

AMNESTY INTERNATIONAL



AI index: AFR 62/015/2012
23 November 2012

MODEL LETTER

To the five permanent members of the Security Council

Dear Ambassador,

Amnesty International is deeply concerned that the human rights and humanitarian crisis in eastern Democratic Republic of Congo (DRC) has sharply worsened over recent weeks and months. The civilian population has suffered at the hands of armed groups who have expanded their operations, first during the restructuring of the Congolese army (FARDC) in 2011 and then during recent fighting between the M23 armed group and the FARDC.

The recent fall of Goma to the M23 and its increasing control over other areas places many more civilians at risk in the light of the numerous human rights abuses committed by this armed group. An increase in serious violations of human rights and international humanitarian law in other parts of North and South Kivu provinces by other armed groups, as well as by the FARDC, has forced hundred of thousands to leave their homes in North Kivu province; some 60,000 people have sought refuge in Uganda and Rwanda. The recent fighting in and around Goma has forced some 100,000 civilians, many whom were already displaced, to flee.

Amnesty International has documented numerous crimes under international law committed by the M23 armed group that controls most of Rutshuru territory, North Kivu province, and which has recently taken control of the provincial capital of Goma. These crimes include forced recruitment of children, unlawful killings, rape and other forms of sexual violence, and forced labour. Other armed groups, such as the Democratic Forces for the Liberation of Rwanda (FDLR), Raia Mutomboki, Nyatura and Mayi Mayi groups, have also committed crimes under international law, notably ethnically motivated attacks against civilians, including unlawful killings and looting.

Our organization is particularly concerned by the numerous acts of sexual violence committed against women and girls in the context of this deteriorating security situation. In recent months, Amnesty International has documented several cases of rape against women who were then forced to flee their homes, placing them at heightened risk of further attacks, including sexual and gender-based violence. Women and girls who are forced to flee without adult male relatives are at even greater risk of attack. Several women have also told Amnesty International that they were raped when they left camps sheltering internally displaced persons to look for food or to collect wood, including by civilians. Some also reported sexual harassment from local security forces.

In a context where many civilians displaced by recent fighting and attacks have been forced to flee more than once over the last four years, Amnesty International deplores the failure by the Congolese government and the international community to address the underlying causes of the current crisis, especially the widespread impunity for crimes under international law and the lack of professionalism and accountability of the security forces.

In light of recent events in North Kivu, Amnesty International's concern for the civilian population is only heightened. We believe that dozens of human rights defenders based in or hiding in Goma who have previously exposed serious abuses perpetrated by the M23 and CNDP (National Congress for the Defence of the People) are now at particular risk of being subjected to intimidation, unlawful killing, enforced disappearance or torture or other ill-treatment by forces or individuals associated with M23.

The Security Council has recognized the continued "widespread sexual and gender-based violence" in the east of the DRC, most recently in its latest resolution renewing MONUSCO's mandate (S/RES/2053(2012)). The Security Council has now to take further firm action to halt such crimes, to strengthen the protection of civilians and to ensure that the perpetrators of serious human rights abuses are brought to justice. Therefore, we urge the Security Council to adopt the following measures:

- Ensure that the DRC government deploys properly trained and fully vetted professional security forces in areas where the civilian population face particular threat from armed groups, notably Masisi and Walikale territories of North Kivu province.
- Urgently review and reinforce MONUSCO's resources to ensure that troops are deployed, in coordination with the DRC authorities, in areas left without a security presence to ensure effective civilian protection.
- Ensure that MONUSCO forces present in areas otherwise under effective control of the M23 armed group take all practical measures to protect the civilian population against human rights abuses, including by offering human rights defenders at serious risk sanctuary in MONUSCO premises.
- Assist the DRC government in ensuring that more effective action is taken to end sexual violence, including necessary legal reforms.
- Exert pressure on the DRC authorities and strengthen programmes to ensure that women and girls who have suffered sexual and gender-based violence have full and equal access to justice, prompt and effective reparations, medical and psychological care, as well as legal and social services.
- Exert pressure on the DRC government to adopt measures, in coordination with MONUSCO, to ensure the support and protection of civilians in the IDP camps, in particular women and girls and others targeted for human rights violations.

Yours sincerely,