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DR Congo: Stop Army Clashes in North Kivu

Civilians Killed and Injured in Battles Between Rival Army Factions

Brussels—The government of the Democratic Republic of Congo must immediately stop fighting between rival army factions and seek to ease ethnic tensions in the eastern province of North Kivu during the ongoing electoral process, Human Rights Watch said today. Those individuals responsible for the deaths and injuries to civilians as a result of the fighting must also be held to account.

On August 5, Congolese army soldiers of the 9th Brigade fought those of the 83rd Brigade in the town of Sake, 30 kilometers east of Goma, the provincial capital, killing 2 civilians and injuring 13 others. Thousands of Sake residents sought refuge in Goma and other neighboring towns following the attack, which came just days after Congo's historic elections. Results of the first presidential polls are to be announced August 20.

“The government, with help from U.N. peacekeepers, must resolve these conflicts within the Congolese army before more civilians are killed or injured,” said Alison Des Forges, senior advisor to the Africa division of Human Rights Watch. “If soldiers can't keep order in their own ranks, how can civilians look to them for security?”

The 83rd Brigade includes many ethnic Congolese Tutsi officers, formerly members of the Congolese Rally for Democracy-Goma (RCD-Goma), a Rwandan-backed rebel group turned political party. Nominally part of the Congolese army, many of these soldiers have remained loyal to Laurent Nkunda, a former RCD-Goma military officer who claims to protect the rights of the minority Tutsi community.

The battle in Sake is the latest in a series of incidents between soldiers loyal to the Congolese government in Kinshasa and those who support Nkunda. In February forces loyal to Nkunda attacked the town of Rutshuru, causing thousands of civilians to flee.

These clashes heightened tensions between the Congolese Tutsi community and other ethnic groups. After the Sake attack, young men in the town said that they wanted to establish a local defense group to counter Nkunda's forces.

On July 25 Nkunda launched a new military and political movement, the National Congress for the People's Defense, at a press conference at his military base in Bwito, in the eastern province of North Kivu. Nkunda said his movement would react to any attempt to exclude minority groups from the new government.

There is a warrant for Nkunda's arrest on charges of war crimes and crimes against humanity for atrocities perpetrated by troops under his control in Bukavu in June 2004. To date no action has been taken by the government or U.N. peacekeeping forces to

arrest him and bring him to justice.

Soldiers of the 83rd Brigade have refused to enter the Congolese army integration program intended to bring former belligerents into one national army, claiming that they face discrimination in the new army. In February 2006, a number of Congolese Tutsi soldiers were attacked and injured in one of the newly established army integration camps at Kitona, in western Bas-Congo province, giving credence to such fears.

In an interview with Human Rights Watch, Lieutenant Colonel Kabundi of the 83rd Brigade said, "We cannot accept army integration because we are not considered Congolese." He added, "War is better than army integration."

Soldiers of the 83rd Brigade have also interfered in the demobilization process which is seeking to reduce the number of combatants in the Congo. In June they ambushed a minibus carrying 13 demobilized child soldiers and held seven people hostage for two days in an effort to prevent their demobilization. In July soldiers of the 83rd Brigade abducted two of these children in Goma and offered each of them \$20 plus a promotion to rejoin the army.

"The government must address the fears of Tutsi soldiers and guarantee that they will be fairly treated in the integration process," said Des Forges. "At the same time, military authorities must take disciplinary action against those resisting legitimate orders and ensure that those who have caused civilians harm are held to account. They must also arrest Nkunda and ensure that he faces a fair trial for war crimes charges."

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