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Democratic Republic of Congo: Alarming resurgence in recruitment of children in North-Kivu

Amnesty International today revealed that large numbers of children, some at least as young as twelve, are once again being recruited to serve as fighters in the conflict province of North-Kivu, eastern Democratic Republic of Congo (DRC), following a human rights mission to that country.

"For several weeks, anti-government forces loyal to dissident general Laurent Nkunda have been recruiting children, often by force, in the Masisi and Rutshuru territories of North-Kivu," said Véronique Aubert, an Amnesty International researcher who has just returned from the region. The AI delegation was in the DRC for the month of March.

"Many others, fearing abduction by Nkunda's troops, have been forced to flee their homes and families to seek protection in major towns and cities. Many of the children had previously been recruited by armed groups and had already passed through a formal release and family reunification programme."

"While visiting one centre caring for children released from the armed groups, we were appalled to learn that in one week alone in early March, 14 of the 782 children they had reunified with their families since July 2005 had been re-recruited by Nkunda's forces. Other centres reported similar figures," said Véronique Aubert.

"The recruitments and continuing insecurity in North-Kivu are also having a devastating effect on NGO programmes to reunify children formerly associated with armed groups with their families and to develop projects to support them in their return to civilian life. A number of such projects have had to be suspended in recent weeks."

The wave of recruitments appears intended to replenish Nkunda's military strength after some of his units agreed to join the DRC national army unification ("*brassage*") programme. In a disturbing escalation, a number of *mayi-mayi* militia groups in North-Kivu province, opposed to Nkunda, have also again been recruiting children or refusing to release children from their forces, in apparent response to Nkunda's recruitment drive.

Many of the allegations of recruitment and use of children concern the 83rd army brigade, formerly part of the RCD-Goma armed political group and composed of Kinyarwanda (Rwandan) -speaking soldiers who oppose the extension of DRC state control in North-Kivu. Elements of this brigade have rallied to Laurent Nkunda and in January 2006 attacked government army positions in Rutshuru territory, later committing scores of rapes of women and girls from non-Rwandan-speaking ethnic groups.

"Once again Congolese children are being abducted and ruthlessly exploited by military leaders to further their own military and political ends," said Véronique Aubert. "The DRC government and international community need to take greater concerted action to bring Laurent Nkunda and other alleged recruiters of children to justice."

Amnesty International is calling on Laurent Nkunda and all other commanders of armed groups to immediately halt the recruitment and use of children, and to release all children serving with their forces. The organization is also appealing to political leaders with possible influence over Laurent Nkunda, including leading members of the RCD-Goma political group, as well as the Rwandan government, to urge Laurent Nkunda to release these children.

Among first hand testimonies gained by Amnesty International during its recent research in the region are those of Patrick (not his real name) a 16-year-old boy who spent three years with an armed group before he was released in early 2005. One day in September 2005 he was at home when Nkunda's soldiers arrived.

"They demanded to see my army release paper ("attestation de sortie"), and tore it up. They accused my father of sheltering a deserter and beat him to the floor. Then they turned on me and started to beat me. They tied me up and led me off to their military position. I was so frightened that I pleaded with them; I said I would work for them."

Patrick was made to serve in the personal guard of a major loyal to Laurent Nkunda. He eventually escaped "after seeing several of my companions die"

Joseph (not his real name), 16, was first recruited in 2000 when he and a number of other children were taken by force from his school. He was finally released and reunified with his family in late 2005. Two weeks after rejoining his family, however, he and two other children were abducted by around 12 dissident soldiers as they walked to market. He later escaped, but the two other children, including his 16-year-old cousin, remain with Nkunda's forces.

Izaak (not his real name), 15, was at home when Nkunda's soldiers came. They demanded to see his release papers and then tore them up, telling him they were "worthless", and took him by force. He told Amnesty International's delegates:

"Until February 2006, I fought with Laurent Nkunda's forces against the FARDC (government forces) in Rutshuru. In the last fighting, heavy weapons were being used against us. My commander [a Major] was frightened and as so many people were dead, he decided to take us all to the brassage ... I don't want to get back to the army. I would like to have some goats for stock breeding, but I can't go home: I'm sure the soldiers will come and take me again."

Background

The army unification process, once considered an essential precondition to the staging of national elections, has been allowed to drift dangerously and will only be partly complete by the time of national elections scheduled for June or July, posing major questions for the security of those elections. A number of armed groups in North-Kivu and elsewhere continue to resist unification, encouraged by leaders who fear losing control of the ethnically-configured armed groups which form the basis of their power. The same leaders have also stoked ethnic tensions in North-Kivu, which is fractured between Kinyarwanda-speaking and non-Kinyarwanda-speaking communities and increasingly between the Kinyarwanda-speaking Hutu and Tutsi communities.

The Optional Protocol to the Convention on the Rights of the Child, to which DRC is a party, prohibits armed groups to recruit or use in hostilities persons under the age of 18.

Conscripting children under the age of 15 into armed forces or groups or using them to participate actively in

hostilities is recognized as a war crime under international humanitarian law. Such war crimes fall within the jurisdiction of the International Criminal Court, which recently made its first arrest of Congolese armed group leader Thomas Lubanga for allegedly conscripting and enlisting children under the age of 15 and using them to participate actively in hostilities.

Laurent Nkunda, a former senior RCD-Goma officer, has already been accused of committing war crimes in Kisangani in 2002 and Bukavu in 2004. He is the subject of an international arrest warrant issued by the DRC government in September 2005 but, to date, no DRC government or UN operation has been initiated to arrest him. He continues to operate unmolested in Rutshuru and Masisi territories.

Public Document

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566
Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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