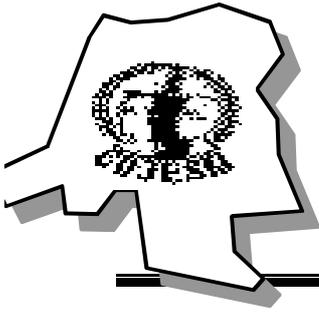


**COLLECTIVE OF SOLIDARY YOUNG PEOPLE'S
ORGANIZATIONS OF CONGO-KINSHASA
" COJESKI / DRC "**

***NO*, TO THE BALKANIZATION, TO THE ABANDON
AND TO THE INDEFINITE OCCUPATION OF
THE D.R. CONGO**

FIFTH MEMORANDUM Addressed
to his Excellency Mister KOFI ANNAN
General Secretary of the United Nations
Organization " U.N.O " in
New-York.

- OCTOBER 2000 -



COLLECTIVE OF SOLIDARY YOUNG PEOPLE'S
ORGANIZATIONS OF CONGO-KINSHASA
« COJESKI / DRC »



Kinshasa, October 24th, 2000

Ref. : COJ-KIN/B.OP/028/00

Fifth Memorandum : No to the Balkanization, to the Abandon and to the indefinite Occupation of the DR Congo.

Addressed to His Excellency Mister KOFI ANNAN General Secretary of the United Nations Organization " U.N.O " in New- York.

His Excellency,

We are a Collective of 264 Young people's associations Working in the Democratic Republic of the Congo since 1995, the COJESKI / D.R.C. is a member of the CNPD (National Campaign for Sustainable Peace in DRC), of the RENADHOC (National Network of the Congolese Human Rights NGOs), and of the National Committee of the D.R.Congo Civil Society.

His Excellency, the Congolese youth entirely sustains the Security Council resolutions relating to the crisis in our Country, the Democratic Republic of the Congo, especially the Resolutions 1234 of April 9, 1999 ; 1258 of August 6, 1999 ; 1265 of September 17, 1999 ; 1273 of November 5, 1999 ; 1279 of November 30, 1999 ; 1291 of February 24, 2000 (Authorizing the deployment of 5,537 troops observer mission to the Democratic republic of Congo and setting out the mandate of the MONUC) ; 1296 of April 19, 2000 and 1304 of June 16, 2000 (on withdrawal of Uganda, Burundi and Rwanda foreign troops on the territory of the DRC) ; as well as the Security Council President's statements on July 13, 1998 (S/PRST/1998/20) ; August 31, 1998

(S/PRST/1998/36), June 24, 1999 (S/PRST/1999/17) ; January 26, 2000 (S/PRST/2000/2) ; May 5, 2000 (S/PRST/2000/15) ; and June 2, 2000 (S/PRST/2000/20).

This Youth has found the imperative opportunity to have the last recourse to your authority, so as to get a definite solution to tremendous human rights and Humanitarian International Law massive violation, to planned massacres on the Congolese Civil population, to war crimes and kinds of crime against humanity.

All these crimes derive from the occupation of our National territory by Rwando-Burundo-Ugandan troops, in flagrant violation of the pertinent of the chapter VII of the United Nations Charter as well as of all the conventions contained in more than 14 international legal documents ratified by the three aggressor countries.

His Excellency General Secretary, will you please seriously consider this fifth memorandum. May all the United Nations permanent missions established in New York and Geneva who read copies of this appeal have the same consideration, as a sign of solidarity with the Congolese People. In doing so, you could render justice to these people, nowadays victim of an aggression war, an unjust war without trustworthy motives, a war whose origin and objectives they ignore.

Should we remind you, His Excellency, that two millions of people have died as a consequence of the occupation of our country, the D.R.Congo, by regular armies from Rwanda, Burundi and Uganda since August 2, 1998. This constitutes a situation of threat against peace, peace breaking and the country cutting off.

More two years later, perspectives appear to be very dark because of human rights and Humanitarian International Law massive violation by occupation forces.

This long and occupation war has mobilized and opposed regular armies from eight Central and Southern African Countries (D.R.Congo, Namibia, Tchad, Angola, Zimbabwe, Rwanda, Burundi and Uganda). As a matter of fact, it has resulted in infernal and cyclic violence and the banalization of death and human life all over occupied territories.

During only two years time, the United Nations Security Council have adopted eight resolutions on the Democratic Republic of Congo, without being really applied in our Country.

The following cases has been recorded in D. R. Congo and prove that peace is broken and that hereditary conflicts might evaluate from generation to generation if ever the United Nations do not assume their responsibilities, towards millions of Congolese who are being persecuted. Should we mention the following facts :

I. SOME FACTS RECALL / TODAY'S CONFLICT GENESIS

On April 6th 1994, Rwandan President Juvenal HABYARIMANA and his Burundian colleague Cyprien NTARYAMIRA were killed at the international airport of KANOMBE in Kigali / Rwanda.

Ever since, the Great Lakes African sub-region has been living in violent conflicts and socio-political troubles aiming at public power conquest, exercise, running and conservation thanks to weapons and underhand agreements.

The two heads of States assassination have given birth, for five years, to humanitarian disaster and massive, flagrant and frequent violation of human rights, so far unrivalled in African contemporary history.

These events generated unfavourable consequences for peace in the Kivu provinces, in the DRC.

The following facts can be mentioned :

- 1. Genocide on many thousands of TUTSI in Rwanda in 1994 and the widespreading of death culture in the Great Lakes region. Life and death have been equally rendered commonplace ;*
- 2. The advent of a totalitarian, monoethnic and exclusive regime in Rwanda, after the Rwandan Patriotic Front (F.P.R.) had taken power in 1994 ;*
- 3. Massive influx of a million of Rwandan HUTU refugees in North-Kivu and South-Kivu in 1994. Among them are found interhamwe militias and thousands of the members of the former Rwandan Armed Forces (ex - FAR). The consequence of this influx is general insecurity on the borders between Congo and both Burundi and Rwanda ;*
- 4. The emergence of many rebellion troops in Burundi since 1994, as a consequence of the assassination of President NTARYAMIRA and Melchior NDADAYE (the first democratically elected President of the Republic). That is also the result of the oligarchical system prevailing the coup d'Etat led by Major Pierre BUYOYA, today's head of State in Burundi, against his predecessor Sylvester NTIBANTUNGANYA ;*
- 5. The fall of Mobutu's regime, in the Republic of Zaire (nowadays D.R.CONGO) in may 1997, after a "liberation" war that was led by AFDL (Union of Democratic Forces for Congo Liberation) since October 1996, thanks to open assistance from foreign armies from RWANDA, BURUNDI and UGANDA ;*
- 6. President Laurent-Désiré KABILA's advent as head of State in the Democratic Republic of the Congo since may 17th 1997 and the persistence of a dictatorial and exclusive system, which is contrary to the will commonly expressed by the majority of the Congolese people. One of the consequence of this situation is the*

emergence of the “Mai-Mai”, the popular resistance movement categorically opposed to the following facts :

- *The perpetuation of national wealth predatory management as during the 2nd Republic ;*
 - *The implication of foreign (or so-called) persons in public management ;*
 - *The division and alienation of Eastern provinces (the Eastern Province, North-Kivu, South-Kivu, Maniema, North-Katanga and north-Equator).*
7. *Western powers lack of will to really sustain democratic processes in Africa and leaders working for this objective ;*
 8. *Western powers insidious manipulation for the conservation of dictatorial regimes in the Great Lakes region, which should result in external destabilisation and danger of genocide ;*
 9. *The presence of miscellaneous rebellion groups in Burundi, Rwanda, Uganda and the Democratic Republic of Congo, which is reinforced by the practice of exclusion policy ;*
 10. *The existence in the D.R.C., from may 1997 to July 1998, of a heteroclite “national” army with elements from the former Zairian Armed Forces, the Banyamulenge, the Kadogo (child soldiers) as well as from be regular Burundi, Uganda and Rwanda troops. The former Rwandan Armed Forces, Rwanda interhamwe militias, KATUKU Congolese militias (in North-Kivu), Simba and Mai-Mai (in South-Kivu), etc. had been fighting against that army ;*
 11. *The appearance of a political vocabulary which has proved to be fearful to the population and has been used by powerful foreign media channels (BBC, RFI, VOA, Le Soir, AFP, ...) : “The Volcanoes Republic” in June 1981, the “Ruwenzori Republic” in October 1994, “Hutuland” in 1994, “Tutsiland” in april 1995, “Hima Empire” in august 1996, “Congo partition or the succession of Eastern provinces” in august 1998, “South-Kivu autonomous state” in 1999 ; ...*
 12. *The consequences of the unorthodox management, by Zaire government, OAU and UNO, of the problems of Rwandan refugees from 1959 to 1994 and Burundian ones from 1972 to 1993 ;*
 13. *Neighbouring countries, covetousness Congo’s natural recourses ;*
 14. *Some western powers direct or indirect assistance to war does in the Great Lakes, for a long term control on Eastern Congo national resources.*

II. INVASION / AGGRESSION OF THE D.R.C. BY RWANDA, BURUNDI AND UGANDA FROM AUGUST 2nd 1998 TILL NOWADAYS

II. 1. DAILY SIGHT OF THE POPULATIONS IN THE OCCUPIED PROVINCES

Since august 2nd, 1998 till nowadays, 26 months just comme to pass ; millions of populations continue to live the suffering and the humiliation by standing enclosed in prison of the absolute obscurantism that we are imposed today the visceral stupidity of Rwanda, Burundi and Uganda. Even the right of the life, the most fundamental right, has stayed to exist in the East of the D.R.C. eighteen months along.

These lines are more interpreted :

- *Nocturne patrols which cause most of the intempestive bullet kicks ;*
- *Deterioration of public administration and off all judicial system ;*
- *Regular perquisition in the houses which help to the militaries of occupation deprivement of the poor population of all what are value items they're gotten, ...*
- *Illegal detention of fir shootings ;*
- *Triumphalist arrogance which manifested by the occupation unities ;*
- *Selective justice : Expeditive for some and protectionist for others ;*
- *Proliferation of army bands and gangs ;*
- *Notorious impolite among the occupation bands (Army in the Army: others more equipped and some others less equipped) and to their variety origin (Burundi, Rwanda, Uganda, Congolese's soldiers and also some South-Sudanese's rebels).*
- *Submersion of Congolese soldiers by those of aggression and despair tentative of revolt ;*
- *Regular robs of particulars vehicles ;*
- *Murders and regular assassinations ;*
- *Arbitrary arrestations and abductions ;*
- *Illegal occupation of others houses ;*
- *Extrajudiciary proceedings against the human rights Activists and other leaders of Civil Society in eastern Congo;*
- *Allocation of the high responsibilities following customersism choices with priority for one "Ethny" ;*
- *Regular attacks between Aggression forces and the natives forces of the popular resistance "Mai-Mai", which were in the origin of always reprisals against harmless civil populations ; without defence and given up to their sorrowful destiny.*

.II.2. SCENE LIST / 26 MONTHS AGO, OF THE INVASION

Since the beginning of the actual war in D.R.C., in date of august 2nd, 1998 till today, all possible forms of obvious violations of the human rights had been perpetrated in the occupied provinces of the country and their let foreboding of right human slaughters in a near future if the United Nations don't get Completely and urgently his essential role of keeping up the peace between Nations.

If after a dark balance - sheet no exhaustive, fruit of our investigations in all invaded provinces during 26 months by the coalition RWANDO-BURUNDO-UGANDESE; case of North-KIVU and South-KIVU, of Maniema, of Eastern province, of North-Katanga and of North-Equator part:

- **26,190 Families separated(with military families) ;**
- **2,410 Widows(with militaries) ;**
- **3,120 Orphans(of fathers, of mothers, of both of them) ;**
- **More than 1,825,000 massacred persons (young's ; olds, children, women and militaries) ;**
- **2,029 Houses/habitations seriously fired and / or destroyed ;**
- **158 Villages/localities and / or peasants - groupments completely disaster - stricken;**
- **9,004 Children out of school ;**
- **1,310 Tramps ;**
- **13,411 Young's subtracted from scrubs of KIVU ;**
- **11,900 loss of work ;**
- **27,586 Refugees (CIBITOKÉ/BURUNDI ; in KIGOMA / TANZANIA ; in NAIROBI / KENYA and in Zambia) ;**
- **485 Politics exiled identified ;**
- **1,500,000 Deplaced of war with migratory movement in the level ground of RUZIZI and in the suburb of SANGE in South-Kivu (50,000 in WAMUZIMU / SHABUNDA, 10,000 in UVIRA, ...) ;**
- **4.104 Families without dwelling identified;**
- **513 Opinions Prisoners in the occupied provinces,**
- **More than 125,000 Refugees of Congo-Brazza and of Angola in D.R.CONGO; and**
- **805 Wives and Girls raped. .**

III. THERE WILL BE NO PEACE ON THIS PLANET AS LONG AS HUMAN RIGHTS ARE VIOLATED SOMEWHERE IN THE WORLD.

1. *His Excellency Monsignor Emmanuel KATALIKO, Bukavu Archbishop, was relegated in Butembo (his native City) for seven months. During that time, he was assigned in a residence and deprived from any movement. Millions of DRC catholic and Christian people successfully worked for his liberation. He survived civil war, all kinds of harassment, 7 months of exile from his diocese, only to die of a heart attack while in Rome for an important SECAM meeting of African Bishops. This is nothing else than historic against the universal catholic Church and it deserves being corrected.*

2. *Several Congolese Citizens have been deported into Rwanda, in violation of the Humanitarian International Law. Use as some examples :*
 - *Mr Bruno BAHATI BARHALIBIRHU, living on LUGAMBA avenue, Quarter B, Bagira Commune, COJESKI actor with in South-Kivu Civil Society, was deported through KATUNA boarder post and imprisoned in Rwanda before being liberated in july 2000 ;*
 - *Mr Bienfait MUSHAGALUSA from South-Kivu Civil Society, living in ESSENCE quarter in IBANDA, / BUKAVU, was arrested at home on July 16, 2000 and taken for disappeared in Rwanda, before being transferred to Bukavu after undergoing tortures and other inhuman kinds of treatment.*
 - *Lawyer LUSAMBO LWA KARUME, head lawyer in Bukavu, and his brother SAFARI WA KARUME, were deported to Rwanda on August 2, 2000 without trustworthy motives. When they were led back to Bukavu later on, they were ill because of ill-treatment.*
 - *Etc.*

3. *Other South-Kivu Civil Society activists were ill-treated and displaced by force to KISANGANI / the Eastern Province, namely :*
 - *Mr Gervais CHIRHALWIRA NKUMZIMWAMI, Senior Lecturer in French Department of Higher pedagogic Institute "ISP/ BUKAVU" and Vice - President of the South-Kivu Civil Society Provincial Office ;*
 - *Mr Paulin BAPOLISI BAHUGA POLEPOLE, lecturer in ISP / BUKAVU and former director of MAENDELEO RURAL RADIO ;*
 - *Mr Aloys MUZALIYA MAKEBWA, lecturer in ISP / BUKAVU and member of Mwenga Development Syndicate "SIDEM / Sud-Kivu" ;*
 - *Mrs Régine MUTIJIMA BAZALAKE, primary school director, President of South-Kivu teachers association, and activist in CEDAC and ADIF (two NGOs in BUKAVU).*

4. *University students manifestation were repressed and many young students were ill treated in Bukavu on August 29, 2000. Among them can be counted Mr Wilfried HAMISI, head of the association of students in BUKAVU CATHOLIC*

UNIVERSITY. He lives on PANGI way, quarter B, in Bagira, BUKAVU / South-Kivu.

5. *Civilian were killed in SHABUNDA / South-Kivu from August 18, to August 24, 2000, within peasants, areas in LULINGU, BALIGA, BANGOMA, BAKYUNGA, BASITABYALE, NZOVU, IKAMA-KASANZA and BATALI these planned massacres were perpetrated in civilian populations without defence. The events happened in much a confuse and cynic manner that several hundreds of houses were destroyed and that more than 260 people were killed.*

Trustworthy sources of information speak about acute humanitarian crisis in SHABUNDA, whose surface is the same as that of Rwanda. SHABUNDA has only one rural health zone. It has no physician. It can be reached only by airplane.

His Excellency General secretary of the United Nations, the five cases mentioned above just constitute a sample of human tragedy encountered by the Congolese population under occupation by Rwanda, Burundi and Uganda. These people impatiently expect the International Community to render them justice, today better than ever.

For that reason, we request your Authority to condemn Congolese civilian population massacres and also to :

1. *Apply the Resolution 1304 of the United Nations security council so as to render justice ;*
2. *Demand the withdrawal of Rwandan, Burundian and Ugandan troops from the Congolese territory. In fact, we are convinced that Lusaka cease-fire agreement does neither prevail over the United Nations charter no consecrate the division of a sovereign and independent Country ;*
3. *Deploy immediately UN forces in Congo front lines in order to keep and impose peace in accordance to the chapter. These forces could supervise aggression armies withdrawal before taking position on the borders between the D.R.Congo and its neighbors, Rwanda, Burundi and Uganda for these countries reciprocal security and as a matter of facts, human tragedy prevention ;*
4. *Establish a neutral and independent international investigation commission which can evaluate recorded human and material damage within the Democratic Republic of the Congo during the two years of occupation that commission will also support ways for compensation in favor f the Congolese People ;*

5. Visit the Democratic Republic of the Congo as a whole so as to better understand the population's suffering and deep aspiration.

We wish that the Inter-Congolese dialogue took place in such a climate of no war and sub-regional peace and in a perspective of institutional reform in our Country.

Thank you in advance for your good will.

Faithfully yours,

For the Congolese Youth ;

COJESKI / D.R.C.,

Fernandez MURHOLA M.

National Animator

Willy TSHITENDE WA MPINDA

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