnesses reported that a woman died when a bomb fell on her house during combat, but there was insufficient evidence to establish the provenance of the bomb.

²⁶⁰ According to three witnesses, inhabitants of Bambo.

²⁶¹ Researchers, and three witnesses interviewed by the Group, including a source working with sexual violence survivors.

²⁶² The identity of the victim is known to the Group.

During these days, a group of Mai-Mai Kabido combatants also entered Kisheshe. Local authorities attempted to negotiate their departure, fearing that their presence would result in confrontation with M23 and negatively impact civilians. The Mai-Mai combatants refused to leave.

On or around 28 November, heavy fighting was reported in “Mozambique” between FDLR and M23.

On 29 November, Mai-Mai and FDLR ambushed M23 combatants on the outskirts of Kisheshe.²⁶³ Heavy fighting ensued and both sides suffered heavy losses. Mai-Mai commander Pondu²⁶⁴ and several high-ranking M23 officers were allegedly killed during the fighting. Mai-Mai and FDLR forces were overpowered and fled.

According to several witness testimonies, the initial objective of M23 was to return from Mozambique to Bambo. After having been ambushed and suffering losses (see also annex 29 on deceased M23 and RDF elements), they changed direction to pursue the attackers into Kisheshe and called for reinforcements from Bambo. M23, in their public communiqué of 3 December 2022 (see above annex 39) as well as in public statements,²⁶⁵ admitted that they fought with Mai-Mai who attacked them, and that they pursued the Mai-Mai into the town of Kisheshe.

Reprisal killings by M23 in Kisheshe on 29 November 2022

Witnesses of the attack on Kisheshe confirmed that some Mai-Mai combatants who fled the fighting with M23 entered Kisheshe and hid among the population, including in civilian residences. According to these witnesses, this was the trigger for the events that ensued.

Multiple and concordant witness testimonies, including of eyewitnesses, reported that M23 began a systematic, door-to-door search of civilian homes in Kisheshe, principally looking for men and young boys, killing them on suspicion that they were FDLR or Mai-Mai combatants, or otherwise supporters of these armed groups. Civilians found inside in the Adventist church of Kilama were taken outside and executed. Among those sheltering in the church were displaced civilians who had taken refuge in Kisheshe, including dependents of FDLR from Mozambique, but also civilians from Kisheshe who had taken refuge there when the exchange of fire began earlier that day. According to witnesses, some people were killed with machetes or clubbed to death, while those who attempted to flee were shot. Some women were also killed.

A woman whose house was near the centre of Kisheshe, opposite the Adventist church of Kilama, witnessed the killings through a hole in the wall of her house. She saw M23 entering the village, breaking down the doors of houses, bringing out civilians found inside and killing them, mostly men and boys. Some were shot, others killed with machetes. She saw many people killed in these circumstances but was unable to estimate their number. She also witnessed the killing of the Adventist pastor and his son, outside his residence.²⁶⁶ She managed to escape with her family from Kisheshe shortly thereafter. Her relatives later told her that the killing spree had continued that day, and more than 100 people were killed. She named several people who were killed that day.²⁶⁷

Another resident from Kisheshe confirmed that M23 entered every house in the village, and where they found a man or a boy, they accused him of being a combatant and killed him, even if the accused were not armed. He reported that

²⁶³ A few kilometers south-east of Kisheshe.

²⁶⁴ On page 3 of the communiqué of 3 December 2022, M23 acknowledged the killing of commander Pondu during the fighting in Kisheshe.

²⁶⁵ See interview given by a local M23 commander at https://www.youtube.com/watch?v=8ifAVC_Qci4 [starting at minute 11:55].

²⁶⁶ The killing of the pastor, a well-known figure in Kisheshe (called Jamusi [*phon.*]) and of his son were confirmed by several witnesses. The killing of the pastor was acknowledged by M23 in their communiqué of 3 December 2022 (annex 39).

²⁶⁷ The names provided by the witness were also found on the lists of victims received by the Group.

a male nurse working at the Kisheshe health centre was also killed that day, inside his residence. The killing of the nurse was confirmed by multiple witnesses.²⁶⁸

At least one house in the village was set on fire by M23 combatants. According to testimonies, several people were killed inside the house prior to the fire on suspicion that they were FDLR because they spoke Kinyarwanda. Their bodies were burnt, hence the number of people killed inside the house was not known.

Witnesses explained that civilians who spoke Kinyarwanda were believed to be (close to) FDLR,²⁶⁹ while those who spoke Kihunde²⁷⁰ or Kinande²⁷¹ were presumed to be Mai-Mai combatants or collaborators. According to several witnesses, most victims were of Hutu ethnicity.

Burials

Concurring witness testimonies indicated that the victims killed at the Adventist church were buried in at least two mass graves at a banana plantation adjacent to the church (see map below).²⁷² M23 forced local civilians to dig graves and help with the burials. According to some witnesses, one of the mass graves in the banana plantation contained at least 20 bodies. The pastor and his son were buried in a grave close to his house, in the vicinity of the church. Other bodies were burnt, including inside houses that were set on fire. Although the existence of other graves was reported by some sources, the Group was unable to gather sufficient evidence to include the information in this report.

According to several sources, M23 did not allow civilians to organize proper burials for members of their families. Several witnesses reported that M23 refused to grant the Red Cross access to the village to assist with the burials. According to these witnesses, M23 wanted to hide evidence of the killings.

The communiqué issued by the M23 leadership on 3 December 2022 regarding the events in Kisheshe (annex 39) claimed that burials of “enemy combatants” were organized by M23 in collaboration with local authorities and the local population, and that on that occasion, they had discovered the bodies of civilians among those of the fallen combatants.²⁷³

Number of victims killed in Kisheshe

The Group received the names of victims compiled by community leaders, based on information shared by survivors, eyewitnesses, family members of victims and other inhabitants of Kisheshe, including those who participated in burials.²⁷⁴ A total of 120 victims were listed by name, the vast majority male,²⁷⁵ including 27 children under the age of 18, the youngest 12 years of age.

Witnesses admitted having encountered challenges in establishing the accurate numbers of victims, as many survivors fled and some victims were not locals from Kisheshe,²⁷⁶ hence their names were not always known to the locals.

²⁶⁸ M23 listed his name among the eight civilians who they acknowledged having been killed that day – see the M23 communiqué of 3 December 2022 (annex 39).

²⁶⁹ The language spoken by Hutu refugees from Rwanda.

²⁷⁰ The language spoken by the Hunde ethnic group.

²⁷¹ The language spoken by the Nande ethnic group.

²⁷² The Group obtained the GPS locations of the presumed mass graves.

²⁷³ See point 5 of the M23 communiqué.

²⁷⁴ The group received two lists, one containing 120 names, the other 114 – although the names are identical and listed in similar order. The Group concluded that the sources used for the establishment of the two lists were identical, as the lists contain the same information.

²⁷⁵ Only three women were listed among the victims.

²⁷⁶ In particular, seasonal workers were present in Kisheshe around the time of the events.

Individual witnesses could only provide an estimate of the number of civilians they had seen being killed, or those who were found and buried.

Evidence obtained by the Group established that a significant number of civilians were killed that day. However, the Group was unable to independently corroborate the total number of civilians killed, as it was unable to complete its investigations in that regard.



Elements indicating the intentional targeting of civilians presumed to be members of, or supporting enemy armed groups

Witnesses to the events were adamant that M23 summarily executed civilians in Kisheshe to punish them for potentially supporting or harbouring armed groups hostile to M23 (notably FDLR and Mai-Mai), or for being presumed members of these armed groups, without conducting any verification of their status – either civilian or combatant. Witnesses also indicated that M23 justified the house-to-house search and revenge killing spree that ensued with the fact that combatants who had participated in the ambush and subsequent combat against M23 earlier that day had taken refuge in Kisheshe, including in the homes of civilians.

Other witnesses stated that Hutu civilians were disproportionately targeted due to their presumed affiliation with FDLR. For example, several witnesses indicated that while pillaging shops and burning houses, M23 stated that they were committing those acts because the properties belonged to FDLR. Civilians were systematically asked about their

ethnicity, and based on the language they spoke or on their appearance, they were told they were either FDLR, Nyatura or Mai-Mai collaborators.²⁷⁷ One witness recounted how he was stopped by three M23 combatants the day after the massacre, as he was attempting to leave the village. The M23 combatants spoke Kinyarwanda, and since the witness also responded in Kinyarwanda, he was accused of being FDLR.²⁷⁸ He was shot at but managed to escape, as it was still dark.

The Group also received testimonies indicating that even in the days and weeks following the killings, civilians were systematically stopped and controlled by M23 in and around Kisheshe, and suspected enemy collaborators were arrested, tortured, disappeared without a trace, or killed. One witness knew of three Kisheshe inhabitants who were arrested in their homes, including two minors suspected of being the children of a FDLR combatant. The children had disappeared without news of their whereabouts since their arrest.

Witnesses also reported that following the takeover of Bambo and Kisheshe, M23 convoked public meetings during which they informed the population that they were there to liberate them from the tyranny of the government and local armed groups, and conveyed threats to retaliate against anyone found to collaborate with the DRC authorities and the local groups. Several rape victims reported that M23 combatants asked them about their husbands' whereabouts and told them that they were either FDLR or Mai-Mai wives, before they raped them (see para. 69 and annex 44).

Description of M23 combatants

Witnesses who were present in Kisheshe during and after its takeover by M23 testified that there were many "Rwandans" among the M23 who attacked and occupied the town. They stated that the majority of these M23 combatants spoke Kinyarwanda, in a dialect that is not spoken in the DRC, as it was difficult to understand by those who spoke the Kihutu/Kinyarwanda spoken in the DRC. Some witnesses stated that the morphology of Rwandans was different from the Congolese, and therefore presumed they were Tutsis from Rwanda.

Denials by M23 and attempts to manipulate the narrative of events related to the Kisheshe massacre

M23 leadership denied the intentional killing of civilians in Kisheshe. In the communiqué issued on 3 December 2022 (see annex 39 above), M23 claimed that the allegations were a fabrication intended to tarnish the reputation of the armed group and divert attention from the ongoing genocide being perpetrated in North Kivu, South Kivu and Ituri. In the communiqué, the M23 leadership stated that there was an armed confrontation with local armed groups coming from Kisheshe, in violation of the ceasefire and with the intent of "taking control of the village," and that M23 pursued the attackers to "neutralize them."²⁷⁹

The communiqué acknowledged that the bodies of eight civilians were discovered among those of the fallen combatants, claiming they were all killed by stray bullets.²⁸⁰ The communiqué listed the names of the eight civilians killed, including the pastor of the Adventist church ("Jams")²⁸¹ and his son ("fils Jams"),²⁸² the son of Shakwira,²⁸³ and

²⁷⁷ A rape survivor interviewed by the Group said she was called a "Nyatura wife" because of her braided hair.

²⁷⁸ In point 4 of the M23 communiqué of 3 December 2022, the M23 refers to the political leader of PARECO/FF issuing a statement in Kinyarwanda in order to be "well understood also by FDLR," encouraging all combatants to kill M23 combatants and seize their weapons, thus identifying FDLR as Kinyarwanda-speaking.

²⁷⁹ See point 3 of the M23 communiqué of 3 December 2022.

²⁸⁰ See points 5 and 6 of the M23 communiqué.

²⁸¹ Page 3 at number 2 on the list of victims included in the M23 communiqué of 3 December 2022.

²⁸² Page 3 at number 5 on the list of victims included in the M23 communiqué of 3 December 2022.

²⁸³ Page 3 at number 4 on the list of victims. Witnesses interviewed by the Group stated that Shakwira's son was killed during the reprisal killing spree conducted by M23 in Kisheshe. Shakwira was a well-known notable of the village.

Letakamba.²⁸⁴ However, several witnesses interviewed by the Group had named these same victims as having been killed during the punitive massacre of civilians, in the context of the door-to-door searches conducted by M23 combatants. M23 also claimed that the list was established and signed by all the local leaders who had participated at the burials. Evidence on file with the Group indicates that this list was compiled under duress, upon the request of M23 to provide a list of the victims identified by name, and in fact it initially contained more than 18 names. The villagers continued adding names to the list as more bodies were identified in subsequent days, but the full list was never acknowledged or published by M23.

A team of journalists from Rwanda including Marc Hoogstenys and Adeline Umutoni from the Kivu Press Agency visited Kisheshe during the first week of December 2022 under the protection of M23²⁸⁵ and later published a video reportage on the events in Kisheshe.²⁸⁶ The presentation of their findings reveals an unconcealed attempt to present a narrative favourable to M23²⁸⁷ that does not hold in the face of scrutiny.

Main findings of the journalists who travelled to Kisheshe under M23 protection:

One of the journalists claimed that his request to M23 to travel to Kisheshe was “accepted without any hesitation” and they were able to “freely talk with the locals.” The journalist acknowledged in his article that “...most of our local contacts spoke freely. It is possible though that some of them tempered their testimonies due to the presence of M23 soldiers. But others told us bluntly what happened and that they regretted that the FDLR had to vacate the region because of the fact that they were actually living well under their umbrella.”

An article titled ‘The Kisheshe report’ was published based on the findings of the journalists, on 30 December 2022.²⁸⁸ The report stated that M23 had engaged in brief fighting with Mai-Mai and FDLR elements who ambushed them in the northern part of Kisheshe, while the few civilians who remained in Kisheshe were concentrated in the southern part of town, hiding either in their houses or in the Adventist church located in the southern part of the town. The report claimed that “nineteen (19) bodies were found in and around the Mai-Mai ambush, on the northern flank of the village, in neighborhoods (avenue) called Kirama and Sukuma.” The report also cited Lt. Col. Julien Mahano of M23, commander in Kisheshe at the time, who stated that “[w]e recognized the death of eight (8) civilians, and we explained to residents that we were attacked and had to defend ourselves. We could not identify civilians from militia in the ambush, since most civilians had either fled or were hiding in their houses.”

One of the journalists²⁸⁹ emphasized that M23 rebels had insisted on two facts: that the number of victims was exaggerated, as it did not exceed 20, and that it was difficult to distinguish the civilians from combatants, since the latter wore civilian clothing and hid inside the houses.²⁹⁰

²⁸⁴ Page 3 at number 8 on the list of victims, identified by witnesses as the nurse working at the Kisheshe health centre.

²⁸⁵ The journalists did not receive accreditation from the Congolese Government to operate in North Kivu. They were accused to have violated multiple deontological rules and Congolese laws, entering Congolese territory with M23 support through the Bunagana border crossing.

²⁸⁶ Video titled “RDC-M23 : Que s’est-il exactement passé en Novembre 2022 à Kisheshe?” at https://youtu.be/8ifAVC_Qci4, published on 30 December 2022.

²⁸⁷ See a blog article titled ‘[About the juggling of the figures of the so called Kisheshe massacre](#)’ published by photojournalist Marc Hoogsteyns on 12 February 2023. The article overtly defends M23 and the interests of Rwanda, while strongly criticizing the UN and Human Rights Watch (HRW) reports on the Kisheshe incident, stating that HRW was “known for its rabiate anti-Kigali attitude” and “was amongst the first groups to market Tshisekedi’s propaganda about the events in Kisheshe.” The journalist dismisses the findings of the investigations conducted by the UN and HRW stating among others that their findings “were the result of questions being posed to a ‘a priori’ hostile population [towards M23] that had to abandon its life under the FDLR umbrella and that was highly anti-Tutsi.”

²⁸⁸ ‘The Kisheshe report’ was published on the Gatete News site by [Gatete Ruhumuliza Nyiringabo](https://gateteviews.rw/the-kisheshe-report/) <https://gateteviews.rw/the-kisheshe-report/>.

²⁸⁹ See Tweet by Marc Hoogsteyns at <https://twitter.com/MarcHoogsteyns/status/1604947851796271119?s=20> (last consulted on 13 April 2023) endorsing an article published in the *Le Soir* journal about their findings.

²⁹⁰ The link to the article published by *Le Soir* at <https://fr.rwanda-podium.org/?RD-Congo-le-temoignage-rare-d-un-journaliste-en-zone-occupee-par-les-rebelles> (as consulted on 13 April 2023).

One of the locals who was present during the visit of the journalists later testified that statements were made under duress, since the journalists were always accompanied by armed M23 combatants.²⁹¹

The Group notes that the above statements by the journalist and the findings detailed in “The Kisheshe report” do not address the inherent contradiction between the claims of M23 that the 19 bodies were found in the area of the ambush in the **northern** part of the village, and the testimonies of civilians who claimed that the pastor of the village, his son and others were killed close to the Adventist church in Kilama, located in the **southern** part of Kisheshe. M23’s initial justification that civilians were killed by stray bullets also contradicted their subsequent statement that civilians had either fled or were hiding in their houses located on the opposite side of the town, and they were killed as it was difficult to distinguish them from combatants.

Edited footage of the interviews recorded by the journalists was broadcast on YouTube on 30 December 2022.²⁹² Civilians from Kisheshe who appeared in the YouTube footage stated that M23 convened a meeting with the villagers to “apologize” for the killings, and that during this meeting, M23 leaders admitted that they could not distinguish civilians of the village from the Mai-Mai because they all wore civilian clothing (see screenshot #1 below).



Screenshot above: “They [M23] say that they could not distinguish the civilians from the Mai Mai. They all wore civilian clothing.”

²⁹¹ The audio recording of the interview with the witness is on file with the Group.

²⁹² See the video published at https://youtu.be/8ifAVC_Qci4 (link last visited on 23 April 2023). Journalist Marc Hoogstenys stated that “[w]e interviewed several villagers on camera and put the edits online and we also wrote a report in which we detailed most of our findings. We even forwarded a list with the names of most of the casualties” (see [About the juggling of the figures of the so called Kisheshe massacre](#)). About their findings, the journalist comments that they “concluded that approx. 11 militiamen and 8 civilians died during the fighting in the village, contrary to the declarations of the government nobody was executed in the local church, the houses in the village were untouched and only one civilian died in Bambo. The M23 told us that they chased the FDLR out of Bambo and Kisheshe and that dozens of them were killed during that process. But those died in the fierce fighting that followed their retreat out of the two localities and they could therefore not be labeled as ‘civilians’.”



Screenshot above: An inhabitant of Kisheshe stating that they [the locals, inhabitants of Kisheshe] could “not distinguish a FDLR combatant from a civilian as they all wear civilian clothes.”



Screenshot above: An inhabitant of Kisheshe stating that “Mai-Mai combatants attempted to get absorbed into the village.”



Screenshot above: A woman stating that “When the Mai-Mai provoked the M23, the population became their victims.”



Screenshot above: A man identified in the footage as the chief of the village of Kishishe stating that “They [M23] could not distinguish the locals [civilians] from the Mai Mai.”



Screenshot above: “They [M23 combatants] were shooting at everyone because everyone was dressed in civilian clothing.”

The testimonies featured in the YouTube video thus confirm the testimonies and evidence collected by the Group, namely that M23 made no distinction between combatants and civilians, killing anyone without hesitation.

Conclusion

The Group notes that the modus operandi of M23, the killing of over 100 people in one day after combat had ended and the enemy had fled, is indicative of recklessness, or intent to deliberately kill civilians.

The Group recalls that international humanitarian law and international criminal law, based on the fundamental principle of distinction between civilians and combatants, prohibit the act of intentionally directing an attack against the civilian population as such or against individual civilians not taking direct part in hostilities, and provide that in case of doubt as to the status of a person, that person shall be considered to be a civilian. The acts perpetrated by M23 at Kisheshe may thus constitute a war crime and are sanctionable acts under the UN sanctions regime.

Annex/Annexe 41:

Kazaroho as key target of M23/RDF operations

Kazaroho, cible prioritaire des opérations du M23/RDF

M23 issued a public threat against key locations on the **Tongo – Kazaroho axis**, which was published on the M23-controlled “@Goma24News” Twitter account on 2 November 2022.

Kazaroho, located southeast of Kirumba bordering Virunga National Park, was an important agricultural area controlled by FDLR and the seat of its Sector headquarters, thus making it a key target for M23 and RDF operations. Tongo was traditionally an area controlled by FDLR where their dependents lived, and the population supported them.²⁹³



Source: <https://twitter.com/goma24news/status/1587909047508172801?s=20> (last visited 17 April 2023)

²⁹³ Multiple sources interviewed by the Group, including residents of the area, as well as MONSUCO sources.

Annex/Annexe 42:

Killings at Kazaroho on or around 26 February 2023

Tueries à Kazaroho le/vers le 26 février 2023

The findings below are based on evidence collected from several independent sources, including four residents living in the area of Kazaroho and an eyewitness to the attack. The Group also collected additional evidence from community members and individuals with knowledge of the events and received corroborated photographic evidence depicting the bodies of several victims of the killings. At least one of the victims is depicted with arms tied behind the back, with a large wound at the back of the head, indicating an execution-style killing as depicted in the images below.



Above: Image of a body found at Kazaroho, with wound on the back of the head, and arms tied behind the back. Photographs from a local source, authenticated by two independent witnesses

Kazaroho geography and context

Kazaroho is located at few kilometres southeast of Kirumba village, in the Bwito chiefdom of Rutshuru territory. Kirumba is located less than 10 km southeast of Bambo town (see map below).



Above: Map of Rutshuru territory indicating location of Kazaroho

Kazaroho is an agricultural area traditionally controlled and exploited by FDLR, who had also established its Sector headquarters at this location.²⁹⁴ Residents of the area explained that FDLR, including their dependents, had built houses at this location that were used seasonally during cultivation and harvesting. Civilians from neighbouring areas, including from Kabizo, Bambo and Rushovu, also worked in Kazaroho seasonally. The majority were from the Hutu community, but also Nande and Hunde.

Due to its strategic importance, Kazaroho was a key target for M23 and RDF operations (see Annex 41 above).

Events preceding the killings at Kazaroho on /around 26 February 2023

M23 occupied Kazaroho in November 2022 during its conquest of the Bwito *chefferie*. FDLR abandoned its positions in Kazaroho and withdrew deeper into Virunga National Park.

After taking control of the area, M23 prohibited the population from cultivating the agricultural fields in Kazaroho. Upon the request of the local customary chiefs, M23 allowed the population to temporarily return to the fields to harvest their crops. From mid-January onwards, M23 reinstated the prohibition, allegedly due to the proximity of FDLR positions in the area. Residents acknowledged that it was difficult to distinguish FDLR from civilians, as they often wore civilian clothing and concealed their weapons.

In January 2023, clashes between FDLR and M23 were reported in the wider area. However, FDLR elements were avoiding open confrontation and, beyond occasional ambushes, would hide in the forest including in the vicinity of Kazaroho. Residents reported frequent killings of civilians by M23 on suspicion they were FDLR or supporters of the group. M23 burned down several houses built on the fields in Kazaroho, including houses that belonged to FDLR and their dependents, in a bid to rid the area of FDLR.

In February 2023, M23 withdrew from the area of Kazaroho to conduct operations elsewhere. The residents cautiously returned to their fields as they were facing a famine. Some FDLR elements dressed in civilian clothing also joined civilians to harvest the crops.

The killings on or around 26 February 2023

M23 returned to Kazaroho in hiding, and in the early evening hours ambushed the civilians who were working in the fields. A witness who was present during the attack reported that many people were working the fields that day. M23 combatants approached undetected from the forest and began attacking the field workers, stabbing them or cutting them with machetes, and only shooting those who attempted to flee. The witness claimed that all the workers were civilians, unarmed, including several women and children. The witness managed to flee to safety along with several others.

After the attack, the bodies were left scattered in the fields and some were thrown by M23 into the nearby river. FDLR combatants who were camped in the hills/forests surrounding Kazaroho alerted the villages nearby about the killings.

Witnesses interviewed by the Group identified several victims by name, including a mother who was killed with her two children.

M23 prohibited the burial of the bodies and stood watch to ambush those who would return to recover the bodies. Two witnesses interviewed by the Group were part of small, separate groups of residents who returned to the fields two or three days after the killings to identify the victims. They each surveyed a different area, for fear of being attacked.

²⁹⁴ Multiple sources interviewed by the Group, including residents of the area, community leaders, and MONSUCO sources.

One of them counted 17 bodies, including of seven women and two children of approximately 10-15 years of age, all of them showing stab wounds (machetes or bayonet stabs). Another group found other bodies, in other areas of the field, and reported that some of the victims were killed with their hands tied behind their back.

Two witnesses reported that a woman who was stabbed survived the attack,²⁹⁵ and that she described that the assailants used the bayonets on their weapons to kill. Her two-year-old child was killed.

Collective accounting of the bodies reported at least 38 individuals killed, including several women and children. The Group was unable to independently corroborate the total number of victims.

At least six victims were identified by name, corroborated by at least two independent sources. The photographs provided to the Group show six additional bodies, including one of a woman. Some bodies were photographed in the river, corroborating the statements of the witnesses interviewed by the Group. The witnesses identified the locations of the bodies based on the photographs shown, including:

- On a footpath connecting Kanyangiri village to Kazaroho;
- On a footpath called “chez Defao”;
- In a location called “chez Docta”;
- On the bank of the river Mirindi that passes through Kazaroho, in a location called “chez Mbangu”.

Burials

According to witness accounts, FDLR combatants buried some of the bodies in the fields at Kazaroho, while others were taken back to the village. One witness attended the vigil of one of the victims and reported that M23 combatants dressed in full combat gear came to the house to interrupt the ceremony and forbade the villagers from mourning their dead.

Description of the perpetrators

The witness who was present when the attack began identified the assailants as M23 combatants. Other witnesses recounted the testimony of the woman who survived the attack, who identified the attackers as M23 combatants. All of the witnesses excluded the possibility that another armed group was responsible for the attack.

The witness who attended the vigil saw the M23 combatants and heard them address the crowd. He claimed they were all Rwandans.

Motive for the attack

Witnesses could not explain what motivated the attack by M23, as there was no fighting between FDLR and M23 in the vicinity of Kazaroho. FDLR elements were still camped in Virunga National Park around Kazaroho but avoided confrontation with M23 and always retreated at the news of M23 approaching.

A witness who was present when the attack began saw the M23 combatants approaching and catching people one by one, killing them mostly with bladed weapons, and only shooting those who intended to flee. The witness did not see any FDLR combatants and did not witness any armed confrontation between FDLR and M23, neither before nor after the killings.

²⁹⁵ She was the only injured victim who survived the attack.

Witnesses speculated that M23 may have returned to ambush FDLR and their dependents, knowing they might be there during harvest, as earlier in the year M23 had burned down an entire neighbourhood in Kazaroho but did not find anyone there. A local resident confirmed that some of the houses belonged to FDLR combatants, such as “chez Docta” and “chez Mbangu”, but other houses belonged to civilians. M23 burned down all the houses in the area, without distinction. According to these witnesses, M23’s intention was to exterminate all FDLR members, and thus killed everyone without distinction.

Conclusion

The Group notes that the *modus operandi* of the attack carries the traits of a targeted revenge attack, with the intention of killing without distinction. This is supported by the fact that women and small children were also killed with bladed weapons, and several victims were found with arms tied, suggesting they were executed.

The Group recalls that international humanitarian law and international criminal law, based on the fundamental principle of distinction between civilians and combatants, prohibit the act of intentionally directing an attack against the civilian population as such, or against individual civilians not taking direct part in hostilities, and provides that in case of doubt as to the status of a person, that person shall be considered to be a civilian. The acts perpetrated by M23 at Kazaroho may thus constitute a war crime and are sanctionable acts under the UN sanctions regime.

Annex/Annexe 43:

Rapes perpetrated by M23 in areas under their control

Viols perpétrés par le M23 dans les zones sous leur contrôle

The Group interviewed 12 rape survivors separately, one by one, all internally displaced by the M23 crisis and living in the IDP camp at Kanyaruchinya, near Goma. The women reported being gang raped in areas that were, at the time, under M23 control, by men wearing military uniforms. The women all sought assistance at a medical centre in Kanyaruchinya after their rape. Medical staff confirmed that similar cases had been reported during the same period (from November 2022 to January 2023), in circumstances and locations that corroborate the narrative given by the victims.

A summary of the evidence provided by each of the 12 sexual violence survivors²⁹⁶ is included here below.

- (1) A 30-year-old Hutu woman from Rugari had fled her home when M23 occupied the town and since then has been living in the IDP camp at Kanyaruchinya. When the Kenyan contingent (EACRF) announced that M23 had withdrawn from Rugari, she decided to return to her village to search for food and some household items. In her recollection, it was sometime in December 2022. Upon her arrival in Rugari, she was attacked by two men who removed the infant she was carrying on her back and tied her arms behind her back. The two men took turns raping her. After they finished, they threatened to kill her if she denounced their deed. She saw many other soldiers hidden not far from them, in the bush. Fearing for her life, she returned to the IDP camp. Her baby was not harmed.

Description of the perpetrators: The perpetrators were dressed in Rwandan military uniforms, different from the Congolese military attire. They wore complete military uniforms and combat helmets. Both carried “big weapons.” They spoke Kinyabwisha, the language spoken by the Hutus. She believed the perpetrators were Rwandans.

- (2) A 30-year-old Hutu woman had fled her home in Rumangabo when M23 attacked, launching bombs from the surrounding hills. She took refuge in Kanyaruchinya, where she recently gave birth. She recounted that two months after giving birth she heard it was safe to return to Rumangabo. She did not remember the month of the incident, but mentioned it was shortly after the “liberation” of Kibumba from M23. Her husband sent her to Rumangabo to harvest bananas. When she arrived, three men broke into her home, threw her on the ground, placed her baby aside, and two took turns raping her. They threatened to kill her if she refused. She began bleeding profusely after the second man had raped her, so the third one refrained from raping her. She recalled that her baby did not stop crying while the men were raping her, but they did not harm the baby. They left her bleeding in the house.

Description of the perpetrators: She said that the three men spoke Kinyarwanda, and believed they were Rwandans because they spoke with a different accent. They were armed and wore Rwandan military uniforms.

After the rape, she returned to Kanyaruchinya and went to the hospital, where she received medical treatment. Her husband rejected her after this incident.

²⁹⁶ Their identities are known to the Group, but their names are withheld to protect their security and dignity.

- (3) A 20-year-old Hutu woman was raped in similar circumstances, when she returned to her land in Rumangabo to harvest some manioc. She believed that M23 had already retreated from Kibumba and it was safe to return. Three men approached her in the fields in Rumangabo and asked what she was doing there. They threw her on the ground, undressed her and took turns raping her, in the middle of the fields. When they had finished, they left. They threatened to find her and kill her if she reported the incident.

Description of the perpetrators: The men had approached from behind and masked her eyes with a handkerchief, so she was unable to look at them. She heard them speak the Kinyarwanda language “from Rwanda.” She said she could tell the difference between the dialect spoken in Congo and the one spoken in Rwanda.

She spent the night in her house in Rumangabo and recalled that the town was deserted. The next day she returned to Kanyaruchinya and sought medical help at the medical centre in the camp.

- (4) A 40-year-old woman returned to Rugari in December in search of food. She was told that M23 had already left. When she arrived in Rugari, she found that her house had been burned down. She decided to harvest some beans before returning to the IDP camp. She stumbled upon two men in uniforms. They both raped her, in the middle of the fields.

Description of the perpetrators: She did not pay much attention to their appearance but remembers that they were wearing military uniforms, combat helmets and were armed. She recognized that they both spoke Kinyarwanda “from Rwanda” when they told her that if she screamed, they would kill her. She could recognize the language because she heard it spoken before.

After the rape, she returned to Kanyaruchinya and sought medical help. Her husband rejected her because of the rape.

- (5) A 20-year-old woman was raped by three men when she returned to Rumangabo in search of food. She did not recall the date but “it was not long ago” (NB: the interview took place in January 2023). She was ambushed in her house, thrown on the ground and the men took turns raping her. They threatened to kill her, but she begged for mercy. After they finished, they told her to take what she came for and to leave immediately.

Description of the perpetrators: The three men wore rain ponchos and military pants. She recalled that it was raining heavily. The men spoke Kinyarwanda “from Rwanda;” she recognized that it was not the language spoken in Congo.

After the incident, she returned to Kanyaruchinya through the bush, avoiding the main road and villages. She sought medical help at the local hospital.

- (6) A 29-year-old woman returned to Rugari in December 2022, after being told that the road was “liberated” from M23. She intended to harvest some crops and thereafter return to Kanyaruchinya. While she was in the fields, she stumbled upon two soldiers who asked her what she was doing there and why was she not returning to live in Rugari. One of the two, who appeared to be a chief, raped her, while the other stood guard.

Description of the perpetrators: The two men spoke Kinyarwanda, in a dialect that the victim could not fully understand. They were very well-equipped including helmets and bullet-proof vests, and armed.

She returned to Kanyaruchinya and received medical attention from the local health centre. She did not tell her husband what had happened to her.

- (7) A 17-year-old girl was sent by her parents to the fields around Kibumba to look for food, as they were suffering from hunger in the IDP camp. She did not remember the date, but she did recall it was after the announcement that M23 had officially withdrawn from Kibumba. Along the road in Kibumba, in the bush, she was caught by four men wearing military uniform. Two of them held her down, gagged her so she could not scream, while two others took turns raping her.

Description of the perpetrators: she recalled that the men were wearing full military uniforms and combat helmets. She believes they spoke Kinyarwanda “from Rwanda,” because she could not understand everything.

After the rape, she walked back to Kanyaruchinya, carrying her luggage on her back, where she went to seek help at the medical centre.

- (8) A 22-year-old girl returned from the IDP camp in Kanyaruchinya to Rumangabo, in search of food. She recalled that it was still during the period when M23 was in control of Rumangabo, had not yet handed over the camp to the Kenyans, and M23 was still in Kibumba. Upon arrival at the fields, she met two soldiers dressed in military uniforms. They threatened to shoot her if she attempted to flee. One of them raped her.

Description of the perpetrators: The soldier who did not rape her told her that he recognized her from his previous time in Congo, in 2013, because she had been kind to him. She remembered him as a Rwandan called Sadiki. She does not know where in Rwanda he was from. She remembered that in 2013, when M23 was there, Sadiki came to her house where she was selling beverages. She had offered him drinks for free. Despite recognizing her, Sadiki did not stop the other soldier from raping her. She claimed that the other man was also Rwandan because their language was different than the languages spoken in Congo.

She returned to Kanyaruchinya and went to the hospital for assistance.

- (9) A 55-year-old woman was raped in her home in Rugari in December 2022, when she returned to search for food. She was ambushed by six men wearing uniforms inside her house. She was beaten, the men kicked her with their feet to force her to the ground. Four of them took turns to rape her, and only stopped when she began bleeding profusely. The other two refused to rape her. They shouted at her, asking why they [women] go there knowing that they [the soldiers] do not have women? She was beaten again after she was raped, and then they left. The men came back again later, telling her to stay because they needed women, after such a long time spent in the bush.

She spent two days in her house, bleeding, before she could gather strength to walk back to Kanyaruchinya. She walked leaning on a stick as she was in pain. She returned to Kanyaruchinya where she spent a day in the hospital. Her husband rejected her because she was raped.

Description of the perpetrators: The men were all dressed in Rwandan military uniforms, that she knew well because she had seen those uniforms before. They all wore helmets and bullet-proof vests. They spoke Kinyarwanda “from Rwanda;” she could recognize the difference as the Kinyarwanda spoken in Congo was very different.

- (10) A 35-year-old woman was raped in November 2022, as she was fleeing her hometown of Rumangabo. She wanted to collect some food from the fields before leaving. She was attacked by five soldiers who all took turns raping her. They threatened to kill her if she screamed.

She bled profusely from her injuries. She could not walk so she spent the night in Kibumba, before reaching Kanyaruchinya. Her husband abandoned her and she has not seen him since. She was left alone with her six children.

Description of the perpetrators: She identified the perpetrators as M23 combatants who were coming from Nyesisi. It was war and everyone knew that M23 was there. The men were very tall, wore identical ponchos and combat helmets. They spoke the “Rwandan language.” She identified them as Tutsis from Rwanda, because the “tonality” of Congolese Tutsi was very different. She explained that in Rugari and Rumangabo the people spoke the same language, whereas in Rutshuru, in Jomba and Busanza the locals spoke Kinyarwanda, similar to the one spoken by Rwandans but with a different accent.

- (11) A 35-year-old woman from Rumangabo, living as an IDP in Kanyaruchinya, returned in December 2022 to Rumangabo to search for food. She heard that FARDC soldiers had taken control of Rumangabo and it was safe to return. She did not know whether the Kenyans were there. On the way back, she met a group of armed men who ordered her to get undressed. She had a child on her back, they told her to put her child on the ground. They were in a group, two raped her while the others were watching. They beat her and threatened her. After they finished, they told her to leave quickly and not to say anything to anyone.

Description of the perpetrators: The soldiers were armed, wore black ponchos and green berets, and spoke Kinyarwanda.

She returned to Kanyaruchinya on foot. She arrived with her feet swollen and went straight to the hospital. She said she preferred dying rather than returning to Rumangabo while M23 were there.

- (12) A 40-year-old woman, living at the IDP site in Kanyaruchinya, reported that she was raped by uniformed men in the vicinity of the Nyiragongo volcano, on 27 December 2022, when she went, in the company of 12 other women, to gather firewood. She was raped by two men, while another group of men chased after the other women. After the incident she met some of the other women at the hospital, where they realized that they had all been raped on the same day. She knew the other women as they all lived in the IDP camp.

Description of the perpetrators: The perpetrators wore full military uniforms, different from those of FARDC soldiers. They wore knee-protection, bullet-proof vests, helmets and balaclavas, and only their eyes were visible. They were armed and spoke Kinyarwanda, but not the dialect spoken in Congo. They told her “You are beasts, you are all going to die here, why don't you go home?”, and afterwards they let her go.

Annex/Annexe 44:

Rapes by M23 combatants after the takeover of Bambo town on 21 November 2022

Viols commis par les combattants du M23 après la prise de la ville de Bambo le 21 novembre 2022

The Group received concordant testimonies reporting a spike in rape cases after the takeover of Bambo town by M23. A local leader informed the Group that prior to the arrival of M23, only two rape cases per year were registered in Bambo, whereas between 21²⁹⁷ and 29 November 2022, M23 combatants raped at least 20 women and girls, including minors (i.e. younger than 18 years). A local resident who assisted sexual violence survivors confirmed the sudden increase in cases coinciding with the arrival of M23 in Bambo.

The Group interviewed three women who were gang raped by M23 combatants in Bambo. Their testimonies, including terminology used by the women, are summarized here below.

(1) Young woman, native of Bambo, mother of seven children

She was living in the Chuna neighbourhood of Bambo. Her husband fled before the arrival of M23. She was sheltering in her home with her children when M23 arrived and took control of Bambo after a brief combat against FARDC forces, who quickly fled.

Soon after the fighting ended, M23 soldiers entered her house and asked about the whereabouts of her husband. She told them she did not know where he was. They then forced her into a room and took turns raping her. The one who seemed to be their commander was the first to rape her, telling the others to wait their turns. Two other combatants took their turn to rape her afterwards. When they all finished, they left, without harming the children. The same day, M23 called for a general meeting with the population in the centre of the village, so she took advantage of the distraction to go to the medical centre for treatment, where she spent two nights receiving medical care. A week after leaving the hospital, she took her children and fled Bambo, taking refuge in another region that was not controlled by M23.

Description of the perpetrators: She recalls that the M23 combatants all spoke Kinyarwanda, a language that she did not understand. She deduced from the context what they were saying. She could distinguish the Kinyarwanda spoken in Congo from the Kinyarwanda spoken in Rwanda and claimed that the combatants were all Rwandan. Their commander was very tall and carried a stick in his hand. They all wore military uniforms, like those worn by soldiers in Rwanda. She had seen the same uniforms at the border with Rwanda. They all carried weapons.

(2) 22-year-old, native of Bambo

She is a native of Bambo and was living in the Chuna neighbourhood when M23 arrived and took control of the town, in November 2022. As there was a lot of shooting in town, she took refuge in another more solid house with six other women.

They could still hear shots being fired when twelve M23 combatants entered the house. They asked the women where their husbands were, and the women all answered that they did not know. The combatants asked the women to undress and lie down on the floor. They then began raping them, each taking a woman. When one finished, others took their turns. All 12 men took their turns raping several women. All women were raped by several men. When they finished,

²⁹⁷ M23 took control of Bambo on 21 November 2022.

the women could not even walk from their injuries. Someone found them in the house and called for help to carry them to the hospital. She did not remember how long she spent at the hospital. She was the youngest of the six women who were raped. She was four months pregnant with her first child but lost the pregnancy due to the injuries sustained from the rapes.

Description of the perpetrators: She identified the perpetrators as M23 combatants, Rwandans who “did not resemble the Congolese.” They were different from FARDC soldiers who spoke the local language. The M23 combatants spoke Kinyarwanda. She could identify the difference between the Kinyarwanda spoken in Rwanda and the one spoken in Congo. The combatants did not speak “like Congolese.”

(3) 19-year-old girl, native of Bambo

She recalls that M23 took control of Bambo sometime in November 2022 but does not recall the exact date. She fled the town a week after it was taken over by M23 and went to Kisheshe. She had spent one night in Kisheshe, when she heard gunshots and rumours that M23 were returning to Kisheshe. She thus decided to return to Bambo.

On the road between Kisheshe and Bambo, she saw many combatants, as they were trying to enter Kisheshe. M23 elements stopped everyone at the checkpoint and confiscated money and phones they found on passers-by. She was also stopped and searched, like everyone else. Women who passed the checkpoint were “profiled”, told that “you are the wife of a Nyatura, you the wife of a FDLR, you the wife of a FARDC.” She was told she was a “Nyatura wife” because of her braided hair. Two combatants took her aside and led her into a nearby banana plantation. They told her to undress and took turns raping her. After they finished, they left her there without saying a word.

She returned to Bambo and went to the hospital where she spent three days. She did not want to see M23 anymore, so she decided to leave Bambo. She spent two months on the road until she reached an area that was not controlled by M23.

Description of the perpetrators: The combatants who raped her spoke Kinyarwanda, a language that she understood a little. They were not from the region – she believed they came from Rwanda, because they spoke Kinyarwanda, were all tall and wore uniforms like those worn by Rwandan soldiers. She explained that she saw M23 combatants dressed in three types of uniforms: those similar to the FARDC uniforms, the Rwandan uniforms, and others [different type].

Annex/Annexe 45:

Systematic use of forced labour or “Salongo”²⁹⁸ by M23

Utilisation systématique des travaux forcés ou « Salongo » par le M23

M23 publicly acknowledged the use of mandatory community service or “Salongo” in areas under its control. M23 published propaganda messages on its official Twitter account about the good collaboration of the local population who, they claimed, voluntarily participated in “Salongo.”



Above: Screenshot of a publication on the official Twitter account of M23, M23RDCONGO “@M23_ARC”, on 2 December 2022

English translation of the text: “Here is what happens in the areas under the control of M23_ARC, the military working together with the population. M23_ARC never targeted the civilian population. Such allegations are made by those who do not want peace, with the sole purpose of pitting communities against each other”

²⁹⁸ Traditionally, communities in North Kivu gathered to undertake “Salongo” for the common interest of the community.

However, multiple sources and corroborated testimonies of residents living in areas occupied by M23 reported to the Group that such community work was systematically imposed by M23 on the local population, for the sole interest of the M23 movement, not for the interest of the community. Participation was forced under threat of severe punishment, and in fact amounted to forced labour. Those who refused were severely punished, detained and beaten, and sometimes killed. Most often, local men were forced to do “Salongo” by transporting goods, including supplies and ammunition, to M23 camps/positions over long distances. Multiple sources reported that scores of men were forced to carry goods over long distances, and upon arriving to their destination they were executed (see above annex 38 on summary executions). Witnesses also gave examples of men who were taken by force to carry out “Salongo” and disappeared without a trace.

The Group interviewed several sources who were victims of forced labour or “Salongo”.

Case 1

A resident of Tongo, victim of forced labour imposed by M23, explained how the system of “Salongo” functioned. M23 instructed village chiefs to issue convocation for “Salongo”. M23 then used the men to transport goods to a given location, where they were given a token (“jeton”) upon arrival. They had to keep it until the following Salongo, as proof that they had carried out the service. There were designated days for each type of chore that had to be carried out (for example, motorcycle drivers did Salongo on Saturdays, other residents used as porters every Friday).²⁹⁹ Trucks would bring ammunition and food from Bunagana to Rushovu. From Rushovu, porters – in large numbers – would transport the goods to Murimbi, where a large M23 camp was located. Each group was made up of approximately 40 porters. The porters were always accompanied by military escort. The witness was forced to transport boxes of ammunition to Murimbi, where he was given a token and allowed to return home. Along the road, the tokens had to be presented at M23 checkpoints. Those who had lost their tokens or did not have one, were often severely beaten. The local chief had to intervene to vouch for the person to be allowed to return home. The source witnessed many civilians getting severely beaten by M23.

Case 2

Another victim of forced labour, resident of Rushovu, was forced to transport M23 baggage from Rushovu to Rushege. He does not know what was in the baggage. He did “Salongo” twice, other times he hid for an entire week to escape the ordeal of walking very long distances, carrying heavy loads. He explained that M23 mistreated civilians and forced every male resident, 15 years or older, to carry out “Salongo.” Some were used as porters, others had to work in the fields or build roads. He confirmed that tokens were given after the execution of the “Salongo.” Participation was forced, and those who refused were severely beaten. He saw many civilians being punished.

The Group notes that such acts amount to inhumane treatment and torture, a serious violation of international human rights law, and a violation of the sanctions regime.

²⁹⁹ Confirmed by another source from Tongo.

Annex/Annexe 46:

Lists showing the recruitment of combatants by armed groups in North Kivu

Des listes montrant le recrutement de combattants par les groupes armés au Nord-Kivu

LES RECRITEMENTS DE NDOR DES JEUNES GARÇONS
DANS LES DIFFÉRENTS VILLAGES ET
LA LOCALITÉ EN TERRITOIRE DE
WALIKALE

1 Village pinga: 50 jeunes	NB Tous les villages se trouvent dans les groupement Kisimba territoire de Walikale secteur de Wamanga mais dans les différents localités au Village nous avons la localité au Village.
2 Village Burayi: 20 jeunes	
3 Village Katdoi: 11 jeunes	
4 Village mpeky: 20 jeunes	
5 Village mindjende: 13 jeunes	
6 Village Kelonge: 40 jeunes	
7 Village munsanga: 25 jeunes	
8 Village Bukonde: 20 jeunes	
9 Village mecha: 23 jeunes	
10 Village minova: 15 jeunes	
11 Village Besse: 12 jeunes	
12 Village mpomfi: 16 jeunes	
13 Village Kalinga: 14 jeunes	
14 Village Buhimba: 9 jeunes	
15 Village Kiyoti'kino: 8 jeunes	
16 Village misinga: 18 jeunes	
TOTAL: 305 jeunes	

RECRITEMENTS DE APCLS DES JEUNES GARÇONS
à MASISI

1 Village Bihendu: 25 jeunes	NB Tous c'est Villages se trouvent dans le groupement Bashali mupoto dans la localité Bishimbo, Kalembe et mureso toujours dans le territoire de masisi
2 Village Nsanganano: 15 jeunes	
3 Village Kalembe masisi: 60 jeunes	
4 Village Kashuga: 30 jeunes	
5 Village mureso: 70 jeunes	
TOTAL: 200 jeunes	

RECRITEMENTS DENYATURA BICATSO

1. Village matenge: 10 jeunes par force
2. Village mukanga: 8 jeunes par force
3. Village Bujundu: 3 jeunes
4. Village nyuba: 7 jeunes
5. Village Kazuba: 15 jeunes
6. Village Rugara: 20 jeunes
7. Village munda: 25 jeunes
8. Village mabeshe: 15 jeunes
9. Village masingi: 9 jeunes
10. Village Hagama: 23 jeunes
11. Village Kashesha: 12 jeunes
12. Village Burongo: 12
13. Village Bulindu: 6 jeunes
14. Village Ihula: 30 jeunes
15. Village mashuo: 27 jeunes
16. Village masiza: 14 jeunes
17. Village Bwasha: 12 jeunes

NB

Tous c'est Village
se trouvent dans
le groupement Kisi-
mba, Territoire de
Walikale dans la loca-
lité Nyuka et dans
la localité Bulindu.

TOTAL : 241 jeunes

Documents provided to the Group by a combatant, member of the ARP coalition

Annex/Annexe 47:

Documents showing positions of armed groups part of the ARP coalition, and of FARDC

Documents montrant les positions des groupes armés membres de la coalition ARP, ainsi que les positions des FARDC

les places occupées par les groupes armés

① les places occupées par le M23

- Nyamilima
- Rutshuru - (DR)
- Ishuka

1. Ki Shishi : M23	9) Kazi Rimo : M23	ap - Rugeri
2. Kahumira : M23	10) Karto : M23	ap Kinyari
3. Tongo : M23	11) Bambu : M23	ap Butsa
4. Bishusha : M23	12) Ngerere : M23	ap Bouzenga
5. Bwiza : M23	13) Buhamba : M23	ap Bukuma
6. Kabale Kasha : M23	14) Kutalo : M23	ap Binga
7. Bwiza : M23	15) Ruchuku : M23	ap Bwiza
8. Kitchunga : M23	16) Mubenga : M23	ap Bukuma
17) Kiwangya : M23	18) Katale : M23	ap Bwiza
18) Rubare : M23		

② les places occupées par NDCR

1. Mureso NDCR	5) Kalinga NDCR
2. Kalembe NDCR	6) Buhimba NDCR
3. mpety NDCR	7) Kya chikiro NDCR
4. mpamfu NDCR	8) Nyamulere NDCR
10) Rusambambo NDCR	9) Kalongo : NDCR
11) Bukumbura NDCR	13) Mukaka NDCR
12) Pinga katanga NDCR	14) Misoke NDCR
16) mutongo NDCR	15) Kaseke NDCR
17) Bukucha NDCR	21) Majengo NDCR
18) Malimongi NDCR	22) Munzowa NDCR
19) Irameso NDCR	23) Dhinja NDCR
20) Bisi Basirwa NDCR	24) Munzanga NDCR
26) Kisame NDCR	25) Besse NDCR
27) Misau NDCR	28) Kibua NDCR
	29) Rungoma Ebat Mayoro
	30) Bukucha wali Kalo NDCR

6 les places occupé par les mai mai commando Mzembe suite N°2

- 1) mine état major mai mai commando.
 - 2) Kashalira : mai mai commando
 - 3) somikivu mai mai commando
 - 4) Kibingu mai mai commando
 - 5) Kibinzi mai mai commando
 - 6) mutanda mai mai commando
 - 7) Kative mai mai commando
- à Ruchuru
Bwito

7) les places occupé par le FARDC

- | | |
|---------------|--------------------|
| 1) Kilolirwa | 7) Kalembe |
| 2) Rushabeshe | 8) Kanguru Katsini |
| 3) Miveso | 9) Nyanzala |
| 4) Muongozi | 10) Kasoko |
| 5) Miveso | 11) Kihondo |
| 6) Kashuga | 12) Kikuku |
| 13) Kibinzi | 13) Kibingu |
| 14) Mine | 14) Pinga |
| 15) mpety | 15) Malemo |
| 16) Rwindi | |

8) les places occupé par le Nyatuna Jean Mwa

- | | |
|------------|-----------------|
| 1) Kimumbu | 8) Kikohwa |
| 2) Bibwe | 9) Luhanga |
| 3) Nyanze | 10) Binhi |
| 4) Kikuye | 11) Kabuze |
| 5) mpati | 12) Kahongoboka |
| 6) Mihara | 13) Kingana |
| 7) Hembe | |

3) les places occupées par le myatuna de Bigabo

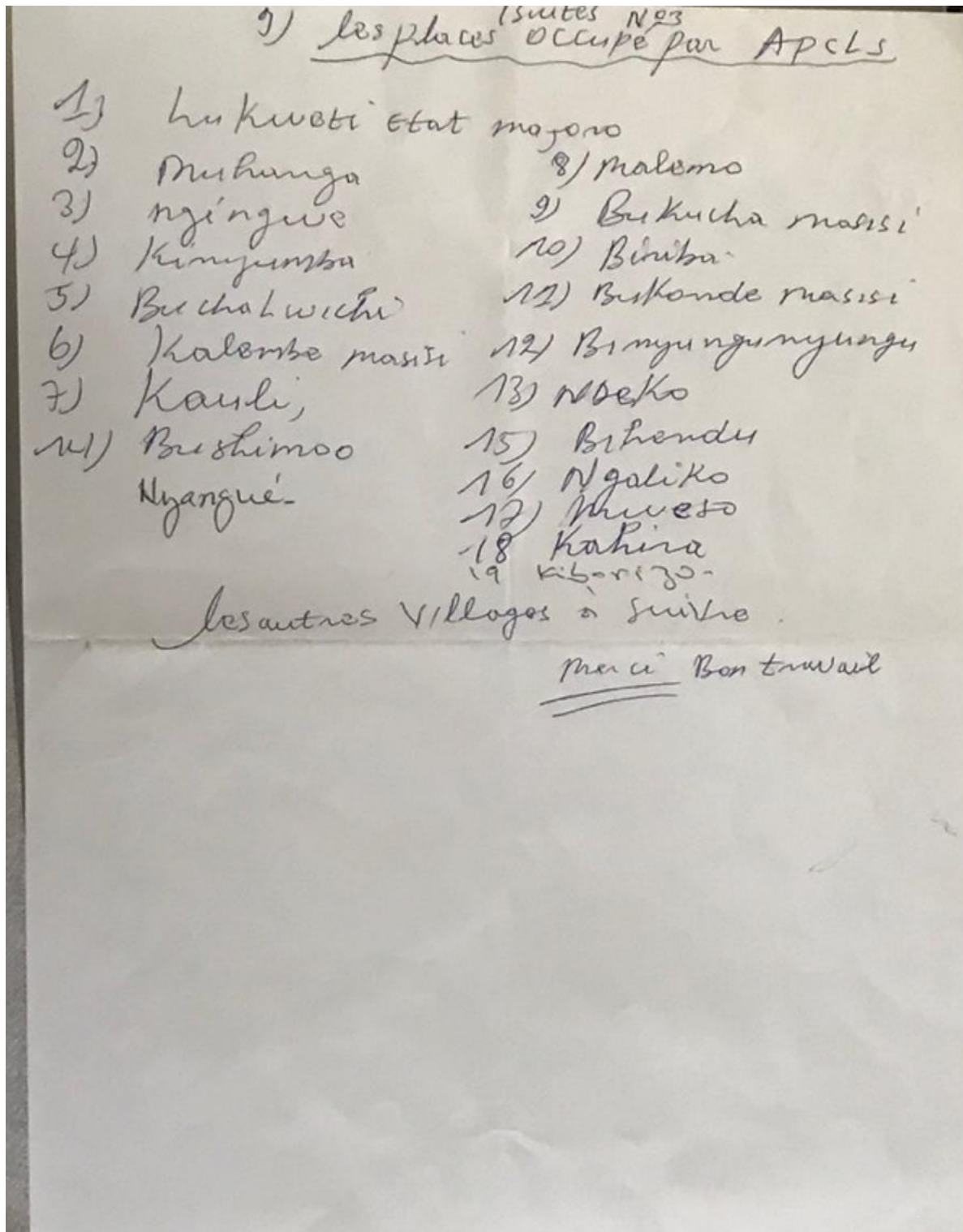
- 1) Village mwanzi Nyatuna Etat majoro.
- 2) Village chaala Nyatuna bigabo - Birumale
- 3) Village mukole Nyatuna bigabo - Fongga.
- 4) Village Tihula Nyatuna bigabo - Nuzikubira
- 5) Village Bulindi Nyatuna
- 6) Village Katobo Nyatuna
- 7) Village Bulindi
- 8) Village Buronga
- 9) Village Kashasha
- 10) Village Matenge
- 11) Village Mshanga
- 12) Village masinzi
- 20) Village Nguba
- 21) Village masiza
- 23) Village mabosha
- 24) Village hagama
- 25) Village munta
- 26) Village Rugora
- 27) Village mashuo
- 28) Village Bwasha
- 29) Village Bufunshi
- 22) Village Kasusu

4) les places occupées par Nyatuna domy plus FOLR

- 1) Kihondo domy
- 2) Kasofa domy
- 3) Kausiru domy & FOLR Etat majoro
- 4) JTN domy & FOLR
- 5) Partie de Bumbu domy & FOLR
- 6) une partie de Tongo domy & FOLR.

5) les places occupées par FPP / Kibido

1. MBwavingwa Etat majoro
2. Bulensa FPP
3. minku FPP
4. Chambuli, FPP
5. Kilambo FPP
6. Kuteke FPP
- 7) ~~Kilambo~~ FPP - Lusowa
- 8) Kamune FPP
- 9) Echembe



Documents provided to the Group by a combatant, member of the ARP coalition

Annex/Annexe 48:

Decision of 29 March 2023 regarding the PARECO/FF Leadership

Décision du 29 mars 2023 concernant le commandement de PARECO/FF



Document provided to the Group by a combatant

Annex/Annexe 49:

NDC-R leader Guidon and FARDC Colonel Tokolonga in Kitchanga in December 2022

Le chef du NDC-R Guidon et le Colonel Tokolonga des FARDC a Kitchanga en décembre 2022



Screenshot of a video showing sanctioned NDC-R leader Guidon (on the left) and FARDC colonel Tokolonga (in the middle) provided to the Group by a civil society source

Annex/Annexe 50:**Additional information regarding the reshuffled FARDC command in North Kivu as of March 2023****Eléments supplémentaires concernant le commandement remanié des FARDC au Nord Kivu, March 2023**

Between January and March 2023, there were some changes in the military command of North Kivu. The commanders assigned with new responsibilities are as follows (see also [S/2022/967](#), annex 50):

- Operations Commander and Governor: Lieutenant-General Constant Ndimba, replacing General Marcel Mbangi;
- Commander of the 34th military region: Major-General Bruno Mpezo Mbele;
- Sukola 1 Sector Commander, Beni: Major-General Maloba Kasongo;
- Sukola 2 Sector Commander, Goma: Major-General Clément Bitangalo.

Annex/Annexe 51:

DRC Government drafted law on FARDC Reserve Defence Force

Projet de loi sur les forces de réserve des FARDC

REPUBLICQUE DEMOCRATIQUE DU CONGO



Gouvernement de la République

LIVRE BLEU N° 249
GALLERIE



ASSEMBLEE NATIONALE
CABINET DU PRESIDENT
SECRETARIAT
N° d'Enreg. 2023
Exp. 18 APR 2023
Heure
Signature

PROJET DE LOI N°...../.....DU.....2023 INSTITUANT LA RESERVE ARMEE
DE LA DEFENSE EN REPUBLIQUE DEMOCRATIQUE DU CONGO

ASSEMBLEE NATIONALE
CABINET DU RAPPORTEUR
N° d'Enreg. 190 4170
Enreg sous le N° 42390
Heure 15h40
Signature

Avril 2023



EXPOSE DES MOTIFS

La nécessité d'assurer la protection de la souveraineté, de l'intégrité territoriale de la République Démocratique du Congo ainsi que la défense des intérêts supérieurs de la Nation, a conduit le parlement à adopter la loi organique N°11/012 du 11 août 2011 portant organisation et fonctionnement des forces armées, en application de l'article 122 point 15 de la Constitution, et promulguée par le Président de la République.

Cependant, la loi organique susvisée ne prévoit pas la création d'un corps de réservistes au sein des FARDC.

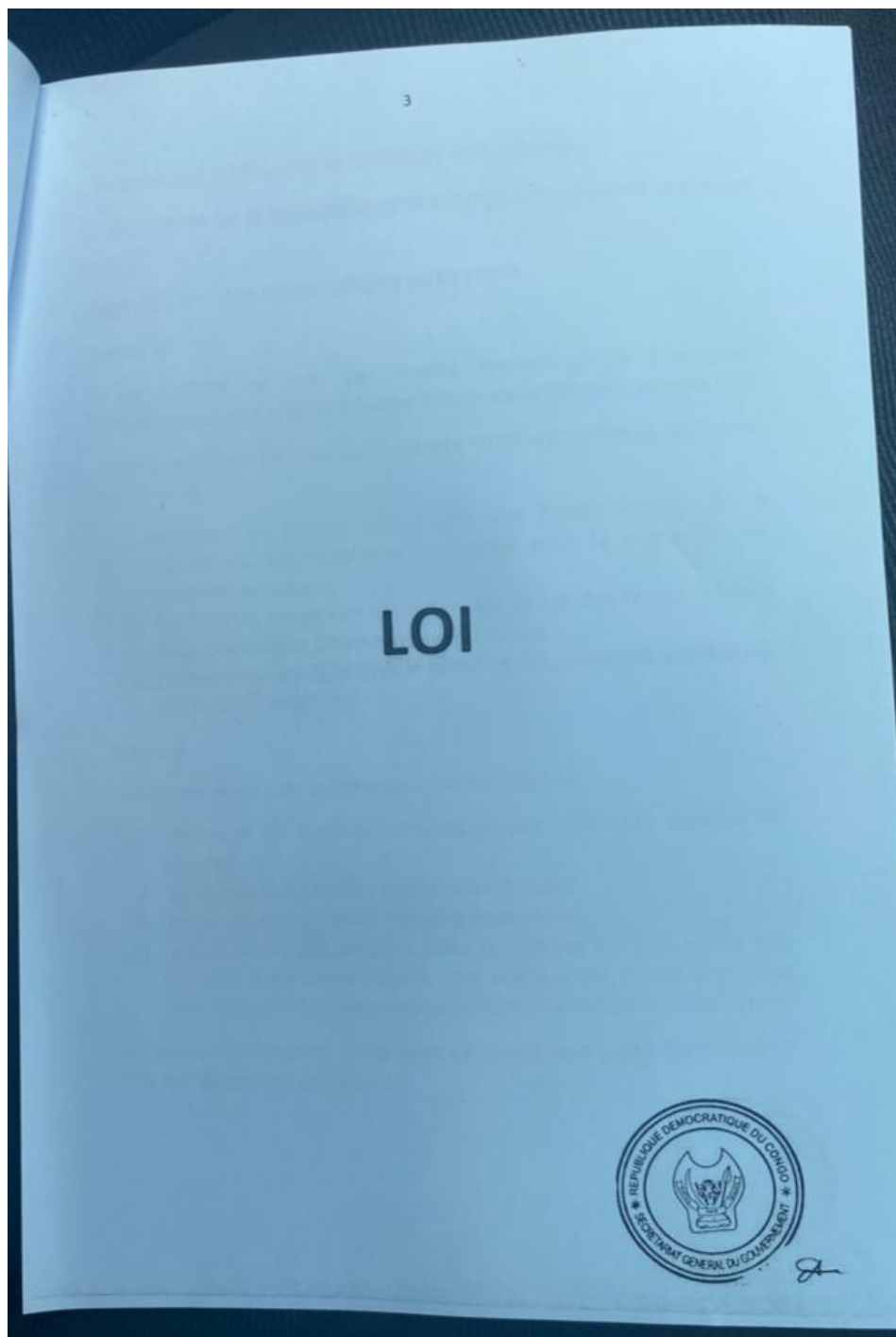
Or, toute armée qui se veut professionnelle et républicaine doit avoir en son sein un corps des réservistes, pouvant venir en appui aux forces armées aussi bien en temps de paix qu'en temps de guerre.

A cet effet, dans le souci de mettre fin aux agressions récurrentes auxquelles le pays est confronté, et pour mieux renforcer la protection de sa souveraineté et de son intégrité territoriale par la participation de tout Congolais conformément aux articles 63 alinéa 1^{er} et 64 alinéa 1^{er} de la Constitution, la création d'une réserve armée de la défense nationale s'avère impérieuse. Cela aura le mérite d'entretenir l'esprit de défense de la Patrie et de renforcer le lien entre la Nation et ses citoyens.

Face aux agressions répétées que connaît le pays, ayant notamment conduit à la proclamation de l'état de siège sur une partie de la République, il y a lieu d'instituer la Réserve Armée de la Défense en République Démocratique du Congo.

Telle est l'économie de la présente loi.





L'Assemblée nationale et le Sénat ont adopté ;

Le Président de la République promulgue la loi dont la teneur suit :

CHAPITRE 1^{er} : DES DISPOSITIONS GENERALES

Article 1^{er}

Il est institué au sein des Forces Armées de la République Démocratique du Congo la Réserve Armée de la Défense, en sigle RAD.

La Réserve Armée de la Défense est une structure nationale qui a pour missions de :

1. Apporter un renfort temporaire aux Forces Armées de la République Démocratique du Congo pour la protection du territoire national ;
2. Participer à un service quotidien des unités des Forces Armées de la République Démocratique du Congo ;
3. Donner une expertise dans le domaine des armées et autres pour des besoins ponctuels.

Article 2

La Réserve Armée de la Défense est composée de :

1. militaires de carrière retraités et des différents services de sécurité ;
2. démobilisés du service militaire obligatoire ;
3. démobilisés du service militaire contractuel ;
4. volontaires civils engagés dans la défense du pays et de son intégrité territoriale face à une menace ou à une agression extérieure conformément aux articles 63 et 64 de la Constitution.

Ils forment le Corps de la Réserve et bénéficient d'une formation et d'un entraînement spécifiques.



CHAPITRE 2 : DES CONDITIONS D'ADMISSION

Article 3

Pour être admis à la Réserve Armée de la Défense, il faut :

1. être de nationalité congolaise ;
2. être âgé d'au moins 18 ans ;
3. avoir une bonne aptitude physique et jouir d'une bonne moralité ;
4. n'avoir pas été condamné pour crime de guerre, crime contre l'humanité ou génocide.

CHAPITRE 3 : DE LA PERTE DE QUALITE

Article 4

La qualité de membre du Corps de la Réserve Armée de la Défense se perd par :

1. déchéance de la nationalité congolaise ;
2. démission acceptée ;
3. révocation pour violation des lois et règlements militaires ;
4. incapacité physique et/ou mentale déclarée ;
5. décès.

CHAPITRE 4 : DE L'ORGANISATION ET DES ATTRIBUTIONS

Article 5

Sans préjudice de la Loi organique portant organisation et fonctionnement des Forces armées de la République Démocratique du Congo, les règles d'organisation et de fonctionnement de la Réserve Armée de la Défense sont fixées par Ordonnance du Président de la République, délibérée en Conseil des ministres, sur proposition du Ministre ayant la défense nationale dans ses attributions.



CHAPITRE 5 : DU TRAITEMENT**Article 6**

Les membres admis à la Réserve Armée de la Défense bénéficient, pendant la durée de leur prestation, du solde et des avantages prévus pour les éléments des Forces Armées de la République Démocratique du Congo.

Le ministre ayant dans ses attributions la défense nationale tient un registre de membres du Corps de la Réserve Armée de la Défense, renouvelable tous les 5 ans.

CHAPITRE 6 : DU REGIME DISCIPLINAIRE**Article 7**

Pendant la période de prestation, le membre du Corps de la Réserve Armée de la Défense est soumis à la discipline militaire, aux lois et règlements militaires.

Article 8

Au terme de sa prestation, le membre du Corps de la Réserve Armée de la Défense réintègre la vie communautaire, après une formation de réinsertion.

Il ne peut perdre ni son travail ni les avantages y afférents pour avoir servi comme membre de la Réserve Armée de la Défense.

CHAPITRE 7 : DES DISPOSITIONS FINALES**Article 9**

Les mesures d'application de la présente loi sont fixées par voie réglementaire.

Article 10

La présente loi entre vigueur à la date de sa promulgation.

Fait à Kinshasa, le

2023

Felix-Antoine TSHISEKEDI TSHILOMBO



Document provided to the Group by a FARDC source

Annex/Annexe 53:

Public communiqués by M23, Rwandan authorities and Twirwaneho referring to an imminent genocide against Rwandophones**Communiqués publics du M23, des autorités rwandaises et de Twirwaneho faisant référence à un génocide imminent contre les rwandophones****(1) Official M23 comuniques referring to an “imminent genocide” against the Tutsi community****THE M23 OFFICIAL COMMUNIQUE OF NOVEMBER 22nd, 2022**

The M23 Movement Directorate presents its gratitude to the East African Community, African Union, United Nations and the whole of international community for their endless efforts to find a peaceful resolution to the ongoing conflict in the Eastern part of the Democratic Republic of Congo.

Despite all the efforts by the regional leaders, the DRC Government has shown its unwillingness to restore peace in our country by totally ignoring the international community calls for a political dialogue and its continuous attacks on all M23 positions.

The M23 Movement informs the international community of the establishment of a new chaotic order and imminent genocide by the DRC Government as show below:

1. For instance in MASISI, the coalition has obliged all the Congolese Citizens of Tutsi ethnic to gather in medical centres and parishes. Those who will not show up at the said places will be considered as M23 members and shall therefore be killed.
2. In the villages where they are predominantly Tutsi, the FARDC have withdrawn and left on standby their allies FDLR and and MAI-MAI to do what they do best, GENOCIDE.

The M23 Movement reminds the international community that the DRC Government and its allies are using the similar methods to the ones of 1994 genocide against the Tutsi of RWANDA, perpetrated by the INTERAHAMWE (FDLR), the DRC Government's ally.

In away to implement the said genocidal plan, the DRC Government has appointed Brigadier General Mugabo Hassan in charge of operations in Masisi. One shall remember the horrendous crimes committed by the Brigadier General Mugabo Hassan, while he was in PARECO and his extreme collaboration with the FDLR.

The M23 reiterate its undertaken commitment to a direct dialogue with the DRC Government in order to peaceful resolve the ongoing conflict, however, it shall not standby and witness the slaughtering of a group of Congolese citizens.

Bunagana, November 22nd, 2022

The M23 Movement Political Spokesperson

Lawrence KANYUKA

Tél : Porte-Parole Politique +243899411093, Porte-Parole militaire +243814946907 Email : mouvementdu23mars2@gmail.com

M23 official communiqué of 22 November 2022



THE M23 OFFICIAL COMMUNIQUE OF FEBRUARY 3rd, 2023

The M23 Movement Directorate, informs the International and National community of the following:

1. The M23 Movement thanks our compatriots very much for their solidarity and for rejecting the DRC Government's hate speech and Genocide ideology. The M23 is calling upon those who have fled or still hiding from the targeted killings and ongoing Genocide to return to their homes and to carry on with their daily lives.
2. The M23 Movement, hereby, clarifies that it is not on a campaign to conquer territories, instead, finds itself obliged to intervene and stop the ongoing targeted massacres and Genocide perpetrated by DRC Government coalition and Mercenaries in broad daylight, under the total silence of the International Community.
3. The M23 implores the Region Leaders to urge President Felix Antoine TSHISEKEDI TSHILOMBO to stop his warmongering option as it continues to cause unnecessary loss of lives. The M23 believes that the ongoing conflict in Eastern DRC can be resolved peacefully through a Direct Dialogue with the DRC Government to address the root causes of the conflict in order to establish a lasting peace in our country.

Bunagana, February 3rd, 2023

The M23 Movement Political Spokesperson

Lawrence KANYUKA

Tél : Porte-Parole Politique +243899411093, Porte-Parole militaire +243814946907 Email : mouvementdu23mars2@gmail.com

Above: M23 official communiqué of 3 February 2023. In paragraph 2 it claims that “The M23 Movement [...] finds itself obliged to intervene and stop the ongoing targeted massacres and Genocide perpetrated by DRC Government coalition and Mercenaries in braod daylight...[...]”



THE OFFICIAL COMMUNIQUE OF FEBRUARY 11th, 2023

The M23 Movement Directorate, informs the International and National community of the following:

1. The M23 condemns in the strongest terms the DRC Government's irresponsible behaviour for its continued attacks against M23 positions and the blind bombing of heavily populated areas under the M23 control, including KIBIRIZI, KISHISHE, KILORIRWE, KABATI, RUVUNDA and their surroundings using its attack helicopters, fighter jets, Combat tanks, and heavy artillery. These attacks continue to cause the deaths of innocent civilians, destruction of their property, wounding, and displacing many local communities in total violation of the decisions derived from the 20th EAC Heads of State Extraordinary Summit of February 4th, 2023, held in Bujumbura. Despite the continue attacks by the DRC Government coalition and Mercenaries, the M23 reiterate its commitment to defending itself and protect the civilian population in the areas under its control and rescue those who are at risk of extermination.
2. The DRC Government has failed to implement Article 51 of the DRC constitution by continuing to spread hate speech, arbitrary arrests, targeted killing, the instauration of community apartheid and the ongoing Genocide against Congolese Tutsi as well as maintaining the conflict in KWAMOUTH and the killings of our compatriots in ITURI, NORTH KIVU and SOUTH KIVU.
3. The M23 remains committed and lends its support to the Regional Leaders' efforts to find lasting peace in Eastern DRC and we believe that a Direct Dialogue with the DRC Government is the best option to address the root causes of the ongoing conflict.

Bunagana, February 11th, 2023

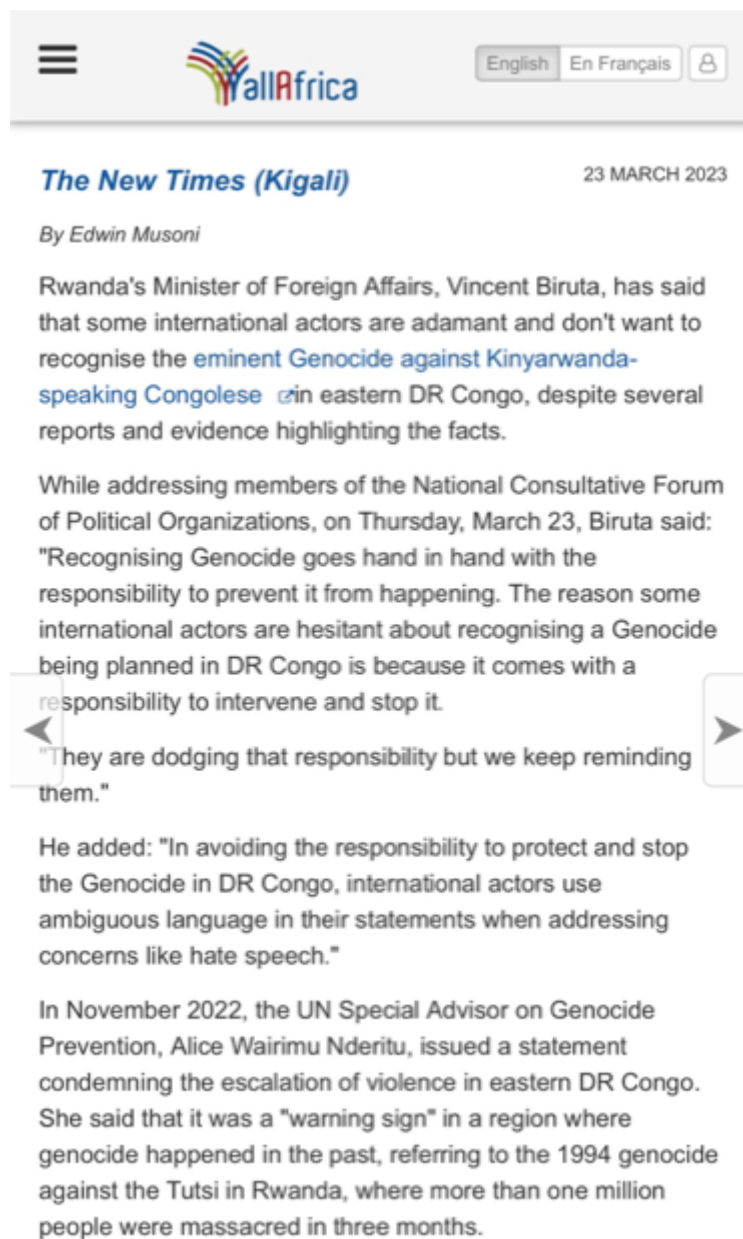
The M23 Movement Political Spokesperson

Lawrence KANYUKA

Tél : Porte-Parole Politique +243899411093, Porte-Parole militaire +243814946907 Email : mouvementdu23mars2@gmail.com

Above: Official communiqué of M23 of 11 February 2023, denouncing the ongoing “Genocide against Congolese Tutsi” and linking the different conflicts in Ituri, North Kivu, South Kivu and Kwamouth

(2) Official statements by the Government of Rwanda



Above: Excerpt from a statement attributed to Rwanda's Minister of Foreign Affairs, Vincent Biruta, denouncing an imminent genocide against Kinyarwanda-speaking Congolese in eastern DRC

(3) Statements by Twirwaneho warning of a genocide against the Tutsi and Banyamulenge



Above: [Message posted](#) on the official Twirwaneho Twitter account “@twirwaneho” on 25 November 2022

The Group notes that this was one of the first public statements in which Twirwaneho began mirroring the genocide narrative used by M23 in its public communiqués (see also paras. 142-145).



Twirwaneho
@twirwaneho

...

Nous dénonçons les actes de GENOCIDE contre les Banyamulenge, préparés et perpétrés par les @FARDC_off déployées à Minembwe.
@Presidence_RDC @AssembléeN_RDC @MONUSCO @jumuiya @GeneralNeva @fatshi13 @KagutaMuseveni @SuluhuSamia @PaulKagame @WilliamsRuto

[Translate Tweet](#)

AUTO-DEFENSE TWIRWANEHO

DENONCER LES ACTES DE GENOCIDE MENÉS PAR LES FARDC DÉPLOYÉES A MINEMBWE

Nous allétons l'opinion, tant nationale qu'internationale, des actes de génocide diligentés par les éléments de FARDC déployés à Minembwe en coalition avec les milices Mai Mai et RED TABARA

Sans prétendre être exhaustif, voyons quelques uns de ces actes commis par les FARDC récemment :

1. En date du 09/10/2022, l'assassinat par machette de l'élève de la 8ème année, MUGAZA, âgé de 15 ans.
2. En date 07/11/2022 l'assassinat de Pasteur MUZIMA BAHUNDE Par la 12ème brigade de réaction rapide des FARDC au centre de Minembwe,
3. En date du 15/12/2022, l'assassinat de Monsieur YANGABO RUTARE par les FARDC à Minembwe. Son père Rutare avait été tué par les Maimai, trois ans plus tôt.
4. En date du 20/12/22, les FARDC ont attaqué et tué Monsieur Muzungu Rusongo, dans sa maison à Muzinda /Minembwe. Muzungu était un jeune homme, membre de l'autodéfense Twirwaneho qui était venu assister à un mariage de famille. Les autorités des FARDC étaient bien invitées à ce mariage.

Ce drame se passe pendant que les assises de Nairobi 3 prônaient un cessez-le-feu.

Tous ces assassinats font suite à l'assassinat du chef de poste Abatu et de Monsieur Nkakize que les FARDC ont tué dans des circonstances pareilles et qu'ils veulent imputer à Twirwaneho par diversion.

5. Plus tôt le 16/12/22, le Col Ekembe des FARDC avait conduit une attaque des Maimai contre le village banyamulenge de Kalingi.

6. Une opération génocidaire, conjointe, fardc-Maimai-RedTabara se prépare contre les villages banyamulenge de Minembwe. Les FARDC attaqueront les villages de Marango et Kabingo, les Maimai et Red-Tabara attaqueront les villages de Gakangara, Muliza et Gakenke. Quelques arrangements maléfiques s'observent au sein de cette coalition :

- Intégration d'un commandant Maimai, autoproclame' Général KAKOBANYA dans le bataillon de FARDC déployé à Mikenge, comme le chargé des opérations

Above: [Twirwaneho announcement](#) on the official Twitter account of @twirwaneho posted on 23 December 2022, denouncing a genocide against the Banyamulenge

The reaction of the Congolese Government to the propagation of the “genocide narrative”

In response to the propagation of the genocide narrative by M23, the Congolese authorities, through FARDC spokesperson Major-General Sylvain Ekenge, publicly claimed that the FARDC had credible intelligence that Rwanda was planning a massacre of Tutsi to blame on the Congolese Government (see below).

REPUBLIQUE DEMOCRATIQUE DU CONGO
FORCES ARMEES
ETAT-MAJOR GENERAL


SERVICE DE COMMUNICATION ET D'INFORMATION
Le Porte-Parole

COMMUNICATION OFFICIELLE DES FORCES ARMEES DE LA RDC.
FACE AU MENSONGE ET A LA RUSE, LA VERITE TRIOMPHE.

Les Forces Armées de la République Démocratique du Congo ont pris connaissance des communiqués alambiqués et, comme d'habitude truffé de mensonges grossiers, traduisant la volonté délibérée de saper la morale publique internationale, publiés les 17 et 22 mars 2023, par l'armée rwandaise sous l'étiquette des terroristes du M23.

La précipitation avec laquelle ces communiqués ont été publiés découle de la stratégie de l'armée rwandaise de préparer l'opinion afin de justifier ensuite les graves violations des engagements et du cessez-le-feu que ces hors-la-loi et leurs alliés n'ont jamais respectés. Bien plus, ces communiqués s'illustrent par des propos insensés qui ne tiennent pas compte ni des contingences géographiques, historiques, sociologiques ou encore moins stratégiques de la RDC. Vautrès dans leur posture injurieuse et arrogante, les auteurs de ces communiqués laissent volontairement apparaître un mépris à l'endroit de la détermination du Peuple Congolais de défendre l'intégrité territoriale de son Pays.

Cette méprise les pousse à ignorer que toutes les localités et agglomérations qu'ils occupent font partie intégrante des 2.345.410 Km² de la RDC. Comme hier, aujourd'hui et demain, ces entités du territoire de la RDC ne resteront aucunement sous les bottes rwandaises dont l'unique objectif poursuivi est la commission des crimes.

N'étant pas dans la logique génocidaire comme les Forces de Défense du Rwanda et leurs forces supplétives, l'effet final recherché par les Forces Armées de la République Démocratique du Congo demeure la paix durable dans sa partie Est et dans la sous-région. Contre vents et marées, et par des moyens légaux en leur disposition, les FARDC y parviendront quoi qu'il en coûte car, qu'il neige ou qu'il pleuve, la République Démocratique du Congo restera une et indivisible, dans les limites géographiques nous léguées par nos aïeux.

Fait à Kinshasa, le 24 mars 2023.




Le Porte-Parole des Forces Armées
EKENGE BOMUSA EFOMI Sylvain
Général-Major

Contacts : +243 971 800 424 ; +243 852 327 465. Site officiel : www.fardcnet.mil.cd ; YouTube, Twitter, Instagram et Facebook : FARDC OFFICIEL SCIFA. Email : scifanfc@gmail.com

Above: Public communiqué by FARDC spokesperson General-Major Ekenge Momus Efomi Sylvain, issued on 24 March 2023

Annex/Annexe 54:**Reprisals against communities presumed to support M23****Représailles contre les communautés présumées soutenir le M23**

M23's advancement into western Rutshuru and Masisi also led to the displacement of members of the Tutsi community from these areas due to "tribalism," fearing targeted retaliatory attacks by armed groups and the population opposing M23. Members of the Tutsi community who fled the violence in the Rutshuru and Masisi territories were unable to join IDP camps such as the one in Kanyaruchinya for fear of retaliation by the other communities. They were thus constrained to setting up their own IDP camp in Goma and requested protection from the Congolese authorities.³⁰⁰

The Group obtained a list of 46 individuals of Tutsi ethnicity killed in the Masisi and Rutshuru territories between 1 July 2022 and 8 March 2023 by armed groups opposing the M23.¹

PERSONNES TUEES MEMBRES DE LA COMMUNAUTE TUTSI			
ITEM	LIEUX DE MEURTRE	DATE	NOMS
1	MAHANGA	23/11/2022	KAMBARI J. DAMASCENE
2	MAHANGA	30/10/2022	NDERERIMANA
3	BURUNGU	10/11/2022	KABERA KAYINAMURA
4	RUTARE	3/8/2022	GASAMAGERA
5	RUTARE	3/8/2022	MBEREYINKA SENKANYANDUGA
6	MAHANGA	17/09/2022	BADACOKA
7	MAHANGA	13/01/2022	MBARUSHIMANA GATO
8	MAHANGA	13/11/2022	GAFISHI JUSTIN
9	MAHANGA	13/11/2022	GASAZA INNOCENT
10	MAHANGA		MANZI SEGIPAPA
11	MAHANGA	1/7/2022	KAMANZI INNOCENT
12	MAHANGA	1/7/2022	SHUMBUSHO
13	MAHANGA	1/7/2022	DUNIYA
14	KILORIRWE	1/1/2023	BUGEGENE
15	BURUNGU		SAFARI NZANIRA
16	BURUNGU		MUNYAGIHUNDA
17	BURUNGU		CMNDT PNC PAPA NKURU
18	BURUNGU		COMNDT PNC JEAN DE DIEU
19	BURUNGU		NGERERO RUBERA
20	BURUNGU		ISAKA BYAKWERI
21	KITSHANGA (APCLS)	25/01/2023	HABIMANA MICHEL
22	KITSHANGA (APCLS)	25/01/2023	RWAMAKOTI Jonas

³⁰⁰ The Group visited the IDP camp sheltering more than 2,000 internally displaced members of the Tutsi community.

23	KITSHANGA (APCLS)	25/01/2023	FEMME DE RWAMAKOTI MUKAMUSONI N.MATAZA
24	MOKOTO BUTALE (NYATURA)	26/01/2023	NIYONSENGA Janvier
25	MOKOTO BUTALE (NYATURA)	26/01/2023	GASANA FILSTON KABOSE
26	BURUNGU (NYATURA)	31/01/2023	SEBUNORI MURAMIRA
27	BURUNGU (NYATURA)	31/01/2023	MADAME SAMVURA
28	BURUNGU (NYATURA)	31/01/2023	UMWANA WA SAMVURA
29	BURUNGU (NYATURA)	30/01/2023	GASAMAZA BUTERA
30	KILORIRWE (FDLR)	2/2/2023	NKUNDAMAHORO Danny
31		5/2/2023	RUKEAMPUNZI
32	RUGARAMA (COALLITIONS FARDC)	26/01/2023	BISENGIMANA JEAN BOSCO
33	KAUSA RUSHINGA(NYATURA)	3/2/2023	NSHIZIRUNGU GISANABAGABO Claude
34	KILORIRWE SHANGI(FARDC)	12/2/2023	FILLE UWERA GRACE
35	BIHAMBWE(MUSHWA)	14/02/2023	BIMENYIMANA PALUKU
36	MUSHAKI (COALLITIONS FARDC)	23/02/2023	MUSAFIRI KABERA SAIBA
37	NGUNGU (MAYIMAYI MAACHANO)	25/02/2023	KAZUNGU BIZURU
38	KANIRO (FDLR/NYATURA)	27/02/2023	AMINI MBARUSHIMANA HUBERT
39	KANIRO (FDLR/NYATURA)	27/02/2023	MPUMUJE EUGENE
40	HUMURE NYATURA ABAZUNGU)	25/02/2023	KALIA JEAN PIERRE
41	KANIRO (FDLR/NYATURA)	27/02/2023	RWAMAKUBA JIMMY
42	KANIRO (FDLR/NYATURA)	28/02/2023	NSANZIMANA KAYIJAMAHE JACKSON
43	RUSEKERA (NYATURA/DOMI)	08/03/2023	BYIRINGIRO MAYAYA

Document provided by a representative of the Tutsi community

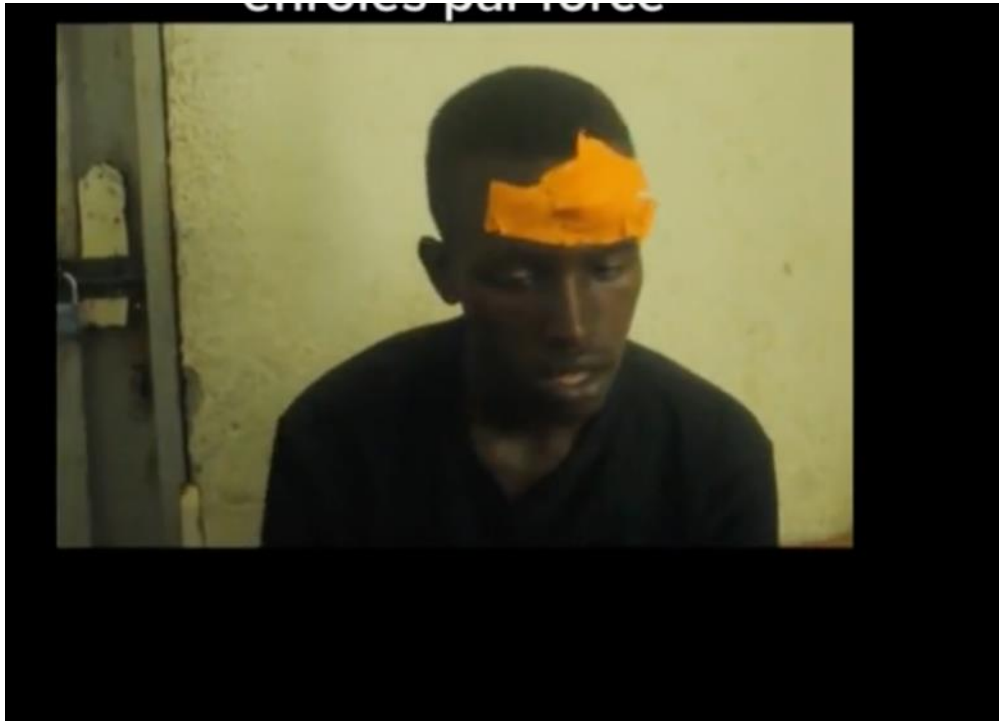
A compilation of 26 cases, documented with the identities of the victims, pictures of the bodies along with a description of the location, circumstances of killings, including incidents of decapitation and genital mutilation, as well as presumed perpetrators, was provided to the Group by representatives of the Tutsi community. The list is on file with the Secretariat.

Annex/Annexe 55:**Incidents of mob violence and harassment of Rwandophones at voting centres****Incidents de violence collective et de harcèlement des rwandophones dans les centres de vote**

In February 2023, several incidents were registered at various offices of the Independent National Electoral Commission ([Commission Electorale Nationale Indépendante](#) or “CENI”) in Goma, where members of the Tutsi community were harassed and beaten. For example, on 22 February 2023 at the Biyahi voting centre in Goma, at least 20 members of the Banyamulenge community who wanted to register to vote were attacked by a hostile crowd. Some members of the Banyamulenge community were injured. The voting centre was shut down following this incident.

See below: screenshots of a video posted on social media about the incident at the Byahi voting centre in Goma





[Facebook](#) post, posted on 24 February 2023

Similar incidents were reported in South Kivu, notably in Uvira, where hostile crowds opposed the registration of members of the Banyamulenge community in the upcoming elections.



Source: [Twitter](#), posted on 17 February 2023 on the account of @MaishaRdc

Annex/Annexe 56:

Examples of hate speech calling to chase out Rwandophones or kill them

Exemples de discours de haine appelant à chasser les rwandophones ou à les tuer

A campaign with the hashtag “*DeRwandalisation*” was launched on social media, proposing that the solution to end the insecurity in the east was to “deRwandalise” all the public institutions of the country, including the FARDC, PNC and ANR, as the country was “infiltrated” by Rwandans at all levels.³⁰¹ Fearmongering about a Rwandan infiltration was widely echoed on social media and in public gatherings.³⁰² Activists in Goma adopted the slogan “*keba na serpent*” (in Lingala) or “*hange nyoka isikulume*” (in Swahili), which translates as “beware of the snake.”³⁰³ Witnesses interviewed by the Group reported that this slogan was understood by the local community in Goma as an incitement to hatred against Rwandophones, as it resembles language that has been used in the past to describe Tutsis, such as during the genocide in Rwanda in 1994 .



Above: Twitter video of a man speaking to a cheering crowd, launching calls to chase all Rwandans from Congo, including those in the army and the “*guardiens des vaches*” (cattle herders). If they would not leave voluntarily, they would be killed because “we cannot live in their country [the Congo] with Rwandans”:

<https://twitter.com/bbisimwa/status/1626951284975714307?s=20>

(last consulted 6 March 2023)

Below: A video circulating on social media, [posted on Twitter on 26 February 2023](#), transmitting an incendiary speech by a woman called Francine Kalala, calling for the extermination of Tutsis in Congo. Snapshots taken from the video with the subtitles published on Twitter:

³⁰¹ Campaign organized on Twitter by Eliezer Ntambwe Mposhi (@EliezerNtambweO), former journalist and television producer, member of Parliament representing Lukula constituency in Kinshasa from 2018.

³⁰² [Twitter video](#) of a gathering where such discourse is echoed and applauded by a large crowd.

³⁰³ See Twitter account of Sankara Bin Kartumwa, @sankarabin1, LUCHA activist in Goma.



English translation: "We will not allow the Tutsi to rule Congo. You, the Tutsi, the civil war that you have known in your own land was nothing..."



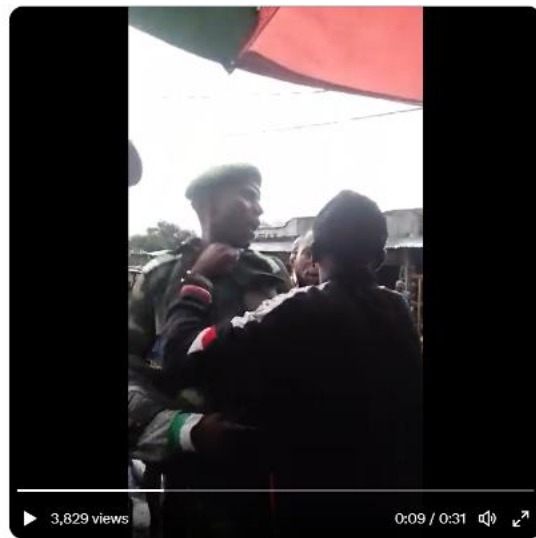
English translation: "...the genocide that you suffered was a small thing. I assure you that we will exterminate you."



English translation: "Really, we will massacre you all. Women of Congo, all Congolese, if you see a Tutsi on the street, kill him/her, he/she is not a human being!"

Annex/Annexe 57:**Incidents of mob violence against Rwandophones****Incidents de violence collective contre les rwandophones**

Twitter video of a Banyamulenge FARDC officer, Adjudant Chef Furaha Kapingi, who was attacked and beaten in Kinshasa:



The video posted on Twitter:

<https://twitter.com/Bienfaiteur7/status/1605703743076536320?s=20>

(last consulted on 6 March 2023)

Contrary to the public comments on Twitter, the officer was not killed. See another video of the same incident:



<https://twitter.com/Kivutimes/status/1605589122709536768?s=20>

(last consulted on 6 March 2023)

Annex/Annexe 58:**Demonstrations in Goma on 6 and 7 February 2023 degenerated into mob violence against Rwandophones and their interests/properties****Les manifestations à Goma les 6 et 7 février 2023 ont dégénéré en violences collectives contre les rwandophones et leurs intérêts/propriétés**

Demonstrations in Goma staged on 6 and 7 February 2023 against the EACRF and MONUSCO took an unexpected ethnic dimension as several homes, businesses and churches belonging to or used by Rwandophones were attacked and vandalized by demonstrators. Rwandophones were also harassed and threatened throughout the city, forcing many to go into hiding.³⁰⁴ The “Rama” church of the Banyamulenge community in the Nyabushongo neighbourhood of Goma was vandalized by demonstrators. The roof caved in while several demonstrators were in the process of removing it.



Source: [Twitter video and images](#) posted on The Kivu News 24 official account “@kivunews24” on 6 February 2023

³⁰⁴ On 6 February 2023, demonstrators in Goma attacked and destroyed a church in Nyabushongo frequented by Tutsi and Banyamulenge. Source: video footage and open source information on social media; members of civil society; MONUSCO.

Annex/Annexe 59:

Leadership structure of CODECO factions

La structure de commandement des factions CODECO

I. TERRITOIRE DE DJUGU								
N°	GROUPES ARMES	DATE DE CREATION	Causes	LOCALISATION	CAPACITE DE NUISANCE	Mode opératoire	Sources de financement	LEADERS
1	URDPC/ CODECO	18 SEPT 2017	- La mort du prêtre Florent à Drodro ; - la mort des 4 commerçants de Kobu ;	Secteur de Walendu-Pitsi.	Très élevé	Guérilla ; Attaque contre les civils.	Exploitation minière. Pillage et extorsion. Pays voisins ; Institution des taxes à travers les barrières illicites.	BAHATI Charité ; Désiré NGUNU KIZA ; BASSA SUKPA Gershom ; MANDRO JIBA SENGEDHU.
2	ARDPC		- l'impunité - Tracasseries militaires et mauvaise distribution de la justice ; - Faiblesse de l'Autorité de l'Etat ; - Conflit foncier et identitaire, conflit des limites administratives et problématique des enclaves ;	Walendu-Pitsi	Moins élevé.			NGABU NGAWI, alias SONGAMBELE ; RD'DZA KPALO Deogratias.
3	ALC		- Manipulations politiques ; - Le chômage des jeunes ;	Walendu-Tatsi	Elevé			Justin GBESI, alias PETIT LOUP de la Montagne ; CHULU NDRUNDRO John
4	URDPC/BON TEMPLE DE DIEU		Endoctrinement par la secte mystico religieuse ;	Secteur Walendu-Djatsi	Très élevée			NDRODZA KONDJO ; KADOGO
5	ROYAUME NGOTO		Résultats mitigés des DDR antérieurs ;	Secteur Walendu-Djatsi	Très élevée			BIKO ; BIFALO SANDAY
6	FDBC		Porosité des frontières	Secteurs Walendu-Djatsi et Banyali-Kilo	Très élevée			TCHUI MUTAMBALA NDRUNDRO

Document provided to the Group by civil society source

Annex/Annexe 60:

Weapons seized by CODECO-URDPC following its attack on the FARDC 3401st Regiment in Njala and the ambush in Pitso

Les armes saisies par CODECO-URDPC suite aux attaques sur le 3401 ier régiment des FARDC a Njala et l'Embuscade à Pitso

			Kobu ; • l'impunité • Tracasseries militaires et mauvaise distribution de la justice ; • Faiblesse de l'Autorité de l'Etat ; • Conflit foncier et identitaire, conflit des limites administratives et problématique des enclaves ; • Manipulations politiques ; • Le chômage des jeunes ; • Endoctrinement par la secte mystico-religieuse ; • Résultats mitigés des DDR antérieurs ; • Porosité des frontières			Pays voisins ; Institution des taxes à travers les barrières illicites.	BASSA SUKPA Gershom ; MANDRO JIBA SENGEDHU. NGABU NGAWI, alias SONGAMBELE ; RD'DZA KPALO Deogratias.
2	ARDPC			Walendu-Pitsi	Moins élevé.		
3	ALC			Walendu-Tatsi	Elevé		Justin GBESI, alias PETIT LOUP de la Montagne ; CHULU NDRUNDRO John
4	URDPC/BON TEMPLE DE DIEU			Secteur Walendu- Djatsi	Très élevée		NDRODZA KONDJO ; KADOGO
5	ROYAUME NGOTO			Secteur Walendu- Djatsi	Très élevée		BIKO ; BIFALO SANDAY
6	FDBC			Secteurs Walendu- Djatsi et Banyali-Kilo	Très élevée		TCHUI MUTAMBALA NDRUNDRO

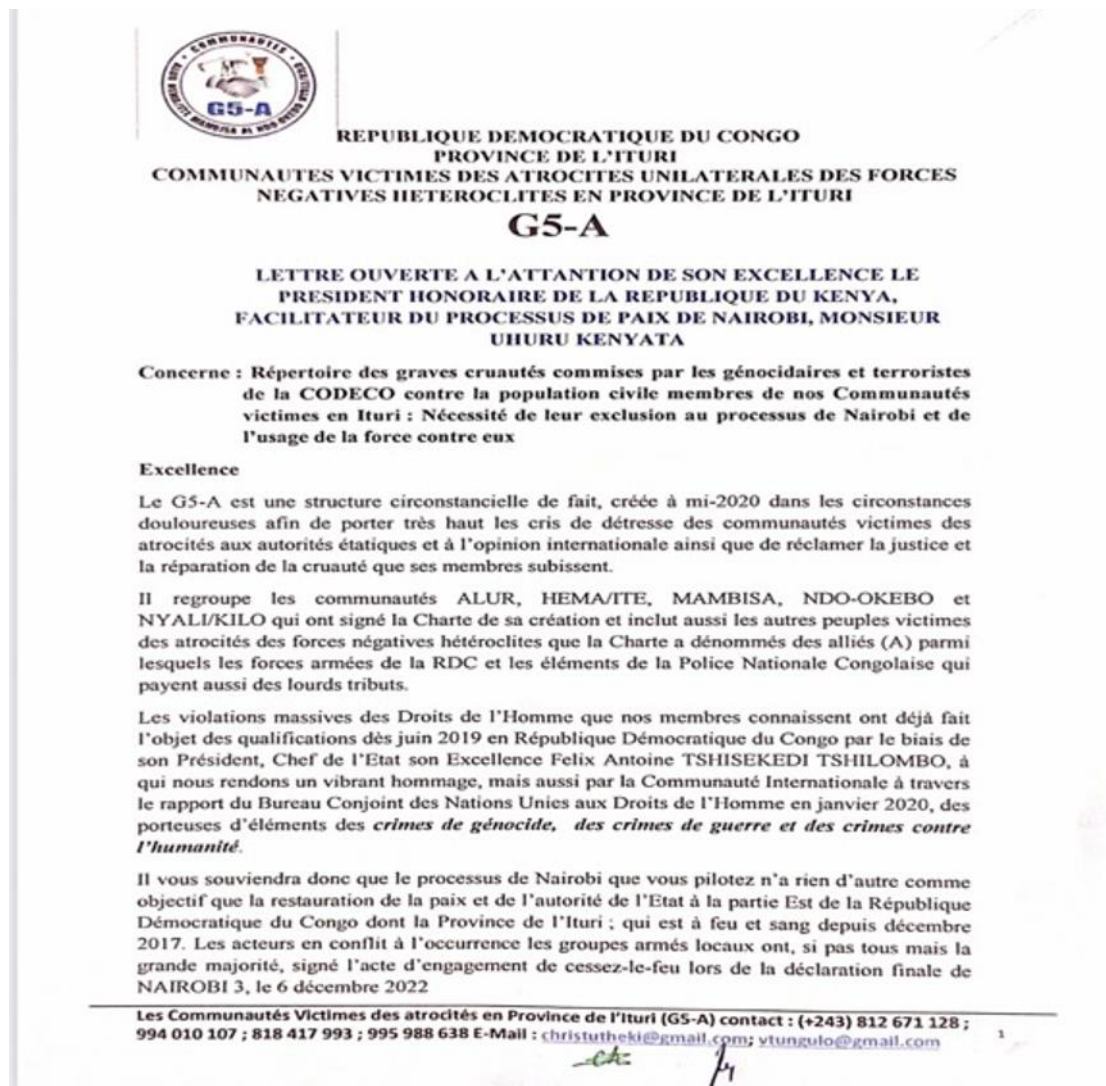


Pictures provided by CODECO-URDPC ex-combatant

Annex/Annexe 61:

G-5/A Letter to the facilitator of the Nairobi process Uhuru Kenyatta requesting the exclusion of CODECO-URDPC

Lettre du G-5/A au facilitateur du processus de Nairobi Uhuru Kenyatta demandant l'exclusion de CODECO-URDPC



Excellence

La signature de l'engagement de NAIROBI 3 est venue s'ajouter à l'initiative prise au paravent par les communautés BIRA et LENDU avec l'appui de la MONUSCO respectivement en avril et juin 2022 où elles ont amené leurs fils regroupés au sein des milices et forces négatives hétéroclites FPIC dit CHINI YA KILIMA et CODECO à la signature des actes unilatéraux de cessation des hostilités, qui malheureusement sont restés de la poudre jetée aux yeux des autorités provinciales, nationales et internationales (MONUSCO) ; des actes que nous qualifions simplement de distraction et diversion comme ça a été le cas avec les autres assises initiées à 2020 à NIZI, FATAKI, LITA, KPANDROMA, RETTY, DRODRO, NYANKUNDE et KOMANDA par les mêmes acteurs criminels et leurs communautés et dont les résolutions ressorties n'ont jamais été respectées par ces criminels.

Ainsi pour vous en rendre compte et pour que votre personnalité et autorité ne tombe ni dans la distraction et moins encore dans les qualifications de tout genre, qu'il plaise à votre Excellence d'exclure définitivement les génocidaires et terroristes de la CODECO du processus de NAIROBI et d'ordonner à la force régionale de vite descendre en Ituri pour traquer sans complaisance lesdits terroristes afin de restaurer la paix en Ituri. Ci-dessous les différentes attaques meurtrières menées par ces deux groupes armés (CODECO et FPIC) mais principalement CODECO à la veille et au lendemain du processus de NAIROBI 3 :

1. **Le 16 novembre 2022** : attaque de la **CODECO** contre le village KPAMBALA dans le groupement ANGHAL 2 occasionnant **8 morts** et 1 blessé, des pillages ainsi que plusieurs maisons incendiées ;
2. **La nuit du jeudi 17 au vendredi 18 novembre 2022** : attaque de la **CODECO** dans la chefferie de MOKAMBO occasionnant **8 morts**, 2661 maisons incendiées dont le centre de santé de WALA et trois écoles à savoir EP. DRUU, EP. JALVIRA et EP. UBIMO ;
3. **Le 21 novembre 2022** : attaque de la **CODECO** à BERUNDA occasionnant **7 morts** et pillage des bétails ;
4. **Le 22 novembre 2022** : attaque de la **CODECO** contre le village SHABA 2 à AGHAL 2 occasionnant **5 morts** et 1 blessé grave ;
5. **La nuit du 28 au 29 novembre 2022 pendant que CODECO est à NAIROBI** : attaque de la **CODECO** contre le centre de négoce de MBIDJO en Territoire de Djugu occasionnant **6 morts** ;
6. **Le 29 novembre 2022** : exécution par la **CODECO** de **8 otages** pris à MBIDJO parmi lesquels **4 enfants** et **plusieurs maisons incendiées** ;
7. **Du 04 au 06 décembre 2022** : attaque de la milice **FPIC** à CENTRALE SOLENYAMA, à la périphérie de la ville de BUNIA faisant un bilan de **11 morts** ;
8. **Le 06 décembre 2022** : attaque de la **CODECO** à KAROMBO dans le village ZANGA-LOGA du Groupement Anghal II et OVIRI du Groupement ANYOLA en Chefferie des Alur Djuganda occasionnant **5 blessés graves**, **4 boutiques complètement pillées**, plus de **45 chères parties** et dans le village DJUPUKUNGO du Groupement Anghal II où **7 maisons** ont été incendiées ;

Les Communautés Victimes des atrocités en Province de l'Ituri (G5-A) contact : (+243) 812 671 128 ; 994 010 107 ; 818 417 993 ; 995 988 638 E-Mail : christutheki@gmail.com ; vtungulo@gmail.com

9. **Le 08 décembre 2022 : de minuit à 2 heures du matin ;** attaque de **CODECO** au village Djupagasa, Groupement Anghal II occasionnant **un mort** et 15 maisons incendiées de suite ;
10. **Le 14 décembre 2022 :** attaque de la **CODECO** à DJUPUKUNGO occasionnant **2 morts** ;
11. **Le 17 décembre 2022 :** attaque de la **CODECO** à THETHE et DUBAI respectivement dans les villages JUPAGASA/AKPE et ZANGA LOLOGA du groupement ANGHAL 2, occasionnant l'incendie de plus de 471 maisons et **7 morts** ;
12. **Le 19 décembre 2022 :** attaque de la **CODECO** dans le village d'AMBE 1 dans le Groupement NIOKA en chefferie des PANDURU occasionnant **2 blessés graves**, pillages des biens, incendies des 15 maisons et une maman violée
13. **Le 20 décembre 2022 :** attaque de la **CODECO** dans le village TALI-ERO du Groupement ANGHAL 2 occasionnant **2 morts** et plus de 50 maisons incendiées et une disparition ;
14. **Le 21 décembre 2022 :** attaque de la **CODECO** contre les Villages KINGILI, AUGBA, JUPAKETHA et JUPUJANGA-BANDA (Localité de Nzinzi) ainsi que TALI-ERO tous du Groupement Anghal II ; occasionnant plusieurs maisons incendiées et **4 morts**, (un bilan encore provisoire, les recherches étant en cours) ;
15. **Le 23 décembre 2022 :** Enlèvement de 14 personnes membres de G5-A par **CODECO** à KOBU, une localité située à plus de 35kms de Bunia et sous contrôle des FARDC ;
16. **Le 24 décembre 2022 :** attaque de la **CODECO** sur l'axe KATANGA-DJALASIGA à ALINGONGO, bilan 3 véhicules brûlés et **deux morts**
17. **Le 30 décembre 2022 :** attaque de la **CODECO** à AFOYO RWOTH à ANGHAL 2 occasionnant **2 morts**, plusieurs déplacés, et 325 maisons incendiées ;
18. **Le 31 décembre 2022 :** attaque de la **CODECO** à AYISI PUNA en chefferie des PANDURU occasionnant **1 mort** et **2 blessés** ;
19. **Le 02 janvier 2023 :** attaque de la **CODECO** au groupement RHONA en Chefferie des PANDURU, Territoire de Mahagi occasionnant **3 morts, 3 blessés** et **2 personnes disparues** ;
20. **Le 03 janvier 2023 :** attaque de la **CODECO** dans la localité ZUU, groupement RHONA, Chefferie des PANDURU en Territoire de Mahagi, occasionnant **2 morts, 4 blessés** et **1 disparu** ;
21. **Le 04 janvier 2023 :** libération des otages par la **CODECO** et leur remise à la MONUSCO (14 otages de KOBU et 5 otages ALUR de MAHAGI) ;
22. **Le 05 janvier 2023 :** attaque de la **CODECO** dans la localité ZUU, groupement RHONA, Chefferie des PANDURU en Territoire de Mahagi, occasionnant **3 morts** ;
23. **Le 06 janvier 2023 :**
 - a. Attaque de la **CODECO** dans la localité de MBAU, **un chauffeur taxi est tué** et **un passager blessé** ;
 - b. Attaque de la **CODECO** dans la localité de MBECHI, occasionnant **2 blessés** qui sont tous des pêcheurs ;
 - c. Pillage des maisons de commerce à NIZI par les éléments identifiés aux FARDC
24. **Le 07 janvier 2023 :**

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- a. Attaque de la **CODECO** dans le village HIRI en Chefferie des BAHEMA BADJERE en Territoire de Djugu occasionnant **4 morts, 3 blessés et 1 disparu** ;
 - b. Attaque de la **CODECO** contre la position militaire des FARDC à KATANGA dans la Chefferie des WALENDU WATSI en Territoire de Mahagi ;
25. **Le 08 janvier 2023 :**
- a. Attaque de la **CODECO** contre les villages DRODRO, LARGU, ZDHA, RHOO, BLUKWA, NGAZBA occasionnant **24 morts** du côté de la population civile et 4 éléments des FARDC ;
 - b. Extorsion de 4 véhicules et enlèvement des chauffeurs par la **CODECO** à KATANGA dans la chefferie des WALENDU WATSI en Territoire de Mahagi ;
26. **Le 09 janvier 2023 :** attaque de la **CODECO** dans le village RHOO où se trouve le camp des déplacés. Bilan : **1 mort** ;
27. **Le 10 janvier 2023 :**
- a. Attaque de la **CODECO** dans la localité de KPENGBELE non loin de PIMBO en Territoire de DJUGU occasionnant **1 mort** (une bébé d'un an), **2 blessés** et pillage des biens des passagers ;
 - b. Attaque de la **CODECO** dans le village DHII, incendie et pillage des biens de la population ;
 - c. Attaque de la **CODECO** dans le village PUNA à DJUPALANGU, groupement NIOKA en Territoire de Mahagi occasionnant **un blessé grave** et des maisons incendiées ;
 - d. Attaque des éléments égarés de **CODECO** sur la route KASENYI ;
28. **Le 11 janvier 2023 :** attaque de la **CODECO** contre la position des FARDC dans la localité NJIA PANDA sur la route KASENYI ;
29. **Le 05 janvier 2023 :**
- a. Attaque de la **CODECO** dans les localités VIRAKPA et TSOTSO en Territoire de Djugu occasionnant **9 morts** ;
 - b. Attaque de la **CODECO** dans la localité de KATOTO en Territoire de Djugu occasionnant **13 morts** ;
 - c. Attaque de la **CODECO** dans la localité BHÜ-KATSELE occasionnant **3 morts et 3 personnes disparues** ;
30. **Le 14 janvier 2023 :**
- a. Attaque de la **CODECO** dans la localité NYAMABA, Chefferie des BAHEMA BANYWAGI en Territoire de Djugu, occasionnant **28 morts** ;
 - b. Attaque de la **CODECO** dans la localité MBOGI en chefferie des BAHEMA BANYWAGI occasionnant **6 morts** ;
31. **Le 15 janvier 2023 :**
- a. Attaque de la **CODECO** dans la localité AFOYO RWOTH, groupement ANGHAL 2, Chefferie des ANGHAL en Territoire de Mahagi, occasionnant **2 morts** ;
 - b. Attaque de la **CODECO** à DJUGU CENTRE occasionnant **un mort** (une jeune fille) ;

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32. **Le 16 janvier 2023** : attaque de la **CODECO** dans la localité DJUPALANGU, groupement NGOTE, Chefferie des PANDURU en Territoire de Mahagi, occasionnant **3 morts et 2 disparus** ;
33. **Le 18 janvier 2023** :
- a. Attaque de la **CODECO** dans le groupement NGOTE, Chefferie des PANDURU en Territoire de Mahagi, occasionnant **6 morts** ;
 - b. Attaque de la **CODECO** dans le village FICHAMA non loin de TCHOMIA en Territoire de Djugu occasionnant **2 morts** ;
34. **Le 19 janvier 2023** :
- a. Attaque de la contre le site des déplacés PLAINE SAVO en chefferie des BAHEMA BADJERE en Territoire de DJUGU, occasionnant **6 morts** ;
 - b. Attaque de la **CODECO** sur le lac Albert occasionnant la **mort de 3 pêcheurs** Alur et **2 militaires FARDC** ;
 - c. Attaque de la **CODECO** à DJUPALANGU, chefferie des PANDURU en territoire de Mahagi ;
 - d. Découverte de **16 corps en putréfaction** dans les localités TEPUNA (6 corps), TERARA PUNA (2 corps), TER ARI (4 corps), AISI PUNA (1 corp) et ZAGU (3 corps) en chefferie des PANDURU en Territoire de Mahagi
35. **Le 21 janvier 2023** :
- a. Attaque de la **CODECO** dans la localité LUGUBA, Chefferie des BAHEMA BADJERE en Territoire de DJUGU, occasionnant **1 mort** et 3 maisons incendiées mais repoussé par les FARDC ;
 - b. Attaque de CHINI YA KILIMA contre la localité TCHEKI et repoussé par les FARDC ;
36. **Le 23 janvier 2023** : attaque de la **CODECO** contre le village NDZEBI, occasionnant **4 morts** dont 1 militaire ;
37. **Le 26 janvier 2023** : **2 femmes tuées** par **CODECO** à DJUGU ;
38. **Le 27 janvier 2023** : Attaque de la **CODECO** contre la position des FARDC à PITSO en Territoire de DJUGU, occasionnant **17 morts** des éléments FARDC dont 2 Colonels ;
39. **Le 28 janvier 2023** : attaque de la **CODECO** contre un camion sur la RN 27 occasionnant la **mort du chauffeur** ;
40. **Le 30 janvier 2023** : Attaque de la **CODECO** contre le village YEDI en Territoire de MAMBASA, occasionnant **6 morts** ;
41. **Le 31 janvier 2023** :
- a) Attaque de la **CODECO** sur la RN 27 non loin de JINA en Territoire de Djugu, occasionnant **1 mort** (taximan moto) et **1 disparu** des éléments FARDC ;
 - b) Attaque de la **CODECO** contre le village GUGBI en Territoire de Djugu, occasionnant **1 mort** ;
 - c) Attaque de **FPIC** contre le quartier BEMBEYI en ville de BUNIA, bilan : **1 blessé** grave.
42. **Le 01 février 2023** :
- a) Attaque de la **CODECO** contre village GUGBI occasionnant **6 morts** ;
 - b) Attaque de la **CODECO** contre le village MASUMBUKO occasionnant **1 mort**.

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43. Le 02 janvier 2023 : attaque de la CODECO contre le centre de négoce de KATOTO occasionnant 21 morts et plusieurs blessés ainsi que pillage de plusieurs ;

Excellence

Ce tableau démontre qu'à l'espace de deux mois seulement, ces deux groupes armés meurtriers de la population civile membre de nos communautés ont mené 62 attaques dont 3 ont visé les positions de l'armée ayant occasionnée près de 20 morts dans le rang de l'armée et 59 autres attaques n'ont visé que la population civile occasionnant près de 269 personnes tuées. En annexe quelques images qui illustrent les atrocités ci-haut étayées.

Il plaira à votre autorité de prendre acte de la présente lettre ouverte qui est en même temps un SOS des peuples victimes de l'Ituri afin non seulement d'exclure ces renégats du processus de NAIROBI, mais surtout d'ordonner la frappe militaire de l'EAC sans complaisance contre lesdits criminels et de mobiliser le monde pour stopper le génocide.

Fait à Kinshasa, le 05 Février 2023.

Pour les Communautés Victimes

Le Vice-Président de G5-A  Le Président de G5-A 
Dr Vital TUNGULO BATIKOLO  CT Me Christian UTHEKI UDONGO

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Document provided to the Group by a member of the G5-A community

Annex/Annexe 62 :**MAPI leadership****Le commandement de MAPI****Les membres fondateurs du MAPI**

N°	NOMS	POST-NOMS	PRENOMS	FONCTIONS	SIGNATURES
1	NDJANGO	LIRIPA	Jean-Pierre	Président	
2	MARINE	MUGENYI		1 ^{ier} Vice-président	
3	JOBALO	MUSINGO		2 ^{ier} vice-président	
4	LONDJIRINGA	CLAUDE		Secrétaire	
5	BARAKA	MAKI		1 ^{ier} Disciplinaire	
6	BABALA	MUSINGO		2 ^{ier} Disciplinaire	
7	ROGER	MOKILI		Chargé de liaison	
8	CHIRO	UBEGIU		Vice chargé de liaison	
9	MASEVA	RAMAZANI		Chargé de suivi	
10	ZAWADI			1 ^{ier} Chargé de suivi	
11	Benjamin	BAHATI		Porte-parole	
12	KABASEKE	JIRO		PPA	
13	SAIDI	MUGAVU		Chargé des relations publiques	
14	WILLY				
15	BINLADEN	MATESO			
16	NTUMBA				
17	MATATA	BASILOKO			
18	DANIEL	AMERICAIN			
19	JUSTIN	KABASEKE			
20	BAMARAKI	LOKANA	DANIEL		

Document provided to the Group by civil society and Zaïre combatants



*Des membres du mouvement d'autodéfense
populaire de l'Ituri, jeudi 22 décembre 2022,*

Picture provided to the Group by a civil society source.

Annex/Annexe 63:**Zaire factions and areas of operation****Les factions du Zaïre et zones d'opération**

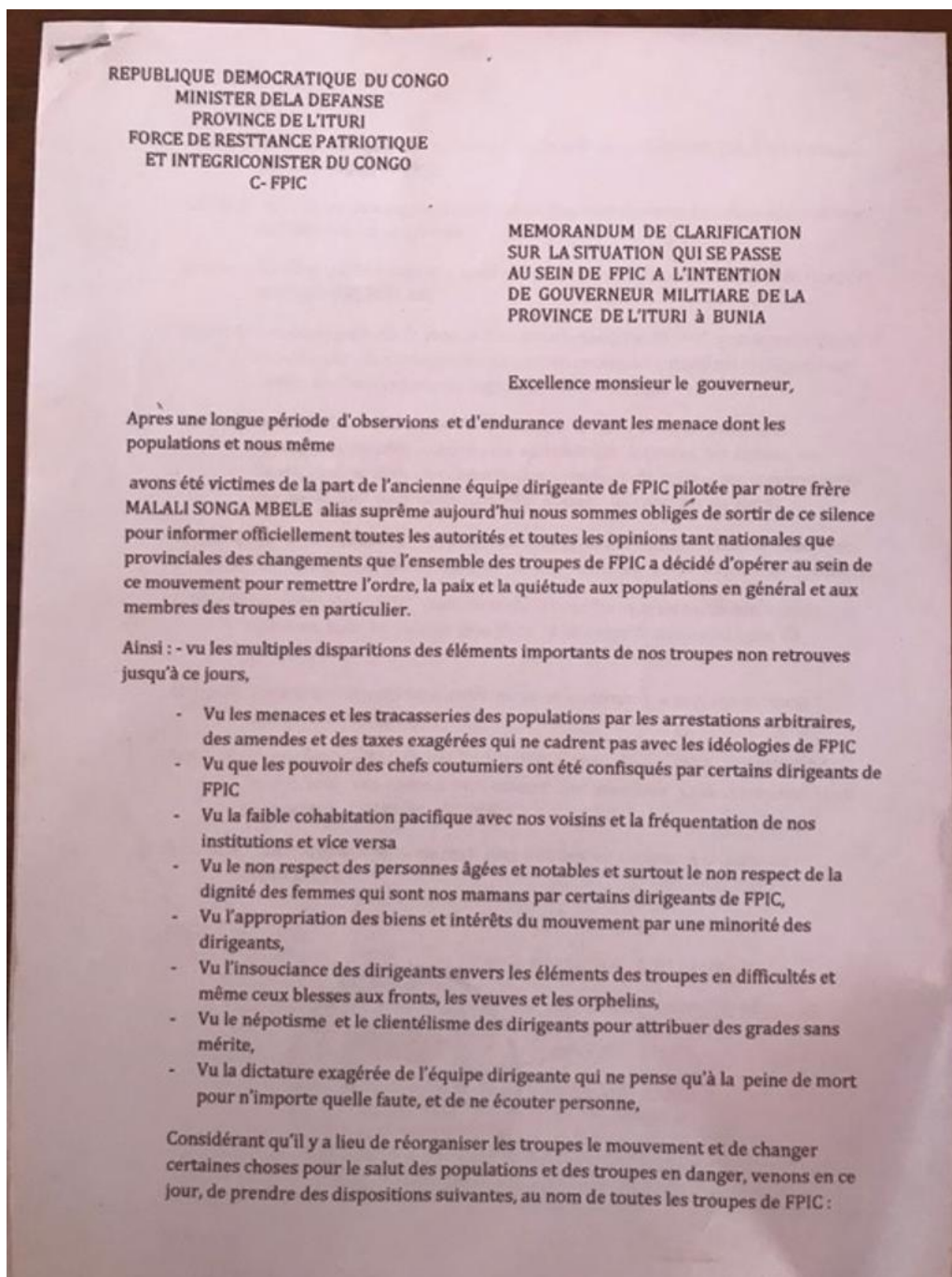
Factions	Areas of operations
Zaire Faction K	Mabanga, Dala, Mbidjo, Pluto, Yedi, Gelé, Lenga, Lodjo, Kilo
Zaire Malayika	Iga Barrière, Lopa, Gina, Largu, Bule, Katoto, Nizi, Kilo, Mongwalu, Largu, Tchomia, centrale Soleniamama.
Zaire mazembe	Nioka, Berunda, Kandoyi
Zaire djamaïque	Shari/Irumu, Nderembi, Kabarole, RN4, route Kasenyi, jusqu'à Boga

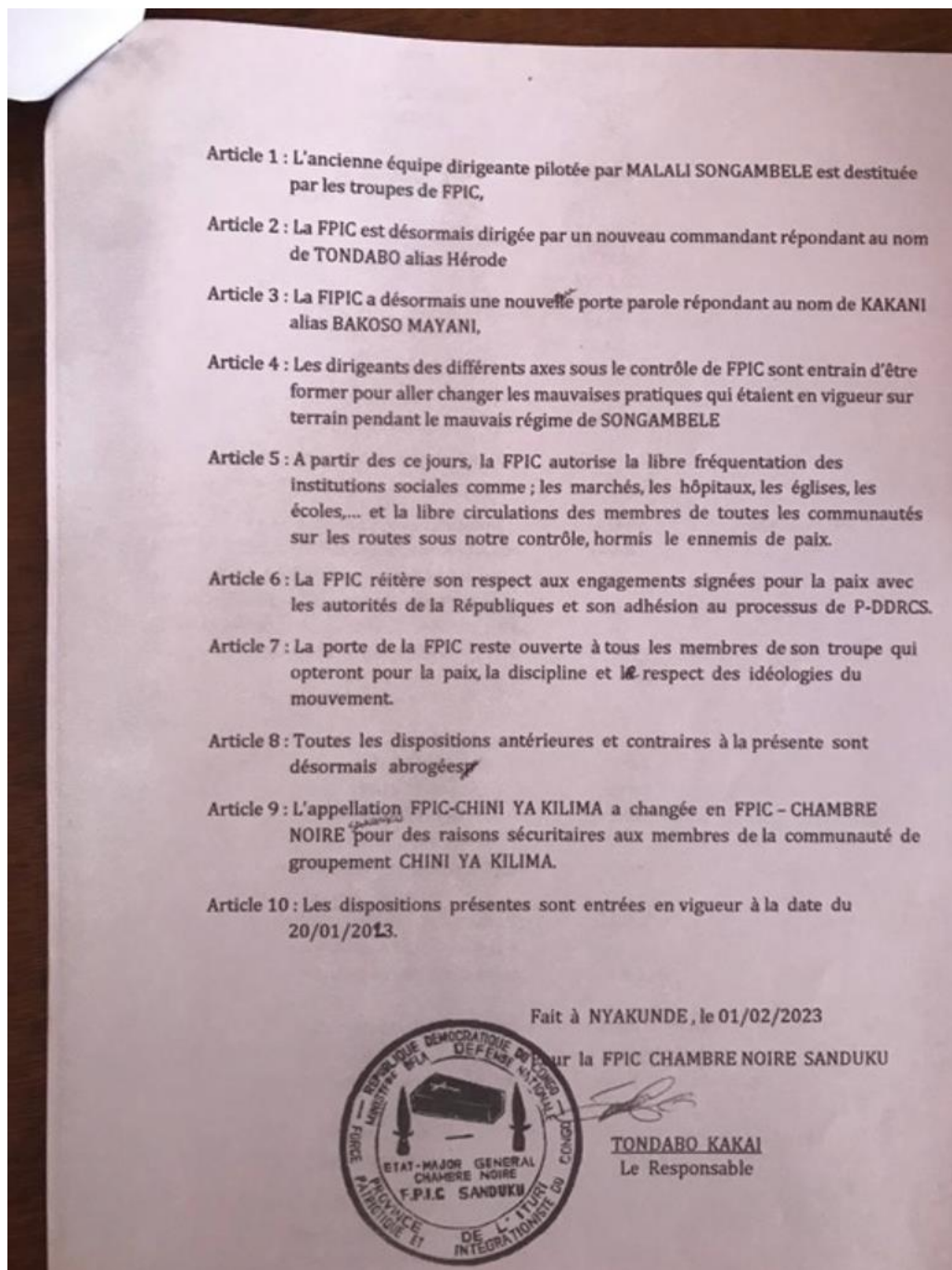
Compiled by the Group with information collected from several sources.

Annex/Annexe 64:

Communiqué by the new FPIC leaders announcing the new orientation of the armed group

Communiqué des nouveaux dirigeants du FPIC annonçant les nouvelles orientations du groupe armé



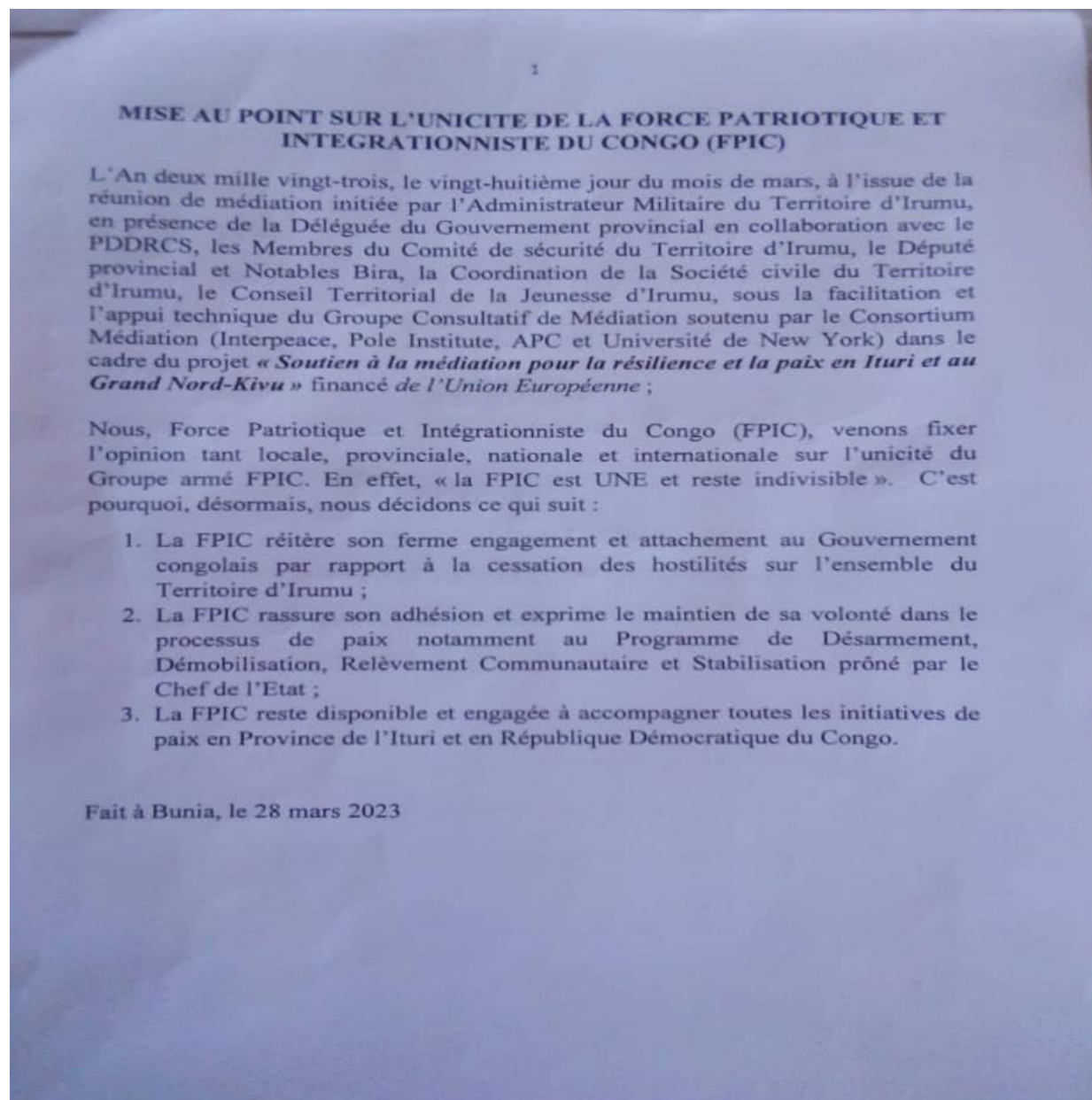


Document provided to the Group by FPIC combatant

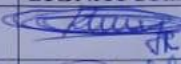
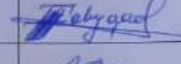
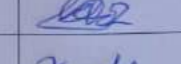
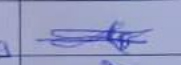
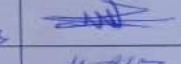
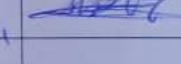
Annex/Annexe 65:

FPIC Letter of 28 March 2023 reiterating its commitment to end hostilities, to work with the DRC Government and to adhere to the P-DDRCS process

Lettre du FPIC du 28 mars 2023 réitérant son engagement à mettre fin aux hostilités, à travailler avec le gouvernement de la RDC et à adhérer au processus du PDDRCS



LISTE DE SIGNATAIRES

N°	NOMS ET POST-NOMS	FONCTION	CONTACT	SIGNATURE
01	KABULABO NYAMABO	Représentant	0821900550	
02	KITEBA BAHATI	G1	0816607785	
03	MOÏSE IERA	INSTRUCTEUR	0825666638	
04	MAKUKWA CHANTAL	RENSEIGNEMENT	0821931494	
05	TAGABO KATHO	OPERATEUR DES TPIC SANABO	0821636165	
06	KATERO BAKASO	Représentant	0810714175	
07	KIMARE NYAMABO	Représentant	0811824330	
08	SAMUEL LEBISABO	Représentant	0821879781	
09	MUZITINA CHWEKE	Représentant	0826380739	
10	MUHIMBO KAKANI	Représentant	0813745193	
11	NGUNDUKALI NGAMABO	Représentant	0825750934	

Document provided to the Group by FPIC combatant

Annex/Annexe 66:

Songambele's communiqué wherein he denounced the FPIC-*Chambre Noir-Sanduku* faction and labelled it a terrorist armed group

Le communiqué de Songambele dans lequel il dénonce la faction FPIC-*Chambre Noire-Sanduku* et la qualifié de groupe armé terroriste



Document provided to the Group by FPIC combatant

Annex/Annexe 67:

Retaliatory attacks by Zaïre

Attaques de représailles du Zaïre

While attacks on civilians by Zaïre were much less frequent than those perpetrated by CODECO-URDPC, Zaïre also engaged in kidnappings, ambushes, extorsions, occasional killings or retaliatory attacks against Lendu civilians.

The most significant attacks by Zaïre, targeting civilians, occurred in Mahagi territory, the stronghold of Zaïre Mazembe groups under the leadership of commander Pharaon.

On 15 December 2022, Alur combatants associated with the Zaïre Mazembe group³⁰⁵ simultaneously attacked the villages of Yatsi and Rutsi, in the proximity of Azimini³⁰⁶ in the Walendu Watsi “collectivité”, killing 12 Lendu civilians, including three women and six children - one girl and five boys aged between two and 17 - and burned down over 60 houses. After the attack, they pillaged the village and stole livestock. They also abducted seven civilians, a woman and six children, who were allegedly used to transport the looted goods.³⁰⁷ The attack led to the displacement of more than 500 households from the localities of Yatsi and Rutsi towards the locality of Azimini.³⁰⁸

On 19 December, Zaïre Mazembe combatants under commander Pharaon, coming from their base in the locality of Anghal2, attacked the village of Azimini, located in the Adra *groupement* of the Walendu Watsi “collectivité”. The combatants killed an elderly woman and eight children - six girls and two boys - all under 10 years of age. The victims were all members of the Lendu community.³⁰⁹ The majority were killed with machetes. They also injured three civilians, burnt down houses and pillaged livestock.

On 5 February 2023, Zaïre combatants from the Sumbuso *groupement* in the Bahema Nord *chefferie* attacked the village of Dyambu, located in the Dz’na *groupement* of the Walendu-Pitsi “collectivité”. The attackers killed 11 civilians, including two women and five children aged between two and 16, and wounded 37 others. All the victims were members of the Lendu community.³¹⁰

³⁰⁵ According to several sources, the attackers came from the direction of Karombo.

³⁰⁶ In the proximity of D’zi, Adra *groupement* of the Walendu Watsi *chefferie*.

³⁰⁷ A member of a local armed group, civil society and humanitarian sources, researchers, community leaders, FARDC and MONUSCO sources.

³⁰⁸ Civil society and humanitarian sources.

³⁰⁹ ANR source, researchers, a member of the Zaïre armed group, governmental source, civil society, and a local community leader.

³¹⁰ ANR source, civil society, community leaders, member of Zaire, a member of CODECO-URDPC, MONUSCO sources.

Annex/Annexe 68:

Tit-for-tat attacks in Mahagi territory (Ituri)

Attaques réciproques dans le territoire de Mahagi (Ituri)

In Mahagi territory, from mid-November 2022 to early February 2023 the Group documented a cycle of tit-for-tat attacks between Lendu combatants of CODECO-URDPC combatants based in the Walendu Watsi *chefferie* and local Alur combatants associated with the Zaïre Mazembe group that controls the Anghal *chefferie*. Victims on both sides were mostly women and small children, killed with machetes or shot. Entire villages were destroyed, including schools and hospitals.³¹¹

On 18 November 2022, CODECO-URDPC combatants based near Kpandroma attacked Wala village in the Mokambo *chefferie* and killed at least eight civilians with machetes, including three women, pillaged, and set fire to more than 500 homes, three schools³¹² and a hospital. This retaliatory attack followed an incident the previous day when Alur youth beat up and arrested a CODECO-URDPC combatant in the same village.³¹³

On 22 November 2022, CODECO-URDPC from Walendu Watsi *chefferie*³¹⁴ attacked the Alur villages of Shaba2 and Gele in Anghal2 *groupement*, killing eight civilians, including a woman and six children.³¹⁵ In retaliation, on 15 December 2022 Alur combatants attacked the villages of Yatsi and Rutsi, in the proximity of Azimini³¹⁶ in the Walendu Watsi *chefferie*, killing 12 Lendu civilians (see annex 67 above).³¹⁷ This prompted yet another revenge attack by CODECO-URDPC combatants on 17 December 2022, resulting in the killing of seven civilians in the villages of Akpe and Lologa in Anghal2 *groupement*.³¹⁸

On 19 December, Zaire combatants from Anghal2 attacked the village of Azimini,³¹⁹ killing an elderly woman and eight children, all under 10 years of age, of Lendu ethnicity (see annex 67 above).³²⁰ In response, on 21 December CODECO-URDPC from the area of Azimini attacked several Alur villages in the area, killing at least four civilians and setting dozens of houses on fire.³²¹

³¹¹ Based on over 30 interviews conducted with members of civil society, victims, members of armed groups, local community leaders, researchers, NGOs and iNGOs, civil and military authorities, MONUSCO sources, photographic and documentary evidence.

³¹² Primary school (EP) of Druu, EP Jalvira and EP Ubimo.

³¹³ Researchers, community leaders, NGO and MONUSCO sources.

³¹⁴ Sources identified the attackers as CODECO-URDPC from Njala, near Katanga locality in the Kambala health zone of the Walendu Watsi *collectivité*.

³¹⁵ Civil society members, researchers, community leaders.

³¹⁶ In the proximity of D'zi, Adra *groupement* of the Walendu Watsi *chefferie*.

³¹⁷ A member of a local armed group, civil society, researchers, community leaders, and FARDC sources.

³¹⁸ A member of a local armed group, civil society, community leaders, and FARDC sources.

³¹⁹ In the *groupement* of Adra, Walendu Watsi *collectivité*.

³²⁰ ANR source, a local researcher, civil society, and a community leader.

³²¹ Civil society, community leaders, and MONUSCO sources.

Annex/Annexe 69:

Attacks by CODECO-URDPC

Reprisal attacks in Djugu territory

In Djugu territory, CODECO-URDPC combatants from the Walendu Djatsi and Walendu Pitsi *collectivités* systematically attacked Hema villages, IDP camps and civilians travelling on roads in the Bahema Nord and Bahema Badjere *collectivités*, in what were significantly disproportionate reprisals to provocations by Zaïre combatants.

CODECO-URDPC attacked Hema civilians on 22 November 2022 at Okee village³²² in the Bahema Nord *collectivité*, killing at least 26 civilians including nine children and nine women, and setting several houses on fire.³²³ The killing of a Lendu school director by Zaïre along the road leading to Bunia on 10 December 2022³²⁴ prompted a series of retaliatory attacks on road passengers by CODECO-URDPC combatants along the Katoto-Largu route,³²⁵ killing at least four taxi drivers and kidnapping several passengers.³²⁶ Sporadic attacks targeting road passengers continued in the following months, resulting in numerous killings and kidnappings, and impeding traffic in the area.³²⁷

CODECO-URDPC also continued to attack civilians in the mining areas of Djugu territory. On 10 December 2022, CODECO-URDPC conducted a revenge attack on Mbidjo town, in the Bahema Badjere *chefferie*, after Zaïre had attacked CODECO-URDPC at Damas two days earlier. CODECO-URDPC killed four civilians and injured several others, including children, and set dozens of houses on fire. Zaïre engaged in fighting and pushed back the attackers.³²⁸ CODECO-URDPC once again attacked villages near Mbidjo centre³²⁹ during the night of 11/12 February 2023 and fighting ensued with Zaïre combatants. At least four civilians were killed during the fighting and more than 300 houses of Hema inhabitants set on fire by the CODECO-URDPC assailants. This attack was allegedly perpetrated in retaliation to an attack by Zaïre on 5 February in the village of Dyambu, D'zna *groupement* in the Walendu Pitsi, during which the attackers killed 11 Lendu civilians, including several children, and injured 37 others.³³⁰

Attack on Blukwa, Largu Drodoro in the Bahema Nord chefferie, 8 January 2023

On 8 January 2023, CODECO-URDPC combatants in large numbers descended on the Hema localities of Blukwa, Largu and Drodoro in a coordinated attack.³³¹ The attack allegedly began in reprisal to the killing, by presumed Hema elements, of a Lendu schoolteacher in Blukwa.³³² However, witnesses to the event reported the presence of a large number of CODECO-URDPC combatants in the area already several hours prior to the killing of the schoolteacher, and alerts were given of an imminent attack. Blukwa, Drodoro and Largu were attacked almost simultaneously, supporting the narrative of a premeditated attack. The attack continued into the next day and extended to other neighbouring Hema villages, including Jisa.

³²² 145 km north of Bunia.

³²³ ANR source, members of civil society, local community leaders, researchers, and MONUSCO.

³²⁴ ANR source, civil society members, and researchers.

³²⁵ Near Kparnganza locality.

³²⁶ ANR source, civil society, local community leaders, and researchers.

³²⁷ For example, on 10 December 2022 on the route linking Bunia to Mahagi (RN27), CODECO-URDPC ambushed a convoy of vehicles and killed two people, including a small child of less than two years of age. On 27 January, near Njala, along the same RN27 between Pimbo et Pitso, CODECO fighters ambushed a FARDC convoy, killing 17 military personnel, including two of the rank of colonel, and stole their weapons and ammunition. Sources: Member of a local armed group, local media, ANR sources, MONUSCO, civil society, researchers, community leaders.

³²⁸ ANR source, researchers, civil society and a member of a local armed group.

³²⁹ The villages of Kokpe and Akwe, situated 2 km from Mbidjo centre.

³³⁰ ANR source, civil society, local researcher, photographs corroborated by local sources, and [Radio Okapi article](#).

³³¹ As reported by several eyewitnesses and two survivors, interviewed by the Group.

³³² Basa Zukpa [post on Twitter, on 8 January 2023](#), at 12:45.

At least 23 civilians were killed during these attacks, including several women. Dozens of houses were pillaged and destroyed, and the local population was forced to flee.³³³ Eyewitnesses reported seeing at least ten children younger than 15 years of age among the attackers, armed with sticks and clubs.

During an interview with Mr. Desire Lokana, CODECO-URDPC *charge de la defense*,³³⁴ Mr. Lokana told the Group that CODECO-URDPC had conducted a “counterattack” at Drodoro, Jisa and Blukwa because these are places where “Zaire elements live”. He claimed that all the CODECO-URDPC elements from the area participated, and it began as a reprisal attack to a “shocking” event (referring to the killing of the schoolteacher). He claimed that CODECO-URDPC had to respond, otherwise they would have kept being “provoked” and blamed for all the acts that the Zaire group committed in Djugu territory. Asked about civilian casualties, he responded that there were no civilians, because everyone they had killed was “on the battlefield, and civilians should not be on the battlefield.” However, he also added that if CODECO-URDPC were provoked at a particular location, “everyone should tell the population in that location that we will descend upon that place.” Mr. Lokana also added that all the orders for the attacks that took place in January 2023 were given by the CODECO-URDPC leadership at headquarters, as vengeance/counterattacks to the actions of the Zaire group.

See below:

The findings of a preliminary investigation conducted in Langu, Blukwa and Bule between 21 and 22 January 2023 by the Military Auditor from the *Auditorat Militaire Supérieur* of Ituri

³³³ Witness testimonies, including survivors of the attack, interviews with civil society and humanitarian sources, FARDC, a member of an armed group, community leaders, researchers, photographic and video evidence corroborated by witness testimony, and MONUSCO sources.

³³⁴ Telephone interview conducted by the Group on 19 January 2023.

REPUBLIQUE DEMOCRATIQUE DU CONGO
JUSTICE MILITAIRE
AUDITORAT MILITAIRE SUPERIEUR
DE L'ITURI
(Ministère de la Défense - Armée Nationale)

**RAPPORT RELATIF A LA MISSION D'INVESTIGATION
PRELIMINAIRE A LARGU ET A BULE**

I. LES FAITS

- En date du 08/01/2023 une attaque a été lancée par les combattants CODECO contre la population civile de BLUKWA et LARGU ayant entraîné la mort de plusieurs personnes civiles ;
- Durant la période allant du 18 au 21/01/2023 une série d'attaques a été lancée par un groupe armé non identifié dans le site de déplacés de SAVO et aux différents villages voisins de la localité de BULE ;
- A ce titre que Monsieur l'Auditeur Militaire Supérieur de l'ITURI a instruit à l'AGM KUMBU NGOMA Col Mag de mener les investigations pour obtenir les premiers éléments d'information pour vous permettre d'ouvrir le dossier judiciaire sur les exactions commises dans la Zone du 08 au 21/01/2023.

II. OBJET DE LA MISSION

- Obtenir les premiers éléments d'informations, déterminer les présumés auteurs des dégâts corporels, les dégâts matériels et le mode opératoire éventuellement de saisir la juridiction compétente ;

III. DUREE DE LA MISSION

48 Heures du 21 au 22/01/2023.

IV. COMPOSITION DE L'EQUIPE

- Col-Mag KUMBU NGOMA ;
- OPJ Etat-Major Secteur ;
- 09 2éléments d'escortes de l'Etat-Major Secteur
- 01 APJ GBALANO KULUTU.

V. ITINERAIRE

BUNIA – MASUMBUKU – LARGU – BLUKWA – BULE – BUNIA

VI. MOYENS LOGISTIQUES

- Une Jeep Militaire de l'Etat-Major Secteur Ops ITI ;
- 70 litres de Mazout fournis par l'EM Sect Ops ITURI.

VII. DEROULEMENT DES INVESTIGATIONS

A. A LARGU

- Entretien avec le Chef de localité DESA, Médecin de l'Hôpital Général de DRODRO et le Commandant 3202^e Regt ;
- Le Chef de groupement de GOBI le sieur NGABU MANASE ;
- La descente à BLUKWA au Bureau du Chef de groupement ;
- La descente au centre de déplacés de RO ;
- La descente à l'Hôpital Général de Référence de DRODRO.

VIII. LES ELEMENTS RECUEILLIS LORS DES INVESTIGATIONS

- En date du 08/01/2023 vers 6H 30, l'Enseignant NGABU MILI de l'école primaire de GOBI a été tué à BLUKWA par les combattants ZAIRE dirigés par le Général auto-proclamé MAKI CADADI raison pour laquelle les combattants CODECO de TSEBI et les combattants CODECO de DERA ont fait les représailles autour de 11H 00 du de la même date ;
- Au cours de cette attaque lancée par les combattants CODECO de TSEBI et DERA contre la population civile de LARGU, de DJUDA, BLUKWA, JISA et NGAZIBA, 15 personnes ont été tuées à l'aide des machettes dont :
 - ♦ Au marché de DJUDA : 02 personnes ;
 - ♦ BLUKWA : 04 personnes ;
 - ♦ Centre LARGU : 03 personnes
 - ♦ JISA : 05 personnes ;
 - ♦ NGZIBA : 01 personne.
- Une moto DT et une batterie d'une moto AOJIN ont été pillées à l'Hôpital Général de Référence de DRODRO ;
- Selon le Président FENAPEC de LARGU, le Col AMISI s'était retiré du centre de LARGU lorsque les combattants CODECO progressés vers le Centre de LARGU. Quant au Col AMISI, c'était la Jeep FARDC qui était retournée à l'EM 3202^e Regt à MASUMBUKU pour aller changer le Mi- point 7 qui avait fait aréage ; Le même Col AMISI a souligné que les éléments de 3202^e Regt ont subi une attaque des combattants ZAIRE vers 19H 00 en date du 08/01/2023 au cours de cette attaque des combattants ZAIRE contre les éléments 3202^e Regt, un soldat FARDC a trouvé la mort.

B. A BULE

- La nuit du 18 au 19/01/2023 à 01H 00' du matin, les combattants CODECO venus de NDJAUDHA et de GOKPA ont lancé une attaque contre le site des déplacés de SAVO ;

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- Au cours de cette attaque, 8 personnes ont été tuées à l'aide des machettes et 7 personnes blessées dont 2 blessées transférées à BUNIA ;
 - ♦ 13 Huttes détruites ;
 - ♦ 05 maisons incendiées au village MBUDJONA.
- Lors de cette attaque les éléments FARDC ont intervenus vers 2H 00' du matin lorsque les coups de balles ont retenti au site des déplacés tandis que les contingents MONUSCO ont intervenu à 3H 30min au niveau dudit site ;
- La nuit du 19 au 20/01/2023, les combattants CODECO venus de PETRO ont lancés l'attaque contre le village LOGOBA dont ils ont tué une personne et 3 maisons incendiées ;
- La nuit du 20 au 21/01/2023, les combattants CODECO de PETRO ont lancé l'attaque contre le village BUKATSELE situé à 4Km de BULE au cours de laquelle plusieurs maisons incendiées ;
- En date du 21/01/2023 vers 6H 30 les combattants CODECO ont lancé l'attaque contre la position militaire des éléments FARDC de BULE au cours de laquelle deux combattants CODECO tués avant de repousser ladite attaque ;
- Toutes les attaques lancées du 08 au 21/01/2023 de LARGU à BULE sont commandées par le Général Auto-proclamé NGABU et MATESO Alias TESO.

IX. CONSTAT DU MAGISTRAT ENQUETEUR

- Le Général Auto-proclamé NGABU et MATESO Alias TESO ont commis le crime contre l'Humanité par Meurtre sur les attaques lancées contre le site des déplacés de SAVO la nuit du 18 au 19/01/2023 et l'attaque lancée contre le village LOGOBA la nuit du 19 au 20/01/2023 ;
- En outre le Général Auto-proclamé NGABU et MATESO Alias TESO ont commis le Crime de guerre par Meurtre lors des hostilités qui ont opposé les éléments de 3202^e Regt et les combattants CODECO à LARGU suite au Meurtre de l'enseignant NGABU MILI vers 6H 30 en date du 08/01/2023 ;
- Le Général Auto-proclamé MAKI KADAFI du Groupe armé ZAIRE a commis le Meurtre de l'enseignant NGABU MILI en date du 08/01/2023 vers 6H 30' à BLUKWA ;
- Inviter le Comd 2nd de 3202^e Regt le Col AMISI KASEMBO pour expliquer le retrait de ses soldats au Centre de LARGU lorsque les combattants CODECO progressés vers le Centre de LARGU.

X. PROPOSITION A L'AUD MIL SUP ITURI

- Nous proposons à votre haute autorité judiciaire ;

4

- Ouvrir un dossier judiciaire à charge de NGABU Général Auto-proclamé de CODECO et MATESO Alias TESO pour crime contre l'Humanité par Meurtre commis à BULE et crime de guerre par Meurtre commis à LARGU ;
- Ouvrir le dossier judiciaire à charge du Général Auto-proclamé MAKI KADAFI pour Participation à un mouvement insurrectionnel et Meurtre de NGABU-MILI.

XI. DECISION DE L'AUD MIL SUP

Fait à BUNIA, le 26/01/2023



KUMBU NGOMA
Col Mag
AGM

Document provided to the Group by FARDC source

Attack on Nyamamba and Mbogi, Bahema Banywagi chefferie, on 13 January 2023

In eastern Djugu, CODECO-URDPC and CODECO/ALC combatants began attacking civilians on the Bunia-Kasenya axis, on the shores of Lake Albert. On 28 December 2022, authorities reported the mobilization of CODECO combatants of the URDPC-ALC coalition³³⁵ forewarning of potential attacks targeting Tchomia and Gbavi *groupements* of the Bahema Banywagi *chefferie*, predominantly inhabited by Hema.³³⁶

On 13 January 2023, CODECO-URDPC and CODECO/ALC combatants³³⁷ descended on the villages of Nyamamba and Bogi³³⁸ in the Gbavi *groupement* and began a door-to-door campaign of targeting civilians. According to a survivor of the attack, the assailants announced that they came to conduct an operation and that their relationship with the population was “over” from that day onwards.³³⁹

Survivors testified that CODECO combatants had arrived at dawn and began knocking on doors, simultaneously in various locations in Nyamamba, asking civilians to gather outside their homes. Combatants tied the hands of several civilians, including women, to prevent them from fleeing. The assailants then led the captive civilians towards the health centre in Nyamamba, where they began executing them, initially with machetes. When people began to flee, the assailants shot them and pursued them into the forest.³⁴⁰

Five women, including one who was eight months pregnant at the time, were abducted³⁴¹ and allegedly kept as sexual slaves in a CODECO-URDPC camp at Salimboko.³⁴²

After the attack, 31 bodies were found in the villages of Nyamamba and Mbogi and buried in communal graves³⁴³ by the villagers in the presence of FARDC.³⁴⁴ In the coming days, an additional 18 bodies were found during search operations conducted in the area, raising the number of victims to 49. Photographic and video evidence of the recovery of the bodies, examined by the Group of Experts and corroborated by eyewitness testimony, depicts several bodies with their hands still tied behind their backs, some showing signs of severe mutilation.³⁴⁵

Desire Lokana, in charge of defence operations (*chargé de la défense*) within the CODECO-URDPC armed group,³⁴⁶ told the Group that the attack on Nyamamba had been organized in reprisal to attacks by Zaïre elements on the Lendu population living in the area of Gobi. CODECO-URDPC finally decided to pursue Zaïre “in their bases where they hide among the civilian population”, including at Mbogi and surrounding villages. Lokana claimed that when CODECO-URDPC fighters attacked, Zaïre elements were being sheltered by the population, who even took up arms and began shooting. Lokana also added that all the orders for the attacks that took place in January 2023 were given by the CODECO-URDPC leadership at headquarters, as vengeance/counterattacks to the actions of the Zaïre group.

³³⁵ A security source reported that combatants based in the Walendu Djatsi and Walendu Tatsi *collectivités* mobilized in the villages of Ndungbe, Jengu, Jogoo, Medja, Kpubu in the *groupements* of Penyi, Jili and Loga.

³³⁶ Governmental source.

³³⁷ Testimonies of two survivors of the attack, civil society sources, FARDC, and MONUSCO sources.

³³⁸ The two villages are in immediate proximity to each other.

³³⁹ Two witnesses, an armed group member and a FARDC official confirmed that the group of CODECO assailants had previously occupied the village of Nyamamba for several months, in a relatively peaceful cohabitation with the locals.

³⁴⁰ Testimonies of two survivors of the attack.

³⁴¹ Witness testimony of two survivors of the attack, civil society sources, FARDC.

³⁴² Source: a relative of one of the women who were kidnapped.

³⁴³ Twenty-four (24) bodies found in Nyamamba, and 7 in Mbogi. Sources: ANR source, FARDC, MONUSCO sources.

³⁴⁴ Sources: FARDC, eyewitnesses, photographic evidence corroborated by testimonies. The burial of 31 bodies took place on 16 January 2023 in Nyamamba, in the presence of community leaders and FARDC.

³⁴⁵ The photographs and videos of the recovery of the bodies are on file with the Secretariat.

³⁴⁶ Telephone interview conducted by the Group on 19 January 2023.

See below: The findings of a preliminary investigation conducted in Nyamamba and Mbogi by the Military Auditor from the *Auditorat Militaire Supérieur* of Ituri, issued on 18 January 2023

1 REPUBLIQUE DEMOCRATIQUE DU CONGO JUSTICE MILITAIRE AUDITORAT MILITAIRE SUPERIEUR DE L'ITURI <i>Représenté par: Colonel Willem Pluim</i> RAPPORT RELATIF A LA MISSION DE NYAMAMBA I. LES FAITS - En date du 13/01/2023, vers 5H00' du matin, les combattants CODECO ont lancé une attaque meurtrière contre la population civile du village NYAMAMBA une localité située à 18 Km de TCHOMIA, une zone démilitarisée ; - Cette attaque a causé la mort de plusieurs habitants ; - Cette attaque a créé une psychose au sein de la population de la RDC. II. OBJET DE LA MISSION - Mener les enquêtes sur le lieu du crime pour obtenir les éléments d'information en vue d'ouvrir un dossier judiciaire. III. COMPOSITION DE L'EQUIPE - Col-Mag KUMBU NGOMA ; - 04 escorte des 3101 Regt ; - 3 APJ de l'Aud Mil Sup IV. DUREE DE LA MISSION 24 Heures V. ITINERAIRE BUNIA – ARU – TCHOMIA – NYAMAMBA – BUNIA VI. MOYENS LOGISTIQUES - Une jeep militaire de 3101 Regt ; - AIROGUE MOTORISEE Bn Naval. VII. LES ELEMENTS RECUEILLIS LORS DE LA DESCENTE - 03 fausses communes dont : ❖ La 1^{re} fausse commune : on a enterré 13 personnes ; ❖ La 2^{de} fausse commune : on a enterré 7 personnes ; ❖ La 3^{de} fausse commune : on a enterré 4 personnes ; ❖ Un corps d'une maman ramené à MAHAGI ; ❖ 02 personnes tuées au village MBOGI II ;	2 ❖ Les combattants CODECO qui ont lancé ladite attaque meurtrière sont : SULO, TSEKPA, KATAROBE – NGANDO et FASUTIN. Ils étaient venus tous du village KAFE ; ❖ Déportation de 5 femmes dont une enceinte de 7 mois ; ❖ Ils ont pillé 16 boutiques et un Hôtel ; ❖ Deux pâlottes et une maison incendiée ; ❖ Les combattants CODECO sont regroupés à 4 km de NYAMAMBA au village KAFE jusqu'à ce jour ; ❖ L'attaque a été lancée le 13/01/2023 vers 5h 00' du matin. VIII. PROPOSITION A L'AUD MIL SUP - Une descente à TCHOMIA pour auditions des victimes ; - Ouverture d'un dossier judiciaire pour crime contre humanité par meurtre à charge de LOUP de la MONTAGNE Comd CODECO du côté TCHOMIA et ses combattants SULO, TSEKPA, KATAROBE – NGANDO et FAUSTIN ; - Informer le Comd OPS et ProGouv Mil, Comd 32^e Rgn Mil, Comd Sect Ops ITURI et Aud Gen FARDC. IX. DECISION DE L'AUD MIL SUP Fait à BUNIA, le 18/01/2023 KUMBU NGOMA Col-Mag AGM 
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Document provided to the Group by FARDC source

Annex/Annexe 70:

Executions by Twirwaneho

Exécutions par Twirwaneho

As previously reported, Twirwaneho started conducting targeted killings against members of the Banyamulenge community that it considered to be Gumino supporters and/or not supporting Twirwaneho's views, notably regarding recruitment (see [S/2022/479](#), para. 156). Since late 2021, approximately 15 executions have been reported by multiple sources.³⁴⁷ Muzungu Rusongo (see below), a Twirwaneho commander killed during a FARDC ambush in December 2022, was cited as having carried out some of these executions³⁴⁸ under the command of Freddy Rushombo (see below),³⁴⁹ who also conducted several executions. Freddy Rushombo is Twirwaneho's S2 (in charge of intelligence) and responsible for Twirwaneho's "prison cell."³⁵⁰

In particular, Sébastien Sebakanura Abatu, a former local administrator in Minembwe, was killed in August 2021. Sebatutsi Kibingo, the local chief of Muliza as well as Ndakize Rugambwa, manager of an NGO in Minembwe, were killed in April 2022. In December 2022, Cungura Sekangumwa, a Twirwaneho combatant who was present during the attempted execution of another member of the Banyamulenge community, was also killed.



Muzungu Rusongo



Freddy Rushombo

Photographs provided to the Group by security sources

³⁴⁷ Twirwaneho ex-combatants, FARDC, security forces, researchers, intelligence, civil society and MONUSCO sources.

³⁴⁸ FARDC, researcher, intelligence, civil society and MONUSCO sources.

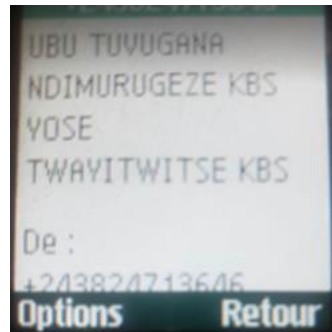
³⁴⁹ Twirwaneho ex-combatants, FARDC, researchers, intelligence, civil society and MONUSCO sources.

³⁵⁰ Several sources reported that this cell notably used to detain Twirwaneho combatants who tried to demobilize as well as the families of those who succeeded to do so, as punishment.

Annex/Annexe 71:

Text message of a Twirwaneho combatant in the attack of Rugezi in December 2023

Message d'un combattant Twirwaneho sur l'attaque de Rugezi en décembre 2023



The Group received the screenshot of an SMS sent by a Twirwaneho combatant stating “at this time, I am in Rugezi, we burnt everything down.”

Above: Screenshot provided to the Group by security sources

Annex/Annexe 72:

CNRD split and increased activity

Division du CNRD et augmentation de leurs activités

In January 2023, the *Conseil National pour le Renouveau et la Démocratie-Forces de Libération Nationale* (CNRD-FLN) leadership issued a communiqué informing of the exclusion of “Lieutenant-General” Hamada Habimana³⁵¹ as military commander of the FLN, CNRD’s armed wing.³⁵² This followed months of internal tensions, with Hamada splitting from the main group.³⁵³ In addition to the reasons mentioned in the communiqué, several sources reported that the CNRD-FLN leadership reproached him for being too inactive, refusing to send weapons and combatants to operations.³⁵⁴ They also suspected him of collaborating with Rwanda.³⁵⁵

In a subsequent communiqué, “General” Antoine Hakizimana, also known as Jeva, was referred to as FLN’s military commander. He was based in Kibira forest on the border of Burundi and the DRC,³⁵⁶ from where he launched at least two operations in Rwanda in October 2022 and January 2023. One of these operations was claimed in the communiqué, in which FLN reported that the armed group had killed at least two RDF soldiers and seized several weapons from the RDF soldiers.

Although CNRD-FLN activity declined over past years,³⁵⁷ and the group was weakened by FARDC operations,³⁵⁸ their recent operations and the intensification of CNRD-FLN communications could indicate a reactivation of the group.

³⁵¹ See [S/2012/843](#), para 94; [S/2016/1102](#), para. 28, [S/2017/672/Rev.1](#), para. 29.

³⁵² See [S/2016/1102](#), paras. 8–13 and 23–30; [S/2019/469](#), paras 44–52.

³⁵³ FARDC, researchers, civil society and MONUSCO sources.

³⁵⁴ Researchers, intelligence, civil society and MONUSCO sources.

³⁵⁵ Ibid.

³⁵⁶ Several CNRD-FLN commanders were hosted by Burundi, such as Jeva who had sought refuge in Burundi following disagreement with Hamada.

³⁵⁷ See [S/2017/1091](#), paras 23–28.

³⁵⁸ See [S/2020/482](#), para 28.

Annex/Annexe 73:

Impact of M23 crisis on South Kivu

L'impact de la crise du M23 sur le Sud-Kivu

Several armed groups operating in South Kivu expressed their willingness to fight M23, mobilising some of their elements to go to North Kivu or to prevent M23 from entering South Kivu.

On 12 and 13 February 2023, hundreds of Mai-Mai Yakutumba combatants moved north from their strongholds in Fizi territory (see below), with the reported intention of reaching North Kivu to fight M23, as explained by Yakutumba in an audio recording circulating on social media.³⁵⁹ While they were initially stopped by the FARDC in Fizi centre, other Mai-Mai elements originating from various locations were also reported as gathering in Fizi centre a few days later.³⁶⁰ Similarly, a week after, several combatants of Mai-Mai Makanaki were also reported as moving from Uvira territory towards North Kivu.³⁶¹

On 10 March 2023, several Mai-Mai Yakutumba combatants arrived in Goma, and were hosted by Colonel Amuli Akanya, ex-member of the FARDC naval force (see below).³⁶² According to several sources, FARDC authorized the combatants' arrival in Goma, which was encouraged by General Dieudonné Mutuapeke amongst others.³⁶³

Ex-Mai-Mai commander Anselme Enerunga³⁶⁴ engaged with Raia Mutomboki (RM) commanders since at least June 2022, encouraging them to collaborate with FARDC to fight M23. Thereupon, RM factions started remobilizing in Kalehe and Shabunda territories,³⁶⁵ despite many having demobilized or expressed their will to do so in recent years. In particular, in January 2023 hundreds of RM elements gathered near Bunyakiri, Kalehe territory at a FARDC camp with the intention of proceeding to North Kivu.³⁶⁶ However, according to several sources, as the promises by Anselme Enerunga and then FARDC for financial and logistical support did not materialise, RM started targeting the population with an increasing number of reported cases of attacks, threats and kidnappings of civilians as well as of incursions into mining sites.³⁶⁷ In 2012, Raia Mutomboki had allied with M23, which illustrates once again the shifting nature of armed group alliances (see [S/2013/433](#), paras. 53 and 61).

Similarly, in Kalehe Territory, "General" Kirikicho, leader of Mai-Mai Kiricho,³⁶⁸ forced demobilised combatants to rejoin his armed group with the intention of preventing M23 from entering South Kivu, following increasing rumours of M23 opening a front in South Kivu (see para 42).³⁶⁹

³⁵⁹ Intelligence, researcher, civil society and MONUSCO sources.

³⁶⁰ Ibid.

³⁶¹ Source close to Mai-Mai groups, researchers, intelligence, and civil society sources.

³⁶² Source close to Mai-Mai groups, researchers, FARDC, security forces, intelligence, civil society and MONUSCO sources.

³⁶³ Ibid.

³⁶⁴ He died in January 2023. He was National Minister of Environment in 2003 and a parliamentarian.

³⁶⁵ Researcher, civil society and MONUSCO sources.

³⁶⁶ Ibid.

³⁶⁷ Civil society and MONUSCO sources.

³⁶⁸ See [S/2010/596](#), paras. 133-134.

³⁶⁹ Researcher, civil society and MONUSCO sources.

Screenshots of videos showing Mai-Mai Yakutumba combatants moving from their strongholds to fight M23 in North Kivu in February 2023



Videos circulating on social media and provided to the Group by security sources
Screenshots of videos showing Mai-Mai Yakutumba elements in Goma in March 2023 with Colonel Amuli Akanya



Colonel Amuli Akanya



Combatants equipped with 7.62x54 mm light machine guns



Combatants equipped with 7.62x39mm machine guns



Videos circulating on social media and provided to the Group by security sources.

The Group notes that all combatants appearing in the videos are equipped with weapons including at least four 7.62x54 mm light machine guns (Type 58) and five 7.62x39 mm machine guns (M72). Type 58 light machine guns had not been documented as being part of the FARDC or armed groups' arsenal prior to this video. This implies that these weapons were most likely transferred to Mai-Mai Yakutumba recently in violation of the arms embargo. The Group also notes that the combatants wear uniforms similar to those of FARDC, and that the uniforms seem to be of recent manufacture. It is therefore likely that these were provided to the combatants by FARDC. The Group continues to investigate these transfers.

Transcript of video which records the comments of the combatants (translated into English):

"Woow, the commander arrived, Colonel AMULI YAKUTUMBA.

Mass cry: "Hit them, hit them, we will hit them (the M23)."

We are fighting for our land. Coming from the Babembe region/FIZI to fight the M23.

My name is John Raban Rasta. I'm coming from FIZI to fight against the M23. I'm waiting for the FARDC to take me to the front line.

My name is AKILI MONGA Mamadou. Coming from LUSENDA/FIZI to fight against these aggressors who overwhelm our country.

I'm Gaston, coming to fight for the sovereignty of my country.

I'm the S4 Shetani GOLLA, I'm from YABOBA/FIZI. I'm coming to hunt the M23 and will do it with a vengeance.

YAKOLWA MUKOLO MZIMU Wa KANUMBA, I'm coming from FIZI to fight for the integrity of our land.

Mass cry: "Hit them, hit them (the M23)."

My name is WILONDDJA. From the JONDWE/ FIZI village, I'm here to drive the M23 (until the last one of them) out of our national territory.

I'm Barthelemy..... KIZA AMISI Joker Grand Prêtre. I'm coming to kill all the M23. Martin BAOMBWA, from FIZI.

Annex/Annexe 74:**Links between M23 and other South Kivu armed groups****Liens entre le M23 et d'autres groupes armés du Sud-Kivu**

Several sources reported that since early 2023, Colonel Seraphin Mirindi, former aide of Laurent Nkunda currently operating with M23,³⁷⁰ approached several South Kivu armed groups, such as FABB, Mai Mai Makanaki, Mai-Mai Ilunga, Mai-Mai René Itongwa and Jean Nalube's self-defence group.³⁷¹ He notably used intermediaries to initiate first contact, such as Albert Wabulakombe, a representative of Mai-Mai René Itongwa who was arrested in January 2023 by DRC authorities.³⁷² Colonel Mirindi initially tried to unite the armed groups against FDN-FARDC operations, but then offered money to armed groups to participate in meetings in Rwanda with the aim of supporting M23.

³⁷⁰ Also operating with M23 already in 2012, see [S/2012/348/Add.1](#) para. 10.

³⁷¹ Mai-Mai group representative, FARDC, Researchers, intelligence, civil society and MONUSCO sources.

³⁷² Mai-Mai group representative, security forces and MONUSCO sources.

Annex/Annexe 75:**Forced recruitment by Twirwaneho, including punishments and killings for refusal or defection****Recrutement forcé par les Twirwaneho, y compris punitions et meurtres en cas de refus ou de défection**

A local community leader acknowledged to a MONUSCO source that any attempt to exfiltrate a child from the area could lead to the killing of the child and its relatives (see also [S/2021/560](#), para. 135). Several sources, including an ex-Twirwaneho combatant and demobilized children, reported that after their defection from Twirwaneho, their relatives were arrested and detained in a dungeon dug in the ground (“andaka”) until the payment of a fine as a form of punishment/compensation.³⁷³ The ex-combatant reported that his brother was killed because he refused to join the group. A child soldier who defected from Twirwaneho reported that he fled after he heard from his comrades that his commander gave orders to have him killed, because of a previously failed attempt to desert from the group.

Defectors who left the group risked their lives to surrender or leave the area,³⁷⁴ as they could either be executed by Twirwaneho if caught, or be killed by other hostile armed groups who control the roads in the area. Roads are impassable and the only way to access Minembwe is by plane.³⁷⁵ In addition, several independent sources confirmed that passenger lists for the only commercial flight operating in the area have to be submitted to Twirwaneho for verification.

³⁷³ MONUSCO sources, governmental source, and civil society sources.

³⁷⁴ Several sources including statements of demobilized children, civil society, and MONUSCO sources.

³⁷⁵ Members of Banyamulenge community, MONUSCO, civil society, statements of demobilized children, and NGOs working in the area.

Annex/Annexe 76:

Speeches of Banyamulenge leaders based in the USA

Discours des leaders de la Banyamulenge aux Etats-unis

The [video](#) was last accessed on 15 April 2023 and is archived with the Secretariat.



Sources identified the above speaker as Patrick Edono, who resides in the state of Tennessee, United States. The following is an extract from his speech at the ceremony:

« Ikindi nasaba Mahoro na abanyamulenge mwese, mubyukuri muhe agachiro abana ba Twirwaneho. Twirwaneho muihe agachiro kuko mugihe batanze ubuzima bwabo, agasiga ubuzimabwe hariya, nu umubiriwe tugoma kuuha agachiro. Murakoze. »

“Another thing I ask Mahoro and all the Banyamulenge, really give value/consideration to the children/youth of Twirwaneho. Twirwaneho, give them consideration because when they sacrifice their lives there, even their bodies must be honoured.”



Sources identified the above speaker as Dieudonné who resides in Dayton, Ohio, United States. Sources informed the Group that during the ceremony, he represented the MPA of Ohio. The following is an extract from his speech at the ceremony:

« Nk'umuryango rero, nagirango nvuge ikindi kimwe kugirango tuza tuzirikana. Tuze tuzirikana Intwari. Nka abandi bahuriye aha ngaha, nje nari ntekereje ngo Mahoro, mubyunve, kandi tuzabibabaza kuberako tubivuze nk'umuryango yanyu, muza zirikane, tuzashiraho umunsi umwe, umunsi wokwibuka intwari, izintwari zigenda zituzigira kandi z'itangiye ubwoko. Babaye ingabo, baritanga bagasiga imiryango yabo, hari barihano, hari abari na Canada. Kandi nitutegerezeko amahoro aboneke ko twashiraho uwomunsi. Mwuho munsi tukaza twibuka imirimo bakoze, ariko tukatanga n'ubushobozi bwihariye, itari iriya 20\$. Tukatanga ubuyobozi bwokubaka igihugu. Muziko hari abana baja kurugamba batafite n'inkweto? Muziko hari abana baja kurugamba batabasha nokubona icho barya? Nje bijabintangaza igihe bavugaga ngo tutange icyo 20\$, ugasanga abandi ntibashyirakaye icyo 20\$.»

“As a family now, I would like to say something else so that we can have a meditation. We must meditate on our heroes. As we met here I thought Mahoro, listen to this very well, and then know that we will ask you one day because we talk about it as your family, you have to meditate, we have to establish a date, a day of commemoration of the heroes, these heroes who are leaving us when they died for our community. They were our strength, they sacrificed themselves leaving their families. Some are here, some are in Canada. We must not wait for peace to be established to set this date of remembrance. On this day, we can remember the work that these heroes did. We will also be able to make special contributions that are considerable and not just the \$20, contributions to rebuild the country. Do you know that there are people who go into battle without shoes? Do you know that there are people who go into battle without food? It surprises me when we are asked to give the \$20 and we find some who have not given any. So I'm surprised to see that some of us didn't give the \$20.”



The Group was not able to identify the individual pictured above. He played a message on his phone from an individual the Group could not identify. The following is an extract from the audio message he played from his phone at the ceremony:

« Icho twizeye nuko tufite insinzi kuko turwanira kuri kwachu. Rero mukukuri koturwanira iwachu, wherever you are, ahariho Umunyamulenge wose ari kwisi isabako abandubose bashira imbaraga bakarwanya umwanzi ushakako atumara. Kandi tugomba kubaho mubitekerezo, twitekerejeho twenyine. Mushigikire abobari kurugamba. Urugamba rugira parametre zitandukanye, hari hakorwa muburyo bwa mafaranga, hari hakorwa nuburyo butandukanye, izi zose zirakenewe

“Our hope is that we have victory because we are fighting for our home/land. So, in this truth that we are fighting for, wherever they are, Banyamulenge people all over the world have to put their strength together to fight the enemy who is trying to exterminate us. So we must be together in thought; we must think of protecting ourselves. We must support those who are in the battle. War is characterised by many factors. Sometimes you need money and sometimes you need other things. All these things are necessary.”



Sources identified the individual above as Pastor Emmanuel Rupande Musinga. He lives in Indiana, United States and is known as the leader of Abarwanashyaka, formed by ex-RCD combatants. Before starting his speech, he invited all the Abarwanashyaka present to join him on stage. The following is an extract from his speech at the ceremony:

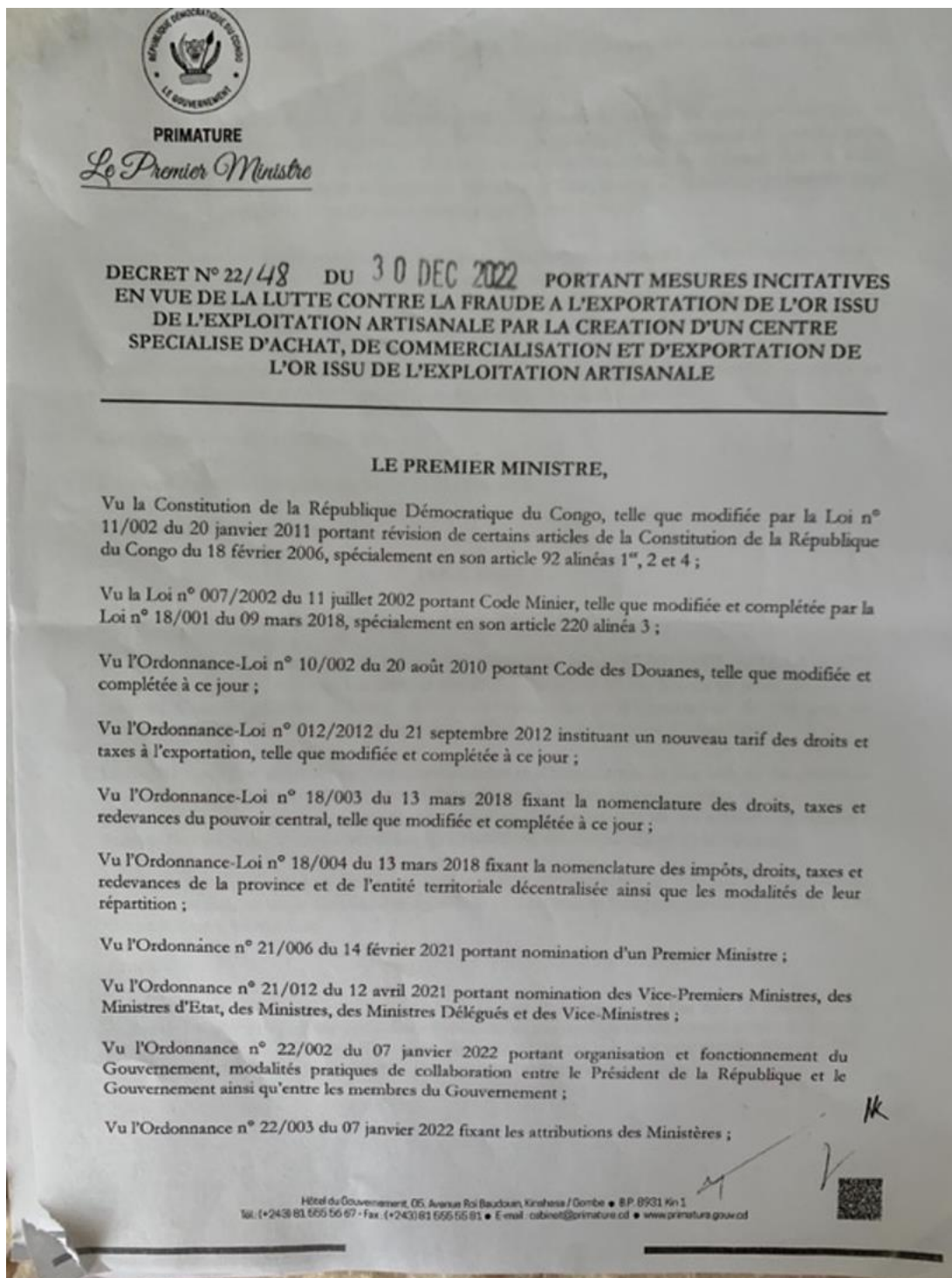
« Biteye isoni, birababaje, biteye akahinda, Bonheur kutanga ubuzima bwiwe yasize umugore n'abanabe, we ukanga gutanga makuminyabiri. Kugirango Imulenge habeho, ni maraso y'a Bonheur. Kugirango Imulenge ibeho, ni abagabo ba Imulenge bagusanye imirongwibiri. Ko uranze kuyatanga, Bonheur akatanga amarasoye. Ababagabo ubonye hano, kuva 2019 kugeza none tuvuga burimundu wose atanga mirongwirindwi zama dolare, mirongwibiri zama euro, mirongwitano yogushigikira abagabo bameze nga Bonheur. Wanze kutanga iyo \$20, Imana ikubabarire tukumenye, twakugaya. Turi Twirwaneho yomumaraso, itari yomumagambo. Turi twirwaneho yomumaraso, we are ready to die for »

"It's shameful, it hurts, it's sad; Bonheur, the fact that he gave his life, he left his wife and children but you refused to give the \$20. For Mulenge (land) to be there, it is Bonheur's blood. For Mulenge (land) to be there, it was Mulenge's men who gave the \$20. As you refused to give this, Bonheur gave him his blood. These men that you see here, since 2019 until now, each one contributes \$70, €20, \$50 to support the men who are like Bonheur. If you refuse to give that \$20, may God forgive you, if we find out, we will refuse to recognise you as one of us. We must be Twirwaneho not of the word but of the blood; We are ready to die for."

Annex/Annexe 77:

Decree which governs Primera Gold DRC's activities

Le décret qui régit les activités de Primera Gold en RDC



Suite

Vu le Décret n° 038/2003 du 26 mars 2003 portant Règlement Minier, tel que modifié et complété par le Décret n° 18/024 du 08 juin 2018 ;

Considérant la nécessité pour le Gouvernement d'améliorer le circuit de commercialisation et d'exportation de l'or issu de l'exploitation artisanale en République Démocratique du Congo, en ce compris dans le but d'assurer davantage la transparence et la traçabilité des minerais dans le cadre des engagements internationaux et régionaux relatifs à la lutte contre la fraude et en vue de faire participer la filière aurifère à l'essor socio-économique de tout le pays ;

Considérant que la sortie frauduleuse de l'or issu de l'exploitation artisanale par les frontières situées à l'Est du territoire national trouve sa justification dans la concurrence fiscale et parafiscale au niveau régional, celle-ci étant défavorable à la République Démocratique du Congo et dans l'absence d'une filière organisée susceptible de promouvoir les exploitants miniers artisanaux ;

Considérant que la réorganisation de la filière aurifère issue de l'exploitation artisanale constitue un facteur de stabilisation et de lutte contre la multiplication des bandes armées ;

Considérant l'urgence et la nécessité ;

Sur proposition des Ministres des Mines et des Finances ;

Le Conseil des Ministres entendu ;

DECRETE :

Article 1^{er}

En application des dispositions de l'article 220 alinéa 3 de la Loi n° 007/2002 du 11 juillet 2002 portant Code Minier, telle que modifiée et complétée par la Loi n° 18/001 du 09 mars 2018, il est créé un Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale, dont le siège est établi à Bukavu, dans la Province du Sud-Kivu.

Le Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale accomplit ses activités sur toute l'étendue du territoire national et peut, le cas échéant, y ouvrir des bureaux provinciaux jugés nécessaires au développement de ses activités, notamment dans les Provinces de l'Ituri, du Maniema, du Nord-Kivu, du Tanganyika et de la Tshopo.

Le Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale est institué par le Gouvernement avec le concours de la Banque Centrale du Congo et des Gouvernements provinciaux.

Article 2

Le Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale est géré directement par le Gouvernement au travers d'un établissement public doté de la personnalité juridique créé à cet effet ou par délégation à travers une personne morale de droit privé ayant conclu avec le Gouvernement une convention de délégation de services.



*Suite***Article 3**

Un guichet unique spécialisé dans l'exportation de l'or issu de l'exploitation minière artisanale est installé dans le Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale en vue de faciliter les démarches administratives nécessaires à son exportation.

Article 4

Le Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale constitue la voie privilégiée par laquelle s'effectue l'exportation de l'or issu de l'exploitation artisanale de la République Démocratique du Congo.

A cet effet, le gestionnaire du Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale est le partenaire privilégié pour l'amélioration de la chaîne d'approvisionnement de l'or issu de l'exploitation artisanale et la lutte contre la fraude et la contrebande des minerais.

Il s'approvisionne auprès des :

- coopératives minières agréées ;
- négociants ;
- comptoirs d'achat et de vente d'or de production artisanale.

Par dérogation à l'alinéa précédent, le Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale peut également s'approvisionner auprès des titulaires des droits miniers d'exploitation désireux de recourir à ses prestations.

Article 5

Il est instauré une perception unique à l'exportation de l'or issu de l'exploitation artisanale en faveur du gestionnaire du Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale au titre de droits, taxes et redevances requis à l'occasion de la sortie du territoire national.

Cette perception unique couvre tous les droits, taxes et redevances du pouvoir central, de la province et de leurs organismes auxiliaires.

Article 6

Le taux de la perception unique visé par l'article 5 ci-dessus est fixé à 0,25 % de la valeur commerciale brute constatée au moment de la sortie du territoire national de chaque lot d'or issu de l'exploitation artisanale.

Article 7

Le Ministre des Finances fixe, par voie d'arrêté ministériel, les modalités de recouvrement de cette perception unique et assure la répartition des recettes en résultant entre les différents bénéficiaires.

Mk



*Suite***Article 8**

En contrepartie de l'incitation fiscale portée par la perception unique, le gestionnaire du Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale assure l'organisation et la promotion de la filière de l'or issu de l'exploitation artisanale.

Il est tenu d'accomplir, à cet effet, toutes les missions et obligations définies par la convention de délégation des services tendant à moderniser les méthodes d'exploitation, de transformation, de commercialisation, de traçabilité et de circulation de l'or issu de l'exploitation artisanale ainsi que la mise en place d'un système de sécurité sociale et de bancarisation en faveur des exploitants artisanaux, membres des coopératives agréées.

Un mécanisme d'évaluation de l'exécution des missions et obligations du gestionnaire du Centre Spécialisé d'Achat, de Commercialisation et d'Exportation de l'or issu de l'exploitation artisanale sera mis en place en accord entre ce dernier et le Gouvernement.

Article 9

Les Ministre des Mines et des Finances sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret qui entre en vigueur à la date de sa publication au Journal Officiel de la République Démocratique du Congo.

Fait à Kinshasa, le 30 DEC 2022

Jean-Michel SAMA LUKONDE KYENGE

Pour la Ministre des Mines, empêchée,

Didier BUDIMBU NTUBUANGA

Ministre des Hydrocarbures

Nicolas KAZADI KADIMA-NZUJI

Ministre des Finances



Documents provided to the Group by sources within the mining community

Annex/Annexe 78:

Ministerial order on the new artisanal gold export requirement in the DRC

Arrêté ministériel sur la nouvelle exigence d'exportation d'or artisanal en RDC



MINISTÈRE DES FINANCES | MINISTÈRE DES MINES

ARRÊTÉ INTERMINISTÉRIEL

ARRÊTÉ INTERMINISTÉRIEL N° 00081 /CAB.MIN/MINES/01/2023
 ET N° 006 /CAB.MIN/FINANCES/2023 DU 14 MARS 2023 MODIFIANT L'ARRÊTÉ
 INTERMINISTÉRIEL N° 459/CAB.MIN/MINES/01/2011 ET N° 295/CAB.MIN/FINANCES/2011
 DU 14 NOVEMBRE 2011 FIXANT LES TAUX, L'ASSIÈTE ET LES MODALITÉS DE PERCEPTION
 DES DROITS, TAXES ET REDEVANCES RELEVANT DU RÉGIME DOUANIER, FISCAL ET
 PARAFISCAL APPLICABLE À L'EXPLOITATION ARTISANALE DES SUBSTANCES MINÉRALES
 AINSI QUE LES PERFORMANCES MINIMALES DES COMPTOIRS AGRÉÉS

LA MINISTRE DES MINES

ET

LE MINISTRE DES FINANCES

Vu la Constitution, telle que modifiée par la Loi n° 11/002 du 20 janvier 2011 portant révision de certaines dispositions de la Constitution de la République Démocratique du Congo du 18 février 2006, spécialement en son article 93 ;

Vu la Loi n° 007/2002 du 11 juillet 2002 portant Code Minier, telle que modifiée et complétée par la loi n° 18/001 du 09 mars 2018 ;

Vu la Loi n° 11/011 du 13 juillet 2011 relative aux finances publiques, telle que modifiée et complétée à ce jour ;

Vu l'Ordonnance n° 22/002 du 07 janvier 2022 portant organisation et fonctionnement du Gouvernement, modalités de collaboration entre le Président de la République et le Gouvernement ainsi qu'entre les Membres du Gouvernement ;

Vu l'Ordonnance n° 22/003 du 07 janvier 2022 fixant les attributions des Ministères, spécialement en son article 1^{er} B, point 35 ;

Vu l'Ordonnance n° 21/012 du 12 avril 2021 portant nomination des Vices-Premiers Ministres, des Ministres d'Etat, des Ministres, des Ministres délégués et des Vice-Ministres ;

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4^{ème} Niveau, Hôtel du Gouvernement, Place Royal, Boulevard du 30 Juin – Kinshasa / Gombe – RDC
 • Site web : www.mines.gov.cd • E-mail : info@mines.gov.cd

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Vu le Décret n° 007/2002 du 02 février 2002 relatif au mode de paiement des dettes envers l'Etat, tel que modifié et complété par le Décret n°011/20 du 14 avril 2011 ;

Vu le Décret n° 038/2003 du 26 mars 2003 portant Règlement Minier, tel que modifié et complété par le Décret n° 18/024 du 08 Juin 2018 ;

Vu l'Arrêté Interministériel n° 0340/CAB.MIN/MINES/01/2022 et n° 054/CAB/MIN/FINANCES/ 2022 du 04 août 2022 portant fixation des taux des droits, taxes et redevances à percevoir à l'initiative du Ministère des Mines ;

ARRETENT

Article 1^{er} :

L'article 5 de l'Arrêté Interministériel n° 459/CABMIN/MINES/01/2011 et n° 295/CABMIN/FINANCES/2011 du 14 novembre 2011 fixant les taux, l'assiette et les modalités de perception des droits, taxes et redevances relevant du régime douanier, fiscal et parafiscal applicable à l'exploitation artisanale des substances minérales ainsi que les performances minimales des comptoirs agréés, est modifié comme suit :

« Article 5 :

Les comptoirs d'achat et les acheteurs des substances minérales de production artisanale sont tenus de réaliser les performances minimales fixées comme suit par période spécifiée :

a) Pour le diamant

1. Comptoir

- 1^{er} trimestre : 10.500.000 USD, soit 3.500.000 USD/mois
- 2^{ème} trimestre : 12.000.000 USD, soit 4.000.000 USD/mois
- 3^{ème} trimestre : 15.000.000 USD, soit 5.000.000 USD/mois
- 4^{ème} trimestre : 10.500.000 USD, soit 3.500.000 USD/mois

2. Acheteur

- 1^{er} trimestre : 1.050.000 USD, soit 350.000 USD/mois
- 2^{ème} trimestre : 1.200.000 USD, soit 400.000 USD/mois
- 3^{ème} trimestre : 1.500.000 USD, soit 500.000 USD/mois
- 4^{ème} trimestre : 1.050.000 USD, soit 350.000 USD/mois

b) Pour l'or

1. Comptoir

- 1^{er} trimestre : 300 Kgs, soit 100 Kgs/mois
- 2^{ème} trimestre : 300 Kgs, soit 100 Kgs/mois
- 3^{ème} trimestre : 300 Kgs, soit 100 Kgs/mois
- 4^{ème} trimestre : 300 Kgs, soit 100 Kgs/mois

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2. Acheteur

- 1^{er} trimestre : 30 Kgs, soit 10 Kgs/mois
- 2^{ème} trimestre : 30 Kgs, soit 10 Kgs/mois
- 3^{ème} trimestre : 30 Kgs, soit 10 Kgs/mois
- 4^{ème} trimestre : 30 Kgs, soit 10 Kgs/mois

c) Pour la Cassitérite

1. Comptoir

- 1^{er} trimestre : 135 tonnes, soit 45 tonnes/mois
- 2^{ème} trimestre : 144 tonnes, soit 48 tonnes/mois
- 3^{ème} trimestre : 144 tonnes, soit 48 tonnes/mois
- 4^{ème} trimestre : 135 tonnes, soit 45 tonnes/mois

2. Acheteur

- 1^{er} trimestre : 13,5 tonnes, soit 4,5 tonnes/mois
- 2^{ème} trimestre : 14,4 tonnes, soit 4,8 tonnes/mois
- 3^{ème} trimestre : 14,4 tonnes, soit 4,8 tonnes/mois
- 4^{ème} trimestre : 13,5 tonnes, soit 4,5 tonnes/mois

d) Pour le Coltan

1. Comptoir

- 1^{er} trimestre : 40 tonnes, soit 13,4 tonnes/mois
- 2^{ème} trimestre : 42 tonnes, soit 14 tonnes/mois
- 3^{ème} trimestre : 45 tonnes, soit 15 tonnes/mois
- 4^{ème} trimestre : 40 tonnes, soit 13,4 tonnes/mois

2. Acheteur

- 1^{er} trimestre : 4 tonnes, soit 1,3 tonnes/mois
- 2^{ème} trimestre : 4,2 tonnes, soit 1,4 tonnes/mois
- 3^{ème} trimestre : 4,5 tonnes, soit 1,5 tonnes/mois
- 4^{ème} trimestre : 4 tonnes, soit 1,3 tonnes/mois

e) Pour la Wolframite

1. Comptoir

- 1^{er} trimestre : 60 tonnes, soit 20 tonnes/mois
- 2^{ème} trimestre : 63 tonnes, soit 21 tonnes/mois
- 3^{ème} trimestre : 63 tonnes, soit 21 tonnes/mois
- 4^{ème} trimestre : 60 tonnes, soit 20 tonnes/mois

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2. Acheteur

- 1^{er} trimestre : 6 tonnes, soit 2 tonnes/mois
- 2^{ème} trimestre : 6,3 tonnes, soit 2,1 tonnes/mois
- 3^{ème} trimestre : 6,3 tonnes, soit 2,1 tonnes/mois
- 4^{ème} trimestre : 6 tonnes, soit 2 tonnes/mois

f) Pour les pierres de couleur

Les comptoirs d'achat et les acheteurs des pierres de couleur ont l'obligation de déclarer la quantité de toute espèce achetée.

À partir du onzième acheteur, la performance du comptoir agréé telle que fixée à l'alinéa précédent sera réajusté au prorata de l'accroissement du nombre d'acheteurs supplémentaire. »

Article 2 :

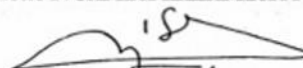
Sont abrogées toutes les dispositions antérieures contraires au présent Arrêté qui entre en vigueur à la date de sa signature.

Fait à Kinshasa, le 14 MARS 2023

Nicolas KAZADI KADIMA-NZUJI


Ministre des Finances

Antoinette N'SAMBA KALAMBAYI


Ministre des Mines

Annex/Annexe 79:

Official Burundian cooperatives and mining sites in Burundi

Coopératives et sites miniers officiels au Burundi


Office Burundais des Mines et Carrières
DIRECTION GENERALE
 N°Réf: 760.07/045 /OBM/2023

**LISTE DES SITES MINIERES POUR LESQUELS L'EXPLOITATION DE L'OR EST
AUTORISEE A PARTIR DU 02 JANVIER 2023**

N°	COOPERATIVE	SITE	COMMUNE	PROVINCE
1	DUKORERE HAMWE DUSOZE IKIVI	Budandari-Bibare	Isare	Bujumbura
2	WINNER'S GOLD	Rusakaro-Nyahithume	Mugamba	Bururi
3	COOPERATIVE BURAMBI MINING CENTER, BUMIC	Mugonera	Mugamba	Bururi
4	AJENITEKA MINIERES	Kenyera	Mabayi	Cibitoke
5	DUKORERE HAMWE DUSOZE IKIVI	Butare	Mabayi	Cibitoke
6	DUKOMEZUMWUGA	Kabere	Mabayi	Cibitoke
7	DUKORERE HAMWE DUSOZE IKIVI	Jangwe	Mabayi	Cibitoke
8	COOPERATIVE ABASANGIRARUGENDO MINING COMPANY	Baziro IV	Gitobe	Kirundo
9	COOPERATIVE KORIBIKORWA TWIKENURE MINYAGO	Minyago	Bwambarangwe	Kirundo
10	COOPERATIVE TWIMENYE	Nyengabo	Bwambarangwe	Kirundo
11	TUGWIZE UMWIMBU	Gahararo II	Butihinda	Muyinga
12	TWJUKIRE ITERAMBERE DUTEGURE KAZOZA	Nyarubuye kw'ishonga	Butihinda	Muyinga
13	NIYOGUSHIMWA	Ndera I	Butihinda	Muyinga
14	MUNEZERO MWIZA	Gahararo III	Butihinda	Muyinga
15	SOTB	Masaka II	Butihinda	Muyinga
16	COOPERATIVE TURIKUMWE TWESI BIRASHOBOKA COOPERATIVE MURI KAZOZA	Gishuha II	Burambi	Rumonge
17	SOCIETE DE FABRICATION ET DE COMMERCIALISATION DE LA CHAUX A USAGE AGRICOLE (SOFAGRI)	Gaterama	Kinyinya	Ruyigi
18	COOPERATIVE MINIERE DU MOSO (COMIMO)	Taba III	Gisuru	Ruyigi
19	COOPERATIVE MINIERE DU MOSO (COMIMO)	Munyinya IV	Nyahitsinda	Ruyigi
20	COOPERATIVE BLESSING BURUNDI	Rusengo	Ruyigi	Ruyigi
21	ELOHIM	Gasaranda	Ruyigi	Ruyigi

FAIT A BUJUMBURA, le 02/01/2023
**LE DIRECTEUR GENERAL DE L'OFFICE
BURUNDAIS DES MINES ET CARRIERES**
 Clairia KANKURIZE

MINISTERE DE L'HYDRAULIQUE, DE L'ENERGIE ET DES MINES-OFFICE BURUNDAIS DES MINES ET CARRIERES (OBM)
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