

# AMNESTY INTERNATIONAL

## QUESTIONS AND ANSWERS

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### **10 facts you should know about the crisis in the Democratic Republic of the Congo**

#### **What is the crisis in the DRC all about?**

After two successive wars which tore apart the Democratic Republic of the Congo (DRC) between 1996 and 2003, the DRC government has failed to establish its authority across the vast country leading to the proliferation of a multitude of foreign and local armed groups, particularly in the east. These groups have fought each other and the Congolese army (FARDC) for power, defence of their communities and control of natural resources,

The on and off confrontation of these groups and the DRC national army has resulted in widespread human rights abuses committed by all parties, including torture, enforced disappearances, sexual violence, recruitment of child soldiers, extrajudicial executions and unlawful arrests.

Abuses reached alarming levels in late 2012 and more than 2.4 million people were internally displaced.

Since May 2012, the national army has mainly been fighting the M23 armed group. In late February 2013, existing divisions within the M23 armed group climaxed with open hostilities emerging within the group which led to the flight of Bosco Ntaganda and some of his close associates to Rwanda.

#### **Who is responsible for this situation?**

Both the Congolese army and armed groups have been responsible for widespread abuses against civilians across the DRC. Over the years, neighbouring countries have also been accused by the UN Group of Experts of supporting certain armed groups with funds, material and recruits. Countries who are not respecting the UN arms embargo on armed groups in the DRC have also contributed to the huge flow of weapons in the region.

Army members responsible for serious human rights abuses in the past have been promoted in its ranks, as armed groups were integrated into official structures without proper vetting mechanisms.

#### **What is the M23?**

The Movement of 23 March (M23) was created in May 2012 following desertions in April of mostly ex-soldiers from the Congrès National pour la Défense du Peuple (CNDP) who had been integrated in the FARDC (DRC national army) as a result of a peace agreement struck on 23 March 2009 between the CNDP and the DRC government.

The M23 has a political wing and a military wing and its commanders include a number of people suspected of having committed serious international human rights abuses and humanitarian law violations in the past.

**Who is Bosco Ntaganda?**

Bosco Ntaganda is part of the M23 armed group. While his commanding rank is unclear, in part due to tensions between his supporters and members loyal to Laurent Nkunda, according to the UN Group of Experts on DRC, Bosco Ntaganda remains one of the main commanders.

Bosco Ntaganda has been under an arrest warrant issued by the International Criminal Court since 2006 for crimes allegedly committed in the Ituri district in 2003 when he allegedly was a commander of the FPLC armed group.

**What are the interests of the armed groups?**

To varying degrees, armed groups are driven by the struggle for power, economic motives such as access to minerals and other natural resources and looting and ethnic agendas. Many officially claim to be protecting the rights and interests of their communities.

**Is the M23 responsible for human rights abuses?**

Yes. We have documented patterns of human rights abuses and war crimes committed by the M23, including violations of the duty to care for the civilian population when launching attacks, forced recruitment of children who were either trained to take part in hostilities or forced to work to build military positions, unlawful killings, and acts of sexual violence.

Amnesty International also documented allegations of rape committed by M23 soldiers while this group extended its control over Rutshuru territory. A 26 year old woman described how M23 members entered her village in Rutshuru territory after the FARDC fled in July 2012. She was hiding in her house when M23 soldiers broke in. Three armed men speaking Kinyarwanda raped her and threatened to kill her if she did not leave. She is aware of three other women; her neighbours who also have been raped by other M23 soldiers the same day. Their husbands had left for several days to sell and buy goods in another part of the territory.

Amnesty International also received credible information from various sources within the UN about confirmed cases of summary executions or unlawful killings by M23 soldiers of civilians, including community leaders, and FARDC prisoners.

**What does the M23 say about the accusations?**

When Amnesty International delegates met with Sultani Makenga and Vianney Kazarama, the M23 military spokesperson, in September 2012 in Rutshuru, both stressed their national agenda in terms of improvement of good governance, democracy and human rights as the underlying reasons for the M23.

The M23 officials denied all allegations of summary executions, recruitment of children, looting and extortion. They only acknowledge minor cases of theft by their soldiers and insisted those responsible for such acts received disciplinary sanctions.

To date, no M23 soldiers have been held accountable for the abuses documented by Amnesty International and other organizations. This pervasive impunity is worsened by the fact that all judicial bodies have been suspended in areas controlled by the M23 in Rutshuru territory. The total absence of any independent judicial institutions in charge of investigating and prosecuting such crimes can only fuel more abuses in the future.

**Who has supported the M23?**

Amnesty International has documented Rwandan support for this armed group in the form of provision of weapons, ammunition and recruits.

**Have they ever been attempts to reach peace in the DRC?**

The various peace agreements that included provisions on the integration of armed groups into the FARDC had little impact. Many armed groups never took part in such integration processes, some who did remained active despite the integration of some of their forces, those who did integrate into the army developed parallel chains of command, and many deserted soon after integration.

**What about the UN?**

Under threat from both armed groups and the Congolese army, civilians have turned to the UN peacekeeping mission, MONUSCO, for protection. The UN Security Council allowed MONUSCO to use force to protect civilians under imminent threat of physical violence. It was also mandated to support military operations led by the Congolese army. MONUSCO is partly dependent on the Congolese army, whose weaknesses pose an additional challenge to its ability to implement its protection mandate.