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Democratic Republic of Congo (DRC): Kinshasa must meet its responsibility to protect civilians

Amnesty International said today that while leaders of armed insurgent groups in the Katanga and North-Kivu provinces of the Democratic Republic of Congo (DRC) must be held to account for serious human rights abuses committed by their forces, the DRC government is equally responsible for the lack of protection for civilians in these areas.

"The failure by the DRC government to create a professional, truly unified army is contributing in a large measure to the continuing instability in the east and needlessly putting civilian lives at risk," said Kolawole Olaniyan, Director of Amnesty International's Africa Programme.

In both Katanga and North-Kivu, the civilian population is receiving inadequate protection from the DRC government army against armed insurgents, and is also frequently the direct target of attacks by both insurgents and government forces. In both provinces, military action is preventing aid efforts of humanitarian agencies, leaving thousands of people dying from direct violence or from preventable disease and starvation.

In Katanga province, fighting between *mayi-mayi* militia and the government army has led to the displacement of more than 100,000 people. The insurgents have attacked villages, raped and killed civilians and burned and looted people's homes. In fighting the *mayi-mayi*, the DRC army has also been responsible for raping, looting and other human rights violations.

In the Rutshuru territory of North-Kivu province, fighting between the government army and soldiers said to be under the orders of renegade commander Laurent Nkunda has led to the displacement of at least 37,000 people. In the course of this fighting, all forces have been responsible for human rights abuses.

"Civilians in the east are looking to their government for protection," said Kolawole Olaniyan. "But in many cases government soldiers are acting little better than the insurgent groups."

"Military insurgents must respect international humanitarian law, and when they do not, must be brought to justice," said Kolawole Olaniyan. "However, for its part, the DRC government must put all the resources and political will necessary into professionalizing the Congolese army so that it respects international human rights and humanitarian law, enables access by humanitarian agencies to vulnerable populations, and at all times acts to protect civilians."

Despite an ongoing national programme of army unification and reform, little effort has been made to instil

a culture of professionalism in the government army. Suspected perpetrators of grave human rights abuses have not been excluded from its ranks. Army personnel have not been provided with proper training in their obligations under international law. Army units -- even among the newly integrated brigades -- receive insufficient equipment, pay, clothing and food supplies. Chains of command often remain confused.

A European Union plan for the reform of the army payroll and food supply system has recently received a go-ahead from the DRC government. "This plan is welcome," Kolawole Olaniyan said. "But fundamental problems relating to the discipline, training and accountability of the integrated brigades need also to be addressed as a matter of priority."

Both North-Kivu and Katanga provinces are home to a mix of ethnic groups with historically troubled relations, living in intersecting zones of control of different, largely ethnic-based, Congolese political armed groups. Some communities, manipulated by their leaders, remain deeply suspicious of the army unification process -- fearing the loss of protection by local armed groups.

Some political and military leaders continue to show extreme reluctance to dismantle their military structures in favour of a unified national army, because these structures are the foundation of their power.

"The DRC's diverse communities must be reassured that the unified army will act as an impartial force. To this end, suspected perpetrators of human rights abuses must be excluded from its ranks and brought to justice. The army must demonstrate that it is capable of acting for the protection of all civilians, irrespective of their ethnic, community or political affiliation," said Kolawole Olaniyan.

Amnesty International also called on MONUC -- the UN peacekeeping force in the DRC -- to implement its mandate robustly, saying that MONUC "must be reinforced in the regions most at risk of escalation of violence and be able to guarantee humanitarian access to those in need."

For more information on the North-Kivu crisis, please see the Amnesty International September 2005 report *North-Kivu: Civilians pay the price for political and military rivalry* at <http://web.amnesty.org/library/index/engaf620132005>.

For further information on the situation in Katanga, please see the Medecins Sans Frontieres (MSF) February 2006 report *Forced Displacement and Cholera in Katanga, DRC* www.msf.org.

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