



2022年12月16日刚果民主共和国问题专家组给安全理事会主席的信

刚果民主共和国问题专家组成员谨根据安全理事会第 2641 (2022) 号决议第 9 段的规定，随函转递关于专家组工作的中期报告。专家组的任务期限已根据该决议延长。

所附报告于 2022 年 11 月 23 日提交安全理事会关于刚果民主共和国的第 1533 (2004) 号决议所设委员会，委员会在 2022 年 12 月 9 日审议了该报告。

请将本信和报告提请安全理事会成员注意并作为安理会文件发布为荷。

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刚果民主共和国问题专家组的中期报告

摘要

在本报告所述期间，刚果民主共和国东部地区发生数起激烈的暴力事件。专家组还关切地跟踪了该国西部马伊恩东贝省 Kwamouth 县的暴力升级情况，该县自 2022 年 5 月以来的社区间冲突主要使特克社区和亚卡社区成员出现相互对立。

尽管过去 18 个月来持续实施戒严，而且刚果民主共和国武装部队、乌干达人民国防军(乌国防军)和联合国组织刚果民主共和国稳定特派团(联刚稳定团)开展了军事行动，但北基伍省和伊图里省的安全和人道主义局势严重恶化。

由于主要在社交媒体上出现了协调一致的反联刚稳定团言论传播，刚果民主共和国东部几个城镇爆发反联刚稳定团的暴力抗议。有平民、联合国维持和平人员和联合国警察被杀害，联刚稳定团的财产遭到系统性破坏和抢劫。

2022 年 5 月以来，北基伍的战斗升级，导致刚果民主共和国与卢旺达关系恶化，这促使东非共同体国家元首启动调解，呼吁紧急建立和部署一支区域部队，以打击活跃在刚果民主共和国东部的武装团体，同时鼓励武装团体遵守《解除武装、复员、社区恢复和稳定方案》。

在北基伍，民主同盟军这一受制裁武装团体继续扩大其行动范围，袭击北基伍省贝尼县和卢贝罗县以及伊图里南部的平民。民主同盟军在城市环境中使用简易爆炸装置，选择通过完善的网络进行更引人注目的袭击。

专家组关切地注意到玛伊-玛伊民兵在卢贝罗县的袭击和侵害事件有所增加。与民主同盟军在贝尼县和伊鲁穆县的袭击增多类似，这是刚果民主共和国武装部队和联刚稳定团重新部署到鲁丘鲁县和尼拉贡戈县之后出现安全真空所带来的副作用。

受制裁武装团体“3·23 运动”/刚果革命军所发动袭击的频率、持续时间和强度大为增加，其控制的地盘也大幅扩大。专家组发现了大量证据，证明存在违反武器禁运和制裁制度的行为，其中包括：(a) 卢旺达国防军在刚果民主共和国境内直接干预，增援“3·23 运动”/刚果革命军，或对解放卢旺达民主力量(卢民主力量)采取军事行动；(b) 向“3·23 运动”/刚果革命军提供武器、弹药和制服；(c) 刚果民主共和国武装部队成员在鲁丘鲁县支持数个刚果武装团体；(d) 刚果民主共和国武装部队与刚果武装团体在鲁丘鲁县合作。还记录了针对维和人员的袭击、酷刑和不人道待遇、蓄意杀害和无差别炮击平民的情况，这都构成应予制裁的行为。“3·23 运动”/刚果革命军在其控制区内、包括在与乌干达接壤的布纳加纳纳过境点对货物和个人征税。

仇外和煽动暴力行为在全国蔓延，特别是针对被视为支持“3·23 运动”/刚果革命军的讲卢旺达语的民众，这导致了包括杀戮在内的暴力行为。

在伊图里，刚果发展合作社各派系继续扩大其控制区，经常袭击平民和刚果民主共和国武装部队。另一方面，扎伊尔武装团体加强了其组织和力量，袭击了刚果安全部队和平民。

刚果发展合作社和扎伊尔继续为黄金开采和黄金贸易争斗并从中获益。两者都对商品、平民和经济行为者征税。刚果民主共和国武装部队某些人员继续与武装团体合作，从金矿开采活动中获益。

在南基伍，由于布隆迪国防军(布国防军)的正式部署和布国防军-刚果民主共和国武装部队联合行动的启动，武装团体之间进行了改组或建立新的联盟。布国防军在这些联合行动中继续依靠远望者民兵和当地武装团体。

特韦瓦内霍武装团体的战斗人员在对位于 **Minembwe** 的一个联合国基地进行有针对性的袭击时故意杀害了一名维和人员，构成了一种应予制裁的行为。

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一. 引言

1. 2022年6月30日,根据安全理事会第2641(2022)号决议延长了专家组的任务期限。安全理事会暂时搁置审议关于刚果民主共和国问题的第1533(2004)号决议所设委员会的所有六名拟议专家。专家组的五名现任成员是秘书长于8月25日任命的(见S/2022/641),第六名专家(专家组第二位自然资源/财务问题专家)的征聘工作正在进行中。

2. 专家组的中期报告是根据第2641(2022)号决议第9段提交的。专家组与中非共和国、利比亚、索马里和南苏丹问题各专家组进行了情况交流。

与专家组的合作

3. 专家组感谢联合国组织刚果民主共和国稳定特派团(联刚稳定团)在本报告所述期间提供支持。

方法

4. 专家组采用了安全理事会制裁的一般性问题非正式工作组所建议的证据标准(S/2006/997)。专家组的调查结果以各种文件为依据,并至少通过三个独立、可靠的消息来源核实信息。

5. 鉴于刚果民主共和国冲突的性质,可以确凿地证明武器转让、人员招募、对严重侵犯人权行为的指挥责任以及自然资源非法开采的文件十分少见。因此,专家组依赖于当地社区成员以及武装团体前战斗人员和现成员提供的目击证词。专家组还考虑了大湖区国家和其他国家的政府官员和军官的以及联合国方面的专家证词。

6. 本报告涵盖截至2022年11月5日进行的调查。由于字数限制,专家组在附件中详细介绍了一些调查结果和证据。

二. 北基伍

A. 民主同盟军

民主同盟军继续发动攻击和扩张

7. 尽管刚果民主共和国武装部队和乌干达人民国防军(乌国防军)开展了“Shuja 联合行动”(S/2022/479,第21段),但民主同盟军(CDe.001)这一受制裁武装团体继续在扩大地盘,并在贝尼县、北基伍和伊图里南部对平民发动袭击(见附件1)。民主同盟军继续以小团体形式行动(S/2022/479,第24段),在多条战线同时发动袭击。¹ 这些袭击和调动的主要目的是再补给、寻找新的营地、转移民主同盟军军事行动的重点和(或)对这些行动进行报复,包括破坏民众对“Shuja 行动”的支持。

¹ 民主同盟军合作者、刚果民主共和国武装部队、情报部门消息来源、民间社会、研究人员、联合国组织刚果民主共和国稳定特派团和外交机构消息来源。

8. 在贝尼县，民主同盟军的行动范围很广，并在贝尼镇、在东北部沿 Mamove-Oicha 和 Eringeti 之间的 RN 4 号公路一带、在西北部与伊图里接壤一带、在东部的 Watalinga 酋长领地以及在东南部的 Rwenzori 区(民主同盟军在那里仍有几个营地)发动袭击。在 Rwenzori 区，一些刚果民主共和国武装部队成员和身份不明的男子继续发动袭击，他们有时一起行动，伪装成民主同盟军，以便采摘和(或)偷窃可可(S/2021/560，第 34 至 35 段)。²

9. 民主同盟军继续在东南部的 Bashu 酋长领地开展行动(S/2022/479，第 28 段)，并抵达卢贝罗县，布滕博及其周围地区的活动有所增加，包括两次简易爆炸装置袭击(见第 21 至 26 段)和一次越狱(见附件 2)，这导致根据预谋大量招募了数百名被关押人员(见 S/2021/560，第 28 段)。

10. 在伊图里南部，民主同盟军继续在曼巴萨县扩张(S/2022/479，第 25-26 段)，躲避在伊鲁穆县对其开展的行动，并寻找新的落脚点。³ 民主同盟军在科曼达-曼巴萨公路附近、卢纳和科曼达之间的 RN 4 号公路沿线以及博加-查比地区的袭击尤其频繁。到起草本报告时，民主同盟军还通过比亚卡托-曼巴萨公路向曼巴萨镇推进，而被控与民主同盟军合作的马伊-马伊民兵基扬登加派派也在该地区活动。⁴

11. 民主同盟军在伊图里的行动，特别是向曼巴萨的扩张，加剧了土著社区⁵ 与南德社区之间新的社区间紧张关系，因为后者被指控与民主同盟军合作(同上，第 30-33 段)。⁶

12. 自 2022 年 7 月以来，民主同盟军还以博加和查比周围的胡图族社区为目标，绑架了数百名平民，并杀害了其中一些人，以报复自 2021 年以来投降和(或)与刚果民主共和国武装部队合作的胡图族新兵(同上，第 30 至 33 段)。⁷ 被绑架的胡图族青年被强行招募加入民主同盟军，以加强其队伍。

袭击平民

13. 自 2022 年 4 月以来，民主同盟军的袭击造成至少 370 名平民死亡，至少 374 人被绑架，其中包括大量儿童。⁸ 民主同盟军抢劫和烧毁数百栋房屋，摧毁和抢劫保健中心，其主要目的是获得医疗用品。

² 民间社会、研究人员及联刚稳定团和外交机构的消息来源。

³ 一名民主同盟军合作者、刚果民主共和国武装部队、情报部门消息来源、民间社会、研究人员和联刚稳定团消息来源。

⁴ 刚果民主共和国武装部队、民间社会、研究人员和联刚稳定团消息来源。基扬登加派领导人于 2022 年 9 月在布滕博被捕。

⁵ Ngwana、Bila、Ndaka 和 Lesse 被认为是这些地区的土著社区。

⁶ 民间社会及刚果民主共和国武装部队和联刚稳定团的消息来源。

⁷ 一名民主同盟军合作者及民间社会和联刚稳定团的消息来源。

⁸ 研究人员及人道主义人员和联刚稳定团的消息来源。

14. 被认为是民主同盟军所实施的袭击平民事件主要发生在在伊图里省的 Bahema-Boga 和 Banyali-Tchabi 酋长领地以及贝尼县东南部。RN4 号公路沿线也发生袭击和入侵事件，车辆遭到伏击和焚烧。2022 年 10 月 1 日晚，民主同盟军在伊鲁穆县袭击了博加-查比轴线沿线的 Kyamata 村，⁹ 在伊鲁穆县杀害至少 13 名平民，这些人均来自 Banyabwisha 社区，其中包括妇女和儿童。4 名平民被绑架，至少 36 所房屋被烧毁(见附件 3)。¹⁰ 同日，民主同盟军袭击了曼巴萨镇以南的 Mayuano，¹¹ 打死 1 名平民，绑架 15 人，烧毁车辆和房屋，并抢劫平民财产(见附件 4)。¹²

15. 2022 年 10 月 20 日，民主同盟军袭击了贝尼县的马博亚，造成至少 7 名平民死亡，其中包括 3 名妇女，并绑架了十多名平民，强迫他们搬运赃物。¹³ 袭击者抢劫并放火焚烧两个医疗保健中心、四个药房、几个民房和商店。一名医务工作者和几名病人在医院被活活烧死(见附件 5)。

“Shuja 行动”对民主同盟军的影响

16. 经过将近一年的时间，“Shuja 行动”仍未取得击败或大大削弱民主同盟军的预期成果。由于乌国防军/刚果民主共和国武装部队存在后勤限制和地形困难问题，行动的强度和影响继续减弱(S/2022/479，第 20 和 21 段)。

17. 尽管某些营地被摧毁，一些人被捕，但民主同盟军领导层仍然完好无损。民主同盟军返回其传统要地，包括乌国防军在刚果民主共和国与乌干达交界处的基地附近，乌国防军曾试图在那里建立缓冲区。民主同盟军于 2022 年 7 月中旬袭击了博加和查比附近的两个乌国防军基地。¹⁴

18. 民主同盟军甚至扩大了行动区，包括向戈马方向扩大(见第 20 至 23 段)。民主同盟军的合作者网络也基本上没有受到影响。2022 年 9 月发起的“Shuja 行动”第四阶段甚至导致民主同盟军增加对平民的报复性袭击，这与过去观察到的情况一样(S/2022/479，第 29 段)。

19. 此外，为应对“3·23 运动”/刚果革命军危机，驻扎在马莫夫周围和伊图里南部博加和查比的数百名刚果民主共和国武装部队和联刚稳定团部队干预旅人员被重新部署到北基伍省鲁丘鲁县(见第 29-71 段和 S/2022/479，第 62 段)。撤军造成的安全真空使民主同盟军得以在这些地区活动和发动袭击。¹⁵ 民主同盟军的

⁹ 博加以南六公里处。

¹⁰ 证人、研究人员、当地媒体和联刚稳定团消息来源。

¹¹ 曼巴萨以南 36 公里，沿 RN44 号公路一带。

¹² 联刚稳定团、民间社会和研究人員。

¹³ Bashu 酋长领地，贝尼西南 25 公里。

¹⁴ 刚果民主共和国武装部队、民间社会和研究人員。

¹⁵ 研究人員及外交机构、民间社会和联刚稳定团的消息来源。

一名合作者转达了民主同盟军战斗人员的报告，证实民主同盟军打算填补刚果民主共和国武装部队重新部署后在马莫夫周围留下的缺口。

简易爆炸装置和民主同盟军网络

20. 在本报告所述期间发生的几起简易爆炸装置袭击证实，民主同盟军选择在城市环境中开展更引人注意、更致命的简易爆炸装置行动，包括通过一个已建立的网络和各种行动小组进行自杀式袭击(S/2021/560，第 22 段；S/2022/479，附件 16 和 17)。¹⁶

21. 2022 年 4 月 7 日晚，戈马市 Mabanga Sud 街区(又称 Katindo 军营)的一家酒吧发生爆炸(见附件 6)，有 6 人死亡，至少 16 人受伤(见附件 7)。¹⁷

22. 专家组在现场收集的证据已经刚果民主共和国武装部队消息来源、法医、证人陈述和民主同盟军的消息来源证实，表明这次爆炸是在袭击中死亡的一名妇女所穿的爆炸背心(一种随身携带的简易爆炸装置)造成的(见附件 8)。

23. 民主同盟军的三名合作者和三个情报来源报告说，这次袭击是民主同盟军依靠其在戈马的合作者网络策划的。至少有 3 人的身份已被确认为“Hassan”、“Yusuf”和“Masika”，他们是戈马的民主同盟军网络成员，并接受了 Meddie Nkalubo 和 Abwakasi 的指示(见附件 9 和 S/2022/479，第 36、42、43 和 56 段)。¹⁸ 通过视频通话，Nkalubo 向这名女性自杀式炸弹袭击者解释了如何引爆爆炸背心。¹⁹ Musa Baluku 和 Bongle La Chuma(S/2022/479，见附件 5、8 和 20)也在策划和组织这次袭击中发挥作用。²⁰ 这次袭击是已记录在案的民主同盟军在戈马发动的第一次简易爆炸装置袭击。

24. 2022 年 9 月 6 日，民主同盟军合作者招募的一名 17 岁男孩在位于布滕博的国家情报局办公室前放置一枚简易爆炸装置。几分钟后，民主同盟军的合作者 Kasero(别名 Mubamba)通过无线电控制触发系统引爆简易爆炸装置(见附件 10)。这次爆炸炸伤两名国家情报局特工。²¹ 这是第一次针对城市中引人注目的目标实施的简易爆炸装置袭击(S/2022/479，第 42 和 53 段)。

25. 达伊沙声称对这次袭击以及 2022 年 10 月 3 日布滕博一家电影院发生的简易爆炸装置爆炸负责，后者造成 10 名平民受伤(见附件 11 和 12)。

26. 戈马和布滕博发生的袭击以及民主同盟军出于战术和防御目的在较偏远地区放置的简易爆炸装置(S/2021/560，第 19 至 25 段)²² 证实，简易爆炸装置在刚

¹⁶ 联刚稳定团文件已在秘书处存档。

¹⁷ 医疗报告、刚果民主共和国武装部队消息来源和证人证词。

¹⁸ 三个民主同盟军的合作者及情报部门和外交机构的消息来源。

¹⁹ 同上。

²⁰ 同上。

²¹ 刚果民主共和国安全部门和联刚稳定团消息来源和一个研究人员。

²² 刚果民主共和国武装部队和联刚稳定团消息来源、研究人员和秘书处存档的文件。

果民主共和国构成日益严重的威胁。民主同盟军继续以城市环境(S/2022/479, 第 48-52 段)和刚果民主共和国武装部队、安全部队和(或)平民经常前往的特定地点为目标,使用简易爆炸装置进行恐吓(S/2021/560, 第 25 段)。这些袭击也表明,民主同盟军计划将袭击扩大到刚果民主共和国境内外的新地区(见附件 13)。

与达伊沙的联系

27. 自 2022 年 4 月起,达伊沙以“伊斯兰国中部非洲省”的名义声称对被认为是民主同盟军在刚果民主共和国发动的袭击负责,作出此类宣称的数量再次增加(见附件 14)。²³

28. 民主同盟军继续被希望加入达伊沙的新兵视为一个选项(S/2022/479, 第 36-37 段),其原因是达伊沙的宣传使民主同盟军更加为人所知。在 2022 年 6 月的《Al-Naba》通讯中,达伊沙鼓励未能加入其他地方圣战战场的新兵前往其非洲各省。2022 年 11 月,达伊沙发布了一段 20 分钟关于民主同盟军的宣传视频,题为“圣战生活”。这段视频展示了民主同盟军的活动,包括刻意模仿达伊沙处决方式进行的一次精心安排的处决,意在凸显与民主同盟军与达伊沙的一致立场(S/2022/479, 第 45 段)。

B. 与“3·23”运动/刚果革命军有关的冲突和区域动态

29. 本节中的调查结果依据的是:文件和图片/视频证据;空拍记录;专家组在刚果民主共和国的鲁丘鲁县、戈马、布卡武和金沙萨以及在乌干达的基索罗和布纳加纳进行实地查访;对 230 多个消息人士的约谈。²⁴

扩大地盘、控制战略要地和建立平行行政机构

30. 自专家组提交最后报告以来,“3·23”运动/刚果革命军袭击的频率、持续时间和强度继续呈上升趋势(S/2022/479, 第 61 段),刚果民主共和国武装部队和平民的伤亡人数也是如此(见附件 15 和第 54 至 57 段)。“3·23”运动/刚果革命军单独或与卢旺达国防军联合(见第 47 至 51 段),大幅度扩大了其控制区,范围涵盖战略城镇、道路和前刚果民主共和国武装部队阵地,包括“3·23”运动/刚果革命军 5 月 25 日首次袭击的刚果民主共和国武装部队在鲁曼加博的战略营地(见第 31 和 49 段)。6 月 12 日,“3·23”运动/刚果革命军在布纳加纳与刚果民主共和国武装部队发生冲突,并控制了刚果民主共和国与乌干达边界的这一战略城镇(见第 39-43、49 和 52 段)。“3·23”运动/刚果革命军切断了战略要道,而且往往持续时间很长,阻碍了商业货物和人道主义援助的流动(见附件 16)。

31. 截至 2022 年 10 月中旬,“3·23”运动/刚果革命军控制的领土面积约为其 2022 年 3 月控制的领土面积的三倍。2022 年 10 月 20 日,在经历了 6 月中旬以

²³ 在 2022 年前三个月,这些通信有所减少,可能是由于“Shuja 行动”(见 S/2022/479, 第 45 段)。

²⁴ 刚果民主共和国当局和国防和安全部队、武装团体领导人、战斗人员、社区领导人、地方和习惯权威人士、目击者、受害者、研究人员、民间社会、医疗专业人员、人道主义行为体、情报部门消息来源和外交部门的消息来源、联刚稳定团、经济和人道主义行为体、文件和图片证据、视频、情报部门消息来源、监视和侦察以及空拍记录。

来的相对平静之后，“3·23 运动”/刚果革命军对刚果民主共和国武装部队发动新的攻势，向北、西北、西部和西南推进。到 2022 年 11 月 1 日，“3·23”运动/刚果革命军控制的领土再次扩大一倍，包括鲁丘鲁镇和基万加镇、鲁曼加博军营、马泰贝发电厂以及基塔戈马和布纳加纳边境哨所等战略地点(见附件 17)。到起草本报告时，“3·23”运动/刚果革命军威胁要占领戈马镇(见附件 18 和 [S/2022/479](#)，第 69 段)。

32. “3·23”运动/刚果革命军有能力在几个星期内同时在几条战线上维持激烈战斗，这表明其组织程度很高，战术有所改进，进行了招募，增加了兵力，军事装备获得大量补充给(见附件 19 和第 35-37 和 44-51 段)。

33. 到起草本报告时，刚果民主共和国武装部队在联刚稳定团的支持下在鲁丘鲁县得到增援，但仍无法阻止“3·23”运动/刚果革命军的推进(见第 19 段)。还记录了屡屡对联合国维和人员和阵地的直接袭击(见附件 20)。

34. 虽然“3·23”运动/刚果革命军动夺取了大量领土并展示了力量，但刚果民主共和国政府坚持不与“3·23”运动/刚果革命军进行谈判，称其为恐怖主义运动，并将其排除在内罗毕进程之外(见附件 21 和 [S/2022/479](#)，第 69 段)。费利克斯·齐塞凯迪总统在 2022 年 11 月 3 日的讲话中强调了“卢旺达的侵略”，并邀请青年参军。他指示陆军参谋长在全国各地建立征兵中心，从而在开展目前外交努力的同时考虑采取一种军事解决办法(见附件 22)。到起草本报告时，有近一千名青年自愿参军。²⁵

组织、招募和训练

35. “3·23”运动/刚果革命军巩固了其领导层(仍由受制裁的 **Sultani Makenga** “将军”全面指挥)及其民政-军事架构，并开始在其控制区建立平行行政机构，包括情报网络(见附件 23)。

36. “3·23”运动/刚果革命军在加紧准备对刚果民主共和国武装部队发动新一波攻势的同时，自 2022 年 7 月以来在鲁丘鲁、马西西、瓦利卡莱和卢贝罗等县以及在乌干达和卢旺达加强招募活动，从而增加了人员([S/2022/479](#)，第 66-67 段)。“3·23”运动/刚果革命军利用儿童作为战斗人员。²⁶ 招聘大多是凭借虚假的就业承诺(见附件 24)。

37. 被俘和投降的“3·23”运动/刚果革命军战斗人员证实，**Kanyamibwa** “上校”在 **Tshanzu** 和 **Runyoni** 指挥军事训练。“3·23”运动/刚果革命军控制区的平民证实了这些训练营的存在。几名前战斗人员作证说，企图逃跑的新兵不是被处决，就是被关押在地下监狱并遭受酷刑。鞭打和殴打是常见的惩罚形式。

²⁵ 秘书处存档的视频。

²⁶ 目击者、“3·23”运动/刚果革命军前战斗人员和民间社会领导人。

38. 除了刚果民主共和国武装部队的地方指挥系统不稳定(另见附件 50)和士兵在“3·23 运动”/刚果革命军推进之前撤出阵地之外,一些刚果民主共和国武装部队成员叛逃并加入“3·23 运动”/刚果革命军,有时还携带武器。²⁷

筹资和税收

39. “3·23”运动/刚果革命军开始征税,包括在布纳加纳和 Kitagoma 过境点以及在“3·23”运动/刚果革命军所占领土征税。所产生的收入有助于为“3·23”运动/刚果革命军的军事行动提供资金。

40. 在“3·23”运动/刚果革命军的控制区,要为住房、牲畜和农作物缴纳现金或实物税。例如,牛的主人为每头牲畜支付 7 美元,农民进入自己的土地要支付 3 美元。²⁸

41. “3·23”运动/刚果革命军开始对在布纳加纳边境携带货物进出刚果民主共和国的行人征税,从而获得重要收入。例如,考虑到 2022 年 10 月中旬每天约有 500 名携带货物的行人穿过刚果民主共和国和乌干达之间的边境,按每人支付约 7 000 乌干达先令(1.80 美元)计算,²⁹“3·23”运动/刚果革命军仅在布纳加纳边境过境点每月平均就获得 27 000 美元。³⁰

42. 10 月中旬在布纳加纳进入刚果民主共和国的 11 名行人报告说,在边界征收的税款用乌干达先令付给了名叫“Eric”和“Nkurunziza”的两个“3·23”运动/刚果革命军税务员。

43. 民众和经济行为者从“3·23”运动/刚果革命军控制区外逃,导致布纳加纳边界过境点两侧的经济活动大幅下降(见附件 25)。这导致“3·23”/刚果革命军在连接刚果民主共和国和乌干达的道路上获得的税收减少,而这条路线历来是刚果国库的重要资金来源(S/2008/773,第 35 至 47 段)。在“3·23”运动/刚果革命军最近扩大地盘之后,其税基可能会增加。

“3·23”运动/刚果革命军的军事装备

44. 图片证据和视频画面显示,至少自 2022 年 6 月中旬以来,“3·23”运动/刚果革命军领导人和战斗人员一直穿戴新制服、凯夫拉头盔和防弹背心(见附件 26)。

45. 图像分析显示,一些“3·23”运动/刚果革命军战斗人员携带致命军事装备,而这些装备以前没有被记录为该团体传统军火库的一部分(另见附件 30 和 32)。³¹某些军事装备是 2014 年和 2019 年生产的,其中包括在“3·23”运动/刚果革命军控制区和(或)根据记录卢旺达国防军曾驻扎的地区的冲突现场收缴的武器。这

²⁷ 刚果民主共和国武装部队、民间社会、国际组织和“3·23”运动/刚果革命军消息来源。

²⁸ 民间社会、证人、研究人员、居住在该地区的平民和当地酋长。

²⁹ 负责日常会计的个人。

³⁰ 该估算仅考虑了“3·23”运动/刚果革命军从离开刚果民主共和国的行人那里获得的收入。

³¹ 另见秘书处存档的“3·23”运动军火库 2013 年禁运评估文件和 S/2012/348/Add.1。

表明，要么是“3·23”运动/刚果革命军在最近获得这些物资，特别是在2012-2013年危机之后，要么是这些发现的装备属于在战场上支持“3·23”运动/刚果革命军的正规军(见第47-51段和附件27)。

46. 无人驾驶飞机的图像证实，存在跨界提供大炮、武器和弹药的情况(另见第48段和附件30)。“3·23”运动/刚果革命军控制了与乌干达和卢旺达接壤的大片地区，这为军事装备、物资供应和新兵跨越这些边界提供了便利。

卢旺达国防军的入侵、军事行动和对“3·23”运动/刚果革命军的物资支助

47. 专家组获得了卢旺达国防军人员2021年11月至2022年10月在鲁丘鲁县开展军事行动的证据。专家组指出，自2022年1月以来，至少有5名卢旺达国防军士兵在刚果民主共和国境内被捕(见附件28)。

48. 专家组在尼拉贡戈县和鲁丘鲁县的Kibumba和Buhumba群体、Rumangabo、Rugari、Ntamugenga、Kiwanja和Rutshuru约谈了目击者、被俘或投降的“3·23”运动/刚果革命军战斗人员、刚果民主共和国武装部队消息来源、民间社会行为体、地方当局和武装团体领导人，他们报告说，刚果民主共和国境内有卢旺达国防军部队，他们在从卢旺达边境进入刚果民主共和国后有时成纵队行进。卢旺达国防军部队占领了不同地区的阵地，专家组视察了其中一些阵地(见附件29)。居住在该地区的10名“3·23”运动/刚果革命军被俘战斗人员和目击者报告说，卢旺达国防军经常在“3·23”运动/刚果革命军前线营地附近设立支援阵地。空拍记录和图片证据证实，卢旺达国防军士兵出现在村庄、边境地区和“3·23”运动/刚果革命军阵地。士兵们穿着标准军服和携带标准装备(见附件30)。

49. 2022年5月和6月，卢旺达国防军对解放卢旺达民主力量(卢民主力量)在刚果民主共和国境内的阵地采取行动(见附件31)。卢旺达国防军还单方面或与“3·23”运动/刚果革命军战斗人员联合对刚果民主共和国武装部队阵地采取军事行动(见附件32和S/2022/479，第60-62段)。卢旺达国防军还在开展具体行动时为“3·23”运动/刚果革命军提供增援部队，特别是在这些行动意在夺取战略城镇和地区时。例如，2022年5月，“3·23”运动/刚果革命军和卢旺达国防军联合袭击了刚果民主共和国武装部队在鲁曼加博的营地，并于2022年6月攻占了布纳加纳(另见附件16)。

50. 2022年10月30日，刚果民主共和国政府发言人提出谴责，表示“最近几天观察到大量卢旺达国防军人员前去支持“3·23”运动恐怖分子对刚果民主共和国武装部队发动总攻”，而无人机拍摄的视频也证实了这一点(见附件33)，并随后宣布驱逐卢旺达驻金沙萨大使文森特·卡雷加。

51. 在专家组要求提供资料后，卢旺达政府表示，卢旺达国防军从未“出于任何原因”越过与刚果民主共和国的边界，并拒绝接受关于支持“3·23”运动/刚果革命军的指控，认为这是“旨在将刚果民主共和国内部失败的责任嫁祸于卢旺达”。卢旺达政府还强调，卢旺达从来没有、也无意为“3·23运动”/刚果革命军在其领土上和在该区域招募人员提供便利。

乌干达和“3·23”运动/刚果革命军危机

52. 2022年3月下旬，乌国防军部队阻止“3·23”运动/刚果革命军夺取布纳加纳。³² 相比之下，2022年6月12日，“3·23”运动/刚果革命军在卢旺达国防军的支持下袭击了布纳加纳的刚果民主共和国武装部队，“3·23”运动/刚果革命军战斗人员越过边界，不受阻碍地进入刚果民主共和国。在2012年已有关于一个类似情况的记录(S/2012/843，第35至55段)。³³

53. 到起草本报告时，仍有报告称“3·23”运动/刚果革命军战斗人员和新兵自由进出乌干达。乌干达告知专家组，乌干达境内的难民定居点中没有已知的“3·23运动”/刚果革命军战斗人员，乌干达“不容忍任何乌干达领土被用来破坏任何国家的稳定”。

炮击刚果民主共和国和卢旺达境内的民用物体

54. 刚果民主共和国武装部队和卢旺达国防军互相指责对方进行跨界炮击。专家组记录了几起炮击事件，波及到刚果民主共和国和卢旺达领土，造成平民死亡和(或)建筑物和基础设施受损(见附件34)。³⁴ 还记录了几起归咎于“3·23运动”/刚果革命军的炮击事件(见附件35)。

“3·23运动”/刚果革命军实施的杀戮、任意拘留、酷刑和其他虐待行为

55. 在鲁丘鲁县、特别是在“3·23”运动/刚果革命军占领的地区，抢劫、盗窃、勒索、绑架、酷刑、强奸和杀戮事件频繁发生。敌对行动在2022年10月20日恢复后，发生了新的平民伤亡和平民大规模流离失所。³⁵

56. 专家组记录了分别于6月21日和7月1日在Ruvumu和Ruseke地区发生的集体杀戮事件，其中包括妇女和儿童在内至少21名平民在试图逃跑时被“3·23”运动/刚果革命军即决处决或开枪射击。杀戮事件的幸存者说，战斗人员身穿军装，有些人说军装看起来很新，与刚果民主共和国武装部队的制服不同，还戴着头盔和身穿防弹背心，所有人都携带武器，讲基尼亚卢旺达语。鲁塞克大屠杀的一名幸存者描述说，他看到一些杀人的士兵所穿制服的肩章上有卢旺达国旗(见附件36)。³⁶

57. “3·23运动”/刚果革命军经常对前往位于“3·23运动”/刚果革命军控制区的农田的流离失所平民进行报复，指责他们与刚果民主共和国武装部队合作

³² 刚果民主共和国武装部队、民间社会、研究人员和联刚稳定团。

³³ 目击者、研究人员和刚果民主共和国武装部队的消息来源。

³⁴ 专家组进行了现场视察和图像分析，约谈了目击者/受害者、地方当局、武装团体领导人、刚果民主共和国武装部队消息来源。

³⁵ 五名前战斗人员、目击者、当地消息来源、民间社会、研究人员、联刚稳定团、刚果民主共和国武装部队和情报部门的消息来源。

³⁶ 证人、受害者、民间社会、医务人员、联刚稳定团消息来源意见文件和图片证据。

或从事间谍活动。他们常常被关押在“3·23 运动”/刚果革命军的各个营地，³⁷遭到殴打，有些人至死被关押在那里(见附件 37)。³⁸

58. 一些消息来源报告说，在“3·23”运动/刚果革命军控制区，身穿制服的士兵强奸了一些步行前去农田的妇女。在自家田间劳作的妇女还屡屡遭到身穿军装士兵的骚扰。³⁹

59. “3·23”运动/刚果革命军为了寻找医疗用品，抢劫其控制区的医疗中心。⁴⁰战斗人员还有计划地从田地里掠夺作物，并将其运到他们的营地，包括 Tshanzu 营地。⁴¹战斗人员强迫包括妇女和儿童在内的平民在地里干活或做杂务。⁴²

境内流离失所者危机

60. 刚果民主共和国武装部队与“3·23”运动/刚果革命军之间的战斗在鲁丘鲁县引发严重人道主义危机。⁴³自 10 月 20 日战火重起以来，鲁丘鲁县有逾 180 000 人流离失所，这使那里本已严重的人道主义危机更加恶化。⁴⁴

61. 2022 年 10 月初，专家组证实，基万加的鲁瓦萨二号境内流离失所者营地有 21 000 多名平民。几乎所有人之前逃离了“3·23”运动/刚果革命军控制的地区，并在 2022 年 3 月至 8 月期间在乌干达边境附近定居，没有进入政府建立的难民定居点。大多数人在拒绝乌干达政府提出的、在指定难民安置点重新定居的要求后，于 9 月初经由 Kitagoma 过境点从乌干达返回(见附件 38)。

62. 据在鲁瓦萨二号难民营约谈的目击者称，2022 年 8 月底，乌干达当局强行将难民从与布纳加纳边境的临时安置点驱逐出去。⁴⁵他们说，乌干达士兵毒打一些拒绝离开的境内流离失所者，并放火焚烧至少一个定居点(见附件 39)。⁴⁶

63. 到 10 月 29 日，当“3·23 运动”/刚果革命军占领基万加时，所有境内流离失所者都逃离了鲁丘鲁和基万加的营地和定居点。鲁瓦萨二号营地在几天内被拆除(见附件 40)。⁴⁷

³⁷ 被监禁在布纳加纳、穆萨巴、布吉纳和 Tshanzu 的平民提供的一些证人证词。

³⁸ 证人证词和民间社会。

³⁹ 民间社会、证人和医疗专业人员。

⁴⁰ 公民社会和目击者。

⁴¹ 证人及民间社会、刚果民主共和国武装部队和刚果国家警察的消息来源。

⁴² 民间社会消息来源、前“3·23”运动/刚果革命军招募人员和目击者。

⁴³ 人道主义事务协调厅，刚果民主共和国-北基伍，第 3 号最新情况：鲁丘鲁县的人口流离失所情况，2022 年 10 月 25 日。

⁴⁴ 同上。

⁴⁵ 境内流离失所者、目击者和民间社会。

⁴⁶ 已在秘书处存档的焚烧营地视频。

⁴⁷ 民间团体、当地消息来源和目击者。

为打击“3·23”运动/刚果革命军建立武装团体联盟以及与刚果民主共和国武装部队进行事实上的合作

64. “3·23”运动/刚果革命军的卷土重来促使活跃在北基伍的武装团体改变联盟关系，并在这些武装团体与刚果民主共和国武装部队之间形成新的动态。

65. 2022年5月，当地武装团体在平加集结，结成抵抗“3·23运动”/刚果革命军联盟。这次会议使敌对武装团体联合起来，其中包括受制裁个人 Guidon Mwisa Shimiray(CDi.033)领导的恩杜马保卫刚果民兵组织-革新派派系、Janvier Karairi Buingo 领导的自由独立刚果爱国者联盟、Dominique Ndaruhuste(别名 Domi)领导的促进变革运动联合会/保卫人民力量和让-马里·博纳内领导的尼亚图拉民兵-阿巴宗古派(刚果民族主义者捍卫人权联盟/人民保卫部队联盟)。⁴⁸ 卢民主力量的 Silencieux “上校”、卢民主力量的 Potifaro “上校”和刚果民主共和国武装部队的 Salomon Tokolonga 上校(第 3411 团)也在场(见附件 41)。2022年7月13日，“卡比多”领导的人民爱国力量/人民军加入联盟(见附件 42)。

66. 平加会议促成休战，因此，各武装团体互不攻击(见附件 43)并建立一个联盟，与刚果民主共和国武装部队共同打击“3·23”运动/刚果革命军及其盟友。据出席会议的证人说，武装团体领导人提议调集约 600 名战斗人员支持刚果民主共和国武装部队。

67. 此次会议后，武装团体领导人在若干文件、视频和音频信息中宣布调集其战斗人员打击“3·23”运动/刚果革命军(见附件 44)。外国和当地的武装团体，包括卢民主力量和爱国自卫运动等以前按兵不动的团体，也开始招募、训练和重新武装(见附件 45)。

68. 武装团体领导人、战斗人员和前战斗人员向专家组证实，他们单独或与刚果民主共和国武装部队共同与“3·23”运动/刚果革命军和(或)卢旺达国防军部队作战。证人证词、文件证据和图片/视频证据显示，2022年5月和6月，促进变革运动联合会/保卫人民力量、自由独立刚果爱国者联盟、卢民主力量、保卫刚果民兵组织-革新派和(或)爱国自卫运动的战斗人员在班布、鲁加里和鲁曼加博等地及其周围地区作战(见附件 46 和 47)。⁴⁹

69. 前战斗人员和现战斗人员、民间社会消息来源、地方主管部门和研究人员报告说，在平加会议之后，武装团体联盟成员多次从刚果民主共和国武装部队成员那里获得武器和弹药(见附件 48)。

70. 武装团体、特别是卢民主力量参与打击“3·23”运动/刚果革命军的行动受到“3·23”运动/刚果革命军和卢旺达政府的谴责(见附件 49)。该国政府向专家组表示，刚果民主共和国武装部队和卢民主力量之间的合作对卢旺达构成安全威胁。齐塞克迪总统谴责刚果民主共和国武装部队使用代理人，并于 2022年7月6日改组了北基伍的军队指挥部(见附件 50)。据武装团体领导人和战斗人员、联

⁴⁸ 见 S/2021/560，第 44 至 51 段。

⁴⁹ 经民间社会消息来源、地方当局、研究人员和情报部门消息来源证实。

刚稳定团、民间社会和刚果民主共和国武装部队的消息来源称，新任命的军事当局指示武装团体撤出前线，后者大多照办了。这在武装团体之间以及一些武装团体与刚果民主共和国武装部队之间再次引发紧张局势和对抗(见附件 51)。然而，在“3·23”运动/刚果革命军于 2022 年 10 月 20 日恢复敌对行动后，“3·23”运动/刚果革命军在 Rugari 和 Mwenda 等地与刚果民主共和国武装部队、卢民主力量 and 爱国自卫运动发生冲突，并在马西西县的 Kasiru 与促进变革运动联合会/保卫人民力量发生冲突。⁵⁰

71. 专家组关切地注意到，这种调集武装团体与“3·23 运动”/刚果革命军作战的做法对遵守和执行《解除武装、复员和社区恢复与稳定方案》构成挑战。附件 52 提供了关于该方案的补充信息。

三. 针对讲卢旺达语民众的暴力和仇恨言论

72. 在“3·23”运动/刚果革命军卷土重来和加强行动的背景下，专家组记录了仇外和仇恨言论出现令人担忧的扩散，这些言论意在针对被视为支持“3·23”运动/刚果革命军的讲卢旺达语民众、特别是巴尼亚穆伦格族和图西族煽动歧视、敌意和暴力行为，有时导致包括杀戮在内的暴力行为。⁵¹

73. 这类言论在全国范围内传播，要么是在示威活动中，要么是国防、安全或政治人物、民间社会行为体和刚果散居国外者通过传统媒体和社交媒体发表的公开讲话中。北基伍副警察总监 Aba Van Ang 煽动平民拿起大砍刀“对付敌人”，一位前部长和前任议员 Justin Bitakwira 呼吁每个刚果人都要指认“渗透分子”。一些人也散布这种言论，以有选择地打击讲卢旺达语社区的成员和被认为讲卢旺达语的人(见附件 53)。

74. 社交媒体上的多个音频和视频以及各种信息明确呼吁民众将“卢旺达人”赶出刚果民主共和国和/或杀死他们(见附件 54)。专家组记录了对讲卢旺达语的个人实施有针对性暴力行为或公开实施私刑的事件(见附件 55)。

75. 北基伍和南基伍的巴尼亚穆伦格族和图西族成员报告说，有人、包括一些刚果民主共和国武装部队成员告诉他们，由于他们的面部特征、体形和语言，他们不是刚果民主共和国公民。他们被指控支持“3·23”运动/刚果革命军和(或)卢旺达，并被告知应该返回卢旺达。有时，有人威胁用大砍刀砍他们。关于卢旺达对刚果民主共和国政治和行政当局以及该国安全和国防部队进行“渗透”的谣言也在流传(见附件 56)。

⁵⁰ 武装团体领导人、战斗人员及刚果民主共和国武装部队和联刚稳定团的消息来源。

⁵¹ 目击者、受害者、研究人员、民间社会、刚果民主共和国武装部队、联刚稳定团消息来源、书面证据、视频和音频记录、图片和社交媒体上流传的消息。

76. “3·23”运动/刚果革命军公开谴责散布针对讲卢旺达语民众的仇外和仇恨言论，并以此作为其行动的理由(见附件 57)。卢旺达政府还谴责持续不断的针对刚果民主共和国境内讲卢旺达语民众的仇恨言论(见附件 58)。

77. 刚果民主共和国政府和官员公开谴责仇外和仇恨言论以及煽动歧视、敌意和暴力的言论。专家组欢迎齐塞凯迪总统在 10 月 29 日向刚果人发出信息，告诫“不要屈服于仇外和其他仇恨言论或对讲卢旺达语社区的污蔑”(见附件 59)。

四. 煽动反对联合国组织刚果民主共和国稳定特派团和袭击维和人员

78. 7 月 15 日，刚果民主共和国参议院议长 Modeste Bahati Lukwebo 公开呼吁联刚稳定团撤出刚果民主共和国，随后媒体发表大量反联刚稳定团言论，几天后，刚果民主共和国东部(包括戈马、布滕博和乌维拉)爆发暴力示威。⁵² 7 月 22 日至 27 日，联刚稳定团的几个基地和联合国工作人员的房屋遭到袭击、抢劫或烧毁。2022 年 7 月 26 日，一名联合国维和人员和两名联合国警察在布滕博被打死，一人受伤。⁵³ 在抗议活动中，至少有 16 名平民死亡，70 多人受伤。

79. 抗议活动的动员者和推动者包括政治家、民间社会成员和社区领袖以及刚果散居国外者。⁵⁴ 示威活动有良好的组织和协调，意图攻击联刚稳定团的每一个阵地，焚烧所有带有联合国标志的东西。⁵⁵

80. 有一致证据表明，Veranda Mutsanga/Goma 团体的领导人 Ricky Paluku、刚果民族运动的 Eric “Lucky” Bwanapuwa Mumbere 和“积极一代”团体的领导人 Jimmy Nzialy Lumangabo 是戈马发生的暴力抗议活动的组织者(见关于压力集团和抗议活动的组织的附件 60)。

81. 2022 年 7 月以来，反对联刚稳定团的言论以及对联合国车队的系统性攻击、向联合国车辆投掷石块和恐吓联合国工作人员的行为持续不断(见附件 61)，严重扰乱了联刚稳定团的行动能力。

五. 伊图里(省)

A. 刚果发展合作社

82. 刚果发展合作社仍然是朱古县最活跃的武装团体之一。刚果发展合作社各派系的领导层和架构保持不变(S/2022/479, 第 84-86 段)，另一方面，刚果发展合作社/保卫刚果人民革命联盟除了与刚果人民革命军的关系紧张外，巩固了其对刚果

⁵² 参议院议长的讲话在社交媒体上广泛流传。

⁵³ 见 <https://press.un.org/en/2022/sgsm21384.doc.htm>。

⁵⁴ 联刚稳定团、民间社会、社区领袖、目击者和图片证据。

⁵⁵ 参与组织示威的证人。

发展合作社其他派别，特别是对“上帝保佑”、反对刚果巴尔干化保卫力量和刚果解放军的影响力，成为其他派别在事实上的伞式组织。⁵⁶ 因此，刚果发展合作社/保卫刚果人民革命联盟代表各派系发言和谈判(包括释放人质问题)，并就行动发出指示。

83. 2022年6月和7月，刚果发展合作社/保卫刚果人民革命联盟分别代表“上帝保佑”和刚果解放军两个派别签署一项接触法案，因为二者同意与刚果发展合作社/反对刚果巴尔干化保卫力量结束敌对行动。在这一过程中，刚果发展合作社/保卫刚果人民革命联盟加强了对后者的影响力。

领土控制、攻击和资源

84. 2022年8月，由于Ndalo的知名人士强烈反对刚果发展合作社/保卫刚果人民革命联盟的暴力做法，该团体将总部从Ndalo迁往瓦伦杜皮西区克潘德罗马以南的吉巴，其大部分领导人都搬迁到那里。⁵⁷

85. 刚果发展合作社各派系扩大了活动范围。保卫刚果人民革命联盟的五个旅在朱古、马哈吉和伊鲁穆部分地区积极活动。⁵⁸ 由于刚果民主共和国武装部队第3308团为了打击“3·23”运动/刚果革命军于2022年6月撤出，刚果民主共和国武装部队兵力薄弱，这使得这种扩张成为可能(第19段)。扩张的目的还在于控制蒙瓦卢周围的采矿场(见第93-96段)，以及打击从乌干达向艾伯特湖进行的武器贩运，以使扎伊尔受益。⁵⁹

86. 尽管刚果发展合作社各派别明确承诺遵守《解除武装、复员和社区恢复与稳定方案》，但它们继续攻击刚果民主共和国武装部队、扎伊尔和平民(S/2022/479，附件48)。大量袭击公路乘客和绑票的事件被认为是刚果发展合作社各派系所为，主要发生在东朱古县。⁶⁰ 暴力袭击特别是集中在蒙瓦卢周围的矿区，目标是扎伊尔人员和被认为支持扎伊尔的平民，这延续了以前观察到的趋势(见附件62和S/2022/479，第82和87-92段)。⁶¹

B. 扎伊尔

87. 扎伊尔(又称伊图里人民自卫阵线)继续逐步发展成为一个有组织的武装团体。据一些消息来源称，扎伊尔的野心是成为一个政治运动。⁶² 总部设在西朱古省Nyaka和Mbidjo的扎伊尔继续积极招募和训练战斗人员，从而壮大了队伍

⁵⁶ 刚果发展合作社/保卫刚果人民革命联盟领导人、前战斗人员和刚果民主共和国武装部队。

⁵⁷ 民间社会、国家情报局、刚果民主共和国武装部队和前战斗人员。

⁵⁸ 刚果发展合作社、联刚稳定团、民间社会和情报部门消息来源。

⁵⁹ 扎伊尔战斗人员、民间社会和情报部门消息来源。

⁶⁰ 刚果民主共和国武装部队、民间社会和情报部门消息来源。

⁶¹ 同上。

⁶² 扎伊尔战斗人员、地方当局、刚果民主共和国武装部队、情报部门消息来源、民间社会和联刚稳定团消息来源。

(S/2022/479, 第 101 段)。到起草本报告时, 扎伊尔还没有加入《解除武装、复员和社区恢复与稳定方案》。

88. 据扎伊尔和刚果发展合作社战斗人员、地方当局和情报来源称, 自 2022 年 5 月以来, 受制裁的个人 Yves Khawa Panga Mandro(Cdi.009)争取成为扎伊尔的主要领导人。⁶³ Khawa 在扎伊尔的崛起和重组中发挥了关键作用。Yves Khawa 与扎伊尔军事指挥官 Zawadi Vajeru(S/2022/479, 第 102 段)一起训练战斗人员, 并建立了一个武器贩运网络, 在乌干达境内向扎伊尔供应武器。⁶⁴ 两名战斗人员证实, 2022 年 8 月, 扎伊尔在 Tchomia 收到武器弹药, 并在 Damas 交给扎伊尔领导人。⁶⁵

89. 至少自 2022 年 7 月以来, 扎伊尔的行动方式从报复或自卫行动转变为对蒙布瓦卢矿区周围的刚果发展合作社派系进行大规模袭击。8 月 6 日, 扎伊尔对姆比乔的伦杜族平民发动袭击, 造成至少 26 人死亡, 以报复刚果发展合作社的袭击(见附件 63)。这是在本报告所述期间, 扎伊尔对平民发动的唯一一次大规模袭击。

90. 9 月 27 日, 扎伊尔战斗人员将 5 名刚果国家警察官员和 6 名刚果民主共和国武装部队人员扣为人质, 并摧毁了刚果国家警察和刚果民主共和国武装部队在达拉的办公室(S/2022/479, 第 101 段)。⁶⁶ 次日, 刚果民主共和国当局释放了扎伊尔的囚犯, 扎伊尔则作为交换释放了人质。

91. 扎伊尔继续受益于“G-5”的支持, 这是一个由五个社区的代表组成的平台, 主要是阿卢尔人、希马人、尼亚利人、曼比萨人和恩多-奥克波人。⁶⁷ “G-5”继续通过自愿和强制捐款调动财政资源, 支持扎伊尔的活动。⁶⁸

C. 黄金

92. 刚果发展合作社各派别和扎伊尔继续通过非法征税, 例如在检查站和通过控制矿区进行非法征税, 为其活动提供资金(S/2022/479, 第 107-115 段)。还记录了刚果民主共和国武装部队人员参与非法采金活动的几起事件。

⁶³ 扎伊尔和刚果发展合作社战斗人员、地方当局、联刚稳定团、情报部门消息来源和熟悉 Khawa 的消息来源。

⁶⁴ 情报部门消息来源、刚果民主共和国武装部队消息来源、前战斗人员和民间社会。

⁶⁵ 情报部门消息来源、刚果民主共和国武装部队消息来源、前战斗人员、民间社会和两个证人。

⁶⁶ 情报部门消息来源、刚果民主共和国武装部队消息来源、前战斗人员和民间社会。

⁶⁷ 扎伊尔战斗人员、地方当局、刚果民主共和国武装部队、情报部门消息来源、民间社会和联刚稳定团消息来源。

⁶⁸ 同上。

刚果发展合作社各派别和扎伊尔

93. 已记录的在采金点及其周围、特别是在 Mongbwalu 和 Nizi 发生的大量武装冲突反映了这两个武装团体在采矿业中的利益。2022 年 7 月至 9 月，联刚稳定团记录了至少 30 起冲突。⁶⁹

94. 来自伊图里省矿业管理局的三个消息来源告诉专家组，因为朱古县的大多数矿区受刚果发展合作社或扎伊尔控制，他们一年多来一直未能进入这些矿区，专家组查明 59 个受武装团体控制的采矿中心，⁷⁰ 其中大都受刚果发展合作社各派系控制，其次是扎伊尔(见附件 64)。

95. 武装团体在其控制的矿区要么非法向挖掘者征税，要么自己在矿坑挖掘。⁷¹ 武装团体控制区出产的黄金大都在这些矿区卖给来自布尼亚的商人，有时直接卖给设在该市的其他经济行为者。⁷² 专家组继续调查参与刚果民主共和国境内和境外黄金贸易的实体和个人。

96. 活跃在朱古的武装团体继续利用路障对货物和人员征税(见附件 65)。它们还向其控制地区经营的经济行为者征税。在刚果发展合作社/保卫刚果人民革命联盟给设在 Kpandroma 的刚果企业联合会的一封信中，要求经济行为者支付 5 000 美元支持该运动。除其他人外，该信的签署人包括刚果发展合作社/保卫刚果人民革命联盟负责行动的副参谋长 Sengedhu Madro Jiba “将军”(见附件 66)。两名驻朱古的联邦选举委员会成员证实，这种付款是标准做法，违反了制裁制度。

刚果民主共和国武装部队的参与

97. 若干消息来源提到，专家组自 2017 年以来报告说，一些刚果民主共和国武装部队人员持续违反采矿和军规参与采金。⁷³ 专家组还记录了刚果民主共和国武装部队人员与武装团体在检查站协同进行收税的情况。伊图里省军政府省长否认存在这种协作。⁷⁴

98. 专家组还收集了关于刚果民主共和国武装部队人员与一些外国经营的采矿公司、特别是在 Nizi 和 Bwanga 的公司达成的交易的信息(另见第 101 段)。

99. 2022 年 10 月，专家组证实，刚果民主共和国武装部队第 32 军区的人员驻扎在 Kpatakpata 河附近、距离 Nizi 中心两公里的 Luba 半工业矿区。⁷⁵ 据矿业当局

⁶⁹ 秘书处存档的报告。

⁷⁰ 其中包括数百个采矿点。

⁷¹ 了解朱古县采矿部门情况的个人。

⁷² 民间社会、矿业官员以及朱古和布尼亚的经济行为者。

⁷³ 民间社会、矿业官员以及朱古和布尼亚的经济行为者。

⁷⁴ 2022 年 10 月与专家组的会议。

⁷⁵ 2022 年 10 月专家组对尼齐地区的访察。

和尼齐民间社会称，这些刚果民主共和国武装部队人员保护与刚果伊图里矿业合作社合作的外国行为者的利益，还向当地淘金者征税。⁷⁶

100. 驻扎在矿区的刚果民主共和国武装部队指挥官拒绝答复专家组的询问。Nizi 的两个消息来源告诉专家组，刚果民主共和国武装部队士兵在伊图里省军政府省长组织的调查任务失败后返回采矿场。

101. 8月11日，刚果发展合作社的“上帝保佑”成员袭击了 Bwanga 村附近的一个采矿点，打死刚果民主共和国武装部队第 3101 团负责保护采矿者利益的两名成员(见附件 67)。

六. 南基伍

A. 布隆迪国防军的部署情况和对武装团体的影响

102. 2022年8月，布隆迪武装部队正式部署在南基伍，最初为期3个月，目的是与刚果民主共和国武装部队开展打击武装团体的联合行动。这一部署是根据布隆迪和刚果民主共和国之间的双边协定进行的，而不是最初所说的(见附件 69 和 70)在东非共同体区域部队部署的范围内进行的(见附件 68)。⁷⁷ 根据专家组的文件(S/2022/479, 第 162-168 段)，布隆迪国防军(布国防军)至少从 2021 年起根据这项协议正式部署在刚果民主共和国。专家组回顾，外国部队参与刚果民主共和国境内的军事行动必须事先通知安全理事会关于刚果民主共和国的第 1533(2004)号决议所设委员会，但布隆迪政府没有这样做。⁷⁸

103. 到起草本报告时，布国防军-刚果民主共和国武装部队的联合行动只针对活跃在南基伍的布隆迪武装团体，特别是争取布隆迪法治抵抗运动(法治塔巴拉)和民族解放力量(民解力量)。然而，虽然布国防军过去的行动主要是针对法治塔巴拉，但从 2022 年 9 月起，布国防军-刚果民主共和国武装部队的行动重点转向民解力量(见附件 71)。几个消息来源报告说，在将重点转移到民解力量之前，民解力量领导人恩扎班佩马最近与布隆迪前总理阿兰-纪尧姆·布尼奥尼进行了接触。后者被布隆迪政府指控于 2022 年 9 月在该国发动未遂政变。⁷⁹

104. 在与布国防军-刚果民主共和国武装部队发生冲突后，法治塔巴拉和民解力量各自逃往姆文加县 Itombwe 森林。布国防军-刚果民主共和国武装部队在追剿过程中将其行动区从鲁齐齐平原扩大到上高原。这引发了武装团体之间新的紧张关系，因为法治塔巴拉和民解力量被驱赶到有大量马伊-马伊民兵的地区。例如，

⁷⁶ 每人 3 美元，相当于其每天产量的一半。

⁷⁷ 情报部门消息来源、民间社会和联刚稳定团消息来源。

⁷⁸ 第 1807(2008)号决议第 5 段，经第 2293(2016)号决议第 1 段和第 2641(2022)号决议第 1 段延长。

⁷⁹ 一个情报部门消息来源、研究人员和接近南基伍武装团体的消息来源。

2022年9月下旬，法治塔巴拉在通过基普普撤退时，与保卫刚果爱国者力量发生冲突。⁸⁰

105. 布国防军在行动中继续使用远望者民兵(S/2022/479, 第162-168段)。⁸¹远望者民兵与布国防军部队合并，而且为了不引起注意，在越过边界之前获得了布国防军制服。⁸²

106. 在这些行动中，布国防军和刚果民主共和国武装部队还与刚果武装团体合作，这些团体充当侦察兵或代理人，而且(或者)在冲突中加入这些团体。其中包括玛伊-玛伊民兵基扬加拉派、玛伊-玛伊民兵布希尔瓦派和古米诺派，布国防军过去曾与它们合作(S/2022/479, 第166段)。⁸³ Fureko 上校是古米诺派的一名指挥官和前刚果民主共和国武装部队成员，是布国防军-刚果民主共和国武装部队与古米诺派合作的主要协调人。布国防军或刚果民主共和国武装部队也与其他马伊-马伊民兵和自卫团体接触，特别是在需要这些团体支持的地区追踪法治塔巴拉和民解力量时。⁸⁴ 甚至一些直到最近还与法治塔巴拉和民解力量并肩作战的马伊-马伊团体，例如马伊-马伊 Kashumba 派、Rushaba 派和 Makanaki 派，⁸⁵ 也开始支持布国防军-刚果民主共和国武装部队的行动(S/2022/479, 第166段和附件81)。⁸⁶ 作为交换，这些武装团体得到制服和弹药，有时还得到现金。⁸⁷

107. 若干消息来源报告说，法治塔巴拉和特韦瓦内霍为一方，民解力量和特韦瓦内霍⁸⁸ 为另一方，双方结成联盟，以应对布国防军-刚果民主共和国武装部队的军事压力。⁸⁹ 特韦瓦内霍对布国防军的正式部署感到关切，因此加紧招募人员(包括未成年人)并购置武器(见附件72)。⁹⁰ 然而，到在起草本报告时，特韦瓦内霍并不是布国防军-刚果民主共和国武装部队行动的打击目标。

⁸⁰ 一个情报部门消息来源、研究人员、接近南基伍武装团体的消息来源、刚果民主共和国武装部队、民间社会和联刚稳定团消息来源。

⁸¹ 情报部门消息来源、研究人员、民间社会、南基伍武装团体附近的消息来源和联刚稳定团消息来源。

⁸² 情报部门消息来源、一名研究人员及民间社会和联刚稳定团的消息来源。

⁸³ 刚果民主共和国武装部队、情报部门消息来源、一名研究人员、民间社会、南基伍武装团体附近的消息来源和联刚稳定团消息来源。

⁸⁴ 情报部门消息来源、研究人员、民间社会、南基伍武装团体附近的消息来源和联刚稳定团消息来源。

⁸⁵ 其领导人死亡以前被称为 Mushombe 派。

⁸⁶ 情报部门消息来源、研究人员、民间社会、南基伍武装团体附近的消息来源和联刚稳定团消息来源。

⁸⁷ 同上。

⁸⁸ 刚果民主共和国武装部队、情报部门消息来源、研究人员、民间社会和联刚稳定团消息来源。

⁸⁹ 同上。

⁹⁰ 情报部门消息来源、民间社会、一名研究人员和联刚稳定团消息来源。

B. 特韦瓦内霍在米内姆布韦杀害一名维和人员

108. 9月30日晚,6名被认为是特维尔瓦内霍武装团体的战斗人员在菲齐县米内姆布韦的联刚稳定团基地⁹¹ 诈降⁹² 后杀害一名维和人员。当一名维和人员上前去拿一名战斗人员交出的武器时,另外五人开枪打死了这名维和人员。维和人员予以还击,但所有袭击者逃脱。来自巴基斯坦的联合国维和人员不久身亡(见附件 73)。⁹³

109. 专家组收到的旁证信息表明,这次袭击是由特韦瓦内霍武装团体策划的,特别是由 Charles Sematama(S/2022/479,第 156 段)和其他巴尼亚穆伦格族领导人(包括 Saint Cadet Ruvuzangoma)策划的。⁹⁴ 袭击者在袭击前与联刚稳定团联系,表示他们打算投降和复员,⁹⁵ 这进一步证明袭击是有预谋的。

110. 根据一些消息来源,这次袭击的可能动机是特韦瓦内霍武装团体公开表示反对依照《解除武装、复员和社区恢复与稳定方案》开展的活动。⁹⁶ 自 2022 年 7 月以来,联刚稳定团的记录显示,由于投降人数众多,特维尔瓦内霍武装团体在米内姆布韦落实该方案的情况表现出越来越多的敌意。⁹⁷

111. 特韦瓦内霍武装团体否认对此次袭击负责(见附件 74)。

112. 2022 年 10 月 5 日,一群疑似属于特韦瓦内霍武装团体的人再次向米内姆布韦联刚稳定团基地开火,但没有人员伤亡的报告(见附件 75)。

113. 专家组回顾,针对联刚稳定团维和人员或联合国人员的蓄意袭击是应受到定向制裁的行为。

⁹¹ 布卡武西南 162 公里。

⁹² 刚果民主共和国武装部队、接近南基伍武装团体的消息来源、民间社会和联刚稳定团消息来源。

⁹³ 联刚稳定团的消息人士。

⁹⁴ 刚果民主共和国武装部队、民间社会和联刚稳定团消息来源。

⁹⁵ 刚果民主共和国武装部队和联刚稳定团消息来源。

⁹⁶ 刚果民主共和国武装部队、接近南基伍武装团体的消息来源、民间社会以及地方和联刚稳定团消息来源。

⁹⁷ 同上。

七. 建议

114. 专家组提出以下建议。

刚果民主共和国政府

115. 专家组建议刚果民主共和国政府：

(a) 采取一切必要措施，在武装团体存在的地区保护平民，其中包括在被调去打击“3·23”运动/刚果革命军的部队撤出的地区，特别是在朱古、马哈吉、伊鲁穆、贝尼和卢贝罗等县(见第 13-15、19、33、55-59、72-77、85-86 和 89 段)；

(b) 采取一切措施，防止刚果民主共和国武装部队人员与武装团体合作，特别是在鲁丘鲁县和尼拉贡戈县(见第 64-71 段和第 97-101 段)；

(c) 谴责仇外、仇恨言论和基于种族或族裔原因煽动针对任何人或群体的暴力行为，并将责任人绳之以法(见第 72-77 段)；

(d) 谴责暴力行为和呼吁针对联刚稳定团实施暴力的宣传，并将责任人绳之以法(见第 78-81 段)；

(e) 调查和起诉在朱古县参与非法征税和采金的刚果民主共和国武装部队人员(见第 97-101 段)；

(f) 监测 11 月 3 日总动员以来刚果民主共和国武装部队的招募情况，包括通过执行审查程序(见第 34 段)；

(g) 重振与有关武装团体的协商，以致力于落实《解除武装、复员、社区恢复和稳定方案》(见第 71、86、87 和 110 段)。

安全理事会关于刚果民主共和国的第 1533(2004)号决议所设委员会

116. 专家组建议安全理事会关于刚果民主共和国的第 1533(2004)号决议所设委员会：

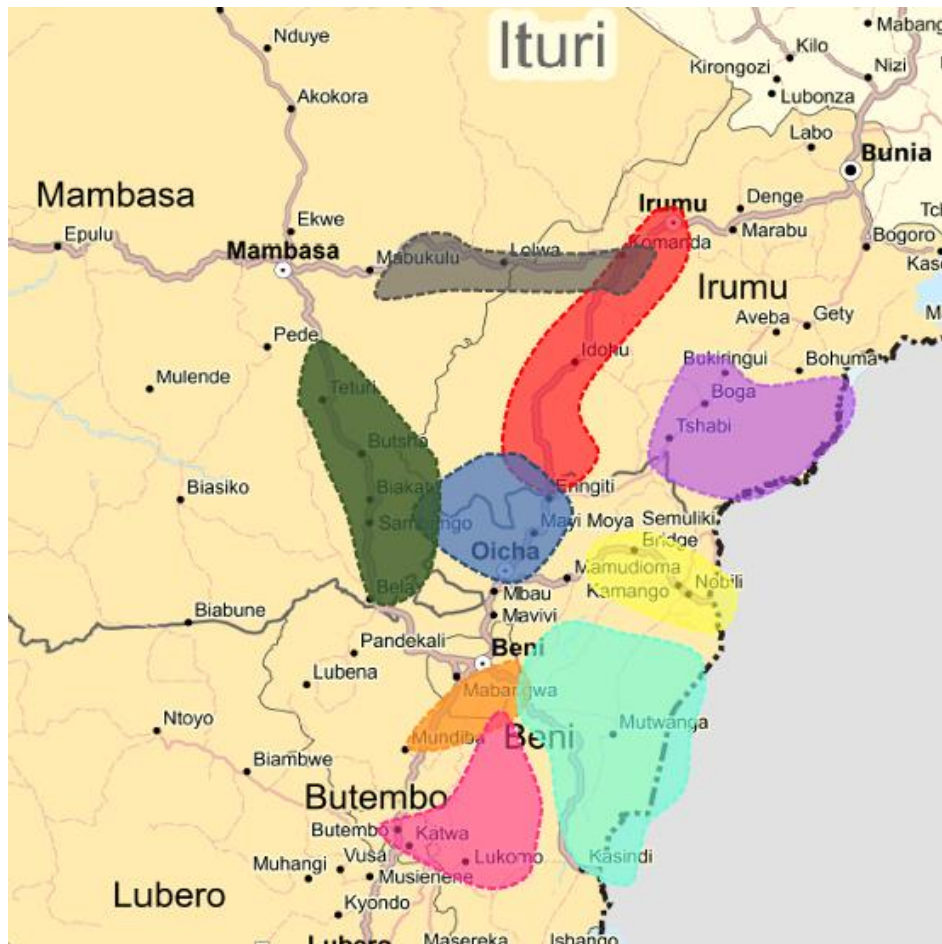
(a) 敦促该区域各国履行义务，在向果民主共和国部署任何部队时，包括在东非共同体区域部队范围内部署部队时，事先通知委员会(见第 102 段)；

(b) 敦促刚果民主共和国邻国政府，包括卢旺达和布隆迪，防止向活跃在刚果民主共和国的武装团体提供支持(见第 47-51 段和第 102-107 段)。

Annex 1

Map of ADF areas of operations

Carte des zones d'opérations des ADF



Red: attacks along RN4 (Luna-Komanda)

Grey: attacks along Mambasa-Komanda road

Purple: attacks around Boga-Tchabi

Green: attacks in Mambasa territory (mainly along RN44 road)

Blue: attacks around Mamove and border Ituri

Orange: attacks around Beni town and South-West of Beni

Pink: attacks in Bashu *chefferie*

Light green: attacks in Rwenzori sector

Yellow: attacks in Watalinga *chefferie*

Map provided to the Group by MONUSCO and annotated by the Group

Annex 2

Butembo prison break

Evasion de prison à Butembo

On 10 August 2022, ADF attacked the Kakwangura prison in Butembo, freeing over 800 detainees, many of whom were subsequently forcefully recruited. The jailbreak was aimed at liberating ADF combatants and collaborators, as well as recruiting on a large scale.¹

This was the third ADF mass recruitment in the last two years reinforcing ADF ranks. To recall, in October 2020 ADF attacked the Kangbayi prison (see S/2021/560, para. 28) and the Group reported on the recruitment of Hutu youth in Ituri in 2021 (see S/2022/479, paras 30 - 33). Moreover, this was the third ADF attack against prisons in the last years, with the Kangbayi prison break freeing around 1,200 detainees, and another attack in February 2022 against the prison of Nobili² when about 20 detainees were freed.

Although the FARDC originally claimed that the Butembo prison attack had been conducted by a Mai-Mai group,³ the Group confirmed that the attack was organized and led by ADF.⁴ According to six sources, similar to the Kangbayi jailbreak in October 2020, Amigo (see S/2021/560, para 28 and annexes 4 and 19; S/2022/479, paras 28 and 42) led the attack after he had left his camp in Mwalika.⁵

In addition, the Butembo attack was claimed by Da'esh the next day, which also published two videos of the jailbreak and of the detainees gathered in an ADF camp, reportedly in Mwalika (see below).

Several weeks before the attack on Kakwangura prison in Butembo, security and intelligence sources had warned the local authorities in Beni of a possible attack against Kangbayi's prison. As a result, several ADF detainees were transferred to Kinshasa and the security of the prison reinforced.⁶ This might have led ADF to decide to attack Butembo's prison instead. The attack also took place in a context of unrest and breakdown of law and order in Butembo following anti-MONUSCO demonstrations in the days prior to the attack.

The attack started around 2 a.m. after about 80 ADF combatants entered Butembo town.⁷ The assailants arrived from the direction of the Mwalika camps and attacked other targets around the prison to divert attention.⁸ The assailants were heavily armed with AK-type assault rifles and PKM machine guns. They opened the doors with a chainsaw, as they had done during the Kangbayi jailbreak and rushed all the detainees out of the prison building in about 15 minutes.⁹ The Da'esh communiqué published on 12 August (see below) describes this attack in more detail. The attack appeared to be coordinated. During the attack, five ADF combatants and two police officers who were guarding the entrance were killed, and one FARDC soldier injured.¹⁰ Several ADF combatants were also captured and burnt alive by the population.¹¹

While leaving Butembo, and in the days following the jailbreak, ADF abducted and killed other civilians, including during attacks against villages on their way back to Mwalika camps, where they resupplied.¹²

Out of the 800 prisoners, about 300 prisoners were recaptured in the next days. About 400 to 600 prisoners were taken by force by ADF, similarly to the Kangbayi jailbreak during which detainees were ordered to follow ADF under death threats.¹³

¹ ADF collaborator, FARDC, intelligence, researchers and MONUSCO sources.

² Close to Operation Shuja headquarters.

³ <https://www.radiookapi.net/2022/08/10/emissions/dialogue-entre-congolais/evasion-massive-des-detenus-de-la-prison-centrale-de> See first comments of FARDC spokesperson, Capt Antony Mwalushayi

⁴ ADF collaborator, FARDC, intelligence, civil society, researchers and MONUSCO sources.

⁵ ADF collaborator, FARDC, intelligence, researchers and MONUSCO sources.

⁶ Idem.

⁷ Idem.

⁸ FARDC, intelligence, researchers and MONUSCO sources.

⁹ ADF collaborator, FARDC, intelligence, researchers and MONUSCO sources.

¹⁰ FARDC, intelligence, researchers and MONUSCO sources.

¹¹ ADF collaborator, FARDC, intelligence, researchers and MONUSCO sources.

¹² Idem.

¹³ Idem.

On the way to ADF camps and subsequently, some of these detainees were able to escape and others were executed, according to accounts from detainees who escaped and/or were arrested during attacks conducted later by ADF in which they participated, as for example in Maboya in October (see para 15 and annex 5).

Pictures and videos published by Da'esh on the Kakwangura jailbreak:



Translation: The warriors of the Islamic state infiltrated yesterday (10/08) the central prison of “Kakwanjora” in the town of Butembo in the province of North Kivu, East of Congo, and they succeeded in liberating tens of Muslim detainees.

Above: Da'esh claim of responsibility published on 11 August 2022



Above: Screenshot of video published by Da'esh on 17 August 2022. Detainees are being rushed out by ADF combatants who scream “*Allah Akbar*”,¹⁴ as well as *Dawlah al Islam (Dawlah islamiyyah)*,¹⁵ which was responded to by “*Baqiya*”¹⁶ which is one of Da'esh's slogans (see S/2021/560, annex 19).

¹⁴ Translation: God is the greatest

¹⁵ Translation: Islamic State

¹⁶ Translation: Remaining





Above: Screenshots of a video published by Da'esh on 17 August 2022 showing the detainees escaping from the prison in Butembo, (same video as above) and then some of the detainees in an ADF camp converting and being lectured by ADF combatants.

مقاتلو الدولة الإسلامية يقتحمون سجن "كاكوانجورا" المركزي بمدينة "بوتيمبو" شرقي الكونغو، ويحررون عشرات الأسرى المسلمين

أعماق
الإخبارية
AMAQ NEWS AGENCY



الكونغو - كيفو الشمالية - وكالة أعماق: نجح مقاتلو الدولة الإسلامية مجدداً في اقتحام سجن مركزي تديره الحكومة الكونغولية بعد تحييد حراسه. وقالت مصادر أمنية لوكالة "أعماق" إن مقاتلي الدولة الإسلامية شنوا هجوماً منسّقاً فجر الأربعاء (10 أغسطس) على سجن "كاكوانجورا" المركزي في مدينة "بوتيمبو" بمقاطعة "كيفو الشمالية" شرقي الكونغو، استخدموا فيه الرشاشات الثقيلة. وأضافت المصادر أنّ المقاتلين انقسموا إلى ثلاث مجموعات: الأولى هاجمت ثكنة الحراسة وقتلت عنصرين على الأقل وفرّ بقية الحراس، والمجموعة الثانية اقتحمت السجن بعد كسر أبوابه وإحراق أجزاء منه، في حين انتشرت مجموعة ثالثة على الطريق المؤدي إلى مدينة "بوتيمبو" بهدف قطع أي إمدادات محتملة للعدو. وأكدت المصادر أنّ المقاتلين نجحوا في تحرير عشرات أسرى المسلمين، لتبدأ مهمة الإخلاء والانسحاب عبر توزيع الأسرى المحررين على مجموعات منفصلة. وهذه هي المرة الثانية التي يقتحم فيها مقاتلو الدولة الإسلامية في الكونغو سجناً مركزياً، بعد أن اقتحموا سابقاً سجن "كانغباي" المركزي في "بيني".

12 أغسطس 2022

Da'esh communiqué published on 12 August 2022 which explains that the jailbreak was led by three ADF groups, the first one attacking the guards, killing two of them; the second one breaking the doors of the prison and the third one on the roads around Butembo impeding the arrival of reinforcement.

Annex 3

ADF attack on Kyamata village on 1 October 2022 (6 km south of Boga)¹⁷

Attaque des ADF contre le village de Kyamata (6 km au sud de Boga) le 1er octobre 2022¹⁸

Kyamata, a village in the Banyali Tchabi *chefferie*, in the south of Irumu territory, situated approximately 6 km south of Boga town (see map below), was attacked by ADF on 1 October 2022 at around 7 p.m. local time. The ADF assailants killed at least 13 civilians and abducted at least four others, including two children. They burned down 36 homes and looted cattle and property.

The victims were all members of the Hutu Banyabwisha community. The Group obtained the identities of the 13 victims killed and the 4 abductees. The names are not mentioned in this report to protect the identity of the abductees and of the surviving family members of the victims. The gender and age of the victims is as follows:

Civilians killed:

1. Male, 38 years old
2. Male, 14 years old
3. Male, 15 years old
4. Male, 20 years old
5. Male, 18 years old
6. Male, 56 years old
7. Male, 18 years old
8. Male, 18 years old
9. Male, 22 years old
10. Male, 18 years old
11. Male, 18 years old
12. Female, 29 years old
13. Female, 36 years old

Civilians abducted:

1. Male, 7 years old
2. Male, 7 years old
3. Male, 18 years old
4. Female, 18 years old

UPDF and FARDC troops present in Boga area in the context of Operation Shuja intervened and pursued ADF back into the bush.¹⁹ Two UPDF soldiers were allegedly injured by an IED.²⁰ According to local sources, reported in the media, the attackers came from the Tondoli *groupement*.²¹

¹⁷ MONUSCO sources, humanitarian sources, FARDC, local sources/witnesses, researchers, local media.

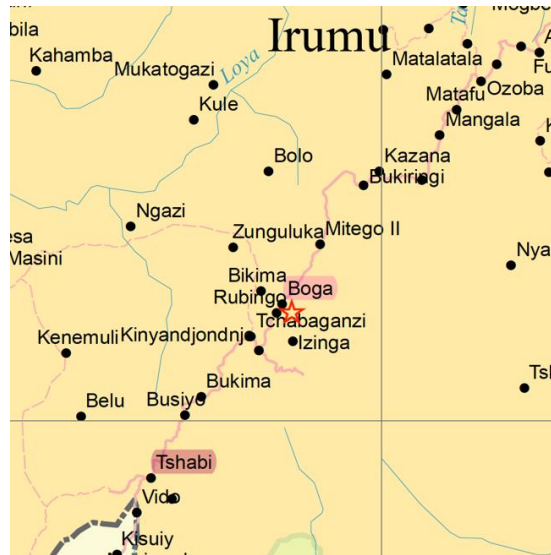
¹⁸ Sources MONUSCO, sources humanitaires, FARDC, sources locales/témoins, chercheurs, médias locaux.

¹⁹ MONUSCO and local sources.

²⁰ According to MONUSCO sources.

²¹ <https://buniaactualite.cd/irumu-encore-un-nouveau-carnage-a-tchabi-14-civils-tues-par-des-adf-les-structures-citoyennes-salarment/>

Below: Map indicating the approximate location of Kyamata village, 6 km south of Boga



MONUSCO map, annotated by the Group

Annex 4

Attack on Mayuano locality (36 km south of Mambasa) along the RN44 national road

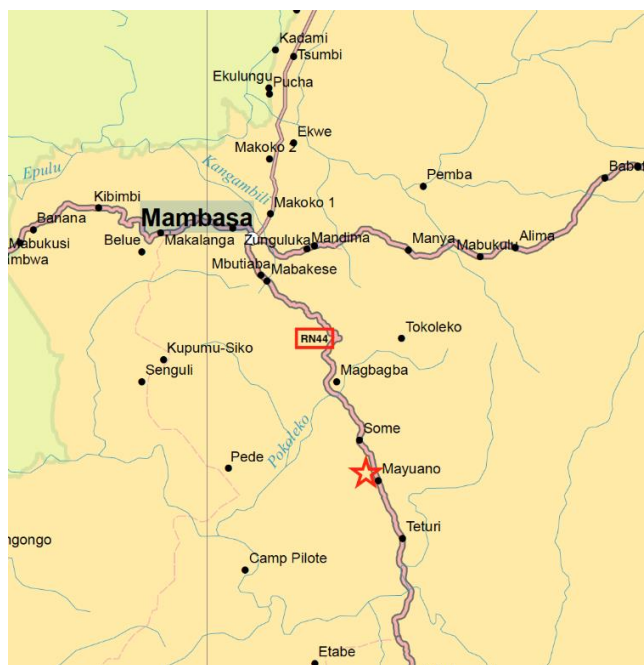
Attaque de la localité de Mayuano (36 km au sud de Mambasa) le long de la route nationale RN44

On 1 October 2022, ADF attacked Mayuano locality south of Mambasa town (see map below),²² killing one civilian, a moto taxi driver. In addition, 15 civilians were abducted, three vehicles and 18 houses were burnt, including three hotels. The assailants also looted civilian property, including at least 14 cows.²³

According to MONUSCO sources, the ADF assailants came from the east of RN44 and first attacked a FARDC post, burning it down, before continuing to attack the village. The attack was launched in the early hours of the morning. FARDC intervened only hours later, according to local civil society sources.

The attack caused the displacement of the local population towards Mambasa.

Below: Map indicating the location of Mayuano, along the RN44, 36 km south of Mambasa town



MONUSCO map, annotated by the Group

²² 36 km south of Mambasa, along the RN44 national road.

²³ MONUSCO, FARDC and civil society sources.

Below: pictures of a car and a truck burnt by the assailants in Mayuano, on 1 October 2022. Photographs of the killed moto taxi driver were not included in this annex.



Photographs received from local civil society sources

Annex 5

Attack on Maboya locality (south-west of Beni), 20 October 2022²⁴

Attaque de la localité Maboya (au sud-ouest de Beni), le 20 octobre 2022

Maboya is a village in the Malio *groupement*, Bashu *chefferie*, located approximately 25 km south-west of Beni town, along the Beni-Butembo axis. Bashu *chefferie* lies within the ADF's area of operations in the Beni region (see map below).

Multiple sources who reported the attack perpetrated on 20 October 2022 unequivocally attributed it to ADF.²⁵ The attack occurred in the context of increased ADF attacks against civilians in multiple locations of Beni territory.²⁶

The ADF assailants attacked during the night. They killed several civilians; some were shot, others killed with machetes, and some were burnt alive. According to multiple sources, at least seven civilians were killed, including three women. Among the killed women was a catholic nun, medical worker at the Maboya hospital. She was burnt alive inside the hospital that was set on fire by the assailants, according to multiple sources. One patient in the hospital was killed and afterwards decapitated. A shopkeeper was also burnt alive inside his shop, according to civil society sources.

According to military sources, the assailants attacked the Regina Parks and Tinge medical centres, looting medicines and surgical supplies. They burnt down the Regina Parks medical center as well as at least five homes, the local police station (PNC), and seven huts at the FARDC position.²⁷

At least 22 civilians were taken hostage and were forced to carry the looted goods. The assailants pillaged four pharmacies, 11 shops, and four food storages.

According to multiple sources the ADF assailants attacked other villages, such as Kanyihunga (18 km east of Maboya), on their return path to their camp.²⁸ According to military sources and two other sources, the attackers belonged to the group led by ADF commander Mulalo.

²⁴ MONUSCO, FARDC, civil society sources.

²⁵ MONUSCO, researchers, FARDC, civil society, humanitarian sources, local media.

²⁶ MONUSCO and researchers.

²⁷ According to investigations conducted by FARDC, also reported by local media.

²⁸ MONUSCO, civil society.



Map indicating the location of Maboya, 25 km south-west of Beni town

Annex 6

Location of the person-borne IED (PBIED) explosion

Lieu de l'explosion de l'engin explosif improvisé porté par une personne (PBIED)

A person-borne IED (PBIED) is an IED worn, carried, or housed by a person, either willingly or unwillingly.²⁹

The explosion took place on 7 April 2022 at the “Nganda De Werra” bar in the Mabanga Sud neighbourhood of Goma, also known as the Katindo military camp. The Katindo military camp hosts the military *Auditorat* and a military hospital. It is frequented and inhabited by FARDC members and their families. The explosion took place just outside the bar, where all deceased victims were sitting or standing.



Picture of the bar where the explosion took place, provided by a FARDC source

²⁹ [unmas_ied_lexicon_0.pdf](#) (p. 11)



Schematic representation of the blast and fragmentation effect, provided by MONUSCO

Annex 7

Additional information on the FARDC and civilians killed and wounded in the Katindo explosion, and on the woman carrying the explosive charge

Informations supplémentaires sur les FARDC et les civils tués et blessés à Katindo, ainsi que sur la femme portant la charge explosive

Two FARDC officers, a boy and three women - including the woman who carried the explosive device on her person - were killed during the explosion, and at least 16 civilians and FARDC members were injured.³⁰

The victims' injuries were of the type of steel ball wounds, burns and blast effects, sometimes with body parts torn apart.³¹ The head of the woman carrying the explosive charge was severed from the body, which showed second degree burns, two shredded hands and parts of the two legs and the upper part of the body missing.³²

Even though no container or switch was found on the scene, UNMAS' IED experts assessed that "the injuries observed on the woman carrying the explosive charge suggest the possible use of an explosive vest."³³ This was confirmed to the Group by two ADF sources involved in the attack (see below).

According to nine witnesses and FARDC sources, this woman was not known in the Mabanga Sud neighborhood where she had not been seen previously.³⁴ ADF collaborators, intelligence and diplomatic sources reported that she was from Tanzanian origin, and that she and her husband were living in ADF camp "Madina", in the DRC. Two ADF collaborators reported that the woman volunteered to become a suicide bomber (see also [S/2022/479](#), annex 20).

A picture of the head of the unidentified woman carrying the explosive charge on 7 April 2022 is on file with the Secretariat.



Schematic representation of the position of the PBIED, provided by MONUSCO

³⁰ Sources: medical report on file with the Secretariat, FARDC sources and witness accounts.

³¹ Sources: photographs collected by the Group, medical report on file with the Secretariat and UNMAS report.

³² Sources: photographs collected by the Group, medical report on file with the Secretariat, FARDC sources and witness accounts.

³³ UNMAS report on file with the Secretariat.

³⁴ Sources: FARDC members and officers, medical staff and reports on file with the Secretariat.

Annex 8

Elements concerning the person-borne IED (PBIED) used in the Katindo attack

Éléments relatifs à l'engin explosif improvisé (PBIED)

When MONUSCO arrived at the site of the explosion to conduct investigations, pieces of evidence had already been removed, destroyed and/or contaminated, thus limiting MONUSCO's ability to investigate the site and collect all necessary information to determine, inter alia, the method of initiation of the IED, the power source, and the precise volume of the explosive charge.

The Group and MONUSCO did, however, collect several bearing balls found either on the site or removed from the victims' bodies. The bearing balls had a diameter from 4 to 6 mm.

The weight of the explosive charge was estimated to be less than three kilograms. The exact type of explosive used could not be determined.

While the type of method of initiation of the PBIED could not be established based on elements found at the site, an ADF collaborator explained that the female suicide bomber wore a suicide vest consisting of a belt, bags and a shoulder strap.

ADF collaborators "Masika" and "Yusuf" (see annex 9 below), interviewed by the Group, explained that the female suicide bomber travelled from ADF "Mamove" camp to Goma and stayed one night in Masika's and Yusuf's house, where she received video-call instructions from Meddie Nkalubo on the wearing and activation of the suicide vest. There was also a red and a black wire that the woman reportedly connected to a small box, on which a light bulb lit up. After this test at Masika's and Yusuf's house, the woman put the vest back into a bag. Hassan and Yusuf brought the woman suicide bomber on a motorcycle to Katindo, where she activated the vest.

According to Masika and Yusuf, the suicide vest was built in the ADF camp, reportedly by Meddie Nkalubo, and transported to Goma in a bag on a motorcycle by Hassan.

The Group notes that this "Katindo attack" showed similarities with the person-borne IED attack in Beni town on 25 December 2021 (see [S/2022/479](#), paras. 50-52 and annex 18).



Picture of a bearing ball found inside the body of one of the victims, provided by a FARDC source.

Annex 9

Additional elements on Masika, Yusuf and Hassan

Eléments supplémentaires sur Masika, Yusuf et Hassan

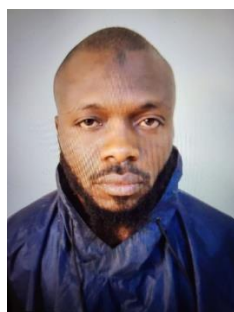
Masika Riziki, alias Hadjidja alias Hummu/Umma Zumda. Congolese, from Beni, was previously married to Rachid Senga Kalled, alias Isaaq or Isiaka, an important ADF recruiter, arrested in 2018 for his role in the recruitment and transit of ADF recruits from South Africa, Tanzania and Burundi (see S/2018/1133, para. 13). When interviewed by the Group in October 2022, she stated that she had remarried Yusuf (see below). Upon the instructions of Meddie Nkalubo, she rented a house in Goma meant to host new ADF recruits upon their transit to the ADF camps. In this capacity, she was in contact with Meddie Nkalubo and Abwakasi, as well as with ADF recruiters based in, amongst others, South Africa, Burundi and South Kivu. On several occasions, she brought ADF recruits to Butembo. Masika was also involved in ADF logistics and resupply. As such, she received Airtel money transfers to buy computers and necessary supplies for the new recruits she hosted.



Picture of Masika provided to the Group by DRC security forces

Senga Amani Yusuf Danial alias Yusuf is a Congolese national from Beni, trader in mobile phones and married to Masika. In 2021, he was recruited in Beni by a man called “Issa” (most likely Issa Mando, see S/2022/479, annex 16). A few weeks after Yusuf’s recruitment, Issa first introduced him to Hassan (see below) in Oicha, and later brought Yusuf to the ADF camps (Mamove), where he reportedly became a close collaborator of Musa Baluku. After having stayed only a few weeks in the camps, Baluku sent Yusuf back to Beni. He was responsible, among other things, for receiving cash from ADF and transferring this money to ADF recipients in Congo and abroad through Airtel Money transfers. Meddie Nkalubo and Hassan reportedly provided the cash to Yusuf. Yusuf, who was then based in Beni, was also the recipient of several computers and electronics meant for ADF camps. Since being married to Masika, he spent some time in Goma as well but continued to travel.

The suicide bomber was hosted in the house of Yusuf and Masika in Goma the night before the attack, on 6 April 2022. Yusuf was in the room when the suicide bomber received instructions from Meddie Nkalubo on how to wear and use the suicide vest. Together with Hassan, Yusuf’s superior, he brought the suicide bomber to the camp. Masika reported that after the attack, Hassan paid Yusuf for his participation in the organization of the attack.



Picture of Yusuf provided to the Group by DRC security forces

Hassan alias Abou Hassan, reportedly a former FARDC member based in Oicha, brought the suicide bomber to Masika's and Yusuf's house and transported the suicide vest from the ADF camp to Goma. Hassan was in the room with the suicide bomber when she tested the belt and received video instructions from Meddie Nkalubo. Hassan also brought the suicide bomber to Katindo camp, where she triggered the suicide vest that exploded.

Hassan was Yusuf's superior. Hassan and Meddie Nkalubo instructed Yusuf on Airtel and Mpesa money transfers, hosting and providing logistics for new ADF recruits and planned IED attacks, including several that were ultimately abandoned (see annex 13). Hassan and his wife "Amida" had a house in Goma. While Amida was briefly arrested, Hassan was still at large at time of drafting. Yusuf reported that Hassan had connections with a FARDC colonel based at Katindo camp, and that he obtained uniforms and weapons from that colonel. The Group is still investigating the identity of this individual.

According to Yusuf, Hassan was involved in bomb attacks in Beni, including the 5 February 2022 explosion at the Mayangose market in Beni town (see [S/2022/479](#), Annex 22). It is observed, however, that the date provided to the Group by Yusuf for this explosion was incorrect.

Annex 10

Additional elements regarding the 6 September 2022 explosion at the ANR office in Bulengera commune in Butembo, the elements of the IED, and the person who planted the IED

Eléments supplémentaires concernant l'explosion du 6 septembre 2022 au bureau de l'ANR dans la commune de Bulengera à Butembo, les éléments de l'EEI, et le poseur de l'EEI

A surveillance video from a camera located close to the ANR office in Butembo and obtained by the Group, clearly shows a man wearing a pink backpack walking towards the ANR office, and a little later, walking, and then running, back in the opposite direction without the backpack.



Screenshot of the person who planted the bomb, provided to the Group by DRC security forces



Pictures of the location and remnants, including pieces of a mobile phone, of the IED explosion provided to the Group by MONUSCO

The person who planted the bomb, a 17-year-old motorcycle taximan (referred to as “X” hereafter) in Butembo, was soon arrested by the DRC security forces. He reported to the Group that he was indeed the individual carrying the pink

backpack seen on the video. He explained that he had been recruited by his friend, “Magnifique”, to pick up “Kasero” by motorcycle and bring him to Bulengera commune, Butembo. Kasero carried the IED in the pink bag. “X” indicated that he was not aware, until that day, that both Magnifique and Kasero were ADF collaborators.

Upon arrival in Bulengera, Kasero ordered “X” to deposit the pink bag in front of the ANR office, which he did. “X” indicated that once they left the area on the motorcycle, Kasero made a phone call. According to security sources investigating this explosion, the mobile phone and SIM card found amongst the IED components collected on the site, and technical exploitation of the mobile phone and SIM card, indeed show that the IED was detonated by a radio-controlled triggering system.

The Group notes that the IED used shows similarities with the IEDs used in attacks on the markets in Beni and Oicha in early 2022 ([S/2022/479](#), paras. 42 and 53).

Annex 11

Additional elements regarding the 3 October 2022 explosion in a cinema in Kimemi commune in Butembo

Éléments complémentaires concernant l'explosion du 3 octobre 2022 dans un cinéma de la commune de Kimemi à Butembo

The explosion resulted in 10 wounded civilians, including three who were seriously wounded.

According to IED experts, security forces and medical sources, the explosion projected nails - commonly used in ADF-manufactured IEDs - which penetrated the bodies of several victims.

There has been no further post-blast investigation by DRC authorities, MONUSCO, or the Group of Experts.

Annex 12

ISCAP/ Da'esh claims of responsibility for the 6 September and 3 October 2022 explosions in Butembo

Da'esh revendique la responsabilité des explosions du 6 septembre et du 3 octobre 2022 à Butembo

ISCAP/Da'esh claimed responsibility for the 6 September 2022 attack against the ANR office in Butembo that same day:



ISCAP/Da'esh claimed responsibility for the 3 October 2022 attack in a cinema in Butembo one day later, on 4 October 2022:



Claims published by Da'esh and provided to the Group by security sources

Annex 13

Reported plans to launch an attack on a ferry between Goma and Bukavu, and reported terrorist threats in Goma and beyond

Projets d'attaque sur un ferry entre Goma et Bukavu, et menaces terroristes à Goma et ailleurs

On 12 May 2022, the US embassy in Kinshasa issued a security alert warning for “a risk of a terrorist attack on an unspecified ferry departing from Goma, North Kivu Province, DRC”.³⁵ That same day, the French embassy in Kinshasa shared the concern expressed by the US embassy, and on 17 June 2022, the French embassy warned that “recent reports indicate an increased risk of terrorist action in Goma”.³⁶

Diplomatic sources, intelligence services and one ADF collaborator informed the Group that these threats of attacks were linked to ADF, which had planned an attack on a ferry between Goma and Bukavu. This was later confirmed to the Group by an ADF collaborator who identified the targeted ferries.

Diplomatic sources, intelligence services, one researcher, two ADF collaborators, including Hassan (referred to in annex 9 above), also reported on an attack planned in Rwanda, amongst others during the 20-25 June 2022 Commonwealth Heads of Government Meeting. This planned attack was, however, abandoned or postponed following the arrest or disappearance of several ADF collaborators. The Group later received information on ADF recruits that had come to Goma to plan new attacks in Rwanda.

Two ADF collaborators, including Yusuf, reported to the Group that Musa Baluku planned future IED attacks in Goma, Bunia and Kampala, and that Meddie Nkalubo would coordinate the attacks.

³⁵ See [Security Alert – U.S. Embassy in the Democratic Republic of the Congo \(usembassy.gov\)](https://usembassy.gov)

³⁶ See [République démocratique du Congo - Ministère de l'Europe et des Affaires étrangères \(diplomatic.gouv.fr\)](https://diplomatic.gouv.fr)

Annex 14

Analysis of latest Da'esh communications

Analyse des dernières revendications de Da'esh

Da'esh communications claiming responsibility on behalf of ISCAP for activities and attacks attributed to ADF increased after a lull during the first trimester of 2022. Da'esh communications continued to be timely and more accurate (see S/2022/479, para. 45), providing sometimes information on incidents even before local media reported on them, or for which ADF responsibility was still uncertain, such as the Butembo prisonbreak (see annex 12 above).

In particular, a very high number of communications were published in April totalling almost 30 claims, including over 40 photographs mostly related to Ramadan and Eid al-Fitr celebrations. Some of these claims were also published by Da'esh as part of their campaign called “Battle for the Revenge of the Two Sheikhs” to avenge the death of Da'esh leader Abu Ibrahim Al-Qurashi, who died in February 2022 (see S/2022/479, para. 44).

In early November 2022, Da'esh published a propaganda video on the ADF (whom it refers to as ISCAP), entitled “the life of Jihad”. The 20-minute video, in Arabic and Swahili, showed a compilation of attacks by ADF, including some shot with drones belonging to ADF (see S/2021/560, para. 28) (see below). It also showcased life in ADF camps, including celebrations and prayers led by a person who appears to be Musa Baluku (blurred) (see below). The video ends with a staged execution of a person they accuse of being a spy from a militia allied to the FARDC. The staging of the video, including the use of black kanzus (see below) and similar language to the one used by Da'esh in its videos, was intended once again at projecting ADF alignment with Da'esh (see S/2022/479, para. 45). Following the publication of the video, Da'esh published several pictures of Islamic State in West Africa Province (ISWAP) combatants watching the video. ADF ex-combatants had already reported to the Group that it was common practice for them to watch videos of other Da'esh affiliates during screenings organized by the leadership.



Screenshot of the video showing drone footage by ADF of Mukondi village in Beni territory, in April 2021, according to the caption on the video



Screenshot of the video showing a man, most probably Baluku, leading a prayer in an ADF camp



Screenshot of the video showing an execution



Picture released by Da'esh showing ISWAP combatants during a screening of the video

Videos and pictures provided to the Group by source with knowledge of the matter

Annex 15

FARDC helicopter crash

Crash d'un hélicoptère FARDC

On 17 June 2022, one FARDC Mi-24 helicopter was shot down and crashed near Kabindi,³⁷ Rutshuru territory, after having conducted a bombing raid on Tchengerero, which was then under M23/ARC control. The entire crew on board - two Georgian nationals and one DRC national³⁸ - was killed.

Three hours after the crash, M23/ARC issued a communiqué claiming that “with our RPG-7 weapons, our forces have destroyed a FARDC combat helicopter that had come to attack our positions in Kabindi and Tchengerero.” However, according to intelligence sources and eyewitness accounts including the crew of the MONUSCO helicopter accompanying the FARDC helicopter, given that a white trail of smoke was seen before the helicopter burst into flames, the helicopter could also have been hit by a surface-to-air missile, i.e. a type of anti-aircraft system, or a heavy machine gun. Additional investigations are required to identify the precise type of ammunition/system that hit the aircraft. The Group underlines that anti-aircraft systems have not (yet) been documented within the M23/ARC arsenal.³⁹

On 29 March 2022, direct fire originating from a hill under M23/ARC control hit a MONUSCO helicopter causing its crash and killing eight peacekeepers (see [S/2022/479](#), para. 63).



Picture of the site of the FARDC helicopter crash provided to the Group by civilian sources on 17 June 2022

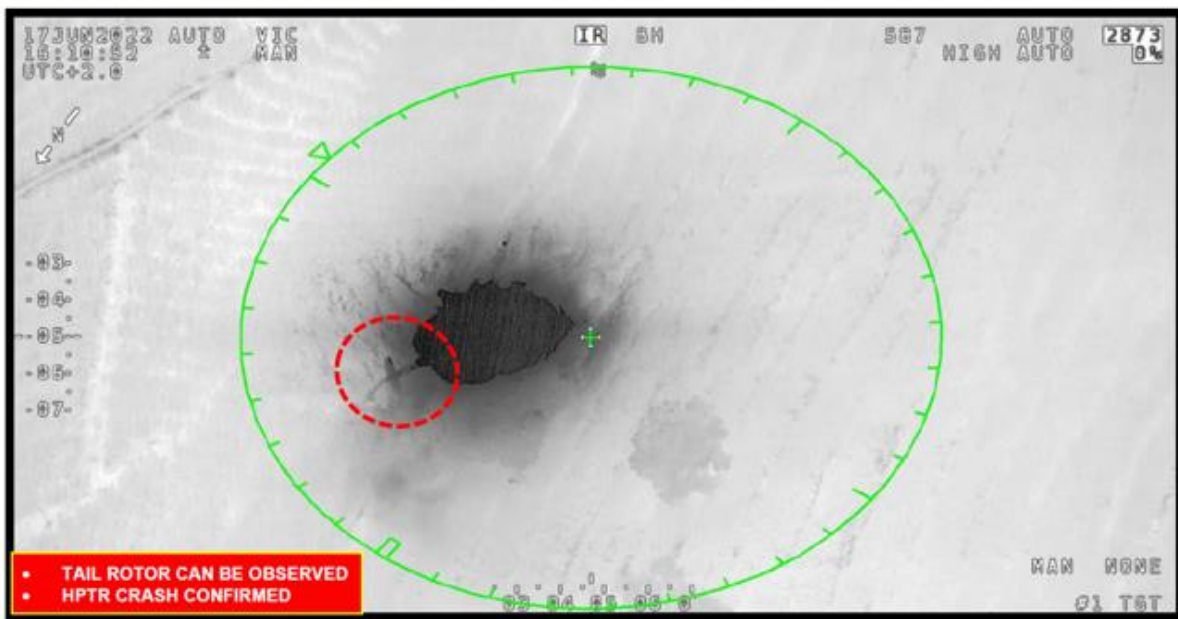
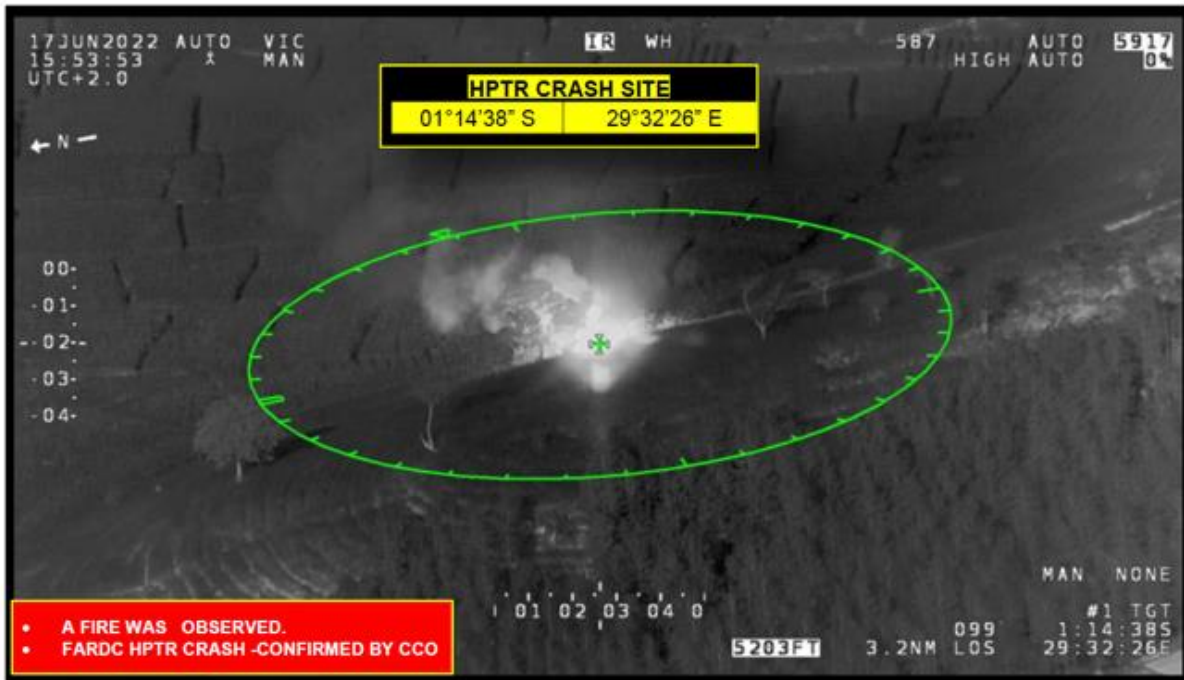
³⁷ The helicopter crashed north of the Rutshuru-Tchengerero-Bunagana road at 01°14'38"S – 29°32'26"E.

³⁸ Intelligence and diplomatic sources.

³⁹ See also, inter alia, 2013 Embargo assessment of M23 arsenal on file with the Secretariat and [S/2012/348/Add.1](#).



M23/ARC communiqué of 17 June 2022 claiming responsibility for the FARDC helicopter crash, provided to the Group by a civil society source



Aerial footage of the crashed helicopter provided to the Group by MONUSCO

Annex 16

M23/ARC attacks of strategic locations and the cutting off of strategic roads and bridges

Attaques par le M23/ARC de sites stratégiques et coupures de routes et de ponts stratégiques

Rumangabo

On 25 May 2022, M23/ARC attacked the FARDC camp in Rumangabo, which was considered the most important and strategic FARDC position in Rutshuru territory. M23/ARC dislodged the FARDC and occupied the camp, until it was attacked by a coalition of armed groups and reclaimed by the FARDC one day later.

M23/ARC combatants who attacked the FARDC camp in Rumangabo received substantial RDF reinforcement on the battlefield. This was reported to the Group by FARDC sources in the camp, local authorities and three armed groups' leaders, and could be corroborated by the Group as evidence was left behind in the area (see also annex 27).

M23/ARC took control over the FARDC camp in Rumangabo a second time on 29 October 2022.⁴⁰ The Group received consistent reports from civil society sources, M23/ARC combatants, MONUSCO and intelligence sources on RDF support to M23/ARC in Rutshuru and Rumangabo area. As M23/ARC cut off MONUSCO's supply lines, MONUSCO withdrew from its position in the camp on 1 November 2022.

M23 had also captured the FARDC camp in Rumangabo in 2012 (see [S/2012/843](#), para. 19).

Additional information on findings on Rumangabo can be found in annexes 16, 20, 27, 31, 35, 38, 46, 47 and 48).

Bunagana

On 12 June 2022, M23/ARC clashed with FARDC in Bunagana and took control of this strategic town at the DRC-Uganda border which resulted, according to the UN Office for the Coordination of Humanitarian Affairs, in thousands of residents of Bunagana, including around 5,000 displaced persons and returnees living there, fleeing to Uganda and over 25,000 civilians in neighbouring villages being forced to flee to other areas in Rutshuru territory and beyond.⁴¹

Eyewitnesses and researchers reported at least the passive acquiescence of UPDF at the border, who allowed M23/ARC combatants to cross the border at will the day the latter seized the town, and thereafter.⁴² The Group also notes that in late March 2022, UPDF troops had prevented M23/ARC from seizing Bunagana and that UPDF's passive attitude as observed on 12 June 2022 thus indicates a change in Uganda's response.

The Group received consistent reports of RDF being present in Bunagana on 12 June 2022. Imagery of that day shows uniformed men carrying military equipment known to be in use by the RDF, such as composite ballistic helmets with sight mounts, 81-1 type assault rifles and corresponding anti-personnel rifle grenades (type 90) and body-armor.

Bunagana was still under M23/ARC control at time of drafting this report.

Bunagana was one of the strategic towns also captured by M23 in 2012 (see [S/2012/843](#), para. 19).

Additional information on findings on Bunagana can be found in annexes 23, 25, 26, 37, 39 and 53.

⁴⁰ Video footage on file with the Secretariat. Reports from civil society sources, FARDC, security and intelligence sources, eyewitnesses, armed groups' leaders and MONUSCO.

⁴¹ See <https://reliefweb.int/report/democratic-republic-congo/democratic-republic-congo-north-kivu-flash-update-8-humanitarian-situation-rutshuru-territory-12-june-2022>

⁴² Civil society sources, community leaders, FARDC sources, intelligence sources and video/photographic imagery.

Kitagoma

On 28 October 2022, M23/ARC captured Kitagoma, another border crossing point with Uganda. That day, the military spokesperson of M23/ARC, Willy Ngoma, tweeted a picture of one of his elements at the Direction Générale des migration (DGM) in Kitagoma.⁴³

Cutting off strategic roads and bridges

M23/ARC, alone or jointly with RDF, continued cutting off strategic roads, often for several days, thus hampering the flow of commercial goods and humanitarian assistance, and cutting off FARDC communication and resupply lines (see also S/2022/479, para. 69). For example, the Bunagana-Tchengerero-Kiwanja road was blocked for two days in early April 2022; the road between Goma and Rumangabo was cut off for several days in late May 2022; and the road between Rutshuru and Bunagana towns was cut off in early June 2022.

Between 20 and 22 October 2022, the area of Matebe, less than 3 kilometers from the strategic Rwanguba bridge, was affected by the clashes, and all traffic on the road between Rutshuru and Matebe was suspended. When drafting this report, the areas around Rwanguba and Matebe were under *de facto* M23/ARC control.

During the clashes between 28 and 30 October 2022, M23/ARC took control of Mabenga bridge, thus further cutting off traffic on the RN2. Mabenga is a crucial point to cut supply lines with Rwindi further north, or for access to areas important to the FDLR, including Tongo, where many FDLR dependents live.

At the time of drafting, M23/ARC controlled a large stretch of the RN2 road, from Mabenga almost to Kibumba.

Below: Drone footage of M23/ARC roadblock and patrol on RN2 close to Rugari on 30 October 2022. M23/ARC elements are seen wearing helmets and gear similar to RDF (see also annex 26 on this matter):



⁴³ Willy NGOMA on Twitter: "LES LIONS DE #SARAMBWE A #KITAGOMA <https://t.co/Gqecub61P5S>" / Twitter.



Pictures provided to the Group by MONUSCO

Annex 17

M23/ARC controlled territory and resumed hostilities

Territoire contrôlé par le M23/ARC et reprise des hostilités

- M23/ARC communiqué dated 5 July 2022 claiming control over several towns, villages and positions in Rutshuru territory



Communiqué Officiel du Mouvement

La Direction du Mouvement du 23 Mars informe l'opinion ce qui suit :

01. Les positions tenues par l'Armée Révolutionnaire Congolaise, ARC/M23 en sigle, sur les hauteurs du territoire de Rutshuru ont fait l'objet, depuis plusieurs semaines, des multiples pilonnements de la coalition FARDC-FDLR et Mai-Mai ;
02. Ces bombardements ont causé la perte en vies humaines et des nombreux blessés parmi les civils innocents dans notre espace et celui dans lequel ces canons sont installés ;
03. Sur instruction permanente de la hiérarchie du Mouvement visant à faire taire définitivement ces armes, l'Armée Révolutionnaire Congolaise, ARC/M23 en sigle, a mis en défaite la coalition FARDC-FDLR-MAIMAI et a pris entièrement le contrôle des entités suivantes :

- BIKENKE,	- KAVUMU,
- BUGINA,	- NYABIKONA,
- MBLIZI,	- TANDA,
- KINIHIRA,	- RUTSIRI,
- MUTOVU,	- KASHALI,
- MUHIMBIRA,	- BUKIMA,
- SHANGI,	- MUSEZERO
- NKOKWE	

La Direction du Mouvement réitère son engagement pour les négociations directes avec le Gouvernement de Kinshasa à travers le processus de Nairobi, seul cadre susceptible de garantir la résolution définitive de la crise qui nous oppose au Gouvernement de Kinshasa.

L'Armée Révolutionnaire Congolaise continuera à observer le cessez-le-feu tel que recommandé par le Conclave de Nairobi. Cependant elle ne tolérera pas tout acte de provocation ou toute initiative de la coalition FARDC-FDLR-MAIMAI tendant à mettre en péril le processus de paix de Nairobi ou la sécurité des populations civiles de l'espace sous notre contrôle.

La Direction du Mouvement soutient la rencontre des Chefs d'Etat qui aura lieu le mercredi 8 juillet 2022 à Luanda sous l'initiative du Président Angolais Son excellence JOAO LORENZO, pourvu qu'elle soit en mesure de répondre valablement à nos préoccupations légitimes.

Nous fustigeons et condamnons la stigmatisation, la chasse à l'homme, l'arrestation arbitraire, le kidnapping, le traitement dégradant et la voie des faits dont nos compatriotes rwandophones continuent à subir, sur toute l'étendue du territoire national, suite aux discours de haine et de xénophobie et des appels à la violence et au meurtre tenus en public comme en privé par des responsables civils, politiques, militaires et policiers du pays. D'autres compatriotes non rwandophones subissent le même sort à cause soit de leur apparence physique, soit de leur opinion modérée.

Fait à Sarambwe, le 05 juillet 2022
Le porte-parole de l'ARC/M23



Major Willy NGOMA



Tel. +243814946907 Email: mouvementdu23mars2@gmail.com

Communiqué provided to the Group by an armed group source on 6 July 2022

- Map depicting M23/ARC areas of influence in November 2021, and March, July and November 2022, demonstrating M23/ARC's phased exponential territorial expansion since its resurgence in November 2021.



Map provided to the Group by a source with knowledge of the matter and confirmed by the Group's investigations

Annex 18

M23/ARC threatening to take Goma

Menace M23/ARC de prendre Goma

On 2 November 2022, M23/ARC, on its @Goma24 News Twitter account, reported: “we are first fighting on the Tongo-Kazaraho road, and Goma will soon be next. No army will be able to stop us. This time, the Lions of Sarambwe are determined to proceed”.⁴⁴



Goma24

@goma24news

Als antwoord op [@laurettebadiba3](#) [@AngelKazadi](#)
[@LukondeSama](#)

On se bat sur l'axe Tongo et
Kazaraho d'abord, Goma- va
bientôt suivre. aucune armée
pourra nous stopper. Cette fois
ci les Lions de Sarambwe sont
déterminés.

[Tweet vertalen](#)

9:46 p.m. · 2 nov. 2022 · Twitter for Android

Source: [Goma24 on Twitter: "@laurettebadiba3 @AngelKazadi @LukondeSama On se bat sur l'axe Tongo et Kazaraho d'abord, Goma- va bientôt suivre. aucune armée pourra nous stopper. Cette fois ci les Lions de Sarambwe sont déterminés." / Twitter](#)

⁴⁴ Translation by the Group.

Annex 19

Excerpts of some statements referring to *modus operandi* of M23/ARC

Extraits de certaines déclarations faisant référence au *modus operandi* du M23/ARC

The then FARDC Sukola II Commander for North Kivu, Brigadier-General Peter Cirimwami, in a briefing to the Expanded Joint Verification Mechanism (EJVM) on 26 May 2022, summarized the situation as follows: “Recent attacks by the M23 have revealed something unusual in their *modus operandi*. They have demonstrated the ability to launch simultaneous attacks on multiple fronts and with precision.”⁴⁵

The UN Special Representative of the Secretary-General (SRSG) in the DRC and Head of MONUSCO, Ms. Bintou Keita, also told the Security Council that “in the most recent clashes, the M-23 has behaved more and more like a conventional army rather than an armed group”.⁴⁶

Statements referring to the *modus operandi* of M23/ARC are multiple; this annex provides just two examples.

⁴⁵ EJVM report of 10 June 2022 on file with the Secretariat.

⁴⁶ Text of the 29 June 2022 SRSG briefing to the Security Council on file with the Secretariat.

Annex 20

M23/ARC attacks against MONUSCO

Attaques M23/ARC contre la MONUSCO

Since the 29 March 2022 MONUSCO helicopter crash caused by direct artillery fire from a hill under M23/ARC control, during which eight peacekeepers were killed (see [S/2022/479](#), para. 63), additional attacks against peacekeepers and MONUSCO bases have been recorded, amongst others:

- On 31 August 2022, a UN supply convoy was shot at, at about 11 kilometers south-east of Rutshuru town. Several reports state that M23/ARC elements were responsible for this attack. M23/ARC was controlling the area from where the shooting originated on 31 August 2022.
- On 20 October 2022, when M23/ARC, from its position on Swema hill (10 kilometers south-east of Rutshuru town), started firing at a FARDC foot patrol between Rangira and Rwanguba bridge with 12.7 mm machine guns, some bullets fired by M23/ARC also hit the MONUSCO position on the heights of Kabindi. There were no reports of casualties or injuries among MONUSCO peacekeepers.
- On 29 October 2022, during an exchange of fire between FARDC and M23/ARC in the area of Shwema hills, Rutshuru territory, a mortar shell injured three peacekeepers and two other peacekeepers were wounded by small calibre bullets.⁴⁷ That same day, in Rumangabo, there were reports of exchange of fire between peacekeepers and M23/ARC. No peacekeeper was wounded.
- On 1 November 2022, M23/ARC shot two mortars in the direction of a MONUSCO patrol near Rugari. No peacekeeper was wounded.

Sources: MONUSCO sources, civil society and armed group sources.

⁴⁷ [Statement attributable to the Spokesman for the Secretary-General - on the Democratic Republic of the Congo \[scroll down for French version\] | United Nations Secretary-General and documents on file with the Secretariat.](#)

Annex 21

M23/ARC exclusion from the Nairobi process, M23/ARC claims, and the DRC Government position

Exclusion du M23/ARC du processus de Nairobi, revendications du M23/ARC, et position du Gouvernement de la RDC

- M23/ARC was excluded from the Nairobi process following allegations that M23/ARC had broken the ceasefire on 23 April 2022,⁴⁸ and following the classification of M23/ARC as a terrorist movement by the DRC Government on 27 May 2022. The DRC Government decided that there would be no negotiations with M23/ARC. It also decided that several conditions would first need to be met for political consultations with M23/ARC to take place, namely the disarmament of M23/ARC, M23/ARC combatants' return to their initial positions on Mount Sabinoyo and the camps in Uganda and Rwanda, and the unconditional acceptance of the principles of the P-DDRCS.⁴⁹ In view of the developments since the Group submitted its final report (see S/2022/479, para. 202 (a)), in particular M23/ARC's territorial expansion, its control of strategic locations, and its commission of deliberate killings, the Group notes the DRC Government's conditions for political consultations.
- In a radio interview of 13 October 2022, Serge Tshibangu, Special Representative of the President of the DRC, reiterated that "there will be no negotiations with the M23" and recalled that the Government considers the M23/ARC to be a terrorist group.⁵⁰ The following day, on 14 October 2022, M23/ARC issued a communiqué, signed by M23/ARC's political spokesperson, Lawrence Kanyuka. The communiqué was labelled "our response to the dialogue refusal by the DRC Government" and referred to "the threatening and outrageous remarks" of the Special Representative. In this communiqué, M23/ARC noted, amongst others, that "the DRC Government has yet again, shown to the face of the world its umpteenth refusal of the DIALOGUE, by rejecting the outstretched hand of our organisation for a peaceful resolution of the conflict" and that "we are observing across the frontlines, reinforcements of military equipment and troops by the coalition FARDC, FDLR, APCLS, NYATURA and DIFFERENT MAI-MAI":

⁴⁸ However, the Group obtained consistent information from FARDC sources, M23/ARC sources and diplomatic sources according to which the International Conference on the Great Lakes Region ceasefire was first broken by the FARDC which attacked M23/ARC positions on 23 April 2022.

⁴⁹ Sources: document on file with the Secretariat and MONUSCO sources.

⁵⁰ https://www.radiokapi.net/sites/default/files/2022-10/02._141022-p-f-kinsonprofsergetshibangu-00_1_web.mp3.



OUR RESPONSE TO THE DIALOGUE REFUSAL BY THE DRC GOVERNMENT

The M23 Movement Directorate, followed with interest, on October 13th, 2022, the threatening and outrageous remarks of the President of the Democratic Republic of Congo's Special Representative, Mr. Serge TSHIBANGU, through Radio Okapi's program called Dialogue between Congolese where he said: "There will not be negotiation with the M23 Movement" ..

Our Movement, the M23, has taken note and hereby informs the national and international community of the following:

1. The DRC Government has yet again, shown to the face of the world its umpteenth refusal of the DIALOGUE, by rejecting the outstretched hand of our organisation for a peaceful resolution of the conflict.
2. The DRC Government unable to put an end to xenophobia and hate speech, furthermore, to restore peace in Kwamouth, Beni, Butembo, Ituri, Masisi and Minembwe, storms itself against the M23, while allowing its allies FDLR, APCLS, MAI-MAI, NYATURA, ADF and CODECO, to freely slaughter our compatriots.
3. We are observing across the frontlines, reinforcements of military equipment and troops by the coalition FARDC, FDLR, ACPLS, NYATURA and DIFFERENT MAI-MAI. This portends imminent offensive against our positions. The M23 will, therefore, defend itself vigorously and professionally to counter the threat wherever it may be or come from in order to protect the civilian population and their belongings.

The M23 Movement reiterates its undertaken commitment, to a direct dialogue with the Government of Kinshasa, the only pathway to resolve the root causes of the security crisis in the East and the restoration of peace in our country as recommended by the Secretary General of the United Nations, the Heads of State of the East African Community and the African Union.

Sarambwe, October 14th, 2022

The M23 Movement Political Spokesperson.

Lawrence KANYUKA

Communiqué provided to the Group by M23/ARC on 15 October 2022

Annex 22

Excerpts of the 3 November 2022 discourse of President Tshisekedi, Runiga's call for the implementation of the different agreements, and diplomatic efforts to resolve the crisis

Extraits du discours du 3 novembre 2022 du Président Tshisekedi, appel de Runiga à la mise en œuvre des différents accords, et les efforts diplomatiques pour résoudre la crise

- Excerpts of 3 November 2022 speech, referring to diplomatic efforts, Rwandan aggression, and invitation to youth to enlist

République Démocratique du Congo



**PRESIDENCE DE LA REPUBLIQUE
CABINET DU CHEF DE L'ETAT
CELLULE DE COMMUNICATION**

**ADRESSE À LA NATION DE SON EXCELLENCE MONSIEUR
FÉLIX-ANTOINE TSHISEKEDI TSHILOMBO,
PRÉSIDENT DE LA RÉPUBLIQUE DÉMOCRATIQUE DU CONGO,
CHEF DE L'ÉTAT, PRÉSIDENT EN EXERCICE DE LA SADC
SUITE À LA DÉTÉRIORATION DE LA SITUATION SÉCURITAIRE DANS L'EST
DU PAYS**

Kinshasa - RD Congo, Jeudi 03 Novembre 2022

prenant notre Armée de court, notamment à Bunagana, cité qu'il occupe depuis le 13 juin 2022. En effet, sous la fallacieuse accusation de soutien des FARDC aux FDLR, le Rwanda a en réalité des velléités expansionnistes avec comme intérêt principal l'appropriation de nos minerais et pour ce faire, il s'active à déstabiliser l'Est du Congo pour créer une zone de non droit en vue d'assouvir ses appétits criminels.

Pour faire face à cette situation, deux options s'offraient à nous : la diplomatie ou la guerre. J'ai résolu de privilégier la première option quitte à en venir à la seconde faute de résultats.

L'option diplomatique a donc été mise en œuvre.

C'est ici l'occasion pour nous de rappeler que notre attachement à la recherche de la paix par des voies pacifiques n'est aucunement un signe de faiblesse moins encore un aveu d'une incapacité de notre pays à s'inscrire dans une logique de guerre totale contre tous ceux qui continuent à abuser de notre patience, mais plutôt une expression de notre culture de paix et de notre identité légendaire de peuple hospitalier.

C'est ainsi que dès le 20 juin 2022, j'ai pris part aux travaux du 3^{ème} Conclave des chefs d'État membres de la Communauté d'Afrique de l'Est (EAC) à Nairobi au Kenya qui avait comme agenda l'examen de la situation sécuritaire dans l'Est de notre pays.

À l'issue de ce forum, les dirigeants des pays membres de la Communauté d'Afrique de l'Est (EAC) sont tombés d'accord sur le déploiement d'une force régionale pour « imposer » la paix dans l'Est de la République démocratique du Congo (RDC). Le sommet a appelé « à une cessation immédiate de toutes les hostilités à l'Est de la RDC » et a demandé à tous les groupes armés, tant étrangers que locaux, « à déposer les armes immédiatement et sans condition, et à s'engager dans processus politique ».

Le 6 juillet 2022, j'ai accepté de rencontrer à nouveau le Président du Rwanda, cette fois à Luanda sous l'égide du Président João Lourenço, sous couvert de la Conférence Internationale des Régions des Grands Lacs africains. Il en est sorti une feuille de route qui stipule entre autres objectifs : Normaliser les relations politiques et diplomatiques entre la RDC et le Rwanda. Et, pour y parvenir, la première action retenue : arrêt des hostilités et retrait du M23 des positions occupées conformément au communiqué final de Nairobi.

Une fois de plus aucune avancée sur le terrain de la paix attendue par notre population n'a été observée.

La dernière activité diplomatique en date, a été la rencontre avec le Président Paul Kagame autour du Président Français Emmanuel Macron, et à l'initiative de ce dernier en marge de l'Assemblée Générale de Nations-Unies à New-York. Ici également, pour l'essentiel, il a été acté le principe d'un cessez-le-feu immédiat et du retrait sans condition du M23 des positions qu'il occupe. Toujours sans résultats tangibles sur le terrain.

Mes chers compatriotes,

Comme vous pouvez le constater, malgré notre investissement et les efforts fournis dans cette optique, la paix et la sécurité ne sont pas au rendez-vous.

Garant de l'indépendance, de l'unité nationale et de l'intégrité territoriale, je réitère mon engagement constitutionnel de défendre la Patrie jusqu'au sacrifice suprême.

Mes très chers compatriotes,

Ne doutons jamais, qu'ensemble réfléchis et engagés nous puissions changer le monde.

À vous nos vaillants Soldats,

Vous qui avez pris l'engagement de servir sous le drapeau, je vous invite ici au sens élevé du patriotisme en ce temps particulièrement exceptionnel de notre histoire, de défendre notre pays, de protéger l'intégrité de son territoire et d'assurer la sécurité des congolaises et des congolais contre toute agression ou attaque d'où qu'elle vienne.

À vous mes très chers compatriotes,

La guerre qui nous est imposée par nos voisins exige de chacun de nous des sacrifices. C'est le moment de taire nos divergences politiques pour défendre tous rassemblés, notre mère patrie.

Notre histoire et notre marche commune ont, sans cesse, démontré que loin de s'effondrer, notre Nation et son Peuple ont toujours relevé ce genre de défis et nous en sommes toujours sortis victorieux.

Restons tous unis et solidaires derrière nos forces de défense et de sécurité.

La situation actuelle, loin de nous affecter, n'est qu'une épreuve de plus que nous allons surmonter pour raffermir davantage notre unité.

Au de-là de tout clivage politique, idéologique, religieux et tribal, la défense de la Mère- Patrie est le seul objectif qui doit nous unir en ce moment. Le pays nous appelle, la Nation a besoin de l'engagement de toutes ses filles et de tous ses fils. Je vous appelle à ne pas céder aux propos xénophobes et autres discours de haine ou de stigmatisation des communautés rwandophones dont l'asservisseur se sert pour faire du chantage. Tout acte allant de ce sens sera sévèrement puni. En réponse à la forte demande de la jeunesse, j'invite celle-ci à s'organiser en groupe de vigilance, en vue d'appuyer, d'accompagner et de soutenir nos forces de défense et de sécurité dans l'accomplissement de leur noble mission.

C'est ici l'occasion de mettre en garde tous les traitres et autres brebis galeuses qui servent les intérêts de l'ennemi, ils seront exposés à la rigueur de la loi, en ayant le juste châtement que mérite ce genre de comportement.

En outre, tout en renouvelant mon appel lancé à nos jeunes qui en ont la vocation de s'enrôler massivement dans nos Forces armées, je réitère l'instruction faite au Chef d'Etat Major Général d'accélérer à cet effet la mise en place des centres de recrutement à travers les vingt-six provinces que compte notre pays.

Chers compatriotes ;

Nous devons ensemble avoir conscience que nul autre que nous-mêmes ne viendra sauver notre nation et que cela exige de chacun de nous une mobilisation tous azimuts.

Que Dieu Bénisse la République Démocratique du Congo,

Je vous remercie.

Document provided to the Group by a member of the DRC Government on 4 November 2022

- 1 November 2022 declaration of Jean Marie Runiga Lugerero, « President » of the M23 living in Rwanda, asking for the implementation of the “different agreements” in order to end “the war” between the DRC Government and M23:

DECLARATION DES EX-M23 VIVANTS AU RWANDA

Après lecture du communiqué conjoint du Président en exercice de l'Union Africaine, Président du Sénégal, Son Excellence Mr le Président Macky Sall et le Président de la Commission de l'Union Africaine, Son Excellence Mr Moussa Faki Mahamat sur la détérioration de la situation sécuritaire à l'Est de la RDC, nous constatons ce qui suit :

- Cette situation est la conséquence de la non application de l'accord cadre d'Addis Abeba, pour la Paix, la Sécurité et de Coopération pour la République Démocratique du Congo et la région et le non-respect des accords signés entre le Gouvernement Congolais et le Mouvement du 23 Mars, M23.
- Le prochain Dialogue Inter Congolais qui se tiendra à Nairobi et celui de Luanda entre la République du Rwanda et la République Démocratique du Congo, offrent une occasion pour mettre en œuvre ces différents accords afin de trouver des solutions aux causes profondes qui sont à la base de la guerre actuelle entre le Gouvernement Congolais et le M23, de l'insécurité grandissante causée par différents groupes armés, locaux et étrangers à la base des crises entre les pays de la Région.

Eu égard à ce qui précède, nous, ex-m23 se trouvant au Rwanda, déclarons ce qui suit :

1. Saluons et prenons acte du communiqué du Président de l'Union Africaine et le Président de la Commission de l'Union Africaine sur la situation actuelle à l'Est de la RDC qui appelle à la tenue du Dialogue Inter Congolais à Nairobi du 04 au 13 Novembre 2022
2. Demandons la mise en œuvre des différents accords existants pour mettre fin à la guerre actuelle qui oppose le Gouvernement Congolais et le Mouvement du 23 Mars, M23, et régler définitivement le phénomène groupes armés étrangers et locaux qui sèment l'insécurité à l'Est de la RDC et qui sont à la base des tensions entre les Pays de la Région
3. Demandons qu'une solution définitive soit trouvée pour faciliter le retour des réfugiés Congolais qui viennent de totaliser 28 ans au Rwanda et dans d'autres les pays de la Région
4. Exigeons un règlement définitif, conformément à l'accord et à la feuille de route de Kigali sur la question de rapatriement des Ex-M23 cantonnés dans le camp de Kibungo au Rwanda depuis Mars 2013.

Fait à Kibungo, le 01 Novembre 2022

Bishop Jean Marie RUNIGA LUGERERO
Président

Document provided to the Group by M23/ARC on 3 November 2022

- Several diplomatic initiatives, amongst others the East African Community (EAC) Nairobi Process (see also annexes 52 and 68) and the Luanda Roadmap, aimed to de-escalate tensions in the DRC and the region since the resumption of fighting between M23/ARC and DRC armed and security forces.
- On 6 July 2022, under the mediation of President Lourenço of Angola, a meeting took place between President Kagame of Rwanda and President Tshisekedi of the DRC in Luanda. Objectives of the meeting as articulated in its roadmap were: 1. Normalizing the political and diplomatic relations between the DRC and Rwanda; Establishing a climate of trust between the States of the region and create optimal conditions for dialogue and political consultation to resolve the current security crisis in eastern DRC; 2. Preventing violations of territorial integrity and ensuring compliance with the commitments made by the International Conference on the Great Lakes Region (ICGLR) States in this regard; 3. Verification of the reciprocal accusations of the DRC and Rwanda concerning the support to M23 and the collaboration with FDLR, respectively; 4. Revitalization of the Framework Agreement for Peace, Security and Cooperation in the DRC and the region; 5. Promotion of economic partnership between the States of the region and strengthening regional mechanisms to combat the illegal exploitation of natural resources; 6. Ensuring the proper implementation of this Roadmap and rebuilding trust between partners in the Nairobi process.
- The Group also took note of the calls from the African Union (AU), the EAC and the European Union (EU) on 30 October 2022 to remain committed to ongoing regional diplomatic initiatives. In particular, the AU called for all the parties to immediately cease fire, respect international law, the safety and security of civilians, and the stability at the borders of all countries in the region.
- In a press statement issued on 30 October 2022, the EAC convened the third session of the Nairobi Process on Peace and Security in eastern DRC for 21-27 November 2022 in Nairobi, Kenya. The Conclave was initially slated from 7-14 November 2022. On 1 November 2022, the President of the Republic of Burundi and Chairman of the Summit of Heads of State of the EAC issued a communiqué in which he called for an urgent meeting in Nairobi to address the new developments in the region.
- On 5 November 2022, the President of Angola hosted the Foreign Minister of the Republic of Rwanda and the Vice-Prime Minister, Minister of Foreign Affairs of the DRC for a meeting aiming at resuming dialogue between the two countries and recommitting to the 6 July 2022 roadmap.

Annex 23

M23/ARC leadership and establishment of parallel administrations as documented by Group

Leadership du M23/ARC et mise en place d'administrations parallèles tels que documentés par le Groupe

M23/ARC parallel administration:

M23/ARC began to gradually establish a parallel administration from April 2022 onwards and expanded its administrative and intelligence network in line with the extension of its territorial control.

In early April, M23/ARC appointed a new *chef de groupement* in Jomba. After M23/ARC's occupation of Bunagana on 12 June 2022, M23/ARC held a meeting in Bunagana to discuss the further organization of its civilian administration. Several *chefs de groupements* and *chefs de village* have been installed since, for example:

- M23/ARC Chief of Bunagana: Kapalata Sebarimba. Early October 2022, he fled Bunagana town to Nakivale camp in Uganda.
- M23/ARC Chiefs of Bweza groupement: Gedeon Serugari, who was replaced by Emmanuel Nsengiyumva Rukeribuga in October 2022. Nsengiyumbva Rukeribuga was the director of a school in Kibanda.
- M23/ARC Chief of Rutsiro village: Mr. Bugiri who was physically located in Ruseke.
- M23/ARC Chief of Nkokwe village: Sebiko Birakaka. He was a teacher.
- M23/ARC Chief in Kanyabusoro village: Bahati Mugoye.
- M23/ARC Chief of Jomba groupement: Vincent Mwambutsa.

In late October 2022, M23/ARC appointed new *chefs* to rule over Busanza *groupement* and Mungo village.

In several villages, for example in Kitovu village, M23/ARC has also installed *Nyumbakumi*, i.e. chiefs responsible for about 10 houses, and *capitas*, i.e. dignitaries. The Group also received information on the appointment of several intelligence agents.

M23/ARC leadership structure:

The Group obtained information on individuals known to be part of the M23/ARC leadership structure and military operations. At times, the precise responsibility/tasks assigned were not consistently or identically reported to the Group by the different sources it obtained information from, in which case the Group indicated “possibly” in the structure below.

Political branch:

- Bertrand Bisimwa: President
- Benjamin Mbonimpa: Secretary-General
- Lawrence Kanyuka: Civilian spokesperson and negotiator
- Bosco Mbera Bagabo alias Castro: Negotiator
- Erasto Bahati: Finance Officer

Military branch:

- “General” Emmanuel Sultani Makenga: Commander-in-Chief
- “Colonel” Yusuf Mboneza: Deputy-Commander operations/intelligence, wounded in action, who was replaced by
- “Colonel” Bernard Byamungu: Deputy-Commander operations/intelligence since October 2022, replacing Yusuf Mboneza
- “Colonel” Justin Gaceri Musanga: Deputy-Commander administration/logistics

- “Colonel” Ernest Sebagenzi: Chief of Staff and possibly second deputy commander operations/intelligence and possibly responsible for civilian-military relations
- “Major” Willy Ngoma: Military spokesperson
- “Colonel” Dieudonné Padiri: G1 (administration) or G2 (intelligence) or G4 (logistics)
- Castro Mbera: negotiator and possibly also G2 (intelligence)
- “Colonel” Imani Nzenze Idi: possibly G3 (operations)
- Joseph Kabayiza: possibly G4 (logistics)
- Albert Kabamba: possibly G5
- “Colonel” Leon Kanyamibwa: Training officer
- “Colonel” Innocent Rukara: possibly artillery commander
- “Colonel” Kalala Kanyamarere and Doctor Jean Paul: Military hospital commanders
- “Major” Willy Mihigo alias Secoper: possibly negotiator

M23 Brigades and Battalions:

- 1st Brigade commander: “Colonel” Gacheri Erasto
Battalion commander: “L-Col” Faustin
Battalion commander : “L-Col” Karangwa
- 2nd Brigade commander: “Colonel” Nzenze
Battalion commander: “Colonel” Mwiseneza Thomas, alias “Colonel” Rapid
Battalion commander: “Major” Mirindi
- 3rd Brigade commander: “Colonel” Kabundi
Battalion commander: “Colonel” Aigle
Battalion commander; “Colonel” Dabusirindia

Sources: Researchers, M23/ARC combatants, MONUSCO sources and persons close to M23/ARC

Annex 24

Additional information on M23/ARC recruitment strategy

Informations supplémentaires sur la stratégie de recrutement du M23/ARC

The M23/ARC recruitments targeted former *Congrès national pour la défense du peuple* (CNDP) members and former M23 combatants, unemployed youth and children. The Group spoke to 15 captured or surrendered M23/ARC combatants, five of whom had served in the CNDP and M23 in 2008 and 2012. Three of them informed the Group about how, while in Uganda, they were mobilised by a certain “Gacheri” who misleadingly told them to return to the M23/ARC because the Government of the DRC had agreed to M23 demands. “Gacheri” told the ex-combatants that they would be integrated in the army and would receive five years’ salary in arrears.

Other combatants, most of whom were very young, including several minors, were lured into M23/ARC with false employment promises in Goma before being transported to the M23/ARC camps in Tchanzu, Runyoni and Sabinyo. An individual called “Thomas” coordinated their recruitment through intermediaries, paid their transport up to Goma or Gisenyi, and offered them between US\$ 50-100. From there, motorcycles or buses transported the recruits across the border to Rwanda and Uganda from where the recruits re-entered the DRC territory to M23/ARC controlled areas, where they received military training and instructions before being deployed for combat.

Several ex-combatants explained that those who attempted to flee the M23/ARC camps were executed if caught.

Annex 25

Additional information on taxes

Informations complémentaires sur les taxes

In October 2022, the Group observed the closure of most shops in Bunagana, Uganda, due to the absence of potential Congolese customers.⁵¹ Two traders reported a drop of more than 60 per cent of their economic activity. Likewise, the number of shops in Bunagana, DRC, dropped significantly.

Annex 26

M23/ARC uniforms, helmets, and bullet-proof vests

Uniformes, casques et gilets pare-balles du M23/ARC

The helmets and bullet proof vests used by M23/ARC are of the same type as the ones used by the RDF, including during RDF operations in Mozambique.⁵² The digital camouflage pattern of the uniforms is similar to the standard RDF uniform, although not exactly the same.⁵³ The repeated observation of M23/ARC with similar brand-new kits indicates that M23/ARC combatants have been provided with a significant volume of new uniforms and equipment.

The Group notes that given the similarities between M23/ARC and RDF equipment (uniform, helmet, bullet proof vests, backpack, weapons, etc.), this also means that it may become increasingly difficult to distinguish M23/ARC combatants from RDF soldiers.



Screenshot of a M23/ARC video provided to the Group by a civil society source on 2 July 2022 showing three Kevlar helmets, bullet-proof vests, weaponry and uniforms

⁵¹ Group's mission to Uganda, traders in Bunagana.

⁵² Document on file with the Secretariat.

⁵³ Analysis corroborated in a MONUSCO document on file with the Secretariat.



Pictures of M23/ARC “Major” Nzenze Imani (left) and “Colonel” Ernest Sebagenzi (right) with similar uniforms. Pictures provided to the Group by civil society and FARDC sources on 14 July 2022. These images also circulated on Twitter.



Picture of “Colonel” Bahati and other M23/ARC combatants wearing uniforms with the same digital camouflage pattern (on the left) and screenshot of an M23/ARC video showing M23/ARC spokesperson with a Kevlar helmet and with the same digital camouflage pattern (on the right)
Both images provided to the Group by MONUSCO on 8 July 2022



Pictures of RDF members in Bunagana on 13 June 2022 provided to the Group by a civil society source on 13 June 2022

Annex 27

M23/ARC weaponry and uniforms, military equipment found or recovered from areas occupied by M23/ARC and/or areas where RDF incursions and/or operations were documented**Armes et uniformes du M23/ARC, équipement militaire trouvé ou récupéré dans des zones occupées par le M23/ARC et/ou dans des zones où des incursions et/ou des opérations des RDF ont été documentées.**

This annex provides information on military equipment recovered and/or documented in areas occupied by M23/ARC and/or areas where RDF incursions and operations were conducted. The recovered evidence, which is non-exhaustive, provides some insight into the type and origin of military equipment held by, and fire power of, the combatants and soldiers on the ground. Annexes 16, 30, and 32 provide additional information in images showing M23/ARC combatants carrying lethal military equipment.

The chart below provides details on some documented materiel recovered in Rutshuru and Nyiragongo territories, some of which is also presented in the sections below, produced in 2014 and 2019, and which could thus not belong to the older M23 stockpile as partially documented by the Group and MONUSCO in 2012 and 2013.⁵⁴ The Group sent tracing requests in order to obtain elements regarding the diversion of this materiel from its intended legal end-user.

Case number	Category	Type / model markings	Identification markings	Lot / serial number	Year of production	Factory code
#1	40 mm grenade	DQJ03-40	02-14-5413	02	2014	5413
#2	40 mm grenade	69-40 HEAT	3-14-23	3	2014	23
#3	40 mm grenade	PF 69-40 HE	3-19-23	3	2019	23
#4	Grenade launcher		3750-2014 197	3750	2014	197
#5	Grenade launcher	69-1-40	3986-2014 197	3986	2014	197
#6	60mm Mortar rounds (x3)	60-93-HE	10-14-313	10	2014	313
#7	Fuze	MP-5E	4-14-9324	4	2014	9324

Materiel recovered in Kibumba area

On a hill where the RDF had spent several days, the Group recovered and documented a container of a spent DQJ03-40 anti-personnel rifle grenade (type 90). Eyewitnesses reported that the container was left behind by RDF troops. This type of grenade is known to be in use by the RDF. It is, however, not documented as being part of the FARDC arsenal.

The Group also inspected weapons, ammunition and military attire recovered by the FARDC⁵⁵ in the Kibumba area following clashes near Kibumba and Kibati in late May 2022:

- A complete military uniform similar to the ones used by the RDF, with an RDF tag;
- A composite ballistic Kevlar helmet similar to the ones used by the RDF and not documented as being part of the FARDC arsenal;

⁵⁴ See also, inter alia, 2013 Embargo assessment of M23 arsenal on file with the Secretariat and [S/2012/348/Add.1](#).

⁵⁵ Local authorities, civilians, eyewitnesses and FARDC sources attested that the materiel was found in the area.

- Seven DQJ03-40 anti-personnel rifle grenades (type 90) and associated containers similar to the one recovered by the Group in the Kibumba area;⁵⁶
 - One 60 mm mortar (type 31) documented as being part, inter alia, of the FARDC arsenal;⁵⁷
 - One PKM ammunition box documented as being part, inter alia, of the FARDC arsenal and similar to those seen on video footage of RDF soldiers in the Kibumba area;
 - One AK type assault rifle documented as being part of, inter alia, the FARDC and the RDF arsenal.⁵⁸
- DQJ03-40 anti-personnel grenade container :



Grenade container, pictures taken by the Group on 9 June 2022

⁵⁶ Design and production are by NORINCO (China North Industries Corporation). The Group notes that a representative of the Permanent Mission of the People's Republic of China to the United Nations informed the Group that "after verification by the Chinese authorities, no information on the export to DRC of weapons and ammunition mentioned in the letter [of the Group] was found".

⁵⁷ The Group is analysing whether this type of mortar is also part of the arsenal of other neighbouring countries.

⁵⁸ The Group is analysing whether this type of assault rifle is also part of the arsenal of other neighbouring countries.

- Blood-spattered uniform with RDF tag recovered by FARDC in Kibumba area in late May 2022:



Pictures taken by the Group on 13 June 2022

- Helmet recovered by FARDC in Kibumba area in late May 2022:



Pictures taken by the Group on 13 June 2022

- Seven DQJ03-40 anti-personnel grenades and containers recovered by FARDC in Kibumba area in late May 2022:



Pictures taken by the Group on 13 June 2022

- 60 mm mortar recovered by FARDC in Kibumba area in late May 2022:



Picture taken by the Group on 13 June 2022

- PKM ammunition box recovered by FARDC in Kibumba area in late May 2022:



Picture taken by the Group on 13 June 2022

- AK-type assault rifle recovered by FARDC in Kibumba area in late May 2022:



Picture taken by the Group on 13 June 2022

Materiel recovered in Rumangabo area

The Group recovered materiel in the area next to the FARDC camp in Rumangabo where M23/ARC and the RDF were positioned jointly prior to the attack and control of the camp in late May 2022. The recovered materiel – one ammunition box⁵⁹ and three cartridges⁶⁰ – could, however, not be attributed to any of the fighting parties.

The Group also inspected weapons, ammunition and military attire recovered by the FARDC following clashes on the military camp, namely:

- Eight pieces of military uniforms similar to those used by the RDF, several being blood-spattered and/or tagged with RDF tags and etiquettes, and one Kevlar helmet similar to the ones used by the RDF and not documented as being part of the FARDC arsenal;
- One AK-type assault rifle documented as being part, inter alia, of the FARDC and the RDF arsenal;
- Four rounds of 12.7 ammunition and part of an anti-personnel rifle grenade (type 90), both not documented as being part of the FARDC arsenal.⁶¹

⁵⁹ Ammunition box containing 12.7x108 mm cartridges.

⁶⁰ Two 12.7x108 mm cartridges and one 7.62x54 mm cartridge.

⁶¹ Further analysis is ongoing.

- Uniforms and helmets:





Pictures taken by the Group on 13 June 2022

- AK-type assault rifle:



Picture taken by the Group on 13 June 2022

- 12.7 mm ammunition rounds and part of anti-personnel rifle grenade:



Picture taken by the Group on 13 June 2022

Materiel recovered in Tchanzu area

The Group inspected military materiel recovered by the FARDC on 30 and 31 May 2022 in the area around Tchanzu, where there was heavy fighting between the FARDC, supported by MONUSCO, and M23/ARC. Recovered materiel

included four 60 mm mortar shells, two 40 mm rockets, six mortar shell fuses, seven firing pins used to ignite the mortar shell's primer, and one DQJ03-40 anti-personnel rifle grenade.

- 60 mm mortar shells:



Picture taken by the Group on 13 June 2022

- 40 mm rockets:



Picture taken by the Group on 13 June 2022

- Mortar shell fuses:



Picture taken by the Group on 13 June 2022

- Firing pins to ignite the mortar shells:



Pictures taken by the Group on 13 June 2022

- DQJ03-40 anti-personnel rifle grenades :



Picture taken by the Group on 13 June 2022

Documentation of recoilless gun in Tchanzu

On 6 June 2022, Intelligence, Surveillance and Reconnaissance (ISR) footage documented the presence and use of two recoilless guns inside a M23/ARC position in Tchanzu of a different type than those used by the FARDC:



Screenshot of a video showing recoilless gun operated by three uniformed men in Tchanzu on 6 June 2022
Provided to the Group by MONUSCO

Annex 28

RDF soldiers arrested on DRC territory and official communications of the Rwandan Government

Soldats des RDF arrêtés sur le territoire de la RDC et communications officielles du gouvernement rwandais

On 28 March 2022, the spokesperson of the military governor of North Kivu, General Ekenge, publicly reported the arrest of two RDF soldiers, Jean-Pierre Habyarimana and John Uwajeneza Muhindi of the 402th brigade, 65th Battalion. Both men were interviewed by the Group in February 2022 (see [S/2022/479](#), paras. 71-72 and annex 39).

Habyarimana reported that he belonged to the 65th Battalion and was recruited by a man called “Mukundwa”⁶² alongside 30 other civilians and RDF soldiers on 10 November 2021 in Rwanda from where they were transported to Kisoro, a border town in Uganda, and brought to a M23/ARC camp on Mount Sabinyo. In the camp, the new recruits were provided with uniforms similar to those of the FARDC. Habyarimana told the Group that in November 2021 and January 2022, on three occasions, he was involved in combat operations against positions of the FARDC and the Congolese Institute for Nature Conservation (ICCN) around Tchanzu/Runyoni, Bukima and Ngugo (see [S/2022/479](#), annexes 27-29).⁶³ Habyarimana was arrested by the FARDC in late January 2022.

Uwajeneza Muhindi reported that in November 2021 he was recruited in Kigali, brought to an M23/ARC camp on Mount Sabinyo, and that he was part of combat operations against FARDC positions in Nyesisi and surroundings, during which FARDC Colonel Ndume Baganyigabo was executed by M23/ARC and between 40 and 49 FARDC members were killed (see [S/2022/479](#), annex 28). He stated that this operation was led by “Colonel” Yusufu Mboneza Gatimisi, M23/ARC operational commander, who was severely injured during combat in May 2022 and *hors de combat* since then.⁶⁴ Uwajeneza Muhindi was arrested by the armed group CMC/FDP in January 2022 and handed over to the FARDC (see [S/2022/479](#), para. 72). He expressed concern for his physical safety if transferred to Rwanda.

While the Government of Rwanda refuted the spokesperson’s allegations of Rwandan support to M23/ARC (see [S/2022/479](#), para. 72 and annex 39) and denied that both these captured men were active RDF members, the Rwandan Government acknowledged that two other arrested men were RDF soldiers.

On 28 May 2022, two RDF soldiers, Nkundagagenzi Elysee (115th Battalion) and Ntwari Gad/Guard (15th Battalion, 503 Brigade), wearing military attire and carrying weapons (see pictures below) were caught by the local population close to Biruma, and handed over to DRC police officers who arrested them. In two official communiqués, the RDF claimed that the two soldiers had been kidnapped by the FARDC and FDLR jointly, while on patrol along the border. However, eyewitnesses and civil society sources reported to the Group that upon their arrest, the two RDF soldiers declared that they had been involved in military operations against the FARDC camp in Rumangabo. The EJVM in turn reported that the two RDF soldiers declared they were sent on an armed reconnaissance patrol on DRC territory with seven other persons commanded by Second Lieutenant Habarurema to identify the position of the artillery which had hit Kinigi in Rwanda on 23 May 2022, and identify “the enemy” responsible for the shelling (see annex 34).⁶⁵ The arrest of the two RDF soldiers while on DRC territory is confirmed by photographic/video evidence, eyewitness accounts, FARDC sources and MONUSCO. Both RDF soldiers were transferred back to the Rwandan authorities early June 2022 following mediation by Angola.

On 24 October, RDF corporal Emmanuel Nduwayezu surrendered to a local chief in Masisi. He was later arrested by the FARDC based in Kiwanja. The Group is investigating this case (see pictures below).

⁶² “Mukundwa” is the name/alias of a man reportedly in charge of M23/ARC recruitment.

⁶³ Including the attack against FARDC camp in Nyesisi.

⁶⁴ Sources: researchers, intelligence sources and MONUSCO sources.

⁶⁵ Report of the EJVM of 14 June 2022 on file with the Secretariat.



Picture of the two RDF soldiers, Nkundagenzi Elysee (115th Battalion) and Ntwari Gad/Guard (15th Battalion, 503 Brigade), captured near Burima provided to the Group by a civil society source



Picture of the RDF identification, Rwandan identification card and UNMISS card found on one of the two RDF soldiers when arrested, picture taken by the Group on 8 June 2022



RDF REQUESTS RELEASE OF SOLDIERS

REF: RDF/MPR/A/10/02/22

Kigali, 28 May 2022

Following the provocative aggression by FARDC on 23 May 22, where multiple rockets were fired on Rwandan territory, FARDC with FDLR attacked RDF along our border, and two Rwanda Defence Force soldiers were kidnapped while on patrol.

We have since located these two soldiers: Cpl Nkundabagenzi Elysee and Pte Ntwari Gad being held by FDLR in Eastern DRC.

We call upon authorities of the Democratic Republic of Congo that work closely with these genocidal armed groups to secure the release of the RDF soldiers.

END



DRC FIRES ROCKETS INTO RWANDA

REF: RDF/MPR/A/10/03/22

Kigali, 10 June 2022

The DRC armed forces, FARDC, fired two 122mm rockets into Rwanda from the Bunagana area, striking along the Rwanda-DRC border in Nyabigoma Cell, Kinigi Sector, Musanze District on 10 June 2022 at 11:55am. There were no casualties but the local population is terrified.

This follows similar shelling by forces in DRC on 19 March and 23 May 2022 in Kinigi and Nyange Sectors of Musanze District and in Gahunga Sector of Burera District, which caused casualties and damaged property.

These incidents, including the kidnap by FARDC-FDLR of two RDF soldiers on border patrol, have been reported to the Government of DRC, the Expanded Joint Verification Mechanism of the ICGLR and other partners.

RDF assures the population that efforts to resolve this issue are underway and their safety is assured.

END

Official communiqués of 28 May and 10 June 2022 by the Government of Rwanda confirming the identity and rank of the two captured RDF soldiers provided to the Group by a FARDC source on 29 May and 11 June 2022, respectively



Picture of the RDF documents, including an RDF service identification card and UNMISS card found on the RDF corporal arrested on 24 October 2022 in Kiwanja.

Annex 29

RDF presence in Kibumba area and geo-location of the videos

Présence des RDF dans la région de Kibumba et géolocalisation des vidéos

Eyewitnesses, FARDC sources, civil society actors and local authorities interviewed by the Group in Kibumba and Buhumba groupements, Rutshuru territory, reported that on 24 May 2022 a large number of RDF troops marching in columns arrived from the Rwandan side of the border and entered the DRC through at least four entry points. RDF troops occupied several positions in the Kibumba area, some of which were inspected by the Group, and cut off the RN2 road for several days. They attacked and dislodged FARDC from their positions along the RN2 between Kibumba and Kibati, and conducted operations against FDLR.

Fourteen eyewitnesses interviewed by the Group identified the armed and uniformed men, estimated at around 900 to 1000, as RDF members because of their distinct military equipment and uniforms, their organized structure, *modus operandi* and spoken language.

One video of 25 May 2022 clearly shows up to 51 RDF soldiers marching as part of a column and carrying one wounded soldier (second screenshot below).⁶⁶ The Group travelled to the area and identified the precise location of where the video was filmed (see pictures and geo-localisation below).

According to MONUSCO and intelligence reports, RDF troops included members of the 6th, 19th and 25th battalions and RDF special forces that operated under the overall command of the G3 of the RDF's 3rd Division Commander Lieutenant-Colonel André Nyanvumba.



⁶⁶ Video on file with the Secretariat.





Screenshots of video footage of RDF presence taken from a video recorded on 25 May 2022 and provided to the Group by a civil society source



Picture of the house that appears on the video above. Picture taken by the Group on 9 June 2022 when performing geo-location of the 25 May 2022 video.



Geo-location of the house in the video performed by the Group on 9 June 2022:
1°29'02.4" S – 29°20'59.1" E

Annex 30

Aerial footage and photographic evidence confirming the presence of RDF soldiers on DRC territory

Des images aériennes et des preuves photographiques confirmant la présence de soldats des FDR sur le territoire de la RDC.

- The Group obtained photographic evidence of RDF soldiers in a M23/ARC camp on Mount Visoke on 21 November 2021. The RDF soldiers were equipped with weapons and military attire. Twelve M23/ARC ex-combatants also reported that they had seen RDF soldiers in M23/ARC camps.

Aerial footage, Visoke mountain, DRC, 1°25.999'S – 29°29.737'E, 21 November 2021:





Pictures received from a source familiar with the issue

- Aerial footage of 27 June 2022 also shows armed men wearing military attire and weapons similar to those of the RDF, on a fortified hill in Tchengerero, which was under M23/ARC control at the time (see below):

Aerial footage, 27 June 2022, Tchengerero, DRC, 01°16'19" S – 029°33'26"E:

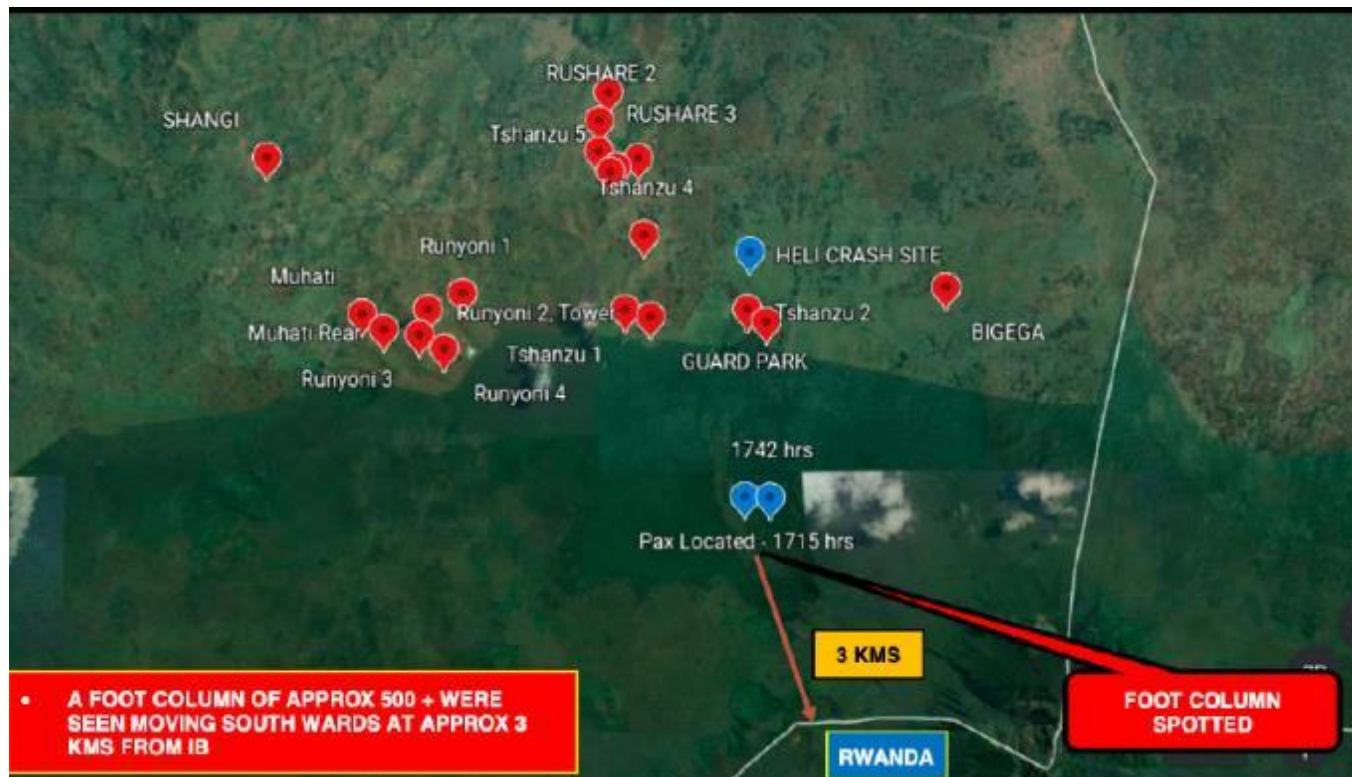


Pictures provided to the Group by MONUSCO

- On multiple occasions, aerial imagery showed large columns of up to 500 armed men in the vicinity of the DRC, Rwandan and Ugandan borders, moving in a very organized manner and wearing standardized military attire and equipment (uniforms and helmets similar those of the RDF, backpacks, and personal weapons).

- For example, on 28 May 2022, a drone spotted a column of approximately 500 men equipped with weapons and wearing standardised uniforms, backpacks and helmets moving from Runyoni towards the Rwandan border.

Below: Drone footage of moving foot column south of Tchanzu and moving south, 28 May 2022, 01°21'48" S–29°33'13" E and 01°22'07" S–29°33'32" E:

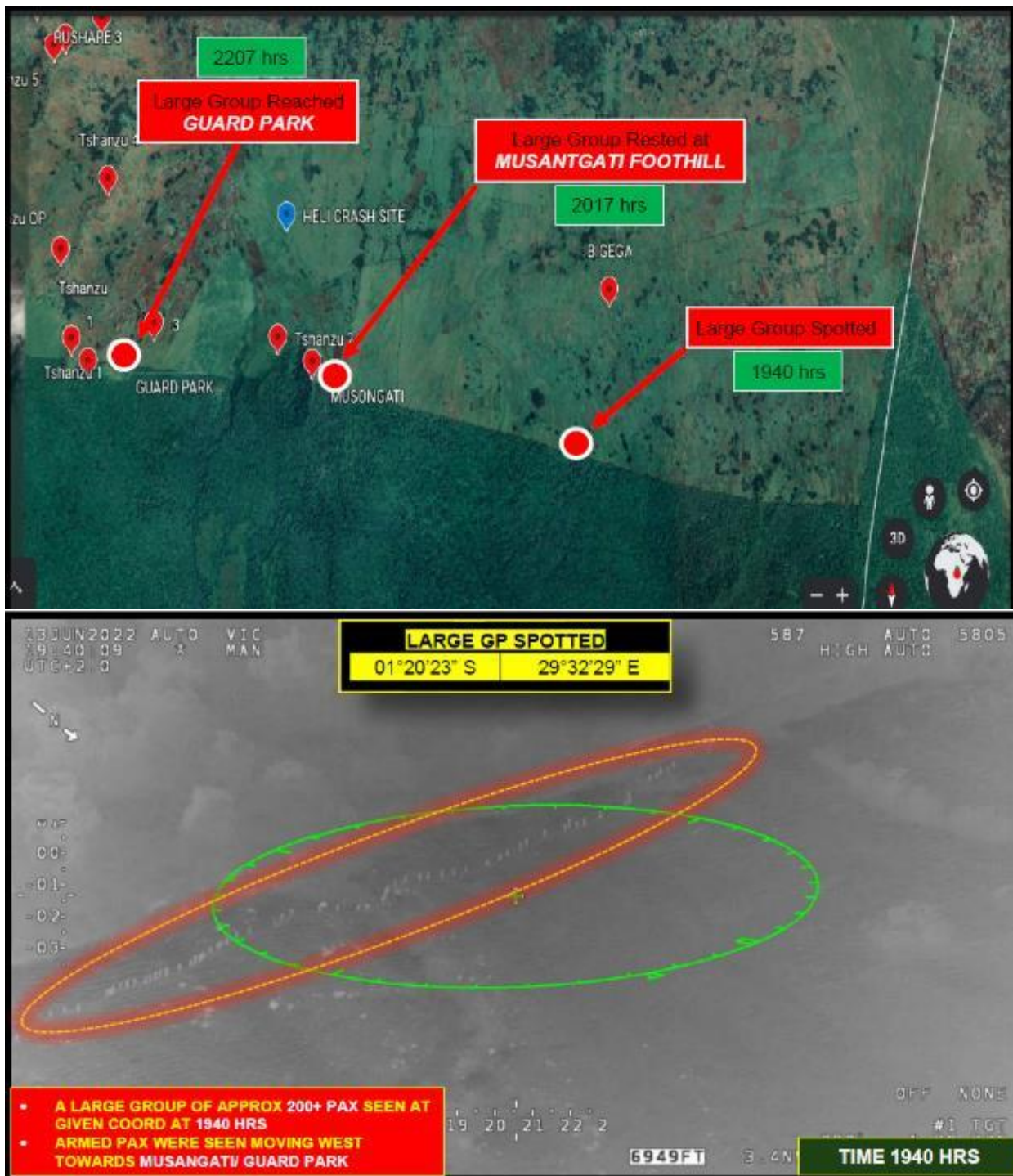


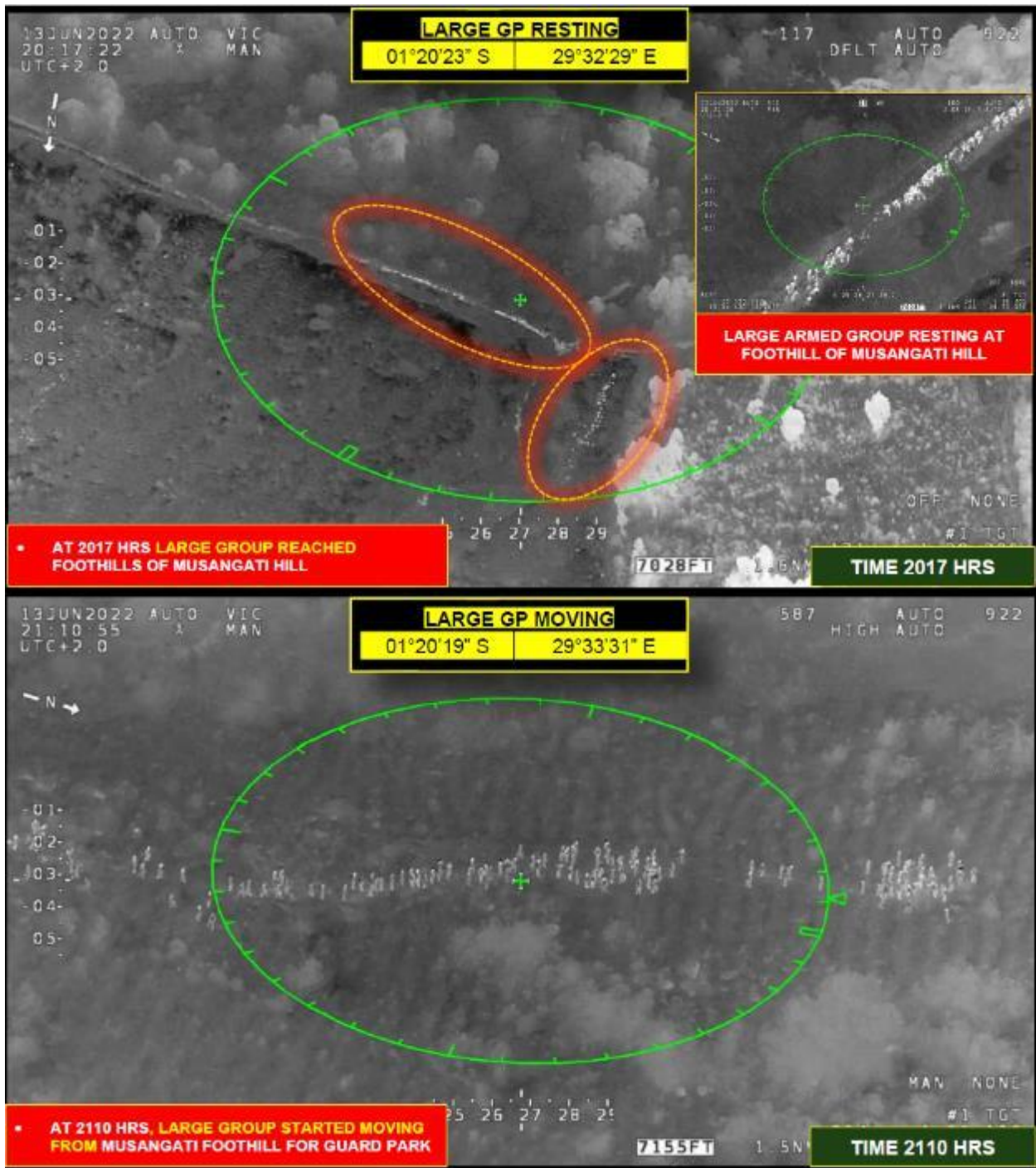


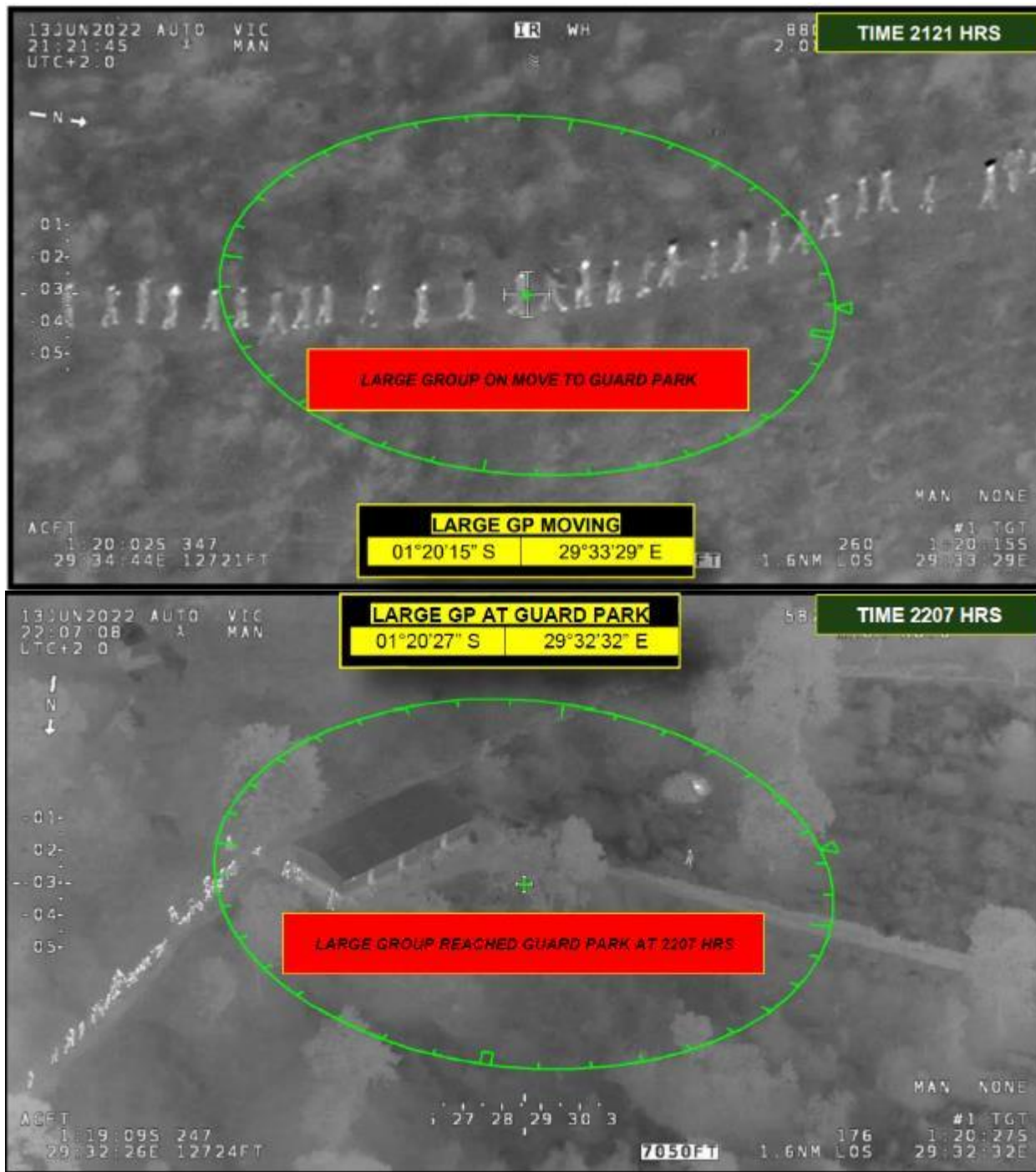
Footage provided to the Group by MONUSCO

- On 13 June 2022, the day after M23/ARC assault on Bunagana, a drone spotted approximately 200 men all equipped with similar uniforms, weapons and backpacks moving from Bunagana to Tchanzu.

Below: Drone footage of moving foot column between Musangati hill moving west towards Guard Park, 13 June 2022, 01°20'23" S – 29°32'29" E and others:







Footage provided to the Group by MONUSCO

- On 3 July 2022 in Runyoni, which was under M23/ARC control, a column of approximately 80 men equipped with standardized uniforms and weapons was also observed.

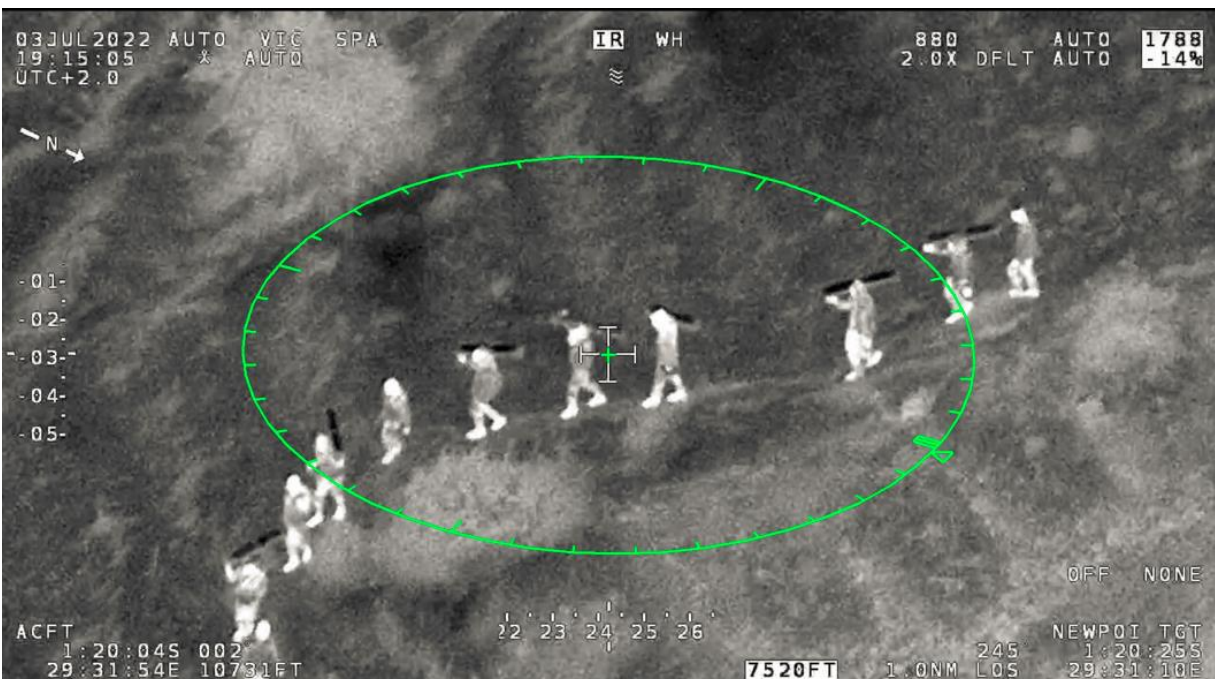
Below: Aerial footage of moving foot column in Runyoni on 3 July 2022, 01°20'33" S – 29°31'03" E:

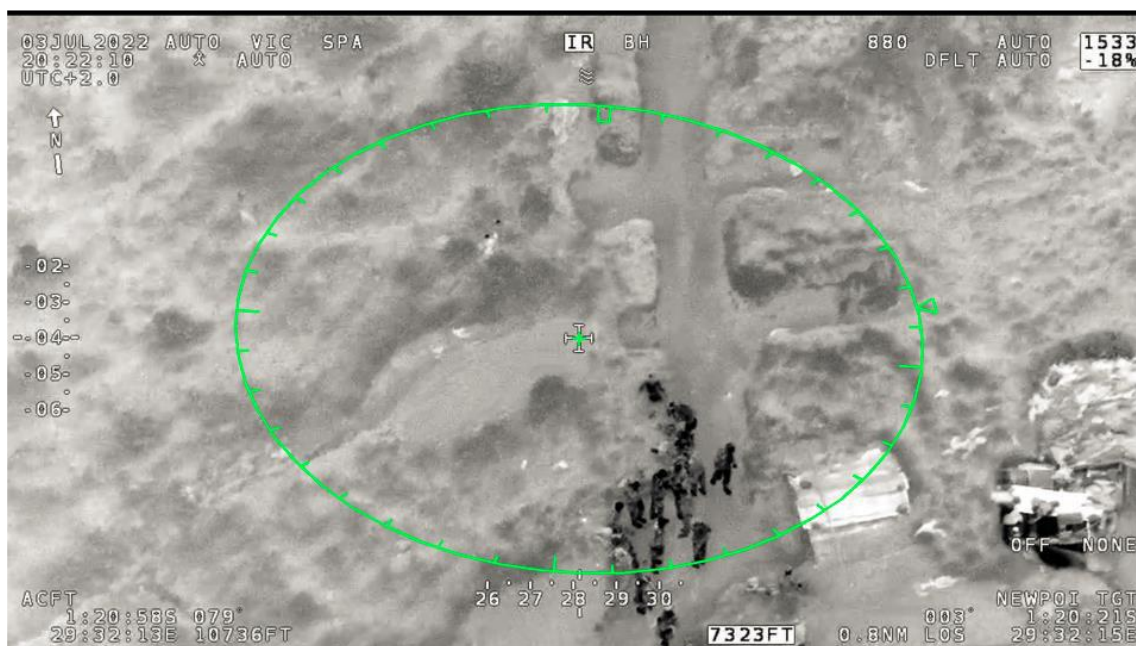
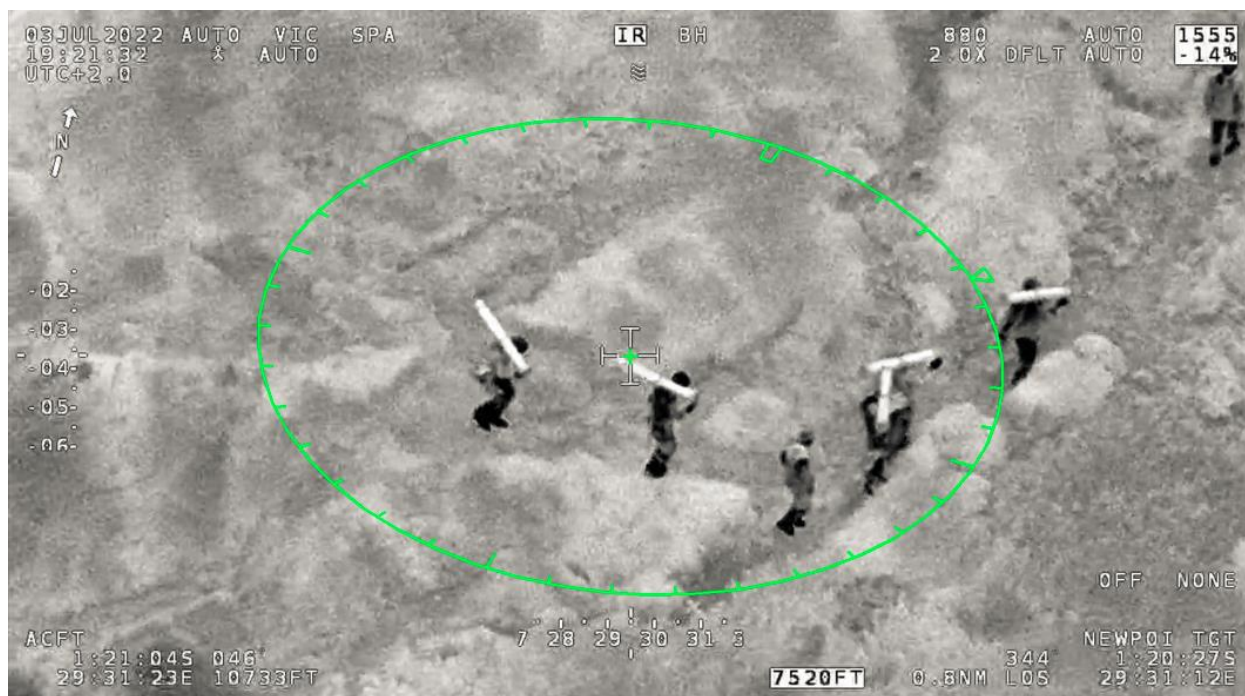


Footage provided to the Group by MONUSCO

- Imagery shot on 3 July 2022 shows at least 14 uniformed men carrying a significant number of tube-shaped objects - most likely 107 mm rockets – while moving between Runyoni and Tchanzu, where they placed the objects in a location which seems to be a small cave. Cross-border movements of artillery, weapons and ammunition enabled M23/ARC to sustain intense fighting on several fronts at the time and for several weeks.

Below: Armed elements carrying tube-shaped objects, most likely 107 mm rockets, between Runyoni and Tchanzu on 3 July 2022, 01°20'25" S – 29°31'10" E and 01°20'17" S – 29°31'12" E:





Footage provided to the Group by MONUSCO

- On this topic, see also annex 33.

Annex 31

Additional information on some RDF operations against FDLR

Informations supplémentaires sur certaines opérations des RDF contre les FDLR

In late May and early June 2022, RDF conducted targeted operations against FDLR/Forces Combattantes Abachunguzi (FOCA) and RUD-Urunana⁶⁷ near Kibumba, in the area between the Nyamulagira and Nyiragongo volcanoes, and against Collectif des mouvements pour le changement/Forces de Défense du Peuple (CMC/FDP) in the areas around Rugari and Rumangabo.⁶⁸

On 2 June 2022, a group of an estimated 290 RDF soldiers abducted four civilians near Rugari and near Mikeno forest, forced the civilians to show them the path to the FDLR camp of “Colonel” Ruvugayimikore Protogène alias Ruhinda and to carry the RDF soldiers’ belongings.

A Rwandan civilian used as a scout by the RDF during the operation informed the abductees that this operation was the third on DRC territory aimed at killing Ruhinda.⁶⁹

The RDF were ambushed at least twice by FDLR, killing one of the abductees and injuring at least one RDF soldier (see annex 29 which shows a wounded RDF soldier being carried in the second picture).⁷⁰

This operation against FDLR lasted three days. On the third day, the RDF soldiers forced the abductees to show them the road to Kibumba. The abductees were freed in the Mikeno forest,⁷¹ just before the RDF troops crossed the border to Rwanda.

M23/ARC and RDF clashed again with FDLR in and around Rugari in late October 2022.

This annex does not provide an exhaustive list of RDF operations targeting the FDLR.

Regarding other RDF operations against the FDLR, see also [S/2020/1283](#), paras. 36-41.

⁶⁷ See [S/2020/482](#), para. 58 and [S/2017/672/Rev.1](#), para. 16.

⁶⁸ Eyewitnesses, local authorities, DRC armed and security forces sources, FDLR and CMC sources.

⁶⁹ At least two other operations against FDLR were documented on 27 and 28 May 2022.

⁷⁰ Sources: eyewitness, local authorities, FDLR sources and video footage.

⁷¹ Between Kibumba and Gashiji.

Annex 32**Additional information on RDF troops attacking FARDC positions****Informations supplémentaires sur les troupes des RDF attaquant les positions des FARDC**

On 24 May 2022, RDF troops attacked the position of the FARDC 34081st regiment on Nyondo hill in Kibumba (see also annex 29 on RDF presence in Kibumba area). According to FARDC, intelligence sources, researchers and MONUSCO, this operation was conducted by RDF troops from the 3rd Division upon instructions from RDF Major-General Alexis Kagame.

One day later, on 25 May 2022, another attack hit the FARDC 3408th regiment position located on Kasinga hill in Kibumba. FARDC and MONUSCO sources reported the presence of 35 M23/ARC combatants used as proxies by the RDF 3rd Division during the attack against the FARDC camps.

FARDC sources, intelligence sources and local authorities reported that 20 FARDC soldiers and officers were killed during the attacks.

Additional information on other attacks against FARDC positions is provided in annex 16.

Annex 33

30 October 2022 Official Communiqué of the DRC Government, and drone footage

Communiqué officiel du 30 octobre 2022 du gouvernement de la RDC, et images de drone



COMMUNIQUÉ OFFICIEL

Le Président de la République, Chef de l'Etat et Commandant Suprême des Forces Armées de la République Démocratique du Congo et de la Police Nationale Congolaise a présidé, ce samedi 29 octobre 2022 à la Cité de l'Union Africaine à Kinshasa, une réunion élargie du Conseil Supérieur de la Défense.

Il a été question de faire le point de l'évolution de la situation sécuritaire dans le Nord-Kivu marquée particulièrement par une série d'attaques et l'occupation de quelques localités congolaises, dans le territoire de Rutshuru, par le M23 appuyé par l'armée rwandaise.

A la lumière des différents rapports recueillis sur terrain dont celui du Centre Conjoint des Opérations équipés des drones de surveillance, il a été observé, ces derniers jours, une arrivée massive des éléments de l'armée rwandaise pour appuyer les terroristes du M23 en vue d'une offensive générale contre les positions des Forces Armées de la République Démocratique du Congo.

Le Conseil Supérieur de la Défense a rappelé que cette offensive du M23 appuyée par l'armée rwandaise vient de porter un énième coup aux processus de paix de Nairobi et de Luanda engagés depuis plusieurs mois. Cette aventure criminelle et terroriste a rencontré une farouche résistance de nos Forces Armées déterminées à défendre la patrie jusqu'au sacrifice suprême.

Ces affrontements ont provoqué un déplacement massif de plusieurs milliers de nos compatriotes rendant encore plus difficile une situation humanitaire déjà préoccupante.

Au regard des faits qui précèdent, le Conseil Supérieur de la Défense demande au Gouvernement :

1. D'expulser, dans les 48 heures après sa notification, Monsieur Vincent KAREGA, l'Ambassadeur plénipotentiaire du Rwanda en poste en République Démocratique du Congo.

Et ce, en raison, d'une part, de la persistance du Rwanda à agresser la RDC et à appuyer le mouvement terroriste du M23 qu'il instrumentalise à cette fin ; et d'autre part, du mépris teinté d'arrogance des autorités rwandaises vis-à-vis tant du processus de Nairobi et de Luanda que des recommandations de la Communauté internationale plus précisément des Nations Unies (ONU), de l'Union Africaine (UA), de la Communauté de l'Afrique de l'Est (CAE), de la Communauté de Développement de l'Afrique Australe (SADC) et des partenaires bilatéraux exigeant unanimement la cessation d'activités terroristes du M23 et de tout appui extérieur à lui, son retrait sans délai ni condition des localités congolaises occupées et le retour immédiat des populations déplacées.

2. D'envoyer, en toute urgence, une mission humanitaire pour porter une assistance à nos populations déplacées à la suite de ces attaques ;
3. De prendre des nouvelles mesures supplémentaires de restriction d'accès au territoire congolais à l'encontre du Rwanda ;
4. D'accroître la force de frappe de nos Forces Armées et de Sécurité ;
5. De réaffirmer la volonté de la République Démocratique du Congo de rester engagé dans les processus de paix de Nairobi et de Luanda en vue de restaurer durablement la paix, la sécurité et la stabilité dans la région des Grands-Lacs.

En ce moment particulier où l'unité nationale est menacée, le Conseil Supérieur de la défense a félicité les Forces de Défense et de Sécurité de la République Démocratique du Congo pour leur bravoure et leur détermination à défendre l'intégrité territoriale de notre pays, à protéger les populations ainsi que les Institutions de la République. Il les exhorte à poursuivre leur noble mission.

En vue de préserver l'unité nationale, le Conseil Supérieur de la Défense a rappelé la recommandation du Président de la République, Chef de l'Etat, celle de s'abstenir de tout type de discours, d'actes de violence ou de stigmatisation contre les communautés rwandophones pour ne pas prêter le flanc à l'ennemi. Il a encouragé les Services habilités à veiller à la stricte observance de cette recommandation.

Enfin, le Conseil Supérieur de la Défense remercie le peuple Congolais pour l'élan de solidarité et de patriotisme manifesté à l'endroit de nos Forces Armées et des populations touchées par cette agression. Il a annoncé que le Président de la République, Chef de l'Etat s'adressera à la Nation dans les prochains jours.

Fait à Kinshasa, le 29 octobre 2022.

Patrick MUYAYA KATEMBWE
Ministre de la Communication et Médias
Porte-parole du Gouvernement

Document provided to the Group by Government source

Imagery shot on 30 October 2022 near Rugari shows a total of at least 40 uniformed men carrying weapons while moving, manning checkpoints, or standing in a M23/ARC camp. According to several sources, these were RDF soldiers. The Group notes that the elements wear uniforms and equipment similar to the standard RDF gear. See also annexes 16 and 26.

As previously reported (see annex 26), the Group notes that given the similarities between M23/ARC and RDF equipment (uniform, helmet, bullet proof vests, backpack, weapons, etc.), this also means that it may become increasingly difficult to distinguish M23/ARC combatants from RDF soldiers. The Group wishes to recall that on 24 October, RDF corporal Emmanuel Nduwayezu surrendered to a local chief in Masisi.



Sample of footage provided to the Group by MONUSCO

Annex 34**Shelling in Musanze and Burera districts, Rwanda, 23 May 2022****Bombardements dans les districts de Musanze et Burera, Rwanda, 23 mai 2022**

The EJVM reported a total of eight 122 mm rockets fired onto Rwandan territory, seriously injuring two civilians and damaging infrastructure. The EJVM conducted onsite investigations but could not establish the origin of the artillery shelling.⁷²

According to three independent sources, two of whom have close ties with armed groups active in Rutshuru territory, “Colonel” Ruvugayimikore Protogène, alias Ruhinda, of FDLR (see [S/2022/479](#), annex 40) ordered the shelling of Rwandan villages. When contacted by the Group, the FDLR spokesperson denied FDLR’s involvement.

The Group continued its investigations to identify the origin of the shelling, as well as those responsible for ordering and/or executing it. The Group notes that the FARDC has 122 mm capability, but that this type of artillery munition has not (yet) been documented by the Group with FDLR.

The Rwandan Government and the EJVM reported similar shelling by armed forces operating from the DRC on 19 March⁷³ and 10 June 2022.

Below: Rwandan authorities denouncing the shelling on 23 May 2022 by the FARDC:

⁷² Report of the EJVM on file with the Secretariat. The EJVM also conducted onsite investigations in the DRC to establish the origin of the shelling on DRC territory on 23 May 2022 which it could not determine, however. According to the EJVM, “both Rwanda and the DRC deny any responsibility for the shelling of their respective territories”.

⁷³ 19 March 2022 shelling in Kinigi, Musanze district.



RDF REQUESTS INVESTIGATION OF THE FORCES ARMÉES DE LA RÉPUBLIQUE DÉMOCRATIQUE DU CONGO (FARDC) SHELLING ON RWANDAN TERRITORY

REF: RDF/MPR/A/10/01/22

Kigali, 23 May 2022

The Rwanda Defence Force (RDF) has requested the Expanded Joint Verification Mechanism (EJVM) to investigate cross-border shelling on Rwandan territory by Forces Armées de la République Démocratique du Congo (FARDC).

On Monday, 23 May 2022, between 0959hrs and 1020hrs, FARDC rocket shelling hit Kinigi and Nyange Sectors in Musanze District which also borders Gahunga sector in Burera District injuring several civilians and damaging property.

Col. Ronald Rwivanga, military spokesperson said: “The situation in the area is normal and security assured. Those injured are receiving treatment and officials are assessing the extent of the damage. The RDF has requested for urgent investigation by the regional EJVM, and Rwandan authorities are also engaging DRC counterparts over the incident.”

END



Official communication and press article provided to the Group by a civil society source on 24 May 2022

Below: Excerpt of the EJVM report containing pictures of damage and injured civilians in Nyange:



Lieu de l'incident



Domage sur la ligne électrique



Les habits de jeune fille blessée



La jeune fille blessée

EVJM report provided to the Group by a source with knowledge of the matter, report on file with the Secretariat

Annex 35

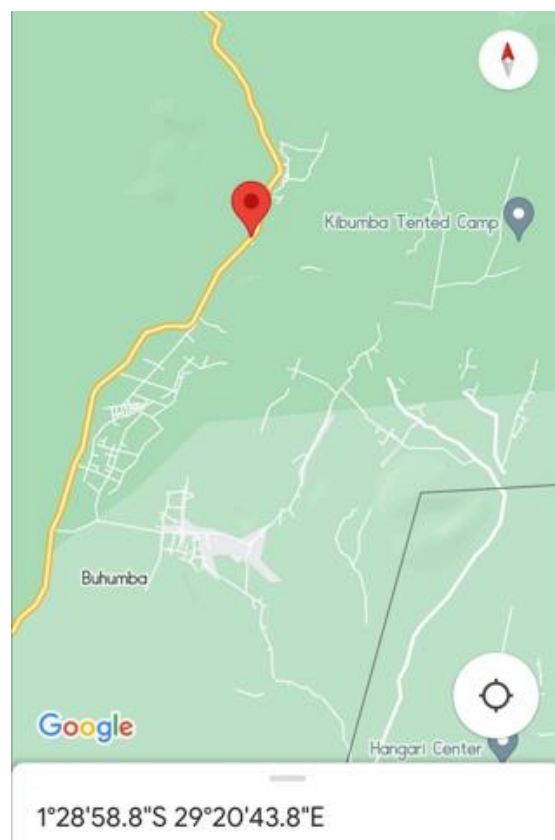
Shelling attributed to M23/ARC

Bombardements attribués au M23/ARC

(1) Shelling in Kibumba area, Rutshuru territory on 23, 24 and 25 May 2022

During the night of 23 to 24 May 2022, and on 25 May 2022, at least 10 rockets were launched in the area along the RN2 road between Kibati and Kibumba, Rutshuru territory.⁷⁴ The Group documented the destruction and damage of several civilian houses and infrastructure along the road following this shelling (see photographs below).

Eyewitnesses reported that the rockets travelled from an eastern to a western direction and were launched from the Rwandan border. The Group did not find artillery fragments on the site, as they had previously been taken away by the civilian population and the FARDC. It could therefore not identify the calibre of the rockets nor confirm the exact origin of the shelling.



Location of one of two houses impacted by the shelling documented by the Group on 9 June 2022

⁷⁴ Sources: local authorities, FARDC sources, eyewitnesses, community leaders, civil society, intelligence sources and MONUSCO. The EJVM report on the shelling also refers to shelling in Kibumba. The Group notes that in the early morning of 24 May 2022, RDF troops attacked and dislodged the FARDC along that road (see para. 45).



Pictures of houses and infrastructure impacted by the shelling, taken by the Group on 9 June 2022

(2) Shelling in Katala area, Rutshuru territory on 23 May 2022

The Group documented the shelling with at least 15 rockets⁷⁵ around the village of Katala, Rutshuru territory, on 23 May 2022. One rocket hit a school in Kanyagogo, a few hours after the classes had finished. Two classrooms were destroyed. Within the debris of one of the classrooms the Group recovered remnants of a 107 mm rocket, a type of artillery known to be in possession of M23/ARC⁷⁶ (see S/2022/479, para. 68). Several other similar rockets landed close to houses inhabited by civilians and a forested area.

The fact that the area impacted by the shelling was less than two kilometres away from the FARDC camp in Rumangabo, which could be seen from the school in Katala, suggests that the artillery rounds may have targeted this FARDC position. In view of the launch azimuth of the rockets⁷⁷ and the range capacity of the 107 mm rockets, the artillery position from which the shelling originated was most likely in Kanombe/Bukima, where M23/ARC combatants were observed that day.⁷⁸

Below: School and classroom destroyed by the shelling on 23 May 2022:



Picture taken by the Group in the school in Kanyagogo, Katala area, on 8 June 2022

⁷⁵ The EJVM reported a total 16 rockets on 23 May 2022.

⁷⁶ The RDF and the FARDC also have 107 mm rocket capability.

⁷⁷ As determined by explosion trace elements in the soil, their latitude/longitude lines, the position of the military target and the topography of the site.

⁷⁸ Sources: civil society sources, FARDC and security forces in the area.

Below: Remnants of a 107 mm rocket discovered by the Group in the Kanyagogo school:



Pictures taken by the Group in the school in Kanyagogo, Katale area on 8 June 2022

Below: Shelling of an area inhabited by civilians in the Katale area:



Picture of the impact of a rocket behind a house in the Katale area, taken by the Group on 8 June 2022

Below: View of the hill where FARDC retreated to during the attack of the Rumangabo military camp:



Picture taken by the Group from the school on 8 June 2022

Below: Annotated map illustrating the calculation of the artillery position of the shelling:



Map provided to the Group by MONUSCO on 15 June 2022

(3) Shelling in Biruma, Rutshuru territory, on 10 June 2022

The Group documented the shelling in Biruma and Kabaya on 10 June 2022, not far from that of Katale on 23 May 2022. The Group interviewed eyewitnesses, victims, members of local civil society and FARDC sources, and analyzed photographic evidence.

Two boys, aged six and seven, playing on the soccer field of the school of Saint Gilbert Institute in Biruma were instantly killed by the shelling. Another young boy was injured, and civilian houses and a neighbouring banana plantation were damaged (see below).

Upon the Group's request, fragments of 122 mm rockets were collected and documented on site by civil society sources (see below). The Group has no photographic evidence of M23/ARC possessing 122 mm rockets, but it considers this as a possibility.

FARDC sources, security sources, local authorities and eyewitnesses reported that the rockets overshot the FARDC camp in Rumangabo and originated from the south-east. Given the 20 km range of 122 mm rockets and their trajectory, the 122 mm strikes could originate either from an M23/ARC position on DRC territory or from the territory of Rwanda. Further investigations are required to determine the exact location of the artillery position.

Below: The two children killed by the 10 June 2022 shelling:



Pictures received from civil society sources

Below: Impact of the shelling that killed the children and injured a third child:



Pictures received from civil society sources on 10 June 2022

Below: Shelling damage to one of the civilian houses in Biruma:



Picture provided to the Group by a civil society source on 16 June 2022

Below: Remnants of 107 mm rockets recovered at the shelling site:



Pictures provided to the Group by a civil society source

(4) The shelling on 16 August 2022 of the construction site of a new hydroelectric power plant in Rwanguba, Rutshuru territory

On 16 August 2022, the construction site of a new hydroelectric power plant in Rwanguba,⁷⁹ Rutshuru territory, located at the foot of Shwema hill then occupied by M23/ARC, was shelled.⁸⁰

According to the Institute for the Conservation of Nature (ICCN) managing the site of the Rwanguba hydroelectric plant (also referred to as “the Matebe plant”), the artillery fire came from the positions of M23/ARC located on top of Shwema hill, less than five kilometres from the construction site.⁸¹

The attack resulted in significant material damage to the site’s technical equipment. Three shells landed in close vicinity of each other, thus indicating that the attack was targeted. The park authorities were able to evacuate staff in the early stages of the attack, preventing any staff casualties. Several sources reported that the attack also resulted in civilian casualties within residential populations around the plant.⁸² However, the Group could not independently verify the impact on civilians as it could not access the area, due to the proximity of M23/ARC positions.

The remains of three artillery shells were found on the premises, subsequently removed by UNMAS.

The Group visited the site of the shelling at the Rwanguba plant on 11 October 2022.



Picture taken by the Group on 11 October 2022 showing Shwema hill in the foreground.

Although repairs have already been carried out to the damaged equipment, and the impact locations of the shells were no longer visible, the Group was able to document some visible traces of the explosions.

Eyewitnesses reported that the fire came from positions held by M23/ARC on top of the hill. ICCN stated that the reason for “the attack on crucial Congolese infrastructure” was unknown (see below the ICCN Press release 17 August 2022).

⁷⁹ The construction project is the largest energy production project in the eastern RDC.

⁸⁰ See photos of damage on site.

⁸¹ The ICCN condemned the incident in a press release on 17 August – see ICCN Press release 17 August 2022 Rumangabo, Nord Kivu, <https://virunga.org/wp-content/uploads/2022/08/20220817-EN-Communique%CC%81-bombardement-Rwanguba-16-aou%CC%82t-2022-final.pdf>.

⁸² Source: ICCN Press release 17 August 2022 Rumangabo, Nord Kivu; MONUSCO sources. See also <https://humanglemedia.com/rebels-attack-hydroelectric-plant-in-eastern-dr-congo-murder-civilians/>.

A FARDC position was located at less than 2 km from the hydroelectric power plant and eyewitnesses reported that an exchange of fire between the FARDC and the M23/ARC position at the top of Shwema hill preceded the shelling.⁸³

Given the fact that a FARDC camp was located between Shwema hill and the hydroelectric power plant, and that the area impacted by the shelling was less than two kilometres away from this FARDC camp, the possibility that the artillery rounds may have targeted this FARDC position cannot be excluded. Nevertheless, a former M23/ARC fighter who was on Shwema hill at the time of the incident told the Group that the attack deliberately targeted the plant to prevent the ongoing evacuation of staff, as the M23/ARC suspected the presence of FARDC elements within the premises.⁸⁴

M23/ARC denied attacking the hydroelectric power plant in a public statement published in response to the ICCN press release (see below), stating that “ICCN and all of its facilities are not military targets” for M23, and instead blaming it on the “FARDC-FDLR-NYATURA-APCLS-FPP/AP/KABINDO coalition” (see below “The M23 Response to the ICCN baseless accusations”).

⁸³ ICCN sources.

⁸⁴ Former M23 source.

Below: ICCN Press release of 17 August 2022,⁸⁵ Rumangabo, Nord Kivu:



Press release

17 août 2022
Rumangabo, Nord Kivu, RDC

Artillery attack on Virunga National Park's hydro-electric power worksite

An unprecedented attack occurred yesterday on Virunga's staff and infrastructure programs at the hydro-electric power plant at Rwanguba, in the Rutshuru District of North Kivu. The construction project, financed by the European Union, is the largest energy production project in the eastern Democratic Republic of Congo. The attack involving artillery fire resulted in casualties within residential populations around the plant as well as significant material damage to the site's equipment. The park authorities were able to evacuate staff in the early stages of the attack avoiding any staff casualties. Eyewitnesses are reporting the fire came from positions held by the newly reformed M23 rebels though the reason for the attack on crucial Congolese infrastructure is unknown.

Virunga National Park is at the heart of the region affected by the recent M23 rebellion. Its Mountain Gorilla sector, in the south of the park straddles the border between Rwanda and the Democratic Republic of Congo and has been the object of intense fighting since October 2021. On 22nd November 2021, a park ranger, Etienne Kanyaruchinya, was killed during a violent attack on a patrol post in Bukima, highlighting a marked uptick in violence against the park staff.

Olivier Mushiete, the Director General of the Congolese Institute for Nature Conservation (ICCN, the national agency responsible for the management of Congo's national parks), said today: *"ICCN strongly condemns this latest attack. ICCN Rangers are law enforcement officers responsible for protecting conservation areas. Their mandate is to ensure the protection of Congolese natural heritage which, in the case of Virunga National Park, is also listed as a UNESCO World Heritage Site. Equally, non-armed park staff working on the park's development programs carry out their work with the sole objective of building a more peaceful and prosperous future for the poorest people of North Kivu. Today's attack will not undermine their determination to pursue their mission."*

Notes to Editor:

For close to a decade, Virunga National Park has been working on producing renewable energy as part of a strategy to use the Park's resources in a sustainable manner, promoting green economic development and stimulating job creation. The park's power plants are set to produce close to 42MW, making it eastern Congo's largest source of renewable energy.

Adresse physique à Goma :
N°142, Avenue des ronds-points, Quartier les volcans, Goma, Nord-Kivu

⁸⁵ <https://virunga.org/wp-content/uploads/2022/08/20220817-EN-Communique%CC%81-bombardement-Rwanguba-16-aou%CC%82t-2022-final.pdf>



Those power plants are being built thanks to the financial support of the EU, through their development programs aimed at targeting poverty in North-Kivu.

An 2019 independent analysis by the UK research institution, Cambridge Econometrics, estimated that this level of energy production has already generated over 30,000 jobs in this region suffering from extreme poverty. This figure is expected to reach beyond 100,000 by 2030.

Virunga National Park (Parc National des Virunga), in the eastern Democratic Republic of the Congo, is 7,800-square-kilometers (3,000 sq mi) stretching from the Virunga Mountains in the South, to the Rwenzori Mountains in the North, bordering Volcanoes National Park in Rwanda and Rwenzori Mountains National Park and Queen Elizabeth National Park in Uganda. The park was established in 1925 as Africa's first national park and has been a UNESCO designated World Heritage Site since 1979. In recent years poaching and the Congo Civil War have seriously damaged its wildlife population. The park's ecosystems are today being restored thanks to the work of ICCN rangers.

Virunga National Park is managed by the Congolese National Park Authorities, the Institut Congolais pour la Conservation de la Nature (ICCN) and its partner the Virunga Foundation. The Institut Congolais pour la Conservation de la Nature (ICCN) is the Congolese governmental institution tasked with the management of protected areas in the DRC. ICCN rangers are mandated with the protection of ecosystems and wildlife, which, at Virunga National Park, also include the endangered Mountain Gorilla.



Below: M23 statement denying the shelling, in response to the statement issued by ICCN issued on 17 August 2022, reposted on the Twitter account of Bertrand Bisimwa at <https://twitter.com/bbisimwa/status/1560139141819629569>.

← Tweet





Bertrand Bisimwa
@bbisimwa



L'ARC/M23 n'a jamais pris pour cible les installations de l'ICCN. Le M23 avait facilité la construction de la centrale hydroélectrique de Matebe au profit de nos populations. Il ne peut donc pas anéantir ses propres efforts. La coalition est seule responsable de cette attaque

[Translate Tweet](#)

<p>Notre Mouvement n'est pas auteur de cet acte ignoble qu'il déplore et condamne. Pour ce faire, il tient à préciser ce qui suit :</p> <p>01. L'ICCN et l'ensemble de ses installations ne constituent aucunement une cible militaire, ils ne peuvent donc pas faire l'objet d'une attaque quelconque en provenance de l'Armée Révolutionnaire Congolaise, sigle ARC/M23 ;</p> <p>02. Le M23 qui a facilité en 2012 et 2013 la construction de la centrale hydroélectrique de MATEBE pour pallier à l'incapacité du Gouvernement de Kinshasa à offrir l'électricité de bonne qualité de façon permanente à nos populations ne peut rêver un seul instant s'en prendre à ce projet de grande valeur qui a vu le jour. Ce serait une attaque contre les fruits de nos propres efforts qui profitent à nos familles ;</p> <p>03. L'ICCN qui, dans le passé comme aujourd'hui, entretient des relations irréprochables avec le M23 en matière de protection des gorilles de montagne, car le nombre d'individus augmente dans les espaces sous notre contrôle, les aires protégées, la faune et la flore protégées grâce à la discipline de notre Armée, ne mettrait pas en cause notre organisation ;</p> <p>04. Lorsque, par contre, l'ICCN se réfère aux propos de ce qu'il appelle vaguement « les communautés locales » pour attribuer ces attaques au M23 ceci suscite notre curiosité. Des communautés locales qui, au lieu de se mettre à l'abri des bombes à l'instar des agents</p> <p>Foremost, we would like to clarify the following :</p> <p>01. ICCN and all of its facilities are not military targets, therefore are not subject of any attacks from the Congolese Revolutionary Army, (CRA/M23);</p> <p>02. In 2012/2013, The M23, facilitated the construction of MATEBE hydroelectric plant to cater for the inadequate supply of electricity to our population, as the Kinshasa's Government had failed to provide the populations with permanent good quality electricity, we cannot dream for a second to take on this valuable project. To do so, it shall be considered attacking the fruit of our labour that extremely benefit our families;</p> <p>03. ICCN maintains a closer and irreproachable relationship with the M23, in which the latter stands with it shoulder to shoulder on the protection of the mountain gorillas fauna and flora. There is a significant increase in numbers of the gorillas in the areas under our control, thanks to the discipline of our Army, which should not be put in jeopardy;</p> <p>04. When, ICCN refers to what it calls vaguely "local communities" for it to attribute these attacks on the M23, this attracted our attention. Local communities whom instead of sheltering themselves from the bombs like the better equipped and more informed ICCN agents, decided to take the risk of exposing their lives just to identify the provenance of the said shells that fell on ICCN's facilities, really unbelievable, it is not a made up</p>	<p>« Les militaires congolais sur une technologie générique ont tué des villages dont la plupart de nos soldats sont originaires et habités par leurs familles ? »</p> <p>07. Les propos du ministre du Tourisme du Gouvernement de Kinshasa exprimant, au cours du Briefing de presse tenu à Kinshasa le mercredi 20 juillet 2022, la volonté de militariser la gestion du Parc National des Virunga ne sont pas anodins. Une telle attaque servirait de couverture parfaite à une décision qui retirerait aux expatriés la gestion de l'ICCN qui bénéficie d'un important financement extérieur, de l'Union Européenne notamment, tant prisé par les prédateurs de Kinshasa.</p> <p>Notre Mouvement offre sa collaboration à l'ICCN pour faire toute la lumière sur cet incident qui, sans doute, mettrait en cause de la responsabilité des forces de la coalition en face.</p> <p>Fait à Sarambe, le 17 Août 2022 Le Porte-Parole Politique du Mouvement du 23 Mars</p>  <p>behave in the villages where most of our soldiers come from and inhabited by their families?</p> <p>07. The statement of the Minister of Tourism of Kinshasa's Government expressed, during the Press Briefing held in Kinshasa on Wednesday July 20th, 2022, the desire to militarise the management of the Virunga National Park are not insignificant. Such an attack would serve as the perfect cover for a decision that would shift the management of ICCN from expatriates, which benefits from significant external funding, notably from the European Union, to wanted by the predators of Kinshasa.</p> <p>Our Movement offers its full collaboration to the ICCN in away to shed the light on this incident which, without a shadow of doubt, would call into question the responsibility of the said coalition forces.</p> <p>Sarambe, August 17th, 2022 The M23 Movement political Spokesperson</p> 
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7:38 am · 18 Aug 2022 · Twitter for iPhone

21 Retweets 1 Quote Tweet 48 Likes

Screenshot taken by the Group of Betrand Bisimwa's Twitter account (@bbisimwa)



The M23 Response to the ICCN baseless accusations

Our Movement, the M23 has read with considerable interest a communique of the Congolese Institute for the Conservation of Nature, (ICCN), denouncing the bombs that may have hit its new RWANGUBA hydroelectric plant on the morning of Tuesday August 16th, 2022. ICCN claims that according to local communities, the shelling came from the M23 positions which are located 5 km away from the said site.

Our Movement is not the author of this dreadful act, hence, denounced and condemns it. Foremost, we would like to clarify the following :

01. ICCN and all of its facilities are not military targets, therefore are not subject of any attacks from the Congolese Revolutionary Army, (CRA/M23);
02. In 2012/2013, The M23, facilitated the construction of MATEBE hydroelectric plant to cater for the inadequate supply of electricity to our population, as the Kinshasa's Government had failed to provide the populations with permanent good quality electricity. we, cannot dream for a second to take on this valuable project. To do so, it shall be considered attacking the fruit of our labour that extremely benefit our families;
03. ICCN maintains a closer and irreproachable relationship with the M23, in which the latter stands with it shoulder to shoulder on the protection of the mountain gorillas fauna and flora. There is a significant increase in numbers of the gorillas in the areas under our control, thanks to the discipline of our Army, which should not be put in jeopardy.
04. When, ICCN refers to what it calls vaguely "local communities" for it to attribute these attacks on the M23, this attracted our attention.. Local communities whom instead of sheltering themselves from the bombs like the better equipped and more informed ICCN agents, decided to take the risk of exposing their lives just to identify the provenance of the said shells that fell on ICCN 's facilities, really unbelievable. it is just a made up statement to clear the coalition FARDC-FDLR-NYATURA-APCLS-FPP/AP/KABIDO of their horrendous act.
05. We, hereby, draw the public's attention to the dreadful strategy of the coalition FARDC-FDLR-NYATURA-APCLS-FPP/AP/KABIDO, that has been denounced by the M23 for quite

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sometime now, one shall find it in our communique of July 2nd, 2022. Indeed, it has fallen into its own trap of war waged against us. The coalition is in search of a military victory by all means regardless of circumstances, including human sacrifice.. It positions its artillery near by civilian homes, hospital, schools and churches yards, etc. exposing civilian lives and using them as a human shield to its artillery. In this foolishness war, this type of army will stop to nothing to use civilian populations as target when it considers that this can be favorable to it, hence, it will overshadow its offensive failure.

06. How would a such Coalition made up of criminal forces based on a genocidal ideology will behave in the villages where most of our soldiers come from and inhabited by their families?

07. The statement of the Minister of Tourism of Kinshasa's Government expressed, during the Press Briefing held in Kinshasa on Wednesday July 20th, 2022, the desire to militarise the management of the Virunga National Park are not insignificant. Such an attack would serve as the perfect cover for a decision that would shift the management of ICCN from expatriates, which benefits from significant external funding, notably from the European Union, so wanted by the predators of Kinshasa.

Our Movement offers its full collaboration to the ICCN in away to shed the light on this incident which, without a shadow of doubt, would call into question the responsibility of the said coalition forces.

Sarambwe, August 17th, 2022

The M23 Movement political Spokesperson



Lawrence KANYUKA

M23/ARC statement posted on Betrand Bisimwa's Twitter account

(5) Shelling of Ntamugenga on 23 October 2022

Ntamugenga, one of the localities on the frontline of the October 2022 fighting between M23/ARC and FARDC, was hit by several rounds of shelling on 23 October 2022, during clashes between FARDC and M23/ARC in the area. The shelling killed at least five civilians, including children. At least 37 civilians were injured, and civilian homes were destroyed.⁸⁶ According to an eyewitness, “bombs” landed on IDP sites in Ntamugenga.⁸⁷

Several sources, including an eyewitness, reported heavy fighting between M23/ARC and FARDC, including the use of heavy artillery. M23/ARC took over control of Ntamugenga later that day. Although several sources attribute the shelling to M23/ARC, the Group could not yet establish the origin of the shelling based on its methodology and evidentiary standards.

The Group received video footage of injured civilians at Ntamugenga hospital. The video shows seven injured civilians, including two children. The victims had multiple visible injuries, consistent with those caused by shell explosions.

Below: Screenshots from the video of civilians injured by the shelling in Ntamugenga:



Video provided to the Group by a local source

⁸⁶ Civil society sources, eyewitness, video of injured civilians, list of names of injured victims from Ntamugenga, MONUSCO

⁸⁷ Eyewitness, MONUSCO

Annex 36

Killings, including summary executions, of civilians in Ruvumu and Ruseke localities

Meurtres, y compris des exécutions sommaires, de civils dans les localités de Ruvumu et Ruseke

(1) Killings in Ruvumu on 21 June 2022

On 21 June 2022, M23/ARC combatants killed at least 13 civilians,⁸⁸ including three children,⁸⁹ two women and several elderly, in Ruvumu, Rutshuru territory.⁹⁰ The killings were carried out in the aftermath of an M23/ARC attack, which had initially targeted FARDC positions in Ruvumu and Bikenge, and after heavy fighting which had caused FARDC troops to flee. According to the eyewitnesses interviewed by the Group, M23/ARC combatants shot the victims at close range, sometimes after having tied them up, and while they tried to escape, as was the case for the eight-year-old girl. M23/ARC combatants stabbed the teenage boy (minor).

Eyewitnesses described that the assailants were wearing military attire – which some described as looking new – different from FARDC uniforms, helmets and bulletproof vests, as all carrying weapons, and as speaking Kinyarwanda.

M23/ARC denied having committed the killings and instead blamed the FDLR and Nyatura armed groups (see below screenshot of the M23 communiqué). The Group received information that M23/ARC combatants committed the killings in retaliation for perceived support by inhabitants of Ruvumu to the FARDC, but it could not confirm that information.

⁸⁸ The Group gathered evidence of more killings, but it could not confirm them based on its methodology.

⁸⁹ One eight-year-old girl, one eleven-year-old boy and one teenage boy (minor).

⁹⁰ Sources: eyewitnesses, victims, civil society actors, MONUSCO sources, and communiqués of M23/ARC and of the civil society.

Below: Denunciation by the civil society of Rutshuru territory of the killings in Ruvumu, dated 22 June 2022:



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COORDINATION TERRITORIALE DE RUTSHURU**
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DECLARATION N° 022./SCFV/COORD.TERR/2022

“THE M23 AND ITS ALLIES DOING CARNAGE IN RUVUMU”

This Tuesday, June 21, 2022, the M23 and its allies carried out an attack in the Villages of Ruvumu and Kashari. In this attack, the M23 and its RDF allies have just wreaked havoc by killing civilians with bullets, machetes and daggers. At this time, the survivors report that more than twenty innocent victims have been killed and others are taken hostage waiting to be massacred.

Among the victims, we have:

1. KaribushiMvunabandi
2. MukundaRwamakuba
3. SikubwaboMunyamahane
4. MusangaNtagene
5. EliyaNdongereye
6. Rwangano MISHUMO d'au moins 71 ans
7. Mukunda KASUKU d'au moins 68 ans
8. JusireKafurura d'au moins 12 ans
9. Constantine TUYISHIME
10. GakaraBagaya
11. Habi BUTUSI

This massacre, which we consider to be a mass crime, a crime against humanity... is added to the one committed by these same terrorists by dropping bombs on a school "the saint gilbert institute of Biruma" which had caused the death of two children and one seriously injured on June 10, 2022 around 4:30 p.m.

This massacre reminds us of the one perpetrated by the Rwandan army in 1996 in various towns and villages of Rutshuru Territory during the aggression of Zaire by Rwanda hiding behind the AFDL. The Mapping report speaks volumes about this.

Being very dismayed by this excessive criminality, the Civil Society Forces Vives continues to alert on a probable genocide in execution in the territory of Rutshuru and challenges the Authority both at the Nation and international level to raise awareness, each in its responsibilities to protect populations. Thus, Civil Society asks:

1. To the Congolese Government

- To assume its responsibilities to protect its population against these aggressors who swear only on the extermination of the Congolese population in General, that of Rutshuru in

particular and to demand that the FARDC leave the defensive to carry out offensives against the terrorists of the M23 and its allies.

- To allow us to bury with dignity the victims of this massacre

2. To the United Nations, EU, African Union, EAC, SADEC

- To urgently carry out an investigation into the crimes perpetrated by the M23 and its ally Rwanda,

- Not to be limited to simple convictions but to take sanctions against the Rwandan leaders and M23 to discourage the plan of extermination of the Congolese population in progress,

1. To the people

- To remain united and patriotic by denouncing the enemy,

- Not to give in to the intimidation of these Terrorists and to remain confident in his army,

- Continue to promote peaceful cohabitation and not to give in to xenophobic remarks conveyed in social networks, .

Done at RUTSHURU on 22 JUN 2022





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DECLARATION N° 022/SCFV/COORD.TERR/2022

« LE M23 ET SES ALLIÉS FONT UN CARNAGE A RUVUMU »

Ce mardi 21 juin 2022, le M23 et ses alliés ont menés une attaque dans les Villages de Ruvumu et Kashari. Dans cette attaque, le M23 et ses alliés de RDF viennent de faire un carnage en tuant par balles, machettes et poignards des populations civiles. A cet instant, les rescapés rapportent que plus d'une vingtaine des victimes innocentes ont été tuées et d'autres seraient pris en otage en attendant d'être massacrées.

Parmi les victimes, nous citons entre autre :

1. Karibushi Mvunabandi
2. Mukunda Rwamakuba
3. Sikubwabo Munyamahane
4. Musanga Ntagene
5. Eliya Ndongereye
6. Rwangano MISHUMO d'au moins 71 ans
7. Mukunda KASUKU d'au moins 68 ans
8. Jusire Kafurura d'au moins 12 ans
9. Constantine TUYISHIME
10. Gakara Bagaya
11. Habi BUTUSI

Ce massacre, que nous considérons comme un crime de masse, crime contre l'humanité... vient s'ajouter celui commis par ces mêmes Terroristes en larguant des bombes sur une école « l'institut saint gilbert de Biruma » qui avait causé la mort de deux enfants et un blessé grave le 10 juin 2022 vers 16h30.

Ce massacre nous rappelle celui perpétré par l'armée Rwandaise en 1996 dans différentes agglomérations et villages de Territoire de Rutshuru lors de l'agression du Zaïre par le Rwanda se cachant derrière l'AFDL. Le rapport Mapping est éloquent quant à ce.

Etant très consternée par cette criminalité à outrance, la Société Civile Forces Vives ne cesse d'alerter sur un probable génocide en exécution en territoire de Rutshuru et interpelle les Autorités tant au niveau Nation qu'international à la prise de conscience, chacune dans ses responsabilités pour protéger les populations. Ainsi, la Société civile demande :

1. Au Gouvernement Congolais

- D'assumer ses responsabilités de protéger sa population contre ces agresseurs qui ne jure que sur l'extermination de la population congolaise en Générale, celle de

Rutshuru en particulier et exiger aux FARDC de quitter de la défensive pour mener des offensives contre les terroristes du M23 et ses alliés.

- De nous permettre d'enterrer dignement les victimes de ce massacre
- 2. Aux Nations Unies, L'UE, L'Union Africaine, EAC, SADEC**
- De diligenter en urgence une enquête sur les crimes perpétrés par les M23 et son allié le Rwanda,
 - De ne pas se limiter sur les simples condamnations mais de prendre des sanctions contre les Dirigeants Rwandais et M23 pour décourager le plan d'extermination de la population congolaise en cours d'exécution,

1. A la population

- De rester soudée et patriote en dénonçant l'ennemi,
- De ne pas céder aux intimidations de ces Terroristes et de rester confiante à son armée,
- Continuer à promouvoir la cohabitation pacifique et à ne pas céder aux propos xénophobes véhiculés dans les réseaux sociaux,



Fait à RUTSHURU le 22 JUN 2022

Names of signatories redacted by the Group for protection purposes

Provided to the Group by civil society actors

Below: M23 communiqué denying involvement in the killings of civilians in Ruvumu, blaming instead FDLR and Nyatura armed groups, dated 24 June 2022:



The Clarification of The M23 Movement in regard to the even of June 21st, 2022 in RUVUMU

The M23 Movement Directorate, hereby, presents its sincere condolences to the families which have lost their loved ones. May the souls of the deceased rest in peace.

Following the allegations of murder against the Congolese Revolutionary Army/M23 by certain associations and activists in the quest of visibility and political positioning. The M23 Movement Directorate, informs the public that, according to the investigations carried out on the ground in the village of RUVUMU1 and the testimonies gathered from the population, it shows clearly and unequivocally that those events of June 21st, 2022, were, indeed, a punitive attack waged by FDLR and NYATURA combatants against the population of the village of RUVUMU 1.

Indeed, for several weeks prior to their attack against the M23 in this locality, the FARDC and their allies FDLR and NYATURA sought the collaboration of the Chief of NKOKWE locality, to rally his population to support their action in terms of information gathering and food. However, the Chief of the locality of NKOKWE Mr Deo BITEGEKA, a Senior Citizen very advanced in age, will instruct his son Mr Emmanuel BITEGEKA who is covering for him, to refuse those said requests.

On June 21st, 2022 at around 2 A.M. when they learned about the failure of the attack launched by their colleagues in the village of KASHALI and that they were retreating to RUVUMU 1, the FDLR combatants positioned in this village waged a punitive attack against the population of the said village, blaming them for the failure of their attack. They have committed therein, many acts of murder and looting.

What the M23 soldiers found in RUVUMU 1, when it chased the FARDC-FDLR coalition, were cries and tears in a general panic. The few residents who failed to leave, were horrified by what just happened into their village.

When certain inhabitants of the said village, including Mr. Anatole NSAHONKUYE, a farmer by trade, in the locality of NKOKWE, village RUVUMU 1 and Capita of RUVUMU 1 village, were approached by our soldiers, they stated that the FDLR and NYATURA, left behind them three dead bodies of RWANGO, GAKARA and the son of MUNYAMASHARA. According to Mr. Anatole, no woman nor child had been abducted.

From the foregoing, it is Crystal clear that the ARC/M23 soldiers have, once again, demonstrated an exemplary and responsible behaviour on the ground, in accordance to their strict discipline that they have strictly observed since the beginning of the enemy's attacks and which hurts certain associations and political activists who would like to see our soldiers in the wrong so that they can give a meaning to their labelling of a terrorist movement. They will still be disillusioned because the ARC/M23 Soldiers are Freedom Fighters whose mission is to protect the population, without distinction, against all forms of abuse and discrimination.

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On the contrary, our Movement, the M23, notes that, by them remaining silence on the abuses perpetrated by the FDLR and NYATURA, these so-called civil society associations and other political actors support the genocidal ideology embedded in society by this murderous coalition. As shown below:

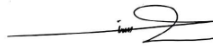
- There is not a record of them denounce the murders by beheading of Pastor BINUME BIVAKO, of the ANR agent ELONGA and of a 3rd whose identity is not yet known. Those horrific murders were carried out in BIRUMA by the coalition of FARDC-FDLR just a day after the M23 captured RUMANGABO military camp last May;
- They also kept quiet on the recurring clashes between Mai-Mai and NYATURA in KIHALI /MABUNGO on June 02nd, 2022;
- Even more recently, yet again they remained tight-lipped on many cases of settling issues between FARDC allied armed groups in the middle of the city of KIWANJA/MABUNGO, which led to the death of Mr. Thaddée SAFARI and his escort;
- They were among those whom organised, street demonstrations in which they chanted hate speeches, xenophobia, violence and murder.

Our Movement, the M23, condemns the hypocritical attitude of the country's socio-political actors who refuse purposely to denounce this dreadful and unnatural coalition of FARDC, FDLR and local armed groups with a genocidal identity opposed to the M23 Movement.

The M23 Movement, reassures all the inhabitants within the areas under its control that it will spare no effort to continue to guarantee security for them and the protection of their goods.

Sarambwe, June 24th, 2022

ARC/M23 Spokesperson



Major Willy NGOMA





Mise au point du M23 sur les événements du 21 juin 2022 à RUVUMU 1

La Direction du M23 présente ses sincères condoléances aux familles qui ont perdu les êtres chers. Que les âmes des illustres disparus reposent en paix.

Consécutivement aux allégations de meurtre portées malencontreusement par certaines associations ou activistes en quête de visibilité et de positionnement politique contre l'Armée Révolutionnaire Congolaise/M23, la Direction du Mouvement informe l'opinion qu'aux termes des enquêtes menées sur le terrain dans le village de RUVUMU1 et des témoignages recueillis auprès de la population de cette contrée, il se dégage clairement et sans équivoque que les événements du 21 juin 2022 sont bel et bien une expédition punitive conduite par les combattants FDLR et NYATURA contre la population du village de RUVUMU 1.

En effet, depuis plusieurs semaines avant leur offensive contre le M23 dans cette localité, les FARDC et leurs alliés FDLR et NYATURA sollicitaient la collaboration du Chef de localité de NKOKWE pour mobiliser sa population à soutenir leur action en termes des renseignements et de vivres. Cependant, le Chef de la localité de NKOKWE Mr Deo BITEGEKA, très avancé en âge, instruisa son fils Mr Emmanuel BITEGEKA qui assume son intérim de réserver une fin de non-recevoir à toutes ces sollicitations

Ainsi, vers 2h du matin du 21 juin 2022, après avoir appris l'échec de l'offensive menée par leurs collègues dans le village de KASHALI et que ceux-ci battaient en retraite pour se replier sur RUVUMU 1, les combattants FDLR positionnés dans ce village ont mené une expédition punitive contre la population de ce village rejetant à sa charge toute la responsabilité de l'échec de leur offensive. Ils y ont commis des exactions de meurtres et de pillages.

Poursuivant la coalition FARDC-FDLR dans sa fuite, les soldats du M23 n'ont trouvé à RUVUMU 1 que cris et pleurs dans une panique générale. Les quelques habitants qui n'ont pas réussi à fuir, étaient horrifiées par ce qui venait de se passer dans leur village.

Approchés par nos soldats, certains habitants dudit village dont le sieur Anatole NSAHONKUYE, cultivateur de son état, dans la localité NKOKWE et Capita du village RUVUMU 1 affirmeront que les FDLR et NYATURA avaient laissé derrière eux 3 morts dont les nommés RWANGO, GAKARA et le fils de MUNYAMASHARA. Selon toujours le sieur Mr Anatole, aucune femme ni un enfant n'avaient été enlevés.

De ce qui précède, il est donc clair que les soldats de l'ARC/M23 ont, une fois de plus, fait preuve d'un comportement responsable sur le terrain conformément à leur discipline de rigueur qu'ils observent strictement depuis le début de l'offensive de l'ennemi et qui fait mal à certaines associations et activistes politiques qui voudraient voir nos soldats se salir les mains pour accréditer leur qualificatif de Mouvement terroriste. Ils peuvent continuer à déchanter car les Soldats de l'ARC/M23 sont des Freedom Fighters qui ont pour mission de protéger la population, sans distinction, contre toute forme d'exactions et de discrimination.

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Par contre, notre Mouvement constate que, par leur silence sur les exactions perpétrées par les FDLR et NYATURA, ces prétendues associations de la société civile et autres acteurs politiques apportent leur appui à l'idéologie génocidaire distillée dans la société par cette coalition meurtrière. A titre d'exemple :

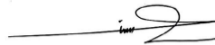
- Nulle part ils n'ont dénoncé les meurtres par décapitations du Pasteur BINUME BIVAKO, de l'agent de L'ANR ELONGA et d'un 3e dont l'identité n'est pas connue menées à BIRUMA par la coalition FARDC-FDLR au lendemain de la prise du Camp militaire de RUMANGABO par nos forces en mai dernier ;
- Ils ont également gardé le silence sur les affrontements récurrents des Mai-Mai contre NYATURA à KIHALI /MABUNGO le 02 juin 2022 ;
- Plus récemment encore, ils n'ont fait aucun mot sur des cas de règlement de compte entre groupes armés alliés aux FARDC en pleine cité de KIWANJA /MABUNGO au cours desquels le sieur Thaddée SAFARI et son escorte ont perdu la vie ;
- Ils ont fait partie des organisateurs de manifestations de rue au cours desquelles ils ont tenu des discours d'incitation à la haine ethnique, à la xénophobie, à la violence et aux meurtres.

Notre Mouvement condamne l'attitude hypocrite des acteurs sociopolitiques du pays qui s'abstiennent de dénoncer cette coalition à contre nature constituée des FARDC, FDLR et groupes armés locaux avec une identité génocidaire opposée au M23.

La Direction du Mouvement rassure tous les habitants des espaces sous son contrôle qu'elle ne ménagera aucun effort pour continuer à leur garantir la sécurité et la protection de leurs biens.

Fait à Sarambwe, le 24 juin 2022

Le porte-parole de l'ARC/M23



Major Willy NGOMA



(2) Killings in Ruseke on 1 July 2022

On 1 July 2022, M23/ARC combatants killed at least eight civilians,⁹¹ including one woman and a sixteen-year-old girl, and injured two other civilians, including a thirteen-year-old boy, in a house in Ruseke, Rutshuru territory, close to Ntamugenga.⁹²

The eyewitnesses and victims interviewed by the Group explained that they were part of a group of about 20 persons, including two women, one girl and one boy, all displaced by the M23/ARC crisis, on their way to pick up food, when M23/ARC combatants stopped them in Ruseke. After having forced all of them inside a house in the village, several M23/ARC combatants shot at them from inside the house while other combatants surrounding the house also shot and prevented the civilians inside from escaping. A victim who survived the massacre recounted hearing the commander speaking Kinyarwanda and giving orders to shoot everyone.⁹³ M23/ARC combatants had previously removed one victim from the house and tried to kill him with an axe, but he managed to escape despite being hit by a bullet. After the shooting, the M23/ARC commander allowed the survivors to bring those still alive to the nearest health facility.

The eyewitnesses and victims provided a description of clothing, weapons and language of the combatants similar to that of those who killed the civilians in Ruvumu. One survivor of the Ruseke massacre interviewed by the Group mentioned seeing the Rwandan flag on the epaulets of some uniformed, Kinyarwanda-speaking soldiers who perpetrated the killing. Another survivor referred to the soldiers as being “Rwandans”.

⁹¹ The Group gathered evidence of more killings, but it could not confirm them based on its methodology.

⁹² Sources: eyewitnesses, victims, medical staff, civil society actors, MONUSCO sources, and photographic evidence.

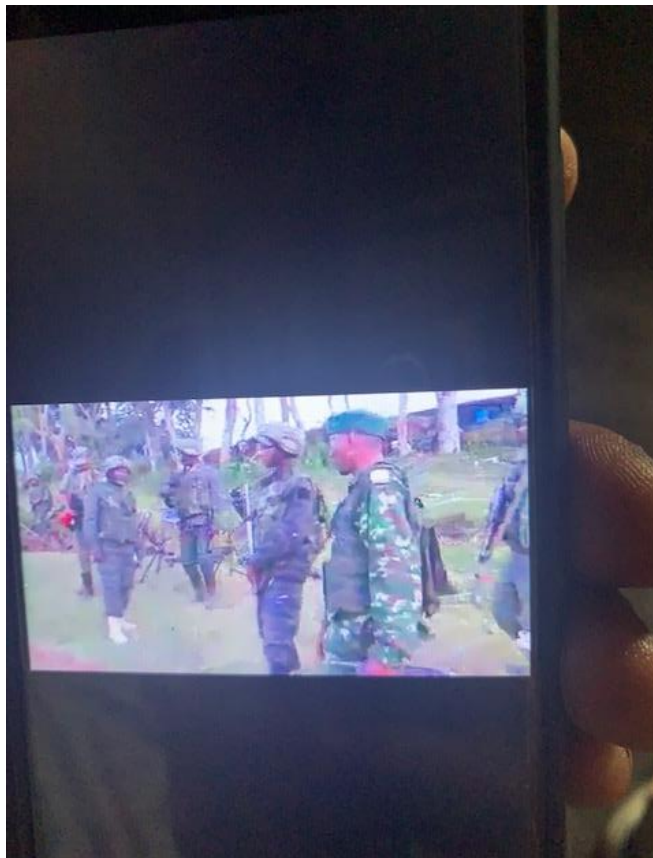
⁹³ Victim interviewed in Ntamugenga in October 2022

Annex 37

Arbitrary detentions and torture by M23/ARC

Détentions arbitraires et torture par le M23/ARC

An IDP who had fled Bunagana in March 2022, interviewed by the Group, recounted having been arbitrarily arrested when he returned to Bunagana in search of food, and thrown into an underground prison by M23/ARC elements on suspicion of collaboration with FARDC. He identified his captors as “Rwandans” wearing uniforms, under the command of Willy Ngoma, M23/ARC military spokesperson. The witness showed a video to the Group,⁹⁴ indicating that the man in the foreground of the video was Willy Ngoma (see photo below):



The victim explained that he was kept in an underground prison for weeks and given a punishment of 180 lashes, which was administered to him over several days. He was stabbed in the leg but did not receive any medical care. The victim said that he was released after two months of captivity, in exchange for a cash payment.

His leg wound had still not healed at the time of the interview, in October 2022 (see photo below):

⁹⁴ The victim explained that he received the video by WhatsApp, as it was widely circulating among civilians from Bunagana. The Group had previously obtained the same video from other sources and confirms that Willy Ngoma appears in the video.



Photo of the victim's wounded leg, taken by the Group.

Annex 38

The IDP crisis in Rutshuru territory

La crise des personnes déplacées internes (PDI) dans le territoire de Rutshuru

Since the onset of the M23/ARC crisis, and until the resumption of hostilities on 20 October 2022, an estimated 189,000 civilians were internally displaced in Rutshuru territory.⁹⁵

Thousands of IDPs had settled in towns and villages outside M23/ARC occupied areas, such as Rumangabo, Ntamugenga, Rubare, Kalengera, Rugari, Kiwanja and Rutshuru centre.⁹⁶ IDPs also settled in schools and other public areas, causing the closure of schools throughout the affected areas. During its visit to Rutshuru territory from 8 and 12 October 2022, the Group observed the presence of IDPs in public spaces, including school buildings, notably in Rumangabo, Ntamugenga, and Rutshuru, and in the hospital in Ntamugenga.

The Group received reports that an increasing number of IDPs had decided to return to M23/ARC-occupied areas after July 2022, and again in October 2022, notably to Jomba, Bweza and Kisigari, despite known risks of kidnapping, forced labour, torture, beatings and killings.⁹⁷ They chose to return due to the extremely difficult living conditions, including the lack of food.

⁹⁵ [Reliefweb report “Population displacements in Rutshuru territory”](#).

⁹⁶ Civil society sources, including onsite observations by experts between 8 and 12 October 2022.

⁹⁷ Civil society sources and witness testimonies.

Annex 39

Return to the DRC of refugees settled along the border areas in Uganda since March 2022

Retour en RDC des réfugiés installés le long des zones frontalières en Ouganda depuis mars 2022.

According to information provided by the Government of Uganda in October 2022, Uganda has received approximately 74,150 refugees from the DRC since January 2022⁹⁸ who entered Uganda mostly via Bunagana and Kisoro. Many have settled in the refugee settlements of Nakivale, Kyaka II, Rwamwanja and Kyangwali. However, some refugees also entered Uganda without registering in refugee centers, hence the Ugandan government estimates that the exact number of refugees could be higher.⁹⁹

Uganda informed the Group that it did not have official refugee settlements along the border with North Kivu province, except a transit and reception centre in Nyakabande-Kisoro and Matanda-Kanungu where all new arrivals entering Uganda via the Kisoro and Kanungu districts were received, screened and profiled prior to being relocated to established refugee settlements.

The Ugandan government reported that approximately 43,000 refugees returned to the DRC on self-organized transport, mainly via the Kitagoma border point in Busanza-Kisoro, following their decision not to proceed to the government-designated refugee settlements. This figure includes over 20,000 refugees who returned to the DRC from the community and holding centre in Nyakabande.¹⁰⁰

The Group interviewed several IDPs in Rutshuru territory who had returned from Uganda to the DRC through the Kitagoma border crossing in September 2022. They confirmed that a large number of refugees from Bunagana and other areas under the control of M23/ARC have settled on the Ugandan side of the border since March 2022, either in rented accommodation or makeshift camps. The Group received consistent testimony from independent sources¹⁰¹ that at the end of August 2022 the Ugandan authorities informed the refugees living in these makeshift settlements along the border that they had the choice to either relocate to official refugee settlements or return to the DRC. Most refused to move to refugee settlements as they considered them to be too far from the border, and thus their traditional home-bases and agricultural lands.¹⁰² Consequently, some decided to return to the DRC on self-organized transport through the Kitagoma border crossing, to avoid returning to the M23-controlled areas through Bunagana. Others refused to leave.

Eyewitnesses described that those who refused to leave their makeshift camps along the border were forcefully removed from the camp by Ugandan authorities,¹⁰³ and that some refugees were severely beaten by UPDF soldiers. The Group interviewed two individuals who were beaten in those circumstances. One had lost his thumb after being beaten and stabbed with a bayonet (see photograph below).

According to eyewitnesses, in at least one settlement along the border, close to Bunagana, the tents of refugees were destroyed and set on fire by Ugandan soldiers.

The Group received a video showing a refugee settlement near Bunagana, in Uganda, that depicts burning tents, reportedly filmed in the context of Uganda's forceful intervention to evict the refugees from this settlement, at the end of August 2022 (see photograph below). The Group visited Bunagana on the Ugandan side of the border in October 2022 and confirmed the location of the video footage showing the burning huts as being located at approximately 1 km from the border crossing of Bunagana. Several local eyewitnesses also confirmed that it was the location of the former refugee settlement that was burnt by the Ugandan soldiers.

⁹⁸ Including approximately 43,000 refugees registered since March 2022.

⁹⁹ Source: Ugandan government.

¹⁰⁰ Source: Ugandan government.

¹⁰¹ Various civil society sources and witness testimonies, including eyewitnesses.

¹⁰² For example, the Nakivale settlement is at ca. 200 km from Bunagana, at 47 hours walking distance according to Google Maps estimate.

¹⁰³ Witness testimonies, including eyewitnesses, confirmed by multiple civil society sources.

Below: Injury of victim who had lost his thumb after being beaten by UPDF soldiers:



Photograph taken by the Group

Below: Screenshots of video depicting burning tents in makeshift refugee settlement near Bunagana, Uganda:

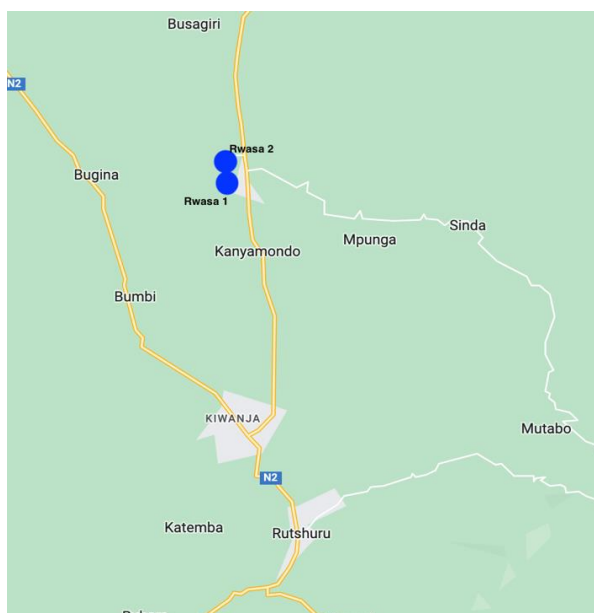


Screenshots from a video provided to the Group of Experts by a local civil society source

Rwasa II camp in Kiwanja sheltering returning refugees from Uganda:

Various sources interviewed by the Group confirmed that thousands of refugees have returned from Uganda to Rutshuru territory since the beginning of September 2022,¹⁰⁴ to areas not occupied by M23/ARC. These included most refugees that had previously settled along the border in Uganda outside the official refugee camps. These returnees were settled in Rwasa II camp on the outskirts of Kiwanja. The camp was set up for this purpose on 2 September 2022.¹⁰⁵ A total of 21,361 individuals were registered officially at Rwasa II between 3 September and 3 October 2022.¹⁰⁶ The Group visited the Rwasa II camp on 10 October 2022 (see pictures below).

Below: Map showing approximate location of Rwasa II IDP camp near Kiwanja:



Google Map edited by the Group of Experts

¹⁰⁴ Several IDPs interviewed at Rwasa II, various civil society sources and international organizations.

¹⁰⁵ Rwasa I camp in the immediate vicinity of Rwasa II was already operating at full capacity, sheltering IDPs that fled another conflict, unrelated to the current M23 crisis.

¹⁰⁶ Civil society sources, witnesses, and direct observation by the Group on 11 October 2022.

Below: Pictures of Rwasa II camp when fully operational:



Above: Aerial photo of Rwasa II camp from a local source





Photographs of Rwasa II camp taken by the Group of Experts on 10 October 2022

Annex 40

Departure of IDPs and dismantling of Rwasa II camp prior to the takeover of Kiwanja by M23/ARC on 29 October 2022

Départ des personnes déplacées et démantèlement du camp de Rwasa II avant la prise de contrôle de Kiwanja par le M23/ARC le 29 octobre 2022

The Group was alerted by local civil society and witnesses that by the takeover of Kiwanja by M23/ARC on 29 October, all the IDP had fled, and the entire camp had been dismantled. Most of it was looted by other IDPs not living at the camp and by the local population.

According to testimonies, the news of M23/ARC's territorial advancement and their imminent takeover of Kiwanja caused panic among the IDPs, and they began to flee. In less than two days the entire camp was deserted, and all the structures had been dismantled and looted. The Group received a video depicting some civilians gathering the remains of the camp structures (see photographs below).

The Group continues to investigate the circumstances of this event and the reasons that prompted the IDPs to flee.

Below: Screenshot from video showing Rwasa II camp being dismantled, received on 1 November 2022



Screenshot from video received from a local source in Kiwanja on 1 November 2022

Annex 41

Leaders of armed groups and FARDC Colonel Tokolonga who attended the meeting in Pinga on 8 and 9 May 2022

Les chefs des groupes armés et le colonel Tokolonga des FARDC qui ont participé à la réunion de Pinga les 8 et 9 mai 2022

On 8 and 9 May 2022, local armed groups gathered in Pinga, situated between Walikale and Masisi territories, and forged a coalition. Initially planned to define the armed groups' position in relation to the Nairobi process, the coalition rather took a stand against M23/ARC.

FDLR “Colonel” Silencieux and FDLR “Colonel” Potifaro do not appear on the outcome documents of the Pinga meeting, but eyewitnesses and combatants of armed groups present at the Pinga meeting informed the Group that they were part of the gathering.

CMC/FDP spokesperson Jules Mulumba¹⁰⁷ qualified the coalition's armed fight as “self-defence”.¹⁰⁸ Other sources argued that the armed groups' fight, together with the FARDC, was premised on the interpretation of Article 63 of the DRC's Constitution which reads that “all Congolese have the sacred right and duty to defend the country and its territorial integrity in the face of an external threat or aggression”.

The presence of FARDC Colonel Tokolonga can be interpreted, at least, as an apparent endorsement by some FARDC members of the armed groups' coalition and the official recognition of the cooperation of some FARDC members with this coalition.¹⁰⁹

The Group received credible testimonies that Colonel Tokolonga would not have acted without instructions from Brigadier-General Peter Cirimwami, the then commander of Sokola II operations. The Group met Colonel Tokolonga in Rugari on 7 June 2022 and noted that his hierarchy said it was unaware of the reasons for his prolonged stay in Rugari, a known FDLR and CMC/FDP stronghold, as also observed by the Group.¹¹⁰



From left to right: Guidon (NDC-R), Colonel Tokolonga and two other members of the FARDC delegation

¹⁰⁷ See S/2020/482, para. 134.

¹⁰⁸ Meeting with the Group in Rugari on 7 June 2022.

¹⁰⁹ Sources: FARDC, civil society, researchers, armed group leaders and ex-combatants, intelligence sources.

¹¹⁰ In June 2022, the Group met with the CMC-FDP spokesperson in Rugari and saw several FDLR combatants.



“General” Janvier Kahahiri (APCLS).



Guidon (NDC-R) and Colonel Tokolonga

Pictures provided to the Group by a source familiar with the issue

Annex 42

Excerpts of the communiqué announcing that FPP/AP joined the armed group coalition

Extraits du communiqué annonçant que le FPP/AP a rejoint la coalition des groupes armés

RÉPUBLIQUE DÉMOCRATIQUE DU
CONGO

PLATE FORME DES RÉSISTANTS
POUR DEFENSE DE LA PATRIE

1. CMC/FDP
2. APCLS
3. ANCDH/AFDP
4. FPP/AP
5. NDCR-GUIDON

Whatsapp & tél : [+243844502986](tel:+243844502986)
E-mail : cmcrdcjules@gmail.com

Communiqué de Presse Numéro : 04/
PRDP/CIP/2022

1. Annonce de l'adhésion du FPP/AP du général KABIDO KASEREKA et du NDCR du général GUIDON MWISA à la plateforme ;
2. Dénonciation de manœuvres ennemies pour torpiller les efforts de résistants.

1. Nous avons l'insigne honneur d'informer l'opinion que la plateforme a enregistré deux nouveaux adhérents. Il s'agit bel et bien du FPP/AP du général KABIDO KASEREKA et du NDCR-GUIDON de GUIDON MWISA ayant leur zone d'influence dans le Lubero et Walikale et

Nous profitons de l'occasion pour encourager les autres résistants qui hésitent encore, à ne pas tergiverser et entrer directement dans l'Arche de Noé pour le salut de la RDC.

Unis nous sommes forts, divisés nous sommes faibles.

Notre pays RDC ne sera sauvé que par deux prix :

A. La prise de conscience par tous par rapport au danger qui nous guette,

B. L'unité entre les peuples congolais et les résistants patriotes congolais.

A ces prix, nous serons affranchis.

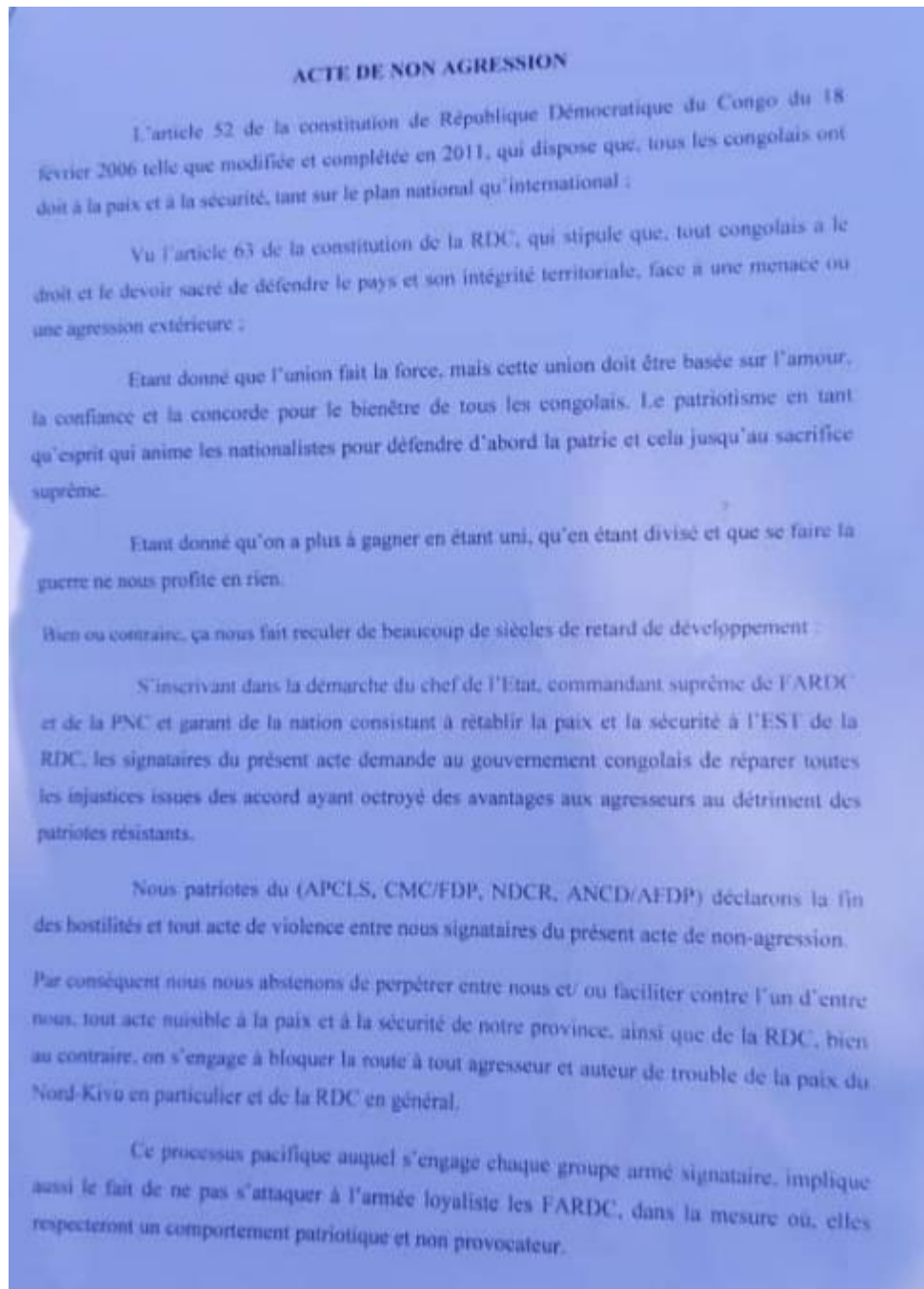
2. Nous profitons de l'occasion pour dénoncer le plan ennemi contre nos efforts.

Document obtained by the Group from CMC source

Annex 43

Pact of non-aggression signed by APCLS, CMC/FDP, NDC-R Guidon faction and ANCD/AFDP armed groups in Pinga on 9 May 2022

Pacte de non-agression signé par l'APCLS, la CMC/FDP, la faction Guidon du NDC-R et les groupes armés de l'ANCD/AFDP à Pinga le 9 mai 2022



Le présent acte de non-agression reste ouvert à tout autre mouvement des patriotes s'inscrivant dans la logique du processus de pacification de l'Est de la RDC et du pays en général.

Cependant, toute adhésion à cet acte fera objet d'un examen minutieux du comité ad hoc.

A cet effet, nous jurons devant Dieu et le peuple Congolais que chacun de nous s'engage à respecter cet acte de non-agression entre signataires.

Nous nous engageons en outre de faciliter la libre circulation des populations et leurs biens dans les entités sous notre contrôle. Tout groupe signataire bénéficie de la protection commune de tous signataires des présents actes. C'est pourquoi quiconque agresse l'un des signataires, fera face à tous les signataires.

En cas d'incompréhension ou litige et différends entre nous, le comité mise en place à cet effet pour le suivi, statuera sur la question pour une issue positive et pacifique.

Fait à PINGA, Le 09 05 /2022

N°	NOM ET POST NOM	GRADE et FONCTION	et MOUVEMENT	NUMERO	SIGNATURE
01	BUNISO KIRANGA	comd maj Lt - gen	APCLS	08113135	
02	KAPITOLA BALIKWA	comd est gen	APCLS	082594644	
03	SATREUS DOMINIQUE	gen maj Lt - mvt	CMC IFOP	0841513227	
04	JULES MULUMBA	PRESI DE TI	CMC IFOP	084458288 08288807	
05	Guidon Nwissa SH.	Gen. X	ANC-R	08240223	
06	He Marcelin Mwanika	P. P. P. P. P. P. P.	ANC-R	0862223	
07	J. Marie - BONAVE NYAMUSANYA	gen maj Comd Maj	ANC/IFOP	0877557064	
08	ISSA SERANGENBA	Emp. Président	MAT ANCAM/AFDP	085150254	

Document provided to the Group by a source familiar with the issue

Annex 44

CMC-FDP and NDC-R Guidon faction voicing their mobilization and engagement in the fight against M23/ARC

Le CMC-FDP et de la faction Guidon du NDC-R expriment leur mobilisation et leur engagement dans la lutte contre le M23/ARC

In several documents, videos and audio messages analysed by the Group, armed group leaders announced the mobilisation of their combatants in the fight against M23/ARC.

For example, in three videos of 21 June 2022, CMC/FDP spokesperson Jules Mulumba, surrounded by many armed combatants, expressed CMC/FDP readiness to fight against M23/ARC, Rwandan and Ugandan forces, and criticized the DRC Government and MONUSCO for still labelling CMC/FDP as “a negative force”.

Below: CMC-FDP spokesperson Jules Mulumba mobilizing and encouraging his troops to fight against M23/ARC:



Screenshot of a video provided to the Group by sources familiar with the issue

Also, in two videos shot on 4 or 5 July 2022, NDR-C leader Guidon can be seen encouraging his combatants, “I now give you the opportunity to defend your country. Be well-determined soldiers with discipline and morale [...]. No-one called us in [...] but we will defend our nation and our population”. At the end of the video, combatants started chanting slogans and said they will march to Runyoni, a M23/ARC stronghold.

Below: NDC-R leader Guidon mobilizing and encouraging his troops to be ready to go to Runyoni M23/ARC stronghold:





Screenshot of a video provided to the Group by sources familiar with the issue

See also annex 47 on this issue.

Annex 45

Additional information on the recruitment and training of foreign and local armed groups, in particular FDLR**Informations supplémentaires sur le recrutement et l'entraînement de groupes armés étrangers et locaux, en particulier les FDLR**

The Group obtained information according to which since at least June 2022, local and foreign armed groups took advantage of the relative truce between M23/ARC and FARDC to renew their recruitment drives, training, and arms acquisition to consolidate their bargaining power. For example, several sources reported that APCLS led by Janvier Karahiri Buingo and CMC led by Dominique Ndarahutse alias Domi, started recruiting after the splits which occurred with their movements.¹¹¹

From late July onwards, FDLR-FOCA launched new recruitment drives in Masisi and Rutshuru territories, notably in Bibwe, Bulende Bashali *chefferie*, Kivuye, Luhunga and Mweso.¹¹² FDLR sources reported that in late September 2022, FDLR had integrated between 300 and 400 newly trained combatants into its forces located in Paris and Kazahoro.

In July 2022, FDLR/FOCA started new training for several units in Songa, Rutshuru territory. Training continued in August and September 2022. One FDLR source told the Group that close to 280 elements were trained as of 13 September 2022.

FDLR-FOCA remained in the coalition with local armed groups including, amongst others, APCLS, CMC-FDP, and ANCDH to which FDLR-FOCA also provided training.¹¹³

When fighting between M23/ARC and FARDC resumed in late October 2022, FDLR combatants took up positions between Rugari and Mawro, Rutshuru territory, and conducted patrols up to Kibumba, Nyiragongo territory, under the leadership of “Colonel” Ruhinda. Another FDLR-FOCA position was located in Tongo and led by “Colonel” Charles. According to intelligence and civil society sources, elements of that unit collaborated with CMC-FDP with the objective of protecting Mabenga, a strategic location that was threatened to be taken by M23/ARC.

Map drawn by FDLR element indicating FDLR presence and position:



Map provided to the Group by an FDLR element

¹¹¹ Ex-combatants, FARDC, intelligence and civil society sources.

¹¹² FDLR combatants, other armed group elements, civil society and FARDC sources.

¹¹³ Idem.

Annex 46

Additional information on the involvement of armed groups, sometimes jointly with the FARDC, in the fighting

Informations complémentaires sur l'implication de groupes armés, parfois conjointement avec les FARDC, dans les combats

Witness statements, documentary, and photographic/video evidence show that CMC/FDP, APCLS, FDLR, NDCR and/or MPA combatants fought in combat in and around, amongst others, Bambu, Rugari and Rumangabo in May/June 2022. For example, ex-combatants and armed group leaders reported to the Group that CMC/FDP, APCLS and FDLR combatants fought alongside some FARDC members around Bambu and Rugari in late May and early June 2022.

Also, when the FARDC camp in Rumangabo was taken by M23/ARC on 25 May 2022, armed group combatants backed by some FARDC members launched a counterattack on 26 May 2022.¹¹⁴ Several sources reported to have seen a group of 150 to 200 FDLR combatants close to the camp in Rumangabo a few hours before the counterattack.¹¹⁵ Also, a video filmed on 26 May 2022 shows a group of armed group combatants, most likely from APCLS, in the camp in Rumangabo and chanting slogans.

Below: Armed group combatants in the FARDC military camp in Rumangabo on 26 May 2022:



¹¹⁴ Sources: DRC security forces, civil society, community leaders, researchers, armed group leaders and combatants.

¹¹⁵ Sources: DRC security force sources and community leaders in Rumangabo.



Screenshots of a video of armed combatants in the FARDC camp of Rumangabo, provided to the Group by an armed group source

During a meeting with the Group in June 2022, the CMC/FDP spokesperson claimed victory in the counterattack on the camp in Rumangabo and told the Group that CMC/FDP and FDLR had continued to engage against M23/ARC and RDF soldiers in the area around Rumangabo and Rugari.

The Group observed armed group combatants alongside some FARDC members in the Rumangabo camp on 9 June 2022:





Pictures taken by the Group on 9 June 2022

Annex 47

Additional information on the FDLR-FOCA and other armed groups' cooperation with the FARDC as provided by the Government of Rwanda following Group's request for information

Informations supplémentaires sur la coopération des FDLR-FOCA et des groupes armés avec les FARDC, fournies par le Gouvernement rwandais à la suite de la demande d'informations du Groupe.

- According to the Rwandan government, on 12 May 2022, i.e. four days after the gathering in Pinga, Colonel Tokolonga held a coordination meeting with FDLR officers, including “captain” Niyindorerea alias Tafi and “2Ltn” Habiyaakare from FDLR-FOCA command special unit known as *Commande de recherche et d'action en profondeur* (CRAP)(see also S/2022/479, annex 40). Colonel Tokolonga has firmly denied this. The information provided by the Rwandan government could not be corroborated by the Group.
- According to the Rwandan government, on 20 May 2022, the FARDC transported 40 CMC/FDP elements in a Mitsubishi truck from Burungu, Masisi territory, to Biruma. The Group continues to investigate this.
- According to the Rwandan government, on 28 May 2022, FDLR-FOCA filmed a video while on patrol in Rumangabo, boasting that they have defeated M23/RDF and that they will continue to pursue them in support of FARDC. The Group has not (yet) seen this video clip.
- According to the Rwandan government, a video clip that circulated on 2 June 2022 shows a FARDC convoy carrying FDLR elements, including “Lt-Col” Kaka Idrissa, heading to Rutshuru centre via Rwindi and Mabenga. The Group has not (yet) seen this video clip.
- According to the Rwandan government, a video clip filmed in Jomba circulated on 7 June 2022 showing the APCLS spokesperson saying that they are supporting FARDC against M23/ARC on the frontline. The Group has not (yet) seen this video clip.
- According to the Rwandan government, on 19 June 2022, FDLR-FOCA commander “Omega” had a phone conversation with the Military Governor of North Kivu, Lt. Gen. Constant Ndima. Omega reportedly asked Ndima to pay USD 300 per person for FDLR to continue fighting in Rutshuru territory. As FDLR did not receive this requested payment, a group of 45 elements of FDLR's CRAP unit reportedly refused to participate in fighting on 21 June 2022. Lt. Gen. Ndima firmly denied this and informed the Group he was aware of “these false accusations by the Rwandan Government”. Lt. Gen. Ndima informed the Group that he had not been in touch with the FDLR, and that he wanted the FDLR to leave the DRC territory. The information provided by the Rwandan government could not be corroborated by the Group.
- According to the Rwandan government, FDLR-FOCA elements and FARDC jointly planned to fight M23/ARC in Runyoni and Tchanzu hills. The Group is investigating this.
- According to the Rwandan government, FARDC provided weapons and uniforms to 200 FDLR-FOCA elements commanded by “Col” Magambo Byarubanda alias Sadiki, who was deputized by “Maj” Nshirimpuhwe alias Bizimana Byamungu. The Group documented transfers to a certain “Sadik” in May 2022 (see annex 48) but cannot confirm this is the same individual.
- According to the Rwandan government, between April and September 2022, FDLR and Nyatura combatants were embedded into FARDC to fight M23/ARC, amongst others, at the following defensive positions: Mbuzi, Rwankuba, Bikenke, Ruvumu, and Karambi. The Group obtained names of FARDC commanders, FDLR and Nyatura leaders, which it intends to investigate.
- The Rwandan government provided details - individuals involved, locations, and command responsibility - on active collaboration of FARDC with armed groups, including with FDLR, from 20 October 2022 onwards, when fighting between FARDC and M23/ARC recommenced. The Group intends to investigate individuals, belonging either to the FARDC or armed groups, involved in this collaboration described to the Group by the Rwandan government.

Annex 48

Additional information on armed groups receiving ammunition from the FARDC

Informations supplémentaires sur les groupes armés recevant des munitions des FARDC

One eyewitness, civil society actors and one source close to NDC-R Guidon faction informed the Group that, on 30 May 2022, a certain “General” Kassie from APCLS met with a commander of the 34016th regiment in Kitchanga and received arms and ammunition as well as food stuffs.

Another eyewitness and a civil society source reported to the Group that on 25 May 2022 in Rumangabo, FARDC provided ten boxes of ammunition to CMC commander “Sadik” in Kayenzi village, close to Rumangabo. Sadik transported the ten boxes on three motorcycles to Rugari.

Another eyewitness reported to the Group that in May 2022, one FARDC vehicle came to Nyanzale, Rutshuru territory, to pick up ANCDH/AFDP leader Jean-Marie Bonane and ask him to reinforce FARDC deployed in Rutshuru. On this occasion, ANCDH/AFDP received ammunition.

Another combatant said that his Mai Mai group had received weapons in May 2022, but that the FARDC colonel who had handed over the weapons and ammunition alleged that they had to be returned to the FARDC once M23/ARC was defeated.

Local authorities, civil society sources, eyewitnesses and DRC security forces attested that since late May 2022, FDLR combatants in and around Rugari were better equipped and wore newly received uniforms. According to an eyewitness, FARDC provided ammunition to the FDLR in May and June 2022 in Tongo and Rugari.

An article published by Human Rights Watch provides additional elements on ammunition supplies to FDLR and FPP/AP by FARDC units.¹¹⁶

¹¹⁶ [RD Congo: Des unités de l’armée ont collaboré avec des groupes armés responsables d’abus | Human Rights Watch \(hrw.org\)](#)

Annex 49

M23/ARC and Government of Rwanda denounce armed groups' involvement in operations

Le M23/ARC et le Gouvernement rwandais dénoncent l'implication des groupes armés dans les opérations

To illustrate, in a letter dated 6 June 2022 to Ms. Bintou Keita, the UN Special Representative of the Secretary-General (SRSG) in the DRC and Head of MONUSCO, M23/ARC president Bertrand Bisimwa denounced the participation of FDLR in the fight against M23/ARC. On several occasions, the Rwandan government accused the FARDC of using FDLR as a proxy.

Below: M23/ARC letter to the SRSG in the DRC and Head of MONUSCO denouncing FARDC-FDLR collaboration dated 9 June 2022:



Reference: 101/PDT/M23/2022

June 6th, 2022

Copy sent for information to:

- His Excellency Antonio GUTERRES, Secretary General of the United Nations in New York/USA;
- His Excellency UHURU KENYATTA, President of the Republic of Kenya and facilitator to the Nairobi Dialogue in Nairobi/Kenya;
- His Excellency JOAO LORENZO, President of the Republic of Angola and ICGLR President in Luanda/Angola;
- His Excellency Lazarus McCarthy CHAKWERA, President of the Republic of MALAWI and Chairman of SADC in Lilongwe/Malawi;
- His Excellency MACKY SALL, President of the Republic of Senegal and Chairman of African Union in Dakar/Senegal;
- His Excellency Emmanuel MACRON, President of the Republic of France and President European Union in Paris/France;
- His Excellency PETER PHAM, Special Envoy of the Secretary General of the United Nations in the Lakes Region in Nairobi/Kenya;

To Madame Bintou KEITA, Special Representative of the Secretary General of United Nations in the Democratic Republic of Congo in Kinshasa

Subject: The resumption of hostilities against the M23 Movement opposes the recommendations of the UNSC

Madam Special Representative,

We, hereby, informing you that early this morning, Monday, June 6th, 2022 around 4 a.m., FARDC launched full scale attacks against the M23 Movement by bombing our positions of CYANZU and RUNYONI, but our Movement the M23 did not respond. As if that was not enough, around 5 a.m., MONUSCO, through its FIB, supported the FARDC and allied to intensifying the bombardments in away to allow the infantry to make full contact with the M23 troops.

Madam Special Representative,

On June 3rd, 2022, the United Nations Security Council, through a press release, recommended the resumption of the Nairobi dialogue for peaceful resolution of the current crisis. Our Movement the M23 is fully committed and complied to the said recommendations and it is just in waiting for a call to attend the second round of talks by the President of Kenya, His Excellency UHURU KENYATTA, the facilitator of the Nairobi dialogue.

The way the FARDC and MONUSCO are waging war against the M23, isn't this a deliberate way of compromising the Nairobi dialogue recommended by the United Nations Security Council.

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Email: mouvementdu23mars2@gmail.com

The MONUSCO involvement to the current battle alongside the FARDC despite the known combination of the latter with FDLR and local armed groups, your permanent silence to this awful coalition and by expunging the principle of vetting and conditionality, dangerously erodes the image of the United Nations, as you and us have the evidence of the said coalition.

The combination of FARDC and the Armed Groups left the latter using the new allocated weapons and ammunition to abuse the civilian population and settling the differences between them in their deployment areas. For example:

- In the aftermath of the battle of RUMANGABO, on May 26th, 2022, the FDLR positioned in BIRUMA orchestrated a punitive expedition against the civilian populations of this region, houses were looted, several people were beheaded, the likes of Pastor BINUME BIVAKO,
- On June 2nd, 2022, two armed groups of community characteristics, the Mai-Mai of Nande obedience and the NYATURA of Hutu obedience, clashed in KIHALI/MABUNGO in the middle of the city of KIWANJA in RUTSHURU territory where they were deployed by the FARDC to maintain security of this large agglomeration, thus endangered the lives of the civilian population.
- In the grouping of BINZA in the chiefdom of BWISHA, the FDLR that the FARDC put in charge of securing this region carried out, during the night of Monday to Tuesday May 31st, 2022, incursions into several houses of the civilian population. Several cases of looting of property and rape of women have been reported. These FDLR are visible during the night and day in several villages of MIRAMBI, KIMYANDONI, KIGALIGALI, NYAMITWITWI, BUSESA, where they collect agricultural and livestock royalties and taxes on the civilian population.

The current ethnic hatred, xenophobia speeches and the calls for violence and murders preached by Congolese socio-political actors at the national and local level, to accompany the war that MONUSCO and the FARDC are currently waging against the M23 are most likely to cause the United Nations to lose control of the situation, that will lead to unexpected violence and selective massacres of peaceful citizens for their ethnicity. As shown by the following points below:

- During the police parade of May 25th, 2022 in Goma, the Commissioner General of the National Police of North Kivu, the Deputy Divisional Commissioner ABA VAN ANG asked the population of the city of Goma to take on machetes in away to attack the country's enemies in order to prevent the city falling into the hands of the M23 Movement.
- A senior FARDC officer by the name of BIRHUMANA MUSHAGALUSA, (colonel), was executed on Wednesday, May 25th, 2022 by his colleagues under suspicion that he collaborates with the M23 as he is of Tutsi community just because of his name, but it

turnout that the said Colonel is of SHI community,

- Through the same day of May 25th, 2022, several FARDC Rwandophone soldiers wounded in the battlefield living in the KATINDO military camp were suddenly arrested by their superiors, under the same pretext of collaboration with the M23 Movement.
- In the territory of MASISI there is great tension following the death threat launched against the Rwandophone populations and more particularly to those of the Tutsi community as they are labelled as belonging to the M23 Movement;

Tel. +243814946907

Email: mouvementdu23mars2@gmail.com

- This Monday, June 6th, 2022, FARDC soldiers whom were ensuring the protection of a FARDC Combat Tank positioned at KAVOMO/BUNAGANA, shot dead at point blank without warning, Mr. Jérôme HITIMANA, 45 years old, who was passing nearby the said military machine. The unfortunate, Rwandophone, was discriminately identify as a member of the M23 Movement, just because of his facial looks.

It shall be noted that, ethnic hatred is spreading across the country to the worrying pace that it may become a real threat to national cohesion. In the former provinces of Katanga, for instance, Katangese and Kasaians have dug up the hatchet of war and are ready to fight on the basis of ethnicity.

Madam Special Representative,

The M23 Movement's struggle is of respecting the peace agreements obtained with the support



OUR RESPONSE TO THE DIALOGUE REFUSAL BY THE DRC GOVERNMENT

The M23 Movement Directorate, followed with interest, on October 13th, 2022, the threatening and outrageous remarks of the President of the Democratic Republic of Congo's Special Representative, Mr. Serge TSHIBANGU, through Radio Okapi's program called Dialogue between Congolese where he said: "There will not be negotiation with the M23 Movement" ..

Our Movement, the M23, has taken note and hereby informs the national and international community of the following:

1. The DRC Government has yet again, shown to the face of the world its umpteenth refusal of the DIALOGUE, by rejecting the outstretched hand of our organisation for a peaceful resolution of the conflict.
2. The DRC Government unable to put an end to xenophobia and hate speech, furthermore, to restore peace in Kwamouth, Beni, Butembo, Ituri, Masisi and Minembwe, storms itself against the M23, while allowing its allies FDLR, APCLS, MAI-MAI, NYATURA, ADF and CODECO, to freely slaughter our compatriots.
3. We are observing across the frontlines, reinforcements of military equipment and troops by the coalition FARDC, FDLR, ACPLS, NYATURA and DIFFERENT MAI-MAI. This portends imminent offensive against our positions. The M23 will, therefore, defend itself vigorously and professionally to counter the threat wherever it may be or come from in order to protect the civilian population and their belongings.

The M23 Movement reiterates its undertaken commitment, to a direct dialogue with the Government of Kinshasa, the only pathway to resolve the root causes of the security crisis in the East and the restoration of peace in our country as recommended by the Secretary General of the United Nations, the Heads of State of the East African Community and the African Union.

Sarambwe, October 14th, 2022

The M23 Movement Political Spokesperson.

Lawrence KANYUKA



The M23 Movement Response to the MONUSCO's tweeter message of October 29th, 2022

The M23 Movement Directorate has read with attention, the MONUSCO's tweeter message of October 29th, 2022, and has the following to say:

We are flabbergasted to the irresponsible reaction of MONUSCO, which instead of condemning the FARDC and its allies that have been using BM21 and tanks against the civilian populations in our area, it hypocritically try to shift the blame on the M23 Movement, which went to silence those heavy guns in order to protect the civilian populations.

We also need to remind that MONUSCO has clearly failed its MANDATE of restoring peace in the Democratic Republic of Congo. One shall recall that MONUSCO has been in DRC for over 20 years now but has totally failed to achieve its primary mission of protecting Congolese Communities.

In addition, it is dreadful to discover that, MONUSCO has failed to eradicate all the foreign and local armed groups, that continue to commit atrocities on the loop in the Eastern part of the DRC. At the moment, we recorded an increased number of armed groups than when MONUSCO first established itself in DRC.

In truly, the civilian populations in our area are relieved to be freed from the DRC Government forces (FARDC) and its allies. One would wonder why MONUSCO tremendously failed to lend its support to the regional's efforts to restore peace in the Eastern part of DRC.

Furthermore, MONUSCO failed to support the implementation of various peace agreements signed between the M23 and the DRC Government, in order to restore peace in DRC.

It has been reported and documented that the DRC Government has established a coalition forces that includes armed groups that have caused atrocities to the civilian populations mainly the FDLR, MAI-MAI and other armed groups to fight the M23 Movement: <https://www.hrw.org/news/2022/10/18/dr-congo-army-units-aided-abusive-armed-groups>

The M23, reiterate its undertaken commitments to the peaceful resolution of the conflict, however, should the said coalition's heavy artillery continue to be fired on the M23 and its populations, we shall not sit back and watch, but we will react on sole purpose of protecting the civilian populations and their belongings.

Bunagana, October 29th, 2022

The M23 Movement Political Spokesperson

Lawrence KANYUKA

Madam Special Representative,

The M23 Movement's struggle is of respecting the peace agreements obtained with the support of the International Community including the United Nations, CIRGL, SADC, European Union, African Union and United States of America. All of these peace agreements revolve around the Pacification of the East of the country and National Reconciliation.

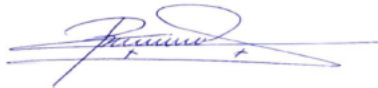
It is dreadful to notice that, on the aftermath of each signing of a peace agreement, the United Nations and all the guarantors dodged their responsibilities to support the implementation of the commitments undertaken by all parties. On December 12th, 2013, our Movement, the M23 and the DRC Government signed the so-called Nairobi Declarations, of which the M23 has complained without any result since 2014, for the non-implementation of the DRC Government's undertaken Declarations. However, the permanent silence of the guarantors on the said declarations contributed to the stalemate of the crisis, as it was also the case in 2012 after the signing of the Goma Peace Agreement of March 23rd, 2009.

Madam Special Representative,

It is therefore, extremely urgent that MONUSCO withdraw its support to the FARDC to obtain the ceasefire and to create workable conditions for the holding of the Nairobi dialogue as recommended by the United Nations Security Council. To do the contrary is to encourage the situation to get bogged down, for which the M23 Movement should not by all means be held responsible.

In the hope that our request meets your convictions, Madam Special Representative, please accept the expression of our highest consideration.

Bertrand BISIMWA

A handwritten signature in blue ink, appearing to read 'Bertrand Bisimwa', with a stylized flourish underneath.

The Chairman of the M23 Movement

Document provided to the Group by an armed group source

Other examples of RDF denouncing armed group involvement can be found, amongst others, in annex 28.

Annex 50

The position of the Government of the DRC, the reshuffled FARDC command, and impact on the armed groups' coalition

La position du Gouvernement de la RDC, le commandement remanié des FARDC, et l'impact sur la coalition des groupes armés

In June 2022, the FARDC spokesperson of the military governor of North Kivu, General Ekenge, told the Group that the FARDC did not rely on armed groups when fighting against M23/ARC, even though he acknowledged that the FARDC faced challenges in mobilising its troops to the adequate level. Likewise, the Sokola II spokesperson in Kiwanja, Rutshuru territory, refuted the M23/ARC claims according to which the FARDC used proxies.¹¹⁷

However, in late May and early June 2022, Brigadier-General Peter Cirimwami told reliable sources of the Group that, *de facto*, the FARDC fought shoulder to shoulder with armed groups against M23/ARC and the RDF. Armed group leaders, intelligence and civil society sources reported to the Group that, by involving various armed groups in fighting the M23/ARC, FARDC officers sought to avoid that their troops would be dispersed on many fronts at the same time.

In a statement of 12 May 2022, President Tshisekedi explicitly denounced the possibility of the FARDC using armed groups as proxies and said, *inter alia*, “we do not extinguish fire by throwing oil on it”.¹¹⁸ On 6 July 2022, following persistent allegations of the FARDC using local armed groups as proxies in Rutshuru territory, General Cirimwami was reassigned to Ituri province.

In July 2022, following continuous reports on the collaboration between the FARDC and armed groups, the DRC government decided to reshuffle the army command in North Kivu. General Clément Bitangalo Mulime was appointed as the new commander of Sokola II and General Philemon Yav Irung was appointed commander of the third defence zone in charge of operations, a function which was hitherto under the leadership of the North Kivu military Governor Constant Ndimba Kongba. According to armed group leaders and combatants, civil society sources and FARDC sources, the newly appointed military authorities commanded by General Yav instructed the armed groups to withdraw from the frontlines, which they mostly did (see annex 51).

On 19 September, General Philemon Yav was arrested for alleged treason and cooperation with RDF General James Kabarebe, the special security advisor to President Kagame. On 18 October 2022, Brig-Gen Richard Moyo Rabbi was nominated as the new FARDC Sokola II NK Commander, replacing General Clément Bitangalo who was called back to Kinshasa.

¹¹⁷ Meeting in Kiwanja on 30 April 2022, reported by the FARDC, civil society and MONUSCO sources.

¹¹⁸ Opening ceremony of the seminar on military deontology and ethics, Kinshasa, 12 May 2022.

Annex 51

Armed groups largely returning to their traditional bases and areas, and renewed tensions between armed groups

Les groupes armés retournent en grande partie dans leurs bases et zones traditionnelles, et les nouvelles tensions entre les groupes armés

From July 2022 onwards, armed groups gradually returned to their traditional bases and areas. Yet, tensions within and between the armed groups, members of the coalition, soon re-emerged.

For example, on 10 July, NDC-R/Guidon and APCLS started clashing with NDC-R/Bwira (now led by Mapenzi) in Mwima, Masisi territory. Other clashes between NDCR/Guidon/APCLS and NDC-R/Bwira were reported in the weeks of 26 September and 13 October, around Lwibo, Kishee and Kinyumba, Masisi territory. In a letter issued on 26 September 2022, the APCLS justified this fighting arguing it aimed at disrupting the collaboration between NDC-R/Bwira and the M23/ARC. According to APCLS, Mapenzi served as a liaison element for the M23/ARC and recruited combatants for the M23/ARC in Rutshuru, Masisi, Walikale and Lubero territories. Two combatants, one researcher and one civil society source told the Group that in early July 2022, M23/ARC approached Mapenzi and Safari Thadee, leader of CMC-FPAP who was killed in August 2022, for a possible alliance with them.

Armed group leaders, civil society sources and MONUSCO have also reported growing tensions between CMC/FDP and the Mouvement patriotique d'autodéfense (MPA), following the defection in mid-October 2022 of a CMC/FDP commander, Janvier Niyonzima, who joined MPA where he was nominated Chief of General Staff.

On the other hand, MONUSCO, civil society sources and researchers have also reported clashes between FARDC and some armed groups. For example, on 7 October 2022, FARDC attacked APCLS positions in the area of Kinyumba, Kilambo and Lwibo.

Annex 52

Consultations with armed groups for adherence to the Demobilization, Disarmament, Community Recovery and Stabilization Program (P-DDRCS) and challenges

Consultations avec les groupes armés pour l'adhésion au P-DDRCS et défis à relever

On 21 April 2022, EAC leaders met in Nairobi, Kenya. On the initiative of the President of Kenya, Uhuru Kenyatta, the meeting aimed to address the growing instability in the DRC and the region, particularly since the resurgence of M23/ARC. This crisis shifted the focus from trade and economic projects - reasons for which the DRC had initially become a member of the EAC in March 2022 - to peace and security concerns. This was the second conclave following the 8 April 2022 first conclave during which several armed groups were invited to Nairobi.

In a communiqué issued following the meetings of 21 April and 20 June 2022, the Heads of State of the EAC adopted a two-pronged approach to the ongoing armed violence in eastern DRC. The first related to the adherence of armed groups active in the DRC to the Demobilization, Disarmament, Community Recovery and Stabilization Program (P-DDRCS). The second was a proposal to set up an EAC regional force (see para. 102 and annex 68).

The EAC invited armed groups active in the DRC to join in negotiations to find political solutions to the instability. Foreign armed groups were instructed to surrender and leave the DRC. A joint team composed of representatives of the Governments of Kenya and the DRC was set up and undertook, in May and June 2022, meetings with several armed groups in North Kivu, South Kivu and Ituri provinces, most of which had not attended the first Nairobi conclave.¹¹⁹

Several Congolese armed groups were invited and heeded the plea to negotiate. Even though the DRC authorities informed the Group that between 50 and 60 armed groups had expressed willingness to join the P-DDRCS process,¹²⁰ the security situation in North Kivu, South Kivu and Ituri remained very concerning.

Since the Group's last report¹²¹, the P-DDRCS started to establish provincial and local clusters in North Kivu, South Kivu and Ituri provinces. Provincial coordinators and focal points were also appointed in Tanganyika and Maniema provinces.

Several armed group leaders and combatants voiced their will to join the P-DDRCS, once operational. Others, however, pointed at the slow progress made towards disarmament and demobilization, largely focused on building up the technical/logistical capacity of provincial clusters (see also [S/2022/479](#), para. 83).

In addition, the Group notes that the mobilization of armed groups to fight M23/ARC challenged the adherence to, and implementation of, the P-DDRCS process, and is concerned about the possible reversal of certain armed group commitments to demobilize and disarm considering the resumption of fighting against M23/ARC that started 20 October 2022 and resulted in renewed mobilization of combatants and in new recruitments.

¹¹⁹ In May 2022, the joint team toured the three provinces and held meetings with several armed groups. The meetings provided the opportunity to record various demands of the armed groups. The meetings also offered the platform for some armed groups to express their willingness to support the P-DDRCS process while others called for further discussions.

¹²⁰ Sources: FARDC, civil society and P-DDRCS sources.

¹²¹ [S/2022/479](#), Annex 48.

Annex 53

Discourses inciting discrimination, hostility and violence targeting Rwandophone populations, and acts of violence against members of these communities and those perceived as such

Discours incitant à la discrimination, à l'hostilité et à la violence à l'égard des populations rwandophones, et actes de violence à l'encontre des membres de ces communautés et de ceux qui sont perçus comme tels

1. Speech by General Aba Van Ang, North Kivu Deputy Police Commissioner, 25 May 2022

In a speech in front of his officers on 25 May 2022, the North Kivu Deputy Police Commissioner, General Aba Van Ang, encouraged civilians to take up machetes to defend Goma against “the enemy”.

He declared:

“We are not going to let this happen. We are also men like them. We are not going to accept that each time they take our town [Goma] as if we were women. They think we are going to die there? Tell your grown-up children or your wives that everyone gets a machete or a tool that can kill someone so that the war against the enemy becomes a popular war. Go and sensitize your brothers and sisters to take machetes for this war to be popular. Am I making myself understood?”

Original text : « Nous n'allons pas nous laisser faire. Nous sommes des hommes comme eux. Nous n'allons pas accepter qu'ils prennent à chaque fois notre ville [Goma] comme si nous étions des femmes. Ils pensent que nous allons mourir là-bas ? Dîtes à vos enfants majeurs et à vos femmes que chacun se procure une machette ou un outil qui peut tuer quelqu'un pour que la guerre contre l'ennemi devienne populaire. Allez sensibiliser vos frères et sœurs de prendre les machettes pour que cette guerre soit populaire. Est-ce que je me fais comprendre? »

Below: Screenshot of the video of the 25 May 2022 speech of the North Kivu Police Deputy Commissioner, General Aba Van Ang:



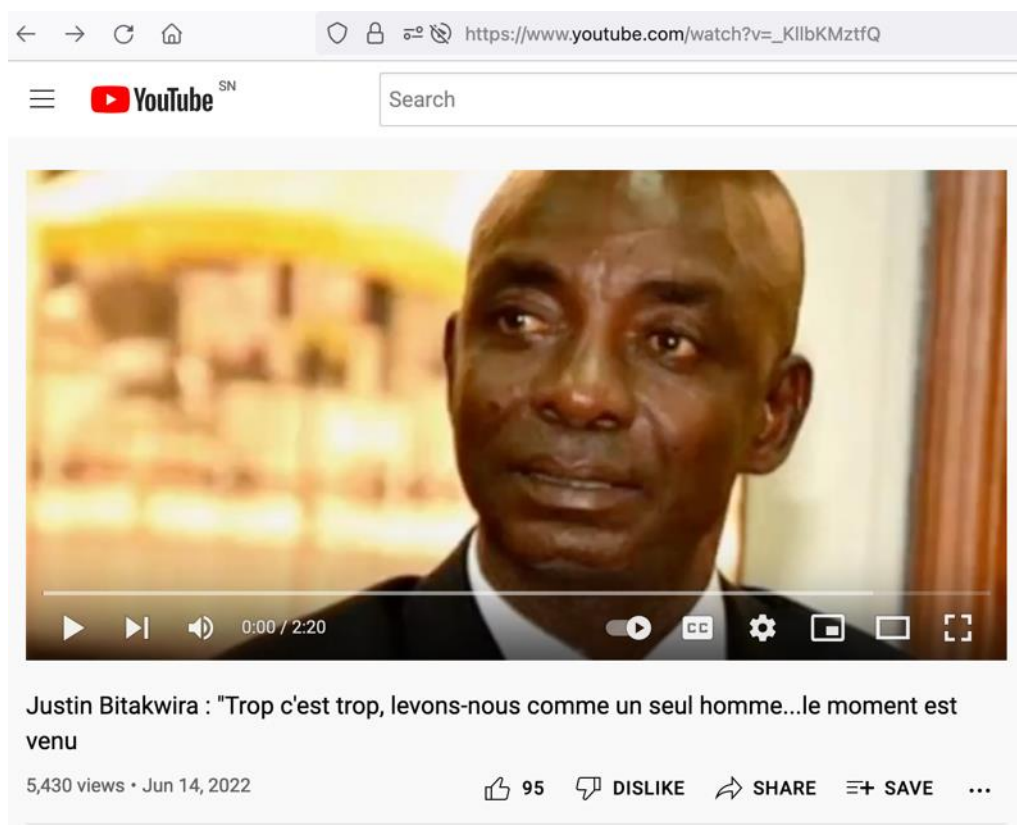
Video provided to the Group by several sources, also available at <https://youtu.be/1I5yEJ8b4fo>, and on file with the Secretariat

2. Speech by Justin Bitakwira Bihona-Hayi, a former national minister and president of the Alliance pour la République et la conscience nationale (ARCN)

Justin Bitakwira Bihona-Hayi, a former national minister and president of the *Alliance pour la République et la conscience nationale* (ARCN) political party, called on every Congolese to stand up against the enemy and for the DRC Government to identify “infiltrators”.

The audio recording of his call circulated widely on social media (see below excerpt). The Group had already reported on previous speeches by Bitakwira that incited discrimination, hostility and violence against the Banyamulenge community (see S/2021/560, para. 154 and annex 113).

The audio recording of Justin Bitakwira Bihona-Hayi’s speech, on file with the Secretariat, circulated on WhatsApp and was posted on YouTube on 14 June 2022. It is accessible at https://www.youtube.com/watch?v=_KllbKMztfQ. See below transcription from the French original speech and translation in English by the Group.



Screenshot of the video accessible on YouTube

Speech of Justin Bitakwira Bihona-Hayi:

“Ladies, Sirs, Congolese, children, youths, adults and elders. Here, this is your esteemed compatriot, Bitakwira Bihona-Hayi Justin. History repeats itself. History repeats itself, I say. It has been more than several decades, several decades that certain neighbours, particularly Rwanda, decided to humiliate us, decided to exterminate us, decided to occupy us. This country has no more than 14 million inhabitants. We are more than 100 million inhabitants. Enough is enough. Let's get up, let's get up. As one man. Let's get up. As De Gaulle did from London and formed what was called the National Council of Resistance. The time has come when majority, opposition, civil society, churches, fishermen, farmers, academics, students, teachers, pupils, school children, are defending the Republic. [...] Here, it is not a question of the President of the Republic alone, it is a question of 100 and more million Congolese. We must

stand up to defend the Motherland, to defend the Republic. And the time has come to put an end to this recurrent violence, this repeated violence by a single neighbour who considers itself as the god of the Earth in order to divide up, balkanize, exterminate another country and our people. We call the President of the Republic and the Government [...] to detect all infiltrators who are accomplices with our enemy. [...] Here, this is Mr. Bitakwira who calls for this national resistance, for this national awareness on the part of each and every Congolese, wherever they find themselves on Congolese soil, in the diaspora dispersed throughout the world. It's now or never. It's now or never. And let all the accomplices be put aside, who betray the fatherland. The information in our possession is that even our armed forces are waiting for help. Unfortunately, the help, instead of joining Bunagana, the help led by accomplices took the road to Butembo instead. Imagine. But any army that has the support of its people has never been defeated.”

Original text : « Mesdames, mesdemoiselles et messieurs, Congolaises et Congolais, enfants, jeunes, adultes et vieux. Ici, c'est votre estimé compatriote, Bitakwira Bihona-Hayi Justin. L'histoire se répète. L'histoire se répète, dis-je. Cela fait plus de plusieurs décennies, plusieurs décennies que certains voisins, particulièrement le Rwanda, s'est décidé à nous humilier, s'est décidé à nous exterminer, s'est décidé à nous occuper. Ce pays ne compte pas plus de 14 millions d'habitants. Nous sommes plus de 100 millions d'habitants. Trop c'est trop. Levons-nous, levons-nous. Comme un seul homme. Levons-nous. Comme De Gaulle l'a fait à partir de Londres et a constitué ce que l'on a appelé le Conseil national de la Résistance. Le moment est venu où majorité, opposition, société civile, églises, pêcheurs, agriculteurs, universitaires, étudiants, professeurs, élèves, écoliers, défendons la République. [...] Ici, ce n'est pas une question du seul Président de la République, c'est une question de 100 et plus de millions de Congolais. Nous devons nous lever pour défendre la Patrie-mère, pour défendre la République. Et le temps a sonné pour mettre fin à ces violences récurrentes, à ces violences répétées d'un seul voisin qui se prend pour le dieu de la Terre afin de morceler, balkaniser, exterminer un autre pays et notre peuple. Nous interpelons le Président de la République et le Gouvernement [...] de détecter tous les infiltrés qui sont complices avec notre ennemi. [...] Ici, c'est Monsieur Bitakwira qui appelle à cette résistance nationale, à cette prise de conscience nationale de la part de chacune et de chacun des Congolais, partout où ils se retrouvent sur le sol congolais, dans la diaspora dispersée à travers le monde. C'est aujourd'hui ou jamais. C'est aujourd'hui ou jamais. Et que tous les complices soient mis à l'écart, qui trahissent la patrie. Les informations en notre possession est que même nos forces armées attendent les secours. Malheureusement les secours, au lieu de rejoindre Bunagana, les secours dirigés par des complices a pris plutôt la route de Butembo. Imaginez-vous. Or toute armée qui a le soutien de son peuple n'a jamais été vaincue. [...] ».

3. Incidents of targeting Rwandophone civilians in the context of public demonstrations

On the margins of the demonstrations in support of the FARDC in Bukavu and Goma on 1 and 15 June 2022, respectively, some civilians hunted Rwandophones and those perceived as such.¹²²

In Bukavu, at least two teenage boys (minors) of the Banyamulenge community, one wearing a school uniform, were physically mistreated while their assailants said they would chase Rwandans away and kill them. In Goma, demonstrators attacked shops and warehouses belonging to members of the Tutsi and Banyamulenge communities and at least one church attended by them (see below).¹²³

Below: Screenshot of a video of the looting of a warehouse belonging to a Tutsi businessman on the margins of the demonstration in Goma on 15 June 2022

¹²² Sources: eyewitnesses, victims, researchers, civil society and MONUSCO sources, as well as video and photographs circulating on social media.

¹²³ Sources: victims, witnesses, civil society and MONUSCO sources, video recordings, documentary and photographic evidence.



Video provided to the Group by civil society actors, on file with the Secretariat

Below: Photograph of a church attended by members of the Banyamulenge community and damaged on the margins of the demonstration in Goma on 15 June 2022



Provided to the Group by members of the Banyamulenge community

On the margins of the visit of the Belgian King to Bukavu on 12 June 2022, members of the Banyamulenge community were challenged by members of the crowd for attending the event, and one person was physically mistreated.

On 19 June 2022, a group of men claiming to belong to the Special Brigade of the Union pour la démocratie et le progrès social (UPDS) political party,¹²⁴ dressed in part in military attire and some of them carrying machetes, stopped vehicles in Bandalungwa in Kinshasa, looking for “infiltrated Rwandans”. A video recording, which circulated extensively on social media, shows that several police officers a few meters from the men carrying the machetes remained passive (see below):



First screenshot annotated by the Group to highlight the machetes held by the men

¹²⁴ UPDS is the political party of President Tshisekedi.



Screenshot showing that several police officers a few meters from the men carrying the machetes remained passive

Video accessible at: [Stanis Bujakera Tshiamala on Twitter: "#RDC: Ils se revendiquent de la « Brigade Spéciale de l'UDPS». Ils ont effectué une descente dans la commune de Bandalungwa à Kinshasa devant le magasin « Yesu Ni Jibu » armés de machettes et de bâtons. « Ils disaient être à la recherche des infiltrés rwandais », disent témoins https://t.co/Aqn0RmkhWK" / Twitter](https://t.co/Aqn0RmkhWK)

Annex 54

Examples of audio recordings, messages or leaflets circulating on social media explicitly calling to chase “Rwandans” out of the DRC and/or to kill them

Exemples d'enregistrements audio, de messages ou de tracts circulant sur les médias sociaux et appelant explicitement à chasser les "Rwandais" de la RDC et/ou à les tuer

(1) Below is the partial translation into English of an audio recording circulated on WhatsApp and on file with the Secretariat

Translation to English by the Group, audio recording provided by civil society actors:

“Patriots, being native does not mean to demonstrate without conducting any actions, without the revenge of shedding the blood of Rwandans, the uncivil. From 25 June, let’s all go to the houses and shops of Rwandans. [...] Rwandans will be our meat. When you see a Rwandan, know that you have found some meat.

From today, the 15, until 25, this is the time limit granted to Rwandans to flee our country, Congo, by themselves. Remember the system in South Africa. [...] The morning, when they woke up, they were burnt in their houses, with tires. There is nothing more [efficient] than death to make someone escape from a foreign country. The State cannot chase out a refugee without the population.

Let’s stand up on 25 June [...] No need for FARDC or police officers, we will control vehicles ourselves. Do not fear police, even when they came in South Africa, they only killed the refugees, which in turn pushed refugees to escape and return home. The Government cannot chase out the Rwandans. We should chase out the Rwandans. Identify the houses where Rwandans are and the churches where they pray on Sundays and burn them during the prayer. In all avenues, boys shall contribute to buy cans of petrol to burn them together with their pastors.

[...] Let’s get up everywhere in Kinshasa, Lubumbashi, Bandundu and everywhere else in all provinces. Congolese, let’s get up on 25. We will conduct cordon [operations]. When we find a Rwandan, we burn him, that’s it. [...] We will first fight Rwandans who are in our houses. [...] No more fusion between Congolese and Rwandan soldiers. This is impossible to win a war when together with the brother of the enemy.

This is not the time anymore to pray. Let’s stand up. God gave you eyes, legs, arms and intelligence... What do you wait for? Take a machete and slaughter the Rwandans or take some petrol and burn their houses. What do you want God gives you more? There is no pastor any longer. This is Putin time. Let’s take this opportunity to get out of this slavery from uncivil Rwandans, who are devils to whom we taught how to rinse their teeth. [...] I also taught them how to wear clothes and shoes, I, son of South Kivu. Someone who does not know how to speak well. What can he teach me? To colonise me? No! We will burn their shops.”

(2) Below is the partial translation into English of another audio recording circulated on WhatsApp and on file with the Secretariat

Translation to English by the Group, audio recording provided by civil society actors.

“This is really me, Jems de Jems, speaking into the mike. I am speaking to all natives from Uvira and Fizi. [...] I exhort you, from tomorrow, to stay unified and act together to show Rwandans that Congo does not belong to them, but that it is for Congolese. [...] We will start searching all houses of the Rwandans from Kavinvira up to Malaki, Kalmabenge, Songo and Kabindula. [...] Let’s chase out all Rwandans. Our friends from Fizi should go up to Baraka to chase out the Rwandans.

We see that Tutsi Rwandans are genocidaires and aggressors. We ask each province and territory to take in charge the defense of its entity. Tomorrow, everyone needs to go early, each with his/her baton, knife, machete or spear. No one can block the way, neither a soldier, nor a police officer, because we defend our territory. [...] I will be the first to go on the road number 5 with my baton and my machete. I shall ensure that every Rwandan in Malaki, Songo, all Kimanda and up to Kabindula at the customary chief, be destroyed, that Rwandans leave Uvira and Baraka. Afterwards, we will continue in the Ruzizi Plain and everywhere else. [...] We have the force to chase the Rwandans out until they return at home in Rwanda. This was your brother Jems de Jems on the mike. Thank you.”

(3) Below is the full translation into English of another audio recording circulated on WhatsApp and on file with the Secretariat

Translation in English by the Group, audio recording provided by civil society actors.

“I greet all Congolese to inform you that this month, on June 25, in the territory of Uvira, we will get up from Kamanyola to Kalundu, in all the villages that are on this route. From 6 a.m. on 25 June 2022, which will be a Saturday, all people from all villages will rise to end this trouble with Rwandans.

We will clean up. Wherever there is a Rwandan, he shall go. And if you house a Rwandan, start chasing him to return home. And if you know where he lives and he bought a house and he is your neighbor, go with a machete, a stick, an arrow to hunt him.

We will follow the strategy in Zimbabwe, as they did to drive out the Whites. They took machetes to drive out the Whites to their countries. And we, too, come with our strategy to put an end to the troubles in the territory of Uvira.

From Kamanyola to Kalundu, let's all be in our centers from 6 a.m. There will be 10 organized vehicles belonging to the patriot citizens circulating to ensure that each village does its job. We will make sure that each village does its job. We will make sure that each village does its job.

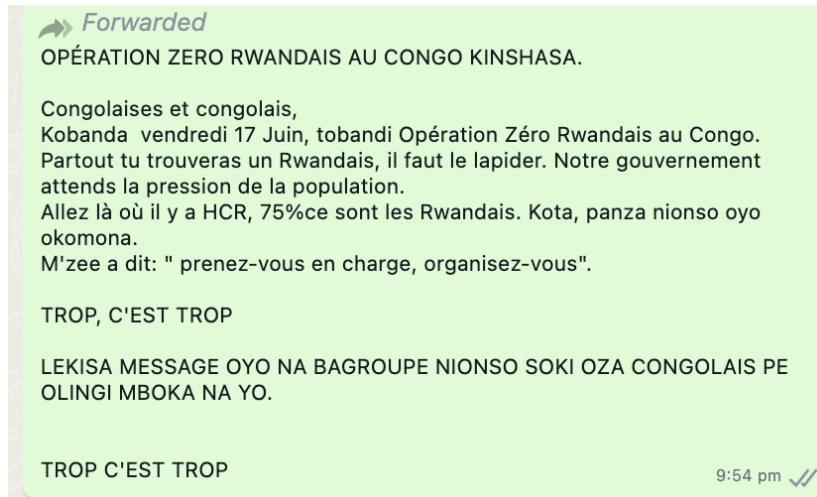
We are tired of being killed, of our women being raped. We will rise on 25 June 2022 to fight the Rwandans. Dear fathers and dear mothers, let us rise to end this war in a single day. We will beat them. We will make them return home. We will make sure that the territory of Uvira remains calm.

From today until the 25th be on the lookout. If you know that you are still housing Rwandans, woe to you. You and he will go the same path. We are going to go avenue by avenue, house by house to ensure that the Rwandans, the Tutsis leave. We are tired of being killed. Since 1996 we have been killed. Enough is enough. We will fight with the Rwandans and drive them all out. We are going to fight with the Rwandans and drive them out, so we ask that this Saturday, the people of each village be in their center.

Woe to the soldier or the policeman who arrests us. We no longer want our army to be mixed with the Rwandans. They go to the front together and the Rwandan goes behind and kills Congolese generals with duplicity. We will clean up all Rwandans in Uvira territory. We beg you, from today and by June 25, we do not want to see a Rwandan in the territory of Uvira. The 25th will be the last time that we will see a Rwandan in the territory of Uvira. We no longer want to see Rwandan Tutsis in Uvira territory.

I end here. Good luck to those who are going to do this, we will see each other on the 25th to clean the Rwandans of the territory of Uvira. We do not want Nilotics, Tutsis and Rwandans in Uvira territory.”

(4) Below a message which circulated on WhatsApp calling for an “operation for zero Rwandan” in the DRC and instructing “Everywhere you will find a Rwandan, you shall lapidate him”.



Provided to the Group by a source from the civil society

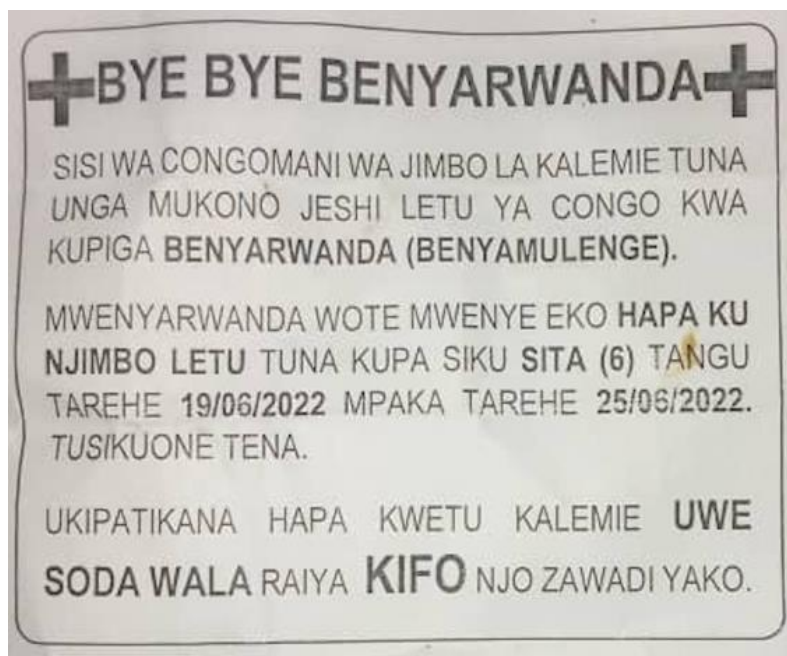
(5) Below a leaflet stating:

“BYE BYE RWANDANS

WE, THE CONGOLESE OF KALEMIE TERRITORY, WE SUPPORT OUR ARMY OF CONGO IN THE WAR AGAINST THE RWANDANS (BANYAMULENGE).

WE GIVE EACH RWANDAN IN OUR TERRITORY SIX (6) DAYS TO LEAVE FROM 19/06/2022 UP TO 25/06/2022.

WE DO NOT WANT TO SEE YOU ANYMORE.”



Provided to the Group by civil society sources

Annex 55

Screenshot of the video recording the burning of a Banyamulenge businessman lynched in Kalima, Pangi territory, Maniema province, on 18 June 2022

Capture d'écran de la vidéo montrant l'incinération d'un homme d'affaires banyamulenge lynché à Kalima, dans le territoire de Pangi, dans la province du Maniema, le 18 juin 2022



Screenshot from a video provided to the Group by various sources, on file with the Secretariat

Annex 56

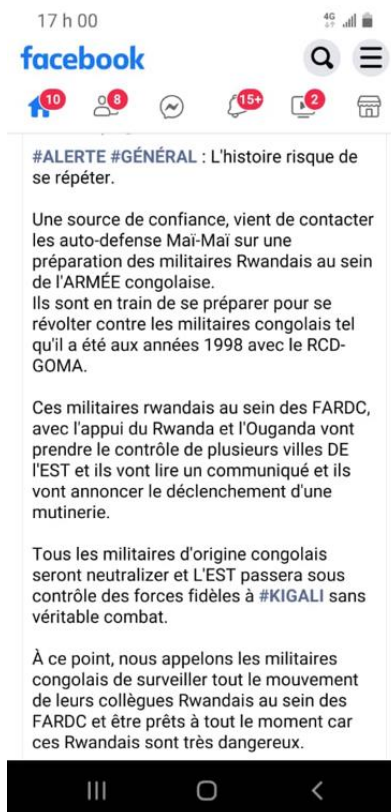
Claims of an alleged “infiltration” of the DRC administrative and security apparatus by Rwandans

Allégations d'une prétendue " infiltration " de l'appareil administratif et sécuritaire de la RDC par des Rwandais

Multiple messages and broadcasts denouncing the so-called “infiltration” of DRC political and administrative authorities, and security and defense forces by Rwandans, including lists of names sometimes together with the physical addresses of the targeted individuals, were also disseminated via social media.

In this context, in May and June 2022, several Banyamulenge and Tutsi soldiers and officers of the FARDC were arrested and/or detained by FARDC or police, including in Goma and Bukavu, on grounds of alleged support to M23/ARC. Most were released quickly due to lack of any evidence.¹²⁵ The FARDC members who arrested or interrogated seven of them accused them for allegedly not being DRC citizens, and said that all those speaking Kinyarwanda should be sent back to Rwanda. Several were physically mistreated during their arrest and/or subsequent detention.

Messages circulated on social media, warning that Rwandans within the FARDC prepare to stage a mutiny and to control several towns in eastern DRC and calling to watch them. The is one of the many messages circulating on social media alleging the “infiltration” of the FARDC by Rwandans:



Provided to the Group by sources from the civil society

¹²⁵ Sources: FARDC, civil society and MONUSCO sources, video recording, and documentary evidence.

Annex 57

M23 communiqué dated 15 June 2022 denouncing xenophobic and hate speech and acts of violence based on ethnic and xenophobic grounds and holding the DRC Government accountable for them**Communiqué du M23 du 15 juin 2022 dénonçant les discours xénophobes et haineux et les actes de violence fondés sur des motifs ethniques et xénophobes et tenant le gouvernement de la RDC pour responsable de ces actes**

**Communiqué Officiel du Mouvement sur les attaques sélectives
de ce jour dans la ville de Goma**

La Direction du M23 prend à témoin la Communauté internationale représentée à Goma par la Mission des Nations-Unies au Congo, les Organismes des Nations-Unies, les missions diplomatiques et autres Organisations Non Gouvernementales sur la violence perpétrée ce mercredi 15 juin 2022 dans la ville de Goma.

En effet, sur incitation des autorités civiles et militaires du pays, les rues de la ville de Goma ont été investies par des groupes d'extrémistes radicaux surexcités qui scandaient des slogans d'appel à la violence, au meurtre, à la haine ethnique et à la xénophobie.

En conséquence :

01. Des paisibles citoyens ont été sortis violemment de leurs résidences, de leurs véhicules, des églises et des leurs lieux de travail pour être molestés, humiliés et livrés à la vindicte populaire pour leur faciès ; d'autres ont été forcés à quitter leur pays et aller en exil.
02. Des résidences, magasins, échoppes identifiées comme appartenant aux membres de la communauté tutsi ont été cassés et totalement vandalisés
03. Ces actes de violence ont été commis avec l'encadrement des agents de Police Nationale Congolaise et des militaires des Forces Armées de la RDC.
04. Parmi ces manifestants, on pouvait noter une forte présence des personnes appartenant à des Organisations dites de défense de droit l'homme qui ont participé également ces actes de violence.
05. A Kinshasa, des responsables du parti au pouvoir l'UDPS ont, au cours d'un meeting diffusé ce matin en direct sur leur chaîne YouTube dénommée YOKA SON, présenté une liste des lieux bien documentés et identifiés où se retrancheraient les membres de la Communauté Tutsi et ont donné le mot d'ordre à leurs militants de les mettre hors d'état de nuire.

Choquée et scandalisée par cette violence injustifiée dirigée contre une partie de citoyens de la République, la Direction de notre Mouvement prend le Gouvernement de la République pour responsable de cet activisme violent à travers son option militariste contre notre Mouvement en lieu et place d'un dialogue constructif et susceptible d'éteindre pacifiquement le conflit dans un délai record. Et les récents renforts d'environ 1000 à 2000 hommes de troupes et matériels lourds nouvellement acheminés dans le territoire de Rutshuru ne viennent pas œuvrer pour la paix.

Tel. +243814946907

Email: mouvementdu23mars2@gmail.com

Ainsi le M23 invite le Gouvernement à plus de retenue et exige la fin immédiate de cette violence dirigée contre des paisibles citoyens pour leur faciès et les garanties de la sécurité pour tous les citoyens de la République.

Le Gouvernement doit œuvrer pour la Réconciliation Nationale en lieu et place de diviser son peuple en soulevant les uns contre les autres pour créer ainsi un chaos généralisé qui conduirait à la guerre civile.

Notre Mouvement ne voudrait pas être contraint à prendre ses responsabilités pour garantir à tous les citoyens la sécurité en lieu et place du Gouvernement de la République qui en a l'obligation constitutionnelle et qui dispose des moyens d'état pour ce faire.

Fait à Sarambwe, le 15 Juin 2022

Le porte-parole de l'ARC/M23



Major Willy NGOMA



Annex 58**Rwanda denouncing persistent hate speech against Rwandophone populations in the DRC, statement of 30 October 2022****Le Rwanda dénonce les discours de haine persistants contre les populations rwandophones en RDC, déclaration du 30 octobre 2022**

The Rwandan government noted:

“[...] We continue to bring to the attention of the international community the persistent hate speech, public incitement and violent harassment against Rwandans and Congolese Kinyarwanda-speaking communities in the DRC, carried out by Congolese officials and the general public. [...]”

See full text below:



RESPONSE TO ESCALATION BY DRC
Kigali, 30 October 2022

Rwanda notes with regret the decision by the Government of the DRC to expel Rwandan Ambassador Vincent Karega.

Rwandan security forces at our border with the DRC remain on alert, as we continue to monitor the Congolese escalation.

Of particular concern is the continued collusion between the Congolese armed forces with the FDLR, and their attempts to target the border area with heavy weaponry, as well as the bellicose anti-Rwanda rhetoric being broadcast by DRC officials.

We also continue to bring to the attention of the international community the persistent hate speech, public incitement and violent harassment against Rwandans and Congolese Kinyarwanda-speaking communities in the DRC, carried out by Congolese officials and the general public.

The integration of the FDLR within the FARDC and their collaboration is directly linked to ever increasing hate speech and violence in DRC against Rwandans and Kinyarwanda speaking Congolese communities.

It is regrettable the Government of the DRC continues to scapegoat Rwanda to cover up and distract from their own governance and security failures.

Rwanda remains committed to contributing to a sustainable, peaceful regional security solution within the agreed regional frameworks, including the Luanda Roadmap and the Nairobi Process.

END

Annex 59

DRC officials and public figures, including President Tshisekedi, publicly condemning xenophobic and hate speech

Des responsables et des personnalités de la RDC, dont le président Tshisekedi, condamnent publiquement les discours xénophobes et haineux

- (1) Patrick Muyaya, Minister of Communication and Government spokesperson, posting the official Government communiqué announcing the expulsion of Rwandan ambassador, on 30 October 2022, Twitter

← Tweet

 **Patrick Muyaya** ✓
@PatrickMuyaya

#RDC : En vue de préserver l'unité nationale, le Conseil supérieur de la Défense : « S'abstenir de tout type de discours, d'actes de violence ou de stigmatisation contre les communautés rwandophones pour ne pas prêter le flanc à l'ennemi » lire le communiqué [#BendeleEkweyaTe](#) 

[Translate Tweet](#)

COMMUNIQUÉ OFFICIEL

Le Président de la République, Chef de l'Etat et Commandant Suprême des Forces Armées de la République Démocratique du Congo et de la Police Nationale Congolaise a présidé, ce samedi 29 octobre 2022 à la Cité de l'Union Africaine à Kinshasa, une réunion chargée du Conseil Supérieur de la Défense.

Il a été question de faire le point de l'évolution de la situation sécuritaire dans le Nord Kivu marqué particulièrement par une série d'attaques et l'occupation de quelques localités congolaises, dans le territoire de Rutshuru, par le M23 appuyé par l'armée rwandaise.

A la lumière des différents rapports recueillis sur terrain dont celui du Centre Conjoint des Opérations équipés des drones de surveillance, il a été observé, ces derniers jours, une arrivée massive des éléments de l'armée rwandaise pour appuyer les terroristes du M23 en vue d'une offensive générale contre les positions des Forces Armées de la République Démocratique du Congo.

Le Conseil Supérieur de la Défense a rappelé que cette offensive du M23 appuyée par l'armée rwandaise vient de porter un troisième coup aux processus de paix de Nairobi et de Luanda engagés depuis plusieurs mois. Cette aventure criminelle et terroriste a rencontré une farouche résistance de nos Forces Armées déterminées à défendre la patrie jusqu'au sacrifice suprême.

Ces affrontements ont provoqué un déplacement massif de plusieurs milliers de nos compatriotes rendant encore plus difficile une situation humanitaire déjà préoccupante.

Au regard des faits qui précèdent, le Conseil Supérieur de la Défense demande au Gouvernement :

1. D'expulser, dans les 48 heures après sa notification, Monsieur Vincent KAREGA, l'Ambassadeur plénipotentiaire du Rwanda en poste en République Démocratique du Congo.

Et ce, en raison, d'une part, de la persistance du Rwanda à aggraver la RDC et à appuyer le mouvement terroriste du M23 qu'il instrumentalise à cette fin ; et d'autre part, du mépris sciemment d'arrogance des autorités rwandaises vis-à-vis tant du processus de Nairobi et de Luanda que des recommandations de la Communauté internationale plus précisément des Nations Unies (ONU), de l'Union Africaine (UA), de la Communauté de l'Afrique de l'Est (CAE), de la Communauté de Développement de l'Afrique Australe (SADC) et des partenaires bilatéraux exigeant

En ce moment particulier où l'unité nationale est menacée, le Conseil Supérieur de la Défense a félicité les Forces de Défense et de Sécurité de la République Démocratique du Congo pour leur bravoure et leur détermination à défendre l'intégrité territoriale de notre pays, à protéger les populations ainsi que les Institutions de la République. Il les exhorte à poursuivre leur noble mission.

En vue de préserver l'unité nationale, le Conseil Supérieur de la Défense a rappelé la recommandation du Président de la République, Chef de l'Etat, celle de s'abstenir de tout type de discours, d'actes de violence ou de stigmatisation contre les communautés rwandophones pour ne pas prêter le flanc à l'ennemi. Il a encouragé les Services habituels à veiller à la stricte observance de cette recommandation.

Enfin, le Conseil Supérieur de la Défense remercie le peuple Congolais pour l'état de solidarité et de patriotisme manifesté à l'endroit de nos Forces Armées et des populations touchées par cette agression. Il a annoncé que le Président de la République, Chef de l'Etat s'adressera à la Nation dans les prochains jours.

Fait à Kinshasa, le 29 octobre 2022.



2:12 am · 30 Oct 2022 · Twitter for iPhone

Public post available on Twitter, screenshot taken by the Group

- (2) The full text of the Official Government communiqué announcing the expulsion of the Rwandan ambassador, calling on the population to abstain from stigmatizing Rwandophone populations (see page 2, second-last paragraph):



MINISTÈRE
DE LA COMMUNICATION
ET MÉDIAS

COMMUNIQUÉ OFFICIEL

Le Président de la République, Chef de l'Etat et Commandant Suprême des Forces Armées de la République Démocratique du Congo et de la Police Nationale Congolaise a présidé, ce samedi 29 octobre 2022 à la Cité de l'Union Africaine à Kinshasa, une réunion élargie du Conseil Supérieur de la Défense.

Il a été question de faire le point de l'évolution de la situation sécuritaire dans le Nord-Kivu marquée particulièrement par une série d'attaques et l'occupation de quelques localités congolaises, dans le territoire de Rutshuru, par le M23 appuyé par l'armée rwandaise.

A la lumière des différents rapports recueillis sur terrain dont celui du Centre Conjoint des Opérations équipés des drones de surveillance, il a été observé, ces derniers jours, une arrivée massive des éléments de l'armée rwandaise pour appuyer les terroristes du M23 en vue d'une offensive générale contre les positions des Forces Armées de la République Démocratique du Congo.

Le Conseil Supérieur de la Défense a rappelé que cette offensive du M23 appuyée par l'armée rwandaise vient de porter un énième coup aux processus de paix de Nairobi et de Luanda engagés depuis plusieurs mois. Cette aventure criminelle et terroriste a rencontré une farouche résistance de nos Forces Armées déterminées à défendre la patrie jusqu'au sacrifice suprême.

Ces affrontements ont provoqué un déplacement massif de plusieurs milliers de nos compatriotes rendant encore plus difficile une situation humanitaire déjà préoccupante.

Au regard des faits qui précèdent, le Conseil Supérieur de la Défense demande au Gouvernement :

1. D'expulser, dans les 48 heures après sa notification, Monsieur Vincent KAREGA, l'Ambassadeur plénipotentiaire du Rwanda en poste en République Démocratique du Congo.

Et ce, en raison, d'une part, de la persistance du Rwanda à agresser la RDC et à appuyer le mouvement terroriste du M23 qu'il instrumentalise à cette fin ; et d'autre part, du mépris teinté d'arrogance des autorités rwandaises vis-à-vis tant du processus de Nairobi et de Luanda que des recommandations de la Communauté internationale plus précisément des Nations Unies (ONU), de l'Union Africaine (UA), de la Communauté de l'Afrique de l'Est (CAE), de la Communauté de Développement de l'Afrique Australe (SADC) et des partenaires bilatéraux exigeant unanimement la cessation d'activités terroristes du M23 et de tout appui extérieur à lui, son retrait sans délai ni condition des localités congolaises occupées et le retour immédiat des populations déplacées.

2. D'envoyer, en toute urgence, une mission humanitaire pour porter une assistance à nos populations déplacées à la suite de ces attaques ;
3. De prendre des nouvelles mesures supplémentaires de restriction d'accès au territoire congolais à l'encontre du Rwanda ;
4. D'accroître la force de frappe de nos Forces Armées et de Sécurité ;
5. De réaffirmer la volonté de la République Démocratique du Congo de rester engagé dans les processus de paix de Nairobi et de Luanda en vue de restaurer durablement la paix, la sécurité et la stabilité dans la région des Grands-Lacs.

En ce moment particulier où l'unité nationale est menacée, le Conseil Supérieur de la défense a félicité les Forces de Défense et de Sécurité de la République Démocratique du Congo pour leur bravoure et leur détermination à défendre l'intégrité territoriale de notre pays, à protéger les populations ainsi que les Institutions de la République. Il les exhorte à poursuivre leur noble mission.

En vue de préserver l'unité nationale, le Conseil Supérieur de la Défense a rappelé la recommandation du Président de la République, Chef de l'Etat, celle de s'abstenir de tout type de discours, d'actes de violence ou de stigmatisation contre les communautés rwandophones pour ne pas prêter le flanc à l'ennemi. Il a encouragé les Services habilités à veiller à la stricte observance de cette recommandation.

Enfin, le Conseil Supérieur de la Défense remercie le peuple Congolais pour l'élan de solidarité et de patriotisme manifesté à l'endroit de nos Forces Armées et des populations touchées par cette agression. Il a annoncé que le Président de la République, Chef de l'Etat s'adressera à la Nation dans les prochains jours.

Fait à Kinshasa, le 29 octobre 2022.

Patrick MUYAYA KATEMBWE

Ministre de la Communication et Médias

Porte-parole du Gouvernement

83, avenue Tabu Ley (Ex Tombalbay) RTNC2, Kinshasa - Gombe

Tél. : +243814175139 ; +243998763124

● E-mail : info@communication.gouv.cd

● www.communication.gouv.cd

(3) Radio-televised speech of the President of the DRC, His Excellency F.A. Tshisekedi Tshilombo, broadcast on 3 November 2022

République Démocratique du Congo



**PRESIDENCE DE LA REPUBLIQUE
CABINET DU CHEF DE L'ETAT
CELLULE DE COMMUNICATION**

**ADRESSE À LA NATION DE SON EXCELLENCE MONSIEUR
FÉLIX-ANTOINE TSHISEKEDI TSHILOMBO,
PRÉSIDENT DE LA RÉPUBLIQUE DÉMOCRATIQUE DU CONGO,
CHEF DE L'ÉTAT, PRÉSIDENT EN EXERCICE DE LA SADC
SUITE À LA DÉTÉRIORATION DE LA SITUATION SÉCURITAIRE DANS L'EST
DU PAYS**

Kinshasa - RD Congo, Jeudi 03 Novembre 2022

+ 243 81 28 81 734 - www.presidence.cd - communication@presidence.cd - @Presidence_RDC
Palais de la Nation, Av. Roi Baudouin / Gombe - Kinshasa / BP 201 Kin1



**Congolaises,
Congolais,
Mes très Chers compatriotes,**

Je m'adresse solennellement à vous en ce jour dans un contexte exceptionnel en rapport avec la situation sécuritaire que connaît notre pays dans sa partie Orientale. Ce contexte d'agression et d'occupation des territoires dans le Nord-Kivu est perpétré par le groupe terroriste dit du M23, avec l'appui avéré en hommes et en logistique du Rwanda.

Au moment où je fais cette adresse, nos agresseurs occupent certaines localités dans le territoire de Rutshuru occasionnant ainsi un drame humanitaire avec plus de 200 000 compatriotes forcés de fuir les affres terroristes dans les zones de combats. Ils se retrouvent en dehors de chez eux sans logis, sans nourriture et sans soins. Des instructions précises ont été données au Gouvernement pour leur rassemblement et prise en charge. Au-delà de ces efforts, j'en appelle à un élan général de solidarité pour alléger leur fardeau.

Certes, cette situation n'est pas nouvelle, en effet, depuis plusieurs décennies des groupes armés nationaux et étrangers écumant l'Est de notre pays en y commettant des atrocités innommables sur fond d'exploitation illégale de nos ressources naturelles.

C'est ainsi qu'à l'occasion de mon avènement, j'avais été amené à prendre l'engagement, devant la Nation, de rétablir au cours de mon mandat la paix et la sécurité là où elles sont compromises et de les consolider là où elles existent.

Sitôt dit sitôt fait, j'ai sans délai et de bonne foi commencé à développer, notamment avec tous nos 9 pays voisins, une diplomatie de proximité en vue d'établir avec eux des relations de coopération franche, transparentes et gagnant-gagnant.

Avec l'Ouganda, nous sommes allés jusqu'à décider de mutualiser nos Forces armées afin de combattre ensemble la nébuleuse des ADF, une milice d'origine ougandaise qui cependant n'opère que dans le Nord-Kivu, et aussi nous avons lancé deux projets de construction de routes transnationales. Avec le Rwanda, un mémorandum d'entente a été signé dans le commerce de l'or avec une entreprise nationale, une ligne aérienne a été ouverte à la Compagnie Nationale Rwandaise dans notre pays et un accord de non double taxation a été signé.

Malgré cela, ce pays va nous surprendre en réactivant les terroristes du M23. Alors qu'il avait été défait par les armes en 2013, le M23 va refaire surface en



prenant notre Armée de court, notamment à Bunagana, cité qu'il occupe depuis le 13 juin 2022. En effet, sous la fallacieuse accusation de soutien des FARDC aux FDLR, le Rwanda a en réalité des vellétés expansionnistes avec comme intérêt principal l'appropriation de nos minerais et pour ce faire, il s'active à déstabiliser l'Est du Congo pour créer une zone de non droit en vue d'assouvir ses appétits criminels.

Pour faire face à cette situation, deux options s'offraient à nous : la diplomatie ou la guerre. J'ai résolu de privilégier la première option quitte à en venir à la seconde faute de résultats.

L'option diplomatique a donc été mise en œuvre.

C'est ici l'occasion pour nous de rappeler que notre attachement à la recherche de la paix par des voies pacifiques n'est aucunement un signe de faiblesse moins encore un aveu d'une incapacité de notre pays à s'inscrire dans une logique de guerre totale contre tous ceux qui continuent à abuser de notre patience, mais plutôt une expression de notre culture de paix et de notre identité légendaire de peuple hospitalier.

C'est ainsi que dès le 20 juin 2022, j'ai pris part aux travaux du 3^{ème} Conclave des chefs d'État membres de la Communauté d'Afrique de l'Est (EAC) à Nairobi au Kenya qui avait comme agenda l'examen de la situation sécuritaire dans l'Est de notre pays.

À l'issue de ce forum, les dirigeants des pays membres de la Communauté d'Afrique de l'Est (EAC) sont tombés d'accord sur le déploiement d'une force régionale pour « imposer » la paix dans l'Est de la République démocratique du Congo (RDC). Le sommet a appelé « à une cessation immédiate de toutes les hostilités à l'Est de la RDC » et a demandé à tous les groupes armés, tant étrangers que locaux, « à déposer les armes immédiatement et sans condition, et à s'engager dans processus politique ».

Le 6 juillet 2022, j'ai accepté de rencontrer à nouveau le Président du Rwanda, cette fois à Luanda sous l'égide du Président João Lourenço, sous couvert de la Conférence Internationale des Régions des Grands Lacs africains. Il en est sorti une feuille de route qui stipule entre autres objectifs : Normaliser les relations politiques et diplomatiques entre la RDC et le Rwanda. Et, pour y parvenir, la première action retenue : arrêt des hostilités et retrait du M23 des positions occupées conformément au communiqué final de Nairobi.

Une fois de plus aucune avancée sur le terrain de la paix attendue par notre population n'a été observée.



La dernière activité diplomatique en date, a été la rencontre avec le Président Paul Kagame autour du Président Français Emmanuel Macron, et à l'initiative de ce dernier en marge de l'Assemblée Générale de Nations-Unies à New-York. Ici également, pour l'essentiel, il a été acté le principe d'un cessez-le-feu immédiat et du retrait sans condition du M23 des positions qu'il occupe. Toujours sans résultats tangibles sur le terrain.

Mes chers compatriotes,

Comme vous pouvez le constater, malgré notre investissement et les efforts fournis dans cette optique, la paix et la sécurité ne sont pas au rendez-vous.

Garant de l'indépendance, de l'unité nationale et de l'intégrité territoriale, je réitère mon engagement constitutionnel de défendre la Patrie jusqu'au sacrifice suprême.

Mes très chers compatriotes,

Ne doutons jamais, qu'ensemble réfléchis et engagés nous puissions changer le monde.

À vous nos vaillants Soldats,

Vous qui avez pris l'engagement de servir sous le drapeau, je vous invite ici au sens élevé du patriotisme en ce temps particulièrement exceptionnel de notre histoire, de défendre notre pays, de protéger l'intégrité de son territoire et d'assurer la sécurité des congolaises et des congolais contre toute agression ou attaque d'où qu'elle vienne.

À vous mes très chers compatriotes,

La guerre qui nous est imposée par nos voisins exige de chacun de nous des sacrifices. C'est le moment de taire nos divergences politiques pour défendre tous rassemblés, notre mère patrie.

Notre histoire et notre marche commune ont, sans cesse, démontré que loin de s'effondrer, notre Nation et son Peuple ont toujours relevé ce genre de défis et nous en sommes toujours sortis victorieux.

Restons tous unis et solidaires derrière nos forces de défense et de sécurité.

La situation actuelle, loin de nous affecter, n'est qu'une épreuve de plus que nous allons surmonter pour raffermir davantage notre unité.

Annex 60

Organizers of anti-MONUSCO incitement and of attacks on UN installations and peacekeepers

Organisateurs d'incitations anti-MONUSCO et d'attaques contre les installations de l'ONU et les soldats de la paix

Statements of prominent political figures asking for the departure of MONUSCO emboldened pressure groups militating for MONUSCO's departure, notably *Veranda Mutsanga*, *Génération Positive*, and La LUCHA RDC Afrique, to mobilize the youth for demonstrations. After realizing that violent actions were perpetrated in consequence, some of these politicians subsequently distanced themselves from the anti-MONUSCO actions, including Modeste Bahati Lukwebo (see AFDC-A statement at (1) below).

On 20 July 2022, Ricky Paluku, leader of *Veranda Mutsanga/Goma*, a pressure group founded by national deputy Tembos Yotama, launched the "Zero MONUSCO" campaign calling for mass protests, *villes mortes*, and blocking all the movements of MONUSCO.¹²⁶ Tembos Yotama congratulated the anti-MONUSCO protestors in his public announcements issued after the violent demonstrations had taken place (see from (2) to (5) below).

Several independent sources confirmed that Eric "Lucky" Bwanapuwa Mumbere of the pressure group *Mouvement National du Congo* (MNC), collaborated with Jimmy Nzialy Lumangabo, leader of the *Génération Positive*, and were the main organizers of the violent protests in Goma.¹²⁷ Ricky Paluku, and LUCHA RDC leader Clovis Matsuva were seen with Bwanapuwa during the demonstrations in Goma. The latter headed groups of protesters that engaged in violence against MONUSCO, notably the Logistical Base also known as RVA (for additional information and supporting evidence, see below from (6) to (8)).

None of them condemned the violence against MONUSCO and continued propagating anti-MONUSCO rhetoric.

Planning and financing

According to a witness involved in organizing demonstrations in Goma, the violent attacks were not spontaneous, but well planned. The high level of organization was reflected in the well-coordinated actions executed on the ground. The same witness explained that specific roles and targets were assigned to different groups. For example, it was agreed in advance that Eric Bwanapuwa would lead the group of protesters towards the RVA. Actions were coordinated over the phone. The objective was to attack every position of MONUSCO and burn everything with a UN logo, including offices and cars. The pillaging was not planned, but it was permitted.

Financing for the demonstrations was ensured through voluntary contributions by supporters of the pressure groups.¹²⁸ According to a direct witness, each demonstrator in Goma was paid a sum of money, and truckloads of rocks were purchased to barricade roads in various locations in Goma, notably for the *ville morte* organized on 26-27 September 2022.

The anti-MONUSCO movement blamed the Mission to have tacitly enabled M23/ARC, by failing to neutralize the armed group. However, sources close to leaders of the movement revealed that the interests of the organizers lied mainly in lifting the State of siege, as it hindered the financial/economic interests of the North Kivu elite.

¹²⁶ On 23 July, Veranda Mutsanga/Beni declared it had nothing to do with the actions called for 25 July.

¹²⁷ Witness involved in organizing the anti-MONUSCO actions, civil society source, MONUSCO

¹²⁸ MONUSCO, civil society, community leader, eyewitness

- (1) AFDC-A's denounced attacks on MONUSCO on behalf of Prof Modeste Bahati Lukwebo, and called on his followers not to engage in violence, in a communiqué issued on 24 July 2022:



REGROUPEMENT POLITIQUE

ALLIANCE DES FORCES DEMOCRATIQUES DU CONGO ET ALLIES, « AFDC-A »

COMMUNIQUE A LA SUITE DES VIOLENCES CONTRE LES INSTALLATIONS DE LA MONUSCO DANS LES PROVINCES DU NORD-KIVU ET DU SUD-KIVU

Le Professeur Modeste BAHATI LUKWEBO, Président National statutaire du Regroupement Politique « Alliance des Forces Démocratiques du Congo et Alliés », « AFDC-A » en sigle, regrette le fait que certaines personnes mal intentionnées déforment et décontextualisent ses propos, quant à la demande du retrait de la MONUSCO sollicitée massivement par la population, faute des résultats en termes de neutralisation des forces négatives qui sèment la terreur dans l'Est de la RDC, notamment dans le Grand Nord (ITURI, BENI), au Nord-Kivu et au Sud-Kivu, et compatit encore une fois avec les familles des victimes des violences dues aux attaques de groupes armés dans l'Est de notre pays, lesquels sont soutenus, entretenus et équipés par des ennemis de la paix et de la prospérité, aussi bien ceux de l'intérieur que de l'extérieur de notre pays.

A la demande de la population excédée par des actes de violences récurrents depuis les années 1994 jusqu'à ce jour, le Professeur Modeste BAHATI LUKWEBO, comme l'ensemble de la population a simplement questionné l'effectivité du mandat de la MONUSCO qui est fondé, depuis plus de 20 ans sur la protection des populations civiles en RDC.

Homme de paix et de développement, très proche de la société civile depuis toujours, le Professeur Modeste BAHATI LUKWEBO reconnaît l'apport de la Communauté Internationale aux côtés des autorités et de la population congolaise dans les efforts de reconstruction et de développement de notre pays. A cet effet, il interdit et condamne avec la dernière énergie tout acte de violence perpétré contre les installations des Nations Unies, plus précisément au Nord-Kivu et au Sud-Kivu. Il interdit formellement les membres de sa famille politique et toute personne qui s'identifie à lui et en ses actions, de faire recours à la violence pour solliciter le départ de la MONUSCO tant souhaitée et sollicitée presque à l'unanimité par la population. Cette question devant être réglée pacifiquement, et de manière progressive par des canaux politiques et diplomatiques appropriés. Il va de soi que toute revendication, notamment celle demandant le départ de la MONUSCO puisse se faire dans le strict respect des lois de la République, pacifiquement, dans l'ordre et la discipline et jamais dans la violence, comme l'a d'ailleurs indiqué le Professeur Modeste BAHATI LUKWEBO dans tous ses messages lors de son récent passage à Goma et à Bukavu.

Fait à Kinshasa, le 24 juillet 2022

Le Rapporteur Général de l'AFDC-A,

Professeur Rémy MUSUNGAYI BAMPALE



Siège National au numéro 157, Croisement des Avenues des Huilliers et Mibou, Commune et Ville de Kinshasa, RDC Tél. : (+243) 820078177 ** E-mail : afdc.allies@gmail.com

(2) Veranda Mutsanga calling for anti-MONUSCO action and slogans, reported in a news article reporting on the launch of the “Zero MONUSCO” campaign by Ricky Paluku of the Veranda Mutsanga:

⋮

Nord-kivu: Des voix s'intensifient pour réclamer le départ de la Monusco.

Des voix se lèvent à l'Est de la RDC pour réclamer le départ de la mission onusienne sur le sol congolais, le mouvement citoyen veranda mutsanga annonce la relance d'ici une semaine de la campagne " Zero Monusco" en circulation au Nord-Kivu.



Ricky PALUKU coordonateur de cette structure citoyenne renseigne que, cette campagne qui est la suite de la campagne BYE BYE MONUSCO vise à imposer le départ immédiat de la Monusco pour l'inefficacité 21ans après étant au Congo et sa complicité dans la fragilisation de la sécurité en RDC.

"Cette complicité manifestée par l'inaction de cette mission de l'ONU en RDC face aux menaces des ADF, CODECO et m23 mais aussi l'embargo reconduit par l'ONU interdisant la RDC d'acheter les armes pour équiper les FARDC pourtant notre Pays est agressé de nouveau", souligne Ricky paluku.

Celui-ci ajoute :

"Face à ce complot de la mission de l'ONU, il est inconcevable que les congolais restent sans agir. C'est pourquoi, il est demandé à toute la population de Goma, Nyiragongo, Masisi, Walikale, Rutshuru, Kirumba, Lubero, Butembo et Beni de prendre des précautions nécessaires pour adhérer à cette campagne"

La veranda Mutsanga promet d'initier plusieurs actions citoyennes en synergie avec plusieurs organisations de la société civile, des partis politiques et mouvements citoyens pour forcer la Monusco à se retirer sur le sol congolais.

"Il sera question des journées ville morte, manifestations populaires spontanées, interdiction formelle aux agents et engins de la Monusco de circuler partout à l'est où cette fameuse mission est concentrée mais l'insécurité ne cesse de s'accroître car les preuves sont légion qu'il s'agit de la Monusco qui arme les groupes armés pour qu'elle trouve motif de prolonger sa mission en RDC." ,ajoute notre source.

Signalons que, même au sud-kivu, le collectif des mouvements citoyens Amka Congo dans une lettre adressée au secrétaire général des nations unies dit réclamé le départ sans condition de la Monusco en RDC suite à son efficacité d'exécuter son mandat.

Victoire Mulongo.

Above: News article published on 21 July 2022, accessed online [here](#)¹²⁹

(3) Statement published on Veranda Mutsanga website on 21 July 2022, confirming the call for action in the context of the “Zero MONUSCO” campaign and informing that the orders will be given through official channels:

¹²⁹ Also published on other news outlets, for example <https://depeche.cd/2022/07/21/nord-kivu-la-veranda-mutsanga-annonce-la-campagne-zero-monusco/>

« La cellule de Communication de la Véranda Mutsanga commence par une mise au point importante. Cette communication qui appelle à des journées ville-mortes d'ici lundi n'émane pas de la Véranda Mutsanga. La Véranda Mutsanga communiquera par des canaux officiels pour annoncer le début de ces actions anti-MONUSCO », lit-on dans un communiqué de la Véranda Mutsanga massivement partagé dans plusieurs plateformes Whatsapp pour fixer l'opinion publique.

Mais la série de d'activités est bel et bien confirmée dans les jours proches pour dire à la MONUSCO de quitter la RDC comme le précise Patrick Ricky Paluku, Coordonnateur de la Véranda Mutsanga en province du Nord-Kivu.

« Cette campagne qui est la suite de BYE BYE MONUSCO vise à imposer le départ immédiat de la MONUSCO pour l'inefficacité 21 ans après étant au Congo et sa complicité dans la fragilisation de la sécurité en RDC. Cette complicité manifestée par l'inaction de cette mission de l'ONU en RDC face aux menaces des ADF, CODECO et m23 mais aussi l'embargo reconduit par l'ONU interdisant la RDC d'acheter les armes pour équiper les FARDC pourtant notre Pays est agressé de nouveau », lit-on dans une communication de Patrick Ricky Paluku.

Patrick Ricky Paluku ajoute que ces activités sont notamment des journées ville-mortes, des manifestations populaires spontanées, l'interdiction formelle aux agents et engins de la MONUSCO de circuler partout à l'Est de la RDC.

Une mise en garde est lancée à toutes les personnes qui tenteront de se faire manipuler par la MONUSCO pour fragiliser la lutte. En même temps, c'est un appel à la mobilisation générale en l'endroit de toutes les couches de la population présentes au pays ainsi qu'en dehors en vue d'entrer dans la danse.

« Merci à toutes les autres provinces du Pays et la Diaspora d'organiser les mêmes actions car il s'agit d'une problématique qui touche la sécurité nationale et menace l'intégrité du territoire national vu que leur plan reste la balkanisation du notre Pays et tout se passe par l'infiltration. C'est pourquoi, ils imposent encore à Fatshi de négocier de nouveau avec le m23-Rwanda afin qu'ils renforcent leurs stratégies pour l'exécution de leur plan », écrit Patrick Ricky Paluku.

Rédaction VERANDAMUTSANGA.COM

(4) Statement published on behalf of Veranda Mutsanga founder Tembos Yotama issued on 26 July 2022, congratulating the anti-MONUSCO demonstrations:

Veranda Mutsanga founder Tembos Yotama, national deputy representing the circumscription of Butembo, deplored the casualties of the anti-MONUSCO demonstrations and called for vigilance to avoid potential “infiltration of the enemy” and to avoid “unnecessary deaths”. He did not condemn the violent attacks targeting MONUSCO, although a UN peacekeeper and two UN police officers were killed in Butembo during an attack on the MONUSCO base in the town.

Tembos Yotama encouraged the demonstrators to continue their engagement and called on the authorities in Kinshasa to demand MONUSCO's departure (see full text below):

Véranda Mutsanga

Groupe de pression non violente

A LA UNE NOS ACTIONS

Manifestations anti-MONUSCO: Tembos Yotama salue l'engagement populaire mais appelle à la vigilance face aux infiltrations dans des actions



By [verandam](#)

🕒 Jul 26, 2022



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Très préoccupé par la persistance de l'insécurité dans la partie Est de la RDC, l'honorable Tembos Yotama salue le niveau de l'engagement pris par la communauté déjà exacerbée par les tueries devant l'Impuissance de la MONUSCO. L'élu de Butembo en appelle les différents manifestants à doubler plus de vigilance pour éviter l'infiltration de l'ennemi et des morts inutiles. Tembos Yotama condamne ainsi la tuerie par balles réelles des citoyens qui exprimaient leur mécontentement face à la personne de l'insécurité dont ils sont victimes.

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En tant que représentant du peuple, je condamne cette répression sanglante contre les civils qui vient de faire inutilement des morts de plus en ville de Butembo. Nous avons compté aussi plusieurs blessés graves et c'est déplorables", introduit l'honorable Tembos Yotama.

Le combattant du peuple regrette qu'à une population qui ne fait que réclamer ses droits il lui soit appliqué une répression sanglante et disproportionnée jusqu'à causer mort d'hommes.

"Nous demandons ainsi au gouvernement de prêter oreille aux revendications du peuple, à savoir la paix et rien que la paix. C'est un droit non négociable de nos électeurs, de nos concitoyens...", martèle l'honorable Tembos Yotama, dans sa casquette de défenseur du peuple.

Il rappelle que la vie ne peut en aucun cas continuer banalisée dès lors que le droit à la vie est garanti par la charte des Nations Unies et la déclaration universelle des droits de l'homme.

Appel à la vigilance

Tembos Yotama, qui pense que le peuple s'est enfin approprié la lutte pour le retour de la paix, encourage les manifestants à toujours faire très attention et à doubler la vigilance afin d'éviter les infiltrations dans les actions.

Par ailleurs, Tembos Yotama, qui a déjà écrit deux rapports bien documentés sur les massacres de Beni, Irumu et Mambasa, estime que cette expression de la population doit être capitalisée par les autorités de Kinshasa pour demander à la MONUSCO de dégager enfin.

"Le peuple s'est exprimé. C'est un bon départ, malgré les pertes en vies humaines. Mais les autorités de Kinshasa devraient jouer leur rôle et pousser la lutte en avant. C'est par exemple poser des actions concrètes au niveau du Conseil de Sécurité des Nations Unies qui est l'instance compétente à prendre des décisions de ce haut niveau. Tout ce que la population peut faire, c'est de garder cette même énergie jusqu'à ce que la MONUSCO dégage et que les autres complices dans l'insécurité à l'Est de la RDC soient dénichés et paient de leurs actes », chute l'homme à la jaquette de couleur verte.

CELLCOM Tembos Yotama

& Rédaction VERANDAMUTSANGA.ORG

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(5) Veranda Mutsanga slogan on a T-shirt, depicting a burning structure, as published on the Veranda Mutsanga website on 31 July 2022

The image precedes an article condemning MONUSCO and demanding its departure from DRC, signed by Maître Issa Balume, activist and member of Veranda Mutsanga. See [here](#).



Photograph of a Vernada Mutsanga slogan, captured by the Group from the website of Veranda Mutsanga

(6) Pressure group leaders during the violent anti-MONUSCO demonstrations

The picture depicts, from left to right, **Clovis Matsuva** from LUCHA (left)¹³⁰, **Eric “Lucky” Mumbere Bwanapuwa** of MNC¹³¹ (middle), and **Ricky Paluku** of the **Veranda Mutsanga/Goma** (right). The picture was posted on Facebook on 26 July 2022 on the account of Patrick Ricky Paluku, with the caption “we will be on the streets until the departure of the last MONUSCO contingent” (translation from French). The picture was taken near the UN RVA base in Goma, that was attacked by the demonstrators.



Source: MONUSCO

Photograph (below) of demonstrators in Goma carrying the slogan “HATU PENDI MONUSCO” (We do not want MONUSCO). The third person from the left is **Bwanapuwa Mumbere Eric**, wearing the same gray t-shirt with the Africa logo as in the photo above.




Photograph published on the web¹³²

¹³⁰ <https://mobile.twitter.com/cmutsuva>.

¹³¹ Eric Bwanapuwa is known as a leader of MNC (see <https://www.agoragrandslacs.net/goma-dossier-spoliation-du-marche-kituku-le-maire-et-le-conservateur-des-titres-immobiliers-indexes-par-les-mouvements-citoyens/>) as well as self-proclaimed “leader of the youth of the Buhene neighborhood” (*leader des jeunes du quartier de Buhene*) in Goma (see https://www.liberation.fr/planete/2019/05/06/rdc-a-goma-des-meurtres-et-un-halo-de-mystere_1725320/).

¹³² <https://afrique.lalibre.be/71464/rdc-violence-anti-monusco-dans-le-nord-kivu/>

Eric Bwanapuwa speaking in front of MONUSCO's RVA base in Goma, during the demonstrations on 25 July 2022, while demonstrators were lighting fires and destroying a structure at the entrance of the base:




RDC : des installations de la MONUSCO Saccagées à Goma, plusieurs blessés par balles

Les Volcans News
3.3K subscribers

453 views 3 months ago

Tôt la matinée de ce lundi 25 juillet 2022, certains habitants de la ville de Goma se sont réveillés sous une forte colère, ils exigent le départ de la mission onusienne jugée inefficace contre les massacres perpétrés par les rebelles en RDC.

This screenshot shows a YouTube video player. The video frame shows a man in profile, looking towards a burning structure in the background. The video title is "RDC : des installations de la MONUSCO Saccagées à Goma, plusieurs blessés par balles". The channel is "Les Volcans News" with 3.3K subscribers. The video has 453 views and was uploaded 3 months ago. The description mentions that on the morning of July 25, 2022, some residents of Goma woke up in a state of anger, demanding the departure of the UN mission, which they considered ineffective against the massacres committed by the rebels in the DRC.



RDC : des installations de la MONUSCO Saccagées à Goma, plusieurs blessés par balles

Les Volcans News
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453 views 3 months ago

Tôt la matinée de ce lundi 25 juillet 2022, certains habitants de la ville de Goma se sont réveillés sous une forte colère, ils exigent le départ de la mission onusienne jugée inefficace contre les massacres perpétrés par les rebelles en RDC.

This screenshot shows a YouTube video player. The video frame shows the same man speaking directly to the camera. The background shows the same burning structure. The video title and channel information are identical to the first screenshot. The description is also identical.

Screenshots of Youtube video,¹³³ taken by the Group

¹³³ <https://youtu.be/pB7WECahiUw>

Below: Clovis Mutsuva of LUCHA RDC, interviewed by France24 during the demonstrations in Goma, where he confirms to be heading towards the MONUSCO base to demand their immediate departure and accusing MONUSCO of supporting M23 (posted on his Twitter account @CMutsuva on 25 July 2022¹³⁴):

← Tweet



Clovis Mutsuva
@CMutsuva

...

#RDC

Au côté des plusieurs compatriotes, j'ai été aujourd'hui dans la manifestation à #Goma pour exiger le départ de la Monusco

22ans après; les tueries s'accroissent à BENI (aucune protection des civiles), incapable de constater que le M23 = RWANDA-OUGANDA un échec d'observation

[Translate Tweet](#)



¹³⁴ <https://mobile.twitter.com/CMutsuva/status/1551648207620407298>

Below: Clovis Mutsuva of LUCHA RDC posting about his participation in the demonstration in Goma on 26 July 2022, demanding MONUSCO's departure and accusing the authorities of the failure of the State of Siege:

← **Clovis Mutsuva** 92 Tweets **Follow**


Rebecca Kabuo and 8 others

2 7 48

Clovis Mutsuva @CMutsuva · 26 Jul **#GOMA**

Droit aux yeux, aujourd'hui dans la manifestation exigeant le départ la Monusco, j'ai profité dire au vice gouv qu'après la Monusco ça sera leur tour

La sécurité étant la 1ère mission régalienne de l'état, les autorités de l'état de siège ont aussi échoué comme la **#Monusco**



Bienvenu Matumo and 8 others

106 84 496

Screenshot taken by the Group from Clovis Mutsuva's Twitter account

Evidence of previous cooperation between Jimmy Nzialy and Erick Bwanapuwa, on 23 June 2022:

titres immobiliers indexés par les mouvements citoyens

23 juin 2022 in RD Congo, Société

0 0



275
VIEWS



Partager sur Whatsapp



Partager



Partager



Les mouvements citoyens Génération positive et Mouvement National congolais (MNC), respectivement de messieurs Jimmy Nziali et Erick Bwanapuwa Lucky, dénoncent une tentative de spoliation du marché Kituku en ville de Goma dans la province du Nord-kivu.

Screenshot taken by the Group from a public source¹³⁵

¹³⁵ [News article](#)

Below: **Jimmy Nzali, Eric Bwanapuwa and LUCHA RDC** accused of involvement in violent demonstrations organized in Goma in the past:



Screenshots taken by the Group from Twitter

Annex 61

Continued anti-MONUSCO rhetoric and tacit or explicit support for anti-MONUSCO action**Persistence de la rhétorique anti-MONUSCO et soutien tacite ou explicite aux actions anti-MONUSCO**

LUCHA RDC denouncing the violence during the demonstrations in Goma, blaming MONUSCO for the killing of civilians and demanding MONUSCO's immediate departure. The communicate does not condemn the attack on the installations of MONUSCO. Statement signed on 26 July 2022:

LUCHA



Lutte pour le Changement

Mouvement citoyen non-partisan & non-violent.

Nord-Kivu, Rép. Dém. du Congo

Tel.: +243 974 233 390

Email: lucha.rdc@gmail.com

Twitter: @luchaRDC

Facebook : www.facebook.com/lucha.rdcngo

www.luchacongo.org

**NORD-KIVU : LE RAS-LE-BOL DE LA POPULATION DEMANDANT LE DEPART
DE LA MONUSCO EST LEGITIME ET DOIT ETRE ENTENDU**

Depuis le lundi 25 juillet 2022, des manifestations populaires appelant au départ de la MONUSCO en raison de son inefficacité dans la réalisation de son mandat de protection des civils se déroulent dans plusieurs entités de la province du Nord Kivu. En effet, malgré les moyens financiers, logistiques et diplomatiques importants mis à sa disposition depuis des années, la MONUSCO peine à mener des actions sur terrain pour neutraliser les groupes armés qui insécurisent la population. Pire encore, cette mission des nations unies en RDC répond couramment aux revendications légitimes de la population meurtrie par le silence, des propos méprisants et/ou une forte répression.

Les violences commises en marge des manifestations appelant au départ de la MONUSCO à Goma le 25 et 26 Juillet 2022 sont déplorables. Ces meurtres, blessures, tortures, destructions, pillages et abus divers auraient pu être évités si le 23 Juillet 2022, le maire de la ville de Goma s'était abstenu d'interdire la journée ville morte décrétée le 25 Juillet. Nous rendons un vibrant hommage aux Congolais tués et blessés par les casques bleus de la MONUSCO et appelons le gouvernement Congolais à prendre en charge leurs obsèques et soins médicaux.

La LUCHA appelle à une enquête urgente pour identifier et poursuivre en justice les casques bleus de la MONUSCO, les membres de services de sécurité Congolais et toute autre personne impliquée dans les violences vécues en marge des manifestations appelant au départ de la MONUSCO à Goma et dans d'autres entités de la province. Le Gouvernement Congolais devrait accompagner le rapatriement rapide des contingents de la MONUSCO au lieu de condamner une population longtemps meurtrie du fait de l'inaction et la complicité de la MONUSCO.

Le combat pour le départ de la MONUSCO est noble et légitime au vu de l'inefficacité de cette mission de l'ONU et de la détérioration continue de la situation sécuritaire à l'Est de la République Démocratique du Congo. De ce fait, la LUCHA encourage la population à poursuivre ce combat dans la dignité et la non violence.

Fait à Goma, le 26 juillet 2022

Pour la LUCHA,

La cellule de communication

Clovis Mutsuva of LUCHA RDC, on 5 August 2022, demanding the departure of MONUSCO “criminals”:

Clovis Mutsuva
92 Tweets Follow

Serge Nyamwisi and 8 others

4 10 37

Clovis Mutsuva @CMutsuva · 5 Aug ...
#GOMA
Nous venons d'enterrer aujourd'hui nos compatriotes tués par la Monusco, nous les avons rendus un hommage digne des héros et promettons de poursuivre la lutte jusqu'au départ des criminels de la **#Monusco**.

Le **#ZAÏRE** à fait 32ans d'une paix durable sans la Monusco.



Serge Nyamwisi and 8 others

4 12 58

Screenshot taken by the Group from Clovis Mutsuva’s Twitter account (@CMutsuva)¹³⁶

¹³⁶ https://twitter.com/CMutsuva/status/1555643276170039296?s=20&t=0_XSkmgjHbYpoDZIQYTmQQ

Jimmy Nzialy posting anti-MONUSCO messages on his public Twitter account, accusing MONUSCO of complicity with M23. The image posted depicts the burning UN vehicle, set ablaze by unidentified protesters at Kanyarutshinya, on 1 November 2022:



Screenshots taken by the Group from the Twitter account of Jimmy Nzialy @JimmyNZIALY4

Annex 62

Crimes against civilians committed by CODECO factions

Crimes contre les civils commis par les factions du CODECO

After Zaïre elements attacked Lendu civilians at Damas, on 6 August 2022, killing 22 civilians, CODECO militias began targeting various mining sites controlled by Zaïre elements in Western Djugu territory.

(1) CODECO/URDPC attack at the Waya mining site on 16 August 2022¹³⁷

On 16 August 2022, CODECO/URDPC attacked the “Waya” mining site. The mine is located at Lingbandja village, 8 km north of Nizi town, *Mambisa chefferie*. The site that was attacked is a gold digger’s camp, also known as “*chez Rof*” (“at Rof’s”), named after the site’s owner.¹³⁸

The Group collected information from a variety of sources, including three civil society sources, one intelligence source, a member of the Zaïre armed group, researchers, MONUSCO sources, as well as local and international media. According to local sources, CODECO militias surrounded the camp to ensure nobody would escape. Among the victims were the wives and children of gold diggers working at the mine. CODECO reportedly clashed with FARDC, and the latter’s intervention forced the assailants to retreat.

Concordant information indicates that the CODECO assailants killed at least 12 civilians - including women and children, and several mine workers - as well as four FARDC soldiers. They also looted four AK-type assault rifles weapons and an indetermined quantity of gold.

The Group received photographs from a local source,¹³⁹ depicting the bodies of the victims killed in the attack. At least three victims were killed inside their home. The bodies of at least two victims, a man and a woman, were found in a river. At least two victims were shot in the head, and one victim, a male, was executed with hands tied behind his back.

The attack was perpetrated by CODECO militias that geographically fall under the operational areas controlled by CODECO/FDBC. Some sources attributed the attack to CODECO/URDPC.¹⁴⁰ The Group noted, however, that since CODECO factions, including FDBC began operating under the URDPC umbrella, there is a tendency of generally attributing attacks to URDPC. The Group continues investigating with a view of ascertaining the identity of the attackers.

The attack was allegedly carried out as revenge for the 6 August attack perpetrated by Zaïre in Damas, 45 km northwest of Djugu town, which resulted in the killing of 22 Lendu civilians.

(2) CODECO attack at Lodjo, on 28 August 2022¹⁴¹

During the night of 28 August 2022, around 3 a.m., CODECO elements coming from the Andisa area attacked a mining area near Lodjo, Banyali-Kilo sector.¹⁴² This attack occurred in the Mongwalu mining areas where Zaïre and CODECO fight for control over mining activities, despite the ceasefire agreement CODECO adhered to in June 2022.

Eyewitnesses, corroborated by multiple independent sources, confirmed that at least 8 people were killed, including three civilians working in the mines. According to eyewitnesses and other sources, among the victims were also members of the Zaïre armed group.

¹³⁷ Three civil society sources; intelligence source; Zaïre combatant, MONUSCO, local and international media, researchers, photographic evidence.

¹³⁸ Local intelligence source, Zaïre combatant.

¹³⁹ At least two additional independent sources confirmed that the photographs were taken at the scene of the incident.

¹⁴⁰ MONUSCO sources.

¹⁴¹ Eyewitness, a member of Zaïre, three civil society sources, MONUSCO sources, video evidence

¹⁴² According to an eyewitness, the attack occurred in Gbanjala (*phon.*) *groupement*, Banyali-Kilo sector, in the forest, close to Dieu-Merci and the route that leads to Andisa, the Lendu territory the assailants came from (narration on a video provided to the Group).

The Group received video footage from a local source depicting the search for the bodies of the victims in the forest, on 28 August 2022, where six severely mutilated bodies were found. The search for two additional victims was still ongoing at the time of the filming, according to the local source who provided the footage.

According to an eyewitness, the local president of the youth, who was not associated to the Zaïre armed group, was also killed. His body was naked, severely mutilated, and decapitated. The bodies of two Zaïre combatants were dismembered, decapitated, and other body parts, including genitals and hands, were cut off, most likely posthumously.

The Group also obtained the names and ethnicity of the six victims found in the forest (two Nyali, two Alur, one Ndo and one from the Luba ethnic group).

(3) CODECO attack on Mbidjo, on 9 September 2022

On 9 September 2022, CODECO militiamen attacked the Hema village of Mbidjo, 33 km north of Mongbwalu.¹⁴³ The attack was allegedly perpetrated by CODECO elements based in Damas, at 20 km distance from Mbidjo. According to multiple sources, CODECO carried out the attack as vengeance for Zaïre attacks, including the attack on Damas, on 6 August 2022.

CODECO assailants killed at least 14 civilians, including women and at least three children, and set hundreds of houses on fire.

On 10 September the Group received video and photographic evidence of the victims killed, and of the burning houses (see photographs and screenshots below). The video and photographic evidence depicts the bodies of at least three small children, and the body of at least one woman. At least two victims have been burnt.

The CODECO faction that carried out the attack is presumably CODECO/FDBC,¹⁴⁴ as Mbidjo is close to the operational stronghold of Damas, where the attackers allegedly came from.

Photographic evidence of the victims killed at Mbidjo, including women and small children:



¹⁴³ 115 km north-west of Bunia town.

¹⁴⁴ According to researchers and the assessment of the Group based on the operational areas under the control of various CODECO factions.





Above: Photographs and screenshots from videos of victims and burning structures, provided to the Group by a local source on 10 September 2022

(4) Killing of local chief in Kpandroma, on 17 September 2022

CODECO factions continued to repress uncooperative Lendu civilians, including local leaders, by killing them, as previously reported by the Group (see [S/2019/974](#), para. 92, and [S/2022/479](#), paras. 96, 97, 111).

On 17 September 2022, CODECO/URDPC kidnapped and killed Lokana Kpandroma Adelah, the local chief of Kpandroma, following his refusal to contribute to the movement's war efforts, and to show support to the armed struggle.

Annex 63

Attacks on civilians by Zaire

Attaques de Zaïre contre des civils

Killing of civilians by Zaire combatants in Damas, Mabendi chefferie, on 6 August 2022

During the night of 5 to 6 August 2022, Zaire combatants attacked a Lendu settlement in Damas, Mabendi *chefferie*, killing at least 22 civilians, and injuring at least 16 civilians.¹⁴⁵ According to MONUSCO's official reporting, the final death toll was 26 civilians killed.

Between 12 and 13 August, MONUSCO evacuated 16 seriously injured civilians to Bunia by helicopter, at the request of the Governor of the province of Ituri.¹⁴⁶

Damas is traditionally a busy commercial center, with mining sites in the area. The attack was allegedly carried out as vengeance for previous CODECO attacks on Mbidjo, an area under the control of the Zaire group that perpetrated the attack. In addition, the attack also fits into the chronology of tit-for-tat attacks between Zaire and CODECO factions around mining sites in the area.

Below: Screenshot from MONUSCO's Twitter account announcing the evacuation of injured victims:



Screenshot of MONUSCO post on Twitter

¹⁴⁵ Researchers, civil society sources, MONUSCO, an armed group leader, a combatant, an intelligence source, local and international media

¹⁴⁶ MONUSCO public sources, including [video](#) of the evacuation.

Below: Screenshots from video capturing the evacuation of victims injured during the attack on Damas:



Ituri: la MONUSCO évacue des blessés de l'attaque du village de Damas à Bunia

MONUSCO



Ituri: la MONUSCO évacue des blessés de l'attaque du village de Damas à Bunia

MONUSCO



Ituri: la MONUSCO évacue des blessés de l'attaque du village de Damas à Bunia

MONUSCO

Screenshots from public [video](#) from MONUSCO Youtube channel

Annex 64**Non-exhaustive list of gold mining centers in Djugu territory****Liste non exhaustive des centres miniers aurifères dans le territoire de Djugu**

Factions CODECO	Milice Zaire	FARDC
Kobu	Iga barrière	Kilo
Lisey	Nizi	Iga Barrière
Maholo	Mabanga	Nizi
Badho	Lopa	Mabanga
Nyangaray	Dala	Lopa
Ngongo	Mbidjo	Mongbwalu
Lipri	Damase	Plito
Sao	Akwe	Dala
Nzebi	Lodjo	Akwe
Mbadu	Plito	Mbidjo
Camp blankete	Ngalay	Abombi
Andisa	Mahalibo	Libina
Matoro	Dubele	Matete
Kodulu	Ariwara	Itendeyi
Amema	Makpo	Katoto
Camp 3	Adra	Katanga
Manyidha	Bendere	Kobu
Atute	Nyasi	Bambu
Bahu	Makofi	Parangandja
Andhu	Parangandja	
Bakombe	Danana	
Anchu		
Camp Yalala		
Salaka		
Ngoya		
Nyaradha		
Huza		
Bambu		

Table prepared by the Group based on information provided by Ituri based mining administration sources

Annex 65**Taxation by CODECO and Zaire armed groups****Taxation par les groupes armés CODECO et Zaire**

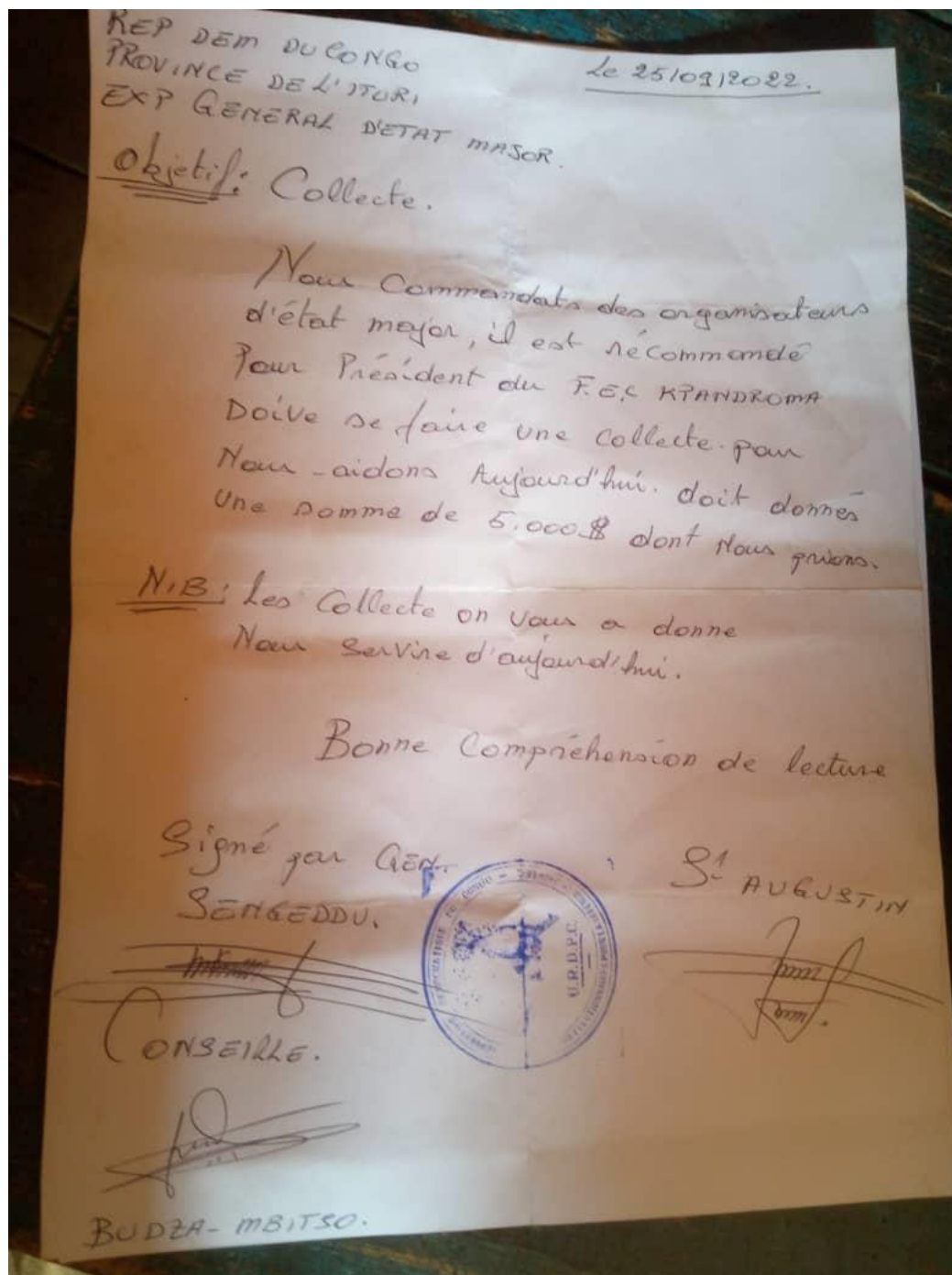
The Group interviewed several sources including civil society, researchers, economic actors, and customary authorities. These sources confirmed that elements of the Zaire and CODECO groups are erecting roadblocks in Djugu territory with the intent of collecting taxes at these roadblocks. According to the sources interviewed, the armed groups make sporadic appearances on the main roads to loot, but roadblocks are permanent on secondary roads in the areas they control.

Both groups impose the same amount in taxes, namely FC (Congolese francs) 1,000 (US\$ 0,48) for pedestrians, FC 3,000 (US\$ 1,46) to FC 5,000 (US\$ 2,44) for cars, depending on the model, and FC 10,000 (US\$ 4,88) for trucks.

Annex 66

CODECO letter addressed to Fédération des entreprises du Congo (FEC), dated 25 September 2022

Lettre de CODECO à la Fédération des entreprises du Congo (FEC) de 25 septembre 2022



Letter provided to the Group by security sources, and confirmed by Ituri-based FEC members

Annex 67**Presence of FARDC elements working at a gold mining site in Bwanga****Eléments des FARDC détachés dans un site minier aurifère à Bwanga**

On 11 August 2022, CODECO “Bon temple de Dieu” elements attacked a mining site in Bwanga village and killed two elements of the FARDC 3101st regiment.

The Group consulted the report of an investigation conducted by the Military Prosecutor's office in Bunia into the 11 August 2022 attack in Bwanga. The Group also interviewed several individuals with knowledge of the incident, notably a survivor of the attack, a military officer of the regiment that was present in Bwanga, and an investigator sent by the military prosecutor's office.¹⁴⁷

These sources told the Group that elements of the 3101st Regiment had set up their headquarters in Itendey when they were deployed in Djugu territory in early 2021 to fight armed groups. A company of 30 soldiers subsequently moved to protect a semi-industrial mining site called “Cheri Belcoze” located 50 km from Itendey. Two officers belonging to the regiment told the Group that the FARDC company's deployment to this mining site was the result of a fraudulent financial agreement between unidentified senior FARDC officers and the foreign owners of the company “Cheri Belcoze” that managed the site.

The deployment at the end of July 2022 of the FARDC elements that were attacked at the mining site on 11 August 2022 was indeed the result of a financial agreement between some FARDC elements and a mining company, as described above and as confirmed by a source who survived the attack.

Below: Report of the investigation conducted by the Military Prosecutor's office written on 13 September 2022:

¹⁴⁷ A survivor of the attack, an officer of the regiment and one of the investigators sent by the military prosecutor's office

**RAPPORT RELATIF A LA MORT DE DEUX MILITAIRES 31011^e Bn ET LA
PERTE DES 03 ARMES AKA ; 01ARME PKM ET 01 ARME MI-POINT 60**

I. LES FAITS

1. En date du 16/08/2022 son Excellence Monsieur le Gouverneur Militaire par son TG N° 01/28/8/PROGOU/PI/2022 de la même date a instruit Monsieur l'Auditeur Militaire Supérieur de l'ITURI de mener les enquêtes au sujet des 4 Militaires tués et 4 armes AKA 47 emportées par les Miliciens CODECO ;
2. A ce titre que Monsieur l'Auditeur Militaire Supérieur m'a instruit de mener les enquêtes et faire rapport ;

II. DU DEROULEMENT DE L'ENQUETE

3. Sur instruction de Monsieur l'Auditeur Militaire Supérieur nous avons effectué deux descentes à IRUMU-Centre à l'EM 31011^e Bn et à MUNGWALU à l'EM 1301Regt pour auditionner le Comd 3101 Regt, S3 Regt, S2 Regt, S1 31012^e Bn ainsi que AC MUTOMBO KAMBUYA JEAN CLAUDE ; tandis que à MUNGWALU à l'état-Major 1301^e Regt nous avons auditionné le Comd 2nd Ops-Rens 1301 Regt, S3 1301 Regt, S2 1301 Regt et AC ANGENZE GONGA RIGO ;
4. Il ressort des auditions faites que le LtCol DEMODEDO BAGU Comd 2nd 31012^e Bn et S1 Lt KAMBALE MATOFELLE avaient signé la FR N° 0011 en date du 23/06/2022 (cote 1) pour détacher 15 soldats au site minier CHERI BELCOZE appartenant à un sujet chinois répondant au nom de AMERIQUE non autrement identifié ;
5. En date du 27/07/022 le Comd 2nd 1301 Regt et son S3 ont reçu des informations faisant état d'une prétendue préparation de l'attaque du village BWANGA par les miliciens CODECO raison pour laquelle le Comd 2nd 1301 Regt et son S3 avaient envoyé 15 soldats sous le commandement de l'AC ANGENZE GONGA RIGO (cote 2) en vue de renforcer les éléments de 31012^e Bn basés au site d'un sujet chionis AMERIQUE située à CHERI BELCOZE ;
6. En date du 11/08/022 vers 5H 00' du matin les combattants CODECO avaient lancé l'attaque contre les éléments FARDC de 31012^e Bn détachés au site minier CHERI BELCOZE du sujet chinois AMERIQUE non autrement identifié mais également aux éléments 1301 Regt qui étaient partis en renfort auxdits site ;

7. Au cours de cette attaque 2 soldats 31012^e Bn ont trouvé la mort notamment Sgt MUTOTO HATA, MANENO BAHATI et un soldat de 31012^e Bn disparu en la personne de SM MBOBIKIMI SELE ainsi que 5 soldats de 1301^e Regt blessés ;

8. S'AGISSANT DES MATERIELS EMPORTES

Lors de cette attaque les miliciens CODECO ont emporté :

- 3 armes AKA 47 dont 2 armes AKA 47 de 31012^e Bn et une arme AKA 47 de 1301 REGT.
- Une arme PKM de 31012^e Bn, et
- Une arme MI POINT 60.

9. DE LA RESPONSABILITE PENALE

En attendant l'audition de LtCol BYANKYA BAGUMU SAMY qui est en soins médicaux à l'étranger, nous avons retenu à charge du LtCol DEMODEDO JEAN REMY Comd 2nd 31012^e Bn et du Lt KAMBALE MATOFELE S1 31012^e Bn l'infraction de Violation de consigne ayant entraîné la mort de 2 soldats ainsi que la perte des armes de guerre durant le temps exceptionnel.

10. LES OFFICIERS ARRETES

- Lt KAMBALE MATOFELE, actuellement à la PC Bunia.

11. POSITION ADMINISTRATIVE DU LtCol DEMODEDO JEAN REMY

Il est muté à RUTSHURU.

12. PROPOSITION A L'AUD MIL SUP

L'Audition du LtCol BANYAKYA BAGUMU SAMY lors de son retour au pays avant de clôturer les enquêtes.

13. DECISION DE L'AUD MIL SUP

Fait à BUNIA, le 13/09/2022

KUMBU NGOMA

Col Mag
AGM



Report provided to the Group by FARDC source

Annex 68

Establishment of a regional military force

Création d'une force régionale

Recurrent M23/ARC attacks and territorial expansion accelerated the process to establish and to deploy the proposed regional force. At a meeting held in Nairobi on 20 June 2022 and following the preparatory discussions held on 7 June 2022 in Goma among the EAC army chiefs of staff, EAC Heads of State reiterated the call for the establishment and the deployment of the EAC regional force and approved the concept of operations, the status of forces agreement, the rules of engagement as well as legal and technical pre-requisites ahead of the deployment of the regional force.¹⁴⁸

According to the communiqué of that meeting, the regional force, under the command of Kenya, should be composed of armed and police forces of the seven members of the EAC.¹⁴⁹ The communiqué as well as the concept of operations (CONOPS) indicated that the regional force should jointly plan and conduct operations with the FARDC in liaison with MONUSCO and that it should provide support for the P-DDRCS process. Its areas of deployment were identified as North Kivu, South Kivu, Ituri and Uele provinces.¹⁵⁰ Tanzania declined to take part in the force while the DRC authorities requested that Rwanda deploy within its own borders only.

EAC Heads of State also called for an immediate cessation of hostilities and withdrawal of armed groups from recently occupied positions.

Even though the Government of the DRC expressed, in principle, its support to the planned deployment of the regional force on its territory, several DRC political actors, civil society organizations and armed groups reacted to the planned deployment of the regional force with concern and skepticism.

Some civil society actors have outrightly rejected the planned deployment while others asked for the withdrawal from the regional force of some countries, including Rwanda, Uganda and Burundi. Some civil society actors as well as political and FARDC sources stressed that the three countries have a record of involvement in proxy wars in the DRC and have for decades contributed to the chronic instability in the DRC (see also para. 102).

Diplomatic sources and researchers raised further concerns over the divergent interests of some of the potential contributing parties to the regional force, as well as over funding, duration, logistics and the exit strategy of the envisaged regional operation, issues on which there was no clarity or details in the current concept of operations.

On 9 September 2022, the Government of the DRC and the EAC signed the status of forces agreement (SOFA), defining the responsibilities and the obligations of the regional force when conducting its operations in the Eastern DRC. By signing this SOFA, the Government of the DRC has committed to facilitate and provide support to the East African Community Regional Force (EACRF) operations within the national legal and constitutional framework.

General Jeff Nyagah, a Kenyan national, was appointed as the force commander.

On the 2 November 2022, President of Kenya, William Ruto handed over the flag to Kenya National Defense Forces signalling the authorisation to effectively deploy in the Eastern DRC. At the time of drafting there was yet no substantial deployment or engagement of the regional military force on the DRC territory.

The Group recalls that, under paragraph 5 of resolution [1807 \(2008\)](#), as renewed by resolutions [2293 \(2016\)](#) and [2641 \(2022\)](#), the provision of assistance that includes the involvement of foreign troops in military operations on the territory of the DRC must be notified in advance to the Committee.

¹⁴⁸See <https://www.eac.int/communique/2504-communique%C3%A9-the-third-heads-of-state-conclave-on-the-democratic-republic-of-congo-the-nairobi-process>

¹⁴⁹ Burundi, DRC, Kenya, Rwanda, South Sudan, Uganda, and United Republic of Tanzania.

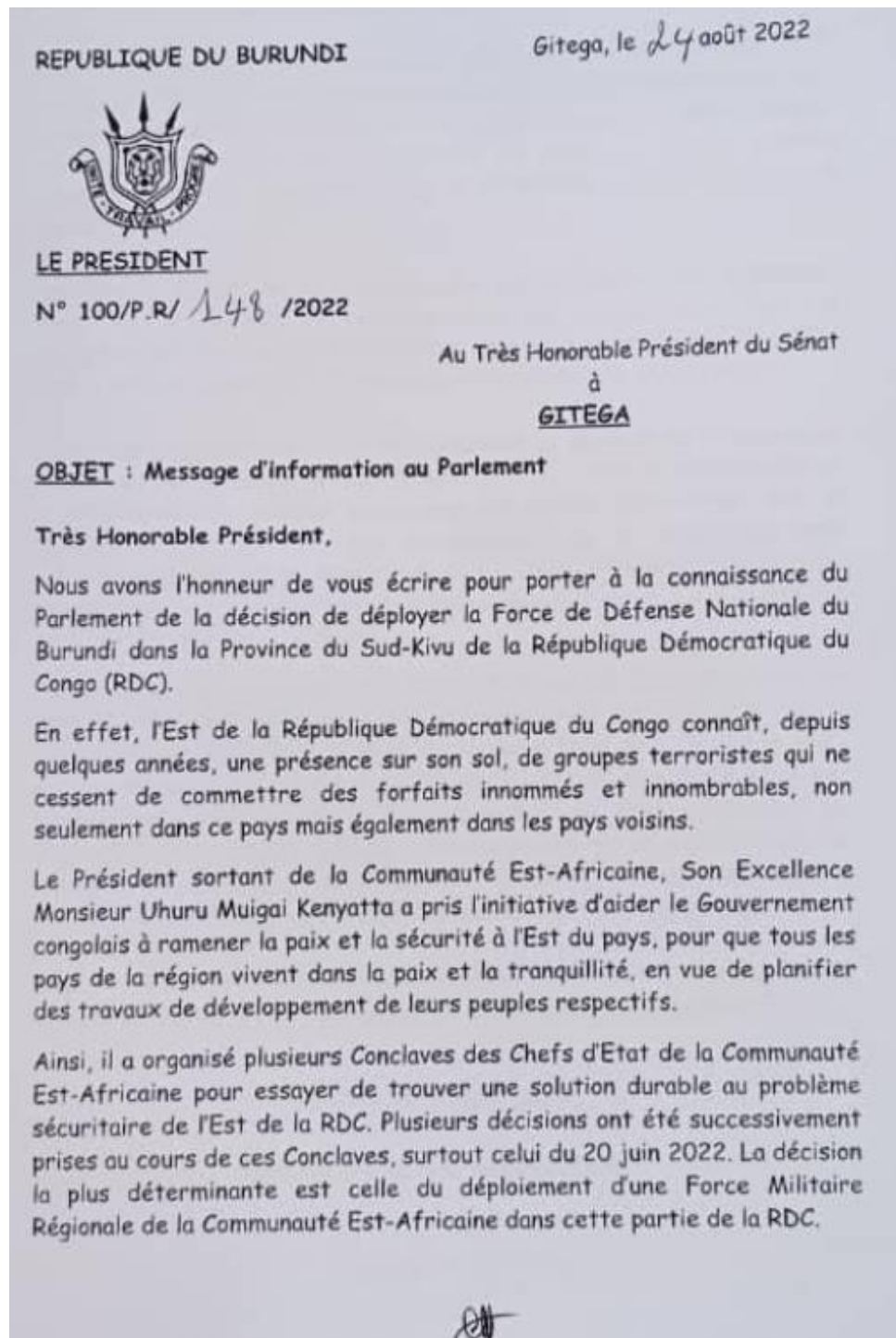
¹⁵⁰ The CONOPS invited each contributing party to assume the logistics, funding, and operations for its troops.

The Group also stresses the importance of coordination with MONUSCO regarding the planned deployment and operations of the regional force, and the respect of international human rights and international humanitarian law by the regional force.

Annex 69

Letter dated 24 August 2022 of Burundi President Evariste Ndayishimiye to Parliament announcing FDN deployment as part of EAC

Lettre du 24 août 2022 du Président burundais Evariste Ndayishimiye au Parlement annonçant le déploiement des FDN dans le cadre de l'EAC.



Il a été convenu que cette Force soit déployée sous les auspices de la Communauté Est-Africaine pour une période de 6 mois renouvelables, avec un mandat de contenir, combattre et éradiquer les groupes terroristes et négatifs opérant dans l'Est de la RDC, en appui aux Forces Armées Congolaises opérant dans cette zone et en étroite collaboration avec la MONUSCO.

Les Chefs d'Etat de la Communauté Est-Africaine ont également déterminé le secteur de responsabilité de chaque pays tout en recommandant des contacts bilatéraux avec le Gouvernement de la RDC dans la mise en œuvre de la Force armée à déployer par chaque pays.

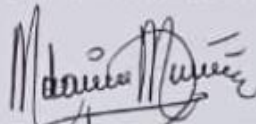
C'est dans cette optique que le Gouvernement du Burundi, en collaboration bilatérale avec le Gouvernement de la RDC, et en vertu de l'article 255 de la Constitution qui précise que « Dans les limites déterminées par la Constitution et les lois, seul le Président de la République peut autoriser l'usage de la Force Armée (...) dans l'accomplissement des obligations et engagements internationaux », a pris la décision de déployer un contingent au Sud-Kivu.

Après consultation officielle du Conseil National de Sécurité (CNS), en date du 22 août 2022, tel que le prescrivent l'article 256 de la Constitution et l'article 4 de la loi Organique n°1/26 du 6 décembre 2021 portant Modification de la Loi n°1/23 du 31 août 2008 portant Missions, Composition, Organisation et Fonctionnement du Conseil National de Sécurité « CNS », Nous voudrions Vous informer que le Burundi vient de déployer un contingent constitué d'un bataillon d'infanterie, dans la province du Sud-Kivu, pour une période de trois mois renouvelables.

Vous en souhaitant bonne réception, Nous vous prions d'agréer, Très Honorable Président, les assurances de notre haute considération.

Evariste NDAYISHIMIYE,

PRESIDENT DE LA REPUBLIQUE. -



Document provided to the Group by local sources

Annex 70

Information indicating that FDNB troops were deployed on a bilateral basis

Informations indiquant que les troupes de la FDNB ont été déployées sur une cadre bilatérale

In addition to several sources informing the Group that the FDN deployment was launched on a bilateral basis, the below documents provided further support to this information.

Note of the 65th meeting of the Council of Ministers of the DRC of 19 August 2022 explicitly stating that the FDN deployment was part of a bilateral agreement signed between the DRC and Burundi:



MINISTÈRE DE LA COMMUNICATION ET MEDIAS

Le Ministre

COMPTE RENDU DE LA SOIXANTE-CINQUIÈME RÉUNION DU CONSEIL DES MINISTRES

Vendredi 19 août 2022

Son Excellence Monsieur le Président de la République, Chef de l'Etat, Félix-Antoine TSHISEKEDI TSHILOMBO, a présidé la soixante-cinquième réunion du Conseil des Ministres du Gouvernement de la République, ce vendredi 19 août 2022 à la Cité de l'OUA à Kinshasa, capitale de la République Démocratique du Congo.

Trois (3) points ont constitué la charpente de l'ordre du jour, à savoir :

- I. *Communication de Son Excellence Monsieur le Président de la République, Chef de l'Etat ;*
- II. *Points d'informations ;*
- III. *Approbation d'un relevé des décisions du Conseil des Ministres ;*

I. COMMUNICATION DU PRÉSIDENT DE LA RÉPUBLIQUE, CHEF DE L'ÉTAT

Le Président de la République, Chef de l'Etat l'a articulée autour de quatre (4) points ci-après :

1. De la tenue à Kinshasa du 42^{ème} sommet ordinaire de la Communauté de développement de l'Afrique Australe (SADC)

Le Président de la République est revenu sur la tenue de ces assises, du 09 au 17 août 2022, placées sous le thème : « *promouvoir l'industrialisation au moyen de l'agro-transformation, la valorisation des minéraux et du développement des chaînes de valeur régionale en vue d'atteindre une croissance économique inclusive et durable* ».

Ces assises ont concouru à réitérer la volonté de la SADC à promouvoir et renforcer la coopération socio-économique, politique et sécuritaire entre ses États membres ainsi qu'à stimuler l'intégration régionale en vue d'atteindre la paix, la stabilité et la prospérité.



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de détresse de la communauté Banunu dont les notables souhaitent une réconciliation aux fins d'accueillir les frères réfugiés en République du Congo ;

- *Le mouvement citoyen Veranda Mutshanga qui projette une marche, le lundi 22 août 2022, pour exiger de nouveau le départ immédiat de la MONUSCO, devenue à leurs yeux incapable d'assurer la protection des populations de l'Est du pays. Les forces de sécurité ont été instruites et toutes les dispositions sont prises pour assurer l'encadrement et parer à toute éventualité dans le souci de protéger les citoyens et leurs biens.*

Il a rassuré des dispositions qui ont été prises, avec l'accompagnement du Gouvernement de la République, pour trouver de solutions idoines à ces préoccupantes situations.

II.2. Situation sécuritaire

Pour sa part, la Vice-Ministre de la Défense Nationale et Anciens Combattants a présenté une synthèse de la situation opérationnelle militaire et sécuritaire du pays. Elle a indiqué les opérations menées par les Forces Armées de la République Démocratique du Congo (FARDC) se poursuivent pour mettre fin à l'activisme des groupes armés qui sèment l'insécurité dans la partie Est de notre pays.

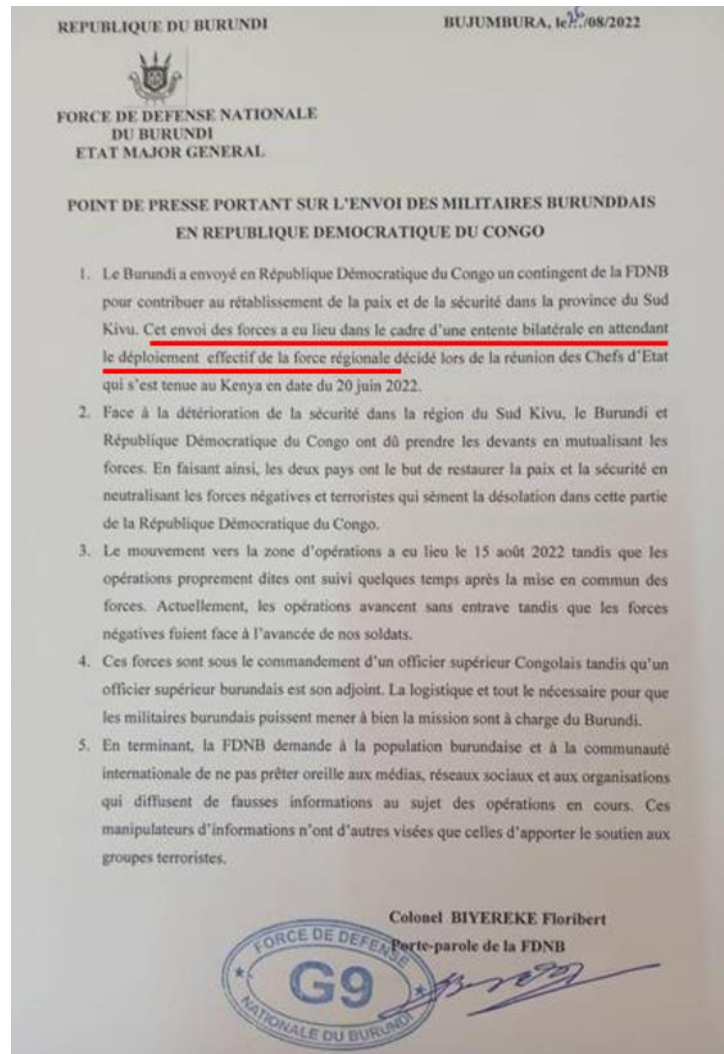
La coalition M23/Rwanda a tiré, le 16 août dernier, sur les positions des FARDC à hauteur du Pont Rwanguba, situé en plein Parc des Virunga, endommageant ainsi le chantier de construction de la centrale hydroélectrique de Rwanguba.

Dans le cadre de la recherche des solutions d'éradication de ces groupes armés notamment dans le Sud-Kivu, la Vice-Ministre de la Défense Nationale et Anciens Combattants a informé le Conseil qu'un Mémoire d'entente (MoU) a été signé en bilatéral avec le Burundi et son exécution a débuté le 15 août dernier au travers du déploiement d'un Contingent de défense de l'Armée Burundaise.

La détermination du Gouvernement reste ferme pour mobiliser davantage des moyens au profit de nos forces de sécurité dans l'objectif bien compris de ramener la paix dans cette partie de la République Démocratique du Congo.



Press briefing on the FDN deployment of the DRC explicitly stating that it took place in the framework of a bilateral agreement between the DRC and Burundi, until the deployment of the EAC regional force:



Document provided to the Group by local sources

Annex 71

Schematic movements of FDN troops and joint FDN-FARDC operations in the DRC

Mouvements schématiques des troupes FDN et des opérations conjointes FDN-FARDC en RDC



Following their deployment in August 2022 in Luberizi camp, FDN jointly with FARDC clashed with Red-Tabara and FNL around Masango and Lubumba (Uvira Territory) respectively in September and October 2022. They then deployed towards Bijombo (Mwenga Territory) at the pursuit of both armed groups who fled in the Itombwe forest.

MONUSCO maps annotated by the Group

Annex 72

Letter dated 21 July 2022 of Twirwaneho leader (and spokesperson), Welcome Kamasa, to DRC President, Felix Antoine Tshisekedy and EAC Heads of States, emphasizing their concern over the deployment of the FDN and possible FDN-FARDC operations against them

Lettre datée du 21 juillet 2022 du leader (et porte-parole) Twirwaneho, Welcome Kamasa, au président de la RDC, Felix Antoine Tshisekedy et aux chefs d'État de la CAE, soulignant leur inquiétude quant au déploiement des FDN et aux éventuelles opérations FDN-FARDC à leur encontre

KAMASA NDAKIZE WELCOME

Minembwe, le 21/07/2022

PORTE PAROLE DU GROUPE D'AUTODEFENSE

CIVILE TWIRWANEHO

MINEMBWE, SUD-KIVU/RDC

Copie pour information à:

- Son Excellence Monsieur le Président de la République du Kenya et Président en exercice de l'EAC (avec nos hommages les plus déférents) à Nairobi ;
- Son Excellence Madame la Présidente de la République Unie de Tanzanie (avec nos hommages les plus déférents) à Dar-es-Salaam;
- Son Excellence Monsieur le Président de la République de l'Ouganda (avec nos hommages les plus déférents) à Kampala;
- Son Excellence Monsieur le Président de la République du Soudan du Sud (avec nos hommages les plus déférents) à Juba;
- Son Excellence Monsieur le Président de la République du Rwanda (avec nos hommages les plus déférents) à Kigali;
- Son Excellence Monsieur le Président de la République du Burundi (avec nos hommages les plus déférents) à Bujumbura;

**Objet: Cri d'alarme contre une opération militaire inopportune
envers le groupe d'Autodéfense civile Twirwaneho.**

A Son Excellence Monsieur Félix Antoine
Tshidekedi Tchilombo, Président de la
République Démocratique du Congo (avec
nos hommages les plus déférents) à Kinshasa-
Gombe/RDC

Excellence Monsieur le Président de la République,

J'ai l'honneur de m'adresser auprès de votre haute responsabilité,
en vue d'exprimer, au nom de la communauté Banyamulenge vivant dans les Hauts-

Plateaux de la province du Sud-Kivu, communément appelés Minembwe, notre profonde inquiétude suscitée par l'imminence d'une inopportune opération militaire contre le groupe d'autodéfense civile Twirwaneho.

Cette opération conjointe entre les Forces Armées de la République Démocratique du Congo (FARDC) et les Forces Nationales de Défense du Burundi (FNDB) s'annonce dangereuse et irrégulière sur plusieurs plans et risque de conduire à un nettoyage ethnique pure et simple contre les Tutsis Banyamulenges des Hauts-Plateaux.

En effet, selon les informations crédibles en notre possession, la semaine du 10/07/2022, les Forces armées Burundaises (FNDB) ont traversé la rivière Rusizi en trois groupes de 250 militaires chacun pour faire jonction avec les FARDC opérant dans les Moyens-Plateaux d'Uvira, totalisant ainsi une force constituée de 1500 hommes de troupe, à raison de 750 hommes par pays. Ces troupes ont pour objectif de détruire l'autodéfense Banyamulenge Twirwaneho, pourtant partenaire au processus de paix de Nairobi initié sous les bons offices de Son Excellence Uhuru Kenyatta, Président de la République du Kenya et Président en exercice de l'EAC dont les travaux n'ont pas encore pris fin.

Excellence Monsieur le Président, il sied de porter à votre aimable attention qu'une telle initiative est irrégulière et inopportune pour plusieurs raisons : D'abord, cette opération viole intentionnellement le processus de Paix de Nairobi auquel Twirwaneho est partie prenante. Comment pouvez-vous décider de mener une telle opération sélective contre un groupe déjà engagé dans le dialogue pour une résolution pacifique du conflit ?

Ensuite, seul ce groupe est visé par l'opération dans une province où l'on compte à peu près 90 groupes armés selon le Baromètre sécuritaire du Kivu datant du mois de février 2021. Cette opération est de toute évidence sélective car elle cible un groupe d'auto-défense qui n'a jamais lancé une seule attaque contre l'armée régulière et met en danger l'ensemble de la Communauté Banyamulenge ciblée par des massacres à motivation ethnique enduré depuis Avril 2017, sous le regard complaisant si pas complice de certains éléments des FARDC. Cette intervention militaire ne fera que remuer l'épée dans une plaie encore saignante, car visant une population civile, les Banyamulenges, puisque les Twirwaneho sont des paisibles civils qui ont décidé de se prendre en charge après avoir été abandonnés par les services compétents et livrés à la merci de ceux qui ne jurent que par l'extermination ou à défaut l'expulsion des Banyamulenge du Territoire Congolais.

Enfin, ce qui est plus inquiétant est que le FARDC, qui sont sensé sécuriser tout le monde, organise cette opération avec l'armée burundaise mais aussi avec les différents groupes maimai qui deviennent officiellement des forces amies contre les seuls banyamulenge.

Eu égard aux éléments développés ci-dessus, il est évident que l'opération est mal partie ; car elle offrira sans doute l'opportunité à tous les acteurs du projet macabre de génocide des Tutsis de la RDC d'en finir une fois pour toute.

Excellence Monsieur le Président de la République, comment notre pays peut-il prendre une telle décision qui met en danger tout un groupe ethnique dont le seul péché est son faciès allongé ? Cette correspondance sert de cris d'alarme pour vous demander de faire appel à la raison et éviter de prêter une main forte à un plan de génocide qui ne fait plus l'ombre d'aucun doute.

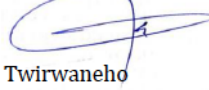
Vous avez sans doute suivi une campagne haineuse qui fait le tour dans les réseaux sociaux et autres canaux dont l'objectif est d'appeler à l'extermination des Tutsis de la Rdc. Nous voudrions par la présente demander au Gouvernement de la RDC de mettre fin à ce plan d'extermination de la Communauté Banyamulenge en cours d'exécution depuis 2017, en commençant par l'annulation de cette opération dont les effets sont prévisibles.

Nous en appelons par la même occasion aux Chefs d'Etats membres de l'EAC de tout mettre en œuvre afin d'éviter que le processus de Paix de Nairobi ne soit pas mis en péril. Nous les prenons également à témoin face à un projet de longue date de génocide et dont l'opération en question risque de parachever son exécution finale.

Espérant qu'une suite appropriée sera réservée à notre cri d'alarme, nous vous prions d'agréer, Excellence Monsieur le Président, l'expression de nos sentiments les plus patriotiques.

Fait à Minembwe, le 21/07/2022

KAMASA NDAKIZE WELCOME



Porte-Parole de Twirwaneho

Document provided to the Group by local sources

Annex 73

MONUSCO statement condemning attack on the base in Minembwe (South Kivu) that led to the killing of a peacekeeper on 30 September 2022**Déclaration de la MONUSCO condamnant l'attaque de la base de Minembwe (Sud-Kivu) qui a conduit au meurtre d'un Casque bleu le 30 septembre 2022**

Mission de l'Organisation des Nations Unies pour

COMMUNIQUÉ DE PRESSE**La MONUSCO condamne l'attaque de sa base de Minembwe (Sud-Kivu) au cours de laquelle un casque bleu a été tué**

Kinshasa le 1^{er} octobre 2022 : La MONUSCO condamne l'attaque de sa base opérationnelle à Minembwe, dans la province du Sud-Kivu, par des membres présumés du groupe armé Twirwaneho, le 30 septembre à 22h30. Au cours de cette attaque, un casque bleu a été tué par des hommes armés qui s'approchaient de la base après avoir contacté la MONUSCO pour une reddition.

La Mission rappelle que les activités de désarmement de combattants menées par la mission sont mandatées par le Conseil de Sécurité des Nations Unies et conduites de manière impartiale sur une base volontaire.

Les attaques contre les casques bleus peuvent constituer un crime de guerre. La MONUSCO appelle les autorités congolaises à déployer tous les efforts possibles pour que les auteurs de cette attaque odieuse répondent de leurs actes.

La Mission exprime ses plus sincères condoléances à la famille et au pays d'origine du Casque bleu décédé.

La MONUSCO demeure engagée à soutenir le gouvernement et le peuple congolais dans leurs efforts pour instaurer la paix et la stabilité dans l'est du pays.

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Lieutenant-Colonel Andrew Muli, Porte-parole militaire, monusco-ho-muloche@un.org tél. +243 81 890 31 78, portable : +243 81 890 71 60
Adele Lukoki, Relations médias, lukokila@un.org portable : +243 81 890 77 06

Annex 74

Twirwaneho statement denying responsibility on Minembwe POB and killing of a peacekeeper, issued on 1 October 2022

Déclaration de Twirwaneho niant toute responsabilité dans l'attaque de Minembwe POB et le meurtre d'un casque bleu, publiée le 1er octobre 2022

Twirwaneho coordinator Kamasa Ndakize Welcome issued a public statement on 1 October 2022, shortly after the attack, blaming it on FARDC and the “enemies of Banyamulenge”. He suggested the attack occurred in the context of growing anti-MONUSCO sentiment fueled by hate speech propagated by politicians who accuse MONUSCO of protecting the Tutsi and Banyamulenge:

AUTODÉFENSE CIVILE TWIRWANEHO

DENONCER LE MEURTRE DE CASQUE BLEU DE LA MONUSCO A MINEMBWE

1. L'Autodéfense Civile banyamulenge, Twirwaneho dénonce et condamne l'attaque de la base de la Monusco de Minembwe, qui a coûté la vie à un casque bleu de la Monusco.

2. Ceci intervient après plusieurs manifestations contre la Monusco au Nord Kivu (Goma et Butembo) qui se sont soldées aux attaques armées contre les bases de la Monusco par des manifestants armés.

Rappelons que ces manifestations étaient déclanchées par les discours de haine de certains politiciens au niveau national accusant la Monusco de protéger la minorité Tutsi et banyamulenge.

3. C'est aussi après les tentatives, depuis plusieurs années, de détruire Minembwe par les Maimai et le Red Tabara, avec l'aide des éléments des FARDC basés à Minembwe. Lesquelles tentatives ont été un échec à cause de la présence de la Monusco à Minembwe.

4. Hier soir, 30 Octobre 2022, une attaque du genre s'est perpétrée contre la base de la Monusco à Minembwe Centre, par des inconnus, à proximité du Camp des FARDC et de la Police nationale.

5. Les FARDC se sont précipitées à accuser Twirwaneho, pour cacher leur responsabilité et irresponsabilité dans cette affaire. Précisons ici que Twirwaneho n'a pas accès à Minembwe Centre qui est protégé par les FARDC et la PNC.

6. Nous informons l'opinion nationale et internationale que Twirwaneho n'a aucune raison d'attaquer la Monusco car si les banyamulenge vivent encore dans certains villages (Minembwe, Mikenge, Bibogobogo, Rurambo), c'est grâce à la présence de la Monusco.

7. Cette attaque a été perpétrée, sans doute, par les ennemis de banyamulenge qui sont gênés par la présence de la Monusco, dans leur salle besoin de vouloir exterminer et chasser les banyamulenge du sol congolais.

Nous condamnons cette attaques, nous condamnons les propos des FARDC que nous qualifions de diversion et nous exigeons une enquête indépendante sur cette énième meurtre dans le rang de la Monusco.

Fait à Minembwe le 01/10/2022

KAMASA NDAKIZE WELCOME

Coordinator

Annex 75**Statement by Stéphane Dujarric, Spokesman for Secretary-General of the UN, reporting an attack on Minembwe POB, issued 6 October 2022****Déclaration de Stéphane Dujarric, porte-parole du Secrétaire général de l'ONU, faisant état d'une attaque contre la POB de Minembwe, publiée le 6 octobre 2022****DEMOCRATIC REPUBLIC OF THE CONGO**

The UN peacekeeping mission in the Democratic Republic of the Congo tells us that yesterday, suspected members of the Twirwaneho armed group opened fire towards the peacekeeping base in Minembwe, in South Kivu province in the eastern part of the country.

Our UN peacekeepers returned fire, forcing the assailants to disperse. There are no casualties among peacekeeping troops. This is the second attack carried out by the group in a week towards the same UN base, and as a reminder, one UN peacekeeper from Pakistan was killed in that attack on 30 September.

Screenshot taken by the Group from official [UN website](#), 6 October 2022