

Dr Congo (60)

Public

amnesty international

29/10-03

Democratic Republic of Congo

Ituri - How many more have to die?

2002/71511-19

Im. Flh.sekr. 19 J.nr.

21 OKT. 2003 NWI

Antal bilag

Aktnr. 16



2 August 2003

AI Index: AFR 62/030/2003

Distr: SC/CC/CO/GR

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 0DW, UNITED KINGDOM



Summary

This report outlines some of Amnesty International's current concerns in the east of the Democratic Republic of Congo, based on findings from a recent mission to the Ituri region, to North-Kivu and to neighbouring Uganda.

Photograph on cover page: A victim of the Nizi massacre on 22 July 2003 © Private

Democratic Republic of Congo

Ituri - How many more have to die?

Five years on

August 2 2003 marks the fifth anniversary of the start of the conflict in the Democratic Republic of Congo (DRC). While international attention focuses on the installation of a new transitional government in the capital Kinshasa and the supposed end to the war, the atrocities in the east of the country continue. Following a three-week research mission to eastern DRC and neighbouring Uganda, Amnesty International concludes that the need for effective intervention by the international community remains as urgent as ever.

'The vast majority of Congo's people are desperate for peace to return to their country so that they can begin to pick up the pieces of their broken lives,' said Amnesty International today, one week after returning from the region. 'But as the massacres, mutilations and rapes continue throughout the Ituri and Kivu regions, it would be a triumph of vain hope over bitter, daily experience for the Congolese people of eastern DRC to believe that peace has genuinely returned to their communities.'

Fleeing for their lives

In Bunia, Ituri's capital, some 20,000 residents are currently living in makeshift camps for internally displaced persons (IDPs), under the military protection of international troops. Most of these IDPs have fled for their lives from the ethnic violence between warring militias which has decimated Bunia and its surroundings in recent months, and they remain too terrified to return to their homes.

K., a 25-year-old Nande civilian, has been in an IDP camp since 10 May, after members of the Hema-dominated UPC militia forced their way into his home. The militia-men demanded of each of the 20 or so people in the house what ethnic group they belonged to and then used sticks and daggers to beat and stab one woman and three men to death, all of them civilians. The remaining men were then taken out of the house, given sticks, and made to advance in front of the UPC soldiers as human shields. As the UPC advanced, they entered nearby houses and systematically macheted and stabbed to death non-Hema civilians. In the course of two hours, K. witnessed the cold-blooded slaughter of some 50 people.



A camp for Ituri's displaced civilians next to Bunia's airport. The tanks guarding the camp belong to MONUC. © AI

Tens of thousands of other Ituri civilians have fled the province altogether over the last year. On 6 May alone, some 6,000 Bunia civilians, including many Hema, accompanied the withdrawing Ugandan army to the Ugandan border. Others, including many Lendu, Bira and Alur, fled south to North-Kivu province, in particular to the towns of Oicha and Erengeti.

L., a 35 year-old Hema woman who fled east from Bunia on 10 May, was stopped and taken prisoner by Lendu and Ngiti militia in the village of Bavi on 11 May. The militia were systematically singling out people whom they suspected of being Hema and seeking confirmation of their suspicions from a local witch-doctor (*féticheur*). After the witch-doctor denounced L. as a Hema, they took all of her clothes except for a single garment and imprisoned her overnight in a waterlogged pit in the ground around a metre deep with two other older Hema women. These two women, one of whom was called **Edroni**, were later taken out of the hole and hacked to death by Ngiti militia using hand-axes. L. herself managed to escape and reach Uganda.

The limited scope of the French-led multinational force

There are two international military presences in Bunia. The first is the United Nations observer mission known as MONUC. The second is an Interim Emergency Multinational

Force (IEMF) led by France and mandated by the United Nations to remain in Bunia until 1 September.



MONUC soldiers on guard outside the MONUC headquarters in Bunia. The armoured vehicle in the background belongs to the French-led multinational force. © AI

Since its deployment in on 6 June, the IEMF, which has been almost universally welcomed by the civilian population of Bunia, has contributed greatly to improving the security situation in Bunia itself, in particular around the airport and the MONUC headquarters in town. However, despite day-time and night-time armoured patrols through the town centre, as well as occasional reconnaissance missions beyond Bunia to outlying areas, the IEMF has not attempted to fully secure all the districts of Bunia, and still less to bring greater security to other regions in Ituri, with the result that many abuses have continued.

At the end of June, in the Saio district of Bunia, a 45-year-old Bira woman and her 13-year-old daughter were woken from their sleep by a group of young UPC militia-men, who demolished a door to force their way into the house. Once inside they looted and destroyed property and accused the mother and daughter of hiding Lendu combatants in their home. They then attempted to abduct the daughter. When the mother tried to intervene, both she and her daughter were brutally raped side-by-side by two of the

militia-men, not far from their home. Both women suffered injuries as a result of the attack.

Without a meaningful international military presence outside Bunia, appalling massacres have been continuing unchecked throughout the province. On 22 July in the town of Nizi to the north of Bunia, some 22 civilians were massacred by Lendu and Ngiti militia. Many of the corpses, riddled with bullet holes, had been butchered with knives and machetes -- internal organs and genital organs had been cut from the bodies.



Victims of the massacre in Nizi on 22 July 2003. © Private

On 15 July an alliance of Lendu and Ngiti militia and elements of the Nande-dominated RCD-ML -- an armed group which is given direct military support by the Kinshasa government -- attacked the town of Tchomia on the shores of Lake Albert, which is under the control of a Hema-dominated armed faction called PUSIC. In the course of around ten hours of intense fighting, some 80 people, including many civilians, were killed and dozens of others were taken hostage by the attacking militia, some three-quarters of whom were child soldiers. Around 200 houses, accounting for around one fifth of the town, were destroyed.

This latest attack on Tchomia followed an even more devastating confrontation on 31 May, when RCD-ML combatants again attacked Tchomia and deliberately targeted the hospital, killing some 34 people there, mainly Hema and Alur, including women and children. The overall death toll of around six hours of fighting was reportedly some 300 people. The only civilians remaining in Tchomia today are those who are too poor to pay the \$3US dollars required to take a canoe ride across Lake Albert to the comparative safety of neighbouring Uganda.



Refugee widows with their children in the Ugandan town of Ntoroko, bordering Lake Albert. Their husbands were killed during militia attacks on Tchomia and neighbouring Kasenyi in May 2003. © AI

The responsibilities of regional governments

The Kinshasa government, through its support for the RCD-ML, continues to be directly implicated in the bloodshed in eastern DRC. Despite their official withdrawal from eastern DRC, Rwanda and Uganda also continue to provide support to the armed factions operating in Ituri. Uganda has supported PUSIC and the FAPC of Commander Jerome Kakwavu, whose stronghold is in the north-eastern Ituri towns of Aru and Mahagi. Both Uganda and Rwanda have at different times supported the UPC of Thomas Lubanga. The UPC has also entered into a formal alliance with the RCD-Goma, the main Rwandese-

backed armed political group in eastern DRC, which has continued to wage war in the province of North-Kivu, in spite of the ceasefire supposedly in force. All of these groups have been responsible for gross human rights abuses.

As recently as mid-July, Chief Kahwa Mandro, the leader of PUSIC, was once again present with his militia in the Bundibugyo district of western Uganda, where tens of thousands of Congolese have taken refuge. The ostensible purpose of his visit was to recruit Hema refugees into the ranks of PUSIC. It is inconceivable that the Ugandan authorities were unaware of his presence there, given the substantial Ugandan army deployment in the district, close to the towns where most of the refugees are concentrated.

The failure of MONUC

MONUC was originally deployed to the DRC to monitor the implementation of a ceasefire accord signed in Lusaka, Zambia, in 1999. Small numbers of MONUC personnel have been present in Bunia for a number of years. MONUC has played a facilitating role in the holding of peace talks between warring factions and in the distribution of humanitarian aid, it has conducted sporadic investigations into human rights abuses committed during the conflict and it has monitored and reported on many of the violations of the nominal ceasefire.



Bangladeshi MONUC reinforcements on arrival at Bunia's airport in July 2003. © AI

However, a hostage to its weak mandate and often lacking the necessary equipment, personnel and international political backing, MONUC's record in promoting the security of the civilian population has been little short of disgraceful. The organisation has on occasion stood by as civilians have been killed, sometimes within direct view of MONUC compounds. When in mid-May the UPC issued threats over the radio against civilians in Bunia's IDP camps, MONUC rightly denounced this as a flagrant violation of its mandate under Chapter VII of the UN Charter to 'protect civilians under imminent threat of physical violence'. But the reality is that MONUC has consistently failed to implement this crucial element of its mandate – with the most devastating of consequences for the civilian population.

Countless deaths and the displacement of tens of thousands of civilians could have been prevented had MONUC intervened effectively after the withdrawal of Ugandan troops from Bunia on 6 May. MONUC must have been acutely aware of the inevitability of further ethnically-targeted slaughter if it failed to intervene, the fact that it did not demonstrates the ineffectiveness of this force and the lack of will within the United Nations Security Council to adequately address the human rights crisis in eastern DRC. Adequate troop deployment in early May would undoubtedly have prevented the subsequent bloodshed.

The weakness and lack of resolve of MONUC was further underscored in a humiliating incident on 18 July when a MONUC-led convoy attempting to travel from Bunia to the North-Kivu town of Beni was stopped some 30km south of Bunia by around a dozen Lendu child soldiers, ranging in age from 8 to 16. Despite being well-armed and disposing of several armoured vehicles, the MONUC convoy failed to impose its will on these child soldiers and instead returned to Bunia.

The continuing and urgent need for effective international intervention

The violence in Ituri is the result of a power struggle between leaders of rival armed groups in the region. These leaders have remorselessly manipulated tensions between different ethnic groups to further their own political and economic interests. This has not been a war in which civilians have been the unfortunate victims of 'collateral damage', but one in which civilians have consistently and deliberately been targeted. The primary military undertaking of the armed factions operating in Ituri – including the UPC, PUSIC, FNI, FRPI, RCD-ML, and FAPC – has been the systematic extermination of people, civilians or otherwise, on the basis of their ethnic identity, regardless of their age or gender.

Mutual hatred among the ethnic groups of Ituri, fuelled by political and militia leaders, is now so deep and entrenched that it will take years for these rifts to begin to heal. It is essential that the international community is there in force, both to nurture along that healing process and, where necessary, to directly confront the militia who would continue the killing.

In the meantime, the civilian population of Bunia continues to live in fearful anticipation of what further atrocities may ensue if the French-led multinational force withdraws as planned on 1 September, without there being a robust and committed MONUC force in place which is willing to intervene militarily to save their lives. On 28 July the UN Security Council passed Resolution 1493, extending MONUC's mandate until 30 July 2004 and authorising MONUC, acting under Chapter VII of the UN Charter, to use all necessary means to protect civilian lives.

If the blood of the helpless civilians of Bunia flows once again in September, as it did in May, the primary culprits will be the militia leaders and the gangs, including children, they employ to implement their 'program' of ethnic hatred and cleansing. But if it should stand by and allow this to happen again, MONUC itself, as the embodiment of the will of international community, would be morally culpable for its failure to save lives. It is no longer enough for MONUC to simply 'observe'; with its recently reinforced mandate, it is time for MONUC to act, and to act effectively, to prevent further countless, and needless, deaths.

Amnesty International's recommendations

Amnesty International in principle welcomes the passing of UN Security Council Resolution 1493 reinforcing MONUC's mandate. However, the success of the strengthened MONUC force in Ituri will depend to a great extent on its ability, and its political will, to face down the militias militarily, as well as on its ability to build effective relations with the local civilian population. Success will also depend on the cooperation of key actors in the armed conflict. Amnesty International is therefore urging that:

- MONUC fully implements its newly reinforced mandate under Chapter VII and intervenes decisively to protect civilian lives.
- MONUC is provided with all necessary combat personnel, equipment and training to fulfil its mandate.
- MONUC deploys throughout all districts of Bunia and, progressively, throughout the rest of Ituri.
- MONUC has adequate numbers of French-speaking liaison and humanitarian affairs officers to facilitate communication with local communities.

- **Uganda, Rwanda, and the Kinshasa government** end all military and political support to the armed groups operating in DRC, all of whom have been responsible for gross human rights abuses.

Amnesty International also welcomes the decision of the Prosecutor of the **International Criminal Court (ICC)** to collect preliminary evidence on crimes committed in Ituri since July 2002 which may fall within the ICC's jurisdiction. AI hopes that this will lead to full ICC investigations and prosecutions. All parties to the conflict in eastern DRC, and all relevant national and international institutions, should cooperate fully to ensure that those responsible for war crimes and crimes against humanity are brought to justice. These crimes include the targeted and deliberate killing of civilians on the basis of their ethnic identity, incitation to ethnic hatred and the use of child soldiers under the age of 15.

In addition, an appropriate judicial mechanism should be set up with a view to investigating human rights abuses committed prior to July 2002 and bringing the perpetrators to justice.

Abbreviations used in the text:

FAPC	<i>Forces armées pour le Congo</i> (Armed Forces for the Congo)
FNI	<i>Forces nationalistes et intégrationnistes</i> (Nationalist and Integrationist Forces)
FRPI	<i>Front révolutionnaire pour l'Ituri</i> (Revolutionary Front for Ituri)
RCD-Goma	<i>Rassemblement congolais pour la démocratie – Goma</i> (Congolesse Rally for Democracy – Goma)
RCD-ML	<i>Rassemblement congolais pour la démocratie – Mouvement de libération</i> (Congolesse Rally for Democracy – Liberation Movement)
UPC	<i>Union des patriotes congolais</i> (Union of Congolesse Patriots)
PUSIC	<i>Parti pour l'unité et la sauvegarde de l'intégrité du Congo</i> (Party for Unity and the Safeguarding of Congo's Unity)
IDP	Internally displaced person
IEMF	Interim Emergency Multinational Force
MONUC	<i>Mission de l'organisation des Nations unies au Congo</i> (UN mission in the Congo)
ICC	International Criminal Court

Further information

For further information on the human rights crisis in Ituri, please refer to the AI report '*On the precipice: the deepening human rights and humanitarian crisis in Ituri*' (AFR 62/006/2003, March 2003).

