

Flygtningenævnets baggrundsmateriale

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18 December 2012 – Preliminary findings by United Nations investigators have documented at least 126 rapes and the killing of two civilians – one a minor – during a probe into human rights violations in a part of the Democratic Republic of Congo (DRC) that recently experienced a new eruption of violent clashes and civilian displacements, a UN spokesperson said today.

A parallel investigation by the armed forces of DRC, known by the French acronym FARDC, has led to the arrest of nine FARDC soldiers, two in connection with the rapes, and seven in connection with lootings, the spokesperson, Martin Nesirky, told a news briefing at UN Headquarters in New York.

The probes are focused on allegations of violations committed between 20 and 30 November in and around Minova, a town close to the city of Goma, the capital of North Kivu province in the eastern DRC, which fighters from the 23 March Movement (M23) armed group occupied on 19 November.

According to media reports, there have been allegations that FARDC soldiers raped dozens of women in Minova during the army's retreat from Goma.

The UN investigators are with the UN Joint Human Rights Office (JHRO), a collaboration between the UN Stabilization Mission in the DRC (MONUSCO) and the Office of the UN High Commissioner for Human Rights (OHCHR). Mr. Nesirky said two JHRO teams visited the Minova area this month and interviewed more than 200 people, though investigations are ongoing.

“The UN Mission is supporting the (DRC) military justice procedure in conducting thorough investigations into these allegations to ensure that the perpetrators are identified and held accountable,” he said.

Addressing reporters after briefing the UN Security Council on the latest developments involving the M23 on Tuesday evening, the Under-Secretary-General for Peacekeeping Operations, Hervé Ladsous, confirmed that 126 women had been raped during the M23's offensive, and that many of

the violations may have, in fact, been committed by troops belonging to the FARDC. He pointed out that due to the “allegations of terrible violations,” a UN report inquiring into the events would be released later in January.

In addition, Mr. Ladsous conceded that there were concerns regarding the “many movements of various elements” in the provinces of North and South Kivu, especially the M23, which, he said, were being “followed very closely” by the UN.

Nevertheless, he denied reports that up to 4,000 soldiers belonging to the mainly Hutu armed group known as the Democratic Forces for the Liberation of Rwanda (FDLR) were closing in on Goma.

“There have been movements around the area of Goma, but in the hundreds, not in the thousands,” he said, adding the MONUSCO was “very much on the alert, patrolling constantly to monitor the situation.”

Meanwhile, in his comments at the news briefing earlier in the day, Mr. Nesirky noted that MONUSCO officials met today with DRC’s Vice Prime Minister Mutombo Bakafwa Nsenda, who also serves as Minister of Defence, to share initial findings. He added that MONUSCO is working with the DRC Government to identify the FARDC units in which the arrested soldiers served.

According to Mr. Nesirky, identifying the units will allow MONUSCO to review the exact nature of any support in accordance with the UN Human Rights Due Diligence Policy, which contains principles to be followed on the part of any UN entity when supporting non-UN security entities.

The investigations come amid continuing tensions in the region even though the M23 – made up of former national army troops who mutinied in April and named after a 23 March 2009 peace agreement that they reportedly say has not been implemented – ended their occupation of Goma after 11 days and are now in political talks with the DRC Government in the Ugandan capital of Kampala.

Media reports have said the M23 also face allegations of killing and raping civilians and looting towns during the clashes that took place last month. The reports also highlight that several other armed groups in the area have been involved in the wider regional violence.

According to the UN Children’s Fund (UNICEF), almost 400 women and girls were sexually assaulted amid the regional fighting and advance on Goma. “Women and girls in the displacement camps are living in constant fear of being attacked or sexually molested,” a UNICEF spokesperson, Marixie Mercado, said in an interview with UN Radio.

Separately, the Office of the UN High Commissioner for Refugees (UNHCR) today issued an alert about the presence of armed groups in and around a camp west of Goma hosting up to 15,000 of the estimated 177,000 civilians driven from their homes amid the M23 advance.

The armed groups were “fuelling worries” among the inhabitants of the Mugunga III camp for internally displaced persons (IDPs), said a UNHCR spokesperson, Adrian Edwards, who added that the agency saw their presence as a “serious concern.”

Already this month, armed men have staged at least three attacks, Mr. Edwards said. In one, they raped several women and looted supplies in the camp, while in another, three people were shot and wounded when gunmen looted several homes around Mugunga III and demanded goods or money.

A third attack left two people inside the camp injured by gunfire after four armed men “apparently looking for aid items, including plastic sheeting” entered, according to Mr. Edwards.

While Mugunga III is one of 31 established IDP sites throughout North Kivu province, Mr. Edwards told the UN News Centre that the precarious regional security situation meant that UNHCR had access to “very few.”

“Civilians must be kept out of harm’s way and any deployment of armed men in densely populated areas should be avoided,” he said at the briefing in Geneva, adding that the presence of armed men at any refuge was a “threat to the civilian character of the camps,” and something UNCHR had “repeatedly urged all sides to respect.”

“It exposes IDPs to risks of violence in violation of their fundamental rights, including the right to physical safety and integrity,” Mr. Edwards noted.

He added that fighting farther north in the eastern DRC has caused about 4,000 people to flee into South Sudan, where – before the latest influx – there were 18,408 DRC refugees.

“Most of the new arrivals are women with small infants and separated or unaccompanied children,” he said. “UNHCR is prioritizing identification of the unaccompanied children to ensure that those most at risk, particularly adolescent boys, are protected.”