

**CONCERTATION CHRETIENNE POUR L'AFRIQUE CENTRALE /
GREAT LAKES ADVOCACY NETWORK (CCAC/GLAN)**

RESEAU EUROPEEN CONGO (REC)

**MONUC in the DRC:
strengthen its mandate, denounce the warmongers**

Proposals from European NGOs on the basis of a field survey

JUNE 2003

FIRST SECTION

SUMMARY AND RECOMMENDATIONS

On 30th June, the current mandate of MONUC (United Nations Organisation Mission in the Democratic Republic of Congo) has to be renewed. This is an opportunity for European development NGOs, members of REC and CCAC/GLAN who are active on the ground in central Africa, to evaluate MONUC's work and make proposals to the Security Council and to the member States of the European Union. To do this, they have based themselves on a survey undertaken with local partner organisations in the DRC (see second section).

It emerges from this that, despite its cost, MONUC's impact remains quite limited. Local people in the eastern DRC question its usefulness in its current form. Not only has MONUC only rarely denounced (let alone warned of and prevented) the fighting that regularly ravages the area but it has also been unable to « observe » a foreign military presence, confirmed nonetheless by numerous witnesses. Nor has it been able to do anything in relation to the permanent support being given by neighbouring countries and the government of Kinshasa to the armed groups that are sowing fear and sorrow.

With regard to the voluntary demobilisation programme for armed Rwandese groups in the DRC (the DDRRR), which was to be a priority task for MONUC, the results are disappointing, and its action is even blocked by the RCD, a rebel movement supported by Rwanda. The only MONUC achievement that gains the unanimous support of the local people is Radio Okapi, which covers the whole of the Congolese territory.

The European NGOS who are members of REC and CCAC/GLAN consider that MONUC could contribute to peace in the DRC, and throughout the whole of central Africa, provided however that its mandate and resources are radically increased with the aim of « imposing peace », and that the Security Council and Western countries exert strong pressure on Rwanda and Uganda, as well as on their allies in the DRC, and on the government in Kinshasa.

This is why the European NGOs urgently call:

On the UN Security Council:

- to ensure that MONUC better and robustly executes the essential tasks entrusted to it within its present mandate: protection of civilian populations in danger, observation of cease-fire in eastern DRC, verification of the effective withdrawal of all foreign troops and the halting of all support from neighbouring countries to the Congolese rebels and armed groups, along with the government of Kinshasa's presumed support to armed Rwandese and Burundi groups;
- to provide MONUC with a mandate under chap. 7 of the Charter of the UN for the entire Congolese territory; to provide all the resources and troops necessary for the implementation of the tasks listed above, starting with the 10,800 troops called for by the UN Secretary-General;
- to energetically denounce and exert all necessary pressure on these countries and armed groups whenever they violate the different peace agreements. This pressure must range from clear diplomatic language and a freezing of visas and assets for the leaders responsible to, in the case of countries, the freezing of non-specific budgetary aid, as this runs the risk of being used for the war effort;
- to ensure that the multinational force (Operation Artemis) and MONUC support the functioning of the Ituri Pacification Commission as the provisional authority, supported by a neutral police force, trained and supervised by MONUC. This latter's mandate should not only include protecting the civilian population in danger but also disarming and demobilising the militia, especially the child soldiers who should be offered other perspectives;
- to support the DDRRR programme by forcing the Rwandese government to open up the political space in its country and by forcing the government of Kinshasa to halt all support to armed groups in eastern DRC; to examine the possibility of forcibly disarming those "Interahamwe and ex-Far" groups who have rejected offers of repatriation or settlement in other regions;
- to impose, if need be, sanctions on sponsoring countries and/or forces who are blocking implementation of the transitional government in the DRC, and to support the Comité International d'Accompagnement de la Transition (International Committee for Support to the Transition) fully in the monitoring and supporting of this process, up to the elections;
- together with certain interested bilateral donors, to increase MONUC's role in the training and running of an integrated national police force, to contribute realistically to the safety of the transition coordinators and institutions in Kinshasa, and to support the unification of the armed forces;

To the member State of the UN, and particularly the EU:

- to increase voluntary contributions to the DRC peace process; to also contribute troops to Operation Artemis in Ituri and to MONUC, including under chapter 7;
- to support MONUC's work by exerting the necessary bilateral and multilateral pressure to force the countries in question to stop all interference, both direct (military presence) and indirect (support to rebels and armed Congolese groups) in the DRC and to force them to enjoin 'their' Congolese groups to facilitate the work of MONUC in the DDRR, and its work of observation and verification. Similar pressure should also be exerted on the government of Kinshasa to halt all support to armed Rwandese and Burundi groups and local militia;

To MONUC:

- to show a spirit of initiative at all levels of execution of planned tasks, and to make greater use of local resources, knowledge and capacity, also simplifying its bureaucratic procedures, particularly in collaboration with humanitarian NGOs;
- to verify, with the aid of convincing and plausible indicators and based on local knowledge, and to denounce all allegations of foreign military presence in the DRC and external support to rebels and armed Congolese groups, to establish permanent armed observation posts at all significant border posts and airports, with a mandate of being able to check, by force if necessary, the identity of people and vehicles, and of planes, and to denounce the recruitment or presence of child soldiers, so that the Security Council can take the necessary measures;

SECOND SECTION:

THE LOCAL PEOPLE AND MONUC: SURVEY RESULTS

The world now has its eyes focussed on Ituri. In spite of the numerous warnings issued prior to and during April 2003, including by both the REC and CCAC/GLAN networks¹, repeated disasters have led to the deaths of thousands of civilians in this district of the Eastern Province. It presumably had to reach this "critical mass" before the Western countries were able to get the true measure of the tragedy, deciding to dispatch armed battalions to the area in order to support the MONUC troops.

But Ituri is not the only hot spot in eastern DRC. Sporadic fighting is occurring elsewhere and MONUC desperately lacks resources to ensure the stability of the areas in which it has a presence.

In order to evaluate MONUC's impact, REC and CCAC/GLAN conducted a field survey among its partners in eastern DRC. These partners, who are supported by members of the two networks, are local development NGOs but also human rights defence organisations, women's associations, unions and churches. All are supported to varying degrees by members of REC and CCAC/GLAN, who are themselves development NGOs active in central Africa. The survey results have

¹ "Ituri: éviter l'explosion", published on 24 April 2003.

been supplemented by further information coming from the field and from diplomatic circles in Kinshasa.

A. What are MONUC's tasks? Where is it deployed?

The tasks entrusted to MONUC by the SC are the following (a summary²):

To observe respect, on the part of all parties to the conflict, for the cease-fire and the withdrawal of foreign troops from the DRC.

To undertake the disarmament and voluntary repatriation of foreign armed groups.

To facilitate the channelling of humanitarian aid to civilian populations.

To promote respect for the rights of men, women and children.

To support a political resolution of the conflict, national reconciliation and the establishment of new democratic institutions.

In terms of deployment, this has changed over time. Over the course of 2003, MONUC has been redeployed from zones in the government area and along the former front line (cf Lusaka agreement) to eastern DRC, primarily within the context of the DDRRR (Demilitarisation, Demobilisation, Repatriation, Reintegration or Resettlement) process and the problems in Ituri.³

As of the end of May 2003, MONUC had 5,426 soldiers deployed in the DRC, 704 unarmed military observers and 607 international civil servants, to which must be added another 209 UN volunteers.

According to our information, there are currently teams of military observers:

- in Equateur: Mbandaka, Bolomba, Boende, Befale, Ikela, Basankusu, Bumba, Gbadolite (the Gemena, Lisala, Wenga, Waka, Djolu and Bokungu posts are to be closed);
- in Kasai: Kananga, Ilebo, Mweka, Mukamba, Lusambo, Mbuji-Mayi, Kabinda, Kamana, Lubao (the Kole post is to be closed);
- in Katanga: Lubumbashi, Kamina, Kongolo, Kabalo, Nyunzu, Kalemie, Moba, Pweto, Dubie, Mitwaba, Ankorro (the posts at Gwena, Mayumba and Malemba-Nkulu are to be closed; a new post will be opened at Moliro)
- in Kivu (North, South) and in Maniema: Uvira, Bukavu, Kalima, Kindu, Goma, Rutshuru, Muhanga, Kanyabayonga, Lubero, Beni (the posts at Butembo and Punia are to be closed ; new posts will be opened at Mwenga, Kamituga, Shabunda, Bunyakiri, Kalehe, Walikale, Masisi). Partners indicated that there are also observers at Kalonge, Kavumu, and Nyabaronga and Byabibwe in the Ruzizi plain.

² See SC Resolutions 1477 (27 June 2002) and 1468 (20 March 2003).

³ It should be noted that information on MONUC is difficult to obtain: neither the MONUC website nor those in charge who were contacted in Kinshasa gave us a complete and up-to-date picture.

- in Province Orientale: Kisangani, Banalia, Isiro, Bafwasende, Mambasa, Bunia, Kasenyi, Mongwalu, Kwadruma, Mahagi and Aru (the post at Buta is to be closed; new posts to be opened at Lubutu and Komanda).

In addition, there is an infantry battalion (700 to 1000 soldiers) in Kisangani; and mechanised battalions in Bunia, Kindu;

companies of infantry (100 to 150 soldiers) in Mbandaka, Kananga, Kindu, Kalemie, Bukavu (Kavumu); a mechanised company at Lubero; naval companies are stationed in Mbandaka and Kindu; 'air supply units' are to be found in Kindu, Bunia and Bukavu; companies (logistics) are established in Bukavu and Bunia, and medical units in Kindu and Bunia.

Finally, civilian observers and advisors (Congolese and expatriate) are posted at different places (particularly for human rights).

B. How is MONUC perceived on the ground?

Some of the comments received: "You see MONUC vehicles around the town all the time but you don't see any real results. You get the impression that they spend a great deal of time settling themselves in and running themselves. Then, because it is a large and diversified machine, they need people to monitor the whole machine...", explains one partner. Another describes how the MONUC people, "go out to the field, but only after the fighting, to note and observe the damage and looting". A third explains that, "MONUC does not carry out its main task correctly. It makes no efforts to ensure the safety/protection of local people. The RCD recently massacred the inhabitants of Ngweshe - Walungu, with the full knowledge of MONUC, which was prevented by the RCD from going to the field for several weeks. It thus let the RCD kill, rape and pillage!"

These few extracts are sufficient to demonstrate that the local people seriously question MONUC's usefulness on the ground. What is more, in the eyes of the people, MONUC is an accomplice to the infiltration of elements of the APR (Rwandese government army) into the DRC, which it does not denounce. Hence MONUC's significant lack of credibility with the local people in the east.

B.1. Verification of the cease-fire: a passive attitude

Observation of the cease-fire originally related only to the Lusaka cease-fire agreement between external and internal warring parties along the front stretching from Pweto to Basankusu, passing through Manono, Kabinda and Ikela. This is in place, as witnessed by the presence of MONUC teams along this line. Nonetheless, the fighting has moved in an easterly direction beyond the front line, into RCD and RCD-ML/MLC territory, as the examples below illustrate:

→ Outside Ituri, significant violations of the cease-fire occurred in Province Orientale at the end of 2002 - early 2003 between the MLC and the RCD-N on the one hand, and the RCD-ML on the other. Consequence: the RCD-ML lost the zones it controlled but held onto the territories of Beni and Lubero. If it were not for the revelations of cannibalism in the Mambasa region, which led the SC to warn Jean-

Pierre Bemba and Roger Lumbala, it is a safe bet that this fighting would also probably not have been denounced, following the example of more recent clashes.

→ In Sud-Kivu, the RCD and the APR carried out reprisals against the civilian population of Walungu following an attack on the part of the Mudundu 40 Maï Maï group, although allied to Rwanda, on Bukavu on 06/04/03. A partial assessment reports 617 farmers killed by the RCD-APR, plus more than 1200 cases of rape committed by the same soldiers. In addition, 20,353 families suffered looting on the part of the RCD soldiers, 31,489 families fled the massacres and 74 social institutions (schools, churches, health centres) were wrecked and looted.⁴

The RCD-APR continued its offensive against other Maï-Maï groups in the direction of Mwenga and Kamituga, and Kalehe, Bunyakiri, Shabunda and Walikale, against the positions of MM General Padiri. There are also clashes between the MM and the Interahamwe/ex-Far groups, which terrorise the population.

From mid-March 2003 on, the RCD-APR also carried out attacks against the Maï-Maï in the Ruzizi plain and around Uvira, particularly in the communities of Mboko and Kabumbe to the south of Uvira. Violent fighting broke out once more during late April/early May in the area around Uvira, directed against the MM of Nakabaka and Zabuloni with the support of the Banyamulenge of Masunzu, but also in the Ruzizi plain at Lubarika, Kiringye and Luvungi. Troops also scaled the middle plateaux around Uvira to fight the Banyamulenge forces of Patrick Masunzu, but this situation now appears to be calm.

MONUC observers were prevented by the RCD from visiting the area for several weeks. They only arrived after the fighting to note and observe the damage and pillaging. At Mubumbano, one witness recounts: "The RCD soldiers came to load the looted goods into vans, and MONUC observed. So if you want to know where the mattresses, sheets, everything, went, ask MONUC". Other witnesses accuse MONUC of doing nothing to prevent the fighting, or again of arriving too late. At Burhinyi, for example, the attacks were foreseeable, they say, arguing that MONUC had been there for two days on April 25th and 26th. But, on April 29th the RCD attacked, driving out Mudundu 40 before looting the village and its nutritional centre. Called for help at 8 o'clock in the morning, MONUC arrived... four days later. It was the same thing at Burhale and Mubumbano: MONUC observers, say civil society players, made no efforts to ensure the safety and protection of the local people.

→ In the northern part of Nord-Kivu, in the territory of the RCD-Kis/ML (or RCD-ML), the RCD/Goma, supported by the APR, attacked the territory of Beni-Lubero in early April, taking Bunyatenge and Muhanga.

Here too, MONUC adopted a passive attitude and was, in the eyes of the local people, even an accomplice of the RCD-APR. It is not surprising therefore that on 1 and 2 April 2003, in Lubero and Kanyabayonga respectively, the local people, headed by students and schoolchildren, threatened MONUC, wrecking their living quarters in Kanyabayonga and breaking their car windscreen. At Lubero, schoolchildren went as far as to climb into the MONUC helicopter with the intention of

⁴ Source : Enquête de la société civile du Sud-Kivu, early May 2003.

setting fire to it, having learnt that the RCD-APR had just taken MONUC positions in Bunyatenge, along with this latter's vehicles, arms and munitions and that the RCD-APR had established itself in Muhanga (mining area), destroying the town of Mbingi (head offices and symbol of customary power of the Batagni chiefdom-authority) and desecrating the Catholic church of the parish of Mbingi.

The latest news is that a white helicopter with a blue registration 3C-QQM5 is regularly supplying the RCD/Goma positions at Bunyatenge, Mbingi, Muhanga with arms and munitions, with the full knowledge of MONUC personnel based in the south of the Lubero territory.

Curiously, MONUC personnel based in Kanyabayonga (an area under RCD Kis/ML control) withdrew on 03/06/03 at 15 h, in the direction of Rwindi (under RCD/Goma control). Five days later, on 8/6/03, the APR and the RCD attacked the localities of: Kanyabayonga, Kayna, Kirumba, Kaseghe, Luofu, Miriki and Mbingi with the support of three helicopters and seven battalions; the fighting continues at Alimbongo. Regular APR infiltrations had already been noted at Kamandi, Mbingi, Alimbongo, Lubero, Muhangi, Manguridjipa, Butembo and Beni. On May 19th, RCD-APR troops invaded the important town of Lubero while encircling those of Butembo and Beni.

The aims of the RCD-APR are presumably to block the government of Kinshasa, which has a presence there following the partial Sun City agreement, to monopolise the important customs post at Kasindi on the border with Uganda and to link up with Ituri, where Rwanda is supporting Thomas Lubanga's UPC.

→ In Maniema, there is still sporadic fighting between the MM and the RCD in areas where this latter is established (Kindu, Kasongo, Kalima). Here, it is these two groups who are responsible for the widespread insecurity.

In conclusion, all this has seldom formed the object of denunciation on the part of MONUC although all this fighting is causing, apart from innumerable victims, significant displacements of population. Moreover, it is taking place at a time when the RCD is ready to enter the transitional government, laying claim to command of the land forces.

B.2. Verification of the presence of foreign armies: « we've seen nothing »

With regard to the 8,000 to 10,000 Ugandan troops, they all left Ituri and the DRC on 6 May last. Some Ugandan soldiers are still to be found hanging around Ishango in the Virunga park, primarily to poach. Others are in Kamango in Uganda, behind the Ruwenzori mountain, from where they regularly return to Congolese territory in pursuit of ADF rebel factions.

As far as the Rwandese soldiers of the APR are concerned, the local people do not understand how the return to Eastern Congo of APR troops has never been

⁵ It is either the actual 3C-QQM frequently hired by the RCD-Goma, or the helicopter with registration number 3C-KKM, which belongs to the arms dealer Viktor Bout, denounced in the Report of the UN Panel of Experts on the illegal exploitation of natural resources in the DRC.

"observed" by MONUC, when this is one of its explicit tasks. In fact, MONUC continues to state that there are no longer any Rwandese soldiers in the DRC.

Contrary to what the MONUC military command in Kinshasa states – for whom there are at the most a few Rwandese officers in civilian clothes and perhaps a few operational cells – the numerous accounts from the field in Kivu indicate that shortly after the official withdrawal of Rwandese troops in September 2002, and following the capture of Uvira by the Mai Mai, Rwanda gradually began to send some of its troops back to the DRC to support and re-arm the RCD. No exact figures exist but their presence is clearly visible to the local people, and to the expatriate population, including in Bukavu and Goma. Increasingly, however, Rwandese soldiers are showing a tendency to act discreetly: they no longer appear during daylight hours, particularly in the towns.

→ In Sud-Kivu, in mid-May, Rwandese soldiers were also stationed in Burhale-Walungu (in a convent of religious sisters), in Kabare (in the offices of the local authority/Cirunga), in Nyabibwe, in Civanga (entrance to the Kahuzi Park), in Kamanyola, Kiliba, and Uvira.

Rwandese soldiers have also been in Kalehe since November 2002, some weeks after their official withdrawal from the Congo. They pass themselves off as soldiers of governor Serufuli⁶ of Nord-Kivu. In the past, MONUC reacted by saying, "We can't go there, there's a war going on there". At the end of March 2003, several columns of APR soldiers again entered Sud-Kivu, via Bukavu and Uvira; others entered by Lake Kivu, near Asmar (13 km from Bukavu) and Kalehe. On the night of March 21st, around 900 APR soldiers crossed the lake from Rwanda via the isle of Idjwi, speaking only Kinyarwanda. Accounts come from people who were requisitioned to carry their kit.

When Mudundu 40 (Rwanda ally) attacked Bukavu on 06/04/03 (probably with APR agreement), dozens of lorries full of APR soldiers entered Bukavu, via Ruzizi.

On 29/04/03, at Burhinyi, Rwandese soldiers were present during the massacres; commander 'Patrick' from Cyangugu and others were recognised; others had a Kinyarwandan accent from Ruhengeri in the north of Rwanda.

In Kalehe, Walungu, Bunyakiri, Walikale, it was APR troops within the RCD who attacked the Mai Mai positions, those of commander Masunzu and of the government. They later hand these over to RCD troops who put them under the authority of one or two Rwandese commanders.

On 10/5, on hearing the news of the arrival of a delegation from the government of Kinshasa – prevented from landing at Bukavu, Goma and Kisangani - Rwandese soldiers were seen supporting the RCD to prevent the population from going to the airport to welcome them.

⁶ Many Hutu Rwandese soldiers from the APR were transferred into what is known as "*governor Serufuli's militia*" which, known as the TPD (Tous pour la Paix et le Développement – All for Peace and Development) already has between 15,000 and 22,000 men. They are deployed in Nord-Kivu (from Goma as far as Kirotshe, Rutshuru and Kanyabayonga) and in Sud-Kivu (Kalehe up to the edges of Bukavu).

It is difficult to estimate the number of Rwandese soldiers in the DRC, for they often enter at night. But already, Rwandese soldiers at Kalehe alone are estimated at more than 1,000 men. It is, more often than not, the Rwandese who kill the civilian population (particularly in Ngweshe), whilst the men of the RCD freely pillage and rape. They burn villages and harass people suspected of collaborating with their 'enemies'.

How can you tell if they are Rwandese troops?

A good number of local Kivu people who mix on a daily basis with Rwandophone compatriots who have been living in Kivu for decades know very well how to distinguish Tutsi and Hutu coming from Rwanda in the context of the APR or as 'mercenaries'. Moreover, the Kinyarwanda spoken in the DRC by the Banyamulenge and the Rwandophones from Nord Kivu is noticeably different from that spoken in Rwanda (some words even have completely different meanings).

At the Kavumu airport, under the eyes of the Uruguayan soldiers of MONUC, planes land transporting soldiers from Rwanda. In Bukavu and Goma, vehicles move around with soldiers on board speaking neither French nor Swahili and bearing Rwandese number plates. Others have been seen crossing Lake Kivu or the Ruzizi river in dug-outs. They enter in uniform, often with the insignia of the APR, brought by the APR's Mercedes lorries. Most speak Swahili only with difficulty and speak only Kinyarwanda and English; they have no geographical knowledge of the area. Their behaviour also reveals a contempt for the Congolese, who they consider as 'idiots'. Some are recognised by the population as having left in September 2002 but now apparently returned.

In their convoys, the Rwandese soldiers are always accompanied by lorries carrying food and medicines, and communications equipment. They are well-dressed and wear their characteristic plastic boots. The RCD soldiers are poorly dressed, with bad shoes (a hotch-potch of boots, shoes....even slippers), in civilian vehicles requisitioned in Bukavu or Goma, with neither food nor medicine as they have to live by looting, and with no means of communication. Nor does the RCD-Goma have helicopters or tanks (as recently seen in Kanyabayonga).

Moreover, the Hutu within the APR who destroy villages in the hinterland of Bukavu are former civilian refugees from camps set up in the Bushi region, particularly Nyamirangwe, Mushweshwe, etc. When the war began at the end of 1996, they left for the forests to the west. They returned to Kivu, then went or were sent back to Rwanda and now, here they are again, this time on the side of the RCD but under Rwandese command...They know the roads, and speak a few words of Mashi.

On 5/6, during clashes in Mbingi, 8 Kinyarwanda-speaking soldiers were captured by RCD-ML troops and presented to the press in Kinshasa: the 4 Tutsis admitted being Rwandese from the APR and, of the 4 Hutu, one admitted coming from Rwanda with the APR (the other three stating that they were from Rutshuru).

→ In Nord-Kivu, Rwandese soldiers of the APR have been reported at Bunyatenge, Kahandavuko and Katonga (Virunga park on Lake Edward), at Masisi

and Walikale. They are always mixed in with RCD troops. Some ensure the security of mining companies and mining areas. The region around Somikivu/Lueshe (Rutshuru territory) is guarded by at least three APR battalions; the factory that extracts and processes the minerals works day and night. Other Rwandese soldiers are in Muhaki at the training centre that receives Rwandese soldiers demobilised in their country and who are returning as 'Congolese'. On 5/6/03, during the Mbingi clashes, the RCD-ML troops captured soldiers speaking Kinyarwanda (4 Tutsis who were recognised as being Rwandese from the APR and 4 Hutus, of which 3 stated they were from Rutshuru). They were presented to the press in Kinshasa.

In addition, witnesses have observed APR soldiers in Goma, moving around with tanks and heavy artillery. In Goma (like in Bukavu), they cross the border from 19h on and spend the night patrolling, returning in the morning.

The Rwandese military presence was indirectly attested in March 2003, during a press conference in Bukavu, by General Sylvain Mbuki of the RCD: "When the security of Rwanda, our ally, is threatened, Rwanda is completely within its rights to defend itself...". As for the Burundi army, it acts selectively within the ranks of the RCD. Burundi soldiers have also been reported along Lake Tanganyika, as far as Kalemie in Nord-Katanga. Their actions are aimed above all at countering the Burundi rebels of the FDD and FNL, active particularly to the north of Uvira in the Ruzizi plain where a certain commander Eugène (break-away) sowed violence and fear throughout the month of May.

In conclusion, the very numerous accounts of Rwandese military presence in eastern DRC, supporting the RCD, the UPC and Serufuli's militia, seem to be systematically belittled or quite frankly ignored or dismissed as "not important", both by MONUC and the SC as well as by the main Western countries. And yet the Western embassies in Kinshasa and their information services admit such a presence in private but prefer not to displease Rwanda in order not to put the establishment of a transitional government in Kinshasa in danger. And yet various partners note that it is precisely this Rwandese presence that is contributing to blockages in the inter-Congolese negotiations in Kinshasa. Until now, MONUC has apparently received instructions to trust only its own officials, most of whom do not even speak French, let alone any of the local languages. It is as if MONUC, faced with its difficulty in distinguishing between Rwandese and Congolese Tutsi, or between Rwandese and Congolese Hutu, has just given up trying.

Moreover, MONUC officials have until now depended on the good will and authorisation of the local authorities for their travel and actions within the provinces (whether actions of observing the cease-fire, the foreign military presence, the DDRRR or protecting populations in danger), which makes it the hostage of these authorities. It is thus hardly surprising that the local people accuse MONUC of seeing the reality through RCD glasses and of being a 'blind observer'. MONUC should therefore claim a permanent authorisation from the local authorities to do its work.

B.3. Kinshasa: playing a confused game in the east

Several sources⁷ testify that, after a temporary halt, the current government in Kinshasa seems to have resumed its support to armed Rwandese Hutu groups in Kivu. Other sources also confirm support to the Lendu militia in Ituri, via the reinforcement of RCD-ML troops in Beni-Lubero since the attack on the part of the RCD-Goma. Yet others note increasing support from Kinshasa to certain Maï Maï groups, linked or not to commander Masunzu.

This development seems to be going hand in hand with the increased influence of the « falcons », often close aides to Kabila senior, within the Kinshasa government. This tendency, illustrated by the fairly impressive display of planes and tanks during the 17th May parade (anniversary of the fall of Kinshasa to the AFDL in 1997) dreams of a military victory over the rebels, in disregard of the political negotiations underway.

Insofar as these are 'irregular' groups who have signed no peace agreement, and who are particularly dangerous to the population, and insofar as such hypothetical support endangers the opportunity of the peace process, pressure should be exerted on Kinshasa to stop support of this kind, and to loyally play the negotiations card.

B.4. Demobilisation and disarmament (DDRRR): a fettered process

1. Armed groups of Rwandese Hutu

Following SC resolutions 1355 and 1376 of 2001, the DDRRR programme (Demilitarisation, Demobilisation, Repatriation, Resettlement or Reintegration) was implemented from November 2001 on as one of MONUC's main tasks within the context of Phase III of its deployment. For this, the SC authorised an increase in MONUC's forces from 5,000 to 8,700 units.

What are the results of this operation after one and a half years of existence?

There still remain large groups of "Interahamwe and ex-Far" in Kivu (here called 'Armed Rwandese Hutus', as this is the most appropriate term)⁸. Insofar as they are organised, most of these groups have links with the FDLR, which has become a member of the Concertation permanente de l'opposition démocratique rwandaise (Permanent Cooperation of Rwandese Democratic Opposition - CPODR). This groups together almost all the Rwandese opposition in exile, including Tutsi representatives who survived the genocide. The FDLR is to be found in Sud-Kivu in the regions of Ninja, Shabunda, Walungu, Burghinyi, Kalonge, Ruzizi plain, as well as in the Biega-Kahuzi park, from where they sow terror in the surrounding villages (particularly Kaniola, Izege, Ikoma, Bugobe, Bushwira...), villages controlled by RCD soldiers who either do not dare or do not want to drive them out. Others are in Nord-

⁷ International Crisis Group, *Les rebelles Hutu Rwandais au Congo : Pour une nouvelle approche du désarmement et de la réintégration*, 23/05/03. The report estimates the number of armed Hutu combatants in Kivu at 15,000, of which a large number are linked to the FDLR.

⁸International Crisis Group, op.cit.

Kivu in the region of Walikale, Virunga Park, and in RCD-ML territory, at Katundula (3 km from Miriki), Kaunugu and on the outskirts of Kasuo.

Their presence results in killings, rapes, transportation of women for sexual exploitation, pillaging of money, animals, agricultural and other goods. Men are captured to carry the pillaged goods. They are currently even operating during daylight. The captured girls and women are sold, at a price of US\$100 to 150 a head, to other Rwandese in the forest. These groups have never been so cruel or acted so openly as they do now....even though MONUC is deployed in the region. The local Congolese people are also demanding ever more strongly that they be rid of these people, by force if necessary.

According to our witnesses, no effort is being made, either by the RCD or the APR to disarm or neutralise them. These soldiers refuse to go there when the local people show them where to find them. Some of these Hutu operate a few dozen metres from RCD-APR troops, who are supposed to be searching for them. This has been the case since the start of the second war in 1998. The people living in villages in the interior are even convinced that RCD-APR soldiers are in tacit agreement with them, going as far as to supply them with munitions and supplies, as was the case in the Mwenga zone in October 2002.

MONUC is in contact with certain groups, but the RCD-APR offensives, particularly in the Lubero territory in Nord-Kivu and throughout the whole of Sud-Kivu have seriously disrupted the work of the DDRRR and have dispersed those who were already gathered and who had agreed to be involved. Thus, in August 2000, at Kasugho in Nord-Kivu, more than 1,300 Hutu (armed men and their families) who had already been grouped together and were awaiting MONUC transportation to Beni from where they were to be repatriated, were dispersed by 750 soldiers from the RCD-APR. Similar cases occurred in Bunyatenge and Lubero in March/April 2003; and at Kalonge and Bunyakiri in Sud-Kivu during the first half of May. This was also the case at Mulume Munene in the territory of Kabare, where 150 Hutu awaiting repatriation were frightened off when the MONUC convoy (lorries, jeeps and armoured vehicles) was observed being preceded by a van full of RCD soldiers. MONUC was apparently driven out of the "assembly" camp by the RCD-Goma.

Other accounts indicate that MONUC has, on several occasions, freed armed Rwandese Hutus who had been captured and disarmed, particularly by the RCD-ML at Lubero, apparently through respect for the principle of seeing the 'Interahamwe and ex-Far' give themselves up.

The Congolese component of the DDRRR, and particularly that of disarming armed Rwandese groups has not given the anticipated results. In relation to the means made available, the number of combatants and/or Rwandese Hutu refugees repatriated is minimal: 700 in all, the majority of whom were disarmed by the government of Kinshasa at Kamina and a few hundred at the very most in Sud-Kivu and at Lubero in Nord-Kivu⁹. And yet, thousands of Rwandese Hutu combatants are ready to be demobilised and return to Rwanda but are being prevented from doing so

⁹ Figure provided by the DDRRR offices in Kinshasa at the end of May 2003. The second special report of the Secretary-General on MONUC dated 27/5/03 mentions a figure of 1500 (combatants and their families) since October 2002. For its part, UNHCR has repatriated 3021 Rwandese refugees since the beginning of 2003.

by their leaders. Moreover, many meetings they have arranged with MONUC have failed to take place because the MONUC representatives did not turn up at the last minute.

Another even more important problem is MONUC's impossibility – given its mandate – of dealing with the political demands of these armed groups (with the exception of those responsible for the genocide). There will be no lasting peace in the region as long as there is no process of dialogue and democratic opening. This includes security for all and juridical guarantees for those who are voluntarily repatriated.

MONUC should have the mandate to seek other solutions such as their establishment in provinces further from the border with Rwanda or in other countries.

But a more decisive attitude on the part of MONUC, which would bring the RCD-APR to heel when they disrupt the process, would also be a help. Moreover, it is expected that the transitional government will be able to tackle, by force if necessary, the problem of these armed Rwandese groups which, like mere bandits, are terrorising the people of Kivu in certain places. And yet, the real impact of such a government on the ground in Kivu remains hypothetical in the short term. Finally, local NGOs, traditional authorities, the religious faiths, the MM but also the FAC and the APC (RCD-ML) soldiers should be more closely involved in any voluntary disarmament – and certainly if it were decided to use force.

2. Mai Mai

MONUC has no mandate for the disarmament/demobilisation of armed Congolese groups (Mai Mai). Whilst the presence of Rwandese troops is noted on Congolese territory, such action on the part of MONUC would be seen as complicity with those occupying the DRC, and thus as an alliance with the RCD. MONUC could not, in any case, play a role in disarming/demobilising armed Congolese groups unless the Rwandese troops had been effectively withdrawn, and the transitional government and unified national army were in place. A section of the MM that form part of the peace agreement as Congolese nationalists want to be integrated into the Congolese army. Others would like to return home if there were socio-economic prospects. It would therefore be logical to undertake demobilisation of the MM at the same time as that of the Congolese warring parties.

B.5 Populations in danger: MONUC too often turns a blind eye

As in other areas, the quality of MONUC's human rights work depends on the individuals responsible for that work. Some of them responsibly and skilfully devote heart and soul to this work. Others are far less active and scrupulous, and look upon their stay in the DRC as no more than a way of making money, an opportunity to devote themselves to trafficking in various goods.

One thing is for sure: MONUC's presence in the different areas in which human rights are violated, its initiatives in terms of field studies (Kisangani, Mambasa, Drodoro...) do contribute to avoiding situations from degenerating further. But, to be truly effective, they need ways of exerting the pressure necessary to force the hand of the RCD and other rebel groups who are trying to block their path (cfr

Ngweshe from 7 to 25 April 2003 when MONUC accepted RCD injunctions preventing it from going to see what was going on). In addition, MONUC often speaks out too late (Kisangani, Bunia) and, in some situations, does not denounce preparations for battles even when it is forewarned (cfr RCD-APR attack at Bunyatenge/Mbingi).

Furthermore, MONUC could integrate more information on human rights provided by local players into its reports to the Secretary-General. Nonetheless, information coming from outposts in the interior is subject to « censorship » by the Kinshasa HQ. This said, in spite of the means at its disposal, MONUC sometimes seems to do no better than the local human rights associations. Its role seems limited to observing and noting what goes on, without denouncing or intervening in favour of people whose rights are being seriously wronged.

MONUC also has a mandate to protect civilian populations in imminent danger. For these people, this aspect is scandalously overlooked by MONUC. In no case – except perhaps at Bunia when the local people took refuge themselves with MONUC during the capture of the town by the UPC – has MONUC intervened to effectively protect groups in danger, even when massacres and looting take place sometimes before their very eyes or close to their compounds. It has however intervened in some cases, to guarantee temporary protection to human rights activists or journalists, particularly in Kisangani.

B. 6. Ituri: too little, too late, but necessary !

Whilst awaiting the establishment of the transitional government and a new Republican army in the DRC, the local people applaud the SC's initiative to give the go ahead to an EU intervention force (Operation Artemis) with a mandate to support MONUC in protecting the local people.

However, those Congolese questioned bitterly regretted that it would not have the explicit mandate of disarming all militia operating in Ituri, that its mandate would be geographically limited (to 25 km from the town of Bunia, when the militia have their bases deep inside Ituri) and limited in time (until 1/9/03). They particularly wonder why the Council has reacted so belatedly, when the signals have been at red for so long.

To restore peace in Ituri, it is just as important to put an end to Uganda's interference there and, over the past year, the increasing interference of Rwanda. The main players in the war in Ituri are not signatories to the Pretoria agreement. It is thus not a question of taking their declarations into consideration but of disarming them. The town of Bunia should be demilitarised.

Alongside this pacification by the international force, MONUC is supposed to supervise and train the central government police force whilst awaiting full re-establishment of this latter's authority. Some spokespeople consider that if the UN does not play this proactive role in Ituri, it would be better to allow the Kinshasa government to strengthen its military presence there.

Finally, in cases such as Ituri, MONUC soldiers undertook valuable humanitarian work in the displacement camps when all the humanitarian agencies had left. In other places, the local people are awaiting follow-up to the rapid impact projects that MONUC showed a willingness to fund. People expect these to be effectively implemented and, if this is not the case, it will be yet another disappointment for people in distress.

B.7. Information: Radio Okapi appreciated

MONUC's 'information' component is the only activity truly appreciated by the local population, via Radio Okapi (radio run by the Swiss Foundation Hironnelle), all the more so as the RCD/Goma has made a speciality of scorning freedom of expression. Radio Maendeleo is still banned, whilst Radio Maria (Catholic) and Radio Rehema (Protestant) form the object of regular intimidation. Radio Okapi is renowned for its balanced information, courageous reporting and for giving the local people a voice. Moreover, it puts the rebel zones in contact with Kinshasa and with the government area by broadcasting news from all the provinces of the DRC. Radio Okapi denounces cases of human rights violations committed on the part of the different warring parties within the provinces.

C. Conclusion

MONUC too often powerlessly witnesses massacres of civilians and its officials flee as soon as they feel that armed groups are preparing for confrontation (cfr Kalonge, Burhinyi, Kanyabayonga...). MONUC allowed itself to be looted in Bunyatenge and let armed looters enter its premises in Bunia...when the MONUC soldiers there were armed. « The kids who violated such a taboo will now believe themselves to be all-powerful and will no longer respect anything », said one witness.

Often, MONUC lacks determination, both in its higher ranks and among the troops on the ground. There is of course its restrictive mandate, but this should not dissuade it from demonstrating a dynamism to the service of the local people. The change of mandate in a more active or aggressive direction will not necessarily change this attitude among individuals who, moreover, have not generally been sent by their governments to take risks. The remarkable work of the Uruguayan soldiers at Bunia did not prevent the government in Montevideo from protesting at the dangers. In addition, until the European intervention in Bunia, too few countries were ready to send trained and well-equipped contingents.

MONUC's mission cannot legitimately be undertaken without the collaboration of the local people in the east of the country. And yet, all too often, not only do MONUC observers and soldiers fail to take the initiative to consult or involve the local « lifeblood » (customary chiefs, churches, NGOs, women's groups...), but they sideline and discredit the information (human rights violations, information on armed foreign groups, foreign military presence, etc....) being provided by people within these organisations, often at great personal risk. MONUC does not even really share information with the international NGOs present on the ground, much less the Congolese NGOs.

As one witness says, “One is always disappointed by the fact that MONUC remains powerless, with no real desire to be involved in resolving the crisis. Apart from a few actions it attempts to undertake (e.g. sending of interviewers into the field, small care and small support to some cases, denunciation of violations via Radio Okapi), the great challenges with regard to which the local population want to see intervention (such as denouncing the return of Rwandese troops, the massacres of civilian populations, border surveillance and, above all, a real desire to disarm the militia and to repatriate the Rwandese) seem not to have been taken to heart by MONUC.”.

To improve its verification methods, MONUC could create a department responsible for civil society contact and the people in charge – with a knowledge of local languages! – should regularly exchange information with the different players on the ground or, at the very least, raise its officials’ awareness as to the added value of this kind of information.

List of acronyms:

ALIR: Armée de Libération du Rwanda (Rwandese Liberation Army)
APR: Armée Patriotique Rwandaise (Rwandese Patriotic Army)
CIAT: Comité International d'Accompagnement de Pretoria/International Committee of Guarantors of the Pretoria Agreement
CPI: Commission de Pacification de l'Ituri (Ituri Pacification Commission)
DDRRR: Démilitarisation, Démobilisation, Rapatriement, Ré-intégration, Ré-insertion (Disarmament, Demobilisation, Repatriation, Resettlement or Reintegration)
DRC: Democratic Republic of Congo
EP: European Parliament
EU: European Union
FAC: Forces Armées Congolaises (Congolese Armed Forces) (of the government of Kinshasa)
FAR: Forces Armées Rwandaises (Rwandese Armed Forces)
FDD: Forces pour la Défense de la Démocratie (Forces for the Defence of Democracy)
FDLR: Forces Démocratiques de Libération du Rwanda (Rwandese Democratic Liberation Forces)
FPR: Front Patriotique Rwandais (Rwandese Patriotic Front)
ICG: International Crisis Group
IMF: International Monetary Fund
MLC: Mouvement de Libération du Congo (Congolese Liberation Movement)
MM: Mai Mai
MONUC: United Nations Organisation Mission in the Democratic Republic of Congo
NGO: Non-governmental Organisation
OCHA: Office for the Coordination of Humanitarian Affairs (UN)
RCD-Goma: Rassemblement Congolais pour la Démocratie-Goma (Congolese Rally for Democracy-Goma)
RCD-Kis/ML or RCD-ML: Rassemblement Congolais pour la Démocratie-Mouvement de Libération (Congolese Rally for Democracy-Liberation Movement)
RCD-N: Rassemblement Congolais pour la Démocratie-National (Congolese Rally for Democracy-National)
SC: UN Security Council
UN: United Nations
UNHCR: UN High Commissioner for Refugees
WB: World Bank

LISTE DES SIGNATAIRES :

Germany: EED, Misereor, Bröt für die Welt, Deutsche Caritasverband *

Belgium: ACT, Atol, Broederlijk Delen, CDI-Bwamanda, Cire, CNCD, Commission Justice et Paix/fr, Entraide et Fraternité, Foncaba/Kba, 11.11.11./ KVNZB , Memisa, Solidarité Mondiale / Wereldsolidariteit, Solidarité Protestante, Solidarité Socialiste/FCD, SOS-Faim, Vredeseilanden, FUCID

Denmark: DanChurchAid

France: COSI, Frères des Hommes/France, Comité Catholique contre la Faim et pour le Développement/CCFD, GRET, Cimade*, Secours catholique/Caritas-France *

Espagne: Comité de Solidaridad con el Africa negra

United Kingdom: Christian Aid, Save the Children Fund.

Italy: COOPI, Congosol/Palermo*, Incontro Fra I Populi, Pace per il Congo/Parma*

Netherlands: ICCO, Kerken in Aktie

Sweden: Diakonia

Switzerland: Fastenopfer, Solidarité Kyamukoko

* associated members of the two networks

Coordination / Info :

REC: Jules DEVOS, rue de la Linière 11, B-1060 Bruxelles, tel: +32-2-536.11.38, fax: +32-2-536.19.06, mob 0479/27.50.23, e-mail: rec@11.be / CCAC/GLAN: François JANNE d'OTHEE, rue des Tanneurs 165, B-1000 Bruxelles, tel: +32-2-505.34.00, fax: +32-2-502.21.42, mob 0475/67.39.31, e-mail: fjdo@ccac-network.org