

ETHNICALLY TARGETED VIOLENCE IN ITURI

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Introduction

Ituri is often described as the bloodiest corner of the Democratic Republic of the Congo (DRC). Despite three peace agreements purportedly ending the five year-old Congolese war, fighting in northeastern DRC intensified in late 2002 and early 2003. In early May 2003, hundreds of civilians were slaughtered in the town of Bunia and tens of thousands of others were forced to flee. Some sought shelter near the United Nations compound desperately looking for protection from the violence. However, while the international community focused on the town of Bunia, massacres continued in other parts of Ituri away from media attention. As one witness described it, "Ituri was covered in blood."

Based on information gathered by its researchers and on other reports, Human Rights Watch estimates that at least 5,000 civilians died from direct violence in Ituri between July 2002 and March 2003. These victims are in addition to the 50,000 civilians that the United Nations estimates died there since 1999. These losses are just part of an estimated total of 3.3 million civilians dead throughout the DRC, a toll that makes this war more deadly to civilians than any other since World War II.

Armed groups have committed war crimes, crimes against humanity, and other violations of international humanitarian and human rights law on a massive scale in Ituri. Assaultants have massacred unarmed civilians, often solely on the basis of their ethnicity, killing scores and sometimes hundreds of civilians in each such attack. In one of several massacres documented by Human Rights Watch researchers, Ngiti combatants together with soldiers of the Congolese Popular Army (Armée Populaire Congolaise, APC) of Mbusa Nyamwisi killed at least 1,200 Hema and Bira children, women and other civilians in Nyakunde. Over a ten-day period, assaultants carried out a well-planned operation, systematically slaughtering and often torturing civilians in house-to-house searches and executing hospital patients still in their beds. Yet, many other massacres, especially those that occurred in more remote areas, were never even reported.

Armed groups also committed summary executions, forcefully abducted persons whose whereabouts remain unknown and arbitrarily arrested and unlawfully detained others, some of whom they subjected to systematic torture. Survivors told Human Rights Watch researchers that the Hema Union of Congolese Patriots (UPC) conducted a "man hunt" for Lendu and other political opponents shortly after taking power in August 2002. Many Lendu were arrested. Others fled or went into hiding, afraid to walk openly in the streets of Bunia. According to witnesses, senior UPC military officers were in charge of two prison areas that became notorious places of summary execution and torture.

Combatants of armed groups also committed rapes and engaged in such inhumane acts as mutilations and cannibalism, a practice meant to bring ritual strength to perpetrators and to inspire terror in opponents.

All these groups have recruited children for military service, some as young as seven years old, subjecting them to the risks and rigors of military operations. As the war intensified, the forced recruitment of children increased so dramatically that observers described the fighting forces as "armies of children."

More than 500,000 people have been forced to flee from their homes in Ituri, often encountering further violence in their flight. Members of armed groups have looted many of these homes and have sometimes burned down entire villages, destroying them to discourage any return. Armed political groups and their outside backers have violated international humanitarian law by deliberately preventing humanitarian agencies from delivering assistance to people whom they have defined as their enemies. In the last year alone, there have been more than thirty cases where humanitarian workers have been detained, threatened, beaten or expelled from Ituri. The most serious attack resulted in the murder of six staff of the International Committee of the Red Cross in April 2001.

Perpetrators of these crimes are rarely punished. According to information available to Human Rights Watch researchers, Hema, Lendu and other armed groups have not investigated any of the abuses described above nor have they held accountable those responsible for them. In those few cases where political movements have bowed to local or international pressure and have tried alleged perpetrators, the proceedings have not met international fair trial standards.

The war in Ituri: Local, national and regional dimensions

The war in Ituri is a complex web of local, national, and regional conflicts that developed after a local dispute between Hema and Lendu was exacerbated by

Ugandan actors and aggravated by the broader international war in the DRC. National rebel groups such as the Congolese Liberation Movement (*Mouvement pour la Libération du Congo*, MLC), the Congolese Rally for Democracy-Liberation Movement (*Rassemblement Congolais pour la Démocratie-Mouvement de Libération*, RCD-ML) and the Congolese Rally for Democracy-Goma (*Rassemblement Congolais pour la Démocratie-Goma*, RCD-Goma) have supported local militia in their conflicts as a way to expand their own base of power in the DRC transitional government or perhaps even to derail negotiations. These national groups, as well as local ethnic groups in Ituri, have been and, in some cases, still are supported by the Ugandan, Rwandan and DRC governments.

The availability of political and military support from external actors, whether national governments or rebel movements, encouraged local leaders to form new groups, generally based on ethnic loyalty, as will be described below. Some of these groups advocated increasingly extreme ethnically based positions. Leaders of these groups often set their own agendas and readily switched patrons as their interests dictated. In this fast-changing scene there was one constant: the abuses committed against the civilian population.

The local level: The conflict between the Hema and the Lendu

Ituri is home to eighteen different ethnic groups, with the Hema/Gegere² and Lendu/Ngiti³ communities together representing about 40 per cent of the inhabitants. The other major groups are the Bira, the Alur, the Lugbara, the Nyali, the Ndo-Okebo, and the Lese. Assuming growing importance, a new group has emerged, the "*non-originaires*"⁴, that is, "outsiders" who were not born in Ituri. Within these, the Nande of north Kivu represent the most prominence of the "*non-originaires*", due to their importance in the business sector. The emergence of Mbusa Nyamwisi, a Nande, as the leader of the RCD-ML has also raised the profile of the Nande in Ituri. Hema elites seeking to assert or protect their control of the political and economic spheres in Ituri tend to consider the Nande as direct competitors.

The Hema are pastoralists and the Lendu agriculturalists, but historically there was a high degree of co-existence between the two groups and intermarriage was common. Belgian colonial rule accentuated ethnic divisions between the two communities, however, by trying to reorganise traditional chieftaincies into more homogeneous groups and by favoring the Hema over the Lendu. Even after independence in 1960, the Hema continued as the administrative, landowning, and business elite. When the territory of Kibali-Ituri was created in 1962, for example, no Lendu obtained key positions in the administration. Later, President Mobutu confirmed the Hema in management

positions in the farming, mining, and local administrative sectors as part of his "Zairiaisation" policy. Hema and Lendu fought small battles over land and fishing rights on several occasions after independence, but in general customary arbitration, backed by the state, contained the incidents.⁵

The present conflict between the Hema and the Lendu began in June 1999 when a small number of Hema allegedly attempted to bribe local authorities into modifying land ownership registers in their favor in the area of Walendu Pitsu, part of the Djugu district of Ituri. They reportedly used false papers to evict Lendu inhabitants from the land, or so some local Lendu believed. These Lendu decided to retaliate. In the absence of a strong local authority, the incident quickly turned into a confrontation between the two communities.

As conflict between the Hema and Lendu spread and became more bitter, each group turned to propaganda and myths to justify its cause. Hema and Lendu intellectuals alike distorted history for political gain, fabricating new narratives that supported their point of view.⁶ One Hema spokesperson told Human Rights Watch researchers, "We know there is a genocide against the Hema, but we have been ignored for a long time." Other Hema evoked a connection with the Tutsi in Rwanda and claimed that the Lendu together with Interahamwe and Ugandan rebels, the ADF, were perpetrating a genocide like that of 1994 in Rwanda.⁷ These Hema expanded the term "negative forces" to include the Lendu.⁸ The term had previously been used to describe the Interahamwe and ADF. Official Hema statements declared that these "negative forces" were hostile to peace and must be eliminated.⁹ At times some Hema described the Lendu as "terrorists".

Since 1999 the initial conflict between Hema and Lendu drew in more ethnic groups and spawned increasing numbers of ethnically- based militia (see table below). Yet, at no point in the documented history of Ituri has the violence attained the levels seen since 1999. The broader war in the DRC has undoubtedly sparked the greater violence of the current conflict. Uganda provided assistance to many of these groups often helping to launch, arm, and train them, but its support was erratic and determined by its own interests. Some Lendu and Ngiti allied with them sought to whip up anger against Rwanda, Uganda, and their local allies. The Ngiti armed group FRPI published a pamphlet charging that Presidents Kagame and Museveni sought to establish a Hema-Tutsi empire.¹⁰ They claimed that the Hema, backed by Uganda and Rwanda, would carry out "ethnic purification" and eliminate the Lendu peoples (including the Ngiti) in Ituri. They urged "fierce resistance" against external aggressors and those groups complicit with them.¹¹

In November 2002, a Lendu group, the LORI Cultural Association, stressed the historical grievances of their people and called on "all Lendu to resist aggression and all forms of domination that have been a part of Lendu history."¹² In a January 2002 communiqué, Lendu Chief Longbe Tschabi Linga com-

plained about the marginalisation and subordination of his community. He went on to "denounce the alliance of death between the UPC and RCD-Goma" that have resulted in the "Hema proudly singing about the extermination of the Lendu."¹³ It became clear that the Hema, Lendu, and other ethnic groups that serve as proxies for governments and rebel movements, played off the various outside rivals and changed sides as their interests dictated, adapting rapidly to developments on the national scene, and working on the basis of "the enemy of my enemy is my friend" - at least for the moment.

Furthermore, the increase in the number of combatant groups in and around Bunia has been matched by an increased flow of arms to Ituri as outside actors attempt to ensure victory for their local allies. This greater availability of arms has contributed to more casualties in Ituri, including civilians.¹⁴ In addition to being better armed than in the past, Hema, Lendu, and Ngiti militia groups also appear to be better organised and trained and to function with a more structured military hierarchy. The table below contains a brief description of the main armed political groups in Ituri:

Table 3: Local Armed Political Groups in Ituri (May 2003)

<p>UPC: Union of Congolese Patriots (predominately ema/Gegere party)</p>	<p>Purportedly launched to promote reconciliation, the UPC (led by Thomas Lubanga) quickly became a predominately Gegere-led political party intent on promoting the interests of the Hema and related Gegere. It came to power in Bunia in August 2002 with the help of the Ugandans and used Hema militia as part of its armed forces. It turned to Rwanda for support and formed an alliance with the Rwandan-backed RCD-Goma after being excluded by the RCD-ML and the MLC from the Mambasa ceasefire talks in December 2002. Having turned from Uganda politically, the UPC was ousted from Bunia by the Ugandan army in March 2003 but fought its way back into town in May.</p>
<p>FIPI: Front for Integration and Peace in Ituri (platform of three ethnic-based parties)</p>	<p>Created in December 2002 with Ugandan support, the three ethnically-based political parties (PUSIC, FNI and FPDC) shared the objective of getting rid of the UPC. Otherwise FIPI has no apparent program. The group includes Hema dissatisfied with the UPC, Lendu, and Alur, each with its own political party (see below). After the UPC was forced from Bunia, the parties began squabbling and the coalition appears to have collapsed.</p>

<p>PUSIC: Party for Unity and Safeguarding of the Integrity of Congo (Hema dissatisfied with the UPC)</p>	<p>Former UPC member Chief Kahwa Mandro created PUSIC in early February 2003. Most members appear to be Hema from the south. Uganda supports the party as part of the FIPI coalition. Chief Kahwa was backed briefly by the Rwandans when he was in the UPC, but claims that PUSIC currently has no such support and is more interested in working with Kinshasa. PUSIC may have allied with the UPC against the Lendu in Bunia in May 2003; if so, this alliance of convenience would be tenuous and probably short-lived. PUSIC appears to have continued close links with Ugandan authorities.</p>
<p>FPDC: Popular Force for Democracy in Congo (Alur and Lugbara political party)</p>	<p>FPDC (led by Thomas Unen Chen) was created in late 2002 mostly by Alur and Lugbara from the Aru and Mahagi area, north Ituri, to counter the UPC. Recently it started to recruit and train its own militias. Although professedly interested in dialogue, it is prepared to fight if dialogue fails. It has been supported by Uganda as part of the FIPI coalition and appears to have close ties with former Ugandan army Col. Peter Karim, an Alur from Uganda.</p>
<p>FNI: Front for National Integration (Lendu political party)</p>	<p>Current Leader: Floribert Njabu Ngabu Lendu intellectuals and traditional chiefs established FNI but the party claims broad support by the Lendu community in its effort to oppose the UPC. Lendu militias are reportedly being organised under the military wing of this party, which some equate with the FRPI (see below). Supported by Uganda as part of the FIPI coalition, it joined the Ugandan army in driving the UPC from Bunia on March 6, 2003, for which some its members were publicly thanked by Brigadier Kayihura in April. FNI has also benefited from military training and support from the RCD-ML and, through it, from Kinshasa.</p>
<p>FRPI: Patriotic Force of Resistance in Ituri (Ngiti political party)</p>	<p>Current Leader: Dr Adirodo. Launched in November 2002 the Ngiti party FRPI is said to be closely linked to the Lendu FNI. It is meant to bring together Ngiti militias with traditional leaders in a single force against the UPC. Based in Beni and said to number 9,000 combatants, the FRPI has close ties to</p>

	<p>the RCD-ML from which it receives both military training and arms. It claims to have a large fighting force and many see it as the army of the FNI. It joined the Ugandans in driving the UPC from Bunia in March 2003 and together with the FNI briefly controlled Bunia in May 2003.</p>
<p>FAPC: People's Armed Forces of Congo (mixed)</p>	<p>Current Leader: Commander Jerome Kakawave Bakonde Commander Jerome, based in Aru and Mahagi, established FAPC in March 2003. Jerome has changed allegiances several times, moving from the RCD-ML, to the RCD-N, to the UPC and to the Ugandans but he has more or less stayed in the area of Aru. His group recently obtained support from the Ugandans who attempted to put Commander Jerome in charge of a mixed security apparatus in Bunia just prior to the start of their withdrawal. Other parties objected and Commander Jerome returned to his home at Aru. A mutiny occurred in his ranks in May 2003 which was allegedly put down with Ugandan support. Jerome is reportedly a Banyarwanda from North Kivu. Assistance from external actors may prompt dissidents in a group to hive off and form their own organisation, as Chief Kahwa did. However, external actors can also promote coalitions, including those across ethnic lines, like the FIPI group which included Hema, Lendu, and Alur political groups.</p>

The national level: RCD-ML and its links with ethnic groups in

Ituri

Links between the RCD-ML and local ethnic groups form one strand of the complex political fabric in Ituri. The RCD-ML split off from the original RCD in 1999 and moved its base from Kisangani to Bunia. Mbusa Nyamwisi sought to oust the first RCD-ML president, Wamba dia Wamba, from his post. During their year-long struggle in 2000, each appealed to ethnic groups for support, with Wamba relying on the Lendu, and Mbusa Nyemwisi, together with Hema businessman Tibasima Ateenye, drawing strength from the Hema ethnically-based militia. Mbusa Nyamwisi triumphed and Wamba left the scene.

Nyamwisi, himself a Nande, then began fostering ties with the Lendu. In early 2002, he named Jean-Pierre Molondo Lompondo, an outsider from Kasai,

as governor of Ituri and allowed him to take control of the RCD-ML forces, thus limiting the power of Thomas Lubanga, a leading Hema member of the movement and nominally his minister of defense. As Nyamwisi depended more on the Lendu, he increasingly alienated his former supporters among the Hema. In April 2002, Nyamwisi's bodyguard was assassinated, a crime widely attributed to Lubanga. Skirmishes followed between those RCD-ML troops, known now as the Congolese Popular Army (*Armée Populaire Congolaise*, APC), who supported Nyamwisi, and combatants backing Lubanga. Lubanga and his forces, identified with the Union of Congolese Patriots (UPC), set up their own base at Mandro, some twelve miles outside Bunia and took control of part of Bunia town from the APC. In the process, both sides committed abuses against the civilian population.

In April 2002, Nyamwisi participated in the Sun City negotiations, establishing links with the DRC government that he could use to strengthen his base at home. During his absence in Sun City, the UPC circulated a document in Bunia denouncing the RCD-ML for its willingness to deal with outsiders. Under the slogan "Ituri for Iturians," they advocated regional autonomy.¹⁷

In the following months, Governor Molondo integrated Lendu militia into the RCD-ML forces in accord with the Sun City agreement. The Hema militia charged Molondo with favoring the Lendu and remained apart from the APC. In June, Ugandan authorities detained Lubanga and eight aides while they were in Kampala and then delivered them to Kinshasa where they were held under house arrest. But two months later, Ugandan authorities switched clients and Ugandan troops joined the UPC in ousting Governor Molondo and APC forces from Bunia. Soon after, the UPC set up a government purporting to control Bunia and the rest of Ituri.

The role of Kinshasa: Military assistance to the RCD-ML and other armed groups

Until April 2002, the Kinshasa government played little role in Ituri but with the Sun City agreement, it sought more influence in parts of northeastern Congo which were nominally under the control of the RCD-ML, though in fact occupied by the Ugandan army. Focused first on regaining control over resources and strengthening the military forces of its ally (the RCD-ML), the DRC government otherwise lacked a coherent strategy for effectively governing the northeast. Unlike Uganda which manipulated several local political links simultaneously, the DRC government worked primarily with the RCD-ML and, through it, with Lendu, Ngiti, and other ethnic groups. These links undermined the credibility of the DRC government with Hema ethnic groups

and others allied with them, and made it nearly impossible for the national government to serve as a neutral force in Ituri.

Shortly after the Sun City agreement was signed, the DRC authorities reclaimed control over Ituri's resources by signing an exclusive oil exploration license with the Canadian-British Heritage Oil Company for the area on the DRC side of the Semliki Valley. The agreement gained them some cash and set an important precedent for future deals on resource exploitation, but did nothing to increase their authority over the area. The military wing of the RCD-ML, the APC, had no control over most of the area where the oil exploration license had been granted and was weakening elsewhere. Mbusa Nyamwisi himself was unable to return to Bunia after the Sun City agreement was signed and he was forced to move his base to his hometown of Beni.

Faced with the growing power of the UPC, the DRC government sought to strengthen the APC and to integrate it more effectively into the DRC government army, the *Forces Armées Congolaises* (FAC). Kinshasa provided the APC with uniforms, ammunition, and trainers from FAC. At several camps, such as that at Nyaleke, FAC soldiers trained local forces, including APC, Lendu and Ngiti militias, and Mayi Mayi, groups of local combatants of various ethnic groups united in their goal of expelling outsiders. According to local sources, approximately two FAC battalions arrived in the Beni area to prop up the APC.

The training and support to the APC and others produced results. When the MLC attacked the ANC positions in Mambasa in October, November, and December 2002, Mbusa Nyamwisi's troops together with the Mayi Mayi used heavy weapons for the first time and stopped the MLC advance near Teturi and Eregenti. Local sources said these new weapons had been delivered by the FAC.¹⁸

Ready to act through their local proxies, DRC authorities declined to openly confront Uganda. Instead, the DRC government agreed to a gradual withdrawal of Ugandan forces and to a period of joint control over the border area, insisting on Ugandan responsibility for helping to restore order in the area. "Uganda controlled this part of our territory for the last four years, it is therefore duty bound to repair the damage it has caused," argued Congo's General Commissioner for Peace Kamerhe.¹⁹

With no coherent plan for extending its authority in the northeast and little accurate information about local realities, the DRC government engaged in several *ad hoc* interventions ranging from the symbolic declaration that it would pay the salaries of the public sector employees in RCD-ML areas, to the organisation in Kinshasa of a promising peace and reconciliation conference to resolve the Ituri crisis. Leading the peace initiative was Ntumba Luaba, the DRC Minister for Human Rights, who traveled to Bunia a number of times to persuade influential actors to join discussions in Kinshasa.²⁰

The table below contains a list of all national armed political groups in Ituri as of May 2003:

The regional level: The DRC peace process

The second Congo war began in 1998 and pitted the DRC government, supported by Angola, Zimbabwe, and Namibia, against several rebel movements backed by Uganda, Rwanda, and Burundi. In 1999 the major parties to the war signed the Lusaka Peace Accords, resulting in the deployment in 2000 of a United Nations force, the United Nations Mission in the Democratic Republic of the Congo (MONUC) to monitor arrangements for ending the conflict. But the accords were not respected and the DRC was in effect divided among four regimes, each of which depended on foreign troops to survive. After further negotiation, the DRC government reached an accord on future political arrangements with two of the three major rebel movements, the MLC and RCD-ML.²¹ Known as the Sun City accord, the agreement was signed in April 2002 without the signature of the third important rebel movement, the RCD-Goma.

Table 4: National Armed Political Groups in Ituri (May 2003)

Armed Political Groups	Description
RCD-ML: Congolese Rally for Democracy-Liberation Movement	Also know as RCD-Kisangani, the RCD-ML was launched in September 1999 in Kampala when Wamba dia Wamba split from the RCD-Goma. Backed at the start by Uganda, the RCD-ML has been fractured by leadership struggles and in-fighting. The current leader, Mbusa Nyamwisi took power after ousting Wamba dia Wamba. The RCD-ML's military wing is the Congolese Popular Army (APC). The RCD-ML entered into the Sun City agreement of April 2002 and the APC are now being trained and armed by Kinshasa.
MLC: Movement for the Liberation of Congo	Based in Gbadolite, the MLC has been backed by Uganda since the start of the war in 1998 although there have been occasional differences between the two. The MLC tried twice to establish a foothold in Ituri: in 2001 Jean-Pierre Bemba (MLC's current leader) had nominal control of the short-lived FPC coalition of Ugandan- backed rebel groups and in 2002 the MLC attacked Mambasa in western Ituri but were forced back by the

	APC of Mbusa Nyamwisi. The MLC has occasionally fought alongside the UPC and has been a rival of Mbusa's RCD-ML.
RCD-National: Congolese Rally for Democracy - National	Now based in Watcha, northern Ituri, the RCD-N initially operated as a front organisation for the Ugandans in exploiting the diamond riches of the town of Bafwasende. In 2001 and 2002, the RCD-N supported MLC attempts to win resource-rich areas from the RCD-ML. RCD-N, led by Roger Lumbala, has few soldiers and relies on the MLC army.

After further international pressure and shuttle diplomacy, the government of the DRC signed bilateral accords with Rwanda (July 2002) and with Uganda (September 2002), paving the way for the withdrawal of their troops. Rwandan soldiers left in October and Ugandan troops began withdrawing soon after, although some stayed on. In early 2003, Uganda briefly increased the number of its soldiers in Ituri, but under significant international pressure it started its final withdrawal of troops in May. In April 2003, RCD-Goma joined the other DRC parties to the conflict in the "All Inclusive Agreement" and in the Transitional Government. Despite the agreements and the troop movements, the war in Ituri intensified as local surrogates carried on the battles of the national and international actors.

Uganda's involvement

During its four years occupying the north-eastern DRC, the Ugandan army—the Ugandan Peoples Defense Force (UPDF) — claimed to be a "peacemaker" in a region torn by ethnic strife. In reality, the Ugandan army provoked political confusion and created insecurity in areas under its control. Uganda intervened in local administration by establishing a new province, Kibali-Ituri, in 1999, by naming its first governor, and by playing a major role in changing four of the six governors since then. Three governors were removed directly by Ugandans with their army providing the force in two of these cases.

From its initial involvement in a land dispute between the Hema and Lendu ethnic groups in 1999, through its joint operation with Lendu and Ngiti militias to dislodge Hema from Bunia in March 2003, the Ugandan Army more often aggravated than calmed ethnic and political hostilities.²² Of the seven Ugandan commanders in charge of the Ugandan forces in Ituri, four were accused by local actors and other independent groups of favoring the Hema over the Lendu.²³ The Porter Commission set up by the Ugandan government

also acknowledged that it had received evidence that four senior Ugandan Army officers (two of whom were the same accused by local groups) had in one way or another been highly suspected of involvement in the Hema-Lendu conflict.²⁴ Another commander was removed supposedly after he tried to stop Ugandan exploitation of DRC resources.²⁵

Ugandan meddling in Ituri politics has in fact stimulated the formation of new political parties and militia groups. Most have done so along ethnic lines, contributing to growing ethnically-based extremism. This has not substantially changed. The favoritism shown to different groups or factions may vary, but the support continues and the arms flows have not been halted. Recent credible reports indicate that arms flows from Uganda to some of the armed groups in Ituri continues.

In addition, Ugandan involvement with the RCD-ML and other political groups in Ituri constitutes another strand of the complex political fabric. This link was sometimes echoed by further ties between the RCD-ML and locally-based groups. In other cases, Ugandans cooperated directly with locally-based groups, creating still another strand of political involvement. On the political level, Ugandans directed important changes in the rebel movements based in Bunia, including removing Wamba dia Wamba as head of the RCD-ML and replacing him by Mbusa Nyamwisi; supporting the creation of two coalitions, the Front for the Liberation of Congo (FLC) which grouped rebel movements at the national level and the Front for Integration and Peace in Ituri (FIPI) which grouped local rebel groups of the Lendu, Alur and dissatisfied Hema; and driving away the RCD-ML and helping install the UPC in Bunia in August 2002. These changes were directed from Kampala and supported by the Ugandan forces in Ituri.

On many occasions since their arrival in Ituri in 1998, Ugandan forces failed to protect civilians in areas under their control, most dramatically in Bunia on 19 January 2001 and between 6 and 10 August 2002 when ethnic killings took place within a kilometer of the large Ugandan army camp at the airport. In a few cases, however, Ugandan soldiers did protect civilians. During the early August 2002 attacks in Bunia, for example, two Ugandan soldiers reportedly died protecting Hema at Lengabo. In another case at Mabanga, on 28 August 2002, Ugandan troops sheltered hundreds of Lendu and others from Hema attacks and then the next day escorted them to safety past hostile Hema militias and the bodies of their relatives and friends.

Ugandan authorities often managed and chaired political negotiations on Ituri. Between 1999 and February 2003, Ituri leaders went to Kampala for political negotiations more than fifteen times and met frequently with either President Museveni or his brother Salim Saleh. Ugandan authorities claimed in the press that the UN asked them to stay in Ituri, although the UN never explicitly did so. Ugandan spokesmen relied on a September 2002 report by

the UN Secretary-General in which he called on the Ugandan army to exercise its security responsibilities "in an impartial manner"²⁶ and on similar UN statements reminding Uganda of its responsibility to protect civilians in Ituri. At first, neither the Secretary-General nor the Security Council explicitly refuted these assertions but they reportedly did so through diplomatic channels several months later.²⁷ Ugandan forces missed repeated deadlines for leaving Ituri but finally completed their withdrawal from Bunia on 6 May 2003 and continued withdrawing from other areas in Ituri, claiming to have completed their total withdrawal in early June.

Nevertheless, trade statistics show the extent to which Uganda has profited from its presence in the DRC. Gold exports from Uganda more than doubled after their troops crossed into the DRC, although there was no increase in domestic production capacities.²⁸ This upsurge coincided with a heavy deployment of Ugandan troops in mining areas in Ituri such those near Kilo Moto, described as one of the most productive gold mines in Congo. The record of diamond exports is even clearer. No diamond exports were recorded from Uganda in the decade before their troops arrived in the DRC. Then from 1997 to 2000, diamond exports jumped from 2,000 to 11,000 carats. In 2001 an estimated \$3.8 million worth of diamonds was exported.²⁹

The third report of UN Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the DRC, published in October 2002, concludes that an elite network of Ugandan soldiers, officials, and politicians, local rebels, and international businesses plundered the DRC for their own benefit and to finance the war.³⁰ According to the Panel, this network included Hema businessmen like the Savo family in Ituri. Museveni's brother Salim Saleh and former Ugandan army Major General James Kazini were identified as leaders of the network, using the Ugandan army and various rebel militias as their personal enforcement arm for commercial purposes.³¹

The Panel stated that the Hema-Lendu conflict stems in part from attempts by the Ugandans and powerful Hema businesspeople and politicians to increase their profits from commercial activities.³² The Hema, it said, fill an important niche in the operation of the criminal enterprises by transporting primary products from Ituri across the border to Uganda under the protection of Ugandan troops and bringing back gasoline, cigarettes and arms, all exempt from taxation. Dissatisfied with their relatively limited share of the business, many of them joined the UPC under Lubanga in an attempt to secure greater profits.³³

The Porter Commission established by the Ugandan Government on May 23, 2001 to look into the allegations of Ugandan involvement in illegal exploitation of Congolese resources produced its final report in November 2002, although it was only recently made public. The report exonerated the Ugandan government and its army of official involvement in such exploita-

tion.³⁴ The Commission did, however, support the UN panel's findings in relation to senior Ugandan army officers who, said the Commission, had "lied to protect themselves." It said also that "officers to very senior levels, and men of the Ugandan army have conducted themselves in the DRC in a manner unbecoming."³⁵ It particularly singled out General Kazini for having "shamed the name of Uganda"³⁶ and it recommended disciplinary action against him. The Commission strongly recommended further investigation of diamond smuggling, stating that there was a link between senior Ugandan army members, known diamond smugglers, and Ugandan business.³⁷

Finally, the discovery of oil in the Semliki Valley, an area straddling the border between Uganda and Ituri, ensures that competition over Ituri will increase. Heritage Oil, to which the DRC government has conceded exploration rights in Ituri, drilled test bores on the Ugandan side of the border. On 31 March 2003, the company announced it had struck oil in Uganda and said the area had the potential of being a new world-class oil basin.³⁸ The Ugandan Director of Heritage Oil planned to start activities on the Congolese side of the border in March 2003 projecting that it would take 5 years and \$15 to \$20 million in investment to turn a profit. In addition to its contract with the DRC government, Heritage Oil maintains close links with Ugandan authorities.⁴⁰ In 2002, agents of the company started to make contact with local chiefs in Ituri, including several in Burasi as well as Chief Kahwa of Mandro.⁴¹ Chief Kahwa said "I have been contacted by the Canadian Oil people who came to see me. I told them they could only start work in Ituri once I had taken Bunia from the UPC."⁴²

Rwanda's involvement

While the UPC depended heavily on Ugandan assistance to win control of Bunia in August 2002, it simultaneously began cultivating links with the Rwandan-backed RCD-Goma and with Rwanda itself. Towards the end of the year, the UPC finally shifted from reliance on Ugandan support to reliance on the RCD-Goma. The change was marked by a 6 January 2003 agreement in which the Rwandan-backed movement agreed to provide military and political support to the UPC.⁴³ The agreement, which committed Rwanda's local partner to aiding the Hema group, was the clearest and most public indication until that time of Rwandan involvement in Ituri which, according to local sources, had been growing throughout 2002.⁴⁴

Rwandan involvement in Ituri, whether directly or through RCD-Goma, increased the complexity of the conflict as well as the risks that it may continue and expand. Rwanda and Uganda, enemies for the last three years, have accused each other of preparing attacks in eastern DRC. The Ugandan gov-

ernment has charged Rwanda with supporting armed groups hostile to it, including the Lord's Resistance Army (LRA) and with training other dissidents, such as the People's Redemption Army (PRA). The Rwandan government in turn asserted that Uganda was assisting Rwandan rebels and the Interahamwe militia involved in the 1994 genocide, assistance which they viewed as a "direct security threat" to Rwanda.⁴⁵

In addition to continuing their dispute with Uganda, Rwandan authorities may also seek a role in Ituri to counter the deployment of FAC forces and the possible growth of DRC influence in the area; to win a share of the rich resources of the region; and to support the Hema whom they view as an ethnic group related to the Tutsi and as a threatened minority.⁴⁶

Numerous witnesses reported that Rwanda helped the UPC with advice and training and the delivery of ammunition.⁴⁷ A few even claimed having seen Rwandans fighting alongside UPC forces. Many of these reports come directly or indirectly from RCD-ML or Ugandan sources and must be treated with reserve. Others, however, come from local witnesses not apparently attached to anti-Hema or anti-Rwandan groups.

Rwandan authorities allegedly also hoped to profit from the gold of Ituri. Lubanga's UPC was reportedly ready to help Rwanda get a share of the gold mined in Mongbwalu but was unable to deliver when it lost power in Bunia.⁴⁸

Conclusion

Ituri has largely been the battleground for the war between the governments of Uganda, Rwanda and the DRC, which have provided political and military support to local armed groups despite abundant evidence of their widespread violations of international humanitarian law. In doing so and in failing to exercise their influence over them to bring such abuses to an end, they share responsibility for these crimes. International leaders and the UN Security Council regularly denounce the crimes, but have also failed to end them or to deliver justice for the people of Ituri.

Until recently, the conflict in Ituri has been largely ignored by the international community. Despite information to the contrary, some UN member states and UN officials viewed Ituri as merely a "tribal war" not related to the broader war in the DRC. Between 1999 and April 2003, MONUC had only a small team of fewer than ten observers covering this volatile area of some 4.2 million people. MONUC forces were urgently increased to several hundred in April 2003, but they had no capability to protect thousands of civilians who fled to them for protection when fighting again broke out between opposing militia groups in early May. The UN Security Council authorised an Interim Emergency Multinational Force with a Chapter VII mandate to protect civil-

ians and UN staff in the town of Bunia for a short period while MONUC reinforced its presence. This decision, while helpful to residents of the town, left tens of thousands of civilians outside Bunia unprotected and at the mercy of armed groups who continue to fight.

The situation in Ituri remains critically important to the peace process, not just because of the extent of the suffering and destruction imposed on local people, but also because of links with broader struggles. The complex mix of local, national, and regional conflicts exists also in the Kivus, where civilians have suffered from massacres and other grave abuses, and it may develop elsewhere in the DRC. The continuation of this kind of local level combat endangers the peace process throughout the country and beyond. Human Rights Watch has therefore made a number of recommendations aimed at mitigating the conflict, to those actors that can make a difference.⁴⁹

For example, it is recommended that the Ugandan, Rwandan and DRC Governments provide no military, financial, or other assistance to armed groups that have committed serious violations of international humanitarian and human rights law in Ituri, and that they use their influence with these groups to persuade them to halt abuses.

The Hema, Lendu, Ngiti and other armed political groups are also urged to direct their combatants to adhere to international humanitarian law in all military operations, particularly as it relates to the protection of civilians and the provision of humanitarian aid. Moreover, they should investigate alleged violations of international humanitarian law, stop the recruitment and training of children under the age of eighteen, and disarm, demobilise, rehabilitate and return to their homes all such children.

The United Nations, in turn, is urged to continue its efforts, under Chapter VII, to provide safety and security throughout Ituri, with special emphasis on the protection of civilians; to redouble the efforts of MONUC's human rights investigators to document and publicly report on violations of international human rights and humanitarian law; and to support the demobilisation, disarmament and re-integration of child soldiers under the age of 18 from all armed forces or groups regardless of ethnicity and political affiliation.

Notes

1. Anneke Van Woudenberg works at the Africa Division, Human Rights Watch. This chapter was adapted from a previous report by Human Rights Watch entitled 'Ituri Covered in Blood: Ethnically Targeted Violence in Northern DR Congo', Vol. 15, No. 11 (A), July 2003. < <http://hrw.org/reports/2003/ituri0703/> >
2. The Hema ethnic group is divided in two sub-groups: the Gegere, also known as the Hema from the north, who speak Kilendu and the Hema,

- also know as Hema from the south, who speak Kihema. There are increasing divisions between these two groups. This chapter refers to the Hema for both groups and differentiates Gegere only when their views are different.
3. The Lendu ethnic group is also divided into two sub-groups: Lendu who originate from the northern areas of Ituri and the Ngiti who come from the south. In general they consider themselves as brothers and have similar political views.
 4. In the local language this is expressed as "the Bakuyakuya".
 5. Tensions were high in 1962, 1965, 1975, 1983, 1984, 1997.
 6. See Johan Pottier, *Re-Imagining Rwanda: Conflict, Survival and Disinformation in the Late Twentieth Century*; Cambridge University Press, 2002.
 7. Human Rights Watch interview with Hema leaders including Dr Dhejju Maruka, Professor Karimagi Pilo, Mr Philemon, and Mr Kiza, Bunia, February 13, 2003.
 8. Jean Baptiste Dhetchuvi, open letter, *Ituri - What Future?*, September 1, 2002.
 9. Ibid.
 10. Hima are an ethnic group in Uganda often said to be related to Tutsi of Rwanda; Museveni is said to have had a Hima among his ancestors.
 11. Patriotic Force of Resistance in Ituri (FRPI), Manifesto of Resistance, January 2003.
 12. LORI Cultural Association, Declaration of the Lendu Community, November 16, 2002.
 13. Chief Longbe Tchabi Linga and the Editorial Committee, SOS of the Lendu Community in Kpandruma, January 22, 2003.
 14. Different estimates exist of the number of people killed in Ituri, none of which is based on a systematic survey. The UN Office for the Coordination of Humanitarian Affairs (OCHA) cited 50,000 dead in its Integrated Regional Information Network report on Ituri, December 2002.
 15. Human Rights Watch telephone interview, Bunia, May 2003.
 16. Human Rights Watch telephone interview, Kampala, May 2003.
 17. Human Rights Watch interview, Bunia, February 2003.
 18. Human Rights Watch interview, Beni, February 2003.
 19. Réseau Europeen Congo (REC), *Bulletin d'Information no. 10 / 2002*, October 16, 2002, item 17.
 20. Representatives of the government, about 100 delegates of the nine ethnic communities of Ituri, members of MONUC, civil society, and religious confessions were present at the conference, but there were no representatives of the rebel factions and ethnic militias.

21. Initially known as the RCD-Kisangani, the name was changed to RCD-ML after the move to Bunia. It is sometimes referred to as RCD-K-ML to denote its early origins.
22. Human Rights Watch, *A Short Report, Uganda in Eastern DRC: Fuelling Political and Ethnic Strife*, March 2001.
23. Captain Kyakabale, Colonel Arosha, Col. Edison Muzoora and Col. Freddy Segamwenge.
24. Final Report of the Judicial Commission of Inquiry into Allegations into Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of Congo 2001 (May 2001 - November 2002), November 2002, p. 138. The Porter Commission mentions Cap Kyakabale, Colonel Arosha, Cap. Peter Karim and Colonel Angina.
25. Col. Charles Angina.
26. U.N. Security Council, "Special report of the Secretary-General on the United Nations Organisation Mission in the Democratic Republic of the Congo," S/2002/1005, September 10, 2002.
27. Human Rights Watch interviews, Kampala, February 2003.
28. U.N. Security Council, "Addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the DRC," S/2001/1072, November 13, 2001.
29. Ibid.
30. U.N. Security Council, "Final Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the DRC," S/2002/1146, October 16, 2002.
31. Ibid.
32. Ibid., paragraph 118.
33. Ibid., paragraph 121.
34. Final Report of the Judicial Commission of Inquiry into Allegations into Illegal Exploitation of Natural resources and Other Forms of Wealth in the Democratic Republic of Congo 2001 (May 2001 - November 2002), Kampala, November 2002, p 199.
35. Ibid., p.202 and 207
36. Ibid., p.203.
37. Ibid., p.205.
38. Heritage Oil Press Release, "Heritage Confirms Uganda Oil Potential and Outlines Further Investment Plans", March 31, 2003.
39. Ibid., Johnson, "Shifting Sands," p. 24.
40. Ibid., p. 24.
41. Human Rights Watch interview, Kampala, February 2003.
42. Human Rights Watch interview, Chief Kahwa Mandro, Kampala, February 22, 2003.
43. Human Rights Watch interview, Thomas Lubanga, Bunia, February 14, 2003.

44. Human Rights Watch interviews, Beni and Kampala, February 2003.
45. "Congo, Rwanda Sabre Rattling Turns Into PR War," *The East African Standard*, Nairobi, March 31, 2003.
46. Human Rights Watch interviews with local analysts, Beni, Bunia and Kampala, February 2003.
47. Human Rights Watch interviews with a range of sources in Beni, Bunia, Kampala, February 2003.
48. "UPC Rebels Grab Mongbwalu's Gold," *African Mining Intelligence* No. 53, January 15, 2003.
49. For a comprehensive list of these recommendations, see Human Rights Watch, 'Ituri Covered in Blood: Ethnically Targeted Violence in Northern DR Congo', Vol. 15, No. 11 (A), July 2003.
< <http://hrw.org/reports/2003/ituri0703/> >