



Killings in Kiwanja

The UN's Inability to Protect Civilians

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I. Summary

On November 4-5, 2008, an estimated 150 people were killed in the town of Kiwanja in eastern Democratic Republic of Congo, half a mile away from United Nations peacekeeping forces. The event marks one of the worst killing sprees in North Kivu in the past two years. Most of those killed were summarily executed by forces of rebel commander Laurent Nkunda's National Congress for the Defense of the People (CNDP). Others died during combat between Nkunda's forces and the Mai Mai militia, a local armed group that supports the Congolese government and often fights alongside the national army (Forces Armées de la République Démocratique du Congo, FARDC). Mai Mai militia also deliberately killed people.

Following the Kiwanja killings, CNDP and Mai Mai combatants continue to kill, rape, forcibly recruit children, and otherwise mistreat civilians in and around Kiwanja, the neighboring town of Rutshuru, and in areas further north. Human Rights Watch has recorded an additional 18 deliberate killings in November and December perpetrated by the CNDP, the Mai Mai and their allies, and received reports of another 25 deaths, although ongoing insecurity has made it impossible to verify all such information. Human Rights Watch documented the rape of more than 16 women and girls and dozens of children recruited into armed service since late October. A unilateral ceasefire declared by the CNDP on October 29 has proven meaningless in these remote areas where the fighting and the killing go on.

On October 29 Nkunda's CNDP forces took control of Kiwanja and Rutshuru after defeating Congolese army soldiers in a battle south of Kiwanja a day earlier. Once the CNDP took control of the area, they immediately ordered the local population to destroy six camps for displaced people and sites that had housed an estimated 27,000 people. The displaced people then fled to various locations and most still had not been located five weeks after the attack.

During and immediately after the Kiwanja killings, thousands of civilians sought refuge outside the MONUC base. CNDP soldiers and officials have since used threats

and intimidation in an effort to force displaced people to return home, even though many did not believe it was safe to do so.

At the time of the killing spree at Kiwanja, the United Nations peacekeeping mission in Congo, MONUC, had 120 peacekeepers in Kiwanja, one of its largest field bases in the area. Due to the importance of these two towns as centers for humanitarian assistance, MONUC considered them a priority protection zone, yet the peacekeepers did not protect the towns from a rebel takeover or halt the destruction of displacement camps. Nor did they stop the mass killing of civilians in Kiwanja where they had an important field base.

MONUC relied on cooperation from the Congolese army. However, Congolese forces proved incapable of protecting the towns and failed to assist MONUC in providing security for the civilian population. The Congolese army's senior officer in the area, Col. Delphin Kahimbi, was openly hostile towards MONUC, inciting local hostility against the peacekeepers, and once even having his troops fire upon UN vehicles. He and other Congolese officers also used MONUC troops to shield Congolese army forces, deliberately putting peacekeepers' lives in danger.

Any possibility that MONUC forces might protect the civilian population on their own was dashed by logistical deficiencies and competing priorities faced by an overstretched peacekeeping force. On November 4 and 5, MONUC's top priority in Kiwanja became assuring the security of humanitarian workers, a foreign journalist, and a group of military observers, rather than protecting the civilian population. In a situation where numbers of peacekeepers and equipment were inadequate, almost nothing was left to protect Congolese civilians.

While MONUC has attempted to respond more assertively to threats to civilians since the killings in Kiwanja, its primary focus on deterring attacks on the provincial capital Goma and its inability to respond promptly to new threats, has stopped it from being able to prevent ongoing killings, forced recruitment, and new displacements of civilians. The most MONUC could do during the Kiwanja killings—and now—was to offer sanctuary in the immediate vicinity of their base for those most at risk.

MONUC urgently requires additional troops with rapid response capabilities to enhance protection of civilians and prevent future killings. On November 20 the UN Security Council authorized an increase in the number of MONUC forces in the Congo by 3,100—but these troops are likely to take at least four months to be deployed. On December 4, UN Secretary-General Ban Ki-moon wrote to European Union (EU) High Representative Javier Solana, expressing concern about the time needed to deploy new MONUC troops, and requested support and assistance from the EU to provide a short-term “bridging” force.

Human Rights Watch urges the EU to act urgently to deploy a “bridging” force. Signaling that such a force will arrive quickly could help to deter further attacks in the short-term and may contribute to the possible success of the vital diplomatic efforts currently underway. Additional EU troops in Goma would also free up MONUC peacekeepers to strengthen field bases in more remote areas, such as the one in Kiwanja, and to help prevent further atrocities against Congo’s long suffering population.

II. Context

Peace process fails

In late August 2008, heavy fighting resumed in North Kivu between the Congolese army and Nkunda's CNDP rebels, as well as other armed groups, breaking a fragile ceasefire that had been in place since the Goma peace agreement was signed on January 23. The agreement had been intended to halt hostilities, to lead to disengagement of forces from front line positions, and to make possible political and security discussions between the government and 22 armed groups, of which the CNDP was the most significant. Despite efforts to move the process forward by representatives from the UN, the African Union (AU), the EU, the United States (US) and the International Conference on the Great Lakes Region, the agreement began to crumble in July.¹

The Congolese army launched an offensive against the CNDP on August 28 but quickly lost ground, despite their superior numbers.² The better organized CNDP rebels captured huge swathes of territory in the heavily populated and fertile areas of Masisi and Rutshuru, sometimes temporarily halting or reversing their advance for strategic reasons or in response to pressure from the international community.³ On October 26, the rebels captured Rumangabo military camp, one of the most important military bases in eastern Congo, for the second time since October 8. After seizing a large stock of weapons and ammunition, the CNDP forces then moved simultaneously north towards Rutshuru and south towards Goma. From October 26

¹ The conflict involving Congolese government forces and pro-government militias against non-state armed groups is considered a non-international armed conflict under international humanitarian law, or the laws of war. Applicable law includes article 3 common to the four Geneva Conventions of 1949, the Second Additional Protocol of 1977 to the 1949 Geneva Conventions (Protocol II), and customary international humanitarian law. Common article 3 provides minimum standards for the treatment of all persons in custody, including prohibitions on murder, torture, and other cruel treatment, and the taking of hostages. Customary international humanitarian law sets out, among other things, rules on the means and methods of warfare, including prohibitions on deliberate, indiscriminate, or disproportionate attacks on civilians. International human rights law, such as found in the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, is also applicable.

² The FARDC is estimated to have over 22,000 soldiers in North Kivu while the CNDP rebels are estimated to have a force of between 4,000 and 6,000 combatants.

³ The CNDP have occasionally retreated from areas days after taking them over to reinforce their troops in other locations.

to 28, the rebels gained control of a strategic stretch of road between Goma and Rutshuru and won another battle at Kibumba, just 27 kilometers north of Goma.

When CNDP forces took Kiwanja and Rutshuru on October 29, other CNDP forces were threatening Goma. While the Congolese government feared a possible CNDP capture of Goma, its soldiers fled the city both north and south, pillaging and looting along the way. The CNDP did not attempt to enter Goma, and declared a unilateral ceasefire.

The government did not respond to the ceasefire and its forces continued skirmishes with the CNDP forces. The CNDP also engaged in occasional combat with pro-government militias, including the Coalition of Congolese Patriotic Resistance (PARECO) and other Mai Mai groups, as well as with a Rwandan armed group, the Democratic Forces for the Liberation of Rwanda (FDLR), some of whose leaders participated in the 1994 genocide. The ongoing fighting allowed the CNDP to take further territory; by the end of November, it controlled nearly twice the area under its command at the end of August.

The fighting that resumed at the end of August added to the many miseries already suffered by the people of North Kivu. At least 415 civilians were killed and over 250 wounded between the end of August and early December. Another 250,000 people were forced to flee for their lives, raising the total number of displaced people in North Kivu to over one million, many of whom had only limited assistance from humanitarian agencies due to ongoing insecurity. Some displaced people have started to return home, faced with the lack of food or security in the camps as well as pressure from the CNDP to leave the camps. Yet many find their homes occupied or are confronted by new waves of fighting, forcing them to flee once again.

CNDP take control of Kiwanja and Rutshuru

Kiwanja and Rutshuru are neighboring towns, nestled together in a fertile valley on the edge of Virunga National Park. They make up one of the largest population centers in North Kivu with about 70,000 residents and, in early November, at least 50,000 displaced people living in camps or with host families. Rutshuru sits on the

main road and is a strategic administrative center which houses one of the largest hospitals in the area.

The CNDP rebels arrived in Rutshuru late on October 28 and by the afternoon of October 29 were in control of both Rutshuru and Kiwanja. They faced no resistance from government soldiers, or its allied Mai Mai militias, nor from UN peacekeepers.

Within the first 24 hours, the CNDP ordered the local population to destroy all the camps for displaced people in the area, telling people that the CNDP “did not want any IDP [internally displaced person] camps.” Some CNDP combatants also participated in the destruction of camps. On October 30 the CNDP informed MONUC that they were in charge of the area and on October 31 the rebel group appointed its own territorial administrator, Jules Simpenzwe.

The speed and efficiency with which the CNDP took control over the area led one military analyst to conclude that Rutshuru rather than Goma had been their main objective during the late October offensive. “While we were all focused on saving Goma, the aim of the CNDP was to take Rutshuru and we did not do enough to stop that.”⁴

Mai Mai counter-attacks on Kiwanja

At around midday on November 4, some 200 Mai Mai combatants, including at least 30 child soldiers, launched a surprise attack on CNDP positions in Kiwanja. Dressed in civilian clothes or partial military dress, many appeared with leaves on their heads or arms. Armed with AK-47 assault rifles, spears, machetes, and some rocket propelled grenades (RPGs), they fought for several hours before pushing the CNDP out of the town. According to a MONUC official, the Mai Mai militia reportedly belonged to the Jeremie Group based in northern Rutshuru territory and the Kasareka PARECO Mai Mai group, some of whom were based to the north of Kiwanja. The Mai Mai may have been supported by FDLR combatants and possibly some Congolese army soldiers.

⁴ Human Rights Watch interview with UN military analyst, Goma, December 3, 2008.

At around 5:30 am on November 5, the CNDP launched a counter-attack with heavy weapons such as mortars and rockets that continued until about noon. Some civilians managed to flee, but most were caught in the middle of the fighting. At least several dozen civilians died in the crossfire. One woman was killed and her 16-year-old sister was seriously wounded when a mortar shell fell on their house in Mabungo neighborhood.⁵ Another man was killed on the outskirts of Nyongera camp when an “explosion” hit his house.⁶ Neither side warned civilians of impending combat nor facilitated their departure from the town before the fighting began.⁷

By 2 pm on November 5, the CNDP had reestablished control of Kiwanja.⁸ The rebels then patrolled the streets and ordered the civilian population to leave the town, warning that all those remaining would be considered Mai Mai combatants or sympathizers.⁹ Some who fled were stopped and sent back home by other CNDP combatants,¹⁰ while others did not hear the order or were too afraid to flee. Hundreds of civilians reached Rutshuru and the MONUC base at Kiwanja by late afternoon.

⁵ Human Rights Watch telephone interview with Congolese NGO worker who participated in burials in Kiwanja, Goma, November 7, 2008; Human Rights Watch interview with Kiwanja resident who participated in burials, Kiwanja, November 29, 2008. Human Rights Watch interview with victim’s neighbor in Kiwanja, November 29, 2008.

⁶ Human Rights Watch interview with victim’s neighbor who witnessed the killing, Kiwanja, November 29, 2008.

⁷ Customary international humanitarian law requires that all parties to a conflict take all feasible precautions to protect the civilian population under their control against the effects of attack. See International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law* (Cambridge, UK: Cambridge University Press, 2005), rule 22. Parties must also, when circumstances permit, give effective advance warning of attacks that may affect the civilian population. *Ibid.*, rule 20.

⁸ Human Rights Watch interview with MONUC official, North Kivu, November 29, 2008.

⁹ Human Rights Watch interviews with Kiwanja residents, Goma, November 8, 2008; and Kiwanja, November 26 and 29, 2008.

¹⁰ Human Rights Watch interviews with Kiwanja residents blocked from escaping Kiwanja on November 5, Goma, November 8, 2008.

III. Abuses committed by the CNDP

Summary Executions

Once back in control of Kiwanja, CNDP combatants went house to house, searching for young men and teenage boys whom they suspected of being Mai Mai combatants. They targeted several neighborhoods, such as Buhunda, Buzito, Buturande, Mabungo, Nyongera, and Kachemu, possibly because some of the heaviest fighting had taken place in those areas.

Based on more than 100 interviews with family members, those who helped bury the dead, and other Kiwanja residents, Human Rights Watch estimates that at least 150 people were killed on November 4 and 5 in Kiwanja. Most victims had bullet wounds to the head or wounds caused by machete, spear or club, indicating they had been summarily executed rather than killed in the cross fire or by rocket and mortar shells. At least 14 of the victims were children, 8 were women, and 7 were elderly.¹¹

International humanitarian law prohibits the summary execution or mistreatment of any person in custody, whether civilians or captured combatants.¹² When committed deliberately or recklessly, such acts are war crimes.

According to witnesses, CNDP soldiers forced doors open, demanded money and cell phones and then shot or otherwise killed the men or boys whom they found. They slaughtered them in front of their families in their houses, just outside their homes, or in the street nearby. Some women were killed, including those who tried to protect other family members.

One woman whose husband was killed told a Human Rights Watch researcher what happened. She said:

¹¹ Human Rights Watch interviews in Goma, Kibati, and Kiwanja, November and December 2008.

¹² See article 3 common to the four Geneva Conventions of 1949; Protocol II, art. 4.

On Wednesday [November 5], 10 CNDP soldiers showed up outside my house in Mabungo neighborhood. My husband didn't see them, and he tried to leave the adjacent kitchen to reach me in the main house. But as soon as he stepped outside, the soldiers shot at him – once in the eye and once in the stomach. All of his insides came out. My husband was a farmer. He was 50 years old, and he never helped the Mai Mai. We had no weapons.¹³

Another elderly woman described other killings. She said:

I fled to a nearby house to hide when I saw the soldiers coming. In the house there were seven boys. Some of them had leaves on their heads [as Mai Mai often did], but they had no weapons. The soldiers demanded that the boys open the door, but they were scared and did not answer. I ran into the bedroom and curled up into a small ball under the bed. I heard the soldiers break down the door and then the screams of the boys as they shot them. They did not try to arrest them, they just shot – bam, bam, bam. The soldiers came into the bedroom. I was trembling all over. One of the soldiers grabbed my leg and pulled me from under the bed. He raised his gun to shoot me, but another said to leave me as I was just an old woman. When they left, I went into the other room and saw the bodies of all the young boys. Four of them were brothers. They were all dead.¹⁴

In another case, CNDP combatants killed an elderly couple when the wife tried to leave her house to go to the toilet. The neighbor, who saw the killings, said:

I could not flee Kiwanja after the CNDP told everyone to leave because my wife was pregnant. I live close to where the CNDP had their camp, and I heard them say anyone leaving their house was suspect and that anyone poking their head out of a window should be shot. After a day

¹³ Human Rights Watch interview with witness, Kiwanja, November 30, 2008.

¹⁴ Human Rights Watch interview with witness, Kiwanja, November 30, 2008.

hiding in our houses, I heard my neighbor say she had desperately to go to the toilet and she left her house. A soldier asked her where she was going, and when she told him she was going to the toilet, he shot her. Then her husband opened the door to see what had happened and they shot him dead as well. They were both about 60 years old. They were not Mai Mai. They were just an old couple who could not run away. I later helped to bury them.¹⁵

According to several witnesses, CNDP combatants dragged bodies of those killed in the street into houses and then locked the doors, in an apparent attempt to hide the dead.¹⁶ Witnesses also told Human Rights Watch researchers that bodies were found in latrines.¹⁷

Bosco Ntaganda, the military chief of staff of the CNDP, was in charge of military operations on the Rutshuru and Kiwanja axis at the time of the killings. He was filmed in Kiwanja on November 5, the day of the massacre. Ntaganda is wanted on an International Criminal Court (ICC) arrest warrant for war crimes committed in Ituri between 2002 and 2004.¹⁸

After the mass killings on November 5, CNDP combatants continued to summarily execute Kiwanja residents. Witnesses told Human Rights Watch researchers that CNDP combatants killed six persons between November 8 and November 16.¹⁹ Most victims were shot to death while going to their farms outside Kiwanja to look for something to eat, or while returning to their homes in Kiwanja after spending days sheltering outside the MONUC base. Another four people were summarily executed

¹⁵ Human Rights Watch interview with witness, Kiwanja, November 29, 2008.

¹⁶ Human Rights Watch interviews with Kiwanja residents, Goma, November 27, 2008.

¹⁷ Human Rights Watch interviews with internally displaced people from Kiwanja in Goma, November 11, 2008, and in Goma and Kibati, November 27, 2008.

¹⁸ Human Rights Watch interview with foreign journalist, Goma, November 21, 2008. Footage on file with Human Rights Watch.

¹⁹ Human Rights Watch interviews with Kiwanja residents in Kibati, November 11, 24 and 25; Human Rights Watch interviews with NGO representatives from Kiwanja, Goma, November 13 and 22, 2008; official MONUC communication to Laurent Nkunda, November 18, 2008, on file with Human Rights Watch.

in early December just outside Rutshuru, plus one other in Kiwanja, all by CNDP soldiers.²⁰

Sexual Violence

As is often the case during combat in eastern Congo, women and girls were targets of sexual violence. CNDP combatants raped at least 16 women and girls in their homes, on their farms or on the roads in the weeks following the CNDP's takeover of Kiwanja and Rutshuru.²¹

A 16-year-old girl who was raped by a CNDP combatant, said:

The day the CNDP arrived in Rutshuru, they pillaged my neighborhood and shot and killed two boys, so I decided to flee to Goma. I ran through the farms on the edge of Rutshuru and met two Tutsi²² soldiers with guns and spears. They stopped me in the farm. I was alone. One of the soldiers spoke Kinyarwanda, and the other spoke Swahili. They said, "We're going to kill you." Then they put a knife on my arm. I said, "No, please spare me." Then they said, "The only way we can spare you is if we rape you." They cut my clothes off with the knife. One of the soldiers raped me from 4 pm until 7 pm. There was blood everywhere. Then when the second soldier wanted to start, there were lots of gunshots nearby and they left, saying that if I fled they would kill me. After that, I managed to escape and made it to Kibati [a large camp for displaced people outside Goma]. I'm still in a lot of pain, but I don't have any medicine and there's no one here to treat me.²³

²⁰ Human Rights Watch phone interviews with Rutshuru and Kiwanja residents and NGO representatives, Goma, December 7, 8 and 9, 2008.

²¹ Human Rights Watch interviews with Kiwanja and Rutshuru residents, in Kibati, November 11, 24, and 25, 2008; in Kiwanja, November 29 and 30, 2008; and in Goma, December 8, 2008.

²² Although all CNDP combatants do not belong to the Tutsi ethnic group, and some Congolese army soldiers are Tutsi, North Kivu residents often refer to CNDP combatants as "Tutsi soldiers".

²³ Human Rights Watch interview with victim, Kibati, November 25, 2008.

Displaced people and a health center employee told Human Rights Watch researchers that CNDP soldiers raped six women and girls inside the camp for displaced people at the MONUC base in Kiwanja on November 27.²⁴

Forced recruitment and abduction of adults and children

All parties to the conflict in North Kivu have forcibly recruited civilians, including children, and forced them to serve as soldiers. These children have been sent to the frontlines or are used as porters, guards, or sex slaves. According to child protection workers, many of those recently recruited are “re-recruits” who have already gone through demobilization programs but who received limited support to integrate back into their communities.²⁵

Following their takeover of Rutshuru and Kiwanja, the CNDP forcibly recruited dozens of young men and boys into military service. Other men and boys, often accused of being Mai Mai sympathizers, were abducted by the CNDP and have not been seen since.²⁶

On November 30, for example, CNDP combatants abducted four children, all brothers, at 3 a.m. in the Mabungo neighborhood of Kiwanja. They took the boys to an unknown location. The next day, they brought back one child who was ill but kept the three who were healthy.²⁷

Local residents told Human Rights Watch researchers that the CNDP uses local authorities to forcibly recruit young men and boys into military service.²⁸ According to

²⁴ Human Rights Watch interview with displaced people and health center employee, Kiwanja, November 29, 2008 and December 8, 2008.

²⁵ Human Rights Watch interviews with child protection workers, Goma, November 5, 2008 and December 8, 2008.

²⁶ Human Rights Watch interviews with Kiwanja residents, in Goma, Kibati, and Kiwanja, November 2008; Human Rights Watch interviews with child protection worker, Goma, December 8, 2008.

²⁷ Human Rights Watch interview with child protection worker, Goma, December 8, 2008.

²⁸ Human Rights Watch interviews with Kiwanja and Rutshuru residents, Kiwanja, November 30, 2008.

MONUC officials, they intervened in several cases to obtain the release of boys and men recruited by force by the CNDP.²⁹

Continuing fear of recruitment keeps many local residents from resuming the usual activities of daily life. Men and young boys often hide in their homes instead of working in the fields or spend their nights outside the MONUC base in Kiwanja to avoid being pressed into military service. Many others have fled to Goma or other areas outside of CNDP control.³⁰

International humanitarian law prohibits all parties to an armed conflict from arbitrarily depriving any person of their liberty, including through abductions and forced recruitment. Parties must treat all civilians humanely—arbitrary deprivation of liberty is incompatible with this requirement.³¹ International law prohibits any recruitment of children under the age of 18 by non-state armed groups or the participation of children in active hostilities. The recruitment of children under the age of 15 is a war crime.³²

Destruction of camps and forced return

Before the CNDP takeover of the area, some 27,000 displaced people were registered in camps for displaced people and in unofficial sites, such as schools, churches or mosques in and around Rutshuru and Kiwanja. More than 25,000 other displaced people were living with host families.³³ Many of these displaced people fled the area ahead of the CNDP advance.

²⁹ Human Rights Watch interview with MONUC official, November 29, 2008.

³⁰ Human Rights Watch interviews with Rutshuru and Kiwanja residents and internally displaced people, Goma, Kibati and Kiwanja, November 2008.

³¹ See article 3 common to the 1949 Geneva Conventions; see also ICRC, *Customary International Humanitarian Law*, rule 99 and accompanying text.

³² The Democratic Republic of the Congo is a party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted May 25, 2000. G.A. Res. 54/263, Annex I, 54 U.N. GAOR Supp. (No. 49) at 7, U.N. Doc. A/54/49, Vol. III, entered into force February 12, 2002. The protocol raised the standards set in the Convention on the Rights of the Child by establishing 18 as the minimum age for any conscription or forced recruitment or direct participation in hostilities. Article 4 states that “armed groups that are distinct from the armed forces of a state should not, under any circumstances, recruit or use in hostilities persons under the age of eighteen.”

³³ In October 2008, UNHCR managed six official camps for displaced people in and around Rutshuru and Kiwanja with the following camp populations: Dumez (2,855), Ngwenda (3,123), Kasasa (5,143), Nyongera (3,447), Kinyandoni Anglican camp

On October 29, CNDP officials said in a public meeting that they would not permit displaced people's camps in their territory, that all displaced people must return home, and that the camps would be destroyed.³⁴ CNDP combatants went directly to the Kasasa and Nyongera camps and instructed Kiwanja residents to dismantle them and keep the spoils (plastic sheeting, wooden frames and any belongings left behind by the displaced people).³⁵ According to witnesses, CNDP combatants either participated in the destruction or stood by and watched.³⁶ Some witnesses said that CNDP forces burned shelters at Nyongera, Kasasa, and at camps and other sites in Rutshuru where many shelters were made of grass.³⁷ Satellite images of the Rutshuru and Kiwanja area taken on November 4 confirm the total destruction of the camps.³⁸

One man who lived at Nyongera camp in Kiwanja told a Human Rights Watch researcher what happened. He said:

I decided not to run when the CNDP came as I did not know where to run to. There were only a few us left in the camp and then the CNDP soldiers surrounded the area. They told the local people to help them destroy the camp. I heard it myself. The soldiers started some fires. I didn't know what to do. Where were we supposed to go? We decided to seek shelter at a school but I didn't feel safe there so we moved to the area outside the MONUC base. We were there for days with nothing,

(5,317), Kinyandoni Catholic camp (3,244). UNHCR Statistics on file with Human Rights Watch. UN OCHA had registered an additional 3,345 IDPs living in unofficial public sites (2,190 in Rutshuru and 1,225 in Kiwanja). UNHCR estimates that the total number of IDPs living in unofficial sites was much higher, nearly 25,000, though these are only estimates. In August 2008, UN OCHA had registered 25,300 displaced people living in host families in the towns of Kiwanja and Rutshuru (12,850 in Kiwanja and 12,450 in Rutshuru). Tens of thousands of others were living in host families in neighboring villages. It is unclear how many of the displaced people living in host families fled after the CNDP's takeover of the area. Human Rights Watch interview with the United Nations High Commissioner for Refugees (UNHCR), Goma, December 4, 2008; UNHCR Briefing Note, October 31, 2008, <http://www.reliefweb.int/rw/rwb.nsf/db900SID/PANA-7KXHVY?OpenDocument>; Human Rights Watch interviews with UN Office for the Coordination of Humanitarian Affairs (OCHA), Goma, November 6, 2008 and December 9, 2008.

³⁴ Human Rights Watch interviews with Kiwanja and Rutshuru residents and displaced people in Goma, November 6 and 7, 2008; in Kiwanja, November 29, 2008; and in Kibati, November 25, 2008.

³⁵ Human Rights Watch interview with witnesses, in Kiwanja, November 29; in Kibati, November 25; and in Goma, November 6 and 7, 2008.

³⁶ Human Rights Watch interviews with internally displaced people, Kiwanja, November 29, 2008. UNHCR interviewed CNDP officials in Rutshuru on November 4 who confirmed that they had invited local residents to dismantle the camps.

³⁷ Human Rights Watch interviews with witnesses, Goma, Kibati and Kiwanja, November 6, 8, 24, 25, 29 and 30, 2008.

³⁸ See Annex.

sleeping out in the open. I feel like we are no better than animals who are herded from one place to another.³⁹

CNDP soldiers and officials used threats and intimidation to attempt to force displaced people to return home, even though many did not believe it was safe to do so. On November 9, CNDP leader Laurent Nkunda at a public rally at Rutshuru stadium told his audience that he did not want any camps in areas under his control because they could provide hiding places for bandits.⁴⁰ According to witnesses interviewed by Human Rights Watch researchers, CNDP combatants and local authorities told the people at the make-shift camp outside the MONUC base in Kiwanja to leave on at least three occasions between November 6 and 11. They declared that CNDP was in control and that they would not be protected by either the government or MONUC at the site.⁴¹ During one of those meetings on November 11, the Chef de Cité made good on his threats by destroying two shelters with a machete. The CNDP gave the displaced people until 10 am the next day to return to their homes, warning that they would feel the CNDP's "pressure" if they did not comply.⁴² The next day almost all of the displaced people had abandoned the camp.

But many had no place to go and within days thousands had returned to the MONUC base. By November 30, some 12,000 people were at the base, many of whom had received little, if any, assistance.⁴³

International humanitarian law prohibits the destruction of civilian objects, such as homes and shelters, schools and religious centers, unless and only for such time as they are being used for military purposes.⁴⁴

³⁹ Human Rights Watch interview with displaced person from Nyongera camp, Kiwanja, November 29, 2008.

⁴⁰ Human Rights Watch interviews with Kiwanja and Rutshuru residents who were at the rally, Kiwanja, November 29 and 30, 2008.

⁴¹ Human Rights Watch interviews with internally displaced people in Kibati, November 24 and 25, 2008; and in Kiwanja, November 26, 29 and 30, 2008.

⁴² Human Rights Watch interview with Kiwanja NGO staff, Goma, November 13, 2008.

⁴³ On November 30 the camp had only nine latrines and one water point. No food distribution had taken place for two weeks.

⁴⁴ See ICRC, *Customary International Humanitarian Law*, rule 10.

CNDP Response

In a November 19 press release reporting its own inquiries, and in subsequent interviews with Human Rights Watch researchers, CNDP authorities “categorically refute” any allegations that their soldiers summarily executed or killed civilians in Kiwanja. They say that those who made such claims were “guided by emotions rather than truth.”⁴⁵ The CNDP says further that all those killed by its soldiers were “combatants” and that all other victims were “liquidated by the militias and the FARDC” or they were “simply and sadly in the wrong place at the wrong time.”⁴⁶ They further contend that all of those killed were men, with the exception of one woman.⁴⁷ International humanitarian law prohibits the killing or inhumane treatment of any person within the control of a party to the conflict, including enemy combatants.⁴⁸

The CNDP told Human Rights Watch researchers that Mai Mai militias had killed the many persons whose bodies were found in Kiwanja and that attributing blame to the CNDP was an effort to “tarnish” its image.⁴⁹ As proof that North Kivu Governor Julien Paluku had participated in this effort, they said he had reported the killings by the CNDP on November 4, when they had temporarily lost control of the town to the Mai Mai.⁵⁰ Human Rights Watch researchers found the date cited in this instance to be wrong (the governor made his report on November 6), as were other dates provided by the CNDP in its chronology of events.⁵¹

⁴⁵ Human Rights Watch interview with Jules Simpenzwe, CNDP Administrator for Rutshuru, November 26 and with other CNDP officials, Rutshuru, November 30, 2008. Congrès National Pour La Défense du Peuple, “Communiqué de Presse sur les ‘Massacres’ à Kiwanja,” Bwiza, November 19, 2008.

⁴⁶ Ibid.

⁴⁷ Congrès National Pour La Défense du Peuple, “Communiqué de Presse sur les ‘Massacres’ à Kiwanja,” Bwiza, November 19, 2008.

⁴⁸ Common article 3 to the 1949 Geneva Conventions provides that “[p]ersons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely” and shall not be subject to “violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture.” See also, Protocol II, art. 4.

⁴⁹ Human Rights Watch interview with CNDP leaders, Rutshuru, November 30, 2008. Congrès National Pour La Défense du Peuple, “Communiqué de Presse sur les ‘Massacres’ à Kiwanja,” Bwiza, November 19, 2008.

⁵⁰ Ibid.

⁵¹ Human Rights Watch interviews with UN officials, Goma, December 2 and 5, 2008. Transcript of Governor Julien Paluku’s November 6 statement on Radio Okapi on killings in Kiwanja on file with Human Rights Watch.

The newly appointed CNDP territorial administrator, Simpenzwe, denied that displaced people had been forced to leave the camps, claiming that they had been in the camps only because the government had forced them to live there. Other senior CNDP officials told Human Rights Watch researchers that local people had “spontaneously” destroyed the camps.⁵²

⁵² Human Rights Watch interview with CNDP leaders, Rutshuru, November 30, 2008.

IV. Abuses committed by the Mai Mai

The Mai Mai combatants in Kiwanja summarily executed at least six people, including a boy of 16. They also attempted to kill another three persons, one of whom was seriously injured. They recruited and used children in combat and abducted people for ransom.

Eyewitnesses told Human Rights Watch researchers that the Mai Mai, the FDLR, and Congolese army soldiers were often seen collaborating with each other.⁵³ One civilian abducted by the Mai Mai in Kiwanja on November 4, was taken to an FDLR camp, where his abductors were warmly greeted, and then to a Congolese army base where they were given dinner and congratulated for their success in combat.⁵⁴

Summary executions, killings and abductions

During the brief period on November 4-5 when Mai Mai combatants controlled Kiwanja, they deliberately killed civilians, either because they suspected them of supporting the CNDP or because they wanted to rob them.

One child, age 12, told Human Rights Watch researchers what happened to her family. She said:

There was lots of fighting around our house in Kasasa quartier on Tuesday, and at about 2 pm, men came to our house and broke down the door. Two soldiers came in. They were wearing civilian trousers and military shirts. They asked my mother to give them money. But she said that she did not have any and then they killed her. They stabbed her with a knife and then they shot her with one bullet. To save his life my father left the house to try and find some money. He went to a neighbor's house ... I didn't see what happened to him but I did hear a

⁵³ Thomas Scheen, "I don't wanna enter voluntarily my own casket" [article in German], *Frankfurter Allgemeinen Zeitung*, November 13, 2008.

⁵⁴ Human Rights Watch telephone interview with abductee, Goma, December 4, 2008.

shot. [A neighbor] came to tell us that the soldiers had shot my father and everyone in that house as well.⁵⁵

Journalists also reported Mai Mai killings, including that of a man who died when Mai Mai set his home on fire. Those responsible for the arson then beat two youths, aged 16 and 19, and executed the 16-year-old boy and seriously injured the other by shooting him in the throat.⁵⁶

The Mai Mai abducted six civilians whom they accused of siding with the CNDP and also took two CNDP combatants prisoner. Among the civilians was a CNDP official, Theophile Mpabuka, and a foreign journalist, Thomas Scheen, who worked for the German publication *Frankfurter Allgemeine Zeitung*. The Mai Mai executed two of those in custody, tried to kill two others who managed to escape, and released Mpabuka in return for a promise of ransom. Scheen and his driver and interpreter were eventually transferred to Congolese army soldiers and then released to MONUC.⁵⁷

After losing control of Kiwanja, the Mai Mai retreated to areas north of the town. On November 29, unidentified assailants in this region killed seven people from the same family, including three women and one 13-year-old boy, who were apparently looking for food. They raped a fourth woman from the same family. Given the region of the attack and the description of the assailants as dressed in civilian clothes, it seems likely that they were Mai Mai or FDLR combatants.⁵⁸

⁵⁵ Human Rights Watch interview with child, Kiwanja, November 30, 2008. Since the combatants entered their house soon after the Mai Mai attacked Kiwanja on November 4, and because they were wearing only partial military uniforms, as many Mai Mai fighters wore, it is highly likely that this incident was carried out by Mai Mai combatants.

⁵⁶ Beatrice Petit, «CONGO - Nord Kivu : Voyage au bout de l'enfer» unpublished article, December 5, 2008. On file at Human Rights Watch.

⁵⁷ Human Rights Watch interviews with two abductees, Goma, November 8, 2008 and December 4, 2008. Thomas Scheen, "I don't wanna enter voluntarily my own casket" [article in German], *Frankfurter Allgemeine Zeitung*, November 13, 2008.

⁵⁸ Human Rights Watch interview with Kiwanja resident who participated in burial, Kiwanja, November 30, 2008; Human Rights Watch interview with health center employee, Kiwanja, November 29, 2008.

Use of child soldiers

In late October, child protection agencies reported that the Mai Mai had recruited at least 36 children into military service in Rutshuru territory.⁵⁹ On November 4, witnesses reported seeing at least 30 children—and possibly many more—among the Mai Mai combatants who attacked Kiwanja. Foreign journalists traveling north to Kanyabayonga following the Mai Mai defeat at Kiwanja also saw numerous children among the Mai Mai, including some very young children who appeared to be under 12 years of age.⁶⁰

⁵⁹ Human rights Watch interviews with child protection officials, Goma, November 5 and December 8, 2008.

⁶⁰ Human Rights Watch interviews with foreign journalists, November 28, 2008. Photos taken by the journalists clearly show child soldiers in the Mai Mai ranks.

V. Abuses committed by Congolese army soldiers

On October 28 Congolese army soldiers abandoned their positions south of Rutshuru and fled north towards Kanyabayonga through Rutshuru and Kiwanja, ransacking towns and villages. They looted homes, shops, health clinics, displaced people's camps, and offices of international humanitarian organizations. As they ran, the soldiers left behind guns and other military hardware, sometimes throwing them away along the road.⁶¹

Fearing a CNDP attack, both residents of the towns and many displaced people fled with the Congolese army soldiers. The troops even stole the goods of these civilians in flight, sometimes beating or killing those who refused to part with their property. Deprived even of the meager belongings with which they planned to sustain themselves, some of the victims had no choice but to return home.⁶²

The soldiers also forced civilians to transport the pillaged property. According to one Kiwanja resident, Congolese army soldiers forced a 25-year-old man to carry baggage for them. When he could no longer cope with the weight, the soldiers shot him in the head, killing him.⁶³

⁶¹ Human Rights Watch interviews with Kiwanja and Rutshuru residents, Congolese and international NGO representatives, and UN officials, in Goma, Kibati, and Kiwanja, November 2008.

⁶² Human Rights Watch interviews with Kiwanja and Rutshuru residents and displaced people, some of whom were forced to return to Kiwanja and Rutshuru after being robbed by Congolese army soldiers while attempting to flee, in Goma, Kibati, and Kiwanja, November 2008.

⁶³ Human Rights Watch interview with Kiwanja resident, Kibati, November 25, 2008.

VII. MONUC: failure to protect civilians

MONUC placed one of its largest field bases, staffed with some 120 peacekeepers, at Kiwanja to protect civilians and the many international humanitarian agencies based there providing assistance in the region. Yet the force failed to keep the CNDP from taking Kiwanja and Rutshuru on October 29 and failed to prevent the killings and other abuses by CNDP and Mai Mai combatants in early November.

MONUC relied on cooperation from Congolese army forces to protect the towns, but the Congolese soldiers proved incompetent and their senior officer hostile. Whatever possibility MONUC might have had on its own was dashed by logistical deficiencies and competing priorities faced by the peacekeeping force.

Hostility towards MONUC

As a peacekeeping force operating in the Congo with the agreement of the government, MONUC is expected to cooperate with the Congolese army and, indeed, is directed by its mandate to do so in operations against armed groups. Yet Congolese military and political leaders have not provided MONUC their full support.

According to a senior UN official, some Congolese officials claim that MONUC assistance against the CNDP falls short, on occasion using this explanation to cover their own failures in combat.⁶⁴ In a meeting in Goma on September 6, the Congolese Minister of Defense and the Minister of the Interior reportedly warned MONUC officials that if MONUC did not engage the CNDP more robustly, they would set the population on the peacekeepers.⁶⁵ Subsequently, crowds in North Kivu stoned MONUC and UN vehicles, erected barricades to impede their movement, and demonstrated outside MONUC bases. Congolese army soldiers were seen organizing such “popular” actions and participating in them. Since late August, these

⁶⁴ Human Rights Watch interview with senior UN official, October 20, 2008.

⁶⁵ Human Rights Watch interview with diplomat, Goma, September 16, 2008.

demonstrations have intensified and have resulted in injuries to 20 UN peacekeepers and damage to at least 25 MONUC vehicles.⁶⁶

Col. Delphin Kahimbi,⁶⁷ second in command of the Congolese army in North Kivu and in operational command of the area of Kiwanja and Rutshuru, was one officer who has showed considerable hostility towards MONUC troops. On occasion, Congolese army soldiers installed their positions near MONUC posts, knowingly putting the peacekeepers and the civilians who cluster near their bases at risk of being caught in crossfire.⁶⁸ Intentionally making use of civilians, including UN peacekeepers not engaged in the fighting, to render military forces or a place immune from attack is considered to be “shielding,” which is a war crime.⁶⁹

In one such incident in early October, MONUC forces sought to evacuate a position near Ntamugenga where they were caught in the crossfire after Congolese army soldiers launched an offensive on CNDP positions deliberately using the MONUC base as cover. When they sought to leave the area of fire, Colonel Kahimbi attempted to impede their departure by permitting his soldiers to fire on their vehicles.⁷⁰ Col. Kahimbi also appears to have been involved in instigating anti-MONUC demonstrations in and around Rutshuru in September and October, sometimes in cooperation with Dominic Bofondo, the Rutshuru territorial administrator.⁷¹

As a result of this incitement of popular hostility, UN patrols in the region were limited and required more guards than previously. Restrictions on patrols in Kiwanja on November 4 and 5 meant that peacekeepers were frequently absent when residents were attacked.⁷²

⁶⁶ Human Rights Watch interview with MONUC official, Goma, December 5, 2008.

⁶⁷ Col. Delphin has a serious record of human rights abuses, including detaining and torturing persons in his home. Human Rights Watch has previously called for investigations into his conduct, Human Rights Watch, Democratic Republic of Congo – Renewed Crisis in North Kivu, October 23, 2007, <http://www.hrw.org/en/reports/2007/10/22/renewed-crisis-north-kivu>.

⁶⁸ Human Rights Watch interview with senior UN official, October 20, 2008.

⁶⁹ See ICRC, *Customary International Humanitarian Law*, rule 97.

⁷⁰ Human Rights Watch interview with senior UN officials, Goma, December 2, 2008.

⁷¹ Human Rights Watch interviews with senior UN officials, November 29, December 2, and December 5, 2008.

⁷² Human Rights Watch interview with senior UN officials, Goma, December 5, 2008.

With only 120 troops, the MONUC force in Kiwanja counted on cooperating with the Congolese army in the event of a CNDP attack. Colonel Kahimbi's hostility against MONUC complicated such efforts at cooperation. As the CNDP advanced towards Rutshuru on October 26, MONUC officials advised Colonel Kahimbi to strengthen his forces at nearby Rugari and offered additional MONUC support. Colonel Kahimbi declined the assistance and soon after became inaccessible by switching off his cell phone. When he was next in touch with MONUC two days later, the CNDP had taken Rugari and Congolese army forces had fled. Colonel Kahimbi and his troops retreated north, leaving MONUC on its own to protect Rutshuru and Kiwanja from attack.⁷³

As one senior UN official told Human Rights Watch: "The plan to keep the CNDP out of Rutshuru relied so heavily on FARDC cooperation that when we lost it, we didn't have another plan."⁷⁴

Logistical and technical problems

In early November UN forces at the MONUC base in Kiwanja were in transition with Uruguayan troops preparing to replace Indian peacekeepers. The Uruguayans had sent an advance party of two platoons, tasked with preparing the base for the arrival of the rest of the battalion.⁷⁵

From October 26, two days before the CNDP arrived in town, the Indian troops had only occasional access to an interpreter who was serving with the disarmament and demobilization program. The absence of a full-time French or Swahili-speaking interpreter until November 11 hampered the communication of MONUC forces with the local population, making a prompt response to events difficult.⁷⁶ Similarly, the lack of intelligence information and capacity to analyze such information complicated planning military action and adequately protecting civilians.⁷⁷

⁷³ Human Rights Watch interviews with senior UN officials, November 29, 2008, and December 5, 2008.

⁷⁴ Human Rights Watch interview with UN official, Goma, December 2, 2008.

⁷⁵ Human Rights Watch interviews with senior UN officials, November 29, December 2, and December 5, 2008.

⁷⁶ Human Rights Watch interviews with senior UN officials, November 29 and December 5, 2008.

⁷⁷ Human Rights Watch interview with senior UN official, Goma, December 2, 2008.

Competing priorities

On October 29, the day the CNDP advanced into Rutshuru and Kiwanja, Nkunda's forces were also moving south towards Goma. With "panicked instructions coming from New York and Kinshasa to 'save Goma,'" as one UN official put it, few were watching what was happening in Rutshuru.⁷⁸ Assuring the security of the outlying towns and the people living there was clearly of lower priority than protecting North Kivu's capital.

In Kiwanja a week later, assuring the security of humanitarian workers, a foreign journalist, and a group of military observers became the priority. In a situation where resources were inadequate, virtually none were devoted to protecting Congolese civilians.

The Indian troops had four Russian BMP (*Bronevaya Maschina Piekhota*) fighting vehicles, more effective vehicles than the armored personnel carriers available to the Uruguayan troops. But when the CNDP attacked, two of the four BMPs had been sent to Kalengera (some 7 kilometers south of Rutshuru) and were unable to return to town.⁷⁹ The other two BMPs were initially sent south to block the CNDP advance but then had to divert to assist in rescuing humanitarian workers whose convoy out of town had been stoned by local people angry at their departure. The Uruguayans had brought the humanitarian workers to the UN refugee agency (UNHCR)'s base, located between Kiwanja and Rutshuru, but the base was soon fired on by retreating Congolese army soldiers. The Indian BMPs were needed to extricate the workers and bring them safely back to the MONUC base in Kiwanja.⁸⁰

MONUC had no other vehicles available to send south of Rutshuru to block the CNDP. Additionally, CNDP forces had dispersed into small mobile units and mixed with masses of fleeing civilians, effectively using the civilians as human shields so that they could not be attacked, in violation of international humanitarian law.⁸¹

⁷⁸ Human Rights Watch interview with senior UN official, Goma, December 2, 2008.

⁷⁹ Human Rights Watch interviews with senior UN officials, Goma, December 5, 2008.

⁸⁰ Human Rights Watch interviews with senior UN officials, November 29, December 2, and December 5, 2008.

⁸¹ Human Rights Watch interviews with senior UN officials, December 5, 2008.

The CNDP advanced into the two towns in small groups of 10 to 12 combatants each, moving through plantations on either side of the main road. According to a senior UN official, MONUC, as it is currently structured as a peacekeeping rather than a peace-enforcement force, does not have the capacity to take on this type of guerrilla warfare.⁸²

Faced with the reality of CNDP troops in control of Kiwanja and Rutshuru, MONUC forces did not try to contest the CNDP establishing its administration in the towns.⁸³

A week later, when the Mai Mai attacked Kiwanja, MONUC peacekeepers again gave priority to protecting people other than the local population. They committed four patrols to trying to find the abducted foreign journalist mentioned above and two more to rescuing humanitarian workers and another to extricating a team of military observers. As a result, there were too few peacekeepers left to protect the local population.⁸⁴

After receiving reports of killings the next day, the Uruguayan and Indian forces sent out one patrol each around 4 pm, each to patrol on one of the two key roads leading out of Kiwanja. The Uruguayans saw five bodies and part of another in the mile they traveled along the main road leading northeast towards Kinyandonyi. The Indians saw seven bodies during their patrol on the main road leading northwest towards Kanyabayonga. The patrols then returned to the base, while killings in town continued into the evening. No further action was taken by MONUC to stop the killings or to enhance protection for civilians in the town. During a patrol the next day, on November 6, the Uruguayans found another three bodies, two men and one child, all shot dead, inside a house between Nyongera and Kinyandonyi.

On November 7, MONUC sent a multidisciplinary team, including human rights monitors, to Kiwanja to begin the process of enhancing protection of civilians and to

⁸² Human Rights Watch interviews with senior UN officials, Goma, December 2 and 5, 2008.

⁸³ Human Rights Watch interviews with senior UN officials, November 29 and December 5, 2008.

⁸⁴ Human Rights Watch interviews with senior UN officials, November 29, December 2 and 5, 2008.

document the human rights violations. At the time of writing, no report has yet been published.

Conclusion

When the killings and other abuses began in Kiwanja and Rutshuru, MONUC lacked the capacity to actively go out and protect the civilian population under attack. All it proved able to do was offer shelter to those who came to cluster in and around its bases.

Senior MONUC military officers focused on protecting Goma from attack had nothing to spare for the towns to the north. The Congolese army meant to collaborate with MONUC fled, having in earlier weeks instigated the local population against the peacekeepers. The MONUC force was small and ill-equipped, divided between two different national units of command, lacking capacity to gather intelligence and even to communicate with the Congolese population.

After establishing a local administration in Kiwanja, the CNDP responded to a Mai Mai attack by killing, raping, and terrorizing civilians in Kiwanja. As this occurred, MONUC forces did not go out to the neighborhoods where CNDP rebels were committing atrocities, but stayed in their base.

The most MONUC could do then—and now—was to offer sanctuary in the immediate vicinity of the base for those most at risk. Yet even just outside MONUC's gates, security is limited.

MONUC urgently requires additional troops with rapid response capabilities to enhance protection of civilians and prevent future killings and rapes. The Security Council has authorized more troops but estimates that it could take up to four months before reinforcements arrive. In the meantime, UN Secretary General Ban Ki-moon has asked the European Union (EU) to urgently provide a short-term bridging force to protect civilians until more UN troops are in place.

Human Rights Watch urges the EU to quickly deploy such a force in eastern Congo. EU troops would free up MONUC peacekeepers to strengthen bases in more remote areas, such as Kiwanja, and could help prevent further abuses. The people of

eastern Congo have suffered far too long. The international community cannot wait for another killing spree and more rapes and recruitment of child soldiers before giving the UN the support it needs to protect civilians.

VIII. Recommendations

To the Congolese government

- Investigate and bring to justice all military personnel, regardless of rank, implicated in serious violations of international humanitarian law, including using UN peacekeepers as “human shields.”

To the CNDP

- Hold accountable all personnel, including commanders, responsible for serious violations of international humanitarian law, including the killings, rapes, and other abuses committed in Kiwanja on November 4 and 5.
- Provide safe and protected areas for displaced people and permit freedom of movement for all civilians.

To MONUC

- Avoid cooperating with Congolese army units and military commanders that have been implicated in serious violations of international humanitarian law.
- Organize MONUC troops so they can react rapidly and with adequate logistical support in order to effectively protect civilians at risk.

To the European Union

- Urgently provide a sufficiently equipped “bridging” force to help protect civilians in eastern Congo until the arrival of additional MONUC troops.
- Publicly denounce serious violations of international humanitarian law by all parties to the conflict and demand that the perpetrators of war crimes be held to account.

To the UN Security Council

- Ensure that MONUC’s mandate is renewed and that the 3,100 additional troops for MONUC are deployed as quickly as possible, with the means to react rapidly and with adequate logistical support in order to effectively protect civilians at risk.

To the UN Secretary General AND international facilitators of the eastern Congo peace process:

- Renew urgent calls for an EU “bridging force” to help protect civilians in eastern Congo until the arrival of additional MONUC troops.
- Urgently appoint a high-level special advisor on human rights for eastern Congo to help ensure that human rights concerns are central to the peace process and to help prevent future atrocities.